



ACCESSORY DWELLING UNITS

UPDATED NOV. 01, 09

Accessory Dwelling Unit Definition

Accessory Dwelling Units are dwelling units that are located on the same parcel as a principle dwelling, and are considered accessory and subordinate to that principle dwelling. They may share servicing arrangements with the principle dwelling unit, such as road approaches, water and wastewater services, and should be designed to reflect similar architectural character of the principle dwelling.

ADUs may increase the opportunity for affordable forms of housing, financial support for the landowner, and supportive living arrangements and lifestyle choices for a variety of community members while at the same time promoting the efficient use of existing and future infrastructure.

There are three types of ADUs:

- A **Secondary Suite** is a subordinate dwelling unit located within or attached to a single detached dwelling.
- A **Suite within a Building** is a subordinate dwelling unit within or attached to a building other than the single detached dwelling, such as a barn, or garage.
- A **Garden Suite** is a detached dwelling unit which is smaller than the principle single detached dwelling and is located on the same lot in close proximity to the principle dwelling and shall constitute part of the total allowed *floor area* for accessory buildings and total number of accessory buildings allowed according to the applicable land use district.

Permit Requirements

Land Use District	R-1	R-2	R-3	F	AH	RF	RF-2	RF-3
Development Permit	X	X	X	X	DA	DA	DA	DA
Building Permit	X	X	X	X	X	X	X	X

X – Required DA – Deemed Approved (Not required)

Development Permit

A Development Permit is required in order to develop an ADU on all residential parcels designated Residential One (R-1), Residential Two (R-2), Residential Three (R-3) and Farmstead (F). ADUs are listed as a Discretionary Use in each of these districts. A Development Permit is not required for parcels designated Agricultural Holdings (AH), Ranch and Farm (RF), Ranch and Farm Two (RF-2) and Ranch and Farm Three (RF-3). ADUs are listed as permitted uses in these districts and are deemed approved, provided they comply with the regulations of the district, and with the general ADU regulations listed in section 28 of the Land Use Bylaw. The Development Permit Application is circulated amongst municipal departments. Information concerning access, water and sewage servicing, and architectural design of the

ADU will be reviewed by pertinent departments. A representative of the municipality may conduct an inspection of the site from the road, or enter onto the property if authorized.

In residential districts, ADUs are discretionary uses. If the Development Officer determines that an application complies with the regulations and standards, and will not unreasonably interfere with the amenities of the neighbourhood or the use, enjoyment and value of neighbouring properties, a Development Permit may be issued. The Development Officer may take into consideration items such as: Architectural compatibility with the primary dwelling; views from adjacent properties; water and sanitary sewer servicing; provision of adequate storage and recreational space for ADU occupants; and access and parking. The Development Officer may approve the application; approve the application with conditions, or refuse the application.

If the application is approved, notice of the approval is published in the local newspaper, and letters are mailed to adjacent property owners. The appeal period lasts for 14 days following the date of the decision. Property owners who feel they are directly affected by the decision may appeal the decision.

(Please see Rocky View County's 'Development Permit Application Process' information sheet for more detail)

Deemed Approved

ADUs in Agricultural Districts are 'deemed approved', provided they meet the requirements of the Land Use Bylaw. This means an ADU must meet the minimum setback requirements of the District, in addition to the general regulations for ADUs contained in Section 28 of the Land Use Bylaw.

ADUs that are deemed approved will be required to submit a detailed site plan along with their building permit application, but are not be required to submit detailed water supply information, or complete the ADU Form or Development Permit Application Form.

Development Permit Application Requirements (please refer to Development Permit Checklist for full list of requirements)

A Site Plan must show:

- Property boundaries
- Location of all existing structures on the parcel
- Location of the ADU
- Existing and Proposed Vegetation – shelterbelts and stands of brush
- Utility Rights of Way and Easements
- Dimensions of all buildings and services and distances to property lines
- Location of existing and proposed water wells and sewage treatment systems
- Access and parking for the proposed ADU
- Outdoor space allocated to the residents of the ADU

Floor Plan and Elevation Drawings showing:

- Dimensions
- Exterior finishing materials and colours

Water Supply Details: (updated Nov. 01, 09)

- If the ADU is to be served by a new or **existing well and there are 6 or more lots within the quarter-section**, the applicant must provide the results of a Groundwater Interference Report, prepared by a qualified consultant licensed by APEGGA to identify whether the additional water use for the ADU will interfere with any existing household users, licenses or traditional agricultural users.
- If the ADU is to be supplied with water from a **Licensed Water Supplier (Water Co-op)**, the applicant must provide a letter of confirmation from the water supplier indicating the water for the proposed ADU has been secured.

Sewage Treatment Details:

- The applicant must indicate how sewage from the ADU is to be managed. The location of new or the expansion of an existing private sewage treatment system must be indicated on the site plan. Consultation with a Certified Septic Installer to determine a suitable location is encouraged.
- If the ADU is to be connected to a communal sewage collection system, a letter of confirmation from the system operator must be provided.

Non-Financial Caveats and Covenants

- Please supply any non-financial caveats and covenants registered on the title. These may include Architectural Controls, Utility Easements, etc.

A photograph of the principal dwelling:

- An ADU must be complementary to the existing dwelling on the parcel.

A Complete ADU Form

- This form includes a series of questions related to the ADU and allows the applicant to describe elements shown on the Site Plan.

A Complete Development Permit Application Form

- The Development Permit Application Form contains the property details and applicant and owner information.

Application Fees

- Development Permit Application Fee - \$250.00
- Engineering Services Review Fee - \$100.00

Building Permit (please refer to the checklist included in the Building Permit Package)

A Building Permit will be required for all ADUs, and may be applied for once a Development Permit has been issued. The Building Permit process ensures the ADU meets the requirements of the Alberta Building Code and Safety Codes Act and Regulations.

Building Permit Application Requirements

Approved Development Permit

- A copy of the Development Permit and Site Plan must be included with the Building Permit Application

Detailed Site Plan

- If a Development Permit is not required, the applicant must submit a detailed Site Plan along with the building permit application. This Site Plan will contain the same information required for the Development Permit application, however, the ADU Information Sheet, and information regarding water servicing will not be required.

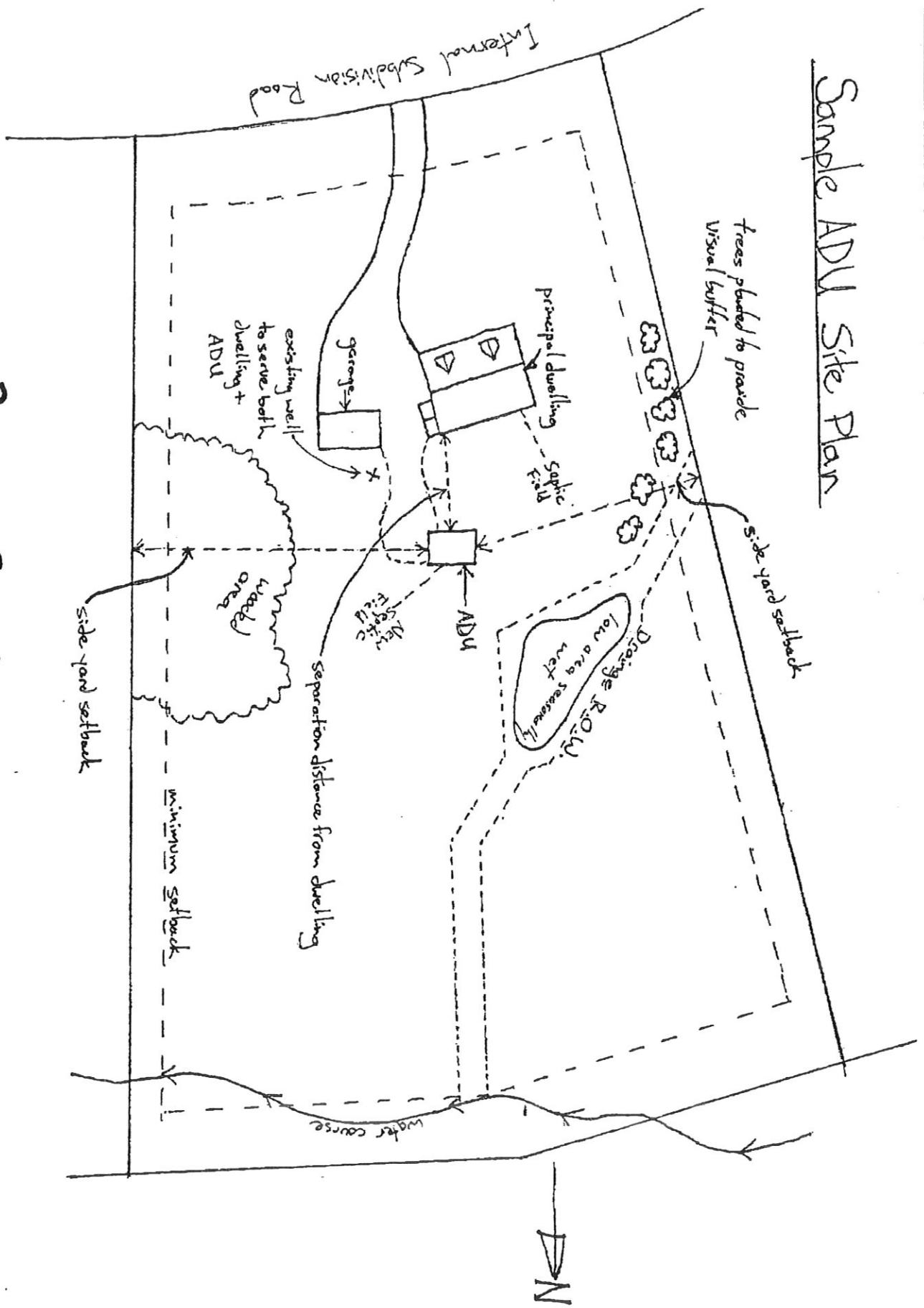
Standard Building Permit Application Requirements

- The information outlined in Rockyview County's Single Family Dwelling Building Permit Application.
- Applications for Electrical, Plumbing, Gas, and Private Sewage must be submitted at the same time as a Building Permit application.

Non-Financial Caveats and Covenants

- Please supply any non-financial caveats and covenants registered on the title. These may include Architectural Controls, Utility Easements, etc.

Sample ADU Site Plan



PLEASE SHOW ALL DIMENSIONS



ACCESSORY DWELLING UNIT (ADU): means a subordinate dwelling unit attached to, created within or detached from the principal *Dwelling, Single Detached*, where both dwelling units are located on the same parcel. Accessory Dwelling Units include *Secondary Suites, Suites within a Building*, and *Garden Suites*.

SECONDARY SUITE: means a subordinate dwelling unit located within or attached to a *Dwelling, Single Detached*.

SUITE WITHIN A BUILDING: means a subordinate dwelling unit within or attached to a building other than the principal *Dwelling, Single Detached*.

GARDEN SUITE: means a detached dwelling unit which is smaller than the principal *Dwelling, Single Detached* and is located on the same lot in close proximity to the principal dwelling and shall constitute part of the total allowed *floor area* for accessory buildings and total number of accessory buildings allowed according to the applicable land use district.

Accessory Dwelling Units:

28.4 *Accessory Dwelling Units:*

28.4.1 All *Accessory Dwelling Units* shall be constructed on a permanent foundation.

28.4.2 A lot shall be limited to one *Accessory Dwelling Unit*, unless the lot is approved for two principal *Dwellings, Single Detached*.

28.4.3 An *Accessory Dwelling Unit*:

- (a) may be allowed within a *Dwelling, Single Detached*, within a *building* other than the principal *dwelling*, or as a detached *Garden Suite*;
- (b) shall be subordinate to a principal *dwelling*;
- (c) shall comply with the height and *setback regulations* in the applicable land use district, except where otherwise permitted in this *bylaw*;
- (d) shall conform to architectural guidelines and instruments registered on title;
- (e) shall have a minimum *floor area* of not less than 36.00 sq. m. (387.49 sq. ft.)
- (f) shall contain at least two rooms and includes sleeping, sanitary, and cooking facilities;
- (g) shall comply with the Alberta Building Code;
- (h) shall provide a minimum of one dedicated on-site *parking stall* in accordance with Section 30 of this *bylaw*;
- (i) shall have adequate sanitary sewer servicing consisting of either:
 - (i) a Private Sewage Treatment System; or
 - (ii) connection to a piped communal collection system;
- (j) shall have adequate water servicing consisting of either:

- (i) a groundwater well with confirmation of no interference with existing local wells; or
- (ii) connection to a piped communal distribution system;
- (k) *shall* have a distinct municipal address to facilitate accurate emergency response.

28.4.4 The maximum allowable habitable floor area of an *Accessory Dwelling Unit shall* be determined based on all *storeys*, including *basements* but excluding the garage area and common areas of egress, and *shall* be the lesser of the following:

- (a) 110.00 sq. m. (1184.00 sq. ft.) with a maximum of 2 bedrooms for a *Secondary Suite*;
- (b) 110.00 sq. m. (1184.00 sq. ft.) for a *Suite within a Building* or a *Garden Suite*; or
- (c) 80% of the principal *dwelling* (calculated using all *storeys*, excluding the *garage* area and common areas of egress).

This regulation applies, notwithstanding that the definition of Floor Area excludes basements in Section 8

28.4.5 A Suite within a Building:

- (a) *shall* be considered part of the total *building area* of *accessory buildings*, and
- (b) where an ADU is wholly or partially located above a garage or similar portion of an accessory building, the ADU portion of the building *shall* not exceed 8.00 m. (26.24 ft.) in height, unless otherwise allowed in this *bylaw*. Height restrictions on the remainder of the accessory building will be governed by the regulations in the applicable land use district.

28.4.6 A *Garden Suite*:

- (a) *shall* not exceed 5.50 m. (18.04 ft.) in height;
- (b) *shall* not be a *Dwelling, Mobile Home*; and
- (c) *shall* be considered an *accessory building* for the purposes of the total allowable number of *accessory buildings* and total *building area*..

28.4.7 In considering a *Development Permit* application for *Accessory Dwelling Units* the *Development Authority* may consider such factors as:

- (a) any significant adverse impacts on the adjacent properties and *dwellings* (for example, drainage, fire protection, access, sun shadow, view sheds, etc);
- (b) the architectural character of the *Accessory Dwelling Unit*, including:
 - (i) the similarity of the *Accessory Dwelling Unit* to the principal *dwelling* in architectural design, character, and appearance by use, for example, of the same exterior wall materials, window types, door and window trims, roofing materials, and roof pitch;

- (ii) in the case of a *Secondary Suite*, the use of design strategies that minimize structural changes to the exterior of the principal *dwelling*, so that it maintains the appearance of a single *dwelling*; and
 - (iii) the availability of an indoor *storage area* for use of the residents of the *Accessory Dwelling Unit*.
- (c) *site* design features, including:
- (i) the location of the *Accessory Dwelling Unit*, with preference for its close proximity to the principal *dwelling* so as to appear as a related *building*, and is not located directly between the road and the principal *dwelling*;
 - (ii) the use of a shared approach;
 - (iii) the availability of outdoor *yard* space that is useful for the residents of the *Accessory Dwelling Unit*; and
 - (iv) the need for *landscaping* or *screening* to provide privacy between the *Accessory Dwelling Unit* and adjacent properties and *dwellings*;
- (d) the use of water conservation measures such as low-flow toilets, shower heads and other water conserving devices; and
- (e) such other considerations as the *Development Authority* may deem to be relevant.

28.4.8 Existing Unpermitted *Accessory Dwelling Units*:

At the discretion of the County, the *Development Authority* may issue a *Development Permit* for an oversized *Accessory Dwelling Unit*, if:

- (a) the *Accessory dwelling unit* existed prior to the date of the adoption of these regulations;
- (b) the width, length, and *floor area* of the *Accessory dwelling unit* is no more than 25% greater than the permitted size in Sections 28.4.5, 28.4.6, and 28.4.7; and
- (c) a *Development Permit* application has been received by one year from date of adoption which was July 21, 2009.

In districts RF, RF-2, RF-3, and AH, as a Permitted Use:

Accessory Dwelling Unit (may be a *Secondary Suite*, a *Suite within a Building*, or a *Garden Suite*)

In districts F, R-1, R-2, and R-3, as a Discretionary Use:

Accessory Dwelling Unit (may be a *Secondary Suite*, a *Suite within a Building*, or a *Garden Suite*)

In districts RF, RF-2, and RF-3, as a Discretionary Use:

A second *Accessory Dwelling Unit*, not including a *Garden Suite* (for the purposes of family care or farm help, and when associated with a second *Dwelling, Single Detached*).



APPLICATION FOR AN ACCESSORY DWELLING UNIT

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	Receipt #

Name of Applicant _____ Email _____

Mailing Address _____

_____ Postal Code _____

Telephone (B) _____ (H) _____ Fax _____

1. ACCESSORY DWELLING UNIT

Secondary suite within an existing dwelling Suite within an accessory building Garden suite

Total floor area of ADU _____ Number of parking spaces for ADU _____

Describe availability of storage space accessible to the occupants of ADU _____

Describe the outdoor space allocated to the ADU _____

2. WATER SOURCE

Connection to Communal Water System (Provide Letter of Confirmation from system operator)

Share Existing Groundwater Well

New Well

(The location of new or existing wells is to be shown on a site plan; Groundwater Interference Report required when there are 6 or more parcels on a quarter-section)

3. SEWAGE TREATMENT AND DISPOSAL

Connection to Communal Sewage Collection System (Provide Letter of Confirmation from system operator)

Connection to Existing Private Sewage Treatment System (show location on Site Plan)

Expansion of Existing Private Sewage Treatment System (show location on Site Plan)

Construction of New Private Sewage Treatment System (show location on Site Plan)

4. ADDITIONAL INFORMATION REQUIRED

Describe how the ADU will complement the primary dwelling (i.e. roof pitch, exterior finishing, windows, etc.)

Describe how the impact of the ADU on the neighboring properties is minimized (i.e. location of ADU on parcel, design of building, screening/landscaping etc.)

Please provide a photograph of the primary dwelling along with a site plan of the proposed development.

Signature of Applicant _____ Date: _____

NOTE: Remember to apply the Development Permit Application Review Fee (Engineering Services) - \$100.00



PRIVATE SEWAGE TREATMENT SYSTEMS FOR ADDITIONS / RENOVATIONS

Rocky View County has received application for a Building Permit for construction of an addition or renovation to a single family dwelling, at the following location. The addition / renovation includes construction of bedrooms

Legal Description: _____ ¼, Section _____ Township _____ Range _____ W _____ M
 Lot _____ Block _____ Plan _____

Municipal Address: _____

Owner: Name: _____

Address: _____

Postal Code: _____ Phone: _____ Cell: _____

The subject property is serviced by a private sewage treatment system.

It is a requirement of Rocky View County that:

- 1) The applicant provide documentation to verify that the existing septic tank and field is large enough to accommodate the addition of bedrooms
- OR
- 2) A certified installer conduct an onsite examination of the existing system by exposing the ends of the laterals or by any other visual means of inspection that can determine appropriate size required for additional bedrooms. The certified installer will then complete this form, indicating whether the system is of a sufficient size to accommodate extra usage, or if it will require upgrading or replacement.

INSTALLER: Please confirm your findings and return this form, completed, to our office as soon as possible.

Installer Information:

Name: _____ License No. _____

Address: _____

Phone: _____ Cell: _____ Fax: _____

I, _____, have inspected the existing private sewage treatment system at the above
 (please print name)
 noted location and have determined that for the existing _____ bedrooms, and for the addition of _____

bedrooms in the proposed newly developed area: (please check the applicable box below)

- the existing system is sufficient to accommodate the above additional bedrooms
- the existing system is **NOT** sufficient at this time, to property accommodate the above additional bedrooms and will require a Private Sewage Treatment System Permit

Signature of Certified Installer: _____

Please see reverse for additional information

(word:k/buildserv/FORMS/Forms for BP Pkg 2008/PSDSforaddtnsor renos)

Because of the possibility of failure to Private Sewage Treatment Systems when bedrooms are added to existing single family dwellings, Rocky View County is implementing the following procedure:

(This applies to **any** development to an existing single family dwelling that includes the addition of a room or rooms that can be used as a bedroom)

1. The applicant must include an application for a Private Sewage Treatment System Permit at the time the Building Permit is applied for.
2. The applicant will pay a fee of \$200.00 for the Private Sewage Treatment System Permit application with their Building Permit fees.
3. The applicant will have a certified Private Sewage Treatment System installer attend at the site to verify that the existing septic system including tank, is of a sufficient size to accommodate the addition of bedrooms as indicated on this form.

OR

4. The applicant will provide documentation to verify that the existing septic system including tank is adequate to accommodate the addition of bedrooms as indicated on this form.
5. The Installer will determine to the best of his ability if the existing system is sufficient to accommodate extra usage.
6. If the Installer determines that the existing system is sufficient to accommodate extra usage, the applicant will be reimbursed full fees paid for the Private Sewage Treatment System application (\$200.00).
7. If the Installer determines that the existing system is not sufficient to accommodate extra usage, the applicant must upgrade or replace the system.

This form must be completed and returned to Rocky View County as soon as possible. The Building Permit will not be released until it is received.

This is mandatory to all additions and developments that include rooms that can be used as bedrooms. The age of the single family dwelling and/or the existing Private Sewage Treatment System is not relevant.



FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	Receipt #

APPLICATION FOR A DEVELOPMENT PERMIT

Name of Applicant _____ Email _____

Mailing Address _____

_____ Postal Code _____

Telephone (B) _____ (H) _____ Fax _____

For Agents please supply Business/Agency/ Organization Name _____

Registered Owner (if not applicant) _____

Mailing Address _____

_____ Postal Code _____

Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND

- a) All / part of the _____ ¼ Section _____ Township _____ Range _____ West of _____ Meridian
- b) Being all / parts of Lot _____ Block _____ Registered Plan Number _____
- c) Municipal Address _____
- d) Existing Land Use Designation _____ Parcel Size _____ Division _____

2. APPLICATION FOR

3. ADDITIONAL INFORMATION

- a) Is the development within 200 metres of a sour gas line? Yes _____ No _____
- b) Does the site have direct access to a developed Municipal Road? _____

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I _____ hereby certify that _____ I am the registered owner
(Full Name in Block Capitals)

_____ I am authorized to act on the owner's behalf

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.

Affix Corporate Seal here if owner is listed as a named or numbered company

Applicant's Signature _____ Owner's Signature _____

Date _____

5. RIGHT OF ENTRY

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

Applicant's/Owner's Signature

FOR OFFICE USE ONLY

Application: _____

General Location: _____

Development Permit Checklist

The following information must be included with your application. Without it, your application will be considered incomplete, and it will not be processed until it has been supplied.

- APPLICATION FEE**
See Development Permit Fee Schedule.

- CURRENT COPY OF THE CERTIFICATE OF TITLE INCLUDING NON-FINANCIAL CAVEATS AND COVENANTS REGISTERED ON THE TITLE**
Searched within 30 days prior to the application, the copy of the title may be obtained from any Provincial Registry Office.

- SITE PLAN OF THE PROPOSED DEVELOPMENT**
*Showing all dimensions and setbacks – refer to the example in this package.
Please show all slopes steeper than 15%*

- APPLICATION FORM(S)**
The form is to be completed in full and signed by the registered owner of the land and/or the person authorized to act on their behalf (if any).
AUTHORIZATION FROM REGISTERED OWNER
Provided either by signing the Development Permit Application or an attached letter from owner giving authorization.

- AFFIDAVIT, LETTER, AND/OR COMPANY SEAL**
Required when the registered owner shown on the title of the property is listed as a Company and if you do not have a Company Seal granting you authorization to legally act on behalf of the Company. Have letter Commissioned. If you have a Company Seal, please affix seal to every place that your signature is required, including Letter of Authorization.

FOR OFFICE USE ONLY

- PARCEL INFORMATION AND LAND USE MAPS**
- LAND USE DESIGNATION** _____
- PROPOSED DEVELOPMENT** _____
- AIR PHOTO**
- CONCEPT PLAN/ASP INFO** Which one? _____
Print off any relevant sections of the ASP/Cp's in regards to the above
- PRE-APPLICATION MEETING/AIMTRAC NOTES**
If applicable, provide a copy of any notes if a pre-app meeting was held before application was received

	Road Type	Bylaw	Proposed
<i>Front Yard Setback Minimum</i>			
<i>Side Yard Setback Minimum</i>			
<i>Rear Yard Setback Minimum</i>			
<i>Height Maximum</i>			
<i>Principal Building Size</i>			

ADMINISTRATION MUST VERIFY APPLICATION IS COMPLETE AND ACCURATE

Comments

Staff's Signature