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This bulletin is for informational purposes only. Please be sure to consult the relevant City of Kelowna bylaw.

PURPOSE

To inform staff and applicants of the requirements, relevant Legislation and process of stratifying previously occupied single family and duplex residential buildings.

BACKGROUND

Building stratification is controlled by legislation in the province's Strata Property Act. The following is a summary of the requirements contained in the Strata Property Act:

(1) The approving authority (City of Kelowna) will not approve the strata plan unless the building substantially complies with the following:

- (a) the applicable bylaws of the City of Kelowna
- (b) the British Columbia Building Code referred to in the Building Regulations of British Columbia

(2) In making a decision, the City of Kelowna will consider:

- (a) the priority of rental accommodation over privately owned housing in the area,
- (b) any proposals for the relocation of persons occupying a residential building,
- (c) the life expectancy of the building,
- (d) projected major increases in maintenance costs due to the condition of the building, and
- (e) any other matters that, in its opinion, are relevant.

Building Strata Requirements in Kelowna:

Persons wishing to complete an Occupied Building Strata within the City of Kelowna must make application to the City's Subdivision Approvals Branch. The application fee for a Building Strata is \$1000 provided that fewer than 5 units are being stratified. Staff recommends that you make arrangements for a pre-application meeting prior to application for an Occupied Building Strata.

Building Strata Application Conditions:

Once an application for Building Stratification has been received by the Subdivision Approvals Branch, Inspectors from the Building and Plumbing Branch will be sent to inspect the building(s) and will report back to the Subdivision Approvals Branch. A "Work to be done" letter will subsequently be issued by the Subdivision Approvals Branch. This letter provides applicants with information about the scope of work necessary to complete the occupied building strata. Note that all required work must be completed prior to final strata approval.

What to expect in a “Work to be Done Letter”:

- Requirement for fire separations between units to meet current building code requirements.
- Requirement for roof replace if roofing has an estimated remaining lifespan of less than 10 years
- Handrails on internal and external stairwells
- Windows are to meet minimum exit requirements for bedrooms
- Windows in poor condition will require replacement
- Cabinets in poor condition may require replacement
- Plumbing in poor repair will require replacement
- Electrical to be inspected by qualified inspector and deemed to comply with code requirements
- The exterior of the building(s) may require repair or replace depending on condition.
- Water lines inspected for sizing, shutoffs, access and required metering
- Septic tanks may require replacement.
- All works listed above will likely require Building Permits and Plumbing/Gas Permits. Building Strata approval will be withheld for works completed without the proper permitting.
- On-site parking must be in general compliance with City Of Kelowna Zoning Bylaw No.8000
- Lot area, lot width, lot depth must meet the minimum requirements for the corresponding zone of Zoning Bylaw No.8000
- If you are located in an Irrigation District, you will need a water letter to confirm that their requirements have been met.
- You may require upgrades to your electrical service and should contact Fortis BC as early as possible in the strata process.
- Furnaces older than 15 years will generally need to be replaced.
- Hot water tanks must have an estimated lifespan of more than 5 years

Work To Be Done Letter Expiry:

Work to be done letters are valid for 1 year from the date of issuance. They may be extended at the discretion of the Subdivision Approvals Branch at a cost of \$250/year. Please note that re-inspections may be required for completed works that are several years old.

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