



## THE METROPOLE

20 August 2020

### Minutes of MTCC 1170 Meeting Number 200820R — Held on 20 August 2020

Present: Board — Keith Bricknell, Scott Froebe, James Louttit, Nives Malara, and Sheila Sproule (all by GoToMeeting); and,  
ICC Property Management — Nancy Bijelic (GoToMeeting)

Regrets: None

01 Call to Order: Keith Bricknell called the meeting to order at 1825h.

02 Waiver of Notice, and/or Adoption of Agenda and Additions:

Resolution 200820R01: Adoption of the Agenda

BE IT RESOLVED that the Board of Directors of MTCC 1170 shall adopt the Agenda for Meeting Number 200820R, as presented.

James Louttit/Scott Froebe — Carried

03 Assignment of Duties:

(a) *Pro Tempore* Reassignments: Unnecessary for Meeting #200820R.

04 Review and Adoption of Previous Meetings' Minutes:

Resolution 200820R02: Adoption of Minutes

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adopt the Minutes for Meeting Number 200723R, as presented.

James Louttit/Nives Malara — Carried

05 Administrative and Security Reports:

(a) Where applicable, Corporate Officers and/or Nancy Bijelic responded to inquiries regarding items from the Management Report, and/or from other communications to and/or among Directors.

- (i) Re-scheduling AGM 2020: Please refer to Section 07(b) of these Minutes.
- (ii) Re-opening Common Elements: Please refer to Section 11(a) of these Minutes.
- (iii) Liability and Insurance Opinion: Please refer to Section 11(b) of these Minutes.
- (iv) Mask Policy: Please refer to Section 11(c) of these Minutes.
- (v) Upper Zone's MUA: Please refer to Section 11(d) of these Minutes.
- (vi) Additional AGM Costs: Please refer to Section 11(e) of these Minutes.
- (vii) Electronic Meeting By-Law: Please refer to Section 11(f) of these Minutes.
- (viii) Reserve Fund Study: Please refer to Section 11(g) of these Minutes.
- (ix) Sundry Reports: Directors commented briefly on the Administrative, and/or Security Reports encompassed in Section 06 of these Minutes.

06 Motion to Receive Administrative and Security Reports as Information:

Resolution 200820R03: Receiving Administrative and Security Reports as Information

BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall receive, as information, the MTCC 1170 Management Office's Administrative Report for August 2020, ICC's rendering of MTCC 1170's unaudited Financial Statements for the period 01 December 2019 to 30 June 2020, and the Front Desk Security Report for the period 06 Jul 2020 to 04 August 2020.

Nives Malara/Sheila Sproule — Carried

07 Unfinished and/or Tabled Business Arising from Previous Meetings' Minutes:

(a) In-Suite Alarm Panels: Management continues to research prices for ensuring seamless integration of suites' alarm panels with the upgraded Keyscan system.

(b) Re-scheduling AGM 2020:

Resolution 200820R04: Amending Resolution #200414S04

WHEREAS the Condominium Authority of Ontario has extended the deadline-dates for condominium corporations' annual general meetings and has permitted condominium corporations to conduct their annual general meetings entirely by electronic means; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 deletes "...at a date to be determined in consultation with Corporate Legal Counsel and ICC, having due regard for any and all governmental expectations of social distancing and personal safety during the current COVID-19 pandemic..." *from* Resolution #200414S04 and *inserts* "...shall commence at 7:30pm on Monday 02 November 2020 (with electronic registration occurring in a manner that will appear in the materials that Management will be transmitting prior to AGM 2020).

James Louttit/Nives Malara — Carried

08 Correspondence Requiring Action and/or Response: Directors thanked the President for preparing the response to an XX06 Owner's inquiry and authorised the response's transmission to the aforementioned Owner.

09 Special Committee Reports: None

10 Other Reports: None

11 New and/or Brought-Forward Business:

(a) Re-opening the Common Elements: Directors agreed that additional time was necessary to explore, at very least, the following issues:

- (i) extent of liability under the *Occupiers' Liability Act*;
- (ii) reallocation/ withdrawal of equipment to ensure adequate social distancing;
- (iii) costs of additional staffing necessary for ensuring post-use and/or post-occupancy sanitisation;
- (iv) limitations and/or prohibitions necessary for residents' invitees;
- (v) prohibitions for areas where sanitisation is either impossible or impracticable (for example, many commercial gyms no longer allow use of showers and/or locker areas); and,
- (vi) possibility of a "second wave" when schools re-open and crowding of public transit increases.

(b) Legal Opinion on Insurance and the *Occupiers' Liability Act*:

Resolution 200820R05: Receiving Legal Counsel's Opinion as Information

WHEREAS MTCC 1170 has received Fine & Deo's opinion regarding MTCC 1170's liability insurance coverage relevant to COVID-19, and regarding condominiums' obligations under the *Occupiers' Liability Act*, THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 accepts the aforementioned opinion as information; AND, FURTHER,

BE IT RESOLVED that MTCC 1170 directs Management to use the aforementioned opinion as part of its guidance in mitigating MTCC 1170's risks from COVID-19.  
Scott Froebe/Sheila Sproule — Carried

(c) Face Mask Policy: Keith Bricknell surrendered the Chair to Sheila Sproule

Resolution 200820R06: Adopting a Face Mask Policy

WHEREAS the City of Toronto has passed By-Law 664-2020 (available for viewing at <https://www.toronto.ca/legdocs/bylaws/lawlists.htm?1597695878535>); THEREFORE,

BE IT RESOLVED that MTCC 1170's Directors reaffirm their prior emailed agreement with MTCC 1170's "Face Mask Policy" ("the Policy") and authorise appending the Policy to the Minutes of Meeting #200820R.  
Keith Bricknell/Scott Froebe — Carried

Keith Bricknell resumed the Chair.

(d) Upper Zone's MUA: Given their disagreement with an HVAC contractor's opinion about longevity, Directors asked Management to get a mechanical engineering opinion.

(e) Additional Cost of AGM 2020:

Resolution 200820R07: Authorising Additional Costs of AGM 2020

WHEREAS MTCC 1170 seeks to ensure quorum for AGM 2020 and to provide, *inter alia*, proper recording of proxies and/or votes; THEREFORE,

BE IT RESOLVED that MTCC 1170 shall employ GetQuorum to provide the above-noted meeting-related services for \$3,051.00 (taxes included) for a 90-minute AGM, with each addition 30 minutes for \$200.00 (taxes included).  
James Louttit/Nives Malara — Carried

(f) Electronic Meeting By-Law: Directors asked Management to get Fine & Deo to prepare a draft by-law for use when the Condominium Authority of Ontario's currently overriding permission for such meetings lapses.

(g) Reserve Fund Study:

Resolution 200820R08: Adopting the Reserve Fund Plan

WHEREAS MTCC 1170's Board of Directors has received its 2020 Class 2 Reserve Fund Study Update from Building Sciences; THEREFORE,

BE IT RESOLVED that the Board of Directors of MTCC 1170 adopts the Class 2 Reserve Fund Study Update that Building Sciences has proposed; AND, FURTHER,

BE IT RESOLVED that the Board of Directors of MTCC 1170 approves, as its triennial Reserve Fund Plan, the annual contributions described in the following table, which

comprises amounts described in Table 4 of Building Sciences' Class 2 Reserve Fund Study.

<b>Fiscal Year</b>	<b>Contribution</b>
01 December 2020 to 30 November 2021	\$635,790.00
01 December 2021 to 30 November 2022	\$689,833.00
01 December 2022 to 30 November 2023	\$748,468.00

Nives Malara/James Louttit — Carried

- 12 Perusal File of Correspondence Received as Information: Received by e-mail from the Management Office, and/or available in a folder during the Board Meeting.
- 13 Date of the Next Meeting(s):
  - (a) Regular Meeting #200917R: 1800h on Thursday 17 September 2020.
- 14 Motion for Adjournment  
Resolution 200820R09: Adjournment  
BE IT RESOLVED that the Board of Directors of Metropolitan Toronto Condominium Corporation 1170 shall adjourn Regular Meeting Number 200820R at 1845h on Thursday 20 August 2020.  
Scott Froebe/James Louttit — Carried

“Keith Bricknell”

President: Keith Bricknell

“James Louttit”

Secretary: James Louttit

Adopted at Meeting #200917R



## THE METROPOLE

### **FACE MASK POLICY, AS REQUIRED IN BY-LAW 664-2020 — EFFECTIVE 05 AUGUST 2020**

**Rationale, per By-Law 664-2020:** “To...[impose]...temporary regulations requiring the wearing of masks or other face coverings within enclosed common areas of apartment buildings and condominium buildings.”

**Applicable to:** MTCC 1170’s Residents, Staff, and Invitees ( note that “Invitees” includes, *inter alia*, residents’ guests, visitors, service-personnel, and/or delivery personnel as described in “Definitions” *infra*)

#### **Definitions**

- *Apartment Building:* means a building that is registered or required to be registered under Toronto Municipal Code Chapter 354.
- *Enclosed Common Area:* includes lobby, elevator, laundry room, meeting rooms or other common use facilities.
- *Owner of an Apartment Building:* includes the superintendent or property manager of an Apartment Building.
- *Mask or Face Covering:* the City of Toronto by-law defines a mask or face covering as a: mask, balaclava, bandana, scarf, cloth or other similar item that covers the nose, mouth, and chin without gapping.
- *Employee:* a person that works directly or indirectly for the Corporation
- *Resident:* means anyone who is a resident in any residential unit in the Corporation, for any length of time, and includes, but is not limited to, an Owner residing in a unit, temporary guests or anyone who is permitted to reside in a residential unit for any period of time by the Owner or tenant of the unit.
- *Visitor:* a family member, occupants, tenants, invitees, servants, agents, contractors and licensees of the Resident.

#### **POLICIES AND PROCEDURES**

Effective immediately, all persons described in the “Applicable to” portion of this policy-statement shall wear a mask or face covering while in the enclosed common areas of the building. The face mask must cover the nose, mouth and chin.

Under the By-law, the following persons are exempt from the requirement to wear a mask or face covering, and will not be required to provide proof of such exemption:

- (1) children under two years of age;
- (2) persons who can show medical documentation of an underlying condition that inhibits their ability to wear a mask or face covering;
- (3) persons who are unable to place or remove a mask or face covering without assistance;
- (4) employees and/or agents of the person responsible for the establishment within an area designated for them and not for public access, or within or behind a physical barrier; and,
- (5) persons who are reasonably accommodated by not wearing a mask or face covering in accordance with the Ontario Human Rights Code.

This policy shall permit the temporary removal of a mask or face covering where necessary for the purpose of receiving services, or while actively engaging in an athletic or fitness activity solely within portions of the establishment that Management may designate for such activities.

**As this policy’s sole purpose is to give force and effect to the City of Toronto’s By-Law 664-2020, non-compliance may result in the City of Toronto’s imposition of penalties.**