

NADLAN-HARRIS
PROPERTY MANAGEMENT INC.

www.nadlan-harris.com

AN ACMO 2000 COMPANY

2024 SPRING NEWSLETTER



Electric Vehicle Charging
System Regulations and
Installations What Condominium
Managers/BOD Need to Know!



NADLAN-HARRIS
PROPERTY MANAGEMENT INC.

COMPANY NEWS **WE HAVE MOVED!!!**

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Electric Vehicle Charging System Regulations and Installations

<https://cmrao.ca/wp-content/uploads/2023/09/Electric-Vehicle-Charging-System-Regulations-and-Installations.pdf>



In May 2018, amendments to regulations under the Condominium Act, 1998 were introduced by the Ministry of Public and Business Service Delivery. These amendments aimed to facilitate the installation of electric vehicle charging systems (EVCS) in condominium buildings. The provisions established processes for both condominium corporations and individual owners to obtain approval for installing EVCS. Specifically, sections 24.3 to 24.6 of Ontario Regulation 48/01 under the Condominium Act, 1998 outline these processes. Condominium managers play a crucial role in facilitating this installation process, and this guide provides an overview of what managers and Boards of Directors need to know to navigate it effectively.

- 1) Review the condominium's policies on electric vehicle charging and installations. If you do not understand the corporation's policies or seek legal advice regarding installation applications, you may wish to consult a condominium lawyer.
- 2) Obtain a permit from the Electrical Safety Authority (ESA). This will be completed by a **Licensed Electrical Contractor**.
- 3) Ensure that all equipment has official approval marks by a nationally recognized certification or evaluation agency.

The regulations provide for two very specific scenarios:

- A. When the condominium corporation chooses to install an EVCS
- B. When an owner requests to install an EVCS

¹ For more information, see sections 24.3 to 24.6 of Ontario Regulation 48/01, under the Condominium Act, 1998

Scenario 1

Installation
by the
condominium
corporation

- Condominium corporations can install Electric Vehicle Charging Systems (EVCS) ²without a vote of the owners if the estimated cost is less than 10% of the annual budgeted common expenses and if owners are not expected to view it negatively.
- In such cases, the corporation must send a notice to owners at least 60 days before installation begins, without giving owners the opportunity to vote.
- If the estimated cost exceeds 10% of the annual budget or if owners may view the installation negatively, a specific process is required.
- This process involves sending a notice to owners outlining the proposed installation and giving them the opportunity to request a meeting to vote on it within 60 days.
- Installation can proceed if owners of at least 15% of the condominium's units do not requisition a meeting, if a meeting with quorum does not oppose the installation, or if a meeting with quorum approves it.
- Notices must include detailed information about the installation, estimated costs, payment methods, and statements regarding the impact on use and enjoyment of units, common elements, or assets of the corporation, along with the owners' rights to requisition a meeting and relevant legal reference.

Scenario 2

Installation by
condominium
owner

- Condominium owners must obtain approval from the board of directors to make changes to common elements, including installing an Electric Vehicle Charging ³System (EVCS).
- However, an exception is made for EVCS installations under Section 98 of the Condo Act, allowing owners to seek approval from the condominium corporation following a defined process.
- The owner initiates the process by submitting a written application to the corporation, including their identity, address for service, and detailed plans for the installation.
- The corporation must respond within 60 days, either approving the application or proposing an alternative plan.
- The corporation can reject the application only if the proposed installation violates the Condo Act, poses structural integrity issues, or poses health and safety risks, based on a professional opinion.
- If rejected, the corporation must provide a copy of the professional opinion to the owner.
- If none of these reasons apply, the corporation must accept the application or propose an alternative plan without unreasonable costs to the owner.

² The notice must also advise owners of their right to requisition a meeting within 60 days of receiving the notice. The notice must also include a copy of section 46 of the Condo Act, section 24.2 of O. Reg. 48/01, as well as any other information that the by-laws of the corporation require.

³ The regulations provide an exception to section 98 if the proposed modification is related to the installation of an EVCS. If an owner wants to install an EVCS, a process defined in section 24 of O. Reg. 48/01 allows them to seek and get approval from their condominium corporation.

Continued.....

- After the condominium corporation accepts the owner's EVCS installation application, both parties have 90 days to enter into a written agreement.
- This agreement specifies responsibilities for ownership, installation, maintenance, insurance, repairs, and associated costs.
- By default, the owner will bear all installation costs unless otherwise agreed upon.
- Once the agreement is finalized, the condominium corporation must register it on the title of the owner's unit for it to take effect.
- Refer to sections 24.3 to 24.6 of O. Reg. 48/01 for more details.

<https://www.ontario.ca/page/ministry-transportation>

GUIDE TO EV Charger Installation for Multi-Residential Buildings

https://esasafe.com/assets/files/esasafe/pdf/Business_Property_Owners/EV-Charger-Installation-Guide.pdf



Coming Soon: Create a Login to Transact When the New TSSA Client Portal Launches in April 2024.

Sign up as a new user to access Portal services & highest volume applications!

The TSSA Client Portal is set to launch in April and will make it easier for regulated industry customers to perform online transactions. All customers need to sign up as new users of the TSSA Client Portal before they will be able to conduct any transactions.

The Portal will initially offer access to the highest-volume applications listed in the table below. All other applications will continue to be submitted through the Service Prepayment Portal via TSSA's website until more applications are added to the TSSA Client Portal. Read more portal launches in April 2024.

IMPORTANT INFORMATION: FEE CHANGES – EFFECTIVE MAY 1, 2024



Fee increases of 5% for all safety programs.

Technical safety in Ontario is improving with fewer serious injuries in recent years. The Technical Standards and Safety Authority (TSSA) aims to reduce administrative burden and improve efficiency to focus on reducing harm. TSSA, as a not-for-profit public safety regulator, charges fees reflecting the true cost of safety services. Fees are reviewed annually,

and a 5% increase across all sectors is necessary effective May 1, 2024, to ensure adequate resources. Despite this increase, TSSA's fee changes have been lower than inflation, averaging 2.94% over three years compared to a 4.57% inflation rate.



⁴Introducing the All-New ACMO Membership Portal!

We're excited to announce the launch of our revamped database and membership portal after months of dedicated effort behind the scenes! Emails containing your updated login details have been sent out to all members, with a membership renewal reminder scheduled for today. If you require access to any of your past data from the previous portal, rest assured that it's archived and accessible. Your patience during this transition is truly valued, and we're eager to provide our members with an enhanced portal experience.



**The City of Toronto's energy and water reporting link is now open.
The deadline for reporting to the city is July 2, 2024.**



Energy & Water Reporting for Buildings

Toronto's Energy and Water Reporting By-law, detailed in Chapter 367 of the Municipal Code, mandates annual reporting of energy and water usage for buildings larger than 929 m² (10,000 ft²). Starting in 2024, buildings exceeding 4,645 m² (50,000 ft²) will be included, while those over 929 m² (10,000 ft²) must report by 2025.

Additionally, Ontario's Energy and Water Reporting and Benchmarking (EWRB) regulation, specified in O.Reg. 506/18, requires large buildings to report annual energy and water use to the Ministry of Energy by July 1st each year.

Building owners can monitor building performance, compare with similar ones, and improve energy efficiency. Get support from Toronto City for energy and water reporting. Check if your building needs to report and access resources for benchmarking.



USING A SECURITY CAMERA ON YOUR PROPERTY

Privacy is a human right, and it is important that your security camera is installed and used in a way that considers the privacy of residents and neighbors. The City does not regulate the use of security cameras on private residential properties, but there are best practices you should consider when installing a camera on your property. These guidelines are not for the use of security cameras in public spaces or private spaces owned by commercial, industrial, and retail enterprises.



⁵Privacy concerns regarding video doorbells in condos are significant. While these devices offer enhanced security, they raise valid privacy issues. Resident expectations vary based on factors like building size and accessibility. High-rise condos often have a high expectation of privacy, whereas townhouse condos

may have lower expectations. Condo corporations must establish clear rules regarding video doorbell use to balance security and privacy concerns effectively. Guidance on surveillance installation on private property is available from the City of Toronto, aiding in the formulation of these rules. Optimal placement and clear signage for camera usage are crucial. Regularly review footage, safeguard data, and limit access. Collaboration with law enforcement may be beneficial for crime prevention. Ultimately, balance security needs with privacy rights for a well-rounded approach.

TO ENSURE THE PRIVACY OF RESIDENTS AND NEIGHBORS WHILE INSTALLING AND USING SECURITY CAMERAS ON PRIVATE RESIDENTIAL PROPERTIES, CONSIDER THE FOLLOWING BEST PRACTICES:

Using a Security Camera on Your Property – City of Toronto
<https://www.toronto.ca/city-government>

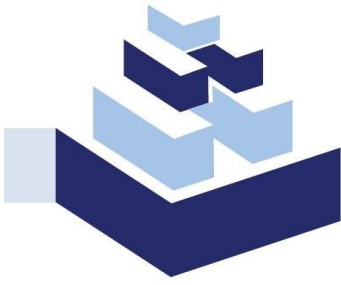
Ensure camera records only your property, respects others' privacy, post notices, securely store footage, and mitigate cybersecurity risks.

⁵ <https://www.toronto.ca/city-government/public-notice-by-laws/by-law-enforcement/security-cameras/#:~:text=You%20can%20reduce%20the%20potential,the%20boundaries%20of%20your%20property.>



ACMO AWARDS/MILESTONE 2023





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