

# Memo



**Date:** January 5/10  
**File:** ST09-0009  
**To:** City Manager  
**From:** Ryan Smith, Subdivision Approving Officer  
**Subject:** Stratification of 545 Rosemead Avenue, Kelowna, BC, on Lot 5 Plan 8221 and Lot 6 Plan 8221

---

**Recommendation:**

That the application to stratify the ten unit residential building at 545 Rosemead Avenue be approved in the name of Rosehip Enterprises Ltd with the following conditions:

- a) Consolidate the two existing lots (Lot 5 & 6 Plan 8221).
- b) Dedicate an additional highway allowance widening of 0.76m for the frontage of Rosemead Avenue.
- c) Provide a 6.0m radius property corner rounding at the Rosemead Ave, Chapman Place road intersection.

**Background:**

The City's Inspection Services Branch has inspected the renovations of this structure and found it suitable for stratification. The applicant has addressed the requirements of Council Policy 148.

Attached hereto are the location plan, plot plan and a copy of the signed declaration from the owner

**Existing Policy:** Council Policy No.148 - Strata Conversion of Existing Occupied Building

**Legal/Statutory Authority:** Strata Property Act

**Internal Circulation:** Development Engineering Branch, Real Estate and Building Services, Fire Department, Bylaw Services, Financial Services (Property Taxes)

**Considerations not applicable to this report:**

Legal/statutory Procedural Requirements:  
Financial/Budgetary Considerations:  
Personnel Implications:  
Technical Requirements:  
External Agency/Public Comments:  
Communications Considerations:  
Alternate Recommendation:

Submitted by:

A handwritten signature in black ink, appearing to be "R. Smith".

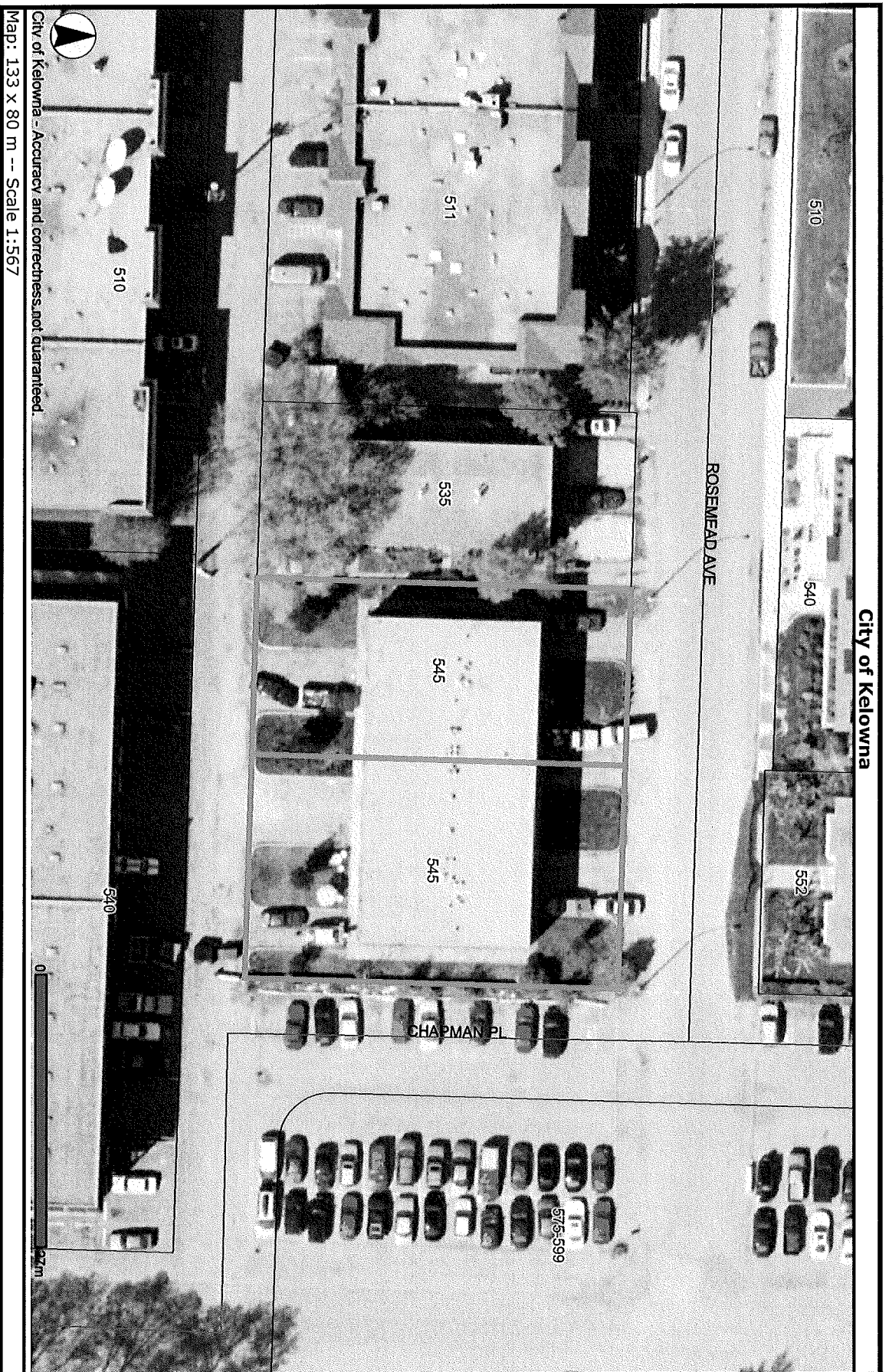
R. Smith, Subdivision Approving Officer

Approved for inclusion:

A handwritten signature in black ink, appearing to be "J. Vos", enclosed in a rectangular box.

J. Vos, General Manager, Community Services

A handwritten mark or signature in the bottom right corner of the page.



*This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.*

Rosehip Enterprises Ltd.  
c/o Doak Shirreff LLP  
200 – 537 Leon Avenue  
Kelowna, BC V1Y 2A9

June 9, 2009

**PRIVILEGED & CONFIDENTIAL**

City of Kelowna  
1435 Water Street  
Kelowna, BC V1Y 1J4

**Attention:** ◆

Dear Sirs/Mesdames:

**Re: Policy 148 – Application for Strata Conversion of Rosemead Apartments in Kelowna**

We have notified and been in contact with the tenants of the Rosemead Apartments since Rosehip Enterprises Ltd. recently acquired the building, explaining our intention to renovate the building and to stratify it. We have already explained their rights under the Residential Tenancy Act if we stratify the property. As new tenants arrive, we have kept and will continue to keep them up to date regarding our plans. We have also been approached by two of the tenants wanting to investigate the possibility of a rent to own situation. We are open to that opportunity, but it is currently premature to actually enter into such an arrangement.

We confirm that we will notify all tenants when the application to stratify the property is delivered to the City of Kelowna, and we will give notice of the public hearing date to all tenants at least 10 days before the application is presented to City Council for public hearing and approval.

We also confirm that upon completion of the stratification process, if any of the units are offered for sale, the existing tenants will be provided a right of first refusal to purchase the unit they occupy. They will also be told that they have an opportunity to purchase another unit in the building if they prefer another location in the building (subject of course to the occupying tenants' right of first refusal to buy it).

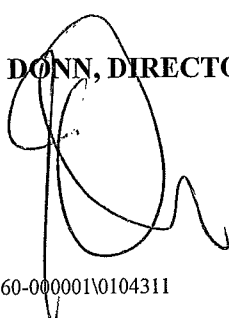
Contact us if you require anything further.

Yours truly,

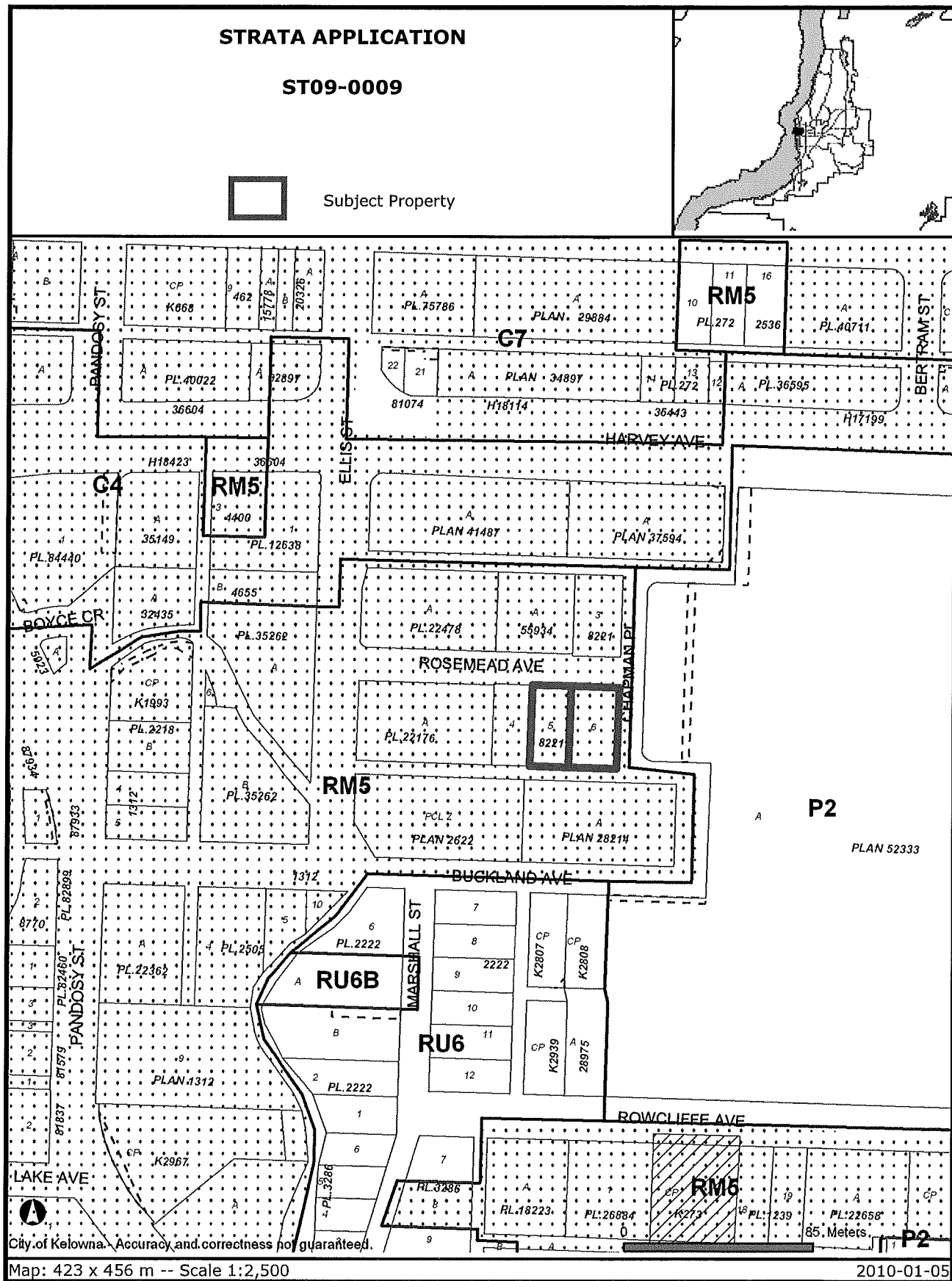
**ROSEHIP ENTERPRISES LTD.**

Per:

**IAN DONN, DIRECTOR**



0115960-000001\0104311



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.