

Torontonian Tenants' Association Meetings with Shiplake Representatives

Thursday, June 15, 2017

5:30 p.m.

Follow-up Meeting to review Minutes

Monday, June 26, 2017

10:00 a.m.

Present: Ali Khoja, V.P. Residential Operations; Elizabeth Ball, Resident Services Supervisor; Roma Del Bel, Kathleen Armstrong, Jim McCarthy (Members-at-Large).

Agenda Items:

REPAIRS

1. Caulking & Waterproofing and Balconies

- **Is caulking and waterproofing finished?**
- **Why is this work and balcony work taking so long?**

No. Work on these has not finished. It is being done in 2 stages. First the caulking & waterproofing will be done and then the balconies will be renovated. The caulking and waterproofing will resume the week of June 19 which means drilling in the walls again. At this point, two thirds of the caulking & waterproofing has been completed. The work is being done by 2 companies, Royal Guard (railings & panels) and Libros (waterproofing & repairs).

The balconies are different sizes around the building, which requires differing amounts of work and parts.

- **Can Shiplake provide a schedule with regular updates for the caulking & waterproofing as is being done for the balconies?**

Yes. Shiplake will make up a schedule to add to the information board outside the laundry room while noting that times are estimates and are subject to change depending on weather conditions or events beyond their control. Tenants should be sure to close their windows when notified that work is about to start.

NOTE: The new City by-law for Apartment Buildings effective July 1, 2017, will require landlords to provide tenants with such schedules and construction notices as a matter of course. See Appendix A for more information and references.

2. Garage work

- Are the repairs in the garage finished?
- Tenants were not made aware of the availability of car-wash tickets during the renovation so many were paying repeatedly to have their cars washed.
- Water still pools in the same place on SB level, close to a new drainage grate, just as it did before the renovation and there are several clumps of concrete on the floor that people can trip over. NEW - fluorescent lighting in the middle of the garage, clearly visible fixtures over 2 rows of cars, has been off since the renovation and makes one walk in the dark around and through the cars to the door.
- Yes repairs are finished. Any work now is related to the new construction. Shiplake is going to investigate the drainage problem. TTA to follow up lighting issue with an email.

3. Flood on the 17th floor

- What happened/is happening about the flood on the 17th floor?
- Why microbial hazard on only one floor? What does it mean? How dangerous is this?
- Has Public Health been involved? Note: TTA did contact PH but they are basically taking a wait-and-see approach.
- Were notices given to people on the affected floors explaining what precautions to take?
- Is the problem fixed?
- When will affected apartments be fixed, e.g. interior walls?

The pressure-valve pipe blew at 3 a.m. under the bathroom sink in a Unit on the 17th floor. Tenants below #17th floor called 911 rather than the Shiplake emergency numbers, resulting in the fire department coming although the water did not trigger the fire alarm as has happened in the past when a burst pipe. Other similar valves have been checked and are OK.

Microbial Hazard and/or other notices were being posted on other floors, even down to the 3rd floor. Shiplake hired an emergency crew that set up fans to dry out the wet corridors and units. Testing for air quality has been completed and no mould was found. Residents of some Units were relocated and a number of Units others were also affected. There was significant damage and Shiplake is repairing the corridors as well as the interior of damaged units.

NOTE: 2 issues arose here.

Apartment Insurance – It turned out that many tenants did not have insurance to help cover flood damage. Proof of insurance is requested in Shiplake’s Lease Agreement but this provision has not been enforced. In the future this will be mandatory and enforced. Shiplake is also exploring arrangements with their own Insurance broker to create a package to offer tenants at low cost. Actual cost to be determined. This issue will be brought to the attention of the membership.

Emergency Numbers – Tenants who did not call the Shiplake emergency numbers previously provided but instead called 911, which led to damage that might have been avoided.

- Shiplake will send an Association representative an electronic copy of the emergency numbers so TTA can distribute again at the next general members’ meeting & post on the TTA website.

4. Rationale for Repairs (Caulking/Waterproofing; Balconies; Garage)

- Why are they doing this work? For example, other than flood repairs, did the City order Shiplake to carry out any of this work?
- Could tenants have copies of the City order or engineering report about the balconies? Could affect decisions on challenging any Above the Guideline Increases (AGI’s) if mandated by the City. (See next question.)
- Is Shiplake going to apply for AGIs as a result of all these activities (including the flood repairs)?
- Is Shiplake going to offer any compensation for the impact of these activities on tenants?

The balconies were repaired 10 or 15 years ago and none of the original ones have been replaced since the original construction of the building. According to City code, the balcony railings are due to be replaced and the City also ordered Shiplake to replace some of them. As well, some of the rebars in the slabs needed replacement. Shiplake decided to do them now, at the same time as the garage, caulking & waterproofing and the major development, to get it all over with as soon as possible, a couple of years before the legal deadline. The engineering report/City orders are not available. The engineering report is “quite broad” and Shiplake doesn’t want to release it.

Shiplake is unable to confirm at this time whether they will seek AGIs for any of these activities. Compensation to tenants as a result of the flood is being looked at.

GENERAL MAINTENANCE & OTHER ISSUES

NOTE: Per previous reference to new City by-law – see Appendix A which will cover some of these issues.

1. Window washing/ Hallways

- What will the frequency be during construction?
- What are schedules for a) regular sweeping/vacuuming, b) shampooing, c) paint touch-up of damaged, dirty walls?

Windows are usually done once a year. The halls are supposed to be vacuumed every week; tenants can email a request to Concierge requesting a specific hallway cleanup.

2. Heat

- What is the problem with the heat and at times the lack of? How is it controlled? Note: See TTA website for City's Tower Renewal Case Study Report concerning work done here at 45 Dunfield Avenue in 2013.

Acknowledged that there are City bylaws about when the heat is to be turned on and off, e.g., September 1 to June 1 and that temperature is to be maintained at 21°C during this period. Shiplake is looking into automated systems/processes that will correct the heat balancing problems. Currently, some tenants complain about excessive heat and others about excessive cold in their units.

3. Airbnb/Short-Term Rentals

- With complaints from tenants about neighbouring units having lots of activity, strangers moving in & out with suitcases every few days, week-ends and weeks & also, given that besides individuals, there is one company (Olivia's Housing) renting out multiple units in the building - what is Shiplake doing about this?

Shiplake is aware of Olivia's Housing but does not consider it the same as Airbnb-type rentals. Individual tenants are not supposed to/allowed to rent out their units short term. If tenants become aware of this they should report it to Shiplake.

NOTE: The City is proposing to enact a by-law that will restrict short-term rentals to private residences which should alleviate the issue of companies renting out units on a short-term basis. The Guest Suite/Family Room is available only when it is not being rented out and rental is restricted to tenants only for use by their guests. Information on the new by-law will be posted on the TTA website as it becomes available.

4. WiFi availability

- What is causing the loss /disruption of Wifi in the Media Room, laundry room, etc.?

For some days after the flood, service was disrupted. It has now been restored – in Media Room, laundry room, other common areas.

LILLIAN PARK CONSTRUCTION

NOTE: 2 documents will be referenced here.

1. The Section 37 Agreement between Shiplake and the City was signed February 6, 2017. This document contains provisions that Shiplake either offered or agreed to facilitate approvals for its development. It is available on the TTA website under Development Updates.
2. Construction Mitigation Plan There is a copy of this document on the bulletin board next to the Laundry room door. A copy will be posted on the TTA website soon.

1. Tenant Compensation - Rent Abatement for Eligible Units

- Is Shiplake tracking the disbursement of the \$200,000 per the Section 37 Agreement (the “Agreement”) between the City and Shiplake for specific units on the south end of the building for the first 16 months of construction?
- What was the date of eligibility for receiving payment/reduced rent?
- What happens to any residual/remaining amounts of the \$200K fund at the end of 16 months?
- Can Shiplake provide an update on this fund?

Yes. Shiplake’s Director of Finance is monitoring. This is applicable to tenants who signed leases in the eligible units prior to March 3, 2017.

The fund will continue to be distributed to tenants of the eligible units until it has been exhausted, even if it is longer than 16 months. An update on use of the funds will be provided at the end of the first 6 months from the date the agreement took effect.

2. Complaints about the construction

- Who do we deal with for complaints about lack of dust control, work on Saturday for “non-exigent” work, noise: e.g., who in the Construction Mitigation Plan should we call first?

A hotline is being set up so tenants can call with complaints. Shiplake will abide by City by-laws (Section 4.8.2 of the Agreement). Attempts have been made to try and minimize the very loud clanking of the tank-like machine by oiling it twice a week. Currently, Shiplake directs tenants to the Construction Mitigation Plan as the first step in reporting a problem.

3. Business Centres/Amenity Centres

- a. Is there any more information on the Business Centres/Amenity Centres planned for the south-west corner of our building (as shown on previous Architectural Plans)?

The City required a certain amount of amenity space. These centres will be for the use of residents only and for various purposes, not just business, e.g. wedding receptions, anniversary parties, as well as business meetings. Shiplake is still working on this.

4. Tenant Communication Strategy

- Is there a copy of this available per Section 4.8 of the Agreement where the City requires a minimum means of communication from Shiplake to tenants, including newsletter, updates, etc., listing 5 or 6 media.

There is no copy available but Shiplake is aware of a few and is already doing them. Currently there is a bulletin board next to the door to the Laundry room called – 411 Construction. See also next question.

5. Updates in Lobby

- Can Shiplake post updates in the Lobby on construction activities explaining what is happening “out back”: e.g., what is happening with trucks taking dirt & then bringing in truckloads of cement blocks, gravel & sand?

Shiplake would prefer to keep the current set-up using the bulletin board by the Laundry room as the single focal point for information, given that not everybody uses the Lobby to enter/exit the building but everybody visits the Laundry Room. Individual tenants can continue to ask the Concierge about their own units.

6. Meeting with tenants

- When is the next Quarterly Shiplake meeting with tenants to update them on the construction per Section 4.8.1(d)(ii) in the Agreement?

The last quarterly meeting was March 28 but the next one will not be until approximately July 28.

ASSOCIATION MEMBERSHIP ACTIVITIES

- The Tenants' Association would like to set up a small table periodically in the lobby to hand out promotional material on the Association to solicit new members. How much notice would Shiplake like to have before the TTA's chosen date?
- Can we add an Association Welcome letter to new tenants in Shiplake's Welcome Package?
- Can we confirm that the Association will still be able to use the elevator boards for special notices, e.g. meetings, flea markets/bake sales?

Use of Lobby - Shiplake would like as much advance as possible, a week is probably all right. The TTA should send advice to Elizabeth Ball.

TTA Welcome letter – Association to give Elizabeth Ball the proposed Tenants' Assn info sheet for inclusion in the Shiplake welcome package for new tenants. She is the communications person for Shiplake and has offered to assist with redesign and colour addition. No foreseeable problem with this.

Use of Elevator Info Boards – Yes, whenever possible. TTA to advise Elizabeth Ball when required.

Other information provided

- Yoga room & classes: Shiplake says tenants will be able to sign up soon. They are working with the yoga instructor to decide the best times and days to offer the 2 classes a week. Tenants will be able to sign up for classes on a week-by-week basis so that all tenants have an opportunity to participate. The room holds a maximum of 15 students at a time. Currently accessible by key fob. Shiplake is open to suggestions for other uses of the Yoga room when it is not being held for classes.
- Shiplake's picnic/barbecue for tenants will go ahead this year. Planning is under way.

Meeting ended approximately 7:15 p.m.

APPENDIX A

Extracts from Toronto's New By-Law for Apartment Buildings

Tenant Notifications (partial listing)

8. Notification board in central location posting following information:
 - a. Planned or unplanned service disruptions
 - b. Major capital projects (including nature of project; duration of project; units affected)
 - c. Cleaning

Cleaning plan and requirements

19. City Council direct that the owner or operator shall have a cleaning plan. A cleaning plan consists of: (See actual document for list of items & other info).

State of good repair capital plan

22. City Council direct that the owner shall have current state of good repair capital plan and shall make the plan available to Municipal Licensing and Standards upon request. A state of good repair capital plan consists of a list of the capital elements of the buildings and date upon which the element will be scheduled to be replaced or updated. Capital elements shall include but not limited to: roof, elevators, façade, windows, mechanical systems, underground garage, interior flooring, interior wall finish, balcony guards, and handrails.
23. City Council direct that the owner or operator provide the state of good repair capital plan to tenants and prospective tenants upon request.

For the complete list of requirements of the new by-law go to the TTA website and look under the heading - **Tenant Concerns**