

Charter Bylaw 19087

Text Amendments to Zoning Bylaw 12800 for Tiny Homes on Foundations

Purpose

To amend Zoning Bylaw 12800 to further enable tiny homes on a foundation to be developed in Edmonton and to allow smaller Mobile Homes, including manufactured tiny homes, to be developed as Single Detached Housing, Garden Suites, or dwellings as part of a Multi-unit Housing development.

Readings

Charter Bylaw 19087 is ready for three readings after the public hearing has been held.

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Charter Bylaw 19087 be considered for third reading.”

Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on November 22, 2019, and November 30, 2019.

Position of Administration

Administration supports this Charter Bylaw.

Previous Council/Committee Action

At the September 3, 2019, Urban Planning Committee meeting, the following motion was passed:

That Administration prepare amendments to Zoning Bylaw 12800, as outlined in Attachment 3 of the September 3, 2019, Urban Form and Corporate Strategic Development report CR_6599, and return to a future City Council Public Hearing.

Report Summary

The Infill Roadmap 2018 highlighted the potential to create opportunities for tiny homes

in Edmonton. While interest in the tiny home market continues to grow, Administration identified regulatory barriers that have prevented the tiny homes market from establishing in Edmonton. Administration has prepared amendments to enable tiny homes on foundations to be developed in Edmonton and is encouraging the Province of Alberta and Safety Codes Council to establish a policy to address tiny homes on wheels through the Alberta Building Code.

Report

Tiny homes are a form of housing with a small footprint that is designed to be self-contained and usually has a floor area less than 40 square metres. Tiny homes can be divided into two types, 'tiny homes on foundations' and 'tiny homes on wheels.' Tiny homes on foundations can include portable dwellings moved onto a site or dwellings constructed on-site, which are affixed to the land. Tiny homes on wheels are portable dwellings constructed on a metal frame and trailer, or chassis, which facilitates towing and can be moved from site to site.

In conversations with tiny home industry representatives, Administration heard that the tiny home movement has gained interest from those seeking a smaller living space but that navigating the regulatory context can be challenging without clear regulations.

Zoning Regulations

Currently, Edmonton's Zoning Bylaw 12800 provides some allowance for tiny homes on foundations to be built as Garden Suites or Single Detached Housing, but does not contemplate tiny homes on wheels. The closest set of regulations to tiny homes are the Mobile Home regulations. Currently, Mobile Homes located in zones other than the Mobile Home Zone (RMH) can only be developed as Single Detached Housing if they are at least 5.5 metres wide and placed on a permanent foundation. This restriction prevents smaller Mobile Homes from being developed as Single Detached Housing outside of the Mobile Home Zone or as Garden Suites.

When Mobile Homes or manufactured homes are developed in zones other than the Mobile Home Zone (RMH) the applicable design regulations of the subject site zoning and overlays must still be met. A stock Mobile Home design would likely not meet the design regulations of most zones and a custom product reflective of zoning regulations would be required.

Building and Safety Codes

While amendments to Zoning Bylaw 12800 could create opportunities for tiny homes on wheels to receive development permits, Administration is unable to issue building permits for this type of structure. Administration looked to the Alberta Building Code and its source document the National Building Code of Canada, and found that it does not address buildings constructed off-site outside of a CSA certified factory or on a chassis, which is the case for many tiny homes on wheels. This creates uncertainty around what codes or standards apply to tiny homes on wheels and thus how they

should be constructed and inspected.

To address this regulatory gap, Administration is working with the Province of Alberta and the Safety Codes Council to develop a policy and guidance on the application of Safety Codes specifically for tiny homes. The intent is to ensure safe and habitable dwellings, while still accommodating the unique designs of tiny homes. More information on building code considerations related to tiny homes can be found in Attachment 5 in the September 3, 2019, Urban Form and Corporate Strategic Development report *CR_6599 - Analysis of Tiny Homes*.

Proposed Changes

To enable tiny homes on foundations, Administration has prepared text amendments for Zoning Bylaw 12800, included in Attachment 2 - Mark-up of Proposed Changes for Tiny Homes on Foundations. The mark-up proposes changes that would allow the development of tiny homes and smaller mobile homes such that they could be deemed to meet the definitions of Single Detached Housing and Garden Suites, and includes performance standards to ensure the materials used are similar to surrounding development. This is primarily achieved by removing minimum width requirements for Mobile Homes and allowing Mobile Homes to be considered a Garden Suite, along with other administrative bylaw changes.

Clusters of tiny homes would also be allowed in the RF5 - Row Housing Zone, with the recent amendments implemented and described in *CR_7387 Charter Bylaw 18967 Text Amendment to Enable Missing Middle Housing*. Clustered tiny homes would require a minimum spacing of 2.4 metres and would be required to follow setback regulations of the zones and overlays that apply to the site.

The changes also propose to create a definition for Recreational Vehicles to provide a distinction between tiny homes suitable to be used as a dwelling from recreational vehicles intended for seasonal use.

Conclusion

Currently, tiny homes 5.5 metres or wider, constructed on site, on a foundation, can be permitted as Single Detached Housing and as Garden Suites. Proceeding with the proposed amendments in Attachment 2 will allow tiny homes less than 5.5 metres wide, on foundations, to be developed as Single Detached Housing and Garden Suites.

The proposed changes for tiny homes on foundations will further enable tiny homes that can meet building and safety codes in the city, while also increasing housing choice for those interested in the tiny home lifestyle.

Public Engagement

This project builds on the public engagement inputs of Infill Roadmap 2018, which led

to Action 3: “Investigate opportunities for tiny homes and find multiple ways to accommodate them.” Engagement on tiny homes was also undertaken as part of the October 30, 2018, Urban Form and Corporate Strategic Development report CR_5113 - Zoning Bylaw Amendment - Garden Suites. The presentation of this report included the results of an Insight Survey that found 67 percent of respondents supported tiny homes on wheels, with 22 percent not supporting tiny homes on wheels. When asked if recreational vehicles should be considered tiny homes on wheels, 40 percent of respondents supported this approach and 48 percent did not support this approach.

A draft version of this report was circulated to external stakeholders on September 10, 2019, for a four week period. External stakeholders circulated to include:

- Edmonton Federation of Community League Planning Committee
- Individual Community Leagues
- Canadian Home Builders' Association - Edmonton Region
- YEG Garden Suites
- Infill Development in Edmonton Association
- Urban Development Institute
- Community and industry stakeholders from the Garden Suites project.

A summary of the comments from the circulation and from previous engagement done as part of the September 3, 2019, Urban Form and Corporate Strategic Development report CR_6599 - *Analysis of Tiny Homes* are found in Attachment 3 - Public Engagement Comments.

Attachments

1. Charter Bylaw 19087
2. Mark-up of Proposed Changes for Tiny Homes on Foundations
3. Public Engagement Comments