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

PURPOSE

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

BACKGROUND

This bulletin is to clarify the Bylaws & BCBC interpretations regarding the location, placement and permitting requirements for buildings under 10m², Hot Tubs and Pergolas.

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

Hot tubs that are independent, self contained, non recessed manufacturer produced and placed on grade shall comply with the setbacks for an accessory building or structure as outlined by Section 6 of the City of Kelowna Zoning Bylaw 8000.

Hot tubs as described above are building permit exempt. However, if a gas appliance is used for heating, a natural gas permit must be obtained through the City of Kelowna. For an electrical heated unit a permit must be obtained through the B.C. Safety Authority.

Pergolas as per the City of Kelowna Zoning Bylaw are deemed landscaping and do not meet the British Columbia Building Code definition of a building (a building means any structure used or intended for supporting or sheltering any use or occupancy) As long as the pergola is not attached to a structure in a way that the loads are transferred to the existing structure and the cosmetic design has open structural lateral support a building permit is not required. Should the roof be made solid by the use of materials such as wood, glass or fiberglass panels a building permit would then be required.

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.