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# CITY OF KELOWNA

## MEMORANDUM

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**Date:** July 18, 2001  
**File No.:** LA01-011

**To:** City Manager

**From:** Planning & Development Services Department

APPLICATION NO. LA01-011

OWNER: Patricia Vineyards Ltd., Inc.  
No. 535965

AT: 1690 Saucier Road

APPLICANT: Wageman Glazier & Polley,  
Barristers & Solicitors

PURPOSE: To create a lease for more than 20 years on a fee simple property.

EXISTING ZONE: A1 – Agriculture 1

REPORT PREPARED BY: Josephine Duquette

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SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

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### 1.0 RECOMMENDATION

THAT Municipal Council, approve in principle a 30 year Tenancy Agreement on Lot 228, Section 32, Township 29, ODYD, Plan 1247 pursuant to the provisions of Section 3 (3) of the Residential Tenancy Act;

AND THAT By-law No. 8706 - Patricia Vineyards Ltd., Inc. No. 535965 Tenancy Agreement approval be forwarded for Council consideration.

### 2.0 SUMMARY

Patricia Vineyards Ltd. wants to lease Lot 228, Section 32, Township 29, ODYD, Plan 1247 to Richard Stewart and Rosemary Stewart for a term of thirty (30) years commencing effective the 1<sup>st</sup> day of April 2001. The purpose of the lease is to allow the construction of a residence on the lands and to maintain the agricultural use of the lands.

The applicant's solicitor has requested the City of Kelowna's approval of a 30 year lease pursuant to Section 3 (3) of the Residential Tenancy Act, Statutes of British Columbia, which requires Municipal approval for any Tenancy Agreements for a term exceeding 20 years. The attached by-law is required to be approved by the City of Kelowna and is submitted for Council's consideration.

The Planning Department has reviewed this matter with the City's Solicitor and recommends that the 30 year Tenancy Agreement be approved, by by-law, by City Council.

R.G. Shaughnessy  
Subdivision Approving Officer

Approved for inclusion ☐

R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Development Services

RGS/JD/jd  
Attachment

**FACT SHEET**

1. **APPLICATION NO.:** LA01-
2. **APPLICATION TYPE:** Tenancy Agreement
3. **OWNER:** Patricia Vineyards Ltd., Inc. No. 535965  
· **ADDRESS** 1249 Sunnybrae Road  
· **CITY/POSTAL CODE** Kelowna, BC / V1Z 2N9
4. **APPLICANT/CONTACT PERSON:** Wageman Glazier & Polley, Barristers & Solicitors  
· **ADDRESS** 2<sup>nd</sup> floor, 1674 Bertram Street  
· **CITY/POSTAL CODE** Kelowna, BC / V1Y 9G4  
· **TELEPHONE/FAX NO.:** (250) 763-3343 / (250) 763-9524
5. **LEGAL DESCRIPTION:** Lot 228, Section 32, Township 29, ODYD, Plan 1247
6. **SITE LOCATION:** North east corner of the intersection of Saucier Road and Stewart Road W
7. **CIVIC ADDRESS:** 1690 Saucier Road
8. **EXISTING ZONE CATEGORY:** A1 – Agriculture 1
9. **PURPOSE OF THE APPLICATION:** To create a lease for more than 20 years on a fee simple property.