

**Use of land and buildings:**

137 Saddlehorn Drive, is used as the primary residence for owners Darren MacLellan and Tracy Gray. Our foster son, 3 horses, 3 dogs and a handful of chickens also reside here. There is a horse barn, hay/storage shed, round pen, riding arena, chicken coop, paddocks and pastures that we utilize for pleasure and recreation. Our hay barn is where we store hay for winter, park our horse trailer, and also provide coverage for our RV. Our developmentally delayed foster son sleeps and hangs out in the RV, eats, showers and receives support from us in the main residence.

Also on the property is an accessory building ( 2 bedroom cottage) that we have renovated since purchasing this property. We have built a wood-fired sauna and hot-tub, and use this space for our out of town family members, friends, and year-round guests.

**Temporary uses of the land and buildings:**

The RV that is temporarily parked in our covered Hay Barn, is on the northeast corner of our property. It is not in view of any person or parties in our neighborhood. The trailer is connected to a septic tank, water, and heated by propane. It is skirted for winter use, and is overall in good condition.

The cottage is used for our many out of town family and friends when they come to visit the Okanagan. It is also used to accommodate paying guests, who come to rest in nature and restore themselves on the land, and in the outdoor spa.


**Time period required for the temporary use;**

We are seeking a TUP of 1 year so we may continue to support ourselves financially and tend to our family/friends/guests until there is a resolution around current issues regarding an existing encroachment as well as address inequitable access to the current easement/shared roadway that runs between the 137 and 141 properties. Once this legal process is completed, we will be listing our property for sale, and moving out of the Okanagan.

This land is not leased. We are the owners of it.

**Reasons for temporary use.**

Upon moving to this property in 2021, we unknowingly inherited problems with this property that had been ongoing for several years. The first problem being a minor encroachment of an existing barn onto the easement which is held by the neighboring property 141 saddlehorn. In our attempts to resolve this encroachment, our neighbor relationship broke down and things have become very difficult. During this last year of working with legal counsel to seek an equitable resolution with our neighbors, both parties discovered language in the current easement that did not reflect its historical or intended use.



We are requesting we continue to use the buildings (cottage & RV) as temporary accommodation, until the resolution of this conflict and subsequent sale of our property.

Our network of family, friends, as well as guests arrive via the only road access available to this property - which is a shared driveway access off saddlehorn drive. There is legal access to this title directly off saddlehorn, yet due to several restricting factors (steep grade, topography of land, environmentally sensitive area, layout of buildings on the land) is unable to be developed for vehicular use. Visitors park in 1 of 4 parking spots we have in and around our main residence driveway. The current easement in place (see attached documents) that is between 141 saddlehorn drive is used for egress and ingress (walking over the easement) to access the horse barn, RV and east side of the 137 property.

Temporary use is limited to the cottage and the RV.

NOTE: attached documents removed by the RDOS in accordance with FOIPPA