

SPRING 2022

# CondoChronicle

NEWSLETTER OF THE CCI NEWFOUNDLAND AND LABRADOR CHAPTER

## IN THIS ISSUE:

**Chapel Hill Condominiums: Historic Charm in the Downtown**

**Caledonia Place Condominium Corporation: The Ongoing Story of a Repurposed Church**

**Signs For Optimism in the Condo Insurance Market?**

**Enormous Champlain Towers Legal Settlements: Possible Implications for NL Condo Insurance Costs**



Canadian Condominium Institute  
Newfoundland and  
Labrador Chapter

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Greetings,

Sit back and enjoy this edition of our newsletter.

We finally start to see light at the end of the COVID tunnel that we have all been living in these past two years. The good news is that we have all learned very quickly how to live and thrive in a virtual world. Let's hope that some of our future events can see us all get together, face to face, once again.

Our membership numbers remain strong and our Board continues to work to keep you informed with our educational seminars and newsletters. We are particularly proud of our website and we encourage you to check it out.

If you are a Director on your Board, we highly recommend that you consider completing the CM 100 course. It covers all aspects of what you need to know to be an effective Director. You can find out all about it on our website.

Thank you for your continued support of our Chapter.

Sincerely,

Carol Burke, President  
CCI-NL

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# Chapel Hill Condominiums – Historic Charm in the Downtown

By Gaelle Halliday, Chapel Hill Condominium Corporation and David Cumming, CCI-NL

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The Chapel Hill Condominium Corporation, located at 39 Queen's Road in St. John's, is one of the oldest structures being used as a condominium listed in CCI-NL records. This feature Condo article has been significantly expanded in scope beyond what is normally included in a Feature Condo article in order to encompass the long fascinating narrative of Chapel Hill leading up to the incorporation of the property as a condominium.

The Congregational Church in St. John's was founded in 1775 by John Jones, a bombardier with the Royal Artillery. The history of the three story Gothic Revival former church on Queen's Road can be traced back to Rev. D.S. Ward who was responsible for the building of a Congregational wooden church and school room in Quidi Vidi in 1834 - operated on an ecumenical basis - sharing the facilities with Anglicans and Methodists. The original deed stipulated that should the joint effort be unsuccessful, the building would become the property of the Anglicans. During the construction of the building, the Methodists objected to their funds being used to provide the customary daily tot of rum for the workmen. Thus with dissent growing between the congregations of this interdenominational effort, the initiative was eventually abandoned and the place eventually fell into ruin. The venture lasted until 1842, when the property was taken over by the Anglicans and a new church, Christ Church, was built on the site.

The Great Fire of 1846 destroyed some 2,000 homes in the City of St. John's. Unfortunately after the 1846 fire, City leaders believed there would never be another great fire in St. John's and chose to rebuild in the same manner as in previous decades -

with wooden buildings erected close together on narrow streets.



Stone Chapel, 1858, Queen's Road



The Ruins of The Stone Chapel after  
The Great Fire of July 1892

With concern regarding the real potential for a future major city wide conflagration, parishioners of the Congregational Church built a new stone chapel under the leadership of the Rev. George Schofield on Queen's Road. The site selected for the new



church was congregational land on the south side of Queen's Road between Chapel St. and Victoria St. where the corner stone was laid in 1851.

The church operated from 1851 until July 1892 when the Great Fire of 1892 started in a St. John's stable at about 4:15 in the afternoon after a lit pipe or match fell into a bundle of hay on July 8th and quickly spread through much of the City. The fire worked its way up Garrison Hill and along Queen's Road to where the Congregational Church was situated. It was felt that the Stone Chapel would be safe from the flames but by the evening, only the walls of the Congregational Church Stone Chapel were left standing.

The Rev. Ward Siddall's fund-raising efforts in England, the United States and Canada helped the congregation clear the debris of the stone church and build a new wooden church. The Queen's Road Congregational Church was dedicated on September 15 1895. This building at 39 Queen's Road is the site of the last Congregational Church in St. John's. Due to declining membership and the difficulties in attracting ministers, in 1936 a committee appointed by the congregation met with a committee appointed by the Session of St. Andrew's Presbyterian Church, to explore the possibility of joining with the Presbyterian Church in Canada. On March 8, 1937 the congregation voted to accept the proposal, and on October 27 1938, after many years as a Congregational church, the Queen's Road congregation was received into the Presbyterian Church in Canada. The church on Queen's Road was used as a Presbyterian Church until in December 1956, when the Presbytery gave the congregation permission to sell the freehold property on Queen's Road together with the building there-on and relocate to the then new St. David's Presbyterian Church building at 98 Elizabeth Avenue in 1962.

The building on Queen's Road was then purchased by the St. John's Seventh Day Adventist

congregation in 1957 for \$32,000 and used as a place of worship by the Adventists until 1979.

The cost of maintaining this aging wooden structure proved too much for the Adventist congregation and the church building on Queen's Road was sold to a private developer in 1979 and, after extensive renovations, converted into an apartment building although the exterior of the building retained its church-like appearance. An architect would generally describe this type of renovation as an example of 'adaptive reuse'. The Adventist congregation moved into a more modest vacant church available at 30 Aldershot Street, formerly the Bethesda Pentecostal Church, which is home to the St. John's Seventh Day Adventist congregation today.

On Dec. 5, 1990, the rental property was incorporated as a condominium under the name "Chapel Hill Condominium Corporation" - a 15 Unit apartment style residential condominium.



Interior of the Church in the Late 1970s – Note the Impressive Pipe Organ



## Chapel Hill Condominium Today

The Corporation is managed by a minimum of three to a maximum of five Directors with the support of an experienced professional property manager from Burke Realty. Condominium fees also pay for the services of a contractor for interior common element maintenance and cleaning.

There is a variation in the size of the Units:

- three basement single level Units – 61.7 m<sup>2</sup> (664.1 ft<sup>2</sup>) to 79.1 m<sup>2</sup> (851.4 ft<sup>2</sup>)
- eleven two level Units – 80.1 m<sup>2</sup> (862.2 ft<sup>2</sup>) to 140.5 m<sup>2</sup> (1,512.3 ft<sup>2</sup>)
- the exception is Unit 15 - the largest Unit that comprises two levels plus a narrow spiral staircase leading up to a 21.6 m<sup>2</sup>

(232.5 ft<sup>2</sup>) observation tower on the east side of the building for a total area of 162.1 m<sup>2</sup> (1,744.8 ft<sup>2</sup>).

This variation in Unit size is common in old renovated buildings; however, it must be noted that this disparity results in a range of condominium fees with the basement Units paying less in fees than the larger two level Units - with the highest fees being paid by the Owner of Unit 15 that includes the observation tower.

All Units have a dedicated off-street parking space allocated for their exclusive use; however, there is no parking enforcement mechanism so there are

occasional issues with unauthorized parking. There was a time when a Condominium Corporation could contract City of St. John's staff to ticket vehicles parking on their property without authority; however, as of 2019, the City discontinued providing private lot parking enforcement services.

Snow clearing/ice control is contracted out by the Corporation and no major problems have been noted even during the heaviest snowfall years due to the favorable local wind conditions.

There are two coin-operated washers and dryers available for residents in the basement - likely an artifact from when the property was an apartment building. Most owners today however have their own laundry facilities installed in their units. The building includes an elevator that facilitates residents moving in and out. There is dedicated storage space allocated for the exclusive use of each owner on the second floor. The Corporation has storage space in the basement for tools / paint / cleaning supplies, etc. Pre-COVID, unfurnished lobbies in the building were used by owners for Board Meetings and attending the AGM. Now all meetings are held virtually.

The Corporation repainted the interior common elements around 2014/2015 and renovated the exterior of the building, including replacing the steep roof, in 2016 to 2017. The building currently looks great; however, it must be acknowledged that the costs of maintaining a 125 + year old wooden structure are high. Owners; however, have the satisfaction of knowing that their condominium fees are maintaining one of the most important examples of built heritage in the province.

One unique feature of the Chapel Hill condo property is the Navigation Aid (Leading Light) fitted to the east side of the building. This green Leading Light, combined with a second identical green light fitted to the top of a tower in Harbour Side Park on the north side of St John's Harbour, are used by ships entering St. John's to keep safely to the centre of The Narrows by positioning themselves so that the Chapel Hill light and the Harbour Side light line up vertically in their sights. During the many years that the property served as a church, these lights provided many a preacher with a good sermon illustration about the church's role as a "guiding light" for the congregation. The powerful 1000 watt bulbs have a range of 20 miles and burn 24 hours a day. These Navigation Aids are maintained by the Canadian Coast Guard



Images of a recently renovated two level Unit. Note, left, the view over the City and harbour.





Rear View of Chapel Hill Condominiums

Currently 9 out of 15 (60%) of the Owners lease their Units. The by-laws permit residents to have one small pet; however, pets deemed to be a nuisance or effect unreasonable interference to other residents regarding the use and enjoyment of their property are not tolerated. In addition, Chapel Hill has a by-law pending registration designating the property as a non-smoking building.

In 1981, the City of St. John's designated 39 Queen's Road as a Heritage Building as it was considered architecturally valuable as a fine example of the Victorian Gothic style. This style is reflected in the steep peaked roofs, decorative windows, Gothic motifs and finial. In addition, the property was awarded a Southcott Award by Historic Trust in 1986.

The advantages of living at Chapel Hill include the great views from most of the Units, the historic charm and character of the structure and the location within walking distance of downtown

shops/George Street attractions, proximity to The Rooms, Newfoundland and Labrador's primary cultural facility, as well as to the Mary Brown Center indoor arena and entertainment venue.

The long history and creative renovation of this property has led to the establishment of an awesome downtown living environment.

*Gaelle Halliday, long-time resident and Past President, Chapel Hill Condominium Corporation. David Cumming is Secretary/Treasurer on the Board of Directors of CCI-NL*

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# *Caledonia Place Condominium Corporation: The Ongoing Story of a Repurposed Church*

*By Breannah Tulk, First Light and David Cumming, CCI-NL*

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The Caledonia Place Condominium Corporation is not the only church in the province that has been repurposed as a condominium; however, it is the only church CCI-NL is aware of that has been repurposed as a commercial condominium.

It is unclear when the St. Joseph's Roman Catholic Parish in the east end of St. John's was recognized as an independent parish within the Archdiocese of St. John's. This elevation probably occurred sometime after the consecration of the first parish church. The foundation stone of the first parish church, located on Howe Place off Quidi Vidi Road, was laid by Archbishop Edward P. Roche on 19 November 1916. It was opened for worship the following year (dedicated on November 18, 1917).

Over time, the size of the original parish church proved to be inadequate and a new St. Joseph's church was constructed in 1954 at 40 Quidi Vidi Road - blessed and dedicated by Archbishop Patrick J. Skinner on 8 December 1954. In 1998, due to a decline in the Roman Catholic population of the

area, the St. Joseph's Parish was suppressed and its boundaries absorbed by the Basilica-Cathedral of St. John the Baptist Parish. The final mass was held at St. Joseph's Church on February 21, 1998. After the final mass was held, it is uncertain what the 40 Quidi Vidi Road property was used for.

Sometime after 2000, however, it appears that St. Joseph's church was purchased by a developer and renovated/repurposed into a seven unit commercial condominium named Caledonia Place Condominium Corporation – incorporated on Oct 8, 2003 according to the Registry of Condominiums. Units have included offices for medical doctors, consultants, an architect etc. See photos below.

First Light is a registered non-profit organization that serves the urban Indigenous and non-Indigenous community alike by providing programs and services rooted in the revitalization, strengthening and celebration of Indigenous cultures and languages in the spirit of trust, respect, and friendship. The Caledonia Place Condominium





Corporation property was purchased on January 7, 2021 by First Light with a combination of 75% federal government funding and 25% First Light's own self-generated funds.

The Caledonia Condominium Corp. officially withdrew from the Condominium Act on December 7, 2021. To secure this deal, the sale of all seven individual condominium units had to close on the same day to ensure that the organization was able to complete the acquisition process. The complex legal process to withdraw the corporation involved tying up loose ends and filing final necessary returns before officially withdrawing from the Act effective December 7, 2021. It is worth noting that, according to CCI-NL records, the only other condominium corporation successfully withdrawn from the Condominium Act was The Vanguard Village Condominium Corp. - a 50 Unit residential (attached bungalows) property located in Gander - withdrawn from the Condominium Act as of August 7, 2017.

First Light has begun transitioning its administration and programming to this location at 40 Quidi Vidi Road and it will eventually serve as the new headquarters for the organization. Work is currently underway to secure the necessary funds to renovate the property, the renovation being classified as an 'adaptive reuse' of the church structure to adequately meet

the needs of the urban Indigenous community and surrounding neighborhood. The proposed renovation includes a redesign of the existing interior, the addition of a gymnasium and event space, and the addition of a new accessible entrance connected by a pedway over the existing church roof. The new addition to the structure will add about 30% of the existing building footprint.

Exterior landscaping has been thoughtfully considered to ensure the best use of space while also allowing for enjoyment during all seasons. A residential schools survivors' memorial garden will be included on the property designed in consultation with local survivors and offer an opportunity for both remembrance and education. Landscape interpretation is very important to the organization, as the neighborhood actively uses the property to access nearby trails and parks. First Light has designed the landscape in a manner that promotes interactions between the Indigenous community and local neighbors in a natural and friendly manner.

STREET VIEW FROM QUIDI VIDI ROAD



WOODFORD  
ARCHITECTURE

The architectural images below and on the previous page illustrate the concept of the exterior of the First Light headquarters.



*Breannah Tulk is the Director of Business Operations for First Light.*

*David Cumming is Secretary/Treasurer on the Board of Directors of CCI-NL.*

*The authors would like to acknowledge the input of the following in the preparation of this article:*

- *Katie Griffin - Basilica Archdiocesan Archives Assistant*
- *Neachel Keeping – Archivist, City of St. John's Archives, F. Burnham Gill Archival Centre*

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An advertisement for Burke Realty Property Management. On the left, a white sign with a black border contains the company name 'BURKE REALTY' in large, bold, black letters. Below it, 'PROPERTY MANAGEMENT' is written in a smaller font. A bulleted list of services follows: '- Condominium Corporations', '- Multi-Family Homes', '- Retail and Commercial', and '- Vacant Property'. At the bottom of the sign, the phone number '709.757.3721' and the website 'www.burkerealty.ca' are listed. To the right of the sign is a photograph of a modern, multi-story building with large glass windows and balconies.

## CONDO CHRONICLE

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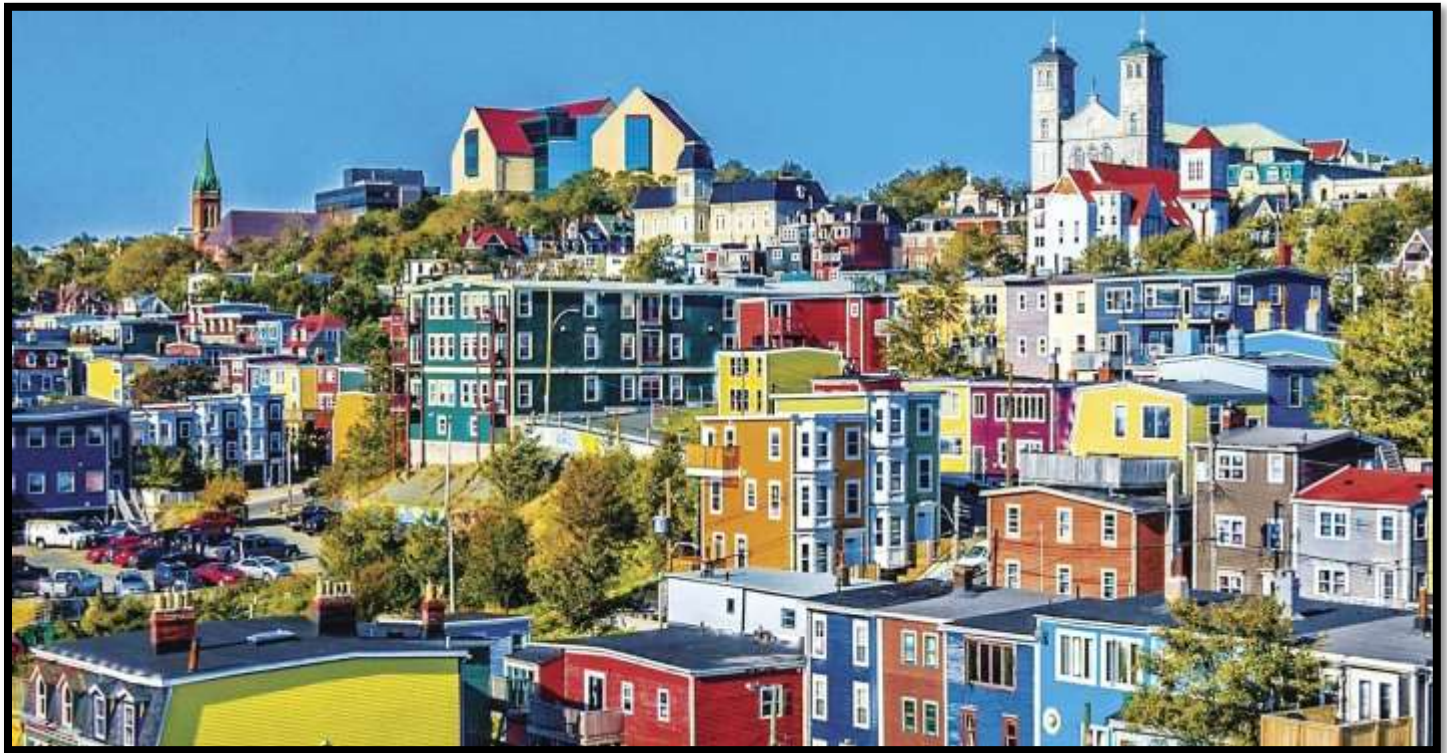
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# Signs for Optimism in the Condo Insurance Market?

By Jason Contant, January 18, 2022

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Condo insurance premiums in Canada appear to be stabilizing following years of premium and deductible increases.

“You should see some flattening, maybe some tapering, in some insurance rates in this sector in the near future for most good risks and those with a better claims history,” Peter Kennedy, Aon senior vice president and national director, real estate practice for Canada, told *Canadian Underwriter*.

Condo/strata risks not perceived as good can, but not necessarily, include: older buildings; those with poor maintenance; those situated in certain locations such as flood zones; and, buildings of inferior construction.

“We project, all things being equal and no major catastrophic events ... that the market is pretty much becoming stabilized in terms of rates,” Kennedy said. “But that’s not to say it’s going to be a lot better, it’s just not going to get worse.”

Kennedy noted the difference between premiums and rates. While a rate can be flat over last year, premiums can still go up as replacement costs of the asset rise (premium is a function of rate *times* replacement costs) due to higher construction costs.

For nearly three years, the Canadian condo insurance market has been enduring “some really tough challenges” in terms of premium and deductible increases, Kennedy said. “That was just a result of prolonged depressed rates, low deductibles and claims ... that eventually just caught

up quite frankly and to the point where insurance companies were consistently losing money all across their whole book in this particular sector.”

But condo insurance is just one subset of the entire real estate market, which includes other assets such as office and industrial buildings, shopping malls and residential apartment buildings.

“It’s all been subjected to the general hardening of the whole insurance marketplace over the last, say, three years or so,” Kennedy said. “It’s subject to both its own peculiar situation, as well as the broader insurance market changes that we’ve seen over the last three years.”

In November 2021, rate comparison site LowestRates.ca predicted rising condo insurance premiums would continue at least through the first two quarters of 2022. The rate aggregator’s Home Insurance Price Index for the second quarter of 2021 noted condo rates were skyrocketing in British Columbia and Alberta in particular, with quarter-over-quarter increases of 22% and 10%, respectively.

*Canadian Underwriter* has heard rate increases were much higher than that in many cases. “The premiums collected just weren’t sufficient to cover the losses that insurance companies were paying

out, water damage being one of the bigger ones,” Kennedy explained. “If you have a water damage loss in a high-rise condo building, it generally goes down several floors. So, it tends to be much bigger than just confined to one unit. It can affect the whole building structure as well.”

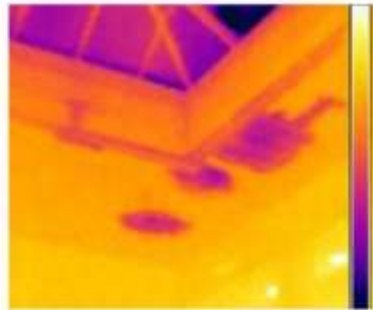
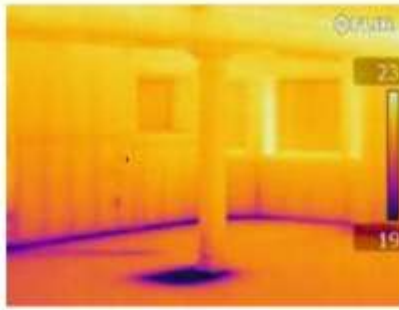
So, higher rates and deductibles are here to stay, Kennedy said.

“[That’s] not to say they’ll stay where they are, but they aren’t going back to where they were several years ago,” he said. “It’s just not sustainable. I think everyone’s learned that lesson, too.”

“Where it goes from here is a little bit of an unknown,” he added. “But certainly, the horrific premium rate and deductible changes that you’ve seen in the last couple of years are not going to happen in 2022, all things being equal.”

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<https://www.canadianunderwriter.ca/insurance/signs-for-optimism-in-the-condo-insurance-market-1004216447/>



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# ***Enormous Champlain Towers Legal Settlements: Possible Implications for NL Condo Insurance Costs***

*By Mark Graesser*

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We were all shocked by the catastrophic collapse of the 12-storey Champlain Towers South condo building in Florida last year as 98 lives were lost, and the 136-unit structure was ultimately razed to the ground. As to the cause, fingers immediately were pointed at apparent structural deterioration against a background of long-term neglect by the condominium association, among other factors. Several investigations were initiated, but none have been concluded.

However, as I commented in the Summer 2021 issue of the *Condo Chronicle*, we can take some comfort in the fact that Canadian reserve fund requirements tend to be more rigorous than those in many states south of the border. This suggested that the Champlain Towers event was not particularly relevant to our circumstances, other than as a cautionary tale.



PHOTO CREDIT: NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Then, in something of a surprise, two class action lawsuits in a Miami court reached enormous settlements within a year. We often hear of such cases dragging on for years as lawyers for plaintiffs and insurers battle it out.

The first settlement, in March, will pay the 136 condo owners (or their estates) \$83 million for property loss, an average of about \$600,000 per unit. The money will be apportioned according to the size of the units. Some plaintiffs have argued that this amount is substantially less than the market value of the properties, or at least what it will cost them to purchase another house or condo, so more litigation may ensue. The condo association is responsible for most of this amount, which it will raise by selling the site for at least \$120 million.

Far more stunning, and surprising to some, was the wrongful death settlement in May which awarded \$997 million to the families of those who died in the tragedy. This amount may yet exceed \$1 billion. Some twenty entities were named as defendants, but the ones whose insurers will bear the largest burden are: Securitas, the security firm responsible for safety systems (\$500m); the developer and engineers of a large condo next door whose construction practices allegedly destabilized Champlain (\$400m); and the condo association (\$50m).

Many details of this settlement are not yet clear, not to mention any definitive account of all the factors which caused, or may have caused, the building to fail.

However, the sheer magnitude of the settlements, which will be borne by a number of major insurance companies, is bound to have reverberations which may have serious implications for the availability

and cost of insurance for condominiums in Canada as well as the United States. Most of the underwriters involved are global entities.

Blair Campbell, Business Insurance Manager for Munn Insurance in Newfoundland and Labrador, had this initial reaction:

This settlement will send reverberations throughout the condominium insurance industry, I suspect. Greater oversight on building maintenance schedules and more diligent, in-depth requirements from Condominium Boards relating to insurance matters will likely come about as a result. Not to mention the fact that this settlement may create less of a desire to offer competitive terms to individual condominium corporations and may increase premiums.

Condo Boards may face additional stress in our already fraught annual quest for affordable insurance as fallout from this seemingly remote event.

*Mark Graesser has been President of the Five-Nine on Roosevelt Condominium Corporation for many years. He is also a member of the CCI-NL Chapter Board. This is a personal opinion piece, based on news stories, not rigorous research.*



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## CONDOMINIUM CORPORATION

ccinewfoundland@cci.ca • www.cci.ca/Newfoundland

Membership through June 30, 2023

How/from whom did you hear about CCI?: \_\_\_\_\_

### CONDOMINIUM CORPORATION

Condo Name/Number: \_\_\_\_\_

Number of Units: \_\_\_\_\_ Registration Date: \_\_\_\_\_

Development Style: ☐ Townhouse ☐ Apartment Style ☐ Other: \_\_\_\_\_

Address: \_\_\_\_\_ Suite #: \_\_\_\_\_

City: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

☐ I agree to receive electronic correspondence. ☐ I DO NOT wish to receive electronic correspondence.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### MANAGEMENT COMPANY (if applicable)

Primary Contact: \_\_\_\_\_

Address: \_\_\_\_\_ Suite #: \_\_\_\_\_

City: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please forward all correspondence to: ☐ Management Company address ☐ Condo Corporation address

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## MEMBERSHIP APPLICATION

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Membership through June 30, 2023

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Professional Membership	<input type="checkbox"/> \$125.00	\$
Business Partner Membership	<input type="checkbox"/> \$125.00	\$

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Company Name (if Professional or Business Partner): \_\_\_\_\_

Address: \_\_\_\_\_ Suite #: \_\_\_\_\_

City: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

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#### METHOD OF PAYMENT:

Cheques should be made payable to:

Canadian Condominium Institute - Newfoundland and Labrador Chapter  
P.O. Box 23060 Churchill Square, St. John's NL A1B 4J9