

Question: We are addressing parking issues in our strata by implementing a criteria-based approval system. What is a reasonable criterion for rejecting applications?

I represent the BC Committee of a 23-unit residential complex. We have an issue with parking on common property, especially outside garage doors. We are addressing this by implementing a criteria-based approval system. We believe we have covered most of the needed criteria with:

- Does not block entry and exit to the complex
- Does not block entry and exit to other lot garages
- Does not block other Common Property areas such as Visitor Parking bays
- Does not prevent emergency service vehicles accessing all necessary areas
- Does not impede traffic flow.

Each unit has a double garage, but many residents are using the garage for other purposes like storage, gym, yoga classes, etc. and park outside the garage. We feel that garages should be used for their intended purpose and want to discourage the practice by rejecting applications to park on common property if the garage has been repurposed. Excluding special needs cases, is this a reasonable criterion for rejecting applications?

Answer: Your proposal sounds reasonable in principle, assuming that the areas outside the garage doors are common property.

Issues associated with parking on common property is one of the most common issues experienced in bodies corporate.

Your proposal sounds reasonable in principle, assuming that the areas outside the garage doors are common property.

Does the Body Corporate have a by-law preventing parking on common property unless the approval of the Body Corporate has been obtained?

If not, I recommend that the by-laws are updated. The proposed change requires a special resolution. Alternatively, if there is a relevant by-law, the approval can include reasonable conditions, such as:

1. the five conditions that you have listed; and
2. that a vehicle can only be parked on the common property if the garage of the relevant lot already has vehicles parked in it.

The conversion of a garage will be regulated by the by-laws (if there is a by-law that requires approval) and by any required Council approval. If the required approval has been obtained, it is likely that a requirement that the garage be used for parking vehicles will be unreasonable.

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