

City of North Vancouver

COUNCIL POLICY



Policy Name: Policy – Conversion Under the *Strata Conversion Act*

Policy Number: 4

REASON FOR POLICY

To regulate the conversion of previously occupied rental units within buildings containing three or more units to stratified units when rental vacancy rates are below a certain level. The goal is to ensure continued access to secure rental housing units for community members.

AUTHORITY TO ACT

Under Section 242 of the *Strata Property Act of British Columbia*, City Council is the Approving Authority for conversion of previously occupied buildings into strata lots. City Council has, under Section 242 of the same *Act*, delegated authority for the approval of strata conversion requests for dwellings less than three units to the Director of the Planning Department.

POLICY

Applicability

All applications for conversion into strata lots of *existing buildings which have been previously occupied* must be submitted to the Planning Department for examination and inspection. The application will then be forwarded to the Approving Authority (City Council) for consideration and its decision to approve or refuse shall be final. The Stratification of new buildings does not require Council approval but must be noted at the time that a building permit application is made.

PROCEDURE

A. Basic Criteria For All Buildings

All buildings which are the subject of an application for stratification must be able to meet the following basic criteria:

1. Compliance, or substantial compliance, with the B.C. Building Regulations which adopt the National Building Code;
2. Compliance, or substantial compliance, with the City of North Vancouver's current Zoning Bylaw.

B. Additional Criteria For Residential Buildings

1. Unless the rental apartment vacancy rate determined by Canada Mortgage and Housing Corporation is equal to or greater than four percent for a minimum 12 month consecutive period, the City of North Vancouver will not approve applications for the conversion of rental apartments of three or more units to strata units.

C. Basic Information To Be Submitted On Application

1. Applicant's name, address and telephone number. If the applicant is not the owner, then the owner's name, address and telephone number must also be provided.
2. If the applicant is not the owner, then he must provide written authorization from the owner, appointing him agent.
3. Name and telephone numbers of any tenants of the building.
4. If the building in question is owned co-operatively, with an accompanying lease, the applicant must advise and provide proof of the term of the lease (i.e. is the lease for less than three years or more than three years?). In addition, proof is required that 100 percent of the owners agree to the conversion to strata ownership.
5. A statement describing the proposal of the owner/developer for the relocation of the person occupying the building and an undertaking that the requirements of the laws governing tenant evictions and relocations will be met.
6. A statement of the age and projected life expectancy of the building.
7. A statement describing the current condition of the building and any projected major increases in maintenance costs due to the condition of the building.

D. General Information

1. If illegal suites are found in a building during the course of inspections, no prosecution will result from this discovery provided that the units are vacated with a reasonable time following Council's preliminary approval of the application.
2. Where no municipal records are available, the applicant shall submit a site plan showing the location of the building on the lot (front, rear and side yard setbacks), the location of any accessory buildings (garage, carport), and the number of parking spaces provided.
3. Information provided by the applicant will be reviewed by staff and on-site inspections will be conducted by the Building, Electrical and Plumbing Inspectors.

PLEASE NOTE: It is the applicant's responsibility to arrange for inspection of the building by the City's Inspectors.

4. The Approving Authority may consider any other information which it considers to be relevant to the application.

E. Strata Conversion Applications

All requests for conversion into strata lots of buildings which have been previously occupied shall be accompanied by a fee as outlined in the “Construction Regulation Bylaw, 2003, No.7390”.

DISCLAIMER:
The City of North Vancouver disclaims all responsibility for the accuracy or completeness of this document and the information contained therein. This document is provided for your convenience only, and you are advised to refer to the official document available at City Hall to satisfy yourself as to the applicable regulations and the information you require.

Approval date:	October 2, 2017	Approved by:	Council