

TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: December 18, 2025

RE: Development Variance Permit Application — Electoral Area “I” (I2025.030-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. I2025.030-DVP, to formalise the placement of four (4) livestock structures at 137 Saddlehorn Drive, be denied.

Legal: Lot A, Plan KAP72013, Section 10, Township 88, SDYD Folio: I-06582.065

OCP: Small Holdings (SH) Zone: Small Holdings Four (SH4)

Variance Requests: To reduce the interior parcel line setback for livestock shelters from 15.0 m to 0.0 m

Purpose:

This application is seeking a variance to the interior parcel line setback that applies to the subject property in order to formalise the placement of the livestock shelters.

Specifically, it is being proposed to reduce the interior side parcel line setback for a livestock shelter building from 15.0 metres to 0.0 metres.

In support of this request, the applicant has stated that, amongst other things, “these structures are critical to the use and purpose of an agricultural farm property, and are consistent with the intention of zoning.”

Strategic Priorities: Operational

Background & Analysis:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on August 15, 2021, while BC Assessment has classified the property as “Residential” (Class 01).

Available Regional District records indicate that a building permits for a single detached dwelling with an attached garage (1997) and to convert an accessory building into a dwelling (2024).

Official Community Plan (OCP) Bylaw:

Under the Electoral Area “I” Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject property is currently designated Small Holdings (SH), and is the subject of a Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations.

Correspondingly, the small Holdings (SH) designation includes medium sized parcels of land generally used for rural residential, part time farming, limited agriculture, home industry uses and other uses that fit with the character of the area.

Zoning Bylaw:

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Small Holdings Four (SH4) which requires a 15.0 metre parcel line setback for livestock shelters.

Bylaw Enforcement

The Regional District has received written complaints regarding “sign, retaining wall, chicken coop allegedly violate setbacks” and, as a result, the property has been the subject of a Stop Work Notice for “two barns” (2025), that is the subject livestock shelters.

The BC Building code does not apply to two out of four livestock shelters on the property (i.e., chicken coop and the shed) that are not counted towards the Stop Work Notice and therefore is not subject to inspection or certification for health and safety.

Analysis:

In considering this proposal, Administration notes that the Zoning Bylaw’s use of setback regulations is varied and, in the case of livestock is generally to mitigate the potential for conflict between agricultural (such as part-time farming) and (rural) residential uses.

The current requirement that livestock shelters be setback not less than 15.0 metre from a parcel line is based on guidelines produced by the Ministry of Agriculture, which advises that appropriate setback distances are seen to mitigate against such conflicts.

This is because they “can help prevent nuisance [complaints], protect natural resources, and safeguard human health. On the other hand, excessive setbacks can present serious challenges to farming operations. The [Ministry’s standards] seek to strike a balance by recommending setbacks that are large enough to reduce conflict between uses while still being reasonable and economical for farm operations.”

Of note, the Regional District has been applying the Ministry standards through its Electoral Area Zoning Bylaws since 1998 and undertook a major update in 2017. These amendments resulted in the setbacks for livestock shelters being reduced from 30.0 metres to the current 15.0 metres – in accordance with revised standards published by the Ministry.

In this instance, Administration considers the proposal to be representative of the type of land use conflict that motivated the introduction of setback regulations specific to livestock shelters in 2017. Of note, the setbacks help mitigate nuisances (noise and odor) as the shared property line where the livestock shelters are sitting, fronts the neighbouring residential property.

Administration further notes that the subject property does not appear to be limited by any physical (i.e., property size) or other constraints (e.g. legal restrictions such as easements or right of way) that would warrant a reduced interior parcel line setback of 0.0 metres.

Also, the permanent nature of these structure pose fire safety concerns and that there are not any off-setting measure to mitigate the impact of the reduced setbacks (screening or landscaping).

Other options are also seen to be available to the applicant, such as relocating the livestock shelters elsewhere on the property and outside of the prescribed setbacks.

Alternative:

Conversely, Administration recognizes that there may be an argument that reducing the prescribed setbacks in this instance would allow for a more efficient use of the land for livestock purposes.

It is also recognized that two of the four structures are seen to be minor in nature (e.g. less than 10 m² in area) and that the closest dwelling appears to be approximately 40 metres from one of the livestock shelters.

Summary:

For the reasons outlined above, Administration does not support the requested variances and is recommending denial.

Financial Implications:

Financial implications have been considered and none were found.

Communication Strategy:

The proposed variance has been notified in accordance with the requirements of the *Local Government Act* as well as the Regional District's Development Procedures Bylaw No. 2500, 2011.

Site Context:

The subject property is approximately 3.3 ha in area and is situated on the south side of Saddlehorn Drive. It is understood that the parcel is comprised of a single detached dwelling, an accessory dwelling and associated structures (sauna and hot tub), a recreational vehicle, and various accessory structures (a chicken coop, horse stable, riding arena, round pen, and hay barn).

The surrounding pattern of development is characterised by similarly sized rural residential use.

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted, in accordance with Section 2.10 of Schedule '4' of the Regional District's Development Procedures Bylaw No. 2500, 2011, until 4:30 p.m. on December 5, 2025. All comments received are included as a separate item on the Board's Agenda.

Alternative:

1. THAT Development Variance Permit No. I2025.030-DVP, to formalise the placement of four (4) livestock structures at 137 Saddlehorn Drive, be approved.

Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted


Tharini Prakash
Planning Technician

Endorsed by:


C. Garrish
Senior Manager of Planning

Endorsed by:


A. Fillion
Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Aerial Photo
No. 2 – Aerial Photo

Attachment No. 1 – Aerial Photo



Attachment No. 2 – Aerial Photo



Attachment No. 3 – Site Photos (Existing Livestock Structures in Setbacks)

