**Place:** Highcastle Public School

**Call To Order:**

The Annual General Meeting was called to order at 7:00 PM

I would like to welcome each of you and especially those who are attending for the first time.

At this time I will make some introductions:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| * Julia Taylor | Director & Secretary |  | * Ramon Montinola | Director |
| * Sandy Mantini | Director & Treasurer |  | * John Campbell | Director |
| * Harold Standard | Director |  | * Greg Hurtault | Director |
| * Peter Baxter | Director & President |  |  |  |

We are also pleased to have with us Khairia Rahman our KRPM property manager. Our Corporation was registered in 1973 and she has been associated with us since that time. Thanks also to, Yasser Rahman and your staff for your services and counsel.

It is also a pleasure to introduce and have with us our external auditor, Nabeel Ahmed. In a few minutes he will be available to answer questions concerning the July 31 audited financial statement. He is not in a positon to answer questions pertaining to the fiscal budget. That is not part of the mandate of the external auditor.

**PRESIDENT’S ADDRESS**

Get comfortable, following is the longest President’s address we’ve ever had. The new Condo Act, of Ontario is here; so, it is time to remind ourselves of some condo facts.

* CONDOMINUM describes a system of ownership for a multi-unit residential or a commercial project whereby each unit is owned separately by the individual who purchases it, while the common elements are owned in common by all the unit owners. Each unit owner has an undivided interest in the common element.

The word “condominium” is a combination of two Latin words being “con” and “dominion”. “DOMINION” means control. “CON” means one or more other persons.

* MEMBERS should be able to live in an environment that offers a quiet surrounding, dignity, a sense of purpose, and community. Much depends on residents’ civility as well as on boards’ and managers’ ethics, leadership, transparency, and the dignified way in which they carry out the business of leading the condo.
* The BOARD OF DIRECTORS runs the Condo Corporation on behalf of owners. They represent owners. As an entity, they are responsible for making all major decisions regarding the maintenance of buildings and grounds, condo’s finances, and must uphold and enforce the Condo Act, the declaration, by-laws; and, rules and regulations.
* The PROPERTY MANAGER is responsible for the maintenance and repairs of the buildings and common elements. They supervise staff, do paper work, have the bookkeeping done and see to it that owners pay their fees in a timely fashion. They advise the board and seek bids.

To ensure an understanding between all parties member accepted documented guidelines are:

* Condominium Act of Ontario is the overall guideline establishing duties and rights.
* DECLARATION is like the constitution of the condo. It is based on the Condo Act~~.~~
* BY-LAWS deal with matters of corporate governance and management issues.
* RULES AND REGULATIONS address how the units and common elements are to be used by the owners and residents.

\*\*\*\*

**A new Condominium Act of Ontario has been legislated.** There are three major components:

* A revised Condominium Act of Ontario.
* Condominium Authority of Ontario (Protecting Condominium Owners Act)
* Condominium Management Services Act (Administrative Authority for Licensing of Condominium Managers)

Some high lights include:

* Mandatory education for directors
* Development of a Condo Office – for a registry of Condo Corporations and member education. Paid for in our monthly fee.
* Establishing a Condo Authority Tribunal to resolve mediation and arbitration cases.

The new Condominium Act of Ontario is in effect. Most changes affect management. The main changes to the members are:

* The formation of a Condo Office which will be discussed in a minute. The cost of this office is charged on a per unit basis payable by each of us in our monthly fee. It is in this year’s budget.
* The time line for approving and distributing the fiscal budget has been tightened.
* The procedure for calling an Annual General Meeting has been enhanced.
* Directors now have mandatory educational requirements.

In addition, to become a director legislation requires each candidate to agree to several points before becoming a director. This forms a **directors’ contract**.

* I am not party to any active legal action to which the corporation is also party.
* My spouse, child, or parent, or the child or parent of my spouse, is not party to any legal action involving the corporation.
* I have not been convicted of an offense under the Condominium Act or the regulations, within the past 10 years.
* I do not have a material interest directly or indirectly in a material contract or transaction to which the corporation is also a party.
* If the contract or transaction to which Point 4 applies involves the purchase or sale of property by the corporation that the seller acquired within 5 years before the date of the contract or transaction.
* I have a material interest in a material contract or transaction, in a capacity other than as a purchaser, mortgagee, or owner/occupier of a unit, to which the developer or a developer’s affiliate is a party as well.
* My common expense contributions ae not in arrears for 60 days or more.
* I am an adult, not in an insolvent situation and am mentally sound.
* I acknowledge that my personal contact information is to be included on each issued status certificate, and will be provided to members & residents, and elsewhere as required.
* I will complete the required legislated courses in the required time frame.

What happens if our Corporation does not have a quorum of directors? - - - Management is then required to go to the courts and have a court appointed administrator take over running the corporation. Court, legal costs; and, the administrator’s ongoing fees are paid out of our monthly fee. To get control back the corporation members have to meet and elect a board, then go back to court to have the court appointed administrator discharged.

The new Condominium Act causes the formation of a “**Condo Office**” which is independent of the Government but continues to report to the Government of Ontario. **It is to oversee education, dispute resolution, condo manager licensing and to maintain a registry of all condos & directors in the province.** It splits functions between two administrative authorities, delegating these function to two independent, self-funded bodies:

* A **Condo Authority** that is responsible for administering condo owner education, dispute resolution and a condo corporation registry. The Condo Authority has the responsibility to administer the **Condominium Authority Tribunal**, which will resolve disputes through case management, mediation and adjudication.

Key Features:

1. Include online resources and self-help tools
2. Make binding decisions that would be enforceable as if they were a court order
3. Existing dispute resolution mechanisms would still apply to disputes outside the tribunal’s jurisdiction
4. The divisional court would hear appeals from tribunal findings on questions of law.

* A separate **Administrative Authority** to administer licensing of condo managers and condo management providers.

The Province is not paying for the Condo Office. Condominium owners are paying for it. This year this is costing each of us an additional $1 per month as part of our monthly fee. They can adjust this fee with no maximum being legislated. We have no say in the establishment of this fee. In addition, each director is required to take courses, any costs are to be paid for through our monthly fee. Each long term director must take the courses each seven years. New directors have six months to complete the courses.

1. The Fundamentals of Condominium Living

2. The Legal Framework Governing Condominium

3. The Role of Directors and their Key Responsibilities

4. Effective Leadership: Creating Strong Condominium Communities

The Condominium Association of Ontario (“CAO”) is committed to addressing the questions and concerns of condo members.

Fees contemplated

1. $12 per unit, per year - collected by condo corp.

2. $25 Filing fees - for parties wishing to access the Tribunal's online dispute resolution system where they can negotiate in a neutral forum and resolve their dispute.

3. $50 for services of dedicated Tribunal's mediator who will attempt to settle the dispute in a collaborative manner between the parties.

4. $125 to get a formal adjudication of the dispute by a member of the Tribunal.

The province is to publish a **“Condo Guide”** containing essential facts about the roles and responsibilities of living in a condo under the auspices of the Condo Authority. It has been proposed that this is to be given to unit purchasers by their lawyer as part of the purchasing process.

There is now a requirement for management to issue:

* A New Owner Information Certificate
* Periodic - Information Certificates

Preparation and issuance create an added expense in our budget.

\*\*\*\*

At the end of January, at 3:30 AM, a large school bus drove along our internal road, in front of units 26 to 12, disregarding the road boundaries & drove over the sidewalk then over our grass area just west of our front garden and sign. There it got stuck going down the hill. At about 5:30 AM it was towed away. A few residents saw the bus stuck on the hill. No one was able to identify the bus company. Perhaps we should extent the existing hedge to block the area.

\*\*\*\*

About 40 members have given management their email addresses to be kept up to date on current events. This year reminders went out about the Military Trail City Works Project, car break-ins, the new Condo Act, a handymen contacts list, drug use concerns in the guest parking lot, etc. Some members have sent return emails, others have stopped us on the street, thanking us for current news items information. The new Act allows us to get modern. By signing an **Agreement to Electronic Delivery** form members get AGM and other notices to their provided email address and will be able to use this email address to do AGM electronic voting. This is a government designed form and when available it will included in our web-site. For an Agreement to Electronic Delivery form go to our web-site ([www.ycc84.ca](http://www.ycc84.ca)) Forms tab. Members who have already given their email addresses are required to complete this form.

\*\*\*\*

During the last year concerns were brought forth about inappropriate activities in the guest parking area. These concerns were heard. To minimize or preferably eliminate these concerns you may have noticed the parking lots lighting and the street lamppost lighting are being enhanced with LED lighting. In addition to getting better lighting there will be some cost savings by using LED lighting.

\*\*\*\*

At our October 2016 AGM a member suggested the 2016 proxies could be carried over to our 2017 AGM to pass a by-law for which there was insufficient representation to bring the proposed by-law to a vote. Proxies can be held over for a second meeting provided that meeting is a continuation of the original meeting; but, that is not the case. Directors’ research has been unable to confirm the legitimacy of holding over the proxies to the next AGM. Consequently, while the board appreciates the member’s input it will not allow the 2016 proxies to be carried forward to the 2017 meeting. Due to the content of the new Condo Act that proposed by-law is no longer required.

\*\*\*\*

**Dryer vent holes**, through the back common element basement foundation wall, was brought up. In consequence the board has developed a draft by-law for your acceptance later in this meeting. Regarding cleaning of the clothes dryer vent there are solutions which can be taken by the member:

1. When your bi-annual gas duct cleaning is being done ask them to clean the dryer duct. If the cleaning company says no you can try to pay the worker on the sly. One member paid $20 and got the dryer duct cleaned.
2. There are dryer machine kits available to eliminate the need for external venting and thereby eliminating the need for the external dryer vent.
3. New dryers can be purchased which do not require an external dryer vent duct system.
4. There is available a duct cleaning brush which has a 10 foot reach.

Also at the 2016 AGM it was suggested we aerate our internal lawns. In May this was done.

\*\*\*\*

Our **garbage** agreement is for the pickup of normal household garbage only. If workers cannot easily pick-up a bag of garbage or blue box, it is not normal household garbage; nor are, appliances like washer machines, clothes dryers, stoves, refrigerators, car batteries, toilets, construction materials, etc. It is our personal responsibility go get rid of items not being normal household garbage. For appliances some of our residents have been calling for free pick up from Scrappy Recycling which normally picks-up within a few hours. Our work crew spends too much time tying plastic garbage bags and crushing boxes. Tying bags and crushing boxes are the unit resident’s responsibility. Workers do not have to take untied plastic garbage bags or uncrushed boxes.

416 732 9838

\*\*\*\*

Our roofing shingles are at their 15 year point. Last year and again this year we did some necessary roofing repairs. Management is investigating replacing shingle roofing with a metal roofing which has a much longer lifespan requiring no maintenance. This would eliminate the ongoing shingling repair costs. Because of the large expenditure consideration would be to doing it in stages. As a group of units require roofing maintenance singles would be replaced with metal. Of course, we would have two totally different roof styles until the whole development got completed. This approach would be more costly upfront but the staggered installation would prevent a one-time huge drain on our reserve fund. There is a large difference in pricing; but, there is also a huge difference in the life span of other materials. A final decision has not been made. This is still a meter under discusson.

Shingles $203,416.

Vertical Metal sheets $300,000.

Horizontal Metal (2’ X 5”) $539,904

Bell Canada has approached us about replacing their in ground wires, into each house, with **fibre lines** to give better reception and to accommodate future services. We are awaiting more information from Bell Canada.

A review of exclusive use areas was done. Where required resident maintenance was requested. When not complied with the corporation did the clean ups and billed the residents for incurred costs. Management does not micromanage so it may take some time for deficiencies to be caught. If not caught immediately they are caught when a status certificate is requested. So we may get away with something for some time but eventually we get caught. Check your outside iron gas pipes. These should be painted with a grey rust retardant paint. Many of these pipes are very rustic. This is the members’ responsibility. In our web-site ([www.ycc84.ca](http://www.ycc84.ca)) there is a **self-check list** of what is looked at when preparing a status certificate. Review it and use it as a maintenance guideline.

At the end of September we had an expert in to look at our lawn and trees.

* Lawns need more care – fertilizer, weed killer and water. A number of front lawns were replaced this summer. The only water source is from inside the unit’s garage. That is a private area. Workers do not have access. The resident must use their watering hose to water lawns, new and old. Same in the back yards.
* Trees – are basically pretty good. There are no real concerns.

Over the last three summers the Corporation has planted a number of trees. In one case one of these new trees was intentionally and maliciously damaged by a member. Fortunately, the tree did survive. This was witnessed and reported by a concerned resident.

Since our last AGM a couple of members’ completed work affecting common elements without consulting management. Unfortunately, for those members, restoration cost these members additional hundreds of dollars. Consult with management first.

The aged deteriorating stairway to the hydro field was replaced and is now safe to use.

\*\*\*\*

Our monthly fees were increased (3 bedroom by $15 ($310) & 4 bedrooms by $19 ($420)). The City controlled water cost continues to be the largest operating budget item ($70,000 from $60,000).

Then the new Condo Act developed a **Condo Office** which is funded by a monthly fee for every Condo unit in the province. Insurance premiums have increased ($1,500). Contractor prices have increased; as well as; maintenance supplies.

Monthly fees are due on the first of each month.

* Fees received on later dates are costly to the condominium: there is a bank service fee for each deposit;
* extra man hours have to be paid for in preparing a 2nd and 3rd and more deposits;
* man hours’ time taken to deliver the deposit to the bank;
* as well, there is extra bookkeeping time.

Management can consider having a lawyer’s letter issued requiring on time payment. Of course, the appropriate member would be changed for this letter.

\*\*\*\*

York Condominium Corporation now has its own email domain ([**ycc84@ycc84.ca**](mailto:ycc84@ycc84.ca)) and its own web site domain ([**www.ycc84.ca**](http://www.ycc84.ca)). Since the web-site’s introduction several enhancements and additions have been made. You should make a habit of checking it periodically. The notices for this meeting and the July 31st audited financial statement are in it.

It contains:

DIRECTORY – Management, Directors & Property Manager - Condominium Authority of Ontario “CAO” - Emergency Services & Local Politicians - We-Sites - Google’s Satellite Picture of YCC84 - Map to 331 Military Trail - Map to KRPM’s Office

DECLARATION

BY-LAWS

RULES

CONDO OFFICE - About the Condo Office - Condo Authority of Ont., ”What We Do” - Condo Authority of Ont. Fees

DEFINITIONS

FINANCE - Fiscal Budget - Reserve Fund Study 2015 - Audited Financial Statement

INSURANCE

AGM - Minutes - AGM Notices - Owner’s Meetings & Voting - Proxy: How to Complete & Notarized General Power of Attorney

HANDYMEN

BULLETIN BOARD - Events - Items for Sale - Matters of Interest

STATUS CERTIFICATE - General Information - Self Check List - Member’ Profile

CONTACT MGMT - From the web-site send an email to management

DIRECTORSHOP - Being a Director

\*\*\*\*

In mid-March laws were changed which add expenses for condominiums and its members. Now:

* Only a lawyer may register and discharge a lien. KRPM had been doing this for $250. Most of which is the fee to the province. This is totally recoverable from the member before a discharge is processed.
* Only a lawyer may a register a by-law.
* Only a lawyer may register our Indemnity Agreement against the title of a unit. This is payable by the member before registration is made.

\*\*\*\*

It’s been a busy and good year. **Our next AGM is scheduled for November 19, 20**18. For that meeting electronic notices and electronic voting should be available. Follow our web-site for details and the required agreement form. Due to a large increase in the New Act government reporting and the dates of those reports a change from meeting in October must be changed to November. The large increase in legislated reporting will be another cause for an increase in our monthly fees.

**Now let’s get on with the formal business**.

**Acceptance of the October 17, 2016 Minutes**

**Motion:** The minutes of the October 17, 2016 Annual General Meeting of York Condominium Corporation No. 84 be accepted as amended and stated at this meeting. Julia Taylor, Unit 24

**Second:** Unit 16

**Discussion:** Amendments:

Unit 45 reported that it was in contravention of the condominium act for the Board of Directors to elect a new auditor as only the owners can select one. He requested that in future the board get three quotes preferably with resumes and include the quotes in the next AGM package.

Unit 45 raised specific issues with the moral and ethical issue of having the same person that has current property management contract obtain and submit competitive bids against themselves.

**Vote:**  Carried

**Acceptance of the Audited Financial Report**

In past years, the treasurer has made a motion for members to accept the audited financial report as distributed. This will not be done again. The appropriate section of the act reads:

* “Approval – the board shall approve the financial statements before placing them before an annual general meeting”.

The Board of Directors has approved the distributed 2016 – 2017 audited financial report.

* Have you any questions about the July 31 audited financial statement, for Mr. Nabeel Ahmed?

Mr. Ahmed was asked what experience he had and what checks and balances he had in place for approving the corporation financial statements. He replied with a summary of his experience and what steps he went through to approve the financial statements for our corporation.

**External Auditor for the 2017/2018 fiscal year**

Only one consideration has been put forth; so, acclamation our External Auditor for the fiscal year ending July 31, 2018 is Nabeel Ahmed.

**New By-Law entitled Holes Through the Back Common Element Wall**

**Motion:** I move for acceptance of a new by-law entitled Holes Through the Back Common Element Wall

as distributed. John Campbell Unit 26

**Second:** Unit 45

**Discussion:** None

**Vote:** Defeated. Peter ruled the motion out of order since there was not sufficient representation to pass

the motion.

This year we have two expired directors’ positions to fill. Each is for a three year term. Peter and Ramon’s directors’ position expire tonight. Changes take effect with the close of this meeting.

**Election of two directors**.

We have seven directors’ positions. As required by the Act their terms expire on a staggering basis to ensure there are always experienced and knowledgeable directors on board. Tonight two of those positions are open

Peter Baxter’s name is in nomination. Ramon Montinola is retiring as a director. We thank Ramon for his six years of valued service.  We have one nomination: Peter Baxter Unit 37. Are there any more nominations?

Unit 57 nominated Neil Travers of unit 45. He accepted the nomination.

**Motion:** There being no more nominations I move the nominations be closed. Greg Hurtault, Unit 57

**Second:** Unit 6

**Discussion:** None

**Vote:** Carried

Confirm that each candidate has completed the required/legislated question/contract form.

Neil was given a copy of the Directors’ contract and was given time to review and sign it.

Neil returned the contract appropriately signed

There being two positon and two nominees so by acclamation Peter Baxter and Neil Travers are directors.

The maturity of directors terms are now:

* Sandy Mantini and Greg Hurtault in 2018
* Harold Standard, Julia Taylor and John Campbell in 2019
* Peter Baxter and Neil Travers in 2020

**Open Discussion**

* Unit 57 No contracts – To outline indemnity how do we know who does what. Various examples of reasons for needing contracts with KRPM were given.
* Unit 57 Why didn’t all directors vote on roof repairs. Why were only 2 quotes gotten? Was garage roof replaced or renovated. Why is it still rotting? KRPM stated errors made will be corrected.
* After much discussion it was decided that anything over $10,000 should have approval of all board members.

**Meeting Adjourned 8:05 PM**

**Next Schedule AGM Meeting**: November 19, 2018