



Province of
British Columbia

Ministry of
The Environment

Parliament Buildings
Victoria
British Columbia
V8V 1X5

THE SURVEYOR GENERAL
LEGAL SURVEYS BRANCH

Circular
YOUR FILE Letter
OUR FILE No. 281
April 18, 1978

CIRCULAR LETTER TO ALL BRITISH COLUMBIA LAND SURVEYORS

Dear Sir:

Re: Strata Titles Act Regulations

The following regulations are enclosed for your records, and will bring you up to date on matters relative to the Strata Titles Act.

B.C. Reg. 73/78 - A proclamation, effective 16th February 1978, which brings into force the Strata Titles Amendment Act, 1977 (No. 2) Note that Sec. 14(b) and Sec. 57 are not included in the proclamation.

B.C. Reg. 74/78 - Stipulates the wording of the certificate required under Sec. 4(1) of the Act, and the certificate for approval of a phased strata development under Sec. 4(2) of the Act.

B.C. Reg. 75/78 - Bare Land Strata Regulations, issued by the Ministry of Municipal Affairs and Housing. These regulations cover the requirements necessary for approval of a Bare Land Strata Subdivision. Note that where dedicated access is required for through roads, access to lands beyond or to water, a separate subdivision plan is necessary to effect dedication.

B.C. Reg. 87/78 - Regulations of the Surveyor General Regarding Monumentation of Surveys and Preparation of Plans Under Authority of Sections 3(4)(b) and 3(5)(c) of the Strata Titles Act.

Note that under Sec. 2.01 of these regulations a heavy black line may be substituted for red outlining.

Under Sec. 2.03, at the discretion of the Registrar, a separate Reference Plan under Sec. 106A of the Land Registry Act may be required to record new posting and dimensioning of the single parcel.

B.C. Reg. 89/78 - Pursuant to the Constitution Act, administration of the Strata Titles Act is transferred, as of March 1, 1978, to the Ministry of Consumer and Corporate Affairs.

B.C. Reg. 534/74, 813/74 and 562/75 were previously supplied to you under Circular Letter Nos. 251, 256 and 267, and these regulations remain in effect.

Yours truly,

R. W. Thorpe,
Acting Surveyor General

RWT:mw
Encl.

STRATA TITLES ACT

REGULATIONS OF THE SURVEYOR-GENERAL REGARDING MONUMENTATION OF SURVEYS AND PREPARATION OF PLANS UNDER AUTHORITY OF SECTIONS 3 (4) (b) AND 3 (5) (c) OF THE STRATA TITLES ACT

Division (1)—Bare Land Strata Monumentation

1.01 The monumentation of strata lots, access routes, limited common property, and easements for services in the bare land strata development shall be in accordance with the monumentation required by Division (3) of the instructions regarding surveys and plans made in compliance with the provisions of the *Land Registry Act* (B.C. Reg. 578/76), except that a type 6 monument shall not be used in any circumstance unless it is witnessed by a monument of a superior authorized type.

1.02 Alternatively, where bare land strata lots are small in comparison to normal residential lots in the area and where they are laid out on a regular grid pattern, or for other good reason, prior permission may be obtained from the Surveyor-General to set monuments of either types 1 to 4 at specified intervals. Where this alternative is allowed, a certificate shall be draughted on the face of the plan:

Survey Method Approved

Surveyor-General

Victoria, B.C., _____, 19____

Division (2)—Bare Land Strata Plan Preparation

2.01 Every bare land strata plan shall be prepared in accordance with the requirements of Division (4) of the instructions regarding surveys and plans made in compliance with the *Land Registry Act* (B.C. Reg. 578/76), except that, in lieu of the colour around the area dealt with, a heavy black ink line not less than 1 millimetre in width may be used. Where it is necessary to designate uses by colour, any colour other than red may be used.

2.02 Until such time as metrication becomes mandatory, the dimensions of plans, and plan scales as allowed by Division (4) of B.C. Reg. 5/70, may be used.

2.03 Where buildings exist on land to be divided by a bare land strata plan, only the buildings which are located on common property shall be shown on the plan. Should buildings exist on land to be created as strata lots, those can be shown on a separate sketch to be submitted to the approval authority, but will not appear on the plan to be deposited. In each case the location of the building shall be shown as per section 3 01 of these regulations.

Division (3)—Strata Plans, General

3.01 Where a certificate is required under section 3 (5) (a) of the *Strata Titles Act* concerning the building shown on the strata plan, the surveyor shall indicate its position on the single parcel by offsets to at least the two closest boundaries. He shall retrace or re-establish all boundaries of the single parcel and show the type of monumentation existing or set at every corner, with complete dimensions of the boundaries.

mh14—1198

CONSTITUTION ACT

ORDER IN COUNCIL 485, APPROVED AND ORDERED MARCH 1, 1978

Pursuant to the *Constitution Act*, and upon the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that, effective March 1, 1978, the administration of the *Strata Titles Act* be transferred from the Minister of Municipal Affairs and Housing to the Minister of Consumer and Corporate Affairs, who is hereby designated as the member of the Executive Council charged with the administration of that Act.

H. A. CURTIS

Minister of Municipal Affairs and Housing

K. R. MAIR

Minister of Consumer and Corporate Affairs

W. R. BENNETT

Presiding Member of the Executive Council

mh14—1206

B.C. Reg. 73/78

Filed February 17, 1978

[L.s.]

W. S. OWEN

Lieutenant-Governor

CANADA:

PROVINCE OF BRITISH COLUMBIA

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom, Canada and Her Other Realms and Territories, QUEEN, Head of the Commonwealth, Defender of the Faith

To all to whom these presents shall come—GREETING

A PROCLAMATION

G. GARDOM
Attorney-General { Whereas Our Lieutenant-Governor, by and with the advice and consent of the Executive Council, has been pleased to direct, by Order in Council in that behalf, that a Proclamation be issued bringing into force sections 1 to 13, 14 (a), (c), (d), and (e), 15 to 56, and 58 of the *Strata Titles Amendment Act, 1977 (No. 2)*, chapter 64, S.B.C. 1977:

NOW KNOW YE that We do by these presents proclaim and declare that sections 1 to 13, 14 (a), (c), (d), and (e), 15 to 56, and 58 of the *Strata Titles Amendment Act, 1977 (No. 2)*, chapter 64, S.B.C. 1977, shall come into force.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Our Province to be hereunto affixed.

WITNESS, Colonel the Honourable WALTER S. OWEN, Q.C., LL.D., Lieutenant-Governor of Our Province of British Columbia, in Our City of Victoria, in Our Province, *this sixteenth day of February in the year of our Lord one thousand nine hundred and seventy-eight*, and in the twenty-seventh year of Our Reign.

By Command.

GRACE MCCARTHY

fe28—1171

Provincial Secretary and Minister of Travel Industry

STRATA TITLES ACT

ORDER IN COUNCIL 417, APPROVED AND ORDERED FEBRUARY 16, 1978

Pursuant to the *Strata Titles Act*, and upon the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that the following regulations be made:

1. The certification of a British Columbia land surveyor under section 4 (1) of the Act shall be written on the strata plan in the following form:

I, _____, British Columbia land surveyor, hereby certify that the building shown in this strata plan has not, as of the _____ day of _____, 19____, been previously occupied.
Dated at _____, British Columbia, this _____ day of _____, 19____.

(British Columbia land surveyor (signature))

2. On the approval of each phase of a strata plan by an approving officer under section 4 (2) of the Act, the approving officer shall write on it "Approved as phase _____ of a _____ phase strata plan under the *Strata Titles Act*" with the date of approval and shall sign it and append below his signature the title:

Approving Officer for _____
(Municipal, or as the case may be) (Name of municipality, or as the case may be)

3. (1) A rental disclosure statement under section 18A of the Act shall be in the following form:

STRATA TITLES ACT

(Section 18A)

RENTAL DISCLOSURE STATEMENT

1. The strata plan in respect of which this statement is made is described as _____ and contains _____ residential strata lots.

2. The residential strata lots described below are under lease as of the date of this statement and the owner-developer intends to lease each strata lot until the date set out opposite its description.

[Describe all strata lots leased by the owner-developer as of the date of this statement.]

Description of Strata Lot	Date Lease Period Ends

3. In addition to the number of residential strata lots described in paragraph 2, the owner-developer intends to lease a further _____ strata lots until 19____.

[Strike out this paragraph if there is a by-law which limits rentals.]

4. There is no by-law of the strata corporation which limits the number of strata lots that may be leased by the owners.

[Strike out this paragraph if there is no by-law which limits rentals.]

4. There is a by-law of the strata corporation which limits the number of strata lots which may be leased by the owners, the text of which is annexed to and forms part of this agreement.

Dated this _____ day of _____, 19____.

(Owner-developer/agent for)

(2) Each rental disclosure statement shall be signed by the owner-developer or his agent before it is delivered to the Superintendent of Insurance or a purchaser.

(3) For the purpose of section 18A (3) and (4), "purchaser" or "prospective purchaser" means a person who signs an agreement to purchase a strata lot from the owner-developer.

4. The contingency reserve fund established under section 20 (1) (b) of the Act shall not exceed 100 per cent of the total annual budget of the strata corporation unless a greater amount has been approved by 75 per cent of the owners.

5. The amount of the holdback to be retained by a purchaser of a strata lot under section 41A of the Act shall be 7 per cent of the gross purchase price unless the strata lot is conveyed to the purchaser after the time limited for filing a lien under section 23 of the *Mechanics' Lien Act* has expired, in which case the holdback to be retained by a purchaser shall be \$1.

H. A. CURTIS

Minister of Municipal Affairs and Housing

GRACE McCARTHY

Presiding Member of the Executive Council

fe28—1172

B.C. Reg. 75/78

Filed February 17, 1978

STRATA TITLES ACT

ORDER IN COUNCIL 418, APPROVED AND ORDERED FEBRUARY 16, 1978

Pursuant to the *Strata Titles Act*, and upon the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that the following regulations be made:

BARE LAND STRATA REGULATIONS

INTERPRETATION

1. In these regulations,

"access route" means those portions of the common property in a bare land strata plan intended to provide vehicular access to the strata lots in the bare land strata plan;

"code" means

(i) a by-law adopted by a council under section 306 of the *Vancouver Charter* or under section 719 of the *Municipal Act*, or by the Trustees of any improvement district under the *Water Act*,

(ii) regulations made by the Lieutenant-Governor in Council under section 719A of the *Municipal Act*, and

(iii) regulations made under the *Health Act*, *Gas Act*, or the *Electrical Energy Inspection Act*;

- "development" means land that has been, or is intended to be, divided into two or more strata lots by the registration of a bare land strata plan in a land registry office;
- "highway" includes a street, road, lane, bridge, viaduct, and any other way open to the use of the public, but does not include a private right-of-way on private property;
- "improvement district" means an improvement district as defined in the *Water Act*;
- "medical health officer" means the medical health officer as defined in the *Health Act*;
- "municipality" means a municipality as defined in the *Municipal Act* and includes the City of Vancouver;
- "potable water" means water which is approved for drinking purposes by a medical health officer under the *Health Act*;
- "professional engineer" means a person who is registered or duly licensed as such under the *Engineering Profession Act*;
- "regional district" means a regional district as defined in the *Municipal Act*;
- "registrar" means a registrar of titles within the meaning of the *Land Registry Act*;
- "zoning by-law" means a zoning by-law within the meaning of the *Municipal Act* and includes a provision in any other by-law of a municipality or regional district regulating the area, shape, dimensions, or use of land.

GENERAL

2. (1) No bare land strata plan shall be approved by an approving officer, unless

- (a) it complies with the official community plan or official settlement plan of the municipality or regional district, as the case may be, where the municipality or regional district has an official community or settlement plan; and
- (b) subject to subsection (2), it conforms to the respective municipal or regional district zoning by-laws and for the purpose of these regulations, a reference in a zoning by-law to "lot" or "parcel" includes a strata lot in a bare land strata plan; and
- (c) it complies with the Act, this regulation, and regulations made by the Surveyor-General.

(2) Notwithstanding subsection (1) (b), where a zoning by-law sets out minimum lot or parcel sizes, the approving officer may approve a bare land strata plan containing strata lots of less than the permitted size so long as

- (a) the total area of the land in the bare land strata plan (exclusive of those portions intended to provide access routes) divided by the number of strata lots intended to be created is not less than the equivalent minimum lot size permitted under the by-law; and
- (b) the approving officer is satisfied that a building or structure appropriate to the intended use can be constructed on each of the strata lots in compliance with the zoning by-law, or in compliance with a

development permit, where a development permit has been issued by the municipality or regional district.

(3) Nothing in this section authorizes the approving officer to approve a bare land strata plan containing a strata lot that is of a size less than the minimum size prescribed under the *Local Services Act*, where the land intended to be included in the bare land strata plan is subject to that Act.

3. (1) In considering an application for the approval of a bare land strata plan, the approving officer may

- (a) at the cost of the owner-developer, personally examine or cause an examination and report to be made on the land intended to be included in the bare land strata plan;
- (b) hear from all persons who, in his opinion, are affected by the bare land strata plan;
- (c) require an owner-developer to state in writing the intended use of the strata lots being created by a bare land strata plan;
- (d) require the owner-developer to provide such plans, designs, specifications, and reports as the approving officer may reasonably require in order to consider the bare land strata plan for approval;
- (e) refuse to approve the bare land strata plan, if he considers that
 - (i) the anticipated development would injuriously affect the established amenities of adjoining or reasonably adjoining properties, or
 - (ii) the deposit of the bare land strata plan is against the public interest, or
 - (iii) the bare land strata plan does not comply with the provisions of these regulations relating to access and the sufficiency of highways required to be dedicated pursuant to these regulations, or
 - (iv) the highways required to be dedicated prior to the approval of the bare land strata plan by the approving officer are not cleared, drained, constructed, and surfaced to his satisfaction, or unless, in such circumstances as he considers proper, security in an amount and in a form acceptable to him is provided by the owner-developer, or
 - (v) it contains land that because of inadequate drainage is not suitable for the intended use or any other prospective use the approving officer considers likely, or
 - (vi) the land is subject or could reasonably be expected to be subject to flooding, erosion, land slip, or avalanche, or
 - (vii) the cost of providing public utilities or other works or services would be excessive, or
 - (viii) the development would adversely affect the natural environment to an unacceptable level.

(2) Subject to subsection (3), where land in respect of which a bare land strata plan is submitted for approval is subject to any of the conditions described in subsection (1) (e) (v), or (vi), the approving officer may approve it if the owner-developer agrees in writing to enter into such covenants registerable under section 24A of the *Land Registry Act* as the approving officer considers advisable.

(3) Notwithstanding subsection (2), where the land intended to be included in a bare land strata plan is subject, or could reasonably be expected to be subject, to flooding, no approving officer shall approve the bare land strata plan without the prior consent of the Deputy Minister of the Environment.

4. Where the land intended to be included in a bare land strata plan is situated in an improvement district, the approving officer shall, within seven days after the bare land strata plan is received by him for approval, notify the Trustees of the improvement district.

HIGHWAYS

5. (1) Where the approving officer considers that portions of the land intended to be included in a bare land strata plan are or may be necessary

(a) for the construction of highways within the municipality or regional district in accordance with any existing Provincial or municipal highway network, plans, or policy; or

(b) to provide necessary and reasonable access by means of a highway to land lying beyond the land intended to be included in the bare land strata plan; or

(c) to provide suitable lanes in continuation of existing lanes,
he may refuse to approve the bare land strata plan unless

(d) the owner-developer has, subject to the limitations in section 713 of the *Municipal Act*, or sections 8 and 16 of the *Highway Act*, as the case may be, dedicated those portions, by registering a subdivision plan in the land registry office; and

(e) the owner-developer has constructed the highway or lane or, in such circumstances as the approving officer considers appropriate, the owner-developer has furnished to the municipality, regional district, or improvement district, security for its construction in an amount and in form satisfactory to the approving officer.

(2) In considering the sufficiency of a highway to be dedicated prior to the approval of a bare land strata plan, the approving officer shall consider

(a) the location and width of the highway;

(b) the configuration of the land intended to be included in the bare land strata plan;

(c) the relation of the highway to be dedicated to an existing highway or approach, whether by land or water, and local circumstances;

(d) on the question of width, the extent of the use, present and future, to which the highway may be put; and

(e) the likely or possible role of the highway in a future highway network serving the area in which the land in the bare land strata plan is situate.

ACCESS ROUTES

6. (1) The approving officer may decline to approve a bare land strata plan if, where he considers access routes are necessary, he considers that

(a) the width of the access routes are not sufficient to meet police and fire protection requirements; or

(b) the access routes are not sufficient to provide practical and reasonable access to the strata lots; or

- (c) the access routes have not been designed or are not capable of being constructed in accordance with standards generally accepted as good engineering practice.

(2) In considering the sufficiency of the access routes, the approving officer may consider

- (a) reports from local fire protection and police authorities;
- (b) engineering studies or reports of a professional engineer on the design and construction of the access routes;
- (c) the proposed use of the land in the bare land strata plan and whether or not the access routes are suited to the use intended;
- (d) the configuration of the land in the bare land strata plan;
- (e) the relation of the intended access routes to an existing highway or approach outside the bare land strata plan,

and the approving officer may, at the cost of the owner-developer, require an engineering study on the sufficiency of the access routes to be prepared by a professional engineer.

7. No bare land strata plan shall be approved by an approving officer unless he is satisfied that the access routes he considers necessary will not encroach on a strata lot.

ACCESS GENERALLY

8. (1) A bare land strata plan shall comply with the following:

- (a) Where the land intended to be included in a bare land strata plan borders

- (i) on a body of water, the bed of which is owned by the Crown, or

- (ii) on the boundary of a strip of land established as the boundary of a water reservoir, and the strip of land and reservoir are owned by the Crown, or

- (iii) on a strip of land 20 m or less in width contiguous to a natural boundary as defined in the *Land Act*,
access shall be given by highways 20 m wide to the body of water and to the strips at distances not greater than 200 m between centre-lines, or, in unorganized territory where the land intended to be included in the bare land strata plan exceeds 0.5 ha, at distances not greater than 400 m between centrelines:

- (b) Where

- (i) the land intended to be included in a bare land strata plan borders on a body of water, the bed of which is owned by a person other than the Crown, and

- (ii) in the case of a lake or pond, where the surface area of the body of water at mean annual high water is at least 1.5 ha, and the mean depth at mean annual high water is at least 0.6 m, or

- (iii) in the case of a river, creek, or watercourse, where the average width of that portion within the bare land strata plan at mean annual high water is at least 6 m and the average depth of that portion at mean annual high water is at least 0.6 m,
access shall be given by highways 20 m wide to the body of water at distances not greater than 200 m between centrelines, or in unorgan-

ized territory where the land intended to be included in the bare land strata plan exceeds 0.5 ha, at distances not greater than 400 m between centrelines; but paragraph (ii) does not apply to a reservoir or pond where the bed is owned by a public body other than the Crown and used for the purpose of domestic or industrial water supply.

(2) The Minister of Highways and Public Works may, on application supported by an affidavit and, where the approving officer is not an employee of the Ministry of Highways and Public Works, the written recommendation of the approving officer, grant relief from a strict compliance with this section.

(3) The grant of relief under subsection (2) may be evidenced by a certificate endorsed on the bare land strata plan and signed by the Minister of Highways and Public Works, or by an approving officer of the Ministry of Highways and Public Works.

9. (1) Where the land intended to be included in a bare land strata plan adjoins a lake, river, stream, or other body of water, the approving officer may refuse to approve it unless the owner-developer has provided by dedication without compensation a strip of land not exceeding 7 m in width along the bank or shore for the purpose of providing public access, if, in his opinion, it is in the public interest to do so.

(2) Land dedicated under this section shall be measured from

- (a) the high-water mark; or
- (b) the controlled high-water mark; or
- (c) the natural boundary of the lake, river, stream, or other body of water as defined by the *Land Act*,

whichever is applicable.

(3) The amount of land provided for public access under this section shall not exceed 5 per cent of the land in the bare land strata plan.

(4) This section does not apply where the smallest strata lot intended to be created by the bare land strata plan exceeds 2 ha.

10. A dedication of land for public access by highways or otherwise under section 8 or 9 of this regulation shall be effected by the registration of a subdivision plan in the land registry office.

11. (1) Except in the case of a municipality that has adopted an official community plan and

- (a) the official community plan has been approved by the Minister of Highways and Public Works; and
- (b) the land in a bare land strata plan is in an area of the municipality covered by the official community plan,

the approving officer shall not approve that bare land strata plan if it deals with land in the municipality adjacent to a controlled access highway, as defined in the *Controlled Access Highways Act*, unless and until it has first been approved by an approving officer for unorganized territory.

OFF-SITE SERVICES

12. Where land in a bare land strata plan would, if subdivided under the *Land Registry Act*, be required to be connected by water, sewer, or storm drainage mains to a water utility, community water system, sewage collection and disposal system,

or a drainage system operated by a municipality, regional district, improvement district, water district, or any other public authority pursuant to a by-law regulating the subdivision of land under the *Municipal Act* or *Water Act*, the approving officer shall not approve the bare land strata plan unless

- (a) the water, sewer, and storm drainage mains connecting the land to the utility or systems have been constructed in accordance with the standards and procedures set out in the by-law; or
- (b) the owner-developer has, in such circumstances as the approving officer considers appropriate, furnished security to the municipality, regional district, or improvement district for the cost or his portion of the cost of constructing the water, sewer, and storm mains in form satisfactory to the approving officer.

ON-SITE SERVICES

13. (1) Where land intended to be included in a bare land strata plan is required to be connected to a water utility, community water system, sewage collection and disposal system, or a drainage system pursuant to a by-law enacted under section 711 of the *Municipal Act* or section 59 of the *Water Act*, the approving officer shall not approve the bare land strata plan unless he is satisfied that a water-distribution system, sewage-collection system, and drainage system serving all the strata lots can be constructed on the land in accordance with the standards set out in the codes, or where the codes do not provide standards in accordance with standards generally accepted as good engineering practice.

(2) Where the land intended to be included in a bare land strata plan is not required to be connected to a water utility or community water system, the approving officer shall not approve the bare land strata plan unless

- (a) he is satisfied that each strata lot intended to be created has an adequate proven source of potable water or will have a supply of potable water adequate for its use or any prospective use the approving officer considers likely; or
- (b) a water-distribution system connecting all the strata lots to an adequate proven source of potable water has been constructed on the land in accordance with the standards set out in the codes, or where the codes do not provide standards, in accordance with standards generally accepted as good engineering practice.

(3) Where the land intended to be included in a bare land strata plan is not required to be connected to a sewage collection and disposal system, the approving officer shall not approve the bare land strata plan unless

- (a) he is satisfied that a sewage-disposal system can be constructed on each strata lot in accordance with the standards set out in the codes; or
- (b) a sewage-collection system connecting each strata lot to a common or other sewage-disposal facility has been constructed on the land in accordance with the standards set out in the codes, or where the codes do not provide standards, in accordance with standards generally accepted as good engineering practice.

(4) Where

(a) the land or any part of the land intended to be included in a bare land strata plan is not suitable for its intended or any other likely use because of inadequate drainage; and

(b) the owner-developer has agreed to install a drainage system that will, in the opinion of the approving officer, provide adequate drainage,

the approving officer shall not approve the bare land strata plan unless the drainage system has been constructed on the land in accordance with standards generally accepted as good engineering practice, and provides adequate drainage.

(5) In such circumstances as the approving officer considers appropriate, he may approve a bare land strata plan where the requirements of subsection (2), (3), or (4) are not met if the owner-developer agrees in writing to enter into such covenants registerable under section 24A of the *Land Registry Act* as the approving officer considers advisable.

(6) For the purpose of this section, the approving officer may rely upon a certificate of a professional engineer as evidence of standards generally accepted as good engineering practice.

14. (1) Where the source of potable water intended to supply the development is on land not intended to be included in the bare land strata plan, the approving officer shall not approve it unless he is satisfied that the owner-developer has obtained all rights-of-way or easements necessary to transport water from the source to the development.

(2) Where the owner-developer intends to supply the development with water from a source regulated under the *Water Act*, the owner-developer shall obtain a licence to divert and use the amount of water required to serve the development prior to the approval of the bare land strata plan by the approving officer.

(3) Where a discharge of sewage from or within a development is within the terms of the *Pollution Control Act*, the owner-developer shall obtain a provisional permit for that discharge prior to the approval of the bare land strata plan by the approving officer.

15. Where

(a) an owner-developer intends or is required to provide the development with a water-distribution system, sewage-disposal system, or drainage system; and

(b) if any of the pipes or lines comprised in the systems are intended to be laid on or under a strata lot

the approving officer shall not approve the bare land strata plan unless the owner-developer agrees, in writing, to register such easements as the approving officer considers sufficient to ensure that the strata corporation will have the right to enter on the strata lots affected and to install, repair, maintain, or replace the pipes or lines.

16. Notwithstanding section 13 of this regulation, where

(a) a water-distribution system, sewage-collection system, or drainage system is required to be constructed prior to the approval of a bare land strata plan by the approving officer; and

(b) the required systems have not been constructed on the land intended to be included in the bare land strata plan at the time it is submitted to the approving officer for approval,

the approving officer may, in such circumstances as he considers appropriate, approve the bare land strata plan if the owner-developer has furnished security for the cost of constructing the systems in an amount and form satisfactory to the approving officer.

VEHICLE PARKING

17. A bare land strata plan shall provide as common property, limited common property or otherwise, such areas for the parking of automobiles as the approving officer considers necessary to meet the normal parking requirements of the development, having regard to the number and size of the strata lots intended to be created, the width of the access routes intended to be provided and the intended use of the strata lots.

APPROVAL

18. On the approval of a bare land strata plan, the approving officer shall write on it "Approved as a bare land strata plan under the Strata Titles Act" with the date of approval and shall sign it and append below his signature the title

Approving Officer for _____
(Municipal, or as the case may be) (Name of municipality, or as the case may be)

SUBMISSION OF PLANS FOR APPROVAL

19. (1) A bare land strata plan shall be tendered for examination and approval by the approving officer

- (a) where the land affected is within a municipality to the municipal clerk; and
- (b) where the land affected is within an unorganized territory, to the district highway manager of the Ministry of Highways and Public Works, or where an employee of a regional district is the approving officer, to the secretary-treasurer of the regional district.

(2) The bare land strata plan shall be accompanied by

- (a) an examination fee in an amount equal to the sum of \$25 plus \$10 for each strata lot intended to be created; and
- (b) a certificate that all taxes assessed on the land have been paid, and where local improvement taxes, rates, or assessments are payable by instalments, that all instalments owing at the date of the certificate have been paid.

(3) Where a bare land strata plan is tendered for examination and approval after the expiration of three months after the date the survey is completed, the approving officer may require the surveyor who carried out the survey to inspect the survey and

- (a) satisfy himself that
 - (i) all posts and monuments are in place, and
 - (ii) the survey has not been affected by an intervening survey or a registration, deposit, or filing under the Act or the *Land Registry Act*, and
- (b) write on the plan "Inspected under the Strata Titles Act", with the date of the inspection and his signature.

(4) The surveyor may inspect and certify under subsection (3) before the plan is tendered for approval.

(5) In the event of the death or disability of the surveyor, the Surveyor-General may appoint another British Columbia land surveyor to make the inspection.

20. (1) A bare land strata plan shall be tendered for deposit to the registrar within two months after it has been approved by the approving officer, or within such further time as the registrar, on application made to him before the expiration of the two months, may allow for sufficient cause.

(2) Where the bare land strata plan is not tendered to the registrar within the time allowed, the approval of the plan shall be conclusively deemed to be revoked.

21. (1) Where the approving officer approves a bare land strata plan on the condition that a covenant or easement benefiting or burdening the land or any adjacent land be registered in the land registry office, he shall endorse the condition on the bare land strata plan.

(2) No registrar shall deposit a bare land strata plan until he is satisfied that all conditions endorsed on it by the approving officer have been met.

H. A. CURTIS

Minister of Municipal Affairs and Housing

GRACE McCARTHY

Presiding Member of the Executive Council