



TOWN OF LADYSMITH

POLICIES AND PROCEDURE MANUAL

TOPIC:	Strata Conversion Policy		
APPROVED BY:	Council	DATE:	November 7, 2011
RESOLUTION #:	2011-482		
<i>(Amended)</i>			
<u>Purpose:</u>			
The purpose of the strata conversion policy is to outline when and how the Approving Authority may consider the strata conversion of a previously occupied building.			
<u>Scope:</u>			
This policy applies to the strata conversion of a previously occupied building under the <i>Strata Property Act</i> . Council is the Approving Authority under the <i>Act</i> , unless that authority has been delegated to the approving officer or another person.			
<u>Policy:</u>			
1.	The strata conversion of a previously occupied residential rental building of 3 or more residential units will not be considered when the relevant rental vacancy rate (townhouse or apartment) for the Duncan-North Cowichan CA has been at or below 3 percent as reported in the CMHC Rental Market Report – BC Highlights (Fall edition) for the two most recent reporting periods.		
2.	All residential units may be required to have a fire sprinkler system installed.		
3.	All units may be required to have an individual water meter installed.		
4.	Pursuant to Section 242 of the Strata Property Act, a strata conversion must not be approved unless the building substantially complies with all current applicable bylaws and the British Columbia Building Code.		
4.	The approving authority will consider: <ul style="list-style-type: none"> • The priority of rental accommodation over privately owned housing in the area • Any proposals of the owner / developer for the relocation of tenants • The life expectancy of the building • Projected major increases in maintenance costs due to the condition of the building • Compliance with the Bylaws of the Municipality (e.g. Zoning Bylaw) • Compliance with current development approvals (municipal and other agencies) • Requirement for an independent Building Code review • Requirement for tenant notice of the proposed application (e.g. declaration, tenant meeting) • Contribution to overall community benefit • Terms and conditions of an approval • Other matters that, in its opinion, are relevant, such as: <ul style="list-style-type: none"> - Provisions for the on-going residential tenancy of persons who may be affected by the proposed strata conversion to demonstrate that the conversion would not adversely affect the rental vacancy rate in the municipality. - Housing Agreement to require rental accommodation at a maximum rental rate - On-going commitment that residential rental will not be prohibited by the future strata council bylaws - The opportunity for existing residential rental tenants to purchase their unit below market rates - Fire protection and tenant safety - Proposed up-grades to the building and cost implications for tenants 		

Procedure:

Application review will comprise these general steps.

1. Step 1 -- Application Review
 - Letter of request received.
 - Report prepared and presented to the Approving Authority.
 - The Approving Authority will evaluate the application and determine if it may proceed to Step 2 by specifying preliminary terms and conditions for the conversion.
 - The applicant will provide written acceptance of the preliminary terms and conditions.

2. Step 2 – Meeting Terms and Conditions
 - Reports and documents are prepared by the applicant.
 - Staff will review the material submitted by the applicant.
 - The Approving Authority will consider the reports and either grant approval; grant approval with additional conditions based on the information received in Step 2; or not grant approval.
 - Terms and conditions are met.

3. Step 3 – Approval
 - All requirements, including any building upgrades, have been completed.
 - The Approving Authority is authorized to endorse the strata conversion plans.