

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

Bulletin: 300-139

Condo Smarts

Headline: Parking Problems

Topic: Parking

Publication date: August 7, 2005

Publication: The Province

Written by: Tony Gioventu

One Tsawwassen strata has spent years in battle with an owner who has insisted on parking his huge RV (a converted touring bus) in the strata parking lot, taking up two spaces. In addition, he also owns three cars taking up space in the parkade. He has insisted all along that because he was an original owner, he had the right to the parking spaces and the strata could not force him to move any of his cars.

As with many contentious issues the strata council, hoping not to make a bad situation worse, hoped the other owners would simply endure the inconvenience. However, after numerous flare-ups, the strata finally made a close review of the parking plans and early bylaws (which were never amended), and discovered the intent was that each unit would have one underground space, and one parking lot space. The disgruntled owner is now looking for storage for his extra vehicles.

Strata law: Most parking in strata corporations is common or limited common property, and regulated by the bylaw and rules of the strata. Occasionally, parking spaces for specialty needs such as RV parking, boats and storage facilities may be designated as strata lots. There may also be restrictive-use covenants to watch out for as well as municipal bylaws and visitor parking requirements and limitations.

Tips: RV parking, boat storage and trailer storage cause conflicts for most strata corporations. Not only is there usually limited parking in the first place, but there are a number of other factors to consider. Recreational vehicles can be potential fire risks, hazards to the buildings and other vehicles, or obstructions to the use and enjoyment of owners' balconies, decks and patios. As well, derelict vehicles tend to be eyesores and stationary vehicles are often targets for vandalism and arson. When reviewing your bylaws and rules, ask a few simple questions. Is the common parking allocated fairly? Are all vehicles insured? Will your strata insurance cover claims that result from parked vehicles? Do stationary/stored vehicles pose a safety risk or hazard to the property? Owners should be aware that some of these risks are very real and that bylaws are created for the convenience and safety of all.

For more information on CHOA resources and benefits visit www.choa.bc.ca
or contact the office at 1-877-353-2462 or email office@choa.bc.ca.

No part of this publication may be reproduced without the prior written permission of CHOA

This publication contains general information only and is not intended as legal advice. Use of this publication is at your own risk. CHOA will not be liable to you or any other person for any loss or damage arising from, connected with or relating to the use of this publication or any information contained herein by you or any other person.