



## REPORT TO MAYOR AND COUNCIL

**PRESENTED:** SEPTEMBER 19, 2016 – REGULAR AFTERNOON MEETING  
**FROM:** COMMUNITY DEVELOPMENT DIVISION  
**SUBJECT:** STRATA TITLE CONVERSION APPLICATION NO. 000005  
 (KLAVER / 20725 – 0 AVENUE)

**REPORT:** 16-95  
**FILE:** 07-02-0043

### PROPOSAL:

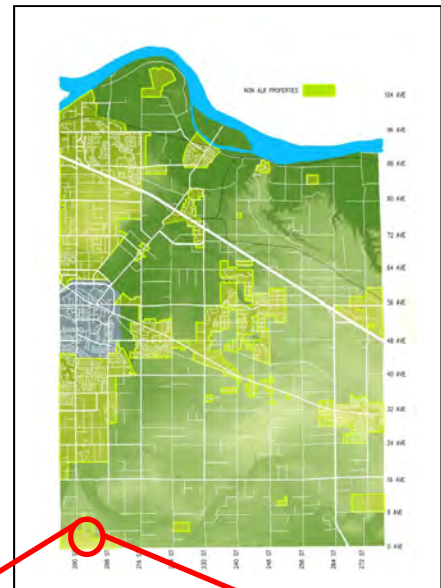
Strata Title Conversion application under Section 242 of the Strata Property Act to convert two (2) previously occupied single family dwellings located at 20725 – 0 Avenue into two (2) strata lots.

### RECOMMENDATION SUMMARY:

That Council, pursuant to Section 242 of the Strata Property Act, approve the strata plan subject to six (6) conditions.

### RATIONALE:

The proposed strata title conversion application complies with the requirements of the Strata Property Act.



**RECOMMENDATION:**

**That** Council consider approval of the strata plan, pursuant to Section 242 of the Strata Property Act, submitted by Eleanor Wrigley, on behalf of Darrell Klaver proposing to convert two (2) previously occupied single family dwellings located at 20725 – 0 Avenue into two (2) strata title lots, subject to the following conditions being met to the acceptance of the Township prior to Township execution of the strata plan:

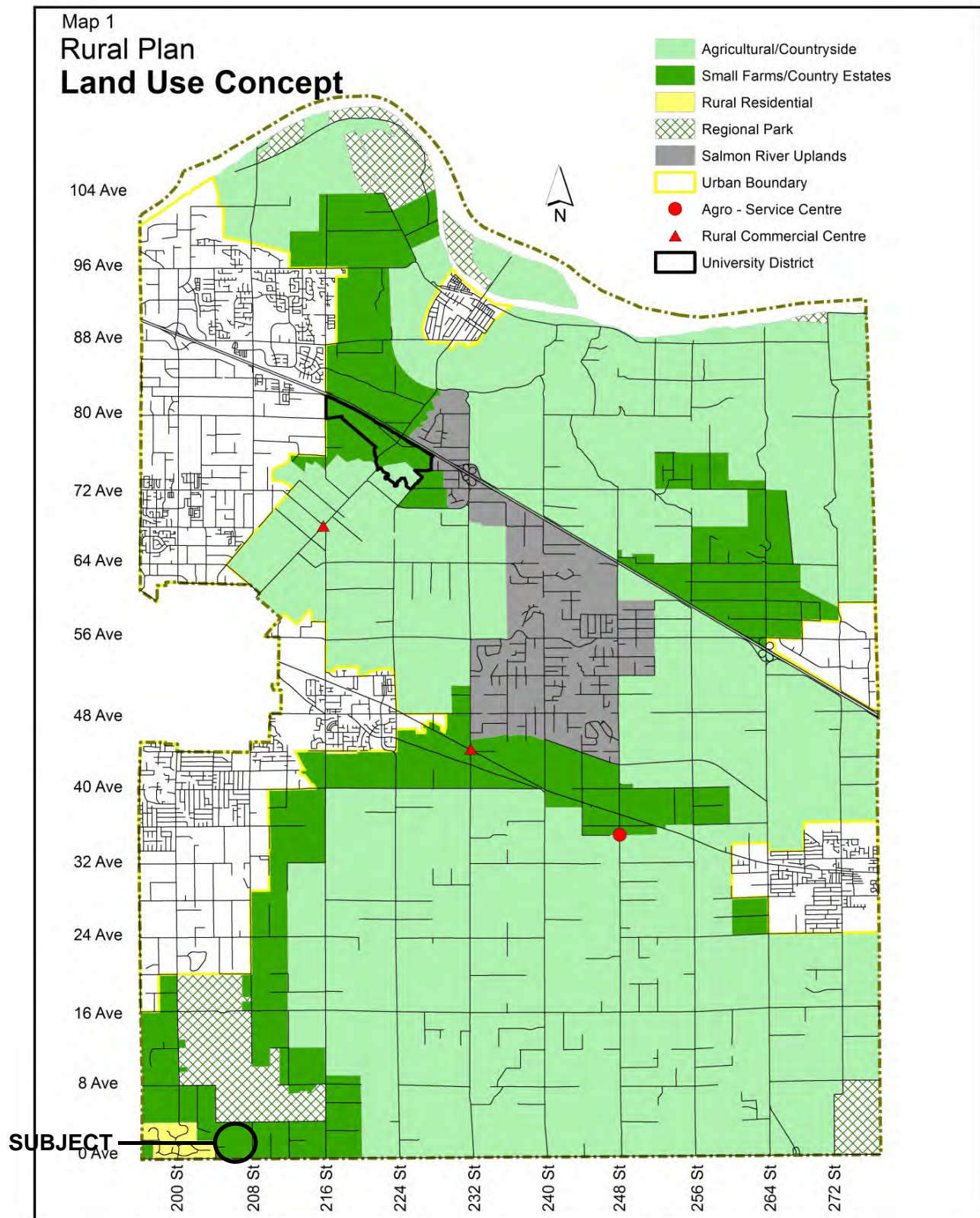
1. The two (2) single family dwellings being in substantial compliance with Township Bylaws and the British Columbia Building Code, to the acceptance of the Township;
2. Registration of a restrictive covenant allowing only one (1) single family dwelling on each strata lot;
3. Submission of certification that each strata lot is suitable for and capable of sustaining independent septic tank and field sewerage systems in accordance with the Ministry of Health's Sewerage System Regulations, to the acceptance of the Township;
4. Registration of a restrictive covenant securing the design, construction and maintenance of the septic system (including primary and reserve field locations) as may be required; and
5. Verification that the well on each strata lot is in accordance with the Subdivision and Development Servicing Bylaw to the acceptance of the Township; and
6. Verification that there is only one driveway access for each strata lot.

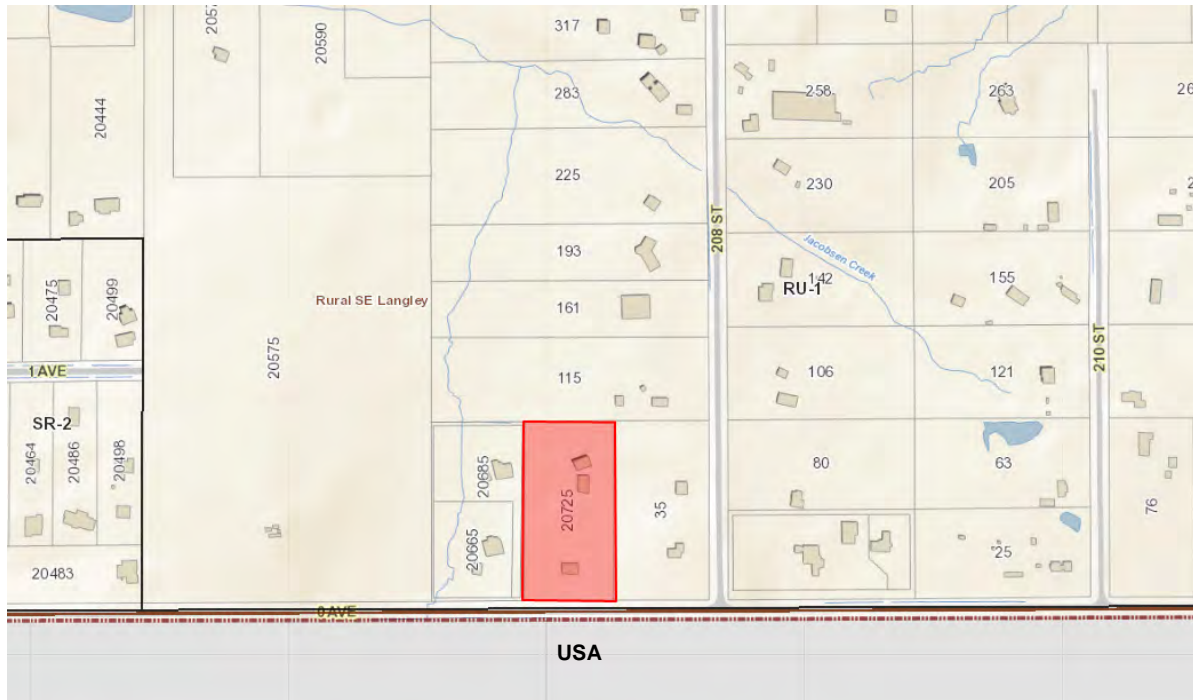
**EXECUTIVE SUMMARY:**

Darrell Klaver has applied under Section 242 of the Strata Property Act to convert two (2) previously occupied single family dwellings located at 20725 – 0 Avenue into two (2) strata title lots. Council approval is required as the buildings have been previously occupied. Staff recommend that Council approve the strata plan as it complies with the requirements of the Strata Property Act.

**PURPOSE:**

This report is to provide information and a recommendation concerning Strata Title Conversion Application No. 000005 for two (2) previously occupied single family dwellings located at 20725 – 0 Avenue.





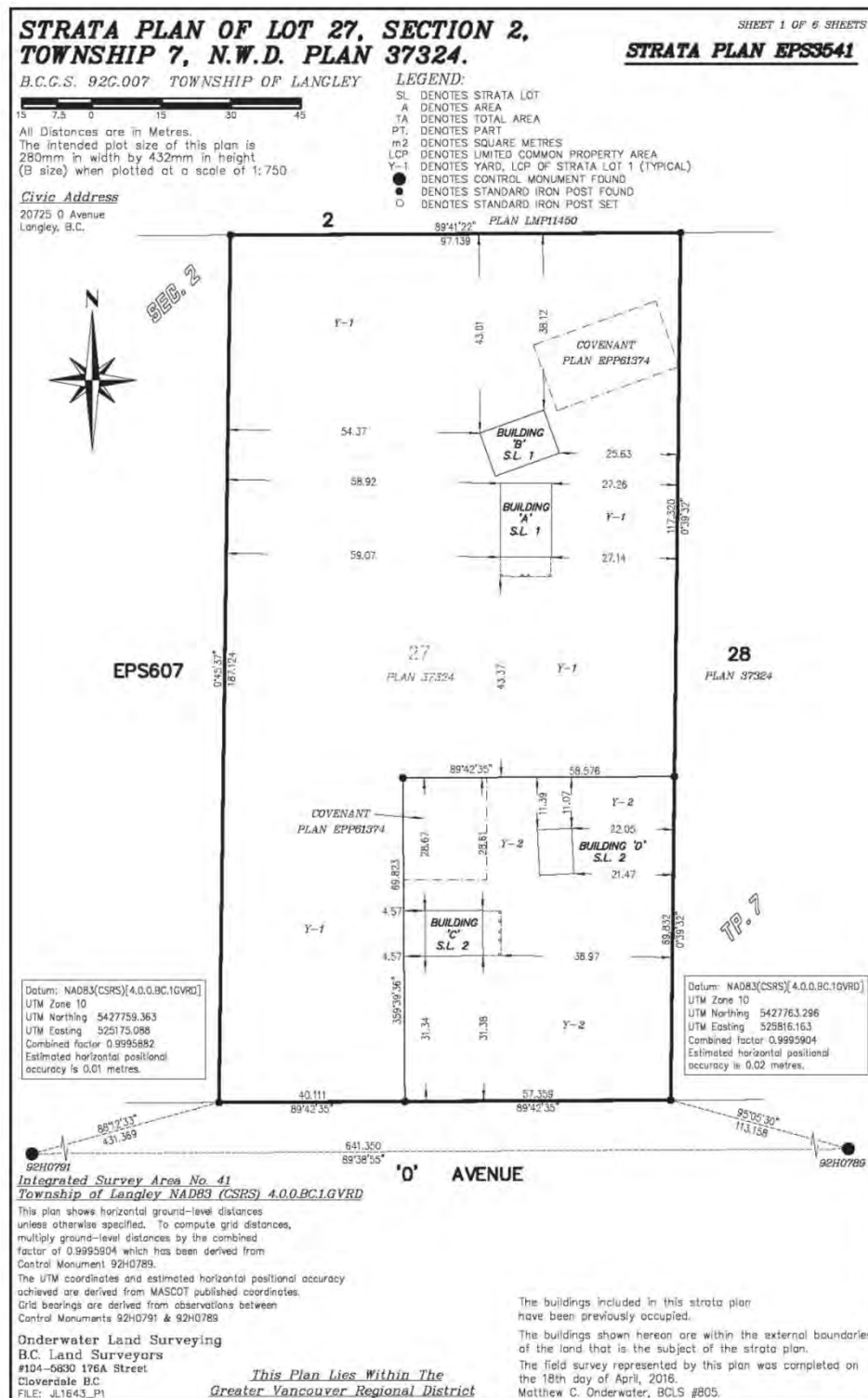
**ZONING BYLAW NO. 2500**



STRATA TITLE CONVERSION APPLICATION NO. 000005

(KLAVER / 20725 – 0 AVENUE)

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Strata Plan – SUBMITTED BY APPLICANT

**REFERENCE:**

<b>Agent:</b>	Eleanor Wrigley 19925 Willowbrook Drive Langley, BC V2Y 1A7
<b>Owner:</b>	Darrell Joseph Klaver 20725 – 0 Avenue Langley, BC V2Z 1V1
<b>Legal Description:</b>	Lot 27 Section 2 Township 7 New Westminster District Plan 37324
<b>Location:</b>	20725 – 0 Avenue
<b>Area:</b>	1.8 ha (4.5 ac)
<b>Existing Zoning:</b>	Rural Zone RU-1
<b>Rural Plan:</b>	Small Farms/Country Estates
<b>Agricultural Land Reserve</b>	Not in the Agricultural Land Reserve

**BACKGROUND / HISTORY**

The subject site is located at 20725 – 0 Avenue, and is not in the Agricultural Land Reserve (ALR). The property is designated as Small Farms/Country Estates in the Rural Plan and is zoned Rural Zone RU-1, permitting up to two (2) single family dwellings on one lot.

**DISCUSSION / ANALYSIS:**

Darrell Klaver has submitted a strata plan (Attachment A) that proposes to convert two previously occupied single family homes located at 20725 – 0 Avenue into two (2) strata title lots. Proposed Strata Lot 1 contains a single family dwelling constructed in 2015 and one accessory building. Proposed Strata Lot 2 contains a single family dwelling constructed in 1999 and one accessory building. The applicant is now applying to stratify these two (2) single family dwellings and two (2) accessory building into two (2) strata lots. The Rural Plan does not provide guidance in relation to the approval of strata applications.

**Adjacent Uses and Property Sizes:**

North:	A property zoned Rural Zone RU-1, not in the ALR, 2.6 ha (6.4 ac) in size, designated Small Farms/Country Estates in the Rural Plan
East:	A property zoned Rural Zone RU-1, not in the ALR, 1.8 ha (4.5 ac) in size, designated Small Farms/Country Estates in the Rural Plan
South:	0 Avenue, beyond which is the United States of America;
West:	A stratified property containing two strata lots zoned Rural Zone RU-1, not in the ALR, 1.8 ha (4.4 ac) in size, designated Small Farms/Country Estates in the Rural Plan

**Strata Property Act:**

The Strata Property Act requires approval by Council (as the approving authority) of strata plans involving previously occupied buildings. Council may approve the strata plan, approve the strata plan subject to terms and conditions, refuse to approve the strata plan, or refuse to approve the strata plan until terms and conditions imposed by the approving authority are met. Council approval of the strata plan is required prior to it being registered at the Land Title Office.

In accordance with the Strata Property Act, Council must not approve the strata plan unless the buildings substantially comply with the applicable bylaws of the municipality and the British Columbia Building Code. Both dwellings are in compliance with the Rural Zone RU-1 provisions concerning use, site coverage, building height and building setbacks. With regards to compliance with the British Columbia Building Code, both dwellings will be required to undergo a building inspection by the Township's Permit, Licence and Inspection Services Department, which may result in the owners having to upgrade or repair the dwellings. A condition of the approval of the strata plan is that both single family dwellings be in substantial compliance with Township Bylaws and the British Columbia Building Code, to the acceptance of the Township.

Section 242 of the Strata Property Act also outlines five (5) items that Council must consider in making its decision:

- a) the priority of rental accommodation over privately owned housing in the area;
- b) any proposals for the relocation of persons occupying a residential building;
- c) the life expectancy of the building;
- d) projected major increases in maintenance costs due to the condition of the building; and,
- e) any other matters that, in its opinion, are relevant.

Staff note that items (a) and (b) above are primarily related to strata title conversion applications involving residential rental buildings (typically apartments or townhouses) and are not applicable to the subject application. In regards to items (c) and (d) above, staff note that the second dwelling was constructed in 2015. The first dwelling was built in 1977.

**Servicing:**

Staff has reviewed the proposed strata title conversion application and have identified the following conditions that must be satisfied prior to the strata plan being approved by the Township. As this application is proposing the use of an onsite septic sewerage system, the applicant is required to submit certification from a Qualified Professional stating that the land proposed is suitable for the proposed use. Further, a restrictive covenant is required to secure the design, construction and maintenance of this septic system. An adequate well must also be provided on each strata lot and must be in accordance with the Subdivision and Development Servicing Bylaw to the acceptance to the Township. Driveway access is restricted to one driveway for each strata lot and the applicant must provide verification of such.

**POLICY CONSIDERATIONS:**

The Strata Property Act requires approval by Council (as the approving authority) of strata plans that include previously occupied buildings. Staff recommend that Council approve the proposed strata title conversion application as it complies with the requirements of the Strata Property Act.

Respectfully submitted,

Ruby Sandher  
DEVELOPMENT PLANNER  
for  
COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A      Strata Plan

**STRATA PLAN OF LOT 27, SECTION 2,  
TOWNSHIP 7, N.W.D. PLAN 37324.**

SHEET 1 OF 6 SHEETS

**STRATA PLAN EPS3541**

B.C.G.S. 92G.007 TOWNSHIP OF LANGLEY

**LEGEND:**

- SL DENOTES STRATA LOT
- A DENOTES AREA
- TA DENOTES TOTAL AREA
- PT. DENOTES PART
- m2 DENOTES SQUARE METRES
- LCP DENOTES LIMITED COMMON PROPERTY AREA
- Y-1 DENOTES YARD, LCP OF STRATA LOT 1 (TYPICAL)
- DENOTES CONTROL MONUMENT FOUND
- DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST SET

All Distances are in Metres.

The intended plot size of this plan is  
280mm in width by 432mm in height  
(B size) when plotted at a scale of 1:750**Civic Address**20725 0 Avenue  
Langley, B.C.

SEC. 2

EPS607

2

89°41'22" PLAN LMP11450

Y-1

54.37

58.92

59.07

27

PLAN 37324

Y-1

BUILDING  
'B'  
S.L. 1BUILDING  
'A'  
S.L. 1COVENANT  
PLAN EPP61374

25.63

27.26

27.14

117.320  
0°39'32"

28

PLAN 37324

COVENANT  
PLAN EPP61374

Y-1

BUILDING  
'C'  
S.L. 2

4.57

4.57

31.34

31.38

Y-2

89°42'35"

58.576

11.39

11.07

22.05

21.47

Y-2

BUILDING  
'D'  
S.L. 2

36.97

69.832  
0°39'32"

TP. 7

Datum: NAD83(CSRS)[4.0.0.BC.1GVRD]  
UTM Zone 10  
UTM Northing 5427759.363  
UTM Easting 525175.088  
Combined factor 0.9995882  
Estimated horizontal positional  
accuracy is 0.01 metres.

Datum: NAD83(CSRS)[4.0.0.BC.1GVRD]  
UTM Zone 10  
UTM Northing 5427763.296  
UTM Easting 525816.163  
Combined factor 0.9995904  
Estimated horizontal positional  
accuracy is 0.02 metres.

88°12'33"  
431.369

92H0791

641.350  
89°38'55"

'0' AVENUE

95°05'30"  
113.158

92H0789

**Integrated Survey Area No. 41  
Township of Langley NAD83 (CSRS) 4.0.0.BC.1GVRD**

This plan shows horizontal ground-level distances  
unless otherwise specified. To compute grid distances,  
multiply ground-level distances by the combined  
factor of 0.9995904 which has been derived from  
Control Monument 92H0789.

The UTM coordinates and estimated horizontal positional accuracy  
achieved are derived from MASCOT published coordinates.  
Grid bearings are derived from observations between  
Control Monuments 92H0791 & 92H0789

**Onderwater Land Surveying**  
B.C. Land Surveyors  
#104-5830 176A Street  
Cloverdale B.C.  
FILE: JL1643\_P1

*This Plan Lies Within The  
Greater Vancouver Regional District*

The buildings included in this strata plan  
have been previously occupied.

The buildings shown hereon are within the external boundaries  
of the land that is the subject of the strata plan.

The field survey represented by this plan was completed on  
the 18th day of April, 2016.  
Matthew C. Onderwater, BCLS #805.