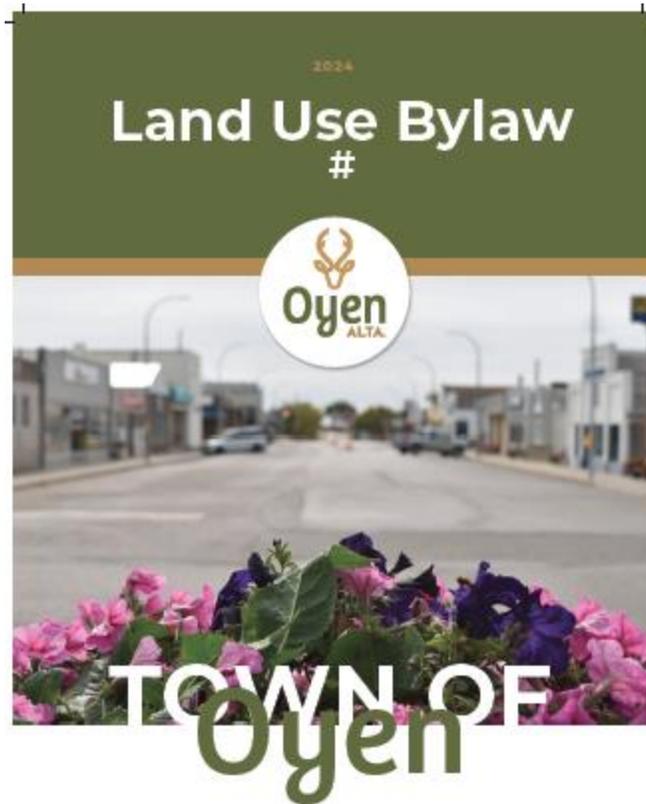


What We Heard Report

Draft Land Use Bylaw 2024/2025



Land Use Bylaw Project Overview

The Town of Oyen is working with Palliser Regional Municipal Services (PRMS) to update the Town's Land Use Bylaw (LUB) in collaboration with the Town Council and its residents. The new Land Use Bylaw will follow the direction and vision of the Town's Municipal Development Plan (MDP). The new LUB will replace the current version of the Oyen LUB 891-22 to ensure that the plan is up to date with current Provincial legislation and meets the current needs and desires of the community. Community engagement is integral to the success of the LUB project. Building from the new Municipal Development Plan, an updated draft Land Use Bylaw was prepared. The draft Land Use Bylaw was released to the public at the beginning of November 2024.

An open house was held from 6 p.m. to 8 p.m. on November 27, 2024 at the Oyen FCSS Centre to gather feedback from the wider community. This What We Heard Report provides an overview of the feedback received from the open house, returned surveys and other written responses.

Open House Overview

The open house was advertised to Town residents and business through a variety of means. In addition to detailed information on the Town of Oyen's website and notices were placed on the Town's social media platforms. In addition, a direct mail-out was sent to specific properties where rezoning was proposed indicating the proposed change and rationale. The Draft LUB was available for residents to download from the website, and print copies were made available for pick-up at the Town office. A copy of the survey was made available on the website, and print copies at the Town office and at the open house.

The open house was designed for interested persons to review information provided on large poster boards related to commonly asked questions, with copies of the print materials available. Palliser and Town staff circulated throughout the open house speaking to residents and business owners about their comments and concerns. This format allows for in-depth one-on-one discussions of concerns, a format which accommodates those who are not comfortable with speaking in public. The formal public hearing, which will be held following first reading, will provide an opportunity for comments to be delivered directly to the Council in a public format.

Palliser recorded names of approximately 20 persons who attended the open house, which included residents and landowners, members of Council and Town staff. However, some attendees did not sign into the open house, and it is estimated that up to 30 people attended the open house in total. PRMS and Town staff were consistently engaged in conversations throughout the evening.

Survey and comment forms were available for attendees to take home and return by December 13, 2024. A total of 16 surveys were returned, with four additional emails/letters sent separately.

General Comments Received at the Open House

The discussions at the open house followed a number of general themes. These themes include:

Lack of Trust in the Development Process and the Land Use Bylaw Amendment Process

Although not directly related to the content of the proposed Land Use Bylaw, some attendees questioned this Land Use Bylaw review process, and the process for public involvement in land use bylaw amendments (rezoning) and public input on development permit decisions, and if the required processes were being followed.

Lack of Enforcement

There were some conversations regarding whether or not the proposed Land Use Bylaw would be effectively enforced by the Town.

New Residential Acreage District

Many of the landowners and neighbours of the lands proposed to be rezoned to the new RA-Residential Acreage District came to the open house with questions and comments. Discussions about why the new district was created, its purpose and the effect on the landowners and the neighbours.

Survey Responses

Question 1

Place a check mark beside the developments listed below if you feel that a development permit **is** required.

- fences
- accessory buildings such as a shed
- solar panels on a roof of a house
- operating a business from home
- renting a residential dwelling unit for short-term occupancy (i.e. less than 30 days)
- a sign advertising a business
- others: please specify _____

Responses

Development	# of Responses	% of Total Responses
Fences	11 (of 16 responses)	69
Accessory buildings such as a shed	7 (of 16 responses)	44
Solar panels on a roof	10 (of 16 responses)	63
Operating a business from home	11 (of 16 responses)	69
Renting a residential dwelling unit for short-term occupancy (i.e. less than 30 days)	10 (of 16 responses)	63
Signs	7 (of 16 responses)	44
Others: (please specify)		
Sea Cans	1 (of 16 responses)	6
Additions to houses	1 (of 16 responses)	6

Additional Comments:

<ul style="list-style-type: none"> • Fences: new construction only, not to replace existing
<ul style="list-style-type: none"> • Sheds: only if shed is larger than 150 sqft
<ul style="list-style-type: none"> • Home Business: Should be a business licence
<ul style="list-style-type: none"> • A sign on a business should included in your business licence. If sign is off the business you need a permit.
<ul style="list-style-type: none"> • Short term rentals: if allowed

Question 2

Do you agree with increasing the variance power of the Development Officer up to 20%?

No

Yes

Response	# of Reponses	% of Total Responses
No	10 (of 16 responses)	63
Yes	5 (of 16 responses)	31

Do you agree with increasing the variance power of the Municipal Planning Commission 20% or greater?

No

Yes

Response	# of Reponses	% of Total Responses
No	13 (of 16 responses)	81
Yes	2 (of 16 responses)	13

Additional Comments:

<ul style="list-style-type: none"> • Yes as each application may have its own merit for variance, not all applications are cooking cutter
<ul style="list-style-type: none"> • If the municipal planning commission wants more than the 20% variance it already has, then the existing Bylaw should be changed. Checks and balances must be kept in line.
<ul style="list-style-type: none"> • I don't agree with increasing the variance power of the Development Officer. The current bylaws aren't always followed right now. Giving the Development Officer a 20% variance would make current permitted uses 20% larger with no public notification or input. This inconsistency in using the 20% variance could lead to a patch work of approvals and denials for separate projects that are asking for the same variance.
<ul style="list-style-type: none"> • MPC should have upper limit rather than just "greater".

Question 3

The Town is proposing to allow "sea cans" ("shipping containers") to be used as an Accessory Building (i.e. a shed) in residential districts.

Please place a check mark beside the statements below that you agree with:

- Shipping containers should not be allowed in residential districts.*
- Only one shipping container is allowed per parcel.*
- The maximum size of a shipping container is 15 m² (161.5 ft²).*
- A shipping container in a residential district must be screened from view or finished (i.e. painted or covered in siding that matches the dwelling).*

Responses

Statement	# of Responses	% of Total Responses
Shipping containers should not be allowed in residential districts.	9 (of 16 responses)	56
Only one shipping container is allowed per parcel.	6 (of 16 responses)	38
The maximum size of a shipping container is 15 m ² (161.5 ft ²).	3 (of 16 responses)	19
A shipping container in a residential district must be screened from view or finished (i.e. painted or covered in siding that matches the dwelling).	5 (of 16 responses)	31

Additional Comments:

<ul style="list-style-type: none"> • Think size should not be more than 20 ft.
<ul style="list-style-type: none"> • Maximum size allowed 10 feet.
<ul style="list-style-type: none"> • As long as sea cans are made to be part of the yards overall, layout and color coded to same as fence to blend in. But should not be in front yard.
<ul style="list-style-type: none"> • Should be allowed only adjacent to back alley, or half of the lot adjacent to back alley. Not front of lots.
<ul style="list-style-type: none"> • If shipping containers are allowed, then the rules should apply.
<ul style="list-style-type: none"> • There is ample room in the Town of Oyen to set up a storage area for seacans where they can be located. We don't need to have 'eyesores' spread around in residential areas, lowering property values and making the town unattractive.
<ul style="list-style-type: none"> • My preference is no c-cans permitted in R1 areas. I believe they are more suited to commercial or industrial areas. It is my opinion that c-cans do nothing to enhance a neighbourhood and could interfere or affect the value of properties in that neighbourhood. There is nothing homey or inviting about them.
<ul style="list-style-type: none"> • They can put them over in the compound north of town.
<ul style="list-style-type: none"> • Sea cans only in commercial area only with restrictions.

Question 4

The Town is considering a new use to be added to the LUB called 'Short-Term Rentals' with the following definition:

"means a use where a Dwelling Unit is operated as a temporary place to stay and includes vacation rentals of a Dwelling Unit. The characteristics of a Short-Term Rental may include, but is not limited to: the intent of the occupant to stay for short-term purposes rather than as a residence; the management and advertising of the property as a short-term accommodation property; and/or the use of a system for reservations, deposits, confirmations, credit cards or other forms of electronic payment."

Question: *If you do not agree with adding Short-Term Rentals, please place a check mark here:*

# of Reponses	% of Total Responses
8 (of 16 responses)	50

Question: *If you agree with allowing Short-Term Rentals, please answer the following question.*

For how long does a development permit approval stay in effect for the Short-Term Rental of a residential dwelling?

- Never expires*
- Needs to be renewed each year*
- Multiple years*

Response	# of Reponses	% of Total Responses
Never Expires	0 (of 16 responses)	0
Needs to be renewed each year or every two years	5 (of 16 responses)	31
Multiple years	1 (of 16 responses)	6

Additional Comments:

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|---|
| <ul style="list-style-type: none"> • We already have hotels and other short term rentals. Potential problems with short term renters, upkeep of residences, extra traffic and noise are also concerns. |
| <ul style="list-style-type: none"> • Short-term rentals needs to be defined as to location. Basement suite? |
| <ul style="list-style-type: none"> • If allowed, needs to be renewed each year. |
| <ul style="list-style-type: none"> • Need more information as to how this affects stakeholders. |
| <ul style="list-style-type: none"> • That's a question that needs a lot of thought. What about squatters they can't get rid of them. |
| <ul style="list-style-type: none"> • These units should meet code for protection of the owners if nothing else, many renovations are completed and not completed to code which puts occupants at risk. |

Question 5

The Town’s Municipal Development Plan (MDP) encourages a variety of dwelling types throughout the Town. To support this direction, the following uses have been added as permitted uses to the Residential Districts. See Sections 14-16 of the proposed Land Use Bylaw.

Do you agree with adding the following uses as a permitted use?

Responses

Accessory Dwelling Units (i.e. a secondary or garden suite) in R-1 District

Response	# of Reponses	% of Total Responses
Yes	3 (of 16 responses)	19
No	11 (of 16 responses)	69

Attached Housing in R-2 District

Response	# of Reponses	% of Total Responses
Yes	5 (of 16 responses)	31
No	8 (of 16 responses)	50

Manufactured Dwelling Park in MD District

Response	# of Reponses	% of Total Responses
Yes	8 (of 16 responses)	50
No	4 (of 16 responses)	25

Additional Comments:

- | |
|--|
| <ul style="list-style-type: none"> • To me this is part of evolution and progression. |
| <ul style="list-style-type: none"> • Secondary suites could overwhelm parking and make congested areas. Lowering property values next it these could also be a concern. |

Question 6

In addition to #5 above, the Town is proposing that there are no minimum sizes of a dwelling in the Residential Districts (see Sections 13 -16). This would enable smaller homes, or 'Tiny Homes' to be built on any parcel in a residential district.

Question: *Do you agree with eliminating the minimum size requirement of a dwelling in the residential districts?*

- No
- Yes

Responses

Response	# of Reponses	% of Total Responses
No	14 (of 16 responses)	88
Yes	2 (of 16 responses)	13

Additional Comments:

<ul style="list-style-type: none"> • Need to not allow monster homes.
<ul style="list-style-type: none"> • Affordability should be at the foremost, and many smaller homes are what people want for seasonal homes to winter in south.
<ul style="list-style-type: none"> • Should only be specific districts.
<ul style="list-style-type: none"> • Tiny homes should be in a designated area (like trailer court areas). No to small houses in R1 areas.
<ul style="list-style-type: none"> • Mini houses should be put in one subdivision like the trailer park. Putting those with larger houses will decrease the value of the larger homes.
<ul style="list-style-type: none"> • Just what we need - more squatter shacks!! If going to put shacks how about on the old McKay land!!
<ul style="list-style-type: none"> • Keep our town beautiful. Don't need 'Tiny Homes'. Build nice ones to add value to our town. Don't allow businesses in Residential areas. Lots of room on Main Street for businesses.
<ul style="list-style-type: none"> • No tiny homes.

Question 7

Do you have any other general comments you would like to share about the proposed new Land Use Bylaw?

Responses

Why? Why are they doing this? What is the purpose? Does this affect zoning of properties?
Good to see that we are updating the LUB and moving forward.
Look forward to the next, well advertised, bylaw meeting where we continue to discuss our concerns.
Don't agree putting Business in Residential district. Have enough empty buildings downtown. Understand a petition was taken for a proposed business on 7th Ave. Has Council even considered the hazards. This road used by farm machinery grain trucks even town trucks hauling snow from roads in town. Using so they don't have to go past school zones or fire hall. If we are going to put business in residential maybe council wouldn't mind if someone put a hotel in their backyard. Just remember councillors voting this in are not always going to be on council - could be in your back yard.
If Council decides to allow shipping containers in Residential areas, I feel the updated LUB is a good compromise for those who want to have c-cans and those who do not. That being said, I will never have a c-can in my backyard and always wish they were not allowed. Shipping containers used in Residential Areas are not the image I would like to see for Oyen.
I disagree with 15.4.3 setback should remain the same as R-1.
I have a concern in the R1 and R2 front yard setback. I don't feel 13.1 feet is sufficient and is a deviation from all previous Land Use Bylaws. I am guessing everyone, with few exceptions, has adhered to the front yard setbacks. There are a few non-conforming buildings, let them remain non-conforming. I believe you are trying to fix a very small problem, which people have created by not adhering to the bylaws that were in place. A change such as this affects the entire town. For example, the town has developed a new neighbourhood near the swimming pool. The homes all appear to be setback the standard of at least 25 feet. It is looking awesome. However, under the new bylaw someone could come in and build 13 feet back. This would look horribly out of place and detract from the neighbourhood. In my mind 13 feet is more of a trailer court setback. This looks okay in a trailer court, because everyone is similar, and therefore it does not detract from that neighbourhood.
No changes to building setbacks from road. 25' necessary. Not changed to 13 ft. Makes for a disorganized town appearance.
West residential is not R-2 but R-1. 1 family dwelling.
219 Railway Ave W residence is R1 at this time
Why are mini-motels/other rentals R-1. This map needs to be revisited, confused. Properties are labelled incorrectly.
Fish pond should be community service district.
We live in a very vibrant, friendly, clean town so why do we have to change anything?

<p>After the results are completed from this survey I look forward to having a meeting to discuss plans to move forward to make Oyen into the town the residents want to live in not having to use bylaws dictated to us by municipal and federal governments.</p>
<p>No to designated land use map. Incorrect. Vet clinic should be designated as a business. They are a business not RA</p>
<p>Vet clinic should be designated as a business. We are fortunate to have a business of this calibre in Oyen.</p>
<p>Changing the lot that the vet clinic is on, only seems to limit the lot. The lot is currently adheres to Urban Reserve more accurately.</p>
<p>The owner of the property indicates they would prefer to stay zoned as Urban Reserve. The lot requires extensive agriculture to be permitted as well as a veterinary clinic. Both of these are outlined in the Urban Reserve District. They do not feel that the primary purpose of their lot is for low density residential but rather primarily agriculture.</p>
<p>110 5th Ave (Block 19, Plan 1280HU) should be residential acreage.</p>
<p>I think there should also be a question on the survey regarding land use districts. The property on 100 5th Ave W is currently listed as Urban Reserve. This property currently has a private residence on it. The new proposed changes to this property is to change it to Industrial District. Under the description of Urban Reserve, it states any change in use should reflect the surrounding uses. The property is currently used as a private residence. On the west side of this property is a recreational fishing pond. To the south is a residence. To the east is a church as a residence. To the north are several residences. To change to Industrial District would not be consistent with the uses in the surrounding area. There is currently a new Industrial District built on the east side of town. Utilizing this new area for Industrial use would be a better choice than changing the Urban Reserve into Industrial District. Possibly a residential acreage would be a better and more consistent choice for this Urban Reserve lot.</p>
<p>I am writing to express my concern for the change to the LUB affecting 100 5th Ave W. We are currently zoned for Urban Reserve but the Town of Oyen is suggesting a change to Industrial. I would like to know why the town feels this is better suited for our property. I would also like to know if there is any impact to the taxes we will pay if this change is approved. We also have questions on how this may affect other considerations like insurance, my mortgage and possible resale in the property in the future. For example is rezoned to Industrial and my residence compromised due to flood/fire we will be able to rebuild. I have spoken to other municipalities and this seems to be a concern that keeps arising. I guess that is why I would like more clarification from the town on their discussions and plans around this area or if it was simply chosen because of the type of business we own. We aren't opposed to a change but we feel that more information is needed.</p>

Comments Unrelated Directly to the Land Use Bylaw Review

<p>Fix our street so people can enjoy our town. Get proper snow removal equipment. Take care of people you have here so they stay, and don't destroy our town with all the crazy proposals. Council should listen to residents, and work on their behalf, not just for themselves.</p>
<p>We cannot afford a development officer. The CAO should be in charge of this.</p>
<p>4.1.3 No we do not want to pay a development officer. Bigger towns cannot afford, can we afford it? Long term debt 2027 principal 146,801, interest 81,645, total 228,446 Thereafter principal 3,289,022, interest 863,302, total 4,152,324 when spending stick to the basic (needs) (infrastructure)</p>