



## THE METROPOLE

26 January 2005

### **Minutes of MTCC 1170 Meeting Number 050126R — Held on 26 January 2005**

Present: Directors — Keith Bricknell, Dan Chiu, Sylvia Furlong, and Jason Hum;  
and, ICC Property Management — Nancy Bijelic and Steven Christodoulou

Regrets: Directors — Nives Malara

01 Call to Order: Keith Bricknell called the meeting to order at 6:32pm.

02 Adoption of Agenda and Additions:

Resolution 050126R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 050126R, as presented.

Jason Hum/Dan Chiu — Carried

03 Review and Adoption of Previous Meetings' Minutes:

Keith Bricknell surrendered the Chair to Sylvia Furlong.

Resolution 050126R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 041222R, as presented.

Keith Bricknell/Dan Chiu — Carried

Keith Bricknell resumed the Chair.

04 Administrative and Security Reports:

(a) Where applicable, Corporate Officers and/or Nancy Bijelic responded to inquiries regarding items from the Management Report, and/or from other communications to and/or among Directors.

(i) 6-8 Colborne's Initial Cleanup of MTCC 1170's Common Elements: The Board agreed that Management should ask H&R to provide a scope of work for Directors' examination, electronic input, and recommendations. The Board also agreed that Trow Engineering should accompany H&R's cleanup crew, to safeguard MTCC 1170's interests.

(ii) Landscaping Contract: The Board requested additional information before accepting KCG Landscaping's contract.

(iii) Loading Dock Door & Garage Doors: The Board directed Management to accept Begley Overhead Doors' quotation #4466, and to collect damages from

Waste Management following completion of repairs. With regard to vehicular garages' doors, the Board directed Management to accept Begley Overhead Doors' quotation #5026 and to take steps to ensure that garages' doors have fully operable "bounce-back" mechanisms (or equivalent).

- (iv) Digital Camera: Given the increasing necessity to provide accurate, readily reproducible documentation, the Board directed Management to acquire a new digital camera. The President and the General Manager agreed to work with Management in selecting an appropriate product.
- (v) Window-Cleaning Contract: Subject to a minor revision, the Board accepted Quest Window Cleaning's quotation for window cleaning during 2005.
- (vi) Security Desk & Storage Closet: Before approving the final design, the Board requested further input from Security personnel.
- (vii) Swimming Pool — Sand Tank: Following further investigation, replacement was, indeed, necessary. Management will report on final costs during Regular Meeting 050223R, with the expectation of a rebate of repair costs.
- (viii) Elevators: Management reported on recent adjustments and maintenance. The Board agreed that a previously discussed survey should proceed.
- (ix) December 2004 Financials: The Treasurer and ICC Property Management commented briefly on December 2004's "Financials".
- (x) Heating/Cooling Pipes: Management reported on its investigations. The Board directed Management to seek recovery of costs from any and all contractors involved in the initial installations.
- (xi) Corner Covers: The Board asked for additional documentation before accepting Hi-Lon Glass's quotation.
- (xii) Exclusive Use Common Elements — 5<sup>th</sup> Floor South: Management reported on, and will continue to monitor, maintenance-issues.
- (xiii) Elliptical Trainer: The President commented briefly on users' favourable impressions of this recently installed item.
- (xiv) Recent Filming in Victoria Street: The Board agreed that MTCC 1170 should wholeheartedly support Victoria Street residents' concerns. Further to that, the Board agreed that the President should offer advice and assistance to those residents in this matter.
- (xv) Residential Database: With the updating of MTCC 1170's security system, the Board asked Management to ensure that the residential database will be congruent with the updated security system.
- (xvi) Compensatory Lighting — SW corner and WSW portion of The Metropole: Management awaits further information from contractors.
- (xvii) Exercise Room: Having reviewed damage to the existing carpet, the Board directed Management to provide information about floor-surfaces potentially more appropriate for an exercise facility.

(xviii) Security Reports: The Board briefly discussed the Security Reports.

(xix) Motion to Receive Administrative and Security Reports as Information

**Resolution 050126R03: Receiving Administrative & Security Reports**

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, the MTCC 1170 Management Office's Administrative Report for January 2005, and the Front Desk Security Report for the period 16 December 2004 to 17 January 2005.

Sylvia Furlong/Dan Chiu — Carried

**05 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:**

(a) The President will continue to work with/liaise with legal counsel in editing the revised rules. Given recent corporate and personal commitments, the earliest this item will resurface is at Regular Meeting 050223R, with probable dissemination in 2005's AGM package.

(b) Meeting(s) with H&R and/or Pelican Woodcliff: This item will await the outcome of 04(a)(i).

**06 Correspondence Requiring Action:**

(a) Referenced at 04(a)(xiv)

**07 Special Committee Reports: None**

**08 Other Reports: Where applicable these are part of the Administrative Reports.**

**09 New and/or Brought-Forward Business: None**

**10 Perusal File of Correspondence Received as Information: Received by e-mail from the Management Office, and/or available in a folder during the Board Meeting.**

**11 Next Committee Meeting: TBA**

**12 Next Regular Meeting: 6:30pm on Wednesday 23 February 2005.**

**13 Motion for Adjournment**

**Resolution 050126R04: Adjournment of Meeting 050126R**

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 050126R at 8:15pm on Wednesday 26 January 2005.

Sylvia Furlong/Dan Chiu — Carried

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President: Keith Bricknell

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Secretary: Jason Hum



## THE METROPOLE

13 March 2005

### **Minutes of MTCC 1170 Meeting Number 050223R — Held on 23 February 2005**

Present: Directors — Keith Bricknell, Dan Chiu, Jason Hum, and Nives Malara;  
and, ICC Property Management — Nancy Bijelic

Regrets: Directors — Sylvia Furlong; and, Management — Steven Christodoulou

01 Call to Order: Keith Bricknell called the meeting to order at 6:39pm.

02 Adoption of Agenda and Additions:

Resolution 050223R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 050223R, as presented.

Nives Malara/Jason Hum — Carried

03 Review and Adoption of Previous Meetings' Minutes:

Resolution 050223R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 050126R, as presented.

Dan Chiu/Jason Hum — Carried

04 Administrative and Security Reports:

(a) Where applicable, Corporate Officers and/or Nancy Bijelic responded to inquiries regarding items from the Management Report, and/or from other communications to and/or among Directors.

- (i) 6-8 Colborne Cleanup: The Board directed Management to set up a meeting with H&R's site-supervisor. The President also agreed to attend the meeting.
- (ii) Revised Watering Contract: By consensus, the Board accepted the revised contract. A motion ratifying the contract will occur during Meeting 050323R.
- (iii) Digital Camera: Management continues to scan weekly flyers, in anticipation of possible sale pricing.
- (iv) Exercise-Room Flooring: By consensus, the Board agreed on a product that it deemed most appropriate for attenuating noise and protecting the underlying floor-slab. Further to that, the Board directed Management to get final, all-inclusive pricing and notify Directors by e-mail.

- (v) Security Desk, Storage Closet, and Auxiliary Camera: Management and the Board briefly left the 5<sup>th</sup> Floor Lounge to inspect the set-up of the existing Security Desk and monitors. After reconvening in the 5<sup>th</sup> Floor Lounge, the Board directed Management to ensure that the proposed new set-up prioritised monitors' ability to deliver high image-quality, security personnel's ability to scan monitors quickly and accurately, and efficient use of camera-feeds. To ensure attainment of these priorities, the Board directed Management to continue consultations with the Head Concierge.
- (vi) Townhouse Doors: Having considered the contractor's final recommendation *vis à vis* attempting to repair wooden doors, the Board directed Management to get pricing for aesthetically appropriate metal doors. No final decision will occur until the Board has carefully considered this matter and communicated with townhouses' owners.
- (vii) Elevators: Management and a representative from ThyssenKrupp will participate in an inspection at 8:30am on Friday 25 February 2005. The President also agreed to attend.
- (viii) Elevators — Licence-Holders: The Board agreed to accept ThyssenKrupp's quotation for installing smaller licence-holders. Such installation frees the larger noticeboards for notices. A motion ratifying the expenditure will occur when final costs become available.
- (ix) December 2004 Financials: The Treasurer and ICC Property Management might choose to comment on the "Financials".
- (x) Domestic Hot Water Boiler: Management reported on recent disruptions to domestic hot water supply. The Board asked about back-up systems in other large buildings under ICC's management. Given the unusual nature of The Metropole's existing back-up system, the Board directed Management to research costs of revising the back-up system. Management agreed, also, to seek any energy-efficiency grants that might reduce potential costs.
- (xi) Corner Covers: Having viewed photographs, the Board agreed on the necessity to install corner covers at the Level 3 and Level 4 corner walls at the doors leading to the garages. By consensus, the Board approved Hi-Lon Glass's quotation. A motion ratifying the expenditure will occur when final costs become available.
- (xii) Exclusive Use Common Elements — Balconies: Management and the President reported on a resident's inquiry. Management will determine appropriateness of existing materials and report to Directors before proceeding with any repairs.
- (xiii) Victoria Street Residents' Meeting with the City: Management and the President reported on the meeting that occurred on 07 February 2005. Attendance by MTCC 1170 comprised two Victoria Street residents, Management, and the President. Four City of Toronto personnel and one neighbouring condominium's representative also attended. A follow-up meeting will occur at 7:00pm on Monday 04 April 2005.

- (xiv) Security System Upgrade: Management advised the Board about existing (but previously undetected) deficiencies. Resolution of these deficiencies must occur before Brampton Fire can tie all units into the upgraded security system. With regard to the upgraded system, the Board agreed that proximity key-fobs would be superior to the existing access-cards. Finally, the Board indicated a preference for continuing with garage-remotes separate from the proposed proximity key-fobs.
- (xv) Resident Information Forms: Management reported on recent developments in the attempt to collect and/or correct existing information. The President agreed to work with Management on a revised database.
- (xvi) Security Reports: The Board reviewed the Security Reports.
- (xvii) Motion to Receive Administrative and Security Reports as Information.

Resolution 050223R03: Receiving Administrative & Security Reports

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, the MTCC 1170 Management Office's Administrative Report for February 2005, and the Front Desk Security Report for the period 18 January 2004 to 15 February 2005.

Nives Malara/Jason Hum — Carried

05 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:

- (a) Revised Rules: The President will continue to work with/liase with legal counsel in editing the revised rules. Given the recent and unexpected spate of commitments, as well as the President's hospitalisation, the earliest this item will resurface is at Regular Meeting 050323R.
- (b) Meeting(s) with H&R and/or Pelican Woodcliff: This item must await the outcome of the meeting with H&R's site-supervisor.
- (c) Omnibus Motions: The following motions ratify prior consensus-decisions, purchases, and/or contracts.

Resolution 050223R04: Furniture-Rental — 5<sup>th</sup> Floor Lounge

WHEREAS MTCC 1170 has received requests to use the 5<sup>th</sup> Floor Lounge's chairs and tables; AND,

WHEREAS MTCC 1170 seeks to defray costs of compliance with the above-noted request; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 permits the use of the 5<sup>th</sup> Floor Lounge's chairs and tables, subject to users' payment of a \$25 surcharge on the rental fee for the 5<sup>th</sup> Floor Lounge *per se*; AND, FURTHER,

BE IT RESOLVED that the above-noted furniture must be used solely within the indoor portion of the 5<sup>th</sup> Floor Lounge.

Dan Chiu/Jason Hum — Carried

Resolution 050223R05: Ratification of Prior Purchases

WHEREAS MTCC 1170's Board of Directors wishes to expedite operations by providing consensus for the Onsite Property Manager to purchase goods and/or services within specific price-ranges; AND,

WHEREAS the Onsite Property Manager has received invoices for purchases which had received the Board of Directors' consensus; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 ratifies the following expenditures.

01 Maintenance Item — Air Conditioning System — Chemical Feed Line: \$982.16 (including taxes), to cover unanticipated additional cost for an item referenced at Section 01 of Resolution 041124R07.

Dan Chiu/Jason Hum — Carried

Resolution 050223R06: Ratification of MTCC 1170's Contract with MBSS

WHEREAS MTCC 1170 has received MBSS's quotation for renewal of its contract with MTCC 1170; AND,

WHEREAS MTCC 1170 has experienced satisfaction with MBSS's prior services; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 renews MBSS's contract, commencing 01 December 2004 and ending 30 November 2009; AND, FURTHER,

BE IT RESOLVED that MBSS's annual fee for the contract's first year shall be \$63,600, plus applicable taxes, and that annual fees shall increase at a rate of 2% per year (compounding).

Dan Chiu/Jason Hum — Carried

06 Correspondence Requiring Action: None

07 Special Committee Reports: None

08 Other Reports: Where applicable these are part of the Administrative Reports.

09 New and/or Brought-Forward Business:

(a) Date of the 2005 AGM: The Board agreed to exchange e-mails in preparation for further discussion during Regular Meeting 050323R.

(b) Presenting New and/or Revised By-laws at the 2005 AGM: Again, the Board agreed to exchange e-mails in preparation for further discussion during Regular Meeting 050323R.

10 Perusal File of Correspondence Received as Information: Received by e-mail from the Management Office, and/or available in a folder during the Board Meeting.

11 Next Committee Meeting: TBA

12 Next Regular Meeting: 6:30pm on Wednesday 23 March 2005.

13 Motion for Adjournment

Resolution 050223R07: Adjournment of Meeting 050223R

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 050223R at 8:22pm on Wednesday 23 February 2005.

Nives Malara/Jason Hum — Carried

“Keith Bricknell”

President: Keith Bricknell

“Jason Hum”

Secretary: Jason Hum

Adopted at  
Meeting #050323R





## THE METROPOLE

08 April 2005

### Minutes of MTCC 1170 Meeting Number 050323R — Held on 23 March 2005

Present: Directors — Keith Bricknell, Sylvia Furlong, Jason Hum, and Nives Malara (6:35pm); and, ICC Property Management — Nancy Bijelic

Regrets: Directors — Dan Chiu; and, Management — ICC Head Office

01 Call to Order: Keith Bricknell called the meeting to order at 6:32pm.

02 Adoption of Agenda and Additions:

Resolution 050323R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 050323R, as presented.

Jason Hum/Sylvia Furlong — Carried

03 Review and Adoption of Previous Meetings' Minutes:

Keith Bricknell surrendered the Chair to Sylvia Furlong.

Resolution 050323R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 050223R, as presented.

Keith Bricknell/Jason Hum — Carried

Keith Bricknell resumed the Chair.

04 Administrative and Security Reports:

(a) Where applicable, Corporate Officers and/or Nancy Bijelic responded to inquiries regarding items from the Management Report, and/or from other communications to and/or among Directors.

- (i) 6-8 Colborne Cleanup: H&R's Site Superintendent, Trow, Management, and the Superintendent have completed their inspection of units affected by aggregate-splatter. Following an additional inspection by one of H&R's senior administrators, H&R should prepare a scope of work for Trow's review.
- (ii) Lobby Cameras: The Board's consensus was to acquire an additional DVR unit to fulfil the intentions of Resolution 040825R08.
- (iii) Digital Camera: In deference to a Director's request for further information, the Board deferred authorising the purchase of this item.
- (iv) Exercise-Room Flooring: ICC Property Management's Head Office recommended deferring this item until they completed further research into suitable alternatives.

- (v) Security Desk: The Board agreed on the revised plans that resulted from its recommendations during Regular Meeting 050223R. The President agreed to join the meeting at 9:00am on Thursday 24 March 2005, when Management would meet with contractors to finalise details.
- (vi) Townhouse Doors: The Board agreed in principle to replace the existing wooden doors with structurally and aesthetically appropriate metal doors. A final decision will occur after receipt of quotes and notification of Townhouse owners.

Resolution 050323R03: Going into Committee of the Whole

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall go into Committee of the Whole at 7:04pm.

Jason Hum/Nives Malara — Carried

Resolution 050323R04: Rising from Committee of the Whole

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall rise from Committee of the Whole at 7:13pm.

Jason Hum/Nives Malara — Carried

- (vii) Elevators: Management, a ThyssenKrupp representative, and the President monitored the effects of ThyssenKrupp's recently completed work on noise-reduction. ThyssenKrupp has forwarded its voluntary-compliance report to the TSSA. Over the next few weeks, ThyssenKrupp will complete its routine maintenance work on replacing rollers.
- (viii) December 2004 Financials: Directors and ICC Property Management commented on the "Financials". The Board agreed that further discussion would occur during Meeting 050413S.
- (ix) Domestic Hot Water Boiler: Management reported that outages had resulted from a faulty sensor, now replaced. No reports of outages have occurred since replacement of the sensor occurred. The Board agreed in principle with the President's suggestion about acquiring a minor parts-inventory, sufficient for timely responses to component-failures. The Board also agreed in principle with Management's suggestion about investigating installation of a supplementary heat-exchange system from the main boiler(s).
- (x) West Wall — Compensatory Lighting: The Board agreed to defer a decision, pending receipt of a preliminary feasibility-study and cost-analysis, no sooner than Meeting 050427R.
- (xi) Motion to Receive Administrative and Security Reports as Information.

Resolution 050323R05: Receiving Administrative & Security Reports

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, the MTCC 1170 Management Office's Administrative Report for March 2005, and the Front Desk Security Report for the period 16 February 2005 to 15 March 2005.

Jason Hum/Nives Malara — Carried

05 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:

- (a) Revised Rules: Within the next few days, the President will e-mail the most recent draft of the revised rules, complete with input from legal counsel and other Directors. The Board may now consider disposing of this item at Meeting 050413S or 050427R.
- (b) Meeting(s) with H&R and/or Pelican Woodcliff: Refer to 04(a)(i).
- (c) Omnibus Motions: Ratification of prior “expenditures by consensus” — pending.
- (d) 2005 AGM: The Board discussed the date for the 2005 AGM and agreed to finalise it at Meeting 050413S.
- (e) New and/or Revised By-Laws: The General Manager presented a list of new by-laws. The Board deferred further discussion of this item until Meeting 050413S.

06 Correspondence Requiring Action: None

07 Special Committee Reports: None

08 Other Reports: Where applicable these are part of the Administrative Reports.

09 New and/or Brought-Forward Business:

- (a) Heating/Cooling Season: The Board discussed the summary results of the previously-circulated building-wide survey in October 2004 and agreed that the changeover from heating to cooling should occur on 15 April 2005, or as soon as practicable thereafter. The Board also agreed that the President should post the summary results of the previously-circulated building-wide survey on MTCC 1170's “Auxiliary” Web-page.
- (b) Membership in the St Lawrence Neighbourhood Association (SLNA): Having attended two meetings with SLNA officers, the President recommended that MTCC 1170 should join the St Lawrence Neighbourhood Association.

Resolution 050323R06: MTCC 1170's Membership in the SLNA

WHEREAS MTCC 1170 wishes, on behalf of its unit-owners, to maximise its ability to influence political and/or public policy decisions affecting the Corporation; AND,

WHEREAS MTCC 1170 believes that the St Lawrence Neighbourhood Association has potential for fulfilling MTCC 1170's above-noted objectives; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 authorises MTCC 1170's application for membership in the St Lawrence Neighbourhood Association, together with payment of membership fees applicable thereto; AND, FURTHER,

BE IT RESOLVED that MTCC 1170's delegates to the St Lawrence Neighbourhood Association shall be any three members of the Board of Directors.

Sylvia Furlong/Nives Malara — Carried

(c) Approval of Audited Statements: As Management reminded the Board that this is a prerequisite to the Board's issuing the call to the 2005 AGM, the Board will dispose of this item at Meeting 050413S.

- 10 Perusal File of Correspondence Received as Information: Received by e-mail from the Management Office, and/or available in a folder during the Board Meeting.
- 11 Next Committee Meeting: TBA
- 12 Next Special Meeting: 6:30pm on Wednesday 13 April 2005
- 13 Next Regular Meeting: 6:30pm on Wednesday 27 April 2005.
- 14 Motion for Adjournment

Resolution 050323R07: Adjournment of Meeting 050323R

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 050323R at 8:17pm on Wednesday 23 March 2005.

Jason Hum/Nives Malara — Carried

“Keith Bricknell”

President: Keith Bricknell

“Dan Chiu”

“for Secretary: Jason Hum”

Adopted at  
Meeting #050413S



## THE METROPOLE

15 April 2005

### Minutes of MTCC 1170 Meeting Number 050413S — Held on 13 April 2005

Present: Directors — Keith Bricknell, Dan Chiu, Sylvia Furlong, Jason Hum (7:32pm), and Nives Malara (6:45pm); and, ICC Property Management — Nancy Bijelic and Steven Christodoulou

Regrets: None

01 Call to Order: Keith Bricknell called the meeting to order at 6:37pm.

02 Waiver of Notice for a Special Meeting:

Resolution 050413S01: Waiver of Notice for a Special Meeting

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 waives notice for the calling of a Special Meeting on 13 April 2005 (hereinafter, “Special Meeting Number 050413S”).

Dan Chiu/Sylvia Furlong — Carried

03 Adoption of Agenda and Additions:

Resolution 050413S02: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 050413S, as presented.

Keith Bricknell/Sylvia Furlong — Carried

04 Review and Adoption of Previous Meetings’ Minutes:

At the Meeting’s request, Dan Chiu agreed to be Acting Corporate Secretary, pending Jason Hum’s arrival.

Keith Bricknell surrendered the Chair to Dan Chiu.

Resolution 050413S03: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 050323R, as presented.

Keith Bricknell/Sylvia Furlong — Carried

Keith Bricknell resumed the Chair.

05 New and/or Urgent Business:

(a) Additional By-Laws:

Resolution 050413S04: Initiate Development of Additional By-Laws

WHEREAS the *Condominium Act, SO 1998 Chapter 19* and its *Regulations* provide opportunities for better governance of condominium corporations; AND,

WHEREAS MTCC 1170 wishes avail itself of the above-noted opportunities; THEREFORE,

BE IT RESOLVED that MTCC 1170's Board of Directors shall initiate the development of by-laws encompassing, and/or making optimal use of, any or all of the following sections of the Condominium Act.

- 01 Section 56(1)(h): "to establish what constitutes a standard unit for each class of unit specified in the by-law for the purpose of determining the responsibility for repairing improvements after damage and insuring them..."
- 02 Section 56(1)(k): "to restrict the use and enjoyment that persons other than occupants of the units may make of the common elements and assets of the corporation, subject to any agreement made by the corporation with respect to the use and enjoyment of its common elements and assets that it shares with another person..."
- 03 Section 57: "Subject to section 56, the board may, by resolution, make, amend or repeal by-laws not contrary to this Act or the declaration that establish standards for the occupancy of units of the corporation for residential purposes."
- 04 Section 35(2): "The person calling a meeting of directors shall give a written notice of the meeting to every director of the corporation, (a) at least 10 days before the day of the meeting, unless the by-laws specify otherwise; and (b) by delivering it to the director personally or by sending it by prepaid mail, courier delivery or electronic communication addressed to the director at the latest address as shown on the records of the corporation, unless the by-laws specify otherwise."
- 05 Section 35(5): "meeting of the directors may be held by teleconference or another form of communications system that allows the directors to participate concurrently if, (a) the by-laws authorize those means for holding a meeting of the directors; and (b) all directors of the corporation consent to the means used for holding the meeting."; AND, FURTHER,

BE IT RESOLVED that MTCC 1170's Board of Directors shall consult with the Corporation's legal counsel in the process of developing any or all of the above-noted by-laws.

Sylvia Furlong/Dan Chiu — Carried

(b) Audited Financial Statements:

Resolution 050413S05: Accepting the Audited Financial Statements

WHEREAS the Board of Directors of MTCC 1170 has received MTCC 1170's audited statements from Daurio & Franklin LLP (Chartered Accountants), for the fiscal year beginning 01 December 2003 and ending 30 November 2004; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 receives the above-noted audited statements as information; AND, FURTHER,

BE IT RESOLVED that the Board of Directors of MTCC 1170 agrees that the above-noted audited statements fairly and truly represent MTCC 1170's financial operations during the fiscal year in question.

Dan Chiu/Nives Malara — Carried

- (c) Cost and Object Criteria for Reserve Fund Expenditures: The Board and Management discussed both criteria. A motion, defining a balance of the two criteria, will follow, at Meeting 050427R.

- (d) AGM 2005:

Resolution 050413S06: AGM and AGM Package

WHEREAS MTCC 1170's Board of Directors has received and adopted the Corporation's audited financial statements for 01 December 2003 to 30 November 2004 (inclusive of both dates); THEREFORE,

BE IT RESOLVED the Board of Directors of MTCC 1170 agrees to and/or authorises the following:

- (a) MTCC 1170's AGM shall commence at 7:30pm on 18 May 2005 (with registration beginning one-half hour earlier);
- (b) The information package to owners ("the 2005 AGM package") shall include, *inter alia*, the following items:
  - (i) an information-letter, agenda, proxy-form, and instructions, in the same general format as originally presented to the Board of Directors at Regular Meeting 040428R; and,
  - (ii) a President's Report, in the same general format as originally presented to the Board of Directors at Regular Meeting 040428R.
- (c) any other items and/or procedures that the Management Office deems necessary for facilitating the conduct of MTCC 1170's AGM.

Dan Chiu/Nives Malara — Carried

- (e) St Lawrence Neighbourhood Association (SLNA):

Resolution 050413S07: SLNA — Amending Resolution 050323R06

WHEREAS MTCC 1170's Board Meetings and the St Lawrence Neighbourhood Association's ("SLNA's") Delegate Meetings overlap frequently; AND,

WHEREAS MTCC 1170 wishes to facilitate its fullest possible participation in the SLNA's Delegate Meetings; THEREFORE,

BE IT RESOLVED that MTCC 1170's delegates to the St Lawrence Neighbourhood Association shall be any three members of the Board of Directors and/or any

three unit-owners that the Board of Directors may appoint from time to time, to a maximum of three delegates.

Dan Chiu/Nives Malara — Carried

(f) Receiving Compensation from Movie Shoots:

Resolution 050413S08: Receiving Compensation from Movie-Shoots

WHEREAS film-making (“movie-shoots” and/or “video-shoots”) in MTCC 1170’s vicinity can be disruptive in terms of (*inter alia*) noise, traffic, parking, and delays; AND,

WHEREAS the film-making industry has some history of offering financial compensation to buildings that suffer disruption from movie-shoots and/or video-shoots; THEREFORE,

BE IT RESOLVED that MTCC 1170 authorises the Management Office to negotiate the above-noted financial compensation, subject to the following conditions.

- 01 Neither movie-shoots nor video-shoots, nor any type of film-making, may occur on or in MTCC 1170’s property.
- 02 MTCC 1170 and/or its residents shall not forgo, forfeit, or in any way rescind its or their statutory and/or regulatory rights, such as (non-exhaustively) those described in the Toronto Film and Television Office’s “Guidelines”.
- 03 A film-maker offering and/or providing compensation to MTCC 1170 shall have no expectation that MTCC 1170 and/or its residents shall forgo, forfeit, or in any way rescind its or their statutory and/or regulatory rights, such as (non-exhaustively) those described in the Toronto Film and Television Office’s “Guidelines”.
- 04 A film-maker offering and/or providing compensation to MTCC 1170 shall agree to abide fully by statutory and/or regulatory obligations, such as (non-exhaustively) those described in the Toronto Film and Television Office’s “Guidelines”.
- 05 Before concluding a compensation agreement with a film-maker, the Management Office shall consult with at least one Corporate Officer, preferably, the President or the General Manager.
- 06 Financial compensation from movie-shoots shall be deposited only in MTCC 1170’s Reserve Fund.

Dan Chiu/Nives Malara — Carried

(g) Going into Committee of the Whole Board (Owner-Related Issue)

Resolution 050413S09: Going into Committee of the Whole

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall go into Committee of the Whole at 7:08pm.

Dan Chiu/Nives Malara — Carried



- (h) Rising from Committee of the Whole Board

Resolution 050413S10: Rising from Committee of the Whole

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall rise from Committee of the Whole at 7:18pm.

Dan Chiu/Nives Malara — Carried

- (i) Compensatory Lighting: Having reviewed the President's report, the Board agreed that this matter shall undergo further discussion at Meeting 050427R.

Resolution 050413S11: Adoption of a Corporate Officer's Report

WHEREAS the Board of Directors of MTCC 1170 has received the President's report on the feasibility of providing auxiliary outdoor lighting to MTCC 1170's west wall; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 receives the above-noted report as information; AND, FURTHER,

BE IT RESOLVED that the Board of Directors of MTCC 1170 authorises providing information from the above-noted report, on request, to owners of suites on MTCC 1170's SW and WSW corners.

Dan Chiu/Jason Hum — Carried

- (j) Revised Rules: The President asked all Directors to complete their discussions by 27 April 2005, for probable adoption of the Rules at Meeting 050427R.

- (k) Director's Attendance at CCI Course Part 2: The Board's consensus was that MTCC 1170 should pay the General Manager's registration fees for attendance at the above-noted.

06 Next Regular Meeting: 6:30pm on Wednesday 27 April 2005.

07 Motion for Adjournment

Resolution 050413S12: Adjournment of Meeting 050413S

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 050413S at 7:58pm on Wednesday 13 April 2005.

Dan Chiu/Nives Malara — Carried

"Keith Bricknell"

President: Keith Bricknell

"Dan Chiu"

for Secretary: Jason Hum



## THE METROPOLE

02 May 2005

### **Minutes of MTCC 1170 Meeting Number 050427R — Held on 27 April 2005**

Present: Directors — Keith Bricknell, Dan Chiu, Jason Hum (6:43pm), and Sylvia Furlong; and, ICC Property Management — Nancy Bijelic

Regrets: Directors — Nives Malara; and, Management — ICC Head Office

01 Call to Order: Keith Bricknell called the meeting to order at 6:35pm.

02 Adoption of Agenda and Additions:

Resolution 050427R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 050427R, as presented.

Dan Chiu/Sylvia Furlong — Carried

03 Review and Adoption of Previous Meetings' Minutes:

At the Meeting's request, Dan Chiu agreed to be Acting Corporate Secretary, pending Jason Hum's arrival.

Resolution 050427R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 050413S, as presented.

Sylvia Furlong/Dan Chiu — Carried

Keith Bricknell resumed the Chair.

04 Administrative and Security Reports:

(a) Where applicable, Corporate Officers and/or Nancy Bijelic responded to inquiries regarding items from the Management Report, and/or from other communications to and/or among Directors.

(i) Townhouse Doors: The Board's consensus was to accept Hi-Lon Glass's quotation of \$1,130 per door (plus taxes) for eight (8) of their Model 501 vinyl-coated steel doors. The Board directed Management to consult with Townhouses' owners regarding a uniform exterior door colour.

(ii) Gym Flooring: This item also appears at Section 04(a)(iv) of the Minutes for Meeting 050223R and 050323R. Following ICC's research and recommendation, the Board's consensus was to purchase gym flooring from Dinoflex Sport Mat Flooring, at an installed cost of approximately \$6,500 (plus taxes).

(iii) Steam Cleaner: The Board's consensus was for Management to purchase a two-gallon steam cleaner (\$987, plus taxes) and cart (\$275, plus taxes).

- (iv) Elevators: Management's report is the basis for a section in the President's Report for AGM 2005 — part of the "AGM 2005 Package".
- (v) YTD Financials: The Treasurer and ICC Property Management commented briefly on current favourable variances in the YTD "Financials".
- (vi) Motion to Receive Administrative and Security Reports as Information.

Resolution 050427R03: Receiving Administrative & Security Reports

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, the MTCC 1170 Management Office's Administrative Report for April 2005, and the Front Desk Security Report for the period 16 March 2005 to 18 April 2005.

Jason Hum/Sylvia Furlong — Carried

05 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:

- (a) Revised Rules: Following discussion of further suggested revisions, the Board agreed to finalise the Rules at a Special Meeting at Noon on 06 May 2005.
- (b) Replacements for the Winter Mats: The Board asked Management to get bids for replacement of MTCC 1170's winter mats.
- (b) Compensatory Lighting — West Wall: The Board authorised the President to seek an opinion from MTCC 1170's legal counsel.

06 Correspondence Requiring Action: None

07 Special Committee Reports: None

08 Other Reports: Where applicable, these are part of the Administrative Reports.

09 New and/or Brought-Forward Business:

- (a) Current Filming in Colborne Street: The President and Management reported briefly on residents' reactions, and on the film company's efforts to mitigate inconvenience.
- (b) Pizza Deliveries and Distribution of Flyers: Management reported on some pizza deliverers' habit of distributing flyers while making deliveries.

Resolution 050427R04: Restricting Delivery Persons' Movements

WHEREAS save for all condominiums' obligation to comply with Section 118 of the *Condominium Act*, Canada Post Corporation has the exclusive right to distribute addressed and/or unaddressed mail and/or leaflets to and in MTCC 1170, and then only via locked mailboxes; AND,

WHEREAS MTCC 1170 prohibits all other distribution(s) of addressed and/or unaddressed mail and/or leaflets, save for MTCC 1170's own periodic information leaflets; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 authorises Management to enforce the prohibition(s) mentioned herein; AND, FURTHER,

BE IT RESOLVED that the Board of Directors of MTCC 1170 authorises Management to undertake the following sequential steps as and when delivery persons violate the prohibitions mentioned herein.

- (a) On any or all delivery person's(s') and/or her/his employer's(s') first offence, Security and/or Management shall issue a verbal and/or written warning.
- (b) Following any or all delivery person's(s') and/or her/his employer's(s') second offence, Security and/or Management shall bar, and continue barring, the offending delivery person(s) and/or her/his employer(s) from proceeding past the Security Desk. On barring the offending delivery person(s) and/or her/his employer(s), Security will then telephone the resident(s) that placed the order for goods and/or services and ask the resident(s) to attend at the Security Desk to:
  - (i) receive the aforesaid goods and/or services; and/or
  - (ii) escort the aforesaid delivery person(s) and/or her/his employer(s) to the delivery-site, and take responsibility for ensuring her/his/their compliance with all of the prohibitions mentioned herein.

Sylvia Furlong/Jason Hum — Carried

- (c) Online Copies of By-Laws and Rules: The Board agreed in principle that potential benefit accrued to making By-Laws and Rules available online.

- 10 Perusal File of Correspondence Received as Information: Received by e-mail from the Management Office, and/or available in a folder during the Board Meeting.
- 11 Next Committee Meeting: TBA
- 12 Next Special Meeting: Noon on Friday 06 May 2005
- 13 Next Regular Meeting: 6:30pm on Wednesday 25 May 2005.
- 14 Motion for Adjournment

Resolution 050427R05: Adjournment of Meeting 050427R

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 050427R at 8:05pm on Wednesday 27 April 2005.

Jason Hum/Dan Chiu — Carried

“Keith Bricknell”

President: Keith Bricknell

“Jason Hum”

Secretary: Jason Hum



## THE METROPOLE

08 May 2005

### **Minutes of MTCC 1170 Meeting Number 050506S — Held on 06 May 2005**

Present: Directors — Keith Bricknell, Dan Chiu, Sylvia Furlong, Jason Hum, and Nives Malara; and, ICC Property Management — Nancy Bijelic

Regrets: None

01 Call to Order: Keith Bricknell called the meeting to order at 12:02pm.

02 Waiver of Notice for a Special Meeting:

Resolution 050506S01: Waiver of Notice for a Special Meeting

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 waives notice for the calling of a Special Meeting on 06 May 2005 (hereinafter, "Special Meeting Number 050506S").

Jason Hum/Sylvia Furlong — Carried

03 Adoption of Agenda and Additions:

Resolution 050506S02: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 050506S, as presented.

Jason Hum/Sylvia Furlong — Carried

04 Review and Adoption of Previous Meetings' Minutes:

Resolution 050506S03: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 050427R, as presented.

Jason Hum/Sylvia Furlong — Carried

05 New and/or Urgent Business:

(a) Security Desk — Revised Estimate: The Board's consensus was to approve Management's proceeding with refurbishments evidently necessary for accommodating replacement equipment and a storage cabinet.

(b) Exercise Room Flooring: Following Management's additional inquiries, the Board reviewed more samples. (*The review included visiting the exercise room, to compare samples with existing décor.*) The result was consensus on a product that should provide durability, sound-attenuation, and consistency with existing décor.

- (c) Revised Rules: Having conferred during previous meetings, and having shared opinions by e-mail, Directors were amply prepared to finalise this item.

Keith Bricknell surrendered the Chair to Nives Malara.

Resolution 050506S04: Adoption of MTCC 1170's Revised Rules

WHEREAS MTCC 1170 began reviewing its Rules in 2003, with the intention of making those Rules consistent with the *Condominium Act*, and with By-Laws subsequently adopted by the Owners in May 2004; AND,

WHEREAS the above-noted review of Rules is now complete; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the revised Rules hereto attached; AND, FURTHER,

BE IT RESOLVED that the aforesaid adoption of Rules shall be subject to Sections 46 and 58 of the *Condominium Act*, as stipulated below.

- (a) Notice of the above-noted Rules, including copies thereof, shall be deemed to have been served on 18 May 2005.
- (b) Owners have 30 days following receipt of the above-noted Notice to object to any or all of the above-noted Rules. Section 58 of the *Condominium Act* describes the process by which Owners may communicate and/or implement objections.
- (c) In default of Owners' objections, the above-noted Rules shall have full force and effect on 18 June 2005.

Keith Bricknell/Jason Hum — Carried

Keith Bricknell resumed the Chair.

06 Next Regular Meeting: 6:30pm on Wednesday 25 May 2005.

07 Motion for Adjournment

Resolution 050506S05: Adjournment of Meeting 050506S

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Special Meeting Number 050506S at 12:33pm on Friday 06 May 2005.

Nives Malara/Dan Chiu — Carried

“Keith Bricknell”

President: Keith Bricknell

“Dan Chiu”

for Secretary: Jason Hum



## THE METROPOLE

**THE RULES GOVERNING THE USE OF COMMON ELEMENTS AND UNITS OF  
METROPOLITAN TORONTO CONDOMINIUM CORPORATION NUMBER 1170  
PASSED BY THE BOARD OF DIRECTORS ON 06 MAY 2005**

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*Having Force and Effect from 18 June 2005, Earlier than  
Subject to Owners' Rights  
in Section 58 of the Condominium Act*

**RULES GOVERNING THE USE OF COMMON ELEMENTS AND UNITS OF  
METROPOLITAN TORONTO CONDOMINIUM CORPORATION NUMBER 1170**

All previous rules of Metropolitan Toronto Condominium Corporation No. 1170 (the “Corporation”) are hereby repealed and replaced with the rules hereinafter set out.

The following rules, including any regulations or guidelines as may be posted from time to time in any specific area on the property (collectively, the “Rules”), are made pursuant to the Condominium Act, 1998, c.19 and the Regulations made thereunder and any amendments thereto (collectively, the “Act”) and shall be observed by all owners (collectively, the “Owner” or “Owners”) and any other person(s) occupying their units with the Owners’ approval, including, without limitation, members of the Owners’ families, their tenants, guests, visitors and invitees.

**01.00 GENERAL**

- 01.01 Use of the common elements and all units shall be subject to the Rules which the board of directors of the Corporation (the “Board”) may make to promote the safety, security or welfare of the Owner and of the property and assets of the Corporation or for the purpose of preventing unreasonable interference with the use and enjoyment of the common elements and of other units.
- 01.02 Use of the commercial units shall further be subject to such other rules relevant to the commercial units as specified by the Board from time to time. Owners of the commercial units and their tenants or occupants must comply with all applicable rules, statutes, ordinances, and by-laws of the Fire Department of the City of Toronto, the Board of Health, and other relevant municipal or other government agencies.
- 01.03 Rules as deemed necessary and altered from time to time by the Corporation, in accordance with the applicable provisions of the Act, shall be binding on all Owners and their families, tenants, guests, visitors, invitees, servants, agents or occupants of their units.
- 01.04 The terms used herein shall have ascribed to them the definitions and interpretation contained in the Act and in the declaration and by-laws of the Corporation and any amendments thereto unless these Rules specify otherwise or unless the context otherwise requires, in particular:
- (a) “building” means the building comprising all units and common elements of the Corporation municipally located at 7 King Street East, Toronto, Ontario and known as “The Metropole”;
  - (b) “commercial units” means the commercial units described in the declaration of the Corporation as Units 9 to 14, both inclusive, on Level 1;
  - (c) “guest” means one who is invited by an Owner or authorized occupant to visit and/or to stay overnight, or longer, and where no financial transaction with respect to the use of the residential unit has occurred or will occur;
  - (d) “licensee” means one to whom the Corporation has granted a licence to use certain part(s) of the common elements, except those parts specified in the declaration for exclusive use by Owners of designated units, for the purposes set out in a licensing agreement entered into between such licensee and the Corporation;



- (e) “property” means the building and the associated grounds and appurtenant interests thereto as per the plans filed as the Description;
- (f) “property manager” means the property manager and other personnel employed by the property management company with which the Corporation has contracted for the provision of their services from time to time (hereinafter referred to as the “Property Manager”);
- (g) “residential units” means the residential dwelling units as described in the declaration of the Corporation, including the townhouse units hereinafter defined;
- (h) “security” or “concierge” means the personnel hired by the Corporation or the employees of the security company which the Corporation has contracted with for the provision of security and/or concierge services from time to time (hereinafter referred to as “Security”);
- (i) “sub-tenant” means one who has acquired the right to occupy a unit from a tenant for a fixed term as set out in Rule 7.01 herein, and is subject to compliance with the declaration, by-laws and Rules of the Corporation as may be created and amended from time to time;
- (j) “suite” sometimes used in these Rules means a residential unit;
- (k) “superintendent” means the superintendent and his staff, if any, hired by or contracted with the Corporation for the provision of maintenance services from time to time (hereinafter referred to as the “Superintendent”);
- (l) “tenant” means one who occupies and leases a unit directly from the Owner for a fixed term as set out in Rule 7.01 herein, and is subject to compliance with the declaration, by-laws and Rules of the Corporation as may be created and amended from time to time;
- (m) “townhouse units” means the residential units described in the declaration of the Corporation as Units 1 to 8, both inclusive, on Level 1;
- (n) “transient” means temporary, and includes the use of a unit by any person who has a permanent residence elsewhere but pays to live at *The Metropole* on a temporary basis. Notwithstanding the foregoing, “transient” does not include the use of a unit by a person who is related to the owner of the unit, or to a person who is a *bona fide* tenant of the unit; and,
- (n) “visitor” means one who is invited to visit or visits for a day or part thereof.

## **02.00 FIRE PREVENTION AND SAFETY**

- 02.01 No one shall do or permit anything to be done in his unit or on the common elements or bring into or keep anything in his unit or on the common elements which will in any way increase the risk of fire or the rate of fire insurance on the building or on any personal property kept therein, or on the personal property belonging to any Owner or resident, or conflict with any federal, provincial or municipal laws relating to fire safety or with the regulations of the Fire Department or with any insurance policy carried by the Corporation, or conflict with any of the rules and ordinances of the Board of Health or with any statute or municipal by-law.

- 02.02 As non-exhaustive examples, and to ensure that Section 02.01 has full force and effect, all residents shall comply with the following provisions.
- (a) Nothing shall be stored within eighteen (18) inches of the ceiling in any locker, and no highly combustible material or flammable goods shall be stored in the locker rooms. (Refer also to Section 06.08.)
  - (b) Propane or natural gas fuelled vehicles are prohibited within the parking garage. (Refer also to Section 08.19.)
  - (c) No motor vehicle occupying a parking space near a fire hose cabinet shall be parked in a manner that would prevent access to the cabinet, or obstruct the cabinet door from being opened a minimum of ninety (90) degrees. (Refer also to Section 08.21.)
- 02.03 No one shall overload existing electrical circuits in the unit and no one shall alter in any way the amperage of the existing circuit breakers in the unit.
- 02.04 No one shall remove, replace, disconnect, or tamper with or cause malicious damage to fan coil units, thermostats, fireplaces, heat detectors, smoke detectors, carbon monoxide detectors where applicable, speakers, or intercom/security panels.
- 02.05 No highly combustible, flammable or offensive goods, provisions or materials shall be kept in any part of the property.
- 02.06 No barbecuing is permitted in any unit or on any balcony or patio. No charcoal, wood-burning, gas or propane, or electric barbecues are permitted anywhere on the property.
- 02.07 Smoking is prohibited in any of the indoor common elements which shall include, without limitation, the lobby, the elevators, parking garages, locker rooms, change rooms, lounges, saunas, swimming pool, exercise room, and all hallways and stairwells.
- 02.08 No one shall fail to comply with the safety rules of the City of Toronto in which the property is situate, and the Fire Chief's Guide and suggestions as provided to residents or posted at each fire hose cabinet located throughout the corridors and/or other designated areas as mandated by law.
- 02.09 No one shall leave cooking food unattended, in any units or on any common elements. The stove/exhaust fan must be used at all times while cooking.
- 02.10 No one shall heat oil/food to such a high temperature as to cause excessive smoke and no one shall open the suite door to ventilate cooking smoke from the suite into the hallways.
- 02.11 No one shall fail to call Security if cooking smoke has been allowed to escape any unit, causing a general building fire alarm.
- 02.12 No one shall fail to regularly empty and properly maintain the dryer lint traps in the ceilings or walls or in any dryer. Dryer lint, built up in the lint traps of a unit and not emptied, will cause fire hazard.
- 02.13 Occupants shall not leave the unit while the dryer, the washing machine, the dishwasher or the stove is in operation. Occupants shall ensure that candles are not left burning and that all appliances are cycled off or in the off position before leaving the unit.

### **03.00 QUIET ENJOYMENT**

- 03.01 No one shall do or permit anything to be done in his unit or bring or keep anything therein that will in any way obstruct or interfere with the rights of other residents or in any way injure or annoy them.
- 03.02 No one shall make or permit any improper noises in a unit or on the property or do anything that will annoy or disturb or interfere in any way with other residents.
- 03.03 No noise caused by any instrument, stereo, television, or other device or otherwise howsoever caused, including noise caused by any pet, which, in the opinion of the Board, disturbs the comfort or quiet enjoyment of the property by other residents, shall be permitted.
- 03.04 No one shall cause or permit the transmission of noise through flooring from one residential unit to another or to any common element area, where such noise is disturbing to any other resident. Any maintenance or repairs to the unit or the common elements shall be made between the hours of 9:00 a.m. and 7:00 p.m., Mondays through Sundays, and such maintenance or repairs shall be subject to compliance with the provisions of Section 13.00 herein.
- 03.05 No one shall create or permit the creation of odours which may disturb or which in fact do disturb other residents.
- 03.06 Whether or not any of the aforementioned interferes with the quiet use and enjoyment of any Owner, shall be determined by the Board in its full and unfettered discretion.

#### **04.00 SECURITY**

- 04.01 No one shall fail to report forthwith to Security any incident of unauthorized entry to the property or any emergency concerning any elevator or otherwise affecting the safety and security of the property.
- 04.02 No one shall fail to ensure that any door to the building is firmly locked after use and access doors shall not be wedged open for any reason.
- 04.03 No one shall fail to lock up his bicycle or shall fail to leave his motor vehicle locked, with windows closed and keys removed, upon leaving the bicycle and/or motor vehicle parked in his designated parking areas.
- 04.04 No one shall admit any visitors or tradesmen to the building unless such visitors or tradesmen are known to such person, or are on business with or making a delivery to such person, and such person shall advise Security of same.
- 04.05 No one shall fail to immediately report to the Superintendent or to Security any accidental spills or undue untidiness or damage to the property.
- 04.06 No one shall solicit or permit solicitation by any person in the building for any cause, charitable or otherwise, except for those purposes specified by section 118 of the Act.
- 04.07 Access cards shall be used at all times for all doors with readers. Two (2) access cards are issued to each residential unit. At a fee set by the Board from time to time, new or additional access cards can be purchased from the Corporation (a) to replace old, damaged, lost or stolen cards, (b) for occupants of a unit in excess of two (2) persons as may be required, and (c) for temporary use by guests for a fixed period as authorized by Owners and occupants. The approval and issuance of such new or additional cards are

subject to the discretion of the Property Manager and/or the Board. Notwithstanding anything to the contrary, the Board shall have the authority, from time to time, to restrict the number of access cards to Owners and to set policies regarding replacement of such access cards. Each Owner and/or occupant/resident of a unit shall abide by such policies as set out by the Board from time to time.

- 04.08 One (1) garage remote control unit shall be issued for each owned parking unit. Where applicable, a non-refundable fee may be charged for each garage remote control unit in an amount determined by the Board from time to time. Garage remote control units may be purchased from the Corporation, subject to the discretion of the Property Manager and/or the Board, to replace damaged, lost or stolen ones at a fee set by the Board from time to time.
- 04.09 Under no circumstances shall building access cards and garage remote control units be made available to anyone other than the Corporation or its agents, an Owner, resident or occupant of a unit.
- 04.10 All Owners and residents, their pets, building staff, and other personnel given authorized entry to the Property must be registered with the Corporation within five (5) days of such request by Security, the Property Manager, or the Board. Such registration process includes, without limitation, the recording of serial numbers of access cards and garage remote control units, identity cards issued by the governmental authorities, and the taking of photographs by the Corporation of such individuals and pets. The registration means and methods may be amended or revised when deemed necessary by the Board from time to time. Additional registration requirements of household pets are further set out in Rules 11.05 and 11.06 herein.
- 04.11 The Corporation shall be entitled to require re-registration of all access cards and garage remote control units to update the records of the Corporation and to enhance and maintain security at the Corporation. Where Owners or residents fail to re-register on time or otherwise comply with the Corporation's request to do so, the Corporation shall be entitled to de-activate any access card and/or garage remote control unit of such Owner, occupant or resident, without any notice whatsoever.
- 04.12 No one shall be allowed access to the building, by way of any pedestrian door or garage door or by Security or building staff, unless they are registered with the Corporation in the manner set out in Rule 4.10 herein or unless they are given access as set out in Rule 4.04 herein.
- 04.13 No one shall fail to notify Security immediately if their access cards or garage remote control units are lost or stolen. Any unauthorized, lost or stolen access cards and garage remote control units will immediately be de-activated and de-registered by the Corporation. If Security determines that re-activation and re-registration of access cards and garage remote controls is appropriate, a fee will be charged to the Owner of such unit in an amount determined by the Board from time to time.
- 04.14 If the unit key is lost or misplaced, an occupant will be allowed access to his unit by Security using the building master key upon such occupant providing identification as being registered with the Corporation. After three (3) occurrences per calendar year, whereby the building master key is utilized for access to the same unit, a fee will be

charged to the Owner of such unit in an amount determined by the Board from time to time.

**05.00 COMMON ELEMENTS AND UNITS**

- 05.01 No one shall harm, mutilate, destroy, alter or litter any of the landscaping on the property, including grass, trees, hedges, flowers or flower beds.
- 05.02 Water shall not be left running unless in actual use. Water lines shall be shut off at the valves in the unit used for the dishwasher and washing machine when the occupant leaves the unit for an extended period of time.
- 05.03 No one shall fail to properly maintain interior plants and/or maintain and operate any humidifying or dehumidifying unit so as to prevent the escape of water.
- 05.04 No building or structure or tent shall be erected and no trailer, with or without living, sleeping or eating accommodation, shall be placed, located, kept or maintained on the common elements save and except on parking units as permitted by the declaration of the Corporation.
- 05.05 No Christmas trees or any parts of any such trees shall be brought into the building or be disposed of other than as directed by the Property Manager.
- 05.06 No real estate lock boxes shall be attached in any manner to unit doors nor to any part of the common elements. All keys for real estate showings of units shall be handled through Security. Appropriate proof of ownership of the unit and completion of any required documentation by the Owner authorizing the handling of such keys are necessary pre-conditions for all real estate showings.
- 05.07 No one shall change, add to, or re-key the lock on his unit entry door unless it is keyed to the building master key and the prior written consent of the Board has been obtained.
- 05.08 No decoration, ornamentation, or otherwise may be permanently affixed to the exterior of suite doors. Holiday decorations such as Christmas wreaths may be hung on suite doors, using non-invasive hanging technology, but must be removed within two (2) weeks after the holiday.
- 05.09 No change to the outer surface of any unit access door is permitted as such outer surface forms part of the common elements of the Corporation.
- 05.10 No articles, carriages, carts, motorized carts, bicycles, footwear, mats, refuse, garbage, or other objects shall be left in the corridors or stairwell areas.
- 05.11 No radio or television antennae, satellite dish, aerial tower or similar structure (nor any appurtenances thereto) shall be erected on or fastened to or protruded from any unit, the common elements, or exclusive use common elements, except by the Corporation in connection with a common television cable or other system.
- 05.12 No signs, billboards, notices or other advertising matter of any kind shall be inscribed, painted, affixed or placed on any part of the inside or outside of the building, windows, or the common elements without the prior written consent of the Board.
- 05.13 Toilets and other water apparatuses shall not be used for purposes other than those for which they are constructed and no sweepings, garbage, rubbish, rags, ashes, kitty litter

or other substances shall be thrown therein. Any damage resulting from misuse or from unusual or unreasonable use shall be the responsibility of the Owner who, or whose family, guests, visitors, employees or agents shall cause same.

- 05.14 No awnings, or shades, or enclosures shall be erected over the outside or inside of the windows, balconies or patios and no alterations or decorations on such windows, balconies or patios shall be permitted without the prior written approval of the Board. Nothing shall be placed where same would overhang the balcony railing. Any addition, alteration and/or improvement made by an Owner to the exclusive use common elements must be done in accordance with the applicable provisions of the Act.
- 05.15 With respect to any window, no materials other than drapes or blinds shall be installed on the inside thereof and no materials shall be utilized on the outside of such window to prevent the passage of light. Such drapes or blinds shall be of a neutral colour facing the exterior. Where in the opinion of the Board or the Property Manager, such drapes or blinds do not reflect a neutral exterior, then such drapes or blinds must be altered to conform to the requirements of this Rule or shall be removed by the Owner within two (2) weeks of written notice to the Owner or resident.
- 05.16 No auction, garage sale, real estate open house, or other events to which the general public is invited shall be held on the property without the prior written consent of the Board, which consent may be arbitrarily withheld.
- 05.17 No one shall install an air conditioning unit in any unit.
- 05.18 No mops, brooms, dusters, rugs or bedding shall be shaken or beaten from any window, door or balcony.
- 05.19 No alcoholic beverages shall be consumed anywhere on the common elements except that if otherwise permitted by law and in accordance with the law, alcoholic beverages may be consumed in the 5<sup>th</sup> floor lounge, 5<sup>th</sup> floor terrace, penthouse lounge, penthouse terrace.
- 05.20 No common element area, including the lobby area, hallways and stairwells, shall be used for the purpose of loitering.
- 05.21 No one shall engage in any form of sport, or ride a bicycle, or roller blade, or skateboard, or scooter, or other apparatus of similar nature, on the common element areas, driveways, or parking spaces.
- 05.22 No person shall enter or leave the building on foot by way of the garage door used for entry and exit by motor vehicles.
- 05.23 Garborators are illegal and are not permitted in residential or commercial units.
- 05.24 Intercom/security panel shall not be covered, obstructed or interfered with in any way. Any malfunction should be reported immediately to Security.
- 05.25 Where required by law, the Owner shall install, maintain and repair a carbon monoxide detector in his unit at the Owner's expense. Such detector must be of a type approved by the Underwriter's Laboratories of Canada and must be maintained in accordance with the manufacturer's instructions.

- 05.26 Each residential unit shall be occupied and used as a private single family residence only. Partitioning or other sub-dividing of units is not permitted. Roomers or boarders are not permitted.
- 05.27 No unlawful, offensive, improper or immoral use, as defined in law, shall be made of any unit or any of the common elements of the Corporation property. All municipal and other ordinances, laws and regulations of all government regulatory agencies must be strictly observed.
- 05.28 Newspapers left in the corridors by third parties, and not collected by residents in a reasonable time, may be collected at the discretion of the Property Manager and Security without giving notice to residents. Any newspapers unclaimed by residents within seven (7) days of such collection by Security will be disposed of whatsoever, without cause.
- 05.29 Elevator doors must not be forced open by any device or barrier that interferes with normal operation.
- 05.30 Insurance for contents, betterments, improvements and liability within the unit is the responsibility of the occupant of the unit.
- 05.31 Carts provided for the purpose of moving luggage, groceries, or other small items are to be signed for by the resident and returned to the desk immediately after use, and must not be left in the units, unattended in the hallways, elevators, or parking garages.
- 05.32 The filming of any motion picture or videotape by any Owner or occupant for commercial purposes is prohibited in or on any part of the property.
- 05.33 No Owner or resident shall permit an infestation of pests, insects, vermin or rodents to exist at any time in his residential or commercial unit or adjacent common elements or his locker. Owners and residents shall immediately report to the Property Manager all incidents of pests, insects, vermin or rodents. Upon receipt of such written notice, each Owner and resident shall:
- (a) permit entry to his unit for the purpose of the conducting of pest control operations, including any spraying program;
  - (b) prepare his unit in the manner prescribed in the said written notice;
  - (c) permit and facilitate entry into his unit by any authorized pest control personnel; and,
  - (d) co-operate in order to carry out the full intent of this Rule. Any costs incurred by the Corporation in connection therewith shall be borne and paid for by such Owner and such costs shall be treated as additional common expenses and may be collected as such.
- 05.34 No debris, refuse or garbage shall be placed or left in, or upon, the common elements, including those of which the Owner has the exclusive use, except in such areas set out under Section 9.00 herein.
- 05.35 Any addition, alteration and/or improvement made by an Owner to the common elements must be done in accordance with the applicable provisions of the Act.

**06.00 BALCONIES/PATIOS, LOCKERS AND BICYCLES**

- 06.01 Balconies, patios and lockers are part of the exclusive use common elements as specified in the declaration for use solely by Owners of designated units.
- 06.02 No hanging or drying of clothes shall be allowed on balconies.
- 06.03 Balconies and patios shall not be used for storage of bicycles or any items, except for seasonal furniture. Such furniture shall be safely secured so as to prevent any item from being blown off the balconies and patios by high winds.
- 06.04 When washing balcony floors, water shall not be allowed to fall over the side of the balcony floor.
- 06.05 No one shall fail to use waterproof planting containers on the balcony, and must not allow the escape of water when watering. Planters or containers must not be mounted over the outside edge of balcony railings.
- 06.06 Bicycles are to be kept in the locked, bicycle storage room upon payment by residents of a fee and/or deposit determined by the Board from time to time, for the use and rental of a key to such bicycle room, or on common element areas as designated by the Board. The use of the storage room and designated areas for bicycles is on a "first come, first served" basis and subject to availability of same.
- 06.07 No one shall bring bicycles into elevators or through the lobby of the building. Note that Rule 5.22 describes the limitations on roller blades, or skateboards, or scooters, or other apparatuses of similar nature.
- 06.08 Nothing shall be stored within eighteen (18) inches of the ceiling in any locker, and no highly combustible material or flammable goods shall be stored in the locker rooms.
- 06.09 Lockers shall be kept locked at all times except when an Owner or occupant is present and using same.
- 06.10 No television antennae, satellite dish, aerial, tower or similar structure (nor any appurtenances thereto) shall be erected on, or fastened to, any residential unit or on any portion of the common elements, without the prior written consent of the Board and in accordance with the applicable provisions of the Act.

**07.00 LEASING OF UNITS AND TENANCY OCCUPATION**

- 07.01 A lease or tenancy of any residential or commercial unit shall be for a term of not less than six (6) months. No unit shall be occupied under a lease, sub-lease, contract, or license arrangement for transient or hotel purposes. All tenancies of units shall be in writing and a copy must be filed with the Property Manager. No roomers or boarders are permitted. Note that Rule 7.10 prescribes the limitations on leasing parking units.
- 07.02 No Owner shall rent his residential unit except upon:
- (a) completing and filing with the Corporation a summary of lease or renewal thereof in a form as prescribed under the Act;
  - (b) ascertaining, in written form such as an owner information sheet which is a form prescribed by the Board in its absolute discretion (the "Owner Information Sheet"), that the proposed tenant of such residential unit intends to park no greater number of



motor vehicles than the number of parking units owned by such Owner and which are leased to the tenant as part of the lease of the residential unit; and,

- (c) the tenant certifying to the Corporation, in written form such as a tenant information sheet which is a form prescribed by the Board in its absolute discretion (the “Tenant Information Sheet”), that the tenant will not park on the property more motor vehicles than the number of parking units such tenant is entitled to occupy pursuant to the lease with the Owner.

07.03 Upon entering into any lease of his unit, the Owner or the Owner’s appointed agent shall provide:

- (a) the tenant with a copy of the then current version of the declaration, by-laws and Rules, copies of which may be purchased from the Corporation at a fee determined by the Board from time to time;
- (b) the Corporation with the Owner’s new or existing off site address and telephone number by providing such information to the Property Manager and/or Security, and to the tenant; and
- (c) to the Corporation such other information as the Board may from time to time reasonably require.

07.04 Prior to moving into a unit and concurrent with the booking of an elevator for a move, the Owner shall complete the Owner Information Sheet and the tenant shall complete the Tenant Information Sheet and each shall subsequently update same when required by the Corporation from time to time and in any event, when such information changes.

07.05 No elevator shall be used for moving in unless both the Owner Information Sheet and Tenant Information Sheet, duly completed as required by these Rules, are provided to the Property Manager or Security.

07.06 Within seven (7) days of ceasing to rent his unit or within seven (7) days of being advised that his tenant has vacated or abandoned the unit, as the case may be, the Owner, or his authorized agent shall notify the Corporation, in writing, that the unit is no longer occupied or rented.

07.07 Owners shall ensure that their tenants strictly comply with the provisions governing the use and occupation and leasing of residential units set forth in these Rules. If an Owner fails to obtain the Tenant Information Sheet duly completed by the tenant, and the covenant from his tenant as required by the declaration, or fails to ensure his own compliance and that of the tenant with the requirements of the Act, the declaration, by-laws and Rules, any person or persons intending to reside in the residential unit and use the common elements shall be considered an unauthorized person and entry to the building or any part of the common elements including the recreational amenities may be expressly denied to that person by the Property Manager or Security until such person(s) and the Owner have fully complied with the Act, the declaration, by-laws and Rules.

07.08 No Owner or authorized agent of a residential unit who has leased, rented out, or licensed such unit to an entity or person or persons who is or are in residence in such residential unit (such Owner being hereinafter referred to as an “absentee owner”) shall be permitted to use directly or indirectly, any common element area or any amenity or

amenity area in any of the common element areas of the property including, and without limiting the generality of the foregoing, any lounge, exercise room, sauna and pool areas. Such absentee owner shall, however, be permitted entry to the common element areas of the property for the purposes of attendance at Corporation business meetings or in order to attend at the residential unit itself in order to deal with the occupant or the residential unit in matters concerning the tenancy or occupancy of the residential unit.

- 07.09 Every new resident shall register with Security the serial numbers of their access cards and garage remote control unit(s) which were turned over by the previous Owner or the previous tenant immediately prior to his moving in.
- 07.10 Except where an exemption is made in the declaration of the Corporation, the leasing of a parking unit to any person other than a resident of the Corporation is not permitted. The term of the lease, if to a tenant of a residential unit or a commercial unit, shall not exceed the term of the tenancy of such residential unit or commercial unit.
- 07.11 The Owner shall include a clause in his lease or tenancy agreement that the tenant shall not sublet or sub-lease his leased unit to a sub-tenant without the prior written consent of the Owner.
- 07.12 Owners of commercial units and their tenants or occupants must comply with the following provisions before renovations or alterations to such commercial unit(s).
- (a) Prior to Tenants taking occupancy of a commercial units, Owners and their Tenants or occupants must first submit for approval by the Board, plans and specifications setting out fully and accurately, any proposed renovations or alterations to such commercial unit. A copy of the applicable lease or tenancy agreement must also be submitted. Tenants or occupants are further subject to the conditions under Rule 1.02 herein.
  - (b) Within thirty-five (35) days of submission of such plans and specifications for renovations to or alterations of a unit, the board of directors shall provide to the party requesting the board's approval, written approval, or written direction as to what specific changes are required. If the board of directors obtains the advice of the condominium corporation's consulting engineers, then the party requesting the board's approval shall pay such engineers' applicable fees for reviewing such plans and specifications before such approval or direction will be given. If the party requesting the board's approval is provided with written direction as to what is required for final approval, such party shall make the required changes and re-submit the revised plan and specifications for final approval and the same process shall apply until such approval is given. Any unpaid amounts shall be deemed to be common expense contributions in respect of the unit and are collectable as such. If the board of directors fails to respond within the 35-day period, then it shall be deemed to have given its approval.

#### **08.00 VEHICLE/BICYCLE TRAFFIC AND PARKING CONTROL**

- 08.01 Each parking unit shall be used only for the parking of one private passenger automobile, station wagon, compact van, motorcycle or other permitted vehicles pursuant to the declaration (collectively, the "motor vehicle"). Trucks, one-half ton pick-ups, three-quarter ton pick-ups, over-sized vans, or sports utility vehicles which, by reason of size,

are unable to easily enter the parking garage, or easily occupy a parking space, shall not be driven therein or parked thereon. Vehicles shall be less than the maximum height restriction of 6.1 feet or 1.82 meters.

- 08.02 No one who is not an Owner, or tenant, or who does not work for or on behalf of the Corporation shall park on the property.
- 08.03 No Owner of a parking unit who also owns a residential unit or a commercial unit shall sell, give, lease, mortgage, convey or otherwise dispose of his parking unit unless such sale, gift, lease, mortgage or conveyance also includes his residential unit or commercial unit, as the case may be, except where the purchaser, donee, tenant, mortgagee or recipient thereof is the Corporation or the Owner (or the tenant in respect of a lease) of a residential unit or a commercial unit within the Corporation. This shall not be construed to mean that such sale may be made to a tenant.
- 08.04 All motor vehicles operated by Owners, residents, their guests or visitors and authorized to park in the parking garage, including the description of the vehicles and their license numbers, must be registered with Security and/or the Property Manager. The registry of such numbers shall be used only for the conduct of Corporation business.
- 08.05 Car washing is not permitted in the parking garage.
- 08.06 Owners of motor vehicles and bicycles shall enter or exit the parking garage by using their garage remote control units. No other means of ingress or egress are permitted.
- 08.07 No Owner or occupant shall install, or permit to be installed, any barrier or enclosure or partial enclosure of the parking unit.
- 08.08 Parking units shall not be used for the storage of any item or material, other than authorized vehicles.
- 08.09 Drivers shall observe the one-way directional signs in the parking garage and shall use designated driving lanes only. Drivers shall not enter a ramp from the prohibited direction and drivers shall not take short cuts through designated parking areas.
- 08.10 No Owner or occupant shall place, leave, park or permit to be placed, left or parked in or upon a parking space or the common elements any vehicle that in the opinion of the Board or the Property Manager may pose a risk, either by its length of unattended stay, its physical condition, such as oil or gas leaks, or its potential damage to the property. Upon notice by the Property Manager, the Owner of such vehicle shall be required to attend to the vehicle as circumstances require and as directed by the Property Manager.
- 08.11 Parking is prohibited in fire routes, entrance ways, delivery and service areas, rights of way within the parking garages, or any areas of the parking garage that are not defined as parking spaces.
- 08.12 No one shall fail to obey any traffic rules wherever posted and in particular where posted at entrances and exits to the property and in the parking area.
- 08.13 No one shall park a motor vehicle on the common elements or in such a manner as to cause any part of the vehicle to overhang onto the common elements.

- 08.14 The sidewalks, driveways, walkways, passageways, and stairwells shall not be obstructed or used for any purpose other than ingress to and egress from the units and parking areas within the common elements.
- 08.15 No motor vehicle shall be driven on any part of the common elements other than on a driveway or parking space.
- 08.16 No one shall permit any gasoline, oil or other harmful substance to escape onto the surface of the parking spaces, driveways or common elements. No repairs or adjustments to motor vehicles shall be carried out on the common elements. Other than as a temporary expedient, mats, trays or other containers may not be placed on the surface of the parking spaces as an alternative to repairing the cause of the escape of the gasoline, oil or other harmful substance.
- 08.17 No one shall loan, rent, lease or license any parking unit or units deeded to their unit to non-residents except that anyone shall be permitted to use such parking unit or units for the motor vehicles of their overnight guests. Under such circumstances, the Owner of the parking units shall be responsible for the escape of gasoline, oil or other harmful substance and any other damage caused to the property.
- 08.18 No private passenger automobile which is not currently licensed or which is not fit for normal use or which is undergoing repairs, shall be parked or located upon the common elements or any part thereof, including any part thereof of which any Owner may have the exclusive use.
- 08.19 Propane or natural gas fuelled vehicles are prohibited within the parking garage.
- 08.20 Any motor vehicle which is parked in contravention of these Rules may be ticketed and/or towed away and retrieval shall be at the expense of the vehicle owner.
- 08.21 No motor vehicle occupying a parking space near a fire hose cabinet shall be parked in a manner that would prevent access to the cabinet, or obstruct the cabinet door from being opened a minimum of ninety (90) degrees.

#### **09.00 GARBAGE DISPOSAL AND RECYCLING**

- 09.01 Occupants shall comply with such Rules as to the use of the garbage room area as may be created and amended by the Board from time to time and posted or otherwise notified to residents.
- 09.02 Use of the garbage chute is absolutely prohibited AFTER 10:00 p.m. and BEFORE 8:00 a.m.
- 09.03 Nothing shall be placed in the garbage chute which may result in the blockage of such chute. Coat hangers, cardboard or recyclables shall not be put into and down the garbage chute.
- 09.04 All debris, refuse and garbage, except the materials hereinafter mentioned, must firstly be properly and securely tied, bound, packaged or bagged to prevent mess, odours and disintegration and such garbage bags shall be PUSHED DOWN the garbage chute in the garbage room located on each floor by residents residing on such floors, except with respect to residents of the townhouse units and the commercial units. Residents of the townhouse units shall place such debris, refuse and garbage in the garbage room on the

first floor, and the second floor. Residents of the commercial units shall place such debris, refuse, garbage, cardboard and other disposables outside their respective units fronting on King Street East at such location as instructed by the City of Toronto, on the garbage pick-up days designated by the City of Toronto.

- 09.05 Glass, plastic PVC, newspapers, small boxes, cardboard cartons shall not be placed in the garbage chute, but shall be placed in recycling containers in the garbage rooms or in other locations specified for that purpose. Large cardboard boxes shall be broken down, tied and brought down to the main recycling containers in the loading dock or in the garbage handling area of the building.
- 09.06 No one shall leave garbage of any kind on the garbage room floor.
- 09.07 No one shall fail to wrap and tie all garbage in bags small enough to freely fit into and down the garbage chute, or shall fail to triple bag kitty litter, and securely tie such bags, and push down the chute.
- 09.08 Occupants shall ensure that garbage bags are pushed down the garbage chute and that the chute door is firmly closed after each use in a manner so as to prevent the creation of a loud, banging noise causing annoyance and disturbance to other residents.
- 09.09 No one shall fail to use the appropriate recycling containers, or fail to follow recycling guidelines. Cardboard shall be handled in the manner posted in each garbage room.
- 09.10 All recycling items (e.g. cans, jars, tins, bottles, milk cartons, etc.) must be washed and cleansed of food and liquid before disposal of same in the appropriate recycling containers. Odours from unwashed items carry a long way through the building and could cause infestation of pests, insects, vermin or rodents.

#### **10.00 ELEVATORS AND MOVING/DELIVERIES**

- 10.01 Security must obtain authorization from the resident by phone or in person before any guest, visitor or moving/delivery vehicle will be permitted to enter and remain on the common elements in a space designated by Security for such purpose. Such resident shall provide to Security the name of the moving/delivery company, arrival and departure time, or any other information as may be required by Security.
- 10.02 No moving or delivery of any furniture and/or furnishings, interior decorating or renovation materials or tools shall take place through the lobby of the building.
- 10.03 The loading dock and the elevator designated for moving and deliveries must be reserved with Security and a form/agreement, the terms, contents and form of which is to be determined by the Board in its full and unfettered discretion, to reserve same must be signed by residents who will be bound by the terms and conditions set out in such form or agreement. Upon such reservation, a cash security/damage deposit is required in an amount set by the Board from time to time, which deposit will be refunded provided no damage is done to the loading dock area, elevators, or common elements. Whether or not any damage has resulted to the loading lock area, elevators or common elements, shall be determined by the Board and/or the Property Manager, in their full and unfettered discretion.

- 10.04 Moving and deliveries are permitted Mondays through Sundays but shall not take place on Statutory Holidays, except under certain circumstances as may be approved by the Board.
- 10.05 Moving and delivery hours are between 9:00 a.m. and 6:00 p.m. upon the elevator having been booked for such purposes, with completion no later than 6:00 p.m., except that furniture store deliveries are accepted up until 9:00 p.m. Moving and delivery hours may be reviewed, adjusted and revised from time to time as deemed necessary by Security or the Property Manager.
- 10.06 A pre and post inspection of all common areas and elevator for damage will be done prior to a move in or out of the building or a delivery.
- 10.07 Large or heavy articles such as furniture may be delivered directly to the resident's unit by the delivery personnel providing the resident books the loading dock and elevator with Security, or provides the suite key to Security together with a letter of authorization to this effect including authorization to Security to release the suite key to the delivery personnel. The Corporation accepts no liability for any reason whatsoever in connection with the release of such key.
- 10.08 All cardboard, packing materials, old appliances/furniture, boxes, etc. must be removed from the property by the moving/delivery personnel.
- 10.09 Contractors doing any decorating or renovation work in units must remove all debris from the property. The Corporation's garbage chute or garbage bins shall not be used for such removal.
- 10.10 Keys, garage remote control units where applicable, envelopes and/or small parcels will not be accepted by Security or the Property Manager unless Security is in possession of written authorization from residents to do so and a waiver of the Corporation's responsibility for any loss or damage of the said item(s), is signed by the Owner, the tenant, or the agent authorized by the Owner, authorizing the disposition of the said item(s).
- 10.11 Hazardous materials shall not be accepted at any time. Cash, registered mail, items of any value, large or heavy furniture, or anything that cannot easily be carried by one man, will not be accepted by Security or the Property Manager.

#### **11.00 PETS**

- 11.01 No animal, livestock, reptile or fowl, other than a household pet as herein defined, shall be kept by an Owner and then only in his unit and no such pet shall be allowed on the common elements except when traversing such common elements for entry and egress to and from the building and, when on the common elements, such pet shall be restrained at all times. A "household pet" shall mean a quiet caged bird, aquarium fish, or a cat or dog of a weight not exceeding twenty-five (25) pounds when mature, except for a guide dog within the meaning of the Blind Person's Rights Act of Ontario, which guide dog may exceed such weight limit. Notwithstanding the generality of the foregoing, household pets exceeding the said weight limit may be kept in the townhouse units subject to the prior approval of the Board upon assessment of each circumstance and provided that such pets shall not be permitted on or through certain common areas of the building so as to annoy, disturb or interfere in any way with other residents.

- 11.02 No dangerous animal shall be permitted to be in or about any unit or the common elements at any time. The Board shall have the right to declare any animal or household pet “dangerous” within its full and unfettered discretion, in which case, such animal or pet shall be immediately removed from the property. No household pet shall be permitted to make excessive noise, and for the purpose of this provision, “excessive noise” shall mean noise that is annoying or disturbing to any Owner or occupant, and in the event of a dispute, the determination of the Board shall be final.
- 11.03 While no pet is permitted on the common elements, should any such pet urinate or defecate on the common elements, the Owner of such pet shall be responsible to immediately clean up any area in which such pet has urinated or defecated. If building staff is forced to do the clean-up, a charge will be levied in an amount equivalent to that levied by the City of Toronto.
- 11.04 No guests or visitors are permitted to bring pets into the building other than those described in Rule 11.01 herein, and under conditions as provided for in Rules 11.01, 11.02 and 11.03 herein.
- 11.05 Any household pet currently residing within the Corporation must be registered with the Corporation within twenty (20) days from the date this rule becomes effective. The owner of such pet shall provide information including, but not limited to, the name, breed, and age of the household pet, together with a clear, colour photograph of the household pet as required by the Board, and/or such other information as may be required by the Board, in its discretion. In addition, any household pet brought to reside within the Corporation in the future must be registered with the Corporation within fifteen (15) days of such request by Security, the Property Manager or the Board.
- 11.06 Should an Owner, tenant or resident fail to register his household pet as required in Rule 11.05 above, then the Board, in its full and unfettered discretion, may request in writing that the Owner, tenant and/or occupant immediately remove said household pet from the property.
- 11.07 Should a household pet be moved out of the Corporation or die, the Owner, tenant and/or occupant shall immediately notify the Corporation of same in writing.
- 11.08 No one shall keep in any unit, a fish tank or container for the purpose of keeping fish, of more than 50 gallons capacity, whether or not fish are kept in same.
- 11.09 No breeding of pets or animals for sale shall be carried on, in or around any unit or the property.
- 11.10 Notwithstanding anything contained in any provision above, no pet that is deemed by the Board and/or the Property Manager, in their absolute discretion, to be a nuisance shall be kept by any Owner or occupant in any unit or on the common elements. Such Owner or occupant shall, within two (2) weeks of receipt of a written notice from the Board or the Property Manager requesting the removal of such pet, permanently remove such pet from the unit and the property.

## **12.00 AMENITIES**

- 12.01 The Corporation, its officers, employees and/or agents, shall not be responsible for any personal injury and/or loss of or damage to personal property, howsoever caused, during

the use by any resident, guest or visitor of the swimming pool, wet saunas, change rooms, exercise room, 5<sup>th</sup> floor lounge/terrace, penthouse lounge/terrace, or the billiard “room” in the penthouse lounge (collectively, the “amenities” or the “amenity areas” as the context requires) or the common elements. Residents and their guests use the facilities in the amenity areas at their own risk.

- 12.02 Except where such guest or visitor is unqualified or otherwise prohibited as hereinafter set out, any guest or visitor may make use of any of the amenities in the building provided that the Owner or tenant being visited is present with such guest or visitor at all times.
- 12.03 Smoking is not permitted at any time, in any of the indoor amenity areas (swimming pool, pool deck, wet saunas, exercise room, change rooms, 5<sup>th</sup> floor lounge, penthouse lounge/billiard room), or on any of the indoor common elements such as washrooms, hallways, stairwells, and lobby.
- 12.04 A maximum of two (2) guests per suite are permitted to use any of the amenities at one time.
- 12.05 The amenities, which shall include, without limitation, the locker rooms, change rooms, 5<sup>th</sup> floor lounge/terrace, penthouse lounge/billiard table, penthouse terrace, saunas, swimming pool, and exercise room shall not be used for any commercial or retail purposes. Non-exhaustively, “commercial or retail purposes” shall be deemed to include any and all paid professional trainers and/or coaches plying their trade and/or profession in areas that Section 12.05 describes without limitation.
- 12.06 Each Owner/resident is responsible for ensuring that his guests are fully aware of, and abide by, all Rules and regulations as may be amended from time to time.
- 12.07 Loud noise, boisterous or disruptive behaviour shall not be allowed at any time, in any of the amenities or common areas.
- 12.08 Pets are not permitted in any of the amenity areas or common areas.
- 12.09 Security and building personnel are authorized to prohibit the immediate use of amenity areas, and to request the removal of any persons who wilfully violate any of the relevant rules listed below. The Board, acting reasonably, may suspend or terminate the right of an Owner, tenant, visitor or guest to use the amenities or any one of the amenities.
- 12.10 Hours for use of the amenities are set by the Board from time to time and must be obeyed.
- 12.11 Use of the facilities in the amenity areas shall further be governed by the rules hereinafter set out, subject to any amendments thereto as deemed necessary by the Board from time to time.
- 12.12 Penthouse Lounge/Terrace:
  - (a) The penthouse lounge and terrace are for the use of all residents at all permitted times; private functions are not permitted.
  - (b) No one shall fail to turn the fireplace off at the switch on the wall after use.



- (c) Any damage or spills shall be reported to Security or the Property Manager immediately.
- (d) Radios, tape-recorders and CD players are not allowed in the lounge or on the penthouse terrace unless they are battery operated and equipped with earphones.

**12.13 Billiard Table in Penthouse Lounge:**

- (a) Reservations for play must be made with Security. If prior reservations are not made, users accept that play time is handled on a “first come, first served” basis.
- (b) A cash security/damage deposit, in an amount determined by the Board from time to time, must be left with Security. Such deposit will be returned to the resident, in whole or in part thereof, after acceptable inspection.
- (c) The billiard table and accessories shall only be used for playing of billiards, and in accordance with accepted standards of play. Security will supply 1 set of billiard balls, a maximum of 4 cues, 1 rake, 1 table brush, 1 triangle, 1 rule-and-game book.
- (d) A maximum of four (4) players may use the table at any one time. Persons under the age of sixteen (16) years are not permitted to play unless accompanied by an adult resident.
- (e) No one shall fail to immediately advise Security if any damage whatsoever is noticed prior to use of the billiard table. Users of the room must acknowledge that it is in good condition prior to use, and will be responsible for any and all damages during their term of use.
- (f) Play periods are limited to one (1) hour, although reservations are not restricted to starting on the hour provided the time is available.
- (g) An additional hour of playtime may be reserved and recorded with Security immediately after completion of the first hour, providing there are no other reservations on the books and no one is waiting. The resident must personally go to concierge desk to complete the reservation before play is resumed.
- (h) At the end of playtime, players must yield the billiard table to those waiting to play, and return accessories to Security.
- (i) Food and drinks are not permitted on or near the billiard table.
- (j) Noise must be kept to an acceptable level, out of consideration for residents who live below this room.

**12.14 Swimming Pool Area:**

- (a) The provisions of Ontario Government Regulation 792/77 as amended under The Public Health Act Swimming Pools apply to the use of the swimming pool. A Medical Officer of Health, or a Public Health Inspector, or an Officer of the Ministry, may enter upon a public swimming pool at any reasonable time whether the pool is open for use or not.
- (b) This pool facility is unsupervised. Residents and their guest(s) use the pool at their own risk.

- (c) In the event of an emergency, PUSH the security call button located on the east wall of the pool room.
- (d) Bathers under twelve (12) years of age are not permitted in the pool enclosure unless accompanied by a parent or his/her agent who is not less than sixteen (16) years of age, as required by provincial and municipal regulations.
- (e) Residents must ensure that their children are aware that they must not urinate in the pool, and must use the washroom facilities prior to entering the pool.
- (f) Children in diapers and/or those who are not toilet trained are prohibited from using the pool.
- (g) Municipal and provincial regulations require that every bather take a cleansing shower, using soap and warm water, and thoroughly rinse off, before entering or re-entering the swimming pool deck or using the pool.
- (h) Proper swimming attire must be worn while using the pool.
- (i) Persons with shoulder length or longer hair must tie hair up and secure same.
- (j) Running on the pool deck, splashing, jumping, or any form of boisterous or disruptive behaviour is absolutely forbidden in or about the pool.
- (k) Polluting the water in the swimming pool in any way, such as spitting, spouting of water, blowing the nose in the pool or on the deck, or otherwise releasing human secretions/excretions, is absolutely prohibited.
- (l) No person infected with any communicable disease, or having any open sores, lesions, or rashes on his/her skin shall enter the pool area.
- (m) No oils, creams or soaps may be used in the pool.
- (n) Persons going to, or leaving the pool/change rooms, must be appropriately attired in dry clothing and/or cover-ups; e.g. a robe or other cover-up, slippers, or other footwear.
- (o) Swimming attire or wet clothing are not permitted in the adjoining lounge or corridors or elevators.
- (p) No glass receptacles of any kind are permitted in the pool, on the pool deck, in the saunas or the change rooms.
- (q) No beverages, including alcohol, or food are permitted in the pool area.
- (r) Radios, tape recorders and CD players may not be used in the pool area or the change rooms, unless they are battery operated, and equipped with earphones.
- (s) Persons wearing street footwear may not enter the pool area and/or walk on the pool deck.

**12.15 Wet Saunas:**

- (a) The wet saunas are unsupervised. Residents and their guest(s) use the saunas at their own risk.
- (b) In the event of an emergency, PUSH the security call button located on the wall.

- (c) Male persons shall use the male sauna and female persons shall use the female sauna.
- (d) Alcoholic beverages are not permitted in the saunas at any time.
- (e) No glass receptacles of any kind are permitted in the wet saunas.

**12.16 Exercise Room:**

- (a) The exercise room facility is unsupervised. Residents and their guest(s) use the equipment at their own risk.
- (b) In the event of an emergency, PUSH the security call button located on the wall.
- (c) Equipment use is limited to twenty (20) minutes at a time, if others are waiting to use the apparatus.
- (d) Appropriate exercise attire/gym clothing (including shirts) and shoes must be worn while using the facility, or while walking through the centre.
- (e) Residents or guests under the age of sixteen (16) must be accompanied by an adult at all times.
- (f) Radios, tape recorders, and CD players are not allowed in the exercise room or change rooms, unless they are battery operated, and equipped with earphones.
- (g) No glass receptacles of any kind are permitted in the exercise room or change rooms.
- (h) If instructions for equipment use are posted, users shall obey same and shall not remove or dispose of such instructions.

**12.17 5<sup>th</sup> Floor Lounge/Terrace:**

- (a) The 5<sup>th</sup> floor lounge and/or the 5<sup>th</sup> floor terrace, when not reserved for Corporation work or social functions, are for the use of all residents at all permitted times.
- (b) No resident may rent the 5<sup>th</sup> floor lounge for private, social functions until the resident fills out and executes a licensing agreement, approved by the Board, which sets out the terms and conditions for use of the 5<sup>th</sup> floor lounge. This document is available from the Property Manager. The licensing agreement may include, but not limited to, the terms and conditions hereafter set out.
- (c) For purposes of the licensing agreement with respect to the rental of the 5<sup>th</sup> floor lounge, made between the licensee and the Corporation, as licensor, the term "Licensee" means the registered Owner of a unit, spouse of such Owner or a named tenant, sub-tenant or occupant of such Owner, provided the unit is currently occupied as the principal residence of such Owner, spouse, named tenant, sub-tenant or occupant. No other person may enter into such licensing agreement, and any agreement with any other person is void and of no effect. No one under the age of nineteen (19) years shall be permitted to reserve the 5<sup>th</sup> floor lounge, galley and adjacent washrooms (collectively, the "Premises") or enter into such licensing agreement.
- (d) Reservations for use of the Premises must be made with Security or the Property Manager. Such reservations do not include the use of any other common element ar-

eas, except the elevators and corridors between the lobby and the 5<sup>th</sup> floor lounge. The doors to the 5<sup>th</sup> floor lounge from the corridor must remain closed at all times.

- (e) Corporation and management functions take precedence over any advanced booking and the licensing agreement is subject to cancellation up to ten (10) days prior to the function.
- (f) The Licensee shall provide, in advance, the following fees and deposits to the Corporation:
  - (i) a security/damage deposit which will be refunded subject to the provisions set out in Rule 12.16(o) herein;
  - (ii) a refundable booking fee (not refundable if booking is cancelled after documentation prepared);
  - (iii) a non-refundable fee for use of the Premises;
  - (iv) a cleaning/maintenance fee charged by the company contracted by the Corporation; and,
  - (v) a fee for a Security duty guard if guests exceed thirty-five (35) persons; the amounts of such fees and deposit are determined by the Board from time to time.
- (g) The function/event to be held shall be restricted to personal use only, and not for the use of any other outside organization or related activity, and the Licensee shall not permit any activities on the Premises that conflict with any federal or provincial statute or municipal by-law or the Act, or the declaration, by-laws and Rules of the Corporation.
- (h) The Licensee will ensure that all guests and visitors to the function enter the common elements and leave the common elements by those entrances and exits as designated by the Corporation or its representatives. It is understood and agreed that prior to the function itself, such entrances and exits will be so designated to the Licensee and the Security guard shall be instructed that only those entrances and exits be used. For the purpose of the licensing agreement, the entrance will be the Main Lobby Entrance at King Street East, then by elevator directly from the main lobby to the 5<sup>th</sup> floor corridor leading to the Premises. All guests to the event are to sign in with Security BEFORE being allowed access to the lounge. The Security guard will be so notified in writing. Exit from the building is to follow the reverse pattern.
- (i) In the event that alcoholic beverages are to be sold, then the Licensee shall ensure that all necessary permits from the proper authorities are obtained, if necessary, and shall file same with the Property Manager prior to the date of such function. (When alcoholic beverages are being served, minors under nineteen (19) years of age are only permitted on the Premises when accompanied by an adult). No alcohol may be consumed outside of the area licensed for the purpose.
- (j) The guests of the Licensee will have no access to other recreational facilities of the Corporation. The Licensee must ensure that no person attending the function loiters in the hallways, stairwells, parking areas, or lobby of the Corporation and that the

function is contained in the Premises at all times. In the event that this covenant is breached, then the Security guard shall have the “RIGHT TO TERMINATE” the use of the Premises and the Premises must be vacated forthwith. The doors of the Premises leading to the common areas shall remain closed at all times during the function, except when people are arriving at the licensed area or leaving it.

- (k) The Licensee shall be responsible for any damage from his own act or that of his guests or suppliers and must remain on the said premises at all times during the said function. Prior to the function’s commencement, the Licensee shall complete a take-over inspection with a representative of the Corporation. Thereafter, any damage to the premises or any other part of the property must be paid for in full by the Licensee. At the termination of the function, the Licensee shall complete a further inspection of the premises with a representative of the Corporation and the Licensee hereby authorizes the Corporation to deduct from the security/damage deposit lodged with it the cost to repair damage noted upon the said inspection.
- (l) Live bands or disc jockeys are not permitted. Musical entertainment must end by 11:45 p.m. and the Premises vacated no later than 12:00 a.m. Upon vacating the Premises, the Licensee must ensure that all guests have left the building, unless guests are relocating to the Licensee’s unit, and will confirm this fact to Security.
- (m) Smoking a substance of any kind, is strictly prohibited on the Premises, and it will be the responsibility of the Licensee to ensure that this rule is strictly adhered to by all attendees at the function.
- (n) The Corporation may hold back a sum to be determined by the Board from time to time as a penalty for the unreasonable breach of the Rules or any term of the license agreement. Subject to said right of deduction for cleaning, Security and damages and penalty, if applicable, the security deposit, after relevant deductions, shall be returned to the Licensee within ten (10) working days of the day following the function.
- (o) The maximum number of people using the Premises at any one time or for any one event shall be limited to fifty (50) persons, including caterers.
- (p) The Licensee shall be responsible for ensuring that all function accessories are removed from the room in preparation for cleaning immediately following the function. Inspection for damage will be done with Security and the Licensee immediately after the function.
- (q) The Licensee assumes responsibility for all claims relating to injuries to persons or damage to property or any other loss arising from the use of the Premises and agrees to indemnify and save harmless the Corporation against such claims. The licensee shall be personally liable for any damage caused to the Premises, its contents or to any unit or to any part of the common elements, by the Licensee or anyone attending the function.
- (r) The Corporation covenants and agrees with the Licensee to allow, subject to the Rules and the terms of the licensing agreement, unhampered use of the Premises, unless such use becomes a nuisance to the other residents of the building. The Licensee’s rights are subject to the rights of representatives of the Corporation to at-

tend the function from time to time to ensure that the covenants and conditions of the licensing agreement are complied with.

- (s) The Licensee covenants and agrees with the Corporation that the facilities pertaining to the Corporation and the Premises in particular are made available to the Licensee upon the understanding that all of the Rules and provisions of the declaration of the Corporation are part of the agreement therein, and the Licensee agrees to do and perform all things necessary for his proper compliance. The Licensee acknowledges that the Premises are on a residential floor and that reasonable noise levels are to be maintained at all times.
- (t) Arrangements for deliveries by caterers must be made in advance with Security.
- (u) No resident obtaining the use of the Premises shall permit their use by any non-resident group unless the resident is a member of such group and is present at all times.
- (v) Confetti, rice, beans, or similar matter are not permitted whatsoever. Goodbyes to visitors must be completed inside the 5<sup>th</sup> floor lounge.
- (w) Further to Rule 12.05, the Premises or the terrace shall not be used for any commercial or retail purposes.

### **13.00 OWNER'S CONTRACTORS, TRADE OR SERVICE PERSONNEL**

13.01 No contractor, trade or service personnel may or shall enter upon the property to perform any work or services in or about any unit (including an exclusive use common element area) that may or will affect the common elements or common building services unless such persons or firms are:

- (a) employed directly by the Corporation; or
- (b) employed by an Owner in circumstances where the intended performance of work and/or services in or about a unit has first been approved, in writing, by the Board and where the work and/or services are supervised by an approved contractor or service personnel in accordance with the Corporation's written direction; and the Owner has provided to the Corporation a deposit in a reasonable amount to cover the Corporation's initial costs of supervision (to be adjusted upon completion of the work); and where the Owner has entered into a written agreement and/or undertaking to indemnify the Corporation with respect to any expenses, damages or costs whatsoever incurred by the Corporation arising from the carrying out of the work by the Owner's contractor, trade or service personnel including any resulting damage to the common elements or to common building services which arises during or following completion of the work. Any such expenses, resulting damages and costs may be collected by the Corporation from the Owner in the same manner as common expenses.

### **14.00 INDEMNITY**

14.01 Each Owner shall indemnify and save the Corporation harmless from any loss, cost, damage, injury or liability ("losses"), in respect of the Owner's unit, common elements or any other unit, which the Corporation may suffer or incur:

- (a) which is not otherwise recoverable from insurance coverage; and,
- (b) which results from or is caused by any act or omission of:
  - (i) such Owner, or,
  - (ii) any resident, tenant, employee, agent, invitee or licensee of such Owner's unit.

14.02 Without limiting the generality of the foregoing, the types of losses contemplated by this rule to be indemnified include:

- (a) any and all legal costs incurred by the Corporation including:
  - (i) by reason of a breach of the declaration, by-laws and/or rules of the Corporation in force from time to time;
  - (ii) any excess of legal costs incurred by the Corporation over and above costs awarded by a court;
  - (iii) the cost of any legal advice given to the Corporation;
  - (iv) the cost of any letters written by the Corporation and/or the Corporation's solicitor as a result of any such acts or omissions; and/or,
  - (v) any excess of legal costs incurred by the Corporation over and above costs awarded by a court in respect of any proceedings or other steps taken, resulting from an Owner's default in payment of the common expense contribution in respect of a unit;
- (b) increased insurance premiums;
- (c) cleaning charges; and/or,
- (d) repair charges including any repairs to the Owner's unit, any other Owner's unit or the common elements.

14.03 All costs so indemnified pursuant to this rule shall be deemed to be additional contributions toward the common expenses payable by such Owner, and are recoverable as such.

## **15.00 MISCELLANEOUS**

### **15.01 Bulletin Boards**

- (a) No one shall use the bulletin boards provided in the mailroom, except for the posting of information concerning resident activities or other resident information. Bulletin boards are not for commercial use.
- (b) Prior to posting, the format of the items to be posted must be approved by the Property Manager.

### **15.02 Complaint and Communication Process**

- (a) Any complaints or information with respect to matters involving the safety or security of the building or any person thereon shall be communicated orally or in writing to Security or the Superintendent or the Property Manager forthwith. No other complaints shall be communicated to Security or the Superintendent.

- (b) All other complaints shall be submitted to the Property Manager in writing. Individual Directors and/or the Board will receive and consider complaints only after the Property Manager has had an opportunity to resolve matters.
- (c) Subject to Rule 15.02(b), the Board will consider written concerns and/or requests, and/or requests to appear as a delegation, only if such written concerns and/or requests have arrived at MTCC 1170's Security Desk no later than 8:00pm on the Friday immediately preceding the Board's regular monthly meetings.
- (d) Notwithstanding Rule 15.02(c), MTCC 1170's Board may simply receive as information any or all written concerns and/or requests, and/or requests to appear before the Board as a delegation.

**15.03 Invalidity**

- (a) Where any Rule or part of any Rule is found to be invalid or unenforceable, then the remainder of these Rules shall remain in full force and effect.

**15.04 Headings**

- (a) The headings and sub-headings in these Rules are for convenience of reference only and do not form any part hereof and in no manner modify, interpret or construe the Rules.

**15.05 Gender**

- (a) The use of the masculine gender in these Rules shall be deemed to include the feminine and neuter genders and the use of the singular shall be deemed to include plural wherever the context so requires, and vice versa.

**15.06 Waiver**

- (a) No restriction, condition, obligation or provision contained in these Rules shall be deemed to have been abrogated or waived by reason of any failure to enforce the same irrespective of the number of violations or breaches thereof which may occur.



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## THE METROPOLE

25 May 2005

### **Minutes of MTCC 1170 Meeting Number 050525R — Held on 25 May 2005**

Present: Directors — Keith Bricknell, Dan Chiu (6:36pm), Sylvia Furlong, Jason Hum (6:39pm), and Nives Malara; and, ICC Property Management — Nancy Bijelic

Regrets: None

01 Call to Order: Keith Bricknell called the meeting to order at 6:34pm.

02 Adoption of Agenda and Additions:

Resolution 050525R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 050525R, as presented.

Nives Malara/Sylvia Furlong — Carried

03 Selection of Officers: The Board's consensus was that all of MTCC 1170's Officers should continue in their current positions.

04 Review and Adoption of Previous Meetings' Minutes:

At the Meeting's request, Dan Chiu agreed to be Acting Corporate Secretary, pending Jason Hum's arrival.

Resolution 050525R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 050506S, as presented.

Dan Chiu/Nives Malara — Carried

05 Administrative and Security Reports:

(a) Where applicable, Corporate Officers and/or Nancy Bijelic responded to inquiries regarding items from the Management Report, and/or from other communications to and/or among Directors.

(i) Townhouse Doors: Directors examined samples of available colours, gave some suggestions to management, and agreed that the ongoing selection-procedure should continue after Meeting 050525R — including consultation with Townhouses' owners.

(ii) Gym Flooring: Installation will likely occur towards the end of June, and will take about three days.

(iii) Debit Card Terminal: The Board agreed to defer implementation indefinitely.

- (iv) In-Suite Fan Coil Maintenance: The Board's consensus was to accept Climantics' bid. As for implementation, the Board directed management to inquire further into benefits accruing to the supplier's "mid-efficiency" filter.
- (v) Request to Install a Barbecue: The Board reviewed information that the President had circulated by e-mail. Then, the Board directed Management to research installation-logistics, potential insurance-implications, and operational logistics.
- (vi) Request for Wireless Access-Points: The Board directed Management and asked the President to research installation-logistics, potential liability for invitees' misuse of any contemplated facility, and regulatory implications flowing from ISPs' contracts.
- (vii) Bell ExpressVu: The Board directed Management to seek clarification of the supplier's expectations *vis à vis* any contemplated marketing effort, and to report to Directors by e-mail. Also, the Board directed Management to ensure that any contemplated installation would be compatible with MTCC 1170's telephone-entry system(s).
- (viii) Summer Amenities: Management reported on plans for the Victoria Street planters and for distribution of lounge chairs to the two outdoor terraces.
- (ix) Elevator-Survey: Management provided preliminary survey-results.
- (x) Chart of Accounts: The Board's consensus was to revise the Chart of Accounts to achieve greater specificity, and to enhance Owners' understanding of financial data.
- (xi) Reserve Fund Study Items: The Board's consensus was that future AGM packages should include a table describing completed and deferred items from the Reserve Fund Study. Additionally, the Board's consensus was that interim tabular data should be available on an ongoing basis via MTCC 1170's Web site. Finally, the Treasurer reiterated that provision of such information, in timely fashion, would greatly enhance Owners' detailed understanding of operational and capital costs.
- (xii) YTD Financials: The Treasurer and ICC Property Management commented briefly on the "Financials".
- (xiii) Motion to Receive Administrative and Security Reports as Information.

Resolution 050525R03: Receiving Administrative & Security Reports

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, the MTCC 1170 Management Office's Administrative Report for May 2005, and the Front Desk Security Report for the period 19 April 2005 to 16 May 2005.

Sylvia Furlong/Nives Malara — Carried

06 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:

- (a) Replacements for the Winter Mats: Management reported on preliminary quotes.

(b) Matters Arising from the 6-8 Colborne Site: *In Camera* item.

Resolution 050525R04: Going into Committee of the Whole Board

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall go into Committee of the Whole at 8:04pm.

Dan Chiu/Nives Malara — Carried

Resolution 050525R05: Rising from Committee of the Whole Board

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall rise from Committee of the Whole at 8:30pm

Jason Hum/Sylvia Furlong — Carried

(c) Non-Board Delegates to the SLNA: The Board's consensus was to accredit Messrs David Desko and David Weyman as non-Board delegates, to represent MTCC 1170 at the SLNA's monthly meetings.

07 Correspondence Requiring Action: None

08 Special Committee Reports: None

09 Other Reports: Where applicable, these are part of the Administrative Reports.

10 New and/or Brought-Forward Business:

(a) Restoring Colborne Street to Two-Way Status:

Resolution 050525R06: Restoring Two-Way Traffic in Colborne Street

WHEREAS construction of "The Cosmopolitan" at 6-8 Colborne Street is complete;  
AND,

WHEREAS MTCC 1170 wishes to regain the convenience of vehicles' being able to make eastbound turns into Colborne Street; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 authorises the President to ask the City of Toronto to restore two-way traffic to the portion of Colborne Street between Yonge and Victoria/Scott Streets; AND, FURTHER,

Be It Resolved that the Board of Directors of MTCC 1170 allows the President discretion to seek support from City Councillors and neighbouring buildings.

Dan Chiu/Nives Malara — Carried

(b) Waste-Management Levies: The Board agreed that ICC Property Management should present MTCC 1170's concerns about proposed waste-management levies.

(c) 6-8 Colborne: The President reported on discussions with the developer and an owner.

(d) Toronto Building Exchange: The Board's consensus was that a subscription to this organisation's Web site would facilitate access to condominium-related information. The subscription cost is approximately \$50 per year.

11 Perusal File of Correspondence Received as Information: Received by e-mail from the Management Office, and/or available in a folder during the Board Meeting.

- 12 Next Committee Meeting: TBA
- 13 Next Special Meeting: TBA
- 14 Next Regular Meeting: 6:30pm on Wednesday 22 June 2005.
- 15 Motion for Adjournment

Resolution 050525R07: Adjournment of Meeting 050525R

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 050525R at 8:35pm on Wednesday 25 May 2005.

Sylvia Furlong/Nives Malara — Carried

“Keith Bricknell”

President: Keith Bricknell

“Dan Chiu”

Acting Secretary: Dan Chiu

Adopted at  
Meeting #050622R



## THE METROPOLE

24 July 2005

### **Minutes of MTCC 1170 Meeting Number 050622R — Held on 22 June 2005**

Present: Directors — Keith Bricknell, Dan Chiu, Sylvia Furlong, Jason Hum (7:16pm), and Nives Malara; and, ICC Property Management — Nancy Bijelic

Regrets: None

01 Call to Order: Keith Bricknell called the meeting to order at 6:31pm.

02 Adoption of Agenda and Additions:

Resolution 050622R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 050622R, as presented.

Dan Chiu/Nives Malara — Carried

03 Appointment of an Acting Secretary: Jason Hum had previously advised that he would be unable to join the meeting until about 7:15pm. Therefore, the Board's consensus was to appoint Dan Chiu as Acting Secretary, pending Jason Hum's arrival.

04 Review and Adoption of Previous Meetings' Minutes:

At the Meeting's request, Dan Chiu agreed to be Acting Corporate Secretary, pending Jason Hum's arrival.

Resolution 050622R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 050525R, as presented.

Dan Chiu/Nives Malara — Carried

05 Administrative and Security Reports:

(a) Where applicable, Corporate Officers and/or Nancy Bijelic responded to inquiries regarding items from the Management Report, and/or from other communications to and/or among Directors.

(i) Water/Rain Infiltration: The President brought a copy of Trow's study to the Meeting for further discussion. The Board directed the Onsite Property Manager to ask Trow for costs of implementing each remedial method.



- (ii) Barbecue: Management advised the Board that a gas-line (to the 5<sup>th</sup> Floor Terrace's gazebo) would cost about \$7,000. That price would not include the installation of heavy-duty barbecues. Therefore, the Board's consensus was to defer installation of barbecues indefinitely.
- (iii) Request for Wireless Access-Points: The President reported that MTCC 1170's secure router provides a signal only as far away as the King Street doors. Problems are inherent in making that signal available to all residents. First, there is the logistical issue of safeguarding MTCC 1170's network. Second, there is the legal issue of devising and enforcing an "acceptable Internet use" policy. Therefore, the Board's consensus was to defer provision of wireless access-points indefinitely.
- (iv) Computer-Refurbishment: The President reported on work completed and components donated for refurbishing the Office Administrator's computer. (All of the above-noted occurred at no cost to MTCC 1170.)
- (v) Bell ExpressVu: Before proceeding, the Board directed the Onsite Property Manager to get further details and Legal Counsel's opinion of the proposed arrangement. This matter will resurface no earlier than Meeting 050727R.
- (vi) Energy Assessment: The Board discussed a proposal affecting lighting in all common areas. Lighting-systems use predictable amounts of electricity. Therefore, the proposed payback period is credible — even without discrete metering. Before proceeding with the proposal, the Board directed the Onsite Property Manager to investigate possible governmental grants — to defray installation costs.
- (vii) Penthouse Lounge — Woodwork: The Board directed the Onsite Property Manager to get additional quotes, and to investigate replacing water-damaged wood trim with brushed stainless steel.
- (viii) Additional Storage Closet: The Board heard a request to install a storage closet in the south corridor behind a commercial unit. Before proceeding, the Board directed the Onsite Property Manager to verify fire-code requirements.
- (ix) West Wall's Cladding: Management and the President commented on the latest development — including recent correspondence with Skyline Developments.
- (x) YTD Financials: The Treasurer and Management commented briefly on favourable variances in the "Financials".
- (xi) Motion to Receive Administrative and Security Reports as Information.

Resolution 050622R03: Receiving Administrative & Security Reports

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, the MTCC 1170 Management Office's Administrative Report for June 2005, and the Front Desk Security Report for the period 17 May 2005 to 13 June 2005.

Dan Chiu/Nives Malara — Carried

06 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:

- (a) Replacements for the Winter Mats: The Board agreed to the Onsite Property Manager's suggestion to seek further information, samples, and quotes.
- (b) Compensatory Lighting — West Wall: Deferred to Meeting 050727R.
- (c) Non-Board Delegates to the SLNA: The Board discussed methods of maintaining liaison with the above-noted delegates.

Resolution 050622R04: Going into Committee of the Whole

BE IT RESOLVED that the Board of Directors of Metropolitan Condominium Corporation 1170 shall go into Committee of the Whole at 7:58pm.

Jason Hum/Sylvia Furlong — Carried

07 Correspondence Requiring Action:

- (a) The Board directed the Onsite Property Manager's response to an owner who had inquired about tree planting on MTCC 1170's frontage in King Street.
- (b) Before responding to an owner's inquiry about block or bulk cable television services, the Board directed the Onsite Property Manager to elicit further information from the owner in question.
- (c) The Board directed the Onsite Property Manager's response to an owner who had sought clarification of the Rules that became effective on 18 June 2005.

08 Special Committee Reports: None

09 Other Reports: Where applicable, these are part of the Administrative Reports.

10 New and/or Brought-Forward Business:

- (a) Increasing MTCC 1170's Recycling: The Board agreed in principle to seek a volunteer who would act as convenor and/or co-ordinator. That volunteer's role would encompass aspects such as education and public relations.
- (b) A Commercial Unit's Inquiry about Ventilation: The Board directed the Onsite Property Manager to review previous correspondence and seek further information.

Resolution 050622R05: Rising from Committee of the Whole

BE IT RESOLVED that the Board of Directors of Metropolitan Condominium Corporation 1170 shall rise from Committee of the Whole at 8:22pm.

Dan Chiu/Nives Malara — Carried

11 Perusal File of Correspondence Received as Information: Received by e-mail from the Management Office, and/or available in a folder during the Board Meeting.

12 Next Committee Meeting: TBA

13 Next Special Meeting: TBA

14 Next Regular Meeting: 6:30pm on Wednesday 27 July 2005.

15 Motion for Adjournment

Resolution 050622R06: Adjournment of Meeting 050622R

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 050622R at 8:23pm on Wednesday 22 June 2005.

Sylvia Furlong/Nives Malara — Carried

“Keith Bricknell”

President: Keith Bricknell

“Jason Hum”

Secretary: Jason Hum

Adopted at  
Meeting #050727R



## THE METROPOLE

27 July 2005

### **Minutes of MTCC 1170 Meeting Number 050727R — Held on 27 July 2005**

- Present: Directors — Keith Bricknell, Dan Chiu (7:30pm), Sylvia Furlong, and Jason Hum; and, ICC Property Management — Nancy Bijelic and Steven Christodoulou
- Regrets: Nives Malara
- 01 Call to Order: Keith Bricknell called the meeting to order at 7:01pm.
- 02 Adoption of Agenda and Additions:  
Resolution 050727R01: Adoption of the Agenda  
BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 050727R, as presented.  
Jason Hum/Sylvia Furlong — Carried
- 03 Temporary Re-allocation of Officers' Duties: None.
- 04 Review and Adoption of Previous Meetings' Minutes:  
Resolution 050727R02: Adoption of Minutes  
BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 050622R, as presented.  
Jason Hum/Sylvia Furlong — Carried
- 05 Administrative and Security Reports:
- (a) Where applicable, Corporate Officers and/or Nancy Bijelic responded to inquiries regarding items from the Management Report, and/or from other communications to and/or among Directors.
    - (i) Water/Rain Infiltration: The Board directed the Onsite Property Manager to get specifications from Trow, and to request quotations and/or proposals from contractors.
    - (ii) Bell ExpressVu: The Board directed the Onsite Property Manager to verify Bell ExpressVu's agreement with Corporate Counsel's recommendations. Subject to such agreement, the Onsite Property Manager may proceed with Bell ExpressVu's proposal for a non-exclusive marketing campaign. Also, subject to such agreement, the Board's ratification will follow.

- (iii) Penthouse Lounge — Water-Damaged Woodwork: Additional quotes are necessary — for e-mailing to Directors when available.
- (iv) Additional Storage Closet: The Onsite Property Manager verified installation would be compliant with fire regulations. Additional quotes are necessary — for e-mailing to Directors when available.
- (v) West Wall's Cladding: Work should proceed by the middle of the week beginning 01 August 2004 — at no cost to MTCC 1170.
- (vi) Elevator-Related Issues: The Board's consensus was that EDIS shall inspect MTCC 1170's elevators. As the elevators have already fulfilled TSSA's safety-requirements, EDIS's focus will be solely on longer-term convenience-related issues.
- (vii) Townhouse Doors: The General Manager and the Onsite Property Manager reported that a black matte finish would be most appropriate for the townhouses' new metal doors. The Board's consensus was to approve the choice, and to direct the Onsite Property Manager to proceed with replacements.
- (viii) Security System — Software and Hardware: The Onsite Property Manager reported that Brampton Fire has provided written verification of operating system and utility-software licences. By consensus, the Board agreed to the following security items — encompassing software and hardware:
  - software that provides pop-up pictures to Security when residents begin using the newly-approved key fobs;
  - receivers that record residents' use of garage-remotes; and,
  - a 64-bit dual-core CPU and a 256MB PCI-Express video card for the new entry-control computer — to be compliant with emerging operating software, and to ensure speedy operation of the above-noted "pop-up pictures".
- (ix) Security System — Camera Feeds: The Board directed the Onsite Property Manager and the Head Concierge to e-mail an explanatory list of existing cameras, and recommendations for deploying the additionally available feeds.
- (x) Exercise Room Flooring: The Board thanked ICC for its research into a product obviously more suitable than any that had preceded it. Also, the Board granted the installer's request to take and provide warranty-substantiation photos.
- (xi) API Units' Settlements: Following discussion of two recent API repayments, the Board passed the following Resolution.

Resolution 050727R03: Directing API Repayments

- WHEREAS MTCC 1170's Operating Fund financed the costs of litigation against API; AND,
- WHEREAS MTCC 1170 was successful in its litigation against API, and received a favourable judgement as to costs; AND,

WHEREAS repayment of the aforesaid costs occurs periodically, on resale of the former API suites; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 orders all such repayments to be deposited into MTCC 1170's Operating Fund; AND, FURTHER,

BE IT RESOLVED that this order shall be deemed to ratify prior deposits of API repayments into MTCC 1170's Operating Fund.

Jason Hum/Dan Chiu — Carried

(xii) Balconies' Cement-Spatter: The Board discussed Trow's report and directed the Onsite Property Manager to communicate MTCC 1170's expectations.

(xiii) YTD Financials: The Treasurer and ICC Property Management commented briefly on MTCC 1170's currently favourable variances. However, all Directors expressed concern about prospective costs of electricity, as and when the current residential "rate-cap" ends.

(xiv) Motion to Receive Administrative and Security Reports as Information.

Resolution 050727R03: Receiving Administrative & Security Reports

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, the MTCC 1170 Management Office's Administrative Report for July 2005, and the Front Desk Security Report for the period 13 June 2005 to 19 July 2005.

Jason Hum/Dan Chiu — Carried

06 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:

(a) Replacements for the Winter Mats: Between 6:30pm and 7:00pm, two Directors and the Onsite Property Manager compared samples to the surrounding floors' colour scheme and recommended an appropriate colour. The Board's consensus was to accept the recommended product, colour, and supplier.

(b) Compensatory Lighting — West Wall: Following Legal Counsel's advice on the "Putnam Case", and a review of previous information on technical feasibility, the Board decided not to pursue this matter further.

(c) A Commercial Unit's Ventilation-Issues: The Board concurred with the Onsite Property Manager's interpretation of MTCC 1170's Declaration. Further to that concurrence, the Board directed the Onsite Property Manager to communicate the above-noted interpretation to the unit-owner.

(d) Non-Board Delegates to the SLNA: The Board discussed ways of ensuring that MTCC 1170's views were well-represented at the SLNA's Delegate-Meetings.

(e) Follow-Up to Meeting 050622R's Correspondence-Items: The Board concurred with the Onsite Property Manager's communications to correspondents.

07 Correspondence Requiring Action:

(a) The Board directed the Onsite Property Manager to research responses to an owner-occupier's inquiry about varying real and/or artificial vegetation in the lobby.

- 08 Special Committee Reports: None
- 09 Other Reports: Where applicable, these are part of the Administrative Reports.
- 10 New and/or Brought-Forward Business:
- (a) Parking Areas – Deterrence of Moving Violations: The Board directed the Onsite Property Manager to link this issue to these Minutes' Section 05(a)(ix).
- 11 Perusal File of Correspondence Received as Information: Received by e-mail from the Management Office, and/or available in a folder during the Board Meeting.
- 12 Next Committee Meeting: TBA
- 13 Next Special Meeting: TBA
- 14 Next Regular Meeting: 6:30pm on Wednesday 24 August 2005.
- 15 Motion for Adjournment

Resolution 050727R05: Adjournment of Meeting 050727R

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 050727R at 8:25pm on Wednesday 27 July 2005.

Sylvia Furlong/Jason Hum — Carried

“Keith Bricknell”

President: Keith Bricknell

“Dan Chiu”

Acting Secretary: Dan Chiu



## THE METROPOLE

24 August 2005

### **Minutes of MTCC 1170 Meeting Number 050824R — Held on 24 August 2005**

Present: Directors — Keith Bricknell, Dan Chiu, Sylvia Furlong, Jason Hum (6:39pm), and Nives Malara; and, ICC Property Management — Nancy Bijelic

Regrets: None

01 Call to Order: Keith Bricknell called the meeting to order at 6:37pm.

02 Adoption of Agenda and Additions:

Resolution 050824R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 050824R, as presented.

Nives Malara/Sylvia Furlong — Carried

03 Temporary Re-allocation of Officers' Duties: The Board's consensus was to appoint Dan Chiu as Acting Secretary, pending Jason Hum's arrival.

04 Review and Adoption of Previous Meetings' Minutes:

Resolution 050824R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 050727R, as presented.

Nives Malara/Sylvia Furlong — Carried

05 Administrative and Security Reports:

(a) Where applicable, Corporate Officers and/or Nancy Bijelic responded to inquiries regarding items from the Management Report, and/or from other communications to and/or among Directors.

(i) Water/Rain Infiltration (Update): Management and the Board await specifications and quotations.

(ii) Request for Wireless Access Points on the Penthouse Terrace (Update): Having reviewed MTCC 1170's contract for "Business Internet High Speed", the Board concluded that provision of such access points would violate the ISP's prohibition of "service bandwidth resale". Therefore, MTCC 1170 will go no farther in investigating a response to the request.



- (iii) Bell ExpressVu (050727R): The Board reviewed the revised agreements with Bell ExpressVu and proceeded by Resolution.

Keith Bricknell surrendered the Chair to Nives Malara

Resolution 050824R03: Motion Permitting Bell ExpressVu's Solicitation

WHEREAS By-Law Number 7 (*inter alia*, "...a By-Law giving Bell ExpressVu access to the non-exclusive common elements of Metropolitan Toronto condominium Corporation No. 1170...in order to install and operate its telecommunication service") owes its existence to owners' and/or residents' prior expressions of interest in Bell ExpressVu's services; AND,

WHEREAS in furtherance of By-Law Number 7's intentions, MTCC 1170 agrees to facilitate owners' and/or residents' awareness of Bell ExpressVu's latest services and/or fees; AND,

WHEREAS Bell ExpressVu has given MTCC 1170 full and sufficient consideration for the aforesaid facilitation, and for any subsequent facilitation of equipment-installation(s); THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 authorises the following actions and/or sets the following conditions:

01 Bell ExpressVu's marketing effort(s) shall comprise and be solely limited to the permissions that MTCC 1170 grants in the "MTCC 1170 and Bell Canada Marketing Arrangement", signed by MTCC 1170 on 24 August 2005;

02 if Bell ExpressVu chooses to install its equipment in MTCC 1170, all such installation(s) shall comprise and be solely limited to the permissions that MTCC 1170 grants in the "Telecommunications and Building Access License (*sic*) — Existing Buildings", signed by MTCC 1170 on 24 August 2005; AND, FURTHER;

BE IT RESOLVED MTCC 1170 shall deposit to its Reserve Fund any and all consideration referred to above and received herein from Bell ExpressVu.

Keith Bricknell/Dan Chiu — Carried

Keith Bricknell resumed the Chair.

- (iv) Penthouse Lounge — Water-Damaged Woodwork (Update): Directors agreed to defer this item, pending receipt of a durable, cost-effective proposal.
- (v) West Wall's Cladding (Update): This item is nearly complete, and awaits only the installation of a permanent safety-railing on the west podium.
- (vi) Elevator-Related Issues (Update): The Board directed Management to ensure that ThyssenKrupp provides additional details necessary for the completion of EDIS' final report and recommendations.
- (vii) Townhouse Doors (Update): Completion awaits the installer's discussions with manufacturers.

- (viii) Security System — Software and Hardware (Update): Additional specifications have gone to Brampton Fire, and work is proceeding as expected.
- (ix) Security System — Camera Feeds: The Board concurred with Staff's recommendations for new camera-feeds, and gave direction about redeploying an existing camera-feed.
- (x) Floral Arrangements — Elevator Lobby: The Board agreed to defer this item.
- (xi) Balconies' Cement-Spatter (Update): Following resolution of other post-construction issues, Management and the Board will pursue this item.
- (xii) Carpet-Cleaning — Corridors and Common Elements: The Board's consensus was to award the steam-cleaning contract to G&M Maintenance for \$1,850, plus applicable taxes.
- (xiii) Horizontal Drains: The Board's consensus was to award the drain-cleaning contract to Jermark Plumbing for \$1,905, plus applicable taxes.
- (xiv) Hot Water — Pressure Regulating Valves: Management reported on recent repairs and advised that shorter maintenance-intervals were necessary — to avoid inconvenience to residents. The Board concurred with Management's recommendations.
- (xv) YTD Financials: The Treasurer commented on probable trends in costs of electrical energy, and on MTCC 1170's upcoming budget-process. All Directors expressed concern about the sustainability of Ontario's current residential rates for electrical energy..
- (xvi) Motion to Receive Administrative and Security Reports as Information.

Resolution 050824R04: Receiving Administrative & Security Reports

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, the MTCC 1170 Management Office's Administrative Report for August 2005, and the Front Desk Security Report for the period 20 July 2005 to 15 August 2005.

Jason Hum/Nives Malara — Carried

06 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:

- (a) Responses to Requests for Barbecues and Penthouse Wi-Fi: The Board agreed that the President should write responses to owners that initiated the requests.
- (b) A Commercial Unit's Ventilation-Issues: The Board inquired about consequences of Management's response to the above-noted issues.
- (c) Non-Board Delegates to the SLNA: The Board discussed MTCC 1170's participation and representation at the SLNA's Delegate-Meetings.

07 Correspondence Requiring Action: None

08 Special Committee Reports: None

09 Other Reports: Where applicable, these are part of the Administrative Reports.

10 New and/or Brought-Forward Business:

(a) New By-Laws: The Board asked the President to seek Legal Counsel's opinion about the proposed new By-Laws, save for the "Standard Unit By-Law". With regard to the latter, the General Manager and the Treasurer agreed to research examples for the Board's informal discussion. Following such discussion and input, the President agreed to seek Legal Counsel's opinion about a "Standard Unit By-Law".

11 Perusal File of Correspondence Received as Information: Received by e-mail from the Management Office, and/or available in a folder during the Board Meeting.

12 Next Committee Meeting: 6:30pm on Wednesday 05 October 2005, to discuss MTCC 1170's 2005-2006 Budget.

13 Next Special Meeting: 6:30pm on Wednesday 19 October 2005, to finalise MTCC 1170's 2005-2006 Budget.

14 Next Regular Meeting: 6:30pm on Wednesday 28 September 2005.

15 Motion for Adjournment

Resolution 050824R05: Adjournment of Meeting 050824R

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 050824R at 7:56pm on Wednesday 24 August 2005.

Nives Malara/Dan Chiu — Carried

"Keith Bricknell"

President: Keith Bricknell

"Jason Hum"

Secretary: Jason Hum



## THE METROPOLE

28 September 2005

### **Minutes of MTCC 1170 Meeting Number 050928R — Held on 28 September 2005**

Present: Directors — Keith Bricknell, Dan Chiu (6:56pm), Sylvia Furlong, Jason Hum, and Nives Malara; and, ICC Property Management — Nancy Bijelic

Regrets: None

01 Call to Order: Keith Bricknell called the meeting to order at 6:33pm.

02 Adoption of Agenda and Additions:

Resolution 050928R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 050928R, as presented.

Jason Hum/Nives Malara — Carried

03 Temporary Re-allocation of Officers' Duties: None.

04 Review and Adoption of Previous Meetings' Minutes:

Keith Bricknell surrendered the Chair to Nives Malara.

Resolution 050928R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 050824R, as presented.

Keith Bricknell/Jason Hum — Carried

Keith Bricknell resumed the Chair.

05 Administrative and Security Reports:

(a) Where applicable, Corporate Officers and/or Nancy Bijelic responded to inquiries regarding items from the Management Report, and/or from other communications to and/or among Directors.

(i) Water/Rain Infiltration: Management reported that Trow had further inspected MTCC 1170 and would provide a report and/or specifications by mid-October. Prospective contractors' responses would take an additional 10 days to two weeks.

(ii) West Wall's Cladding & Related Items: The Board referred this item for discussion with Section 10(a) — *infra*.

- (iii) Elevator-Related Issues: Management reported that the consultant awaits receipt of maintenance-reports from ThyssenKrupp. Management also reported that ThyssenKrupp has recently replaced landing rollers on Elevator #1 and an electrical contacts and/or sensors on Elevator #2.
- (iv) Townhouse Doors: In response to the Board's suggestions about alternative specifications, Management will liaise with suppliers.
- (v) Maintenance Contracts: Exercise Room and Exterior Overhead Doors:

Resolution 050928R03: Contracts — Fitness Equipment and Exterior Overhead Doors

WHEREAS Maintenance contracts for Fitness Equipment and Exterior Overhead Doors are due for renewal; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 awards one-year maintenance contracts as follows:

- 01 Fitness Equipment: \$450 (plus taxes) with Advantage Fitness; and,
- 02 Exterior Overhead Doors: \$450 (plus taxes) with Atlas Overhead Doors.

Jason Hum/Nives Malara — Carried

- (vi) Security System — Access Readers: Directors agreed to deploy Access Readers to accommodate the King Street entrance's east door and the bicycle storage facility. Directors also agreed to adopt signage indicating that the entrance telephone system operates only the King Street entrance's interior west door.
- (vii) Group 4 Falck Contractual Arrangements: Directors agreed that Budget 2005-2006 (and subsequent) shall reflect a three-year contract, commencing 01 December 2005. Directors also concurred with Management's recommendations about Security Guards' classifications and pay.
- (viii) Emergency Generator — Routine and Preventive Maintenance: Management will undertake additional research before presenting final recommendations to the Board.
- (ix) Changeover to Key-Fobs & New Remotes: Distribution of new key-fobs and garage remotes, and photographing of residents, will begin after 03 October 2005. Replacement of card/fob/remote readers will occur within reasonable time thereafter.
- (x) YTD Financials: The Treasurer and ICC Property Management commented briefly on Financials.
- (xi) Motion to Receive Administrative and Security Reports as Information.

Resolution 050928R04: Receiving Administrative & Security Reports

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, the MTCC 1170 Management Office's Administrative Report for September 2005, and the Front

Desk Security Report for the period 16 August 2005 to 19 September 2005.

Nives Malara/Jason Hum — Carried

06 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:

- (a) Proposed New By-Laws: The President will liaise with Legal Counsel, with the aim of providing first drafts for discussion at Meeting # 051026R. (Meeting #051019S will have disposed of Budget 2005-2006, thus leaving time for discussion.).

07 Correspondence Requiring Action: None

08 Special Committee Reports: None

09 Other Reports: Where applicable, these are part of the Administrative Reports.

10 New and/or Brought-Forward Business:

Resolution 050928R05: Going into Committee of the Whole Board

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall go into Committee of the Whole at 7:22pm.

Jason Hum/Nives Malara — Carried

Resolution 050928R06: Rising from Committee of the Whole Board

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall rise from Committee of the Whole at 7:50pm.

Jason Hum/Nives Malara — Carried

(a) The President and Management reported on the following points:

- (i) research, with Legal Counsel, into MTCC 1170's right-of-way in the lane-ways opening into Yonge and Colborne Streets (as part of Instrument CT473793, Reference Plan 66R-16969 and Part 1 of Sheet 14 of the Corporation's description sheets);
- (ii) implications of Instrument CT473793 for reviewing MTCC 1170's delivery-access and emergency planning; and,
- (iii) communications with 8 Colborne Street, regarding sundry issues that MTCC 1170 has identified as awaiting resolution.

(b) The Board discussed and ratified the President's response to a resident owner who had requested MTCC 1170's intervention regarding alleged external noises. Further to that ratification, the Board directed Management to use the President's response as a basis for future dealings with the City of Toronto as and when similar requests occur.

(c) The Board discussed the format of information that might accompany requests for Common Element payments when Budget 2005-2006 is complete.

11 Perusal File of Correspondence Received as Information: Received by e-mail from the Management Office, and/or available in a folder during the Board Meeting.

12 Next Committee Meeting: 6:30pm on Wednesday 05 October 2005, *re* Budget 2005-2006.

- 13 Next Special Meeting: 6:30pm on Wednesday 19 October 2005, *re* Budget 2005-2006.
- 14 Next Regular Meeting: 6:30pm on Wednesday 26 October 2005.
- 15 Motion for Adjournment

Resolution 050928R075: Adjournment of Meeting 050928R

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 050928R at 7:51pm on Wednesday 28 September 2005.

Nives Malara/Dan Chiu — Carried

“Keith Bricknell”

President: Keith Bricknell

“Jason Hum”

Secretary: Jason Hum

Adopted at  
Meeting #051019S



## THE METROPOLE

19 October 2005

### **Minutes of MTCC 1170 Meeting Number 051019S — Held on 19 October 2005**

Present: Directors — Keith Bricknell, Dan Chiu, Jason Hum, and Nives Malara;  
and, Management — Nancy Bijelic

Regrets: Directors — Sylvia Furlong

01 Call to Order: Keith Bricknell called the meeting to order at 6:30pm.

02 Affirmation of Notice for a Special Meeting:

Resolution 051019S01: Affirmation of Notice for a Special Meeting

BE IT RESOLVED the Board of Directors of Metropolitan Condominium Corporation 1170 affirms sufficiency of notice for calling a Special Meeting on 19 October 2005 (hereinafter, “Special Meeting Number 051019S”).

Jason Hum/Nives Malara — Carried

03 Adoption of the Agenda:

Resolution 051019S02: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 051019S, as presented.

Jason Hum/Nives Malara — Carried

04 Review and Adoption of Previous Meetings’ Minutes:

Resolution 051019S03: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 050928R, as presented.

Jason Hum/Nives Malara — Carried

05 MTCC 1170’s Budgetary Arrangements for 01 December 2005 to 30 November 2006:

Resolution 051019S04: Dryer-Vent Cleaning in the 2005-2006 Budget

WHEREAS the Ontario Fire Marshal (OFM) and Canada Mortgage and Housing identify obstructed dryer-vents as a potential cause of fires and/or excessive energy-consumption; AND,

WHEREAS in response to the above-noted recommendations, MTCC 1170 has, for several years, required, initiated, and co-ordinated biennial dryer-vent cleaning, and has invoiced units individually for all such cleaning; AND,



WHEREAS the above-noted individual invoicing increases MTCC 1170's administrative costs and probably inconveniences unit-owners; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 authorises the following actions and/or sets the following conditions:

- 01 the cost of dryer-vent cleaning shall be part of MTCC 1170's proportional Common Expense;
- 02 the cost of dryer-vent cleaning shall include the cost of cleaning *per se*, as well as the cost of Security personnel that shall accompany cleaning personnel during their time in MTCC 1170 and/or individual units; AND,
- 03 for the biennial dryer-vent cleaning that shall occur during the fiscal year beginning 01 December 2005 and ending 30 November 2006, MTCC 1170 will use funds from Accumulated Surplus to defray all costs described in Section 02 (above).

Nives Malara/Dan Chiu — Carried

Resolution 051019S05: Describing Use of Accumulated Surplus in the 2005-2006 Budget

WHEREAS capping of "per-kW/h" electricity-rates ends in April 2006; AND,

WHEREAS market-uncertainties preclude MTCC 1170 from budgeting precisely for electricity-costs, and/or from signing a fixed-rate contract or contracts; AND,

WHEREAS MTCC 1170 wishes to give its unit-owners a reasonable time-frame in which to adjust for inevitable (albeit, unpredictable) increases in electricity costs; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 authorises the following actions and/or sets the following conditions, applicable only to the fiscal year beginning 01 December 2005 and ending 30 November 2006 ("Budget 2005-2006"):

- 01 MTCC 1170 requires its Accumulated Surplus to remain at 3.5% of the Total Budget (Operating Budget plus Reserve Fund Contribution);
- 02 as and when the above-noted "capping" ends, MTCC 1170 shall use the difference between Section 01 (above) and Accumulated Surplus to defray the increased cost that higher "per-kW/h" electricity rates impose on Budget 2005-2006's budgeted costs of electricity; AND,
- 03 as and when funds described in Section 02 (above) are insufficient to cover costs of electricity-consumption, MTCC 1170 shall order a Special Assessment to defray the above-noted shortfall.

Dan Chiu/Jason Hum — Carried

Keith Bricknell surrendered the Chair to Nives Malara

Resolution 051019S06: Approval of the 2005-2006 Budget

WHEREAS the *Condominium Act* and *Regulations* require condominiums' boards to assume sole responsibility for passing annual budgets; AND,

WHEREAS the Board of Directors of Metropolitan Toronto Condominium Corporation Number 1170 has received, examined, and discussed recommendations from ICC Property Management personnel; THEREFORE,

BE IT RESOLVED that the Board of Directors of Metropolitan Condominium Corporation Number 1170 authorises the following budget for 01 December 2005 to 30 November 2006 (inclusive of both dates):

(a) an Operating Budget of \$1,432,441; and,

(b) a Reserve Fund Contribution of \$208,824; AND, FURTHER,

BE IT RESOLVED that that the Board of Directors of Metropolitan Condominium Corporation authorises the Treasurer, the General Manager, or the President, or any of them, to append a covering letter to the above noted Budget, explaining the Budget *per se*, and/or any circumstances that might give rise to a Special Assessment during the above-noted Budget's operating period.

Dan Chiu/Keith Bricknell — Carried

Keith Bricknell resumed the Chair.

06 Next Regular Meeting: 6:30pm on Wednesday 26 October 2005.

07 Adjournment:

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Special Meeting Number 051019S at 6:50pm on Wednesday 19 October 2005.

Nives Malara/Dan Chiu — Carried

"Keith Bricknell"

President: Keith Bricknell

"Dan Chiu"

Acting Secretary: Dan Chiu



## THE METROPOLE

26 October 2005

### **Minutes of MTCC 1170 Meeting Number 051026R — Held on 26 October 2005**

Present: Directors — Keith Bricknell, Dan Chiu, Sylvia Furlong, Jason Hum (6:37pm), and Nives Malara; and, ICC Property Management — Nancy Bijelic

Regrets: None

01 Call to Order: Keith Bricknell called the meeting to order at 6:32pm.

02 Adoption of Agenda and Additions:

Resolution 051026R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 051026R, as presented.

Nives Malara/Sylvia Furlong — Carried

03 Temporary Re-allocation of Officers' Duties: Directors agreed that Dan Chiu should act as Corporate Secretary, pending Jason Hum's arrival.

04 Review and Adoption of Previous Meetings' Minutes:

Resolution 051026R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 051019S, as presented.

Nives Malara/Dan Chiu — Carried

05 Administrative and Security Reports:

(a) Where applicable, Corporate Officers and/or Nancy Bijelic responded to inquiries regarding items from the Management Report, and/or from other communications to and/or among Directors.

(i) Water/Rain Infiltration (in 050928R as Update): By 04 November 2005, Trow plans providing information for Directors' e-mail review and comments. Between 08 and 22 November 2005, Trow will invite tenders from no fewer than five qualified contractors.

(ii) West Wall's Cladding: Follow-Up — The President commented briefly on the protective railing recently installed at no cost to MTCC 1170. The Board agreed that the Superintendent should inspect the railing — especially its paint — and take steps to prevent corrosion.

Resolution 051026R03: Going into Committee of the Whole Board

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall go into Committee of the Whole at 7:05pm.

Jason Hum/Nives Malara — Carried

Resolution 051026R04: Rising from Committee of the Whole Board

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall rise from Committee of the Whole at 7:23pm.

Jason Hum/Nives Malara — Carried

- (iii) Elevator-Related Issues: The Board gave Management direction for seeking clarification of possible misunderstandings about prior expectations of service and resulting invoices.
- (iv) Townhouse Doors: The Board authorised Management to proceed with Hi-Lon's tender for replacement doors, for \$7,392, plus applicable taxes.
- (v) Security System — Access Readers: Replacements commence 07 November 2005. Management will instruct Brampton Fire to begin with a few less frequently used doors, before proceeding to main entrances.
- (vi) Emergency Generator — Routine and Preventive Maintenance: The President asked Management to verify storage and deterioration periods for the diesel engine's fuel-supply.
- (vii) Changeover to Key-Fobs: Delivery of replacements is now about 70% complete. Management will encourage residents to complete the changeover before the new access readers are in place.
- (viii) Closet in the South Corridor: The Board authorised Management to proceed with Paramount Commercial Solutions' tender for \$2,710, plus applicable taxes.
- (ix) Approval of an Insurance-Quote:

Resolution 051026R05: Insurance Renewal for 2005-2006

WHEREAS Paisley-Manor Insurance Brokers have tendered a premium of \$29,692.44 (including taxes) for insurance coverage for 2005-2006; AND,

WHEREAS the above-noted premium reflects a significant reduction compared with 2004-2005's premium; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 accepts the above-noted tender and authorises payment of the premium.

Sylvia Furlong/Dan Chiu — Carried

- (x) Post-Construction Issues — 8 Colborne Street: Management and the President reported briefly on communications regarding post-construction clean-up. The Board asked Management to ensure that XX05 residents had advance notice of any swing-stage operations on 8 Colborne Street's east wall. This request reflects XX05 residents' reasonable expectations of privacy. Finally, the Board authorised the President to seek legal advice as to when the 2003 access agreement with H&R/Skyline ends.

- (xi) Neighbourhood Concerns: The Board discussed noise allegedly resulting from social activities in a neighbouring building. The Board also discussed a neighbouring building's storage and deployment of garbage-bins. For noise attributable to social activities, the Board directed Management to ensure that residents notify Security, and to ensure that Security contacts the Toronto Police Service immediately — on behalf of MTCC 1170 as an entity representing residents' interests and right to peace and quiet. With regard to garbage bins, the Board directed Management to contact the appropriate City department and to demand the City's enforcement of its own By-Laws, Regulations, *etc.*
- (xii) Reports on Progress in Gaining Access to a Right of Way: MTCC 1170's Declaration (Instrument CT473793, Reference Plan 66R-16969 and Part 1 of Sheet 14 of the Corporation's description sheets) gives MTCC 1170 a Right of Way along the laneways to Yonge and Colborne Streets. The Board authorised Management's and the President's continuing efforts to ensure that Right of Way's unimpeded availability. Further to that, the Board asked Management to contact neighbouring buildings, to ensure that bins and other equipment do not intrude upon MTCC 1170's Right of Way.
- (xiii) MTCC 1170's Toy Drive: The Board authorised the Vice President to continue this worthwhile endeavour into its third year, and thanked her for her involvement.
- (xiv) A Telecommunication Company's Marketing Incentives: Pursuant to the *Condominium Act*, Directors uniformly refused to accept these incentives for themselves. Instead, they directed Management to divert them to Staff via a demonstrably fair and impartial draw.
- (xv) Seasonal Gratuities to Staff: The Board thanked Mrs Peggy Bricknell for continuing to co-ordinate this endeavour, and asked her to work with Management in fulfilling its objectives.
- (xvi) YTD Financials: The Treasurer commented briefly.
- (xvii) Motion to Receive Administrative and Security Reports as Information.

Resolution 051026R06: Receiving Administrative & Security Reports

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, the MTCC 1170 Management Office's Administrative Report for October 2005, and the Front Desk Security Report for the period 20 September 2005 to 18 October 2005.

Jason Hum/Nives Malara — Carried

06 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:

(a) Proposed New By-Laws: Deferred to December 2005's Regular Board Meeting.

07 Correspondence Requiring Action: None

08 Special Committee Reports: None

- 09 Other Reports: Where applicable, these are part of the Administrative Reports.
- 10 New and/or Brought-Forward Business:
- (a) CE requests *re* Budget 2005-2006: Management and the President reported that these might be available, for initial distribution via the Security Desk, no later than 7:00pm on Friday 28 October 2005.
- 11 Perusal File of Correspondence Received as Information: Received by e-mail from the Management Office, and/or available in a folder during the Board Meeting.
- 12 Next Committee Meeting: TBA
- 13 Next Special Meeting: TBA
- 14 Next Regular Meeting: 6:30pm on Wednesday 23 November 2005. (The Board also tentatively agreed that December's Regular Meeting would occur on Wednesday 21 December 2005.)
- 15 Motion for Adjournment
- Resolution 051026R07: Adjournment of Meeting 051026R
- BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 051026R at 7:39pm on Wednesday 26 October 2005.
- Sylvia Furlong/Dan Chiu — Carried

“Keith Bricknell”

President: Keith Bricknell

“Dan Chiu”

Acting Secretary: Dan Chiu



## THE METROPOLE

23 November 2005

### **Minutes of MTCC 1170 Meeting Number 051123R — Held on 23 November 2005**

Present: Directors — Keith Bricknell, Dan Chiu, and Sylvia Furlong; and, ICC Property Management — Nancy Bijelic

Regrets: Jason Hum and Nives Malara

01 Call to Order: Keith Bricknell called the meeting to order at 6:33pm.

02 Adoption of Agenda and Additions:

Resolution 051123R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 051123R, as presented.

Dan Chiu/Sylvia Furlong — Carried

03 Temporary Re-allocation of Officers' Duties: Directors agreed that Dan Chiu should act as Corporate Secretary, given Jason Hum's previously advised absence.

04 Review and Adoption of Previous Meetings' Minutes:

Resolution 051123R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 051026R, as presented.

Dan Chiu/Sylvia Furlong — Carried

05 Administrative and Security Reports:

(a) Where applicable, Corporate Officers and/or Nancy Bijelic responded to inquiries regarding items from the Management Report, and/or from other communications to and/or among Directors.

(i) Water/Rain Infiltration (in 051026R as Update): Management and the Board agreed that individual suites' corrective measures must await the Board's selection of a process for long-term remediation and prevention.

(ii) Cement Spatter & Podium Cleaning: The Board directed Management to ensure that recommended remedies cause minimal disruption to affected suites.

(iii) Security System — Access Readers, *etc*: Management advised the Board about issues that Brampton Fire had been unable to foresee in the original es-

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METROPOLITAN TORONTO CONDOMINIUM CORPORATION 1170

7 KING STREET EAST TORONTO ON M5C 3C5

OFFICE: 416.861.8320 — LOBBY: 416.368.3306 — FACSIMILE: 416.861.8341 — WWW.MTCC1170.COM

estimate of timelines. The Board directed Management to ensure that residents have timely information about the changeover's progress, and about reasons for delays.

- (iv) Intercom Malfunction: The Board thanked Management for achieving economical remediation of the immediate problem. The Board also asked Management to seek an estimate of the repaired control-panel's probable longevity. Further to that inquiry, the Board asked for Management's suggestions regarding this item's sequence on the Reserve Fund's replacement hierarchy.
- (v) Winter Maintenance Contract:

Resolution 051123R03: Winter Maintenance Contract

WHEREAS KCG Landscaping have tendered a price of \$2,420 (plus taxes) for Winter Maintenance for the 2005-2006 season; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 accepts the above-noted tender and authorises payment of the above-noted cost.

Dan Chiu/Sylvia Furlong — Carried

- (vi) Security-Related Signage and Unauthorised Entry: The Board asked Management to research and report on signage templates that will clarify MTCC 1170's expectations regarding non-residents' access to any and all areas of the building.
- (vii) MTCC 1170's Toy Drive: Management reports that the Vice President has requested publicity beginning 01 December 2005.
- (viii) Seasonal Gratuities to Staff: Management will continue liaising with the External Chairperson regarding dates for additional notices.
- (ix) YTD Financials: The Treasurer and ICC Property Management commented briefly on the "Financials".
- (x) Motion to Receive Administrative and Security Reports as Information.

Resolution 051123R04: Receiving Administrative & Security Reports

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, the MTCC 1170 Management Office's Administrative Report for November 2005, and the Front Desk Security Report for the period 19 October 2005 to 15 November 2005.

Dan Chiu/Sylvia Furlong — Carried

06 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:

- (a) Proposed New By-Laws: Deferred to December 2005's Regular Board Meeting.

07 Correspondence Requiring Action: None

08 Special Committee Reports: None

09 Other Reports: Where applicable, these are part of the Administrative Reports.



Resolution 051123R05: Going into Committee of the Whole Board

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall go into Committee of the Whole at 7:02pm.

Dan Chiu/Sylvia Furlong — Carried

Resolution 051123R06: Rising from Committee of the Whole Board

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall rise from Committee of the Whole at 7:13pm.

Dan Chiu/Sylvia Furlong — Carried

10 New and/or Brought-Forward Business — Reflecting 05(a)(iii) & (iv), *etc*:

- (a) Management reported briefly on elevator-related issues and/or information;
- (b) as an initial response to specific situations, the Board directed Management to ask Corporate Counsel to write to owners about issues encompassed, *inter alia*, by Section 134 of the Condominium Act; and,
- (c) Directors discussed issues relating to occasional after-hours use of common areas.

11 Perusal File of Correspondence Received as Information: Received by e-mail from the Management Office, and/or available in a folder during the Board Meeting.

12 Next Committee Meeting: TBA

13 Next Special Meeting: TBA

14 Next Regular Meeting: 6:30pm on Wednesday 21 December 2005 (a temporary change, reflecting holidays in December 2005 and January 2006).

15 Motion for Adjournment

Resolution 051123R07: Adjournment of Meeting 051123R

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 051123R at 7:14pm on Wednesday 23 November 2005.

Dan Chiu/Sylvia Furlong — Carried

“Keith Bricknell”

President: Keith Bricknell

“Jason Hum”

Secretary: Jason Hum



## THE METROPOLE

19 January 2006

### **Minutes of MTCC 1170 Meeting Number 051221R — Held on 21 December 2005**

Present: Directors — Keith Bricknell, Sylvia Furlong, Jason Hum, and Nives Malara; and, ICC Property Management — Nancy Bijelic

Regrets: Dan Chiu

01 Call to Order: Keith Bricknell called the meeting to order at 6:35pm.

02 Adoption of Agenda and Additions:

Resolution 051221R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 051221R, as presented.

Jason Hum/Nives Malara — Carried

03 Temporary Re-allocation of Officers' Duties: None.

04 Review and Adoption of Previous Meetings' Minutes:

Resolution 051221R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting(s) Number(s) 051123R, as presented.

Jason Hum/Nives Malara — Carried

05 Administrative and Security Reports:

(a) Where applicable, Corporate Officers and/or Nancy Bijelic responded to inquiries regarding items from the Management Report, and/or from other communications to and/or among Directors.

(i) Water/Rain Infiltration Information (continued from 051123R as an ongoing update): Directors affirmed their agreement with the President's previously distributed memorandum to owners of affected suites.

(ii) Water/Rain Infiltration Bids (continued from 051123R as an ongoing update): MTCC 1170 awaits a bid-analysis, as per Management's and the President's meeting with Trow on 09 December 2005.

(iii) Loading Dock Door: The Board gave direction to Management *re* seeking restitution. *Inter alia*, directions included Small Claims Court.

- (iv) Cement Spatter & Podium Cleaning (continued from 051123R as an ongoing update): Ongoing topic, especially during winter.

Resolution 051221R03: Going into Committee of the Whole Board

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall go into Committee of the Whole at 7:12pm.

Jason Hum/Nives Malara — Carried

Resolution 051221R04: Rising from Committee of the Whole Board

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall rise from Committee of the Whole at 7:31pm.

Jason Hum/Nives Malara — Carried

- (v) Elevator-Related Issues (in 051123R as Update): The Board asked Management to work with ThyssenKrupp in locating sources of noise attributed to one elevator. Also, the Board asked for an objective assessment of the aforementioned noise — regardless of its imputed source.
- (vi) Status-Certificates: Directors discussed recent articles about wording appropriate for Status Certificates. Management agreed to research the topic.
- (vii) Window Cleaning: Directors and Management commented briefly on the recent window cleaning process.
- (viii) Security System: Management reported briefly on progress towards completing the installation.
- (ix) Emergency Generator: The Board asked Management to provide additional details before awarding the contract at the January 2006 Regular Meeting.
- (x) Booster Heater: The Board discussed prior inspection reports and asked Management to report during the January 2006 Regular Meeting.
- (xi) Security-Related Signage and Unauthorised Entry: (continued from 051123R as an ongoing update): Management has order signage.
- (xii) Progress in Gaining Access to the Right of Way (continued from 051123R as an ongoing Update): Management and the President reported on their meeting with H&R on 16 December 2005.
- (xiii) MTCC 1170's Toy Drive: The Vice president reported that MTCC 1170's residents had contributed six huge bags of toys to the Toronto CAS Toy Drive. The Board expressed its gratitude to MTCC 1170's residents, and to the Vice President for facilitating the Toy Drive.

Keith Bricknell surrendered the Chair to Nives Malara

Resolution 051221R05: Receiving the Toy Drive Report

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, the Vice President's oral re-

port on MTCC 1170's "Toy Drive Report for Christmas 2005", dated 21 December 2005; AND FURTHER,

Be It Resolved that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170:

01 thanks residents for their support of the Toy Drive, and of the Toronto CAS's efforts on behalf of needy children; and,

02 thanks the Vice President for the management of December 2005's solicitation and delivery of toys for the Toronto CAS.

Keith Bricknell/ Jason Hum — Carried

Keith Bricknell resumed the Chair.

- (xiv) 2005's Staff Fund: The Board's consensus was to approve the report and allocation, as per e-mail dated 20 December 2005. The Board expressed its gratitude to MTCC 1170's residents, and to the Staff Fund Chairperson for facilitation.

Resolution 051221R06: Receiving the Staff Fund Report

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, MTCC 1170's "Staff Fund Final Report for Christmas 2005", dated 20 December 2005; AND FURTHER,

Be It Resolved that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170:

01 thanks residents for their support of the Staff Fund; and,

02 thanks the Staff Fund Chairperson for the management of December 2005's solicitation and distribution of contributions.

Jason Hum/Sylvia Furlong — Carried

- (xv) YTD Financials: The Board and Management commented on the Financials.

- (xvi) Motion to Receive Administrative and Security Reports as Information.

Resolution 051221R07: Receiving Administrative & Security Reports

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, the MTCC 1170 Management Office's Administrative Report for December 2005, and the Front Desk Security Report for the period 16 November 2005 to 14 December 2005.

Jason Hum/Nives Malara — Carried

06 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:

(a) Proposed New By-Laws: Pending receipt of drafts from Corporate Counsel.

(b) Ensuring Representation at the SLNA: Deferred to January 2006.

- 07 Correspondence Requiring Action: None, as at 6:00pm on 21 December 2005.
- 08 Special Committee Reports: None
- 09 Other Reports: Where applicable these are part of the Administrative Reports.
- 10 New and/or Brought-Forward Business:
- (a) items already encompassed in Section 05; and,
  - (b) brief discussion of the Fall 2005 issue of the SLCRA's *Condo Voice*.
- 11 Perusal File of Correspondence Received as Information: Received by e-mail from the Management Office, and/or available in a folder during the Board Meeting.
- 12 Next Committee Meeting: TBA.
- 13 Next Special Meeting: TBA.
- 14 Next Regular Meeting: 6:30pm on Wednesday 25 January 2006.
- 15 Motion for Adjournment

Resolution 051221R08: Adjournment

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 051221R at 7:58pm on Wednesday 21 December 2005.

“Keith Bricknell”

President: Keith Bricknell

“Dan Chiu”

Acting Secretary: Dan Chiu