



# BOARD REPORT

**TO:** Chair and Directors

**SUBJECT:** Electoral Area E: Temporary Use Permit No. 840-04

**DESCRIPTION:** Report from Laura Gibson, Planner II, dated April 24, 2025.  
629 Davidson Drive, Swansea Point

**RECOMMENDATION:** THAT: in accordance with Section 493 of the Local Government Act, Temporary Use Permit No. 840-04 for Lot 1 Section 11 Township 21 Range 8 West of the 6th Meridian Kamloops Division Yale District Plan 30168, be authorized for issuance this 15<sup>th</sup> day of May 2025, for the temporary use of the existing 6-bedroom single detached dwelling as a year-round short-term rental, with issuance subject to the applicants fulfilling the following conditions:

- Submitting proof of adequate short-term rental and liability insurance, with a minimum \$3 million in coverage; and,
- 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 629 Davidson Drive in Swansea Point. The owners have applied for a Temporary Use Permit (TUP) to seek approval to use the existing 6-bedroom single detached dwelling as a year-round short-term rental (STR) for up to 6 guests. If approved, the TUP will allow the STR for up to 3 years.

## BACKGROUND:

ELECTORAL AREA:  
E

## LEGAL DESCRIPTION:

Lot 1 Section 11 Township 21 Range 8 West of the 6th Meridian Kamloops Division Yale District Plan 30168

PID:  
004-037-120

CIVIC ADDRESS:  
629 Davidson Drive, Swansea Point

SURROUNDING LAND USE PATTERN:  
North = Rural Residential 1 (single detached dwelling)

South = Davidson Drive, Public and Institutional (Swansea Point Volunteer Fire Department)  
East = Davidson Drive, Rural Residential 1 (single detached dwelling)  
West = Highway 97A, Swansea Point Park, and Rural Residential 1

**CURRENT USE:**

Single detached dwelling and detached accessory building (garage and shop). The property has been used for an STR since May 2022.

**PROPOSED USE:**

To continue the use of the single detached dwelling as an STR

**PARCEL SIZE:**

0.24 ha (0.59 acres)

**DESIGNATION:**

[Electoral Area E Official Community Plan Bylaw No. 840](#) (Bylaw No. 840)

RR – Rural Residential

**ZONE:**

[Electoral Area E Zoning Bylaw No. 841](#) (Bylaw No. 841)

RR1 – Rural Residential 1

**SITE COMMENTS:**

See attached "TUP840-04\_Maps\_Plans\_Photos.pdf".

**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 RR1 zone in Bylaw No. 841.

**POLICY:**

See attached "TUP840-04\_BL840\_BL841\_Excerpts.pdf".

Bylaw No. 840 policies include that a TUP may be issued to allow a use not permitted by a Zoning Bylaw. The TUP may include specific conditions under which the temporary use may be carried on and allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued. TUPs can be considered in all designations.

Bylaw No. 840 also states that in areas not zoned for vacation rentals (STRs), it is recommended that they first be considered on a three year trial basis by the use of a Temporary Use Permit prior to applying to rezone.

**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 owners have applied for a TUP for a STR in the existing single detached dwelling.

While the owners have operated this STR in the past, this application is not a result of bylaw enforcement. No complaints have been received by the CSRD regarding this STR.

### Proposal Summary

See attached "TUP840-04\_STR\_TUP\_Form\_Redacted.pdf".

Type of dwelling	Single detached dwelling
Any new construction?	No
Seasonal or year-round?	Year-round
Number of bedrooms	6
Maximum number of guests	6*
Has the STR operated in the past?	Yes, STR has been operating by current owners, without TUP, since May 2022.
Will the owner/operator live on the subject property?	No, the entirety of the single detached dwelling will be used as an STR. The applicants will stay with family while the STR is in operation. They are able to arrive at the property within 5-10 minutes to handle any issues that may arise.
Water servicing	Ground water well
Sewage disposal	Onsite septic system

\*Application forms state 10 guests, however, the septic report did not support that and the applicants chose to reduce the number of guests to 6.

### Additional Comments

The applicants have expressed their commitment to complying with all regulations and guidelines, as well as the maintenance of the property and its surroundings. They have spoken to their neighbours regarding this application who have been noted to have given their approval.

The goal of the STR is to provide a unique and enjoyable experience for visitors to Swansea Point, without disturbing the peace and beauty of the community. The STR is not intended for parties but rather as a gathering place for families and friends to come together and explore the area. The subject property is noted to have a single detached dwelling and a detached accessory building (garage and shop).

### Analysis

Bylaw No. 840 includes policies about considerations for TUPs. 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:

- Having strict rules and guidelines for guests to follow, which are explained personally prior to check in and are in the guidebook at the house;
- Neighbours have their cell phone number and are able to call or text if they have any concerns (though they note that they have never had guests break rules);
- If a neighbour complained, they would immediately contact the guests and show up to ensure the issue has been resolved. If it had not, the guests would kindly be asked to leave due to breaking the rule (i.e. quiet time);
- Garbage disposal bin is emptied regularly.

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

Yes, the proposed STR will operate year-round.

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

Yes, the single detached dwelling is a permitted use on the property.

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

Yes, the proposed STR in the existing single detached dwelling will be the only STR on the subject property. There are no other dwelling units on the property.

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

As the STR is the whole single detached dwelling, a Bed and Breakfast will not operate in conjunction with the STR.

- g) Have the applicants 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 applicants 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.

A Septic System Compliance and Performance Report prepared by Rodric van Woerkom, Registered Onsite Wastewater Practitioner (ROWP), dated April 22, 2025, has been submitted with this application (see attached "TUP840-04\_Septic\_Report.pdf"). The ROWP confirms they evaluated the onsite septic system at the subject property for the STR TUP application. The report confirms that the Type 1 system is sufficient for a maximum of 6 occupants. The system is fully operational. Some potential minor improvements were recommended to ensure continued performance (e.g. install risers or access point to enable inspections and maintenance

and add effluent filter). The owners are planning to install a new septic system and apply for a new TUP for more guests once that is installed, therefore they are not planning to proceed with the recommended improvements. The ROWP is clear in their report that the recommended improvements do not impact the result of the inspection, which is that the system performs adequately for STR use under the TUP.

- h) Have the applicants 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 owners have acknowledged they are responsible for providing drinking water to guests.

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

Yes, the applicants will stay with family while the STR is in operation. They are able to arrive at the property within 5-10 minutes to handle any issues that may arise. They have described in their complaint response plan how issues will be addressed (see attached "TUP840-04\_Complaint\_Response\_Plan\_Redacted.pdf".)

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

Yes, a complaint response plan has been received (see attached "TUP840-04\_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 6. The applicants originally proposed up to 10 guests but amended the proposal after the septic report concluded that the septic system was suitable for up to 6 guests.

- l) Has the quiet time been specified?

Yes, the owners will require a quiet time of 10 PM to 7 AM daily.

- m) Have the owners 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 owners have acknowledged that only one sign, a maximum of 1 m<sup>2</sup>, is permitted for the STR.

- n) Have the applicants identified on-site parking spaces for the STR?

Yes, four off-street parking spaces are available for guest of the STR, which exceeds the minimum number of required parking spaces for an STR for six guests as outlined in the CSRD's STR TUP considerations.

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

Yes, the property owners have acknowledged that the TUP issuance is subject to 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 owners have 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 with 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) Have the owners 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 applicants have acknowledged they are wholly responsible for the proper disposal of all garbage, recycling, and yard waste created by the operation of the STR. They note that they have a garbage disposal bin that is emptied regularly by Winkler Disposal Systems Ltd.

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

N/A. The owners cannot reside on the property as the STR is in the only dwelling unit on the property. The owners stay with family while the STR is in operation. They are able to arrive at the property within 5-10 minutes to handle any issues that may arise.

- 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.

The Board may choose to include additional conditions in the STR TUP to mitigate any potential concerns identified in the written public submissions.

- 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 "TUP840-04\_Redacted.pdf" for a list of the conditions that the TUP is subject to if the permit is issued.

If the CSRD Board authorizes for issuance this TUP application, the conditions required to be fulfilled prior to issuance will include:

- Submitting proof of adequate short-term rental and liability insurance, with a minimum \$3 million in coverage; and,
- 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.

The property owners have acknowledged that the above conditions will be required prior to issuance of the TUP. Proof of renewal of the vacation rental insurance is required on an annual basis, or if there is a change in the registered owners.

#### Rationale for Recommendation

The property owners have applied for a TUP to use the existing single detached dwelling as an STR. Staff are recommending that the Board consider issuance of TUP840-04 for the following reasons:

- The property owners have completed the STR TUP form, addressing and/or acknowledging each of the CSRD considerations for STR TUPs;
- The property owners have plans in place to reduce the likelihood of the STR causing any negative impacts to nearby property owners, including a complaint response plan;
- The property has the required servicing and parking areas to support the proposed STR use;
- The conditions in the permit should minimize negative impacts to neighbouring properties, and the permit may be revoked if the owners do not follow the conditions of the permit.

#### **IMPLEMENTATION:**

If the Board authorizes the issuance of TUP840-04, the property owners will be notified of the Board's decision. Upon receipt of proof of adequate short-term rental and liability insurance with a minimum of \$3 million in coverage and 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 TUP840-04, the property owners have the option to apply for a one-time renewal for up to another 3-year term. TUP renewals may be considered by the General 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 short-term rental 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 33 m of street frontage on Davidson Drive and 59 m of street frontage on Highway 97A. There is a strip of land between the property and Highway 97A that is heavily vegetated with trees. A sign posted on the property facing Highway 97A would have low visibility from the highway therefore the Manager of Planning Services determined that one sign facing Davidson Drive was suitable for this application. The sign was posted on April 14, 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_TUP840-04.docx
Attachments:	<ul style="list-style-type: none"><li>- TUP840-04_Redacted.pdf</li><li>- TUP840-04_BL840_BL841_Excerpts.pdf</li><li>- TUP840-04_STR_TUP_Form_redacted.pdf</li><li>- TUP840-04_Complaint_Response_Plan_redacted.pdf</li><li>- TUP840-04_Septic_Report_Redacted.pdf</li><li>- TUP840-04_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