

Condo Smarts June 23 – July 3, 2021

Air Conditioning

Dear Tony: With the growing heat and climate change many of our owners in our older high-rise building are seeking permission to install air conditioners either in windows or as heat pumps with external mounted air circulations systems. Our bylaws do not permit any installation for air conditioning as we have had noise and building envelope issues that have resulted in numerous complaints and damages to our aging building systems. As a mid-rise Victoria building constructed in the mid 80's, we have limited options. How are strata corporations managing the pressure for air conditioning installations and alterations to common property? Paul F.

Dear Paul: Climate change is certainly impacting our lifestyles to a greater extent as each year passes and building designs did not anticipate the heat loading and cycles of cooling required to comfortably function for the future. There are two sources for cooling in multi family buildings. The collective hallway makeup air systems that provide fresh pressurized air to corridors which can be in the form of air conditioning, heat pumps, or chillers makes up one system. The second system is the strata lot air conditioners if they can be installed easily or with modifications that can meet the requirements of the strata corporation. If your building makeup air system is working efficiently, the cooling of the common area hallways will not provide sufficient cooling for the units, but it will reduce building heat loading and cool fresh air to reduce the demand on individual homes. While your bylaws may prohibit installation of air conditioners, the strata corporation is likely going to be faced with requests from owners with medical conditions requesting accommodation under the BC Human Rights Code for permission to install in suite window units, window mounted units or heat pumps with external venting to enable their safe accommodation of their units. Before a strata corporation is faced with the issue of compromising the health of residents and the potential challenges and conflicts of the bylaws, consider amending the bylaws to permit air conditioning systems. Set a standard for how the units are installed, the types of units that may be considered, and how alterations are managed for both the liability of the unit owners and the corporation. The Standard Bylaws of the Strata Property Act are insufficient to address the terms and conditions for alterations to strata lots and the common property, so set a schedule that is followed by both the strata council and the applicants. The type of alterations permitted, how the components are installed, maintenance requirements, costs associated with the alterations, and any required reports for technical installation, engineering and permits for electrical services or changes can all be part of the bylaw. If approved, pulling all of this together should be a written agreement for permission for the installation of the system and it should reflect all the requirements of the bylaws including associated costs for the installation and any future costs of repair or maintenance to the common property. CHOA is hosting a webinar on July 6th at 12:00 noon open to the public on the bylaws for alterations to strata lots, with a focus on cooling systems, decks and balconies. Go to www.choa.bc.ca and register for a seminar or webinar.

Tony Gioventu, Executive Director CHOA

Covid-19 Notice: As a precautionary measure to prevent the spread of COVID-19 CHOA staff are working remotely and our offices are temporarily closed. We understand these are challenging times for strata corporations and we are here to help. Even though CHOA advisors are working remotely we are only a phone call or email away and able to assist you with hosting meetings and notice preparation.

Tuesday Lunch & Learn Live with CHOA: CHOA is hosting a series of webinars once a week, for the next few months. Join us each Tuesday as we bring together industry experts to discuss the

many issues affecting BC's strata community. For more information visit our website at:
<https://www.choa.bc.ca/seminars/>