



## WHAT'S HAPPENING

SEPTEMBER 2021

### WHAT'S NEW

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

The most important goal during our negotiations at the Ontario Municipal Board (OMB) hearing was to ensure that no further development could take place in Canterbury once the OMB approved build of 99 Geranium homes on portions of the former golf course lands had been completed. By agreement between the developer and the Township of Scugog the remaining undeveloped areas of the former golf course lands were to be conveyed to the Township to satisfy parkland dedication requirements in accordance with the Planning Act.

We were already aware from discussions with our corporate lawyer that realistically the only way we could prevent any further development taking place on these remaining areas of land was to have CCRA own the property. An opportunity presented itself during the OMB hearing for CCRA to pursue getting ownership of these undeveloped areas of land from the Township, once they had been transferred to them by the developer and we seized upon it. Our efforts met with success and the ultimate agreement to transfer ownership of this property from the Township to CCRA was approved and recorded in the OMB Minutes of Settlement without any financial consideration involved for either party.

**On September 1, 2021 CCRA officially became the owners of 14.932 acres of this property.** The remaining 4.5714 acres of common property in Phase 2, which is currently owned by the Township, will also be conveyed to CCRA by the Township on a date yet to be determined. What does ownership of this property mean to CCRA and its residents? It means that going forward CCRA now has control over the property and its use without our residents having to worry about the prospect of additional development activities taking place within our enlarged community. **It is important that everyone realize that it was CCRA who pursued ownership of the property recognizing the value and protection it would afford CCRA and Canterbury residents as owners.**

In order to secure the transfer of the property we also came to an agreement with the Township regarding an easement they requested across our property to be able to access their property surrounding the north settlement pond. Once the easement was agreed upon CCRA also gained approximately 0.6 additional acres in the area of the settlement pond enabling us to have all segments of our property seamlessly joined.

Our property now starts at The Centre at 127 Waterbury Crescent and ends, adjacent to the rear of the Waterbury properties, at Country Estates. Phase 2 of the Geranium development is located in the block created by Simcoe Street to the west, Coulter Street to the south, Waterbury Crescent to the east and South Garden and Candlelight Courts to the north.

## **Grading of the Phase 2 property moved from Fall 2021 to Spring 2022**

We asked to do a walk about with Geranium and show them our grading concerns but were told that they knew what our concerns were and that they would be dealt with in the spring of 2022. We then sought clarification regarding the ownership status of the 4.5714 acres of common property within the Phase 2 development that are to be transferred by Geranium to the Township and then conveyed to CCRA.

Geranium thought the transfer of ownership to the Township had already taken place. We will now approach the Township to confirm that this is correct and if so, have the Township address our concerns regarding the Phase 2 grading of those common areas which CCRA will ultimately own. We also advised Geranium that the Phase 1 lands have now been transferred to CCRA and the change of ownership registered on title.

In order to ensure that we do not encounter grading issues on the common property CCRA will be acquiring, similar to an area within the Phase 1 transfer of lands, we asked Barry Smythe, our resident engineering expert, to go over the site plan drawings and determine if they require any changes.

Barry did an excellent analysis of the proposed grading slopes of the common property we will be acquiring in Phase 2 and we have made our findings known to Geranium and the Township. They have now noted our comments about the areas where a 3:1 slope exists and are attempting to mitigate the concerns we have voiced.

During a recent Zoom meeting Mario Giampietri, President of Geranium, informed us that their objective was to have occupancy of the last house in Phase 2 take place in August 2022 as they hope to be able to complete the entire development by then. We recently asked if the delay in applying for and obtaining all the relevant permits from the Township has delayed this and we were told it has not but that Geranium would get back to the builder and verify this information.

## **Retaining Wall Approved and Building Permit Issued**

On June 16, 2021 we were pleased to be able to approve the retaining wall which will be built between the proposed Greenwood Seniors facility, at the corner of Simcoe Street and Country Estates Drive, and the adjoining common area property behind Waterbury Crescent. It will be constructed with armour stone blocks, which is the same material used in the wall at the east side of the pool area. There will be a decorative safety barrier, similar to the ones surrounding the swimming pool area, installed along the west side of the proposed pathway for the length of the wall to meet code and for reasons of safety. The Township has confirmed that the required building permit Geranium needs to do the work has been issued and we expect work on the wall and reconfiguration of the existing slope to start soon.

## **Road Paving**

As most of you are aware, Country Estates Drive was previously dug up for water and sewage hook-ups and the road is rather rough in spots. Geranium has indicated that areas of the road will

be repaved this fall. We have also discussed with Geranium that sections of Waterbury will need to be repaved as well. It is anticipated this will take place at a later time once the utilities work and installations for the Phase 2 construction site have been completed.

## **Signage**

The Canterbury sign and the gardens have now been installed at the Waterbury Crescent and Coulter Street entrance and our excellent Garden Committee has taken over its care and nurturing. The other sign at the Simcoe Street and Country Estates Drive entrance has been repaired but the work around the base of the sign will not be carried out until such time as the heavy equipment usage in the area has been discontinued.

## **Greenwood Seniors Facility**

We continue to monitor the status of the proposed Greenwood Seniors Building project at Country Estates and Simcoe. The main thing we have been anxious to determine is when the Draft Site Plan for this project will be available and it has been extremely difficult to obtain information from Greenwood despite our best efforts. During our last conversation with the President of Greenwood we were told that the project has temporarily been placed on hold. Upon learning this we immediately requested that the Township direct that the site be hydroseeded so that the residents who overlook the Greenwood property can be looking at grass instead of dirt. The request has gone forward from the Township and we are awaiting information from them.

## **Occupancy of The Centre**

In August 2020 copies of The Centre Occupancy Permit were released by the Township but the copy was sent to the wrong email address so the permit arrived in Canterbury about eight months later. When the permits were reviewed, the occupancy rates were as follows:

Main floor - 140, Lower level - 48 and the Pool area - 40.

Ed Richards and Gord Simmons were asked to look into the situation and try to come up with a strategy to increase the level of occupancy numbers permitted in the different areas of The Centre. After a great deal of research and discussion with Township officials a review of the building code determined that the problem was not with the number of available washrooms but the category under which The Centre had been placed.

The occupancy levels are now:

- **Upper level when food and alcohol is involved – 230, General gatherings – 430**
- **Lower level - 48**
- **The pool and surrounding area - 40**

## **Occupancy of Homes in Phases 1 & 2**

According to Geranium the lack of tradespeople, particularly bricklayers, has delayed the completion and occupancy of the four homes being built on McCaw Court until February 2022.

We questioned if this also affects the occupancy of the homes in Phase 2 scheduled to be completed in August 2022. The reply was that the target date had not changed but that this is more in the control of the builder. We asked for a rough forecast of occupancy so that we can adjust our financial planning and while they were not able to provide that with any confidence did agree to speak with the builder to see if they could better address this question. The builder to whom they refer is Perry Pines, a division of Geranium Corporation.

### **Grading Issues and Retaining Walls**

During a Zoom meeting with Geranium on September 7, 2021 we explained that we had been informed that some McCaw Court residents have serious concerns about the grading issues involving properties adjacent to the nature trail. We have seen for ourselves the valid concerns of the McCaw Court residents at this location. Several homeowners want retaining walls behind their houses and are concerned that the grading beside and behind their homes has still not been completed. Geranium explained that once the curbs and sidewalks have been completed and the final layer of asphalt has been laid on the road, the grading issues and sodding will be addressed in accordance with Township approved grading plans. The curbs and sidewalk have been completed and the paving is now taking place. Our personal observation was that an experienced grading engineer from the Township should look carefully at this situation and we have now arranged for this to take place.

### **The *Geranium Period* and Protective Restrictions**

We have explained to Geranium that the specific date/event that triggers when CCRA has unfettered rights for enforcement of the Restrictive Covenants (Protective Restrictions) on the Phase 1 (and future Phase 2) Courts of Canterbury properties, without oversight or involvement of Geranium, remains an issue yet to be resolved. It had been our expectation that for the Phase 1 properties this would end when the thirty McCaw Court homes in Phase 1 had been sold and closed.

Earlier discussions with the Geranium lawyer, Jeff Shankman, led to a difference in our positions as to when the *Geranium Period* terminates. The Geranium position is linked to the obligations Geranium states it has to government bodies by way of subdivision/development agreements and the various Tarian warranty periods on each home. Geranium, in order to protect their position and obligations, believe they must remain a participant in all change requests to the properties in Phase 1 (and future Phase 2) until the *Geranium Period* has ended.

During our last discussion with Mr. Shankman on March 3, 2021 we recall that it was mentioned that the *Geranium Period* needed to extend to cover these obligations. This would require that the *Geranium Period* terminates after a 2-year period from the Phase 1 closing of the thirty homes with the same process and procedure being followed for the future Phase 2 properties.

This position is at odds with the July 2019 Agreement between CCRA, CLDC and Perry Pines Development. There still remains a need to jointly and cooperatively come up with a clear and specific definition of the *Geranium Period* that works for both parties. Geranium agreed to look into the situation. When this was raised, Geranium appeared to have some different thoughts on

this issue but they were hard to follow in the short meeting time we had left. We will be following up further with Geranium on this issue.

As always, we anticipate that we will come to a satisfactory resolution which will best represent the interests of our Canterbury residents.

### **Pathway from McCaw to The Centre**

We raised concerns with Geranium that the pathway going from McCaw Court to The Centre has been dug up many times and is quite rough in places. As the development is almost complete more and more new residents are beginning to use it. With the upcoming fall and winter weather, the unfinished pathway will be a safety hazard, if not finished properly. We were informed that when the McCaw Court is being paved the portion of the pathway from there to a certain point on the pathway would be paved as well.

In response to the question “Would the paving also include the extended pathway leading down to The Centre?”, the answer was “NO, this would be a crushed stone/gravel mix topping and would be appropriate and adequate”. A subsequent inspection by us of the existing materials of this extended pathway showed that it was being washed out and would not in our opinion be appropriate, adequate or safe. We are currently pursuing solutions to this situation.

### **Marks on Pool Retaining Wall**

Stains have appeared on the retaining wall in the pool area below the upper deck. These stains are being caused by the brick itself, not water seepage. Griffith (the wall installer) has arranged for Brampton Brick to come and treat the walls and has promised that if they can't be treated, they would ensure that the wall would be made stain-free by removing the pieces that are affected. We made Geranium aware of this in case we need their help in the future. Bryant Hulshof of Griffith, has been called and asked to follow up with Brampton Brick.

### **Pool Liner**

The pool liner has become wrinkled and Acapulco (the installer) will be repairing or replacing it under warranty this fall. They will also replacing the solar blanket which they cut incorrectly.

### **Everyone Lending a Hand**

It is great to see our new residents coming forward and volunteering their time and expertise. This is one of the many things that makes Canterbury a great place to live, love and laugh.

**Issued by The Canterbury Transition Committee**