

Condo Smarts

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Written by: Tony Gioventu

Dear Condo Smarts: We have just purchased an electric vehicle. We live in a mid-sized condo in Victoria that was constructed in the early 1980's. Like most consumers we were enticed by the flashy gizmos and the lure of energy efficiency and reduced costs. I suspect like most consumers we may have also overlooked one small, but critical detail. Where are we going to plug the car in to charge in our building? Our building does not have any receptacles near parking spaces other than our cleaning bay for car washes. The strata council are confused over the issue of whether they have to grant us the use of the electricity, if they can charge us, or even assign the parking space used for washing and cleaning. As we start to see an increase in electric vehicles, I suspect that there will be more problems such as ours with building access and charging stations for electric vehicles. Does the legislation permit alterations to buildings that will enable us to keep up with changes in technology and energy, and if so can you make some recommendations for the council to consider?

Marilyn B

Dear Marilyn: The Strata Property Act already gives us a number of provisions within the legislation that provide strata corporations the ability to keep pace with technology. There are essentially two parts of the procedures that the strata council will have to address. The installation of a charging station(s), and how the electricity will be used. The strata corporation may consider alterations to the parking garage that would permit charging stations, or an alteration that permits an electrical service to an existing parking space. It will be important for the strata corporation to first review their parking plans and locations of electrical services before they grant permission. The installation would be like any alteration under the bylaws of the strata corporation if an owner makes the application or, the strata corporation may consider installing the services and seek the approval of the owners of the strata corporation for the funding. While the installation of a single charging station may not necessarily be a significant change in use or enjoyment of common

property, the reallocation of parking spaces, such as a designation of visitor parking into charging stations, could be a significant change, first requiring a three quarters vote of the owners at a general meeting. The alteration is also subject to building/electrical permits and building code requirements.

Strata corporations are permitted to charge user fees for facilities, such as parking, storage, recreation facilities, and other amenities. Once installed, the strata corporation may recover the costs through user fees for the service and electricity that is used. The strata council may adopt a rule that imposes user fees (ratified by majority vote) or a bylaw that imposes user fees (ratified by a three quarters vote). Either method is enforceable, and the user fee or an amendment to an existing fee must be approved at the next general meeting before it can be enforced. We now have a grid of charging stations popping up in higher density zones of the province, and early in the new year we will have multiple user pay systems that are ready to be installed into strata properties. These may be the ideal solution as the system is funded by the user only when it is accessed, and is available to multiple users throughout the day as part of a network of charging systems. As electric cars become more prominent, condo owners and buyers will be making charging stations a condition of their condo lifestyles.

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