

Bulletin: Strata Subdivisions

General Information



Bulletin # 24-0001 Information Bulletin

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

References for further information:

City of Kelowna Zoning Bylaw No.12375.

BC Land Title Act.

BC Strata Property Act.

Development Planning

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Purpose

The following is provided for the purposes of general information on Strata Subdivisions. These forms of subdivision are commonly seen with residential development but are also seen with industrial and commercial development as well.

Strata Subdivision Types

1. Bareland Strata
2. New Building Strata
3. Strata Title Conversion
4. Phased Strata

1. 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.

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.

2. New Building Strata Subdivisions

New Building Strata subdivisions are a form of building strata. This 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.

New 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.

A key feature of this form of strata subdivision is the building(s) have not been occupied. The subdivision plans will include both the site plan along with the building plans to depict the extent of the Strata Lots as well as the Common property.

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3. Strata Title Conversion Subdivisions

Strata Title Conversion subdivisions are similar in format and structure to New Building Strata subdivisions, however, the building(s) or portion of the building(s) have been previously occupied. As a portion or all the building(s) are being subdivided are not newly constructed, the Approving Officer's approval of the subdivision plan is required. As a result, a Strata Conversion Application submission to the City is required.

This process of evaluation and review of an application may include requests for professional inspections and verifications for Building Code and/or servicing. City Bylaws referencing rental vacancy limitations for conversion applications will apply.

4. Phased Strata Subdivisions

Phased Strata subdivision is a new building strata that is not being constructed all at one time, but in phases. The phased strata plan includes not just the strata unit configurations and common property but also the phases of development. This form of strata subdivision is normally associated with a Form P. This document forms a part of the strata plan and include the allocation of units to phases as well as the schedule of construction of the phases. This document may also includes schedules and parameters for common amenity construction and may include bonding for these features that is retained by the City.

Although Phased Strata subdivisions are most commonly residential, there are also many industrial and commercial developments that use this format of subdivision for their creation of individual unit ownership titles.

A further bulletin on this specific form of strata subdivision is being developed.

Additional Information

Should you require further clarification on 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