

# **Town of Innisfail Land Use Bylaw**

## **Bylaw Number 1470**

### **3.9 ACCESSORY BUILDINGS**

#### **All Districts**

- (1) For the purpose of calculating yard setbacks as provided in this Land Use Bylaw, an accessory building, if connected to the main building by a structural element including but not limited to a common foundation, roof or wall, shall be deemed to be part of the main building.
- (2) No part of an accessory building shall be located on or over an easement or utility right-of-way unless authorised by the Development Authority.
- (3) An accessory building shall not be used for human habitation except where a secondary suite has been approved.
- (4) The location of any accessory building that has or will have a permanent foundation in relation to the property lines of the parcel on which the accessory building is to be constructed shall be confirmed in writing by an Alberta Land Surveyor prior to construction commencing. A copy of the written confirmation shall be provided to the Town.

#### **Residential Districts**

- (5) No accessory building or any portion thereof shall be erected or placed in the front yard of a parcel.
- (6) Subject to section 3.10 (vehicle access to building) an accessory building on an interior parcel shall be situated so that the exterior wall is at least 1 m (3 ft.) from the side and rear boundaries of the parcel.
- (7) Subject to section 3.10 (vehicle access to building) an accessory building on a corner parcel shall not be situated closer to the street than the main building and shall not be closer than 1 m (3 ft.) to the other side parcel boundary or the rear parcel boundary.
- (8) Notwithstanding subsections (6) and (7), an accessory building or any portion thereof may be erected or placed on the rear or side boundary common to two parcels provided the accessory building serves the two parcels.
- (9) When a parcel abuts a lane less than 6 m (20 ft.) in width, the Development Authority may require a rear yard setback for accessory buildings greater than the prescribed minimum.
- (10) An accessory building shall not be more than 4.5 m (15 ft.) in height.
- (11) Accessory buildings shall not individually exceed 68 m<sup>2</sup> (728 square feet).
- (12) An accessory building shall be located a minimum of 2.5 m (8 ft.) from the main building unless a 1.5 m (5 ft.) side yard for the accessory building is provided.
- (13) No roof top deck shall be constructed on an accessory building unless otherwise approved by the Development Authority as a discretionary use.

#### **Non-Residential Districts**

- (14) No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel, unless otherwise approved by the Development Authority.

### **3.10 VEHICLE ACCESS TO BUILDINGS**

Any building into which a vehicle may enter shall have a driveway on the parcel at least 6 m (20 ft.) in length in front of the vehicle entranceway into the building, except where the driveway enters a lane from a garage used as an accessory building to a dwelling unit, where it shall be either 2 m (7 ft.) or at least 6 m (20 ft.).