

June 14, 2022

Minto High Park
111 Pacific Ave
Toronto, ON
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Attn: Karen Jones, Property Manager, Minto High Park, Minto Apartment REIT
Charlsey Brunne, Director of Residential Property Operations, Minto Properties Inc.
Paul Baron, Senior Vice President of Operations, Minto Apartment REIT

CC: hpvatyourservice@minto.com
Glen MacMullin, Chief Investment Officer, Minto Apartment REIT
Bhutila Karpoche, MPP, Parkdale-High Park
Gord Perks, Toronto City Councillor, Parkdale-High Park
Séamus Gearin, President, High Park Tenants' Association
Julia Stewart, Vice-President, High Park Tenants' Association
Jocelyn Reyes Midghall, Building Issues Liaison, High Park Tenants' Association
Federation of Metro Tenants' Associations
RentSafeTO

CEASE AND DESIST: Minto's Forced Balcony Closures at 255 Glenlake Ave Proceeding with Only 19-Days Notice

We are a new grassroots community group, "Residents of High Park Village," comprised of volunteers who currently reside at 255 Glenlake Avenue at Minto's High Park Village (MintoHPV). **With the support of more than 235 residents from 134 rental units in this building, we are writing to raise significant concerns with MintoHPV's planned balcony waterproofing project** at our building, scheduled to start on June 20, 2022.

On June 1, 2022, with **only 19 days notice**, Minto Apartment Limited Partnership [announced](#) that in order to initiate their planned waterproofing project, residents on the building's north side must clear all personal items from their balconies, and **will be blocked from accessing their balconies** on or after June 20, with an expected project completion date of November 2022.

MintoHPV's notification and communication around this project have been incomplete and inconsistent. **Many residents have indicated that they did not receive the above notice** by email, nor hard-copy notice. Further, **MintoHPV management failed to post notices on our two Tenant Notification Boards until June 10** (only ten days before the work was set to begin) in response to requests from multiple residents.

Given Minto's reputation for being a well-managed company focused on building "homes, community and trust," we are gravely disappointed to see such blatant disregard for residents' trust and quality of life.

In its approach to proceeding with this project, **Minto has failed in its legal and ethical responsibilities to tenants by:**

- **Failing to provide 60-days notice** to affected tenants before the commencement of work.

*While "balcony waterproofing" was listed as a "project under consideration" in a [notice distributed by Minto on November 18, 2021](#), this communication **failed to describe the nature of the work to be carried out, and the expected impact on tenants** and members of their households. This communication also noted that **"all of these plans remain subject to owners' final approval,"** and that **"a more detailed project notice including work details and scheduling will be shared"** as Minto **"finalize[s] which projects will be completed."** As such, this communication **does not meet the requirements for proper notice** for disruptive maintenance, repairs or capital improvements as outlined in the **Residential Tenancies Act, 2006** and the associated regulations under this Act, specifically **O. Reg. 516/06, s. 8**. In fact, the November 18 notification appears to be the mandatory Capital Plan for Building repairs that is required for viewing by tenants under the RentSafeTO program.*

- **Failing to meet RentSafeTO Apartment Building Standards** for keeping tenants informed through Tenant Notification Boards.
- **Failing to provide clear and consistent information** to residents regarding the highly disruptive nature of the work, project timelines, and requirements and recommendations for residents around access to balconies, windows and air conditioning, and removal and storage of personal items.

*Minto's communication to residents on this project and its impacts has been incomplete and inconsistent. **We continue to track, photograph, document and maintain records of the many omissions, changes and inconsistencies in MintoHPV's communications with residents on this project.***

- **Failing to provide answers to residents' specific questions** and/or responses to residents' concerns about this project in a timely manner, particularly given the project's expected start date of June 20, 2022 for residents on the building's north side.
- **Failing to provide adequate or effective accommodation for residents who require it** in a timely manner, particularly given the project's expected start date of June 20, 2022.
- **Failing to give notice of this project to any prospective tenant** of a rental unit.

We therefore advise MintoHPV to cease and desist the commencement of work related to balcony waterproofing on June 20, until legal notification, consultation, communication and accommodation takes place.

We have determined the following “**Six Asks**” of MintoHPV to effectively mitigate the impacts of this highly disruptive project, in consultation with building residents. In fact, we have confirmed the **explicit support of 134 survey respondents, representing a total of 237 residents across 134 units, for the following Asks of MintoHPV:**

1. **Consult with residents through no less than two Town Hall Meetings, ensuring that these are accessible to attend by all residents who wish to participate, factoring in varying work schedules and availabilities.**
2. **Postpone the project start date until Minto can provide legal notification, and reasonable responses to residents’ questions and concerns.**
3. **Provide clear and detailed information on project timelines.**
4. **Take reasonable steps to minimize the project’s impacts and disruption to residents.**
5. **Provide adequate, secure storage solutions for residents’ furniture and personal items that must be removed from their balconies.**
6. **Provide fair compensation to residents for lost living space.**

In our engagement with more than 230 residents to date, we have seen significant and widespread concern about the project’s impacts. **The top concerns cited by residents include:**

- **Quality of Life:** Impacts on quality of life, mental health and reasonable enjoyment of our homes, with little efforts made by MintoHPV to minimize impacts to residents.
- **Health and Safety:** Health and safety concerns related to restrictions on use of air conditioning and windows (heat dangers, poor air quality and air circulation), concerns around exposure to dust and chemicals, and concerns around blocked access to balconies in case of fire or other emergency.
- **Communications:** Lack of notice, improper notice, lack of communication, poor/inconsistent communication, lack of consultation, vague timelines and unanswered questions from Minto.
- **Timing:** Minto’s poor planning has resulted in this project being pursued during the height of the summer months, increasing concerns around quality of life and access to air conditioning.
- **Accommodation:** Lack of timely accommodation (and clarity around available accommodations) around secure storage of personal items, and accommodation for those who will need to be at home during daytime/working hours, seniors, and persons with disabilities or limited mobility.
- **Compensation:** Recouping the monetary value of lost space, as well as compensation for the project’s impacts on quality of life and reasonable enjoyment of our homes.

We expect MintoHPV to take reasonable steps to minimize the impacts of this project to residents' quality of life and to their reasonable enjoyment of their homes, to ensure that all residents receive clear, detailed and timely information regarding project timelines and impact to residents, and to be prepared to answer residents' questions about the project, timelines, impact to residents, and possible accommodations prior to proceeding with this work.

Our community at 255 Glenlake Avenue is activated, motivated, and extremely upset about this project's highly-disruptive impacts, including serious concerns about the health and safety of residents.

Members of our community are taking both collective and individual action to ensure that MintoHPV meets its legal and ethical responsibilities to tenants and our community, including consulting legal counsel and securing advice from tenants' rights groups, engaging with our Provincial MPP Bhutla Karpoche and our Ward 4 Toronto City Councillor Gord Perks, and working closely with the High Park Tenants' Association.

Through its actions on this project, **MintoHPV has damaged our community's faith and trust in onsite management, and Minto itself**, and has failed to meet Minto's overarching commitment to **"keeping your communities and people safe."**

As Minto prepares to double the density of this property by constructing two new high-rise buildings, this matter is alarming residents right across the property. **Our entire community is gravely concerned about the manner in which MintoHPV has conducted itself, with such a blatant disregard for tenants' rights, residents' health and safety, and our rights to reasonable and peaceful enjoyment of our homes and premises.**

Once again, we advise MintoHPV to cease and desist with the commencement of work on this project, until legal notice, consultation, communication and adequate accommodations are in place.

Should this work take place as scheduled, we will work quickly and closely with the High Park Tenants' Association to support them in pursuing a T2 and T3 application to the Landlord and Tenant Board on behalf of residents, to secure proper compensation through a rent abatement.

We respectfully request a written response from MintoHPV, confirming that they will cease commencement of this work, and providing a response to the above "Six Asks" by no later than Thursday, June 16 at 5:00 p.m. ET. by email to hello@rohpn.com.

In the absence of a complete and satisfactory response, we will continue to pursue other avenues to bring attention to this breach of trust from one of the city's most well-regarded property management companies.

Sincerely,

Jordan Wan
255 Glenlake Avenue

Lisa Timoshenko
255 Glenlake Avenue