

A GUIDE TO DEVELOPING IN



STRATA SUBDIVISION

Any person being the owner of land or having the written permission of the owner may apply for subdivision.

Strata subdivisions within the City of Penticton are regulated by the Subdivision and Development Bylaw No. 88-47 and the Condominium Act.

STRATA

- New building never occupied
- No City approval required



STRATA CONVERSION

- Building is presently or was previously occupied
- Conversion must be approved by City Council



PHASED STRATA

- New buildings not occupied - to be built and sold in phases
- Strata must be approved by Approving Officer

BARE LAND STRATA

- Strata subdivision of land
- Approval Authority is Subdivision Approving Officer

In view of the numerous technical and legal details involved in the strata subdivision process, applicants should discuss the proposal with the Development Services Department and may wish to consult a registered B.C. Land Surveyor (BCLS) and lawyer or notary public.

SCHEDULE OF FEES	
Phased Strata	\$100
Strata Conversion	\$200 for the first unit plus \$100 for each additional unit - maximum \$1000.
Bare Land Strata	\$200 for the first unit plus \$100 for each additional unit

PROCEDURE FOR STRATA SUBDIVISION

Application forms are available at the Development Services Department office, second floor of City Hall

Regulations governing strata subdivisions are contained in the CONDOMINIUM ACT and the Bare Land Strata Regulations.

The Condominium Act (previously called the Strata Titles Act) was enacted in 1966. It allowed buildings to be subdivided into strata lots and was originally thought to be a more affordable method of home ownership than the single family dwelling. Bare Land Strata subdivisions were added in 1978 and were first used to subdivide mobile home parks and recreational developments. They have now become a popular method of "Gated Community" development.

All strata plans must be approved by the Superintendent of Real Estate before they are registered at the Land Title Office in Kamloops.

The Subdivision and Development Bylaw 88-47 establishes levels of works and services to be provided within and adjacent to a Strata Subdivision. The Bylaw also outlines design guidelines and construction standards. The applicant is responsible for all costs to provide the required works and services.

Prior to any works and services construction, engineered design drawings must be approved by the Design Division.

Before a final Strata Subdivision Plan can be approved, the Developer must have received a building permit for the Development and before the Building Permit can be issued the Developer has the option to:

*install required works and services, or
* provide security to guarantee works and services construction (requires Council Agreement).



Strata

1. No City approval necessary.
2. Building completely framed (before gyproc).
3. BC Land Surveyor prepares final Strata Subdivision Plan.
4. Plan approved by Superintendent of Real Estate.
5. Plan registered in Kamloops Land Title Office.

Strata Conversion

1. Submit application to the Planning Division, second floor of City Hall. Application must include:
 - 3 Application fee
 - 3 Owner's signature
 - 3 current state of title certificate
 - 375% of tenants approval
2. proof that the building substantially conforms to the BC Building Code
3. proof that the building substantially conforms to the Zoning Bylaw
4. Technical review by staff.
5. Recommendation prepared by City Planner for City Council.
6. Tentative approval or refection by City Council
7. Final plans prepared by BC Land Surveyor.
8. Strata plan signed by Mayor and Clerk
9. requirements completed (if any)
10. Plan approved by the Superintendent of Real Estate.
11. Plan registered in Kamloops Land Title Office

Phased or Bare Land Strata

1. Submit application to the Planning Division, second floor of City Hall. Application must include:
 - 3 Application fee
 - 3 Owner's signature
 - 3 current state of title certificate
 - 3 Plans drawn to scale
2. Technical review by staff and tentative approval issued.
3. Engineered drawings prepared and approved. Works and services completed or securities received and an agreement signed. Development Cost Charges paid.
4. Building Permit issued.
5. Building completely framed, before gyproc (does not apply to bare land strata).
6. Form E prepared by applicant's lawyer.
7. Final strata plan prepared by BC Land Surveyor.
8. Final Strata Plan and Form E signed by Approving Officer.
9. Plan approved by Superintendent of Real Estate
10. Plan registered in Kamloops Land Title Office.

Flow Chart

ESTIMATED TIME
(accumulated)

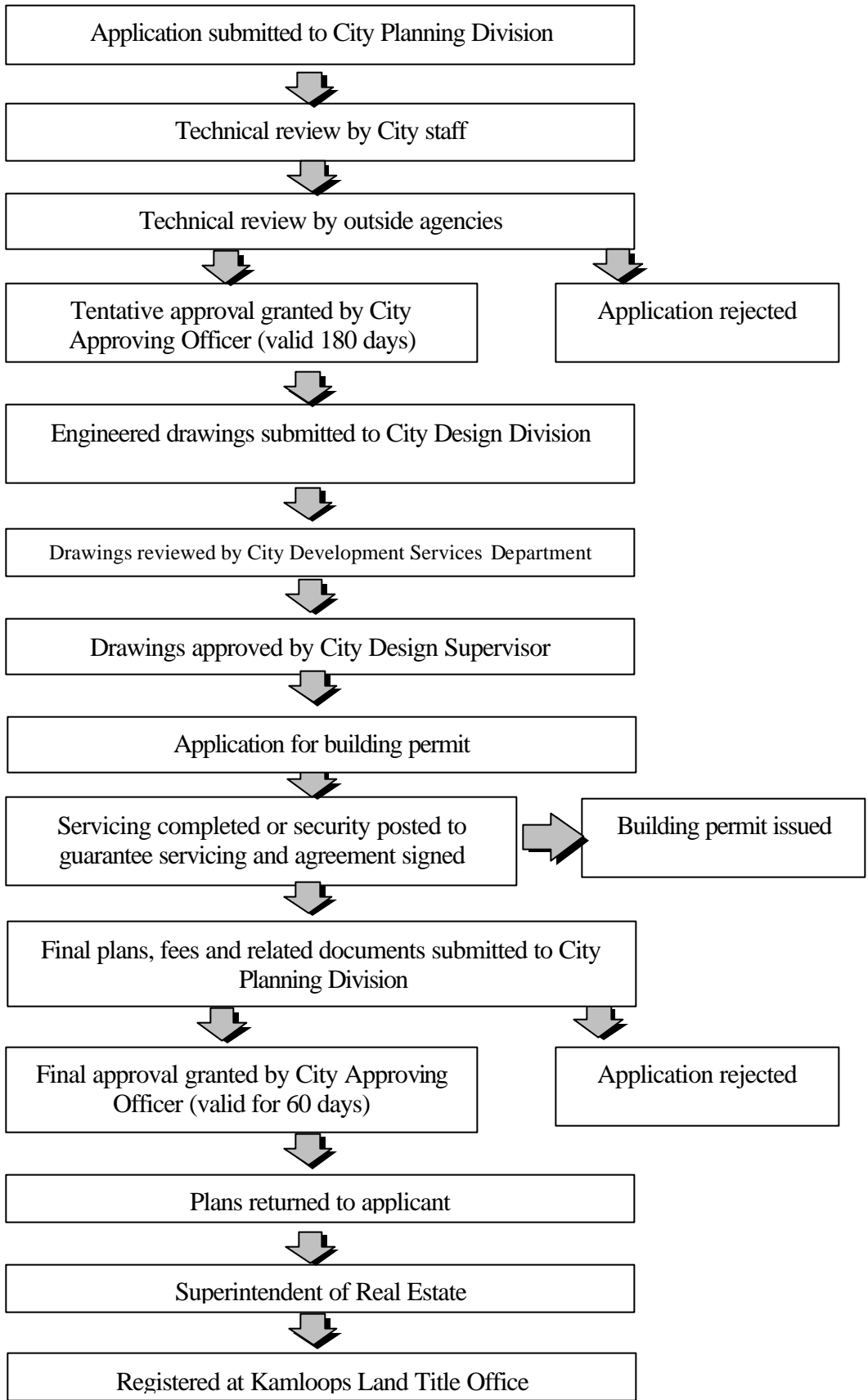
1-2 weeks
2-3 weeks
3-4 weeks

4-6 weeks
6-8 weeks

8-10 weeks

10-12 weeks

18 weeks



For additional information please
contact:

CITY OF PENTICTON
DEVELOPMENT SERVICES DEPARTMENT
171 Main Street
Penticton, B.C., V2A 5A9
Telephone: 490-2501
Fax: 490-2502

NOTE: This pamphlet is prepared for information purposes only and the City of Penticton disclaims any liability arising from reliance on information contained in this guide. This pamphlet is not a procedures manual pursuant to Section 954 of the Municipal Act.