



THE METROPOLE

23 June 2022

Minutes of MTCC 1170 Meeting Number 220623R — Held on 23 June 2022

Present: Board — Keith Bricknell, Scott Froebe, James Louttit, and Nives Malara; and, PropertyWright Management: Nancy Bijelic (all by Microsoft Teams).
Regrets: Sheila Sproule

01 Call to Order: Keith Bricknell called the meeting to order at 1817h.

02 Waiver of Notice, and/or Adoption of Agenda and Additions:

Resolution 220623R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 220623R, as presented.

Scott Froebe/James Louttit — Carried

03 Assignment of Duties:

(a) Assignment of Corporate Officers' Duties until AGM 2023

Surname	Given Name	Position
Bricknell	Keith	President
Froebe	Scott	General Manager
Louttit	James	Vice President
Malara	Nives	Treasurer
Sproule	Sheila	Corporate Secretary

(b) *Pro Tempore* Reassignments: Nives Malara graciously accepted appointment as Corporate Secretary for the duration of Meeting #220623R.

04 Review and Adoption of Previous Meetings' Minutes:

Resolution 220623R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting Number 220519R, as presented.

Nives Malara/Scott Froebe — Carried

05 Administrative and Security Reports:

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

- (i) MUA's Flexible Connector: Please refer to Section 11(a) of these Minutes.
- (ii) Security/Smoke Panels: Please refer to Sections 11 (b) of these Minutes.
- (iii) Response to AGM 2022: Please refer to Section 11(c) of these Minutes.
- (iv) Mutual Release: Please refer to Section 11(d) of these Minutes.
- (v) Sundry Reports: Directors commented briefly on the Administrative, and/or Security Reports encompassed in Section 06 of these Minutes.

- 06 Motion to Receive Administrative and Security Reports as Information:
Resolution 220623R03: Receiving Administrative and Security Reports as Information
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 2022 and the Front Desk Security Report for the period 04 May 2022 to 03 June 2022.
James Louttit/Nives Malara — Carried
- 07 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:
(a) Elevators' Refurbishment: Management confirmed that refurbishment of Tower Elevator #1 (T1) will, indeed, begin on 04 July 2022. Prior to the refurbishment's commencement, Solucore will re-evaluate Elevators T2 and T3, to minimise the possibility of outages during T1's refurbishment (for which all components are already on site). Given the current supply chain issues that continue to plague unplanned events, Solucore will also provide a parts-list so Management can try to pre-acquire wear-prone hardware, to reduce down-time *if* issues do arise with T2 and T3 during T1's refurbishment.
- 08 Correspondence Requiring Action and/or Response: None.
- 09 Special Committee Reports: None
- 10 Other Reports: None
- 11 New and/or Brought-Forward Business:
(a) MUA's Flexible Connector:
Resolution 220623R04: Authorising a Flexible Duct Connector's Replacement
WHEREAS Management has advised that the Upper Zone's MUA's [flexible duct connector](#) requires replacement; THEREFORE,
BE IT RESOLVED MTCC 1170 authorises paying Ambient Mechanical \$2,466.00 (+HST) to supply and install the aforementioned item; AND, FURTHER,
BE IT RESOLVED that payment for the above-noted supply and installation shall be from the Reserve Fund,
Scott Froebe/James Louttit — Carried
- (b) Security/Smoke Panels:
Keith Bricknell surrendered the Chair to James Louttit.
Resolution 220623R05: Remediating In-Suite Smoke/Security Panels
WHEREAS Testing has revealed communications issues between some suites' security panels and the Front Desk; THEREFORE,
BE IT RESOLVED MTCC 1170 authorises Regional Fire's investigation and correction of this issue on a closely monitored hours-worked basis; AND, FURTHER,
BE IT RESOLVED that payment for the above-noted investigation and remediation shall be from the Reserve Fund.
Keith Bricknell/Scott Froebe — Carried
Keith Bricknell resumed the Chair.
- (c) Response to AGM 2022:
Resolution 220623R06: Receiving a Corporate Officer's Report
WHEREAS MTCC 1170's President has provided a Response to AGM 2022's "New Business" portion of AGM 2022's Agenda ("Response"); THEREFORE,

BE IT RESOLVED that MTCC 1170's Board of Directors receives the Response as information and directs the Corporate Secretary and Management to attempt facilitation of recommendations in paragraph 05(a) of the Response; AND, FURTHER,

BE IT RESOLVED that MTCC 1170's Board of Directors authorises attachment of the Response to the Minutes for Regular Meeting #220623R
Nives Malara/Scott Froebe — Carried

(d) Mutual Release:

Resolution 220623R07: Affirming a Full and Final Mutual Release

WHEREAS Corporate Legal Counsel and Management have devised and recommended a Full and Final Mutual Release ("Release") in matters between MTCC 1170 and an Owner; THEREFORE,

BE IT RESOLVED that MTCC 1170's Board of Directors affirms the Release and affirms Corporate Officers' right to sign the Release on MTCC 1170's behalf.
Nives Malara/Scott Froebe — Carried

12 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.

13 Date of the Next Meeting(s):

(a) Special Meeting: TBA

(b) Regular Meeting #220721R: 1800h on Thursday 21 July 2022.

14 Motion for Adjournment

Resolution 220623R08: Adjournment

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 220623R at 1825h on Thursday 23 June 2022.

Scott Froebe/James Louttit — Carried

"Keith Bricknell"

President: Keith Bricknell

"Sheila Sproule"

Secretary: Sheila Sproule

Adopted at Meeting #220623R



THE METROPOLE

23 June 2022

To Directors and Property Management — MTCC 1170
From Board President — MTCC 1170
Re: General Responses to AGM 2022's "New Business"

01 ***Can MTCC 1170 clean the city-owned sidewalk in front of the Building?*** Very occasionally, MTCC 1170 has pressure-washed the tramped-in chewing-gum blobs that are almost endemic to Toronto's sidewalks. Quite often, MTCC 1170 has also washed the side of the building and adjacent sidewalks to expunge canine urine-stains. Thus, additional washing is a possibility. The worrisome issues, though, are liability for inadvertently spraying pedestrians whilst washing is in progress and/or liability for "slip-and-falls" whilst the sidewalk is still wet from being washed.

02 ***What additional steps could MTCC 1170 take to mitigate its operating costs? For example, being more prudent about our electricity-consumption?*** As Section 03(b) of AGM 2022's President's Report indicates:

"[Fiscal 2020-2021's] grand total audited energy expense, excluding commercial units, was \$486,433.00, which comes to \$1,549.15 per residential unit. How does that \$1,549.15 compare with Ontario's "average" per-household energy costs? This Report's Appendix Seven comprises a Financial Accountability Office of Ontario (FAO) report dated 19 October 2021. Therein, the FAO says that '...the average Ontario household spent \$2,128 on home energy to heat and cool their homes and power their appliances...' Apparently, MTCC 1170 is \$578.85 per household per year more frugal than the average Ontarian household. And good for us for being so energy-conscious!"

Nonetheless, Management will still post periodic reminders. Other reminders will deal with issues such as recycling and composting — to help reduce our disposal costs for other types of solid waste.

03 ***The original master and suite three-digit codes seem not to have changed for many years. Surely this endangers security.*** There is no connection whatsoever between panel-codes and individual suites' door-locks. Individual suites' ***safety depends only on occupants' diligence in keeping their doors locked at all times.*** As an extra safety-precaution, residents should react to doorknocks ***by opening their doors only to their own known invitees and/or to MTCC 1170's staff.*** Put simply, if you cannot identify the person who is knocking at your door, and/or if that person is not one of MTCC 1170's staff-members, ***do not open the door.*** If the doorknocker persists, phone the Front Desk and ***ask for assistance.***

04 ***Proposal of a motion for condo directors' term-limits.*** As required by law, the Chair ruled the proposed motion out of order. However, its proposal raises two issues; namely, merit and (as already noted) legality.

(a) [In September 2017, Toronto Condo News conferred a "bad idea" award on this suggestion:](#)

"Few people want the challenge and responsibility of serving on a condo board. Those willing to accept this responsibility and challenge understand the importance of this voluntary role to the proper management of their home.

"Many condo corporations are challenged to find a large enough pool of qualified and interested candidates to serve on their board. Once these capable people are found, it makes little sense to reduce the pool of qualified and interested candidates by creating term limits.

"Term limits provide no value to condo corporation governance. Rather than establish term limits, it makes more sense to encourage more people to participate in the governing of their condominium corporation by running for election to the board."

(b) As for legality, Section 12.8(1) of [Ontario Regulation 48/01](#) says:

“The prescribed material that subclause 47 (7) (b) (iii) of the Act requires be included in a notice of meeting of owners is...the material, if any, contained in a submission made to the board, any record of the corporation contained or described in the submission or any addition to the business to be presented at the meeting described in the submission, if...the submission is made by those owners who, at the time the board receives the submission...own at least 15 per cent of the units...”

The proposed motion did not qualify. So, as the law requires, the Chair ruled it out of order.

05 ***What is MTCC 1170 doing about sending delegates to the SLNA's monthly meetings and to development meetings?*** This, too, is a two-part question.

(a) The SLNA's membership is a diverse mixture of TCHC buildings, co-ops, and condos. Historically, TCHC buildings and co-ops elected their delegates, thus confirming their delegates' legitimacy. Condos seemed to send a mixture of directors and/or volunteers. To ensure that MTCC 1170's delegates had as much legitimacy as THCH buildings and co-ops do, MTCC 1170 has reserved two of its three delegate-seats for directors and one for a volunteer. ***In retaining that proportion, MTCC 1170 has sought to ensure that its delegates' stated opinions and votes represented MTCC 1170, rather than just the delegate per se.*** However, that stated position can have some “wobble-room”. Thus, I suggest that MTCC 1170 should ask the SLNA if it would allow our director-delegates to name proxy-delegates to vote on MTCC 1170's behalf ***at specific SLNA monthly meetings.*** The additional understanding would be that proxy-delegates' votes shall reflect your Board's directions (which is the same restriction that already applies to director-delegates).

(b) Your Board's Resolution 210722R09 states MTCC 1170's position on development, as the following excerpt from a 22 July 2021 report to your Board summarises:

- (i) “Downtown proposals reflect rigorous orchestration and highly professional representation. For example, Colborne Street's representative was well-known to (and highly regarded by) the C of A, the local councillor, ***and*** city staff. *For intervenors, this represents a major challenge, unlike leafy suburb scenarios...* [Herein, note that MTCC 1170 is in the [Downtown Plan's Financial District](#)]
- (ii) “MTCC 1170's doggedness with 6-8 Colborne Street tended to project an image of vindictiveness. Arguably, this image contributed to several months of perceived “heel-dragging” on the City's part whenever MTCC 1170 complained about parking-related issues. And yes, our complaints eventually began receiving “face-value” treatment. But the whole episode was a lesson about “picking one's battles” carefully...
- (iii) “Some of MTCC 1170's Owners were investors in three of the five above-noted development-examples. So, while MTCC 1170's ***individual owners*** could object, ***MTCC 1170, per se,*** certainly could not.
- (iv) “Sometimes, municipal authorities believe that condo boards' interventions reflect only those board members' views, rather than truly representing a majority (or even a bare plurality) of owners' views. Thus, electronic expression of individual owners' views is likely more effective. For 88 Scott Street and 53-55 Yonge Street, MTCC 1170 provided the information necessary for owners' input, while not presuming to represent its owners.”

06 ***Why must complaints go to Management first, rather than directly to the Board?*** First, there's the issue of procedural fairness. Every complaint should first go to the lowest level compatible with that complaint's resolution. ***The complaint should escalate only if resolution does not occur.*** Second, your directors have authority to act only after an affirmative vote during a board meeting. ***Outside that context, your directors have no authority to make decisions on MTCC 1170's behalf.***

Respectfully submitted
Keith Bricknell — Board President