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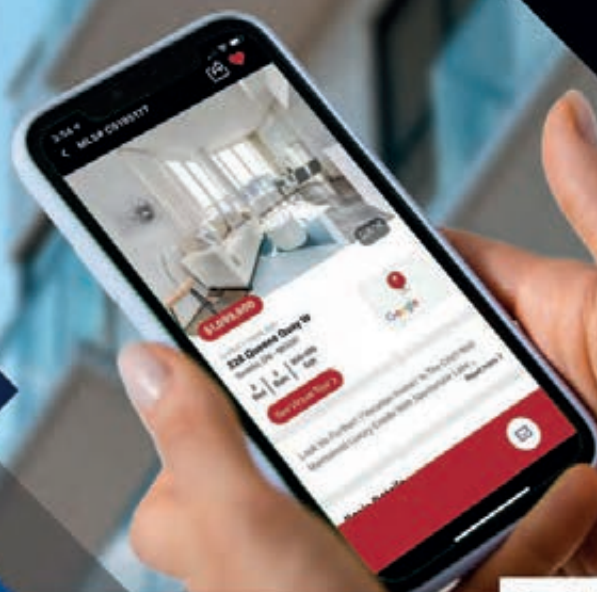
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The Premier Source of Information on Organizational & Community Risk

Spring / Summer 2022: Volume 4, Issue 1

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Editorial Commentary

By Samantha Wharton

Riskboss Magazine Senior Editor

We received a lot of responses and commentary from our last edition, especially about the 'Tenants Behaving Badly in Condominiums' article. Riskboss CEO Quintin Johnstone teamed up with lawyer Gerry Miller, managing partner of Gardiner, Miller, Arnold LLP, to present an interactive seminar with Regional Managers from Crossbridge Condominium Services based on this topic. It is clear that residential condominiums are the new destination place for renters, as there have been few apartment towers built for decades in the GTA. Learn more about how some bad tenants can negatively influence entire neighbourhoods and what to do about it by reading our last edition.

COVID19 has dramatically changed the business landscape and how many organizations operate. We are seeing more people come back to the downtown cores of major cities for work. However, reduced hours and virtual meetings are reducing travel times and keeping people home with their families. COVID19 has devastated many industries, such as restaurants. Out of this crisis, things are changing. The overwhelming increase in parcels at all residential and commercial properties has forced a complete rethink on parcel management. Virtual meetings are now the norm. It is our guess at Riskboss that all of these changes will become the new order of things. Shaking hands when greeting may be a thing of the past too. Check out our article on Capacity in the Elephant in the Room section in this edition. Another very tough topic tackled by Riskboss Magazine and a great read!

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WE HAVE HEARD FROM YOU - Reader Commentary

Harry W.

Serpico. What a great blast from the past! I remember watching the movie with Al Pacino when I was a kid. It took a lot for the real Frank Serpico to do what he did. Also, at the time, Al Pacino would have come under a lot of pressure for representing him in the movie.

Riskboss Answer:

Thank you for your commentary, Harry. We agree.

Liz W.

Condominium Owner in North York

I own a condo in North York with my sister. I had no idea how bad some tenants act until a new neighbour moved in and started acting out. Yes, it actually happens. It took months and months for the property manager to deal with this person. The property manager tried to explain to me why it was taking so long. I didn't really understand it until I read your article on bad tenants. Finally, my neighbour is out, and now we have our lives back.

Riskboss Answer:

Thank you for your commentary, Liz. Yes, having bad neighbours, regardless of whether they are tenants or not, can be a real problem for all neighbours. If not handled properly, the tenant can actually go to court and win. By taking the right steps, at the right times, property managers are actually protecting the rights of all neighbours.

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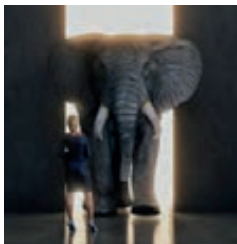


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The Elephant in the Room

As described by Wikipedia, "Elephant in the Room" is an American English metaphorical idiom for an obvious problem or risk that no one wants to discuss." Controversial yes; however, very necessary conversation(s) here at Riskboss Magazine. In every publication, Riskboss Magazine will address the latest Elephant in the Room to clearly answer hard asked questions.

Capacity - Impact & Influence

By Quintin Johnstone, Founder & CEO of Samsonshield Inc. / Riskboss Inc., www.samsonshield.com / www.riskboss.com

“Capacity.” This is our answer to the question we get most often from property managers, condo Boards and even commercial property owners: “What is the most important thing that will impact high-rise residential and commercial properties in the Greater Toronto Region (GTA) in the coming years?” Capacity to perform is the single largest impact to both residential and commercial properties. How service companies operate can mean the difference between success or failure for your community.

Growth

The GTA is one of the fastest, if not ‘the’ fastest growing metropolitan areas in North America. Immigration is one of the driving factors, with over 80,000 new immigrants coming to the City of Toronto each year. It is projected that the GTA population will increase by 40.09% (2.9 million people) to 10 million people by 2046. All of this means it is highly likely that all residential communities will be impacted by huge increases in density regardless of the location.

What a great time it is for local developers. Toronto monopolizes more construction cranes than anywhere else with 208 (246 including the GTA). This represents 43% of all cranes in the world and is a 68% increase year over year 2021/ 2020. This fact is staggering but true. There are over 2,700 condominium corporations already registered in Toronto and that number is growing. The “2 Kings Policy” (See enclosed 2 Kings article) sparked an unprecedented expansion of the Toronto core that has lasted for decades with no end in sight. This began the sustained growth making Toronto the number one hotspot for condominiums in the world by volume.

Demographic Shifts - The Move to the City Core

Driving much of this unprecedented growth is the demographic shift from the suburbs and townships to the city centres, particularly by the Baby Boomer and Millennial generations.

Developers, when choosing where to build, when to build and when not to build, follow demographic trends and not short term economic trends. Both residential and commercial developers tend to follow the workforce, and that workforce is overwhelmingly now in the city cores. With this, large business has also come back to the city cores to follow the workforce. Multi-residential properties are also being reverted on mass back to single-family residential, particularly in the Toronto core due to demographic changes.

So the big question is, why are developers building condominiums rather than apartment buildings? Building condominiums provides developers with options and flexibility to sell units or sell some and keep some to rent out until market conditions are at a premium. Markets often change quickly and sometimes radically. For example, during the peak of the COVID19 pandemic, downtown Toronto residential vacancy rates quickly rose to 9.0% in Q1, 2021, benefiting tenants. In Q3, 2021, at 3.8%, the tenancy market was more balanced. Anything below 2.0% is considered a landlord’s market as was witnessed pre-COVID19 (2019 Q3 at .08%, Q4 at .09% and Q1, 2020 at 1.0%) when landlords were in charge.

Too Many Condominiums/Not Enough Resources

Never in recent history has there been such a lack of qualified and capable property managers in Ontario. Simply put, there is a war on good talent being waged by competing firms. The law of supply and demand exemplifies this unique period of time where property managers are in such high demand. Property management firms are competing from a small pool of qualified people. Until this management pool increases to make for a more balanced market, condominium Boards should be very conscious of the fact that if you have a great manager, but that manager feels that their efforts are not being appreciated, they have many, many alternatives. When will a more balanced market happen? It won’t happen any time soon, given the impact of extreme condominium growth and the time needed to accredit new property managers to catch up.

Security is generally a recession, and yes COVID19 proof industry. During such times, security is needed more than any other time. Then why has the COVID19 pandemic environment witnessed 12 to 16 hour shifts, multiple site location placements, and cancelled days off that continues to be the industry norm for front line security employees? It is likely due to some service providers who ignore capacity limits to financially capitalize on the COVID19 crisis. Some security companies are using condominium security guards to augment crowd control work at malls, stores and events during COVID19. This is simply irresponsible and very high risk because that same guard will be back at work in your condominium, having been in contact with hundreds of people outside of your community.

Do you see a different face every day in your security staff? If so, this may be why, and to be direct about this, there is absolutely no reason for it other than short sighted gain. Financially great for the security company, but not so good for your community. It is also a high risk to the health and safety of the guards.

The Impact of COVID19

COVID19 pandemic has had one of the most devastating impacts to the world in generations. Pre-Covid19 high-rise resident density routinely subsides during workdays, but with COVID19 restrictions, higher density is the norm at all times of the day. Maximum density at all hours of the day and night stretches resources often far past planned capacity of service providers to perform. The impact of increased costs for maintenance and utilities are significant.

Unheard-of increases in the delivery of parcels have stretched capacity limits in all condominium settings. It is caused by stay-at-home workers and the global move by manufacturers in selling directly to the consumer. At many sites, security does less preventative work in exchange for parcel management. Riskboss anticipates that post-pandemic norms will include some workers continuing to work from home full-time along with those who choose hybrid working decisions. Parcel management issues will continue as residents have been accustomed to home delivery.

COVID19 has created efficiencies in business processes and the way we operate. Businesses are moving to virtual meetings. Instead of driving through horrific traffic, virtual meetings have alleviated this big problem. Virtual meetings have also alleviated the need for mass in-person gatherings such as AGMs. Working from home has reduced some vehicle gridlock and overcrowding in transit; however, with declining revenues, wait times seemingly get longer and longer. This has also created a huge shortfall causing a 74 million dollar deficit in TTC revenues reported in September 2021.

Infrastructure & Reduced Government Services

Governments at all levels are struggling with deteriorating infrastructure improvements that have been deferred by previous governments for many decades. They are getting an earful from disgruntled voters. The move to alternative transportation is here to stay, according to Riskboss sources within the Municipal government. Certainly, it is much better for the environment and those advocating for limitations on vehicles in city cores, but clearly it is not so good for some.

The cost of deferred infrastructure improvements is staggering, and this is not a localized problem. According to a 2013 McKinsey & Company report, an estimated \$57 trillion in global infrastructure improvements is needed between now and 2030. Toronto has been smart in the growth of building new condominiums as developers have assisted in new infrastructure by transferring costs to these builders. Politicians have even insisted on added value public art created by local artisans. Given the immense growth, delays caused by construction capacity limits is very apparent.

As reported in a previous edition of Riskboss Magazine, police resources have been diminishing in the GTA for many years. What used to be routine policing matters (e.g. noise complaints) are no longer a police responsibility due to cutbacks and capacity shortfalls. Many routine matters have been transferred to other City resources that are also already taxed to the limit.

In 2018 during the municipal election campaign, the provincial government reduced the number of Toronto city councillors from 47 to 25 aligning ridings with federal counterparts. With massive annual increases in population, Toronto residents appear to be faced with getting by with less government assistance where the new normal is, "Do more with less." Legal and paralegal firms are filling voids offering their services previously offered by the government but at a cost.

Increased Tenancies in Condominiums

The impact of increased tenancies in residential condominiums is significant. Unlike the mid to late 1980s when speculators bought multiple units with virtually nothing down only to be shocked by the 1989(90) recession, the current condominium boom has been sustained in the GTA since the mid-1990s with no end in sight. This condominium boom has been sustained by the lack of residential apartments being built by developers in Ontario for many decades.

With the lack of residential apartments being built, condominiums have become a natural replacement and destination for renters. Condominiums have also taken over from traditional basement apartments that were a fixture in the GTA landscape up until the mid-1990s.

With high tenancies in residential condominiums comes many challenges for Boards and property managers. Riskboss wrote extensively about tenant issues in our last edition and the problems that condominium Boards and property managers face. Please have a read as it will assist in understanding and mitigating such risks.

Traffic Nightmares

Traffic congestion is a fact of life in Toronto. Twenty years ago and prior, there was one rush hour coming into Toronto each weekday morning and one outgoing in the afternoon. The 2000s brought with it, two-way rush hours in Toronto that extend well into the late morning and evening.

Do our roads have the capacity for such growth? Is the government going to increase roadway capacity? Riskboss sources advise that the City has no plans to increase Toronto roads or highways by widening or increasing traffic lanes. The reason is that, similar to what occurred in Detroit and Washington, DC; this would eventually leave the city core desolate after business hours. People are more likely to live in the suburbs than in urban centres if travel in and out of the city cores by car is fast and easy. Candidly, some Toronto politicians quip that they don't want their tax base to leave for the suburbs every night.

Traffic congestion is neither a new issue nor a downtown issue. In 2010, a study was conducted by the City of Toronto on traffic volumes at the Yonge Street and Sheppard Avenue intersection. The study revealed that within an eight-hour time frame, 6,465 pedestrians and 40,431 vehicles were reported at this intersection, making this intersection of one the busiest in the City. In January 2016, Mayor John Tory reported that this intersection was one of the two worst intersections in the City for congestion.

Things are definitely different and will continue to change. Communities will be forced to look to localized private problem-solving tools and be less reliant on the government.

Toronto City Council has measures in place such as the Traffic Gridlock Reduction Campaigns supported by the unprecedented growth of public transit infrastructure. The overall plan is to increase transit that will leave Toronto like other major cities around the world when it comes to traffic congestion. Bicycles lanes are also being created everywhere in Toronto, further reducing vehicular lanes. Ask any business owner along King Street in downtown Toronto or delivery driver what they think of the prohibition of vehicular traffic and parking, and you will definitely get very strong opposing opinions.

Next Steps?

After the COVID19 cloud clears and all the dust settles, there will be a new normal. Capacity must be planned for well in advance and managed appropriately in condominium settings to ensure a high degree of operational resilience and readiness to any and all risks. Being prepared to deal with matters using robust in-house processes and procedures in keeping with local laws and the Condominium Act is a sure pathway for success.

We always ask property owners and condominium Boards, “**How do you know what success looks like, and how will you know when you get there?**” All outsourced service providers should be fully engaged with standards that are clearly identifiable and measurable by using prescribed Key Performance Indicators (KPIs). It is our belief that what doesn’t get measured often doesn’t get done. Service providers must be forced to honour all agreements with clients and commitments to support our front-line staff like no other time in history. This includes keeping within capacity limits.

Combining resources with other condominium communities close by ensures better risk resilience to localized problems. Pooling resources and coordinating requests to local government is always better done as a group.

During this time when there are too many condominiums and not enough resources, one of the most important questions Boards should ask service providers during procurement is, “How do you manage your capacity?”



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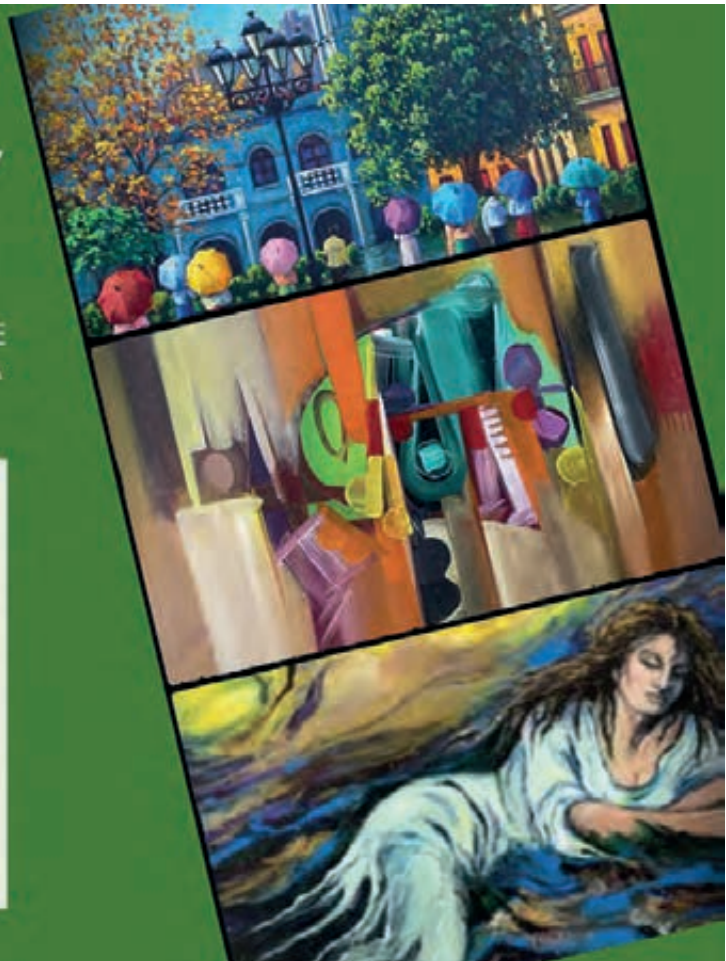
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Signal for Help

What is it? What does it mean?

By: Dawit Kiflu, Director of Operations, Samsonshield Inc., www.samsonshield.com



If you see someone use the Hand Signal for Help, what does it mean? What should you do?

Originally created by the Canadian Women's Foundation in April of 2020, it has now spread worldwide through international media networks and the Internet. Admittedly the Canadian Women's Foundation agreed that the hand signal is "Not something that's going to save the day, but rather, a tool someone could use to get help".

The Hand Signal for Help can be used by anyone, either in public or over the Internet.

Most domestic violence occurrences go unreported. As such, the signal was originally intended to assist domestic violence victims. However, it has proved its worth in other situations around the world, such as kidnapping, human trafficking, threatening, sexual assault, extortion, etc.

According to Vogue Magazine,

"On average, 24 people per minute are victims of rape, physical violence, or stalking by a partner in the United States, 12 million men and women over the course of a year. In the last two months, these cases have increased significantly. In California, for example, domestic abuse calls to the Fresno sheriff's office increased by more than 70%; in San Antonio, Texas, there was a 21% increase in family violence calls, with more than 500 additional calls during the first three weeks in March compared to the same period last year."

When making the Hand Signal for Help as depicted in the enclosed picture, victims may want to consider their surroundings and to whom they are signalling. Particularly in abusive settings, the detection of such a signal may create further problems.

Being discreet and safe when using the Hand Signal for Help is very important.

When you see someone using the Hand Signal for Help, it is very important not to put the victim in a dangerous situation by approaching them and asking them questions. This could endanger your wellbeing as well. Keeping a distance and watching the victim until police arrive is important if safe to do so. Each situation is different, but every situation requires a subtle approach.

Police organizations worldwide now recognize this hand signal for help as being very important, and as such, police consider such calls for help as a very high priority. A 911 call to police explaining that you witnessed someone making the Hand Signal for Help and your location is the best way to respond to such incidents.

Teaching others and providing awareness of the Hand Signal for Help will go a long way to assist victims but also help reduce the number of incidents of violence worldwide.





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Legal Updates

The Notorious Nuisances

The Condominium Authority Tribunal Expands Jurisdiction

By Tony Bui, Gardiner, Miller, Arnold, LLP www.gmalaw.ca



Effective January 1, 2022, the Condominium Authority Tribunal (the “CAT”) recently started hearing disputes regarding condominium nuisances such as noises, odours, vibrations, lights, smoke and vapour - for simplicity’s sake, let’s call these “The Notorious Nuisances”.

The Notorious Nuisances fall under the “People, pets and parking” class of problems that make up most condominium complaints. We imagine residents, property managers, and boards are happy to have a new forum to resolve the Notorious Nuisances.

The CAT is hoping disputes with the Notorious Disputes can be resolved “Conveniently, quickly and affordably, while encouraging everyone to work together in healthy condominium communities”. Although it remains to be seen how “Conveniently, quickly and affordably” the CAT will process cases under its new jurisdiction, there is one inevitable outcome: the number of cases the CAT must deal with will significantly increase.

Here are a few “best practices” for those looking to enter the arena:

I. Evidence is Crucial

“Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence,” John Adams

The Notorious Nuisances are tricky condominium problems. Usually, there are two elements to proving the Notorious Nuisances occurred. The first component is objectively demonstrating that, “The nuisances occurred”. The second component is subjectively establishing that they are bothersome enough to fall under the Notorious Nuisances. Not every nuisance - even if it is proven - rises to the level of a Notorious Nuisance.

The first component emphasizes the importance of keeping clear evidence. With a reasonable amount of detail, your evidence should confirm that the nuisances occurred and when/how often they occurred. Written logs of complaints, pictures, recordings, security reports and correspondence can be easily produced in the moment.

The second component addresses subjective problems. Your neighbour might think playing music through their state-of-the-art sound system is a perfectly reasonable way to spend a Friday night but you might disagree as you try to catch up on lost sleep from a busy week. Your upstairs neighbour could be exercising in their unit, but you might not care for New Year’s resolutions when you are in an important Zoom meeting. You might be cooking up a luxurious three-course meal but your neighbours take issue with the smells and aromas from your kitchen wafting into their units.

The point of these examples is that there is no “bright line test” to determine when any of these issues are minor or serious enough to bring before the CAT. However, if you can prove that the nuisances are a recurring issue, which you support with evidence you produced from the time they occurred, this may convince the CAT that the nuisances are problematic.

II. Investigate the Complaint

“I believe in evidence. I believe in observation, measurement, and reasoning, confirmed by independent observers. I’ll believe anything, no matter how wild and ridiculous, if there is evidence for it. The wilder and more ridiculous something is, however, the firmer and more solid the evidence will have to be.” Isaac Assimov

Whether you are complaining of or fielding a complaint of a Notorious Nuisance, you are usually dealing with the account of one person who is personally affected by the problem. This doesn’t invalidate the complaint, but it begs an important question, would anyone else see the situation the way the complainant does?

We always recommend reporting the nuisance to property managers who can then investigate the complaint. An investigation lends credibility to the complaints. For residents and condo Boards looking to take the offending owner to the CAT an investigation may validate their concerns and go a long way before the CAT.

The property manager is presumably a third-party with no “skin in the game” - their only role is to see the nuisances for themselves. They should also be asked to prepare a brief report outlining the frequency, degree of nuisance (e.g. volume, strength of odours, etc.) and where the nuisances can be observed (e.g. from outside the offending unit, in the complainant’s unit, the elevator, etc.).

III. Be Impartial

“In the end we are always rewarded for our good will, our patience, fair-mindedness, and gentleness with what is strange.” Frederick Nietzsche

One of the key problems with Notorious Nuisances is that they are inherently subjective; therefore it would benefit residents and condo boards to respond impartially. But of course, that’s easier said than done when you’re dealing with an irritating resident blasting music throughout all hours of the day.

taking it for face value without immediately siding with the complainant. However, once the Board can confirm the complaint through its own investigation, then it is armed with the facts to respond more aggressively against the offending resident.

For complaining residents, this means keeping their complaints as objective as they can. Condominium living is communal by nature and you are expected to have a certain degree of tolerance for your neighbour's activities. This line is crossed when your neighbour's conduct is a Notorious Nuisance, but it does not help your case to exaggerate. You do not want to bring a CAT case only for the Tribunal to decide that you are unreasonably sensitive and embellished the issues.

IV. Know your Enemy

"Be sure you positively identify your target before you pull the trigger" Tom Flynn

For condo Boards, being impartial means responding to a complaint and

The CAT generally has jurisdiction to deal only with condominium owners, residents (tenants and occupants) and corporations. If an owner sells their unit or a resident no longer lives at the condo, the CAT will not have jurisdiction to hear a case even if the case was filed before these events.

Therefore, you should know who you are naming as a respondent in your CAT case. Is the respondent an owner or resident? Do they still own or live in their unit? It will be fatal to your case if at any point the answer to either question is "No".

The CAT is an accessible dispute resolution forum, and for some of the most common condominium problems, we are optimistic that the Tribunal will demonstrate it is well-equipped to tackle Notorious Nuisances. But before you get in front of the CAT, you need to build your case, and that starts with these best practices.

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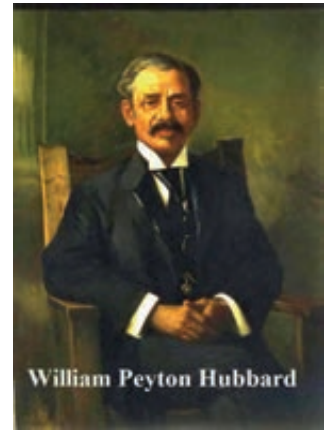
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Toronto History

Early Black History in Toronto and the Arrival of Paul Robeson
By Bruce Bell, Toronto Historian, www.bucebelltours.ca

In late 1945 a nine-year-old Toronto boy named Harry Gairey went to the Icelandia roller-rink in the Spadina and College Street area. He was refused admission because that the rink for whites only. Harry told his father, a porter with the railroad and a prominent member of the local Black community, who in turn went to his alderman Joe Salsberg who then made an appointment for Harry Sr. to speak at the next council meeting.

The following week Harry Sr stood in the council chambers of what is now Old City Hall. He spoke the following words to an all white city council, "If the powers that be refused my son admission to the Icelandia, I would accept it, if when the next war comes, you're going to say, 'Harry Gairey Jr, you're Black, you stay here, don't go to war.' But, gentlemen of the council, it's not going to be that way, you're going to say he's a Canadian and you'll conscript him and if so, I would like my son to have everything that a Canadian citizen is entitled to, providing he's worthy of it".



1894 First Black Elected Official in Canada

The very next day, students from the University of Toronto picketed the Icelandia rink. A few months later, the City of Toronto made an ordinance that no theatre, rink or place of entertainment can discriminate because of race, creed, colour or religion.

Around the same time, this human rights edict was making news around the world, the great African American actor/singer/activist Paul Robeson arrived in Toronto with his renowned production of Othello at the Royal Alexandra Theatre. There has probably never been or will be another like Robeson, who was born in Princeton, New Jersey, on April 9, 1898. The son of slaves would go on to be a great athlete, singer, actor and one of the first leaders of the American Civil Rights movement following the Second World War.

With his booming voice he could bring people to tears and then to their feet with his rendition of Ol' Man River from the musical Showboat both on Broadway and in the 1936 movie version.

There has always been prejudice in our city against Blacks, Jews, gays, Greeks, Irish, Italians, women, Catholics (need I go on). At the same time, there have always been forward-thinking people who fought against discrimination.

As early as c1842 Black people living in Toronto effectively appealed city council to prohibit travelling American shows that were offensive including banning offensive songs from their repertoire. Then in 1894, Toronto elected William Hubbard to city council and became the first Black citizen in Canada to be elected to any public office. Sadly, even with these reforms racism was rampant in our city.

When Black performers headed to Toronto to appear in shows they were barred from staying at downtown hotels. Often, they had to either stay in Black run hotels miles away in the suburbs or be billeted at friends or relatives' homes.

In 1943, a group of Black American actors set to appear at the Royal Alex in a production of Porgy and Bess starring the great Todd Duncan as Porgy were turned away on a cold and rainy night from the Royal York Hotel after a long train ride from New York.

When Ernest Rawley, the legendary manager of the Royal Alex at the time, heard of this injustice, he marched on down to the hotel. Ernest demanded that his actors be given rooms.

The Royal York said it wasn't their official policy to ban Blacks, they didn't want to offend their white American guests. Shocked and repulsed, Ernest said that no other company would stay at the hotel if this ridiculous policy didn't change immediately. The Royal York did start to allow Black people to stay after that incident. But it wouldn't be until 1954, when the Fair Accommodations Practices Act was passed in Ontario, and it became the law of the land.

Paul Robeson wasn't just a civil rights leader for Blacks, but for all workers rights around the world. So much so that he was eventually blacklisted and branded a Communist for his ideals. "The artist must take sides. He must elect to fight for freedom or slavery. I have made my choice. I had no alternative."

After his much adored appearance at the Royal Alex, Robeson wanted to return, but the American Government revoked his passport due to his political leanings, making travel outside the States impossible. So, in 1952 Robeson rented a flat-bed truck that he used as a stage on the American side of the Niagara River/ With amplification, he sang to 40,000 Canadians on the other side.

Robeson's celebrated presence in Ontario came at a time of sweeping social change challenging racial stereotypes. It made it somewhat easier for an all white city council to hear the stirring appeal from a dad that his son be granted the simple pleasure of roller skating.

After a long and distinguished career, Paul Robeson died on January 23, 1976, in Philadelphia, following complications of a stroke at the age of 77.

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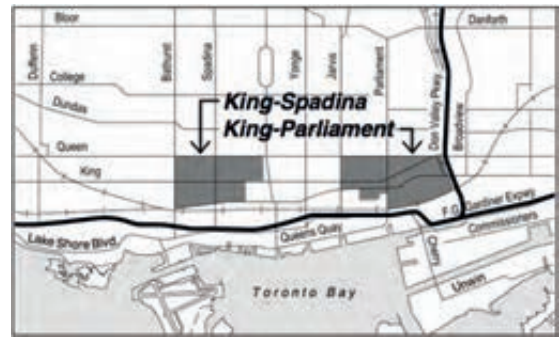
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A Tale of Two Kings

Why Toronto has the Highest Number of Condominiums in the World by Volume

By Quintin Johnstone, Founder & CEO Samsonshield Inc. / Riskboss Inc.

2020 marked a very important milestone for the City of Toronto. It marked the fact that Toronto has more high-rise residential condominiums than anywhere else in the world (Not including the GTA). This fact is staggering but true. **But why is this happening here in Toronto?**



In the late 1970s through to the late 1980s, demographic shifts favoured the suburbs and regional areas outside of Toronto leaving the downtown core barren after working hours. Downtown Toronto was once the destination place for industry. However, this demographic shift moved large businesses to Mississauga and York Region to follow the workforce being lured by tax incentives offered by regional jurisdictions.

Crime rates rose. Late night clubs, booze cans, whisky joints and strip clubs littered the Toronto core. Lines of street prostitutes marking out their territory in various neighbours were the norm every night of the week with Johns driving through the 'prostitution tracks.' Used books stores and used furniture stores lined Queen Street West. Only a few condominiums were built. The lakeshore was barren, and for example, the Queens Quay Terminal building had partially collapsed in on itself. A grim future for Toronto's downtown core was the topic of conversation and concern. Not as bad as Manhattan at the time, but Toronto was getting there.

It was Mayor Barbara Hall during her reign (1994 to 1997) and City Council that changed zoning to allow for residential zoning for properties abandoned and left empty by industry. *The Kings Regeneration Planning Initiative* dubbed the "**2 Kings Policy**" was instrumental in revitalizing the downtown core in two areas, King Street East and Parliament, and also, King Street west of Spadina Avenue.

This policy change cost nothing but fast forward and the *2 Kings Policy* sparked unprecedented growth in the downtown core. It made Toronto the number one hotspot for condominiums in the world by volume. With this, large business has returned to the City core to follow the workforce. All great from a city vibrancy perspective but certainly not without very high density and congestion issues.

Driving the market is the demographic shift to the city core from the suburbs, are particularly the Baby Boomer and Millennial generations. Immigration is also another driving factor of this market.

Unlike the mid to late 1980s where speculators bought multiple units with very little money down only to be hugely affected by the 1989(90) recession, the current condominium boom has been sustained in the GTA since the mid-1990s with no end in sight.

This condominium boom has been sustained by the lack of residential apartments being built by developers in Ontario for many decades. With the lack of residential apartments, condominiums have been a natural replacement and destination for renters.

Condominiums have also taken over from traditional basement apartments that were a fixture in the GTA landscape until the mid 1990s. The demographic shift to the suburbs forced owners of large downtown homes to turn them into rooming houses. This coincided with the socio-economic decline of many areas in the inner core of the city. Now multi-residential properties are being transformed on mass back to single family residential homes, particularly in the Toronto core as the demographic shifts continue to trend to this area.

Where are we going from here? The City of Toronto performed a study to redevelop the core with a twenty-five-year vision. According to the City of Toronto website,

"TOcore is an initiative to prepare and implement a new plan for Toronto's Downtown. A series of five infrastructure-related strategies have been developed to support implementation. These strategies cover community facilities, parks and public realm, mobility, energy and water. The Downtown Plan is a 25-year vision that sets the direction for the city centre as the cultural, civic, retail and economic heart of Toronto and as a great place to live."
[Excerpt & Picture from City of Toronto]

The Study area is bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north and the Don River to the east. Accompanying this plan was the rezoning of largely empty commercial buildings to residential communities that helped spark a large-scale demographic shift back to downtown Toronto. Signs of significant gentrification is well underway.

The gentrification of Distillery District (to the south east) coincided with the redevelopment of Yonge Street (to the west) and the lakeshore where there is a massive investment in commercial and residential condominium properties.

By the time the 2 Kings Policy was implemented, business had already long left downtown Toronto. Toronto was in trouble. This is a case where innovative government officials created the structure that became the cornerstone of what downtown Toronto is today, and all at zero cost. Certainly, something to think about.



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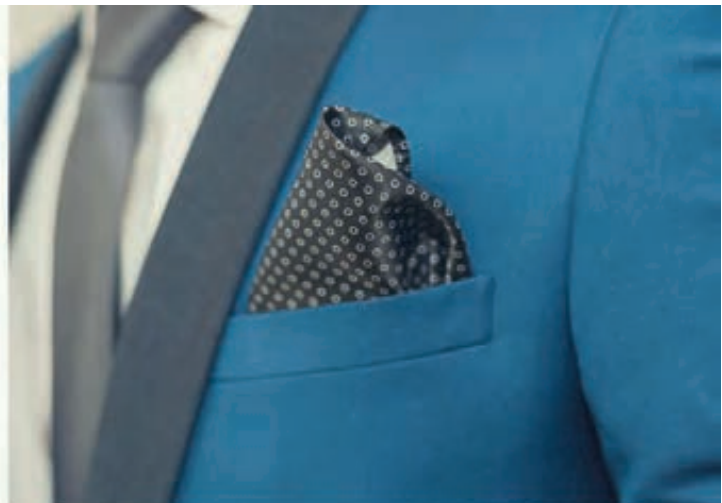
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CPTED

What Is It? Does It Help Mitigate Risk?

By Ken Shibasaki, Senior Analyst, Riskboss Inc. www.riskboss.com

So, your Board comes to you as the property manager and asks, “Should we get a CPTED analysis of our community?” What is CPTED? What are the limits of CPTED? Should CPTED be used exclusively to prevent risk in your community? Great questions. We have some answers for you.

According to Wikipedia,

“It originated in America around 1960, when urban renewal strategies were felt to be destroying the social framework needed for self-policing. Architect Oscar Newman created the concept of ‘defensible space’, developed further by criminologist C. Ray Jeffery who coined the term CPTED. Wide-ranging recommendations to architects include the planting of trees and shrubs, the elimination of escape routes, the correct use of lighting, and the encouragement of pedestrian and bicycle traffic in streets. Tests show that the application of CPTED measures overwhelmingly reduces criminal activity.”

The concept of the Broken Window Theory popularized in New York in the 1980s, assisted CPTED in the growth of this analytical model. Mayor Rudy Giuliani and Police Commissioner William Bratton used the Broken Window Theory to dramatically clean up and improve the brand image of Manhattan by the use of crime and disorder reduction strategies.

In the 1990s, the Toronto Police Service incorporated CPTED into the City of Toronto urban planning processes and procedures. City of Toronto urban planning staff routinely sent plan drawings of new developments to the Toronto Police Service, Corporate Planning Unit for opinion with respect to safety and security. Albeit, while CPTED is only one of the critical success factor analysis templates used by municipalities, it is an important one.

CPTED is based in the theory of preventative and strategic actions to deter negative behaviour and reduce risk that is nurtured through the likes of; poor lighting, blind spots, lying-in-wait building designs, improper signage, inadequate access control systems, poorly designed Closed-Circuit Television (CCTV) prevention measures, and poorly designed vehicle and pedestrian travel routes.

Designing and redesigning spaces to deter negative risk influences are key components of the CPTED philosophy. Reacting quickly to incidents of litter, graffiti, vandalism, crime, and disorder comprise the reactive components of CPTED, indicative of the Broken Window Theory (e.g. removing graffiti within twenty-four hours). Pre-planning and redesigning the urban landscape to prevent such incidents are proactive components of CPTED.

The core elements of CPTED are designed to prevent crime and disorder and also are meant to reduce the fear of crime and disorder. Redesigning urban landscapes and buildings to reduce crime and disorder creates fewer opportunities for would-be criminals to engage, deterring them from carrying out negative behaviours.

CPTED

Crime Prevention Through Environmental Design

There are seven (7) main concepts at the core of CPTED:

1. **Access Control;**
2. **Natural Surveillance;**
3. **Territoriality;**
4. **Defensible Space;**
5. **Activity Programme;**
6. **Formalized Organized Surveillance; and**
7. **Target Hardening.**

It should be noted that most highrise risk assessment companies use CPTED as the primary and often the only measure of analysis. CPTED is effective only within a limited scope, and only when used effectively. While CPTED does add value to the overall risk analysis, it is not the only measure that should be used and incorporated into risk assessments. CPTED alone simply doesn't go far enough for modern comprehensive risk assessments.

Comprehensive risk assessments incorporate a wide variety of sciences and measures that include but are not limited to; emergency management, access control analysis, health and safety protocols, branding and imaging, resilient and effective governance analysis, incident management systems, GAP analysis, effective training and communication strategies, and process analysis and (re)engineering to ensure the most effective and resilient methods and best practices are utilized.

Highrise developers follow a planned methodology to ensure that they get the best possible product while maximizing efficiencies and at reduced costs. Building Code, Fire Code and Municipal planning requirements force developers to adhere to strict building standards. These building standards often have very little to do with crime and disorder prevention and risk management.

Residential communities and commercial spaces are built for people to live in and work. Striking a fine balance between target hardening and risk reduction without turning the space into what appears to be a military-like compound is the key to effective comprehensive risk assessments. Recommendations found in effective comprehensive risk assessments should not only reduce the likelihood that someone may happen, but also, make people feel safer too.

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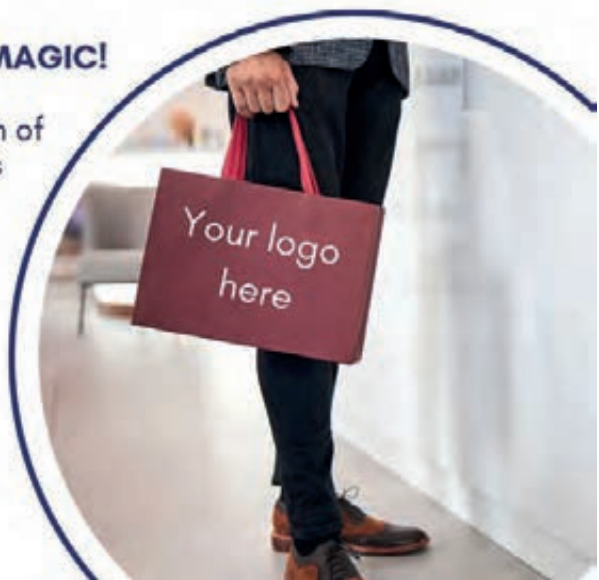


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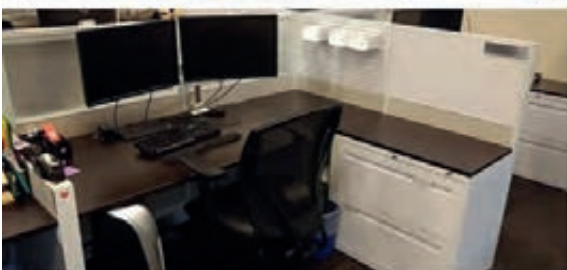
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**Question from Rose L.,
Property Manager in Toronto, Ontario**

Q: Our condominium Board has asked me to make sure that all the pets in our community are registered. This is a requirement in our Rules, but I am having a lot of trouble because some pet owners don't want to disclose it. I heard you may be able to help.

A: Yes - we can certainly help with this. The following is something that Riskboss recommends in our Comprehensive and Independent Risk Assessments.

The Fire Safety Plan (the Plan) should always have (as page one) a list of persons requiring special assistance in emergencies and that list should be updated every month. All pets should be listed as page two of the Plan. Emergency responders always worry about entering into a unit where there may be pets. They may not notice them if they are not registered or frightened pets may attack them. Like most people, emergency responders have big hearts and like to save animals as well as people. That's why you often see them on the front cover of newspapers providing oxygen to pets.

Riskboss also recommends that this lists be placed into plastic sleeves so that when an emergency responder arrives, the list can be easily handled and not damaged. In short, communicate to all residents that emergency responders need this information to save their pets in emergencies, and you will get 100% compliance.

**Question from Debbie K.,
Property Manager in Toronto, Ontario**

Q: I got a call from one of my security guards. Police were on site and wanted to interview the guard regarding an incident that she witnessed involving two residents. The police officer was wearing a body camera and asked, "Do I have your permission to record a statement on my body camera now?" I didn't know the correct answer because I had never come across this before.

A: In GTA police services, this is becoming a reality as body cameras are being tested and, in some areas, already deployed. This provides greater police accountability and also, objective and real-time accounts of what actually transpires during interactions.

Police generally do not need permission to record anyone, but there are some limitations on when the police can and cannot use their body cameras. In Canada, there is a *One Person Consent Rule* for combination video/audio taping. It means that if you are the one doing the taping and you are present, you do not need permission from anyone. Police are limited to using body cameras in areas with no *Reasonable Expectation of Privacy*. Public sidewalks, highrise lobbies, parking lots, hallways, etc., are areas where there is no *Reasonable Expectation of Privacy*. Your home; however, is definitely an area where there is a *Reasonable Expectation of Privacy*. Unless police are in your home for a lawful purpose and being 'lawfully placed' such as being invited or attending an emergency call, police should not engage their body cameras without permission.

Why do police officers ask, "Do I have your permission to take a body camera statement from you now?" Police generally ask as a matter of public respect. From the beginning police are taught in Evidence 101, that the *Best Evidence Rule* is to get statements and evidence as soon as possible. This is so that memories don't fade or no one tampers with evidence. Service providers such as security, although never obliged by law to provide a statement to police, should cooperate, especially if an offender is not a resident of the community.

Here is where problems can occur for property managers and something to definitely watch out for. When the situation is between two or more residents, there may be privacy issues that should be managed prior to the release of any information to anyone. Unless police declare an emergency where critical information is immediacy required, it may be prudent to request that police wait until after the corporate lawyer can be contacted to review the incident and provide sage guidance on whether confidentiality and privacy come into play. Every situation is different. If it is an emergency, the general rule is to release the information right away to police.

In short, in non-emergent situations, everyone should always call a higher authority when asked by a police officer for a live body camera statement just to be sure. Property managers should always be the first point of contact for the release of any information to anyone.

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