

SHIPPING CONTAINER INFORMATION

Shipping Containers used as Structures

On land, the Village of Pemberton and the BC Building Code (BCBC) defines shipping containers as structures. This applies to any containers placed on a parcel even if used only for storage. As such, they are subject to the same requirements and limitations as permanent buildings. Therefore, these structures must be properly zoned and must observe all applicable Village Bylaws (Zoning, Building Bylaw etc.).

A shipping container has typically an area of about 200 square feet. The threshold for a building permit in the Village of Pemberton is for any structure with an area of 108 square feet or more. As such, anyone bringing a container onto their property needs a building permit.

Anyone wishing to place a shipping container must provide the building department with a written description of how they intend to use it.

Some container type structure may not require a foundation depending on the use. However; all containers will require the following (with the exception of an empty container awaiting transit):

- Building Permit application with a letter of intent.
- Site plan to confirm set-backs as per the Zoning Bylaw. Should the structure be placed using the minimum setbacks a professional survey may be required.
- Provide sealed engineer report that the structure will meet all requirements of the BCBC as well as anchoring design with schedule B & letter of assurance.
- Building Code Consultant to provide fire separation spacing should more than one structure be on the land side by side.
- Geotechnical engineering report (with schedule B & letter of assurance) to certify that the underside of the container is above the flood control elevation as noted on the Land Title document covenant.
- As per the Village's Flood Regulation Bylaw No. 716, 2012, an exemption to meet the registered flood elevation could be granted.

In order to do so, the Village would require the land owner to provide a report certified by a qualified professional (Geotechnical Engineer) that "the land may be used safely for the use intended".

Unless the report certifies that the land may be used safely for the use intended, the building inspector must not issue the permit without the current flood elevation being met.

If the professional does certify that land may be used safely for the use intended if used in accordance with the conditions specified in the report, the Village may issue the building permit, but then, only on the following conditions:

- The land owner covenants to use the land only in the manner certified by the professional as enabling the safe use of the land for the use intended;
- The covenant contains conditions respecting reimbursement by the owner for any expenses incurred by the municipality as a result of the covenant being breached;
- The covenant is registered in the land title office under section 219 of the Land Title Act.

Some property owners use shipping trailers the same way others use shipping containers. Remove the wheels and dollies and visually they are the same.

However, transport trailers are not as well built as shipping containers. As such, anyone re-purposing a trailer for storage must obtain a building permit and provide an engineering report attesting to its strength and durability.

Shipping containers today are being used for more than land-based storage.

Some architects and builders are experimenting by welding them together and cutting passages in between to create modular homes. Anyone wishing to do the same in the Village of Pemberton should consult the building department before proceeding.

Any modification to a container would require engineering report(s).

VILLAGE OF PEMBERTON

BYLAW No. 720, 2012

A bylaw to amend Village of Pemberton Zoning Bylaw No. 466, 2001

WHEREAS pursuant to Section 903 of the *Local Government Act* a Council may amend its Zoning Bylaw from time to time;

AND WHEREAS the Council of the Village of Pemberton deems it desirable to regulate the use, placement and appearance of shipping containers in the municipality:

NOW THEREFORE the Council of the Corporation of the Village of Pemberton in open meeting assembled **ENACTS AS FOLLOWS:**

1. CITATION

This Bylaw may be cited as "Village of Pemberton Zoning (Storage Containers) Amendment Bylaw No. 720, 2012".

2. Village of Pemberton Zoning Bylaw No. 466, 2001 be amended as follows:

- a) Section 104 (Definitions) is amended by adding the definition of the following:

"Storage Containers is a large portable metal container that is new or was formerly used to transport goods by means of rail, truck or sea and is placed on a parcel of land for auxiliary storage purposes only. Storage containers are either 3.05 or 6.1 metres in length and include the following: intermodal freight, ISO, shipping, cargo, and hi-cube containers; conex boxes and sea cans".

- b) Division 200 – GENERAL REGULATIONS is amended by adding the following:

"224 – Storage Containers

A. Storage containers when a permitted use in a zoning district contained within this bylaw shall be in accordance with the following requirements:

- (1) be used for auxiliary storage purposes only;
- (2) not be reconstructed, altered or modified in any way to be used for living accommodation or human habitation for either personal or business purposes;

(3) not be:

- permitted in residential zones (RS, RT, RC, MHP and CD), except where an active or valid building permit has been issued for a principal building on a construction site whereby they may be used as temporary storage only. The terms and conditions of the temporary storage container during home construction shall be identified in the building permit and a condition of final occupancy;
- used to store animals, trash, refuse or contaminated or hazardous materials;
- stacked one upon another;
- permanently fixed to the ground.

(4) be placed on a hard (i.e. paved or compacted) dust free surface;

(5) not occupy with required parking and loading spaces or interfering with the circulation of vehicles or pedestrians;

(6) comply the setback requirements for accessory buildings in the applicable zone;

(7) comply all requirements for storage containers identified in each zoning district; and

(10) comply with all other applicable provisions contained within this bylaw.

B. In addition to Subsection A above, storage containers in Commercial (C) and Public and Parks and Recreation Zones (P and PR) shall also be subject to the following requirements:

(1) no more than one storage container shall be permitted per municipal address;

(2) not permitted within front yards but rather only in rear or side yards that do not project beyond the front face of the principle building(s);

C. In addition to Subsection A above, storage containers in the Airport Zone shall also be subject to the following requirements:

(1) No more than three storage containers shall be permitted per municipal address.

- c) Division 300 is amended by adding the following permitted land uses to Section 306.1, 307.1, 308.1, 309.1, 310.1, 311.1, 312.1, 313.1, 314.1, 315.1, 317.1 and 318.1:

| Permitted Land Uses | Minimum Lot Size | Minimum Lot Width |
|--|------------------|-------------------|
| Storage Container (subject to the requirements of Section 224 of this Zoning Bylaw) | n/a | n/a |

READ A FIRST TIME this 4th day of December, 2012.

READ A SECOND TIME this 4th day of December, 2012.

NOTICE OF INTENTION TO AMEND Zoning Bylaw No. 466, 2001 **PUBLISHED IN THE Whistler Question**, January 24th 2013 and, January 31st 2013.

PUBLIC HEARING HELD this 5th day of February 2013.

READ A THIRD TIME this day 19th of, February, 2013.

ADOPTED this 5th day of, March, 2013.

Mayor



Corporate Officer