

WEBINAR | Strata Plan Basic Amendments Part A

Resources

Land Title Practice Manual

- ltpm.ltsa.ca/strata-property-act-sbc-1998-c-43
- ltpm.ltsa.ca/strata-property-regulations

Association of BC Land Surveyors Practice Resources

- abcls.ca/page/practice-resources

LTSA System Help & Practice Resources

- help.ltsa.ca/ltsa-enterprise/strata-property-act-filing
- ltsa.ca/professionals/land-title-practice/land-title-forms

Webinar Resources

- ltsa.ca/professionals/access-to-records/webinar-resources/
- [Strata Plan Basic Amendments Part A - Quiz](http://ltsa.ca/professionals/access-to-records/upcoming-events/)
- ltsa.ca/professionals/access-to-records/upcoming-events/
 - **Strata Plan Amendments Part B** - is planned for fall 2026 and will include: Bareland Strata, Phased Strata and Leasehold Strata Plans. It will be the 4th webinar in the 5-part series on strata plans.

Questions (posed in the chat) & Answers

Q. Does the DSPL have to be signed by all charge holders (ex. SRWs)?

A. Non-financial charge holders do not have to sign the DSPL. If there are affected financial charge holders, they would be required to sign the DSPL.

Q. Can a Form E be docu-signed, or does it have to be wet ink signed? Does this include Form V Unit Entitlement, Form I Bylaw Amendment, etc?

A. Yes, these forms are considered a supporting document and can be signed electronically. See 2.5.4: E-filing-Directions.pdf

Q. Can LCP be designated under any of these parts for the purpose of creating a secondary suite?

A. LCP is part of the Common Property which has been designated for the exclusive use of a particular strata lot. LCP cannot be part of a habitable area within a strata lot.

Q. Can we obtain copies of the Sketch Plans designating LCP under Sec 74 from the LTO?

A. Yes, applications that are filed pursuant to Section 74 SPA including the sketch plans are assigned a filing number and are added to the strata lot titles and the common property record as a legal notation. They are also filed in the strata property filings index (ie. Bylaws, Unit Entitlement, Change of Mailing address, etc.). If you have the filing number, you can order a copy using your LTSA account.

ltsa.ca/property-owners/how-can-i/order-a-document-or-plan

ltsa.ca/property-owners/about-land-records/hire-a-professional

Q. Does Explanatory Plan to amend under s.259 have an expiry date/validity period?

A. No.

Q. When is the Superintendent of Real Estate's signature required on the Form Vs and Form Ws submitted with these amendments?

A. Only when required by Section 248 SPA.

Q. When consolidating strata lots, what legal description do you use on the Form 17 Strata Cancellation? Do you use the legal descriptions on the existing strata lots, or do you use the legal you are creating from the new plan?

A. You would put No PID, add the related strata plan number and set out the new legal description that you are creating.

Q. If you pulled a strata plan from a year ago, is there a way you can see that the strata plan has been amended without paying for a new search to determine if a new search is required?

A. The searches are a snapshot of the record at the time of the order, so it's not possible to confirm whether any amendments have been applied to the plan.

However, a helpful indicator would be an increase in the number of pages compared to the earlier version.

In your LTSA account, you can view a “Strata Plan Common Property Search” and read through the legal notations to see the dates when applications were filed.

Q. We have a 4-step process happening: SL 21 is being converted to common property. Then a chunk of common property is being divided out to Lot A (new plan), then Lot A is being added to the strata as SL 22, then SL 22 is being consolidated with 3 other SL to create SL 23. Do I need Form V and W for all steps or... just the final step showing the final entitlement?

A. You need a new Form V and Form W for each step.

Q. At what point is control of common property parking assigned by the owner/developer's lease handed over to the strata council? If the developer makes an error, is it the developer or council's responsibility to fix it?

A. Once the first meeting of the strata council occurs, the developer can no longer make any changes to the strata plan. If there is an error in the plan, it can be corrected by an “Amendment to Filed Plan.” LTSA would be looking for a Form 17 “Amendment to Filed Plan” with a statutory declaration from the BCLS applying for a correction pursuant to Section 106 LTA.

[For more information visit: ltsa.ca/wp-content/uploads/2021/05/Plan-Number-Reset-Plan-Alterations-and-Amendments-to-Filed-Plans.pdf](https://ltsa.ca/wp-content/uploads/2021/05/Plan-Number-Reset-Plan-Alterations-and-Amendments-to-Filed-Plans.pdf)

Q. Under Section 263, when you talk about transferring the strata lot to the strata corporation, should it be to "The Owners, Strata Plan ..." or to all individual owners?

A. LTSA would look for a Form A transfer to “The Owners, Strata Plan....”

Q. Has that changed? I have previously been advised that the transfer should cite the names of the individual owners.

A. Not recently.

Q. Does the ALC have to approve a strata plan that is in the ALR?

A. Yes.

Q. In your example, shouldn't the basement be part of the strata lot (as either habitable or non-habitable)? That is what I would advise a client: to consider amending the strata plan to have the basement as part of strata lot (a new strata lot number), as there are impacts to consider for lot area, ownership vs exclusive use etc.

A. In my example*, the basement/crawl space was common property and was not shown in detail in the strata plan. The only place the basement was shown was on the cross-section sheet which does not delineate the area of CP. The land surveyor wanted to designate the common property as LCP for the strata lot, but in order to do so they had to delineate the area. It was suggested to add another sheet as "Sheet 4-1 of 20" to indicate it is a new sheet and not an amended sheet. If the basement was part of the Strata Lot, it would not be possible to add LCP for it.

*For additional context, view recording at time stamp 39:45.

Q. By adding sheets, the total number of sheets has changed. Do we just keep the old total number of sheets?

A. Yes, you would refer to the original number of sheets, e.g. 1 of 5, 1A of 5, 1B of 5 etc.

Q. Slide 36 seems to suggest that a bare land strata subdivision amendment requires depiction of the original dimensions. Wouldn't this create an issue as the distance from new posts set to existing posts may not reflect the measured distances?

A. The area within the bold outline must be the measurements determined by the BCLS when completing their field survey. Those measurements will be compared to the underlying plan, and they should be close. The areas outside the bold outline should be copied from the original sheet.

Q. When filing the Form 17 - Cancellation of Strata Plan, what legal description do you use? Is it the existing legal or do you create a new legal from the plan you are filing?

A. You would use the new legal description from the plan you're filing.

Q. Any idea when DSPL will be converted to a web form format?

A. A date has not been set; however, we are working on it. Stay tuned. Updates would be shared via LTSA Update newsletter and posted to ltsa.ca/news-updates.

Q. If we have questions regarding a complicated strata plan amendment, can we email your customer service for advice?

A. For preapproval of the use of an explanatory plan or to solicit feedback on the steps required for a complicated project, email the customer service centre. Your request will be forwarded to the next available Deputy Registrar for response. We are always happy to provide advance feedback to help the whole process flow smoothly from start to finish.

Website ltsa.ca/contact-us

Email customerservice@ltsa.ca

Phone 604-630-9630 or 1-877-577-LTSA(5872)

The following questions are not within the purview of the LTSA.
Please seek legal advice.

Q. Is it the responsibility of the strata corporation or the property management company to accurately charge strata fees to owners?

Q. Is the 3/4 vote from the number of people present in a meeting or all members?

Q. Can you clarify the 3/4 vote to amend under Sections 74 and 75 where the SPA requires 3/4 of all eligible voters? I thought it was only 3/4 of those eligible voters who are present in person or by proxy at a general meeting?

Q. Can a Strata Council pass a Bylaw prohibiting subdivision of a lot(s) in a Bare Land Strata? I've reviewed the SPA and am unable to determine as yet. Are there precedents in this area?