

Bulletin: Phased Strata Subdivisions

General Information



Purpose

Bulletin # 24-0002 Information Bulletin

The following is provided for the purposes of general information on Phased Strata Subdivisions. This form of subdivision is commonly seen with residential development but can also be seen with industrial, commercial and institutional development. The only way a strata plan can be created in phases is with a Phased Strata Declaration (Form P).

This bulletin is for informational purposes only. Please be sure to consult relevant Provincial Legislation and City of Kelowna Bylaws.

The phasing component/schedule is provided through and outlined by the Phased Strata Declaration (Form P). The phasing function allows for parts of the subdivision development to be approved and completed and added into the strata as they are completed. This allows titles to be raised for a portion of the strata in advance of the entire development being completed.

References for further information:

Once all the phases are completed according to the schedule and provisions of the Form P, the Approving Officer with the approval of the final phase will have authorized the completion of the strata subdivision in its entirety as one legal entity.

City of Kelowna Zoning Bylaw No.12375.

A key feature of Phased Strata Subdivision is the engineered infrastructure design for the entire project is designed and approved, however, the works required to be constructed are only those required for the phase being built.

BC Land Title Act.

BC Strata Property Act.

Phased Strata Subdivision Types

1. Phased Bareland Strata
2. Phased Building Strata

1. Phased Bareland Strata Subdivisions

Bareland Strata subdivision of land is division of land into individual lots assigned as Strata Lots in the subdivision plan. Each bareland strata lot needs to meet the subdivision regulations of the property zoning in the Zoning Bylaw.

In order to create a bareland strata plan a portion of common property must be identified. In larger bareland strata subdivisions this is commonly the access driveway (roadway) to the lots. On smaller bareland subdivisions this common land can be a shared access or the shared mailbox location or other shared feature/location.

This type of subdivision most closely resembles Free Hold Title subdivisions, with the key differences being the plan will be labeled as a Strata Plan, the lots are labeled as Strata Lots and there will be a portion of land identified as Common Land.

Phasing of the subdivision including the number of lots, which lots and when is set out within the Form P. Any proposed common amenity areas and/or features proposed are also identified with the schedule for construction. This may include indoor or outdoor amenity spaces within the Strata Plan.

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2. Phased Building Strata Subdivisions

Phased Building Strata subdivisions are a form of building strata that includes a number of new buildings with one or more units in each (building form is guided by the Zoning Bylaw), that are not proposed to be constructed all at once but instead in phases (groups) of one or more building. Once all of the buildings are completed construction, all of the strata units will be completed and together will form a single legal entity as one strata.

This type of strata is where the Strata Lot is the interior of a portion of the building (to the centre of the wall). The exterior of the building(s) along with the land itself are Common Land in the strata plan. Portions of the interior space of the building may also be Common Land. This may be entry areas, access corridors, mailboxes, etc.

Building Strata subdivision applications do not require the approval of the City Approving Officer and can be undertaken by the developer in collaboration with their Surveyor and Lawyer. However, if phasing is proposed the Approving Officer approval under the Form P is required.

Building format and use can vary greatly. These developments can be a number of single-family dwellings, multifamily buildings, apartment buildings, or can be commercial or industrial developments with multiple units in multiple buildings constructed in phases (groups).

Additional Information

Should you require further clarification on Phased Strata Subdivisions or on other types of subdivision applications please review the application information on the City of Kelowna website or contact planninginfo@kelowna.ca