

NO: R218

COUNCIL DATE: November 2, 2015

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## REGULAR COUNCIL

TO: **Mayor & Council** DATE: **November 2, 2015**

FROM: **General Manager, Planning and Development** FILE: **5652-19434**

SUBJECT: **Strata Title Conversion of the Commercial Buildings Located at  
5652 Landmark Way**

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## RECOMMENDATION

The Planning and Development Department recommends that Council approve, subject to the concurrent registration of Restrictive Covenants for the proposed Strata Lots 7 and 8 to restrict further strata subdivision until future seismic upgrading of the buildings is completed, the issuance of a Certificate of Approval for the strata conversion of the commercial buildings located at 5652 Landmark Way (the "Property"), 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 to strata-title the existing commercial buildings located on the Property (see the map attached as Appendix I and the proposed Strata Plan attached as Appendix II). 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 two multi-tenant commercial buildings. The building permits for the construction of the buildings were concluded by the Building Division in 1998. Photographs of the subject buildings are attached as Appendix III.

The Property is located in a Light Impact Industrial (IL) Zone and is subject to Development Permit No. 6791-0309-00. The building is non-conforming with respect to the current Zoning By-law setbacks. There are no concerns, from a Planning perspective regarding the proposed stratification of the buildings.

A series of inspections of the Property and its improvements (i.e., the buildings) have been completed by staff. The applicant's consultants have reviewed the buildings to certify they are of reasonable quality, given their age, and to verify the buildings meet current health and safety requirements. The consultant's report indicated certain remedial upgrading of the buildings was required, including seismic upgrading.

The applicant obtained a building permit to correct the deficiencies noted by staff and the consultants. The work covered under the building permit was concluded on October 6, 2015. However, due to long term tenants under lease agreement, some of the seismic upgrades in proposed Strata Lots 7 and 8 will not be completed until the current lease agreements end. The applicant has submitted Restrictive Covenants for both proposed Strata Lots 7 and 8 to restrict further strata subdivision until the seismic upgrading is completed.

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

Bylaws & Licensing Services and Realty Services have reviewed this report and have no concerns.

Subject to Council approval of the recommendation of this report, the Approving Officer will be in a position to sign the Strata Plans.

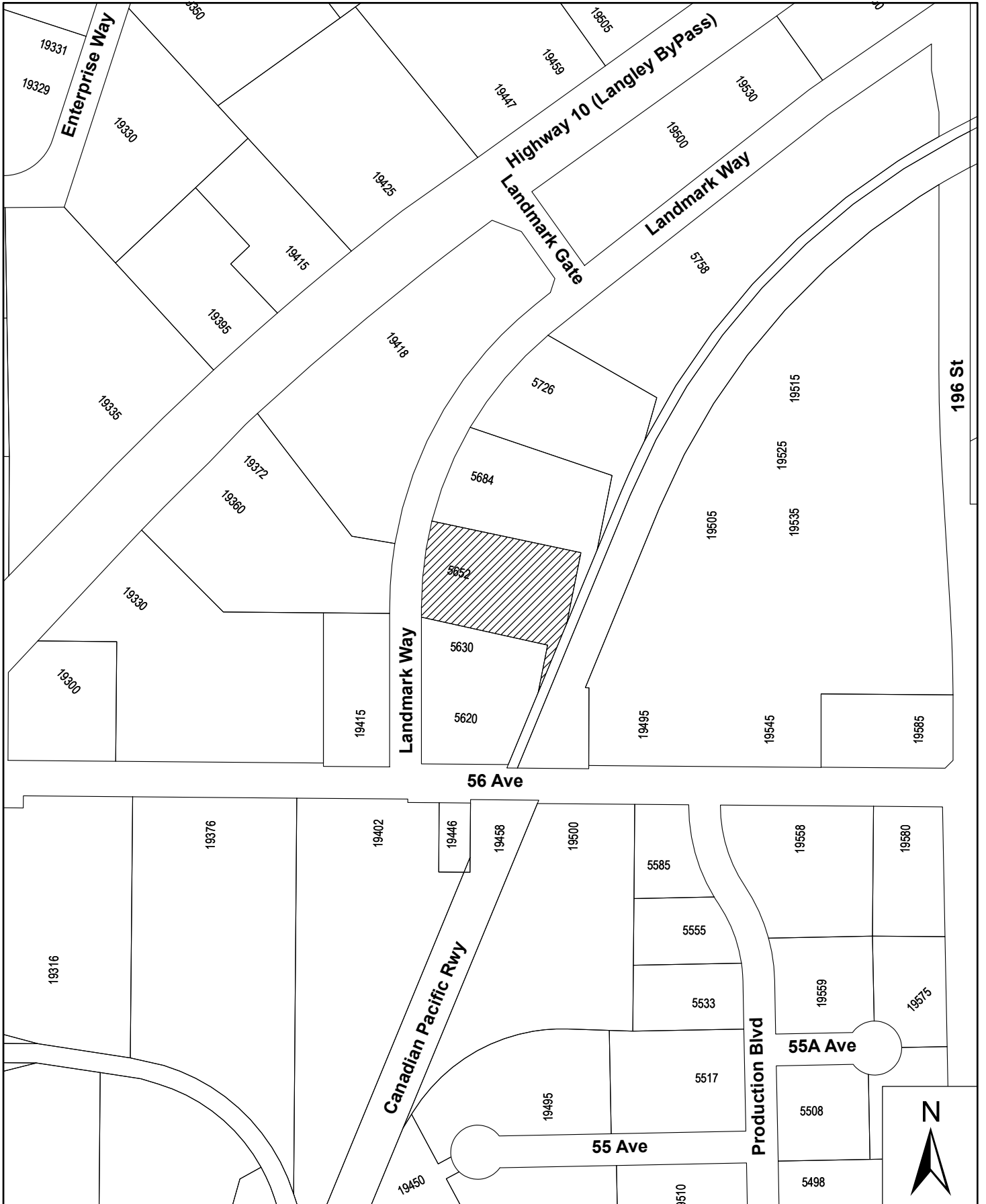
## CONCLUSION

Based on the above discussion, it is recommended that Council approve, subject to the concurrent registration of Restrictive Covenants for the proposed Strata Lots 7 and 8 to restrict further strata subdivision until future seismic upgrading of the buildings is completed, the issuance of a Certificate of Approval for the strata conversion of the commercial buildings located at 5652 Landmark Way, in accordance with the *Strata Property Act*.

*Original signed by*  
Jean Lamontagne  
General Manager  
Planning and Development

### Attachments:

Appendix I    Map  
Appendix II    Proposed Strata Plan  
Appendix III    Photographs



**STRATA PLAN OF LOT 59  
Sec 10 Tp 8 NWD PLAN 64442**

SHEET 1 OF 5 SHEETS  
**STRATA PLAN EPS1721**

B.C.G.S. 926.017



**"ALL DISTANCES ARE IN METRES"**

The intended plot size of this plan is 432mm in height by 280mm in width (B size) when plotted at a scale of 1:1000

**INTEGRATED SURVEY AREA NO.1. SURREY  
NAD83 (CSRS)**

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC CONTROL MONUMENTS 5165 AND 5940

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES UNLESS OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.9996077 WHICH HAS BEEN DERIVED FROM GEODETIC CONTROL MONUMENTS 5165 AND 5940

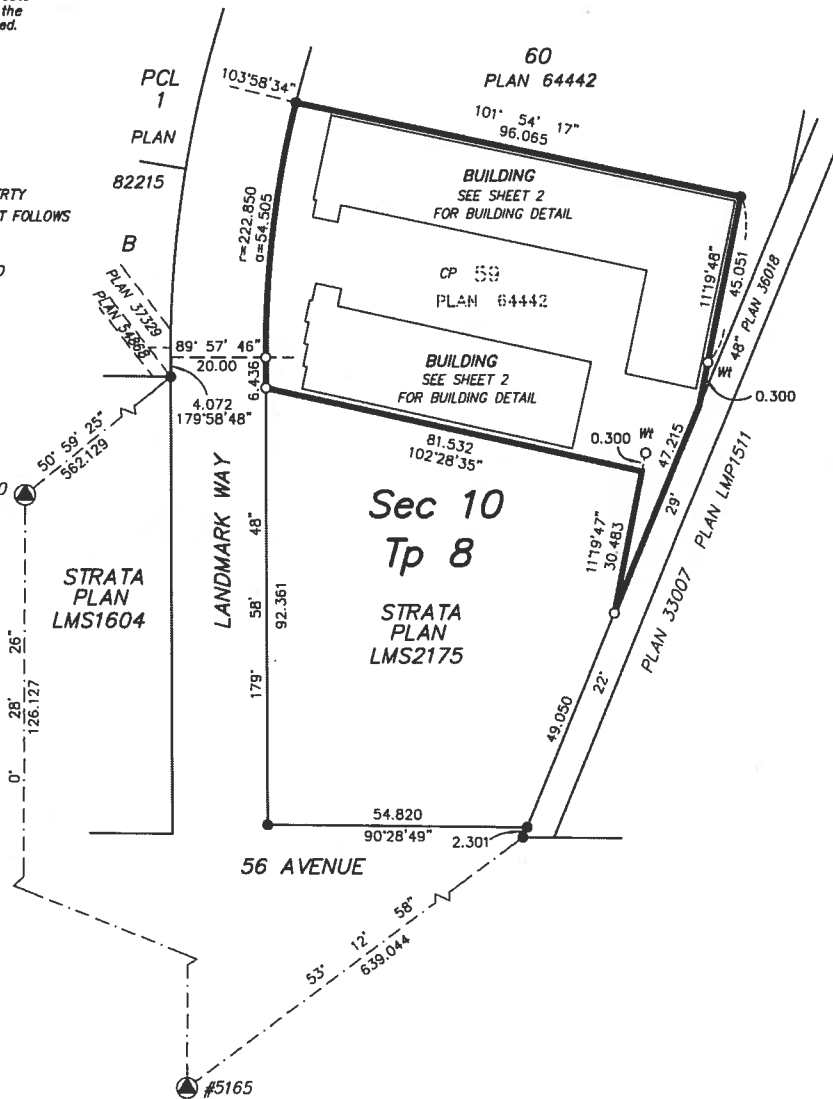
**NOTE:**

This plan shows one or more witness posts which are set along the production of the property boundary unless otherwise noted.

Witness exaggerated for clarity.

**LEGEND**

- SL DENOTES STRATA LOT
- m2 DENOTES SQUARE METRES
- CP DENOTES COMMON PROPERTY
- LCP DENOTES LIMITED COMMON PROPERTY APPURTENANT TO STRATA LOT NO. THAT FOLLOWS
- EL DENOTES ELECTRICAL ROOM
- NW DENOTES WALL NOT CONSTRUCTED
- STANDARD IRON POST FOUND
- STANDARD IRON POST PLACED
- STANDARD LEAD PLUG PLACED
- W DENOTES WITNESS
- ⊙ CONTROL MONUMENT FOUND



The buildings 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

**CIVIC ADDRESS**

#5652 LANDMARK WAY  
SURREY, B. C.

NOTE: STRATA LOT DIMENSIONS ARE TO EXTERIOR WALL CENTRE OF DEMISING WALLS AND COMMON PROPERTY FACE OF WALL (electrical & sprinkler rooms)

SOUTH FRASER LAND SURVEYING LTD.  
B.C. LAND SURVEYORS  
SUITE 101 - 7485 130th STREET  
SURREY, B.C. V3W 1H8  
TELEPHONE: 604 599-1886  
FILE: 13863-S1-2014-2

THIS PLAN LIES WITHIN THE JURISDICTION OF THE APPROVING OFFICER FOR THE CITY OF SURREY

THIS PLAN LIES WITHIN THE CITY OF SURREY

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 28th DAY OF NOVEMBER, 2014  
DAVID J. DYCK BCL5 (543) 13863-S1-2014-2

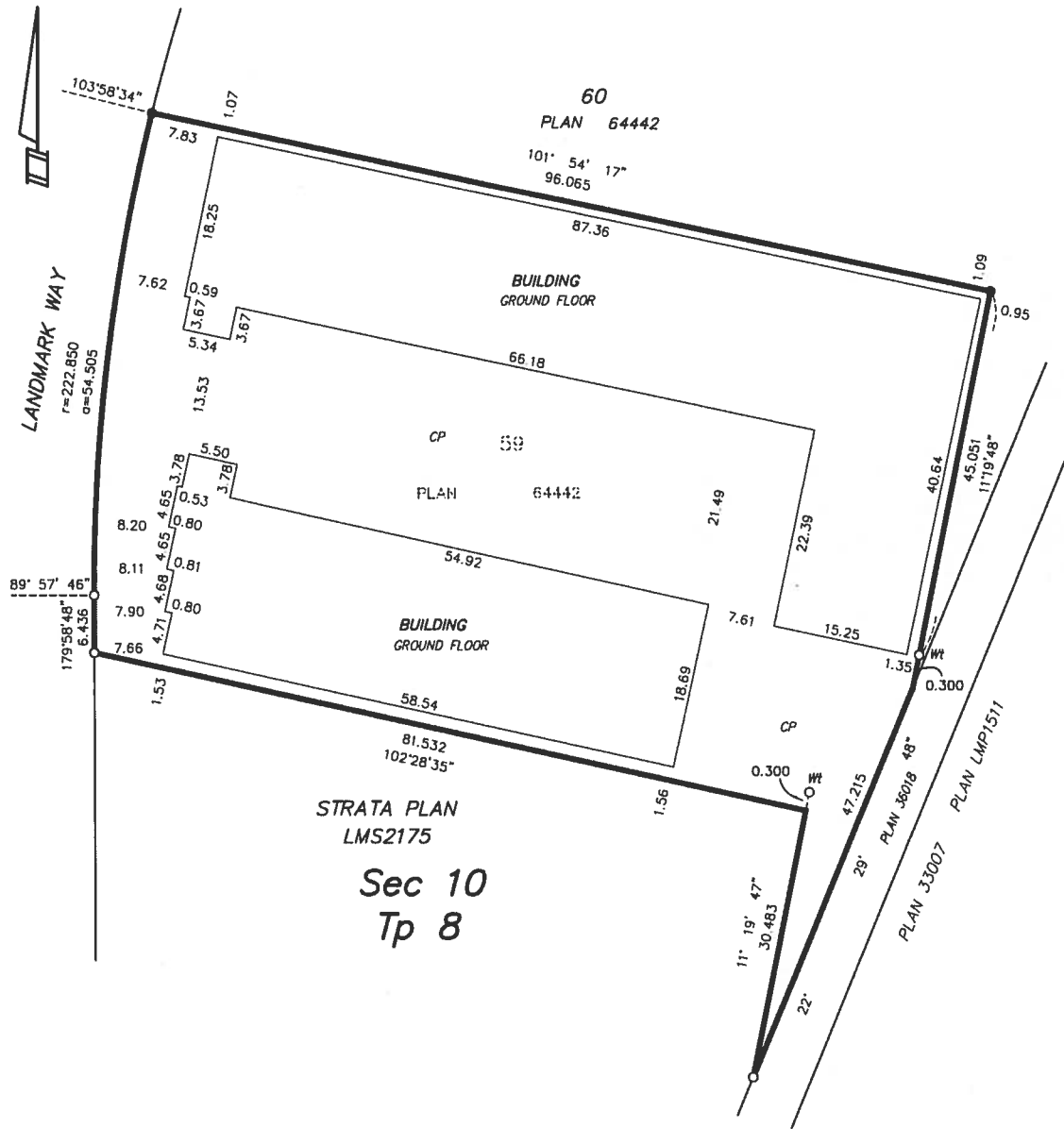
**BUILDING DETAIL**

SHEET 2 OF 5 SHEETS  
**STRATA PLAN EPS1721**



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 SURREY, B.C. V3W 1H8  
 TELEPHONE: 604 599-1886  
 FILE: 13863-52-2014-2

This sheet shows dimensions to face of exterior walls

DAVID J. DYCK BCLS (543)  
 NOVEMBER 28, 2014

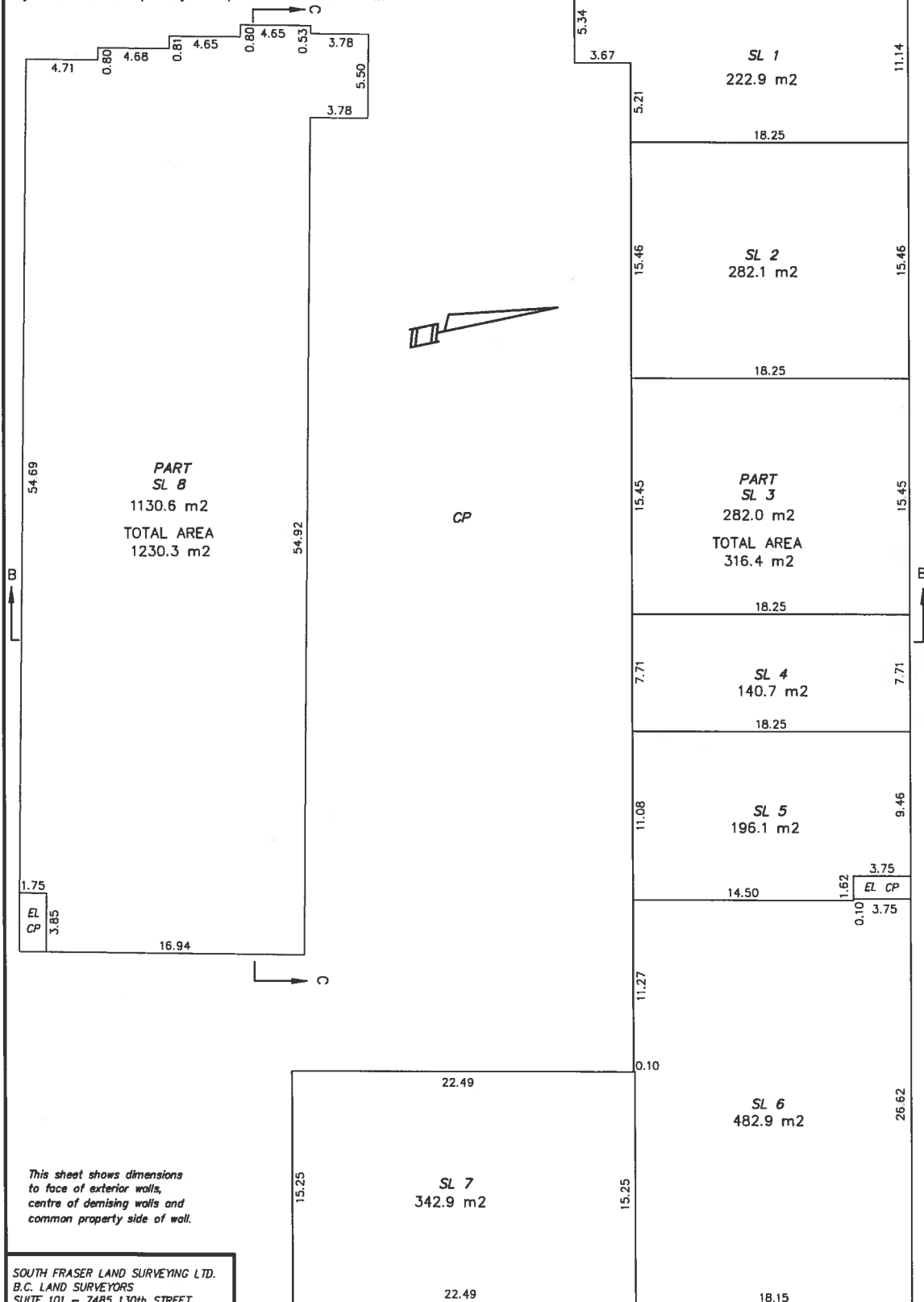
13863-52-2014-2

**FIRST FLOOR: STRATA LOTS 1, 2 AND 4 TO 7  
AND PART OF STRATA LOTS 3 AND 8**

SHEET 3 OF 5 SHEETS  
**STRATA PLAN EPS1721**



The intended plot size of this plan is 432mm in height by 280mm in width (B size) when plotted at a scale of 1:250



*This sheet shows dimensions to face of exterior walls, centre of demising walls and common property side of wall.*

**SOUTH FRASER LAND SURVEYING LTD.**  
B.C. LAND SURVEYORS  
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FILE: 13863-S2-2014-2

DAVID J. DYCK BCLS (543)  
NOVEMBER 28, 2014 13863-S2-2014-2

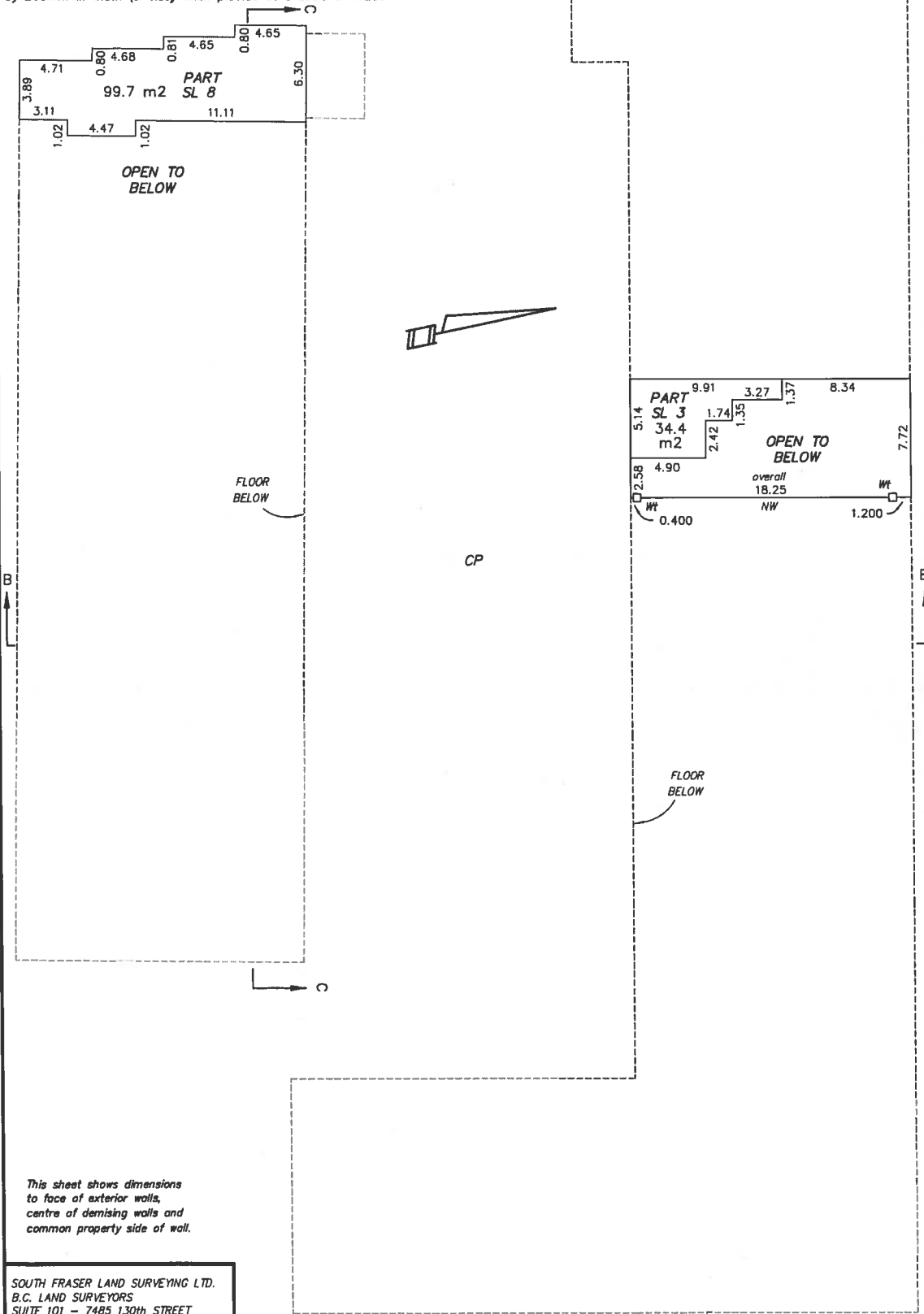
**SECOND FLOOR:  
PART OF STRATA LOTS 3 AND 8**

SHEET 4 OF 5 SHEETS  
**STRATA PLAN EPS1721**



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This sheet shows dimensions to face of exterior walls, centre of demising walls and common property side of wall.

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DAVID J. DYCK BCLS (543)  
NOVEMBER 28, 2014 13863-S2-2014-2

SECTIONS



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