# **Accessory Buildings**

Information Guide

March 2023

# About

Are you considering building an accessory building (garage or shed) on your residential property? The following is a collection of Frequently Asked Questions to consider before beginning construction.

Refer to <u>Section I: Administration</u> and <u>Section 8: Use Specific Regulations</u> of the Land Use Bylaw (LUB) for some fundamental information.

If you require further clarification, please fill out an <u>inquiry form</u> on the Town of Canmore's Planning and Development webpage.

All forms and requirement checklists can be found on our <u>Town of</u> <u>Canmore</u> website.

# **Key Terms**

#### **Accessory Building**

A building which is subordinate or incidental to the principal building on a site that is not a Dwelling Unit. It must be located on the same site as the principal use and shall not precede the development of the principal building.

#### **Building Permit**

Means a certificate or document issued by the Town of Canmore pursuant to the Building Permit Bylaw.

#### Carport

A building or structure or part thereof, the perimeter or a majority of which is not enclosed, and which generally used for the parking or temporary storage of vehicles.

#### **Development Permit**

Means a document issued by a Development Authority pursuant to this Bylaw, which authorizes a development and includes the plans and conditions of approval.

#### Yard, front

The yard which extends between the side boundaries of a site and in depth from the front property line of the site to the front of the principal building. In the case of a corner site the narrower of the two boundary lines abutting the street may be considered the front yard. In circumstances where the front yard is not clearly defined, the Development Authority may determine what constitutes the front yard.

#### Yard, rear

The yard which extends between the rear property line of a site and the rear yard setback as prescribed in the land use district. In circumstances where the rear yard is not clearly defined, the Development Authority may determine what constitutes the rear yard or yards.

#### Yard, side

The yard which extends between the side property line of a site and the side yard setback as prescribed in a land use district. In circumstances where a side yard is not clearly defined the Development Authority may determine what constitutes the side yard(s) of a site.

# **Frequently Asked Questions**

#### What are some examples of an Accessory Building?

Examples of an Accessory Building are, but not limited to things such as sheds, garages, an outdoor sauna, carport, etc.

#### Do I need a Development or Building Permit to build a garage or shed?

A Building Permit is required for a garage or shed that is  $10m^2$  or greater in size and/or has a total construction value that is more than \$5,000. A Building Permit may also be required if, in the opinion of the Safety Codes Officer, matters of health and safety that are impacted by the proposed building.

A Development Permit is only required where the accessory building will not meet the regulations of the LUB 2018-22. For example, if a variance is requested to the yard setback for the proposed building. To better understand the regulations associated with an Accessory Building, you can reference Section 8.1 – Accessory Buildings in the Town's LUB.

#### What is the cost for a Building Permit or Development Permit?

The cost of a Building or Development Permit can be found in the <u>Town's Fee Schedule</u>. The Building Permit fee is calculated based upon the total construction value of the project which includes costs of labor, material, equipment, and any professional services, while a Development Permit is a fixed established rate.

#### What happens if I have already started construction?

A penalty equal to double the Development Permit and/or Building Permit fee is charged if construction has started prior to the issuance of a permit.

#### Where on my property can I build an Accessory Building?

An accessory building can be built in any yard except the front yard of a residential property. If placed in a side or rear yard, it must maintain the required 1.0m setback. If the building is planned to be attached your home, it is subject to the same setbacks as the house.

## Is a newly proposed garage attached to an existing Dwelling Unit considered an Accessory Building?

A proposed attached garage is not considered an accessory building as and accessory building is located on the same site as a dwelling unit but does not precede the development.

# What happens if the proposed Accessory Building encroaches into a utility right-of-way (URW), a yard setback, or Town of Canmore (Town) Property?

If the intended Accessory Building encroaches into a yard setback, it is best to consider an alternative location and explore other options to avoid the need to obtain variance permissions from the Town.

Encroachments into a utility right-of-way require approval and agreements to be put in place by the affected utility suppliers. Similarly, encroachments into public lands require agreements and approval from the Town to be put in place. Encroachments which affect either utility providers and/or the Town are discouraged, as they may only be permitted under extenuating and unique circumstances.

#### How many Accessory Buildings can I have on my property?

The maximum number of Accessory Buildings that may be located on a residential lot is three (3).

#### How big can I construct an Accessory Building on my property?

The maximum site coverage for Accessory Buildings in a residential land use district is 10% of the overall parcel area or an area of 74 m<sup>2</sup>, whichever is less.

## Can I use an accessory building as a Short-Term Rental or Dwelling Unit?

An Accessory Building shall not be used as a short-term rental unit (i.e. Air BNB rental, Bed and Breakfast room, or alike). If you would like to convert an Accessory Building to a Dwelling Unit, please see the <u>Accessory</u> <u>Dwelling Unit (ADU) guide</u> for additional information.

#### Can I convert an existing Accessory Building to a Dwelling Unit?

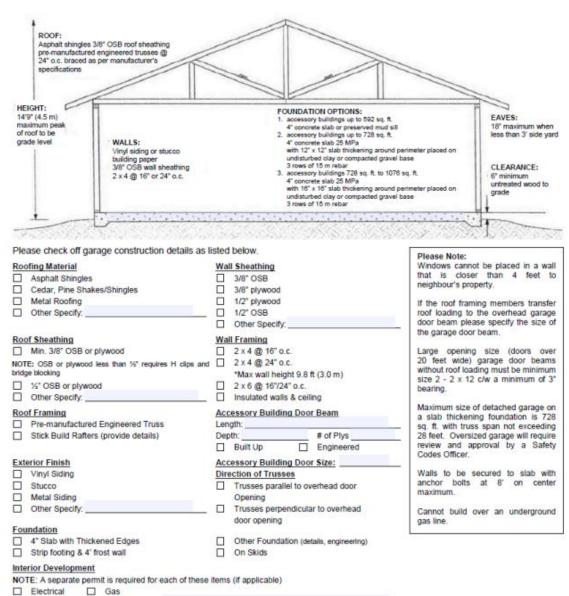
Yes, if it is in accordance with the LUB 2018-22, is able to meet the requirements of the Alberta Building Code (ABC) and has the required permits. Please see the <u>ADU guide</u> for further information.

# **Helpful Images and Diagrams**

When submitting your Development or Building Permit application, refer to the diagram below and the relevant checklist when preparing your building plans and drawings.

- Development Permit Checklists can be found here.
- Building Permit Checklists can be found here.

#### Sample Cross Section and Construction Details:



Plumbing Other (specify):



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