

VILLAGE OF BERWYN

BYLAW NO. 710

LAND USE BYLAW AMENDMENT

A BYLAW OF THE VILLAGE OF BERWYN IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING THE VILLAGE OF BERWYN LAND USE BYLAW NO. 601, AS AMENDED.

WHEREAS Pursuant to the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, Council may amend a Land Use Bylaw, and;

WHEREAS The Council of the Village of Berwyn, in the Province of Alberta, has adopted the Village of Berwyn Land Use Bylaw No. 601, as amended, and;

WHEREAS The proposed Land Use Bylaw amendment is to revise the provisions in the Land Use Bylaw to increase housing choice and affordability within the Village;

NOW THEREFORE, Pursuant to Sections 230, 606 and 692 of the Province of Alberta *Municipal Government Act*, the Village of Berwyn Council, duly assembled, hereby enacts as follows:

TITLE

1. This Bylaw may be cited as “Land use Amendment Bylaw 710”

AMENDMENTS

2. Update the use class definition for **DWELLING UNIT, (f) TINY HOME** under **Section 1.5 DEFINITIONS**, as follows:
  - f) “**TINY HOME**” means a small detached building containing only one dwelling unit, with a maximum floor area of 37m<sup>2</sup> (400 ft<sup>2</sup>), constructed on a permanent undercarriage or chassis for year-round occupancy. Tiny Homes may either be constructed off-site as factory-built and transported for onsite installation or directly constructed onsite. This Use Class does not include Tiny Homes built on a chassis to comply with the Canadian Standards Association (CSA) requirements for Recreational Vehicles.
3. Add the following provisions for Tiny Homes to **Section 6 SPECIAL LAND USE PROVISIONS**:

6.13

**DWELLING UNIT, TINY HOME**

- 1) A Tiny Home shall comply with the setback requirements for Principal Dwelling Unit in a residential district.
- 2) In a residential district, a Tiny Home shall not be located on a lot already containing another Tiny Home.
- 3) In a residential district, no accessory building located on the same lot containing a Tiny Home shall exceed the height of the Tiny Home.
- 4) Tiny Homes shall comply with the following aesthetic requirements:
  - (a) A Tiny Home shall be placed on a fixed or permanent foundation conforming to the requirements of the Alberta Building Code;

- (b) Where a Tiny Home is built as a transportable unit and transported to the site
- (i) all axles, wheels, running gear and towing tongues shall be removed prior to attachment to the foundation; and
  - (ii) the undercarriage shall be completely screened from view by fireproof skirting or by such other means satisfactory to the Development Authority.
- (c) The foundation and skirting shall be completed within thirty (30) days of the placement of the Tiny Home on the site.
- 5) In residential districts, Tiny Homes shall be oriented towards the street, with the side of the building facing the street containing a front door and/or windows to provide a strong visual connection between the building and the street.
- 6) All Tiny Homes shall meet the Alberta Building and Fire Code.

4. Add the following use to **Section 9.2(2) Discretionary Uses** under **General Residential District (R-G)**:

Tiny Home

5. Amend **Section 9.4(6)(b)** under **General Residential District (R-G)** as follows:

- (b) All other cases: 74.3 square metres (800 square feet) or at the discretion of development officer.

**SEVERABILITY**

6. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.

**EFFECTIVE DATE**

7. This Bylaw shall come into force and have effect on the date of third and final reading.

First Reading given on the 22<sup>nd</sup> day of February, 2024.

  
Ken Montie, Mayor

  
Matthew Norburn, Chief Administrative Officer

Second Reading given on the 28 day of MARCH, 2024.

  
Ken Montie, Mayor

  
Matthew Norburn, Chief Administrative Officer

Third Reading and Assent given on the 28 day of MARCH, 2024.



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Ken Montie, Mayor



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Matthew Norburn, Chief Administrative Officer