

Strata Title Conversion Application Guide

Definition: What is a Strata Title Conversion?

A strata Title Conversion is the division of an existing building into two or more strata title units. Strata Title is a form of ownership in which the unit owners have a share in the title to the property. Common amenities on the property are also shared. The Condominium Act, Zoning Bylaw, and Council policies control strata Title Conversions in the District of Squamish. These Bylaws ensure that the proposed Strata Title Conversion meet health, safety, and servicing requirements. It also ensures a better standard of growth and development in Squamish.

Overview: What Constitutes a Strata Title Conversion?

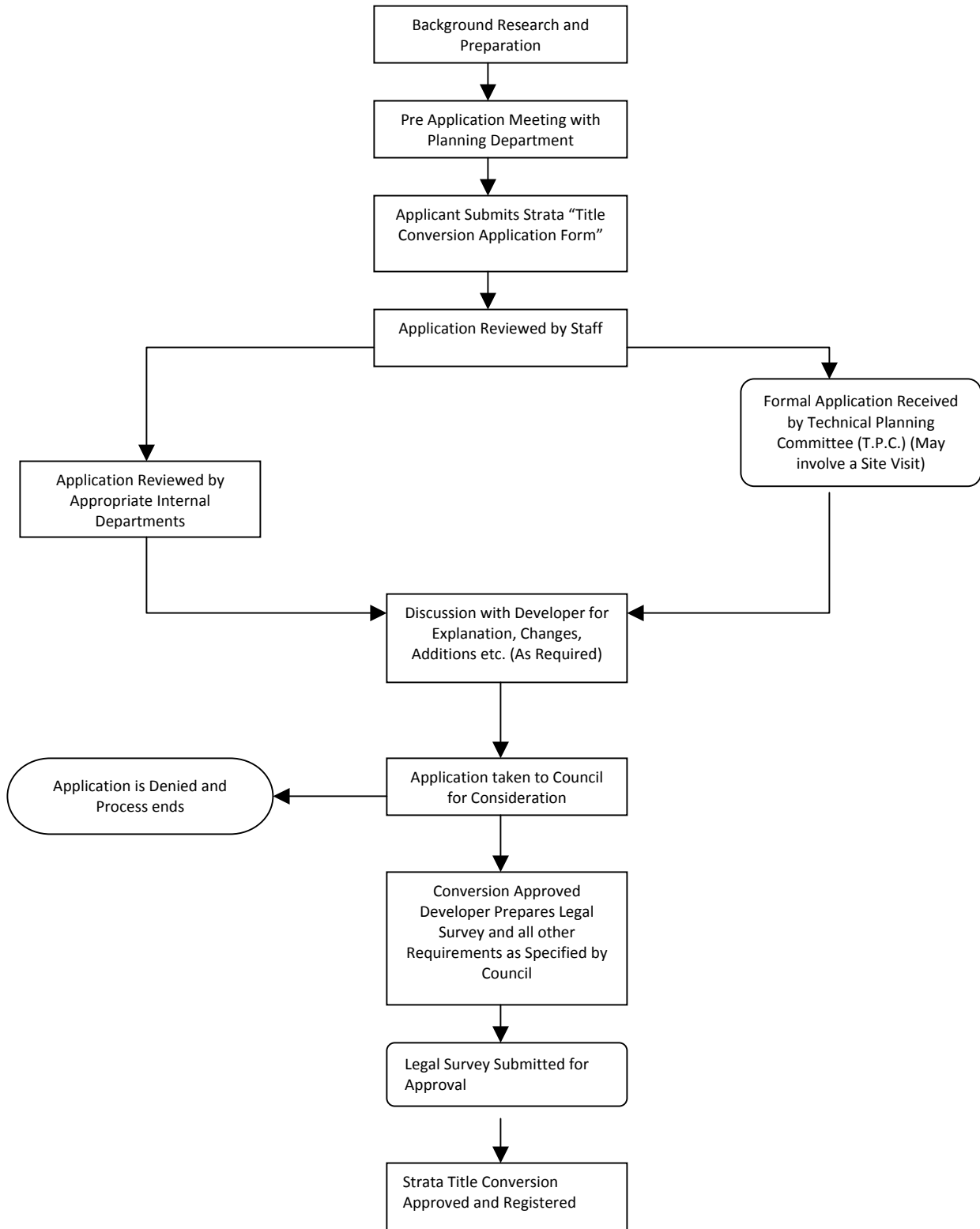
Any one of the following constitutes a Strata Title Conversion and requires approval from the District:

Any Existing and occupied building including:

- Duplexes
- Multi-Unit Residential Buildings
- Commercial Buildings
- Industrial Buildings
- Institutional Buildings

Multi-unit residential buildings can be stratified prior to occupancy, without the approval from Council, as long as all conditions of the Condominium Act have been met. You should consult with your solicitor and British Columbia Land Surveyor (B.C.L.S.) for further information.

Strata Title Conversion Approval Process



Strata Title Conversion Approval Process

Strata Title Conversion applications should be well planned before submittal. The following steps are recommended prior to submitting an application:

1. Background Research & Preparation

The application process begins with background research and a thorough understanding of the Strata Title Approval Process. At the Planning Department check the zoning map to find out the present zoning of your property, and check the Zoning Bylaw to find out the standards for that zone. Does your existing building comply with zoning? If not, a variance and/or rezoning may be required.

Note: An existing Strata cannot strata-subdivide again.

Your proposal to Strata Title should be submitted in the form of a subdivision plan. Your subdivision proposal should adhere to the following standard requirements:

- Density
- Lot size
- Lot dimensions
- Road width and length (including Strata Roads)
- Location of services at property line
- Proposed Strata Units
- Common Property
- Limited Common Property

All of the above standard requirements can be identified in the Subdivision Bylaw and the Zoning Bylaw. Depending on the complexity and size of the project, you may or may not need the services of a consultant to prepare the initial proposal. Staff can tell you what you need to put in your proposal, but cannot help with the actual submission. If your proposal does not meet the standards, you may be required to clarify or revise it.

2. Pre-application Stage

Applications for strata conversion of existing buildings will be expected to comply with bylaw requirements at the time of application in regard to the following critical matters:

- Safety, fire hazard and sanitary conditions
- Off-street parking and loading requirements
- Minimum dwelling and room size
- Soundproofing between dwelling units - walls, ceilings and floors.

Applications must be accompanied by one of the following certified reports from a Professional Engineer and/or Registered Architect (in the appropriate fields), indicating the level of conformance with the B.C. Building Code, Plumbing Code, Fire Code and other Provincial and Federal Regulations. Having specific professional opinions, ensures that the subject property to proposed strata title, satisfies all important safety items which will be necessary for the

proposed stratification, such as fire separation, ventilation, accesses, means of egress, etc., Additionally, evidence of insurance is to be provided by the Professional providing the report.

Lastly, upgrades required by Council to comply with bylaw standards, must be completed prior to approval of the Strata Title conversion.

3. Application Submission

To ensure the most time effective and streamlined application process, only completed applications are accepted. The application forms are available on line at www.squamish.ca or at the Planning Department. Contact the Planning Department for assistance with any questions related to completion of application requirements. There is an application fee, payable on submission of a complete application.

4. The Approval Process:

Once you have submitted a completed application, the district staff reviews your application for Conformity with all relevant Acts, Bylaws, and Council policies. The following applies to strata titling of existing residential buildings with two or more units. Each strata titling application is judged on its own merits. Under Section 9, subsection (3) of the Condominium Act, the approving authority (The Council of the District of Squamish) shall consider, (in making its decision), the following:

- The priority of rental accommodation over privately-owned housing in the area
- The proposals of the owner/developer for the relocation of persons occupying the building;
- The life expectancy of the building
- Projected major increases in maintenance costs due to the condition of the building
- If 100% of tenants apply to purchase individual units
- If applicant can relocate the existing tenants. (This does not include tenants that are in default of payment of rent and/or are being evicted because of abuse of the living unit).

If your proposal is acceptable, it will be forwarded to Council for consideration. Council may approve, approve with considerations, or deny. You are encouraged to attend this public meeting of Council to clarify and explain your proposal.

In order for Council to implement the approval of your application, the following requirements must be completed.

- Prepare a Survey Plan (or the Plan of Subdivision) drawn by a registered B.C. Land Surveyor.
- Prepare other documentation as required in the Council motion, such as restrictive covenants, easements or statutory right-of-ways.
- Pay current tax year property taxes on the subject property. This must be done before your Strata Title Conversion plans can be signed.



5. The Final Approval Stage:

A Survey Plan is the final subdivision plan prepared by a Registered Land Surveyor in B.C.:

- Submit the required number of copies of these plans to the Approving Officer for signature, along with other registerable documents required. The Approving Officer will not sign the subdivision plans unless the preceding steps have been satisfactorily completed.
- Upon signing of the Strata Title Conversion Plans by the Approving Officer, these plans will be registered at the Land Title Office, along with other documentation, which may have been required in the Strata Title Conversion (such as restrictive covenants, easements and right-of-way) by the District's Solicitor, at the developers cost, or by your own solicitor.

General Information

Cost

Application costs include, but are not limited to:

- Application Fee
- Engineering Report in support of Application
- Taxes
- Consultants fees – you may require an engineer for complicated applications and, possibly also a lawyer for the legal documentation
- BC Land Surveyor fees
- Legal Fees to register the approved Strata Title Conversion at the Land Title Office
- Structural Engineer's Report

Timing

Specific time limits for the processing of a Strata Title Conversion application are difficult to provide. The time required varies depending on the type, size and complexity of the requirements, the number of applications in progress, and the ability of the applicant to provide information when required. Generally speaking, applicants may save time by initially discussing the proposal with the Planning Department staff, employing consultants (planners, architects, engineers, landscape architects and surveyors, etc.) familiar with the Strata Title Conversion process (where appropriate), and providing in a timely manner, all the information required by the Municipality throughout the process. Experience indicates that the more information an applicant can initially provide in support of the application, the faster it can be processed. Similarly, processing time, confusion and uncertainty may be minimized if the applicant assigns one person with the specific responsibility of coordinating the Strata Conversion process.

Things to Consider or Include When Submitting an Application: Be well prepared for Pre-Application meetings by:

- Ensuring background research is done
- Providing information to the Planner in advance of the application where possible
- Depending on the complexity of the Strata Title Conversion, applicants may or may not require the services of an Engineer, Planner, Architect, Landscape Architect, or Lawyer
- Universally accessible Units: District of Squamish Council supports this design consideration as part of any development or redevelopment application.
- Green Building design- The District of Squamish has signed the Climate Action Charter: Squamish participates in the Community Action on Energy and Emissions (CAEE) Program. Green building design is endorsed and depending on what is proposed, green initiatives may allow for other development variances. Please check with your file Planner and visit the District of Squamish Green Building Toolkit online: www.squamish.ca
- Flood Construction Level: this impacts most parts of Squamish, start your engineering work and surveys as soon as possible.

Additional Information That Could Be Required:

- Contour Plan
- Geotechnical Analysis
- Environmental Analysis
- Traffic Impact Analysis
- Survey Plan to identify the location of existing buildings/structures or watercourses, top of banks or other physical features

Natural Hazards in Squamish

The spectacular natural environment found in Squamish was created by volcanic activity, glaciers and the convergence of five rivers. While this has created much beauty, some parcels of land face one or more serious geological constraints and may not be suitable for development or higher density. Check with the Planning Department for local and provincial policy legislation.

For Further Information Contact:

District of Squamish Planning Department
37955 - 2nd Avenue
PO Box 310
Squamish, B.C. V8B 0A3

Office Hours:
Monday to Thursday
8:30 a.m. to 5:00 p.m.
Fridays 8:30 a.m. to 4:30 p.m.

Telephone: (604) 815-5002 Fax: (604) 892-1083

This brochure is meant for guidance only and should not be construed by anyone as a right to development approval if the steps indicated are followed. Please consult the Local Government Act and its regulations, the District of Squamish Subdivision and Development Control Bylaw and Zoning Bylaw and other bylaws for definitive requirements and procedures.

