

**METROPOLITAN TORONTO CONDOMINIUM CORPORATION NO. 600**

**MINUTES OF THE ANNUAL GENERAL MEETING**

**WEDNESDAY, MAY 19, 2004**

**PRESENT:** Diane Turner - President  
Jim Duncan - Treasurer  
Greg Geralde - Secretary  
Malcolm Broadbent - Director and Building Maintenance  
James Dubro - Director and Owner/Tenant Relations

**GUESTS:** Dave Sanderson - Partner,  
McGovern, Hurley, Cunningham, LLP  
Kim Herbeck - Recording Secretary

1. **CALL TO ORDER**

There being a quorum, Diane Turner, the President, called the meeting to order at 7:30 p.m.

2. **INTRODUCTIONS**

Diane Turner welcomed and thanked the group for attending and invited everyone to stay after the meeting for a wine and cheese reception. Diane introduced the head table as noted above. Diane thanked Malcolm Broadbent for his hard work on the building maintenance, Jim Duncan, Treasurer, who has done a great deal to streamline and improve our financial records and procedures, James Dubro for his hard work on the up-coming yard sale, and Greg Geralde, our resident archivist, for his notices, minutes, e-mails to owners, and general history of 256.

3. **QUORUM**

It was reported that there were twenty-five (25) owners present in person, and one (1) represented by proxy, for a total of twenty-six (26) units represented in person or by proxy, and thus the quorum requirement of 25% of owners had been established for the meeting. In attendance in person were suites 2A, 2B, 3C, 4D, 5A, 5B, 5C, 5D, 6D, 7A, 7D, 8D, 9C, 11A, 11B, 11D, 12A, 12B, 12C, 14A, 14C, 14D, 15C, PH-A, PH-B. Represented by proxy was 10C.

TECHNICALITY – Greg Geralde raised the issue that the Condominium Act requires owners have 15 clear days' notice of the meeting (not including the day of the notice, nor the day of the meeting), but the Board was short about 24-48 hours and only gave the owners about 13 days' notice instead. Greg asked if anyone objected to having the meeting now. No owner objected. A motion was made by David Caughell, Suite PH-A and seconded by Henry Ramer, Suite 14C that the meeting take place, even though less than official notice was given. Motion carried.

**APPROVED – June 21, 2005**

**4. APPROVAL OF MINUTES**

Diane invited any comments or questions on the minutes from last year's Annual General Meeting. Larry Konyu, Suite 12A pointed out that there was a slight issue on the addition of the number of owners who were present for last year's meeting. Greg Geralde thanked him and took note of this amendment. A motion was made by JimForster, Suite 6D and seconded by James Dubro, Suite 5C to adopt the minutes of the Annual General Meeting of June 26, 2003, as distributed with a minor amendment as stated above. Motion carried.

**5. PRESIDENT'S REPORT**

Diane Turner began her remarks by advising the owners of a partial list of the activities of the Board for the past year.

- Renewed Cable contract with Rogers Cable and added a number of additional channels.
- Renewed HVAC contract with Honeywell.
- Reviewed and renewed our insurance package.
- Finalized fire safety plan and are currently reviewing it. The Board will be training on June 7<sup>th</sup> in order to implement and maintain the plan.
- Instituted a preventative maintenance program which consists of: Smart Drain Solutions coming in twice a year to flush the vertical kitchen stacks; adding the check of smoke detectors to our annual fire inspection; and duct cleaning which will be done every two years as part of our fire safety program. The next cleaning being scheduled for 2005.
- Changed the e-mail distribution list to BCC's (blind carbon copies) to ensure everyone's privacy.
- Issued a revised Owners' Guide after much work by a committee formed of owners and Board members.
- We survived two power outages and found out how well our emergency generator works, and made some repairs to it in order to increase its efficiency. We also bought a battery-powered radio for our Superintendent so that announcements and updates can be monitored during a power outage. At the suggestion of Claus Wall, we adopted the practice of operating on only one elevator during an outage in order to conserve energy.
- In order to promote additional energy conservation, we turned off the lights in the garbage rooms effective April 2003.
- Efforts were made to conserve water as well through the distribution of conservation information and materials to enable owners to conduct flapper tests on their toilets. Diane stated that she hoped everyone had done this and replaced any leaky flappers that may have been detected. Also, we had the Superintendent do a one-time offer to assist with the change of tap washers in owners' sinks.
- Equipment has been acquired for the building during this past year includes: a leaf vacuum which was donated by an owner, a fax machine which was purchased at the

initiative of our Superintendent, a set of free weights for the workout room, and ashtrays for the roof-top and second floor patios.

- Reserve Fund Studies have been done in 1998 and in 2003, so the next one (which will be an update study) will be done in 2006 .

Diane advised that Malcolm would speak shortly about the maintenance topics and that owners owe him a big debt of gratitude for all that he has done over the past year.

Diane also wanted to acknowledge and thank a number of people who contribute a great deal to all owners' mutual interests and benefit. On behalf of the Board, the owners and all tenants, Diane expressed appreciation and thanks to the following:

- The Gardening Committee – Officially consisting of Jan Oddie, Natalia Lefter, Sydney Bull and Scott Ellison, but also their “groupies” who help out when assistance is needed. They are Dwight Smith, Gary Aikenhead and Tom Tales.
- Rick Silver – who unfortunately is moving soon. Because of Rick’s hard work, we have all benefited through his handling of our insurance coverage and our cable contract.
- Lionel Collier & Greg Geralde for their assistance, support and guidance given to Jim Duncan, while Jim was transitioning into the role of Treasurer.
- Vince Tondreau – who was responsible for the new acquisition of the free weights for the workout room, at an extremely good price.
- Jeffrey Van Slyke and Andrew Leask – for beautifully decorating our lobby for the Holiday season, and for monitoring our guest parking lot during the winter this year.
- Jeffrey Van Slyke – who is instrumental in producing some of the notices for our bulletin board.
- David Caughell and Jim Duncan – for keeping an eye on the back gate at Mutual Street and the rooftop.
- James Dubro – who is organizing the yard sale, and to all those who are participating as vendors.
- Alex and Natalia Lefter – who we are extremely lucky to have. We very much appreciate their diligent efforts to keep the building looking good, running well, and for their friendly and helpful approach.

Diane then introduced Malcolm Broadbent, who would speak next on the Building Maintenance.

## **6. BUILDING MAINTENANCE REPORT**

Locker Survey Results – Malcolm stated that a survey went out asking owners if they were interested in lockers, and if so would they consider a lottery draw to determine who would get one and if they would be willing to pay up front for their construction. There were 30 responses out of a total of 54 owners. When asked if the owners were interested in a lottery system, 17 said yes, 12 said no. When asked if they would consider paying up front, 9 said yes, 15 said no. In

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principle, owners seemed interested, but there was not great enthusiasm, and therefore it was agreed the Board would not pursue the idea of building lockers.

Malcolm advised the owners of four major projects that will be taking place in the following months – two for safety and security, and two for our building infrastructure.

Safety & Security

Audibility Horns (as required by Ontario Fire Code) – As a result of a study undertaken by Fire Consulting Services, we are replacing our existing bell alarm system with audibility alarm horns in each suite, as well as the common areas. We have asked for bids from four safety companies – one has declined, and we have two in hand. Once the Board has selected the company to install the new fire safety devices, proper notice will be provided to each unit owner, as the in-suite alarms will be installed in the front entrance area (probably closer to the laundry/locker room). Estimated cost for this installation is expected to be approximately \$30,000.

Additional Camera and Digital Recorder – A review of our security camera system has been made and we will be adding additional cameras to cover our rear guest parking area, lobby, and breezeway. We will also upgrade our current video tape recorder to a digital disc recording device. Estimated cost for this upgrade is expected to be approximately \$20,000.

Building Infrastructure Repairs

Main Roof/Mechanical Penthouse Repairs & New Roof Anchor System – Our main roof and roof anchor system will be replaced within the coming months. This project will be managed by Building Sciences Inc. Every effort will be made to salvage our existing planters, sun deck and sun shelter. The current stone ballast will be replaced by pre-cast pavers on the main roof only. Design specifications and an on-site preliminary visit by five waterproofing companies took place on Tuesday May 18<sup>th</sup> with bids expecting to be in by Friday May 28<sup>th</sup>. Once bids have been received, the Board will conduct due diligence and a final selection will be made. It is hoped we can commence this work as quickly as possible. Naturally this will depend on the weather. The work staging area and supplies station will be in our north guest parking lot which means guest parking may not be available during this time. The reserve fund study has set aside \$135,000 for this repair and we will know if this is adequate once the bids are in.

Above/Underground Garage Repairs – This project is being managed by BSG Engineering Ltd. Tenders have been received by five contractors. Commercial credit bureaus and references verified. The Board will soon be in a position to determine whether to proceed with the entire project or do it in phases (aboveground this year, underground next year). The main roof will be completed first before we start the above ground phase so as to minimize any damage to our concrete roof slab and new asphalt. At this time, estimates for our total underground/above ground repairs are between \$182,000 to \$214,000.

Malcolm then asked owners if they had any questions on these or other issues.

Question: David Caughell, Suite PH-A asked “What is the estimated time for the roof/garage repairs to be completed?”

Response: Malcolm responded that, if we have the bids in by May 28<sup>th</sup>, the Board hopes to be able to verify companies, obtain credit checks and make the final selection in time for the work to commence in the first two weeks of June, depending on the company (if they can start in 10 or 30 days) and completion will be based on how long they think it will take. Malcolm said it most likely will commence in July, and the roof won’t be available until the work is completed.

Question: David Caughell, Suite PH-A asked “Will there be a contract in place that says they will start during a certain week and end during a certain week?”

Response: Malcolm said we will go with an estimated 30-45 day finalization, but this is highly dependent on weather. If it rains, they can’t come in. We need to set up a swing stage to prevent damage to the precast concrete. They will do half the roof at a time, moving the deck and planters to one side, completing that side, and then moving the sunshade, planters to complete the remaining side. There will be two distinct phases. We must also get the aboveground done this year too. We want that done prior to a freeze.

Question: David Caughell, Suite PH-A asked when the chain for the back fence, which a police car knocked down, is going to be fixed.

Response: Malcolm replied that the City of Toronto has already paid us for the damage. We had a contract with Fort York Paving to replace the bullard and chain however we’ve held off due to new security plans for the back area. We will likely wait for above ground repairs to be completed before we decide. We may keep chain or put in a cross barrier.

Question: Henry Ramer, Suite 14C asked about having the lights leading to the P2 parking level fixed, as they flicker sporadically and create an uncomfortable feeling.

Response: Malcolm said that he will have it checked out, and confirmed they are not on motion sensors. He asked owners to notify Alex if they notice this happening.

## **7. TREASURER’S REPORT**

Jim Duncan thanked Lionel Collier and Greg Geralde, who are both professional accountants, for their help with his transition into the Treasurer position. Jim asked that if an owner feels their monthly maintenance fee cheque will be returned NSF, to please contact him. He will cooperate wherever possible which will save the Condo having to charge the \$25 fine, as well as the NSF fee for the owner. Jim reported the accounting system (Simply Accounting) is working well. Jim introduced our auditor Dave Sanderson who would present the financial statements.

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## 8. AUDITOR'S REPORT

Mr. Dave Sanderson of the firm McGovern, Hurley, Cunningham, presented the Auditor's Report and draft Financial Statements.

Dave pointed out that the financial statements were marked "draft" owing to the early AGM date (May rather than the usual June date). This year, the amount transferred to the Reserve Fund was \$76,428. The financial statements come with a clean opinion. The books and records are maintained very well. Dave pointed out that 2003 was the deadline for all Ontario condo corporations to have completed a Reserve Fund study and that of the 20 – 25 buildings for which his firm performed the audit, more than half waited until 2003 to have their first Reserve Fund Study completed. However for 256 Jarvis, 2003 was our second one. In 2003, the study called for balance at the end of last fiscal of \$255,591. The Condo's actual fund is \$256,867. Although, as Malcolm explained, we have a few fairly major expenditures over the next couple of years, we are entering 2004 with a very healthy reserve fund balance. 256 Jarvis is a well managed building, the pride in ownership is apparent, and one can tell that the people who live here care about the building. Dave then asked the group if there were any questions.

Question: Alberto Sarthou, Suite 11D noted that the actual expenses were lower than budget. Was this work that has been deferred or was this over budgeting?

Response: Malcolm answered by saying that the fire alarm system and the security system were budgeted in 2003 but will be spent in 2004. In addition, replacement window weather-stripping and rollers for the sliding windows will start this year and be an ongoing project until every suite has been completed..

Question: John Lavery, Suite 5B noted that in prior years we moved money to the reserve fund from the general operating fund. Will we continue this practice if there is excess?

Response: Malcolm stated that the normal Board policy with any operating excess is to take 50% and put it into reserve and keep 50% in operating for emergencies. Most of the \$76K will be spent.

Diane thanked Dave for all of his work.

A motion was made by Tom Tales, Suite 2A, seconded by Alberto Sarthou, Suite 11D, to approve the Financial Statements as presented by Dave Sanderson. Motion carried.

## 9. APPOINTMENT OF THE AUDITOR

A motion was made by David Caughell, Suite PH-A, seconded by Jan Oddie, Suite 7D, to re-appoint the firm of McGovern, Hurley, Cunningham as Auditors until the next Annual General Meeting, and that the Auditor's remuneration be fixed by the Board of Directors. Motion carried.

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**10. ELECTION**

Diane Turner advised that the terms of office for James Dubro was expiring. Diane stated that no other submissions had been received prior to the meeting, and then called for nominations from the floor.

**NOMINEE**

James Dubro  
Suite 5C

Claus Wall  
Suite 14A

**NOMINATED BY**

Jan Oddie, Suite 7D  
Alberto Sarthou, Suite 11D

Vince Tondreau, Suite 15C  
David Caughell, Suite PH-A

Both nominees agreed to stand for office.

There being no further nominations, a motion was made by Jim Forster, Suite 6D, seconded by Henry Ramer, Suite 14C to close the nominations. Motion carried.

The President asked the candidates if they would each speak for approximately two minutes to tell everyone a little bit about them. James Dubro interrupted to tell everyone that since he has served on the Board for six years, and that he worked with Claus on the Board in the past, that he would be happy to step aside from being elected to the Board, and would be pleased for Claus to be appointed to the Board automatically.

Claus Wall addressed the group stating that he had been on the Board for about two years in the past, but due to family circumstances was unable to continue at that time. As he is retiring this August, he felt confident he would have more time to devote to the duties of the Board. He has lived in the building for nine years as of November.

Claus Wall was appointed to the Board by acclamation.

**11. OTHER BUSINESS**

Question: Jan Oddie, Suite 7D asked if we could have the hot tub and sauna available for use, since it had been decided not to build lockers.

Response: Malcolm responded that a survey was done and there was insufficient support for the required expenditure.

Question: Alberto Sarthou, Suite 11D stated that the recreation room in its present condition lowers the value in property and asked if something be done with it.

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Response: Malcolm stated that he had contractors in this week, that they will strip the wallpaper, paint the walls, and that we could do another survey to see what the owners want to do with this room.

The Board made a commitment to establish a Recreation Room Committee comprised of owners.

Question: David Caughell, Suite PH-A asked if we have a policy on repeat NSF offenders.

Response: Jim Duncan stated that the policy is that if the Condo receives an NSF cheque, the owner is fined \$25. Currently the Condo does not have a serious issue with repeat NSF charges.

Question: David Caughell, Suite PH-A asked what the rules are with respect to construction and moving after certain times and if there is anything that can be done about this.

Response: Malcolm stated that the policy is in the manual, but we are all on the honour system. Construction may only be done Monday – Friday between 9:00 a.m. and 5:00 p.m, while deliveries may be made Monday – Saturday between 9 :00 a.m. and 5:00 p.m. In both cases arrangements must be made ahead of time with the Superintendent.

NOTE: SEE RESIDENTS' AND OWNERS' PAGES 5 AND 24 FOR FURTHER INFORMATION.

Question: Eileen Page, Suite 5A asked if the Condo could implement automatic withdrawals for maintenance fees.

Response: Jim Duncan mentioned that this would be more work for the Board, especially due to the fact that this is a self-managed Board. Dave mentioned that of all the Condo buildings he is involved with, none of them are using automated banking.

Question: Gilles Latour, Suite 12C asked if there are plans for the Garden Committee to plant new trees on the side of the building where the old ones were pulled down.

Response: Malcolm stated that there is no plan in the coming year to plant trees until the sidewalks are fixed and that this area is not our land.

Question: Gilles Latour, Suite 12C asked if the light fixtures that were taken down be replaced on that same side of the building.

Response: Malcolm explained that light fixtures were put up on the side of the wall to light that area.

Diane Turner, Suite 2B advised the owners that our Board meetings are public forums and that the owners are encouraged to attend and share. In some other buildings, meetings are kept private, and written approval is necessary for an owner to attend, etc. Diane stated that the Board meetings at 256 Jarvis are open and that the Board invites and encourages owners to come and speak. Further, she encouraged owners to consider running for election to the Board of Directors.



Question: Jack Davidson, Suite 7A asked if the Board would write a note to Rabba regarding the banging of the garbage dumpsters.

Answer: After much discussion, Malcolm advised that he would talk to Rabba and bring this issue to their attention, specifically dealing with the lid of the dumpsters which makes the most noise.

## 12. ADJOURNMENT

There being no further business, a motion was made by Diane Turner, Suite 2B, seconded by James Dubro, Suite 5C, that the meeting adjourn. Motion carried.

Diane Turner thanked everyone for coming and invited everyone to stay for the refreshments.

The meeting was adjourned at 8:50 p.m.