
Condo Smarts

Headline: First Request First Served

Topic: Electrical Planning Reports

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Dear Tony: Our 36 unit townhouse complex in the Okanagan has an energy supply problem. Over the past 5 years, 6 owners have converted their gas furnaces to heat pumps and 3 owners now have electric vehicles with charging stations, and there are several air conditioners installed. We have experienced a brown out on 2 occasions during heat spells where car charging, cooling and cooking happen around dinner time. The electrician we have been working with has advised until we do upgrades, we should restrict any other changes. Does the strata corporation have an obligation to upgrade our electrical systems to enable everyone to have the same access to alterations? We have several requests now for heat pumps.

MC

Dear MC: The recent introduction of Electric Planning Reports (EPR) in the *Strata Property Act* is a welcome planning inspection and evaluation tool for multi family properties. Whether you are a bare land, townhouse, low rise or high rise building, the capacity of electrical service that was intended was limited to the projected demand at the time of original construction. In addition, there are also limits on the capacity that is delivered to different regions and neighbourhoods.

Before you proceed with any other upgrades, commission your EPR as soon as possible. The report will include an evaluation of the amperage of each unit's panel, the total amperage delivered for the corporation, and current consumption cycles. Depending on the age of your community, there may not be sufficient amperage for each unit if there is a sustainable high demand for all components operating simultaneously.

Lisa Mackie, a Vancouver lawyer who advises strata corporations in BC, recommends that all strata corporations look closely at their bylaws and alteration

agreements. According to Lisa, *“while a strata corporation has the power to approve these alterations under its bylaws and the Strata Property Act, strata corporations still need to consider whether its electrical system has the capacity to accommodate them. Does approving one alteration today enable a balanced and fair administration of similar alteration requests in the future? What is the effect of a potential electricity shortfall in the community? Does the request spark a duty to accommodate under the Human Rights Code or the potential for the BC Human Rights Tribunal to order an electrical upgrade, for example, to accommodate a medical condition that requires a cool internal climate?”*

Is it possible a strata corporation could be ordered to upgrade their electrical services? Yes, but a proactive strata can avoid this potential outcome. The solutions are best managed after an EPR is complete and the strata has considered their options for upgrades if necessary, or better energy management systems. EPRs, alteration agreements and bylaws will play a significant role on the demand and distribution of electricity in the coming years. A “first come, first served” approach to approving electrical alterations does not exactly empower strata corporations to make equitable or informed decisions for their community.