

DISTRICT OF LAKE COUNTRY

BYLAW 1092

A BYLAW TO AMEND ZONING BYLAW 561, 2007

The Council of the District of Lake Country, in open meeting assembled, enacts as follows:

1. District of Lake Country Zoning Bylaw 561, 2007 is hereby amended by:

1.1 Adding the following definitions to Section 3-Interpretation; 3.3. General Definitions; 3.3.3 in alphabetical order:

COMMERCIAL STORAGE means a facility where storage lockers or shipping containers are kept for rent, lease or sale either onsite or offsite; or a facility used exclusively to store bulk goods of a non-hazardous nature.

SHIPPING CONTAINER means a standardized metal container designed to transport goods, whether in its original form or modified to include doors, windows, vents or any other structural modifications.

TEMPORARY BUILDING means a sales office, construction office or a structure in which tools are stored during construction of a building or other structure.

1.2 Deleting the definition of Accessory Building in its entirety and replacing it with the following:

ACCESSORY BUILDING means a separate building, normally ancillary, incidental, subordinate, and located on the same lot as the main building or structure. Typical accessory buildings include but are not limited to garages and garden sheds. Accessory Buildings includes Temporary Buildings.

1.3 Deleting and replacing item 7.6.3 (a) with the following:

(a) Accessory Buildings or structures are not permitted in a required front yard and shall be a minimum of 1 m from the principal residence.

(i) Notwithstanding (a), where an Accessory Building is a Temporary Building, it is permitted in a required front yard and shall be a minimum of 1.5 m from the front lot line.

1.4 Add the following sub-section to Section 7—General Development Regulations:

7.20. Shipping Containers

7.21.1. Where a Shipping Container greater than 10m² is placed on a property temporarily for a period of 12 months or less, it will be considered a Temporary Building and subject to building permit requirements as set out in the District Building Bylaw, as amended from time to time.

7.21.2. Notwithstanding Section 7.21.1. a Shipping Container placed on a property as Temporary Building will not be subject to building permit requirements as set out in the District Building Bylaw, where the Shipping Container is for the purposes of:

- (a) moving;
- (b) building renovations;
- (c) a special event with written approval provided by the Director of Community Development; or
- (d) an emergency situation with written approval provided by the Director of Community Development

provided the Shipping Container:

- (i) is not located on any parcel for more than 90 days in a calendar year (unless written permission is provided by the Director of Community Development to extend the term for special circumstances);
- (ii) is sited as a Temporary Building;
- (iii) is not used to store flammable or combustible liquids or gases, or combustible materials; and
- (iv) property owner has provided notification to the District on the prescribed form.

7.21.3 Where a Shipping Container greater than 10m² is placed on a property permanently for a period of more than 12 months, it will:

- (a) be subject to building permit requirements as set out in the District Building Bylaw, as amended from time to time; and
- (b) be considered a principal building where it takes on a principal use; or
- (c) be considered an Accessory Building where it takes on a secondary or accessory use; and
- (d) where used for a secondary or accessory use (including storage), shall be clad in a building material that is consistent with the character of the principal building.
 - (i) Notwithstanding (d), where the secondary or accessory use is on lands classified as “farm” under the Assessment Act, and is to be used for agriculture, the Accessory building does not require specific cladding.

7.21.4. Individual Shipping Containers may not be stacked vertically, except in an industrial zone to a maximum of two (2) containers high.

7.21.5. A Shipping Container must be set back a minimum of 30m from the high-water mark of any watercourse or lake, unless otherwise stated in a Development Permit.

7.21.6. A Shipping Container that is pre-modified structurally must have the appropriate CAN/CSA certification, as determined by the Chief Building Inspector.

Summary Table:

	Use	Timeframe	Siting	Other Restrictions	Required Permit/Certification
Temporary	Temporary Building (sales office, construction office; storage unit on construction site)	≤ 12 Months	As Temporary Building; >30m from High Water Mark	N/A	Temporary Building Permit; CAN/CSA Certification, if required
	Temporary Storage (during moving; building renovations; special events; emergencies)	≤ 90 Days	As Temporary Building; >30m from High Water Mark	Must not store flammables or combustibles	Notification Form
Permanent	Principal Use	> 12 Months	As principal building	N/A	Development Permit; Building Permit; CAN/CSA Certification, if required
	Accessory/Secondary Use	> 12 Months	As Accessory Building	Cladding consistent with principal building (exemption as per Section 7.21.3 (d(i)))	Development Permit; Building Permit; CAN/CSA Certification, if required

2. This bylaw may be cited as “Zoning Amendment (Shipping Containers) Bylaw 1092, 2019”.

READ A FIRST TIME this 21st day of May, 2019.

READ A SECOND TIME this 21st day of May, 2019.

ADVERTISED on the 19th and 26th days of June, 2019 and a Public Hearing held pursuant to the provisions of Section 464 of the *Local Government Act* on the 2nd day of July, 2019.

READ A THIRD TIME as amended this 3rd day of September 2019.

ADOPTED this 17th day of September, 2019.

Original signed by James Baker
Mayor

Original signed by Reyna Seabrook
Corporate Officer

I hereby certify the foregoing to be a true and correct copy of the Bylaw cited as "Zoning Amendment (Shipping Containers), Bylaw 1092, 2019" as adopted by the Municipal Council on the 17th day of September, 2019.

Dated at Lake Country, BC

Corporate Officer