

From: Ken Schneider

Sent: November 9, 2022 7:46 PM

To: townclerk@thebluemountains.ca

Cc: Kyra Dunlop <kdunlop@thebluemountains.ca>; Adam Smith <asmith@thebluemountains.ca>; Drew Brims [REDACTED]; Bob Cavan <[REDACTED]>; Liz Ardiel [REDACTED]

Subject: Lora Bay Cottages Draft Plan of Subdivision Extension

On behalf of the condo boards of the Cottages of Lora Bay, please find attached our correspondence for consideration for Council on the matter of the Lora Bay Cottages Draft Plan of Subdivision Extension (Phase 6) for the Nov 24, 2022 meeting.

Representatives of our condo boards also intend to speak during the public comment period at the Nov 24, 2022 meeting.

Thank you very much.

November 10, 2022

Lora Bay Cottages Draft Plan of Subdivision 6 Extension For Council Consideration

We, being Presidents of the four Condominium Corporations in The Cottages of Lora Bay, representing 107 homes, would like to present our comments to The Town of The Blue Mountains Council for consideration.

While we do not object to the extension of the Draft Plan of Subdivision 6 so that the developer can complete its plan, we do have several concerns that previous commitments by the developer have not been completed despite a long timeframe in which it could do so. In addition, there are several commitments by the developer to be finished prior to the completion of the development which we would like the Town to ensure are completed. Our concern is that upon the completion of Phase 6, the developer will have no more lands on which to build, and Town Staff will have little or no leverage to enforce the completion of any outstanding commitments.

Background

Reid's Heritage Homes and Sherwood Homes are Trade Styles of the developer which sells new homes in The Cottages of Lora Bay and has other residential developments ongoing in Ontario. Phases 1 through 5 of The Cottages of Lora Bay have been sold out and it is anticipated that sales in Phase 6 will begin soon. Real Estate professionals are engaged to sell houses on behalf of the developer.

Lora Bay Community Association (LBCA) is a not-for-profit entity which provides and maintains shared facilities for owners and residents of Lora Bay (The Beach, Recreation Centre and The Lodge at Lora Bay Golf).

Lora Bay Corporation (LBC) is the owner of the developable lands and the Lora Bay Golf Course and is the Founding Member and only voting member of LBCA.

Great Gulf Homes purchased LBC and its assets earlier in 2022.

Ongoing Concerns

Drainage:

There are on-going concerns with the engineered drainage systems ever since the completion of Phase 1 in The Cottages as evidenced by:

- Issues raised during the October 28, 2019 deputation to Council.
- Summer storm earlier in 2022 flooded the Recreation Centre, apparently due to a drainage plan which appears to be inadequate for the local conditions.
- Sump pumps in some houses in Phase 1 drain onto the road creating hazardous icy conditions during the winter and early spring.
- One Phase 1 resident had to install a French Drain at their own cost as the developer's swale was not connected to the catch basin causing structural damage to the residential patio. Despite evidence to the contrary, the developer considered the swale to be working properly. Another French Drain within Phase 1 was installed and paid for by the developer to solve another drainage issue.

Conveyance of Recreational and Buffer Lands:

- The Recreation Centre lands and building
- The Ponds
- The Beach
- The Buffer zones between Sunset Blvd and houses

While the intention has always been that these elements are to be conveyed to LBCA, there are no legal documents available showing that conveyance will occur or when. With the sale of LBC to Great Gulf, there is uncertainty that the conveyance will occur.

Following the flood, the owner of the Recreation Centre Building (which is also the developer) has decided it is to be demolished. The Recreation Centre previously provided the following facilities:

- Gymnasium
- Library
- Indoor Swimming Pool
- Games Room
- Kitchen
- Meeting Rooms

These facilities were promised by the developer to all Lora Bay home purchasers as a benefit to buying a home within the community.

In addition, there is an unfulfilled commitment to amend the Development Agreement regarding these lands. An agreement was reached between the developer and the Town that these lands be permanently registered Recreational or Parkland and that the Development Agreement reflect such. The Town and the developer's commitment to amend the agreement has not been completed.

Beacon Drive Traffic Circle (Roundabout):

- The landscaping plan for the roundabout has not been provided nor is there a definitive date for its completion even though this issue was raised on October 28, 2019 through a deputation to Council.
- Only one of the four intersections with the roundabout has a painted crosswalk although all intersections are used by pedestrians.

Inadequate Snow Storage Areas:

Phases 1 through 4 do not have designated snow storage areas, forcing these condo corporations to have snow trucked off site at their expense if required.

Inadequate Visitor Parking:

- Phases 1 and 1b which together have 43 homes, have 4 designated spaces between them.
- Phase 3 which has 30 homes, has 3 spaces.
- Phase 4 which has 34 homes, has 10 spaces.
- Phase 5 which has 52 homes, has no visitor parking areas which will push visitors to use areas in other phases.
- The existing phases must not get any spill over from Phase 6 should Phase 6 also have inadequate visitor parking.
- There is no roadside parking in The Cottages as all roads are fire routes.

Pedestrian Access to the Site:

- In their sales pitch to potential purchasers, some of the developers' agents made representations of various access paths between the community and the beach. These representations were false. The misrepresentations and lack of direct access have resulted in confusion and animosity between groups of homeowners in the community. Residents are required to walk along busy construction roads (Beacon Drive) to access the beach. In addition, the drainage ditch between the 11th Line Right of Way and The Cottages of Lora Bay recently came under the control of the Grey-Sauble Conservation Authority, adding another party to the conversation.

Asks of Council

- The decision on the Draft Plan of Subdivision 6 Extension be deferred until the new Council is in session as that will be the sitting Council dealing with this project and its completion.
- The Town require that the conveyances detailed above be executed and registered on title and that the lands must remain as Recreational or Parkland in perpetuity as previously agreed. Additionally, the developer should provide substantial funds to LBCA to assist in building a replacement Recreation Centre.
- The Town provide an independent Peer Review of the engineered drainage plan for Phase 6 and how it will affect drainage within all the existing phases.
- We would like the plans for the finishing of the Beacon Drive roundabout and crosswalks, plus an update as to when these projects will be completed. The three unmarked intersections should be painted with crosswalk markings as soon as possible and the existing one refreshed.
- The Town require a review of the Phase 6 plan and its possible modification to determine if there can be areas designated as snow storage areas for usage by the existing phases.
- The Town require a review of the Phase 6 plan and its possible modification to determine if there can be areas designated as visitor parking for usage by the existing phases.
- The Town and developer clearly define pedestrian access to the community potentially involving the creation of agreements between the condominium corporations as required.
- The Town not lift the "H" Symbol on Phase 6 until these items are completed to the satisfaction of the Town and Homeowners.

The issues above are not new, having been outstanding for several years. Specifically, the Zoning Amendment package presented to Council on June 6, 2017 (attached) included some of these issues. In addition, a deputation presented to Council on October 28, 2019 (attached) again raised many of the same issues. The Residents of The Cottages of Lora Bay would like firm and legal documents requiring the developer to complete its commitments to the Town and Homeowners during the extension period.

This correspondence is submitted for consideration of Council on behalf of the Boards of Directors of the Condominium Corporations of the Cottages of Lora Bay:

GVLCC 80 (Phase 1)

GVLCC 103 (Phase 1b)

GVLCC 111 (Phase 3)

GVLCC 122 (Phase 4)



6783 Wellington Road 34, RR 22
Cambridge ON N3C 2V4
T: 519.658.6656
TF: 877.88.REIDS
F: 519.654.9746

June 6, 2017

The Blue Mountains
32 Mill Street, Box 310
Thornbury, ON N0H 2P0

Dear Mr. Mayor and Members of Council;

**RE: Cottages at Lora Bay/Keepers Cove, Town of The Blue Mountains
Part of Lot 39, Concession 12, Part of Lots 1 & 3, Plan 1032
42-CMD-2006-11
Zoning By-Law Amendment Application
Redline Revision Application**

Further to our recent public meeting held on April 24th, 2017, comments received from neighbours and discussions with staff at The Town of The Blue Mountains and Grey County, we would like to update you on our plans to move forward with the applications and to address the concerns raised by the residents.

At this time we will be proceeding with the road and lot layout submitted as part of our redline revision application to the County. We have decided to withdraw our request to rezone the recreational lands.

Below is a chart that outlines/addresses the questions posed at the Public Meeting and in correspondence to the Town and County.

Density	<ul style="list-style-type: none">• OP permits 212 units• Currently approved for 198 units• Redline to reduce density to 194 units
Traffic Circle	<ul style="list-style-type: none">• Accepted as an appropriate traffic calming tool especially effective on a looped internal residential street• To address existing residents' concerns the pedestrian crossings on either side of the traffic circle will be enhanced with textured and coloured crosswalks
Recreational Facility – Ownership	<ul style="list-style-type: none">• Owned by developer



6783 Wellington Road 34, RR 22
Cambridge ON N3C 2V4
T: 519.658.6656
TF: 877.88.REIDS
F: 519.654.9746

<p>Recreational Facility – Longer Term Plan</p>	<ul style="list-style-type: none"> • Request to rezone the lands for residential uses has been removed from this application • In the condominium documents Section (00) (i) indicates that the existing recreational centre within the Cottages of Lora Bay development may at some point be demolished – exact wording, “(00) “Shared Recreational Facilities of the Lora Bay Project and the Cottages of Lora Bay” shall mean all present and future recreational amenities within the Lora Bay Project that are available to members of the Lora Bay Community Association, including, (i) the existing recreational centre pending the demolition thereof”.....
<p>Residents of the Leased Lands</p>	<ul style="list-style-type: none"> • A transition agreement is in place • Last phase of the proposed development • 10 trailers remain with an average of 2 leaving per year as per the transition agreement • Of the 4 privately owned modular homes not covered by the transition agreement, one is in the proposed next development phase. The owner has been contacted and has expressed her desire to remain on her current lot. The developer will accommodate. The three remaining units that are in the last development phase (with the trailers) will be accommodated where possible or relocated at the developers expense (modular homes are structurally designed to be moved)
<p>Waterfront Park</p>	<ul style="list-style-type: none"> • Private Park owned by the developer which will be conveyed to the Lora Bay Community Association as per the condominium declaration referenced above Section (00) “Shared Recreational Facilities.....(iii) a waterfront park to the north of Sunset Boulevard; once development has been completed • There is a public access agreement in place



6783 Wellington Road 34, RR 22
Cambridge ON N3C 2V4
T: 519.658.6656
TF: 877.88.REIDS
F: 519.654.9746

Green Space	<ul style="list-style-type: none">• Water front park is 3.1 acres• Park and stormwater area is 1.56 acres• Developer has paid cash in lieu of park land for this development• Development is surrounded by open space – golf course lands and ridge
Visitor Parking	<ul style="list-style-type: none">• Additional visitor parking spaces have been added to the amended lands from the previously approved plan• The parking spaces at the recreational centre will remain
Drainage	<ul style="list-style-type: none">• Submitted a functional servicing and Stormwater management report• Interceptor ditch has been constructed• A regional drainage study for the area is underway
Snow Storage	<ul style="list-style-type: none">• A block on the east side of the development has been designated for snow storage and was approved as part of original Plan of Condo
Sidewalks	<ul style="list-style-type: none">• Condominium developments don't typically have sidewalks• within a condominium development roads are private low traffic roads and are used by residents – not a through road• less on-going cost for the condo corporation

Hopefully this has helped to address some of the items of concern presented at the Public Meeting. Should you have any questions or concerns please feel free to contact me directly.

Yours truly,

Tim Blevins
President, Reid's Heritage Homes
cc: Michael Benner, TOBM
Randy Scherzer, Grey County



Deputation to Council

October 28, 2019

Regarding, Agenda Item B.13.4

Cottages of Lora Bay – Hold Removal

Stewart Elkins –



With the support of the GVLCC 80 Board of Directors



The reasons we are here.

- There are outstanding Phase 3 commitments, from both the TBM and the developer, that have not been fulfilled. And we believe that these commitments should be fulfilled prior to proceeding with Phase 4.
- There are deficiencies outstanding on the Phase 3 development that should be completed. Or that hard completion dates be established and agreed to by all parties, prior to proceeding with Phase 4.
- There are real concerns regarding construction traffic access to the Phase 4 site and Phases beyond Phase 4.
- We are NOT here to oppose the Phase 4 development. Only that the outstanding Phase 3 issues be addressed satisfactorily, prior to Phase 4 proceeding.

Unfulfilled Commitment: Development Agreement amendment - Recreation Centre Lands

An agreement was reached that these lands be permanently registered Recreational or Parkland and that the development agreement reflect such.

TBM and the Developers commitment to amend the agreement has not be completed.

Committee of the Whole
PDS.17.62 Revised

August 21, 2017
Page 2 of 6


There are several reasons for the request to amend the existing Draft Plan including the ability to adjust the lot lines to eliminate oddly configured and undersized lots that did not support the "Cottages" single detached dwelling product. As well, the current draft plan shows 6.0 m roadway right-of-way widths where a minimum 7.5 m road width is required. Previous phases consist of 7.5 m roadway width, including curb and gutter. The road widths and radiuses shown on the subject lands within the current draft plan do not meet OBC requirements or widths necessary for servicing and fire route. In addition, the necessary blocks for servicing and stormwater management were not shown on the original draft plan.

As noted later in this report, a Public Meeting was held on April 24, 2017 to allow public and agency input into the proposal. The proposal originally included a request to rezone the existing recreation centre from Private Recreational to Residential to allow for future residential development when the recreation centre was no longer required. However, that amendment request has now been removed from the proposal given concerns voiced at the public meeting.

In addition, the development group has indicated that it does not intend to redevelop the recreation centre and has agreed to provide wording supporting this position that can be registered on title. This provision will be included as an action item in the development agreement between the development group and the Town.

Unfulfilled Commitment: Cottages Traffic Circle Crosswalks

Safety issue. Not completed and no firm date established for completion.



B.4
6783 Wellington Road 54, RR 22
Cambridge ON N3C 2V4
T. 519.658.6656
TF. 877.888.REIDS
F. 519.654.9746

June 6, 2017

The Blue Mountains
32 Mill Street, Box 310
Thornbury, ON N0H 2P0

Dear Mr. Mayor and Members of Council:

**RE: Cottages at Lora Bay/Keepers Cove, Town of The Blue Mountains
Part of Lot 39, Concession 12, Part of Lots 1 & 3, Plan 1032
42-CMD-2006-11
Zoning By-Law Amendment Application
Redline Revision Application**

Further to our recent public meeting held on April 24th, 2017, comments received from neighbours and discussions with staff at The Town of The Blue Mountains and Grey County, we would like to update you on our plans to move forward with the applications and to address the concerns raised by the residents.

At this time we will be proceeding with the road and lot layout submitted as part of our redline revision application to the County. We have decided to withdraw our request to rezone the recreational lands.

Below is a chart that outlines/addresses the questions posed at the Public Meeting and in correspondence to the Town and County.

Density	<ul style="list-style-type: none">• OP permits 212 units• Currently approved for 198 units• Redline to reduce density to 194 units
Traffic Circle <i>Why do we need? Concerns on pedestrians</i>	<ul style="list-style-type: none">• Accepted as an appropriate traffic calming tool especially effective on a looped internal residential street• To address existing residents' concerns the pedestrian crossings on either side of the traffic circle will be enhanced with textured and coloured crosswalks

Deficiency:

Traffic Circle – Signage oversized and inappropriately placed (not within the circle)

New signage is not installed and no firm date has been established for completion.
Potential safety issue. Signage possibly not in compliance with HTA.

Lora Bay Circle Signage



Cottages Circle Signage



Deficiency:

Traffic Circle - Centre Island Improvements.

Improvements have not been completed and a firm completion date has not been established

Lora Bay Traffic Circle



Cottages Traffic Circle





Construction Traffic Access to Phase 4 Site.

- To our knowledge, an acceptable construction access road to the site has not been established.
- Beacon Drive, Anchor's Way and Dory Row are not feasible as they are residential. Requested "No Construction Access Signs" on both ends of Anchor's Way have not been posted.
- Access behind Dory Row is not feasible due to dust and noise issues.
- Speed limit signs on the 39th sideroad have not been posted. Steep grade and the gravel surface can be dangerous to vehicles and pedestrians.

Our Request

We request that Council direct TBM staff to ensure that, prior to approval of the Phase 4 development agreement:

- The noted outstanding commitments are fulfilled.
 - Recreational lands
 - Crosswalks
- The noted deficiencies are resolved satisfactorily.
 - Signage
 - Traffic circle centre ring improvements
- The noted access road concerns are addressed satisfactorily.