

# **Report**

## **Tire Storage Options At Crossbow Point**

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On Behalf Of The Crossbow Point Board Of Directors  
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## SUMMARY

Tire storage at Crossbow Point is difficult. Tires are heavy and bulky and utilize an inordinate amount of space in storage lockers. A few condominium owners have asked that storage of tires either in a common property or in parking stalls be considered. This report was prepared to weigh the options and provide information for general consideration. The practice of storing tires in owner storage lockers is not considered in the report and will continue without change.

This report looks at the various scenarios and identified risks associated with them as well as mitigation steps that should be implemented. The goal is to minimize the risk to safety of the residents as well as liability exposure of the condominium corporation with respect to tire storage.

Based on the risks associated with each scenario, it is recommended to permit tire storage in titled parking stalls provided certain conditions are met and storage is subject to board approval and oversight. It is also recommended that the policy and procedure allowing multiple vehicles in a parking stall be modified to accommodate storage of tires in order to facilitate board oversight.

It is further recommended that storage on/in common property not be permitted in any circumstance due to liability and management issues.

### **1.0 Background**

As with all condominiums, there is moderate personal storage space in Crossbow Point. This is particularly noticed when owners are trying to find space to store heavy, bulky and hard to handle items such as tires. There is a precedent for storage issues and expansion of storage space.

In 2014, the board identified an area of common property (a room in P1-155) for five auxiliary storage units and put forward a plan to residents whereby if any resident wanted to pay roughly 1/5 of the total construction costs, the resident would be entitled to use one of the auxiliary storage units provided a user agreement was signed and user fees paid to the condo corporation. The plan was publicized for approximately 9 months before 5 owners committed. Those residents that contributed to construction costs had the amount of the contribution considered a 'prepaid' user fee and also received 6 months of storage with no fees as a sign-up incentive. Excluding the six months of no charge use, each month's fees were charged against the prepaid amount until it was used up (similar to automatic withdrawals from a bank account). When the contribution amount was used up, the owners began paying the monthly user fee to the condominium corporation. Currently, each of the auxiliary storage spaces is occupied and monthly user fees are generating revenue for the condominium corporation – offsetting some of the condominium's operating expenses. The amount being paid for storage space is not large but is significant over time.

Recently, the question of tire storage was raised. Tires are currently not permitted to be stored in titled parking stalls but can be stored within the locked personal storage space (behind the door at the end of each stall). It is recognized that storing tires in this small storage space uses a significant amount of the room's capacity.

At the 2019 Annual Committee Meeting (ACM), it was proposed that a room (common property) which is accessed via the garbage room in 175 be used for tire storage. The board expressed concerns with implementation and liability of the corporation if this approach was taken. It was generally agreed at the ACM that further study and a report of the options and associated risks was required, and a Board member, Brent Robertson, offered to undertake the study.

This report has been prepared to evaluate the options surrounding tire storage and looks at benefits and risks associated with each of the options. The report is intended for reading by all condominium owners.

## **2.0 Options Evaluated**

This report considers three options for tire storage:

- Use of common property (examining the case for use of the room behind the garbage room in 175 but extrapolating to all common property areas)
- Storage in owner parking stalls
- No change.

Note that the benefit in every case involving common property storage is a reduction in storage fees for the tire owner. Current commercial tire storage fees in Canmore are roughly \$11.00 per month. The benefit in the case of common property storage is the \$11.00 monthly storage fee minus the amount paid in tire storage space user fees from the condominium.

The benefit in the case of parking stall storage is \$11.00 per month (as there would be no monthly user fee for storage in owner parking stalls) less the cost of any owner-purchased tire storage equipment.

## **3.0 Use of Common Property for Tire Storage**

A room is available for storage of roughly 10 sets of 4 tires behind the garbage area. The condominium would have to locate a volunteer to manage the room and/or pay for professional management of the room as it is not a Board duty.

### **3.1 Risks and Mitigations**

*Risk* - As common property, the room is owned by the condominium corporation and it would be the legal responsibility of the corporation to ensure that the area was made safe (as was done with the auxiliary storage units). This may increase insurance rates regardless of whether or not there was an incident. Note that even in the event a waiver of responsibility was signed, the condominium would have a high likelihood of being deemed partially responsible and therefore liable for damages.

*Mitigation* – Tires could not be simply stored on the ground or stacked up. There is too much risk of an injury. The room would require structured storage.

A commercial tire storage system would need to be installed by professional installers. To do less would put the condominium and volunteers who installed the system at considerable risk of liability for any incidents (injury, damage to property, etc) whereas having a commercial system professionally installed would remove much of that risk. Note however, if an incident occurred, the condominium would likely still be sued as part of any legal action and could end up liable for all damages.

Installing a commercial system would have a significant cost. It could be funded in the same fashion as the cost was for the auxiliary storage in that those who wanted to use the storage would have to prepay for its construction. Given the small amount of square footage needed to store tires, it would be a long time before those who put up the money would receive full benefit for their expense.

*Risk* – Tires are very heavy (20 – 50 lbs per tire) and difficult to handle (particularly tires from larger vehicles such as trucks). This is a safety risk. Lifting the tires for elevated storage (as in a commercial storage system) may pose a safety hazard to those not trained and in good physical condition. They could be hurt by their own tires or by someone else's tires. Once again, if there is a safety incident, the condominium could potentially be sued, regardless of who is at fault.

*Mitigation* – Develop a procedure for use of the room and storage system. Train the individuals on proper lifting and use of the system as set out in the procedure. Ensure that a qualified individual is available to conduct the training and annual retraining. This may involve having the tire room manager perform the training.

Specialized equipment for safely accessing any elevated storage spaces (perhaps over 1.0 m) would be required. Purchase of this equipment would be part of the set-up cost.

*Risk* – More people want to store tires than can fit in the room (in any configuration).

*Mitigation* – Develop a waiting list of those who would like to store their tires in the storage space. If more people would like to fund the development of the room than the room can support for tire storage, use a lottery to identify those who get tire storage and establish the order for the waiting list.

*Risk* – Tires stored in the room are valuable (some tires are over \$1,000 each in value) and storage would have to be secured from theft and vandalism. It would also have to be locked to prevent potential injuries to children who might stray into the room.

*Mitigation* – Have the room specially keyed to ensure security. Provide keys only to those with tires in storage and the room manager. Post sign saying, “No Children Allowed”. Add security camera to monitor the room. These would be additional set-up costs.

*Risk* – Ongoing maintenance work requires space for contractor storage and general work but the room is not available causing the contractor to bring in portable storage and heated work space.

*Mitigation* – budget extra for maintenance contracts to support each contractor bringing a secure storage container (sea can) and allot space in visitor parking.

### **3.2 Recommendation**

It is recommended that the use of common property for the concentrated storage of tires not be supported. There is no benefit to the corporation from tire storage in common property areas. The safety risks are high for those who would potentially use the room, the liability risk is high for the condo corporation, and there are management issues related to room operation. There is also a risk that maintenance costs and related condominium fees would increase due to contractors having to bring portable shop / storage space.

The benefits to the people storing tires (and all its owner shareholders) are likely minimal. Increasing the potential liability of the corporation for a negligible benefit is not recommended.

### **4.0 Storage In Owner Parking Stalls**

Tire storage in owner parking stalls would be managed by each individual owner. All tires and storage equipment would have to be completely within the owner’s stall area and subject to board approval. The process used to assess and approve tire storage would be a modified version of Allowing Multiple Vehicles in a Parking Stall. Owners would be liable for any and all issues that result from their tire storage.

#### **4.1 Risks and Mitigations**

*Risk* – Unsightly and cluttered look to the garage area.

*Mitigation* – Develop a process to have board oversight of tire storage in parking stalls similar to the process for having multiple vehicles in one parking stall. Require that all tires must be on a rack and have tire covers on them (not plastic bags). Racks must be commercial floor units, come with installation instructions, be set up in accordance with the instructions, and be suitable for the tires being stored.

*Risk* – Tipping of racks / tires resulting in serious injury or property damage due to weight of tires and storage rack. Tipping may be the result of many factors including children playing in areas where they should not (the parking area is open and this must be considered) or improperly set-up or installed racks. Injury could be to anyone in the

vicinity if a tipping incident occurs. Property damage could be to the owner's property and/or to property in neighboring stalls.

*Mitigation* – Use of properly designed commercial tire racks.

Multi-level Storage Racks – Multi-level racks have a relatively high center of gravity (near the mid-point of the rack). In the event of children playing on or near the rack or other contacts with the rack, the rack could tip. Tipping a rack creates a strong possibility of serious injury. Mitigation of tipping would require professional installation of any multi-tiered or elevated racks to minimize the likelihood of tipping. Professional installation would include drilling and mounting of rack restraints to the concrete floor (block walls are not suitable for restraint installation). The owner would be responsible for the cost of all required restraints and their professional installation.

Keeping track of who has racks and how they were installed becomes a management issue. If there is a rack that goes up and is not approved, the liability to Crossbow Point and the board members would be significant in the event of an incident.

Wall-Mounted Elevated Storage Racks – These are not recommended as concrete blocks are not suitable for lateral forces associated with wall-mounting of tire racks and a failure in the block wall may result.

Floor Storage Racks – Floor racks with all tires stored inches from the concrete floor and the back of the rack against the concrete block wall have a low center of gravity and are stable (they must be adjusted to securely hold at least two tires and not more than 4 tires). This stability makes it unlikely that a tipping event would occur. These racks would require no professional set-up or installation but must be assembled as per the manufacturer's instructions.

If a floor rack goes up that is not noticed by the board, it remains a low safety and liability risk.

NOTE: The use of floor storage racks may not be feasible for those with long vehicles or due to the location of the door to an owner's storage locker. It is recommended that the board leave this to the owner to resolve. Approval may be rescinded at the discretion of the Board if the vehicles impede the common lane way or fail to comply with the Board Criteria document.

*Risk* – Theft of, damage to, and unauthorized removal of stored tires.

*Mitigation* – Tires to be locked into racks or to each other by owners as there is no extraordinary security in the garage.

*Risk* – Incident (damage, injury, etc) occurs as a result of an owner’s tire storage resulting in a legal dispute between owners. Crossbow Point is named as a co-defendant in the suit (this would not be uncommon in a legal dispute setting as Crossbow Point has money and significant insurance and could potentially have to pay all damages if they are found even slightly responsible).

*Mitigation* – Do not allow tire storage in parking stalls. It is uncommon for condominiums to permit tire storage in stalls and this could be cause for Crossbow Point Condominium Corporation to be found partially (if not entirely) at fault.

#### **4.2 Recommendation**

It is recommended that the use of parking stalls for tire storage be supported provided only floor storage racks (all tires just above floor level on rack; tires not stacked) are permitted and all costs are borne by the owner. This type of rack – properly assembled, back to the concrete block wall, with tires locked – would reduce the likelihood of an incident to minimal levels. There would remain a reasonable likelihood that, in the unlikely event of an incident involving stored tires and racks, the Crossbow Point Condominium Association would be named as a co-defendant in any legal suit that resulted.

#### **5.0 No Change To Current Operations**

Tire storage would continue to be managed by each individual owner subject to the constraint that storage is not permitted in a parking stall or within common property. This does not result in an increase in the liability for the corporation or an increased risk of safety incident or property damage.

#### **5.1 Risks and Mitigations**

*Risk* – Political risk to the Board members as owner’s may not collectively agree to the ‘Do Nothing’ option.

*Mitigation* – Develop a report that identifies the risks and forward it to owners as well as post it on the website. Subsequently, ask the owners via an informal poll (not a formal vote) to identify their preferred option. Move towards implementing the preferred option and address all risks identified with the option.

#### **5.2 Recommendation**

As there is no increase in risk or liability for the corporation with the ‘no change’ option, it is attractive. However, some owners may achieve a benefit from an option to store tires in the condominium. Provided the risks are minimal to the safety and property of all owners and liability is minimal to the condominium corporation and its board, steps could be taken to permit tire storage within the building.

The risk to the personal reputations of the Board members is mitigated through the release of this report.

## **6.0 Conclusion**

The risk associated with floor rack option is minimal and it would permit those having suitable vehicles and storage locker access door locations to store their tires in a safe and agreeable manner.

It is recommended that the board amend the policy allowing multiple vehicles in a parking stall and its associated procedure to accommodate floor level (on a rack; not stacked) storage of tires in parking stalls. This will enable board oversight of tire storage. The board must be prepared to rescind tire storage permission if tire storage causes vehicles to impede the common lane way or the parking stall fails to meet established criteria.

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