



# Accessory Buildings in Foothills County

## Land Use Bylaw Regulations & Applications

[www.foothillscountyab.ca](http://www.foothillscountyab.ca)

309 Macleod Trail, Box 5605, High River, AB T1V 1M7 • Tel: 403-652-2341 Fax: 403-652-7880

**ACCESSORY BUILDING, DETACHED** means a detached building naturally or normally incidental, subordinate and exclusively devoted to the principal building on the lot, and located on the same lot as the principal building. For clarity, buildings defined as “arena private”, “arena limited public”, or “arena commercial” are not accessory buildings.

**ACCESSORY USE** means a use that is naturally or normally incidental, subordinate, and exclusively devoted to the uses approved on the land located on the same lot as the principal use.

### **ACCESSORY BUILDINGS / STRUCTURES: (Policy 4.2.1.7)**

No Development Permit is required for a detached Accessory Building where it is accessory to a primary residence:

- a. having an area 20.8 sq. m. (224 sq. ft.) or less, where an accessory building is a permitted use in the land use district, including those lands designated as sub-district “A” or within the Flood Hazard Protection Overlay, provided the structure does not result in the cumulative accessory buildings on the property exceeding the size or number of accessory buildings allowed under Table 4.2.1.7A, and
- b. having an area greater than 20.8 sq. m. (224 sq. ft.) where an accessory building is a permitted use in the land use district and does not exceed the cumulative size of accessory buildings allowed under Table 4.2.1.7A except on any lands designated sub-district “A” or Flood Hazard Protection Overlay District.

Table 4.2.1.7A

PARCEL SIZE	SIZE OF ACCESSORY BUILDING
Less than 1 acre	Maximum of two (2) buildings with a total cumulative size not to exceed 41.8 sq. m. (450 sq. ft.) accessory to the residence
1.0 - 1.99 acres	Maximum of three (3) buildings with a total cumulative size not to exceed 88.26 sq. m. (950 sq. ft.) accessory to the residence
2.0 - 2.99 acres	Maximum of three (3) buildings with a total cumulative size not to exceed 155.6 sq. m. (1,675 sq. ft.) accessory to the residence
3.0 - 4.99 acres	Maximum of four (4) buildings with a total cumulative size not to exceed 285.7 sq. m. (3,075 sq. ft.) accessory to the residence
5.0 - 9.99 acres	Maximum of four (4) buildings with a total cumulative size not to exceed 325.2 sq. m. (3,500 sq. ft.) accessory to the residence
10.0 - 14.99 acres	Maximum of five (5) buildings with a total cumulative size not to exceed 380.9 sq. m. (4,100 sq. ft.) accessory to the residence
15.0 - 20.99 acres	Maximum of five (5) buildings with a total cumulative size not to exceed 422.7 sq. m. (4,550 sq. ft.) accessory to the residence
21.0 acres and over	Maximum of six (6) buildings with a total cumulative size not to exceed 478.5 sq. m. (5,150 sq. ft.) accessory to the residence.
Agricultural District and Agricultural Business District	Any size accessory building to be used for agricultural, general purposes on agricultural zoned parcels when an agricultural operation exist on the property, in accordance with Section 4.2.1.7 of this Bylaw.

**A Development Permit is required for all Accessory Buildings that do not fall within these requirements, unless otherwise permitted within the Land Use Bylaw.**

### **ACCESSORY BUILDINGS AND USES:**

1. In all residential districts, the principal building on each lot shall be a Dwelling, Single Family. Notwithstanding anything contained in the land use rules applicable to such districts, accessory buildings shall be considered as permitted uses only in cases where a permitted permanent Dwelling, unit is actually located on the Lot.
2. An accessory building exceeding the maximum area allowed in accordance with Section 4.2.1.7, shall be considered as a discretionary use and requires a Development Permit.
3. When considering the maximum area allowed for accessory buildings in accordance with Section

- 4.2.1.7, up to two private vehicle garages having a cumulative area not exceeding:
- a. 167.23 sq.m. (1,800 sq.ft.) attached or detached, on Agricultural zoned properties, or
  - b. 111.48 sq. m. (1,200 sq. ft.) attached or detached, on all other land use districts;
- does not require a Development Permit and shall not be included in the total cumulative area unless noted by a Development Permit Decision.
4. The sum total area allowed of all accessory buildings on site may be considered when looking at the maximum area allowed.
  5. All accessory buildings shall be located at least 2.4 metres (7.8 ft.) from any principal building and shall meet all minimum setback requirements, as noted within the Land Use District.
  6. Where a building is attached to the principal building on a site by a roof, common wall or foundation, it is considered to be part of the principal building and not an accessory building.
  7. An accessory building shall not be used as a dwelling unless specifically approved for that purpose.
  8. A Sea-can may be considered as an accessory building to be used for storage purposes only in accordance with the following:
    - a. On parcels 21 acres or more, one (1) Sea-can no larger than 48' in length and 10' in width, is permitted without a Development Permit, provided it meets the minimum setback requirements for that Land use District and does not exceed the maximum requirements under the applicable land use district;
    - b. In all other instances, a Development Permit is required for placement of a Sea-can and must be in compliance with Table 4.2.1.7A "Maximum Area for Accessory buildings not requiring a permit";
    - c. The exterior finish should match or compliment the exterior finish of the principal building or be screened from view to the satisfaction of the Development Authority.

---

Please confirm that your proposed development adheres to all applicable setback distances and maximum height restrictions within the applicable Land Use District.

"Personal Use" does not include the operation of a business or the use of a structure for the purposes of storing business related materials, vehicles, or equipment. Buildings used for any business related purposes will require a Development Permit, except where permitted within Section 4.2 of the Land Use Bylaw, and in all instances will require applicable Building & Safety Codes permits for the use and occupancy.

Each Development Permit application is evaluated on its own merits based on the information provided to the Development Authority at the time of the application. Approval or refusal of an application is to the discretion of the Development Officer, with each application evaluated individually given the factors on the subject property and evaluated on the policy within the Land Use Bylaw. Applications are subject to a 21-day appeal period, excepting those on Direct Control District properties.

---

#### **APPLICATION REQUIREMENTS:**

An application for a Development Permit must be made with respect to requesting a larger building or requesting a greater number of buildings than what is permitted given the subject property size.

#### **A Development Permit application must be accompanied with the following information:**

*(Failure to provide these details may see your application deemed incomplete)*

1. A site plan (can be hand drawn) showing:
  - a. the entire parcel;
  - b. north at the top of the page;
  - c. identify and show all existing structures (the square footage of each) and any proposed buildings with measurements from the same, in feet or metres, to all parcel lines;
  - d. show all existing wells, septic tanks, disposal fields, dugouts on the parcel and storage areas;
2. Description of the need for this accessory building.
3. Access locations to and from the lot including roads and highways to be used and dust control measures to be implemented, can be shown on the site plan.
4. Methods of controlling noise, dust, or drainage from the lot if it is being used in relation to a hobby.
5. Descriptions of any noxious, toxic, radioactive, flammable, or explosive materials proposed (i.e. gas, oil, paint, etc.). Please also include how it is being stored and how much is being stored and why it is necessary to have in relation to this business.
6. Are there any materials being brought in from other sites for fill (i.e. clay, dirt, etc.) and please give a detailed explanation as to where it is going how much of an area is to be built up, is it a wetland area, etc. Where is the material coming from and what roads and types of trucks will be used to haul the material to the site.
7. Particulars of any proposed use or involvement by persons other than residents of the lot.
8. If this parcel is not owned by the applicant, then they must receive written consent from the landowner to file an application.

***Note: Approval for oversized buildings may require submission, by the applicant/developer, of professional engineer opinions and/or designs to address the impact of the proposed development (i.e., site drainage/grading plans, Stormwater Management, etc.) and any applicable review fees.***