



## THE METROPOLE

17 January 2019

### Minutes of MTCC 1170 Meeting Number 190117R — Held on 17 January 2019

Present: Board — Keith Bricknell, Scott Froebe (electronic attendance), James Louttit, and Sheila Sproule; and, ICC Property Management — Nancy Bijelic

Regrets: Jonathan Doyle

01 Call to Order: Keith Bricknell called the meeting to order at 1820h.

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

Resolution 190117R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 190117R, as presented.

James Louttit/Scott Froebe — Carried

03 Assignment of Duties:

(a) *Pro Tempore* Reassignments: Unnecessary for Meeting #190117R.

04 Review and Adoption of Previous Meetings' Minutes:

Resolution 190117R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting Number 181220R, as presented.

Sheila Sproule/James Louttit — 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) Loading Dock Door: Please refer to Section 11(a) of these Minutes.

(ii) Sundry Reports: Directors commented briefly on the Financial, Administrative, and/or Security Reports encompassed in Section 06 of these Minutes.

06 Motion to Receive Administrative and Security Reports as Information:

Resolution 190117R03: 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 January 2019, ICC's rendering of MTCC 1170's unaudited Financial Statements for the period 01 December 2017 to 30 November 2018, and the Front Desk Security Report for the period 03 December 2018 to 03 January 2019.

Scott Froebe/Sheila Sproule — Carried

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

(a) MUA Repairs:

Keith Bricknell surrendered the Chair to James Louttit.

Resolution 190117R04: Receiving an Engineering Report as Information

WHEREAS Building Sciences has emailed its report on the Upper Zone's two MUA compressors; AND,  
WHEREAS the General Manager and the President have reviewed the aforementioned report and concur with its findings; THEREFORE;  
BE IT RESOLVED that MTCC 1170 receives the aforementioned report as information; AND, FURTHER,  
BE IT RESOLVED that the Board directs Management to use the aforementioned report as a basis for discussions with the HVAC contractor.  
Scott Froebe/Keith Bricknell — Carried

Keith Bricknell resumed the Chair.

(b) Rogers' Proposal *re* Antennae: Directors reaffirmed their emailed concurrence with the survey-instrument that the President had previously circulated.

08 Correspondence Requiring Action and/or Response: Management and the President reported satisfactory resolution of an Owner's inquiry about the Unit's financial obligations.

09 Special Committee Reports: None

10 Other Reports: None

11 New and/or Brought-Forward Business:

(a) Loading Dock Door:

Resolution 190117R05: Authorising Loading Dock Door Repairs

WHEREAS MTCC 1170's Management reports the necessity to repair and/or replace some of the loading dock's door-slats, and to replace the loading dock door's actuation-motor; THEREFORE;

BE IT RESOLVED that MTCC 1170 authorises Candoor Overhead Doors Ltd to complete the above-noted repairs for \$10,450.00 + HST; AND, FURTHER,

BE IT RESOLVED that payment for these repairs shall be from the Reserve Fund.

James Louttit/Sheila Sproule — 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 Next Committee Meeting: TBD.

14 Next Special Meeting: TBD.

15 Date of the Next Regular Meeting(s):

(a) Regular Meeting #190221R: 1800h on Thursday 21 February 2018.

16 Motion for Adjournment

Resolution 190117R06: Adjournment

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 190117R at 1824h on Thursday 17 January 2019.

Scott Froebe/James Louttit — Carried

“Keith Bricknell”

“Sheila Sproule”

President: Keith Bricknell

Secretary: Sheila Sproule



## THE METROPOLE

21 February 2019

### Minutes of MTCC 1170 Meeting Number 190221R — Held on 21 February 2019

Present: Board — Keith Bricknell, Scott Froebe (electronic attendance), James Louttit, and Sheila Sproule (electronic attendance); and, ICC Property Management — Nancy Bijelic

Regrets: Jonathan Doyle

01 Call to Order: Keith Bricknell called the meeting to order at 1825h.

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

Resolution 190221R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 190221R, as presented.

James Louttit/Scott Froebe — Carried

03 Assignment of Duties:

(a) *Pro Tempore* Reassignments: Unnecessary for Meeting #190221R.

04 Review and Adoption of Previous Meetings' Minutes:

Resolution 190221R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting Number 190117R, as presented.

Sheila Sproule/James Louttit — 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) Cleaning MUAs' Ducts: Please refer to Section 11(a) of these Minutes.

(ii) Sundry Reports: Directors commented briefly on the Financial, Administrative, and/or Security Reports encompassed in Section 06 of these Minutes.

06 Motion to Receive Administrative and Security Reports as Information:

Resolution 190221R03: 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 February 2019, ICC's rendering of MTCC 1170's unaudited Financial Statements for the period 01 December 2018 to 31 December 2018, and the Front Desk Security Report for the period 04 January 2019 to 04 February 2019.

Scott Froebe/Sheila Sproule — Carried

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

(a) MUA Repairs: Management reports that discussions are ongoing regarding matters encompassed in Resolution 190221R04.

- (b) Rogers' Proposal *re* Directional Cellular Antennae: The Board of Directors agreed that MTCC 1170 would not be giving further consideration to Rogers' Communications' proposal to install directional cellular antennae anywhere on MTCC 1170's common elements. The Board of Directors also agreed that the President's report on this matter should be an attachment to the Minutes of Regular Meeting #190221R.

Resolution 190221R04: Receiving a Corporate Officer's Report

WHEREAS MTCC 1170's President has reported on the proposed leasing of unused rooftop space to Rogers Telecommunications; THEREFORE,

BE IT RESOLVED that MTCC 1170 receives the aforementioned report as information; AND, FURTHER,

BE IT RESOLVED that MTCC 1170 authorises inclusion of the aforementioned report in the Minutes of Regular Meeting #190221R.

James Louttit/Scott Froebe — Carried

- 08 Correspondence Requiring Action and/or Response: Management and the President reported satisfactory resolution of an Owner's inquiry about the Unit's financial obligations.

- 09 Special Committee Reports: None

- 10 Other Reports: None

- 11 New and/or Brought-Forward Business:

(a) MUAs' Duct-Cleaning:

Resolution 190221R05: Authorising MUAs' Duct-Cleaning

WHEREAS MTCC 1170's Management reports the necessity to clean the Upper and Lower Zones' MUAs' ducts; THEREFORE;

BE IT RESOLVED that MTCC 1170 authorises Dryerfighters to complete the above-noted maintenance for \$1,800.00 + HST; AND, FURTHER,

BE IT RESOLVED that payment for these repairs shall be from the Operating Fund.

Scott Froebe/Sheila Sproule — 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 Next Committee Meeting: TBD.

- 14 Next Special Meeting: TBD.

- 15 Date of the Next Regular Meeting(s):

(a) Regular Meeting #190321R: 1800h on Thursday 21 March 2018.

- 16 Motion for Adjournment

Resolution 190221R06: Adjournment

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 190221R at 1835h on Thursday 21 February 2019.

Scott Froebe/James Louttit — Carried

"Keith Bricknell"

President: Keith Bricknell

"Scott Froebe"

for Secretary: Sheila Sproule



# THE METROPOLE

19 February 2019

To: MTCC 1170 Board and Management  
From: MTCC 1170 Board President  
Re: Owners' Input into Rogers' Antennae Proposal

On or about 23 October 2018, Management circulated the statutory notice prerequisite to MTCC 1170's negotiations with Rogers. On or after 30 November 2018, Management received a petition containing only 41 actual owners' signatures and sundry ineligible signatures. Since the requirement for a requisitioned meeting is 48 actual owners' signatures, the petition failed.

Acknowledging the failed petitioners' unhappiness with the outcome, but while continuing to uphold the validity of that outcome, I recommended an *ex gratia* survey that ultimately contained, *inter alia*, the following language...

"...Since MTCC 1170 has already fulfilled its statutory requirements, the *Condominium Act* does not govern this survey. However, the *Act* does offer guidance. At Section 97(4), the *Act* says that substantial change can occur only if '...the owners who own at least 66 2/3 per cent of the units of the corporation vote in favour of approving it...' Refusal of \$23,000 in additional annual revenue is 'substantial'. Logically, then, the refusal of 'substantial' revenue should also require approval of '...at least 66 2/3 per cent of the units of the corporation...'

"In default of objectors' fulfilling the 66 2/3 per cent criterion, MTCC 1170 will deem that it should begin negotiations with Rogers. In those negotiations MTCC 1170 will verify (a) that Rogers' equipment meets or exceeds Industry Canada's Safety Code 6, (b) that the installation will not damage MTCC 1170's rooftop, and (c) that the proposed level of insurance is sufficient.

"Pursuant to conditions (a), (b), and (c) in the final paragraph above, and pursuant to MTCC 1170's dedicating rental-revenues from Rogers to reduce my annual Reserve Fund contribution, I agree that MTCC 1170 should begin negotiations with Rogers.

"Yes, I agree [ ]

No, I do not agree [ ]"

MTCC 1170's 320 eligible owners had until 1700h on Friday 01 February 2019 to respond to this *ex gratia* survey. Management reports that 79 owners completed the survey, with 46 voting "Yes" and 33 voting "No". Those 79 votes are significantly short of the survey's 66 2/3 per cent criterion. Before proceeding further, though, the Board should consider the following issues.

- 01 Of the eligible 320 voters, 241 chose not to respond. To what were the 241 indifferent? Was it to the anticipated annual revenue? Or was it to the petitioners' allegations of harm from cellular antennae?
- 02 To what extent does MTCC 1170 wish to wade into a controversial issue when 241 owners are apparently indifferent to the outcome?
- 03 Management reports the following results of the above-noted January 2019 survey.

Vote Choices	Resident Owners	Investor Owners	Vote Totals
Yes, I agree	29	17	46
No, I do not Agree	17	16	33

As for comparisons with the results of the failed petition in November 2018, Management reports that three (3) of November 2018's eligible petition-signatories voted "Yes" in Jan-

uary 2019’s survey and that 13 continued to vote “No”. Of the 41 signatories of November 2018’s petition (*ie*, opposition to Rogers’ proposal), 25 chose not to respond to January 2019’s survey.

- 04 On 07 February 2019, Management advised me that three (3) resident owners alleged that they had never received October 2018’s statutory notice. On 19 February 2019, I asked Management if those three owners were signatories of November 2018’s failed petition. Management re-checked the failed petition and was able to verify that all three owners were, indeed, signatories of that failed petition. Should MTCC 1170 reasonably assume that their signatures on that failed petition negate any claim of disenfranchisement because of their alleged non-receipt of the statutory notice in October 2018?
- 05 Management reports that three signatories of the failed petition emailed reasons for objecting to Rogers’ proposal. Generally, their reasons encompassed allegedly adverse impact on property-values and health-outcomes.

- (a) At <https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08353.html>, Industry Canada does admit that *cellular towers* can adversely impact property values in *suburban neighbourhoods comprising one- and two-storey free-standing homes*. However, this has little relevance for MTCC 1170, where the contemplated installation is *short antennae hidden behind parapet walls that are 23 storeys above street-level*. As for governmental differentiation between private preferences and public policy, Industry Canada offers the following comment on antennae, property values, and NIMBY-ism...

“Authorities may receive representations about alleged impact of proposed telecommunications development on property values. It is not for the planning system to protect the private interests of one person against the activities of another. Although in a particular case considerations of public interest may serve to protect private interests, the material Question is not whether a particular development would cause financial or other loss to owners or occupiers of the neighbouring property, but whether the proposal would have a detrimental effect on the locality generally, and on amenities that ought, in the public interest, to be protected.”

- (b) An objector who had raised concerns about health outcomes inadvertently provided some irony. The objector’s message reached the Management Office via an iPhone; *ie*, via cellular antennae on some of downtown’s other buildings. Where are the cellular antennae that allowed the foregoing iPhone user to send a message to the Management Office? Go to <https://www.scadacore.com/tools/rf-path/cell-tower-map-canada/>, enter M5C 3C5 in the “Address Lookup” box, and hit “Return” on your keyboard. You can then use the “plus” and “minus” buttons on the map to see the myriad antennae-locations in downtown Toronto. Even if we accepted beliefs about adverse health-outcomes, to what extent would three additional downtown antennae worsen those outcomes — given the existing presence of cellular transmission, and the apparent absence of reported health-complaints?
- (c) Among antennae-objectors’ sources of information, two are salient ...
- (i) Arthur Firstenberg: Please refer to the enclosed NYT article on this source.
  - (ii) Environmental Health Trust (<https://ehtrust.org/>) — one of whose anti-cellular proponents is Devra Davis. Many sites offer repudiations of Davis’ views. A small sample follows...

<https://www.androidauthority.com/unraveling-the-anti-wireless-campaign-898318/>  
<http://www.skepticnorth.com/2010/12/devra-davis-disconnected-from-science-part-i/>  
<http://www.skepticnorth.com/2010/12/devra-davis-disconnected-from-science-part-ii/>  
<http://www.skepticnorth.com/2011/02/new-study-shows-emf-effect-on-brain-%E2%80%93-so-what/>  
<https://sciencebasedmedicine.org/a-disconnect-between-cell-phone-fears-and-science/>  
<http://www.emfexplained.info/?ID=25821>  
<http://www.cancer.ca/en/prevention-and-screening/reduce-cancer-risk/make-informed-decisions/know-your-environment/radiofrequency-fields/?region=on>  
<https://www.who.int/peh-emf/publications/facts/fs304/en/>

- 06 Regardless of the outcome of disputes between Canada and Huawei, 5G networks will be arriving sometime in the next half-decade. 5G is essential for myriad services beyond current cellular network' functions (*eg*, autonomous motor-vehicles). 5G's high-frequency waves will require antennae as close as 500 feet from each other. At what point, then, will demand for 5G, and for additional antennae (*ie*, sites for antennae) lead to legislated scenarios similar to municipal expropriations — with financial compensation, of course? For downtown buildings, would such expropriation-based scenarios produce revenue-streams equal to those which Rogers proposes for MTCC 1170?

Thank you for your attention to this memorandum and its attachments.

Respectfully submitted  
MTCC 1170  
Keith Bricknell — Board President

Encl/2

**The New York Times** RAW DATA  
*When Science Is Lost in a Legal Maze*

By George Johnson  
23 March 2015

In a saner world, where science and the law meshed more precisely, a case like *Firstenberg v. Monribot* would have been dead on arrival in court. But that is not what happened.

Earlier this month, five years after the lawsuit was filed, the New Mexico Court of Appeals [upheld a lower court's ruling](#) that Arthur Firstenberg, an outspoken opponent of wireless technology, could not seek \$1.43 million in damages from his neighbour, Raphaella Monribot, for damaging his health by using her iPhone and a Wi-Fi connection.

The electromagnetic signals that go from cellphone to cellphone and computer to computer lie quietly on the spectrum between radio broadcast waves and the colours of light. From the perspective of science, the likelihood of the rays somehow causing harm is about as strong as the evidence for ESP. But the law proceeds by its own logic, in which concepts like evidence and proof take on meanings of their own. This case in New Mexico shows how two of civilization's great bodies of thought — the scientific and the legal — can make for an uneasy mix.

Mr. Firstenberg and Ms. Monribot, the record shows, were once on good terms. He had hired her in 2008 to cook for him, and after she left for Europe, he rented and then purchased her small house in a densely populated old neighbourhood in Santa Fe, N.M. When she returned to town, she moved into a house adjacent to the one he owned.

It was there, Mr. Firstenberg would claim, that she became the cause of his suffering. Dizziness, nausea, amnesia, insomnia, tremors, heart arrhythmia, acute and chronic pain — all because she insisted on using her cellphone, computers and other ordinary electronic equipment.

Her dimmer switches and compact fluorescent bulbs emitted their own painful rays. The fact that the two houses shared the same electric utility connection, Mr. Firstenberg argued, intensified the effect.

A self-described sufferer of a medically unrecognized condition called [electromagnetic hypersensitivity](#), he was already known in Santa Fe for his unsuccessful effort to block the installation of Wi-Fi in the city library and other public places.

When I heard that Mr. Firstenberg, who lives a couple of miles from me, was filing a tort claim seeking damages for what amounted to electromagnetic trespassing, I assumed the case would be quickly dismissed. Instead, in 2010, it entered the maze of hamster tubes that make up the judicial system.

In an exchange of emails, he declined to be interviewed about the case, saying that reporters should focus instead on what he believes are grave dangers posed by electromagnetic radiation. But except for a few obscure experts who quote one another's discredited research, the consensus of science is that the health risks are most likely non-existent.

Unlike X-rays and gamma rays, the radiation emitted and received by wireless devices is far too low in frequency to shake apart the molecules in living cells. Only at extremely intense exposures, like those inside a microwave oven, can the waves cause harm by generating heat.

It is not impossible that low, "subthermal" levels of the waves might disturb cellular chemistry in less obvious ways, but the evidence isn't there. Double-blind studies of people who consider themselves electro-sensitive [have found no relationship](#) between the onset of their symptoms and the presence of electromagnetic fields.

Showing scepticism from the start, District Judge Sarah Singleton denied Mr. Firstenberg's request for a preliminary injunction, ruling that he was "unlikely to prevail on the issue of causation." If only the locomotive had stopped there.



The judge also denied Ms. Monribo's motion to dismiss the case entirely, calling instead for an evidentiary hearing to consider "in depth proof and argument on the validity of both sides' experts."

The result, in retrospect, was like the comedian John Oliver's "statistically representative climate change debate" in which three critics of human-caused global warming [were pitted against 97 scientists](#) who considered the evidence overwhelming. Any debate over the scientific legitimacy of electrosensitivity would be even more lopsided.

In 2012, after two more years of claims and counterclaims, depositions and cross-examinations, days of hearings and pages of affidavits, the court was persuaded in its circuitous way of what science already knew: Mr. Firstenberg had no case. His expert witnesses, consisting of a holistic doctor and a consulting psychologist on neurotoxicity, were ruled unqualified and his evidence scientifically unreliable. And so came a summary judgment against him.

About a week ago, after the Court of Appeals upheld the decision, I stopped by the office of Ms. Monribo's lawyer, Christopher Graeser, with a tape measure. The files for the case sat in boxes on a table. Piled together, the pages would reach more than six feet high.

Court costs, not counting lawyers' fees, had come to almost \$85,000, or more than \$1,000 an inch. Because of what the court described as Mr. Firstenberg's "inability to pay," the bill went instead to Ms. Monribo's landlord's insurance company — as if someone had slipped on an icy sidewalk or pretended to.

Mr. Graeser and another lawyer, Joseph Romero, represented her *pro bono*, writing off an estimated \$200,000 in legal fees. Lindsay Lovejoy, the lawyer for Mr. Firstenberg, said he wasn't free to discuss their arrangement.

Mr. Firstenberg represented himself for the appeal. The next stop may be the New Mexico Supreme Court. After all, Mr. Graeser said, the plaintiff had "suffered no real disincentive to doing it again."

A version of this article appears in print on March 24, 2015, on Page D3 of the New York edition with the headline: Science, Lost in a Legal Maze.

<https://www.scadacore.com/tools/rf-path/cell-tower-map-canada/>

## Canadian Cell Tower Map

The Canadian Cell Tower Map allows users to quickly browse through tens of thousands of towers.

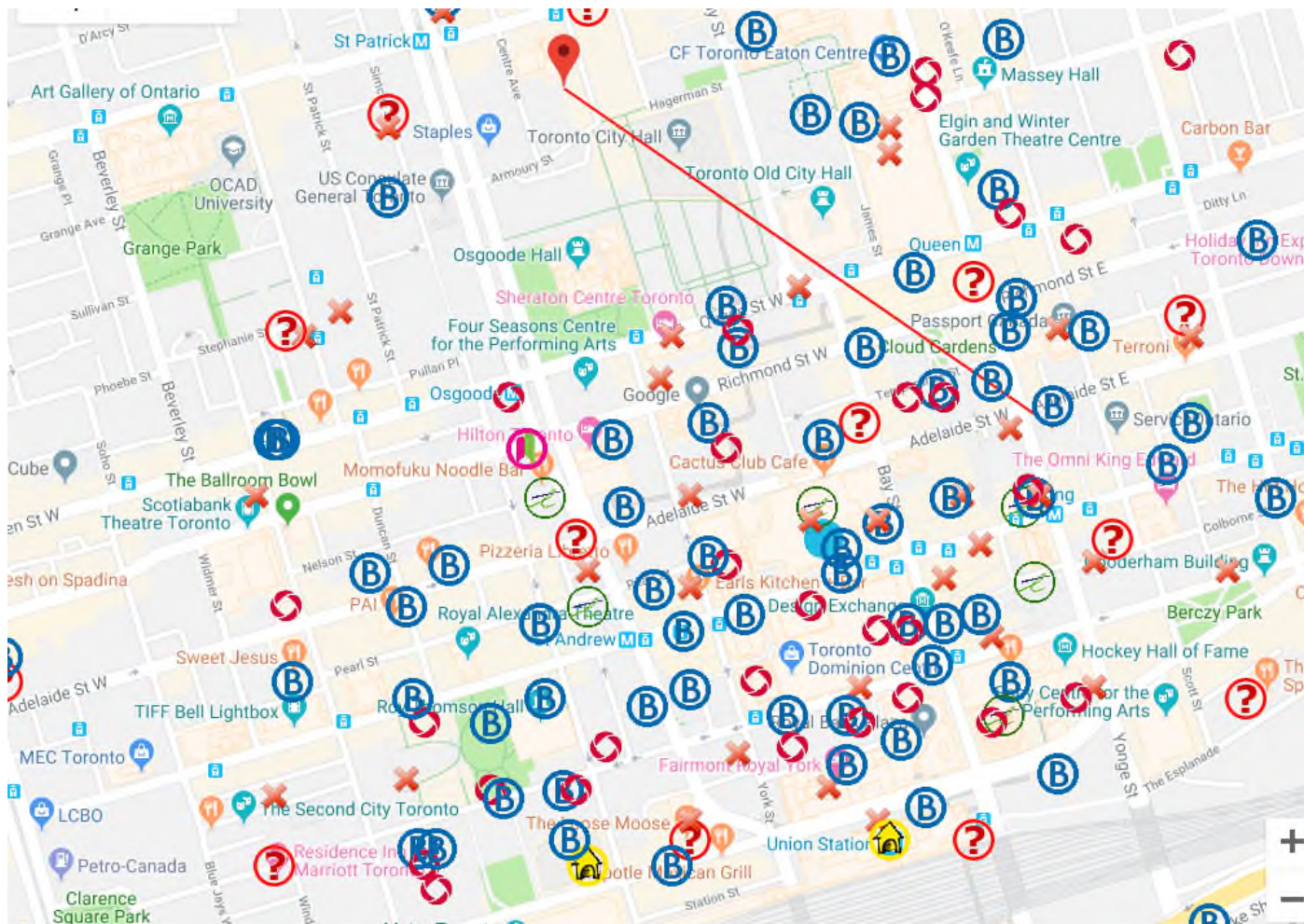
The cell tower information on this page is obtained from the government website: [http://sms-sgs-ic.gc.ca/eic/site/sms-sgs-prod.nsf/eng/h\\_00010.html](http://sms-sgs.ic.gc.ca/eic/site/sms-sgs-prod.nsf/eng/h_00010.html)

- For information regarding cell towers and cell tower radiated power, visit the [link here](#).
- For cell tower data transmission, reception, encryption, security, and routing, please contact your cellular service provider ([Bell](#), [Rogers](#), [Telus](#), etc).

**Please note that support for this tool is not available by phone. To report any problems with the tool, please send us a message [here](#).**

The slide-out on the left allows users to filter between 15 of the biggest providers in Canada both regional and national. Zooming in and clicking on a provider icon will display information on the tower. Use this map to determine a cellular antennas' ideal orientation for [Oil & Gas, Environmental, or Agriculture monitoring applications](#).

The Canadian Cell Tower Map tool also provides path information between your location and any cell tower. Simply click on any cell tower and a popup will show path information between your location and the cell tower.





## THE METROPOLE

21 March 2019

### Minutes of MTCC 1170 Meeting Number 190321R — Held on 21 March 2019

Present: Board — Keith Bricknell (Skype attendance), Scott Froebe (Skype attendance), James Louttit (Skype attendance).

Regrets: Nancy Bijelic and Sheila Sproule

01 Call to Order: Keith Bricknell called the meeting to order at 1810h.

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

Resolution 190321R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 190321R, as presented.

James Louttit/Scott Froebe — Carried

03 Assignment of Duties:

(a) *Pro Tempore* Reassignments: Scott Froebe graciously accepted appointment as Acting Corporate Secretary for the duration of Meeting #190321R.

04 Review and Adoption of Previous Meetings' Minutes:

Resolution 190321R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting Number 190221R, as presented.

Scott Froebe/James Louttit — 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) Draft Audited Financials and AGM 2019: Please refer to Section 11(a) of these Minutes.

(ii) Sundry Reports: Directors commented briefly on the Financial, Administrative, and/or Security Reports encompassed in Section 06 of these Minutes.

06 Motion to Receive Administrative and Security Reports as Information:

Resolution 190321R03: 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 March 2019, ICC's rendering of MTCC 1170's unaudited Financial Statements for the period 01 December 2018 to 31 January 2019, and the Front Desk Security Report for the period 05 February 2019 to 03 March 2019.

Scott Froebe/James Louttit — Carried

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

(a) MUAs' Repairs: Keith Bricknell surrendered the Chair to James Louttit

Resolution 190321R04: Authorising MUAs' Repairs

WHEREAS MTCC 1170's Management reports the necessity to check the heat exchangers on both zones' MUAs, to replace two compressors on the Upper Zone's condensing AC unit, and to replace drain pans on both Zones' MUAs; THEREFORE;

BE IT RESOLVED that MTCC 1170 authorises Ambient Mechanical to effect both of the above-noted repairs, as follows:

01 check the heat exchangers on both zones' MUAs — \$3,828.75, plus applicable taxes; AND,

02 replace two compressors on the Upper Zone's condensing AC unit — \$36,157.34, plus applicable taxes; AND,

03 replace drain pans on both Zones' MUAs — \$20,620.00, plus applicable taxes; AND, FURTHER,

BE IT RESOLVED that payment for item #01 shall be from the Operating Fund, and that payment for Items #02 and 03 shall be from the Reserve Fund.

Keith Bricknell/Scott Froebe — Carried

Keith Bricknell resumed the Chair.

(b) Elevators' Refurbishment: Directors noted the preliminary cab-design drawings that Management had provided in the Administrative Report.

(c) Phase-Protection: Directors approved the suggested date for installation of the phase-protection device(s), thanked the President for preparing the advisory notice, and authorised the notice's attachment to the Minutes of Meeting #190321R.

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) Draft Audited Financials:

Resolution 190321R05: Accepting the Auditor's Report

WHEREAS the Board of Directors of MTCC 1170 has received MTCC 1170's audited statements from Rapkin Wein LLP, for the fiscal year beginning 01 December 2017 and ending 30 November 2018; 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.

James Louttit/Scott Froebe — Carried

(b) AGM 2019:

Resolution 190321R06: Authorising the AGM and AGM Package

WHEREAS MTCC 1170's Board of Directors has received and adopted the Corporation's audited financial statements for 01 December 2017 to 30 November 2018 (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 (hereinafter, "AGM 2019") shall commence at 7:30pm on Wednesday 22 May 2019 (with registration beginning one-half hour earlier);
- (b) AGM 2019's information package to owners shall include, *inter alia*, the following items:
  - (i) an information-letter, agenda, proxy-form, and instructions, in the same general format that MTCC 1170 used for AGM 2018, but amended, as might be necessary, to reflect recent changes in the *Condominium Act*; AND,
  - (ii) a President's Report, in the same general format that MTCC 1170 used for AGM 2018.
- (c) any other items and/or procedures that the Management Office deems necessary for facilitating the conduct of AGM 2019.

Scott Froebe/James Louttit — Carried

- (c) Disqualification of a Director: The Board noted that a Director had fulfilled a CAO requirement sometime after the CAO's due date for such fulfilment. Given AGM 2019's proximity, the Board decided to leave the position vacant until then.

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 Next Committee Meeting: TBD.

14 Next Special Meeting: TBD.

15 Date of the Next Regular Meeting(s):

- (a) Regular Meeting #190416R: 1800h on Tuesday 16 April 2019.

16 Motion for Adjournment

Resolution 190321R07: Adjournment

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 190321R at 1820h on Thursday 21 March 2019.

Scott Froebe/James Louttit — Carried

"Keith Bricknell"

President: Keith Bricknell

"Sheila Sproule"

Secretary: Sheila Sproule



## THE METROPOLE

16 April 2019

### Minutes of MTCC 1170 Meeting Number 190416R — Held on 16 April 2019

Present: Board — Keith Bricknell, Scott Froebe (electronic attendance), James Louttit, and Sheila Sproule; and,  
ICC Property Management — Nancy Bijelic

Regrets: None

- 01 Call to Order: Keith Bricknell called the meeting to order at 1813h.
- 02 Waiver of Notice, and/or Adoption of Agenda and Additions:  
Resolution 190416R01: Adoption of the Agenda  
BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 190416R, as presented.  
James Louttit/Scott Froebe — Carried
- 03 Assignment of Duties:  
(a) *Pro Tempore* Reassignments: Unnecessary for Meeting #190416R.
- 04 Review and Adoption of Previous Meetings' Minutes:  
Resolution 190416R02: Adoption of Minutes  
BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting Number 190321R, as presented.  
Sheila Sproule/James Louttit — 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) Alteration Request: Please refer to Section 11(a) of these Minutes.  
(ii) Proxy-Collection Service: Please refer to Section 11(b) of these Minutes.  
(iii) Sundry Reports: Directors commented briefly on the Financial, Administrative, and/or Security Reports encompassed in Section 06 of these Minutes.
- 06 Motion to Receive Administrative and Security Reports as Information:  
Resolution 190416R03: 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 April 2019, ICC's rendering of MTCC 1170's unaudited Financial Statements for the period 01 December 2018 to 31 March 2019, and the Front Desk Security Report for the period 04 March 2019 to 03 April 2019.  
Scott Froebe/Sheila Sproule — Carried
- 07 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:

- (a) Elevators' Refurbishment: Directors commented on samples of materials and hardware that the contractor had suggested for the interiors of elevators' cabs.
- (b) Phase-Protection: Directors asked the President and Management to provide a follow-up notice to all residents — explaining unforeseen events during the installation of phase-protection.

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) Alteration Request:

Resolution 190416R04: Permission to Alter Exclusive-Use Appurtenances

WHEREAS a commercial unit has requested permission to alter an exclusive-use appurtenance whose alteration requires very minor changes to MTCC 1170's common elements ["minor" as defined in Section 97(2)(c) of the *Condominium Act*]; AND,

WHEREAS Building Sciences has examined documentation about the proposed alteration and its scope of work, has provided procedural specifications, and has advised that the proposed alteration will be harmless to MTCC 1170; THEREFORE,

BE IT RESOLVED that MTCC 1170 authorises Management to enter into a Section 98 agreement with the commercial unit's Owner, subject to conditions that Building Sciences has recommended, and/or subject to conditions that Management may deem necessary for saving MTCC 1170 harmless from the proposed alteration and/or the uses thereof; AND, FURTHER,

BE IT RESOLVED that all permissions granted herein, and/or the executions thereof, shall be at no cost to MTCC 1170.

Scott Froebe/James Louttit — Carried

(b) Proxy-Collection Service:

Resolution 190416R05: Employing a Proxy-Collection and Documentation Service

WHEREAS MTCC 1170 wishes to ensure optimal, transparent collection of valid proxies for its annual general meetings, and/or for any and all other instances wherein a condominium corporation might need to collect votes; AND,

WHEREAS MTCC 1170 also wishes, where applicable, to ensure verifiable distribution of other relevant documents including, but not limited to, annual general meetings' documents; THEREFORE,

BE IT RESOLVED that MTCC 1170 authorises Management to employ GetQuorum for an initial fee of \$1,525.50 (HST in) to provide its services as early as AGM 2019 and, if Management reports favourably therein, to provide services on an ongoing basis and/or services additional to those described in GetQuorum's Estimate Number 1000000001505.

Sheila Sproule/James Louttit — 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 Next Committee Meeting: TBD.

14 Next Special Meeting: TBD.

15 Date of the Next Regular Meeting(s):

(a) Regular Meeting #190515R: 1800h on Wednesday 15 May 2018.

16 Motion for Adjournment

Resolution 190416R07: Adjournment

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 190416R at 1830h on Tuesday 16 April 2019.

Scott Froebe/James Louttit — Carried

“Keith Bricknell”

President: Keith Bricknell

“Sheila Sproule”

Secretary: Sheila Sproule

Adopted at Meeting # 190515R





## THE METROPOLE

15 May 2019

### **Minutes of MTCC 1170 Meeting Number 190515R — Held on 15 May 2019**

Present: Board — Keith Bricknell (Skype attendance), Scott Froebe (Skype attendance), James Louttit (Skype attendance), and Sheila Sproule (Skype attendance); and,  
ICC Property Management — Nancy Bijelic (Skype attendance)

Regrets: None

- 01 Call to Order: Keith Bricknell called the meeting to order at 1815h.
- 02 Waiver of Notice, and/or Adoption of Agenda and Additions:  
Resolution 190515R01: Adoption of the Agenda  
BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 190515R, as presented.  
James Louttit/Scott Froebe — Carried
- 03 Assignment of Duties:  
(a) *Pro Tempore* Reassignments: Unnecessary for Meeting #190515R.
- 04 Review and Adoption of Previous Meetings' Minutes:  
Resolution 190515R02: Adoption of Minutes  
BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting Number 190416R, as presented.  
Sheila Sproule/James Louttit — 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) Sundry Reports: Directors commented briefly on the Financial, Administrative, and/or Security Reports encompassed in Section 06 of these Minutes.
- 06 Motion to Receive Administrative and Security Reports as Information:  
Resolution 190515R03: 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 May 2019 and the Front Desk Security Report for the period 04 April 2019 to 05 May 2019.  
Scott Froebe/Sheila Sproule — Carried
- 07 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:  
(a) Elevators' Refurbishment: Management reported that a meeting with the contractor will occur on Thursday 16 May 2019 — to discuss details of scheduling, logistics, and other matters relating to the process.

- 08 Correspondence Requiring Action and/or Response: None
- 09 Special Committee Reports: None
- 10 Other Reports: None
- 11 New and/or Brought-Forward Business: None
- 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 Next Committee Meeting: TBD.
- 14 Next Special Meeting: TBD.
- 15 Date of the Next Regular Meeting(s):  
(a) Regular Meeting #190620R: 1900h on Thursday 20 June 2019.
- 16 Motion for Adjournment  
Resolution 190515R04: Adjournment  
BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 190515R at 1820h on Wednesday 15 May 2019.  
Scott Froebe/James Louttit — Carried

“Keith Bricknell”

President: Keith Bricknell

“Sheila Sproule”

Secretary: Sheila Sproule

Adopted at Meeting #190620R



## THE METROPOLE

20 June 2019

### Minutes of MTCC 1170 Meeting Number 190620R — Held on 20 June 2019

Present: Board — Keith Bricknell, Scott Froebe (electronic attendance), Nives Malara, and Sheila Sproule; and,  
ICC Property Management — Nancy Bijelic

Regrets: James Louttit

01 Call to Order: Keith Bricknell called the meeting to order at 1821h.

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

Resolution 190620R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 190620R, as presented.

Nives Malara/Scott Froebe — Carried

03 Assignment of Duties:

(a) *Pro Tempore* Reassignments: Unnecessary for Meeting #190620R.

(b) Assignment of Officers' Duties until AGM 2020:

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

04 Review and Adoption of Previous Meetings' Minutes:

Resolution 190620R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting Number 190515R, as presented.

Sheila Sproule/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) Elevators' Refurbishment: Please refer to Section 07(a) of these Minutes.

(ii) Roof Anchors' Inspections: Please refer to Section 11(a) of these Minutes.

(iii) Sundry Reports: Directors commented briefly on the Financial, Administrative, and/or Security Reports encompassed in Section 06 of these Minutes.

06 Motion to Receive Administrative and Security Reports as Information:

Resolution 190620R03: 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 2019, ICC's rendering of MTCC 1170's unaudited Financial Statements for the period 01 December 2018 to 30 April 2019, and the Front Desk Security Report for the period 06 May 2019 to 03 June 2019.

Nives Malara/Sheila Sproule — Carried

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

(a) Elevators' Refurbishment: Following discussion of statutory issues and CSA standards, Directors approved the aesthetic and technical aspects of refurbishing the elevators' cabs.

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) Roof Anchors' Inspections and Testing:

Resolution 190620R04: Authorising Roof Anchors' Testing

WHEREAS MTCC 1170 has a statutory duty to provide a safe working environment for contractors that use boatswains' chairs and/or suspended stages; AND,

WHEREAS MTCC 1170 wishes to provide documentation that could save the Corporation and its Owners harmless; THEREFORE,

BE IT RESOLVED that MTCC 1170 shall employ the Pro-Bel Group to conduct roof-anchor inspections, subject to the following terms and conditions.

01 one (1) roof anchor inspection per year for \$400.00 +HST per year, on a five-year (5-year) contract commencing 01 July 2019;

02 one (1) engineer-stamped inspection report per year for \$195.00 +HST for each year of the above-noted five-year (5-year) contract; AND,

03 one (1) quinquennial load-testing of the adhesive anchors for \$1,395.00 +HST; AND, FURTHER,

BE IT RESOLVED that payment for the above-noted services shall be from the operating fund. Scott Froebe/Nives Malara — Carried

(b) Issues from AGM 2019:

Resolution 190620R05: Receiving a Corporate Officer's Report

WHEREAS MTCC 1170's President has provided Parts One and Two of proposed responses to concerns that Owners voiced during AGM 2019; THEREFORE,

BE IT RESOLVED that MTCC 1170 receives Parts One and Two of the aforementioned responses as information; AND, FURTHER,

BE IT RESOLVED that MTCC 1170's Directors concur with Part One and authorise its inclusion in the Minutes of Regular Meeting #190620R, and that Directors concur with the President's recommendation to forward Part Two to Corporate Legal Counsel for further advice.

Scott Froebe/Nives Malara — Carried

(c) Lobby Furnishings: Directors thanked the President for circulating Toronto Fire Services' "Engineering Technical Bulletin FPEB-01 REV2", dated 11 June 2018. Directors also noted that the delay in replacing lobby-furniture had saved MTCC 1170 from the risk of buying non-compliant products. The Board then directed Management as follows:

- (i) provide a list of companies capable of supplying furniture that is compliant with fire safety standard TB 133 and/or ASTM E1537-16; and,
- (ii) provide preliminary pictures and prices of aesthetically suitable furniture that is compliant with either or both of the above-noted standards.

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 Next Committee Meeting: TBD.

14 Next Special Meeting: TBD.

15 Date of the Next Regular Meeting(s):

(a) Regular Meeting #190718R: 1800h on Thursday 18 July 2019.

16 Motion for Adjournment

Resolution 190620R06: Adjournment

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 190620R at 1840h on Thursday 20 June 2019.

Scott Froebe/Nives Malara — Carried

"Keith Bricknell"

President: Keith Bricknell

"Sheila Sproule"

Secretary: Sheila Sproule

Adopted at Meeting #190718R



## THE METROPOLE

20 June 2019

To: Directors and Management — MTCC 1170

From: Board President — MTCC 1170

Re: Report for Meeting #190620R — Part One of Responses to Owners' Inquiries during AGM 2019

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01 **King Street Pilot:** Seemingly, three concerns persist: pedestrian-congestion, reflecting a tram-stop's far-side placement between King and Victoria Streets; litter, blamed on the tram-stop; and , increased smoking too close to MTCC 1170's doorways.

(a) **Planning for Tram-Stops between King and Victoria Streets:** On 09 June 2017, the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning reported their recommendations to City Council's Executive Committee. Page 10 of that Report, part of which appears below, includes these senior executives' rationale for recommending "far-side" placement of King Street's tram-stops.

"Key streetcar stops would be moved from the near side of the intersection to the far side of the intersection, in the curb lane, with a physical barrier at either end.

"This has several benefits:

- "improved transit passenger safety for people getting on and off transit, since they would not have to cross a live lane of traffic (cyclists would still need to stop);
- "improved transit passenger boarding time, since passengers would be closer to the streetcar;
- "more space for passengers waiting for transit, freeing up more space on the sidewalk for pedestrians;
- "enables right-turning vehicles on the near side of the intersection to be separated from transit boarding activity on the far side of the intersection; and,
- "enables improved signal coordination or priority and more efficient transit operations."

<https://www.toronto.ca/legdocs/mmis/2017/ex/bgrd/backgroundfile-104940.pdf> is the link for the citation in Section 01(a) of this Report to MTCC 1170's Directors.

(b) **Post-Implementation Reporting on "Far-Side" Tram-Stops:** On 02 April 2019, the General Manager, Transportation Services, the Chief Planner & Executive Director, City Planning, and the Chief Customer Officer, Toronto Transit Commission reported their evaluation of the King Street Pilot to City Council's Executive Committee. The following excerpts are indicative of their ongoing support for "far-side" placement of King Street's tram-stops.

"The *key design aspects* [*emphasis added*] of the King Street Transit Pilot are outlined below:

### "Streetcar Stops

"To improve safety at streetcar stops and to accommodate dedicated right-turn lanes, streetcar stops within the pilot zone were relocated to the far-side of the intersection at most locations. The curb lane at these locations is repurposed to provide dedicated space for waiting customers and to allow for direct boarding from the street. Each stop is protected by a decorated concrete barrier at one end, and a large round planter at the other end; the long edge of the platform is delineated with a yellow

tactile warning surface indicator strip, and each stop has an accessible ramp to connect the sidewalk to the road-level platform for those with limited mobility.” [Page Eight]

**“Accessibility**

“City and TTC staff worked closely with members of the Advisory Committee on Accessible Transit (ACAT) *to ensure that accessibility was a key consideration in the design and that access for paratransit customers would be maintained.* [emphasis added] As part of the pilot, the following measures were implemented to maintain and enhance accessibility on King Street:

- “Streetcar service in the King Street corridor is provided by accessible streetcars;
- “Ramps constructed from sidewalk to street level at relocated far-side streetcar stops for customers using mobility devices to access low-floor streetcars;
- “Yellow tactile warning surface indicator strip to designate customer waiting areas at each street level stop and improve safety for customers with vision loss; and
- “Accessible loading zones have been implemented on almost every block and are reserved for vehicles with an accessible (disabled) parking placard, including TTC Wheel-Trans services.” [Page Nine]

<https://www.toronto.ca/legdocs/mmis/2019/ex/bgrd/backgroundfile-131188.pdf> is the link for the citation in Section 01(b) of this Report to MTCC 1170’s Directors.

- (c) “Near-Side” vs “Far-Side” Transit Stops: During AGM 2019, but without offering citations, an Owner offered arguments in favour of “near-side” tram-stops. Additionally, the Owner suggested that MTCC 1170 could use those arguments to persuade the City to relocate the tram-stop in question to its previous location between Bay and Yonge Streets. One problem, though, is that the City regards “far-side” tram-stops as a “key design aspect” of the King Street Pilot. Thus, any challenge to a “key design aspect” becomes, in effect, a challenge to City Council’s overwhelming support for the Pilot. Thus, any supplicant’s chances for success are slim, and even the act of supplication might be counterproductive. The other problem is that much expert opinion is supportive of “far-side” bus- and/or tram-stops:

<https://nacto.org/publication/transit-street-design-guide/stations-stops/stop-design-factors/stop-placement-intersection-configuration/>

[http://tram.mcgill.ca/Research/Publications/Far\\_side\\_story.pdf](http://tram.mcgill.ca/Research/Publications/Far_side_story.pdf)

<https://www.citylab.com/transportation/2016/03/the-best-place-for-a-bus-stop/472188/>

<https://uttri.utoronto.ca/files/2017/10/WP17-02-03-01-Understanding-the-factors.pdf>

<http://www1.coe.neu.edu/~pfurth/Furth%20papers/2006%20near-side,%20far-side.pdf>

<https://www.transit.dot.gov/research-innovation/stops-spacing-location-and-design>

- (d) Littering — Blamed on the Far-Side Tram-Stop: When reporting to the Executive Committee on 02 April 2019, the General Manager, Transportation Services, the Chief Planner & Executive Director, City Planning and the Chief Customer Officer, Toronto Transit Commission offer aspirational views for the King Street Pilot’s public realm.

**“Public Realm Spaces**

“The pilot included a comprehensive public realm program, including the creation of 18 new public realm spaces in the curb lane, complementing the existing parks and public realm spaces along the corridor. Forty-five unique amenities were introduced in these spaces along the corridor, including cafes, art installations, public seating areas, Toronto Bike Share stations, bicycle parking and

parklets. These spaces created opportunities for people to linger, and provided extra space for pedestrians to walk when sidewalks are crowded. Businesses and the Business Improvement Areas were invited to activate public spaces that they fronted. Other spaces became available for public art installations, seating, and other public amenities.” [Page Nine]

<https://www.toronto.ca/legdocs/mmis/2019/ex/bgrd/backgroundfile-131188.pdf> is the link for the citation in Section 01(d) of this Report to MTCC 1170.

My recommendation to MTCC 1170's Board and Management is that the City and the local BIA/BIZ deserve the time necessary for implementing the vision for “Public Realm Spaces”. The same recommendation is equally applicable to City Councillors' support for two councillors' request for action to combat a city-wide littering problem. For this topic, which is not central to the King Street Pilot, MTCC 1170 should continue to communicate its concerns to the City, to the local BIA/BIZ, and to adjacent food-services providers.

- (e) Smoking Near Doorways: [https://www.toronto.ca/legdocs/municode/1184\\_709.pdf](https://www.toronto.ca/legdocs/municode/1184_709.pdf) offers the following definition of a “public building”.

“PUBLIC BUILDING - An enclosed building to which the public and employees generally have access including... Condominium buildings, apartment buildings and other similar residential buildings; that are *generally accessible to the public*. [*Emphasis added*]

Chapter 709-3 then says that, “No person shall smoke within a nine-metre radius surrounding any entrance or exit of a *public building*.” [*Emphasis added*] Additionally, Chapter 709 prescribes proprietors' responsibilities regarding *public buildings*. A strict reading of Chapter 709 could indicate that the residential portion of MTCC 1170 is not a public building, but that the commercial portions of MTCC 1170 are public buildings.

<https://www.toronto.ca/311/knowledgebase/kb/docs/articles/public-health/healthy-environments/smoking-by-law-smoke-free-outdoor-spaces.html> beclouds the issue — a phenomenon all too common when non-lawyers attempt to add an administrative layer to legislation and/or portions of the municipal code.

“Building entrances and exits include... Multi-residential buildings (condos, apartments and other similar residential buildings) that *can be accessed by the public*. [*Emphasis added*] For example, the smoking ban would apply if there is an entrance at street level that allows the public to enter the building, such as a lobby or foyer with a buzzer, before another set of locked doors.”

Again, it is arguable that the residential portion of MTCC 1170 cannot be accessed by the public. That aside, I suggest that Management should contact the City and corporate legal counsel for an interpretation of Chapter 709.

Thank you for your attention to this report. Please feel free, as always, to offer commentary.

Respectfully submitted

Keith Bricknell

Board President — MTCC 1170





## THE METROPOLE

18 July 2019

### Minutes of MTCC 1170 Meeting Number 190718R — Held on 18 July 2019

Present: Board — Keith Bricknell, Scott Froebe (electronic attendance), James Louttit, Nives Malara, and Sheila Sproule (electronic attendance); and, ICC Property Management — Nancy Bijelic

Regrets: None

- 01 Call to Order: Keith Bricknell called the meeting to order at 1821h.
- 02 Waiver of Notice, and/or Adoption of Agenda and Additions:  
Resolution 190718R01: Adoption of the Agenda  
BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 190718R, as presented.  
Scott Froebe/James Louttit — Carried
- 03 Assignment of Duties:  
(a) *Pro Tempore* Reassignments: Unnecessary for Meeting #190718R.
- 04 Review and Adoption of Previous Meetings' Minutes:  
Resolution 190718R02: Adoption of Minutes  
BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting Number 190620R, as presented.  
Sheila Sproule/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) Elevators' Refurbishment: Please refer to Section 07(a) of these Minutes.  
(ii) Lobby Furniture: Please refer to Section 07(b) of these Minutes.  
(iii) Sundry Reports: Directors commented briefly on the Financial, Administrative, and/or Security Reports encompassed in Section 06 of these Minutes.
- 06 Motion to Receive Administrative and Security Reports as Information:  
Resolution 190718R03: 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 July 2019, ICC's rendering of MTCC 1170's unaudited Financial Statements for the period 01 December 2018 to 31 May 2019, and the Front Desk Security Report for the period 04 June 2019 to 03 July 2019.  
Nives Malara/James Louttit — Carried
- 07 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:  
(a) Elevators' Refurbishment: Management sought Directors' input regarding some additional design-aspects for the elevators' cabs. Management was also able to report that the starting-date for refurbishment will likely be 05 August 2019.

(b) Lobby Furniture: Directors reprised Wiklém’s original design, as well as asking whether the recommended soft furniture would comply with fire safety standard TB 133 and/or ASTM E1537-16. Additionally, Directors discussed AODA issues — such as the ease with which an elderly or disabled person could readily arise from the proposed types of seating. Management will convey those concerns to Wiklém and request alternatives.

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) Resident Owners’ Concerns about a “Parklet”:

Resolution 190718R04: Receiving a Corporate Officer’s Report

WHEREAS MTCC 1170’s President has provided a response to resident owners’ concerns about a “parklet” adjacent to MTCC 1170; THEREFORE,

BE IT RESOLVED that MTCC 1170 receives the aforementioned response as information; AND, FURTHER,

BE IT RESOLVED that MTCC 1170’s Directors concur with the aforementioned response and authorise its inclusion in the Minutes of Regular Meeting #190718R.

James Louttit/Nives Malara — 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 Next Committee Meeting: TBD.

14 Next Special Meeting: TBD.

15 Date of the Next Regular Meeting(s):

(a) Regular Meeting #190822R: 1800h on Thursday 22 August 2019.

16 Motion for Adjournment

Resolution 190718R05: Adjournment

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 190718R at 1836h on Thursday 18 July 2019.

Scott Froebe/James Louttit — Carried

“Keith Bricknell”

President: Keith Bricknell

“Sheila Sproule”

Secretary: Sheila Sproule



## THE METROPOLE

12 July 2019

To: Directors and Management — MTCC 1170  
From: Board President — MTCC 1170  
Re: Applicability of Toronto Municipal Code 743 to King Street Pilot “Parklets”

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Management has provided resident owners’ communication whose apparent basis is Toronto Municipal Code 743. Specifically, the residents seem to believe that a “parklet” in a portion of the King Street Pilot adjacent to MTCC 1170 is non-compliant with [Municipal Code 743](#).

Upon researching the King Street Pilot’s “parklets”, I was able to determine that Municipal Code 743 is not necessarily the relevant portion of the Municipal Code. Instead, the applicable portion seems to be Municipal Code 937 — Temporary Closing of Highways ([https://www.toronto.ca/legdocs/municode/1184\\_937.pdf](https://www.toronto.ca/legdocs/municode/1184_937.pdf)):

“937-3.6. Closures of King Street West and King Street East for the King Street Transit Pilot - Outdoor Cafes and Public Installations in the Curb Lane Public Spaces.

“[Added 2018-03-27 by By-law 338-2018; amended 2018-12-13 by By-law 62-2019; 2019-04- 17 by By-law 587-2019]

“*Despite any other by-law, [emphasis added]* until July 31, 2019, the General Manager of Transportation Services may temporarily close to vehicular traffic portions of the curb lanes on King Street West and King Street East for any length of time but ending no later than April 14, 2020 or the King Street Transit Pilot - Outdoor Cafes and Public Installations in the Curb Lane Public Spaces.”

At <https://www.toronto.ca/legdocs/bylaws/2019/law0587.pdf>, Toronto’s City Council extended the street-closure and, presumably, its alternate uses:

“CITY OF TORONTO — BY-LAW 587-2019

“To amend Section 937-3.6 of City of Toronto Municipal Code Chapter 937, Temporary Closing of Highways, to extend the temporary closure end date to no later than April 14, 2020 for the King Street Transit Pilot - Outdoor Cafes and Public Installations in the Curb Lane Public Spaces.

The Council of the City of Toronto enacts:

“1. Section 937-3.6 of City of Toronto Municipal Code Chapter 937, Temporary Closing of Highways, is amended by deleting the phrase: ‘but ending no later than July 31, 2019’ and inserting the phrase: ‘but ending no later than April 14, 2020’.

“Enacted and passed on April 17, 2019.”

Thank you for your attention to this interpretation. I welcome your responses herein.

Respectfully submitted  
Keith Bricknell  
Board President — MTCC 1170



## THE METROPOLE

22 August 2019

### Minutes of MTCC 1170 Meeting Number 190822R — Held on 22 August 2019

Present: Board — Keith Bricknell, Scott Froebe (electronic attendance), Nives Malara, and Sheila Sproule (electronic attendance); and,  
ICC Property Management — Nancy Bijelic

Regrets: James Louttit

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 190822R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 190822R, as presented.

Nives Malara/Scott Froebe — Carried

03 Assignment of Duties:

(a) *Pro Tempore* Reassignments: Unnecessary for Meeting #190822R.

04 Review and Adoption of Previous Meetings' Minutes:

Resolution 190822R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting Number 190718R, as presented.

Sheila Sproule/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) Section 98 Agreement: Please refer to Section 11(a) of these Minutes.

(ii) Maintenance Agreement: Please refer to Section 11(b) of these Minutes.

(iii) Marble and Tile Remediation: Please refer to Section 11(c) of these Minutes

(iv) Additional Janitorial Duties: Please refer to Section 11(d) of these Minutes

(v) Landscaping Contract: Please refer to Section 11(e) of these Minutes

(vi) Smoke-test Report: Please refer to Section 11(f) of these Minutes

(vii) Resident Owner's Inquiry about EV Charging: Please refer to Section 11(g) of these Minutes

(viii) SLNA Delegate's Request for Direction: Please refer to Section 11(h) of these Minutes.

(ix) Sundry Reports: Directors commented briefly on the Financial, Administrative, and/or Security Reports encompassed in Section 06 of these Minutes.

06 Motion to Receive Administrative and Security Reports as Information:

Resolution 190822R03: 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 August 2019, ICC's rendering of MTCC

1170's unaudited Financial Statements for the period 01 December 2018 to 30 June 2019, and the Front Desk Security Report for the period 04 July 2019 to 03 August 2019.

Scott Froebe/Sheila Sproule — Carried

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

(a) Lobby Furniture: Management reported that Wiklém had supplied preliminary materials too late for distribution amply prior to Meeting #190822R. Hence, Management will circulate the materials to Directors — for discussion during Meeting #190926R.

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) Section 98 Agreement:

Resolution 190822R04: Receiving an “Addition, Alteration and Improvement Agreement”

WHEREAS MTCC 1170 has received its prescribed format of an “Addition, Alteration and Improvement Agreement” (hereinafter, “Agreement”) from the Owner of Units municipally known as 11 King Street East (hereinafter, “the Units”); THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 receives the Agreement as information; AND, FURTHER,

BE IT RESOLVED that the Board of Directors of MTCC 1170 agrees, subject to the Agreement's terms, that the Owner may effect alterations of the Units; AND, FURTHER,

BE IT RESOLVED that MTCC 1170's Management may act on its own initiative in enforcing the above-noted Agreement.

Nives Malara/Sheila Sproule — Carried

(b) Maintenance Agreement:

Resolution 190822R05: Renewing a Preventive Maintenance Contract

WHEREAS Advantage Fitness has presented terms satisfactory to MTCC 1170; AND,

WHEREAS MTCC 1170 has been satisfied with Advantage Fitness's previous services; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 authorise renewal of its preventive maintenance contract with Advantage Fitness, subject to the following terms and conditions

01 except for effective dates and service-prices, prior expectations shall remain in full force and effect;

02 effective dates for the renewal-contract shall be 01 September 2019 to 31 August 2021, inclusive of both dates;

03 yearly fees shall be \$616.00 (reflecting four visits per year at \$154.00 each, plus taxes); and

04 discounted labour rate, for additional services, shall be \$60.00/hr.

Scott Froebe/Sheila Sproule — Carried

(c) Marble and Tile Remediation:

Resolution 190822R06: General Tile and Masonry Repairs/Resurfacing

WHEREAS MTCC 1170's front vestibule, main lobby, ground floor elevator lobby, change rooms' tile, showers' tiles, and saunas' tile require deep cleaning and sealing.; THEREFORE,

BE IT RESOLVED that MTCC 1170 shall employ Marble Clinic to undertake the above-noted remediation, subject to the following terms and conditions:

- 01 front floor vestibule, main lobby, and elevator lobby for \$7,500.00 (plus applicable taxes); AND,
- 02 change rooms', showers', and saunas' tiles for \$3,300.00 (plus applicable taxes); AND, FURTHER,

BE IT RESOLVED that payment for the above-noted services shall be from the operating fund. Sheila Sproule/Scott Froebe — Carried

(d) Additional Janitorial Duties:

Resolution 190822R07: Authorising Additional Labour Hours

WHEREAS MTCC 1170's elevator modernisation will necessitate having only two "tower" elevators available at any given time during the modernisation process; AND,

WHEREAS daily pre-emption of one elevator for the re-cycling pick-up would greatly inconvenience MTCC 1170's residents; THEREFORE,

BE IT RESOLVED that MTCC 1170 authorises a weekly expense of \$150.00 to pay for the extra labour-hours necessary for the cleaning staff to use the staircases for the daily recycling pick-up, instead of an elevator.

Sheila Sproule/Scott Froebe — Carried

(e) Landscaping Contract:

Resolution 190822R08: Contract for Annual Vegetation & Enhancements

WHEREAS MTCC 1170's outdoor plants, shrubs, and/or trees are Common Elements (as described in the Declaration and/or as part of long-established aesthetic expectations); THEREFORE,

BE IT RESOLVED that MTCC 1170 shall employ Fedak Landscaping to provide the following services:

- (a) \$4,000.20 (plus applicable taxes) for summer maintenance from 15 April 2019 until 15 November 2019 (inclusive of both dates);
- (b) \$3,333.50 (plus applicable taxes) for watering from 01 May 2019 until 31 October 2019 (inclusive of both dates); AND,
- (c) \$3,508.65 (plus applicable taxes) for supplying and planting annual plants on the roof's terrace, the 5<sup>th</sup> floor's terrace, and the Victoria Street townhouses' planters.

Scott Froebe/Nives Malara — Carried

(f) Smoke-Test Report:

Resolution 190822R09: Receiving a Contractor's Report as Information

WHEREAS MTCC 1170 has received (and authorised \$6,809.38 total payment for) Abedini Norris Consulting Inc's TFD-mandated Smoke Management Testing Report #19-0096 (hereinafter, "Report"); THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 receives the Report as information; AND, FURTHER,

BE IT RESOLVED that the Board of Directors of MTCC 1170 agrees that Management shall consult with either or both of MTCC 1170's HVAC contractor and/or MTCC 1170's consulting engineers about any remedial measures that might be necessary; AND FURTHER,

BE IT RESOLVED that MTCC 1170's Management shall consult with the Board before initiating remedial measures.

Nives Malara/Scott Froebe — Carried

(g) Resident Owner's Inquiry about EV Charging: Directors have considered information at <https://www.condoauthorityontario.ca/en-US/resources/electric-vehicle-charging-station-regulations/> and at <https://www.ontario.ca/laws/regulation/010048>. Hence, they directed Management to contact qualified engineers and/or contractors to provide a technical, logistical, and financial *feasibility-report* for MTCC 1170. Without seeking to limit the report's scope, Directors noted that it should encompass issues such as the capacity of the Toronto Hydro transformer vault that services MTCC 1170 and adjacent buildings, the capacity of MTCC 1170's own transformers, service panels, *etc.*, potential costs of any necessary electrical retrofits, and potential costs of installing Level One and/or Level Two plug-ins and metering for each participating parking stall. Directors also noted that no level of government seems to have considered how to replace the per-litre fuel-taxes that conventional vehicles' users currently pay towards road and highway maintenance.

(h) SLNA Delegate's Request for Direction: Directors approved the response that the President had written on the Board's behalf and had emailed to Directors for their perusal four or five days before Meeting #190822R.

(i) Information-Cards for Security's Use: Directors thanked the President for preparing a template for information cards that Security can use when warning pedestrians from "roosting" in MTCC 1170's King Street doorways.

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 Next Committee Meeting: TBD.

14 Next Special Meeting: TBD.

15 Date of the Next Regular Meeting(s):

(a) Regular Meeting #190926R: 1800h on Thursday 26 September 2019.

16 Motion for Adjournment

Resolution 190822R10: Adjournment

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 190822R at 1836h on Thursday 22 August 2019.

Scott Froebe/Nives Malara — Carried

"Keith Bricknell"

President: Keith Bricknell

"Sheila Sproule"

Secretary: Sheila Sproule







## THE METROPOLE

26 September 2019

### **Minutes of MTCC 1170 Meeting Number 190926R — Held on 26 September 2019**

Present: Board — Keith Bricknell, Scott Froebe (electronic attendance), James Louttit, Nives Malara, and Sheila Sproule; and, ICC Property Management — Nancy Bijelic

Regrets: None

- 01 Call to Order: Keith Bricknell called the meeting to order at 1810h.
- 02 Waiver of Notice, and/or Adoption of Agenda and Additions:  
Resolution 190926R01: Adoption of the Agenda  
BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 190926R, as presented.  
Scott Froebe/James Louttit — Carried
- 03 Assignment of Duties:  
(a) *Pro Tempore* Reassignments: Unnecessary for Meeting #190926R.
- 04 Review and Adoption of Previous Meetings' Minutes:  
Resolution 190926R02: Adoption of Minutes  
BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting Number 190822R, as presented.  
Sheila Sproule/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) Repairs to Heating Boiler #1: Please refer to Section 11(a) of these Minutes.  
(ii) Exterior Caulking Report: Please refer to Section 11(b) of these Minutes.  
(iii) Main Lobby Refurbishment: Please refer to Section 07(a) of these Minutes.  
(iv) EV Charging Feasibility Study: Please refer to Section 07(b) of these Minutes.  
(v) Sundry Reports: Directors commented briefly on the Financial, Administrative, and/or Security Reports encompassed in Section 06 of these Minutes.
- 06 Motion to Receive Administrative and Security Reports as Information:  
Resolution 190926R03: 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 September 2019, ICC's rendering of MTCC 1170's unaudited Financial Statements for the period 01 December 2018 to 31 August 2019, and the Front Desk Security Report for the period 04 August 2019 to 03 September 2019.  
Nives Malara/Scott Froebe — Carried

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

(a) Lobby Furniture:

Resolution 190926R04: Receiving a Design Consultant's Report as Information

WHEREAS MTCC 1170 has received Wiklém Design Inc's revised design-recommendations for the Front Lobby's refurbishment; THEREFORE,

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

BE IT RESOLVED that the Board of Directors of MTCC 1170 agrees that Management and Directors who served on the prior *ad hoc* refurbishment committee shall consult with Wiklém and report their recommendations to the whole Board on or before 31 March 2020.

James Louttit/ Nives Malara — Carried

(b) EV Charging Feasibility Study: Directors authorised Management to employ Signature Electric Inc (<https://signatureelectric.ca/>) to conduct a "Site Assessment for an EV Supply Panel and/or EV Chargers" and to provide a "Load Evaluation Report", and to report the findings to the Board.

08 Correspondence Requiring Action and/or Response: None

09 Special Committee Reports: None

10 Other Reports: None

11 New and/or Brought-Forward Business: James Louttit assumed the Chair.

(a) Repairs to Heating Boiler #1: <https://www.honiron.com/boiler-refractory-repair-101/> briefly describes the necessity for the repairs encompassed in Resolution #190926R05.

Resolution 190926R05: Boiler Repairs

WHEREAS Heating Boiler #1 requires the repairs that Ambient Mechanical describes in Quote #QUO-10565-L0L0 (*inter alia* "...replace the refractory and clean the heat exchanger..."); THEREFORE,

BE IT RESOLVED that MTCC 1170 shall employ Ambient Mechanical to undertake the work that Quote #QUO-10565-L0L0 describes for \$5,638.15 (plus applicable taxes); AND, FURTHER,

BE IT RESOLVED that payment for the above-noted services shall be from the Reserve Fund.  
Keith Bricknell/Scott Froebe — Carried

(b) Exterior Caulking Report:

Resolution 190926R06: Receiving a Engineering Consultant's Report as Information

WHEREAS MTCC 1170 has received Building Sciences' exterior caulking report #03136 ("the report"); THEREFORE,

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

BE IT RESOLVED that the Board of Directors of MTCC 1170 directs Management to continue working with Building Sciences to develop a plan and timeline for implementing the eventual scope of work to which the report refers.

Keith Bricknell/Scott Froebe — Carried

Keith Bricknell resumed the Chair.

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 Next Committee Meeting: TBD.

14 Next Special Meeting: TBD.

15 Date of the Next Regular Meeting(s):

(a) Regular Meeting #191008R: 1800h on Tuesday 08 October 2019.

16 Motion for Adjournment

Resolution 190926R07: Adjournment

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 190926R at 1821h on Thursday 26 September 2019.

Scott Froebe/James Louttit — Carried

“Keith Bricknell”

President: Keith Bricknell

“Sheila Sproule”

Secretary: Sheila Sproule

Adopted at Meeting #191008R



## THE METROPOLE

08 October 2019

### **Minutes of MTCC 1170 Meeting Number 191008R — Held on 08 October 2019**

Present: Board — Keith Bricknell, Scott Froebe (electronic attendance), James Louttit, Nives Malara, and Sheila Sproule (electronic attendance); and, ICC Property Management — Nancy Bijelic

Regrets: None

- 01 Call to Order: Keith Bricknell called the meeting to order at 1808h.
- 02 Waiver of Notice, and/or Adoption of Agenda and Additions:  
Resolution 191008R01: Adoption of the Agenda  
BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 191008R, as presented.  
Sheila Sproule/Scott Froebe — Carried
- 03 Assignment of Duties:  
(a) *Pro Tempore* Reassignments: Unnecessary for Meeting #191008R.
- 04 Review and Adoption of Previous Meetings' Minutes:  
Resolution 191008R02: Adoption of Minutes  
BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting Number 190926R, as presented.  
Sheila Sproule/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) Lobby Refurbishment: Please refer to Section 07(a) of these Minutes.  
(ii) Budget for Fiscal 2019-2020: Please refer to Section 11(a) of these Minutes.  
(iii) Smoke Control Maintenance: Please refer to Section 11(b) of these Minutes.  
(iv) 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 191008R03: 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 October 2019 and the Front Desk Security Report for the period 04 September 2019 to 03 October 2019.  
Nives Malara/James Louttit — Carried
- 07 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:  
(a) Lobby Refurbishment: Management provided additional information from the design consultant. Management and Directors set a date for meeting with the consultant and for viewing samples and other matériel.

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) Budget for Fiscal 2019-2020:

Resolution 191008R04: Approval of the 2019-2020 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's personnel; THEREFORE,

BE IT RESOLVED that the Board of Directors of Metropolitan Condominium Corporation Number 1170 authorises the following budget for 01 December 2019 to 30 November 2020 (inclusive of both dates):

(a) an Operating Budget of \$1,969,785.00; and,

(b) a Reserve Fund Contribution of \$585,982.00; AND, FURTHER,

BE IT RESOLVED that the Board of Directors of Metropolitan Condominium Corporation authorises the Treasurer, the General Manager, or the President, or any of them, to append materials to distribution-copies of 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.  
Nives Malara/Sheila Sproule — Carried

(b) Renewal of SLNA Membership: James Louttit assumed the Chair.

Resolution 191008R05: Membership in the St Lawrence Neighbourhood Association

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

WHEREAS MTCC 1170 believes that the St Lawrence Neighbourhood Association could have 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 ongoing 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 and/or any three volunteers that the Board designates.

Keith Bricknell/Scott Froebe — Carried

Keith Bricknell resumed the Chair.

(c) Reconstituting *Ad Hoc* Committees and Appointing/Reappointing Chairs:

- (i) Children's Aid Society Toy Drive: Directors agreed that the Vice President should continue as sponsor of this activity and thanked him in advance for his involvement.

- (ii) MTCC 1170 Staff Fund: Directors agreed that Mrs Margaret “Peggy” Bricknell should continue as Chair of this committee and thanked her in advance for her involvement.
  - (d) Maintenance of Smoke Control Systems: Management advised Directors about preliminary cost-estimates. Directors asked Management to continue researching costs and to report further when information sufficed for an enabling motion.
  - (e) Reserve Fund Study — 2020 to 2023: The President reminded Directors and Management that a new Reserve Fund Study and adoption of a Reserve Fund Plan should occur before 01 September 2020.
  - (f) Shuttle Elevator’s Corridor and Lobby and the P1, P2, and P3 Elevators’ Lobbies: Directors thanked the Treasurer for providing photos and agreed with her suggestion that Management should get quotes for refurbishment and report thereupon to the Board.
- 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 Next Committee Meeting: TBD.
- 14 Next Special Meeting: TBD.
- 15 Date of the Next Regular Meeting(s):  
(a) Regular Meeting #191126R: 1800h on Tuesday 26 November 2019.
- 16 Motion for Adjournment  
Resolution 191008R06: Adjournment  
BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 191008R at 1828h on Tuesday 08 October 2019.  
Scott Froebe/James Louttit — Carried

“Keith Bricknell”

President: Keith Bricknell

“Sheila Sproule”

Secretary: Sheila Sproule



## THE METROPOLE

26 November 2019

### **Minutes of MTCC 1170 Meeting Number 191126R — Held on 26 November 2019**

Present: Board — Keith Bricknell, Scott Froebe (electronic attendance), Nives Malara, and Sheila Sproule; and,  
ICC Property Management — Nancy Bijelic

Regrets: James Louttit

- 01 Call to Order: Keith Bricknell called the meeting to order at 1816h.
- 02 Waiver of Notice, and/or Adoption of Agenda and Additions:  
Resolution 191126R01: Adoption of the Agenda  
BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 191126R, as presented.  
Scott Froebe/Nives Malara — Carried
- 03 Assignment of Duties:  
(a) *Pro Tempore* Reassignments: Unnecessary for Meeting #191126R.
- 04 Review and Adoption of Previous Meetings' Minutes:  
Resolution 191126R02: Adoption of Minutes  
BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting Number 191008R, as presented.  
Sheila Sproule/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) Lobby Refurbishment: Please refer to Section 07(a) of these Minutes.  
(ii) Sauna Repairs: Please refer to Section 11(a) of these Minutes.  
(iii) Exterior Caulking: Please refer to Section 11(b) of these Minutes.  
(iv) Insurance Renewal: Please refer to Section 11(c) 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 191126R03: 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 November 2019, ICC's rendering of MTCC 1170's unaudited Financial Statements for the period 01 December 2018 to 31 October 2019, and the Front Desk Security Report for the period 04 October 2019 to 05 November 2019.  
Nives Malara/Scott Froebe — Carried

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

(a) Lobby Refurbishment: Management and Directors reported briefly on a meeting with Wiklém Design on Monday 25 November 2019.

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) Sauna Repairs:

Resolution 191126R04: Authorising Replacement of a Sauna's Steam Generator

WHEREAS the steam generator in the Women's Sauna has failed; AND,

WHEREAS MTCC 1170 believes that, in intervals between Board Meetings, it should try to expedite repairs to the Common Elements; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 affirms Directors' prior emailed agreement that Ambient Mechanical should proceed with work that it describes in Quote Number QUO-11068-J5F4 ("the Quote"); AND, FURTHER,

BE IT RESOLVED that payment of the \$13,929.57 (plus HST) for work described in the Quote shall be from the Reserve Fund.

Scott Froebe/Nives Malara — Carried

(b) Exterior Caulking: *Before passing this Resolution, Directors noted that Building Sciences deemed that caulking was unnecessary for areas where the 2006 rainscreen cladding installation could and did occur.*

Resolution 191126R05: Authorising Exterior Caulking

WHEREAS MTCC 1170 has received follow-up recommendations from Building Sciences, further to its Report #03136 (first referenced in Resolution #190926R06); AND,

WHEREAS Building Sciences has obtained bids from three qualified contractors for comprehensive caulking of the building's entire exterior, including metal to metal and metal to glass sealant joint replacements, but not including overhead protection, street occupation permits, and Hydro line protection (costs that Management will negotiate and report to the Board for approval); THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 authorises payment of \$200,000.00 (+HST) to Kuch Contracting for resolution of the issues that Report #03136 identifies; AND, FURTHER,

BE IT RESOLVED that payment thereof shall be from the Reserve Fund.

Scott Froebe/Sheila Sproule — Carried

(c) Insurance Renewal:

Resolution 191126R06: Renew Building and Boiler Insurance

WHEREAS Paisley Manor Insurance Brokers have submitted an insurance renewal quotation ("the Quotation") for providing building, boiler, and machinery coverage to MTCC 1170; AND,

WHEREAS the Quotation includes, inter alia, the following terms and PST-inclusive premiums:



- 01a) Royal Sun Alliance Insurance Company of Canada's coverage of building and Corporate-owned contents at \$134,939,503.00; AND,
- 01b) Royal Sun Alliance Insurance Company of Canada's per-incident coverage of boiler and machinery at \$134,939,503.00 per incident, for a combined annual premium of \$90,303.12 (incl 8% PST).
- 02a) Victor Insurance's locked-in three-year-term coverage of directors' and officers' errors and omissions at \$5,000,000.00, for an additional annual premium of \$2,700.00 (incl 8% PST); AND,

BE IT RESOLVED that the Board of Directors of MTCC 1170 authorise payment of \$93,003.12 (incl 8% PST) as the sum of the premiums described herein to Paisley Manor Insurance Brokers for the coverages also described herein.

Sheila Sproule/Nives Malara — 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 Next Committee Meeting: TBD.
- 14 Next Special Meeting: TBD.
- 15 Date of the Next Regular Meeting(s):
  - (a) Regular Meeting #191216R: 1800h on Monday 16 December 2019.

16 Motion for Adjournment

Resolution 191126R07: Adjournment

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 191126R at 1834h on Tuesday 26 November 2019.

Scott Froebe/Sheila Sproule — Carried

“Keith Bricknell”

President: Keith Bricknell

“Sheila Sproule”

Secretary: Sheila Sproule

Adopted at Meeting #191216R



## THE METROPOLE

16 December 2019

### **Minutes of MTCC 1170 Meeting Number 191216R — Held on 16 December 2019**

Present: Board — Keith Bricknell, Scott Froebe, James Louttit, Nives Malara, and Sheila Sproule (*all attendees via Zoom*); and,  
ICC Property Management — Nancy Bijelic (*also via Zoom*)

Regrets: None

- 01 Call to Order: Keith Bricknell called the meeting to order at 1814h.
- 02 Waiver of Notice, and/or Adoption of Agenda and Additions:  
Resolution 191216R01: Adoption of the Agenda  
BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 191216R, as presented.  
Scott Froebe/James Louttit — Carried
- 03 Assignment of Duties:  
(a) *Pro Tempore* Reassignments: Unnecessary for Meeting #191216R.
- 04 Review and Adoption of Previous Meetings' Minutes:  
Resolution 191216R02: Adoption of Minutes  
BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting Number 191126R, as presented.  
Sheila Sproule/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) KODSI Engineering's Report: Please refer to Section 11(a) of these Minutes.  
(ii) Energy Reporting Services: Please refer to Section 11(b) of these Minutes.  
(iii) Garage Areas' Drainpipes: Please refer to Section 11(c) of these Minutes.  
(iv) Cleaning Horizontal Drains: Please refer to section 11(d) of these Minutes.  
(v) Replacing a CCTV Camera: Please refer to Section 11(e) of these Minutes.  
(vi) Reconvening AGM 2019: Please refer to Section 11(f) of these Minutes.  
(vii) 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 191216R03: 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 December 2019 and the Front Desk Security Report for the period 05 November 2019 to 03 December 2019.  
Sheila Sproule/Nives Malara — Carried

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

- (a) Lobby Refurbishment: The TFD's Fire Captain for Ward 13 will be visiting MTCC 1170 to advise whether, given the lobby's width and ease of egress, the lobby's furniture must comply with standards such as TB-133.

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) KODSI Engineering's Report:

Resolution 191216R04: Receiving a Engineering Consultant's Report as Information

WHEREAS MTCC 1170 seeks to provide a safe physical milieu for all residents and/or invitees, including those deserving of consideration within the letter and spirit of AODA legislation and/or regulations; AND,

WHEREAS TCC 1170 has received KODSI Engineering's stamped report on MTCC 1170's lobby floors' conformity with ASTM F1637 "Standard Practice for Safe Walking Surfaces" ("the Report"); THEREFORE,

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

BE IT RESOLVED that the Board of Directors of MTCC 1170 authorises payment from the Operating Fund of \$3,375.17 (including HST) to KODSI Engineering for provision of the Report.

Scott Froebe/James Louttit — Carried

(b) Energy Reporting Services:

Resolution 191216R05: Employing Energy Reporting Services

WHEREAS Ontario Regulation 506/18: Reporting of Energy Consumption and Water Use requires condominiums' annual reporting of water and energy usage to the Ministry of Energy, Northern Development, and Mines; AND,

WHEREAS ICC Property Management has secured a favourable bulk-rate for such mandatory energy reporting services; THEREFORE,

BE IT RESOLVED that MTCC 1170 shall employ A.S. Electrical Services to undertake the above-noted reporting, commencing 01 January 2020 for the following amounts:

01 Year One: \$300.00+HST for set-up and annual reporting; AND,

02 Years Two to Five (*ie*, to 31 December 2024): \$200.00+HST per year for annual reporting; AND, FURTHER,

Be It Resolved that payment of the above-noted fees shall be from the Operating Fund.

James Louttit/Scott Froebe — Carried

(c) Garage Areas' Drainpipes:

Resolution 191216R06: Repairing Garages' Drain Pipes

WHEREAS Management reports the necessity to replace some cast iron pipe and fittings in the garages, lockers, loading dock, and garbage room; AND,

WHEREAS Jermark Plumbing and Mechanical Services has quoted \$6,000.00+HST for the above-noted repairs; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 accepts the above noted quote and authorises additional payment for the use of a sky jack, should Management concur with Jermark's assessment of the necessity thereof; AND, FURTHER,

BE IT RESOLVED that payment for the work described herein shall be from the Reserve Fund. Nives Malara/Sheila Sproule — Carried

(d) Cleaning Horizontal Drains:

Resolution 191216R07: Authorising Horizontal Drain Cleaning

WHEREAS Managements reports the necessity to pressure clean the sanitary main out to the street and to pressure-clean each main and auxiliary horizontal kitchen stack from the existing cleanouts in the 5<sup>th</sup> floor crawl space; AND, WHEREAS Jermark Plumbing and Mechanical Services has quoted \$7,000.00+HST to undertake the above-noted corrective work; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 accepts the above-noted quote and empowers Management to authorise additional minor payments necessary for addressing unforeseen issues that arise during the above-noted cleaning process; AND, FURTHER,

BE IT RESOLVED that payment for the above-noted work shall be from the Operating Fund. Nives Malara/Sheila Sproule — Carried

(e) Replacing a CCTV Camera:

Resolution 191216R08: Replacing the Penthouse Terrace's CCTV Camera

WHEREAS Managements reports that the penthouse terrace's outdoor CCTV camera has failed; AND,

WHEREAS secure seasonal use of the penthouse terrace requires CCTV equipment that can operate effectively in extremely varied lighting situations; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 authorises Regional Fire and Security Systems to supply, install, and program a Hikvision DS-2AE4225T-A(C) Speed Dome pan/tilt CCTV camera for \$2,575.00+HST; AND, FURTHER,

BE IT RESOLVED that payment for the above-noted work shall be from the Reserve Fund. Scott Froebe/James Louttit — Carried

(f) Reconvening AGM 2019: **Subsequently amended by Resolution 200124S04**

Resolution 191216R09: Motion for a Reconvened AGM and AGM Package

WHEREAS MTCC 1170's Annual General Meeting on 22 May 2019 ("AGM 2019") lacked quorum for passing that part of Agenda Item #10 described as "Casting of ballots for the proposed Standard Unit By-law..."; AND,

WHEREAS In response to being unable to complete the above-noted portion of Agenda Item #10, MTCC 1170's Owners voted to adjourn AGM 2019 to a date to be determined by the Board of Directors upon giving the required statutory notice to unit owners and mortgagees; THEREFORE,

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

- (a) The reconvening of MTCC 1170's AGM 2019, for the sole purpose of dealing with the part of Agenda Item #10 described above, shall commence at **7:30pm on Monday 02 March 2020** (with registration beginning one-half hour earlier);
- (b) The above-noted reconvened meeting's information package to owners shall include, *inter alia*, an information-letter, agenda, proxy-form, and instructions, in the same general format that MTCC 1170 used for the initial portions of AGM 2019, but amended, as might be necessary, to reflect recent changes in the *Condominium Act*; AND,
- (c) any other items and/or procedures that the Management Office deems necessary for facilitating the conduct of reconvened AGM 2019.

Sheila Sproule/Nives Malara — 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 Next Committee Meeting: TBD.
- 14 Next Special Meeting: TBD.
- 15 Date of the Next Regular Meeting(s):
  - (a) Regular Meeting #200123R: 1800h on Thursday 23 January 2020.
- 16 Motion for Adjournment  
Resolution 191216R10: Adjournment  
BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 191216R at 1822h on Monday 16 December 2019.  
Scott Froebe/James Louttit — Carried

“Keith Bricknell”

President: Keith Bricknell

“Sheila Sproule”

Secretary: Sheila Sproule