



# Development Application – Strata Conversion

Planning Department-Development Services Division

171 Main St. | Penticton B.C. | V2A 5A9

P: (250) 490-2501 | E: [planning@pentiction.ca](mailto:planning@pentiction.ca)



Effective Date: January 1, 2022

Application#		Master Project #	
		<b>Detail:</b>	<b>Fees (Refer to Fee Schedule):</b>
<input type="checkbox"/>	Strata Conversion (1-4 Units)	Total # of Units:	\$
<input type="checkbox"/>	Strata Conversion (5+ Units)	Total # of Units:	\$
<input type="checkbox"/>	Other (i.e. Title Search Fee, MOE Referral Fee)		\$
		<b>Total Fees</b>	<b>\$</b>

**Property Information (Please submit a separate page for more than one property)**

**Civic Address and Legal Description/PID:**

**Applicant Information (Property Owner or Agent\*\*)**

**\*\*See Agency Agreement**

<b>Name(s):</b>	<b>Phone:</b>
<b>Company:</b>	<b>Cell:</b>
<b>Mailing Address:</b>	<b>Email:</b>

**Property Owner(s) Information (From Current Title)**

<b>Name(s):</b>	<b>Phone:</b>
<b>Company:</b>	<b>Cell:</b>
<b>Address:</b>	<b>Email:</b>

**Applicant/Agent Confirmation**

As **applicant**, I confirm that I have attached to this application the required plans and specifications of the proposed development in accordance with the application checklist. I accept responsibility for processing delays caused by incorrect or insufficient submission materials. I understand that this application form is a public document and that any and all information contained in it, excluding personal information as that term is defined in the *Freedom of Information and Protection of Privacy Act*, is open for inspection by the public and may be reproduced and distributed to the public as part of a report(s) to Council or for purposes of a public hearing. And, I understand that approval is subject to Staff and Council deliberation and assessment.

\_\_\_\_\_

Print Name

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

**Coordinating Professionals** *(List professionals such as BC Land Surveyor, Engineer etc. Please submit additional page if required.)*

<b>Name(s):</b>	<b>Phone:</b>
<b>Company:</b>	<b>Cell:</b>
<b>Address:</b>	<b>Email:</b>

**Application Checklist:**

*The following list outlines all of the information necessary to provide a timely decision on your application. All items on the list must be provided with the application. We are unable to accept applications that do not have all of the required items*

<b>Applicant to Complete</b>	<b>Staff to Complete</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>Completed Application Form</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>Agency Agreement</b> <i>(If the 'Applicant' is not the registered owner.)</i>
<input type="checkbox"/>	<input type="checkbox"/>	<b>Letter of Intent</b> <ul style="list-style-type: none"> <li>• <i>Include information that you would like staff and Council to consider when reviewing your proposal.</i></li> <li>• <i>Outline your project.</i></li> <li>• <i>What are the impacts on the neighboring properties as a result of your development application?</i></li> <li>• <i>What is being done to minimize negative impacts on the neighboring properties?</i></li> <li>• <i>What makes the development a positive contribution to the community?</i></li> </ul> <p><b><i>Please be advised that your letter of intent may form part of the report to Council and personal information (i.e. phone numbers, personal address) should be omitted.</i></b></p>
<input type="checkbox"/>	<input type="checkbox"/>	<b>Current Title (Required for each property)</b> <ul style="list-style-type: none"> <li>• <i>Searched within 30 days.</i></li> <li>• <i>Include current copies of any restrictive covenants, easements or utility rights-of way</i></li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	<b>City to pull current title(s)</b> (Fee: \$21.00 per property title search)
<input type="checkbox"/>	<input type="checkbox"/>	<b>Building Department – Approval/Code Compliance</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>Legal Plans:</b> <ul style="list-style-type: none"> <li>• Strata Plan Survey Plan Certification (Prepared by a BC Land Surveyor)</li> <li>• Email <a href="mailto:planning@penticton.ca">planning@penticton.ca</a>. Hard copies are not required.</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	<b>Strata Conversion (5+ Units)</b> the following information is also required:  <b>As per <i>Conversion to Strata Title Council Policy</i> please provide:</b> <ul style="list-style-type: none"> <li>• Proof that at least 75% of the tenants approve or do not object to the conversion</li> <li>• Rental Vacancy Report</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	<b>Payment</b>
_____	_____	
Initial	Initial	

**For Office Use**

Cheque / Debit / Cash	Name/Address:	Date Received:
Amount:		
Received By:		



# Development Applications-Fee Schedule

Planning Department-Development Services Division

171 Main St. | Penticton B.C. | V2A 5A9

P: (250) 490-2501 | E: [planning@penticton.ca](mailto:planning@penticton.ca)

[penticton.ca](http://penticton.ca)

Effective: January 1, 2022

OCP Amendments	Fee	✓
OCP Amendments	\$2,333.00	<input type="checkbox"/>
OCP Amendments in conjunction with a Rezoning Application	\$1,460.00	<input type="checkbox"/>
OCP Amendments in conjunction with Public Engagement	\$5,610.00	<input type="checkbox"/>
<b>Rezoning</b>		
Rezoning Applications	\$2,053.00	<input type="checkbox"/>
Zoning Bylaw Text Amendments	\$1,488.00	<input type="checkbox"/>
Comprehensive Development Zone	\$5,698.00	<input type="checkbox"/>
<b>Public Notice Signs (OCP Amendments/Rezoning)</b>		
Initial OCP Amendment or Zoning Amendment Bylaw Sign(s)	\$294.00/sign ( <i>incl. GST</i> )	<input type="checkbox"/>
Repair or Replacement of damaged sign(s)	\$294.00/sign ( <i>incl. GST</i> )	<input type="checkbox"/>
<b>Development Permit Application</b>		
Minor DP (Staff issuable)	\$785.00	<input type="checkbox"/>
Amendments to Minor DP (Staff issuable)	\$390.00	<input type="checkbox"/>
Major DP (Council Decision)	\$1,345.00	<input type="checkbox"/>
Amendments to Major DP (Council Decision)	\$670.00	<input type="checkbox"/>
Appeal to Council of a Staff Decision on a DP	\$780.00	<input type="checkbox"/>
Riparian / Environmental Assessment Development Permit	\$670.00	<input type="checkbox"/>
Hillside Development Permit	\$1,340.00	<input type="checkbox"/>
<b>Development Variance Permit Application or Board of Variance Application</b>		
Minor Variance (1 or 2 Variances per development)	\$873.00	<input type="checkbox"/>
• In conjunction with a Development Permit Application	\$648.00	<input type="checkbox"/>
Major Variance (3+ Variances per development)	\$1,433.00	<input type="checkbox"/>
• In conjunction with a Development Permit Application	\$873.00	<input type="checkbox"/>
Board of Variance	\$560.00	<input type="checkbox"/>
<i>No additional fee is required for a Variance where it is issued under Section 492 of the LGA</i>		

Temporary Use Permit	Fee	✓
Temporary Use Permit	\$983.00	<input type="checkbox"/>
Temporary Use Permit Renewal	\$450.00	<input type="checkbox"/>
<b>Subdivision - Fee Simple &amp; Bareland Strata</b>		
<i>Preliminary Layout Approval Review (Fees based on total number of lots being registered at Land Titles)</i>		
1-2 Lots	\$1,125.00	<input type="checkbox"/>
3-10 Lots	\$1,125.00 + \$330.00 per lot in excess of 2 lots	<input type="checkbox"/>
11-20 Lots	\$3,765.00 + \$240.00 per lot in excess of 10 lots	<input type="checkbox"/>
21-30 Lots	\$6,165.00 + \$220.00 per lot in excess of 20 lots	<input type="checkbox"/>
31-40 Lots	\$8,365.00 + \$200.00 per lot in excess of 30 lots	<input type="checkbox"/>
41 Lots or Greater	\$10,365.00 + \$120.00 per lot in excess of 40 lots	<input type="checkbox"/>
Preliminary Layout Approval (PLA): Renewal or Amendment	\$245.00	<input type="checkbox"/>
Legal Plan Approval Fee	\$63.00 (incl. GST)	<input type="checkbox"/>
Early Registration Agreement (Applicable to Fee Simple Subdivisions)	\$890.00	<input type="checkbox"/>
Latecomer Agreement (Applicable to any excess or extended services as a result of Subdivision or Building)	\$840.00	<input type="checkbox"/>
<b>Subdivision - Phased Strata</b>		
Phasing Approval Fee	\$670.00	<input type="checkbox"/>
From P Approval	\$115.50 (incl. GST)	<input type="checkbox"/>
Preliminary Layout Approval (PLA): Renewal or Amendment	\$245.00	<input type="checkbox"/>
<b>Strata Conversion</b>		
First Lot	\$560.00	<input type="checkbox"/>
Each Additional Lot	\$560.00 + 150.00 per strata lot to a max. of \$2,060.00	<input type="checkbox"/>
Report Inspection Fees	\$280.00	<input type="checkbox"/>
Third Party Review of Professional Reports submitted with an Application	Actual Cost	<input type="checkbox"/>
<b>ALR</b>		
ALR Exclusion/Inclusion/Subdivision/Non Farm Use	As prescribed by the ALC	<input type="checkbox"/>
<b>Other Administrative Fees</b>		
Ministry of Environment-Site Profile Referral	\$100.00	<input type="checkbox"/>
Land Title Search (per property)	\$21.00 (incl. GST)	<input type="checkbox"/>
<b>TOTAL FEES</b>	<b>\$</b>	

City of Penticton

COUNCIL POLICY

CONVERSION TO STRATA TITLE

1. The applicant is required to provide documentation to the satisfaction of the City that at least 75% of the tenants are in favour or do not object to the conversion;
2. The applicant must provide a report outlining the availability of similar types of rental accommodation with rental rates comparable to the subject building;
3. The building must substantially comply with the existing Building Code of British Columbia requirements with respect to safety, structural, and health aspects;
4. The building must substantially comply with the existing City of Penticton Zoning Bylaw regulations giving special consideration to use and density.

These policy guidelines are, of course, in addition to say statutory requirements that regulate condominium conversions.

City of Penticton  
Strata Title Subdivision  
RENTAL VACANCY REPORT  
(To be completed by the applicant)

Name of Applicant \_\_\_\_\_

as part of an application to convert the building situated at

\_\_\_\_\_

To condominium units, the following apartment blocks were contacted to determine the availability of comparable rental accommodation for those who may be displaced

First Building Name \_\_\_\_\_

Location \_\_\_\_\_

Name of Manager \_\_\_\_\_

Phone number where Manager may be reached during the day \_\_\_\_\_

Apartment Inventory \_\_\_\_\_

	Total No. of Apts.	Vacant Apts.	Rent, including utilities and parking (\$)
Bachelor			
1 Bedroom			
2 Bedroom			
3 Bedroom			

Second Building Name \_\_\_\_\_

Location \_\_\_\_\_

Name of Manager \_\_\_\_\_

Phone number where Manager may be reached during the day \_\_\_\_\_

Apartment Inventory \_\_\_\_\_

	Total No. of Apts.	Vacant Apts.	Rent, including utilities and parking (\$)
Bachelor			
1 Bedroom			
2 Bedroom			
3 Bedroom			

Third Building Name \_\_\_\_\_

Location \_\_\_\_\_

Name of Manager \_\_\_\_\_

Phone number where Manager may be reached during the day \_\_\_\_\_

I, (We) the tenants of the building proposed to be converted into strata lots, have read the completed application on the front side of this sheet and am in favor or do not object to the conversion. I (We) understand the consequences of the conversion to Strata Title.

Name (please print)	Unit #	Length of Tenancy	Signature	Date
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				
21.				
22.				
23.				
24.				
25.				
26.				
27.				
28.				
29.				
30.				
31.				
32.				
33.				
34.				
35.				
36.				

The signatures above represent \_\_\_\_\_% (percent) of the units to be converted (must be at least 75%).

Apartment Inventory \_\_\_\_\_

	Total No. of Apts.	Vacant Apts.	Rent, including utilities and parking (\$)
Bachelor			
1 Bedroom			
2 Bedroom			
3 Bedroom			

Fourth Building Name \_\_\_\_\_

Location \_\_\_\_\_

Name of Manager \_\_\_\_\_

Phone number where Manager may be reached during the day \_\_\_\_\_

Apartment Inventory \_\_\_\_\_

	Total No. of Apts.	Vacant Apts.	Rent, including utilities and parking (\$)
Bachelor			
1 Bedroom			
2 Bedroom			
3 Bedroom			

SUMMARY OF PROPOSED HOUSEHOLD RELOCATIONS

1. Number of households being relocated:

TYPE

RENT

Bachelor \_\_\_\_\_

\_\_\_\_\_

1 Bedroom \_\_\_\_\_

\_\_\_\_\_

2 Bedroom \_\_\_\_\_

\_\_\_\_\_

3 Bedroom \_\_\_\_\_

\_\_\_\_\_

2. Is there any special relocation assistance being provided to the tenants who will have to move

\_\_\_\_\_

\_\_\_\_\_

I hereby declare the above information to be factual and correct.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant



## Strata Conversion of Existing Buildings

Building Code requirements for existing duplex, multi-family and commercial buildings.

### Purpose

The intent of this bulletin is to provide general information regarding current building code requirements applicable to the conversion of existing buildings for the purposes of strata ownership. There may be additional requirements for site specific cases.

Owners are advised to arrange a pre-application review with City staff to conduct a zoning review and permit file search for the existing building(s), and if needed, engage professional assistance from an Architect and/or Engineer on the investigation of existing conditions and possible improvements.

Owners are also encouraged to review Section 242 of the Strata Property Act to become familiar with the general requirements for approval of the conversion of existing buildings, and to contact the Planning department at 250-490-2523 for further questions regarding the City's stratification process.

### References and Background

Section 242 (5)(c), of the Strata Property Act, states that the approving authority must not approve the strata plan "unless the building substantially complies with the British Columbia Building Code referred to in the Building Regulations of British Columbia." This would require substantial compliance to the current 2012 BC Building and Plumbing codes.

Depending on when the building was constructed, property owners need to be aware that there could be substantial upgrade requirements for buildings constructed under previous building code standards to satisfy current code regulations.

Some common issues that may impact strata conversion approval with regards to current 2012 BC Code compliance include, but are not limited to, the following:

- code conforming exiting (stairs, doors, and windows),
- fire and sound separation between suites,
- smoke and fire alarms systems,
- control of fire spread from building to neighbouring properties,
- structural design (i.e. previous structural work without permits or damage from weather),
- window, door, and skylight compliancy (North American Fenestration Standard- NAFS),
- ventilation (whole house exhaust and makeup air systems) as prescribed in 9.32,
- insulation and building envelope assembly design as outlined in 9.36,
- plumbing, gas, and electrical installations (including metering), and
- work that has been done without the benefit of permits

For more information please see Attachment 1

## Site Services

Please be aware that electrical and water services and metering may require improvements to conform to current City regulations and the BC Building/Plumbing Codes. These requirements will be outlined during the strata application process.

## Implementation (effective immediately)

Upon conditional support by the Planning department, Building department staff will conduct the following reviews as outlined below:

### Residential – duplexes (side by side or up/down)

Once a preliminary file and zoning review has been completed by City staff with the applicant, the Building department will arrange for a preliminary site investigation for substantial code compliance. Please refer to Attachment 1 for a reference list of items that could be reviewed. This may also require on-site review by appropriate plumbing, electrical and gas trades persons. The Building department review does not comment on the state of repair or workmanship unless noted as a potential deficiency to substantial code compliance (i.e. guards and handrails requiring repair or replacement).

A list will be prepared of potential deficiencies requiring remedial work under permits. If the applicant wishes to continue the stratification process, then the applicant will be required to retain the services of a designer and/or general contractor who are proficient in code and zoning regulations for permit application. Note that work found that has been completed without the benefit of permits (i.e. Basement finishes, plumbing, etc.) will require permits, regardless, if stratification is pursued or not.

### Residential – Multi-family or commercial properties

Once a preliminary file and zoning review has been completed, the Applicant shall submit a written report by a Professional Engineer or Architect that provides a BC Code review that specifically addresses: fire separation, soundproofing, exiting, spatial separations, fenestration, structural integrity, smoke/fire alarms, plumbing and mechanical review. The report will also need to take into consideration the energy performance provisions of the code. If the building does not comply with the current BC Building Code, the professional shall identify the work that is required to bring the structure up to code. This report will be retained as public record.

## Building Permits & Remedial Work

### Moving forward with stratification

Prior to final approval of the Strata conversion application, identified deficiencies will be required to be fully completed under permits. This would include works previously done without the benefit of permits. Projects requiring Registered Professionals will be required to provide Letters of Assurance.

### No stratification but work previously completed without permits

A building permit and remedial work may still be required even if you do not wish to continue the stratification process. Works that have been completed without the necessary permits may pose a health and fire safety risk for occupants and future owners. Therefore, remedial works will be required to meet minimum life safety requirements. This may also require on-site reviews by registered professionals, plumbing, electrical, and gas, trades persons.

Please note that “secondary suites” as outlined within 9.37 of the BC Building Code are not permitted within duplexes or multi-family buildings.

Failure to complete the permit process may lead to enforcement action including registration of Section 57 Notice on Title as regulated within the Community Charter.

**Have questions? We're here to help.** Please contact the Building Department at 250-490-2571 or [buildinginfo@penticton.ca](mailto:buildinginfo@penticton.ca) for more information.

## Attachment 1

### Strata conversion review – duplex buildings

The following items are to be reviewed for substantial compliance with the 2012 BC Building and Plumbing codes. Additional remedial work may be required once initial site inspection completed.

The following items to be reviewed on site:

#### BC Building Code (2012):

- Site work completed without the benefit of a permit (refer to C.O.P Building Bylaw)
  - Interior or Exterior renovations or additions
  - Accessory buildings, swimming pools, retaining walls
  - Creation of a “secondary suite”
- Windows, doors, and skylights – 9.7 (NAFS)
- Unit Entrance doors – viewer/sidelight – 9.7.2
- Resistance to forced entry (doors) – 9.7.5.2
- Stairs, Ramps, Handrails, and Guard – 9.8
- Egress from dwelling units – 9.9.9 – bedroom minimum egress
- Fire separations/Firewalls – 9.10.9/9.10.11/9.10.13 - 1 Hour Fire Separation between units. Note basement laundry/mechanical room to complete as ceiling unfinished.
- Fire Stops/Blocking – 9.10.9.6/9.10.16 – review for penetrations in fire separation.
- Spatial Separation – 9.10.14/9.10.15 – opening exposure to side property lines
- Smoke Alarms/Carbon Monoxide detectors – 9.10.19
- Sound Transmission Control – 9.11
- Radon – Soil Gas Control – 9.13.4
- Structural – Foundation & Framing 9.15/9.23 – note Engineer maybe required
- Heating – 9.31– occupied rooms to be supplied with heat
- Ventilation - 9.32
  - Kitchen – exhaust to exterior – minimum 47 L/s (100cfm)
  - Bathrooms – exhaust to exterior – minimum 23 L/s (50 cfm) intermittent
  - Whole house ventilation.
    - Principal Exhaust and Make up air provisions. See attached ventilation checklist information.
    - Naturally aspirating appliance present? (Hot Water Tank, Furnace, Open wood fireplace)
- Energy Efficiency – 9.36 (Energy Audit may be required for energy performance compliance 9.36.5)
  - Design and construction of:
    - building envelope,
    - heating, ventilating or air-conditioning, and
    - service water heating

#### Plumbing – 9.31 & 2012 BC Plumbing Code:

- Water supply and metering to City of Penticton regulations

- Plumbing works added or altered without required permits
- Hot Water Supply – 9.31.6.1.
- Drainage Systems – 2.4
- Venting – 2.5
  - Fixtures vented
  - Island venting – 2.5.9
  - Sump Pumps
- Potable Water – 2.6 (where applicable)
  - Shut Offs – Service Entry - 2.6
  - Water Closets – 2.6.(4)
  - Unit isolation – 2.6.(5) (note water shut offs and metering)
  - Hot Water Tank shut off 2.6.(7)
  - Protection for Exterior Water Supply – 2.6.1.4.
  - Water Hammer – 2.6.1.9.
  - Protection against Thermal Expansion – 2.6.1.11.
  - Service Water Heater – (Electric) – (60° C minimum) 2.6.1.12.
  - Premise Isolation – 2.6.2.6
  - Hose Bibb protection – 2.2.7.
  - Low flow fixtures – Faucets, shower heads, toilets (Part 10 Energy & Water Efficiency)

Existing Electrical and Gas must be reviewed by certified trades contractors.

Please note that additional remedial work may be required for roofing, siding, and interior finishes that may be in a state of disrepair.