



**REPORT TO THE ELECTORAL AREA SERVICES COMMITTEE
MEETING WEDNESDAY, 07 SEPTEMBER 2011**

SUBJECT **BUILDING CONVERSION STRATA APPLICATIONS (ST-03-11) FOR LOT 1, SECTION 36, TOWNSHIP 13, RENFREW DISTRICT, PLAN 41154 (16981 & 16983 PARKINSON ROAD)**

ISSUE

Applicant wants to obtain separate title for each side of an existing two-family dwelling.

BACKGROUND

The Capital Regional District (CRD) Board is the approving authority for a building conversion strata pursuant to Section 242(1) of the *Strata Property Act*. This section requires that the CRD consider whether the building complies with relevant and applicable bylaws and that the age of the buildings makes the conversion reasonable as well as any matters considered to be of relevance by the CRD.

The 0.07ha property is located at 16981 and 16983 Parkinson Road in the Port Renfrew Comprehensive Community Development Plan area (Attachment 1). The parcel is zoned Community Residential 1 (CR-1) which permits construction of one single-family or one two-family dwelling on lots more than 0.8ha and less than 4ha. The property has one two-family dwelling and no accessory buildings as shown on the survey plan (Attachment 2). The applicant has applied for a building conversion strata to create a parcel for each of the dwelling units, with a common property front yard (Attachment 3). Each dwelling will be serviced by a separate connection to the Port Renfrew water and sewer system.

In order for a building conversion strata to take place, the *Strata Property Act*, Section 242(5) states that the buildings must substantially comply with the applicable bylaws of the CRD and with the British Columbia Building Code referred to in the Building regulations of British Columbia. The building meets the setbacks and parcel area coverage of the CR-1 zone. Occupancy permits were issued on May 25, 2007 and the building inspector has indicated that there are no concerns regarding the life expectancy of the building.

The building had two rental suites in the basements and the stoves have now been removed as secondary suites are not permitted in two-family dwellings.

ALTERNATIVES

1. To tentatively approve the building conversion strata; or
2. To refuse the building conversion strata application.

PLANNING ANALYSIS

This building conversion strata application is being made under Section 242(1) of the *Strata Property Act*. Section 242(5) states that the approving authority must not consider an application unless the building substantially complies with the following:

- (a) *The applicable bylaws of the municipality or regional district;*
- (c) *The British Columbia Building Code referred to in the Building Regulations of British Columbia.*

Section 242(6) is relevant to this application and states that the approving authority must consider the following:

- (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 buildings, and*
- (e) *Any other matters that, in its opinion, are relevant.*

The applicant has advised that the building had been marketed for short term vacation rentals; however, there were four kitchens in the structure which is in violation of the Port Renfrew Comprehensive Community Development Plan, Bylaw No. 3109 which does not permit bed and breakfast units to have a kitchen. Therefore, it appeared that two secondary suites had been established which is also a contravention of the Port Renfrew Comprehensive Community Development Plan, Bylaw No. 3109 which does not permit secondary suites in a two-family building. Two non-conforming rental units will be removed from the rental stock in Port Renfrew if this application is approved. However, this application could be seen to provide an opportunity for an affordable housing option.

The recent issuance of the building permits for all structures on the property is seen to provide evidence of the life expectancy of the building and established the projected major increases in maintenance costs due to the condition of the buildings. As the appropriate permits were recently finalized for the buildings, the life expectancy of the buildings and the maintenance costs obligations could be considered to be satisfied if the committee supports approval of the application.

The neighbouring properties are zoned CR-1 as is the subject property. With respect to the provisions for fee simple or bare land strata subdivision, the applicable minimum parcel size is 0.1ha as the property is hooked to community sewage and water system. The residential density will not increase with this application as the dwellings exist.

INTER-DEPARTMENTAL IMPLICATIONS

Building permits have been finalized for the existing structure; however, a geotechnical assessment was not required at the time of construction. Building inspection staff has conducted a site visit and note that a geotechnical report is not required.

CONCLUSIONS

The proposed subdivision is filed as a building conversion strata application in order to permit the two-family units on the property to be converted to recognize each unit as a separate title. Staff has reviewed the application and recommends approval.

RECOMMENDATION

That the Electoral Area Services Committee recommends to the Capital Regional District Board:

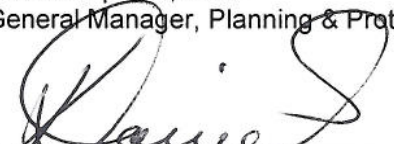
1. That Building Conversion Strata application ST-03-11 for Lot 1, Section 36, Township 13, Renfrew District, Plan 41154 be approved.



June Klassen, MCIP
Manager, Local Area Planning



Robert Lapham, MCIP
General Manager, Planning & Protective Services



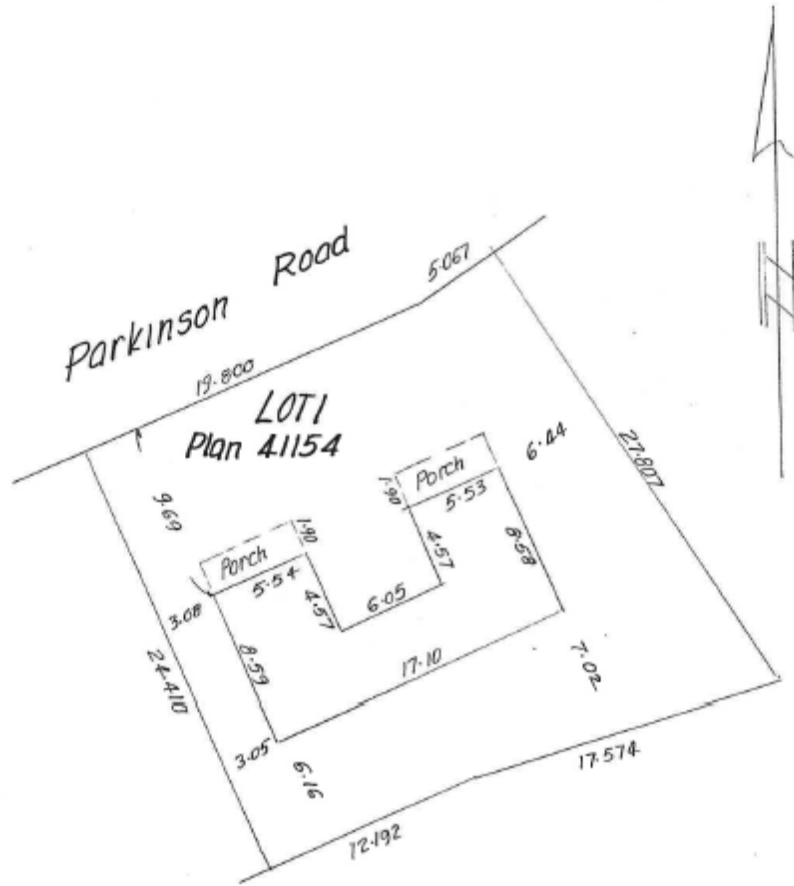
Kelly Daniels
Chief Administrative Officer
Concurrence

Attachments:

1. Location Map
2. Survey Plan
3. Proposed Strata Lot Configuration



GEORGE B. MILLER, B.C.L.S.



Certified correct this
 3rd day of January, 2006

[Signature]
 G.B. Miller B.C.L.S.

TITLE: PLAN OF HOUSE LOCATION ON LOT 1, E1/2 of NW1/4 SECTION 36, TP. 13, RENFREW DISTRICT, PLAN 41154.	
NAME: C. Leclerc	SCALE: 1:250

INVALID UNLESS ORIGINALLY SIGNED AND SEALED.

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Attachment 3 - Proposed Strata Lot Configuration

