



**Staff Report**  
**Application # V – 38072**  
**Applicant: Nandor and Belle Molnar**

**DATE RECEIVED:** March 31, 2008

**DATE PREPARED:** May 28, 2008

**TO:** Chair and Commissioners – Okanagan Panel

**FROM:** Brandy Ridout, Land Use Planner

**PROPOSAL:** To subdivide a 0.4 ha homesite severance from the 2.4 ha subject property (encompassing the existing home). The applicants indicate that they purchased the property in 1962. However, no evidence is provided to confirm the length of ownership.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

Two previous applications have been considered on the property. See below for details.

**Local Government:**

The Corporation of the District of Summerland

**Legal Description of Property:**

PID: 024-561-916

Lot 1, District Lot 508, Osoyoos Division of Yale District, Plan KAP64877

**Purchase Date:**

1962-06-01

**Location of Property:**

10001 Walters Road, Summerland

**Size of Property:**

2.4 ha (The entire property is in the ALR).

**Present use of the Property:**

Residence, house and carport

**Surrounding Land Uses:**

**WEST:** 1 ha rural residential property in the ALR  
**NORTH** 1 ha rural residential properties in the ALR  
**EAST:** Okanagan Lake  
**SOUTH** 3 ha ALR property

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82E.052  
Slightly more than half of the property is identified as having prime dominant ratings. The remainder has little capability due to very steep slopes.

**Official Community Plan and Designation:**

District of Summerland OCP designates the land as "Farmland"

**Zoning Bylaw and Designation:**

District of Summerland Zoning Bylaw Designation: A! - Agriculture Zone  
Minimum Lot Size: 2 ha

**PREVIOUS APPLICATIONS:**

**Application #19730-0**

**Applicant:** Molnar, Nandor  
**Decision** Jan 29<sup>th</sup>, 1986  
**Date:**  
**Proposal:** To subdivide a 0.2 ha lot from the 2.6 ha property, and consolidate the 2.4 ha remainder with the adjoining 1 ha property  
**Decision:** Allow as proposed (never concluded)

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**Application #24083-0**

**Applicant:** Molnar, Nandor and Belle  
**Decision** May 16, 1990  
**Date:**  
**Proposal:** To exclude 1 ha from the ALR  
**Decision:** Refuse as proposed, but allow subdivision into two 0.5 ha lots (never concluded)

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

Council for the District of Summerland forwarded the application with a recommendation of support subject to dedication of a turnaround at the end of Walters Rd and appropriate landscape buffering and along the south and east property lines of the proposed Homesite Lot.

**STAFF COMMENTS:**

Staff suggest that the Commission consider the following:

- The applicant appears to qualify for consideration under Homesite Severance Policy based on length of ownership and residency. However, no proof in the way of pre-1972 tax notice of title is provided.
- A significant portion (> 1 ha) of the 2.3 ha property is affected by very steep slopes
- The size of the homesite severance is typical for the region.

**ATTACHMENTS:**

- 1: 20,000 scale ALR map
- 1:10,000 orthophoto
- Applicant's sketch plan

**END OF REPORT**

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**Signature**

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**Date**