



Strata Plan Basic Amendments

Part A

February 3, 2026

Lindsay Bealle, Deputy Registrar

Erik Jones, Senior Customer Operations Specialist

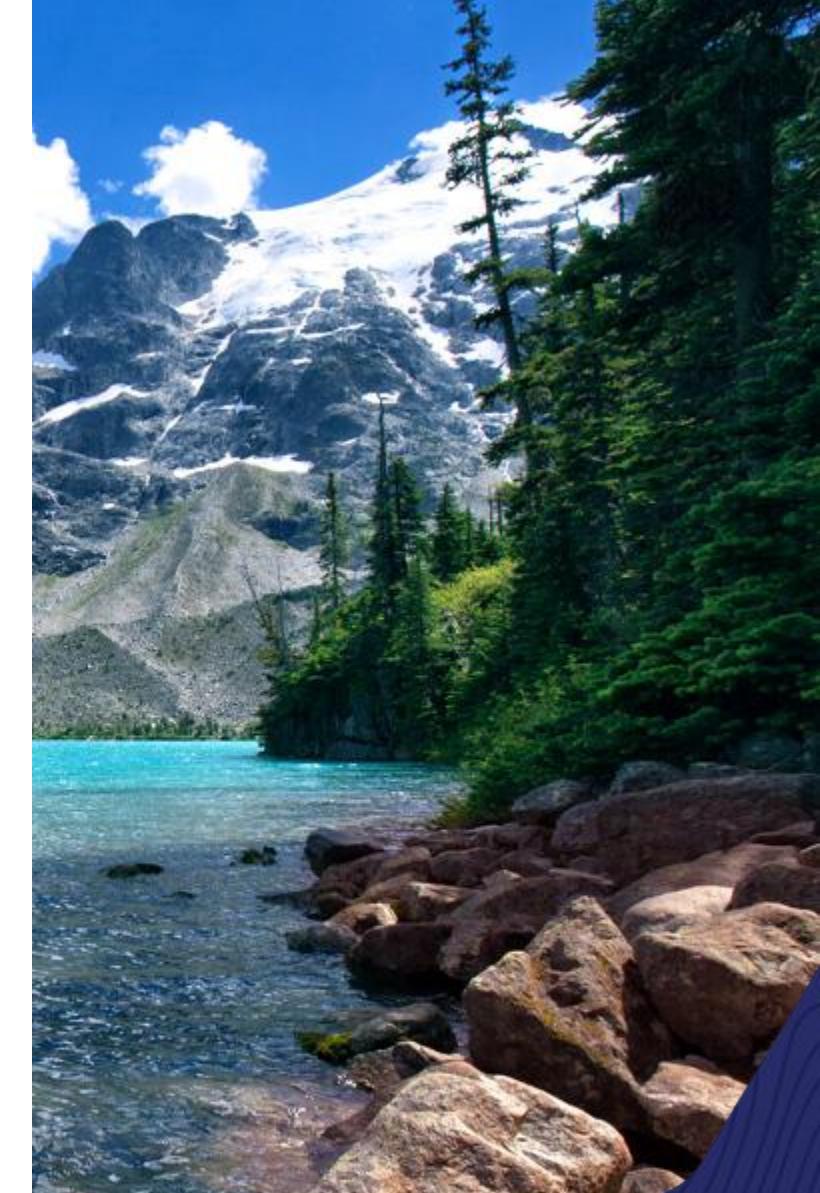
First Nations Acknowledgement

We acknowledge that we are presenting this webinar from the Kamloops Land Title Office on the ancestral, traditional territory of the Tk'emplúps te Secwépemc Nation.

We are privileged to live and work on the traditional and ancestral territories of Indigenous Peoples and Nations throughout British Columbia.

Welcome & Introductory Remarks

- Introductions
- Submit your questions during the presentation
- Include your name, firm name & email
- Recording and PowerPoint
 - [Itsa.ca/professionals/access-to-records/webinar-resources](https://itsa.ca/professionals/access-to-records/webinar-resources)



Land Title and Survey Authority of BC (LTSA)
9,565 TOTAL VIEWS

[cover slide]

Chat

General chat

Today at 8:12 AM

Grace 10:49 AM
Testing. Testing.

Grace 10:49 AM
👍

Send a message...

Type Here

Survey

Resources

Webinar Resources

Videos About Privacy

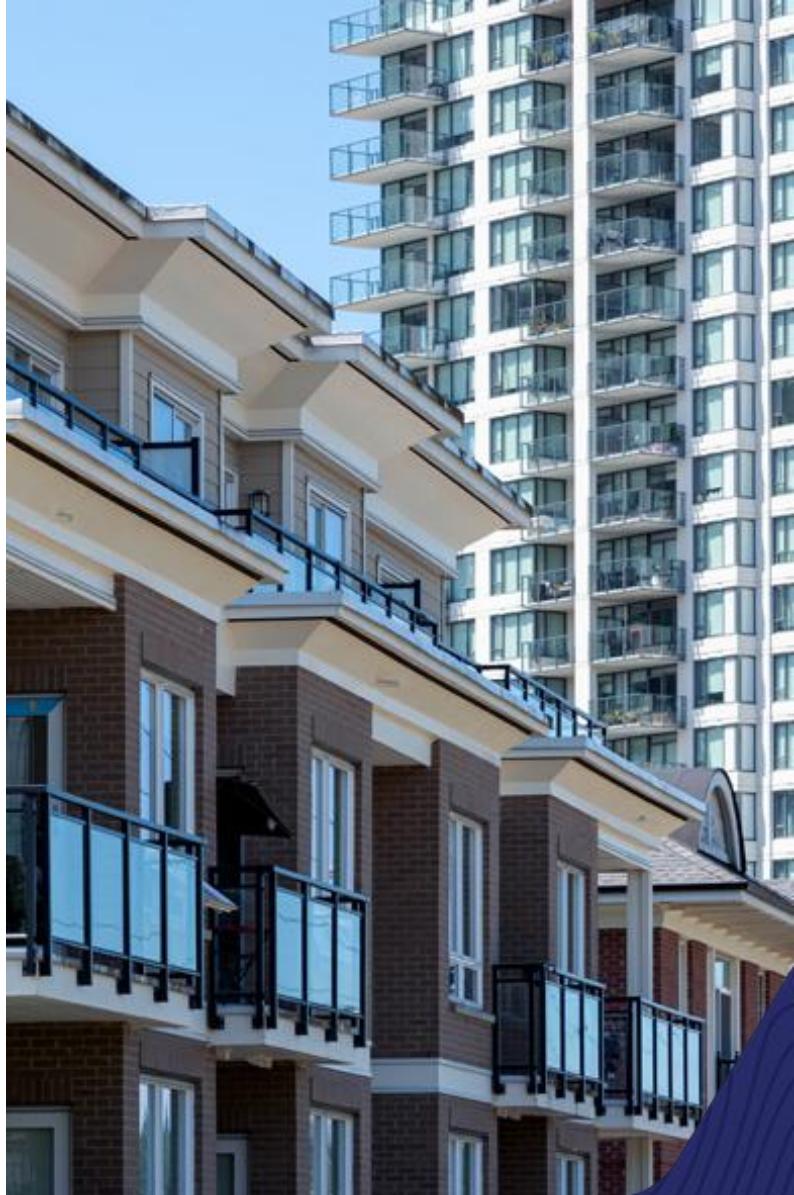
Troubleshooting Webinar Survey

We want to hear from you. Please fill out the survey after the webinar.

Link to presentation (PPT) and recording:

Agenda

- Limited Common Property, Designation and Removal
 - (Sections 74, 75, 257 & 258 SPA)
- Amending strata plan to add to, consolidate or divide a strata lot
 - (Section 259 SPA)
- Amending strata plan to add a strata lot to common property
 - (Section 263 SPA)





Abbreviations & Acronyms

- DSPL – Application to Deposit Plan
- SPC – Survey Plan Certification
- SPA – Strata Property Act
- LCP – Limited Common Property
- BCLS – BC Land Surveyor
- SL – Strata Lot
- NOI – Nature of Interest
- CP – Common Property
- UE – Unit Entitlement
- VR – Voting Rights
- ABCLS – Association of BC Land Surveyors
- ALR – Agricultural Land Reserve
- ALC – Agricultural Land Commission

The background of the slide is a high-angle aerial photograph of a rural area. In the foreground, there is a town with a grid-like street pattern and numerous houses. Beyond the town, there are large, green agricultural fields. In the distance, a river winds its way through the landscape. The background features a range of mountains under a clear blue sky.

Sections 74 & 75 *Strata Property Act* Designation and Removal of LCP

Section 73 Strata Property Act

73 Common property may be designated as limited common property

- (a) by the owner developer
 - (i) by a designation on the strata plan when it is deposited in the land title office, or
 - (ii) by a plan amendment under section 258,
- (b) by an amendment to the strata plan under section 257, or
- (c) by a resolution passed at an annual or special general meeting under section 74.

Designation under s. 74 SPA

74 (1) Common property may be designated as limited common property by a resolution passed by a 3/4 vote at an annual or special general meeting.

(2) A resolution passed under subsection (1) must be filed in the land title office with a sketch plan that

- (a) satisfies the registrar,
- (b) defines the areas of limited common property, and
- (c) specifies each strata lot whose owners are entitled to the exclusive use of the limited common property.

(3) A resolution passed under subsection (1) does not have effect until it is filed in the land title office.

(4) The designation of limited common property by a resolution under this section does not require an amendment to the strata plan.

Designation under s. 74 SPA, Cont.

- ✓ Strata Property Act Filing Form
 - ✓ Application Type: Designate Limited Common Property
- ✓ Resolution of the Strata Corporation (3/4 vote)
- ✓ Sketch Plan
 - ✓ Fully delineate the LCP
 - ✓ Identify the Strata Lots that will benefit
 - ✓ Area being designated LCP must be CP

DESIGNATION OF LIMITED COMMON PROPERTY FOR STRATA LOT –
(NUMBER)–, SEE ---(DOC OR PLAN NUMBER)---, FILED ---(DATE)---

Removal of Designation under s 75 SPA

75 (1) If a designation of common property as limited common property was made

- (a) by the owner developer at the time the strata plan was deposited or by a plan amendment by the owner developer under section 258, or
- (b) by an amendment to the strata plan under section 257,

the designation may only be removed by amending the plan under section 257.

(2) If a designation of common property as limited common property was made by a resolution passed by a 3/4 vote under section 74, it may only be removed by a resolution passed by a 3/4 vote at an annual or special general meeting.

(3) A resolution passed under subsection (2) does not have effect until it is filed in the land title office.

(4) The removal of a designation of limited common property by a resolution under subsection (2) does not require an amendment to the strata plan.

Removal of Designation under s 75 SPA, Cont.

- ✓ Strata Property Act Filing Form
 - ✓ Application Type: Remove Designated Limited Common Property
- ✓ Resolution of the Strata Corporation (3/4 vote)
- ✓ Sketch Plan
- ✓ Partial Removal

REMOVAL OF DESIGNATION OF LIMITED COMMON PROPERTY FROM STRATA LOT ##

SEE (Doc. #####) FILED (Date).



Section 257 *Strata Property Act* Designation and Removal of Limited Common Property

Designation or Removal under s. 257 SPA

257 To amend a strata plan to designate limited common property, or to amend a strata plan to remove a designation of limited common property made by the owner developer at the time the strata plan was deposited or by amendment of the strata plan, the strata plan must be amended as follows:

- (a) a resolution approving the amendment must be passed by a unanimous vote at an annual or special general meeting;
- (b) an application to amend the strata plan must be made to the registrar accompanied by
 - (i) a reference or explanatory plan, whichever the registrar requires, that
 - (A) shows the amendment, and
 - (B) is in a form required under the *Land Title Act* for a reference or explanatory plan, and
 - (ii) a Certificate of Strata Corporation in the prescribed form stating that the resolution referred to in paragraph (a) has been passed and that the reference or explanatory plan conforms to the resolution.

Designation under s. 257 SPA, Cont.

- **Application to Deposit Plan (DSPL)**
 - Nature of Interest:
 - Strata (Amendment) **OR** Strata (Hardcopy Amendment)
 - Form E Certificate of the Strata Corporation
 - Form Declaration **OR** Strata Property Act Filing form
 - Signed by at least one member of the strata council
 - Unanimous resolution
- **Survey Plan Certification (SPC)**
 - Reference or Explanatory plan, prepared by a BC Land Surveyor
 - Conforms to the resolution

Application to Deposit Plan (DSPL)

FORM_DSPL_V26

APPLICATION TO DEPOSIT PLAN
AT LAND TITLE OFFICE
PROVINCE OF BRITISH COLUMBIA

[HELP GUIDE](#) [LOCK](#)

PAGE 1 OF 2 PAGES

Your electronic signature is a representation that

(a) you are a subscriber under section 168.6 of the Land Title Act, RSBC 1996 c.250 (the "Act"), and that you are authorized to electronically sign this application by an e-filing direction made under section 168.2(2) of the Act,
(b) if this application requires an execution copy, that you are a designate authorized to certify this application under section 168.4 of the Act, that you certify this application under section 168.42(4) of the Act, and that an execution copy or a true copy of that execution copy is in your possession, and
(c) if this application requires a supporting document, that you are a designate authorized to certify this application under section 168.4 of the Act, that you certify this application under section 168.43(3) of the Act, and that a supporting document or a true copy of that supporting document, if a true copy is allowed under an e-filing direction, is in your possession.

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent) [Import Profile](#)

Deduct LTSA Fees? Yes

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

No PID NMBR [Use 30 Parcel Schedule](#) [Use 3 Parcel Schedule](#)

3. APPLICATION FOR DEPOSIT OF:

PLAN TYPE	PLAN NUMBER	CONTROL NUMBER	NUMBER OF NEW LOTS CREATED
Select Plan Type			

4. OWNER(S): (updated owner(s) name(s), occupation(s), postal address and postal code) [Use Schedule](#)

BRITISH COLUMBIA
CANADA [Joint Tenants ?](#)

5. ADDITIONAL INFORMATION:

Is there a supporting document required for this plan application?
Click on the Help Guide button on the top of this form for more information.

[Add Owner/Charge Signatures](#) [Add Approver Signatures](#) [Add SG Signatures](#) [Use Schedule](#)





Strata Property Act

Form E

[am. B.C. Reg. 289/2000, s. 3.]

CERTIFICATE OF STRATA CORPORATION

(Sections 78, 79, 80, 100, 214, 257, 259, 261, 262, 263, 266, 269, 274, 283 of the Act and sections 17.20 to 17.22 of the Regulation)

CERTIFICATE FOR SECTION 78, 79, 80, 214, 257, 259, 261, 262, 263 OR 266 OF THE ACT OR SECTION 17.20 OF THE REGULATION

The Owners, Strata Plan.....[the registration number of the strata plan] certify that a resolution referred to in section [section number] of the Strata Property Act or section [section number] of the Strata Property Regulation was passed by a [] unanimous vote or [] 3/4 vote [check appropriate vote] at an annual or special general meeting held on [month, day, year], and that the attached instrument, schedule, plan or other document conforms to the resolution.

For the purposes of section 165 (4) (f) of the *Land Title Act*, execution of the attached instrument has been approved by a resolution at an annual or special general meeting in accordance with the requirements of the *Strata Property Act* or the *Strata Property Regulation*, and the instrument conforms to the resolution.

.....
Signature of Council Member

.....
Signature of Second Council Member
(not required if council consists of only one member)

Strata Property Act Form E

Declaration or Strata Property Filing Form

FORM_DECGEN_V22

**LAND TITLE ACT
FORM DECLARATION**

Your electronic signature is a representation that
(a) you are a subscriber under section 168.6 of the Land Title Act, RSBC 1996 or
to electronically sign this document by an e-filing direction made under section
(b) you are a designate authorized to certify this application under section 168.4
1996, c.250, that you certify this application under section 168.43(3) of the act, a
or a true copy of the supporting document, if a true copy is allowed under an e-f
possession, or
(c)if the purpose of this declaration is to bring to the attention of the registrar an
in a previously submitted document under section 168.55 of the act, you certify
knowledge or reasonable belief, this declaration sets out the material facts accur

Related Document Number:

LOCK

PAGE 1 OF 1 PAGES

Strata Property Filing Form Example

bc Land
Title & Survey

Strata Property Act Filing

1. Contact

2. Identification of Attached Strata Property Act Form or Other Supporting Document
Application Type LTO Document Reference

3. Description of Land

Electronic Signature
Your electronic signature is a representation that you are a designate authorized to
certify this application under section 168.4 of the *Land Title Act*, RSBC 1996, c.250,
that you certify this application under section 168.43(3) and that the supporting
document is in your possession.

Survey Plan Certification (SPC)

**SURVEY PLAN CERTIFICATION
PROVINCE OF BRITISH COLUMBIA**

PAGE 1 OF 1 PAGES

Your electronic signature is a representation that you are a British Columbia land surveyor and a subscriber under section 168.6 of the *Land Title Act*, RSBC 1996 c.250. By electronically signing this document, you are also electronically signing the attached plan under section 168.3 of the act.

1. BC LAND SURVEYOR: (Name, address, phone number)**Import Profile**

 Surveyor General Certification [For Surveyor General Use Only]**2. PLAN IDENTIFICATION:**Plan Number: This original plan number assignment was done under Commission #: **3. CERTIFICATION:** Form 9 Explanatory Plan Form 9A

I am a British Columbia Land Surveyor, and I certify that:

- (a) I personally superintended the survey represented by this plan;
- (b) the survey and plan are correct and comply with the Survey and Plan Rules and all applicable statutes.

The field survey was completed on: 2025 January 01 (YYYY/Month/DD) The checklist was filed under ECR#:

The plan was completed and checked on: 2025 January 01 (YYYY/Month/DD) None Strata Form S None Strata Form U1 Strata Form U1/U2Arterial Highway Remainder Parcel (Airspace) **4. ALTERATION:** 

*Explanatory Plan To Designate Limited Common
Property For Strata Lots 3 and 5, Section 16,
Range 2 East, North Saanich District, Strata Plan EPS5678.*

Pursuant To Section 257 Of The Strata Property Act

BCGS 92B 063



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

Distances are in metres, unless otherwise noted

Grid bearing are derived from Plan EPS5678

Legend

C Denotes Common Property
 LCP Denotes Limited Common Property
 Pt. Denotes Part
 SL Denotes Strata Lot
 NH Denotes Non Habitable
 typ. Denotes Typical

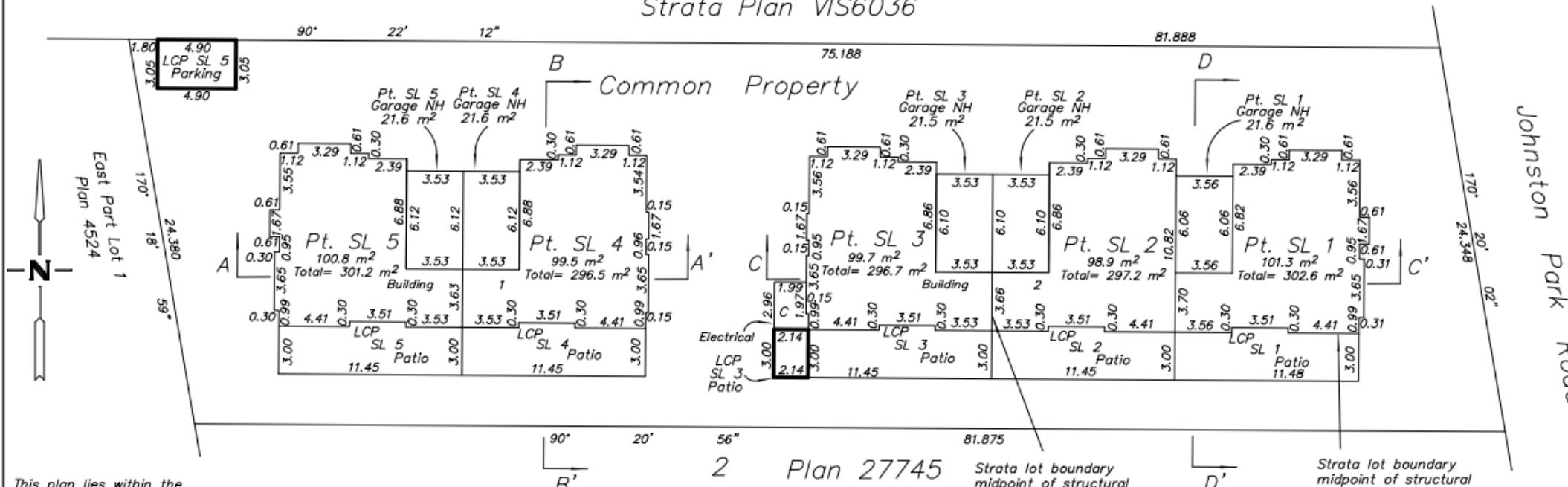
*Amended Sheet 4A of 7 Sheets
Strata Plan EPS5678*

Ground Floor

See Rule 7-15(3)

The area inside the heavy outline is the subject of amendment. Information outside the heavy outline was copied from Sheet 4 of Sheet 7.

Strata Plan VIS6036



*This plan lies within the
_____ Regional District*

*This plan is based on the following Land Title and Survey Authority of BC records:
Plan EPS5678.*

[name of BCLS], BCLS [commission number]
Date

Cross Section arrows on this plan point in the direction of view.

This sheet shows strata lot boundary dimensions to the midpoint of the structural portion of exterior walls and the midpoint between structural portions of party walls between strata lots.

Strata lot boundary
midpoint of structural
portion of party wall
between strata lots (ty)

Designation under s. 257 SPA, Cont.

- ✓ Prepared by a BC Land Surveyor
- ✓ Amended sheet contains all the same information as the original sheet with the addition of the new LCP
- ✓ Amended sheet properly numbered (i.e. AMENDED SHEET 5A OF 20)
- ✓ LCP properly labeled (i.e. LCP SL1)
- ✓ Plan Heading

REFERENCE (OR EXPLANATORY) PLAN AMENDING STRATA
PLAN ##### TO DESIGNATE LIMITED COMMON PROPERTY FOR
THE BENEFIT OF STRATA LOT #
PURSUANT TO SECTION 257 STRATA PROPERTY ACT.

Designation under s. 257 SPA, Cont.

- Amending the strata plan

AMENDED PURSUANT TO SECTION 257 STRATA PROPERTY ACT
THIS DAY OF, 20.... SEE AMENDED SHEET ## OF ## AND
(DOCUMENT NUMBER).

- Notation on the CP record

DESIGNATION OF LIMITED COMMON PROPERTY FOR STRATA LOT ##
SEE (Doc. #####) FILED (date).



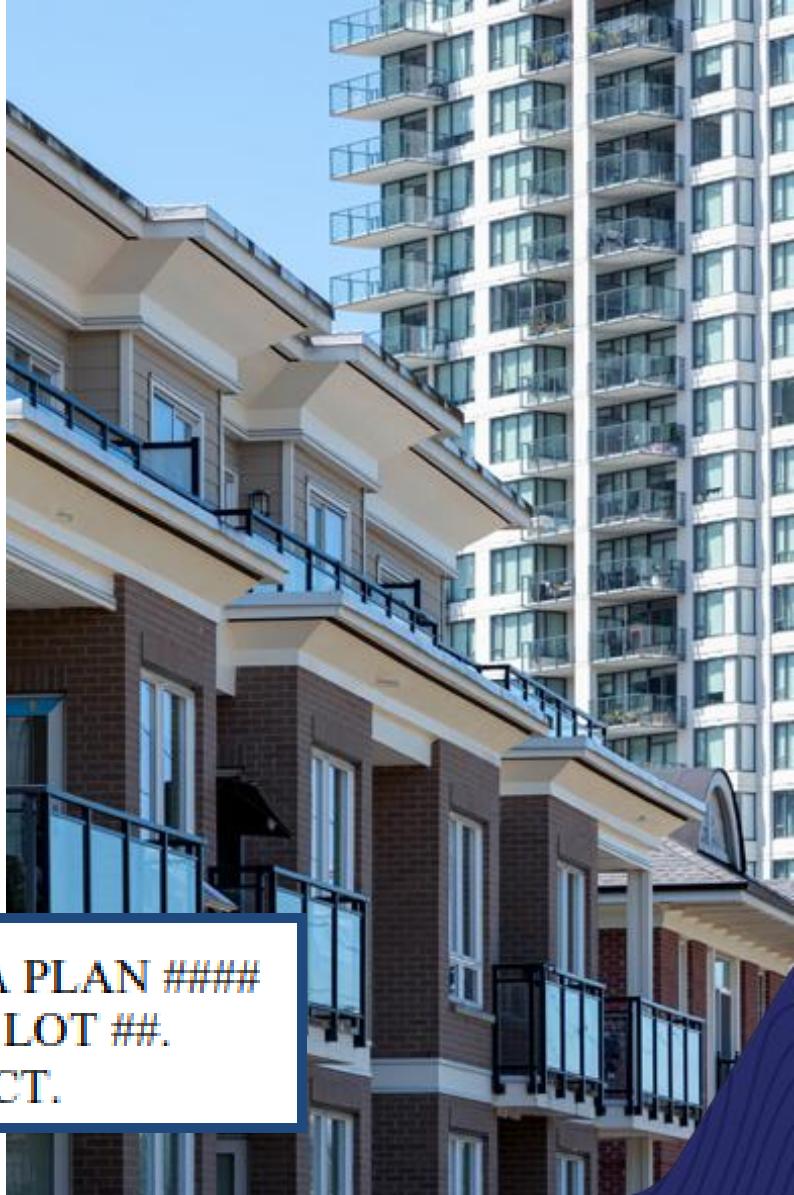
Removal of Designation under s 257 SPA, Cont.

- Application to Deposit Plan (DSPL)
 - Form E Certificate of the Strata Corporation
- Survey Plan Certification (SPC)
 - Reference or Explanatory plan, prepared by a BC Land Surveyor



Removal of Designation under s 257 SPA, Cont.

- ✓ Prepared by a BC Land Surveyor
- ✓ Amended sheet contains all the same information as the original sheet except for the LCP which has been removed
- ✓ Amended sheet properly numbered (i.e. AMENDED SHEET 5B OF 20)
- ✓ Plan Heading



REFERENCE (OR EXPLANATORY) PLAN AMENDING STRATA PLAN #####
TO REMOVE LIMITED COMMON PROPERTY OF STRATA LOT ##.
PURSUANT TO SECTION 257, STRATA PROPERTY ACT.

Removal of Designation under s 257 SPA, Cont.

- Amending the strata plan

AMENDED PURSUANT TO SECTION 257, STRATA PROPERTY ACT
THISDAY OF 20..... SEE AMENDED SHEET ## OF ## AND DOCUMENT
NUMBER).

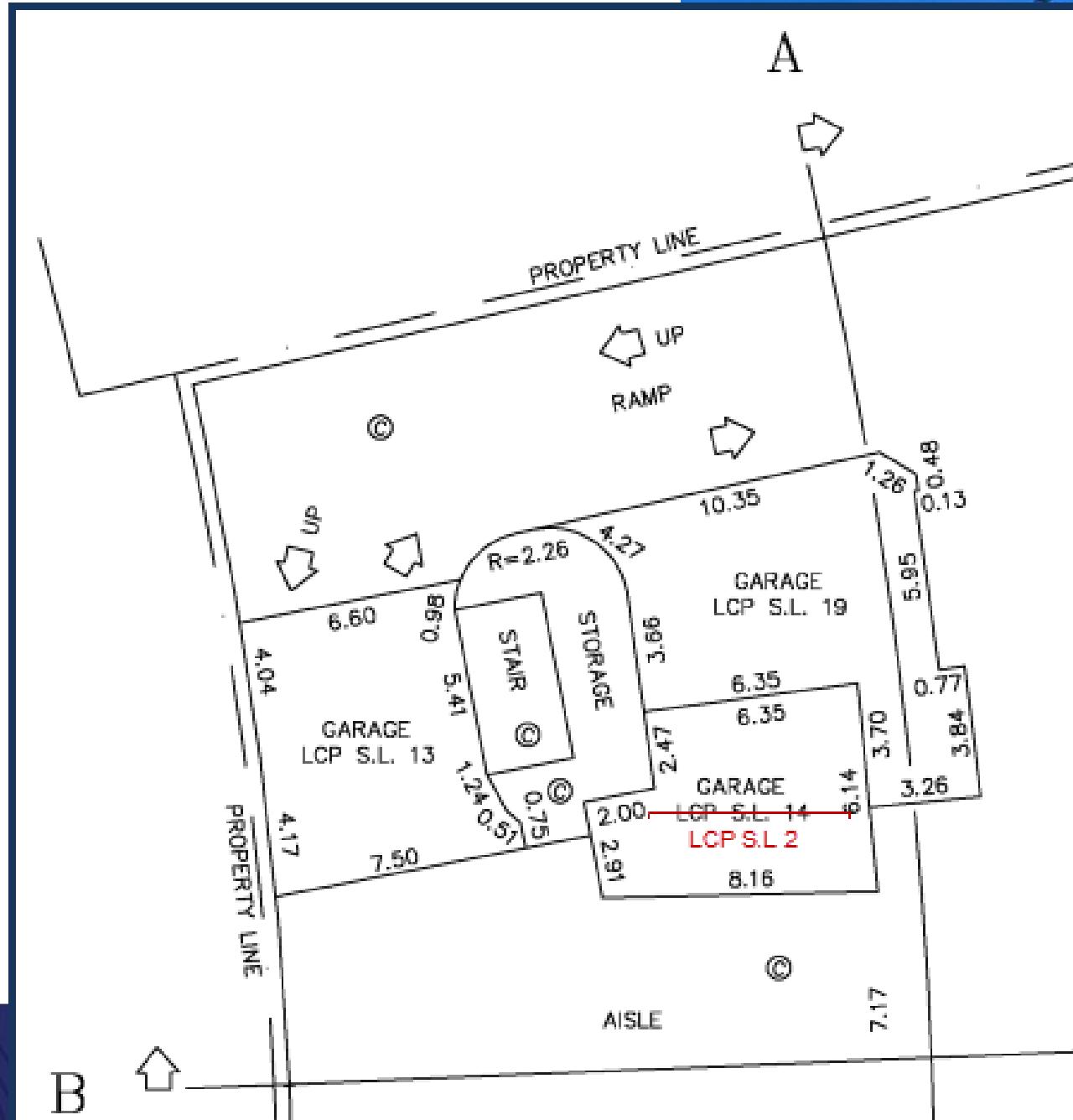
- Notation on common property record

REMOVAL OF DESIGNATION OF LIMITED COMMON PROPERTY FROM STRATA LOT ##
SEE (Doc. #####) FILED (Date).



Re-Designations

- S. 257 SPA
- S. 74 and 75 SPA





Section 258 *Strata Property Act* Designating LCP parking stalls on the strata plan

Section 258 Strata Property Act

- **258 (1)** An owner developer may, at any time before the first annual general meeting of the strata corporation, amend the strata plan to designate parking stalls as limited common property for the exclusive use of owners of strata lots in the strata plan.
- (2) In designating parking stalls under subsection (1), the owner developer acts as the council and must
 - (a) act honestly and in good faith with a view to the best interests of the strata corporation, and
 - (b) exercise the care, diligence and skill of a reasonably prudent person in comparable circumstances.
- (3) An owner developer may, at any time before the first annual general meeting of the strata corporation, amend the strata plan to designate a maximum of 2 extra parking stalls as limited common property for the exclusive use of the owners of each strata lot in the strata plan.
- (4) In this section, "**extra parking stalls**" means any parking stalls, on land shown on the strata plan as set aside for parking, that are in addition to the total number of parking stalls calculated by adding
 - (a) one stall per strata lot, or any greater number of stalls required by an applicable municipal bylaw, Nisga'a Government law, treaty first nation law or other enactment, plus
 - (b) one stall per 10 strata lots for visitor parking or any greater number of visitor parking stalls required by an applicable municipal bylaw, Nisga'a Government law, treaty first nation law or other enactment.
- (5) In designating extra parking stalls under subsection (3), the owner developer is not required to act with a view to the best interests of the strata corporation, but must act honestly and in good faith and exercise the care, diligence and skill of a reasonably prudent person in comparable circumstances.
- (6) A designation of parking stalls under subsection (1) or (3) does not require approval by a resolution at an annual or special general meeting.
- (7) An application to amend the strata plan under this section must be made to the registrar accompanied by a reference or explanatory plan, whichever the registrar requires, that
 - (a) shows the amendment, and
 - (b) is in a form required under the *Land Title Act* for a reference or explanatory plan.



Designating LCP parking stalls on the strata plan under s. 258

- Application for designation of parking stalls by owner developer under s.258
 - DSPL "Strata (Amendment)"
 - Form Declaration, with document containing designation
 - SPC
 - Reference or Explanatory plan, prepared by a BC Land Surveyor

Designating LCP parking stalls on the strata plan under s. 258, cont.

- ✓ Reference or Explanatory plan prepared by BCLS
- ✓ Amended sheet contains all of the information that appears on the original sheet
- ✓ LCP is delineated and labeled (i.e. LCP SL 1)
- ✓ The sheet must be numbered as an amended version of the original sheet (i.e. AMENDED SHEET 5A OF 20)
- ✓ Plan title describes the purpose and references s 258 SPA

REFERENCE (OR EXPLANATORY) PLAN AMENDING STRATA
PLAN ##### TO DESIGNATE LIMITED COMMON PROPERTY FOR
THE BENEFIT OF STRATA LOT #.

PURSUANT TO SECTION 258 STRATA PROPERTY ACT.

Designating LCP parking stalls on the strata plan under s. 258, cont.

- Amending the Strata Plan

AMENDED PURSUANT TO SECTION 258 STRATA PROPERTY ACT
THISDAY OF, 20.... SEE AMENDED SHEET ## OF ## AND
(DOCUMENT NUMBER).

- Notation on the CP record

DESIGNATION OF LIMITED COMMON PROPERTY FOR STRATA LOT ##
SEE (Doc. #####) FILED (date)



Section 259 *Strata Property Act* Amending strata plan to add to, consolidate or divide a strata lot



Section 259 Strata Property Act

- **259 (1)** Strata lots may not be consolidated unless
 - (a) they are owned by the same person, and
 - (b) the holders of registered charges against the strata lots have dealt, to the satisfaction of the registrar, with the issue of the priority of their interests as they will apply to the consolidated strata lot.
- (2) If a strata lot being divided includes a building that was not shown on the strata plan at the time the strata plan was deposited, sections 241 and 242 apply.
- (3) To divide a strata lot into 2 or more strata lots, to consolidate 2 or more strata lots or to add part of a strata lot to another strata lot, the strata plan must be amended as follows:
 - (a) subject to section 260, a resolution approving the amendment must be passed by a unanimous vote at an annual or special general meeting;
 - (b) an application to amend the strata plan must be made to the registrar accompanied by
 - (i) a subdivision, reference or explanatory plan, whichever the registrar requires, that
 - (A) shows the amendment,
 - (B) complies, as far as the registrar considers necessary, with sections 244 and 245, and
 - (C) is in a form required under the *Land Title Act* for a subdivision, reference or explanatory plan,

ltpm.ltsa.ca/259-amending-strata-plan-add-consolidate-or-divide-strata-lot

Checklist

- ✓ Cannot amend strata lots from different plans
- ✓ Cannot subdivide a strata lot by filing a strata, subdivision or airspace plan via the *Land Title Act*
- ✓ Mix of bare land and non-bare land SL not permitted (s 259(5) SPA)
- ✓ Survey Plan Certification & DSPL - Amended sheets
- ✓ Unit Entitlement (Form V) and Voting Rights (Form W) (s 17.20 Regs)
 - ✓ Strata Approval – Certificate Form E
- ✓ Schedule of Interest on Destruction (Form Z.1), if applicable (s 17.22 Regs)
- ✓ Approving Officer approval, for a division of a Strata Lot
- ✓ Common ownership (Form A transfers, Mortgage releases, Mortgage extensions, etc.)

SUBDIVISION PLAN OF
STRATA LOTS 32, 33 AND 34 DISTRICT LOT 9765
KOOTENAY DISTRICT STRATA PLAN EPS1122
CREATING STRATA LOTS 77 AND 78

PURSUANT TO SECTION 259 OF THE STRATA PROPERTY ACT

BCGS 94D.026

0 10 25 50 75

ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF

THE INTENDED PLOT SIZE OF THIS PLAN IS 884 mm IN WIDTH BY 560 mm IN HEIGHT (D-SIZE) WHEN PLOTTED AT A SCALE OF 1:750

GRID BEARINGS ARE DERIVED FROM DIFFERENTIAL DUAL FREQUENCY GNSS OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 9.

THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED ARE DERIVED FROM DUAL FREQUENCY GNSS OBSERVATIONS PROCESSED BY NATURAL RESOURCES CANADA PRECISE POINT POSITIONING SERVICE.

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES, UNLESS OTHERWISE SPECIFIED, TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED SCALE FACTOR OF 0.999553. THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED

LEGEND:

- - DENOTES STANDARD IRON POST FOUND
- - DENOTES STANDARD IRON POST PLACED
- △ - DENOTES TRAVERSE HUB PLACED
- SL - DENOTES STRATA LOT
- (C) - DENOTES COMMON PROPERTY

See Rule 7-16(2)

The area inside the heavy outline is the subject of amendment.
Information outside the heavy outline was copied from Sheet 1 of 1

PLAN EPP4567

This sample plan shows commentary in red for the purpose of highlighting recent rule changes. Land Title Office submissions should not include any coloured text.





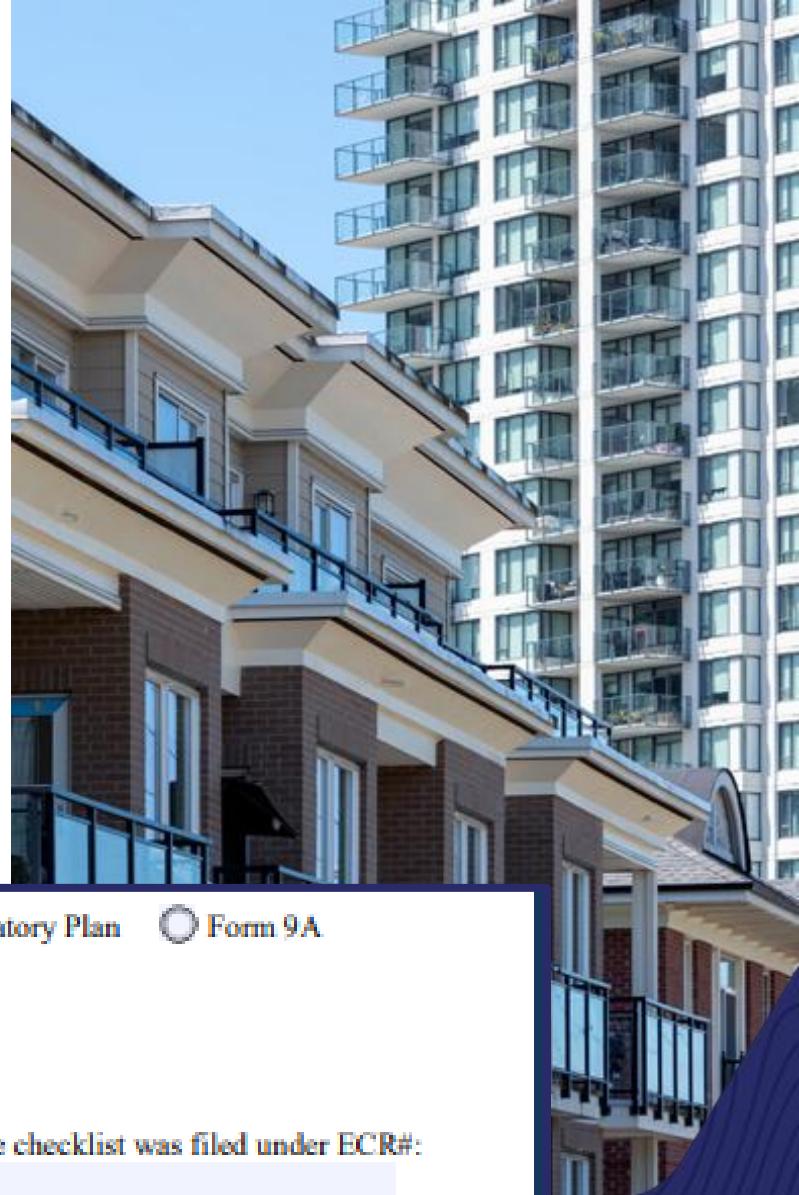
See Rule 7-16(2)

The area inside the heavy outline is the subject of amendment.
Information outside the heavy outline was copied from Sheet 1 of 1.

- ✓ Ghosted Parent strata lots
- ✓ Complete amended sheet of the original sheet
- ✓ Dimensions match original plan
- ✓ Elevations or Cross-section
- ✓ Access
- ✓ No remainder lots

Reference or Explanatory Plan

- ✓ Plan prepared by a BC Land Surveyor
 - ✓ Subdivision of bare land strata lots
 - ✓ (Reference Plan)
 - ✓ Subdivision of strata lots within a building
 - ✓ (Reference or Explanatory Plan)
 - ✓ Consolidation of strata lots
 - ✓ (Reference or Explanatory Plan)



3. CERTIFICATION:

Form 9

Explanatory Plan

Form 9A

I am a British Columbia Land Surveyor, and I certify that:

- (a) I personally superintended the survey represented by this plan;
- (b) the survey and plan are correct and comply with the Survey and Plan Rules and all applicable statutes.

The field survey was completed on: 2025 January 01 (YYYY/Month/DD)

The checklist was filed under ECR#:

The plan was completed and checked on: 2025 January 01 (YYYY/Month/DD)

Application to Deposit Plan

✓ Plan Type

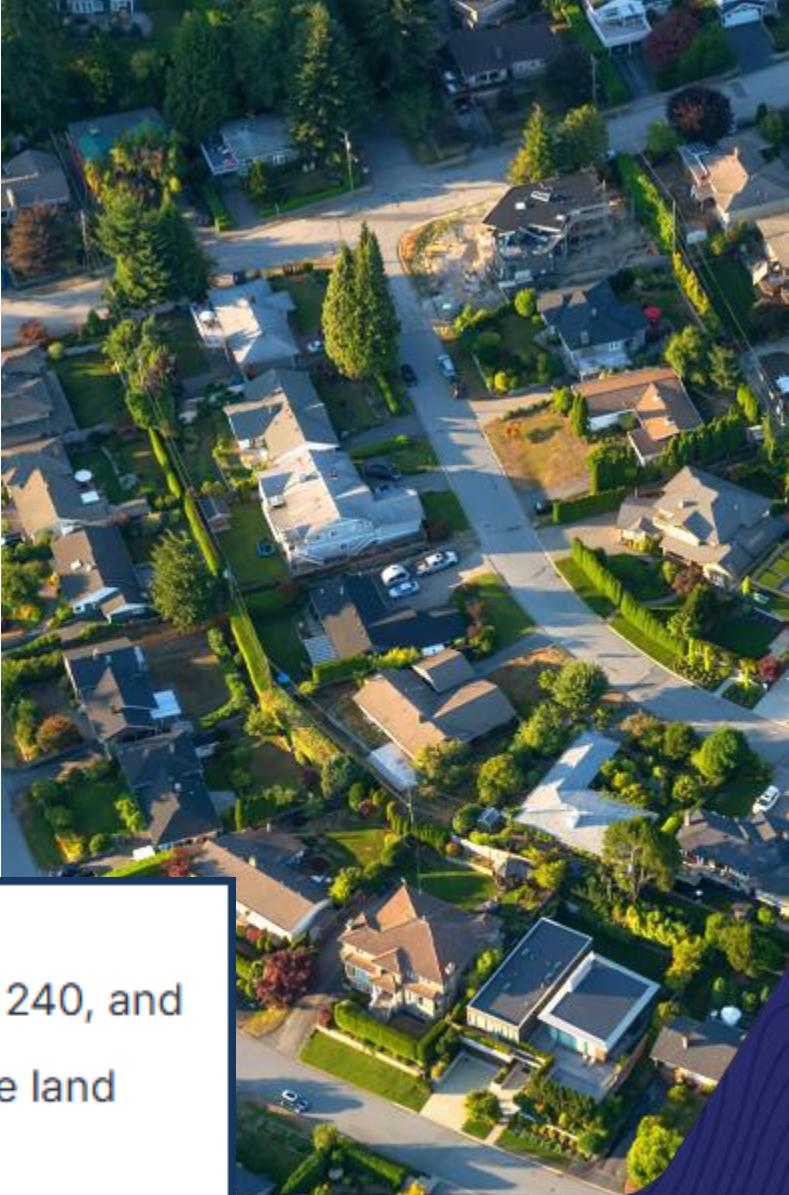
- ✓ "Strata (Amendment)" or
- ✓ "Strata (Hardcopy Amendment)"

✓ Consents

- ✓ Registered Owners
- ✓ Affected Financial Charge Owners
 - ✓ (ie. Mortgage, Right to Purchase, Option to Purchase, Right of First Refusal, Judgment)

✓ Section 244(1)(g) SPA:

- (g) be signed by
 - (i) the person applying to deposit the plan under section 240, and
 - (ii) each holder of a registered charge on all or part of the land included in the strata plan,
- unless, in the registrar's opinion, the interests of persons who have not signed are not adversely affected by the deposit of the plan,



Application to Deposit Plan, Cont.

- Approving Officer - S.259(3)(b)(ii) SPA

- (ii) if a strata lot is being divided, a certificate signed by an approving officer indicating that the proposed amendment complies with any applicable municipal or regional district bylaws, Nisga'a Government laws or treaty first nation laws,

Certificate of Amendment to Strata Plan, SPA ss. 259(3)(b)(ii), 262(3)(c)(ii)

I certify that the proposed amendment of Strata Plan EPS _____ complies with any applicable [municipal or regional district bylaws or applicable Nisga'a Government laws] for the _____ [Jurisdiction].

[date]

[signature] Approving Officer

[fill in name of Approving Officer]

[Fill in name of municipality, or as the case may be]

[fill in file reference if desired]

Application to Deposit Plan, Cont.

- Agricultural Land Commission
- Strata Corporation, Form E – S.259(3)(a) SPA
- (a) subject to section 260, a resolution approving the amendment must be passed by a unanimous vote at an annual or special general meeting;
 - 260 (1) Subject to subsection (4), an amendment to the strata plan to divide a strata lot into 2 or more strata lots does not require any strata corporation approval if
 - (a) the combined unit entitlement of the 2 or more strata lots being created is the same as or less than the unit entitlement of the strata lot being divided,
 - (b) the total number of votes of the 2 or more strata lots being created is the same as or less than the number of votes of the strata lot being divided, and
 - (c) the amendment will not increase the share of the common expenses borne by a strata lot, other than the strata lot being divided.





Section 263 *Strata Property Act* Amending strata plan to add a strata lot to common property

Section 263 Strata Property Act

- 263 (1) A strata lot or part of a strata lot may not be added to common property unless it is free of mortgages or any other charges that may result in a transfer of an estate or interest in the strata lot.
- (2) To add a strata lot or part of a strata lot to common property, the strata plan must be amended as follows:
 - (a) a resolution approving the amendment must be passed by a unanimous vote at an annual or special general meeting;
 - (b) an application to amend the strata plan must be made to the registrar accompanied by
 - (i) a reference or explanatory plan, whichever the registrar requires, that
 - (A) shows the amendment,
 - (B) complies, as far as the registrar considers necessary, with sections 244 and 245, and
 - (C) is in a form required under the *Land Title Act* for a reference or explanatory plan,
 - (ii) if the amendment changes the unit entitlement of any strata lot, a new Schedule of Unit Entitlement that meets the requirements of section 264, together with evidence of the superintendent's approval,
 - (iii) if the amendment changes the voting rights of any strata lot, a Schedule of Voting Rights that meets the requirements of section 264, together with evidence of the superintendent's approval,
 - (iv) a Certificate of Strata Corporation in the prescribed form stating that the resolution referred to in paragraph (a) has been passed and that the reference or explanatory plan and any new Schedule of Unit Entitlement or Schedule of Voting Rights conform to the resolution,
 - (v) a transfer of any land that is being added to the common property, and
 - (vi) any document required by the registrar to ensure that the land being added to the common property is free of mortgages or charges referred to in subsection (1).

Checklist

- ✓ Strata Lot and Common Property must be same plan
- ✓ Application to Deposit Plan
 - ✓ Form E Certificate (s 263(2)(a) SPA),
 - ✓ Consent of charge owners, if applicable
- ✓ Survey Plan Certificate
 - ✓ Amended sheets
- ✓ Transfer required to the Strata Corporation, if applicable
- ✓ Release of financial charges, if applicable
 - ✓ (mortgage, right to purchase, option to purchase, right of first refusal, judgment etc.) (S. 263(1) SPA)
- ✓ Form V Schedule of Unit Entitlement and Form W Schedule of Voting Rights, if applicable (s. 263(2)(b)(ii)& (iii))
- ✓ Form Z.1 Schedule of Interest on Destruction, if applicable

Plan Title

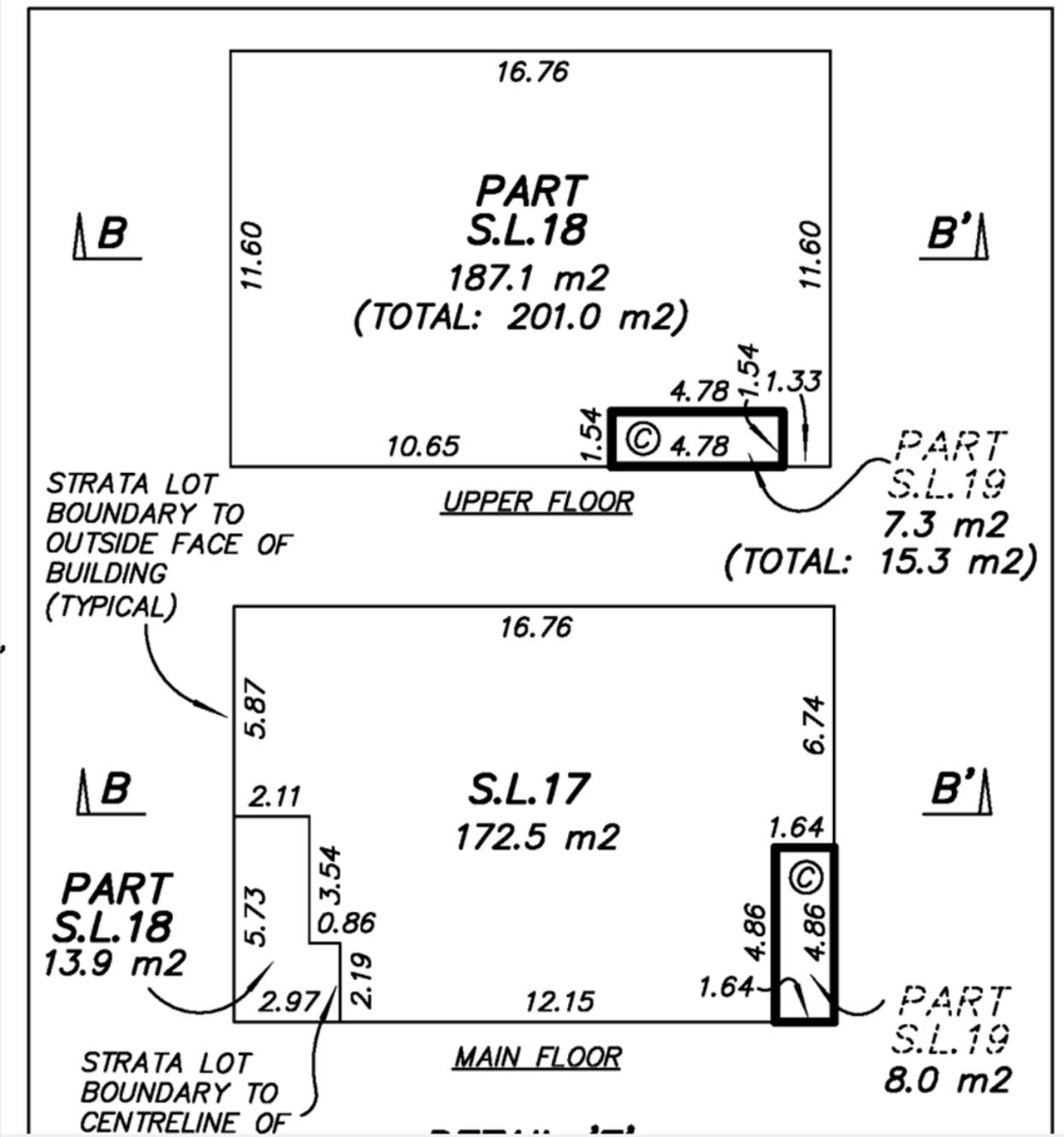
**EXPLANATORY PLAN TO ADD STRATA LOT 19
TO COMMON PROPERTY
SECTION 10 TOWNSHIP 8
NEW WESTMINSTER DISTRICT
STRATA PLAN BCS1234**

PURSUANT TO SECTION 263 OF THE STRATA PROPERTY ACT

AMENDED SHEET 4B OF 4 SHEETS

STRATA PLAN **BCS1234**

Adding a Strata Lot to Common Property



Resources

- ltpm.ltsa.ca/strata-property-act-sbc-1998-c-43
- ltpm.ltsa.ca/strata-property-regulations
- abcls.ca/page/practice-resources
- ltsa.ca/professionals/land-title-practice/land-title-forms/
- ltsa.ca/professionals/access-to-records/webinar-resources/
- help.ltsa.ca/ltsa-enterprise/strata-property-act-filing



Contact us

- ltsa.ca/contact-us
- Email customerservice@ltsa.ca
- Phone 604-630-9630 or
1-877-577-LTSA(5872)

Questions?



Thank you!

