

CANADA / JUDGMENT

C.K.N. v. A.M.N.

2025 BCSC 2347

COURT

Supreme Court of British Columbia

DECIDED

28 November 2025

Source: bccourts.ca · Research copy typeset by Esheria. Not court-issued or certified.

2025 BCSC 2347 C.K.N. v. A.M.N.

IN THE SUPREME COURT OF BRITISH COLUMBIA

Citation:

C.K.N. v. A.M.N.,

2025 BCSC 2347

Date: 20251128

Docket: E140330

Registry: Kelowna

Between:

C.K.N.

Claimant

And

A.M.N.

Respondent

Before: The Honourable Justice B. Smith

Reasons for Judgment

Counsel for the Claimant:

K. Kaur

Counsel for the Respondent:

C. Gray

Place and Date of Hearing:

Kamloops, B.C.

October 30, 2025

Place and Date of Judgment:

Kelowna, B.C.

November 28, 2025

Introduction

- [1] This is a family law dispute in which the applicant mother, A.M.N., applies under s. 16.91 of the Divorce Act, R.S.C. 1985, c. 3 (2nd Supp.) [DA] for an order permitting relocation of the parties' two children, age six and three, from Kamloops, British Columbia to Fort St. John, British Columbia.
- [2] The mother says she needs to move from Kamloops for economic reasons, specifically greater financial stability. She claims relocation to Fort St. John, where she has a new job, will provide more stability and better opportunities for the children.
- [3] The respondent father, C.K.N., opposes relocation. He resides in Kelowna, which is approximately two hours drive from Kamloops, and approximately 12 hours drive from Fort St. John. He has regular scheduled parenting time with the children. He says relocation would substantially negatively affect his relationship with the children and is not in their best interests.
- [4] For the following reasons, the mother's application is dismissed.

Background

- [5] The parties were married on May 15, 2020, in Kelowna.
- [6] Between May 2023 and September 2023, the parties attended marriage counselling and began to discuss relocating from Kelowna.
- [7] On or about July 28, 2023, the mother accepted a position with a health authority in Kamloops.
- [8] On or about September 1, 2023, the parties relocated from Kelowna to a trailer on the mother's parents' property in Savona. About one week later, the parties separated. Following separation, the father relocated from Savona to Kelowna.
- [9] On June 21, 2024, the parties participated in a judicial case conference at which Associate Judge Keim made several interim without prejudice orders, including:

- an order concerning parental responsibilities pursuant to the Joyce model that provided the mother with the right to make decisions about the children when the parties could not reach an agreement; and
- an order concerning the parties' parenting time schedule, which provided that the father would have parenting time from Friday at 4 p.m. to Sunday at 4 p.m. on alternating weekends, with such parenting time being extended when adjacent to a statutory holiday.

(the "JCC Order")

[10] The mother currently resides in Kamloops. The father currently resides in Kelowna. The mother has terminated her lease in Kamloops and plans to reside with her parents, in Savona, if relocation is not granted.

[11] The parties have two children of the marriage namely:

- B.K.N., born August 2019; and
- F.B.N., born January 2022;

(the "Children")

[12] B.K.N. is six years old and attends elementary school in Kamloops. B.K.N.'s maternal grandmother provides after-school care for him. F.B.N. is three years old and attends a community daycare in Kamloops.

[13] The Children are both physically healthy and neither have any diagnosed physical medical conditions.

[14] In February 2025, B.K.N. was screened for possible autism spectrum disorder, but did not meet the diagnostic criteria. His pediatrician recommended the parties obtain a second opinion in that regard, for which he is currently on a waitlist.

[15] In or about July 2025, B.K.N. was diagnosed with attention deficit hyperactivity disorder; sensor processing disorder; and separation anxiety.

[16] B.K.N. sees a registered clinical counsellor through Child and Youth Mental Health in Kamloops twice a week.

[17] B.K.N. is in grade 1 at school. He has an Individual Learning Plan ("IEP"). The parties met with the IEP aide in September 2025 and were advised that he is doing well and is showing improvement.

[18] The parties do not have any family in Fort St. John.

Legal Principles

[19] Section 16(3) of the DA provides:

Factors to be considered

- (3) In determining the best interests of the child, the court shall consider all factors related to the circumstances of the child, including
- (a) the child's needs, given the child's age and stage of development, such as the child's need for stability;
 - (b) the nature and strength of the child's relationship with each spouse, each of the child's siblings and grandparents and any other person who plays an important role in the child's life;
 - (c) each spouse's willingness to support the development and maintenance of the child's relationship with the other spouse;
 - (d) the history of care of the child;
 - (e) the child's views and preferences, giving due weight to the child's age and maturity, unless they cannot be ascertained;
 - (f) the child's cultural, linguistic, religious and spiritual upbringing and heritage, including Indigenous upbringing and heritage;
 - (g) any plans for the child's care;
 - (h) the ability and willingness of each person in respect of whom the order would apply to care for and meet the needs of the child;
 - (i) the ability and willingness of each person in respect of whom the order would apply to communicate and cooperate, in particular with one another, on matters affecting the child;
 - (j) any family violence and its impact on, among other things,
 - (i) the ability and willingness of any person who engaged in the family violence to care for and meet the needs of the child, and
 - (ii) the appropriateness of making an order that would require persons in respect of whom the order would apply to cooperate on issues affecting the child; and
 - (k) any civil or criminal proceeding, order, condition, or measure that is relevant to the safety, security and well-being of the child.

[20] Section 16.92(1) of the DA provides:

Best interests of child -- additional factors to be considered

16.92 (1) In deciding whether to authorize a relocation of a child of the marriage, the court shall, in order to determine what is in the best interests of the child, take into consideration, in addition to the factors referred to in section 16,

- (a) the reasons for the relocation;
 - (b) the impact of the relocation on the child;
 - (c) the amount of time spent with the child by each person who has parenting time or a pending application for a parenting order and the level of involvement in the child's life of each of those persons;
 - (d) whether the person who intends to relocate the child complied with any applicable notice requirement under section 16.9, provincial family law legislation, an order, arbitral award, or agreement;
 - (e) the existence of an order, arbitral award, or agreement that specifies the geographic area in which the child is to reside;
 - (f) the reasonableness of the proposal of the person who intends to relocate the child to vary the exercise of parenting time, decision-making responsibility or contact, taking into consideration, among other things, the location of the new place of residence and the travel expenses; and
 - (g) whether each person who has parenting time or decision-making responsibility or a pending application for a parenting order has complied with their obligations under family law legislation, an order, arbitral award, or agreement, and the likelihood of future compliance.
- [21] It is undisputed that the father has the burden of proof to show that relocation is not in the best interests of the Children.

Discussion

The Relocation Plan

[22] The mother's proposed relocation plan can be summarized as follows:

- Total quantity of the father's parenting time days to remain unchanged at 52 days but will be in blocks during school breaks.
- Revised parenting schedule:
 - o Spring Break: 15 consecutive days in March/April corresponding with the Children's school district schedule;
 - o Early Summer: 15 consecutive days commencing immediately after the end of the school year in late June/early July;
 - o Late Summer: 15 consecutive days in August, to occur after August 12 and before the start of the school year; and
 - o Winter Break: 7 consecutive days between December 26 and January 3.

- Additional parenting time as arranged by mutual agreement between the parties, with at least 30 days notice, and if it does not unreasonably disrupt the Children's school or routines.
- The parties will have electronic parenting time with the Children for 30 minutes twice a week during the periods when they Children are in the care of the other party.
- The parties will share equally in the responsibility for and the cost of child exchange by:
 - o meeting halfway if child exchange is done by car travel; or
 - o sharing equally the cost of airfare for the Children.
- Each party will be responsible for the cost of their own airfare while the Children are of the age where they cannot travel unaccompanied by air and the party who is commencing their parenting time will be responsible for travelling to the location of the Children at the start of their parenting time, unless agreed otherwise by the parties in writing 30 days before the date of the exchange.

Divorce Act - s. 16(3) Factors

- (a) the child's needs, given the child's age and stage of development, such as the child's need for stability

[23] It is undisputed that the Children have a great need for stability.

[24] The mother's position is that the father does not believe that B.K.N. has any behavioural issues, which she says flies in the face of the medical diagnoses, ignores the history of behavioural issues while the parties were together, and defies common sense.

[25] The father denies the mother's allegation. He says that even if the allegation was true, there is nothing in the evidence to suggest that his beliefs have negatively impacted B.K.N.

[26] The father's position is that:

- the Children derive stability from both their parents;
- since June 2024 he has had regular, stable and consistent parenting time on alternate weekends, and two weeks of parenting time in August 2025;
- there is nothing in the evidence suggesting that he has missed any of the scheduled parenting time weekends or that the Children's schedule was disrupted;
- B.K.N. has an even greater need for stability, due to his special needs;
- relocation to Fort St. John will significantly disrupt B.K.N.'s stability, specifically B.K.N.'s regular and consistent time with the father and extended family members; and
- this will be detrimental to B.K.N.'s emotional and psychological well-being.

- (b) the nature and strength of the child's relationship with each spouse, each of the child's siblings and grandparents and any other person who plays an important role in the child's life

[27] The mother's position is that:

- she has a stronger relationship with the Children than the father does, because she has always been their primary caregiver, particularly since the parties' separated;
- the father's decision to return to Kelowna following separation, rather than remaining in Kamloops or the surrounding area, is a factor the court should consider in determining the nature and strength of the parties' relationships with the Children;
- at separation, the father had a choice as to whether he would remain close to the Children or move two hours away and, because of his choice to move back to Kelowna, he now has a weaker relationship with the Children; and
- the Children do not have particularly strong relationships with their paternal grandmother and great-grandmother.

[28] The father's position is that:

- the Children have a strong relationship with both parents;
- although his parenting time is limited to alternative weekends, it is regular, consistent and of good quality;
- the nature and strength of a parent-child relationship cannot be determined simply by the quantity of parenting time;
- the parties both have an extensive family network in Kamloops and Kelowna;
- he does not dispute that B.K.N. has a strong relationship with his maternal grandmother as she provides after-school care for him or otherwise cares for him on an almost daily basis;
- the Children have a strong and meaningful relationship with their paternal grandmother and great-grandmother and spend time with both every other weekend during his parenting time; and
- the mother has not made any reasonable proposal to maintain the relationships between the Children and their grandparents.

- (c) each spouse's willingness to support the development and maintenance of the child's relationship with the other spouse

- [29] The mother's position is that she has demonstrated willingness to support the development and maintenance of the Children's relationship with the father and their paternal grandmother and great-grandmother by facilitating and promoting regular electronic communication and arranging for the father to have additional parenting time with the Children in August 2025.
- [30] The father's position is that there is limited evidence of concrete steps taken by the mother to facilitate and promote electronic communication between him and the Children in a positive and consistent manner, which raises a concern about the mother's willingness to actively support the Children's relationship with him, and that should relocation be permitted, facilitation of electronic communication will become even more critical, as his in-person parenting time will inevitably decrease.
- (d) the history of the care of the child
- [31] The parties disagree on the history of care of the Children during the relationship. There is conflicting affidavit evidence on this point. The mother deposes that she has been the primary caregiver for the Children for the entirety of their lives. The father deposes that during the relationship the parties shared the care of the Children. The father's mother deposes that during the relationship she assisted the parties in taking care of the Children.
- [32] It is undisputed that the mother has been the primary caregiver of the Children since separation.
- [33] Between separation and June 2024, the parties did not have scheduled parenting time. The father had at least 32 days of parenting time from December 2023 to April 2024. Between April 2024 and June 2024, the mother denied parenting time. Pursuant to the JCC Order, since June 2024, the father has had consistent parenting time on alternating weekends, except for one occasion when the mother denied parenting time.
- [34] In March 2025, the mother denied parenting time. The father made an application to the court, and the parties subsequently consented to him receiving make-up parenting time for two weekends that were missed because of the denial. Although the parties consented to make-up parenting time, and there was no determination by the court concerning the reasonableness of the denial, the father requests the court to note that the denial was based on things that then five-year-old B.K.N. told the mother, which the mother did not discuss with the father before the denial.
- (e) the child's views and preferences, giving due weight to the child's age and maturity, unless they cannot be ascertained
- [35] It is undisputed that the Children are too young for any consideration to be given to their views and preferences.
- (f) the child's cultural, linguistic, religious and spiritual upbringing and heritage, including Indigenous upbringing and heritage

- [36] The mother has a Christian faith background and says that before separation she would speak at home about God but did not attend church because she feared retaliation from the father, who was often dismissive of her beliefs and opinions concerning religion.
- [37] Since about July 2024, the mother attends church services with the Children.
- [38] The mother recalls having a discussion with the father about the Children attending church. The father denies this and says he suspected the Children were attending church only when B.K.N. pointed out the church to him and said that it was his church. The father does not recall anyone giving the Children any religious upbringing during the relationship.
- [39] The father submits that there is no evidence before the court about any impact the Children's attendance at church has on their overall emotional, physical and psychological safety, security and well-being.
- (g) any plans for the child's care
- [40] The mother claims she has made plans for daycare, after-school care and weekend care of the Children in Fort St. John. She has not provided details.
- (h) the ability and willingness of each person in respect of whom the order would apply to care for and meet the needs of the child
- [41] The mother's position is that:
- she has both the ability and the willingness to meet the needs of the Children;
 - the father has neither the ability nor the willingness to meet the needs of the Children, and he has repeatedly refused to meaningfully engage with B.K.N.'s needs, and his typical response to her attempts to engage with him about this is to blame her and deny that B.K.N. exhibits any behavioural issues while in his care; and
 - the father has refused to contribute to the cost of special and extraordinary expenses and has failed to meet his child support obligations.
- [42] The father denies all the mother's allegations concerning his alleged lack of involvement or interest in B.K.N.'s special needs.
- [43] At the hearing of the application, the issue of the father's contribution to the cost of special and extraordinary expenses and his payment of child support was adjourned due to lack of court time.
- (i) the ability and willingness of each person in respect of whom the order would apply to communicate and cooperate, in particular with one another, on matters affecting the child
- [44] It is undisputed that the parties struggle with communication and cooperation on matters affecting the Children. Much of this has to do with the father's failure to respond in a timely way to the mother's communications. The mother says that she has consistently made efforts to communicate with the father about issues affecting the Children but often has had

to wait several days to receive a response from him, which has resulted in either delay in the Children obtaining support or services, or has forced her to make decisions about the Children without his input. The father does not dispute this.

- (j) any family violence and its impact on, among other things, (i) the ability and willingness of any person who engaged in the family violence to care for and meet the needs of the child, and (ii) the appropriateness of making an order that would require persons in respect of whom the order would apply to cooperate on issues affecting the child

[45] This factor is not applicable in this case.

- (k) any civil or criminal proceeding, order, condition, or measure that is relevant to the safety, security and well-being of the child

[46] This factor is not applicable in this case.

Divorce Act - s. 16.92(1) Factors

- (a) the reasons for the relocation

[47] The mother's stated reasons for relocation are to obtain a greater degree of economic stability, ensure childcare for the Children, and advance her career. Although she will not have the kind of familial support she currently has in Kamloops, she claims there are service providers who can fill in when her family cannot.

[48] The mother cites increased cost of living she has experienced since separation, together with an alleged lack of support from the father as factors that have contributed to her need to relocate to an area where she can afford to live and be able to provide the Children with a higher standard of living.

[49] The father submits any improvements in the mother's economic stability because of the relocation are speculative and unsubstantiated by the evidence before the court. Indeed, the father suggests the court should draw an adverse inference that there will be no improvement in the mother's financial economic stability as she did not provide financial disclosure of her current financial circumstances, even after being put on notice by the father in his application response that she must do so pursuant to the Supreme Court Family Rules, B.C. Reg. 169/2009.

[50] The father does not dispute that if relocation is for economic reasons, it will impact the Children's welfare. I take this as recognizing that relocation could positively affect the mother's economic stability, which would be positive for the Children. The father says, however, that the mother's assertion that relocation will improve her own economic stability is based upon incomplete and contradictory evidence.

[51] The father questions the mother's claim that she is under financial strain. The mother has not filed an updated financial statement, which must include sworn information about her income, and her current income is not known.

- [52] The father asserts that the mother's claim that she will receive an increased hourly rate is speculative, because her guaranteed hourly rate in Fort St. John is less than she was apparently earning in Kamloops, and any increase to her hourly rate in Fort St. John will ultimately be determined by her new employer.
- [53] The father says that comparing the mother's 2024 hourly wage, which is not in evidence, with her anticipated hourly wage in Fort St. John, is misleading and inflates the apparent economic benefit of relocation.
- [54] The father points out that the mother's \$30,000 rural and remote recruitment incentive is based on a service commitment of 24 months and that she will be responsible to repay it on a pro rata basis if she does not remain in a regular position in the rural and remote community for that period. As such, the father says that the incentive is a conditional loan and not a guaranteed benefit. He says that this introduces a risk of financial instability for the mother if she leaves her employment prematurely, as it will require repayment and, therefore, does not represent a lasting economic benefit.
- [55] The father contests the mother's claim about the positive impact of other so-called financial incentives on the economic well-being of the Children. He says that the northern living allowance does not result in any actual extra income for the mother because it is simply a tax credit. Further, he says that forgiveness of the mother's student loan is a mere assertion of fact and that the loan is not incurring interest.
- [56] The father argues reimbursement of the mother's moving expenses is subject to submission and approval of receipts, the aforementioned two-year return of service applies, and it is only something for which she will be eligible, not a guaranteed benefit. The father notes that the reimbursement is in any event for an expense the mother will only incur if she relocates.
- [57] The father questions the mother's assertion that the cost of living in Fort St. John is lower than it is in Kamloops. He says that the mother's own affidavit evidence establishes that monthly rent in Fort St. John is comparable to Kamloops.
- [58] While the mother deposes that she has secured daycare for the Children in Fort St. John, including after-school care and on weekends, the father notes that in the mother's oral submissions she suggests her income will increase and, therefore, questions whether she would still be eligible for daycare subsidies. He says the court can reasonably infer that the cost of daycare will be higher in Fort St. John.
- (b) the impact of the relocation on the child
- [59] The mother acknowledges that the relocation will necessarily impact the frequency of the father's parenting time with the Children.
- [60] The father says relocation will sever the Children's relationship with him and other family members. If relocation is allowed, he will have to heavily rely on electronic communication to maintain his relationship with the Children.

- (c) the amount of time spent with the child by each person who has parenting time or a pending application for a parenting order and the level of involvement in the child's life of each of those persons
- [61] Currently, the father spends alternate weekends with the Children and has electronic parenting time twice a week.
- [62] The mother says that the father's level of involvement with the Children is modest by comparison to hers.
- (d) whether the person who intends to relocate the child complied with any applicable notice requirement under section 16.9, provincial family law legislation, an order, arbitral award, or agreement
- [63] It is undisputed that the mother complied with the notice requirements under s. 16.9 of the DA.
- [64] The mother says that she also took further steps, by attempting to reach an agreement with the father before bringing the application before the court.
- (e) the existence of an order, arbitral award, or agreement that specifies the geographical area in which the child is to reside
- [65] This factor is not applicable in this case.
- (f) the reasonableness of the proposal of the person who intends to relocate the child to vary the exercise of parenting time, decision-making responsibility or contact, taking into consideration, among other things, the location of the new place of residence and the travel experience
- [66] The mother's position is that she has provided a reasonable proposal for the variation of the father's parenting time. She argues that although the father's parenting time will be less frequent, the proposed schedule comprises manageable blocks of parenting time which will allow for the Children to have meaningful time with the father and his extended family. She says that her plan reflects the realities of modern life whereby employment opportunities shift with the economy from industry to industry.
- [67] The father's position is that the proposed arrangements are unreasonable. He says blocks of parenting time totalling 52 days significantly undermines the importance of frequency of parenting time when young children are involved and places a premium on quantity over quality. He is concerned that the proposal is for the mother to have the Children every Christmas and that it makes no provision for him to have them on special occasions such as Father's Day, Thanksgiving, birthdays or long weekends. He says this would further undermine the quality of his parenting time.

- [68] The father also takes issue with the proposed electronic parenting time, arguing that it is not a substitute for in-person parenting time, regardless of how reflective it is of modern realities. He similarly takes issue with the proposed 30-minute phone calls with the Children twice a week. He points out that he already has phone calls with the Children twice a week on the existing parenting time schedule. He is concerned about the mother's willingness to facilitate meaningful electronic communication between him and the Children.
- [69] The father says that travel expenses will increase significantly for both parties if relocation is permitted. If the Children travel by air, they will have to be accompanied by either him or the mother until they are of age when they can travel unaccompanied by an adult. Exchanges involving travel by vehicle will involve a significant cost given the distance between Kelowna and Fort St. John. If he must travel to Fort St. John he will have to incur the cost of accommodation there for at least one night before returning to Kelowna. The travel expenses would be exacerbated by the fact that he would have to take time off work for travel. One full day of his parenting time will be spent travelling. The drive between Kelowna and Fort St. John takes about 12 hours and is difficult and can be dangerous, especially during the winter months. He says he does not have the ability to afford such travel expenses or income loss and that the mother's ability to afford such expenses cannot be determined because her expected income in Fort St. John is subject to various conditional requirements. He is concerned that there will be little incentive for the mother to agree to additional parenting time when it will necessarily involve increased travel expenses for her. He says travel time is not meaningful parenting time and nor are lengthy periods of travel time in the best interests of the Children.
- (9) whether each person who has parenting time or decision-making responsibility or a pending application for a parenting order has complied with their obligations under family law legislation, an order, arbitral award, or agreement, and the likelihood of future compliance
- [70] This factor is not applicable in this case.

Best Interests of the Children

- [71] The core issue in this application is whether relocation is in the best interests of the Children.
- [72] The determination of that issue requires me to make a very difficult decision. As Justice Saunders said in *Hejzlar v. Mitchell-Hejzlar*, 2011 BCCA 230 at para 23:
- [23] The issue of a proposed relocation of a child against the wishes of the non-moving parent, is difficult. In the tangle of competing benefits and detriments to the child it is not easy to determine best interests. This is particularly so where family members beyond the parents are an important part of the child's home life.

- [73] In determining that the father has met his burden of proving that relocation is not in the best interests of the Children, I have carefully considered all the factors referred to above, individually and collectively, in the context of the whole of the evidence.
- [74] I find relocation is not in the best interests of the Children for two reasons. First, relocation will be overly destabilizing for the Children, and particularly so for B.K.N., who has special needs, while at the same time providing little obvious benefit. Second, relocation will be overly detrimental to the Children's relationship with the father and other extended family members.
- [75] Relocation would be immediately particularly destabilizing for B.K.N. in several ways. First, B.K.N. would have to change schools, and enter a new school community, with new teachers and a new peer group. Second, B.K.N. would have to change professional support providers. Third, B.K.N. would no longer have the same quantity or quality of time with his maternal grandmother, who plays a very important role in his life.
- [76] Although I believe relocation would likely have less of a destabilizing effect of on F.B.N., because he is only three years old, I find it unlikely that he will be unaffected by it.
- [77] The Children's stability is partly dependent on the mother's financial stability. Relocation would involve the mother moving to a new community where she does not have any family, to take up a new position which it is said will provide her with greater financial stability. It is not clear what the mother would do in the event her new position in Fort St. John failed to work out as planned.
- [78] While the mother currently remains unemployed in Kamloops she can rely on the support of her parents, including for accommodation. There is no evidence about what the mother would do if she were to become unemployed in Fort St. John, which raises a concern about the potential for a future negative impact on the Children's stability. While I appreciate that if the mother's plans do not work out, she likely would have good prospects for finding and maintaining appropriate professional employment in any medium to large sized community in British Columbia, it is not certain that she would be able to do so in a smaller community such as Fort St. John. She may find she needs to relocate again, which would have a further destabilizing effect on the Children. In other words, I am not satisfied that relocation to Fort St. John could withstand the test of challenges over time in the same way that it can in Kamloops. This is of particular concern because the mother's assertion that she has secured employment in Fort St. John providing her with a significant increase in income and improved financial stability rests on somewhat of a shaky evidentiary foundation.

- [79] The evidence about the mother's claimed increase in her hourly wage suffers from the fact that its comparator evidence is not before the court, namely evidence of what she is currently earning. I have not been provided with any explanation for this evidentiary deficiency, even though it appears to be undisputed that in advance of the application counsel for the father put counsel for the mother on notice that up-to-date financial disclosure was required.
- [80] Counsel for the father has argued persuasively that the evidence about the mother being eligible for a rural and remote recruitment incentive, reimbursement of moving expenses, a northern living allowance, forgiveness of her student loan, opportunities for career advancement, and lower cost of living in Fort St. John does not go very far towards establishing a real economic benefit to relocation. Further, the economic benefits analysis has apparently failed to account for the expense of daycare and after-school care in Fort St. John, which the mother is currently not incurring as this care is mostly provided by her mother. It also fails to account for any of the mother's increased travel expenses associated with facilitating the father's parenting time with the Children.
- [81] Contrary to the mother's assertion, there is no evidence before me that the proposed relocation would offer the Children greater access to educational, social and recreational opportunities in a more affordable and stable environment. Neither is there any evidence that the opportunities available to B.K.N. in Fort St. John are in any way superior to those available to him in Kamloops.
- [82] It is undisputed that the Children have great need for stability in their lives and that their relationships with the father and other extended family members should be fostered.
- [83] It is in the best interests of the Children that they be given every opportunity to develop and maintain meaningful family relationships, especially with their parents. The father currently exercises regular in-person parenting time. While it is limited to alternate weekends, it has been consistent and meaningful. Relocation would make the father's current in-person parenting time schedule logistically impossible to maintain. Not only would it reduce in frequency, but it would also be of less quality.
- [84] Allowing the Children to continue to have regular quality in-person parenting time with the father is more likely to foster the development and maintenance of a strong relationship between the Children and the father than electronic parenting time. In my view, the proposed plan, which would see the father having less frequent in-person parenting time with the Children, will be detrimental to the development and maintenance of a strong relationship between the father and the Children, especially since the Children are still of a young age.
- [85] Concerning the proposed quantity of in-person parenting time days, while the number of days is the same as in the current schedule, it would be effectively reduced by at least a day each time the father travels with the Children for exchanges. In my view, time spent travelling long distances with young children, whether by air or by road, is unlikely to

involve much quality parenting time. Further, if travel is by road, it will expose the Children to the dangers associated with travelling long distances on highways in the Interior of British Columbia which, as noted above, poses a particular concern in winter.

[86] It is also in the best interests of the Children that they maintain meaningful relationships with their extended family members. The parties have extended family members in Kamloops, Savona, and Kelowna. I find that the extended family members perform an extremely positive role in the lives of the Children. In my view, relocation would significantly diminish the ties between the Children and the extended family members and could sever them completely.

Orders

[87] A.M.N. is prohibited from relocating B.K.N. or F.B.N., or both, by changing their ordinary residence in Kamloops, British Columbia, without written consent or court order.

Costs

[88] The father has been successful in opposing the mother's application and is entitled to costs at Scale B.

"B. Smith J."

B. SMITH J.

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.bccourts.ca/jdb-txt/sc/25/23/2025BCSC2347.htm>

CASE PAGE <https://chat.esheria.ai/case-law/canada/c-k-n-v-a-m-n-2025>

Prepared on 26 October 2026 · Esheria