

**FORM 9**  
**CERTIFICATE OF SUBSTANTIAL PERFORMANCE OF THE**  
**CONTRACT UNDER SECTION 32 OF THE ACT**  
*Construction Act*

City of Guelph

(County/District/Regional Municipality/Town/City in which premises are situated)

92 Brock Road South, Guelph

(street address and city, town, etc., or, if there is no street address, the location of the premises)

This is to certify that the contract for the following improvement:

New Facility for Aberfoyle Snomobiles

(short description of the improvement)

to the above premises was substantially performed on August 31, 2020

(date substantially performed)

Date certificate signed: Sept. 3, 2020

MartinSimmons Architects Inc.

(payment certifier where there is one)

(owner and contractor, where there is no payment certifier)

Name of owner: D+R Leachman Holdings Inc.

Address for service: 6 Gilmour Rd., Puslinch, ON N0B 2J0

Name of contractor: Schiedel Construction Incorporated

Address for service: 405 Queen St. W, Cambridge, ON N3C 1G6

Name of payment certifier (where applicable): MartinSimmons Architects Inc.

Address: 113 Breithaupt Street, Suite 200, Kitchener, ON

(Use A or B, whichever is appropriate)

☒ A. Identification of premises for preservation of liens:

92 Brock Road South, Guelph

(if a lien attaches to the premises, a legal description of the premises, including all property identifier numbers and addresses for the premises)

☐ B. Office to which claim for lien must be given to preserve lien:

(if the lien does not attach to the premises, the name and address of the person or body to whom the claim for lien must be given)

# MARTINSIMMONS

ARCHITECTS

September 3, 2020

**TD Commercial Banking**  
**806 Gordon Street, Unit 204, Guelph, Ontario N1G 1Y7**

Attention:  
Shannon Urban, Relationship Manager

Re:  
**New Facility for Aberfoyle Snomobiles**  
**92 Brock Road South, Guelph**

Our Project No.:  
**1998-1**

Dear Ms. Shannon,

At the request of the Contractor, this office has completed a review of the above noted Project and as of **August 31, 2020** find the Work to be "Substantially Performed" in accordance with "Chapter 6, Paragraph 2 of the Construction Lien Act, 1990". The lien period will commence when the Contractors Publication of "Form 9, Certificate of Substantial Performance of the Contract under Section 32 of the Act" appears in the provincial trade newspapers. We will confirm the date of publication once the "Certificate of Publication" is received from the Contractor.

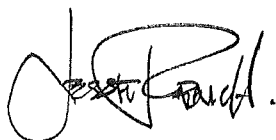
As requested, we have evaluated and determined that Substantial Performance has been attained to the requirements as described in sentence (2) of Chapter 6, Paragraph 2 of the Construction Lien Act, 1990, which states "For the purposes of the Act, where the improvement or a substantial part thereof is ready for use or is being used for the purposes intended and the remainder of the improvement cannot be completed expeditiously for reasons beyond the control of the contractor or, where the Owner and the Contractor agree not to complete the improvements expeditiously, the price of the services or materials remaining to be supplied and required to complete the improvements shall be deducted from the contract price in determining substantial performance."

Once we have completed our evaluation and deficiency reports and upon receipt of the copy of the publication to the provincial trade newspaper, we will issue a Certificate of Payment for the work completed and a Holdback Release Certificate releasing the holdback monies.

We trust the above to be submitted in accordance with the requirements of your office. Should you have any questions or require additional information or clarification, please do not hesitate to contact our office.

With kind regards,

MARTINSIMMONS ARCHITECTS INC.



Jesse French, Associate, C. Tech.  
jfrench@martinsimmons.ca

MARTINSIMMONS.CA

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