



# BOARD REPORT

**TO:** Chair and Directors

**SUBJECT:** Electoral Area F: Temporary Use Permit No. 830-23

**DESCRIPTION:** Report from Laura Gibson, Planner II, dated April 22, 2025.  
1-1038 Scotch Wharf Road, Scotch Creek.

**RECOMMENDATION:** THAT: in accordance with Section 493 of the Local Government Act, Temporary Use Permit No. 830-23 for Strata Lot 1, Section 27, Township 22, Range 11, West of the 6th Meridian, Kamloops Division Yale District Plan Strata Plan K 618 together with an interest in the common property in proportion to the unit entitlement shown on Form 1, be authorized for issuance this 15<sup>th</sup> day of May, 2025, for the temporary use of the single detached dwelling as Short-Term Rental, with issuance subject to the applicant fulfilling the following condition:

- Registration of a covenant on title for the subject property pursuant to s. 219 of the Land Title Act releasing and indemnifying the CSRD for any damages arising from or relating to issuance of the Temporary Use Permit.

*Stakeholder Vote Unweighted (LGA Part 14) Majority*

## SUMMARY:

The subject property is located at 1-1038 Scotch Wharf Road, Scotch Creek in Electoral Area F. The owner has applied for a Temporary Use Permit (TUP) to seek approval to use the single detached dwelling as a seasonal short-term rental (STR) (May 1 to September 31) for up to 9 guests. If approved, the TUP will allow the STR to operate for up to three years.

## BACKGROUND:

ELECTORAL AREA:  
F

## LEGAL DESCRIPTION:

Strata Lot 1, Section 27, Township 22, Range 11, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District Plan Strata Plan K 618 together with an interest in the common property in proportion to the unit entitlement shown on Form 1

PID:  
002- 777- 410

CIVIC ADDRESS:  
1-1038 Scotch Wharf Road, Scotch Creek

SURROUNDING LAND USE PATTERN:  
North = Neighbourhood Residential  
South = Shuswap Lake

East = Neighbourhood Residential  
West = Neighbourhood Residential

**CURRENT USE:**

One single detached dwelling and accessory building (shed).

**PROPOSED USE:**

Use the single detached dwelling as a STR.

**PARCEL SIZE:**

0.11 ha

**DESIGNATION:**

[Electoral Area F Official Community Plan Bylaw No. 830](#), as amended (Bylaw No. 830)  
NR Neighbourhood Residential

**ZONE:**

[Scotch Creek/Lee Creek Zoning Bylaw No. 825](#), as amended (Bylaw No. 825)  
R1 Residential 1

**AGRICULTURAL LAND RESERVE:**

0%

**SITE COMMENTS:**

The subject property is located in Scotch Creek and is 0.11 ha in size. The property is one of 15 lots in a bare land strata subdivision created in 1989. The property is generally flat and has approximately 18 m of Shuswap Lake frontage. The property contains one single detached dwelling and an accessory building (shed). The strata and surrounding neighbourhood is designated NR - Neighbourhood Residential. The property is within the Scotch Creek/Lee Creek Fire Service Area.

**BYLAW ENFORCEMENT:**

There is no bylaw enforcement related to this file; however, the single detached dwelling has been used as an STR in the past which is not compliant with the permitted uses in the R1 zone in Bylaw No. 825.

**POLICY:**

See attached "TUP830-23\_BL830\_BL825\_Excerpts.pdf"

Bylaw No. 830 policies include that a TUP may be issued for temporary uses that are not supported or permitted by the OCP or Zoning Bylaw.

[Electoral Area F Official Community Plan Bylaw No. 830](#)

Section 6.1 - Housing Affordability and Special Needs

Section 6.3 - Housing for Families

Section 12 – Principle 2

Section 12.15 - Secondary Suites

Section 14 - Temporary Use Permits

[Scotch Creek/Lee Creek Zoning Bylaw No. 825](#)

## Section 5.7 - R1 Zone

**FINANCIAL:**

This application is not a result of bylaw enforcement. If the TUP is not approved and the owners continue the STR use, bylaw enforcement staff would action this file as per direction noted within Bylaw Enforcement policy A-69.

**KEY ISSUES/CONCEPTS:**Background

The property owner has applied for a TUP for a STR which has operated in the single detached dwelling since July 2020.

Proposal Summary

See attached: "TUP830-23\_STR\_TUP\_Form\_redacted.pdf" for details.

Type of dwelling	Single Detached Dwelling
Any new construction?	No
Seasonal or year-round?	Seasonal: May 1 - September 31
Number of bedrooms	4
Maximum number of guests	9
Number of required parking spaces	5
Has the STR operated in the past?	Yes, by current and previous owners, without TUP
Will the owner/operator live on the subject property?	No
Water servicing	Lake intake. Owner intends to connect to the newly constructed Scotch Creek Water System.
Sewage disposal	Community Sewer System (serving the strata)

Additional comments

The property owner who will operate the STR does not live at the property when the STR is in use. The owner notes in their email to neighbours that the intent is to retire in the house and that the reason for renting out the house as a STR is to help offset some of the costs of the mortgage and taxes, etc. Emails sent to the applicant from two of the neighbours in the strata are both supportive of the STR use on the subject property.

See: "TUP830-23\_Letter\_to\_Neighbours\_and\_Responses\_redacted.pdf" to see the owner's email to neighbours and the two responses provided.

Analysis

Bylaw No. 830 includes policies about considerations for TUPs as well as TUPs specifically for STRs. These policies have been incorporated into the CSRD considerations for STR TUPs (for all Electoral Areas). The following is an analysis of the proposal with respect to the [CSRD considerations for STR TUPs](#).

- a) Is the primary use of the property residential, rural or agricultural?

Yes, the subject property is residential.

- b) Will the STR keep with the residential, rural or agricultural character of the neighbourhood and not cause a nuisance or disturbance?

Yes. The property owners have described in their application how they will maintain the residential character of the neighborhood and avoid the STR causing a nuisance or disturbance to the neighbourhood, including:

- There are four local residents who assist in looking after the property (landscaping, maintenance), client turnover, cleaning (including garbage and recycling), and keeping tabs on the property;
- The owner has included a complaint response plan and letters of support from two neighbours.

- c) Is the season of use specified in the TUP?

Yes, the proposed STR will operate from May 1 - September 31, annually.

- d) Is the STR located within a dwelling unit permitted by the zone that applies to the property?

Yes, the existing single detached dwelling complies with zoning.

- e) Is the STR limited to one dwelling unit on the property?

Yes, the STR is located in the existed single detached dwelling and is the only STR on the subject property.

- f) Has the applicant confirmed there is no Bed and Breakfast already existing on the property?

Yes, the applicants have confirmed a bed and breakfast will not operate in conjunction with the STR on the subject property.

- g) Has the applicant acknowledged that the STR owner/operator shall, during operation of the STR, follow all applicable statutes, regulations and standards applicable to sewage disposal for the dwelling unit used for the STR?

Yes, the property owners have acknowledged that they shall, during operation of the STR, follow all applicable statutes, regulations and standards applicable to sewage disposal for the dwelling unit used for the STR. The applicant is also required to engage an Authorized Person (i.e. Registered Onsite Wastewater Practitioner or qualified Professional Engineer) to confirm in a sealed memo that the existing septic system is fit for the proposed use (e.g. performance report or compliance report). A letter to support the STR TUP application, dated March 26, 2025, which includes a Septic System Compliance report dated March 7, 2025, prepared by Rodric van Woerkom, Registered Onsite Wastewater Professional, has been submitted with this application (attached "TUP830-23\_Septic\_Report\_2025-03-26.pdf"). The letter confirms that a compliance inspection was completed on the existing septic system and all components of the system are in good working order. The system is adequately sized for a four bedroom home with a maximum of 9 persons seasonally.

Staff note that the applicant originally proposed 10 guests for this STR TUP application, but this was revised to 9 guests after receiving the septic report.

- h) Has the applicant acknowledged that the STR owner/operator shall, during operation of the STR, follow all applicable statutes, regulations and standards applicable to drinking water supplied to occupants of the STR?

Yes, the property owner has acknowledged they are responsible for providing drinking water to guests. The owner has noted in their application that they intend to connect to the recently constructed Scotch Creek Water System.

- i) Has the applicant identified a local contact person(s) who will be available to address issues that may arise any time that STR accommodation is provided?

Yes, the property owner has identified a primary contact and two additional contact persons. The owner has acknowledged that if the TUP is issued, local contact person information will be posted in a visible place within the STR as well as provided to owners and tenants of adjacent properties.

- j) Has the applicant provided a complaint response plan detailing how concerns and complaints will be addressed?

Yes, a complaint response plan has been received. See attached "TUP830-23\_Complaint\_Response\_Plan\_redacted.pdf".

- k) Has the maximum number of guests permitted in a STR been specified?

Yes, the maximum number of guests for the proposed STR will be 9.

The STR TUP form says 10 guests because the applicant originally proposed 10 guests and updated it to 9 guests after receiving the septic report confirming that the septic system is suited to up to 9 guests.

- l) Has the quiet time been specified?

Yes, the owner will require a quiet time of 10 PM to 7 AM daily. This will be posted in a visible place within the STR.

- m) Has the owner acknowledged that only one (1) sign advertising the STR may be placed on the subject property? The maximum sign area is 1 m<sup>2</sup> (0.5 m<sup>2</sup> for each side).

Yes, the owner has acknowledged that only one sign, a maximum of 1 m<sup>2</sup>, is permitted for the STR.

- n) Has the applicant identified on-site parking spaces for the STR?

Yes, five (5) off-street parking spaces are available for guests of the STR, which is above the minimum number of required parking spaces for an STR for 9 guests as outlined in the CSRD's STR TUP considerations (four spaces).

- o) Is the owner aware that the TUP issuance is subject to proof of adequate STR and liability insurance (minimum of \$3 million in coverage)?

Yes, the property owner has provided proof of adequate STR and liability insurance (minimum of \$3 million in coverage).

- p) Have the owners acknowledged that TUP issuance is subject to registration of a s. 219 covenant on title releasing and indemnifying the CSRD for any damages arising from or relating to the issuance of the TUP?

Yes, the property owner has acknowledged that TUP issuance is subject to registration of a s. 219 covenant on title releasing and indemnifying the CSRD for any damages arising from or relating to the issuance of the TUP.

- q) The STR should comply within all applicable regulations of the Agricultural Land Commission when located within the Agricultural Land Reserve.

N/A. The subject property is not in the Agricultural Land Reserve.

- r) Has the owner acknowledged that the owner/operator shall be wholly responsible for the proper disposal of all garbage, recycling, and yard waste created by the operation of the STR.

Yes, the property owner has acknowledged they are wholly responsible for the proper disposal of all garbage, recycling, and yard waste created by the operation of the STR.

- s) Where appropriate, the owner/operator may be required to reside on the property.

N/A. Staff do not consider this necessary as there have been no bylaw enforcement complaints and the owner has provided an adequate complaint response plan.

- t) Screening or fencing may be required to address potential impacts of the STR or to address privacy concerns of adjacent properties.

N/A. Planning staff do not consider this a requirement for the subject application. However, written public submissions received may identify concerns that could possibly be mitigated. The Board may choose to include additional conditions in the STR TUP.

- u) Other measures may be required to minimize potential conflicts with neighbouring properties.

N/A. Planning staff do not consider this a requirement for the subject application. However, written public submissions received may identify concerns that could possibly be mitigated. The Board may choose to include additional conditions in the STR TUP.

See attached "TUP830-23\_redacted.pdf" for a list of the conditions that the TUP is subject to if the permit is issued.

If the CSRD Board authorizes the issuance of TUP830-23, the TUP will not be issued until a s. 219 covenant releasing and indemnifying the CSRD for any damages arising from or relating to issuance of the TUP has been registered.

The property owner has acknowledged that the above condition will be required prior to issuance of the TUP. If the TUP is issued, proof of renewal of the STR rental insurance is required on an annual basis, or if there is a change in the registered owner.

#### Rationale for Recommendation

The property owner has applied for a TUP to use the existing four-bedroom single detached dwelling as a STR. Staff are recommending that the Board considering issuance of TUP830-23 for the following reasons:

- The property owner has completed the STR TUP form, addressing and/or acknowledging each of the CSRD considerations for STR TUPs;
- The property has the required servicing and parking areas to support the proposed STR use; and,
- The TUP will not be issued until the s. 219 covenant releasing and indemnifying the CSRD for any damages arising from or relating to issuance of the TUP has been registered.

#### **IMPLEMENTATION:**

If the Board authorizes the issuance of TUP830-23, the property owners will be notified of the Board's decision. Upon registration of a Section 219 covenant indemnifying the CSRD for any damages arising from or relating to the issuance of the TUP, the TUP will be issued, and notice will be registered to the title of the subject property.

Prior to the expiration of TUP830-23, the property owner has the option to apply for a one-time renewal for up to another 3-year term. TUP renewals may be considered by the Manager of Development Services where there are no additional changes to the initial permit, there are no issues of non-compliance with the original permit, and the permit renewal application has been received at least three months prior to the expiration of the permit. Prior to the expiry of that TUP, the property owners have the option to apply for a bylaw amendment to seek rezoning approval to permanently allow for the STR use on the subject property.

### **COMMUNICATIONS:**

Neighbouring property owners will have first become aware of the proposal when the applicant posted a notice of application sign on the subject property for the TUP. [Development Services Procedures Bylaw No. 4001-2](#), as amended, requires one notice of application sign for every 400 m of street frontage for a Temporary Use Permit application. The subject property has approximately 18 m of street frontage and requires one sign. The sign was posted on January 17, 2025.

In accordance with the CSRD [Public Notice Bylaw No. 5893](#), a notice will be placed on the CSRD website advising the public of the TUP application and the deadline for written public submissions. Interested persons may also choose to sign up for notifications through the email subscription service available on the CSRD website.

In accordance with Development Services Procedures Bylaw No. 4001-2, as amended, staff prepared and mailed notices to all owners of property located within 100 m of the subject property, notifying them of the TUP application and the deadline for written public submissions. Copies of any written public submissions received by the deadline of 4 PM on Tuesday, May 13, 2025, will be provided to the Board on the late agenda.

### **DESIRED OUTCOMES:**

That the Board endorse the staff recommendation.

### **BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**Report Approval Details**

Document Title:	2025-05-15_Board_DS_TUP830-23.docx
Attachments:	<ul style="list-style-type: none"><li>- TUP830_23_redacted.pdf</li><li>- TUP830-23_BL830_BL825_Excerpts.pdf</li><li>- TUP830-23_STR_TUP_Form_redacted.pdf</li><li>- TUP830-23_Letter_to_Neighbours_and_Response_redacted.pdf</li><li>- TUP830_23_Complaint_Response_Plan_redacted.pdf</li><li>- TUP830-23_Septic_Report_2025-03-26.pdf</li><li>- TUP830-23_Maps_Plans_Photos.pdf</li></ul>
Final Approval Date:	May 6, 2025

This report and all of its attachments were approved and signed as outlined below:



Corey Paiement



Gerald Christie



Jennifer Sham



John MacLean