

**Condo Smarts**

Headline: Can we consolidate 2 strata lots?  
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**Dear Tony:** We live in a funky older 3 floor walk up in North Vancouver. It is 38 units and a fairly large building area. The design is unique in that the large balconies are all covered with minimal exposure to the elements, and it has a heritage appeal. We live one unit from the corner, and our neighbour in the corner unit is interested in selling. Because of the age of the building the price is reasonable, we are considering purchasing the unit and expanding our existing condo, which would give us a great living space. We requested a meeting with the strata council, and while they agreed they couldn't stop us from buying the home, they have flatly refused permission to combine the two units into one, quoting the strata corporation bylaws that prohibit removing walls between strata lots. For families with children ( we have 3 ), this would seem like a great alternative. We will have a home with much more space, won't have to move, and the alterations will be minimal as we will only be simply removing the kitchen in 1 unit, renovating the kitchen in the corner unit, and installing an access corridor between the two units. We can't see any downside to the strata corporation, and in the event we sell, it would be easy to return the property to two suites. Is there some way we can convince our council to agree to the change?

*Karen W.*

**Dear Karen:** There is a growing trend to consolidating two or more strata lots into a larger living spaces, and this is an ideal opportunity to be able to purchase a much larger footprint for lower cost, and upgrade the homes into a very comfortable living space. Strata councils tend to misunderstand the consolidation of strata lots, and this often results in their unwillingness to agree to the alterations. Just because a strata corporation creates a bylaw does not make it enforceable or legal. Bylaws must comply with the *Strata Property Act*, the Regulations, the BC Human Rights Code and any other enactment of law that applies. When two strata lots are joined, the exterior of the strata lots generally remains the same, and the unit entitlement paid by both

strata lots and voting privileges stay the same. What changes is the interior of the strata lot, which is the responsibility of the strata lot owner. The *Strata Property Act* contains a specific section (70) on changes to a strata lot such as this. An owner(s) may with the prior written approval of the strata corporation, remove all or part of a wall that is a common boundary between adjoining strata lots, or strata lots that have been consolidated into a single strata lot. Unless your alteration fails to comply with the BC Building Code or your local municipal bylaws, the strata corporation must approve the proposed removal. You are going to require building permits for the removal of the wall(s) and the alterations to the electrical and mechanical systems. You will also be required to comply with the bylaws of the strata corporation with respects to the alteration of the strata lot that apply under these circumstances, and that will include the removal of any parts of the strata lot that the strata corporation must insure for. The strata council must not unreasonably withhold permission but they may conditions around the alterations that include the owner taking responsibility for the alterations and any costs related to the alterations. Before you proceed with any construction, retain a licensed engineer to act as your consultant to ensure that you comply with building code requirements, permit requirements from the city, and to satisfy the requirements of the strata corporation.

It is a significant undertaking to consolidate two strata lots, but from the four units I have seen in two recent projects, the rewards are well worth it, both for the owners and the strata corporation.

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