

Memo



Date: September 22, 2010
File: ST10-0010
To: City Manager
From: Development Services
Subject: Stratification of 250 Prior Road South, Kelowna, BC, on Lot 7&8, Plan 17102
Prepared By: Damien Burggraeve, Subdivision Planner

Recommendation:

THAT Council approve the application in the name of Cascade Development Group to stratify the five (5) unit residential building located at 250 Prior Road South subject to the following condition:

- a) Consolidate the two (2) existing lots, being Lots 7 & 8, Plan 17102);

Purpose:

To allow the stratification of a five (5) unit residential building located at 250 Prior Road South.

Background:

The City's Building and Permitting Branch has completed an inspection of the existing building and created a work plan in consultation with the Subdivision Approving Officer to bring the building to substantial compliance with today's building code (requirement of Council Policy 148/Strata Act). Once the applicant completes the work plan to the City's inspector's satisfaction, the building will be suitable for stratification subject to Council's endorsement.

Attached hereto are the location plan, plot plan and a copy of the signed declaration from the owner that the tenants have been notified of the pending stratification. In accordance with Council Policy No. 148, staff has also required that the developer provide 10 days notice of the Council meeting to all occupants of the building.

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)

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Considerations not applicable to this report:

Legal/statutory Procedural Requirements:

Financial/Budgetary Considerations:

Personnel Implications:

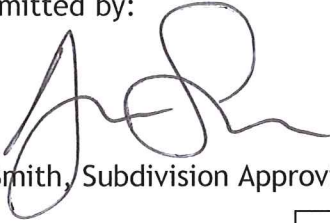
Technical Requirements:

External Agency/Public Comments:

Communications Considerations:

Alternate Recommendation:

Submitted by:



R. Smith, Subdivision Approving Officer

Approved for inclusion:



M. Bayat, Director of Development Services

250 PRIOR ROAD S



Subject Property



City of Kelowna - Accuracy and correctness not guaranteed.

Map: 423 x 456 m -- Scale 1:2,500

2010-09-23

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.

City of Kelowna



City of Kelowna - Accuracy and correctness not guaranteed.

Map: 121 x 71 m -- Scale 1:714

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



Date: September 24, 2010

File No.: ST10-0010

To: Tenant or Prospective Tenant

Re: Conversion of development located at 250 Prior Road S into Strata Lots under the Strata Property Act

An application to approve conversion of the above noted premises into strata lots under the provisions of the Strata Property Act has been submitted to the City of Kelowna. City Council is the approving authority for such an application and may approve the strata plan, refuse to approve the strata plan, or refuse to approve the strata plan until terms and conditions imposed by City Council are met.

In considering this application, City Council may consider any matters that in its opinion are relevant, including the following:

- a) compliance with the bylaws of the City of Kelowna;
- b) priority of rental accommodation over privately owned housing in the area;
- c) proposals of the owner/developer for the relocation of persons occupying the building;
- d) the life expectancy of the building;
- e) projected major increases in maintenance costs due to the condition of the building.

It shall be a condition of any approval of this application that tenants be given the first right to purchase the strata unit that is being converted. As well, all tenants must be provided with information from "A Guide for Landlords and Tenants" under the "Residential Tenancy Act".

This matter will be considered by City Council at Council Chambers, 1435 Water Street at the following date and time;

Date: October 4, 2010
Time: 1:30 pm

You are invited to attend the meeting and make representation to Council concerning this application.

Yours truly,

Ryan Smith
Manager,
Subdivision Approvals Branch Manager

RS/dc

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