
TO: CITY MANAGER **DATE:** 2013 November 19

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** PC 86000 20
Reference: STR #13-6

SUBJECT: STRATA TITLE APPLICATION #13-6
7251 Kitchener Street

PURPOSE: To obtain Council authority for strata titling of an existing occupied two-family dwelling.

RECOMMENDATION:

1. **THAT** Strata Titling of 7251 Kitchener be approved subject to complete satisfaction of the Guidelines for Conversion of Existing and Occupied Two-Family Dwellings into Strata Title Units.

REPORT

The Planning and Building Department is in receipt of an application for strata title approval of an existing owner occupied two-family dwelling constructed in 2006 at the above location. Council approval is required when strata titling of existing occupied two-family dwellings is requested. The conversion is being pursued in accordance with Section 242 of the Strata Property Act.

The subject property is zoned R4 Residential District, but is designated in the Montecito Community Plan (see *attached* sketch) for future consolidation and redevelopment for low density Multiple Family Residential. In 2005 July 26, a Siting Approval application (SIT#05-39) was granted for a new two-family dwelling at the subject site in line with the prevailing R4 zoning regulations. It is noted that 1241/1243 Greystone Drive, directly north of the subject site, is developed with a stratified two-family dwelling (17 years old). A review of the surrounding properties indicates that the established neighbourhood pattern consists of single and two-family dwellings built between 1981 and 2006, and one property built upon in 1951. Redevelopment of this small yet stable and established single-family area for multiple-family, in line with the adopted community plan, is unlikely, as the existing homes are fairly new and well maintained. Inasmuch as stratifying the said two-family dwelling is consistent with both the subject site's use and development and the prevailing neighbourhood's character and, given that approval of the

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subject strata title application will not further frustrate development in line with the adopted plan, this department is in support of the stratification of the existing two-family dwelling.

At the present time, the two-family dwellings are owned and occupied by Adelino Carduso and Ivone Carduso, Tolentino Carduso and Tabitha Carduso.

This application has been circulated to the Engineering, and Planning and Building Departments to ensure all Zoning Bylaw and Building Code issues have been addressed. All departmental approvals have been substantially met through the submission of an independent health consultant's certificate guaranteeing that the property is free of any infestation and confirmation of the building's structural and mechanical integrity by the Chief Building Inspector.

With Council approval for the strata titling of the subject property, the owners would be requested to submit the required strata plans and legal fees. Once received, the necessary covenant will be prepared by the City Solicitor to ensure that each unit is used as a single-family dwelling only and, after the requisite signatures are obtained, the documents and plans will be registered at the Land Title Office.



Lou Pelletier, Director
PLANNING AND BUILDING

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Attachment

cc: Director Engineering
Director Engineering – Environmental Engineering
Chief Building Inspector
City Solicitor

