

# NON-DWELLING ACCESSORY BUILDINGS

(for a residential property)

## *Planning & Development | Town of High River*

This information sheet provides basic information on non-dwelling accessory buildings on a residential property. These buildings can include garages and sheds. **They do not include any type of dwelling unit** (neither temporary nor permanent).

The information is a simplification of the Town's [Land Use Bylaw](#). In the event of any discrepancy/omission, the Land Use Bylaw takes precedence.

Pre-application meetings are **not required** for non-dwelling accessory buildings. If you would like to book a pre-application meeting or would like to speak with the Planning & Development Services Division before submitting your application, please contact us at [planning@highriver.ca](mailto:planning@highriver.ca) or at 403.652.2110 and we would be pleased to assist you.

Staff reserve the discretion to require a pre-application meeting if staff believe that the complexity of the application warrants it.

If a Development Permit is required (see “*Do I need a Development Permit for my non-dwelling accessory building?*” below), applicants must fill in the Minor Development Permit application form (found at [highriver.ca/development-permits](http://highriver.ca/development-permits)) and submit all requirements (unless otherwise discussed with staff). **The Town does NOT accept incomplete applications.**

If any part of the application does not comply with the [Land Use Bylaw](#) (at the Town's discretion), you will be required to either revise the application or apply for a variance application (found at [highriver.ca/development-permits](http://highriver.ca/development-permits)) which costs \$175 as per the [Rate Bylaw](#).

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## **Do I need a Development Permit for my non-dwelling accessory building?**

As long as your plans comply with the Town's [Land Use Bylaw](#) you do not require a Development Permit for an accessory building that is associated with an approved permitted use (in this case, the house). Planning and Development Services staff will determine whether the plans comply. Please contact us at [planning@highriver.ca](mailto:planning@highriver.ca) or at 403.652.2110 to discuss your proposal. A Building Permit will still be required.

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### **May I use the accessory building as a dwelling unit?**

- An accessory building can be used as a dwelling only if it complies with Safety Codes regulations (a Building Permit will be required).
- See Additional Dwelling Unit handout if you would like to develop an additional dwelling unit on your property.

### **May I use a shipping container as an accessory building?**

- The shipping container must be designed with a residential character and will likely require that the applicant hires an engineer to sign off on the proposed design.

### **What does the Town look for during the review process?**

- The Town's Land Use Bylaw includes two guiding principles. These guiding principles are very critical and the Town will use them to evaluate the suitability of your application.

#### **Guiding Principles for evaluating applications**

*The Town's Land Use Bylaw includes two guiding principles. These guiding principles are very critical and the Town will use them to evaluate the suitability of your application.*

##### ***A Pedestrian as the Universal Measure of Design:***

- The Town of High River is to be designed based on a scale that is comfortable to people, encourages walking, accommodates a variety of functions, can change and adapt over time, and that will foster an environment that supports and reinforces the social aspects of the Town.

##### ***Stewardship through Sustainable Design:***

- The Town, the community, and the development industry act as stewards for the High River of tomorrow. All development shall focus on long term quality over short term gains.

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- The Town also reviews the application to ensure that it complies with all of the Land Use Bylaw regulations as well as the policies in the [Town Plan](#) and in any other applicable policy documents (Area Structure Plans, Area Redevelopment Plans, Neighbourhood Outline Plans, etc. found [here](#)).
- If there are aspects of your proposal that do not comply with the Town's regulations/policies, staff will go through options with you. Options could include applying for a variance or applying to amend the applicable policy document

### SETBACKS

- Front setback: Setback of the primary building plus 1 m
- Secondary frontage: 1 m to 3 m
- Side setback: minimum 1 m
- Rear setback: minimum 0.5 m

### LOT COVERAGE

TND (Traditional Neighbourhood District):

- All buildings on site shall not exceed a lot coverage of 70%.
- All accessory buildings on site shall not exceed a lot coverage of 15%

NCD (Neighbourhood Centre District):

- All buildings on site shall not exceed a lot coverage of 80%.
- All accessory buildings on site shall not exceed a lot coverage of 20%.

### BUILDING HEIGHT

- 1-2 storeys

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## The Development Permit Process for non-dwelling accessory buildings that **REQUIRE** Development Permits

The approximate timeline to issue a Development Permit for a non-dwelling accessory building is 2 weeks if permitted and 5 weeks if discretionary (from acceptance of application to end of appeal period).

### PRE-APPLICATION

- A formal pre-application meeting is not required. However, if you would like an initial meeting with staff, please contact us at 403.652.2110 or at [planning@highriver.ca](mailto:planning@highriver.ca).
- These meetings are an effective and efficient way to catch any “red flags” and generally result in a more efficient application processing time.

### APPLICATION

- Application Fee: \$150 (as per [Rate Bylaw](#)).
- Minor Development Permit application form (found at [highriver.ca/development-permits](http://highriver.ca/development-permits)) and all required documentation as listed on form (unless otherwise discussed with staff)

### TOWN REVIEW

- Planning staff circulate to internal departments for their comments. They are given 1-2 weeks to provide comments at the discretion of Planning & Development staff based on the complexity of the application.
- You can see the progress being made on your application [here](#). This webpage shows the progress of all current applications and is updated every week
- You will be provided with the comments received through a formally compiled letter after the circulation period is complete.
- If revisions are required, you will need to resubmit applicable drawings in the same size and format as you submitted them in your original application. These comments may become conditions of your permit.
- You will have the opportunity to review these conditions and let the Town know if you have any comments or concerns before the Town issues the decision/permit.
- These comments may include requests for revisions.

Last updated June 15, 2018

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## TOWN DECISION

- After receiving satisfactory revisions (if applicable), the Town issues its decision on the application, known as the “Notice of Decision” (support with conditions or refusal with reasons).
- If you disagree with the Town’s decision, you have the opportunity to file an appeal (see “Appeals by Applicant”) within 21 days from the date the Notice of Decision was issued.

## PUBLIC REVIEW

- If the proposed development is **permitted**, there is no opportunity for public appeal. If it is **discretionary** and the Town supports the application, the Town posts a notice on the property to notify the public of the application, the Town’s decision, and conditions (if applicable) for 21 days.
- Any member of the public can appeal a discretionary application decision (see “Appeals by Public”).

## ISSUANCE (IF NO APPEAL)

- If there are no public appeals (in the case of a discretionary use application), the Town issues you the Development Permit.

## APPEALS (BY APPLICANT)

- You can appeal the Town’s decision on your application by submitting the [Notice of Appeal](#) through the Legislative Services Department via [legislativeservices@highriver.ca](mailto:legislativeservices@highriver.ca). You must submit your appeal application within 21 days of the date of the Notice of Decision.
- The appeal fee is \$300 (as per [Rate Bylaw](#))
- Your hearing will take place within 30 days of your appeal being filed. You will be notified in writing of your hearing date at least 5 days prior to the hearing date.

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## APPEALS (BY PUBLIC)

- The public can also appeal the decision on a **discretionary** application by submitting the [Notice of Appeal](#) through the Legislative Services Department through [legislativeservices@highriver.ca](mailto:legislativeservices@highriver.ca). The public appeal must be submitted within 21 days of the Notice of Decision.
- The appeal fee is \$300 (as per [Rate Bylaw](#))
- The hearing will take place within 30 days of the appeal being filed. You will be notified in writing of your hearing date at least 5 days prior to the hearing date.