
ELECTRIC VEHICLES AND STRATA CORPORATIONS

Big changes have arrived for strata corporations and electric vehicle charging.

Section 94.1 of the *Strata Property Act* (the “SPA”) requires a strata corporation to obtain an **electrical planning report**. In accordance with *Regulation 5.8*, a strata corporation that has 5 or more strata lots is required to obtain an electrical planning report by the following dates:

- No later than December 31, 2026, for strata corporations in the Capital Region District and Metro Vancouver Regional District.
- No later than December 31, 2028 for other areas

It is in the best interests of a strata corporation to take steps to ensure that it strictly complies with the relevant deadline.

The days of simply dismissing an owners request to install EV chargers on common property are gone. In accordance with Section 90.1 of the SPA, an owner may request that a strata corporation approve proposed alterations to common property or land that is a common asset that are necessary for the purpose of installing EV charging infrastructure for use at a parking stall.

Regulation 5.3 provides that an owner is permitted to request approval on the earlier of:

- the date that the strata corporation obtains an electrical planning report; and
- the date that the strata corporation was required to obtain an electrical planning report.

In accordance with Section 90.2(6) of the SPA and *Regulation 5.6*, the strata corporation must decide whether to approve an owner's request no later than 3 months after receipt of the request.

Section 90.2(4) of the Act prevents a strata corporation from unreasonably refusing to approve an owner's alteration request related to installing EV charging infrastructure. The strata council can say no, but there has to be reasonable grounds to do so and that

will take time and money to establish those grounds. Section 90.2 provides various reasons for which a strata council might reasonably deny a request.

When a strata corporation approves the installation of EV charging infrastructure by an owner, it is strongly recommended that the strata corporation approve it on the condition that the owner sign an Alteration and Indemnity Agreement.

In addition, the council may consider charging a user fee to the owner or requiring that the owner enter into an agreement with a third party service provider to administer and collect fees. Legal advice is recommended.

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