

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

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Condo Smarts

Headline: Parking often a problem but it doesn't have to be

Topic: Parking

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You can break down the potential problem areas of strata life in several ways. One of our favourites is something we call The Five P's: people, pets, parking, pot and prostitution. Of the five, the third - parking - can often be the most contentious, as it is a constant, daily reminder of something gone amiss.

The insanity of parking begins with the variety of parking allocations. Issues surrounding resident parking, visitor parking, rented parking spaces, RV parking, parking storage, sold parking spaces, parking in front of the garage, parking in the wrong space, parking in fire lanes, parking on the front lawn and parking bylaw enforcement all fuel the firestorms of parking lot frustrations for strata councils and owners.

In a typical development, there is sufficient parking for at least one car for every strata lot. Some units, because they are larger, may have two or more spaces. But how does anyone really know who has the right to use what space? One Surrey strata, on reviewing their parking, discovered that a collector (a past council president) had six cars in the underground, causing some owners to park outside. These parkers were furious to find they were being displaced by a six-vehicle parking hog, but there was nothing in the bylaws, rules or registered agreements to allow this or remedy this. The council has amended the rules, limiting underground parking to one per suite.

Strata Law: Parking spaces can be designated as limited common property, common property, and even part of a strata lot or separate strata lot. But for years the agreements governing parking have seldom if ever been registered with the title. Belatedly coming to terms with the frustrations of owners and strata, the Act now has a convenient provision for new developments. Before the first Annual General Meeting the developer can register allocated spaces as Limited Common Property to be used by the designated lots. When acted upon, this solution goes a long way to preventing future disputes. Older stratas can create similar harmony by creating rules or bylaws that designate and assign parking.

Tips: Creating a parking plan, numbering the spaces and identifying the users of each of the spaces may seem like a monumental task, but it will be worth the trouble. A plan will make parking enforcement credible, reduce conflicts, provide quick information in emergencies, and identify unused parking spaces, allowing the strata to rent them out for a user fee, generating revenue for the corporation.

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