

WHAT CONDO DWELLERS ARE READING



VACANT UNITS DURING VACATIONS

Vacant units pose challenges to high-rise communities when residents can be absent for extended periods of time.

Despite best efforts, water problems can and do happen in vacant units. In one situation, a toilet tank system breaks and the tank overfills with water. The leak goes undetected for six hours as water damages other vacant units. Eventually, someone notices water in an inhabited unit. It takes additional hours to identify the

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FROM THE EDITOR

Tis snowbird season when many choose to leave us during colder weather and nest in Florida.

In **Vacant Units during Vacations**, our feature article, we look at what happens when residents are absent for extended periods of time, and what high-rise residents and condominium corporations can do to maintain the safety and security of their home.

Many of these snowbirds choose to reside in a gated community that is very likely a Homeowners' Association (HOA). In **Condo Governance - Ontario and Florida**, page 11, we look at differences and similarities between condominium corporations and HOAs.

For those departing for a warmer climate, safe travels.

A PEEK

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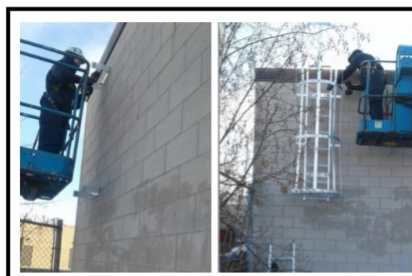
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HERE COMES THE RAIN AGAIN

Real-world effects of climate change are now upon us, even in areas where such events were rare or non-existent. We are now in an era of more frequent and intense inclement weather events.

Flash flooding in urban areas is a problem for buildings where units or other interior spaces are at or below grade. Some units, and common areas, in virtually all buildings are at risk. Higher temperatures, and wildfires in some areas, impact on building systems.



A decade ago, this was a non-issue in and around Toronto. There wasn't much in the way of extreme weather or major flooding to worry about and little thought was given to the problem. While there may have been discussions in some communities, little was done because there was no urgency.

***Now there is urgency
Condo boards need to
consider what can be
done to prevent a
disaster and how to
pay for it***

Now there is urgency. Condo boards need to consider what can be done to prevent a disaster and

how to pay for it. Actions taken today include deciding what work is necessary, its cost and how funds will be raised. In short, a financial plan is needed to address the problem.

Some communities may require new landscaping and grading to fight water problems. It may be necessary to repair the outer façade so water is less likely to enter the building. There may be a need for more emergency power to ensure elevators continue to function and

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HERE COMES THE RAIN AGAIN... CONTINUED FROM PAGE 3



water removal.

Rising temperatures place greater demands on a building's HVAC systems, which also need to remain operational in the event of flooding.

Should your community experience a disaster, one of the biggest mistakes is to be uninsured. Imagine an unexpected disaster (actually, disasters are never expected) and being insured for just cents on the dollar. Every single owner in the community is likely to be financially compromised and rebuilding the community becomes impossible. Preparing for a future disaster is unlikely if unable to financially recover from the previous one.

Flooding poses the greatest current risk for many communities. Preparations begin by

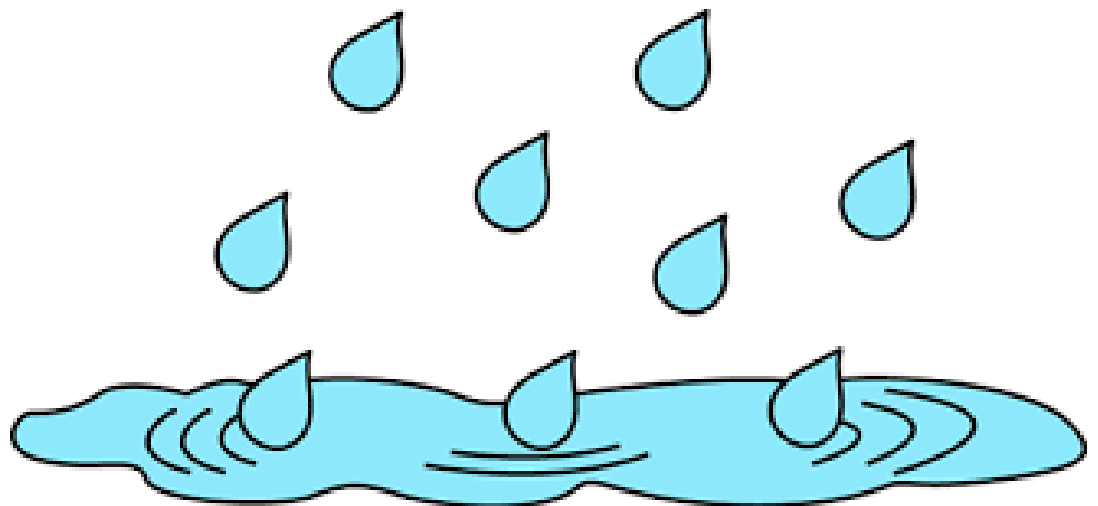
residents can remain at home during an extended power outage. Flood doors that can be closed during storms may be a partial solution. Where it is impossible to fully prevent water from entering, sump pumps may be necessary to facilitate

understanding that flooding starts on the outside. Drain systems should not be blocked by leaves or debris, and should be functioning properly. Good drainage can manage most levels of stormwater. Ground level around a building should be sloped away to divert water. For below ground areas, ensure any window wells are drained from the bottom to prevent water from coming in through the window or wall. Water should be diverted away from the window well and building.

Water detection systems, which can detect water buildup and flooding, should be utilized in elevator shafts, sump pump systems and wherever else water is likely to accumulate. Sensors should activate an alarm and send an electronic notice when water begins to accumulate.

Preparations begin by understanding that flooding starts on the outside

It is now understood that climate change is the cause of increased precipitation and hotter temperatures. We have no way of stopping either so attention should be focused on slowing or preventing the effects.



VACANT UNITS DURING VACATIONS... CONTINUED FROM PAGE 1

source of the water leak. Eight units below are severely damaged and families are displaced for more than six months. There was a huge insurance claim.

All this could have been avoided if people were home, or had taken measures to protect against water problems. Water sensors would have informed of the problem and avoided most of the resulting damage.

When a resident leaves for a four-month vacation in Florida, the door gets closed and locked. Residents rarely consider problems this may create for the condominium manager or neighbours during their absence.

A vacant unit affects building systems, particularly water systems and plumbing. Water can freeze or build up in pipes and cause damage during the vacancy. Informing management of when units will be vacant is a safety precaution. Before departing, water to the unit should be shut off to protect pipes from damage.

Some units can be overly large for the number of occupants and lead to similar problems. Not all rooms may be used and checked on a regular basis. A resident may not notice indications of water or other problems on walls and ceilings, or a window problem. A situation can become more serious while they are absent that soon affects units below.

Package deliveries for a vacant unit is another concern. Forgetting to suspend deliveries during an absence can lead to lost or damaged items. Packages may have to be returned if not retrieved in the required time to avoid running out of space. Making advance arrangements for these packages can help ensure deliveries are stored securely until

the recipient returns home.

In short, monitoring unoccupied units is a necessary role for building management. Dealing with problems in an unoccupied unit is more challenging than for occupied units and common areas.

When planning to leave your unit vacant for more than a week, informing management in advance of your departure is advisable. Always provide a way for management to contact you should a problem arise, and provide a way for them to access your unit. If your absence is for an extended period, ask management if someone can periodically check the unit to avoid problems.

When Vacant Units are Beneficial

Major capital projects, elevator repairs and garage maintenance are best undertaken when more units are vacant. There are fewer people to work around and be disrupted by the work. Fewer complain.

Building residents should be proactive in making management aware of their planned absences. Building management can periodically remind residents of the need to inform of absences prior to departure and the benefits of doing so.





STANDARD UNIT BY-LAW EXPLAINED

The Standard Unit By-law helps condominium owners, directors, management and insurance providers know who is responsible for repairing damaged property covered under an insurance plan. For condominium corporations that have implemented this by-law, it ensures owners are equal beneficiaries of corporation insurance.

When a condo unit is sold, a Standard Unit By-law provides clarity for the new owner about what is covered under condominium corporation insurance.

This by-law makes clear what property within the boundaries of a unit are insured by the corporation, and clarifies what unit improvements owners are responsible to insure. The effect of a Standard Unit By-law is to reduce the insurable value for the corporation. Building residents and unit owners should ensure that items not covered by corporation insurance are included in their personal home or renter insurance coverage.

The Standard Unit By-law ensures all unit owners are treated fairly and equally in the event of a claim that triggers the corporation's insurance policy. In general, it states that anything in the unit prior to its registration is insured by the corporation. Everything else is an improvement.

An owner spending \$100,000 to upgrade flooring, appliances and other aspects of their home is expected to insure these improvements or betterments through their own insurance policy. Without a Standard Unit By-law, damage and payment of an insurance claim for this unit would in some way be paid through the condo fees of other owners.

This by-law makes clear what property within the boundaries of a unit are insured by the corporation, and clarifies what unit improvements owners are responsible to insure

For an insurance company, a Standard Unit By-law can speed up insurance payments on claims. It clearly defines what is covered under a condominium corporation insurance policy so that insurance companies don't have to undertake an investigation for this purpose.

Communities without a Standard Unit By-law can experience delays in claims settlements as insurance adjusters attempt to identify original builder specifications and place a value on losses.



UNDERTAKING A FRAUD AUDIT



Receiving notice of an audit can mean something in your tax records is suspicious. For condominium corporations, an audit should be part of healthy financial practices.

The Condo Act requires that condominium corporations undertake an annual audit. This condo audit is required to ensure compliance with the Condo Act, particularly with regard to finances. It has nothing to do with ensuring proper financial practices are maintained or to identify fraud.

Periodically, a more comprehensive audit is a good practice. The intent of this audit is to identify improper or questionable practices, and help to identify fraud.

An audit is a multi-step process that involves obtaining records, looking at operational processes, reviewing financial records including all financial transactions, reviewing meeting minutes and conducting fraud interviews.

Certain red flags should prompt a comprehensive financial and fraud audit although this is not legally required. Red flags include unexplained bank account balances or unexpected financial losses. Internal controls may be weak, lacking in checks and balances. Perhaps there have been allegations of fraud or mismanagement.

Once an audit is complete, the best possible result is a clean bill of health. An audit could identify areas of waste or insufficient internal controls which can be improved on. Incidents of mismanagement or

fraud are rare but not uncommon. If mismanagement or fraud is identified during an audit, this will be reported to the board and should prompt them to contact their legal counsel.

Condo owners concerned about their corporation's finances do not have authority to compel a comprehensive financial and fraud audit. If there is a legitimate reason to suspect fraud or negligence by the board or management, condo owners may choose to retain a lawyer, file a lawsuit, and possibly employ a forensic accountant.

Most condo boards do a respectable job at managing the financial activities of their corporation. Owners should remain vigilant for indications that the condo board is acting in a professional and responsible manner, and be prepared to act when this is not the case.

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CONDOMINIUM MANAGEMENT EDUCATION AND TRAINING



Most successful condominium managers don't start out in 'the business.' They begin in other fields that provide an underlying skillset. At some point they become interested in condominium management and learn from industry veterans.

Business education programs began in 1904 at Harvard University in Boston. The initial focus was on quantitative analysis as the best way to improve

profitability. This approach was found to be successful at managing business operations to ensure they remain strong, vibrant and relevant. Discipline provided by these programs was effective at achieving the goals and purposes of all types of businesses. There are now more than 350 accredited MBA programs in the United States. In Canada, most universities offer an MBA program with academic and theoretical training. There are

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WINTER IS COMING!
...and not long after the dreaded THAW will follow.
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CONDO BOARDS & MANAGEMENT

CONDOMINIUM MANAGEMENT EDUCATION AND TRAINING... CONTINUED FROM PAGE 9

specialties such as accounting and finance.

Condominium management education programs have embraced this approach to providing a basic understanding in management, condo living and regulations. Yet academic studies only go so far. Learning from experience is essential to success.

Each condominium community is unique. There is a basic approach, skillset and best practices which serve as a starting point and can be taught in the classroom or obtained through experience. Effective management requires knowing and working within a community's strengths, challenges and idiosyncrasies.

Training is essential. Every condominium manager needs to learn what the board and residents are looking for. They need to understand the tools at their disposal; building systems, accounting system, office software and availability of records.

The best approach to on-the-job training is to assign an experienced manager as a mentor to provide support and guidance during a new manager's first months. Good management companies will establish best practices with protocols a new manager should follow, and templates for typical communications and client reporting.

The Ideal Condominium Manager

The hospitality and customer service industries provide good

entry-level condominium managers. They have the necessary skill of knowing how to deal with people. There is a good way to talk and deal with people that is not learned in school. Those who have studied psychology do well. They understand how to communicate with people, keep them informed and ensure personal issues are handled correctly. Any lack of structure and mechanical knowledge can be learned. A mechanical aptitude is desirable but engineering skills are unnecessary.

The ideal condominium manager offers effective communication techniques, financial acumen, and an understanding of mechanical systems. Project management and strong organizational skills are desirable. These skills can easily be adapted to the field of condominium management. A condo board able to find an individual with these basic skills and is willing to invest time for training will have success in finding the right individual for managing their community.



CONDO GOVERNANCE

Ontario and Florida



Anyone owning a condominium in Ontario and a condominium or single-family home in a homeowners' association (HOA) in Florida has likely noticed differences in how they are managed.

Ontario is focused on legislation, regulations and rules. The low priority given to transparency has created problems that appear unsolvable through rules and regulation.

Condo boards in Ontario have been granted a high degree of authority possibly because they were intended to be self-managed. As buildings grow and regulations become more complex, this is increasingly difficult. Most communities of more than a handful of units opt to employ condominium management on a part- or full-time basis.

Board and Annual General Meetings

The Condo Act requires that any item of board business be put to a vote. The individual making the motion for approval of an item should be identified in the minutes, along with the name of the person seconding the motion.

Florida's Sunshine Law requires that all meetings of any state, county or municipal board in Florida be open to the public. Actions taken at closed meetings are not binding. This applies to any

gathering of two or more members of the same board to discuss some matter which will foreseeably come before that board for action, and applies to both condominium corporations and HOAs. This law requires that meetings of the board be open to all unit owners, who are allowed to audio record or videotape the meetings. The law states that unit owners have the right to speak at these meetings on all designated agenda items.

The vote of every director should be recorded in the minutes in both Ontario and Florida. The intent, in both jurisdictions, is to ensure that the board keeps no secrets from owners. Both systems are partially effective.

Ontario condo owners are frequently unable to get information on financial issues or matters before the board. Owners have no awareness of board priorities or what they hope to achieve. Meeting minutes of board meetings are infuriatingly and likely intentionally vague on matters of interest to owners and challenges faced by the board.

While Ontario condo boards struggle to achieve quorum, in Florida even fewer show up at most meetings. Those that do show up have a specific reason for doing so and are given an opportunity to speak.

Ontario
***Any item of board business
must be put to a vote***

Florida
***All meetings must be open
to the public for actions to
be binding***

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CONDO GOVERNANCE - ONTARIO AND FLORIDA... CONTINUED FROM PAGE 11

Finding Qualified Director-Candidates

In selecting candidates for election, Florida communities are more likely to establish a nominating committee to actively seek and qualify potential candidates. The Ontario approach is more typically a short notice of the upcoming annual meeting and request for interested candidates to submit their name.

If one were to judge by results, neither Ontario or Florida offers a particularly good system for association governance. At the end of the day, both jurisdictions struggle with inadequate funds to address aging infrastructure requiring more frequent and costly repairs, and ongoing maintenance.

Both jurisdictions could benefit from a blended system. Ontario could benefit from greater

Ontario

The individual making the motion for approval of an item should be identified in the minutes, along with the name of the person seconding the motion.

Florida

Board meetings are open to all unit owners, who are allowed to speak on all designated agenda items. They can record the meetings.

transparency and enforcement. Florida could benefit from more concrete regulations.

In the absence of any imminent support from government, condo boards can improve transparency by implementing a few practices.

- Establish an independent nominating committee to seek and qualify potential candidates for serving as a director. Begin the process six months prior to the annual general meeting. End the process with a candidate meeting prior to the election where candidates can speak

and owners can ask questions.

- Open board meetings to owners. For personal or private matters go "in camera" by asking everyone to leave before the meeting ends.
- Improve the quality and depth of meeting minutes.

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BRACING FOR THE IMPACT OF CLIMATE CHANGE



It was fifty years ago that the insurance industry sounded an early warning on climate change. Nobody listened. Today, their data on future events is

sounding another alarm. Let's hope we listen.

Insurance companies use data to assess and price risk. This began in 1691 with Lloyd's of London in a coffee house frequented by sailors, merchants and shipowners. Lloyd's catered to the clientele by providing reliable commercial shipping news used by those brokering trade deals including buying and selling ships, and marine insurance. Homeowners insurance began years earlier (1666) after the Great Fire of London. By the late 1800s, Lloyd's of London was in North America offering protection from the risk of fires.

It was in 1973 that Munich RE, an underwriter of insurance policies, raised an alarm about climate change. As underwriters, their job is to evaluate and financially cover the risk of insurance policies. They noted that claims coming in for flood damage were regularly rising more quickly than predications from their actuarial risk tables. This is when they warned that systemic change was underway. Twenty years ago, this data showed

the dominant threat of loss and damage was still coming from water. Today, this data shows wind as the primary threat.

Regardless of where damage comes from, catastrophic events are becoming more frequent and losses are greater. Thus far, Ontario residents have been fortunate compared to those on the east and west coasts. With winds increasing, Ontario residents are unlikely to be so fortunate in the future.

Increasingly, households struggling to make ends meet are choosing to reduce or eliminate insurance coverage. With their focus on price, they are less concerned about reductions in coverage. This high-risk gamble leaves many underinsured and more

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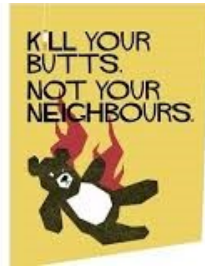
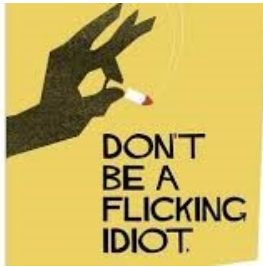


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FLICKING IDIOTS

“Don’t be a Flicking Idiot” is the Toronto Fire Services education campaign to reduce fires from improperly discarded cigarettes.

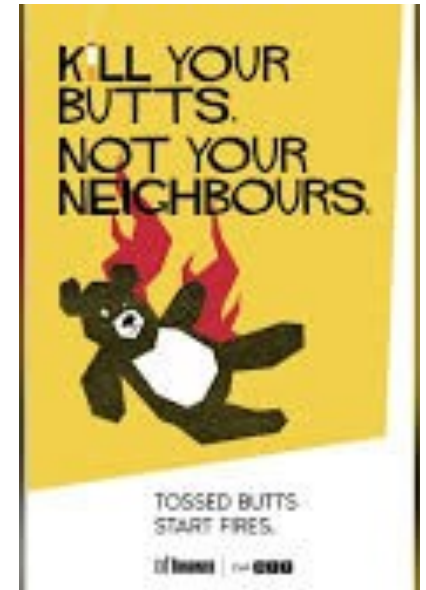
There were 114 fires started by lit cigarette butts of which 51 were balcony fires by the middle of 2017, when the campaign commenced. This was more than the total number of smoking-related calls for all of 2016.

High-rise condominium communities have the right to prohibit smoking in units, common areas including outdoor patios, exclusive use outdoor balconies and parking areas. Residents in non-smoking buildings are safer. The likelihood of fire is lessened, there is no risk from second-hand smoke, and building odours are reduced. Resale values in buildings that allow smoking are estimated to be up to 29 percent less.

In buildings where smoking is allowed, precautions and enforcement measures are necessary. Where smoking is allowed in units, owners have an

obligation to ensure smoke does not escape and bother those in neighbouring suites. If you or a guest are going to smoke on your balcony, make sure there is a proper receptacle to place the butt. This means something like a metal or fireproof container with sand or water. Guests and neighbours should know that you have zero tolerance for butts being flicked. Building managers and fire departments cannot be there the moment a cigarette butt is about to be flicked, but you can. Hold your neighbours and guests to a high fire safety standard.

There should be zero tolerance for butts being flicked.



BRACING FOR THE IMPACT OF CLIMATE CHANGE... CONTINUED FROM PAGE 13

choosing to be uninsured. Once cancelled, it becomes more difficult and expensive to obtain insurance. Some choose to drive an uninsured vehicle or purchase only the most basic insurance required to meet mortgage requirements. Those on floodplains or near undeveloped areas prone to drought and fire are unable to obtain insurance.

This all relates to changes in the weather. California implemented price caps on home insurance similar

to Alberta. Two of the state’s biggest insurers stopped issuing policies.

We have been warned of what is to come. Now it is up to us.



REALITY OF RESERVE FUND STUDIES



Reserve fund studies are necessary to know what level of funding is needed in reserve funds. They are also complex documents. They are much more than the one-page summary showing annual fee increases that most owners and directors see.

Since few take the time to read the reserve fund study, it comes as no surprise that so few understand it or the reserve fund.

The reserve fund study is how condo owners determine how much money to set aside for future maintenance and replacement of building common areas. It serves as a way to monitor condo board conduct and management of funds generated by monthly condo fees paid by owners. Unfortunately, there is considerable leeway for condo boards to deviate from best practices when determining proper funding and adherence to reserve fund study recommendations.

What is a Reserve Fund Study

An engineering company is employed by the board to inspect the building, identify all building components, estimate future major repairs or replacements, and approximate the year in which this work will need to be completed. The report they provide, a reserve fund study, is a complex spreadsheet covering this work for the next 30 years. More credible reports are provided by working with a 40-year period.

The condo board should review this information

and request adjustments based on community priorities. They may want to speed up or delay certain renovations, or upgrade finishings to something of higher or lower quality. The engineering firm takes this information and incorporates it in the reserve fund study.

From this final report, estimated reserve fund expenditures for each year are determined. Condo fee contributions for the reserve fund are established to ensure adequate funds for all anticipated expenditures.

When everything is done properly, future owners are assured they will be purchasing a home in a well-maintained building without concern about future special assessments or the corporation having to borrow money. Current owners should be comfortable knowing their fees are being used responsibly.

Reserve Fund Perspectives

Owners, condo board, management and contractors view the reserve fund study differently.

Owners, and frequently the board, see nothing more than a single-sheet summary showing how much is paid into the reserve fund and annual rate-of-inflation increases that can be understated or overstated if the board fails in their diligence. Until recently, the “standard” annual increase was two percent despite costs increasing by more than five percent. For 2022, cost increases were nearing 18

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REALITY OF RESERVE FUND STUDIES... CONTINUED FROM PAGE 15

percent.

After years of inadequate funding of the reserve fund, a special assessment becomes necessary to provide required funding.

Condo boards can prioritize low condo fee increases over properly maintaining the building and its infrastructure. Condo boards can underfund reserves in numerous ways. The easiest way is to push repairs and equipment replacement into the future, or to pretend some are unnecessary. There are adjustments that can be made to "reduce" reserve fund requirements. This allows condo boards to present owners with lower condo fees for a short period. Required funds do not really drop so future increases or special assessments are inevitable. Some condo boards want to hide their problems. **Toronto Condo News** has written of communities where boards successfully hide their problems and mistakes, and keep condo fees too low, for more than 20 years before extreme corrective measures become unavoidable.

The **engineering company** is expected to provide an unbiased reserve fund study. In practice, some may defer to condo board requests to ensure renewal of their contract. They may omit certain items, understate costs for others, or tweak the inflation rate used to adjust future costs.

Condominium managers have flexibility in recommendations to the board when advising on necessary repairs and equipment replacement. When their recommendations are based on something other than what work really needs to be done, this can change the reserve fund balance from what it should otherwise be.

All views are, to some extent, correct. An effective reserve fund study is one that provides balance to these different perspectives.

The Condo Act establishes basic parameters for reserve funds and reserve fund studies that are stricter than for regions outside of Ontario. Only condo boards can ensure these studies are conducted, and funds obtained, in the best interests of condo owners by considering all perspectives and acting accordingly.

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SECURITY OF YOUR DELIVERED PACKAGES – CHRISTMAS 2024



Some don't care if you have been naughty or nice. These Grinches want your packages.

It began with porch pirates following delivery trucks or wandering through a neighbourhood. They steal packages from a doorway before they have been retrieved or directly off delivery vehicles. Robbers have become more brazen and openly attacked delivery trucks. Retailers, taking heavy losses from theft, have closed stores in some cities. This all adds to the cost and availability of anything sold or delivered.

Thieves go where the money is, and this is package deliveries as consumers have embraced online shopping.

Package deliveries can end up in condominium lobbies poorly equipped to cope with the influx. Lobby areas become mini-warehouses from the sheer volume of delivered packages. Once accepted, packages need to be stored

and catalogued.

Most high-rise buildings were not designed to accommodate package deliveries at current volumes. They contain neither storage rooms or parcel lockers. No thought was given to large numbers of deliveries and packages coming through the front door, or parking space for delivery vehicles. Ensuring residents quickly retrieve their

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SECURITY OF YOUR DELIVERED PACKAGES ... CONTINUED FROM PAGE 17



packages so more can be stored was never a consideration.

In the high-rise home, management can ensure that whatever gets delivered is not at risk of theft. Four levels of package management are available.

White Glove Service

Delivered packages are accepted and personally delivered to the door thus maximizing both service and security. Delivery people do not receive building access beyond the lobby. Additional staffing is required year-round to maintain lobby security while items are delivered to a door, with more staffing required during peak delivery periods to handle higher package volumes.

Concierge Service

Packages are received by the concierge and stored in a location that may or may not be secure. Residents retrieve their package(s) from the concierge after being informed of arrival via electronic or paper notification. Condo management software and applications typically include a parcel management component.

Self-Service

Packages are delivered inside to a predetermined location. An unsecure location may be a parcel room accessible to all. Residents rely on package delivery tracking to know when an item has been delivered. A secure location may be a self-locking parcel locker combined with electronic notification of secure package arrival.

Non-Service

Packages are not accepted in the building. Deliveries may be left outside, or residents make alternate retrieval or delivery arrangements.

Liability exists any time a package is accepted from a delivery service at a central location that is not the final delivery address and signed for as accepted. Once accepted by a concierge, the condominium corporation accepts liability for ensuring final delivery. To protect against this communities may implement loss prevention strategies, upgrade insurance coverage, and require residents to sign waivers protecting the corporation and its employees against liability.

Any building failing to protect their delivered packages from being targeted by thieves runs the risk of having items no longer delivered for their residents. Carriers and retailers are not prepared to subsidize the cost of theft after they have left packages at a building.



TORONTO'S FIRST BIKE-FOCUSED COMMUNITY

If you want to live downtown, why drive? One of the best reasons for living in a downtown or urban area is the ability to get around without owning a car. Lifestyles are changing with fewer people requiring parking spaces and more in need of storage and services for bicycles. More residents are choosing to walk, bike or use transit to get around the city.

Centricity, a 53-storey development at Church St. and Dundas St. is Toronto's first community to emphasize a cycling infrastructure. In 2021, Toronto City Council recognized this shift away from automobiles and eliminated minimum parking requirements for new condominium developments. Previously, condominium buildings were required to provide at least 0.5 parking spots per one-bedroom unit.

The building, with a planned 2027 opening, will give cyclists equal treatment with pedestrians by making it easy to come and go.

The building will feature wide bike-sized elevators. There will be a bicycle maintenance and wash station. Temporary lobby storage will allow cyclists to make a quick trip upstairs without having to lock up their bicycle on a streetside post or leave it unattended.

The building will have nearly 600 parking spots for bikes as compared to just 63 for cars.

Toronto's official bike plan was to add 100 km of new bike lanes by 2024. This is a 35 percent increase from 2019.

CONDO UNITS COMPETE WITH PURPOSE-BUILT RENTALS

Putting up rental buildings has become more enticing than condo buildings since November 2018 when rent controls were eliminated for new rental construction. These newer buildings are designed to compete with what is provided in a luxury condo building.

Newer rental buildings with all the amenities and features of luxury condominiums offer an enticing alternative to renting a condo.

For renters, purpose-built rentals can be more appealing than a condo building where a landlord can reclaim the unit for their personal use or fail to maintain it. Purpose-built rental buildings can offer more resident services and superior management not controlled by a volunteer condo board.

Purpose-built rental amenities are more likely to include outdoor terraces, co-working spaces, dining rooms and media rooms with movie nights all of which help build a sense of community. They include staffing to address in-unit problems that can take longer to resolve with a condo-landlord.

Condo units for rent competing against superior purpose-built rentals are more likely to command lower rents.





THE DIRTY LITTLE SECRET OF CONDO BOARDS

Too many condo boards don't want to hear from residents or communicate with them EXCEPT when it comes time for elections. Then they complain about lack of interest among owners.

Owners get frustrated by condo directors and boards that fail to be transparent and lack of communication. When people believe they are ignored or not told the truth, they lose faith in their institutions. We see this in politics and, increasingly, in condominium governance.

Some of the major (for residents) and minor (for management) concerns that occur with regularity in high-rise communities:

- My unit is too hot ... or too cold
- I don't have hot water
- I smell garbage or cooking
- Why is there garbage in the stairwell or hallway
- Can someone deal with mail left on the mailroom floor
- I keep smelling cigarettes in my unit
- That loose sewer grate wakes me up at night

When a problem arises, dozens of messages about the same concern can be sent by those affected to the management office with others reporting problems to the security/concierge desk. Most complainants are unaware that others have similar concerns. Poor communication by management isolates residents and makes it harder for them to put pressure on management to address problems.

When condo boards and management fail to be

responsive to owners, they are increasingly turning to the Condominium Authority Tribunal (CAT) in the hope of achieving better results. This forces management to expend time and resources justifying their actions before the Tribunal rather than focusing on resolving what can be ongoing concerns affecting many residents.

Management and a condo board that is proactive in their communications would send out a notice to all residents when a problem is initially identified explaining what is being done and timing. This assures residents they are watching over and taking care of things. Responding to individual resident concerns takes more time and gives the impression that those making decisions have no idea what is going on.

Once that initial notice has been sent, residents anticipate receiving notice that the problem is resolved or the plan and timing to achieve resolution. Finally, residents look around to see if the problem has been resolved. When not resolved, it doesn't take long for the board and management to develop an earned reputation for being ineffective or incompetent.

Resolving problems and effective communication is a better approach to ignoring or failing to address concerns.



CONDOMINIUM DOCUMENT GOVERNANCE LITERACY

Congratulations on moving into your first condominium home. You want to do some renovations, have a pet and celebrate.

You are a homeowner and part of a common-interest community. You received and have agreed to abide by certain laws, regulations and rules that govern your community.

Being literate in your governing documents allows you to avoid many disputes, problems and violations that arise from ignorance, and allows you to avail yourself of protections against infringements of your rights as a homeowner. It is best to read and understand these documents before anything comes up.

When problems arise, the most common response from the condo board and condominium manager is to refer to these documents, and to refer owners to them. Documents are often available electronically to access, print or download.

First-time Condo Owners

Seasoned condo owners keep these documents accessible. First-time condo owners may think their obligation is to pay a monthly fee and that everything is taken care of. They assume management is a landlord that will handle upkeep, repairs, physical structure and financial management. This is not how a common-interest community operates. Owners have a responsibility to maintain, repair and replace what exists in their unit. There is an obligation to participate in the

corporation's governance which can include voting for or serving on the corporation's board of directors.

This body has the legal authority and duty to uphold and enforce provisions in the corporation's governing documents.

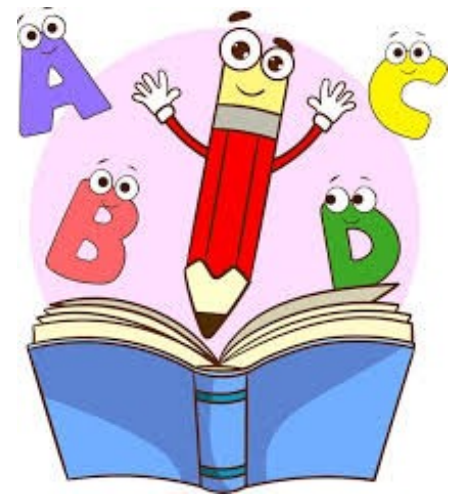
Another misconception of first-time condo owners is that they can do whatever they want in their home. Certain renovations may require authorization of the condo board. There may be a need to access elevators and a loading area. Modifying walls, vents, ducts or pipes may not be allowed. Restrictions on smoking or pets, intended to protect other residents, are common.

Condo Board Authority

Condo boards have limited authority in a common-interest community. They do not have the authority to independently create or change rules, issue fines or evict people from their home. Creation and enforcement of rules must be reasonable. Those governing documents owners should be familiar with provide those who are dissatisfied by how their condo board operates with a way to replace them.

Governing Document Illiteracy

Being unfamiliar with governing documents breeds mistrust. Owners scrutinizing decisions or activities of the board can assume nefarious intentions without realizing that the board is not required to



CONTINUED PAGE 22



HEATING WITH ELECTRICITY

Electricity is the preferred source for heating, cooling and operating appliances. It is one of the best ways to save money and is less damaging to the environment. Most high-rise buildings rely on electricity to provide power for individual units. Building systems rely on natural gas to power equipment providing heat and water to a building. Some prefer natural gas for certain appliances.

Communities looking for something greener, cleaner and more efficient can eliminate their use of natural gas.

To achieve Toronto's goal of net zero emissions by 2040, every house and building will have to switch to heating with electricity when their existing

equipment wears out. Gas barbecues and stoves will need to be replaced with electric appliances.

Condo boards tend to do the cheapest possible equipment replacement even if spending more will reduce costs over the long run and be better for the planet.

Replacing boilers with electric heat pumps offer twice the efficiency. They serve as a source of heat and air conditioning that dramatically reduces carbon emissions. Initial costs can be reduced with rebates and grants available through Enbridge and government-supported agencies which also provide technical assistance.

CONDOMINIUM DOCUMENT GOVERNANCE LITERACY... CONTINUED FROM PAGE 21

communicate or share information with owners on most matters. An individual more literate in their governing documents is better able to understand the difference between what should and can be shared with owners.

One of the problems is that governing documents are written in legalese, making them difficult to read for those without a law degree. They were likely drafted by the condo developer without proper consideration for those who would later live in and manage the community. After a number of years, these documents were never updated so they become outdated.

The best boards are familiar with their governing documents and encourage owners to do the same. They operate transparently through meetings, newsletters, technologies, community website and other communications.

Understanding the rights and responsibilities that come with condominium ownership goes a long way to ensuring harmonious community living. Read your governing documents before taking action.



MALLS TO BECOME MINI VILLAGES

Over the next decade, local malls will be transformed into mini villages. Many of our region's indoor malls will soon be surrounded by dozens of high-rise towers in what is now an open expanse of underutilized outdoor parking. Inside the mall, we will see changes to the type of retailers and services provided.

Cloverdale Mall will, according to its development application, be surrounded by 10 residential towers from 17 to 48 storeys. It will include 23,500 square feet of community amenities, 3.8 acres of parkland and 185,000 square feet of retail space. In Thornhill, Promenade Mall's transformation has begun. Two high-rise buildings have recently opened with direct access to the mall. More than a dozen new high-rise buildings are planned or in development for a total of at least 20 buildings within walking distance. When complete, Scarborough Town Centre will consist of a retail core surrounded by 45- to 65-storey high-rises, a transit hub, park-side neighbourhood and residential village.

Developers are planning to turn more than 14 GTA and region malls into mini villages in Brampton, Mississauga and Toronto – nearly 200 residential buildings are proposed around Yorkdale, Square One, Bramalea City Centre, Centerpoint Mall, Atrium on Bay, Dufferin Mall, Fairview Mall, Scarborough Town Centre, Sherway Gardens, Agincourt Mall, Dixie Outlet Mall, Malvern Town Centre and Galleria Shopping Centre. Some of these malls need help attracting visitors. They are experimenting with

beauty salons, community services, expanded food and entertainment venues, fitness options, experiential offerings and larger retailers. Increased local density will help.

Malls offer retail services surrounded by ample land and accessible transit. Creating density around a pedestrian friendly mall with good transit, shopping and amenities provides necessary housing for a growing population around existing infrastructure. Each mall can become a full functioning ecosystem that prioritizes green space, walkability, bikeability, easy transit and neighbourhood necessities.

Ontario needs to build 1.5 million homes over the next decade to house an anticipated 1.45 million newcomers expected to arrive in Canada, with most settling in the Greater Toronto Area.





UPDATING GOVERNING DOCUMENTS

If it has been more than ten years since your governing documents were reviewed, now is a good time to update them.

Many things have likely changed since your by-laws, declaration and rules were written. Unless they have been updated recently, there is a good chance they are in some ways outdated.

Laws have likely changed making language in these governing documents obsolete. Some regulations, policies or rules may be discriminatory even if not enforced. This can make it difficult for condo boards to make governance decisions without exposing them to liability, financial penalties and community conflict.

In the 1960s more people were willing to get involved in their communities, making it easier to find people to serve as directors or to attend annual general meetings. Today, fewer feel the need to attend meetings or serve as directors. Unless there is an issue that drives people to action, they usually just don't care. Some condominium corporations may require higher numbers for quorum than is practical. Other aspects of these documents may make it difficult to attract sufficient interest in serving as a condo director and participate in meetings.

If there have been problems or misunderstandings because a declaration, by-law or rule is ambiguous or nonsensical, this is an indication that

something needs to be changed.

Pets, disabilities and human rights legislation are areas where laws have changed making older governing documents outdated. Perspectives on what constitutes a family have changed creating more flexibility around who can reside in a unit.

Some condo boards feel it is more convenient and within their authority to selectively enforce or comply with their governing documents. This is a slippery slope that eventually leads to conflict, disputes and litigation. Updating and complying with governing documents is the best approach to peaceful and effective governance.

Many condominium corporations were incorporated decades ago and have never decided to revisit their governing documents allowing them to become outdated or obsolete. Revisiting them would be a good idea.





SHOOTING IN THE BUILDING

There was a shooting in my building. What should building management be doing about it? Should they be keeping residents informed?

P. T.

Response from Toronto Condo News

Unfortunately, no building is 100 percent secure. Any security systems that exist can be circumvented by a sufficiently motivated individual. Furthermore, excessive security creates its own set of problems that can be opposed by building residents. Condo boards and management are responsible for striking a reasonable balance given their available resources.

The incident you cite may not have been a security breach or rule infraction that was controllable. It may have been related to a domestic dispute, or a guest properly allowed into the building. Under these circumstances, this is little that management can offer or do to prevent a recurrence.

Hopefully your community is one with a tradition of communicating with residents. Assuming this to be the case and no failure in building security, little can be done other than make residents aware of the incident and reminding them of standard security precautions which should include never allowing someone unknown to enter the building, and that residents are responsible for the actions of their guests and visitors.

If there was a security breach or an unauthorized individual obtained access to the building, resident communications should explain the nature of the breach and what efforts are being undertaken to ensure such an incident is unlikely to recur. It may be that certain doors were broken, left open or accessible. Perhaps a security guard was on patrol and did not see an individual entering the building. It may be that the individual entered when someone opened the door for them or failed to close it when entering or exiting the building.

Maintaining a secure home requires situational awareness. Changing technology, resident turnover, available funds, and constant vigilance by building management and residents are all part of maintaining a safe and secure home. Both residents and management need to work together.

Effective communication and correcting for known security deficiencies are the best ways to avoid a repeat of this incident.





Information and resources for the Toronto and GTA condo community

Serving Condominium Residents, Directors and Management



Toronto Condo News

Our monthly magazine is what condo dwellers are reading.

Condo Archives

Comprehensive condo-focused library you can search for answers to your questions about condo living and condo management.

Condo Resource Guide

Vendors and service providers for condominium managers, condominium directors and condominium residents.
Condo Resource Guide is Toronto's #1 source for the Condo Professionals you need.

All resources available at

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