



RELOCATING A BUILDING OR STRUCTURE

Land Use Bylaw Regulations & Applications

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BUILDING includes any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials, or equipment. Any tent or bin, used for any of the said purposes shall be deemed a building.

STRUCTURE means a building or other thing erected or placed in or on, over or under land, whether or not it is so affixed to the land as to become transferred without special mention by a transfer or sale of the land.

RELOCATED BUILDINGS OR STRUCTURE:

1. No person shall relocate a previously used or pre-constructed building, structure, or portion thereof onto a separately titled parcel in Foothills County without first obtaining a Development Permit, with the exception of the following:
 - a. A Detached accessory building having an area of 20.8 m² (224 ft.²) or less, where it is exempt from getting a Development Permit under Section 4.2.1.7 (a) of the Land Use Bylaw, so long as it meets all other requirements of the Land Use Bylaw;
2. Notwithstanding the above, temporary tent structures used for outdoor special events do not fall under the provisions for relocated building or structure. (See Tents and Canopies for Outdoor Events information sheet).
3. The relocation of a building or structure onto a parcel shall be considered a Discretionary Use and shall comply with the provisions of the applicable Land Use District.
4. The Development Authority shall not approve a Development Permit for relocation of a building or structure or portion thereof as referenced in 9.21 of the Land Use Bylaw unless the building is designed, constructed, sited and finished in a manner that is visually compatible, in the opinion of the Approving Authority, with the neighborhood in general.
5. All buildings and structures once installed, must meet the maximum height restrictions, and minimum yard setbacks under the land use district applicable to the land they are being moved onto.
6. A building or structure being relocated onto a separately titled parcel shall meet the following criteria:
 - a. Must have an approved Development Permit, Building Permit and necessary Safety Codes Permits (Plumbing, Gas, Septic and Electrical) prior to moving the building or structure onto the lands;
 - b. The new location of the building or structure shall conform to the Development Requirements for the applicable land use district for the lot, including but not limited to the minimum setback requirements and maximum height requirements;
 - c. The building or structure shall have a high standard of exterior finish and be compatible with adjacent development;
 - d. All structural and exterior renovations to a relocated building or structure are to be completed within one year of the issuance of the Development Permit;
 - e. Should the building or structure not be completed in accordance with the terms of the Development Permit within the required timeline, the County may use the deposit or security to complete the building in accordance with the conditions of the Development Permit. Any surplus funds will be retained by the County;

- f. the applicant is responsible to ensure that all road bans issued for municipal road surfaces, are complied with during the moving of the building or structure;
 - g. the applicant may be required to enter into a development agreement or road use agreement to reimburse the County for costs incurred with respect to any damage or repair required to the municipal road as a result of the relocation of the building or structure;
7. An application for a Development Permit for the installation of a relocated building or structure must be accompanied with the following:
- a. A completed checklist declaration for the Relocation of A Building/Dwelling Moved on;
 - b. An APEGGA certified Professional Engineer's report stating that the existing building or structure to be relocated meets the requirements of the applicable Building Code and that it is structurally capable of being moved;
 - c. A site plan (can be hand drawn) showing:
 - i. the entire parcel;
 - ii. north at the top of the page;
 - iii. the locations of all existing structures (identified and labelled) and the proposed building or structure with measurements from the same, in feet or metres, to all property lines;
 - iv. all existing wells, septic tanks, disposal fields, and dugouts on the parcel.
 - d. Photos of the existing building or structure to be moved showing the exterior appearance;
 - e. Information on all improvements proposed to complete the building or structure including the exterior finish, and detailed cost estimates for the work to be completed;
 - f. The applicant may be required to submit a security or deposit in an amount equal to the value of work required to complete the exterior of the building or structure. The amount will be confirmed by the Approving Authority based on cost estimates submitted with the application. Notwithstanding these estimated costs, the deposit shall be no less than the minimum set out in the Fee Schedule, as approved by Council. The security or deposit may be released upon inspection of the structure confirming that the exterior of the structure or building is complete as per the conditions of Development Permit.

SPECIAL PROVISIONS FOR PARCELS WITH SUB-DISTRICTS:

Please note that parcels within all land use districts may be further designated with a sub-district "A" in cases where Council feels that there is a need for special consideration to be given on the development and construction on the lands including, but not limited to, the construction and placement of dwellings, accessory building, and structures, development of access, or lot grading that may impede drainage. The identified consideration shall be addressed through approval of a Development Permit prior to a Building Permit. These sub-districts may cause a delay in obtaining permits depending on the type of information required to obtain the Development Permit.

SPECIAL PROVISIONS FOR PARCELS IN THE FLOOD HAZARD PROTECTION OVERLAY:

Parcels within all land use districts may also fall within the Flood Hazard Protection Overlay and have special considerations and further application requirements due to the potential for flooding as per *Section 11.1 Flood Hazard Protection Overlay District* of the Land Use Bylaw. This area applies to lands that are within the floodway, flood fringe, and areas impacted by the June 2013 flood event. It is the landowner's responsibility to determine if their lands are located within this overlay area and comply with all provisions thereof