



# *Canterbury Common Residents' Association*

127A Waterbury Crescent • Port Perry • Ontario • L9L 1S2 • 905-985-5258

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## WHAT'S HAPPENING

NOVEMBER 2020

### WHAT'S NEW

#### **Transfer of the Former Golf Course Lands Property**

We thought it would be helpful to provide those of you who became residents of Canterbury in the last couple of years, with a little history regarding the former Doug Carrick designed nine (9) hole Canterbury Common Golf Course and help you understand why it was important for us to own the property not being developed by Geranium. Incorporated in 1996 by Club Link Inc., the course was built when the developer commenced the first of three phases of construction that would eventually see 241 homes being built in the newly created Canterbury Common subdivision.

Some of those original buyers inquired if ownership of the surrounding golf course lands was included as part of the purchase of their new homes. Their understandable concerns were that without ownership and control of the lands, they could foresee the risk that the golf course, that was such an integral and beautifying feature of the Canterbury designed community, might some day in the future end up being sold and developed for residential housing or used for purposes other than a golf course. A concern that in 2015 became a reality.

In April 2000 GolfNorth Properties Inc., acquired ownership of the golf course from Club Link and continued to run it as a public golf course. Since all the other GolfNorth owned courses were in southwestern Ontario, additional concerns were on the minds of Canterbury residents fearing that unless GolfNorth intended to expand in eastern Ontario our community golf course could have a short-lived future. CCRA made it a point, out of self interest, to work closely with GolfNorth in doing what we could to have our own residents support the use of the golf course facility and encourage GolfNorth to initiate various marketing efforts to support the profitability objectives and future viability of the operation.

It worked out very well for our residents. Having a golf course on our door step with the ability to just walk to the pro shop located in the leased lower level of our Centre building with easy access to the first tee, was a big plus for our golfing residents. The many organized golfing and after golf dinners events served as a social get together for our residents providing them with the opportunity to meet up with existing and new residents and make new friends. Also having the course so close allowed us maintain an active social and physical lifestyle through the game of golf.

#### **Opportunity for CCRA to Buy the Golf Course**

In 2002 rumours circulated that GolfNorth was open to the idea of selling the golf course. Hearing this information, the CCRA Board at the time acted quickly in appointing a special committee of residents with an extensive business background to meet with GolfNorth senior officials to get confirmation of their intentions to put the course up for sale or dispel the rumour.

The first early meeting confirmed that GolfNorth was receptive to selling the course since while the course was still producing a profit, it was not at the level it needed to be to meet corporate objectives. What followed was a very lengthy process, many meetings and frustration over GolfNorth's unwillingness to share needed financial information without us first making a firm bid proposal.

The rock bottom price that GolfNorth finally indicated they would be prepared to accept to sell the course we believed was well in excess of its realistic market value as determined by our own evaluation and confirmed by an accountant who was very knowledgeable in golf course market valuations. As a result, the discussions were discontinued and while we gather GolfNorth may have had other expressions of interest, none resulted in a sale. They retained ownership and operation of the course until the land was sold to Geranium for residential development in October 2015 and the golf course permanently closed.

### **Our Next Steps to Acquire the Property**

Between the time of the inconclusive discussions with GolfNorth in 2002 and the eventual sale of the property to Geranium in October 2015, the potential for the land to be sold to a developer was always at the forefront of our concerns. We discussed these concerns with CCRA's corporate counsel and he was very blunt and said that the only way to control what happens on the land, is to own the land.

We explored various options that came down to (1) making an offer of purchase that involved all Canterbury residents participating equally or (2) having willing Canterbury residents buying shares of a certain value to raise enough money to acquire ownership of the golf course lands. Option (1) realistically was a non-starter since it would have been extremely unlikely to get all 241 homeowners on board with buying a golf course. Also, our corporate lawyer opined that CCRA's Articles of Incorporation, that define and reflect the reasons for CCRA's non – profit existence and its stated objectives, would be unlikely to support buying a golf course even with a two thirds majority vote of its members at a Special General Meeting.

Option (2) was the subject of an organized initiative by the Canterbury Planning and Action Committee headed up by George Clapham to determine the level of interest by our residents in making a non-binding commitment to purchase the golf course by means of buying shares. George eventually raised close to a million dollars in commitments with the promise from several people that if it did actually happen, they would buy more shares. Options (1) and (2) quickly evaporated when the golf course property was sold to Geranium at an undisclosed final purchase price.

When we approached Geranium to see what they would ask to sell the land to a specific group of Canterbury investors, they quoted an absurd valuation, even if the land was rezoned from open space to residential, which at the time it was not and approval by the Township of Scugog for such a rezoning was not a certainty.

### **Our Plan to Gain Ownership**

Given that we hit a wall in our efforts to find a way to realistically see the golf course lands owned through a purchasing proposition we decided to come at possession another way. The

Geranium development application for residential housing on the former golf course lands included their seeking a change in the zoning from open space to residential in two specific areas that their planning application earmarked for “future development”.

This included the former 1st hole golf fairway property going north from The Centre to the settlement pond. Geranium had no point of entry to this piece of property since it was blocked by property owned by CCRA and we were not prepared to give them a right of access to build houses on that property. The other area of land was that used for the former 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> golf fairways which ran west from the settlement pond. This piece of land was narrow in parts and too close to the environmentally sensitive wetlands, which made it difficult to develop.

In both instances at the OMB mediation, CTC representatives Gord Simmons, Roger Doe, Barry Smythe and Ed Richards argued that these two areas of land should not be rezoned as residential and allowed to be held with a future development designation since they could not be built on.

Furthermore, having them sitting within a residential zoning and marked as future development would negatively affect the value of those Canterbury homes that backed onto these areas of land created by the uncertainty of the future plans for this property. We put forth a strong case that they should remain zoned as open space and not designated for future development. Our reasoned arguments were finally accepted by Geranium and they amended their development application accordingly.

This development gave rise to Geranium agreeing to convey ownership of these specific areas of land to the Township of Scugog that included other remaining blocks of open space zoned lands not being built on. This was done by Geranium in order to satisfy parkland dedication requirements pursuant to the Planning Act in lieu of any additional land or cash.

### **Our next move to secure the property**

This decision by Geranium gave our committee representatives the opportunity to engage in a dialogue with Township representatives that would see the lands being conveyed by Geranium to the Township, subject to a subsequent land transfer transaction whereby ownership of these same lands would be transferred in fee simple to CCRA.

This meant that we would have **complete control** over what happens on these particular blocks of land that CCRA would own and they would remain zoned as open space. The Township agreed, for their own reasons, with this proposal and the agreement that would see this arrangement legally binding is recorded in the OMB Minutes of Settlement.

### **What Happens Next**

Upon transfer of the former Phase 1 golf course lands (lands that the former 1st, 2nd, 3rd and 4th former golf fairways occupied) from the Township to Canterbury, we will have completed the first of two steps towards a major facet of our settlement negotiations with Geranium and the Township during the two-day OMB mediation hearings.

The documentary evidence supporting the agreements reached was signed by all parties in May 2017. The final step involving the agreed transfer of open space property not being built on in the

area where the Phase 2 Geranium homes are to be constructed, will be legally transferred to CCRA once all remaining 66 Geranium homes in that section have been finished and sold.

Our goal in securing ownership of the above described property, that in total will consist of some 19 acres, was to provide the best guarantee we could for Canterbury residents that they would not have to worry in the future that a developer would come into Canterbury to build more houses.

Ed Richards and Roger Doe are currently working with CCRA's corporate lawyer to complete the Phase 1 legal transfer of property to CCRA. Ed and Roger have handled everything CCRA is required to do and are now waiting for our lawyer to iron out a couple of remaining legal issues with the Township regarding easements. Upon completion of this transaction CCRA will become the legal and registered owners of the identified Phase 1 open space lands in accordance with the settlement terms outlined in the OMB Minutes of Settlement. Transfer of the remaining identified lands associated with Phase 2 of the Geranium development will need to be handled in the same way at a later date.

Hopefully this long, detailed, but necessary explanation, will help you understand the value we placed on owning and controlling the open space still surrounding our community. It should also be noted that without the cooperation and support of Geranium Corporation and the Township our success would have been very limited.

### **CCRA Homeowners and Register Information**

One of our tasks was to update the CCRA Homeowners and Resident information data base. This has gone well as most of the forms have been filled out and the information is now current. This has been turned over to the Administration and Governance Committees to complete along with the distribution of the key fobs for The Centre.

Most of the up to date information has now been input to the data base. From this updated list we will be able to verify the ownership status of those eligible to participate in the AGM, update the email and telephone lists and identify each resident living in the home, which will give us an accurate account of the Canterbury Common population.

### **Canterbury Entrance Signs**

The remaining sign at the Simcoe and Country Estates entrance was damaged during the movement of the soil from the Seniors' site and we have asked and received assurance from Geranium that it will be repaired. We are still attempting to clarify whether this sign will be replaced with a new sign and located on the island at the entranceway

During the OMB negotiations we requested and received assurances that the signs at both entrances would be changed and updated by Geranium. At the moment we are discussing where the signs will be located and when they will be installed.

### **The Block 100 Slope**

As previously reported, the current configuration and grading of the buffer strip common area that adjoins the proposed Seniors' site property, and the rear property boundaries of a number of Canterbury homes, is our most immediate problem yet to be resolved.

The fact that the steepness of the slope, that is more akin to an embankment, is unsuitable for the future purposes intended and more importantly represents a safety hazard for the residents backing onto it has already been acknowledged by the Township and they are working with us to arrive at a solution.

We held a Zoom video conference meeting on October 28, 2020 with Geranium, Greenwood and the Township representatives as we don't want this issue to drag on for much longer. During the meeting we obtained a commitment by Geranium, Greenwood and the Township to have their engineers collaborate with our engineering expert, Barry Smythe, to come up with a solution which can be implemented in the spring.

The President of Geranium, Mario Giampietri, committed to not only participating with us to find a solution but to also finance any solution that will address the issue. Greenwood is currently searching for an architect and this will unfortunately delay further progress until January. Given that we are going into the winter months that should not cause a problem. In the meantime, the referenced team of engineers have been tasked to come up with possible solutions, some of which we discussed at the October 28<sup>th</sup> meeting including those based on a drawing prepared by our own Barry Smythe.

Following this October 28<sup>th</sup> video conference meeting the Canterbury Transition Committee (CTC) co-chairs held a meeting with the representative of the owners whose properties backs on to this common area to communicate and update him with the latest information and developments and to convey our continued commitment to getting this issue resolved.

### **The Proposed Seniors Building**

The proposed seniors building being developed by Greenwood on property acquired from Geranium will probably see the introduction of a draft site plan for this project in the second quarter of 2021. This has been delayed temporarily due to the fact that they have not been able to recruit an architect and of course the COVID-19 situation.

Greenwood is also studying the mental health impact resulting in having to keep their residents in "lock down" and isolation due to the rapid spread of COVID-19 in senior's facilities. They are going to institute new designs and activity capabilities into their building to compensate for having to limit the movement of their residents. Feedback from managers at their other facilities is providing valuable information that is currently being studied to ensure they are taken into consideration when building their new facility at Simcoe and Country Estates.

While the Greenwood residents are confined to their rooms or apartments, we in Canterbury are having to cope with a similar type of isolation in our own individual homes. It is difficult for us to visit each other and our families, to go out for meals or even become involved in activities at The Centre.

It is our intention to discuss this with Greenwood so that we can learn from their experiences and perhaps develop appropriate activities, while observing COVID-19 safety protocols, or at least consider finding ways to ensure that our residents do not suffer isolation. **Should you be interested in getting involved in the initial discussions, and then at a later date developing an implementation plan, please contact Gord Simmons at 905-982-1330 or email at [simmonsge@gmail.com](mailto:simmonsge@gmail.com)**

## WHAT'S NEXT

### CTC and Geranium Liaison

Phase 1 of the development on McCaw Crescent has now been completed as the 30 homes available for sale have been sold with twelve occupied. The two model homes will remain as such until the end of the entire project and one additional home will be built where the current parking lot stands, when it is no longer required.

Phase 2, which will have 66 homes for sale, will be developed in 2 stages. Stage A of Phase 2 has already released 33 homes for sale. We expect to see construction of these homes starting in the spring of 2021. To date 21 of the 33 homes in Stage A of Phase 2 have been sold which is encouraging as we would like to see the development finished as soon as possible and allow us to get to know our new neighbours who we hope will enjoy our community as much as we do.

These 33 homes will be located on Holtby Court which consists of two distinct sections and is designed like a tuning fork. This Court will run off Leonard Street which is accessed from Waterbury Crescent. See the map below showing Holtby Court and Leonard Street.



## **Construction Impact Mitigation**

We recently received the Construction Impact Mitigation Plan (No. 4) from Geranium for the Phase 2 Site Servicing and Roadworks and thoroughly reviewed the document even though it does not provide a great deal of detail. We look forward to receiving more information when it is prepared.

We have asked Geranium if it would be possible, now that they are in the marketing phase for Stage A and will soon to be in the building phase, to provide us with tentative time frames for the various stages of the upcoming development of the 33 homes on Holtby Court in Phase 2 (Stage A).

We fully understand and appreciate that the pace of sales, weather and other unavoidable delays can send any tentative time frames completely out the window but it will at least give us an idea of where we are heading and when. Our reason for asking for this information is to ensure that CCRA and those most affected residents are made aware of the likely future activity, along with a rough idea of the anticipated timing, for the activity taking place behind their properties.

## **Phase 1 and The Centre Landscaping**

The landscaping and tree planting in the McCaw Court cul de sac area is almost complete and access to the pathway to The Centre will soon be opened up as well. In a short time, residents will be able to walk through the entire common area. Geranium has created a very picturesque landscape for all of us to enjoy.

Next time you are in The Centre take time to have a look to the south and enjoy the view of the lake, the pond, and the homes overlooking the new common area. The nature trail has now been completed and thanks to Ren Blimke and his gardening volunteers, the pathway from The Centre to the nature trail has been cleaned up and widened. Hopefully everyone noticed the new landscaping around the front of The Centre which was created and installed by some of the most talented gardeners in Canterbury. This group, led by Ren Blimke and Hugh Allward, did an exceptional job on a very small budget. Can't wait until we see how it looks in the spring. Great job everyone!

## **The Transition Committee**

Now that The Centre is up and running the bulk of the work of the Transition Committee has been completed. There are a few items still to be completed but it is time to recognize the tremendous contribution the committee members made to this community. A small ceremony was held on Friday, November 6<sup>th</sup> so that Co-Chairpersons Ed Richards and Gord Simmons could thank Jim Brady, Roger Doe, Lauren Maher, John Rintoul, Barry Smythe, Doug Thiemann and Jim Worsley for all the support and tremendous effort they put forward on behalf of all the Canterbury residents. If you see any of them please add your thanks for what they have done.

**Please wear your mask and take care of yourself. There is a light at the end of the tunnel and the announcement about the COVID-19 vaccine just made it a whole lot brighter.**

**Issued by The Canterbury Transition Committee**