

*Residences of the World Trade Centre*  
**HOMEOWNERS ASSOCIATION**  
(NOT the Condominium Corporation Board of Directors)

**CONSTITUTION OF THE  
RESIDENCES OF THE WORLD TRADE CENTRE HomeOwners ASSOCIATION**

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**BY-LAW I: NAME**

The name of the organization shall be the Residences of the World Trade Centre HomeOwners Association (the Association).

**BY-LAW II: MISSION STATEMENT**

The Association's mission is

- to respect, protect and improve the unique character of the Residences of the World Trade Centre
- to be a forum for exchanging information that is vital to this neighbourhood's quality of life
- to provide leadership that enables owners of units of Residences of the World Trade Centre (the "HomeOwners") to exercise their rights
- to foster the beautification and revitalization of the Residences of the World Trade Centre

**BY-LAW III: OBJECTS**

1. The primary purpose of this Association is to improve the Residences of the World Trade Centre home environment by addressing issues affecting the quality of life of HomeOwners;

a. To organize or participate in Residences of the World Trade Centre projects designed to improve the Residences of the World Trade Centre home environment.

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b. To educate and increase the HomeOwners' understanding of the Residences of the World Trade Centre home environment and its importance by offering meetings at least once per month and by collecting and disseminating information on that topic.

c. To develop and provide programs promoting the revitalization, protection and preservation of the Residences of the World Trade Centre through re-use, reduction, recycling and recovery of waste and to educate HomeOwners about efficient waste management systems.

d. To conduct research relating to the Residences of the World Trade Centre and to disseminate to HomeOwners the results of such research.

2. Other objectives of the Association include the following:

- Represent Member HomeOwners to create a strong home and to protect and improve the unique character of the Residences of the World Trade Centre with a view to considering the impact of MTCC 979 and 989 Board (the "Condominium Boards") management, city planning and development on the property of the Residences of the World Trade Centre;
- Provide information to HomeOwners about plans and decisions that affect the Residences of the World Trade Centre with a focus on quality of life and property values, to provide leadership that enables HomeOwners to exercise their rights;
- Create a forum for HomeOwners to voice their concerns and to offer ideas to each other and to the Condominium Boards and other key decision-makers to improve and protect the HomeOwners' homes; to provide a forum for exchanging information that is vital to the Residences of the World Trade Centre quality of life;
- To ensure that beautification of the Residences of the World Trade Centre moves forward to allow the HomeOwners to enjoy the Residences of the World Trade Centre to give them back something beautiful to enjoy, and to keep the Residences of the World Trade Centre an enjoyable place for people to live and visit;
- To plan, recommend and promote the adoption of such measures as will tend to beautify and improve the Residences of the World Trade Centre and add to its attractiveness;

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- Through Association representatives to work with the Condominium Boards, other community associations, committees and organizations to contribute to the community;
- To remain nimble to be able to move quickly and to see new developments of issues;
- To encourage involvement and open-ended discussion and to build towards consensus;
- To support and encourage environmental sustainability;
- To operate openly and transparently;
- To promote safety and security in the Residences of the World Trade Centre;
- To represent the Member HomeOwners in negotiations and communications with the Condominium Boards, neighbouring associations, groups, individuals, the media and the general public;
- To represent the Member HomeOwners at all levels of government and in the courts;
- To encourage a sense of community amongst HomeOwners;
- To facilitate communications between groups within the Residences of the World Trade Centre;
- To devise, consider, recommend and promote such legislative, municipal and other measures as may be deemed wise and expedient in the interests of the HomeOwners;
- Generally to promote good government of the Residences of the World Trade Centre as it affects the HomeOwners.

**BY-LAW IV: MEMBERSHIP**

1. The Association is comprised of Members of the Association (also referred to as “Member HomeOwners”) who have applied for membership and whose applications have been accepted by the President of the Association. All current owners of residential units of 10 Queen’s Quay West (Metropolitan Toronto Condominium Corporation No.

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989), and 10 Yonge Street (Metropolitan Toronto Condominium Corporation No. 979)) including owner residents and owner non-residents (the “HomeOwners”) are invited to apply to become Members of the Association. The HomeOwners are those owners and mortgagees in the record of names and addresses for service required to be maintained by MTCC 979 and MTCC 989 pursuant to section 47(2) of the Condominium Act (1998) or its successor.

2. HomeOwners become Members (also referred to as “Member HomeOwners”) by signing the Membership Form in Appendix C, submitting it to a regular monthly meeting of the Association or otherwise to the President of the Association, and upon written acceptance by the President of the Association.

3. All HomeOwners (1) may attend Association regular and Annual General meetings, (2) are automatically pre-registered for all Association regular and Annual General meetings, (4) may sit on Association Board committees, and (4) get any merchant discounts that may have been negotiated by the Association Board.

4. Only Members (also referred to as “Member HomeOwners”) may vote at Association regular and Annual General meetings.

5. In addition to individual owners, corporate owners are also “HomeOwners”.

6. At the Association meetings, each Member HomeOwner shall have one vote per residential unit of MTCC 979 and of MTCC989 that that Member HomeOwner owns.

7. A Member HomeOwner ceases to be a member upon written resignation delivered to the Association or upon ceasing to be a HomeOwner as defined in IV(1) above.

**BY-LAW V: ANNUAL, REGULAR AND SPECIAL MEETINGS**

1. The Annual General Meeting shall be held in the month of November whenever possible. The newly elected Association Officers will start their fiscal year at that Annual General Meeting.

2. Five (5) HomeOwners and/or Member HomeOwners shall constitute a quorum of an Annual General Meeting. For example, for greater clarity, quorum is met with 2 HomeOwners and 3 Member HomeOwners.

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3. Regular monthly meetings shall be called by the Association President. Any monthly meeting may be called a "Townhall Meeting" at the discretion of the Association President. Whenever possible, the Association shall hold at least one regular meeting every month. The purpose of the regular meetings is (i) to discuss issues affecting the Residences of the World Trade Centre and HomeOwners, (ii) to receive the Association Board's presentation of the OIL Ledger (see the definition below under the Board of Directors By-law), and (iii) to add, delete or change issues on the Owner Issue List (see the definition below under the Board of Directors By-law). Any HomeOwner who attends a regular meeting may speak on any issue before the meeting, subject to the discipline of the chair of the meeting under Robert's Rules of Order. A majority (50% plus 1) of Member HomeOwners in attendance can decide to recommend to the Association Board (a) any course of action or (b) any declaration of policy on behalf of the Association. Any addition or change to the Owner Issue List must be made in writing on a form that clearly advises the contributing HomeOwner that the Owner Issue List may become public and that, therefore, any confidential or private information must be excluded from the addition or change. To maintain focus on having the Condominium Boards address the HomeOwners' issues, proxy voting will not be accepted, although additions or changes to the Owner Issue List will be accepted by email, regular mail, or personal delivery.

4. Three (3) HomeOwners and/or Member HomeOwners shall constitute a quorum of a regular meeting.

5. Special Meetings of Owners, pursuant to section 46 of the Condominium Act (1998) or its successor may be called by the President or by a majority vote at an annual or regular meeting of the Association. In this case, it will be the objective of the Association Board to organize and solicit signatures of HomeOwners in order to meet the requirements of a Requisition pursuant to section 46(1) of the Condominium Act (1998) or its successor.

**BY-LAW VI: THE ASSOCIATION BOARD OF DIRECTORS**

1. If the Association does not elect a Board of Directors, the business of the Association shall be conducted by a concurrence of Member HomeOwners present at and voting at monthly regular meetings of the Association. In this case, the terms "President", "Association Board", and "Association Officer" throughout these Constitution and Bylaws shall be construed as a concurrence of Member HomeOwners present and voting at monthly regular meetings of the Association.

2. The Association Board of Directors (the "Association Board") is to be comprised only of Member HomeOwners who also reside at 10 Yonge or 10 Queens Quay West ("Qualified Members"). For clarity, if an Association Director ceases to own a unit or to reside at 10 Queens Quay West or 10 Yonge Street, his or her term as Association Director ends immediately.

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3. The Association Board if possible should be, but does not need to be, composed of at least 5 Qualified Members. If possible, at least 2 Qualified Members should be from each MTCC 979 and MTCC 989. Included should be the Association President, Treasurer, Secretary, plus two Directors-at-Large, including the immediate past Association President.
4. No elected representative to any level of government or to a Board of Education shall be eligible for election to the Association Board of Directors.
5. In order to maintain independence from the Condominium Boards, no member of the Board of Directors of MTCC 979 or MTCC 989 shall be eligible for election to the Association Board except that the President of the Association may also become a Director of one or both of the Board of Directors of MTCC 979 or MTCC 989. For greater clarity, an Association Board member may also be on a Committee of the Board of Directors of MTCC 979 or MTCC 989.
6. Only one HomeOwner of each unit shall be eligible for election to the Association Board. For greater clarity, if two HomeOwners jointly own two units, each of those HomeOwners is eligible for election to the Association Board.
7. A HomeOwner shall not be eligible for election to the Association Board if that HomeOwner co-owns a unit with a director on the MTCC 979 or MTCC 989 Board of Directors.
8. The Association Board shall be elected at the Annual General Meeting and all Association Board members shall be Qualified Members. Any vacancy may be filled with another Qualified Member by the Association Board.
9. The purpose of the Association Board is threefold.
  - (i) The first purpose of the Association Board is to manage the list of issues HomeOwners have presented at regular Association meetings to be addressed by the Condominium Boards (the "Owner Issue List"). In particular, the Association Board is to maintain a Ledger (the "OIL Ledger") that includes a record of the Status and Resolution of each issue. This OIL Ledger may be shared and discussed with HomeOwners at each regular meeting of the Association. Accordingly the Board must advise the HomeOwners to exclude any confidential or private information that they do not want to be disclosed to the public. HomeOwners' contributions to the Owner Issue List must be made in writing on a form that includes this advice.

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(ii) The second, but equally important, purpose of the Association Board is to organize and solicit signatures of HomeOwners in order to meet the requirements of a Requisition pursuant to section 46(1) of the Condominium Act (1998) or its successor. This is to be done whenever the President or a majority vote of an annual or regular Association meeting calls for a Special Meeting of Owners pursuant to section 46 of the Condominium Act (1998) or its successor.

(iii) The third, but also equally important, purpose of the Association Board is to approve actions and communications that are to be taken on behalf of the Association. Any communication on Association Letterhead may be distributed only with approval of the Association Board. Association Letterhead includes the "Residences of the World Trade Centre HomeOwners Association" logo, together with the qualification "(NOT the Condominium Corporation Board of Directors)".

10. The regular Association Board meeting shall be held at least once every four months whenever possible and shall be called by the President. It is anticipated that most of the work of the Association Board will be done during the monthly regular Association meetings.

11. With participation and concurrence of the President, action may be taken by the Association Board by telephone and/or e-mail concurrence by a majority of the Association Directors. Such action shall be noted in a special memo placed in the minute book and signed by the person obtaining such concurrence and shall be reported in the minutes of the next Association Board meeting. The minutes shall include a current OIL Ledger.

12. Any HomeOwner may attend Association Board meetings as an observer, and on invitation of the meeting chair, may participate in the discussion. However, notice of an Association Board meeting is only required to be given to Association Board members.

13. Thirty percent (30%) of the members of the Association Board shall constitute a quorum for all meetings. In the event that a quorum is not present at a duly called Association Board meeting, the meeting shall be postponed to a later date at which the quorum will be the number of Association Board members present.

14. A schedule for meetings of the Association Board shall be determined by the Association Board soon after the Association's Annual General Meeting and communicated to all Association Board members. Any changes that should become necessary should be announced to Association Board members and chairs of Association Committees in writing or by e-mail or by telephone, as the Secretary or President may deem expedient. No

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accidental failure of notice to a single Association Board member shall invalidate such meeting or make its proceedings void.

15. At all Association Board meetings, except as otherwise specifically provided by a majority vote of the Association Board, questions shall be decided by not less than a simple majority of Association Board members present. The meeting chair shall not vote on any motions except in the case of a tie, in which case the meeting chair shall cast the deciding vote. The chair of an Association Board meeting and of an Association Annual General Meeting shall be a member of the Association Board. However, during the election of the Association Board at an Association Annual General Meeting, the chair shall delegate the chair role to a HomeOwner in attendance who accepts the chair position, which shall be reassumed by an Association Board member upon completion of the election.

16. Any vacancy occurring in the membership of the Association Board between Association Annual General Meetings may be filled by a majority vote of the remaining Association Board members from among the Qualified Members, to serve until the next Association Annual General Meeting. If a majority of the established number of Association Directors is no longer available, an electoral Association meeting shall be called for the purpose of electing replacements, with appropriate notice.

17. An Association Board member shall be disqualified from being an Association Board Member and from holding office (a) if that member should be removed from the record of names and addresses for service required to be maintained by MTCC 979 and MTCC 989 pursuant to section 47(2) of the Condominium Act (1998) or its successor or (b) if that Association Board member should be absent from three Association Board meetings without providing reasons therefor considered satisfactory by a majority of the Association Board members or (c) if that Association Board member ceases to reside at 10 Queens Quay West or 10 Yonge Street.

18. Association Board members may be removed before the expiration of their terms of office by a resolution passed by at least two-thirds of the votes cast at a Special Meeting of Owners pursuant to Section 46 of the Condominium Act (1998) or its successor. Notification of such meeting shall specify its purpose. Any Qualified Member may be elected for the remainder of the term, in place of the Association Board member removed, by a majority of the votes cast at such Special Meeting.

**BY-LAW VII: THE EXECUTIVE COMMITTEE**

1. Subject to By-law VI (1), the officers of the organization shall make up the Association Executive Committee.

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2. The Association Executive Committee is the legal entity charged with the management and responsibility for the Association and for determining the goals and means by which to implement the policies established by the Association Board, including prioritization of the issues on the Owner Issue List.
3. The responsibilities of the Association Executive Committee shall include but not be restricted to the following:
  - a. To issue any communications regarding such policies including the Owner Issue List and the OIL Ledger;
  - b. To communicate information to HomeOwners respecting matters of concern to the Residences of the World Trade Centre.
  - c. To represent the Member HomeOwners at the Condominium Boards and all levels of government including government agencies and, if necessary, in the courts for the purpose of influencing political actions, legal decisions and service delivery affecting the Residents of the World Trade Center.
  - d. To represent the Member HomeOwners with private sector and broader public sector organizations and courts for the purpose of influencing economic, environmental and social actions affecting the Residents of the World Trade Centre.
4. Subject to By-Law VI (1) there shall be at least three (3) officers of the Association: a President , a Secretary, and a Treasurer.
5. If possible, one of the remaining Association Board members should assume the role of Vice-President Communications.
6. Subject to By-Law VI (1), the officers shall be elected at the Annual General Meeting, or at the first Association Board meeting after the Association Annual General Meeting, to serve for a term of one year. In the case of election of an officer at an Association Board meeting during the year, that officer shall be elected for a term ending at the next Association Annual General Meeting. All officers shall serve as members of the Association Board.
7. One person can hold more than one office, with the exception that the President cannot also be the Secretary or Treasurer.
8. No Association Board member shall be eligible to serve more than three (3) consecutive terms in the same office.

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9. Except as provided in 9(a), no President shall be eligible to serve more than one (1) consecutive term in the office of President. For clarity, the President may become President after one year of not holding such position.

(a) The exception is that the President in the first year of the Association (2013-2014) may also be the President in the second year of the Association (2014-2015) for purposes of foundation.

10. The President shall be the official spokesperson for the Association and shall preside at all meetings of the Association Executive Committee, the Association Board, and of the Association. If the president is unable to do so, the President shall designate another Association Board member to serve in his or her place.

11. The President shall supervise the general management and operation of the Association.

12. The Secretary, or his or her designate, shall take the minutes of Association Annual, monthly regular, and Association Board meetings and distribute them to all Association Board members, shall prepare correspondence when requested, and shall maintain records of the Association, both on paper and on computer disk. The minutes of the Association Annual, monthly general, and Association Board meetings shall include a current OIL Ledger. The Secretary shall develop and maintain procedures as required to ensure integrity and retrievability of records. The Secretary shall retain the official records of the Association, including minutes of the Association Board, Association Annual and Owners Special Meetings; official Association correspondence; Association committee reports; Bylaws, etc.

13. The Treasurer shall deposit all monies donated or received in the bank account maintained by the Association, and disburse funds of the Association as instructed by the Association Board or by the Association Executive Committee. Disbursement decisions made by the Association Executive Committee shall be submitted to the Association Board for approval at the next Association Board meeting. All transactions shall be recorded with supporting receipts or vouchers. The Treasurer shall report to the Association Board whenever required, but at least quarterly, about the financial position of the Association, including an account of all the Treasurer's transactions. Each expenditure by the Treasurer of over \$1000.00 must be approved in advance by the Association Executive Committee. Each expenditure of over \$5000.00 must be approved in advance by the Association Annual General Meeting or by a regular Association meeting of Member HomeOwners. All cheques must be signed by two of three designated Association Board member signing officers, as authorized by the Association Board. Each of these signing officers must a HomeOwner.

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The Treasurer shall prepare financial statements for acceptance at the Association Annual General Meeting, and shall obtain Association Board approval with the signatures of at least two (2) Association Board members prior to the Association Annual General Meeting.

14. The Association Vice President in charge of membership or Association Director in charge of membership shall maintain a current HomeOwners list with contact information. If the record of names and addresses for service required to be maintained by MTCC 979 and MTCC 989 pursuant to section 47(2) of the Condominium Act (1998) or its successor cannot be received from MTCC 979 and MTCC 989, the Vice President in charge of membership shall make best efforts to obtain the most current list including, if sufficient funds are available, obtaining information about owners of units of MTCC 979 and MTCC 989 available from the Land Titles office.

15. If there is an Association Vice President in charge of Fundraising or Association Director in charge of Fundraising, this Association Vice President shall formulate and execute plans to conduct fundraising activities and to obtain sponsorship from individuals and organizations. The Association Vice President in charge of Fundraising will be the chair of any Association Fundraising Committee or Association Fundraising Standing Committee established by the Association Board.

**BY-LAW VIII: NOTICE OF MEETINGS**

1. Notice of a meeting of the Association Board shall be given to the Association directors at least five (5) days in advance of the meeting. Notice is not required if all Association directors agree to waive the requirement to receive notice.

2. The Association shall try to provide notice of a regular meeting or of an Association Annual General Meeting to HomeOwners in accordance with Section 47(1) of the Condominium Act (1998) or its successor at least fifteen (15) days before that meeting. Such notice shall be duly provided if posted on the Association's website. If the Association, after best efforts, is not able to obtain the addresses of HomeOwners, or to obtain funding for postage, notices of meetings shall be distributed and posted with the objective of obtaining the widest distribution to HomeOwners as reasonably possible in the prevailing circumstances. If a regular schedule of monthly regular meetings is set in advance, one notice of a meeting can include the notice of any number up to a maximum of 12 future regular meetings. Provided that if the date, time or place of any previously notified regular meeting changes, best efforts should be made to give notice including the revised details in accordance with Section 47(1) of the Condominium Act (1998), or its successor, at least fifteen (15) days before the day of the meeting.

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Posting of the notice in the mailroom and/or lobby and/or parking level of each tower of MTCC 979 and MTCC 989, is supplemental to but shall not be deemed sufficient notice for any Association or Board meeting.

Distribution of notices of Association regular meetings and of Association Annual General Meetings must be made in accordance with the Condominium Act and Condominium rules duly passed pursuant to the Condominium Act. Thus, for example, during elections, pursuant to Section 118 of the Condominium Act or its successor, an Association regular meeting or Association Annual General Meeting featuring a provincial, federal, municipal or school board trustee candidate as a guest speaker may be delivered door to door without the Condominium Board's approval provided that the Association is an authorized representative or otherwise meets the requirements of Section 118 of the Condominium Act or its successor. Without sacrificing the Objects and Mission of the Association, the Association Board shall attempt to work amicably with the Condominium Boards to obtain agreement with distribution of notices. The Association Board should take particular care to ensure distribution of these notices complies with the Condominium Act, particularly if the Condominium Board has not approved distribution of the notices door-to-door or otherwise.

3. Any notice required to be given under an Act, letters patent, by-laws or otherwise by a HomeOwner, Member, Association Director or Association Officer shall be deemed to have been given if delivered personally to the person to whom it is to be given or delivered to the person's address as recorded in the Association's or the Condominium Corporation's records (whichever is more current) by any means of prepaid transmittal, delivery or recorded communication, including but not limited to ordinary prepaid postal mail, voice mail, e-mail and fax.

4. A notice shall be deemed to have been given when it is delivered personally or to the person's address, or one day after it was mailed or transmitted.

**BY-LAW IX: "OWNER ISSUE LIST" AND "OIL LEDGER"**

At Association regular monthly and Association Annual Association meetings, HomeOwners will be asked to submit in writing issues they wish to be addressed by the Condominium Boards (the "Owner Issue List"). (See Appendix A). The Association Board is to maintain a Ledger (the "OIL Ledger") that includes a record of the Status and Resolution of each issue on the Owner Issue List. (See Appendix B). This OIL Ledger will be shared and discussed with HomeOwners at each monthly Association regular meeting and each Association Annual General meeting. Accordingly the Association Board must advise the HomeOwners to exclude from their Owner Issue List submissions any confidential or private information that they do not want to be disclosed to the public.

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HomeOwners' contributions or submissions to the Owner Issue List must be made in writing on a form that includes the advice that: "Contributions and Submissions to the Owner Issue List will be shared and discussed with HomeOwners at monthly Association regular meetings and each Association Annual Association meeting. By completing this form you acknowledge that you have excluded from your Owner Issue List submissions any confidential or private information that you do not want to be disclosed to the public." In addition, the Owner Issue List shall provide a term whereby the HomeOwner signing authorizes the President of the Association to represent that HomeOwner and to present the issue(s) listed to the MTCC 979 Board and to the MTCC 989 Board.

The purpose of the regular meetings is (i) to discuss issues affecting the Residences of the World Trade Centre and HomeOwners, (ii) to accept the Association Board's presentation of the OIL Ledger, (iii) to add, delete or change issues on the Owner Issue List, and (iv) to pass resolutions for consideration by the Association Board.

To maintain focus on having the Condominium Boards address the HomeOwners' issues, proxy voting will not be accepted, although additions or changes to the Owner Issue List will be accepted by email, regular mail, or personal delivery.

The President or his or her designate will make best efforts to present the current Owner Issue List to the Condominium Boards at their monthly Condominium Board meetings. The President will discuss the Owner Issue List and will record the Status and Resolution of each issue and the President's extent of success in appearing before the Condominium Board meetings. This record of the Owner Issue List together with the Status and Resolution of each will constitute the OIL Ledger. See Appendix B.

## **BY-LAW X: STANDING COMMITTEES**

1. The President may appoint one or more Standing Committees that may include:

- Finance and Budget
- Speakers Series
- Public relations
- Nominations and Constitutional
- Membership

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- Communications
- web site
- safety
- harbour noise
- planning and development
- protection of trees
- protection of birds or animals
- liaison with Business Improvement Associations (BIA's)
- liaison with elected officials of Condominium Boards.

2. Each Standing Committee will be asked to select a Chair from its Member HomeOwners.

3. The Association Board President shall designate the convenor of each Standing Committee at the time of its creation, but thereafter the Committee may choose its own Chair.

4. Any Standing Committee Chair who is not an Association Board member is entitled to report to the Association Board and to make recommendations for action. Written reports to the Association Board may be requested by the Association Board President as he or she determines.

Standing Committee Chairs shall make a written and oral report to the Association Annual General Meeting.

5. Standing Committees shall normally meet at least twice a year. If a Committee meets less than once a year, the Association Board may consider its dissolution or the appointment of a new convenor.

6. The Association President is an ex-officio member of all committees.

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**BY-LAW XI: THE NOMINATIONS AND CONSTITUTIONAL  
COMMITTEE**

1. Each year the Association Annual General Meeting shall elect four HomeOwners to constitute an Association Nominations and Constitutional Committee. A fifth person shall be named by the Association Board as

convenor of that Committee. The Committee shall elect a chair from among its own Committee members.

2. The Nominations and Constitutional Committee shall not include any Association Officers.

3. The first task of the Nominations and Constitutional Committee shall be to present to the Association Annual General Meeting a slate of candidates for the offices and for four members of the Nominations and Constitutional Committee.

The slate of officers shall not include more than two HomeOwners of MTCC 979 or MTCC 989. The Association Annual General Meeting will also accept nominations from the floor.

4. The second task of the Nominating and Constitutional Committee shall be, at the end of its one-year term, to recommend to the Association Board any desired amendments to the By-Laws.

**BY-LAW XII: SPECIAL COMMITTEES AND AMICABLE WORK  
WITH CONDOMINIUM BOARDS**

The Association Board may create and appoint a convenor for Special Committees to fulfill other functions as the need arises, but such Committees shall exist for only one year, unless renewed by the Association Board for a second year.

The Association Board will strive to work amicably with the Condominium Boards as far as possible without sacrificing the Objects and the Mission of the Association. The Association Board should emphasize in

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communications with the Board and with other HomeOwners that the Association Board intends to work with the Condominium Boards constructively and in good faith to meet the Objects of the Association.

**BY-LAW XIII: PRESIDENT MAY BE ON CONDOMINIUM BOARDS**

As part of the ongoing effort to work amicably with the Condominium Boards, the President or his or her designate will make best efforts to present the current Owner Issue List to the Condominium Boards at their monthly Condominium Board meetings. If permitted, the President will discuss the Owner Issue List with the Condominium Boards and will record the Status and Resolution of each issue as well as the extent of success in appearing before the Condominium Boards. This record of the Owner Issue List together with the Status and Resolution of each will constitute the OIL Ledger.

In order to facilitate this role, and also to further the efforts to work amicably with the Condominium Boards, the President may become a member of the Board of Directors of both MTCC 979 and MTCC 989. As such, one of the resolutions that may be passed at an Owners Special Meeting may be a resolution directing that the Boards of Directors of both MTCC 979 and MTCC 989 are to include the President of the Association as a Director or Ex-Officio Member of the Boards of both MTCC 979 and MTCC 989.

Although the Association Board is to strive to work amicably with the Condominium Boards, the Association Board is to remain independent of the Condominium Boards. Therefore, to ensure that the Association Board remains independent of the Condominium Boards, no Association Board member or Director, other than the Association President, may concurrently serve as a Condominium Board member or Director.

**BY-LAW XIV: RESPONSIBILITIES OF OFFICERS, BOARD AND COMMITTEE MEMBERS**

1. When speaking or e-mailing or communicating publicly, officers, other Association Board members or Association Committee members should do their best to represent the Mission and Objects of the Association as a

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whole, consulting in advance with the Association Board whenever possible. Personal opinions should be identified as such.

2. No individual Association Officer, Association Board or Association Committee member shall enter into a contract on behalf of the Association without Association Board approval.
3. No Association Officer, Association Board or Association Committee member shall commit the Association to a course of action without prior approval in principle of the Association Board, except in the case of an urgent issue – in which case approval of two (2) Association Board members including the President shall be sufficient authority. The poll of Association Board members may be done by phone, fax or e-mail, then reported to the Association Board. Any officer/member involved in such urgency will be expected to report the nature of such actions to the Association Board at the earliest possible time.
4. Attendance at public meetings or public statements by Association Committee members on behalf of the Association should be reported orally or in writing to the Association Board at its next meeting. Such reports should include the date and type of meeting, or nature of statement, and a very brief summary of the meetings' discussion and outcome, if any. However, no communication may be published on Association Letterhead without prior approval of the Association Board.
5. A copy of all official correspondence shall be forwarded to the Association Secretary for record-keeping.
6. When an issue comes before the Association Board or an Association Committee in which a member has a conflict of interest, that member should report the fact to the Association Board or Association Committee, and if requested, withdraw from the discussion. Members will be deemed to have a conflict of interest in respect of a matter if the member (or any firm or corporation in which such member or his family has an interest) has an interest, financial or otherwise, in the disposition of such matter by the Board in conflict with the fiduciary duty of the member to the Member HomeOwners of the Association.

**BY-LAW XV: COMMUNICATIONS**

1. Official statements or other communications declaring the policies or positions of the Association shall be made only by the President.

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2. The Association may publish a web site, newsletters, and other print materials such as bulletins, news releases, flyers, and posters, subject to the approval of the Association Executive Committee. At a minimum, best efforts shall be made to deliver any newsletters to each HomeOwner, subject to the Condominium Act. The extent of further dissemination of such material is at the discretion of the Association Executive Committee.
3. No written communication shall be on Association Letterhead (as defined above to include the Association Logo together with the qualification “(NOT the Condominium Corporation Boards of Directors)”) without the prior approval of the Association Board.
4. Electronic communications shall be in accordance with laws addressing spam emails. Accordingly, emails will be sent only to Association Members (also referred to as “Member HomeOwners”) or people who have signed the CEM form as attached in Appendix D.

**BY-LAW XVI: MEMBERSHIP IN COMMUNITY AND OTHER  
ASSOCIATIONS AND REGISTRATION WITH THE CITY**

1. The primary focus of the Association should be to work amicably (as far as possible without sacrificing the Objects and Mission of the Association) with the Condominium Boards of Directors of both MTCC 979 and MTCC 989 to ensure the Condominium Boards resolve the issues on the Owner Issue List. If this is not possible, the Association may work to promote election of one or more HomeOwners at the Condominium Annual General Meetings or at Special Owners Meetings held pursuant to Section 46 of the Condominium Act or its successor. If the Association has more resources than required to do so, the Association may from time to time belong to community or other associations or committees.
2. Membership in such associations or committees shall be approved by a majority vote of the Association Board.
3. Membership in any such association or committee may be withdrawn upon a majority vote of the Association Board.
4. Membership in any associations or committees in no way reduces the autonomy of the Association to

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conduct its own affairs as it sees fit.

5. If requested or permitted by the community or other associations or committees, the Association Board may elect one or more Association Directors or Member HomeOwners to represent the Association at the meetings of such other associations or committees. These representatives may assist the other associations or committees in the conduct of activities as the representatives choose, subject to the approval of the Association Board.

6. The Association has been registered with the Clerk of the City of Toronto, and such registration should be maintained.

**BY-LAW XVII: SPONSORSHIP**

1. The Association can be funded by maintenance fees of the Condominium Corporations if approved by the Condominium Boards or Condominium Articles and otherwise is funded primarily by donations and fundraising activities and actively encourages the business community, as well as service and other organizations, to become sponsors. The purpose of sponsorships is to increase the Association's ability to carry out its mission as effectively as possible.

2. Definition: A sponsorship is defined as a mutually beneficial exchange whereby the sponsor receives value in return for cash and/or products and services in kind to the Association. Official receipts are not issued to sponsors for their contributions to the Association. Sponsorships afford opportunities for participating organizations to raise their profile and enhance their image among HomeOwners. A sponsorship partnership gives the outside organization ongoing recognition through public awareness for a defined period of time while providing financial or other benefits to the Association.

3. Principles: The goals and objectives of sponsoring organizations must support the Association's commitment to the HomeOwners and must be compatible with the Association's mission, goals, objectives, policies and by-laws.

4. Acceptance of all corporate sponsorships will remain the decision of the Association Board of Directors on a case-by-case basis.

5. The scope and limitations of sponsorships is as follows:

(a) The Association Board shall enter into sponsorship agreements determined to be in the best interests of the Association. The Association reserves the right to refuse any sponsorship opportunity deemed to be

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inappropriate to the mission, goals and best interests of the Association. The Board reserves the right to terminate existing agreements should conditions arise during the life of the agreement that no longer support the interests of the Association or conflict with the Sponsorship Policy.

(b) Sponsorships do not automatically imply exclusive endorsement of products or services by the Association. However, the Association will not normally enter into an agreement with a direct competitor of an existing sponsor. Where a sponsorship agreement limits the Association's ability to enter into other sponsorships, the parameters of such an agreement shall clearly define the nature and extent of the exclusivity and the time frame over which the exclusivity is to be granted.

(c) The Association Boards shall conduct annually an accounting of the financial benefits and costs of sponsorship.

(d) Agreements shall be in writing. All such agreements shall be developed and/or evaluated by the Association Board.

(e) Sponsoring organizations must have no expectations of having any impact on any values, policies, goals, objectives, services or operations of the Association.

(f) Any public use of the name and/or logo of the sponsoring organization must be approved by the Association Board.

6. Recognition: The Association supports a formal Recognition Program for sponsors to acknowledge their contributions. Form and content of such recognition shall be approved by the Association Executive Board based on recommendations of the Fundraising Committee or President, and appropriate elements of this recognition shall be embodied in the agreement. The Association will use its best efforts to collect feedback where possible, on the effectiveness of the recognition program for sponsors. Sponsors shall be provided with a level of recognition commensurate with their contribution. Recognition shall be in conjunction with, but not limited to, the programs or services which are supported by the sponsor.

## **BY-LAW XVIII: GENERAL POLICY**

1. Only the Association Board may establish policy of the Association. The Association Board will vote on policy and approve policy by a majority vote of the Association Board.

2. The Association shall not show preferential affiliation with any political party, political candidate, or individual politician.

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3. The Association may support any particular stand taken on any issue at any time, by any organization, provided that at all times the Association is acting to promote the Association's objectives or fulfill the Association's mission statement and provided that the Association Board approves the position taken.

4. The Association may send official representatives to other organizations and to meetings of interest to the Association. If such representatives are not Association Directors, they shall be appointed by the Association Board and must report back to the Association Board. When speaking in the name of the Association, official representatives are bound to express only the position approved by the Association Board of Directors.

**BY-LAW XIX: PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of 21st Century Robert's Rules of Order shall govern the organization in all instances when they are applicable and not inconsistent with these bylaws and any other special rules the Association shall adopt.

**BY-LAW XX: ADOPTION OF THE BY-LAWS**

These By-Laws, to become effective, must be adopted by a majority vote of an Association Board meeting.

**BY-LAW XXI: AMENDMENT OF BYLAWS**

1. The Association Board may at any time propose an amendment to the Bylaws. The content of such proposals must be made known to all HomeOwners in accordance with Section 47(1) of the Condominium Act (1998) or its successor at least fifteen (15) days before the next Association Annual General Meeting. The Association Board must carefully consider any amendment recommended to it by the Association Nominations and Association

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Constitutional Committee, and must present that recommended amendment to the next Association Annual General Meeting, whether or not supported by the Association Board.

2. In preparation for the second, third and fourth Association Annual General Meetings, the Association Board must review these Bylaws and carefully consider any amendment proposed by a HomeOwner.

3. For a proposal for amendment to these Bylaws to take effect it must be confirmed by a vote of two-thirds (2/3) of HomeOwners present and voting at the next Association Annual General Meeting.

**BY-LAW XXII: FIRST SPECIAL OWNERS MEETING FOLLOWING  
INAUGURAL MONTHLY MEETING**

Immediately following the first Association Annual General Meeting, and at any time in the future, the Association Executive shall consider whether to call a Special Owners Meeting in accordance with these By-Laws with one, some or all of the following items to be included on the list of matters to be voted upon:

1. location of an Office for the Association in a dedicated room on the 2<sup>nd</sup> floor
2. selection of legal counsel and a bookkeeper
3. administrative support to the Association to be provided by the Property Management Office of the Residences of the World Trade Centre including photocopying and printing whenever requested by Association Executive
4. opening a bank account for the Association at a Canadian Schedule I Chartered Bank
5. appointing the Association President as a member of the Boards of Directors of both MTCC 979 and MTCC 989
6. payment of expenses of the Association out of the maintenance fees of MTCC 979 and MTCC 989
7. to accept submissions for the first Owner Issue List to be presented to the MTCC 979 and MTCC 989 Boards of Directors for resolution

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8. MTCC 979 and MTCC 989 are to provide monthly an electronic and paper updated record of names and addresses for service required to be maintained by MTCC 979 and MTCC 989 pursuant to section 47(2) of the Condominium Act (1998) or its successor.
9. MTCC 979 and MTCC 989 are to obtain officers and directors liability insurance for the officers and directors of the Association.
10. MTCC 979 and MTCC 989 are to permit each monthly and Board meeting of the Association to be held in a meeting or other room of 10 Yonge Street or 10 Queens Quay West at no charge for its use including rental, security and cleanup.

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**APPENDIX A: OWNER ISSUE LIST SUBMISSION**

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**NON-CONFIDENTIAL CONTRIBUTION TO THE  
 OWNER ISSUE LIST**

I would like my Condominium Board to resolve the following issue(s):

ISSUE	DESCRIPTION Include Evidence and Cause	PREFERRED RESOLUTION	CONSEQUENCE OF NO RESOLUTION

My Name is: \_\_\_\_\_

I own Unit \_\_\_\_\_ in 10 Yonge or 10 Queen's Quay West [please circle "10 Yonge" or "10 Queen's Quay West"]

I acknowledge that my Contributions and Submissions to the Owner Issue List will be shared and discussed with Owners at monthly Association regular meetings and each Annual Association meeting and Board meetings of MTCC 979 (10 Yonge) and MTCC 989 (10 Queen's Quay West). By completing this form I acknowledge that I have excluded from this Owner Issue List submission any confidential or private information that I do not want to be disclosed to the public.

I authorize the President of the Residences of the World Trade Centre HomeOwners Association to represent me and to present this issue to the MTCC 979 Board of Directors and to the MTCC 989 Board of Directors.

Dated: This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
 Signature

You may deliver this signed form in person at a monthly meeting of the RWTC Homeowners Association

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**APPENDIX B: OIL LEDGER**

**Residences of the World Trade Centre  
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**NON-CONFIDENTIAL OWNER ISSUE LIST (OIL) LEDGER**

ISSUE	PRIORITY	STATUS	RESOLUTION

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**APPENDIX C: MEMBERSHIP APPLICATION FORM**

**Residences of the World Trade Centre  
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**APPLICATION FOR MEMBERSHIP**

My Name is: \_\_\_\_\_

I own Unit \_\_\_\_\_ in 10 Yonge or 10 Queen's Quay West [please circle "10 Yonge" or "10 Queen's Quay West"].

I hereby indicate my desire to be a Member of the Residences of the World Trade Centre HomeOwners Association (the "Association").

I understand that my Membership, once accepted by the Association, will continue until I submit written resignation to a regular meeting of the Association, or until I cease to own any residential unit at 10 Queen's Quay West or 10 Yonge Street.

I acknowledge that my Application for Membership will be shared and discussed with Owners at monthly Association regular meetings and other Association meetings and possibly at Board meetings of MTCC 979 (10 Yonge) and MTCC 989 (10 Queen's Quay West). By completing this Application I acknowledge that I have excluded from this Application any confidential or private information that I do not want to be disclosed to the public.

Dated: This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_

Signature

Accepted: This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_

Signature of Association President

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**HOMEOWNERS ASSOCIATION**  
 (NOT the Condominium Corporation Board of Directors)

**CONSTITUTION OF THE  
 RESIDENCES OF THE WORLD TRADE CENTRE HomeOwners ASSOCIATION**

**APPENDIX D: CEM FORM REQUESTING INFORMATION**

*Residences of the World Trade Centre*  
**HOMEOWNERS ASSOCIATION**

(NOT the Condominium Corporation Board of Directors)

Owners of 10 Yonge Street and 10 Queen's Quay West  
 Contact Information for Use Under Section 46 of Condominium Act to Requisition Owner Meetings and to  
 provide notices of meetings of the Residences of the World Trade Centre HomeOwners Association

**REQUEST FOR INFORMATION**

By placing my information on this list, I consent to receiving texts, emails, podcasts, videocasts or other  
 notices from the Residences of the World Trade Centre HomeOwners Association.

Name (Please Print Legibly)	Unit Owned	10 Yonge or 10 QQW	Phone	Address	Email Address	Signature

The Residences of the World Trade Centre HomeOwners Association is  
 NOT the Condominium Corporation Board of Directors but consists of  
 Residences of the World Trade Centre HomeOwners who have chosen to be Members  
 All Residences of the World Trade Centre HomeOwners are invited to attend meetings  
 Members may also vote

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