

Bulletin: Buildings under 10m², Hot Tubs and Pergolas

Requirements for location, placement and permitting



Bulletin # 12-01
Updated: April 21, 2020
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PURPOSE

To inform staff, building contractors and the general public of siting requirements and building permit exemptions as it relates to buildings and pergolas under 10m² and hot tubs.

BACKGROUND

This bulletin is to clarify the Bylaws & British Columbia Building Code (BCBC) interpretations regarding the above.

This bulletin is for informational purposes only. Please be sure to consult the relevant City of Kelowna bylaw.

Accessory buildings less than 10m² in building area do not require a building permit but shall comply with the setbacks and height requirements for accessory structures as outlined by Section 6 of the City of Kelowna Zoning Bylaw 8000.

If any contradiction between this guide and the relevant Municipal Bylaws and/or applicable codes is found, such bylaw and/or codes shall prevail.

Hot Tubs that are independent and self-contained do not require a building permit but shall comply with the setbacks for an accessory building or structure as outlined by Section 6 of the City of Kelowna Zoning Bylaw 8000. HOWEVER; if a gas appliance is used for heating – a natural gas permit must be obtained through the City of Kelowna; if an electric devise is used for heating, a permit must be obtained through Technical Safety BC. In ground Hot Tubs – see Pools and Hot Tubs Hand Out, permits are required for these.

For any specific questions about the completeness of application packages please contact City Staff.

Pergolas less than 10m² in building area, free standing (not attached to any structure) and of open lateral (no roof) construction do not require a building permit but shall comply with the setbacks and height requirements for accessory structures as outlined by Section 6 of the City of Kelowna Zoning Bylaw 8000. Pergolas are deemed landscaping as per Section 6 of the City of Kelowna Bylaw 8000 and do not meet the BCBC definition of a building as per City of Kelowna Zoning Bylaw 8000. However, if the pergola is attached to any structure, is over 10m², or has a solid roof (including but not limited to wood, metal, glass, plexi glass or fiberglass panels), a building permit is required.

Building and Permitting
1435 Water Street
Kelowna, BC V1Y 1J4
TEL 250-469-8960
FAX 250-862-3314
developmentsservicesinfo@kelowna.ca

CONCLUSION

This bulletin is to emphasize that the above restrictions are not changes to the City of Kelowna Zoning and Building Bylaws but are long standing regulations, Failure to comply with the requirements of the Zoning and Building Bylaws will result in a Stop Work Order being posted and compliance sought.