

# Request for Decision



To: Committee of the Whole  
From: **Development and Engineering**  
Date: August 20, 2018  
Subject: Temporary Use and Development Permit Application  
6379 12th Street - Proposed Tiny House on Wheels  
Recommendation: **THAT the Committee of the Whole recommends to Council at the August 20th, 2018 Regular Meeting to:**

**a) direct staff to proceed with the statutory requirements for public notice respecting a Temporary Use Permit Application for a Tiny House on Wheels (TUP 1802) proposed for 6379 12th Street (Lot A, Plan KAP87507, DL 382, PID: 027-648-273);**

**b) direct staff to prepare a draft Temporary Use Permit that considers adequate flood management, servicing, building code and bonding requirements; and,**

**c) waive the \$750 Temporary Use Application fee as part of the City's recovery program to help flood victims in the City.**

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## Background

### Overview

The City has received a temporary use/development permit application for a Tiny House on Wheels at 6379 12<sup>th</sup> Street in Johnson Flats.

The proposed 238 square foot (72.5 square metre) tiny house on wheels is proposed to be placed on the existing concrete pad at the end of a gravel driveway. It will have a front and back porch with stairs. It will be approximately 8 feet (2.4 m) wide and 34 feet (10.4 m) long with a height of 7 feet 9 inches (2.4 m) to 9 feet 3 inches (2.8 m) with a shed roof.

The existing house (on the concrete pad) on the property will be demolished as it has been subjected to substantial flooding for the past two years. This tiny house on wheels therefore will be the only residence on the property.

The property is 0.345 acre (0.14 hectare) and is zoned R4 – Rural Residential. It is located in the Agricultural Land Reserve ("ALR") where one single-family dwelling is permitted.

Attached in Schedule "A" are further property details and plans of the proposed tiny house on wheels.

### **Policy and Zoning Framework**

In March 2018, a major Official Community Plan (“OCP”) and Zoning Bylaw amendment came into effect allowing Tiny Houses on Wheels in zones where they are not permitted, subject to a temporary use and a development permit. The temporary use permit application process allows the City to review all details of the proposal to ensure it does not impact the neighbourhood, and that it could be bonded for removal if necessary, given that it is not a regularly permitted use in the underlying zone. Tiny Houses on Wheels are also designated as a Development Permit Area where guidelines have been established in the OCP to ensure that their form and character blend in with the neighbourhood and that they are developed in a sustainable manner.

The siting the of Tiny House on Wheels meets the R4 zone setback requirements. It also meets the size and height requirements. Attached in Schedule “B” is an analysis of how this proposal responds to the OCP guidelines.

### **Flood Management**

This property is located in the floodplain and has sustained considerable flood damage. The City’s current Floodplain Management Bylaw requires new dwelling units to be constructed above the designated flood level which can be accomplished on this property by bringing in substantial amounts of fill or constructing a foundation high enough to accommodate habitable space above the designated flood level.

The applicant indicates that these measures are financially impossible to achieve at this time and therefore has opted to place a tiny house on wheels on the property. Allowing the tiny house through a temporary use permit has the following benefits:

- a) The tiny house can be constructed quickly which allows the owner to return to a semi-permanent dwelling on the property as soon as possible;
- b) The tiny house on wheels is an affordable and compact alternative to a conventional home on a flood protected foundation;
- c) Provided that quick servicing disconnects are possible and that the house is maintained for fast relocation, the tiny house can be moved to high ground during a flood event;
- d) Bonding sufficient for removal of the tiny house on wheels can be provided to the City through the temporary use permit mechanism;
- e) The temporary use permit with all site-specific conditions (including flood management measures) is registered on the land title for the property and expires after three years (renewable upon application for another three); and,
- f) As a temporary housing solution, the owner has time (3 to 6 six years) to bring the property up to the required flood elevation and/or to build a house in conformance with the floodplain elevation requirements.

### **Application Fees**

The applicant has requested that the \$750 application fee for a temporary use permit be waived due to hardships associated with mass flooding. This fee is intended to cover staff

resources to process the application, the public notification process and land titles and legal fees. Council has initiated various financial reprieve programs for flood victims, and this request, on a one-time basis, is reasonable given the high priority for flood recovery in the City.

### Proposed Timing

If the temporary use/development permit application receives support from Council to move forward, the next steps and estimated time frame are outlined below:

Activity	Timing
Council approves applications to move forward.	August 20, 2018
Immediate neighbours are notified of the proposed permit by mail or hand delivery.	Week of August 20, 2018
Proposed permit conditions are finalized and draft permit prepared.	Week of August 27, 2018
Public notice advertised in the Gazette outlining the nature of application, when it will be considered by Council and where copies of the proposed permit can be inspected.	August 29, 2018
Permit considered by Council.	September 4, 2018
Building permit applied for/issued.	Mid-September, 2018
Permit registered at Land Titles Office.	Mid-September, 2018

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## Benefits or Impacts

### General

By strategically allowing Tiny Houses on Wheels the City of Grand Forks is considered to be a provincial leader in housing innovation and providing options for compact, affordable housing in an urban environment.

### Strategic Impact



#### Community Engagement

- The public and neighbours will be invited to review and comment on the application, thereby encouraging community participation and transparency.



#### Community Livability

- This compact and affordable type of housing helps keep flood impacted people in the City in secure housing and expands the housing options available in Grand Forks.



#### Economic Growth

- Having this housing type available makes it easier and more affordable for the local work force to relocate to or remain in Grand Forks.

#### Policy/Legislation

The Official Community Plan, Zoning Bylaw, Floodplain Management Bylaw, Local Government Act and the Planning Process and Fees Bylaw.

#### Attachments

Schedule "A": Property details and plans.

Schedule "B": Policy/guideline analysis.

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#### Recommendation

**THAT the Committee of the Whole recommends to Council at the August 20th, 2018 Regular Meeting to:**

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#### Options

1. RESOLVED THAT Committee of the Whole accepts the report.
2. RESOLVED THAT Committee of the Whole does not accept the report.
3. RESOLVED THAT Committee of the Whole refers the matter back to staff for further information.

**Schedule "A"**

**Property Details and Plans**

SEE SCHEDULE "A" AS A SEPARATE ATTACHMENT.

**Schedule “B”**  
**Policy and Guideline Analysis**  
**Proposed Tiny House on Wheels**

Tiny houses on wheels must comply with Section 14.10 of the Official Community Plan: “*Accessory Dwelling Unit and Tiny House Development Permit Area (ADU DPA)*”. The table below summarizes how this proposal responds to these guidelines.

<b>OCP Guideline</b>	<b>Proposal Response</b>
1. Orient buildings to maximize opportunities for passive solar heating and natural lighting.	The tiny house on wheels is oriented to the south east.
2. Consider adaptable design and universal accessibility.	Can be accommodated.
3. Use natural ventilation and cooling systems.	Yes, windows open.
4. Consider the use of green roof systems to reduce stormwater runoff, reduce energy costs and improve visual appearance.	n/a due to flooding.
5. Use building products that demonstrate re-use, upcycling and green technology.	Re-using metal roof.
6. Developments are encouraged to seek Passive House, LEED, or other sustainability certification.	n/a, not affordable.
7. Where garages or carports are necessary, design them to be recessed within the building or set back from the front face of the building.	n/a
8. Buildings should be clad with durable, aesthetically acceptable and environmentally friendly materials at least as good of quality as primary dwelling; vinyl and aluminum siding is not acceptable.	The original dwelling has vinyl siding.
9. Tiny houses on wheels must be skirted with a finished insulating material the same quality as or complementary to the cladding of the tiny house.	The house will be skirted.
10. In all residential zones, tiny houses on wheels must have a deck or porch attached, with appropriate stairs or ramp, to signify that they are semi-permanent in nature.	The house will have front and back porches and stairs.
11. Buildings must share the services of the primary unit as per the City bylaws for water, sewer and electrical services.	n/a, this will be the primary residence.
12. Entrances should face the street (or laneway, if sited on a lane) and have direct pedestrian access from the street. Windows should provide "eyes on the lane" for security.	Yes, the house will be located on the existing concrete foundation of the original house.
13. Shared driveways are encouraged to reduce paved surfaces.	n/a

OCP Guideline	Proposal Response
14. Provide vehicle access via rear lanes where they are available	n/a
15. Provide private outdoor space of at least 9 square metres for each of the primary residence and accessory dwelling unit.	Yes
16. Provide for clothesline use.	Yes
17. Limit the use of potable water for landscape irrigation.	Yes
18. Provide natural filtration of rainwater into the site through techniques including rain gardens, rainwater collection systems, bio swales and permeable paving or crushed rock for driveways.	n/a, the property is in a floodway.