

WEDNESDAY, JULY 12, 1978

A Division of Canadian Newspapers Company Limited

103 Main St. South, Georgetown, L7G-3E5, Ontario

WILLIAM EVDOKIMOFF, Publisher

BOB RUTTER, Editor

PHONE...877-2201

Second Class Mail Registered Number—0743

Condominium growing pains

Since 1973 when Ontario housing costs soared, the concept of condominium living has come into its own. This shared cost style of living is fast becoming the practical alternative for families who want the luxury of home ownership but find the price of single-family dwellings beyond their reach.

The first Ontario condominium corporation was registered in 1967. Since then, the number of corporations has grown to 1,000 representing some 100,000 actual condominium units. And this is only the beginning. By the year 2000, some developers predict, as

many as half of all Ontario residents living in non-rental dwellings will be residing in condominiums.

This boom hasn't been without its share of growing pains. In recent years condominium living has been attacked from all sides with problems ranging from inferior construction to prolonged rental periods and widespread owner apathy. As a result, public confidence in this style of living is at an all-time low at present. New condominium legislation introduced recently by the Ontario government, however, promises to turn this

around.

"The new consumer and commercial relations minister, Larry Grossman, The Condominium Act 1978 offers at its number one priority owner and buyer protection.

The bill gives new purchasers 10 days to consider their intended purchase, provides for improved corporate management, reduces the possibility of bankruptcy and sees the creation of a non-government, non-profit regulatory body called Condominium Ontario. It also promises to reduce the jungle of paperwork which now confronts prospective

purchasers.

"Because condominium construction moved so fast and the concept is still relatively new to Ontario, we became aware that current legislation does not adequately deal with many of the problems that have emerged over the years," explained Mr. Grossman.

The present legislation, he said, was designed as a method of property registration not as a consumer protection statute. To overcome this, the consumer ministry established the Ontario Residential Condominium Study Group in November of 1976 to make recommendations. This group met with condominium owners and representatives, in nine regions throughout the province and, in the process, assessed more than 280 briefs representing the views of condominium owners and various facets of the industry.

"The new legislation incorporates many of the recommendations the study group made," said the consumer minister, "and is aimed at what were found to be the major areas of concern—owner and buyer protection and the way condominium corporations and owners go about managing condominium affairs."

Under the Act, purchaser protection is provided through tighter standards of disclosure between sellers and purchasers, more clearly defined purchaser's rights during the interim occupancy period, and a time period to allow purchasers to become fully informed of their responsibilities.

A highlight of the new Act allows the purchaser of a new unit a 10-day cooling-off period after delivery of a disclosure statement to rescind a deal.

On the management side, financial and operational responsibilities of corporations have been clarified and the processes for setting corporation by-laws, rules and regulations overhauled.

The new Act now obligates each corporation to assess contributions to a reserve fund to pay for major repairs and replacement of common elements," explained Mr. Grossman. "Every month unit owners will have to contribute to this fund."

The change in by-law setting was made, in part, to reduce the problem of owner apathy. At present, a new by-law needs a two-thirds vote of all unit owners. Under the new bill, a meeting would require a 50 per cent owner quorum, either present or by proxy, with a by-law change need only a two-thirds meeting vote.

"We felt the rule requiring two-thirds all unit owners was too restricting," Mr. Grossman explained. "It was just too difficult to get that many owners out and the management function bogged down."

The new bill obliges the corporation to obtain and maintain adequate insurance coverage on the entire property, make appointment of auditors, mandatory spells out their duties.

Dispute settlements will be mediated hearing officers drawn from local condominium corporations, the condominium committee in general and any other group interested in providing manpower. At present disputes are resolved through the courts, which can be costly and time-consuming.

The board of directors of Condominium Ontario will draw half of its membership from the ranks of unit owners. The rest will be drawn from areas of the industry and from professional ranks. This is "consistent with our government's philosophy of industry self-regulation," said Mr. Grossman. "And although the study group recommended the establishment of a government regulatory agency, we decided against it."

Citing the consumer ministry's commitment to less, not more, intervention into the marketplace as a prime reason, Mr. Grossman added: "We felt also that a group directly involved in condominiums could better deal with the everyday difficulties than some remote government organization. And the study group's hearings proved that this is already taking place effectively through local and regional owner associations."

Condominium Ontario will be a non-profit, provincially-chartered corporation without share capital. Its main functions will be:

- to operate an informal and speedy dispute solving mechanism;
- to provide direct advice and assistance to any corporation that requests it;
- to collect financial information from all corporations to ensure sound fiscal management and pinpoint problem areas;
- to provide an educational and information role for property managers and directors of condominium corporations, and
- to answer inquiries from owners, prospective purchasers and corporations.

"The corporation's role in education will be a major one," the consumer minister stressed. "Information officers will be able to provide hands-on assistance to condominium corporations, especially new ones, and will be available for guidance and expert assistance to the regional associations." Activities would include preparing and arranging management courses and the preparation and distribution of information sheets and publications.

"Ultimately," Mr. Grossman added, "we should end up with a vastly improved information network using all the elements of the condominium community."

"This legislation," he concluded, "should play a major part in restoring confidence and credibility to the concept of condominium living in this province. The study group proved that while condominiums are a viable housing apparatus, public confidence is low and the industry in general lacked stability."

"The Condominium Act 1978 should restore that stability."

Ministry of Consumer and Corporate Relations

The pot is boiling

The educational pot is boiling across Canada. What is happening in Ontario is suggestive.

The Supreme Court of this province recently said "no" to North York's plan to set up a Jewish school with compulsory religious classes. The Board of Education—in a policy switch from the sixties—wanted to integrate a private school into the public system. About 400 junior high school students at the Associated Hebrew Schools would have been involved.

Having rendered this verdict, Judge John Holland, in a personal comment, said "Religious instruction of all denominations would appear to have merit from an educational viewpoint". However, he noted that this would require substantial changes in the legislation.

The fact is that a system, conceived by men like Rev. Egerton Ryerson, is dead. We now have a concept of public education that is neutral or agnostic. So the pot is boiling.

Ryerson travelled abroad to get ideas. We would do well to take a good look at the Netherlands.

The constitution of Holland lays down that the cost of voluntary schools (fulfilling certain conditions imposed by law) is to be defrayed from public funds on the same scale as public schools. State primary schools are run by municipalities, voluntary schools by

the organizations that set them up. State supervision is exercised by the school's inspectorate.

Suffice it to add that in the Netherlands, although state and voluntary schools are not on the same financial footing when it comes to higher education, even at the university level voluntary institutions receive state aid varying from 70 per cent to 90 per cent.

Those who cherish the spiritual heritage of our own country, a heritage affirmed in the opening words of the Canadian Bill of Rights which acknowledges "the supremacy of God", should be prepared to do some very careful and vital thinking.

Those who would not hesitate to invoke this statute if they felt deprived of justice even in an area under provincial jurisdiction, should also be ready for vital and careful thinking about implications of "freedom of religion."

There may be separation of church and state in Canada. But this does not mean that there is or should be separation between God and government, between religion and the state, between people and public support to band together for education according to the dictates of conscience.

It is an historic position which is at stake in a new ecumenical climate. It is a primary position which is bound to be attacked by various individuals or groups for a variety of reasons.

Deplore insulation

"The political concern about faculty citizenship and the action taken on visa student fees reflect an increasing insularity in this country which university people must deplore."

President Donald F. Forster pointed this out in underlining certain public attitudes about citizenship in the University of Guelph's annual report for 1976-77.

The report points out that strong opposition was voiced in the University Senate to the decision of the Board of Governors to pass on to foreign students the government's change in grant support regulations which increased fees for those students who are not Canadian citizens or landed immigrants. President Forster stated that failure of the University to pass this cost on to students would have cost the University of Guelph an estimated \$120,000 in 1977-78, rising to \$480,000 in 1980-81. "The University, in my judgement, could not sustain a financial loss of this magnitude," he said.

During the year, the Council of Ontario Universities was informed of the University of Guelph's interest in the possibility of establishing a Ph.D. program in Applied Statistics. A brief also went forward to the Ontario Council on Graduate Studies seeking appraisal of the Master's program in the Centre for Resources Development.

President Forster's report notes that since 1970, the real value of government

operating support for universities has declined by 20 per cent. Universities have had to utilize reserve funds, divert monies from non-teaching to teaching areas, and increase class size to offset the decline in real funding.

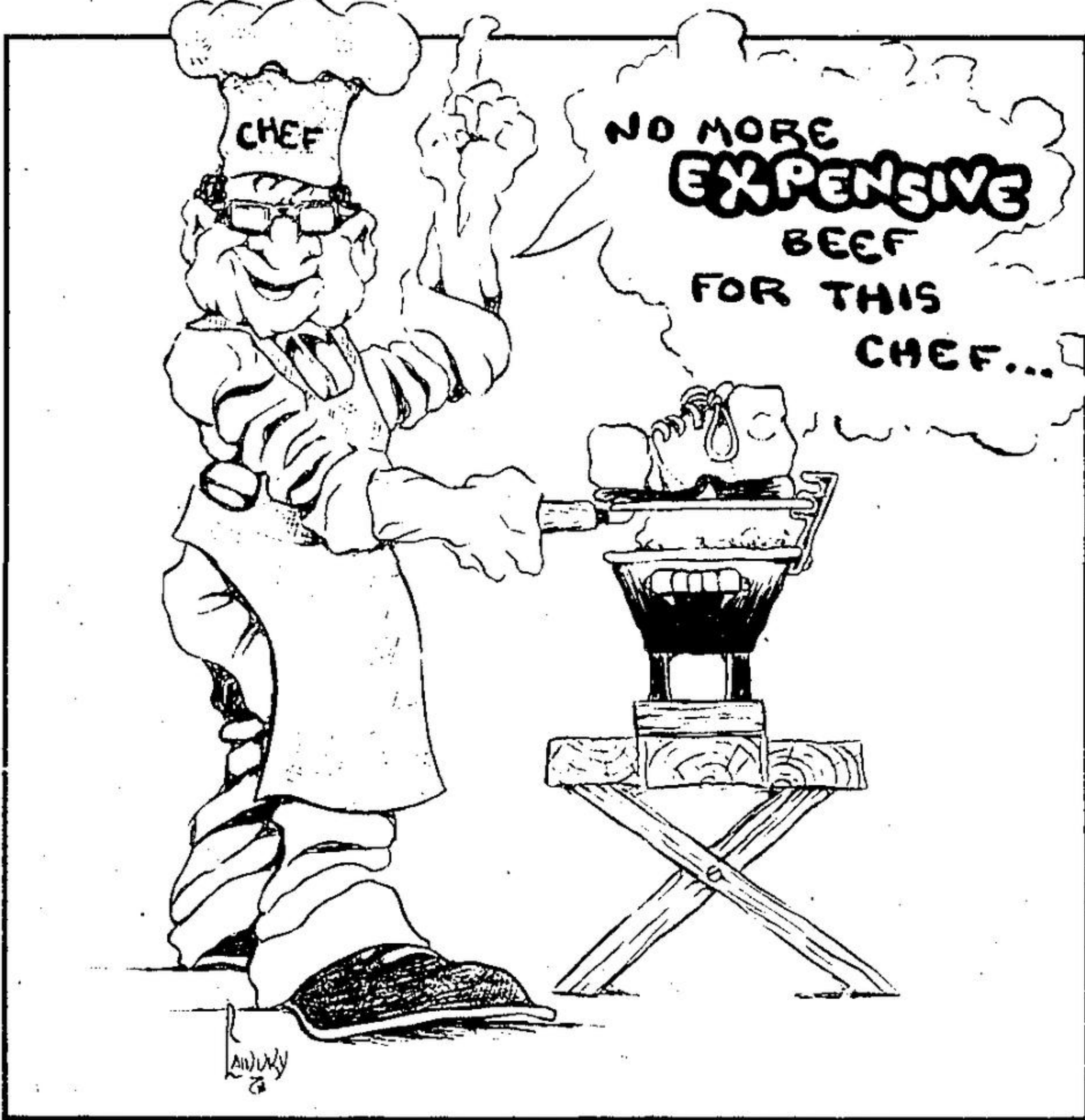
The University of Guelph has a substantial space shortage, and continues to use obsolete buildings and some slated for demolition. In addition, some new facilities have been provided with funds raised from non-government sources.

The financial pinch on the operating budget of universities stems from a number of sources. With almost 80 per cent of the University of Guelph's budget accounted for by wage and salaries, it becomes difficult to keep up with inflation. The pinch is further tightened by the rapid escalation of utility costs. From November 1973 to December 1977, the unit prices of gas, oil, and electricity at the University of Guelph increased 281 per cent, 235 per cent and 210 per cent respectively, while the Consumer Price Index rose by 44 per cent. A further problem arises from the need to replace equipment that is worn or technically obsolete.

In the past, growing university enrolments helped in meeting costs which were increasing at a rate greater than inflation, as the added costs were met by increasing the work load of faculty and staff members. Now with static or declining enrolments, increased costs must be met by decreasing services.

"With most economies having already been made on the non-salary portion of the budget," President Forster says, "it now seems inevitable that further economies can only be made by curtailing salary increases, and if that does not suffice, by reducing faculty and staff numbers. The former would place faculty and staff at a further disadvantage with respect to salaries in the public and private sectors, while the latter would lead to larger classes, which, inevitably, will mean a deterioration in the quality of instruction."

The University of Guelph operating budget for the year ending April 30, 1977 was \$86 million, of which \$21 million was received to support research activities. During the year, 2,480 degrees and diplomas were earned by undergraduate and graduate students enrolled at the University of Guelph.



What of the rest of country?

By STEWART MacLEOD
Ottawa Bureau
Of The Herald

Whenever we talk of national unity or of changes in the country's constitution we naturally look upon Quebec as a special case, a province unlike all others, governed by a party that gleefully rejects all overtures from Ottawa.

You never hear anyone ask whether, say, Saskatchewan will go along with Prime Minister Trudeau's latest batch of constitutional reforms. No one ever seems to worry about the possible reaction in Fredericton or Charlottetown. It's always a question of whether Quebec will go along with federal proposals.

There seems to be an underlying assumption that, somehow an accommodation can be worked out with the other provinces. And this is particularly true with the current constitutional debate, as the prime minister sets out on yet another attempt to replace the British North America Act with Canada's very own constitution.

There seems to be relative silence in most provincial capitals. And there is at least one member of Parliament who just can't understand this.

"We in Newfoundland should be up in arms," says James A. McGrath, the Conservative MP from St. John's East. "These constitutional reforms could have an enormous impact on our province and yet nothing is being said about it. Everyone is talking about Quebec."

STRONG ARGUMENT

And while this may come as a shock to people in other provinces, McGrath comes up with a rather formidable argument that it's Newfoundland, and not Quebec, that is in a unique position regarding the constitution.

"And, frankly, I just shudder at the consequences of this on Newfoundland."

Newfoundland, which had been governed by British commission for some 18 years before entering Confederation in 1949, actually became part of Canada as a fully sovereign dominion. This total independence was brief, but nonetheless it was real.

"It was a contract between two sovereign countries," says McGrath. "For five fleeting minutes prior to Confederation in March 1949, Newfoundland had complete independence, with full control over the continental shelf and offshore mineral rights, and everything else enjoyed by an independent nation."

"We brought this into the Canadian confederation as part of the contract. And no other province entered this way. Furthermore, we decided to negotiate this contract through a referendum. We could leave Confederation the same way."

McGrath, who normally pursues issues on behalf of consumers, can become quite emotional on this constitutional question. "And why not?" he asks. "No one seems to realize that prior to 1949, we had control over

67 per cent of the offshore economic zone on the East Coast."

"When we entered the Confederation contract with Canada, we felt secure knowing that the contract was being held by the British Parliament. That institution has always been our final court of appeal."

TERMS CHANGE

"But now, the Canadian government wants to unilaterally patriate the constitution bring it to Ottawa, and Newfoundland will no longer have that final right of appeal. What they are doing is unilaterally changing the terms of the contract, and we will no longer have a final right of appeal—except to the other party in the contract."

McGrath shakes his head. "I just can't understand why we're not raising hell about this in Newfoundland. We have just got to establish our unique position in the beginning."

We can't lose these historic rights by default."

He says that Australia's 10 states have, since 1909, retained the right to appeal to the British Parliament on constitutional questions. And he also notes that the State of Texas, which entered the American union, as an independent country, won its case regarding offshore mineral rights for that very reason.

"And here we are, remaining silent, while the Trudeau government goes ahead with plans to unilaterally change the terms of our contract."

"It's time they understood they just can't do it."

But then he adds, somewhat sadly: "There just doesn't seem to be any interest." "If that's the case it certainly isn't McGrath's fault."

Looking through our files

30 YEARS AGO

Due to an extreme shortage of water supply in the reservoir, at the present time, anyone using the lawn hose or any other unnecessary use of water will have their water service disconnected immediately.

J.A. Denny, formerly manager of the Ferguson office of the Unemployment Insurance Commission, has assumed his duties as manager of the Brampton office, effective July 2. He replaces R.C. Godfrey who has been acting manager of the local office since the resignation of Clarence Wiggins last May 31.

At the June 28 meeting of Esqueping council purchase was made of Lot 43, according to the plan of Stewarttown at a price of \$550 from Walker Lawson. Also the offer of Lloyd Davey of 250 for buildings on Lot 43 was also accepted.

Last Friday an emergency landing was made by Keith Faulkner, pilot for Central Aircraft Ltd., Malton, at Brampton Airport. Faulkner had just taken off from Malton in a Globe Swift when the fuel pump became unserviceable. By using the hand-operated wobble pump he was able to keep the engine operating until reaching the Brampton field safely without damage to the aircraft, and only suffered scratches on his hand while operating the pump.

TWENTY YEARS AGO

Council reviewed progress to date in a search for new supplies of town water on Monday when they discussed the work of International Water Supply Ltd. with J.W. Kirk, representing the firm. Mr. Kirk told council that the town has a very limited water source, and the only possible supplies are contained in a pre-glacial valley in the region of the present town wells and the sewage disposal plant. Natural recharge for this, and rainwater is replenishment for this, and he spoke of the possibility in future years of erecting a series of dams to aid in this recharge.

Principal of Georgetown High School from 1914 to 1935, and prominent in many

phases of Georgetown life during his residence here, Ralph Ross, 94, died in Toronto Western Hospital after a short illness. Mr. Ross taught classics and guided the destinies of generations of high school students through the First War years, "the roaring twenties" and the depression years which preceded the Second World War. He was one of the last surviving veterans of the Second Riel Rebellion, serving while a student at the University of Toronto with K Company, Queen's Own Rifles in 1885.

A hive of bees was the cause of an automobile accident at Norval resulting in personal injury to three persons and \$1,000 damage to a 1956 Chevrolet in which the bees were being transported. Albert Hay had just purchased the hive and was returning to his home at Ritz Waterloo, when the accident occurred. Finding an opening in the back left their storage space in the trunk of the car and swarmed over the driver and two passengers. Mr. Hay lost control of the car which careened off the highway near Thurlbeck's service station.

10 YEARS AGO

A plentiful water supply in a week to ten days was promised by water chairman Arthur Speight when queried by the mayor at Monday's council meeting. Deputy-Reeve Speight said that the new number four water well had the brick work on the pumping station finished that day and the roof was to be put on and electrical installations made Tuesday.

All-time heat records were set this week—92, 92, and 94 on Monday, Tuesday and Wednesday.

Opposed to the threatened destruction of 15 huge trees on Maple Avenue West, neighborhood residents have organized a "Save the Maples" campaign. A petition signed by 59 area residents was presented to council on Monday by John Mintern, expressing their concern and asking that reconstruction plans for the street be delayed until plans are changed to save the trees.



Exclusive club for four MPPs

By DEREK NELSON
Queen's Park Bureau
Of The Herald

Among the 125 sitting MPPs at Queen's Park there is a very exclusive group I call the 67 Club.

Each of them won their riding by taking two-thirds of the total vote cast there in the 1977 election.

When the legislator's three political parties list their chances in a general election—and with a minority government that's always only a confidence motion away—these four seats are considered "safe" for the incumbents.

Perth (southwestern Ontario) Liberal Hugh Edghoffer led the field with 67.9 per cent of the vote, with Leeds (eastern Ontario) Tory Jim Auld right behind with 67.0 per cent, followed Ottawa East Liberal Albert Roy with 67.4 per cent, and Lake Nipigon (northwestern Ontario) New Democrat Jack Stokes with 67 per cent.

The members of the 67 Club.

Interestingly, Stokes is Speaker of the legislature, and Edghoffer deputy speaker.

AULD STORY

There's a story told about Jim Auld, and how he always runs as though he were the underdog in Leeds, even though its without doubt one of the safest Tory seats in Ontario.

In 30 electoral contests since 1885 the Conservatives have won 29, the Liberals one (in 1934).

And that's why Jimmy runs so hard. If the Liberals win it once they could do it again, he says.

The other three 67 Club members also have reputations for taking good care of their

constituents.

Stokes, for example, is said to have visited towns in his sprawling riding (to the shores of James Bay) that had never seen a candidate of any party before, they are so remote. That pays off in votes.

REALLY SAFE

Except for Leeds, however, the 67 Club member's seats are not "party" seats. All four could probably run as Prohibitionists and win.

Again, except for Leeds, a new set of candidates could make a difference.

Still, some seats are "party" seats in the sense that the incumbent party losing would be like the baseball Blue Jays winning the American League pennant.

Leeds is one, Carleton near Ottawa another for the Tories, where the opposition parties have won only twice since Confederation.

The most fascinating area, though, is that section of Metro Toronto lying roughly east of the Don River that was once the Hind of York East, and with redistribution is now a dozen ridings.

OTHERS

About 100 electoral battles have been waged there since 1914, the Conservatives winning about three quarters, the CCF-NDP one-quarter, and the Liberals exactly two seats, and each by less than 600 votes.

The Liberals have their own stronghold in Brant County, which hasn't voted Tory since 1911.

The NDP's best seat is Hamilton East, currently represented by Bob Mackenzie. Since 1906 Labor-CCF-NDP candidates have won 14 electoral contests there, twice as many as the other parties managed to win combined.

Bible thought

"So then faith cometh by hearing, and hearing by the word of God", Romans 10:17

Remind God of His word, while releasing your faith against your need. His word is "forever settled in Heaven". "My word shall not return unto me void."

the HERALD
A DIVISION OF CANADIAN NEWSPAPERS COMPANY LTD.
103 MAIN ST. SOUTH, GEORGETOWN, L7G-3E5
WILLIAM EVDOKIMOFF
Publisher & General Manager
BOB RUTTER, Managing Editor

AN AWARD WINNING NEWSPAPER
Advertising is accepted on the condition that the advertiser agrees that the publisher shall not be liable for damages arising out of errors in advertisements beyond the amount paid for the space actually occupied by the portion of the advertisement in which the error occurred, whether such error is due to the negligence of the advertiser or otherwise. There shall be no liability for non-insertion of any advertisement beyond the amount paid for such advertisement.

National Advertising Offices
Toronto: 45 GERRARD ST. E., TORONTO, ONT.
350 CALVERT ST., MONTREAL, P.Q.