

NO: **R116**

COUNCIL DATE: **May 28, 2012**

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **May 28, 2012**
FROM: **General Manager, Planning and Development** FILE: **9486-12000**
SUBJECT: **Strata Title Conversion of the Commercial Building Located at
9486 - 120 Street**

RECOMMENDATION

The Planning and Development Department recommends that Council approve, upon completion of the items outlined in this report, the issuance of a Certificate of Approval for the strata conversion of the commercial building located at 9486 - 120 Street, in accordance with the *Strata Property Act*, S.B.C. 1998, c.43 (the "*Strata Property Act*").

BACKGROUND

The Planning and Development Department received an application from the owner of the Property, Centex Projects Ltd., to strata-title the existing commercial building that is located on the property at 9486 - 120 Street (the "Property"), which is illustrated on the map attached as Appendix I and in the photographs attached as Appendix II.

The existing commercial building, Building D, and the future building, Building E, which is proposed under Development Application No. 7912-0026-00, are intended to be two separate free standing buildings on the Property. The proposed strata plan will to create two strata units with each free-standing building being one strata unit. There are currently no plans to further stratify each building.

In accordance with the *Strata Property Act*, City Council approval is required for the strata conversion of any occupied building.

DISCUSSION

The improvements on the Property consist of a commercial building containing a grocery store operation. The building was constructed in 1983 with subsequent tenant improvement permits being issued for seismic upgrading, a sprinkler system installation and other renovation work.

The Property is located in a Community Commercial (C-8) Zone and is subject to the requirements of Development Permit No. 7908-0085-00. The building has been certified by a registered Professional Engineer as being in good condition for the age of the building. The Engineer further advises that the building has a life expectancy exceeding 25 years.

A series of inspections of the Property and its improvements have been completed by staff. There are a number of deficiencies that need to be addressed prior to the issuance of the Certificate of Approval for the proposed strata conversion, as follows:

1. The submission to the City of an updated drawings of the strata plan proposal, including the proposed parking lot layout;
2. The removal of the paved parking area, that was constructed without permits, at the south side of the building; and
3. The removal of debris and fencing so as to establish access to the parking area at the north side of the building.

In accordance with Council Policy, the owner has notified the existing tenant of the building of the owner's intention to strata-title the building. No concerns have been received by the City from the tenant concerning the strata-title application.

Subject to Council approval of the recommendation of this report and the owner having addressed the above-noted items to the satisfaction of the Approving Officer, the Approving Officer will be in a position to sign the strata plans.

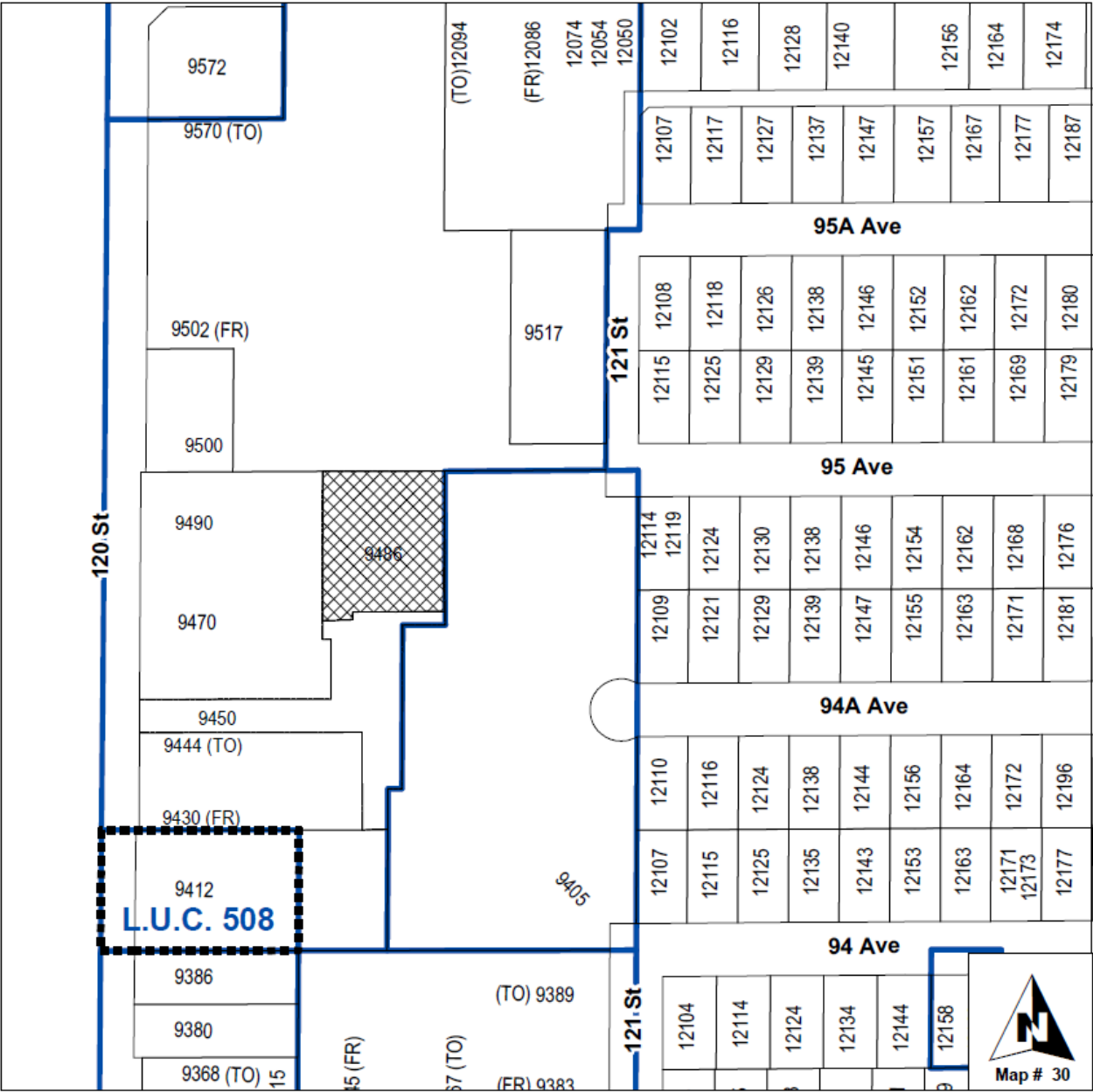
CONCLUSION

Based on the above discussion, it is recommended that Council approve, upon completion of the outstanding items as listed in this report, the issuance of a Certificate of Approval for the strata conversion of the commercial building on the Property in accordance with the *Strata Property Act*.

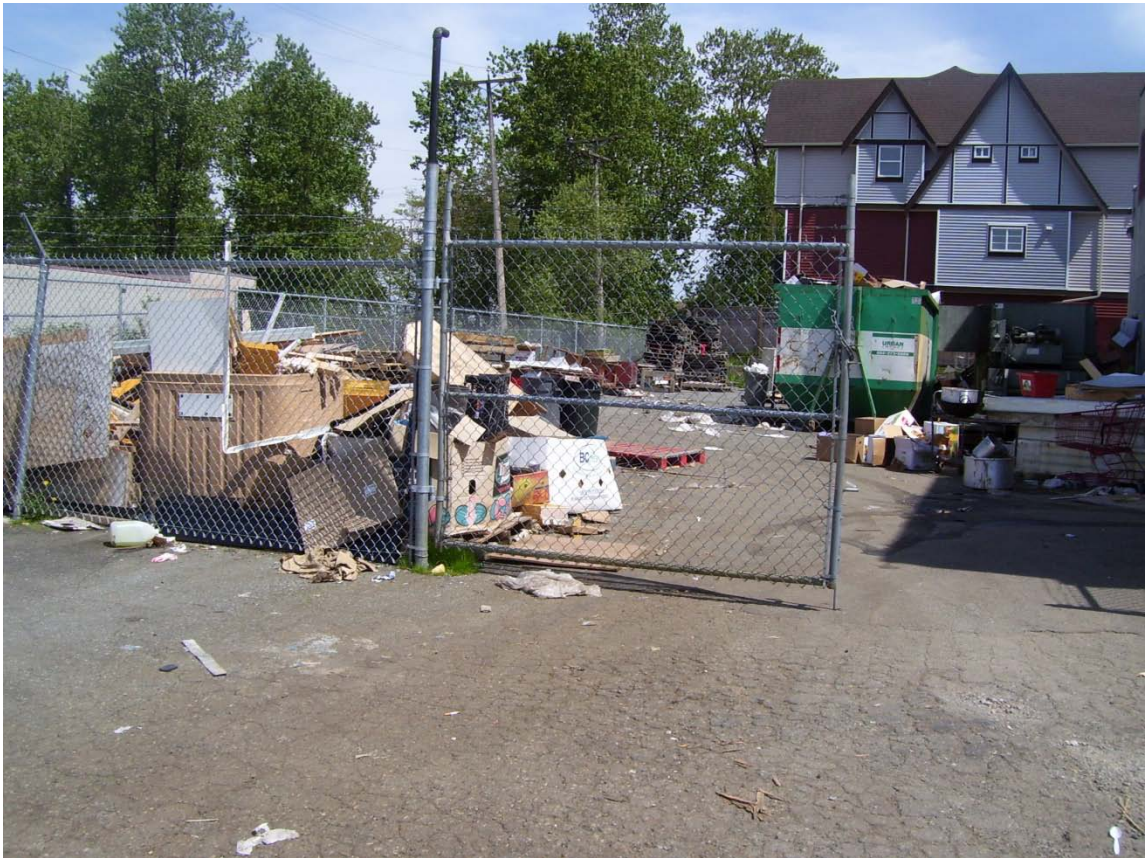
Original signed by
Jean Lamontagne
General Manager
Planning and Development

Attachments:

- Appendix I Map Illustrating the Location of the Property at 9486 - 120 Street
- Appendix II Photographs of the Property











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