



A G E N D A

for a Public Meeting
to discuss a Proposed Zoning By-law Amendment
(Re: D14-19-06 Tiny Homes)
Tuesday, June 4, 2019
12:30 p.m.

Introduction/Summation of Intent:

The purpose of public meetings is to present planning applications in a public forum as required by The Planning Act. Following presentations by the applicant and our City Planner, any Planning Advisory Committee members will be afforded an opportunity to speak and at that time, the meeting will then be opened to the public for comments and questions. The public is encouraged to read the City Planner's planning report in advance of the public meeting which may clarify questions in advance of the public meeting. Interested persons are requested to give their name and address for recording in the minutes. There is also a sign in sheet for interested members of the public at the back of the room.

Personal information collected as a result of this public hearing and on the forms provided at the meeting are collected under the authority of the Planning Act and will be used to assist in making a decision on this matter. All names, addresses, opinions and comments may be collected and may form part of the minutes which will be available to the public. Questions regarding this collection should be forwarded to the City Clerk.

Notice was given by publishing in the Daily Miner and News which in the opinion of the Clerk of the City of Kenora, is of sufficiently general circulation in the area to which the proposed by-law amendment would apply, and that it would give the public reasonable notice of the public meeting. Notice was also provided by mail to every owner of property within 120 metres of the subject property, prescribed persons and public bodies, and posted online on the City of Kenora portal.

An appeal may be made to the Local Planning Appeal Tribunal not later than 20 days after the day that the giving of notice as required by section 34(18) is completed by either the applicant or person or public body who, before the by-law is passed makes oral submissions at a public meeting or written submissions to the Council, and may not be added as a party unless, in the opinion of the Tribunal there are reasonable grounds to do so. A notice of appeal can be filed with the City Clerk with the Tribunal's required fee of \$300.00.

An appeal may only be made on the basis that the bylaw is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or fails to conform to an applicable official plan.

No decisions are made at public meetings concerning applications, unless otherwise noted. The public meeting is held to gather public opinion. The Council of the City of Kenora will have the opportunity to consider a decision at a future meeting of Council.

Herein the applicant will have the opportunity to speak on behalf of their application, and the City Planner will provide a summation of her report and recommendation, after which anyone who wishes to speak either for or against the application, will be given the opportunity to do so, and a record will be kept of all comments.

If anyone wishes to receive the Notice of the Decision of Council, please leave your name and address with the City Planner.

If anyone has a cell phone please either turn it off or use the vibrate option only.

Council Declaration of Pecuniary Interest & General Nature Thereof

- i) On Today's Agenda or from a previous Meeting
- ii) From a Meeting at which a Member was not in Attendance

1. City Planner Report/Rationale

- City Planner, Devon McCloskey, to describe the details of the planning application.

2. Express Interest

Any person may express his or her views of the amendment and a record will be kept of all comments.

- a) Is there any member of the public who wishes to speak in favour of the amendment?
- b) Is there any member of the public who wishes to speak in opposition of the amendment?

3. Discussion

- a) Members of Council – Discussion/Questions (no decision is made)

4. Questions

- Members of the Public – are there any questions of the application?

5. Close of Public Meeting

- No further questions/comments, meeting is declared closed.



May 28th, 2019

Staff Report

To: City of Kenora Planning Advisory Committee

Fr: Devon McCloskey, City Planner

File No.: D14-19-06

Re: Application for Zoning By-law Amendment

Location: City-wide

Owner: Corporation of the City of Kenora

1. Introduction

The City of Kenora ("the City") has made an application for a City-initiated Zoning By-law Amendment (ZBLA) to establish a Residential - Small Home Zone (SH) in Zoning By-law No. 101-2015, as amended, which will address permitted uses and regulations related to minimum lot area and minimum gross floor area. The zone contains more flexible regulation to enable the development of small homes in the City.

2. Description of Proposal

The incorporation of a new zone would provide for regulations and provisions to permit the creation of small residential lots for the development of small single-detached housing serviced by municipal water and sewer.

The new zone will appear as Section 4.20 in the Zoning By-law "Residential – Small Home Zone (SH).

3. Existing Conditions

Currently, none of the zones that allow for residential use, allow for principle dwellings less than 80 m². Minimum lot areas currently correspond with servicing, such as whether the property will be municipally or privately serviced, as well as the permitted density of development.

Inclusion of a small home zone would enable the establishment of regulations and provisions that are scaled and suited for use of small homes.

4. Site Visit

As the application is not site specific, a site visit was not conducted; however a scan of private and public property shows that there are many opportunities for infill development as well as lot creation on the basis of small home development with opportunity for smaller lot sizes.

5. Consistency with Legislated Policy and City Directives

a) Provincial Policy Statement (PPS) 2014

The proposal is consistent with policies of the PPS including the following:

- Policy 1.1.1 b) which explains that healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential and other uses to meet long-term needs. The proposed ZBLA supports the provision of small homes in appropriate land use designations and zones, in order to meet the needs of residents for short- and long-term housing availability.
- Policy 1.4.2 b)1. which states that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements. The proposed ZBLA will allow for small homes, as a means of contributing to the range and mix of housing types available in specific land use designations and zones in the City.
- Policy 4.8, which states that zoning and development permit by-laws are important for implementation of the PPS, and that planning authorities shall keep their zoning by-laws up-to-date with their official plans and the PPS. The proposed ZBLA conforms to the OP and will implement Principles 1, 3, and 6. The amendments will also implement the policies of Section 3.2 Affordable Housing, including policy 3.2(b)(v) to encourage and promote the development of affordable housing through more flexible zoning, as well as the policies of Section 3.4 Community and Neighbourhood Design regarding promoting the development of complete communities with a range of uses.

b) City of Kenora Official Plan (Council Adoption May 19, 2015; Ministerial Approval November 5, 2015)

Section 2.2.1 Principle 1 – Sustainable Development of the OP states that Kenora shall promote sustainable development to enhance the quality of life for present and future generations.

Objectives under Principle 1 include:

- To direct residential development to land within the settlement area boundary by way of infilling and residential redevelopment in the Established Area and Harbourside Centre and the Residential Development Area.
- To support infill and intensification in built-up areas where services exist.

Section 2.2.3 Principle 3 – Affordable Housing of the OP states that Kenora shall support the location of affordable housing in an integrated manner within new or existing development.

Objectives under Principle 3 include:

- To provide a mix and range of housing types that shall meet the physical and financial needs of all current and future residents, in particular the aging population and new entrants to the housing market, with the goal of providing a timely response to housing needs associated with a diversified economy.

Section 2.2.6 Principle 6 – Complete Communities of the OP states that Kenora shall encourage new development (e.g. buildings, new neighbourhoods) to provide for a mix of uses in planning for complete communities.

Objectives under Principle 6 include:

- To support mixed-use neighbourhoods.

Section 3.2 Affordable Housing of the OP states that affordable housing is a critical component of a healthy community, and includes policies that are intended to ensure that adequate and affordable housing is available for all residents, particularly seniors and new entrants into the housing market. It also states that the City of Kenora will encourage and promote the development of affordable housing by providing a toolkit of planning incentives and direct supports, including but not limited to, alternate development standards, land; and more flexible zoning (Policies 3.2(b) ii, iv,v).

In the Established Area designation, residential use are permitted (Policy 4.1.1). Policy 4.1.2(c) states that residential development shall be encouraged through plans of subdivision, condominium and consent as infilling or redevelopment of existing uses on full municipal services. Medium density residential use shall be supported provided that the development is in keeping with the character of the area.

In the Residential Development Area designation, residential uses and all housing types are permitted (Policy 4.2.1). Policy 4.2.2(c) states that a range of densities shall be encouraged to ensure a variety of housing forms. Policy 4.2.2(d) states that new housing should provide opportunities for affordable housing as well as housing suitable for an aging population and persons with disabilities, in recognition of the future needs of the population.

The proposed amendment also conforms to the policies in Section 3.2 Affordable Housing. It supports the provision of smaller lots and smaller homes which in principle would be valued lower than larger homes on larger lots.

b) Zoning By-law No. 101-2015

All definitions and corresponding provisions for accessory uses, parking, home occupations and so on, would be applicable to the SH Zone similar to an R1 or R2 Zone.

6. Results of Interdepartmental and Agency Circulation

Operations Department	No comments received
Engineering	No issues or concerns from Engineering as it is understood that the City will still have the right to review, approve or not approve any rezoning for small home development applications on a case by case basis. - May 28, 2019
Building	No comments
Water and Wastewater	Division has no issues. - May 15, 2019
Environmental Services	No comments
Synergy North	No comments
Roads Department	The Roads Division has no objection to the proposed new zone. - May 15, 2019
Kenora Fire	No comments

7. Public Comments

A public meeting is scheduled to be held by Council on June 4th, 2019. Notice of the application was given in accordance with Section 34 of the Planning Act, whereby it was circulated on May 9th, 2019 to property owners within 120 metres, published in the Municipal Memo of the Newspaper on May 9th, and circulated to persons and public bodies as legislated. Together with staff, Council will have the opportunity to evaluate the proposal in lieu of public comments.

As of the date of this report (May 28th, 2019), no public comments have been received.

8. Planning Advisory Committee Meeting

The notice also stated that the Planning Advisory Committee would have the opportunity to consider recommendation of the application to Council at their meeting on May 21st, 2019. Resolution and minutes of this meeting will be forwarded on to Council for their information.

I provided a brief presentation of the application, the rationale, and recommendation. Adam Smith, Development Services Strategist was also in attendance and provided further support for the application.

The Planning Advisory Committee discussed the proposed zone provisions at length, noting that the draft proposal for minimum lot area of 275 m², may not be large enough to accommodate a dwelling with a floor area of 65 m². After discussion it was concluded that if the lot area minimum was increased to 375 m², that all of the corresponding provisions could fit.



The Corporation of the City of Kenora

PLANNING ADVISORY COMMITTEE MEETING RESOLUTIONMOVED BY: John BarrSECONDED BY: Andrew Koch

DATE: May 21, 2019

RESOLVED THAT the **PLANNING ADVISORY COMMITTEE** recommends that the Council of the Corporation of the City of Kenora approve city-wide application D14-19-06, to establish a new Residential –Small Home Zone (SH) in the Zoning By-law No. 101-2015; being Section 4.20 – Small Home Zone (SH), *as amended; please see the attached.*

The Committee has made an evaluation of the application upon its merits against the Official Plan, Zoning By-law, and the Provincial Policy, and provides a recommendation to Council purely based on these matters; whereas the Committee may not have had the opportunity to hear public comments in full.


DIVISION OF RECORDED VOTE				CARRIED <input checked="" type="checkbox"/>	DEFEATED
Declaration of Interest (*)	NAME OF PLANNING MEMBER	YEAS	NAYS	 WAYNE GAULD CHAIR	
	Chaze, Graham				
	Richards, Bev				
	Gauld, Wayne				
	Kitowski, Robert				
	Pearson, Ray				
	Barr, John				
	McDougall, John				
	Koch, Andrew				
	McIntosh, Tanis				

Figure 1 – PAC Resolution**9. Evaluation**

Development of Small Homes is trending across North America. Medium and large homes are not always what people need, especially where a dwelling is only occupied by one or two persons.

Land is in short supply, lots are becoming increasingly more expensive to purchase, and to service and the City of Kenora is no exception.

Over the last 5 years precedents have been set in other municipalities who created zones for small homes as well as tiny homes. Attached to this report are two papers from the City of Yellowknife and Prince Edward County, as well as an explanation of Small Homes from the Township of Leeds and Thousand Islands.

Whereas Zoning By-laws enable Municipalities to regulate land use, buildings, and structures, they also establish a baseline for assessment which is associated with frontage, and building floor areas. Section 3.17 of the Official Plan provides policy for maximum density of dwelling units per hectare. The Established Area designation allows for medium density development. The Residential Development Area designation allows for medium density development, but a high density development would require approval of an Official Plan Amendment.

The City's Official Plan defines residential densities as follows:

- Low: up to 16 units/net hectare
- Medium: 17 to 40 units/net hectare
- High: over 40 units/net hectare

The recommended Zoning Provisions for the subject zone are as follows:

Zoning Mechanism	Provisions for servicing conditions	
	Municipal Water and Sewer	
(a) Lot frontage (minimum)	15 m	
(b) Lot area (minimum)	375 m ²	
(c) Front yard (minimum)	7.5 m	
(d) Interior side yard (minimum)	1 storey: 1.5 m 2 storeys: 2.5 m	
(e) Exterior side yard (minimum)	4 m	
(f) Rear yard (minimum)	8 m	
(g) Gross floor area (minimum)	65 m ²	
(h) Lot coverage (maximum)	40%	
(i) Building height (maximum)	7 m	

The proposed lot areas would not contravene the Official Plan, wherein a subdivision of up to 39 SH zoned lots with single detached dwelling units could be accommodated within an area one hectare in size.

The National Building Code (NBC), Ontario Building Code (OBC), and Fire Code all contain regulations for the minimum area of rooms and spaces, ceiling height, doorways, requirements for stairs, etc. As well as the proximity of exterior walls, windows, etc. to other buildings.

The zone provisions as proposed, would allow for the accommodation of 2 parking spaces, as well as access to rear yards for additional enclosed storage with an accessory building. Minimal space for open storage associated with residential uses, gardens and amenity space for pets and residents.

Budget: Application fees paid in accordance with the Tariff of Fees By-law.

Risk Analysis: Analysis of planning applications is accomplished in accordance with the legislation provided through the Planning Act. Applications are required to be consistent with the Provincial Policy Statement, and meet the criteria listed in the Official Plan.

Communication Plan/Notice By-law Requirements: Notice of the complete application and public meeting provided in accordance with the Planning Act. Notice of meetings held by the Planning Advisory Committee, Committee of a Whole, and Council provided as per the Notice By-law.

Strategic Plan or Other Guiding Document: The Official Plan provides criteria for the evaluation of Applications for Zoning By-law Amendments.

9. Recommendation

As the Planner for the City of Kenora, it is my professional planning opinion, that the Application for Zoning By-law Amendment, File No. D14-19-06, to establish a new zone being Section 4.20 – Small Home Zone (SH); be approved, in lieu of public comments that may yet to be received.



Devon McCloskey, RPP, MCIP
City Planner

References and Attachments

- Complete Application for Zoning By-law Amendment
- Draft of Section 4.20
- Notice of Application and Public Meeting
- "Tiny Houses in Canada's Regulatory Context: Issues and Recommendations" October 2, 2016
- "Results from Small Lot Zoning Survey" by the City of Yellow Knife
- "Small Homes" A Discussion of Planning Issues and Options with Questionnaire by County of Prince Edward
- "Where do Tiny Houses Fit" Article, Home Builder
- Draft Planning Advisory Committee Minutes – May 21st, 2019



Corporation of the City of Kenora
Notice of Completion Application and Public Meeting for a
Zoning By-law Amendment, File Number D14-19-06
Planning Act, R.S.O. 1990, c.P.13, s. 34

Take Notice that Council of the Corporation of the City of Kenora will hold a Statutory Public Meeting, under Sections 34 of the *Planning Act*, to consider a City-initiated Zoning By-law Amendment as it pertains to the City of Kenora Zoning By-law, Council Adoption December 15, 2015 (By-law No. 101-2015), as amended, at the following time and location:

**Statutory
Public Meeting**

When: Tuesday, June 4th, 2019 at 12:30 p.m.
Location: Council Chambers, City Hall, 1 Main Street South, Kenora, ON

The Council of the Corporation of the City of Kenora will then have the opportunity to consider a decision regarding the application at their regular meeting on Tuesday, June 18th, 2019 at 12:00 p.m.

You are also invited to attend The Kenora Planning Advisory Committee (PAC) regular meeting, who hears applications and considers recommendations to Council, commencing at the following time and location:

**PAC
Public Meeting**

When: Tuesday, May 21st, 2019 at 6:00 p.m.
Location: Training Room, Operations Centre
60 Fourteenth Street North, 2nd Floor, Kenora, ON

Purpose and Effect: to establish a Residential - Small Home Zone (SH) in Zoning By-law No. 101-2015, as amended, which will address permitted uses and regulations related to minimum lot area and minimum gross floor area. The zone contains more flexible regulation to enable the development of small homes in the City.

Description of the Lands: The City will review site specific applications for Zoning By-law Amendment, no locations are proposed at this time.

Public Meetings: Input on the proposed amendment is encouraged. You can provide input by speaking at the PAC and/or Statutory Public Meeting, and you are not required to register in advance to speak. You may also provide your comments in writing. If you are the owner of any land that contains seven or more residential units, please post this notice in an area that is visible to all of the residents.

If possible, written submissions are requested to be made before May 16th, 2019, and directed to:

Ms. Devon McCloskey, City Planner
60 Fourteenth Street North, 2nd Floor, Kenora, ON P9N 3X2
Email: dmccloskey@kenora.ca

Failure To Make Oral Or Written Submission: If a person or public body would otherwise have an ability to appeal the decision of The Council of the Corporation of the City of Kenora to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the City of Kenora before the by-law is passed, the person or public body is not entitled to appeal the decision.

Notice Of Decision: If you wish to be notified of the decision of the Council of The Corporation of the City of Kenora in respect of the application for Zoning By-Law Amendment, you must make a written request to Heather Pihulak, Clerk of The Corporation of the City of Kenora at 1 Main Street South, Kenora, ON P9N 3X2.

Additional Information about this matter, including information about appeal rights is available during regular office hours at the Operations Centre. Please contact Devon McCloskey, City Planner: Tel: 807-467-2059 or Email: dmccloskey@kenora.ca, to make an appointment.

Personal information that accompanies a submission will be collected under the authority of the Planning Act and may form part of the public record which may be released to the public.

Dated at the City of Kenora this 9th day of May, 2019



City of Kenora
Application for Amendment to Zoning By-law or
Temporary Use
Section 34 or 39 of the Planning Act & Ontario
Regulation 545/06 (as amended)

OFFICE USE ONLY

Date Stamp - Date Received:



File Number: D14-19-06

Roll Number: NA

Application Fee Paid: \$ —

Application Deemed Complete (Date): May 6/19

1.0 - Submission Requirements

Note: If the information below is not received the application cannot be deemed complete.

- ☒ Pre-consultation meeting
- ☒ 1 original copy of the completed application form
- ☐ The required application fee of \$1100.00 as per the schedule of fees By-law
- ☒ Planning Rationale
- ☐ Site Plan Sketch
- ☐ Copies of required studies identified at pre-consultation or any other time (See section 8.10 of the Official Plan for full list of studies)
- ☒ A completed Authorization, signed by all the registered owners when an Agent is acting on behalf of the Owner(s)

2.0 - City of Kenora Application for:

☒ Zoning By-law Amendment s.34

☐ Temporary Use By-law s.39

3.0 - Concurrent Applications Filed

☐ Official Plan Amendment

☐ Site Plan Application

☐ Minor Variance/Permission

☐ Consent Application

☐ Subdivision Application

☐ Other: _____

4.0 Applicant Information				
SUBJECT PROPERTY INFORMATION				
Civic Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
Registered Plan Number	M-			
Legal Description				
Reference Plan Number	23R-			
Lot No.(s)/Block No.(s)				
Concession Number(s)/Part Lot				
Part Numbers(s)				
Tax Roll Number	6016			
Lot Frontage (Metres)				
Depth (Metres)				
Area (Ha.)				
PIN				
OWNER/APPLICANT INFORMATION				
Check Appropriate Box:	<input type="checkbox"/> Person(s) <input type="checkbox"/> Company			
Registered Land Owner	Surname: Brown		First Name: Karen	
Mailing Address	Street No.: 1	Street Name: Main Street S	Postal Code: P9N 3X2	Unit Num.:
City	Kenora		Province: ON	
Contact Information	Phone: 807-467-2028		2nd Phone or Fax: 807-467-2246	
Email	kbrown@kenora.ca			
Acquisition Date of Subject Land	N/A			
PLANNING AGENT/SOLICITOR INFORMATION				
Company or Firm Name				
Name	Surname: McCloskey		First Name: Devon	
Mailing Address	Street No.: 60	Street Name: Fourteenth Street North	Postal Code: P9N1J2	Unit Num.:
City	Kenora		Province: ON	
Contact Information	Phone: 807-467-2059		Fax:	
Email	dmccloskey@kenora.ca			
MORTGAGES, ENCUMBRANCES, HOLDERS OF CHARGES ETC. OF SUBJECT LAND				
Company				
Contact Person	Surname:		First Name:	
Mailing Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
Contact Information	Phone:		Fax:	
Email				

5.0 Please list the reports/studies that will accompany this application
Planning Report to PAC, Council

6.0 – Current Zoning (Please see www.kenora.ca/planning for schedules/maps)

What is the current zoning of the subject land under Zoning By-law No. 101-2015 as amended?

N/A - not site specific

7.0 – Proposed Zoning

What proposed zone or zones are you seeking for the subject land?

N/A - not rezoning

8.0 – Nature of Proposal (Brief Description – use rationale to provide detail)

Please describe the reasons (purpose) and nature/extent of the proposed rezoning or temporary use request:

**Indicate if application is for the removal of a holding provision (H Symbol)*

Application is proposing to amend Zoning By-law 101-2015 to add a new zone with permitted uses and development provisions for a Small Home (SH). The new zone would be inserted to the By-law and appear as Section 4.20. The zone would require development on full municipal services (sewer and water). Refer to the attached page for the proposed zone.

9.0 – Reason for Zoning Amendment or Temporary Use By-law

Please describe why it is not possible to comply with the provision of Zoning By-law No. 101-2015 as amended:

Currently, the serviced residential zone, Residential Density 1 - R1, restricts the minimum lot area and floor area of a principle building to 450 m² and 80 m². The proposed zone would allow for more flexibility for single-detached dwellings, and modular dwellings by allowing for a smaller lot area and gross floor area (minimum).

10.0 – Height and Density

Is the subject land located in an area of the City which has pre-determined minimum and maximum requirements for height and density?

☒ Yes

☐ No

If yes, please provide a statement of those requirements:

The proposed zone would occur within areas of the municipality that allow for high or medium density in accordance with the underlying Official Plan designation ?(i.e. Residential Development or Established Area).

11.0 – Area of Settlement

Does the rezoning alter the boundaries of an existing area of settlement or require a new area of settlement to be implemented?

☐ Yes

☒ No

If yes, please provide the current Official Plan policies, if any, dealing with the alteration or establishment of an area of settlement:

12.0 – Employment Lands

Will the application remove land from an area of employment?

☐ Yes

☒ No

If yes, please provide the current Official Plan policies, if any, dealing with the removal of land from an area of employment:

13.0 – Official Plan Context (Please see www.kenora.ca/planning for schedules/maps)

a) What is the Official Plan Land Use Designation of the Subject Land?

N/A - not site specific

b) How does the proposed zoning amendment or temporary use comply with the Official Plan?

The Official Plan allows for a variety of houses types, affordable housing, and accessible housing

c) Is the subject land within an area where zoning with conditions applies?

☐ Yes

☐ No

If answer to question (c) is yes, please provide an explanation of how the proposed amendment or temporary use complies with the Official Plan Policies relating to zoning with conditions.

N/A

Existing use of the subject land:

N/A

Proposed use of the subject land:

N/A

Length of time existing uses have continued:

N/A

14.0 – Site Suitability

Are the subject lands a suitable site and location for the requested zone(s) and what are the physical characteristics of the subject land?

N/A - not site specific, however numerous properties are available for zoning amendment

15.0 – Surrounding Land Uses

Is the requested zone compatible with surrounding land uses? In what way?

N/A - would be evaluated similarly to existing residential zones on the basis of an application for site specific amendment.

16.0 Access

Type of Access:



Municipal maintained road



Seasonally maintained municipal road



Provincial highway



Private road or laneway



Water



Other public road

* If access is by water only please describe the parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road:

17.0 – Water Supply

Subject Property Water Supply:

☒

Municipal water

☐

Private well

☐

Communal well

☐

Lake

☐

Other: _____

18.0 – Sewage Disposal

Subject Property Sewage Disposal:

☒

Municipal sewer system/field

☐

Private septic system/field

☐

Communal septic system/field

☐

Privy

☐

Other: _____

If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent produced per day as a result of the development being completed, you are required to provide:

- A servicing options report; and
- A hydrogeological report

19.0 – Other Applications Under the Planning Act

Is the subject land, or land within 120 metres of the subject lands, the focus of any other applications under the planning act or has the subject property been subject to an application in the past?

☐

Yes

☐

No

If yes, please indicate which applications are being undertaken:

<input type="checkbox"/>	Draft Plan of Subdivision	File No.:	Status:
<input type="checkbox"/>	Condominium Description	File No.:	Status:
<input type="checkbox"/>	Official Plan Amendment	File No.:	Status:
<input type="checkbox"/>	Zoning By-law Amendment	File No.:	Status:
<input type="checkbox"/>	Minister's Zoning Amendment	File No.:	Status:
<input type="checkbox"/>	Site Plan Application	File No.:	Status:
<input type="checkbox"/>	Consent	File No.:	Status:
<input type="checkbox"/>	Minor Variance	File No.:	Status:
<input type="checkbox"/>	Part Lot Control	File No.:	Status:
<input type="checkbox"/>	Other (Please Specify)	File No.:	Status:

If you answered yes to any of the above, please describe the land the "other" application affects, the

purpose of that application, and the effect that application will have on the amendment requested through this application:

20.0 – Site Structures

Existing Structures:

	Principle	Accessory	Accessory	Parking
Ground Floor Area				
Total Gross Floor Area				
Number of Storeys				
Length				
Width				
Height				
Front Yard Setback				
Rear Yard Setback				
Side Yard Setback				
Side Yard Setback				
Date Constructed				
Lot Coverage (%)				
Floor Area Ratio				

Proposed Structures:

	Principle	Accessory	Accessory	Parking
Ground Floor Area				
Total Gross Floor Area				
Number of Storeys				
Length				
Width				
Height				
Front Yard Setback				
Rear Yard Setback				
Side Yard Setback				
Side Yard Setback				
Date Constructed				
Lot Coverage (%)				
Floor Area Ratio				

21.0 - Sketch

A sketch or site plan, preferably prepared to scale by a professional shall be submitted as part of each application. The sketch or site plan must clearly demonstrate:

- (a) the boundaries and dimensions of the subject land;
- (b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
- (c) the approximate location of all natural and artificial features (*for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks*) that,
 - (i) are located on the subject land and on land that is adjacent to it, and
 - (ii) in the applicant's opinion, may affect the application;
- (d) the current uses of land that is adjacent to the subject land;
- (e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- (f) if access to the subject land will be by water only, the location of the parking and docking facilities to be used; and
- (g) the location and nature of any easement affecting the subject land.

All necessary information must be contained on one single sketch or site plan. Please see section 27.0 for a sample sketch.

Applications and plans will be accepted in Metric only (1 foot = 0.3048 metres, 1 acre = 0.4046 hectares). The maximum size for the accompanying sketch/site plan shall be 11"x 17". If there is information provided on larger sizes, at least one copy shall be provided on the 11"x 17" format.

Elevation drawings shall also be provided if applicable.

A copy of the most recent available survey of the subject property completed by a registered Ontario Land Surveyor (OLS) should also accompany the application.

22.0 – Is the plan consistent with policy statements issued under Subsection 3(1) of the Planning Act?

Please state how this application is consistent with the 2014 Provincial Policy Statement (PPS).

Yes, the application is consistent with the PPS since it supports the development of housing, including affordable housing, housing for seniors, and accessible housing for persons with disabilities.

23.0 – Additional Information

Please provide any additional information that you feel would be beneficial to Staff, outside agencies or Council in evaluating the application:

Refer to attachments

24.0 - Directions

Please provide directions to the subject property:

N/A

25.0 – Site History

What is the current use(s) of the subject land:

N/A

Please state all previous known uses of the subject land:

N/A

Has there been an industrial, commercial use or a gas station on the subject land or adjacent land, any grading change of the property by adding fill or other material, any petroleum or other fuel stored on the subject land or land adjacent to the subject land or is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent site?

☐

Yes

☐

No

If yes please be specific:

What information did you use to determine the answers to the above questions?

*If yes to the above, a soils investigation study including previous use inventory is required, showing all former uses of the subject land, or if appropriate, the adjacent land. This study must be prepared by a qualified consultant.

26.0 Contamination	Yes	No	Unknown
Has the grading of the subject land been changed by adding earth or other material?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has a gas station ever been located on the subject land or adjacent land at any time?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has there been petroleum or other fuel stored on the subject land or adjacent land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is there any reason to believe the subject land or adjacent lands may have been contaminated by former uses (i.e. brownfields, industrial waste, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>What information did you use to determine the answers to the above questions? If an environmental assessment has been performed please submit it with the application.</p> <p>N/A</p> <p>*If the answer to any of the above questions from regarding contamination were checked yes or if there was an industrial, or commercial use, please attach a previous use inventory with this application form showing all former uses of the subject land. A soils investigation study may also be required.</p>			
27.0 – Subsurface Rights			
<p>Are the subsurface rights and the surface rights to the property held by the same owner?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, who owns the subsurface rights?</p> <p>_____</p> <p>If no, please have the owner complete the following declaration (Section 22.1):</p>			
27.1 Authorization from the Owner of the Subsurface Rights (If subsurface rights are different from the Owner of the lands)			
<p>I, _____, the Owner of the subsurface rights for the subject property, am aware of this application and consent to it. (please print)</p> <p>_____ (signature) _____ (date)</p> <p>_____ (address)</p> <p>_____ Telephone Number _____ Email address _____ Fax Number</p>			

28.0 – Significant Features Checklist

Check through the following list. Indicate under Yes, No or Unknown if a listed feature is on-site or within 500 metres. Indicate under Yes, No or Unknown if a listed development circumstance applies. Be advised of the potential information requirements.

Feature or Development Circumstance	Yes	No	Don't Know	If yes, specify distance in metres (m)	Potential Information Needs
Non-farm development near designated urban areas or rural settlement areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Demonstrate sufficient need within 20 year projections and that proposed development will not hinder efficient expansion of urban areas or rural settlement areas.
Class 1 Industry ¹	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Assess development for residential and other sensitive uses within 70 metres.
Class 2 Industry ²	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Assess development for residential and other sensitive uses within 300 metres.
Class 3 Industry ³	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Assess development for residential and other sensitive uses within 1000 metres.
Land Fill Site	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Address possible leachate, odour, vermin and other impacts.
Sewage Treatment Plant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Assess the need for a feasibility study for residential and other sensitive land uses.
Waste Stabilization Pond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Assess the need for a feasibility study for residential and other sensitive land uses.
Active Railway Line	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Evaluate impacts within 300 metres.
Operating mine site	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Will Development hinder continuation or expansion of operations?
Non-operational mine site within 1 kilometre of subject land	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Have potential impacts been addressed? Has mine been rehabilitated so there will be no adverse effects?
Airports where noise exposure forecast (NEF) or noise projection (NEP) is 28 or greater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Demonstrate feasibility of development above 28 NEF for sensitive land uses. Above the 35 NEF/NEP contour, development of sensitive land uses is not permitted.
Electric Transformer Facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Determine possible impacts within 200 metres.
High Voltage Transmission Lines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Consult the appropriate electric power service.
Transportation and Infrastructure corridors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Will corridor be protected? Noise Study Prepared?
Agricultural Operations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Development to comply with the Minimum Distance Separation Formulae and Official Plan.
Mineral Aggregate Resource area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Will development hinder access to the resource or the establishment of new resource operations?

Mineral Aggregate Operations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Will development hinder continuation of extraction? Noise and Dust Study completed?
Existing Pits and Quarries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Will development hinder continued operation or expansion? Noise and Dust Study completed?
Mineral and Petroleum Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Will development hinder access to the resource or the establishment of new resource operations?
Significant Wetlands or potentially significant Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur.
Significant portions of habitat of Endangered or Threatened Species	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur.
Significant Fish Habitat, Wildlife Habitat and areas of Natural and Scientific Interest	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur.
Sensitive Groundwater Recharge Areas, Headwaters and Aquifers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Demonstrate that groundwater recharge areas, headwaters and aquifers will be protected.
Significant Built Heritage Resources and Cultural Heritage Landscapes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Development should conserve significant built heritage resources and cultural heritage landscapes.
Significant Archaeological Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Assess development proposed in areas of medium and high potential for significant archaeological resources. These sources are to be studied and preserved, or where appropriate, removed. Catalogued and analyzed prior to development.
Lake of the Woods: Within defined Portions of Dynamic Beach and 1:100 year flood level along connecting channels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Development not permitted
Lands Subject to Flooding and/or Erosions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Development may be permitted. Must demonstrate that hazards can be addressed.
Erosion Hazards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams.
Floodplains	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Determine limit of Development or where a Special Policy Area (SPA) is in effect, development must meet the Official Plan policies.
Hazardous Sites ⁴	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Slope Study, Flood line Study. Demonstrate that hazards can be addressed.
Rehabilitated Mine Sites	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Application for approval from Ministry of Northern Development and Mines should be made concurrently.
Contaminated and/or Brownfield sites	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Assess and inventory of previous uses in areas of possible contamination.

¹Class 1 Industry - small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.

²Class 2 Industry - medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.

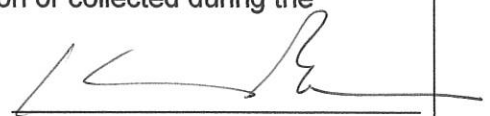
³Class 3 Industry - indicate if within 1000 metres - processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.

⁴Hazardous sites - property or lands that could be unsafe for development or alteration due to naturally occurring hazards. These hazards may include unstable soils (sensitive marine clays, organic soils) or unstable bedrock (Karst topography)

29.0 – Authorization of Agent or Solicitor

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner(s) that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.


I/We Karen Brown / City of Kenora, am/are the owner(s) of the land that is subject of this application for a zoning by-law amendment and I/We hereby authorize Devon McCloskey to make this application on my/our behalf and to provide any of my personal information that will be included in this application or collected during the processing of the application.



Signature of owner(s)

Date

May 6, 2019

megan dokudrie 

Name and Signature of Witness

30.0 – Affidavit or Sworn Declaration

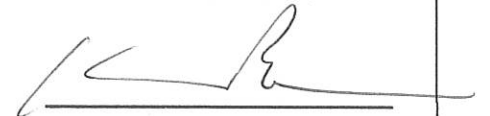
I, Karen Brown of the City of Kenora in the province of Ontario, make oath and say (or solemnly declare) that the information required under Ontario Regulation 545/06 (as amended), and provided in this application is accurate, and that the information contained in the documents that accompany this application is accurate.

Sworn (or declared) before me at the City of Kenora in the Province of Ontario this 6th day of May in the year 2019.



Commissioner of Oaths

Devon Jeanne McCloskey,
a Commissioner, etc., Province of Ontario,
for the Corporation of the City of Kenora.
Expires October 24, 2019



Applicant(s) Signature

4.20 Residential – Small Home Zone (SH)

4.20.1 General Purpose

This zone allows for the development of single-detached housing and other compatible uses serviced by municipal water and sewer.

4.20.2 Permitted Uses

- Community garden
- Home day care
- Home occupation
- Modular home
- Park
- Single-detached dwelling

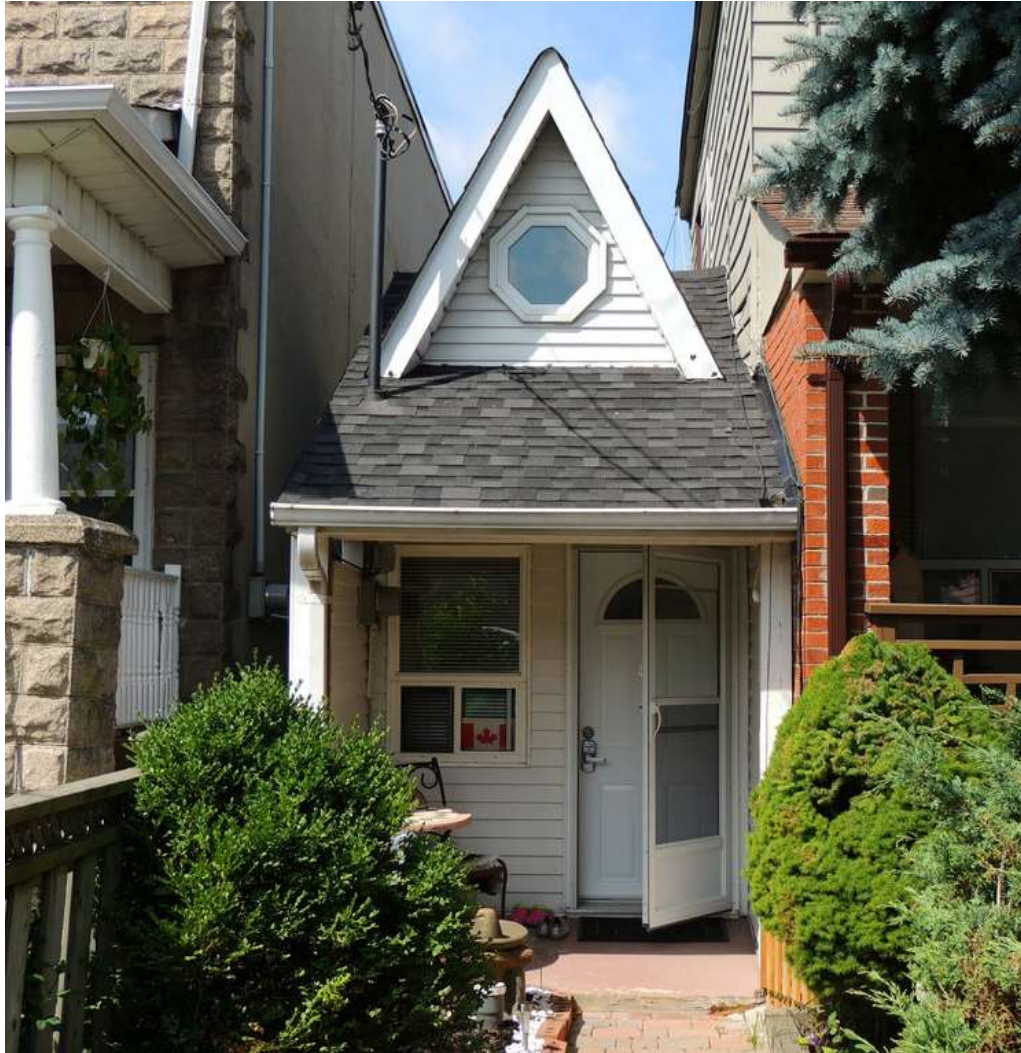
4.20.3 Zone Regulations

The following zone regulations apply to all permitted uses in the SR Zone:

Zoning Mechanism	Provisions for servicing conditions	
	Municipal Water and Sewer	
(a) Lot frontage (minimum)	15 m	
(b) Lot area (minimum)	275 m ²	
(c) Front yard (minimum)	7.5 m	
(d) Interior side yard (minimum)	1 storey: 1.5 m 2 storeys: 2.5 m	
(e) Exterior side yard (minimum)	4 m	
(f) Rear yard (minimum)	8 m	
(g) Gross floor area (minimum)	65 m ²	
(h) Lot coverage (maximum)	40%	
(i) Building height (maximum)	7 m	

(j) In cases where waterfront lots are adjacent to a 20 m shore reserve, the minimum front yard requirement shall be reduced to 1 m.

(k) Modular homes must be a minimum width of 6 m.



Tiny Houses in Canada's Regulatory Context: Issues and Recommendations

Provincial-Territorial-Municipal Working Group on Tiny Homes
2 October 2016

Cover Photo: Arthur Weeden House, Toronto, 1912
<https://www.flickr.com/photos/57156785@N02/14574352497>
2.2 m x 14.3 m (7' x 47')

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Acknowledgements

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- Stan Dueck, Chief Building Official, Yukon Territory
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- Candace Russell-Summers, Chief Building Official, Office of the Fire Commissioner, Province of Manitoba
- Doug Thorseth, Supervisor Building Inspection, City of Whitehorse

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- Joe Rogers, Building Code Coordinator, Province of Nova Scotia
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- Members of the Canadian Manufactured Housing Institute, especially
 - Cheryl Fowler, Triple M Homes, Lethbridge, AB
 - Laura Maillet, Customer Solution Specialist, Kent Homes, NB
- Gord Rattray, CEO, Manufactured Housing Association of British Columbia
- Sandra Nigro, CEO, Modular Housing Association of the Prairie Provinces>

0. Executive Summary

0.1 Background and Purpose

0.1.1 Background

The *National Building Code of Canada* (NBC) is a consensus-based model code that serves as the basis for all building regulation in the country. As the provinces and territories, and the cities of Vancouver and Montreal, have authority over construction, there are some variations in the requirements for housing.

The NBC is referred to as a “minimum” code – providing requirements only where there has been a demonstrated need to regulate certain aspects of construction and such that those requirements reflect the minimum level of acceptable performance. Despite this, housing in Canada is expensive.

From time to time, new house forms are developed to meet specific needs such as more affordable housing or seasonal accommodation. For some cases, standards have been developed to establish minimum acceptable levels of performance. These standards are referenced in some provincial and territorial codes or other building regulations.

The rise of “tiny houses” is the latest response to the challenges of affordability and environmental concerns.

0.1.2 Purpose and Content

The purpose of this paper is to provide background information for regulators on tiny and other very small houses, to explore how they do or do not fit into Canada's regulatory context and to make recommendations to ensure minimum acceptable levels of performance without creating barriers to affordable housing. The paper addresses:

- the concept – outlining the history of tiny houses and their intended attributes
- the reality – explaining how tiny houses do or do not fit into Canada's regulatory context, identifying compliance issues and factors that encourage or discourage the construction of tiny houses or other compact houses

Recommendations are provided based on the issues identified.

0.2 Findings

Three major issues have been identified:

1. tiny houses that do not fit into the current regulatory context
2. interpretation and application of current requirements
3. zoning bylaws that inadvertently create incentives for non-compliance.

0.2.1 Tiny Houses in Canada's Regulatory Context

Many tiny houses can be regulated under existing codes and standards. There is one case where tiny houses do not fit into Canada's building regulatory context (see Table 0.2.1 below).

Table 0.2.1 – Applicable Building Codes and Standards

Construction Location	Applicable Codes, Standards	Superstructure Installed on		
		Full depth Perimeter or Point-Support Foundation	Surface Point-Support Foundation ⁽¹⁾	Chassis
Site	NBC ⁽²⁾	✓	✓	X
Factory	NBC ^{(2),(3)}	✓	✓	-- ⁽⁴⁾
	CSA Z240 MH Series ⁽³⁾	✓	✓	✓ ⁽⁵⁾
	Z241 ⁽⁶⁾	--	--	✓ ⁽⁷⁾
	Z240 RV ⁽⁶⁾	--	--	✓

Notes to Table

- (1) Soil must not be susceptible to moisture-related movement or the superstructure must be deformation resistant.
- (2) Includes related P-T codes/regulations/bylaws based on the NBC
- (3) certified in accordance with *CSA A277 Procedure for Certification of Prefabricated Buildings, Modules and Panels*
- (4) Transport regulations apply to chassis. While not currently part of standard factory processes for houses constructed to code, vehicular requirements could be included as they are for manufactured homes constructed on a chassis in accordance with *CSA Z240 MH Series Manufactured Homes*.
- (5) In set-up configuration, chassis must be installed on a foundation, and anchored where required.
- (6) There are no foundation or anchorage requirements in the standard. Certification is addressed by provincial-territorial regulations; it is not required by the standard.
- (7) Park model trailers are defined as being wider than 2.6 m in transit mode.

0.2.2 Interpretation and Application of Requirements

A range of questions have been raised about the application of certain building code requirements, cases of intentional non-compliance seem to be few. Information on interpretation and application of a number of requirements would be useful to ensure consistency. These pertain to:

- areas of rooms and spaces
- ceiling heights and lofts
- hallway widths
- doorway widths
- stairs, handrails and guards
- egress windows
- smoke alarms
- foundations and anchorage
- ventilation
- energy efficiency.

0.2.3 Barriers to Compliance and Unintended Incentives for Non-Compliance

The principal barriers to compliance appear to result from municipal or district zoning bylaws where these:

- specify minimum lot sizes for residential use
- specify minimum building area for dwellings or provide criteria with similar implications
- use terminology that does not reflect or accurately represent current housing types
- do not recognize non-typical residential land use such as land-lease or condominium developments, or limit these to “mobile homes”.
- these barriers encourage non-compliance.

0.3 Recommendations

This paper presents eight sets of recommendations with respect to building codes and regulations and municipal/district zoning bylaws, taxes and charges.

1. Building Codes and Regulations – Information to Local Authorities

Information should be provided to local authorities with respect to:

- terminology
- applicable technical requirements
- interpretation of specific requirements in building codes and regulations as they apply or not to tiny houses
- permits and inspections

2. Building Codes and Regulations – Change Requests

Specific code changes to technical provisions or Appendix notes in the NBC¹ and provincial building codes or regulations are recommended:

- NBC Division A, Sentence 1.1.1.1.(1) and Appendix note A-1.1.1.(1) re. application to buildings on chassis
- Alberta Building Code, Division A, Article 1.4.1.2. Defined Terms re. manufactured homes
- Ontario Building Code, Division B, Article 9.5.1.5. re. minimum areas of rooms and spaces
- NBC Division B, Articles 9.5.3.1. and 9.5.5.1. re. application of minimum ceiling height and doorway width requirements
- NBC Division B, Articles 9.8.1.1, 9.8.7.1 and 9.8.8.1. re. application of requirements for stairs, handrails and guards
- NBC Division B, Article 9.9.10.1. re. application of requirement for egress windows
- NBC Division B, Article 9.10.19.3. re. number and location of smoke alarms.

Specific changes to Division C of provincial building codes or regulations are recommended to address certification of factory-constructed buildings and inspection of buildings constructed on chassis.

Municipalities/districts should be advised of request submissions.

3. Zoning Bylaws and Enforcement – General

Development of model definitions and provisions in bylaws are recommended to address

1. Outdated, inconsistent, and in some cases the lack of, terminology with respect to manufactured homes, mobile homes, tiny houses and compact houses
2. bylaws that discriminate against factory-constructed buildings,
3. rules that require compliance with CSA Z240 MH Series rather than or in addition to compliance with the applicable codes/regulations/bylaws
4. correlation of lot sizes, frontage and setbacks with house size
5. correlation of development charges and costs for municipal hook-ups with size of house particularly where there are common outdoor spaces

Development of directives or guidelines are recommended to prohibit year-round use of developments established for seasonal use only and to prohibit year-round occupancy of park model trailers and recreational vehicles.

¹ References to provisions in the NBC are to the 2010 edition.

4. Zoning for Tiny and Other Compact Houses

Directives or guidelines are recommended to provide model residential zoning in urban and rural settings to accommodate very small homes that comply with the applicable building code/regulation or CSA Z240 MH Series where compliance with CSA Z240 MH is accepted, including land-lease or condominium/strata developments. These should address:

1. definitions
2. setbacks
3. common landscaped areas
4. common infrastructure
5. pedestrian access from street
6. proximity to public transit for urban developments
7. parking
8. installation on permanent foundations and anchorage as required
9. skirting for houses on other than full-perimeter foundations
10. compatibility with existing houses in neighbourhood

5. Licensing

Tiny homes on wheels intended for year-round occupancy should not be licensed as park model trailers or recreational vehicles.

6. Factory-Constructed Homes

Certification bodies should be advised on the application of certification procedures to houses on chassis where the house complies with the applicable code/regulation/bylaw as opposed to CSA Z240 MH Series *Manufactured Homes*.

Development of change requests is recommended to:

1. revise the definition for manufactured home in CSA Z240 MH Series *Manufactured Homes* to make clear that these are intended for year-round occupancy
2. add information to *CSA A277 Procedure for Certification of Prefabricated Buildings, Modules and Panels* with respect to the application to certification of code-compliant houses constructed on a chassis.

1. Introduction

1.1 Background

In the fall of 2015, various organizations began fielding numerous questions with respect to building regulatory requirements for “tiny houses.” Conversations among staff from provincial, territorial and municipal building authorities led to a conference call on 16 December 2015. The call was hosted by the Canadian Standards Association (CSA) and was attended by representatives from Yukon, Whitehorse, Saskatchewan, Manitoba and the Canadian Manufactured Housing Institute (CMHI). The attendees identified a range of health, safety and regulatory issues that have been encountered with tiny houses and proposed a path forward. A Provincial-Territorial-Municipal Working Group on Tiny Homes was established to:

1. develop a plan and oversee the work
2. advise the Provincial-Territorial Policy Advisory Committee on Codes (PTPACC) and the Canadian Commission on Building and Fire Codes (CCBFC) of the work
3. prepare a discussion paper to identify and discuss the issues and provide recommendations for regulation
4. convene a workshop involving representatives from interested authorities, the Canadian Home Builders’ Association (CHBA), CMHI, and the Canadian Recreational Vehicle Association (CRVA) to provide final input to the discussion paper and to determine the level of consensus on the recommendations
5. submit the final paper to PTPACC with a view to establishing consistent policies regarding the regulation of these houses, and to the CCBFC for information.

1.2 Purpose

This paper is intended to fulfill action item 3 above. It is meant to provide sufficient information on tiny houses and issues related to compliance within Canada’s regulatory context to support recommendations that can be followed by regulatory authorities in order to confirm compliance with requirements of the National Building Code (NBC)¹ and municipal/district zoning bylaws, while not discriminating against affordable housing that provides a minimum acceptable level of performance.

Consistent with the provincial/territorial-national memoranda of understandingⁱ with respect to building codes in Canada, this work is meant to encourage consistent regulation of tiny houses across the country.

1.3 Process and Result

Given time and resource limitations, the information provided in this paper is based on internet research and input from contacts in the home building industry and provincial-territorial-municipal authorities. The structure of the paper and issues identified evolved as the research progressed.

¹ All references to the NBC are meant to include provincial/territorial/municipal codes/regulations/bylaws based on the NBC in general or as they apply to the specific issue being addressed. Code references are for the 2010 NBC.

The paper:

- a. provides background on the history of tiny houses and their intended attributes
- b. explains how tiny houses do or do not fit into Canada's regulatory context and provides examples of tiny houses that do or do not comply with the NBC
- c. discusses compliance issues, barriers to compliance and unintended incentives for non-compliance
- d. provides recommendations to address the issues discussed.

The work is meant to be of sufficient depth and breadth to fulfill the purpose of the paper; it is not intended to be comprehensive. For example, while some historical information has been provided, this is meant only to provide context. Both intended and actual attributes of tiny houses vary considerably depending on the proponents, designers, builders and owners. Those presented are intended to reflect the range of attributes rather than being exhaustive.

1.4 Definitions and Abbreviations

There is no one definition for a tiny house. For the purpose of this paper the following definitions apply.

Tiny house: a residential building containing a single dwelling unit intended for year-round use, typically with a maximum floor area of 400 square feet (approximately 37 m²). These may be constructed on a chassis or a foundation.

Tiny house on wheels (THOW): a tiny house constructed on a chassis, typically a maximum 8'-6" wide (2.6 m) and constructed on a trailer, and not installed on a permanent foundation.

Compact house: a residential building containing a single dwelling unit intended for year-round use with a floor area or footprint less than the minimum permitted by zoning bylaws where such bylaws apply.

Other terms and abbreviations as used in this paper are defined as follows:

CRB: building code, regulation or bylaw that is based on the NBC or references the NBC.

Factory: a manufacturing facility that provides protection of construction materials, components, equipment, and products against adverse environmental effects during storage and fabricationⁱⁱ

Foundation: a system or arrangement of foundation units through which the loads from a building are transferred to supporting soil or rock.ⁱⁱⁱ

Mobile home: a manufactured home constructed on a chassis and installed on a permanent foundation.

Manufactured home: a one-storey residential building containing a single dwelling unit intended for year-round use constructed in a factory in compliance with CSA Z240 MH Series *Manufactured Homes*, with or without a chassis or integral supporting beams, and installed on a permanent foundation.

Municipality: the local authority having jurisdiction; includes districts

Permanent foundation: a foundation that complies with the requirements of the NBC including both:
a) full perimeter foundations, and
b) point-loaded foundations installed to the depths required by NBC Article 9.12.2.2., and surface foundations complying with CSA Z240.10.1 *Site Preparation, Foundation and Anchorage of Manufactured Homes* as referenced in NBC Article 9.15.1.3.

-
- i Memoranda of understanding were signed in 2008 and 2009 between the national Research Council of Canada and individual provinces and territories. The standard form of title was “Memorandum of Understanding between National Research Council Canada and the [< Province of (name) > or < Territory of (name) >] on the Model National Building, Fire and Plumbing Codes”.
 - ii *CSA A277-16 Procedure for Certification of Prefabricated Buildings, Modules and Panels*. Canadian Standards Association. Toronto, 2016.
 - iii Canadian Commission on Building and Fire Codes. *National Building Code of Canada 2010*. National Research Council. Ottawa, 2010.

2. The Concept

2.1 History

The tiny house movement took off in the US following the publication of Dee Williams' *The Big Tiny* in 2014.ⁱ Construction of the William's house was inspired by a 1999 article by Jay Shafer written about his own tiny home.

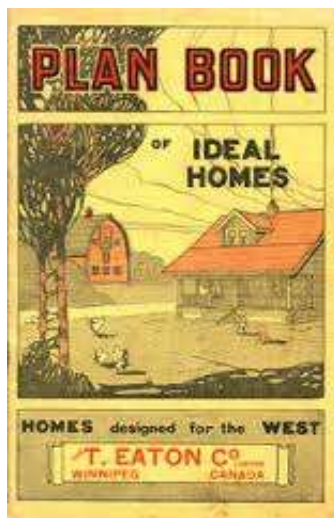
The basic concepts behind tiny houses are not new. Since the beginning of the 20th century, there have been at least three other instances where homes have been built differently from the norm, principally to address housing affordability and, in the current and immediately preceding cases, energy and environmental concerns.

2.1.1 Previous Incarnations

Mail-Order Kit Houses

From 1908 to 1940, Sears and Roebuck offered mail-order home building kits in the US and Canada. While some of the homes were large and luxurious, some were quite small. Numerous other companies, such as The T. Eaton Co. offered similar products. (See Figure 2.1.1-A.)

The main advantage of these homes was that, with all materials provided along with detailed instructions and plans, they could be erected by the owner. Even with the additional cost of a plasterer and electrician, these homes might be built for little more than half the cost of a typical contractor-built home.ⁱⁱ



iii



Honor Bilt



Figure 2.1.1-A – Kit House Catalogue Examples

Travel Trailers to Mobile Homes

Beginning in the 1940s, travel trailers provided accommodation, not just for summer camping, but also for housing for transient and seasonal workers, and affordable housing for factory workers. ATCO, for example, was founded in 1947 as Alberta Trailer Hire in 1947 to service Alberta's booming oil industry.^{iv}



Travel trailers evolved into larger mobile homes. While mobile homes were constructed on a chassis, they were installed on permanent surface foundations.

1960s

The anti-establishment counterculture of the 1960s again saw the rise of do-it-yourself construction, with a focus on small affordable homes. This is seen as a direct extension of do-it-yourself construction of kit houses.^v Some of these homes were installed on foundations, some on truck beds or trailers, some were tree-houses. Many were constructed with reused materials, in part for reasons of affordability but also to address environmental concerns following philosophies such as those exemplified in the *Whole Earth Catalogue*.^{vi}



Figure 2.1.1-2 – Mobile Home Park, Sudbury

2.1.2 The Tiny House Movement

The Inspiration

The *Big Tiny* inspired a social movement of people choosing to down size in response to financial pressures and to address environmental issues such as energy use and greenhouse gas production. Not only do tiny houses provide owners with more financial freedom as a result of reductions in capital, operating and maintenance costs, but the smaller size of these houses also reduces the time needed to maintain the home.

In Canada, one organization cites “economic stresses, Canadian housing affordability, ecological stewardship, and the most critical nation-wide issue, lack of affordable, well managed rental accommodations”.^{vii} The Tiny Home Alliance website reports that over 60% of tiny home owners are debt-free and mortgage-free. In a country where the level of consumer debt is continually being red-flagged and the Parliamentary Budget Officer has predicted the highest debt-to income ratio since 1990 driven mainly by increasing house prices,^{viii} tiny houses appear to be a possible solution for certain segments of the population.

Mainstream

The tiny house movement quickly became mainstream with articles in magazines such as *Country Living*^{ix} which describes tiny house living as minimalist living with style.

Architects, site-builders and building manufacturers have quickly come on board; see Annex A and section 3.1.

Communities

Numerous web-based communities of interested people have been spawned. In Canada, these include Smart Communities Ontario, “an innovative not for profit volunteer organization that explores the most economical and legal solutions in developing Smart (Tiny House) pocket Communities in Ontario”.^x (See Annex A.)

Houses

There are many examples of tiny houses. In Canada, these may be found in urban and rural areas. Some are off-grid.^{xi} These are discussed in more detail in section 4.2.

Villages and Parks

Individuals, companies and communities are planning or have built tiny house villages or park-type developments. These are discussed further in section 4.3.3.

Information Sources on Tiny Houses and Living Tiny

A number of websites provide information on tiny houses and living in tiny houses. For example, the Tiny Home Alliance was launched December 2014 “To provide Canadians who are interested or are currently invested in sustainable housing solutions with resources and networking opportunities. To present a forum for discussion of improved lifestyle through: tiny housing, minimalism, self sustainability and the steady state economy of one's household.”^{xii} As of 15 January 2016, the website listed 56 builders, trailer manufacturers, communities, organizations and development sites (see Table 2.1.2 and Annex A).

Table 2.1.2 – Summary of Tiny Home Alliance Listings of 15 Jan 2016

	Builders	Trailer Manufacturers	Communities, Organizations, Development Sites
BC	17	--	3
AB	7	1	3
SK	4	--	1
MB	2	--	1
ON	12	2	5
QC	3	--	3
NB	1	--	--
NS	4	--	1
PE	1	--	1
NL	1	--	--
YK	1	--	--
NT	--	--	--
NU	--	--	--
Total	53	3	18

2.2 Intended Attributes

2.2.1 United States

The U.S. website for Tiny Houses on Wheels^{xiii} states that these houses are meant to be “safe and sturdy”. The site provides:

- a definition for these houses including minimum and maximum dimensions
- detailed technical guidelines based on *NFPA 1192 Standard for Recreational Vehicles* with exceptions and additional requirements addressing –
 - running gear
 - warnings and documentation
 - materials properties
 - wind and seismic loads
 - wood frame construction
 - building envelope construction
 - interior finishes
 - HVAC, electrical, gas, water and sewer systems
 - fire safety
- recommendations with respect to inspection and documentation

These houses are described as being designed and constructed for the US earthquake zone 4 which is “extreme” and 130 mph (58 m/s) wind load. Because of different metrics, further work is needed to determine how the maximum spectral response acceleration [Sa(0.2)] for Zone 4 compares with the maximum that occurs in Canada. The design wind load exceeds the maximum 1 in 50 hourly wind pressure for locations listed in Appendix C of the NBC. Because the guidelines do not address foundations and anchorage, it would appear that the earthquake and wind loads apply only to the lateral resistance of the superstructure.

2.2.2 Canada

Smart Communities Ontario^{xiv} states that tiny houses “are constructed like a city home is today, only they are built to a much higher standard, high tech, better insulated, using LED lighting, solar panels and propane for heat, fridge and stove.” Manitoba Mini-Homes state that their houses are built to code requirements with higher insulation levels than traditional homes.^{xv} (See also 4.1.2.)

i Williams, Dee. *The Big Tiny*. Penguin Group, New York, 2014.

ii “The Rise and Fall of the Mail-Order House”. <http://news.buzzbuzzhome.com/2015/03/mail-order-house-history.html>

iii www.historymuseum.ca

iv www.atcosl.com

v Smith, Candy. “Handymen, Hippies and Healing: Social Transformation through the DIY Movement (1940s to 1970s) in North America”. *Architectural Histories – the open access journal of the European Architectural History Network*. <http://journal.eahn.org/articles/10.5334/ah.bd/>

vi *The Whole Earth Catalogue*. Stewart Brand, ed. Portola Institute and others. 1968 to 1972.

vii Tiny Home Alliance. <http://www.tinyhomealliance.ca/canadian-connections.html>

viii Tamsin McMahon. “Rising household debt leaves Canadians ‘increasingly vulnerable’: budget watchdog”. *The Globe and Mail*, 19 January 2016.

ix <http://www.countryliving.com/home-design/g1887/tiny-house/>

x <http://wwwppss.wix.com/smart>

xi <http://tinyhouseontario.com/2014/07/17/canadian-tiny-houses/>

xii <http://www.tinyhomealliance.ca/canadian-connections.html>

xiii <http://tinyhousecommunity.com/guidelines.htm>

xiv <http://wwwppss.wix.com/smart>

xv www.mbminihomes.com

3 The Reality - Tiny Houses in Canada's Regulatory Context

The Tiny Home Allianceⁱ advises that:

“There are many things to seriously consider before the hammer starts swinging!
Zoning/municipal laws, building codes, standards, insurance, financing, mobile or fixed
foundation options.”

and admonishes owners to

“Know your rights and responsibilities. Before building or buying, know and practice
your local, provincial and federal laws/codes.”

3.1 CRBs

3.1.1 Variations in Application of Requirements for Houses

Requirements provided in codes/regulations/bylaws based on the NBC (CRBs) apply to all houses with three exceptions and some variations:

- the *British Columbia Building Code*, the *Vancouver Building Bylaw* and the *Nova Scotia Building Code Regulation* “exempt” homes constructed in accordance with CSA Z240 MH Series *Manufactured Homes* (CSA Z240 MH Series)
- the Yukon, Manitoba and Ontario codes-regulations accept homes constructed in compliance with CSA Z240 MH Series, in some cases with limits to application
- Ontario provides some exceptions for seasonal housing with less stringent requirements for cottages, and park model trailers (PMTs) constructed in compliance with CSA Z241 *Park Model Trailers* (CSA Z241).

Tiny houses are discussed in sections 3.2 and 3.3 below with respect to CSA Z240 MH Series and CSA 241 respectively.

3.1.2 Technical Requirements

Aside from differences related to the references to CSA Z240 MH Series, CRB requirements for year-round homes are largely the same across the country. Some variations are discussed in section 4.2 with respect to compliance issues. More or less stringent requirements within CRBs are primarily related to seismic and climatic loads in order to provide a minimum acceptable level of performance for all homes with respect to structural safety, precipitation protection, heating and energy efficiency.

3.1.3 Administrative Requirements

CRBs provide requirements for documentation on the building design and, in some cases, also requirements for design and construction review, permitting and inspections. For Part 9 housing, overall authority for requirements, or authority for permitting and inspection may be delegated to the municipal/district level.

Factory-constructed homes can be certified in accordance with *CSA A277 Procedure for Certification of Prefabricated Buildings, Modules and Panels* (CSA A277) as complying with the applicable CRB and any other applicable regulations or standards.¹

Alberta and Quebec require CSA A277 certification for factory-constructed buildings. CSA A277-certified homes are accepted, by reference or policy, in most provinces and territories. Municipalities in Saskatchewan may accept CSA A277-certified houses at their discretion. Municipalities in British Columbia are reviewing their responsibilities following deletion of a provision from the British Columbia Building Code that exempted CSA A277-certified homes.

CSA A277 Certificationⁱⁱ

CSA A277 provides requirements for marking, provision of installation instructions and confirmation of compliance. The quality assurance requirements for confirmation of compliance include:

- the factory's in-house quality assurance program including identification of the personnel responsible for each stage of design and construction, and sign-offs for every construction step completed
- regular third-party audits of the quality control procedures, and
- random third-party inspections of the homes to ensure compliance with the applicable CRB.

The CSA A277 quality assurance requirements generally exceed quality assurance requirements that may be in place for site-constructed buildings.

3.1.4 Application to Tiny Houses

Requirements provided in CRBs apply to:

- site-built tiny houses constructed on a foundation, and
- factory-built (modular) tiny houses where these are designed to be installed on a permanent foundation.

While not typically done, CRB requirements could be applied to factory-built (modular) tiny houses installed on a chassis. The chassis would have to comply with transportation regulations for trailers. To properly comply with all CRB requirements, the house would subsequently have to be installed on a permanent foundation.

3.1.5 Case Examples

Compliant Houses

Factory-Built

Factory-builders are constructing tiny or other compact houses:

- the website for Manitoba Mini-Homesⁱⁱⁱ states that its homes are built to code requirements.
- Profab Homes in Quebec, along with its Guildcrest Homes plant in Ontario, recently launched the Eldorado, which complies with the Ontario Building Code. While this home is too wide to be trailered without a permit, it has a gross area of only 486 sq.ft., 621sq.ft. including patio (see Figure 3.1.5-A).

Other factory-builders are investigating tiny and compact house construction and the markets for these homes.

¹ Certification bodies are accredited by the Standards Council of Canada. Certification allows the local authority to accept prefabricated buildings, modules and panels as complying with the applicable requirements in the same manner as is done other certified products, such as windows and plumbing fixtures, where compliance cannot be determined based on visual inspection. Certification of buildings, while at a different scale, follows the same type of process as certification of other building products. CSA A277 was developed to encourage consistency in requirements and procedures. As with other products, the certification standard need not be referenced in a CRB for certified buildings to be accepted by the local authority.



Figure 3.1.5-A – Eldorado, Profab Homes QC & Guildcrest Homes, ON



Site-Built

Site builders are also offering tiny and other compact houses; for example, Avalon House EcoBuilders^{iv} (see Figure 3.1.5-B).

Figure 3.1.5-B – Site-Built Tiny House, Avalon House EcoBuilders, PE



3.2 CSA Z240 MH Series Manufactured Homes

3.2.1 Definition

Manufactured homes are defined by CSA Z240 MH Series as:

“transportable, single- or multiple-section, one-storey dwellings ready for occupancy on completion of set-up in accordance with the manufacturer’s instructions.”^v



Figure 3.2.1. Moduline, BC

3.2.2 Acceptance by Provincial-Territorial Codes/Regulations/Bylaws

As noted above, manufactured homes constructed in accordance with CSA Z240 MH Series are exempted from the *British Columbia Building Code*, the *Vancouver Building Bylaw* and the *Nova Scotia Building Code Regulation* and accepted by Yukon, Manitoba and Ontario. They may also be accept by municipalities in Saskatchewan at their discretion.

British Columbia

While the BCBC exempts manufactured homes, the provincial Energy Efficiency Regulations, which address appliances and fenestration, apply to all buildings.

Manitoba

The consolidated CSA Z240 MH Series is not referenced in the *Manitoba Building Code*. Various out-dated CSA Z240 standards are referenced in the *Manitoba Mobile Homes Standards and Permits Regulation*. It is expected that the Province will be reviewing and updating the code and regulation now that the 2016 edition of CSA Z240 MH Series has been published. At present, the *Manitoba Buildings and Mobile Homes Act* limits the application of CSA Z240 MH standards to dwelling units that are:

- capable of being transported on their own chassis and running gear
- placed on the chassis or body of a motor vehicle, or
- part of a motor vehicle.

Ontario

Ontario accepts houses constructed in accordance with CSA Z240 2.1 Structural Requirements for Manufactured Homes² provided the width of individual modules does not exceed 4.8 m (16 feet). It is believed that this provision is interpreted as referring to the complete CSA Z240 MH Series.

Nova Scotia

While Nova Scotia accepts houses constructed in accordance with CSA Z240 MH Series, it overrides the energy efficiency requirements in the standard with those provided in NBC Section 9.36. Energy Efficiency.

3.2.3 Application to Tiny Houses

Manufactured homes:

- are designed and constructed to serve as year-round dwellings.
- may or may not be constructed on a chassis
- are designed to be installed on a permanent foundation.



Figure 3.2.3-1 Kent Homes, NB

In general, where CSA Z240 MH Series is referenced in a CRB, the standard applies to factory-built tiny houses that are constructed with or without a chassis.

In Manitoba, manufactured houses must be constructed on a chassis. CSA Z240 MH Series addresses running gear but the requirements apply only to “limited use” equipment; more stringent requirements would apply where the house is meant to be trailered on a more frequent basis.



Figure 3.2.3-2

CSA Z240 MH Series cannot be applied to site-built tiny houses.

² Z240.2.1 addresses much more than structural elements. In the 2016 edition, the standard is more appropriately titled “Technical Requirements for Manufactured Homes”.

3.2.4 Technical Requirements

Superstructure

CSA Z240 MH Series addresses all the issues addressed by CRBs as they apply to the superstructure of single-family houses. In the 2009 edition, most of the provisions reference, duplicate or are consistent with the NBC and its referenced standards. In the 2016 edition, the NBC requirements are the default. The standard provides a number of additional or more stringent requirements to address issues specific to factory-constructed buildings, and a few less stringent requirements. Table 3.2.4 below summarizes the differences.

Trailer

Where the home is installed on a chassis, CSA Z240.1.1 in the MH Series, *Vehicular Requirements for Manufactured Homes* references CAN3-D313-M85 *Trailer Running Gear* as it applies to limited use and returnable gear. See section 4.5.2 Vehicular Requirements for Manufactured Homes and PMTs.

3.2.5 Administrative Requirements

Manufactured homes must be certified in accordance with CSA A277 (see description of CSA A277 above in section 3.1.3). Products certified under CSA A277 are required to be constructed in a factory.

Table 3.2.4 – Summary of Differences between Requirements in the NBC and CSA Z240 MH Series, 2016 Edition

	Less stringent	Additional or More Stringent
Structural	<ul style="list-style-type: none">• maximum floor framing deflection for other than tile or stone finish flooring• minimum non-loadbearing stud sizes	<ul style="list-style-type: none">• construction that is uncommon for site-built homes; e.g., floor assemblies cantilevered more than 600 mm• attachment/fastening to address loads imposed during transport and installation• deformation resistance test
Building Envelope	--	<ul style="list-style-type: none">• cladding attachment• underfloor sheathing for protection
HVAC	--	<ul style="list-style-type: none">• appliance installation to permit removal• combustion and make-up air supply, ducting, sealing, duct protection• additional leak testing for gas systems
Plumbing	<ul style="list-style-type: none">• main drain size and slope where 1 in 50 is impractical	--
Energy Efficiency	<ul style="list-style-type: none">• attic insulation on one climate zone• wall insulation in five climate zones• floor insulation in two climate zones• window USI in three climate zones• airtightness ⁽¹⁾• equipment efficiencies⁽²⁾	--

Notes to Table:

- (1) Consistent with the tenets of Smart Regulation, building envelope airtightness is not regulated in CSA Z240 MH Series because normal construction practices for factory-constructed homes result in air leakage rates that are lower than specified in codes.
- (2) The national Energy Efficiency Regulations apply to oil-fired furnaces; minimum AFUE for gas-fired forced air furnaces is 82%.

3.2.6 Case Examples

While no information has been found as yet on tiny houses being constructed in accordance with CSA Z240 MH Series, tiny houses could be constructed as manufactured homes.

3.3 CSA Z241 Park Model Trailers

3.3.1 Definition

CSA Z241 *Park Model Trailers* (CSA Z241) defines a park model trailer (PMT) as:^{vi}

- a recreational unit that meets the following criteria:
- a) it is built on a single chassis mounted on wheels;
 - b) it is designed to facilitate relocation from time to time;
 - c) it is designed as living quarters for seasonal camping and may be connected to those utilities necessary for operation of installed fixtures and appliances; and
 - d) it has a gross floor area, including lofts, not exceeding 50 m² when in the set-up mode, and has a width greater than 2.6 m in the transit mode.



Figure 3.3.1 – Grandeur Housing Park Model Trailer

3.3.2 Acceptance by CRBs

Ontario

The Ontario Building Code (OBC) is the only building code that references CSA Z241. PMTs are recognized as buildings and are deemed to comply with the OBC when they are “used or intended to be used as a seasonal recreational building of residential occupancy.” The OBC

- applies the spatial separation requirements only when the PMT is used or intended to be used for seasonal tourist accommodation, or is leased or intended to be leased,³
- requires support and anchorage according to the manufacturer’s installation instructions,
- imposes limits on proximity to electrical conductors.

3.3.3 Application to Tiny Houses

Park model trailers, by definition and considering the minimum requirements of the standard, are not designed to be used as year-round dwellings and are typically wider than tiny houses on wheels. Lofts are to be used for storage only.

3.3.4 Technical Requirements

Superstructure

CSA Z241 addresses many of the issues addressed by building codes and regulations as they apply to the superstructure of single-family houses. This is in order to provide adequate:

- a) structural strength and rigidity;
- b) protection against corrosion, decay, insects, and similar destructive forces;
- c) protection against the hazards of fire;
- d) resistance to the elements; and
- e) durability and economy of maintenance.^{vii}

See Table 3.3.4 for a summary of differences compared to CRB requirements.

³ A code change request has been submitted to apply the spatial separation requirements regardless of tenancy.

Table 3.3.4 – Summary of Significant Differences between Requirements in the NBC and CSA Z241

	Less stringent	Additional or More Stringent
Use and Egress	<ul style="list-style-type: none"> hallway width where there is a second exterior door to a hallway distant from the living area exterior doorway widths 	--
Structural	<ul style="list-style-type: none"> design floor loads (1.4 vs 1.9 kPa) design snow loads⁽¹⁾ no design wind load no foundation or anchorage requirements maximum deflection for floor joists, floor trusses, and roof beams, roof rafters or trusses supporting plaster or gypsum board lintel sizes 	--
Building Envelope	<ul style="list-style-type: none"> no capillary break required 	<ul style="list-style-type: none"> cladding attachment underfloor sheathing for protection
HVAC	<ul style="list-style-type: none"> heating season ventilation exhaust only where ventilation fans installed make-up air only for gas-fired dryers combustion air supply appropriate for non-heating season only no heating required 	--
Electrical	<ul style="list-style-type: none"> number of circuits serving kitchen counters 	--
Energy Efficiency	<ul style="list-style-type: none"> attic, wall and floor insulation [RSI 2.11, 1.41 and 2.11 (R-12, 8 and 12) respectively] no requirements re.: <ul style="list-style-type: none"> windows and doors airtightness equipment efficiencies duct & pipe insulation 	--

Notes to Table:

- (1) The design roof snow load of 1.9 kPa would be exceeded in 99 (15%) of the 679 locations listed in NBC Appendix C. While a few of the locations are sufficiently remote that PMTs are unlikely, the vast majority are easily accessible; e.g., Whistler, BC.

Trailer

CSA Z241 references CAN3-D313-M85 Trailer Running Gear as it applies to limited use and returnable gear. See section 4.5.2 Vehicular Requirements for Manufactured Homes and PMTs.

3.3.5 Administrative Requirements

Aside from the OBC provisions that accept PMTs as seasonal accommodation provided they are certified, PMTs are not required to be certified. Where PMTs are certified, the certification covers compliance with electrical and gas regulations that require certification, and applicable transport regulations.

3.3.6 Case Examples

A number of factory builders are manufacturing tiny PMTs for seasonal use. Reports of PMTs being used year-round have been received from authorities and factory-builders. This seems to be of particular concern on the Prairies and in BC.

Alberta

While Alberta requires all buildings to comply with the Alberta Building Code (ABC); it provides a definition for manufactured homes⁴:

“Manufactured home means a factory-constructed detached dwelling unit readily relocatable as a single unit or in modules.”

As in CSA Z240 MH Series, this definition does not differentiate between dwelling units intended for year-round versus seasonal use; it refers only to the home as being readily relocatable.

Cases have been reported where this definition has been applied to PMTs constructed in compliance with the ABC and used year-round. While the units should provide a minimum acceptable level of performance for year-round use with respect to the superstructure, the lack of foundations and anchorage is problematic and certification of these structures as PMTs is confusing.



Figure 3.3.6 – Higher-end PMT. Pocket House, AB. ^{viii}

British Columbia

More and more PMTs are being delivered to BC and installed in parks (land-lease/rental) or strata developments. Many of these structures subsequently have additions constructed. (The same approach has been seen in Ontario.)

While parks and strata developments generally restrict open time to the non-heating season, some are providing year-round access. This encourages year-round occupancy of PMTs.

PMTs are attractive where zoning bylaws preclude installation of manufactured homes. See section 4.3.

3.4 CSA Z240 RV Series Recreational Vehicles

3.4.1 Definition

The CSA Z240 RV Series defines recreational vehicles as:

A vehicular-type unit that is primarily designed as temporary living quarters for recreational, camping, or seasonal use; has its own motive power or is mounted on or towed by another vehicle; does not require a special highway use permit for operation on the highways; and can be easily transported and set up on a daily basis by an individual.^{ix}



Figure 3.4.1 – Javco RVs

3.4.2 Acceptance by CRBs

Recreational vehicles are considered to be vehicles rather than buildings. As such, CRBs do not reference the Z240 RV Series standard.

⁴ The ABC refers to manufactured homes in six instances. Code requests have been submitted that would eliminate the use of the terms because the requirements should be applied more widely or because the requirements are not necessary.

3.4.3 Application to Tiny Houses

CSA Z240 RV Series does not apply to tiny houses.

3.4.4 Technical Requirements

The scope of the CSA Z240 RV Series states that it "... specifies dimensional and safety requirements for recreational vehicles. Its purpose is to specify minimum criteria for providing a degree of protection against loss of life from fire and explosion."^x

Superstructure

Aside from plumbing and electrical requirements, there are no requirements that approach what would be expected for year-round housing.

Trailer

CSA Z240.1.1 in the RV Series, *Vehicular Requirements for RVs* references CAN3-D313-M85 *Trailer Running Gear*. See section 4.5.2 Vehicular Requirements for Manufactured Homes and PMTs.

3.4.5 Administrative Requirements

While certification is not required by the standard for the overall product, it is required by provincial or territorial transport or other regulations. Certification covers compliance with electrical, gas and applicable transport regulations.

3.4.6 Case Examples

British Columbia

Hummingbird micro homes in Fernie, B.C. builds tiny homes on wheels as RVs.^{xi} In response to the FAQ "Can I live in my Hummingbird micro home over winter?" the company states that "The Hummingbird micro homes are built for the Canadian winter. The homes are insulated with R20 spray-foam insulation in the walls, ceiling and floors." This would not comply with current energy efficiency requirements for houses even in the mildest climate zone.

Manitoba

Manitoba Mini-Homes states that their homes, while built to code, can be "built on a trailer and registered with Manitoba Public Insurance (MPI) as a camper/cabin/RV."^{xii}

Ontario

Ontario Smart Community recognizes that "The insulation values in the thinner walls, roof and floor are almost non existent [sic] and totally ineffective during a Canadian winter"^{xiii} and "The windows are single pane and do not keep the cold out." They also advise that Ontario considers tiny homes on chassis as home-made RVs, and plate them as such for a small one-time fee.^{xiv}

3.5 Municipal Zoning Bylaws, Charges, Taxes

Municipal zoning bylaws, development charges and property taxes have implications for tiny houses. These are discussed in section 4.3.

3.6 Tiny Houses Outside the Current Building Regulatory Framework

3.6.1 Site-Built Tiny Houses on Wheels

Site-built tiny houses on wheels (THOWs) fall outside the current regulatory framework.

Tiny home organizations recognize that these houses allow significant financial savings:

- no building permits are required, no development charges apply and lack of property associated with the house means that property taxes do not apply (see section 4.4)
- provided the overall structure does not exceed dimensional and weight limits, and has proper lights and markings, as specified in the applicable transportation regulations, no permit is required to trailer the house (see section 4.5).

While there is a market for mobile tiny houses, there is evidence that many potential owners are not looking for mobility; they wish only to benefit from the advantages of owning a very small house. Installing the house on a chassis is in response to zoning bylaws that do not recognize tiny houses as a particular housing form with land use needs that are different from the norm.

3.6.2 Technical Requirements

Superstructure

Site-built THOWs cannot comply with CRBs unless the THOW:

- is installed on a permanent foundation and anchored as necessary to resist wind and earthquake loads
- has passed the deformation resistance test provided in CSA Z240.2.1 where the house is on a surface foundation subject to frost action or other moisture-related movement.

As THOWs are typically meant to be free to move anywhere, they should either:

- comply with the most stringent requirements of all the CRBs with respect to structural wind and earthquake loads, and climate loads for energy efficiency, heating and protection from precipitation, or
- consistent with CSA A277, have a specification sheet that provides all information needed to confirm that the home will resist the structural and climate loads wherever it is parked/installed. The sheet should be affixed to on the interior of the home in an accessible location.

Trailer

See section 4.5.

3.6.3 Administrative Requirements

While CRBs and provisions addressing permits and inspection could be applied to the superstructure, a number of changes would need to be made to make this clear; for example:

- a change to NBC Division A, Appendix A-1.1.1.(1) to expand the information from application of the code to existing buildings to include application to buildings constructed on chassis, including the need for means to properly found and anchor the building when not being trailered; e.g., support and anchorage points
- changes to inspection and approval provisions, whether provided in the CRB or local authority regulations, to specify how these apply to buildings constructed on chassis.

Registration or licensing of THOWs as PMTs or RVs should be discouraged as this causes confusion as to whether these are designed for year-round use. (Note that, for the purpose of this paper THOWs are defined as houses intended for year-round use. PMTs and RVs that have the appearance of tiny houses should be certified as applicable.)

3.6.4 Case Examples

The Zachary Hamlyn house, built in Yellowknife for Nathaniel Hamlyn in Whitehorse, is one example of a THOW that was not subject to permitting or inspection for compliance with the applicable CRB(s).

It does not appear to have been installed on a permanent foundation nor anchored.



Figure 3.6.4 – Hamlyn House in Yellowknife ^{xv}

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- i <http://www.tinyhomealliance.ca/canadian-connections.html>
 - ii CSA A277-16 *Procedure for Certification of Prefabricated Buildings, Modules and Panels*. Canadian Standards Association. Mississauga, ON. 2016
 - iii www.mbminihomes.com
 - iv Small footprint eco-house, Avalon House EcoBuilders, PE.
http://avalonhouseecobuilders.com/Small_Footprint_Eco_Homes.html
 - v CSA Z240-16 MH Series *Manufactured Homes*. Canadian Standards Association. Mississauga, ON. 2016.
 - vi CSA Z241-03 (R08) *Park Model Trailers*. Canadian Standards Association. Mississauga, ON. 2003.
 - vii Clause 1. Scope, CSA Z241.2-03 (R08) *Construction Requirements for Park Model Trailers*. Canadian Standards Association. Mississauga, ON. 2003.
 - viii <http://pockethouse.ca/>
 - ix CSA Z240-14 RV Series *Recreational Vehicles*. Canadian Standards Association. Mississauga, ON. 2014.
 - x Clause 1 Scope, CSA Z240-14 RV Series *Recreational Vehicles*. Canadian Standards Association. Mississauga, ON. 2014.
 - xi <http://www.hummingbirdmicrohomes.com/>
 - xii <http://www.mbminihomes.com/#!blank/cpax>
 - xiii <http://wwppss.wix.com/smart#!q-a/cw1t> Excerpt of answer to question “Why not just buy an RV?”
 - xiv <http://wwppss.wix.com/smart#!q-a/cw1t> Excerpt of answer to question “Why do you build tiny houses on steel frames with wheels?”
 - xv <http://www.cbc.ca/news/canada/north/yellowknife-apprentice-builds-his-big-brother-a-tiny-house-1.3207868>

4 Compliance Issues

This section identifies and discusses cases of non-compliance, atypical constructions where compliance may be questioned, and issues that create barriers to compliance and consequently create unintended incentives to avoid compliance.

The discussion is not limited to tiny houses as many issues apply equally to compact houses.

4.1 Intentional Non-Compliance and Enforcement

4.1.1 United States

Some US websites provide suggestions on how to avoid various regulations. For example, The Tiny Lifeⁱ suggests that having a large piece of land and obscuring the house is a way to avoid code enforcement. Similarly, by parking a tiny house on a chassis in a friend's back yard and using his address, one could claim that the tiny house is not being lived in. There are warnings, however, that "For those who wish to do it under the radar, understand you are technically breaking the law, it could have criminal consequences."

4.1.2 Canada

Compliance

While there are examples of misrepresentation regarding the use of PMTs or RVs as appropriate for year round occupancy, for example Serenity Acres Tiny Homes in Carseland, ABⁱⁱ, Canadian websites on tiny living do not appear to actually promote non-compliance. Conversely, many provide information on possible approaches to tiny living within the regulations.

Research into tiny houses built in Canada yields very little information with respect to compliance with the applicable CRB aside from the lack of a permanent foundation and anchorage for THOWs where these are used year-round.

Enforcement

Enforcement of CRBs is a municipal responsibility. There are unconfirmed reports of tiny houses built to serve as cottages where the local authority has not been involved. Where THOWs are used year-round, municipalities face questions on how these do or do not fit in the regulatory context and on determination of compliance of various atypical constructions. The following discusses a number of aspects of construction where determination of compliance may be an issue.

4.2 CRB Compliance Issues

A number of questions have been raised about how tiny homes do or do not comply with CRBs, including CSA Z240 MH Series, which references the NBC for most issues. The following discusses the issues identified to date.

4.2.1 Areas of Rooms and Spaces

NBC

The NBC does not specify a minimum area for a dwelling unit nor minimum areas for individual rooms or spaces. Requirements for minimum areas were deleted from the NBC in the transition to objective-based codes as there was no substantive evidence to indicate that sizes of rooms or spaces in dwelling units have any implications for health or safety.

Ontario

The Ontario Building Code (OBC) has retained requirements for minimum areas (see Annex B) but provides an exception [OBC Article 9.5.1.5.] where “it can be shown that the rooms and spaces are adequate for their intended use, such as by the provision of built-in furniture to compensate for reduced sizes.” The exception does not provide any criteria against which to determine adequacy so it may or may not actually allow for tiny house designs depending on the local authority’s opinion.

The OBC accepts homes constructed in accordance with CSA Z240.2.1 in the CSA Z240 MH Series. The standard does not specify any minimum areas.

In effect, the OBC permits three different levels of performance with respect to areas. This is inconsistent with the concept of minimum codes.

4.2.2 Ceiling Heights and Lofts [NBC 9.5.3.1.]

CRB requirements for minimum ceiling heights, provided in NBC Table 9.5.3.1. Room Ceiling Heights, assume that occupants will be standing and walking in all spaces except crawl spaces. The minimum heights (generally 2.1 m) are required over a specific area of the space or the whole space whichever is less.

Sleeping Lofts

For a sleeping loft to comply with the NBC requirement for a master bedroom, there would have to be 2.1 m ceiling height over the entire space or 4.9 m², whichever area is less. Sleeping lofts in tiny houses would not comply and it is not clear that they need to comply.

Bunk beds have long been accepted for sleeping. If lofts were to be considered as built-in bunk beds rather than separate rooms or spaces, the height requirement would not apply. This approach would be reasonable provided the floor area of the loft is only large enough to:

- accommodate a mattress
- provide sufficient clearance to tuck in sheets and blankets
- provide adequate height over the full area of mattress to allow for comfortable use.

King-size mattresses can be 6’-4” x 6’-7.5” or 6’ x 6’-11.5”. To accommodate these and provide tuck-in clearance, the loft floor might be 6’-8” x 7’-3.5”. Assuming standard construction with 2” x 6” framing and 2’ roof overhangs, typical THOWs with 8’6” exterior width and 4” roof overhangs would have an interior width in the order of 6’-8”. In these cases, only the length of the loft need be considered in determining if the loft can be considered as a bunk bed. Loft width would have to be greater than 6’-8” in other cases where the loft ceiling at the exterior walls is too low to allow for comfortable use of the full area of the mattress. Some guidance would be useful.

Considering the principles of Smart Regulationⁱⁱⁱ, where only those issues that need to be regulated should be regulated, minimum height over some or all of the mattress area to allow sitting should not be regulated unless there was documentation on frequency and severity of injuries. See Annex C Reduction of Risk with Obvious Hazards.

Ceiling Heights under Lofts

As discussed above, in general, ceiling height must be a minimum 2.1 m. This must be maintained in spaces under lofts.

4.2.3 Hallway Widths [NBC 9.5.4.1.]

CRBs require that, in general, hallways be a minimum 860 mm (34”) wide. Many tiny homes do not have spaces that serve only as hallways. The requirement should apply only where there are walls on both sides of the passageway and the passageway serves only to access other spaces or closets (see Figure 4.2.3).

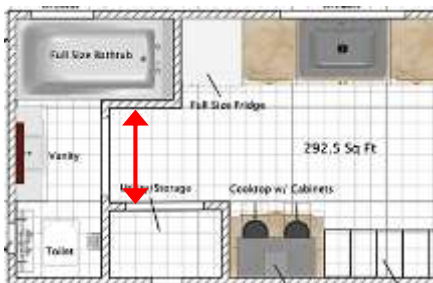


Figure 4.2.3 – Compliant Hallway. Part of 28' Plan, Serenity Acres Tiny Homes, AB.^{iv}

4.2.4 Doorway Widths

Exterior Doors [NBC 9.5.5.1.]

Required exit doors must be swing-type; as such, the doorway for the exterior door must accommodate a door that is a minimum 810 mm (32") wide.

Interior Doors [NBC 9.5.5.1.]

The intent statements for NBC Sentence 9.5.5.1.(1) refer to sufficient width of doorways to avoid difficulty in negotiating the doorway in normal use or in an emergency. The requirement applies, however, only where swing-type or folding doors are installed. While no longer published, the application statements that were originally developed and approved reflect this limited application. This would seem to be consistent with the concept that, if there is insufficient space to open a swing-type or folding door, there is likely insufficient space for standard width doorways. (See Annex C Reduction of Risk with Obvious Hazards.)

While it might be argued that interior door widths less than 610 mm may be acceptable for tiny houses, it would be difficult to specify the limit to application in generic code language. No changes to the existing requirements or their applications are recommended.

Bathroom Doors [NBC 9.5.5.3.]

In general, where a bathroom has a swing-type or folding door, the doorways must accommodate a door that is a minimum 610 (24") wide. NBC Sentence 9.5.5.3.(2) requires wider doorways for bathrooms where there is a hallway serving the bathroom that is at least 860 mm (34") wide and could consequently accommodate a manual wheelchair or other manual mobility assistance device.

The NBC does not require greater width where the bathroom opens directly into another room or space. Because the spaces in many tiny houses would not accommodate a wheelchair, applying an accessibility requirement to the bathroom door, even if it is served by a hallway, would likely serve no purpose. As noted above, if a sliding door is installed, the doorway requirements do not apply.

Doorways to Other Spaces

Doorways to other spaces must generally accommodate doors that are a minimum 760 mm (30") wide. If the door is accessed from a hallway that is permitted to be 710 mm wide, the doorway need only accommodate a door that is 610 mm wide. Again, if no door is installed or if the door is a sliding door, the requirement does not apply.

4.2.5 Stairs, Handrails and Guards [NBC 9.8.]

Stairs [NBC 9.8.1.1.]

Stairs within dwelling units are not considered to be "means of egress" so there is no requirement in NBC Section 9.9. Means of Egress that stairs be installed. Section 9.8. Stairs, Ramps, Handrails and Guards also has no requirement for the installation of a stair where there is a change in level. The requirements provided in Section 9.8. apply only where a stair is installed.

With innumerable possible configurations for stairs and ladders, it may not be clear when a stair is a stair and where the requirements should apply. For example, some tiny house designs use built in furniture to serve as a stair, or the slope or shape of a ladder might cause it to be seen as a stair (see Figure 4.2.2). See also Annex C Reduction of Risk with Obvious Hazards.

Where a sleeping loft is considered to be a bunk bed, the stair requirements should not apply, regardless of the configuration of the construction used to access the loft.

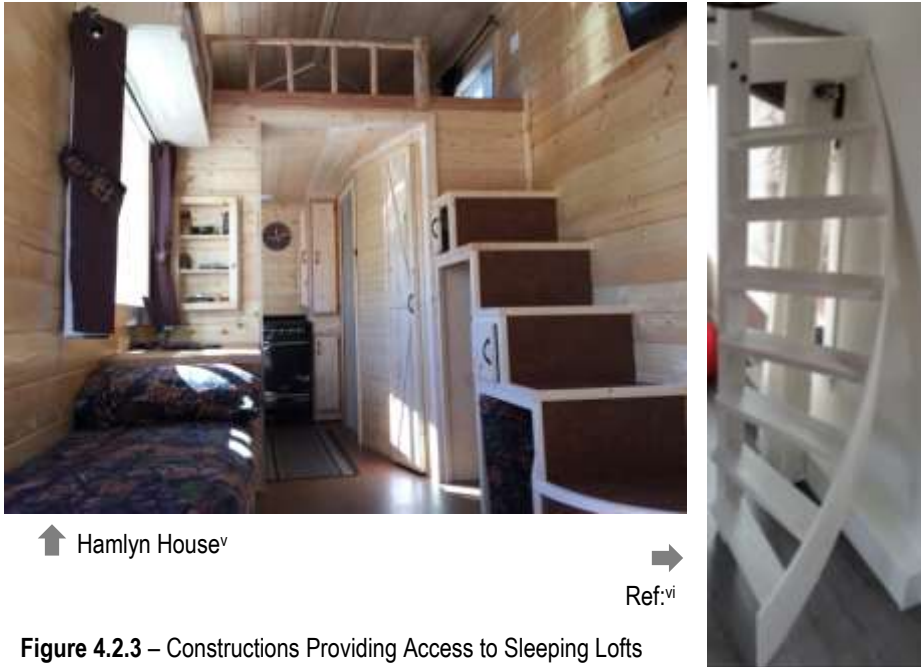


Figure 4.2.3 – Constructions Providing Access to Sleeping Lofts

Handrails and Guards [NBC 9.8.7.1. and 9.8.8.1.]

As handrails are not required unless there is a stair, these would typically not be required in tiny houses.

Similarly, guards would typically not be required on the construction that provides access to a sleeping loft and would be required to provide protection for lofts only where these are not considered to be bunk beds.

4.2.6 Egress Windows [NBC 9.9.10.]

NBC Sentence 9.9.10.1.(1) requires every bedroom or combination bedroom to have at least one window with minimum openable area or exterior door. In most tiny home plans, the sleeping space is part of a combination living-dining-kitchen-bedroom space. As such, the required exit door serves as the egress door for the sleeping space. While it might be advisable to install an egress window in a sleeping loft, this is not required where the loft is open to the space below and effectively functions as a bunk bed.

4.2.7 Smoke Alarms [NBC 9.10.19.3.]

Location and Number

Smoke alarms must be installed. Sentence 9.10.19.3. requires that these be installed:

- on each storey
- in each sleeping room, and
- in a location between the sleeping rooms and the remainder of the storey.

Storeys

As with all mezzanines, where a sleeping loft is open to the space below and does not exceed 40% of the open area of the space, it is not considered to be a storey. Where a sleeping loft is considered to be a built-in bunk bed, it would also not constitute a mezzanine regardless of size.

Sleeping Room and Remainder of Storey

Where the sleeping space is part of a combination living-dining-kitchen-bedroom combination room, one smoke alarm fulfills the requirement. Some difficulties may arise in determining if the sleeping space may be considered as part of a combination space depending on the configuration of the house. (See Figures 4.2.8-A to -E.)

1. Where there is a sleeping loft that can be considered as a built-in bunk bed, the loft should be treated as part of a combination space and a single smoke alarm will fulfill the requirement (see Figure 4.2.8.A)
2. If a sleeping loft cannot be considered as a built-in bunk bed, the criteria for combination spaces would apply; i.e., the open area must be the greater of
 - 3 m² (32.3 sq.ft.), or
 - 40% or more of the area of the wall measured on the bedroom side.

For THOWs, which are subject to height limitations, these limits are problematic because 100% of the open area may well be less than 3 m². Some leniency might be considered (See Figure 4.2.8.B)



Figure 4.2.8-A – Sleeping Loft as Bunk Bed^{vii}



Figure 4.2.8-B – Sleeping Loft Designed to be Larger than Mattress^{viii}



Figure 4.2.8-C – Sleeping Space within Main Space

3. Where the sleeping space is on the same level as, and completely within, the main space in the house, it should be treated as part of a combination space and a single smoke alarm will fulfill the requirement (see Figure 4.2.8.C).

4. Where the sleeping space is on the same level as, but separated to any degree from, the main space in the house, the criteria for combination spaces would apply. The size of the bed, and whether it is free-standing or built-in, may have implications for how the opening is measured.

For example:

- if the wall is as long as a mattress is wide and the bed is free-standing, one would expect to measure to the floor and the opening might be 36 sq.ft. for a double mattress
- if the mattress is supported on storage units or other construction and the open area is measured only to the top of that construction, the open area might be only 6' x 4.5' = 27 sq.ft. for a double mattress. The level of hazard, however has not increased.

Similarly, if the sleeping space is designed for a single person and the open area is correspondingly narrower, the NBC would require the space to be treated as a separate room even though the level of hazard has not increased. (See Figure 4.2.8.D.)



Figure 4.2.8.D

Narrow opening to sleeping space makes it a separate space. CRBs require two smoke alarms.^{ix}

5. Where the sleeping space is on the same level as, but separated completely from, the main space in the house, smoke alarms are required in the bedroom and the main space, except that where the bedroom is served by a hallway, the second alarm must be installed in the hallway. (See Figure 4.2.8.E.)

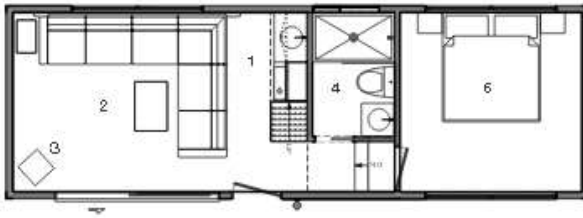


Figure 4.2.8.E

Smoke alarms required in the bedroom and the hallway^x

4.2.8 Foundations and Anchorage [NBC 9.12., 9.15., 9.23.6.]

All buildings constructed in compliance with CRBs must be properly founded and be anchored as necessary depending on wind and, in some cases, earthquake loads.

NBC

The NBC:

- provides prescriptive requirements for perimeter foundations that extend below frost or installed on soils that are not moisture susceptible, and anchorage to those foundations
- provides prescriptive requirements for columns and posts and performance requirements for anchorage of these
- references CSA Z240.10.1 Site Preparation, Foundation and Anchorage of Manufactured Houses for
 - surface foundations for all Part 9 buildings that pass the deformation resistance test provided in Z240 MH Series. CSA Z240.10.1
 - anchorage of one-storey buildings not more than 4.3 m wide.

Ontario

The OBC requires park model trailers to be installed and anchored according to the manufacturer's instructions. No performance criteria are specified for foundations or anchorage.

4.2.9 Ventilation [9.32.]

Unlike heating requirements, which depend on the areas and thermal resistance of the building envelope and on heating degree days, ventilation requirements are based on an assumed occupant load depending on the number of bedrooms in the dwelling unit. While it might be argued that many tiny houses do not have bedrooms per se, minimum ventilation capacity should be applied equally to sleeping spaces.

With one bedroom, the NBC requires a minimum exhaust capacity of 16 L/s and a maximum of 24 L/s. A small HRV drawing from the kitchen and bathroom will serve for exhaust and supply.

4.2.10 Energy Efficiency [NBC 9.36.]

Tiny houses must comply with NBC Section 9.36. Energy Efficiency, or Clause 13 of CSA Z240.2.1 *Technical Requirements for Manufactured Homes* where the houses are certified as manufactured homes.

4.2.11 Sign-Offs

Some issues have been encountered with respect to professional or trade sign-offs of work. Following are two examples.

Structural

A company building homes with structural insulated panels (SIPS)^{xi} found that the engineer would not sign-off on the design unless there was a permanent address for the home. No research has been done to determine if this is standard practice. While this would encourage installation of tiny houses on foundations, it seems to unnecessarily discriminate against a product that could be used in the construction of THOWs, PMTs and RVs.

Gas

In Alberta, gas meters will not be installed nor final hook-up done unless the system inside the home has been installed by the same individual or company.^{xii} This encourages the construction of houses that are served by portable gas tanks and the use of PMTs and RVs for year-round use.

4.3 Zoning Bylaws

A review of the zoning bylaws for a number of randomly selected municipalities (see Annex D) was conducted to:

- identify provisions that would encourage or discourage the construction of compliant tiny or other compact houses,
- determine the prevalence of these provisions and likely impact.

4.3.1 Minimum Sizes of Lots and Dwelling Units

The greatest barriers to compliant tiny and other compact houses are zoning bylaws that:

- specify minimum lot sizes, frontages or setbacks that are greater than needed for these houses
- preclude land-lease (including short term rental) for other than mobile homes, PMTs or RVs
- do not recognize or are unclear with respect to year-round land-lease or condo/strata developments for very small single family homes
- specify minimum sizes for dwelling units or other criteria that have similar implications.

Minimum Lot Sizes, Frontages and Setbacks

Zoning bylaws typically specify minimum lot sizes and setbacks, and sometimes specify minimum lot frontages. In inner city neighbourhoods, even the smallest infill lots are too expensive for many potential homeowners. Suburban neighborhoods are typically built all at once, leaving no land for individual development. Even if lots can be individually developed, they may be too expensive because of size. Rural lots may be less expensive but there are more costs and environmental impacts due to longer travel distances and limited if any access to public transit. Minimum lot sizes frontages and setbacks may apply equally to land-lease and condo/strata developments designed for year-round use.

Minimum Dwelling Unit Area

Some municipalities have criteria for minimum dwelling unit area or footprint.

- Minimum gross area, where specified for single-family homes, is generally in the 800 to 1,000 sq.ft. range (see Annex D). The City of Ottawa appears to be more progressive than some municipalities, specifying minimum areas of 269, 344 and 441 sq.ft. for studio, one-bedroom and two-bedroom dwelling units respectively regardless of building type.
- The 20-20 rule requires that the foot-print of the home have some exterior wall that lies on each side of a 20 ft by 20 ft square (see Figure 4.3.1).^{xiii}

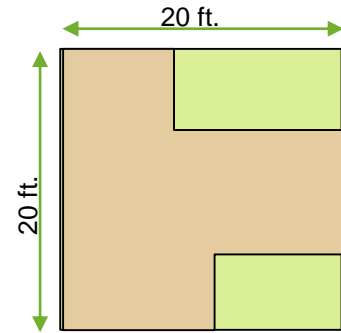


Figure 4.3.1 – Example of house footprint complying with the 20-20 Rule

4.3.2 Discrimination Against Factory-Constructed Homes

Manufactured homes tend to be smaller than site-built homes; consequently factory-builders are well-placed to produce tiny and compact houses. Bylaws in some municipalities discriminate against manufactured homes and in some cases, all factory-constructed homes.

- The Town of Saint Andrews prohibits the installation of all factory-constructed homes unless they exceed 20 ft in width.^{xiv} No such requirement applies to any other type of dwelling unit.
- Some municipalities do not permit installation of manufactured homes or terminology in the bylaws is such that these homes are not differentiated from mobile homes. Problematic definitions include those that:
 - limit manufactured homes to homes installed on a chassis^{xv}
 - define mobile homes to include all manufactured homes with any main wall less than 20 ft. long where the home is designed to be transportable whether the home is equipped with wheels or not.^{xvi}
- Some bylaws recognize mobile homes and modular homes but do not recognize manufactured homes without chassis.^{xvii}
- (See Annex E.)

Given the problematic definitions, it is not surprising to find that some municipalities limit the installation of manufactured homes to what are in effect mobile home parks or less desirous mixed-use zones.^{xviii}

Discrimination against smaller factory-constructed homes encourages site construction of THOWS. Updating zoning bylaws and definitions to address this issue would be appropriate. Concerns related to architectural style can be addressed in the bylaws without discrimination as to means of construction or type of foundation. (See Figures 4.3.2-A and -B)



Figure 4.3.2 – Examples of Smaller Factory-Constructed Homes complying with CSA Z240 MH Series^{xix} (above) and the Applicable CRB^{xx} (right)

4.3.3 Tiny-House Developments

United States

As of September 2014, at least 11 tiny home villages had been built, were being built or were in the planning stages in the U.S.



Figure 4.3.4.A – Third Street Cottages, Langley, WA.
Ross Chapin.

Third Street Cottages ^{xxi}

The Third Street Cottages in Langley, WA have been reported as being the first contemporary ‘pocket neighborhood’ (see Figure 4.3.4.A). The development provides condominium-type ownership with the cottages situated around a shared garden with a commons building and toolshed.

To accommodate this development, the City revised its zoning bylaws to create new “Cottage Housing Development (CHD)” provisions which apply in all single-family zones provided the ground floor area is less than 700 sq.ft. and the total area is less than 975 sq.ft. The

intent is to “preserve housing diversity, affordability and character, and to discourage the spread of placeless sprawl”. The provisions permit up to double the density that is typical for detached homes. The provisions require that the cottages face a landscaped common space and that parking is screened from the street. Each project is reviewed to ensure that the design is compatible with the existing housing.

Other Examples

Examples of other villages include the Four Lights Houses Village^{xxii} and the Quixote Village^{xxiii}, which have been designed to provide housing for the homeless, the working poor or disabled; to provide transition housing; or to demonstrate tiny house living (see Figures 4.3.4.B and C).



Figure 4.3.4.B – Four Lights Houses Village, Jay Shafer



Figure 4.3.4.C – Quixote Village, Olympia, WA.^{xxiv}

Canada

In Canada there are similar initiatives.

Bluegrass Meadows Micro Village^{xxv}

Hummingbird Micro Home claims to have developed the concept of Canada's first "micro community". Bluegrass Meadows Micro Village was scheduled to open October 1, 2015 in Terrace B.C. to provide rental housing for between \$795 per month for a studio and \$1,295 for two bedrooms.

Victoria

The City of Victoria is following the Langley, Washington example.^{xxvi} The City has given \$25K to Microhousing Victoria to determine how tiny houses will work in the city to provide dignified private home space, rather than spending \$600,000 per year dealing with campers. Rather than detached tiny houses, the Microhousing Victoria homes are designed to consist of a number of mini-modules for individual units and two larger modules for a kitchen and dining space, and bath, washroom and laundry facilities. The modules would be joined by a covered porch (see Figure 4.3.4.E). The organization plans to install 10 houses by summer 2016.



Figure 4.3.4.D – Bluegrass Meadows, Hummingbird Micro Home



Figure 4.3.4.E – Microhousing Victoria,^{xxvii}
Six Unit Plan, Victoria, BC



Figure 4.3.4.F – Domain de l'O, Fort Coulonge, QC

Ottawa

The City of Ottawa has been very open to the concept of secondary suites and permits these to be constructed in any zone where detached, linked-detached, semi-detached or townhouse dwellings are permitted. The City is now undertaking to identify the appropriate zones and requirements for accessory buildings to be converted into stand-alone secondary suites.^{xxviii} Given the city's existing minimum area requirements for dwelling units, these suites could be very small. (See Minimum Dwelling Unit Area in section 4.3.1 above.)

Domain de l'O^{xxix}

Domain de l'O^{xxix} has been working on the concept of "Eco Trailer Parks" – revitalizing old trailer parks or developing new parks to have an ecological landscape design and homes that are "high-style" and high-performance. The first "year-round, carbon-neutral CUBIC cabins" were proposed to be built at the Fort Coulonge, QC site (115 km from Ottawa) in the summer 2015 with prices ranging from \$70,000 to \$150,000 for one-bedroom cabins.

Saint-Brigitte-de-Laval

As of 22 February 2016, Saint-Brigitte-de-Laval, QC was the only municipality in the region permitting the construction of minimaisons^{xxx} (see Figure 4.3.4.G).



Figure 4.3.4.G – Minimaison in Saint-Brigitte-de-Laval

4.3.5 “Mobile Home Parks”

Some existing land-lease developments, including older mobile home parks, may require homes to comply with CSA Z240 MH Series. This appears to be a hold-over from a time where this was the only standard that could be referenced to ensure some minimum level of performance for mobile homes. In the current regulatory context, this imposes an additional administrative burden on factories that would typically produce homes to comply with the applicable CRB.

As noted above, the definitions in some bylaws limit manufactured homes to products installed on a chassis. Homes constructed in accordance with CSA Z240 MH Series should not have to be installed on a chassis in order to be legal.

Updating zoning bylaw definitions and provisions to address this would be appropriate as would new provisions to ensure that homes certified in accordance with CSA A277 as complying with the applicable CRB are not excluded from existing or new land-lease developments.

4.3.6 RV and PMT Parks and Other Developments

Smart Communities Ontario advises that it is legal to live full time in an RV if it is in an RV resort or park. As RVs and PMTs are not meant to be used year round, it would be reasonable to assume that parks intended to accommodate RVs and PMTs are also meant to be seasonal. Some parks in Canada, however, advise that they are accessible year round^{xxxi} and there is evidence of year-round occupancy in others^{xxxii}. This is also the case in the US, including in northern states.^{xxxiii}

Ensuring that PMTs and RVs are not used year-round is a municipal enforcement issue. It raises the critical question of where an owner of a tiny house on wheels that is licensed as an RV can legally park and occupy the home in the winter.

4.3.7 Parking

Required Parking Spaces for Houses

While zoning bylaw parking requirements in some cases are very high^{xxxiv}, it is not expected that this would be a problem where zoning is provided that is appropriate for tiny houses.

Parking Tiny Homes on Wheels

Many municipalities have bylaws that prohibit parking of vehicles, trailers, PMTs and RVs in certain locations. These are often not enforced unless there is a complaint. Lack of enforcement opens the door to non-compliance with respect to CRBs.

4.4 Development Charges and Taxes

4.4.1 Development Charges

It has been noted that development charges are not indexed by square footage. Similarly the costs for municipal hook-ups are not proportionately less for smaller houses. These are disincentives to potential home buyers who might otherwise purchase or build a tiny or other compact house on a permanent foundation.

4.4.2 Taxes

While property taxes are correlated to the value of the house and property, these remain disincentives to potential home particularly where the minimum lot size is larger than needed.

Development of land-lease or condominium/strata villages or parks for tiny and other compact houses would provide opportunities for municipalities to increase revenue through greater home ownership without imposing unbearable costs on home owners.

4.5 Transportation Regulations

4.5.1 General

Where a THOW does not exceed certain dimensions and weight, no permits are required to move the home.

At least in some jurisdictions, obtaining a licence for a private trailer, whether manufactured or home-made, is quite easy. While there are transport regulations that address issues such as lights, reflectors, hitches, brakes and load attachment, there is no inspection of the trailer before a licence is issued. Enforcement is after the fact if breeches are discovered.

In general, THOWs are installed on commercially-built trailers but there have been unconfirmed reports of trailers that do not meet the applicable regulations.

4.5.2 Vehicular Requirements for Manufactured Homes and PMTs

CSA Z240.1.1 in the CSA Z240 MH Series and CSA Z241.1 in the CSA Z241 Series provide some vehicular requirements for manufactured homes on chassis and PMTs. The running gear requirements only apply, however, to limited use or returnable gear; they do not apply to assemblies that are used on an on-going basis. Similar but more extensive requirements are provided in CSA Z240.1.1 in the CSA Z240 RV Series. All refer to CAN3-D313-M85 Trailer Running Gear.

CAN3-D313 requires compliance with Canada Motor Vehicle Safety Standard 901 and provides:

- requirements for
 - marking
 - provision of instructions
 - tires and wheels
 - brake assemblies.
- a testing procedure addressing structural adequacy and performance of running gear for trailers, sectional homes, and mobile homes [sic], excluding trailers with full air brakes.

-
- i <http://thetinylife.com/top-5-biggest-barriers-to-the-tiny-house-movement>
- ii <http://www.serenityacrestinyhomes.com/faq.html>. From answers to questions “Where can I park it in the city?” and “Are these homes built to withstand cold Canadian winters?”
- iii External Advisory Committee on Smart Regulation, *Smart Regulation: A Regulatory Strategy for Canada, Report to the Government of Canada*, Canada. Ottawa, September 2004.
- iv www.serenityacrestinyhomes.com
- v <http://www.cbc.ca/news/canada/north/yellowknife-apprentice-builds-his-big-brother-a-tiny-house-1.3207868>
- vi [Islandwomanculebra.blogspot.com](http://islandwomanculebra.blogspot.com)
- vii One House, Many Nations. Home for Idle No More. Manitoba Minihomes. https://www.facebook.com/OneHouseManyNations/photos_stream?ref=page_internal
- viii Howling Dog Construction, NS. <http://howlingdogconstruction.ca/tiny-home-project/>
- ix Cypress 18 Equator, Tumbleweed. <http://www.tumbleweedhouses.com/products/cypress>
- x 36 Solo Bunkie, Sustain Design Studio, ON. http://sustain.ca/wp-content/uploads/2012/04/Brochure36SoloBunkie_2013.pdf
- xi (Not able to relocate reference website)
- xii From conversations with Peter Aitchison, Triple M Housing, Lethbridge, AB
- xiii From conversations with Laura Maillet, Kent Homes, NB.
- xiv Town of Saint Andrews Zoning By-law. Clause 3.7 Uses Prohibited in All Zones <http://www.townofstandrews.ca/form/Revised%20Zoning%20Bylaw%2010-04-%20Signage%20Bylaw%2013-04.pdf>
- xv *City of Lethbridge Land Use Bylaw 5700* with text amendments to January 19, 2015
- xvi *Halifax Land Use Bylaw – Planning Districts 8 & 9 (Lake Echo/Porters Lake)* with amendments to August 8, 2015
- xvii City of Whitehorse. *Office Consolidation of Zoning Bylaw 2012-20*. Consolidated to Bylaw 2015-23. July 28, 2015. and City of Winnipeg. *Winnipeg Zoning By-Law No. 200/2006*
- xviii *Halifax Land Use Bylaw – Planning Districts 8 & 9 (Lake Echo/Porters Lake)* with amendments to August 8, 2015
- xix Green Terra Homes. greenterrahomes.com
- xx Hearthstone, Guildcrest Homes, ON. <http://www.guildcrest.com/index.php/gallery/?view=one-storey>
- xxi <http://rosschapin.com/projects/pocket-neighborhoods/third-street-cottages/sf.curbed.com>
- xxii <http://quixotevillage.com/>
- xxiii http://www.nytimes.com/2014/02/20/garden/small-world-big-idea.html?_r=0
- xxiv www.hummingbirdmicrohomes.com/tiny-home-villages
- xxv <http://www.cbc.ca/news/canada/british-columbia/victoria-eyeing-seattle-tiny-solution-for-homeless-crisis-1.3418035>
- xxvi <http://www.microhousingvictoria.com/>
- xxvii <http://ottawa.ca/en/city-hall/public-consultations/planning-and-infrastructure/secondary-dwelling-units-accessory>
- xxviii www.ddlo.ca/2012/05/the-eco-trailer-park-what/
- xxix <http://ici.radio-canada.ca/regions/quebec/2016/02/22/009-mini-maisons-regles-ville-quebec.shtml>
- xxx British Columbia developments: <http://www.parkbridge.com/en-ca/rv-cottages/gallagher-lake/rates-and-rentals/seasonal-sites>; <http://www.holidaytrailsresorts.com/bridal-falls-rv-campground/#bridalfalls-rates>
- xxxi In Alberta, in Strathcona County and at the Gleniffer Lake Resort <http://www.tinyhousecommunity.com/map/communities/#5/39.266/-83.518>; <http://fielddstreamrvpark.com/winter>
- xxxii For its residential compact lot zone, the City of Langley requires a minimum of four spaces per dwelling unit. <http://www.tol.ca/Portals/0/township%20of%20langley/mayor%20and%20council/bylaws/2500%20-%20zoning/Zoning%20Bylaw%202500%20-%20Section%20400%20Residential.pdf?timestamp=1459688062250>
- xxxiii
- xxxiv

5. Other Issues

5.1 Financing

In general, unless a tiny home is built on a foundation it is considered to be a chattel and normal mortgage financing does not apply. Tiny houses on wheels are not seen as having good resale value and consequently the house cannot be used as collateral to secure a loan.

The Chattel Home Insurance Program (CHIP) from Canada Mortgage and Housing Corporation provides access to home mortgages for homes on chassis provided the home is built in accordance with CSA Z240 MH Series.

Financing is a disincentive to building THOWs. If the barriers to site-built compact homes on foundations were removed or lowered, the availability of standard mortgage financing would encourage the building of these homes.

5.2 Insurance and Warranty

Similarly, home insurance requires that there be a permanent address for the home. Vehicle insurance would not cover contents.

While factory-constructed PMTs and RVs would be covered by a manufacturer warranty, provincial new home warranty programs do not apply to these products and may not apply to owner-built homes.ⁱ

5.3 Emergency Service Access

Where there is no oversight with respect to parking THOWs, these can be located where access by emergency services is difficult or impossible for all practical purposes. This increases the risk of injuries, deaths and damage to the tiny home and adjacent properties. This alone is a good reason for municipalities to regulate these houses.

ⁱ For example, Alberta New Home Buyer Protection Act.
http://www.qp.alberta.ca/1266.cfm?page=n03p2.cfm&leg_type=Acts&display=html

6 Recommendations

The following provides a summary of recommendations in response to the issues identified in the preceding discussions. Basic to these recommendations is recognition that:

1. a mechanism is needed to regulate site-built THOWs
2. consistent and fair interpretation of CRB requirements and removal of zoning bylaw barriers to tiny and other compact houses will encourage construction of affordable compliant housing and reduce incentives for constructing site-built THOWs.

6.1 CRBs

6.1.1 Information from AHJs to Local Authorities Regarding Compliance with CRBs

To encourage consistent interpretation and application of CRBs to avoid unfair discrimination against tiny houses and factory-constructed homes, and to remove barriers to the construction of compliant tiny and other compact houses on permanent foundations:

1. develop and apply consistent terminology with respect to manufactured homes, mobile homes, tiny houses and compact houses
2. develop directives or guidelines as applicable to clarify that –
 - a. tiny houses used year round must comply with the applicable CRB
 - b. all factory-constructed houses should be certified according to CSA A277 Procedure for Certification of Prefabricated buildings, Modules and Panels (this is required in Alberta and Quebec)
 - c. normal permitting and inspection processes should apply to the superstructure of site-built THOWs
 - d. when a THOW is not parked or installed in a seasonally operated park, normal permitting and inspection processes apply to siting, foundations, anchorage and municipal hook-ups
 - e. where a builder of a site-built THOW claims that the house will not be used year-round and can therefore be certified as a PMT or RV, local officials should advise of the implications if the house is occupied year-round and should follow-up
3. develop directives or guidelines as applicable to explain the correct interpretation and proper application of CRB requirements related to:
 - a. ceiling height
 - b. hallway and doorway width
 - c. stairs, handrails and guards
 - d. egress windows
 - e. smoke alarms
 - f. ventilation
 - g. energy efficiency.

6.1.2 Changes to CRBs and Information from AHJs to Local Authorities

Technical Requirements

Develop change requests for the NBC and provincial codes, and advise local authorities regarding these changes as follows:

1. Application of the CRB to new buildings on chassis
 - a. change NBC Division A Sentence 1.1.1.1.(1) editorially to address new and existing buildings in separate clauses
 - b. add a new NBC Appendix note A-1.1.1.1.(1)(a) to provide information on application of the code to buildings constructed on chassis, including the need for means to properly found and anchor the buildings when not being trailered.

2. Defined Terms
 - a. change Alberta Building Code Division A Article 1.4.1.2. definition for manufactured home to indicate that these homes are designed for rear-round occupancy
 - b. change Alberta Building Code Division A Article 1.4.1.2. definition for semi-public swimming pool to refer more generally to land-lease and condominium/strata type developments.
3. Areas of Rooms and Spaces
 - a. delete requirements from Ontario Building Code 9.5.1.5.
4. Ceiling Heights of Rooms or Spaces
 - a. change NBC Article 9.5.3.1. to exempt sleeping lofts from the minimum ceiling height limits where the floor area, excluding built-in storage, is no larger than 3.1 m² (33.3 sq.ft is the area of queen-size mattress)
 - b. add an Appendix note to explain that these should be treated in the same manner as built-in bunk beds.
5. Doorway Widths
 - a. add Appendix note to NBC Sentence 9.5.5.1.(1) to make clear that the requirements apply only where swing-type and folding doors are installed.
6. Stairs
 - a. add an Appendix note to NBC Sentence 9.8.1.1.(1) to make clear that the requirements apply only where stairs are installed, that there is no requirement for the installation of stairs, that constructions other than stairs may be appropriate for sleeping lofts, and that any construction serving a sleeping loft that is exempted from the ceiling height requirements should not be considered to be stairs.
7. Handrails
 - a. add an Appendix note to NBC Sentence 9.8.7.1.(1) on the application of the requirements for handrails to cross-reference the appendix note on stairs described above.
8. Guards
 - a. add an Appendix note to NBC Sentence 9.8.8.1.(1) on the application of the requirements for guards to cross-reference the appendix note on stairs described above and to clarify that guards are not required for sleeping lofts where these are exempted from the ceiling height requirement.
9. Egress windows
 - a. add an Appendix note to NBC Subsection 9.9.10. on the application of the requirements for egress windows to clarify that these are not required for certain sleeping spaces including sleeping lofts where these are exempted from the ceiling height requirement.
10. Smoke alarms
 - a. add an Appendix note to NBC Article 9.10.19.3. on the location of smoke alarms to clarify where a single smoke alarm fulfills the requirement depending on
 - i. whether a space does or does not constitute a mezzanine or storey
 - ii. open area between spaces
 - iii. installation of doors.

Administrative Requirements

Develop change requests for CRBs, advise local authorities regarding these, to:

1. where such requirements are not already provided, require certification according to CSA *A277 Procedure for Certification of Prefabricated buildings, Modules and Panels* for factory-constructed buildings
2. where requirements for permitting and inspection are provided in the CRBs, apply permitting and inspection provisions to buildings constructed on chassis that are intended for year-round occupancy.

6.2 Zoning Bylaws and Enforcement

6.2.1 General

Develop directives or guidelines as applicable to update municipal bylaws to

1. provide consistent terminology with respect to manufactured homes, mobile homes, tiny houses and compact houses
2. eliminate wording in bylaws that precludes the installation of manufactured homes in existing neighborhoods, considers all manufactured homes to be mobile homes or requires manufactured homes to be on a chassis in order to permit installation
3. prohibit rules that apply within existing or future developments that require compliance with CSA Z240 MH Series to the exclusion of homes certified in accordance with CSA A277 *Procedure for Certification of Prefabricated buildings, Modules and Panels* as complying with the applicable CRB
4. correlate lot sizes, frontage and setbacks with house size
5. correlate development charges and costs for municipal hook-ups with size of house particularly where there are common outdoor spaces
6. enforce seasonal use only for developments established for this purpose
7. prohibit year-round occupancy of structures or vehicles certified as park model trailers or recreational vehicles.

6.2.2 Zoning for Tiny and Other Compact Houses

Develop directives or guidelines as applicable to provide model residential zoning requirements for urban and rural settings to accommodate very small homes, including land-lease or condominium/strata developments. These should address:

1. definitions
2. setbacks
3. common landscaped areas
4. common infrastructure
5. pedestrian access from street
6. proximity to public transit for urban developments
7. parking
8. installation on permanent foundations, and anchorage as required
9. skirting for houses on other than full-perimeter foundations
10. review for compatibility with existing houses in neighbourhood.

6.3 Licensing

Certification, registration or licensing of THOWs as PMTs or RVs should be discouraged as this causes confusion as to whether these are designed for year-round use. (Note that, for the purpose of this paper THOWs are defined as houses intended for year-round use. PMTs and RVs that have the appearance of tiny houses should be certified as applicable.)

6.4 Factory-Constructed Homes

6.5.1 Information to Certification Bodies

Certification bodies should be advised on the application of certification procedures to houses on chassis where the house complies with the applicable CRB.

6.5.2 Technical Committees

CSA Z241 Park Model Trailers

Convey to the CSA Technical Committee responsible for CSA Z241 Park Model Trailers that changes to the standard to make the performance of these products closer to the minimum performance reflected in CRBs is not recommended. CSA Z240 MH Series fulfils the role for houses meant for year-round occupancy.

CSA Z240 MH Series Manufactured Homes

Request that the definition for manufactured home in CSA Z240 MH Series be revised to make clear that these homes are designed and constructed for year-round occupancy.

CSA A277 Procedure for Certification of Prefabricated buildings, Modules and Panels

Request that the CSA Technical Committee responsible for CSA A277 review the standard to determine if, and if so how, the standard might be revised to address CRB-compliant homes installed on chassis. This would likely require the addition of appendix material.

6.6 Next Steps

Taking into consideration comments provided by the Provincial-Territorial Policy Advisory Committee on Codes at its spring 2016 meeting:

1. prepare model information packages for local authorities per 6.1.1 above
2. prepare code change requests for the NBC and CRBs per 6.1.2 above
3. prepare model bylaw definitions and provisions per 6.2 above
4. prepare correspondence to the applicable authorities regarding certification, registration or licensing of THOWs as PMTs or RVs per 6.3 above
5. prepare correspondence and change requests related to CSA standards per 6.4 above.

Annex A - Tiny Home Alliance Listing

Listing as of 2016-01-15

Alberta

Builders:

- [Avante Developments](#) (modular pre-fabricated container structures)
- [Finished Right](#), Edmonton
- [Forest Trek Cabins](#), Edmonton
- [Knotty Pine Cabins](#), Edmonton
- [Pocket House](#), Edmonton Area
- [Serenity Acres Tiny Homes](#), Carlsland
- [Studio North](#), Calgary

Community / Organizations & Helpers:

- [Three Hands Community](#), Peace River
- [YEG Tiny Home](#), Edmonton
- [Tiny Living Canada](#), (TH dwellers offering insights and tours), Edmonton/Spruce Grove area.

Trailers:

- [Beothuck Trailers](#), Edmonton

British Columbia

Builders:

- [Camera Buildings](#), Vancouver
- [Hornby Island Caravans](#), Hornby Island
- [Hummingbird Micro Homes](#), Fernie
- [Mandala Homes](#), Nelson
- [Merch Tech Corporation](#), Vancouver area
- [Nelson Tiny House](#), Nelson
- [Nomad Micro Homes](#), Vancouver
- [Off The Grid Shipping Container Homes](#), Chilliwack
- [Turtle Island Tiny Homes](#), Vancouver Island
- [Rewild Homes](#), Vancouver Island
- [Small House Innovation](#), Argenta

Builders (cont'd)

- [Snap Micro Homes](#), New Westminster
- [Small Works \(750 sq' homes\)](#), Vancouver
- [Tiny Mountain Homes](#), Youbou
- [Tiny Living Inc.](#), Delta
- [Tumbleweed Tiny House Co.](#) (US company, Canadian Division)
- [YurtZ by Design](#), Surrey

Community / Organizations / Development Sites:

- [Bluegrass Meadows Micro Village](#), Terrace
- [Elkington Forest](#), Victoria
- [Small Housing](#) BC

Manitoba

Builders/Developers:

- [Mini Homes of Manitoba](#), Winnipeg
- [Pocket Houses](#), Winnipeg (Tiny apartment developer)

Community / Organizations / Resorts:

- [Rossman Yurts](#) & Retreats, Rosman

New Brunswick

Builders:

- [Supreme Homes](#)

Newfoundland and Labrador

Mico Apartments:

- [Micro Boutique Living](#), St. Johns

Nova Scotia

Builders:

- [Howling Dog Construction](#), Sydney
- [Full Moon Tiny Shelters](#), Mahone Bay
- [Micro Boutique Living](#), Antigonish & Wolfville
- [Little Foot Yurts](#), Wolfville, Nova Scotia

Community / Organizations:

- [Tiny Houses in Nova Scotia \(THiNS\)](#)

Ontario

Builders/Architects :

- [The Bunkie Co.](#), Muskoka
- [Container House Ontario](#), Guelph
- [Daalder Leisure Cabins](#), Avonmore
- [The Garden Suite Co.](#), Marham
- [Gute Shepherd Hut](#), Maxwell
- [Knotty Pine Cabins](#), Toronto
- [Meka](#), Toronto
- [Timberwolf Industries](#), Sydney
- [Tiny House Construction Company](#), Toronto
- [Sustain Design Studio](#), Altius RSA, Toronto
- [Superkül](#) (architect), Toronto
- [Yurta \(Yurts\)](#), Toronto area
-

Community / Organizations:

- [CommunityKindred in Ontario](#) (Toronto based Meetup Group)
- [Domaine de l'O, Inc. North Bay \(Corbeil\)](#) a community with land for lease.
- [Sustainability Education Centre](#) (Earthship Boitecture), GTA
- [Green Building Canada](#), Toronto
- [Smart Communities Ontario](#)

Custom Trailers:

- [JDJ Trailers](#), Hamilton
- [First Place Trailers](#), Brighton

Prince Edward Island

Builders:

- [Avalon House EcoBuilders](#)

Community / Organizations:

- [Tale of Ten Tiny Houses On PEI](#)

Quebec

Builders:

- [Habitatations Microevolution](#), Bois-des-Filion, QC
- [Groovey Yurts](#), Montréal, Québec
- [Lumbec](#), Gatineau

Community / Organizations:

- [Habitat Multi Générations](#), Laval
- [Domaine de l'O, Fort Coulonge](#)
- [Mini-Maison Qubec](#)

Saskatchewan

Builders & Designers:

- [3twenty Modular](#), Saskatoon
- [BLDG Studio](#), Saskatoon
- [Laneway Suites](#), Saskatoon
- [Robinson Residential](#), Regina

Community / Organizations, Lodging:

- [Flora Bora Forest Lodging, Christopher Lake](#)

Yukon

Builders:

- [Leaf House](#), Whitehorse

Annex B - OBC Requirements for Areas of Rooms and Spaces

Table B – OBC Areas Requirements for Rooms and Spaces

Room or Space	Minimum Floor Area
Spaces Not combined:	
Living room or space	13.5 m ²
Dining room or space	7.0 m ²
Kitchen or kitchen space	
more than 2 persons	4.2 m ²
not more than 2 persons	3.7 m ²
Master bedroom or bedroom	
space	
no built-in cabinets	9.8 m ²
built-in cabinets	8.8 m ²
Other bedroom or sleeping space	
no built-in cabinets	7.0 m ²
built-in cabinets	6.0 m ²
Combined Spaces	
Living space alone when combined with dining and kitchen space in dwelling unit for not more than 2 persons	11.0 m ²
Dining room or space	3.25 m ²
Bedroom or sleeping space	7.0 m ²
Living, dining, kitchen and bedroom in dwelling unit for not more than 2 persons	13.5 m ²



Figure B-1 House with Bedroom and Bathroom Non-Compliant with the OBC. Cypress-Equator, Tumbleweed <http://www.tumbleweedhouses.com>

Non-Compliant Examples

The critical values for many tiny houses are:

- the minimum areas for individual space that are combined with other spaces, and
- the minimum 13.5 m² (145.3 sq.ft) for the living, dining, kitchen and bedroom in a dwelling unit for not more than 2 persons.

See Figure B-1.

With a maximum 8.5 ft exterior width and assuming a total of 1.25 ft. for the exterior walls, the interior width would be 7.25 ft. (2.21 m). To comply with the minimum area, the length of the combination space would have to be a minimum 6.11 m (20 ft). Additional length would be needed to accommodate the bathroom and separate entry hall where provided (see Figure B-2).



Figure B-2 Combined Spaces that Do Not Comply with the OBC. Jr. Executive (160 sq.ft.), The Garden Suite Co. <http://www.gardensuite.co/#/jr-executive-model/p6a7x>

Compliant Examples

A review of plans for Canadian products indicate that, where sleeping space is provided on the main level, compliant houses are typically larger compact houses (see Figure B-3).

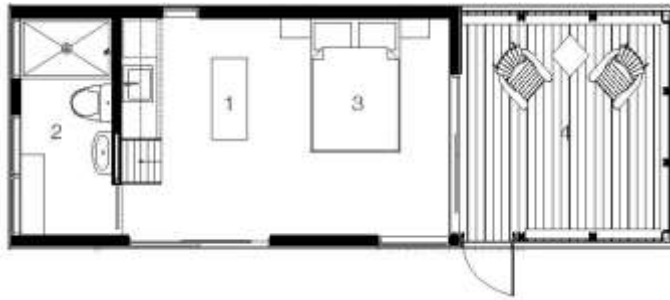


Figure B-3 Combined Spaces that Do Comply with the OBC.
24 Solo Bunkie MiniHome,
Sustain Design Studio and Altium
Architects. <http://sustain.ca/models-pricing/solo-24/>

Compliance with CSA Z240 MH Series

The OBC accepts homes constructed in accordance with Z240.2.1 in the CSA Z240 MH Series. The standard does not specify any minimum areas. Requiring a home to be factory-built in order to be compliant with respect to areas is not supportable.

Annex C - Reduction of Risk with Obvious Hazards

Perception of Hazard

Discussions by task groups and code committees over the past decade or more indicate that the risk of harm is related as much or more to the perception of hazards as the hazard itself. For example, if a stair is seen to be atypical, greater care will be taken and the risk will be mitigated. In that case, the intents may be seen as having been met.

This concept is reflected in some intent statements. For example, the intent of Sentence 9.8.7.2.(1) regarding continuity of handrails is “to limit the probability of unexpected discontinuity of handrails” Only where the discontinuity is unexpected is there a hazard.

In the context of tiny houses, where ladders or constructions that are clearly different from typical stairs are installed, the risk of harm is much less. Similarly, while installation of a handrail is strongly recommended, if there is no guard or handrail, the hazard will be easily perceived and risk of harm mitigated.

Annex D - Zoning Bylaw Examples for Detached Homes

Information is not necessarily comprehensive for any municipality. The examples are meant only to illustrate the range of requirements that might apply to tiny and other compact houses.

Municipality	Zone	Minimum Lot Size	Minimum Frontage	Minimum dwelling area	Minimum Setbacks (interior lots)	Minimum parking	Other regulations, Notes
Yukon							
Whitehorse Urban & rural	RC1 Country Residential 1	1 ha		--	6.0 m		
	RC2 Country Residential 2	0.25 to 0.5 ha depending on availability of municipal water and sewer		Certain lots: 160 m ² (1722 sq.ft.) gross above grade except 1 20 m ² (1292 sq.ft.) for 1-storey	6.0 m for all except 3.0 m for side yards where the lot is less than 0.5 ha		Mobile homes not permitted on certain lots. Manufactured Homes(not defined) not permitted on some lots
British Columbia:							
Langley	R1-A Compact Lot	371.6 m ² (4,000 sq.ft.)	12 m (39.4 ft.)		<u>Front vehicle access</u> Front: 6.0 m Rear: 6.0 m Side: 1.2 m <u>Rear vehicle access</u> Front: 2.5 m Rear: 6.0 m except 13 m for detached garage Side: 1.2 m	3 to 4 spaces including garage; Outdoor spaces min. 16.82 m ²	
	R1-B, R1-C, R1-D, R1-E Compact Lot				Front: 7.5 m Rear: 1.5 m Side: 1.5 m	2 at 15.1 to 16.8 m ² ; width varying depending on street width	

(Cont'd next page)

Municipality	Zone	Minimum Lot Size	Minimum Frontage	Minimum dwelling area	Minimum Setbacks (interior lots)	Minimum parking	Other regulations, Notes
Langley (cont'd)	R-CL Compact Lot	220 m ² (2386 sq.ft.)	11 m except 8.2 for rear vehicle access	75 m ² (807 sq.ft) footprint plus 34 m ² (366 sq.ft.) for garage	Front vehicle access Front: 6 m Rear: 4.5 m Side: 1.2 m Rear vehicle access Front: 2.5 to 5 m Rear: 7.5 m Side: 1.2	Front vehicle access 4; 2 in garage; 34 m ² for parking pad Rear vehicle access 3, 2 in garage 18 m ² for parking pad	
Nelson							Minimum Dwelling width: 4.57 m (15')
Alberta							
Edmonton	RSL Residential Small Lot	312 m ² (3359 sq.ft.)	10.4 m (34 ft) full depth except for pie lots		Front: 5.5 m Rear: 7.5 m Side: 1.2 m		
	RF3 Small Scale Infill Development	250.8 m ² (2670 sq.ft.)	7.6 m (82 ft) full depth		Side: 20% of the site width to a maximum total of 6.0 m, with a minimum of 1.2 m		Entrance door or feature must face public roadway other than a lane.
	RMH Mobile Home	400 m ² (4306 sq.ft.)			Front: 4.5 m Rear: 3.0 m Side: 1.2 m	1 with additional 1 per 7 homes	See Annex E Definitions. While "mobile homes" are typically smaller than site-built detached houses, the minimum lot size is greater.
Saskatchewan							
Regina Urban	General	250 to 325 m ² (2,690 to 3,498 sq.ft.) depending on zone	7.5 to 10.5 m		Front: 6 m Rear: 5 m Side: 2.5 m single side yard; 3.7 m total side yards (8.2' and 3.9') 1.8 m total for zero lot line	1 at 15-16 m ²	

(Cont'd next page)

Municipality	Zone	Minimum Lot Size	Minimum Frontage	Minimum dwelling area	Minimum Setbacks (interior lots)	Minimum parking	Other regulations, Notes
Regina Urban (cont'd)	Dwellings on small lots				Side: 0.45 to 1.0 m single side yard and 1.2 to 2.0 m total side yards (min 1.5' and 3.9') depending on frontage	1 at 15-16 m ²	
	R7 Residential Mobile Home			Per Z240 (no minimum)	Side: 4 m and 1.8 m; 7.5 where LR window faces side	1 at 15-16 m ²	Limits development; avoid expansion 10% of gross area of park for recreation
	R8 Residential Compact Housing				See dwellings on small lots	1 at 15-16 m ²	To encourage , innovation
Manitoba							
Winnipeg Urban & Rural	RR5 Rural Residential 5 (limited agricultural)	5 acres; 25'width			Front: 25 Rear: 25 Side: 25	1 at 160 to 180 sq .ft. depending on dimensions	
	RR2 Rural Residential 2 (no agricultural)	87,120 sq.ft; 25'width			Front: 50 Rear: 25 Side: 25	1 at 160 to 180 sq .ft. depending on dimensions	
	R1 Residential Single-Family	2,500 to 20,000; 25'width			Front: 15' to 30' Rear: 25 Side: 3 or 2+4 to 10	1 at 160 to 180 sq .ft. depending on dimensions	
	Detached Secondary Suite	3,500 sq.ft. for full lot; 25'width		350 sq.ft.; (maximum 600 sq.ft.)	From main building: 10' Side: same as main Back:5'	2 at 160 to 180 sq .ft. depending on dimensions	
Ontario							
Kingston Township Rural	A1 Restricted Agricultural	2 ha (5 acres)	330 ft	90 m ² (1,000 sq.ft.)	Front: 25 Rear: 25 Side: 12 m (40 ft)	1	

Municipality	Zone	Minimum Lot Size	Minimum Frontage	Minimum dwelling area	Minimum Setbacks (interior lots)	Minimum parking	Other regulations, Notes
Ottawa	Residential First Density (detached)	190 to 1490 m ² (2045 to 16,040 ft.sq.)	7.5 to 30 m (25 to 98 ft)	Studio 269 sq.ft 1 BR 344 sq.ft. 2-BR 441 sq.ft.	Front: 3 to 7.5 m Rear: 6 to 12 m Side: 0.9 to 6 m		Ranges indicate low to high criteria depending on sub-zone.
Quebec							
Gatineau				527 sq ft.			
Atlantic							
Moncton (residential per section 115)	R-1A	558 m ²	18 m		Front: 6 m Rear: 6 m Side: 2.5 m		
	R-1B	460 m ²	15 m		Front: 5 m Rear: 5 m Side: 2.5 m		
	R2	460 m ²	15 m		Front: 6 m Rear: 5 m Side: 3 m		
	R2U	460 m ²	15 m		Front: 3 m Rear: 2.5 m Side: 1.2 m		
	R3	460 m ² (4952 sq.ft.)	15 m		Front: 4.5 m Rear: 6 m Side: 1.2 m		

References

- Edmonton http://webdocs.edmonton.ca/zoningbylaw/Bylaw_12800.htm
- Langley <http://www.tol.ca/Services-Contact/Documents-Library?folderId=634&view=gridview&pageSize=2147483647>
- Lethbridge *City of Lethbridge Land Use Bylaw 5700 with text amendments to January 19, 2015*
- Moncton https://www.moncton.ca/Government/Departments/Urban_Planning/Land_Use_Planning/Zoning.htm
- Ottawa <http://ottawa.ca/en/residents/laws-licenses-and-permits/laws/city-ottawa-zoning-law/part-6-residential-zones-sections>
- Regina <http://www.regina.ca/business/bylaws/browse-most-requested-bylaws/regina-zoning-bylaw-9250/>
- Whitehorse *City of Whitehorse. Office Consolidation of Zoning Bylaw 2012-20. Consolidated to Bylaw 2015-23. July 28, 2015* <http://www.whitehorse.ca/home/showdocument?id=66>
- Winnipeg *City of Winnipeg. Winnipeg Zoning By-Law No. 200/2006* <http://clkapps.winnipeg.ca/dmis/docext/viewdoc.asp?documenttypeid=1&docid=3943&doctype=c>

Annex E - Definitions

Following are examples of definitions that are inconsistent with current industry usage as reflected in CSA standards (underlining by author).

Edmonton

Mobile Home means development consisting of transportable Single Detached Housing which is suitable for permanent occupancy, designed to be transported on its own wheels, and which is, upon its arrival at the Site where it is to be located, ready for occupancy except for incidental building operations such as placement on foundation supports and connection to utilities.

Lethbridge

Manufactured Home means a dwelling consisting of one factory-built dwelling unit designed specifically to be transported on a chassis and installed on a site. This term includes all previously approved single-wide and double-wide mobile homes.

Whitehorse

“MOBILE HOME” means a factory built single or multiple section single family dwelling unit designed to be transportable on its own chassis that conforms to the *CSA Z240 Manufactured Home Series of Standards*.

“MODULAR HOME” means a factory built single or multiple section single family dwelling unit constructed to the *National Building Code of Canada CAN/CSA A277* standard that is designed to be transported to the site and fitted together structurally, mechanically and electrically to form a single structure placed on a permanent foundation.

(There is no definition for manufactured home)

Winnipeg

“**mobile home**” means a portable dwelling unit that is designed or used for residential occupancy, built upon or having a frame or chassis to which wheels may be attached for transportation purposes, whether or not such structure actually has at any time such wheels, or is jacked up or skirted.

“**modular home**” means a single-family dwelling suitable for year-round occupancy that consists of one or more modules either partially or wholly factory-fabricated and containing a framework that does not contain wheels or towing tongue. When transported to a building site, it will be placed on a permanent foundation so as to be substantially affixed to the site and connected to the required utilities, thereby making it immobile housing.

References

- | | |
|------------|---|
| Edmonton | http://webdocs.edmonton.ca/zoningbylaw/Bylaw_12800.htm |
| Lethbridge | City of Lethbridge Land Use Bylaw 5700 with text amendments to January 19, 2015 |
| Whitehorse | City of Whitehorse. <i>Office Consolidation of Zoning Bylaw 2012-20</i> . Consolidated to Bylaw 2015-23. July 28, 2015 |
| Winnipeg | City of Winnipeg. <i>Winnipeg Zoning By-Law No. 200/2006</i> |



CITY OF YELLOWKNIFE

Results from Small Lot Zoning Survey





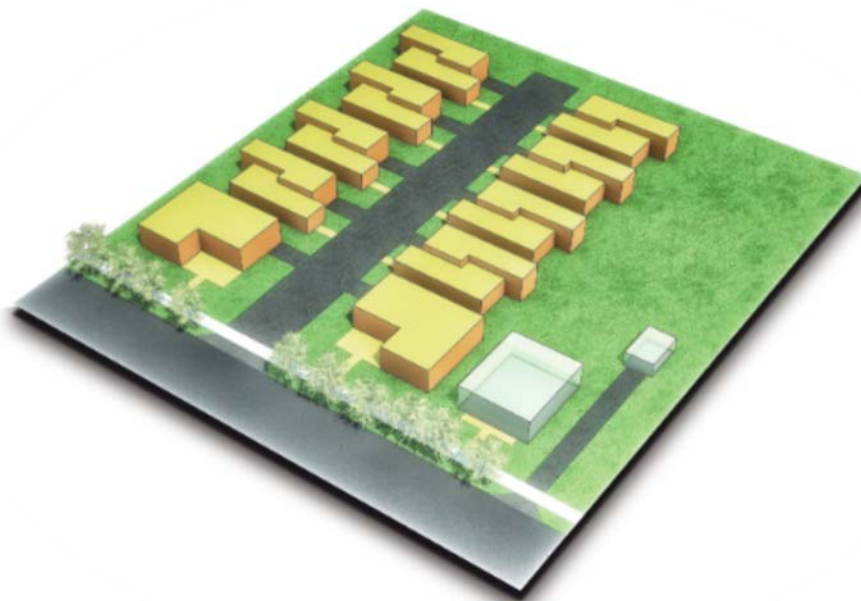
CITY OF YELLOWKNIFE

Introduction to Small Lot Zoning Survey

Between May 13 – 27, 2016, a survey of Yellowknifers' interest and opinions on Small Lot development was conducted.

There were 465 unique responses. This is more than double the average number of responses compared to similar surveys conducted over the past three years.

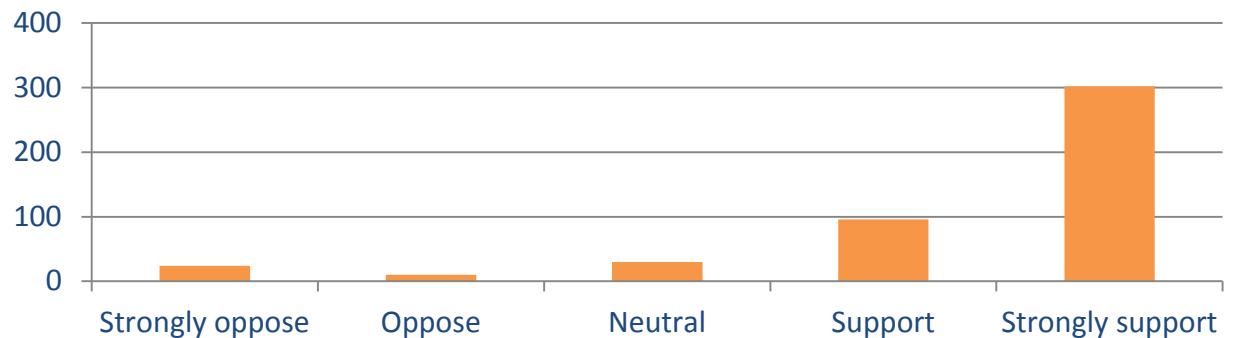
Unless indicated, all respondents responded to each question.





CITY OF YELLOWKNIFE

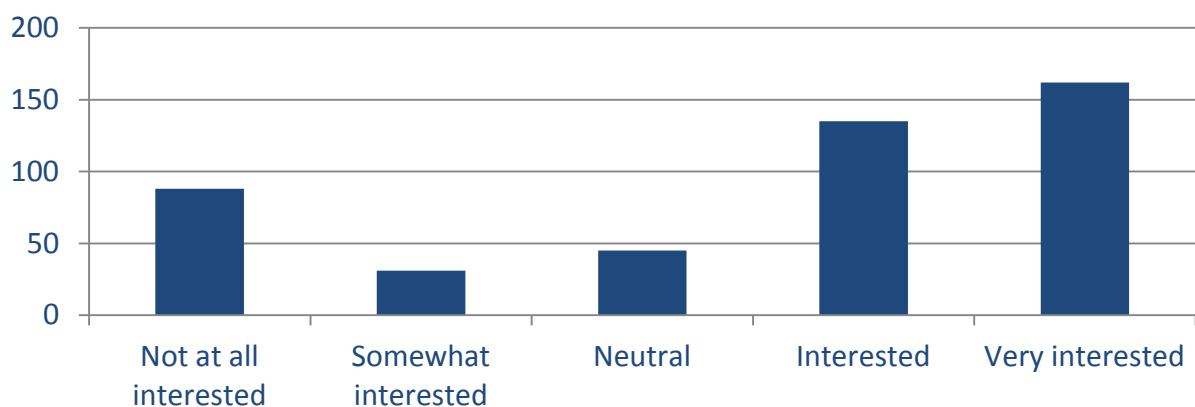
Overall Support for Developing an Area for Small Homes



398 respondents (86%) support or strongly support developing an area for small homes.

Of respondents who support or strongly support the creation of an area for Small Lot zoning, 73% would be interested or very interested themselves in personally living in this area.

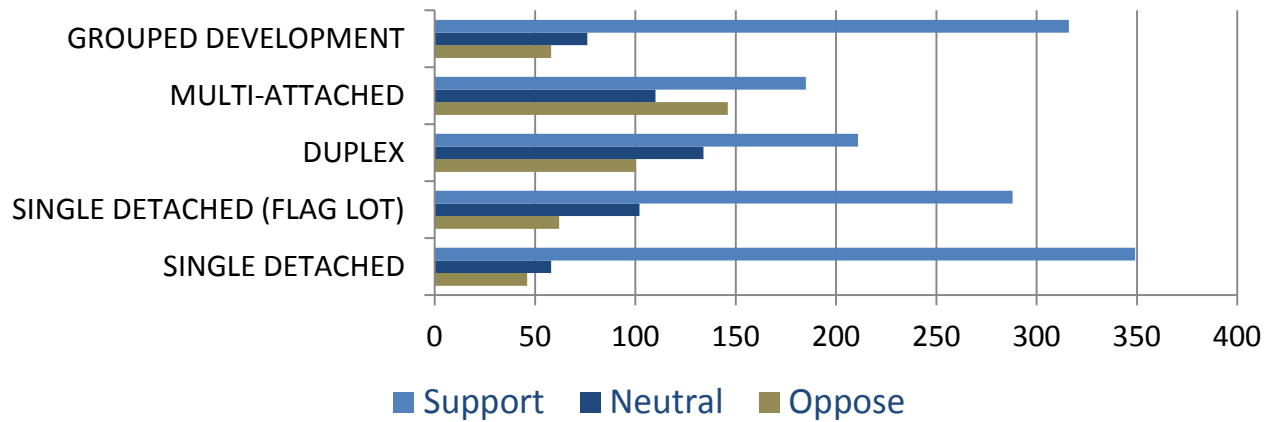
Personal Interest in Living in Small Home Zone





CITY OF YELLOWKNIFE

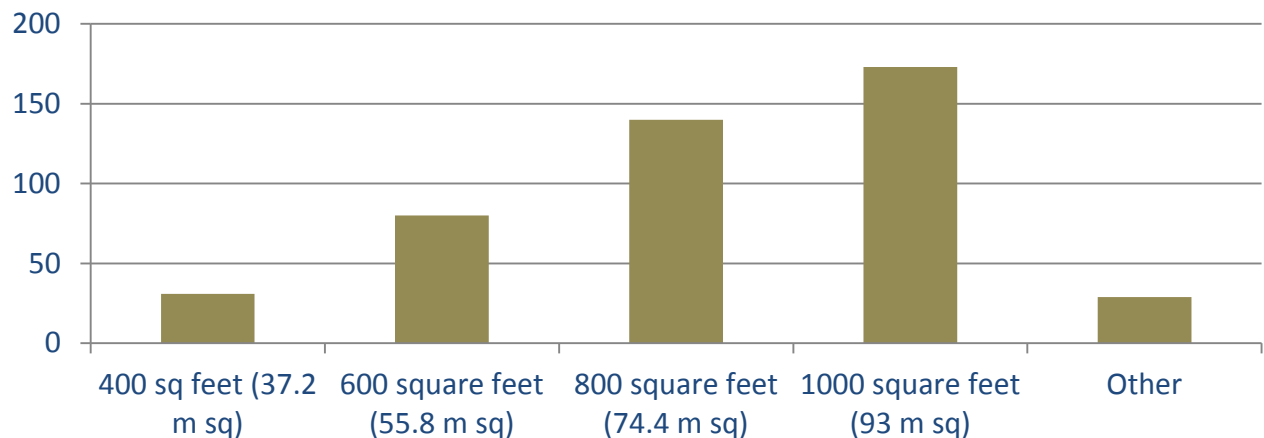
Support from Various Dwelling Types



349 (75%) of respondents support the inclusion of single detached dwellings in a Small Home Zone; 316 (68%) support grouped developments on a single lot.

The recommended maximum square footage in a Small Home Zone is 1,000 sq ft (93 sq m), with 37% overall support.

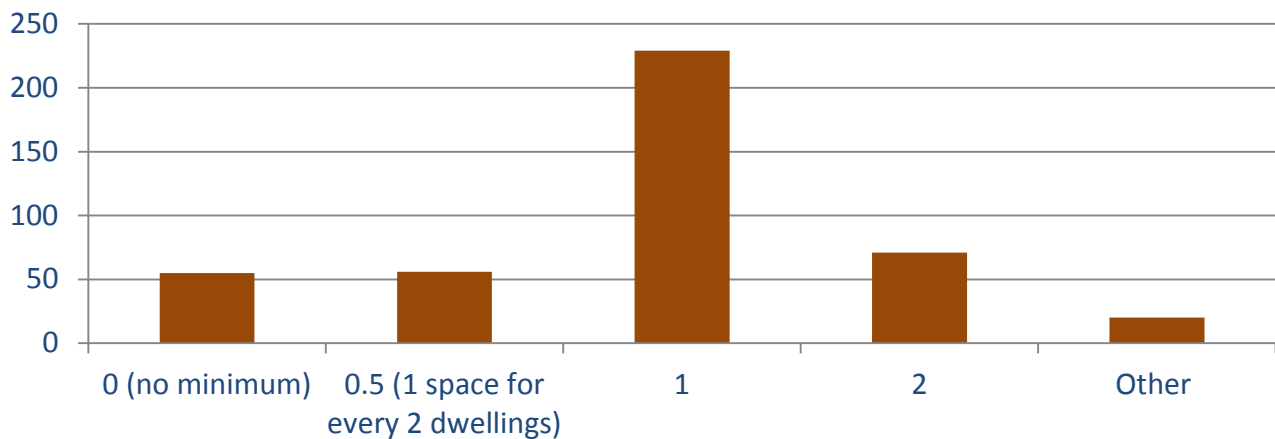
Recommended Maximum Square Footage





CITY OF YELLOWKNIFE

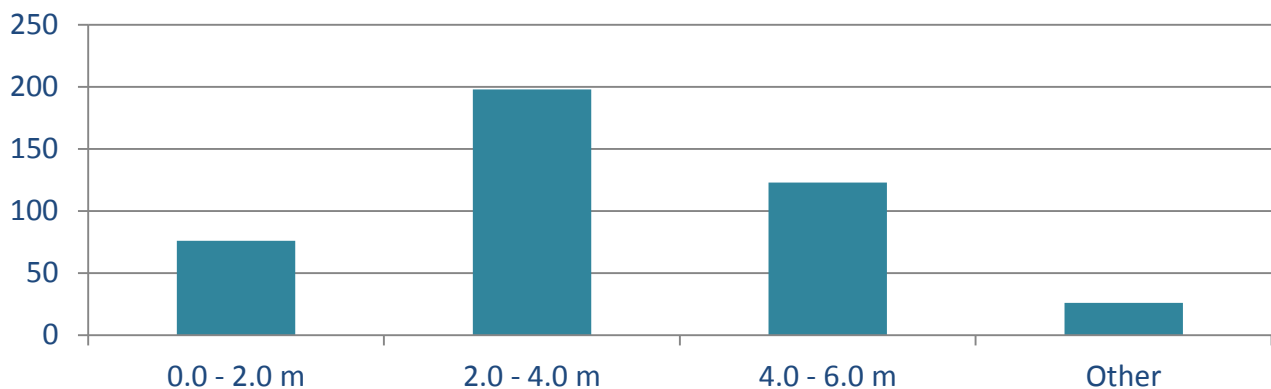
Preferred number of parking spaces per dwelling (N=431)



229 (53%) respondents believe that every dwelling should have a minimum of 1 parking space per dwelling.

198 respondents (47%) believe the minimum required front yard setback should be between 2.0 – 4.0 metres.

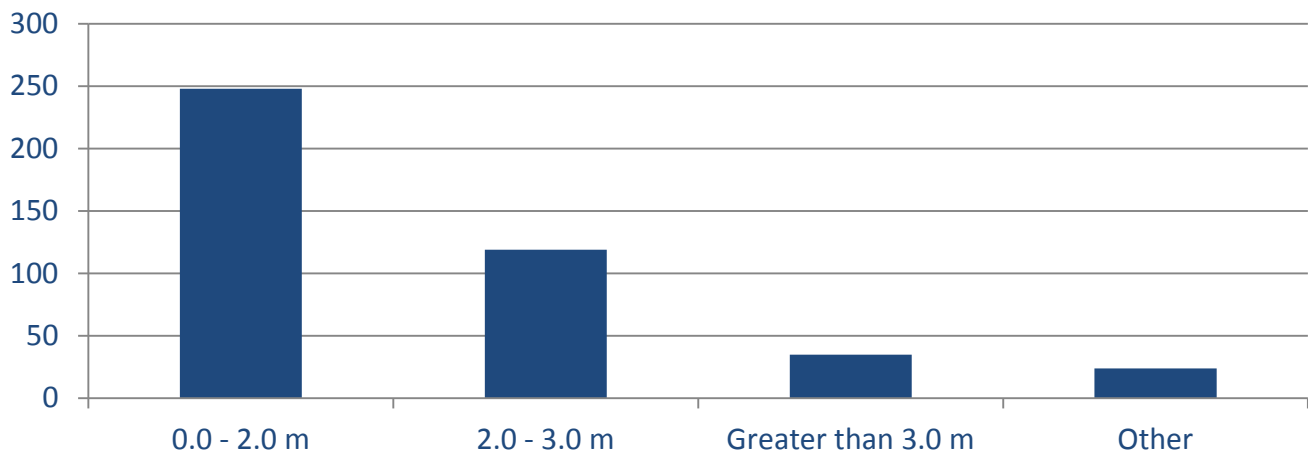
Preferred front yard setback (N=423)





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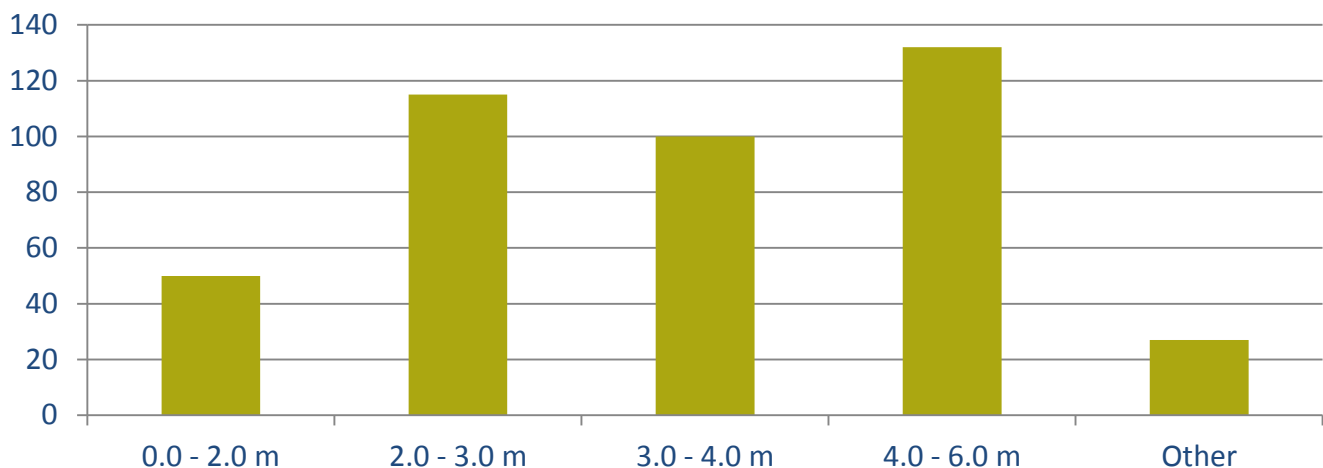
Preferred Side Yard Setback (N=426)



248 respondents (58%) believe that the minimum required side yard setback should be 0.0 – 2.0 metres.

132 respondents (31%) believe that the minimum required rear yard setback should be 4.0 – 6.0 metres, while 115 (27%) believe it should be between 2.0 – 3.0 metres.

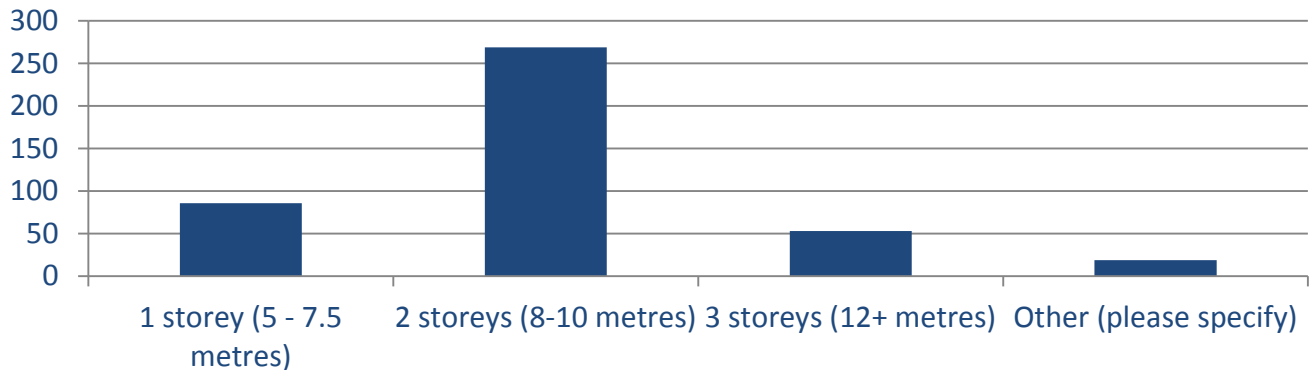
Preferred Rear Yard Setback (N=424)





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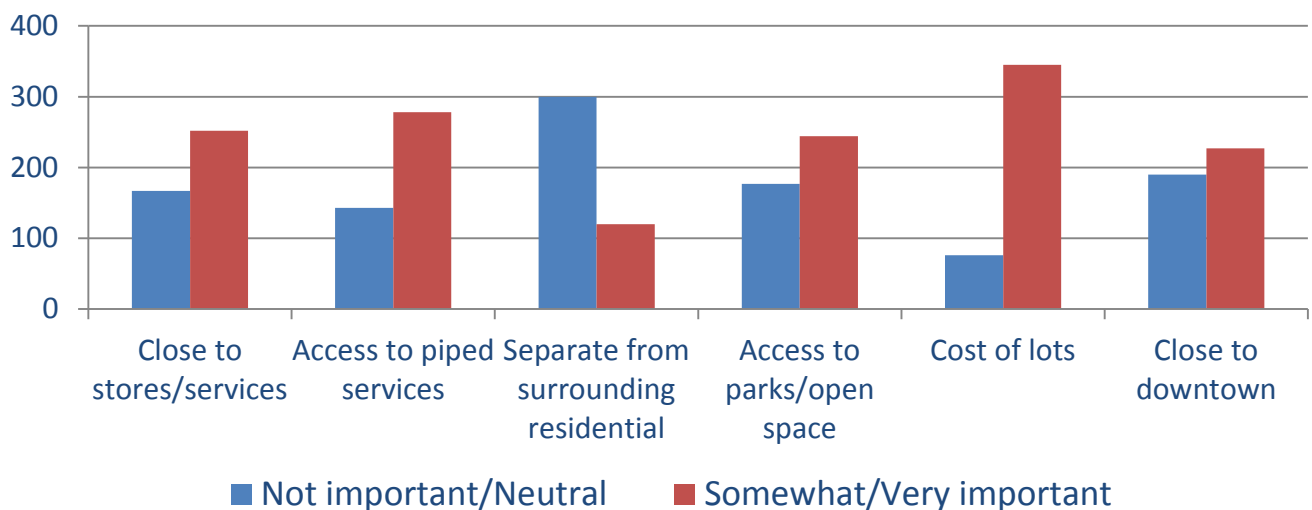
Preferred Maximum Height (N=423)



269 respondents (63%) believe that 2 storeys is the appropriate maximum height for the Small Home zone.

The cost of lots, access to piped water/sewer services, and proximity to stores and services were cited as the most important factors when considering location. Separation from surrounding residential was the least important location factor.

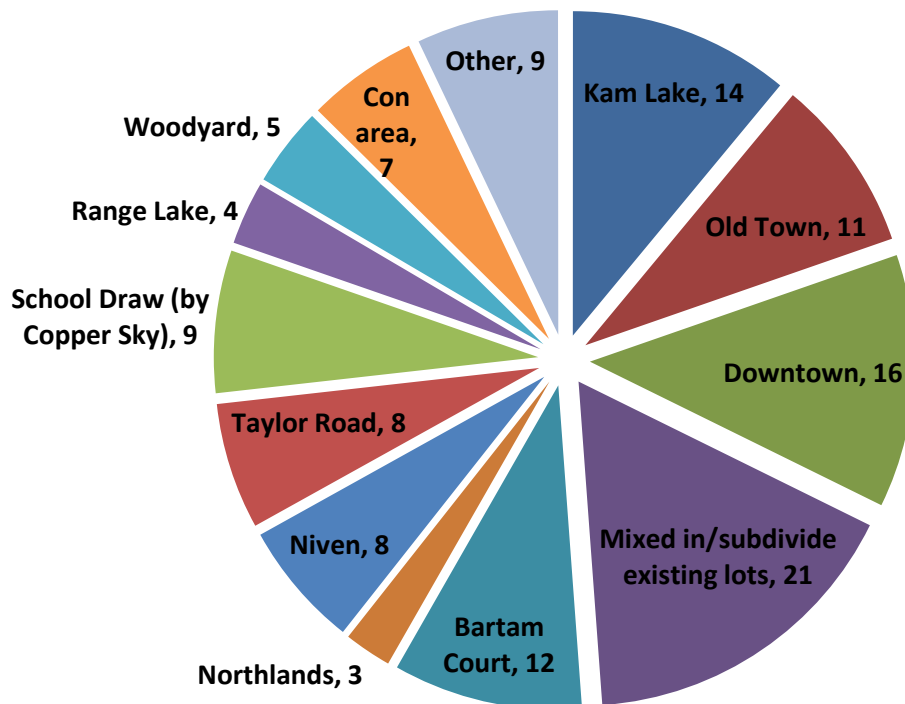
Importance of Various Factors for Small Lot Zone Location





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Suggested Locations for a Small Home Zone (N=127)

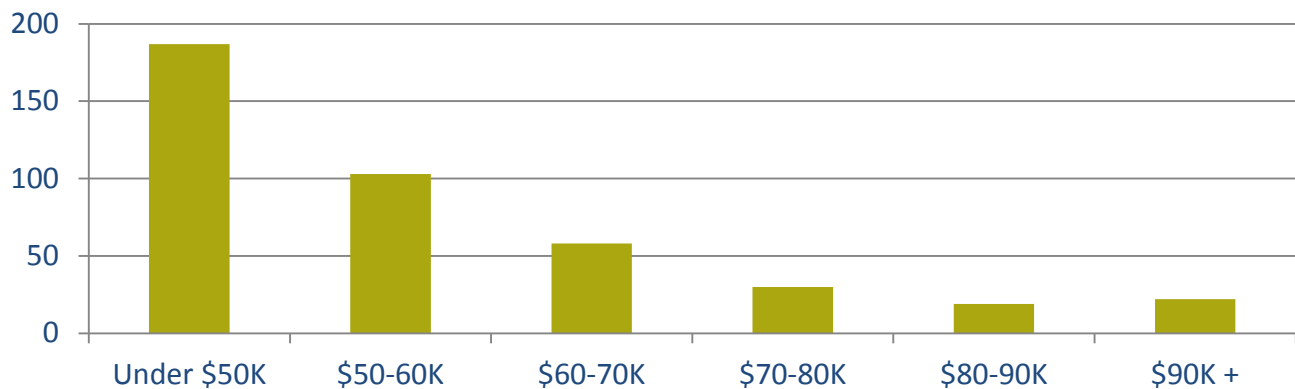


A wide variety of locations were suggested, including Downtown, Kam Lake, Bartam Court, and Old Town. While many people suggested mixing Small Homes in established neighbourhoods, others oppose this.



CITY OF YELLOWKNIFE

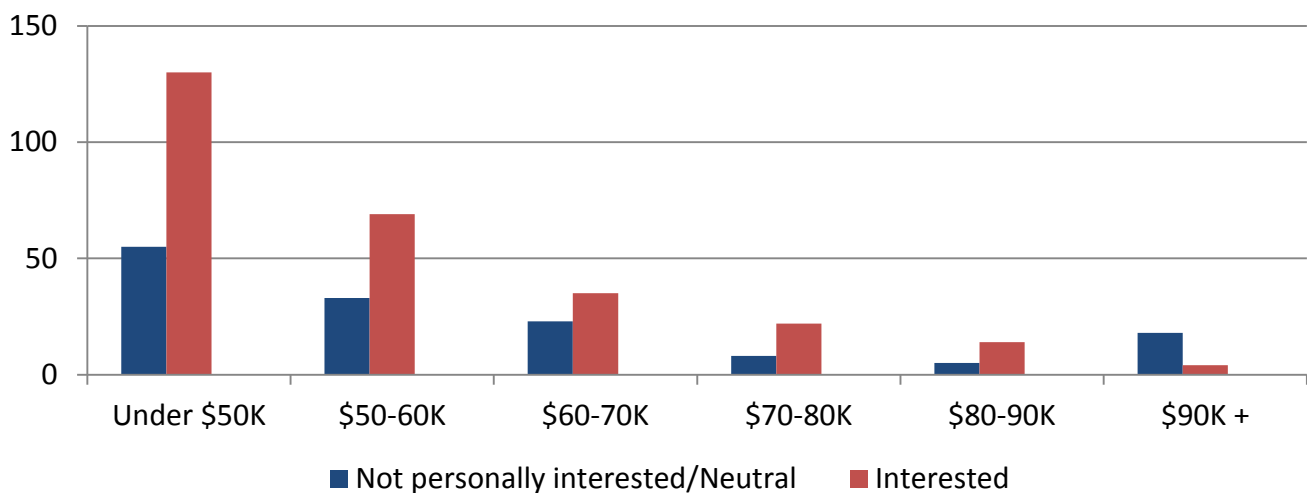
Maximum Stated Lot Price



47% of respondents who are interested or very interested in living in a Small Home zone state that their maximum lot price is under \$50,000

Respondents who stated they are personally interested in living in a Small Home zone are more price sensitive than those who are not interested.

Maximum Lot Price by Whether Respondent is Personally Interested





CITY OF YELLOWKNIFE

Selected Comments

They are a good idea. Assuming the cost of living continues to increase, residential small home zones will allow first time home buyers to access the market.

I think this is an excellent way to alleviate housing problems in this city. I would be highly likely to purchase a tiny home lot and I know many others who would do the same. Without an option like this, residing in Yellowknife on a permanent basis may be too costly.

Please make it happen. It's a great opportunity for affordable and sustainable housing.

A small house built on a proper foundation would last longer and look better than all the trailers that are in Yellowknife

The welcoming of new small housing should be mirrored with the preservation of Yellowknife's original small habitation (locally known as "shacks"). Much effort should be made to make sure that the new tiny houses are built in respect of Yellowknife's rich small dwelling tradition, character and folklore.

Put them together. Create a quirky, tiny-home development area. Ensure lots of shared park space / garden space to prevent cabin fever and people going nuts.

Don't create a large tiny house ghetto. Use the small size of the house to infill development into normally undevelopable land close to the downtown.

Please don't place such a zone out in suburbia somewhere - for it to work, location is key.



TheCounty
PRINCE EDWARD COUNTY ♦ ONTARIO

***“Small Homes”
A Discussion of Planning Issues and Options
With Questionnaire***

***Prepared by Paul Walsh, Manager of Planning
County of Prince Edward***

Introduction

A motion of County Council directed staff to initiate public consultation regarding the level of interest in smaller affordable homes, particularly through a supportive zoning by-law amendment that would reduce or eliminate the current minimum gross floor area of a new home. Council wants to hear from the public as it investigates whether small homes could positively address affordable housing issues. **Please read the discussion attached paper and share your thoughts through the questionnaire that follows.**

Background

Small homes could potentially improve affordability and encourage more efficient use of lands and infrastructure. In addition, small homes may support the desire of some community members to lead a lifestyle that requires less living space.

Historically, homes were often smaller than today's average yet housed larger families. Post-Second World War homes were constructed when affluence was much less but families were larger. In recent years, small homes have attracted increased levels of attention most notably in response to unprecedented house prices. Other factors have also fuelled the discussion – aging demographics and fewer people per household, environmental awareness and a desire to reduce one's carbon footprint, lifestyle changes, and an increased interest in second homes. With improvements in construction techniques, materials and furniture and appliance designs, smaller homes today can be made more comfortable and functional than before.

What are Small Homes?

A report from the County of Simcoe's Social Services to its Affordable Housing Advisory Committee provided an overview of the issues related to small homes. The report summarized a scan of literature related to small home initiatives and discussions related to reducing homelessness and to improving housing affordability. The County of Simcoe report classified smaller homes based on gross floor area¹:

- *Micro House/Condo: 300 square feet (28 square metres) or less*
- *Tiny House (mostly stand-alone structures, often mobile): Between 300-600 square feet (28-56 square metres)*
- *Small House: Between 600-1,200 square feet (56-111 square metres) (aligned with current affordable housing funding requirements and guidelines for modest-sized units)*

Micro homes/condos are generating interest among residents who spend relatively little time in a domestic abode, such as those who travel extended periods of time for work, or people who find micro homes a preferred option over hotel stays when frequenting a locale for work or pleasure. Micro homes are often designed to be mobile.

¹ County of Simcoe Social Services Report AHA-17-001 January 17, 2017

In the report *Tiny Houses in Canada's Regulatory Context: Issues and Recommendations Provincial-Territorial-Municipal Working Group on Tiny Homes, 4 April 2016*, tiny homes are defined as "...a maximum width of 8.5 ft. and a maximum floor area of 400 square feet (approximately 37 m²)..."². Tiny homes are commonly used for seasonal occupation (e.g. a park model trailer may have a maximum square footage of approximately 540 square feet, as per Comprehensive Zoning By-law 1816-2006), or in regions with climates that are agreeable to additional accommodation outdoors, using sunrooms and sheltered porches. On the upper range of the size, tiny homes approximate the gross floor area of some bachelor apartments or condos.

Small homes, more than micro/tiny homes, are the general focus among many advocates for reducing homelessness and improving affordability, and are more aligned with social housing programs. Small homes offer lower total construction costs and land demands that can contribute to an economical form of housing.

Development Issues to Consider for Small Homes Options

A. Location

Is small affordable housing best directed to serviced settlement areas where higher densities are feasible and community facilities are more accessible? Should small homes be used as employee residences associated with farming operations or as second dwellings used for extended family situations?

Importantly, affordable housing, such as small homes, will be integrated into the fabric of the general housing supply. Residents of affordable housing should realize a sense of community inclusion and avoid being socio-economically profiled, either through designated areas of small homes and apartment complexes or by being the dominant form of housing within a subdivision. A mix of form, sizes and tenures is important. All neighbourhoods should demonstrate a representation without an over-concentration of small affordable housing.

B. Varied Housing Forms and Tenure

The supply of affordable housing, including small homes, needs to address a variety of family sizes (small, medium, large), structure (single persons, families, extended families) and range of household incomes (homelessness, low-income, medium-low income, etc.). Therefore, the number of bedrooms and dwelling sizes of the supply of housing is encouraged to vary. Tenure associated with an affordable housing supply is also expected to be varied such as units supplied by non-profit agencies, rental, and market-entry ownership.

² Tiny Houses in Canada's Regulatory Context: Issues and Recommendations, Provincial-Territorial-Municipal Working Group on Tiny Homes, 4 April 2016

C. Costs

Generally, the total cost of construction of small homes is lower than larger homes. However, this can be off-set by the fixed costs such as kitchen/bathroom fixtures and appliances, heating, cooling and other standard components, site development (sewer and water hook-ups), etc. are similar between small and conventionally sized homes. Therefore, based on costs per square foot, small homes can be comparatively more than larger homes and not as inexpensive as first impressions suggest. Small homes in a house-plex (a duplex, tri-plex, four-plex, etc.) that mimic large single-detached homes and blend with the surrounding homes can offer improved cost-efficiencies on a square footage basis. Also, if the homes are available only on a small-scale, condominium ownership can be less feasible.

Small homes also encounter the challenge of additional soft costs associated with specific design needs, particularly for accessibility standards that demand wider hallways and internal doorways. Opportunities to mitigate design costs are increasingly available as the market responds to interest in small homes, particularly condo units. Through the use of specialized furniture and appliances, small spaces can be better furnished. Also, through prefab small homes, customization is not required and can be accommodated where site conditions are conducive to installation.

D. Functionality

Do small homes meet today's expected living standards and quality of life? Can small homes accommodate accessibility needs? Are small homes too restrictive or crowded for persons who are at home most of the time? Younger individuals who spend time away working or travelling and needing starter homes or affordable rentals might respond well to such living arrangements, whereas, couples with children may not cope well with limited space. A forecast of the demand for households by family size/composition and household income levels may assist in gauging the need for small homes.

E. Finance

Financing the purchase/construction of small homes below 47 m² (500 square feet) can be a challenge³. Some financial institutions consider mortgages for small homes a risk due to the challenge of re-selling it in the event of a default. The home-value gains in financing conventionally sized homes may be more effective than reducing overall capital investment into small homes that are less market-price responsive. Before identifying small homes as cost-effective, consideration should be given to financing conventionally sized homes that may withstand market stresses. In the paper *Provincial-Territorial-Municipal Working Group on Tiny Homes*, additional financing issues are identified⁴:

"In general, unless a tiny home is built on a foundation it is considered to be a chattel and normal mortgage financing does not apply. Tiny houses on wheels are not seen as having good resale value and consequently the house cannot be used as collateral to secure a loan."

³ <http://business.financialpost.com/personal-finance/mortgages-real-estate/how-micro-condos-are-facing-their-first-real-test-in-canada-this-year>

⁴ *Tiny Houses in Canada's Regulatory Context: Issues and Recommendations by the Provincial-Territorial-Municipal Working Group on Tiny Homes, 4 April 2016*

F. Responsive to Long-term Community Needs

Whether small homes address a niche market or a widespread interest is not known. Small homes may serve an important role for young persons or empty nesters, whereas the needs of growing families may not be equally addressed. What are the affordability needs per age cohort, household size and makeup? Demand for different forms and sizes of homes changes with aging demographic and economic conditions. Importantly, the housing supply of the community should address a wide audience and not represent a specialized form that is inflexible to changing societal needs. A house-plex, for example, may be converted into larger or smaller units by moving or adding partition walls and site facilities are in place. In contrast, a development of small lots for small homes can establish a community bequest of a unique lot arrangement. Could small homes be feasibly re-purposed (removed, expanded, combined, etc.) should demand for small homes fall out of market favour?

G. Neighborhood Fit

Not all areas may be suitable for accommodating small houses, such as within established neighbourhoods predominated by heritage or estate-style homes. Although desirable to include affordable housing in such areas, sensitivity to the character of an established neighbourhood is important. For this reason, finding opportunities for infill developments on separate lots may be more challenging but does not exclude opportunities for small homes in house-plexes, or for second dwellings in or as accessory structures provided care is given to site design. However, through proper site placement and design, infill opportunities are possible. Infill guidelines would assist in accommodating small homes within established areas.

H. Municipal Fiscal Impacts

Commonly for rural areas, municipalities have generally encouraged estate-style housing. This form of housing involved larger gross floor areas and higher landscaping standards in order to realize a higher standard of development. Other forms of housing, including most affordable housing such as small homes, have been directed to locate in settlement areas where services are already available. Rural residential development generally costs more to the municipality to service in comparison to similar developments in settlement areas. The estate-style homes afforded higher levels of assessment that off-set the higher costs to service the rural areas (extensions of road maintenance, fire, police, etc.). Small homes in rural areas may result in lower average assessment rates per capita, and effect municipal fiscal balances accordingly. Some residents of affordable housing may prefer to reside where vehicle dependence is less demanding.

Options for Small Homes

Initiatives in the promotion of small homes are likely to involve standards with increased densities that can be accommodated in a variety of ways, such as the following:

1. Small infill lots

Small infill lots, such as 30' frontages, are feasible. However, maintaining frontages and areas that represent a good fit with the existing neighbourhood can be a challenge. Also, the number of small infill opportunities may be too few to realize substantive widespread gains in affordable housing in the community.

2. House-plexes

House-plexes are composed of two to six dwelling units in a single house structure. Promoting such developments can be effective where the character of the neighborhood can be maintained, and provided parking and fenestration (doors, windows) is properly designed. Also, small affordable housing within a house-plex can be integrated among single-detached homes of a similar overall size, which makes for good community inclusiveness for affordable housing patrons.

3. Mixed-use developments

Apartments above commercial uses, for example, can make good use of existing infrastructure and shared on-site parking. Mixed-use developments tend to have higher densities that make cost-efficient use of site development, as well as efficient building costs - "cheaper to go up than out" (increased building height takes advantage of basic costs such as footings, heating/cooling systems, roof, etc.). Like house-plexes, this form of affordable housing supports social inclusion and access to employment and other services.

4. Pocket developments

Pocket developments are developments of three to 12 clustered small homes created through plans of subdivision/condominium (or site plan control approvals on single lots). Usually these occur either as greenfield developments along the edge of settlements areas or as a result of re-development and/or intensification of existing sites. This makes for larger infill projects and good "starter homes." Through policy, pocket developments are encouraged to not dominate or characterize a neighbourhood but be distributed across the community.

5. Density and Related Policies in the County Official Plan

Minimum residential densities are established through Official Plan policies. For example, the Picton Urban Centre Secondary Plan establishes a preferred target residential density of 25 units/net hectare (10 units/net acre). In order to achieve such density targets, the development industry responds by way of providing smaller homes, including a mix of single-detached homes and attached forms of housing. Special policies could also be considered that require developments to include a certain minimum number of small homes.

6. Rural, Hamlet, Village or Town

Through Official Plan policies, the province generally directs development to occur in planned settlement areas so that the provision of services can be coordinated in a cost-efficient fashion. In considering new Official Plan policies specifically to small homes, clarification and direction will need to be established as to where small homes may be preferred to locate – settlement areas or rural areas.

Planning Act Framework

The Provincial Policy Statement and the County Official Plan

The Provincial Policy Statement 2014 issued under Section 3 of the *Planning Act* establishes several policies regarding affordable housing. For example, accommodation costs are expected to not exceed 30% of gross annual household income for low and moderate income households. Although the PPS does not speak specifically toward encouraging tiny or small homes, Section 1.4.3 of the PPS provides some supportive direction as demonstrated in **bold** below,

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households.

*b) permitting and facilitating: 1. **all forms of housing** required to meet the social, health and wellbeing requirements of current and future residents, including special needs requirements;*

...

*e) **establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form**, while maintaining appropriate levels of public health and safety.*

Similarly, the Official Plan supports affordable housing in many respects including supporting appropriate intensification developments, but again is silent on the concept of tiny or small homes.

Current Zoning By-law Standards

Currently, the [Comprehensive Zoning By-law 1816-2006](#) establishes the following minimum gross floor areas in settlement areas:

Zone Class	Minimum Gross Floor Areas
Urban Residential 1 (R1)	Single-detached 75 m ² (807.3 sq. ft.)
Urban Residential 2 (R2)	Single-detached 75 m ² (807.3 sq. ft.)
	Semi-detached or duplex 65 m ² (700 sq. ft.)
Urban Residential 3 (R3)	Minimum Floor Area Per Dwelling Unit:
	i. semi-detached, duplex or triplex 65 m ² (699.7 sq. ft.)

	ii. converted dwelling 60 m ² (645.9 sq. ft.)
	iii. apartment dwelling:
	1. bachelor unit 46 m ² (495.16 sq. ft.)
	2. one bedroom apartment unit 55 m ² (592.0 sq. ft.)
	3. two bedroom apartment unit 60 m ² (645.9 sq. ft.)
	4. more than two bedroom apartment unit 65 m ² (699.7 sq. ft.)
	5. senior citizen apartment unit 42 m ² (452.1 sq. ft.)
Hamlet Residential (HR)	75 m ² (807.3 sq. ft.)
Rural Zones	90 m ²

The minimum gross floor area of 75 m² (807 square feet) for a detached home in the R1 Zone is compared to settlement residential zone standards of adjacent municipalities:

- Loyalist Township (urban): 96 square metres
- Town of Napanee: 96 square metres
- Town of Coburg: 112 square metres
- City of Quinte West: N/A, but accessory dwelling on a lot is 100 m²
- Belleville: N/A (Ward 1), 100 sq. m. (Ward 2)

For the above municipalities where the zoning by-law does not specify a minimum gross floor area, the Ontario Building Code (OBC) minimums are used. Section 9.5 of the OBC permits a minimum gross floor area of a home to be approximately 400 square feet (uncombined rooms). OBC minimums are permitted to be varied if justified through an acceptable engineer's report. The paper *Tiny Houses in Canada's Regulatory Context: Issues and Recommendations*⁵ undertaken by the Provincial-Territorial-Municipal Working Group on Tiny Homes provides review of minimum space requirements under the OBC along with a summary of a tiny home layout that would not be in compliance with the OBC. See Attachment #1 for the relevant excerpt.

Summary

Small homes may have a role to play in addressing the spectrum of housing needs in The County. The intent of this discussion paper is to promote public consultation and to identify any special issues that may be applicable to a planning review. Accordingly, small homes may warrant being given consideration through updated Official Plan policies or through a revised zoning by-law.

Through the attached questionnaire, please assist in identifying any special considerations that may be given to small homes as a policy option in addressing affordability and general housing options.

⁵ *Tiny Houses in Canada's Regulatory Context: Issues and Recommendations by the Provincial-Territorial-Municipal Working Group on Tiny Homes, 4 April 2016*

Small Homes Questionnaire

To assist in providing planning direction to the matter of developing small homes, please take a few minutes in answering the following related questions:

1. *Do you feel that The County suffers from the lack of affordable housing? If so, please rank who would benefit most from improved housing affordability (with 1 being the highest priority):*

___ *Young individuals*
___ *Young families*
___ *Older families*
___ *Retirees*
___ *Elderly*
___ *Seasonal employees*
___ *Other* _____

2. *Do you feel that small homes would address the affordable housing needs of people who cannot afford larger homes? If not, whose circumstances would not be addressed?*

3. *Do you feel that small homes would address a residential demand other than affordability needs? If so, what other needs or interests?*

4. *Small homes can be classed as follows:*

- *Micro House/Condo: 300 square feet (28 square metres) or less*
- *Tiny House (mostly stand-alone structures, often mobile): Between 300-600 square feet (28-56 square metres)*
- *Small House: Between 600-1,200 square feet (56-111 square metres)*

What gross floor area (approximately) do you feel to be an appropriate size for a small home?

5. *Have you ever resided in a small home as a principal residence? If so, would you be interested in a small home again? Explain.*

6. *In what form should small homes be built (prioritize preferences starting with 1 for the most important):*

- ☐ *New standalone structures, infilling on small lots between larger homes*
 - ☐ *Second homes on the same lot as existing homes*
 - ☐ *New standalone structures on individual small lots in new subdivisions*
 - ☐ *Smaller dwelling units in a new house-plex or apartment building*
 - ☐ *Smaller dwelling units in a converted home*
7. *Small homes could be located in settlement areas (hamlets, villages or towns) or throughout rural areas, or within both. What are the appropriate locations for small homes?*
8. *Which do you feel is more desirable?*
- a. *Financing a conventionally sized home over time.*
 - b. *Reducing construction costs associated with a small home.*
9. *Would a small home fulfill a person's housing needs over the years, or would other housing forms also be needed?*
10. *Do you feel smaller homes would significantly contribute toward housing affordability?*
11. *In general, do you recommend Council promote small homes?*
- ☐ *Yes*
 - ☐ *No*
 - ☐ *Yes, subject to certain circumstances, such as:*

Thank you for contributing your thoughts and views on small homes. Please submit to:
Mr. Paul Walsh, Manager of Planning , 332 Picton Main Street, Picton, ON K0K 2T0 or email
[**pwash@pecounty.on.ca**](mailto:pwash@pecounty.on.ca)

Annex B - OBC Requirements for Areas of Rooms and Spaces

Table B – OBC Areas Requirements for Rooms and Spaces

Room or Space	Minimum Floor Area
Spaces Not combined:	
Living room or space	13.5 m ²
Dining room or space	7.0 m ²
Kitchen or kitchen space	
more than 2 persons	4.2 m ²
not more than 2 persons	3.7 m ²
Master bedroom or bedroom	
space	
no built-in cabinets	9.8 m ²
built-in cabinets	8.8 m ²
Other bedroom or sleeping space	
no built-in cabinets	7.0 m ²
built-in cabinets	6.0 m ²
Combined Spaces	
Living space alone when	
combined with dining and	
kitchen space in dwelling unit	
for not more than 2 persons	11.0 m ²
Dining room or space	3.25 m ²
Bedroom or sleeping space	7.0 m ²
Living, dining, kitchen and	
bedroom in dwelling unit for not	
more than 2 persons	13.5 m ²



Figure B-1 House with Bedroom and Bathroom Non-Compliant with the OBC. Cypress-Equator, Tumbleweed <http://www.tumbleweedhouses.com>

Non-Compliant Examples

The critical values for many tiny houses are:

- the minimum areas for individual space that are combined with other spaces, and
- the minimum 13.5 m² (145.3 sq.ft) for the living, dining, kitchen and bedroom in a dwelling unit for not more than 2 persons.

See Figure B-1.

With a maximum 8.5 ft exterior width and assuming a total of 1.25 ft. for the exterior walls, the interior width would be 7.25 ft. (2.21 m). To comply with the minimum area, the length of the combination space would have to be a minimum 6.11 m (20 ft). Additional length would be needed to accommodate the bathroom and separate entry hall where provided (see Figure B-2).



Figure B-2 Combined Spaces that Do Not Comply with the OBC. Jr. Executive (160 sq.ft.), The Garden Suite Co. <http://www.gardensuite.co/#!/jr-executive-model/p6a7x>