Strata Titling

Application Submission Process

Application Package

- Application Form
- Strata Conversion Matrix
- Tenant Plan - Strata Titling
- Residential Strata Titling Policy
- Letter of Professional Assurance
- Suite / Building / Site Data

Application Fees

- Preliminary Strata Review Fee
  - $150.00 - Less than 3 Units
  - $250.00 - 3 or more Units

- Final Strata Approval Fee
  - $50.00 - Approving Officer Signature

Recommended Pre-submission Review

1. It is recommended that you take this application package with you, along with other applicable regulations that you may have obtained at City Hall. Once you have a basic understanding of what is required to be submitted, it is suggested that you call Deb Becelaere prior to submitting the formal application to discuss any questions you may have. If you prefer to meet with Deb, it is just a matter of calling her to make the arrangements.

2. If a building permit or rezoning application is also being submitted with this strata title application, please ensure that you have indicated your desire to strata title on the application.

3. Please note that applications require City Council approval unless it has delegated its authority to the subdivision Approval Officer. (See attached approval matrix.) If Council approval is required, then staff need to prepare a formal report which first goes to a committee of the whole meeting and then (often two weeks later) to the following Council meeting.

4. The issuance of a building permit does not mean that an application to strata title will automatically be approved.

5. Processing time can take up to three months from the submission of the application forms and all the required information.

You can contact Deb Becelaere in the Land Development Section.
Phone: 250-361-0355  Fax: 250-361-0311  Email: dbecelaere@victoria.ca

The City of Victoria recognizes the Songhees and Esquimalt Nations in whose traditional territories we live and work.
"Hay swx qa"
# Strata Conversion

## Land Development Section - Strata Conversion Approval Matrix

<table>
<thead>
<tr>
<th>No. of units</th>
<th>Vacancy rate</th>
<th>Approval level With tenants</th>
<th>Approval level If vacant</th>
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<tr>
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<td>Council With tenant plan</td>
<td>Approving Officer</td>
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<td>&gt; 4</td>
<td>&gt; 4%</td>
<td>Council With tenant plan</td>
<td>Council</td>
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<tr>
<td>&gt; 4</td>
<td>&lt; 4%</td>
<td>Not accepted by staff, but appealable to Council</td>
<td>Not accepted by staff, but appealable to Council</td>
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</table>

## Approving Officer Authority

Council, on July 24, 2003, delegated the powers and performance of the duties of the approving authority under Section 242 of the Strata Property Act (conversion of previously occupied buildings) to the duly appointed subdivision approving officer, with the following limits:

- Residential buildings containing no more than 3 units, and industrial and commercial buildings.
- Residential buildings that are vacant or owner-occupied.
- Buildings in good condition, in substantial compliance with the BC Building Code.
Residential Strata Titling
Engineering Policies

1. A preliminary approval obtained from City Council or the Approving Officer is valid for a period of one year from the date Council’s resolution to approve is adopted.

2. When the rental apartment vacancy rate as provided by Canada Mortgage and Housing Corporation falls below 4% for Metro Victoria, no applications to convert existing residential rental buildings containing more than four rental dwelling units shall be accepted.

3. Any owner/developer denied the privilege to apply to convert existing residential buildings to strata lots for the reason outlined in Paragraph (2) has the right to appeal to City Council and a successful appeal is required before the City Engineer will accept a formal application to convert.

4. The vacancy rate applicable to an application shall be the rate that prevails in the rental statistics provided by C.M.H.C. on the date the preliminary application is received at City Hall.

5. Tenant Plan - Rental Residential Strata Conversions

Any preliminary application to convert a building containing active rental dwelling units shall be accompanied with a Tenant Plan which will set out:

a. Certification that the owner/developer has notified the tenants of the building of the proposal to convert the building into strata units.

b. A complete list of the tenants in the building.

c. The type of choices such as a continued fixed-term tenancy, option to purchase rental unit, etc. offered to the tenants that would allow them to continue to occupy their units after the strata conversion has been completed.

d. Any monetary assistance to be offered, such as rental-free period, moving expenses, etc.

e. Formal notification that tenants have been advised of other agencies that may be of assistance, such as Pacifica Housing, the Capital Regional District, etc.

The Tenant Plan shall be submitted to Council for review at the preliminary application stage and the owner/developer shall certify that the Tenant Plan, as adopted by Council, has been carried out prior to final approval. The Tenant Plan shall be signed by all the tenants.
# STRATA APPLICATION FORM

Corporation of the City of Victoria  
Engineering Department  
Land Development Section

Purpose:  

Please Print  

<table>
<thead>
<tr>
<th>PROPERTY</th>
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<tbody>
<tr>
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<tr>
<td>Legal Description:</td>
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<td></td>
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<tr>
<td>Zoning (existing and proposed):</td>
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</table>

<table>
<thead>
<tr>
<th>OWNER(S)</th>
<th>APPLICANT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td>Name:</td>
</tr>
<tr>
<td>Address:</td>
<td>Address:</td>
</tr>
<tr>
<td>Phone:</td>
<td>Phone:</td>
</tr>
<tr>
<td>Email:</td>
<td>Email:</td>
</tr>
</tbody>
</table>

SIGNATURE (OWNER OR AUTHORIZED APPLICANT)  
DATE

### NOTE: Application to include
- Copy of certificate of title.
- Copy of easements, restrictive covenants or rights-of-way registered on or appurtenant to subject property.
- Application fees.
- Information to be included with application:
  - Site Plan, prepared by a BC Land Surveyor
  - Site and Building Data
  - Suite Descriptions
  - Written proof applicant authorized by owner
  - Tenant Plan
  - Building Code and Zoning Bylaw Analysis

<table>
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<tr>
<th></th>
<th>Preliminary</th>
<th>Final</th>
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<tr>
<td>Less than 3 lots:</td>
<td>$150</td>
<td>$50</td>
</tr>
<tr>
<td>3 or more lots:</td>
<td>$250</td>
<td></td>
</tr>
</tbody>
</table>

If you have any questions, contact:  
Deb Becelaere, Land Development Section  
1 Centennial Square, Victoria BC, V8W 1P6  
Telephone (250) 361-0355  
Fax (250) 361-0311  
email: dbecelaere@victoria.ca  
internet: www.victoria.ca
Corporation of the City of Victoria
Engineering Department, Land Development Section

TENANT PLAN – STRATA TITLING

☐ Preliminary Application  ☐ Final Application

<table>
<thead>
<tr>
<th>APPLICANTS NAME (PRINT)</th>
<th>ADDRESS</th>
<th>PHONE # / FAX #</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>PROJECT ADDRESS</th>
<th># EXISTING UNITS RENTED</th>
<th>OWNER OCCUPIED</th>
<th>VACANT</th>
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</thead>
<tbody>
<tr>
<td># NEW UNITS IN PROJECT</td>
<td># TOTAL PROPOSED STRATA UNITS</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

EXPLAIN NATURE OF PROJECT AND REASON FOR STRATA TITLING:

EXPLAIN TYPES OF ASSISTANCE / OFFERED TO TENANTS:

☐ - Fixed Term Tenancy -
☐ - Option to Purchase -
☐ - Rental Assistance -
☐ - Alternative Rental -
☐ - Other -

TENANT INFORMATION

(Please Print)

<table>
<thead>
<tr>
<th>TENANT’S SIGNATURE</th>
<th>PHONE #</th>
<th>UNIT #</th>
<th>DATE ACCEPTED</th>
<th>DATE COMPLETED</th>
</tr>
</thead>
</table>

NOTE: If the above space is insufficient use back of form.

APPLICANT’S CERTIFICATION

I ____________________________ confirm that the information contained in this form is correct to the best of my knowledge and certify to the City of Victoria that I will provide the tenant(s) with the assistance as accepted by the tenant as outlined on this TENANT PLAN.

Applicant’s Signature (Confirming Offer Accepted) Date

Applicant’s Signature (Confirming Offer Completed) Date

NOTE: THIS TENANT PLAN CAN BE MADE AVAILABLE IN OTHER LANGUAGES UPON REQUEST.
STRATA TITLE CONVERSION
LETTER OF PROFESSIONAL ASSURANCE

(This letter is to be submitted prior to issuance of final strata conversion approval.)

City Victoria Approving Officer
Corporation of the City of Victoria
#1 Centennial Square
Victoria, B.C. V8W 1P6

Dear Sir:

Re: ____________________________
(Address of Project)

I hereby certify that I have inspected these premises and have determined that the construction meets or exceeds the current version of the BC Building Code.

Existing Construction

(Provide Sketches)

Proposed Upgrading (if required)

I further certify that the existing common walls and bearing walls:

☐ Satisfy the standards of the B.C. Building Code in regard to fire separation and sound rating.

☐ Will satisfy the standards of the B.C. Building Code once the following applications to the wall(s) are made as shown on the "proposed upgrading" sketch:

____________________________________________________________________________________

____________________________________________________________________________________

If upgrading of the walls is required, a building permit must be obtained before commencement of work.

Engineer/Architect:

Name (Print): ________________________________________________________________

Address: ___________________________________________________________________

Phone: __________________________

Signature: ___________________________________________________________________

Date: __________________________

(PROFESSIONAL SEAL)
STRATA TITLING

BUILDING CODE ANALYSIS PROCESS

**Duplexes**

The minimum Code requirement for the strata titling of duplexes is that the common walls and bearing walls for up/down duplexes, must comply to the fire separation and sound ratings of the current British Columbia Building Code.

To determine whether or not these walls comply with the current Code, the following process is to be followed:

1) Hire professional architect to examine applicable walls in building.

2) a) Arrange to have architect provide written certification that walls meet applicable Code requirements; or,

   b) If walls do not meet applicable Code requirements submit and obtain building permit to allow upgrades to occur.

3) Once the work has been completed, have your architect provide written certification that the upgrades have been satisfactorily completed and now comply with Code regulations.

It is noted that there may also be additional Code upgrades required, depending on the age and condition of the building. If additional reports and investigations are warranted you will be advised.

**More Than 2 Units**

Fire separation and sound ratings must meet current Code regulations. The standard duplex process can also be followed in this instance.

In addition, depending on a number of variance factors associated with the building, (e.g. age, structural integrity, existing layout, new building permit applications, etc.) the City may also require the submission of Building Code and Zoning Bylaw Analysis Reports. These reports are to be done by a professional architect. Staff will review the contents of the reports and advise the strata title applicant of the Code and Zoning issues that must be met prior to final strata approval. The applicant is to obtain applicable permits (e.g. building, plumbing, zoning) prior to commencing with any upgrades to the building. Certification of satisfactory completion is to be provided by the professional architect.
SUITE DESCRIPTIONS
(Example)

UNIT A:  BASEMENT – (90 m²)

Separate living room, dining room and kitchen. Master bedroom with ensuite, second bedroom and one three piece main bathroom with shower. All new appliances including stacking washer, dryer are included. High efficient gas fireplace to be installed in living room.

UNIT B:  MAIN FLOOR – (950 m²)

Separate living room complete with high efficient gas fireplace. Combined kitchen and dining room. Three piece main bathroom with bathtub. This two bedroom suite includes master bedroom with walk-in closet and ensuite.

UNIT C:  UPPER FLOOR PLAN – (85 m²)

Two bedroom suite, master bedroom includes ensuite and walk-in closet. Separate dining off of large kitchen. Spacious living with original fireplace c/w new gas fireplace insert. Three piece main bathroom.

BUILDING DATA
(Example)

FOUNDATION:  Cast in place concrete.

EXTERIOR:  All exterior finishes to match existing (i.e. tudor boards, stucco & rock veneer.)

ROOF:  Hip, asphalt shingles.

ELECTRICAL SERVICE:  New 400 amp each suite metered separately, house meter provided.

HEAT:  Electric baseboard and natural gas fireplaces.

PLUMBING:  All new, all to current code.

WATER HEATING:  Individual electric tanks.

FIRE AND SOUND:  All new insulation, drywall and framing to meet or exceed current fire and sound separation codes.

WINDOWS:  All new windows to be wood, dbl. glazed, and to match existing otherwise existing to remain.

ENTRANCES:  Units A, B and C to have individual entries.

PARKING:  Three (3) stalls provided.

viland development/save_devsuite descriptions_building & site data  March 2004
SITE DATA
(Example)

ADDRESS: 123 Retirement Place

LEGAL DESCRIPTION: Lot A, Plan 10293
Section 68
Victoria District

SITE AREA: 21646 sq. ft. (2011 sq. m.)

AVE. SITE WIDTH: 117.45 ft. (35.8 m.)

REAR YARD LANDSCAPING: 37.03%

PARKING (# OF STALLS): 3 Cars

EXISTING FLOOR AREAS

BASEMENT 196.07 sq. m.
MAIN FLOOR 196.66 sq. m.
UPPER FLOOR 174.40 sq. m.
ATTIC 144.34 sq. m.
TOTAL 711.47 sq. m.

PROPOSED FLOOR AREAS

UNIT A (Basement) 200.34 sq. m.
UNIT B (Main Floor) 192.30 sq. m.
UNIT C (Upper Floor) 170.96 sq. m.
and (Attic) 131.34 sq. m.
TOTAL 694.94 sq. m.
Permits and Inspections Policy

Code Requirements
Strata Conversion of Existing Buildings

July 8, 2014

The intent of this bulletin is to provide general information regarding current building code requirements applicable to the conversion of existing buildings, including duplexes, for the purposes of strata ownership. There may be additional requirements on site specific cases.

Code Requirements:

Section 242 (5)(c), of the Strata Property Act, states that the approving authority must not approve the strata plan "unless the building substantially complies with... the British Columbia Building Code referred to in the Building Regulations of British Columbia."

Depending on when the building is constructed, the owner needs to be aware that there could potentially be substantial upgrade requirements for buildings constructed under previous building code standards to satisfy current code requirements.

Some common issues that may impact strata conversion approval with regards current code compliance include, but are not limited to, the following:

- code conforming exiting,
- fire and sound separation between suites,
- seismic and structural design,
- insulation and building envelope design, such as rainscreens,
- plumbing and electrical installations, and
- work that has been done without permits

The owner is advised to conduct a permit search on what was built or installed, and if needed, engage in professional assistance from Architects and/or Professional Engineers on the investigation of existing conditions, and possible upgrades.

Owners are also encouraged to review Section 242 of the Strata Property Act to become familiar with the general requirements for approval of the conversion of existing buildings, and to contact the Subdivision Technologist in the Land Development Section to confirm the approval process in the City of Victoria.

Endorsed by:

"Avy Woo"  
Avy Woo  
Chief Building Official

"Jeff Mitton"  
Jeff Mitton  
Approving Officer

Bulletin #BLDG2014-04
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