
Condo Smarts

Headline: Land Use for Bare Land Strata Corporations

Topic: Bare Land Stratas

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Dear Tony: Under the current land use exemptions and expansion allowing for infill housing, or multiple units on a single property, our strata council in Vernon has been advised by an owner we have to allow for subdivision and expansion of strata lots in our bare land strata. Are bare land strata corporations required to permit additional housing as part of the expansion program?

Dawn M.

Dear Dawn: With or without the legislation, it is possible to subdivide a bare land strata lot to permit expansion and development; however, there are a significant number of obstacles to overcome, including the approval of your community. A bare land strata lot is the area of land defined on the registered strata plan. The buildings on strata lots are not shown on the strata plan as they are not the responsibility strata corporation to maintain and repair. Bare land strata corporations vary from as few as 2 lots to as many as 700 lots in large planned communities.

The benefit of a bare land strata is the reduced requirement for setbacks, access and services, enabling higher density on a single property. Many bare land strata corporations are a postage size lot no larger than the home on the strata lot, without any expandable property, however there are also some bare land strata corporations where each lot may be 2-25 hectares enabling future subdivision and development.

Before your strata corporation considers a subdivision request of a bare land strata lot, a development consultant is recommended to lay out all of the steps necessary before your community considers the request. Building schemes are covenants registered on the title of each strata lot and may restrict or limit design, use of property and prohibit subdivision of strata lots. Likewise

strata corporation bylaws may apply to the same conditions.

Any amendments required to the registered strata plan, schedule of unit entitlement or voting entitlement would require a unanimous vote of the corporation, and the infrastructure of sanitary, water, gas and electric services may have capacity limits to the existing property design of one residence per strata lot. The impact on adjacent strata lots, surface drainage, construction access, environmental implications and permitted zoning use are also a consideration.

An evaluation of the liabilities to the corporation should be determined to negotiate an agreement where the applicant would assume responsibility for all costs, and a satisfactory deposit to protect the owners in your bare land strata. Possible to subdivide? Yes, but it will require a lengthy and costly approval process.