
CITY OF KELOWNA

MEMORANDUM

Date: June 4, 2003
File No.: LA01-011

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. LA01-011

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

AT: 1960 Saucier Road

APPLICANT: Wageman Glazier & Polley,
Barristers and Solicitors

PURPOSE: TO AMEND A LEASE FROM 30 YEARS TO 99 YEARS ON A
FEE SIMPLE PROPERTY

EXISTING ZONE: A1 – AGRICULTURE 1

REPORT PREPARED BY: RYAN SMITH

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

That Municipal Council, approve in principle an amended Tenancy Agreement from 30 years to 99 years 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 Bylaw No.9050 - Patricia Vineyards Ltd. Tenancy Agreement be forwarded for Council Consideration.

2.0 SUMMARY

Patricia Vineyards Ltd leased Lot 228, Section 32, Township 29, ODYD, Plan 1247 to Richard Stewart and Rosemary Stewart for a term of thirty (30) years from the 1st 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 an amended lease term from 30 years to 99 years 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 99 year lease term would allow the leasees to claim a Home Owners Grant.

The Planning and Corporate Services Department has reviewed this request and recommends that the 30 year Tenancy Agreement be approved as amended by bylaw, by City Council.

R.G. Shaughnessy
Subdivision Approving Officer

Approved for inclusion ☐

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

RGS/RWS/rws
Attach.

FACT SHEET

- | | |
|-------------------------------------|--|
| 1. APPLICATION NO.: | LA01-011 |
| 2. APPLICATION TYPE: | Tenancy Agreement |
| 3. OWNER: | Patricia Vineyards Ltd., Inc. |
| . ADDRESS | No.535965 |
| . CITY | 1249 Sunnybrae Road |
| . POSTAL CODE | Kelowna, BC |
| | V1Z 2N9 |
| 4. APPLICANT/CONTACT PERSON: | Wageman Glazier & Polley, Barristers and Solicitors |
| . ADDRESS | 2 nd Floor, 1674 Bertram Street |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 9G4 |
| . TELEPHONE/FAX NO.: | 763-3343/763-9524 |
| 5. LEGAL DESCRIPTION: | Lot 228, Section 32, Township 29, ODYD, Plan 1247 |
| 7. SITE LOCATION: | North east corner of the intersection of Saucier Road and Stewart Road W |
| 8. CIVIC ADDRESS: | 1960 Saucier |
| 9. EXISTING ZONE CATEGORY: | A1-AGRICULTURE 1 |
| 10. PURPOSE OF APPLICATION: | To amend a 30-year lease to a 99-year lease on a fee simple property. |

SUBJECT PROPERTY MAP

