

**APPLICATION FOR CONVERSION OF AN
EXISTING BUILDING INTO STRATA LOTS**

#22

1. Application

Any person wishing to apply to convert an existing building into strata lots shall apply using an application provided by the regional district. The application shall be delivered to the regional district together with such additional plans and particulars as may be required.

2. Application Acceptance

The Strathcona Regional District may refuse to receive any applications that fail to include all required information as per section 7 "Application Requirements" below.

3. Fees

The sum as specified in Schedule A-1 shall be paid to the regional district at the time of application. No processing shall be done until fees are paid in full.

4. Refund

Where an application does not proceed or is withdrawn, a refund as outlined in Schedule A-1 will be provided to the applicant.

5. Cancellation

Applications one year old or older that are inactive for a period of 6 months are deemed to be abandoned and will be closed. Where appropriate and requested by the applicants, refunds will be provided pursuant to Schedule A-1.

An applicant has the right to apply for an extension of up to one-year. Any extension approved by the regional board, whether for the maximum one-year or a lesser time, is subject to a payment of 50% of the original application fee.

Expired applications cannot be renewed.

6. Reapplication

- i) Where an application has been denied, no reapplication for a substantially similar amendment shall be considered within 12 months of the date of rejection of the previous application. Fees as per Schedule A-1 are applicable to any new application.
- ii) Where an application has been withdrawn, fees as per Schedule A-1 are applicable to any new application.

7. Application Requirements

At the time of application, the applicant shall provide:

- i) The completed **Application Form**. This must include authorizing signatures of the owner and/or agent.
- v) A **Written Brief** that describes the present and intended use of the site and reasons/rationale for the proposal.
- vi) A **List of the Names and Mailing Addresses** of the persons occupying the units, together with copies of any lease agreements and the proposal/intentions regarding the relocation of persons who may be affected by the proposed strata conversion.

- vii) **A Notarized Declaration** stating:
 - a) That each person occupying the building has been given written notice of the intent to convert the building(s) into strata lots under the **Strata Property Act** or **Real Estate Act** with the date of notice;
 - b) The number of units occupied on the date of the notice;
 - c) That notices have been posted in conspicuous places in the building advising of the intent to convert the building into strata lots under the **Strata Property Act** or **Real Estate Act**; and
 - d) That each person occupying a unit in the building(s) has been provided with prospective sale prices and any other applicable fees associated with the prospective purchase of the unit (e.g., strata fees, etc.).
- v) **A Site Sketch (Plot Plan)** of the subject property, showing:
 - a) the dimensions of the property;
 - b) the distance from property lines of the location of all buildings;
 - c) the dimensions and occupancy (use) of each building;
 - d) the location of all watercourses and wetlands, lakes or the sea on or adjacent to the land;
 - e) the distance and elevation of all existing and proposed buildings from any watercourses, wetlands, lakes, and/or the sea;
 - f) the location of water connection or well;
 - g) the location of septic tank and field;
 - h) the location of storm sewer outfall;
 - i) the location of all public road rights-of-way adjacent to the site; a
 - j) the location of approved access to a public road right-of-way; and
 - k) the location and dimensions of all off-street parking and loading spaces, maneuvering aisles and access driveways from street and lanes.
- vi) **Floor Plans** of the units intended to be converted, showing:
 - a) The dimensions of all rooms and halls, and all outside dimensions including balconies and decks; and
 - b) The areas of the building designated as strata lots, common property and limited common property.
- vii) **A Surveyor's Certificate** completed by a B.C. Land Surveyor at the request of the regional district.
- viii) **A Proposed Strata Plan** detailing the proposed strata lots, common property and limited common property.
- ix) **Letter of Building Certification** from the chief building inspector of the regional district addressing fire separation requirements, the life expectancy of the building and compliance with the BC Building Code. (*NOTE: This may include the additional requirement for certification by a qualified engineer or architect.*)
- x) A current (dated not more than 12 months prior to the date of application) **Compliance Letter** and **Septic Report** addressing the state of the septic system from a Registered Onsite Wastewater Practitioner (ROWP). Where the scope of the project is sufficiently large, a community sewage disposal system with the appropriate permit from the Environmental Management Branch of Ministry of

Environment. In addition, the regional district will forward the application to the Vancouver Island Health Authority (VIHA) for their review and comment. A **Letter of Support** from the VIHA will be requested by the regional district.

- xi) **Servicing Requirements:** any proposed development must address impacts on ground water, on-site and off-site drainage, sanitary services, flood proofing, water supply, and transportation access. This may include studies prepared by professional engineers, soil scientists, biologists, and/or geotechnical specialist(s) on any of these areas of interest prior to consideration by the regional district. The terms of reference will be specified by the regional district.
- xii) An **Environmental Assessment** may be required, with the terms of reference specified by the regional district, where the proposed development contains or is in close proximity to environmental hazards, environmentally sensitive habitats, groundwater recharge areas, and/or other areas of environmental significance.
- xiii) As every application is unique, there may be further requirements, at the direction of the regional district, to be completed prior to consideration of the application. These requirements may include, but are not limited to, geotechnical analyses, building schemes, archaeological and heritage site analyses. Any additional requirements will be a condition of final approval of the strata plan.

8. **Processing**

The following procedure will apply:

- i) The regional district will circulate the proposal to other departments within its organization and any agencies potentially having interest in the application. Staff may contact the applicant to discuss any issues that arise during the review process.
- ii) The regional district will consider the application based upon the applicable bylaw(s) and the regulations of the **Strata Property Act**. The strata conversion must take into account the rental vacancy rate of the area and a conversion may be denied should the rental vacancy rate be below 3%. The regional district must also consider any other matters that, in its opinion, are relevant.
- iii) Upon consideration of the application, the regional board may approve or deny the application and may set out conditions required prior to final approval of the strata plan. Such conditions may include items related to the condition of the building, septic system, required covenants, etc.
- iv) The regional district's designated signing authorities will sign the final strata plan upon the approval of the application and the completion of any conditions. The regional district will then advise the Ministry of Transportation and Infrastructure of its decision in writing.



Application for
Conversion of an Existing
Building into Strata Lots

LEGAL DESCRIPTION

(see your Tax Assessment Notice or Certificate of Indefeasible Title)

Name of Street:		Street Number (if known):	
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OWNER

Name(s):			
Mailing Address:			
City:	Prov:	Postal Code:	
Tel:	Business Tel:	Fax:	
Cell:	Email:		

APPLICANT

(NOTE: A Letter of Agency is required if the applicant is not the property owner)

Name(s):			
Mailing Address:			
City:	Prov:	Postal Code:	
Tel:	Business Tel:	Fax:	
Cell:	Email:		

THIS IS AN APPLICATION TO THE REGIONAL DISTRICT FOR A DEVELOPMENT PERMIT FOR THE PURPOSE OF:

SITE INFORMATION

Existing Buildings on Site:	None: <input type="checkbox"/>	Yes: <i>What type of buildings?</i> Single Family Dwelling <input type="checkbox"/>	Accessory <input type="checkbox"/>	Other <input type="checkbox"/>
If yes, show dimensions and location (including distance to proposed construction) on your attached sketch.				

ENVIRONMENTALLY SENSITIVE AREAS

Is the proposed construction within 100m (328ft) of the sea, a lake, river, stream, creek, wetland, swampy area, bog, cliff, sand dune(s), gravel area, etc.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, show dimensions and location (including distance to proposed construction) on your attached sketch.		

Signature of Owner or Authorized Agent	Date

Site Declaration: <input type="checkbox"/>	Site Profile: <input type="checkbox"/>	Sent to Site Registry? <input type="checkbox"/>	Sent to MoE Regional Branch Manager? <input type="checkbox"/>
Date Recd:	Recd by:	File #:	
PID:	Folio:		