

Accessory Structures and Buildings

Permit requirements for residential sheds, carports and other small structures

Purpose

To inform contractors and the general public of city regulations and permit requirements for installing small accessory structures and buildings under 10 square meters (108 ft²).

City regulations and permits ensure that the placement of accessory structures are compliant to zoning regulations and meet minimum health and safety standards.

Background

Historically small accessory buildings were used as garden or storage sheds with no occupation, however, there has been an increase of small structures being used as sleeping units, vacation rentals (tiny houses) and offices, which have potential safety hazards to occupants and neighbouring properties.

Although small structures may not require a building permit, the Zoning Bylaw may set regulations regarding placement on the property as well as heights for the structures.



No permit required when under 10sqm (if no electrical or plumbing) or non-roofed structure such as a pergola or trellis but must conform to zoning setbacks.



Building permit required for permanent or seasonal occupation or habitation.

References

[Zoning Bylaw](#)

For further information related to other exterior projects please refer to the following bulletins:

- Deck Permits
- Landscaping and Retaining Walls
- Swimming Pool Permits

Implementation

Building Permits are not required for accessory structures and buildings **10 m² (108 sq. ft.) or less** in building area that **do not create a hazard, as per Building Bylaw 6.3 (b).**

A potential hazard could consist of a building:

- being occupied for more than 4 hours per day such as an office (radon control)
 - being used as a sleeping cabin or vacation rental (see Zoning Bylaw regulations below)
 - having plumbing and electrical services including pool equipment; or
- Constructed within a:
- geotechnical or environmental sensitive area
 - covenant, easement or right-of-way areas as noted on title; or
 - riparian, environment or slope hazard area

BUILDING FOOT PRINT means the area of a lot that is surrounded by the exterior walls of a building and in the absence of walls the area under the horizontal projection of a roof extending more than 0.6m from the outside of the exterior wall, deck or balcony over 0.6 m in height.

ACCESSORY BUILDING or STRUCTURE means a building or structure, normally ancillary to, incidental, subordinate to and dedicated exclusively to, and located on the same lot as, the principal building or structure.

Zoning Regulations

4.2 Accessory Buildings, Structures, Garages and Carports

All **accessory buildings, structures, garages and carports** are subject to the following regulations:

- 4.2.1** An **accessory building** or structure shall not be used as a **dwelling unit**, unless permitted in accordance with Section 8.2 of this Bylaw.
- 4.2.2** An **accessory building** or **structure** shall not be situated on a **lot** unless the principal building, to which it is an accessory, has already been constructed or will be constructed simultaneously.
- .1 **Notwithstanding** the **fence** and **screen** height requirements listed in Section 5.4, the fence or screening of rooftop mechanical or structural appearance may exceed the **height** limitations of the purpose of Section 4.4.2
- 4.2.3** Notwithstanding any **yard** requirements, any **accessory building** or **structure** shall be situated behind the front face of the **principal building**.
- .1 Notwithstanding Section 4.2.3, **accessory buildings** and **structures** located within the Agricultural Zone (A) may be situated in front of the front face of the **principal dwelling**.
- 4.2.4** Notwithstanding any **yard** requirements, **accessory buildings** or **structures** with a building footprint of 10m² or less, may be erected anywhere on a lot, provided that it is situated behind the front face of the **principal building**.
- 4.2.5** The following are permitted anywhere on a **lot**:
- .2 **fences**, in accordance with Section 5.4 of this Bylaw,
- .3 **retaining walls**, in accordance with Section 5.4 of this Bylaw,
- .4 trellises, pergolas,
- .5 children's play equipment,
- .6 utilities,
- .7 mailboxes, or
- .8 farm garden stands
- 4.2.6** All **structures** connected by foundation, roofline or roof **structure** (including but not limited to pergolas or trellises) to the **principal building** are deemed to be a portion of the **principal building**.

4.2.7 Where a **garage** or **carport** has driveway access from the **front yard** or **exterior side yard** to the **street**, the minimum required distance from the **garage** or **carport** to the back of the curb or sidewalk shall be 6.0m.

4.2.8 Where a driveway gate exceeds 1.2 m in height, the minimum required distance from the driveway gate to the back of the curb or sidewalk shall be 6.0m.

Please refer to the Zoning Bylaw for fabric covered buildings, tents, and metal storage containers.

Electrical and Gas Work

All electrical and gas work shall be completed under permit issued by Technical Safety BC. Please contact Technical Safety BC at 1 866-566-7233 or contact@technicalsaftybc.ca.

Call Before You Dig

Call BC One Call at 1-800-474-6886 or info@bc1c.ca before you dig.



Permit Process and Enforcement

Building Department staff can assist you in determining if a Building Permit is required and can guide you through the application process. Accessory building permits are treated as an express permit and typically are issued within 10 business days with a substantially completed application and drawings.

Permit applications shall include:

- Site Plan showing location of structure or building in relation to other structures, equipment and retaining features.
- Floor plans, Cross section and Elevations showing dimensions, room uses, structural layout and construction materials.

Please contact Building Department for any questions, at 250-490-2571 or buildinginfo@penticton.ca.

Permit applications can be obtained at the Development Services department located on the main floor at City Hall or online at: [Permit Applications](#).

Failure to obtain the necessary permits prior to construction or installation will result in a Stop Work Order being posted on the project and fines levied to the property owner and contractors involved. A project started without permit may also require substantial remedial repairs or the removal of the building or structure.

Have questions? We're here to help. Please contact the Building Department at 250-490-2571 or buildinginfo@penticton.ca for more information.