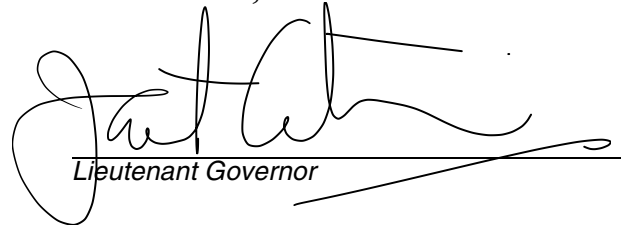


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 671

, Approved and Ordered December 6, 2023



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

- (a) sections 2, 4, 5, 7, 8, 9, 11, 12 and 14 of the *Strata Property Amendment Act, 2023*, S.B.C. 2023, c. 21, are brought into force, and
- (b) the *Strata Property Regulation*, B.C. Reg. 43/2000, is amended as set out in the attached Appendix.

DEPOSITED
December 6, 2023
B.C. REG. **261/2023**



Minister of Housing



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Strata Property Act*, S.B.C. 1998, c. 43, s. 292; *Strata Property Amendment Act, 2023*, S.B.C. 2023, c. 21, s. 15

Other: *O.C. 130/2000*

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APPENDIX

1 *The Strata Property Regulation, B.C. Reg. 43/2000, is amended by adding the following section:*

Exclusive use – parking stall

5.101 For the purposes of section 76 (2) (b) (ii) of the Act,

- (a) parking stalls that meet both of the following criteria are a prescribed class of parking stalls:
 - (i) EV charging infrastructure has been installed for use at the parking stall;
 - (ii) the installation resulted from an owner's request made under section 90.1 of the Act, and
- (b) the period specified for the class of parking stalls prescribed under paragraph (a) of this section is 5 years.

2 *The following Parts are added:*

PART 5.1 – ALTERATIONS TO COMMON PROPERTY TO INSTALL EV CHARGING INFRASTRUCTURE FOR OWNER

Required content of owner request

5.3 The following information is prescribed for the purposes of section 90.1 (2) (a) of the Act:

- (a) the owner's contact information and strata lot number;
- (b) a description of the proposed EV charging infrastructure;
- (c) the proposed location of the EV charging infrastructure;
- (d) the number or location of the parking stall at which the EV charging infrastructure would be used;
- (e) the name and contact information of a contractor who is qualified to make the proposed alterations for which approval is sought;
- (f) a description, prepared by the contractor referred to in paragraph (e), of the work required to make the proposed alterations;
- (g) an estimate, prepared by the contractor referred to in paragraph (e), of
 - (i) the cost of making the proposed alterations, and
 - (ii) the time needed to make the proposed alterations.

Timing of request

5.4 For the purposes of section 90.1 (2) (b) of the Act, the date on or after which an owner must make a request under section 90.1 (1) of the Act is as follows:

- (a) if the strata corporation is required to obtain an electrical planning report referred to in section 94.1 of the Act, the earlier of the following dates:
 - (i) the date on which the strata corporation obtains an electrical planning report for the first time;

- (ii) the date on or before which the strata corporation is required to obtain an electrical planning report for the first time;
- (b) if the strata corporation need not obtain an electrical planning report referred to in section 94.1 of the Act, December 31, 2026.

Prescribed classes of EV charging infrastructure

- 5.5** The class prescribed for the purposes of section 90.2 (2) (a) of the Act is EV charging infrastructure that displays the label or mark required by section 21 of the Electrical Safety Regulation.

Timeline for consideration of owner request

- 5.6** For the purposes of section 90.2 (6) of the Act, the prescribed period is 3 months.

PART 5.2 – ELECTRICAL PLANNING REPORT

Division 1 – Deadlines and Exemptions

Definitions for Division

- 5.7** In this Division:

“existing strata corporation” means a strata corporation established on or before December 31, 2023 by the deposit of

- (a) the first phase of a phased strata plan, or
- (b) a strata plan that is not a phased strata plan;

“new strata corporation” means a strata corporation established after December 31, 2023 by the deposit of

- (a) the first phase of a phased strata plan, or
- (b) a strata plan that is not a phased strata plan;

“specified area” means any of the following:

- (a) the Capital Regional District, other than an island within the Capital Regional District that is accessible only by air or boat;
- (b) the Fraser Valley Regional District;
- (c) the Metro Vancouver Regional District, other than an island that is accessible only by air or boat.

Deadlines and exemptions for strata corporations with non-phased strata plan

- 5.8** (1) This section does not apply to a strata corporation if the strata plan is a phased strata plan.
- (2) Subject to subsection (3), for the purposes of section 94.1 (2) of the Act, an existing strata corporation must obtain an electrical planning report on or before the following date:
- (a) if the land in the strata plan is located wholly or partly in a specified area, December 31, 2026;

- (b) if the land in the strata plan is located wholly outside of a specified area, December 31, 2028.
- (3) An existing strata corporation need not obtain an electrical planning report if the strata plan has fewer than 5 strata lots on December 31, 2023.
- (4) Subject to subsection (5), for the purposes of section 94.1 (2) of the Act, a new strata corporation must obtain an electrical planning report on or before the date that is 5 years after the date of deposit of the strata plan.
- (5) A new strata corporation need not obtain an electrical planning report if the strata plan has fewer than 5 strata lots on the date of deposit.

Deadlines and exemptions for strata corporations with phased strata plan

- 5.9** (1) This section does not apply to a strata corporation unless the strata plan is a phased strata plan.
- (2) For the purposes of section 94.1 (2) of the Act, an existing strata corporation must obtain an electrical planning report on or before each of the following dates:
- (a) if the phases of the phased strata plan that are deposited as of December 31, 2023 include at least one phase with 5 or more strata lots, the following dates:
 - (i) if the land in the deposited phases is located wholly or partly in a specified area, December 31, 2026;
 - (ii) if the land in the deposited phases is located wholly outside of a specified area, December 31, 2028;
 - (b) each time a phase of the phased strata plan is deposited after December 31, 2023 and the number of strata lots in the phase is 5 or more, the date that is 5 years after the date of deposit of the phase.
- (3) For the purposes of section 94.1 (2) of the Act, a new strata corporation must, each time a phase of the phased strata plan is deposited and the number of strata lots in the phase is 5 or more, obtain an electrical planning report on or before the date that is 5 years after the date of deposit of the phase.
- (4) If the number of strata lots in each phase of the phased strata plan is fewer than 5, a strata corporation may defer obtaining an electrical planning report until the date that is 5 years after the date of deposit of the final phase.

Division 2 – Qualified Person and Content of Report

Electrical planning report – qualified person

- 5.10** (1) In this section:
- “**building code**” means the British Columbia Building Code established by the order of the Minister of Municipal Affairs and Housing numbered BA 2018 1 and dated July 16, 2018;
 - “**Part 9 building**” means a building described in Article 1.3.3.3. of Division A of the building code, whether or not the building code applies to the building.

- (2) For the purposes of section 94.1 (1) of the Act, “**qualified person**” means,
- (a) in the case of a strata corporation established by a strata plan in which each building is a Part 9 building, a person who meets at least one of the following requirements:
 - (i) the person is a professional engineer who holds qualifications in electrical engineering and is a member in good standing with the Association of Professional Engineers and Geoscientists of the Province of British Columbia;
 - (ii) the person is registered as an applied science technologist under the *Professional Governance Act*;
 - (iii) the person is a journeyperson, as that term is defined in the *Skilled Trades BC Act*, in the construction electrician or industrial electrician trade, or
 - (b) in the case of any other strata corporation, a person who meets at least one of the requirements referred to in paragraph (a) (i) and (ii).

Content of report – general

- 5.11** (1) In this section, “**utility**” means
- (a) a public utility, within the meaning of section 1 (1) of the *Utilities Commission Act*, and
 - (b) a municipality or regional district that, but for paragraph (c) of the definition of “public utility” in section 1 (1) of the *Utilities Commission Act*, would be a public utility within the meaning of that section.
- (2) For the purposes of section 94.1 (3) of the Act and subject to section 5.12 of this regulation, an electrical planning report must include the following information:
- (a) the date of the electrical planning report;
 - (b) the name of the person from whom the electrical planning report was obtained and a description of
 - (i) the person’s qualifications,
 - (ii) the error and omission insurance, if any, carried by the person, and
 - (iii) the relationship between the person and the strata corporation;
 - (c) the current capacity of the strata corporation’s electrical system;
 - (d) a list of existing demands on the electrical system, including, without limitation, demands from
 - (i) EV charging infrastructure, if any, and
 - (ii) heating, cooling, ventilation and lighting systems;
 - (e) the current peak demand on and spare capacity of the electrical system;
 - (f) if applicable, an estimate of the electrical capacity that would be needed to power systems, including heating, cooling and ventilation systems, that are currently powered by an energy source other than electricity;

- (g) an estimate of the electrical capacity needed for any other anticipated future demands on the electrical system, including electrical capacity needed to power
 - (i) heating, cooling, ventilation and other systems that the strata corporation anticipates may be modified or installed in the future, and
 - (ii) EV charging infrastructure that the strata corporation anticipates may be installed in the future;
 - (h) steps, if any, that the strata corporation could practicably take to reduce the demands on the capacity of the electrical system;
 - (i) upgrades or modifications, if any, to the electrical system that the strata corporation could practicably undertake to increase the capacity of the electrical system;
 - (j) an estimate of the electrical capacity that would be made available if the strata corporation were to take steps referred to in paragraph (h) or undertake upgrades or modifications referred to in paragraph (i).
- (3) Despite subsection (2) of this section, if each strata lot in the strata plan is supplied with electricity by a utility independently from each other strata lot, the electrical planning report is only required to include the following information:
- (a) the information referred to in subsection (2) (a) and (b) of this section;
 - (b) a statement that each strata lot is supplied with electricity by a utility independently from each other strata lot.

Content of report – phased strata corporation

5.12 If the strata plan with respect to a strata corporation is a phased strata plan, an electrical planning report obtained by the strata corporation is only required to include the information referred to in section 5.11 in relation to the following phases of the phased strata plan:

- (a) in the case of an electrical planning report that must be obtained on or before the date set out in section 5.9 (2) (a) (i) or (ii), the phases that have been deposited as of December 31, 2023;
- (b) in the case of an electrical planning report that must, under section 5.9 (2) (b) or (3), be obtained on or before the date that is 5 years after the date of deposit of a given phase, that phase and any earlier phases.

3 Form B is amended by adding the following paragraph:

- (p) For the purposes of section 59 (3) (m) of the *Strata Property Act*, the following information is required:

Has the strata corporation obtained any electrical planning reports under section 94.1 of the *Strata Property Act*?

- no yes [*attach copy of all electrical planning reports*].