



September 2, 2021

Dear CDG Members,

The COVID landscape is rapidly changing in Ontario. The purpose of this note is to summarize the key important changes having occurred in the last week or so.

Mask requirements

Ottawa's temporary municipal mask by-law expired on August 26, 2021. The provincial mask requirement continues to apply under Step 3 of the Reopening Ontario Roadmap.

Indeed, under Regulation 364/20, the person responsible for a business or organization shall ensure that any person in the indoor area of the premises wear a mask or face covering in a manner that covers their mouth, nose and chin. The usual exception applies based on age, disability, medical condition or under the *Human Rights Code*. This obligation on the corporation's part applies unless the corporation is able to ensure that individuals on the interior common elements are able to maintain the required 2-metre distance.

Corporations having posted masks signs or having adopted a mask policy based on the municipal by-law may need to change these.

Vaccination policies

On August 24, 2021, the province amended its regulations to require business or organizations to establish, implement and ensure compliance with a COVID-19 vaccination policy upon advice, recommendations and instructions issued by the Office of the Chief Medical Officer of Health.

On September 2, 2021, Ottawa Public Health [issued a strong recommendation](#) that all Ottawa employers implement workplace vaccination policies to reduce the risk of COVID-19 transmission. It is to be noted that the City of Ottawa itself adopted a policy requiring vaccination for all of its employees, volunteers and contractors.

In my view, condo corporations with employees, contractors or staff on site should adopt and implement a vaccination policy. Ottawa Public Health has posted a [Guide on how to create a workplace vaccination policy](#). You may want to consult with your usual adviser to guide you on this.



Provincial “vaccination passport”

On September 1, 2021, Ontario announced that it would require Ontarians to provide proof of vaccination to access certain businesses, facilities and settings, including:

1. Indoor meeting and event spaces; and,
2. Indoor s gyms, fitness and recreational facilities.

Proof of vaccination will not be required for outdoor settings including patios.

Medical exemptions will apply but those seeking such exemption will be required to provide a medical note.

Proof of vaccination will apply starting September 22, 2021 (and the province will launch a QR Code Pass as of October 22, 2021).

We are still waiting for the applicable regulations to be published to fully understand whether and how this will apply to condos but expect it will for indoor meeting space, gyms, fitness and recreational facilities.

Corporations should start thinking about developing a vaccination policy or about how they will comply with this new provincial requirement *assuming it applies to condos*. You may want to consult with your usual advisers to guide you through this.

We will share more information when we know more.

Ontarians can book a [vaccine appointment here](#).

You can [download your proof of vaccination here](#).