

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. Visit the City of Victoria's website at www.victoria.ca/EN/main/residents/planning-development/land-development.html for the Strata Application. Please contact eng@victoria.ca and request to be directed to the Subdivision Land Development Technologist if you require assistance. The application can be submitted via email to eng@victoria.ca.
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.

Strata Conversion

Land Development Section - Strata Conversion Approval Matrix

<u>No. of units</u>	<u>Vacancy rate</u>	<u>Approval level With tenants</u>	<u>Approval level If vacant</u>
< / = 3	N/A	Council With tenant plan	Approving Officer
= 4	N/A	Council With tenant plan	Council
> 4	> 4%	Council With tenant plan	Council
> 4	< 4%	Not accepted by staff, but appealable to Council	Not accepted by staff, but appealable to Council

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.



SUBDIVISION APPLICATION FORM

Engineering Department Land
Development Section

An application for Subdivision may also be made through the completion of this form, and the forms and submission materials provided to the Approving Officer.
Email completed forms to eng@victoria.ca; Attn: Approving Officer

Application Date: (YY/MM/DD) _____

OWNER INFORMATION	Name: _____ If co-owned, please provide an additional name: _____ Address: _____ Phone: _____ Cell: _____ Email: _____
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PROPERTY INFORMATION	Address: _____ Legal Description: _____ PID (if known): _____ Existing Zoning: _____ Present Actual Use - SFD <input type="checkbox"/> Duplex <input type="checkbox"/> Other <input type="checkbox"/> If other, please describe: _____
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APPLICATION INTENT	Purpose of Application (please describe): _____ <input type="checkbox"/> Subdivision (Land Title Act) <input type="checkbox"/> Air Space Subdivision (Land Title Act) <input type="checkbox"/> Subdivision (Strata Property Act) <input type="checkbox"/> Strata Title Conversion <input type="checkbox"/> Final Application Consideration (any of the above)
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AUTHORIZED AGENT	Are you (the owner) the primary contact for the application? Y <input type="checkbox"/> N <input type="checkbox"/> Will you be authorizing another party or agent to act on your behalf for the purpose of the application? Y <input type="checkbox"/> N <input type="checkbox"/> If you selected 'yes' to an Authorized Agent, please provide the Authorized Agent contact information. Name: _____ Address: _____ Phone: _____ Cell: _____ Email: _____ Please note that where an Authorized Agent is engaged, the authorized agent will be the primary party for correspondence. If Authorized Agent – the Owner is to provide an additional signature authorizing the agent noted above: Signature of Authorized Agent(s): _____ Date: _____
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SIGNATURE OF OWNER(S)	Signature of Owner(s): _____ Date: _____
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SUBMISSION REQUIREMENTS	As outlined and considered in the City of Victoria Subdivision Bylaw (Bylaw No. 26-003). <input type="checkbox"/> Application Rationale Letter – to the Approving Officer <input type="checkbox"/> Plan Submission Requirements (<i>Site Plan prepared by a BC Land Surveyor, Preliminary Plan of Subdivision, Preliminary Site Servicing Plan and as specified in the Bylaw</i>) <input type="checkbox"/> Fees <input type="checkbox"/> Title Search (printed within 30 days of the date of application) <input type="checkbox"/> Site Profile <input type="checkbox"/> Any additional information as per application type – Please see the City of Victoria Subdivision Bylaw (Bylaw No. 26-003) <i>Please note that the Approving Officer will determine when a complete application has been submitted and advise if any additional information is necessary to complete an application.</i>
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1 CENTENNIAL SQUARE, VICTORIA, BC V8W 1P6 | victoria.ca

Engineering and Public Works | Land Development

1 Centennial Square, Victoria, BC V8W 1P6
E eng@victoria.ca T 250.361.0300

**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

Proposed Upgrading (if required)

(Provide Sketches)

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.

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

**CITY OF VICTORIA
ENGINEERING POLICIES**

POLICY: Residential Strata Titling

Prepared By: Land Development

Date: 1997

Authorized By: Victoria City Council

Date: 1997

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