

MINUTES OF A PUBLIC HEARING OF THE COUNCIL OF THE
TOWN OF FALHER

IN THE PROVINCE OF ALBERTA, HELD ON WEDNESDAY, June 26, 2024

IN THE COUNCIL CHAMBERS OF THE MUNICIPAL OFFICE

PRESENT:	Mayor	Donna Buchinski
	Councillors	Lindsay Brown Robert Lauzé Gaetane Pizycki Roger Remillard
	Administration	James Bell
	Mackenzie Municipal Services Agency	Komiete Tetteh
	Public	Phil Dube Dave Gervais Ernie Marchildon Diane F Laurin George Garand Gord Stewart Fern Turcotte Kelsie Fournier

CALL TO ORDER Mayor Buchinski called the meeting to order at 7:00 p.m.

ACCEPTANCE OF AGENDA

Res. 24-210 Moved by Councillor Brown that the agenda be approved as presented. **CARRIED**

Res. 24-211 Moved by Councillor Brown to open the public hearing. **CARRIED**

PURPOSE OF PUBLIC HEARING

Mayor Buchinski reviewed that the purpose of this Public Hearing is to provide opportunity for public comments on the proposed Town of Falher Land Use Bylaw No. 24-04.

Bylaw No. 24-04 proposes to repeal and replace the current Town of Falher Land Use Bylaw No. 14-05, which was adopted in 2014. Bylaw No. 24-04 has been drafted through a consultative process involving members of Council, municipal staff and residents (through public engagement, which included a survey and an Open), with technical support from the Mackenzie Municipal Services Agency. Bylaw No. 24-04 proposes several changes that are meant to:

1. Streamline the development approval process; and
2. Promote responsible and sustainable growth and development of the Town, consistent with our community vision.

Bylaw 24-05 has not been adopted by Council yet. This public hearing is intended to provide formal opportunity for public feedback regarding the proposed new LAND Use Bylaw.

HEARING PROCESS & RULES

Mayor Buchinski outlined the hearing process & rules:

1. Administration will read any written submissions into the record, followed by oral presentations or submissions.

2. Members of the audience will then be invited to speak, starting with those who want to speak in favour of the Bylaw and those who want to speak in opposition to the Bylaw.
 3. All comments are directed through the chair.
 4. We ask that comments be succinct and limited to no more than (5) minutes per speaker.
 5. Introduce yourself before expressing your opinion or concerns.
 6. Comments be of proper decorum; if another person has already made a point, simply state that you agree with the point.
 7. Staff, Council and the consultant will attempt to address any questions from the public to the best of their knowledge.
 8. Feedback received will be considered in completing the final document.
- 9.

WRITTEN SUBMISSION

Chief Administrative Officer James Bell, read 2 written submissions into the record.

Both items were received in writing during the Town of Falher Open House on June 5th.

First:

Thanked Council for holding the Open House

Concern over the allotment of seacans. Writer expresses that they are favourable for storage purposes, but has questions of if they will develop into dwellings.

A comment about pets being allowed but individuals don't clean up

Tiny homes would bring down the value of reasonable homes in the area. They should be limited to certain areas

Thanks Council for their work

Responses from Administration:

- During the first reading of the new Land Use Bylaw, Council debated the changes allowing seacans as an accessory development for storage. To my knowledge, the development of seacans into dwellings is not enabled with the current draft of this bylaw. Unauthorized development of this kind would follow the standard enforcement processes on unapproved or unauthorized development currently included in the draft.
- Regarding pets, this Land Use Bylaw does not directly address the regulation of pets. This is handled in the Town of Falher's various animal control bylaws. Included in these regulations are details about "cleaning up after" animals.
- With regard to the concern of decreasing neighbourhood values, we have consulted our contracted assessor with a similar concern, this will be addressed later during my presentation.

Second:

Would like to see talk about stipulations on being able to put older mobile homes on land within the town as long as proper inspections for safety and structural as well as making sure things are up to code.

Responses from Administration:

- This feedback was also presented in person during the open house to administration and to our contracted planner with MMSA, this feedback has been taken back for review.

**DISCUSSION FROM
OPEN HOUSE**

In addition to the written submissions, several discussion items were raised during the open house. These items were not presented as formal submissions however provided fruitful discussions with attendees. These include, but are not limited to:

- A resident posed a question framed around the idea that, to their knowledge, at one time, land values in the Town of Falher were directly related to their zoning. Specifically, that properties with an R1-Restricted Residential Zoning, were assessed with a higher land value than properties with an R2 Low Density Residential Zoning, or even in the MHR-Mobile Home Residential Zoning.
- With our newly proposed Land Use Bylaw, we would be deleting the current R1 (Restricted) and MHR zones, and essentially absorbing them into what is currently an R-2, becoming a new R1-Low/Medium Density Residential. The question was would this affect land values in any significant way?
- **Response from Assessor: Yes, zoning does have an effect on land values. There potentially could be value differences between each zoning. Typically, the largest swings would be between residential and non-residential zones. In a municipality the size of Falher the differences between residential zones are negligible. Recent sales have shown even under the existing LUB little variation between residential lots in any zoning class. I would predict that there would be little variance in the assessments under the proposed LUB.**
- Effect of Mobile Homes on neighbouring Home Values
- With LUB changes, there would now be the ability for Mobile Homes (and tiny homes, or very small homes) to be built in the Low/Medium Density Residential zone.
- A resident posited that “a mobile home being developed on the empty lot next to [their] HOUSE, would bring down [their] property value”.
- Being that we only allow a new or up to 15 year-old (max) mobile home, the quality of the mobile home would relatively match (or beat) the quality of neighbouring properties, to my knowledge the mobile home (or almost any new development) would likely add to the value of the immediate area, and not bring down the values. If you could clarify this, that would be greatly appreciated.
- **Response from Assessor: There is weight to the question asked. This is a risk when development is unregulated. However, with the Town only allowing 15 year-old units to be brought in, this limits the potential negative impact on neighbouring properties. New development typically is followed by more frequent and intentional care of a property as opposed to a vacant lot. Manufactured homes that have already been allowed next to a “stick built” houses in Falher have maintained their value in resale and in some cases increased in value more than the neighbouring houses.**
- One household in particular was favourable to the concept of additional dwelling units (ADUs), however had minor concerns over street parking related to an increase in residents per lot.
 - To the knowledge of administration, the development of ADUs has sufficient regulation for on property parking based on the size of development.
- One resident specifically spoke to their appreciation for the ability to develop vacant property with a manufactured home in their neighbourhood, citing a personal experience that they had attempted to do so in the past and were unable to due to regulations at that time.
- Another resident spoke to their opposition for seacans as dwellings. Again, the current draft being presented does not enable this specifically.
- One resident spoke in opposition to manufactured homes in what they called (non-located areas) in addition to opposition for sea-cans as homes.

Administration feels that these items have been addressed earlier in this presentation.

We have taken all of this feedback seriously and has been considered as Council moves towards. This concludes the summary of submissions both formal and informal to administration. Thank you.

PUBLIC IN FAVOUR

NAME OF INDIVIDUAL

Fern Turcotte

COMMENTS

Many lots were empty when he moved to town.
He believes that the addition of mobile homes with regulation is welcome and will only increase value of his property

NAME OF INDIVIDUAL

Phil Dube

COMMENTS

Speaking in favour and opposed, has thoughts that some pieces are good, some not so much.

Hard to speak to the omnibus bill. Clear definitions is good.

Expanded list of permitted and expansion, might be good but you need to be careful.

Tiny homes, shouse, bardonimum, need some serious regulation.

Tiny homes built on a high boy, is that ok?

Garden suite may be good but feels that it is too vague.

Zoning of manufactured home; discussed a successful installation. However, mentioned other places in town where the condition looks terrible.

Discussed his time on council in regards to beauty is in the eye of the beholder.

Sign regulation; I hope you take some of the 4 way stops. Not sure what it means.

Strong opposition to seacans for permanent storage in resident. Temporary is ok, commercial is ok. Against it in residential.

New information on renewable energyis included, ok.

Parking regulation, hopefully it means no heavy parking on the paved roads.

Elevation on building sites. Discussed areas with gravel dumped.

Sea cans is a can of worms. As storage, they cost the same as sheds. So why allow them

NAME OF INDIVIDUAL

Ernie Marchildon

COMMENTS

Concern was regards to zoning; assessment tied to zoning. What does the little change in assessment equate to? Little change to some but maybe not to others.

Seacans are also a big question mark.

PUBLIC OPPOSED

NAME OF INDIVIDUAL	COMMENTS
Dave Gervais	<p>Gave a written submission today. Lengthy item- some are in favour, some are not.</p> <p>To highlight: ADUs:does not agree with having a secondary primary dwelling unit on a lot.</p> <p>Tiny homes: accessory building, his interpretation is that these would also be able to have secondary suites</p> <p>To his knowledge – 50% max for an ADU currently and to his knowledge is being waived.</p> <p>Spoke to his document listing Min/max on Shouse (Bardominium).</p> <p>Definitions – some could be removed in his opinion due to the fact that they are not mentioned further in the document.</p> <p>Cultural facility: leave it but remove but does not include an adult entertainment facility</p> <p>Dwelling Group should be better. Shorter and clarified.</p> <p>Definition of Party wall. It is referenced everywhere, but it should be called a common wall.</p> <p>Natural Resources Extraction – no gravel pits in Town therefore definition shouldn;t be in there</p> <p>Senior Citizens Housing – like it, but maybe language of nursing home should be changed.</p> <p>Shouse and Barndominium – ok in certain areas. Not ok in smaller lots. Parking etc, may not fit on a standard lot.</p> <p>Transloard facility – Why would we want/need this in the document</p> <p>3.2.i</p> <p>Dev Perm needed for a lot, for removal of buildings- why</p> <p>Some definitions are too broad</p> <p>Sea cans not used as a dwelling unit</p> <p>DIRECT CONTROL – lots that are zoned as direct control, should not be as direct control. The speaker feels that this zoning is a barrier if the owner wants to build a something and that this is a slippery slope.</p> <p>Not everyone has access to computers, printed copies should be available.</p>

NAME OF INDIVIDUAL	COMMENTS
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Diane F Laurin

Dave said a lot about how I feel.
Has replied to suveys. Feels there is no consistency. Some people have big storage sheds. Has issues with storm water flow in Town. Where is the responsibility of the land owner and when does it belong to the Town.
The process has been moving too fast.

Always liked tiny houses, but they have to be nice.

She always wanted a seacan, was always told she can't. However some neighbours have terrible looking sheds. In her mind there is no consistency.

Spoke to dandelions everywhere.

In her mind there are currently no rules when building houses.

Wants the Town to take their time with the Land Use Bylaw process.

NAME OF INDIVIDUAL

Kelsie Fournier

COMMENTS

Spoke to being in attendance to take part in the process or public participation
Also shared concerns about the possibility of reduced property values in regards to development of mobile homes and tiny homes.
Felt as though the Town could have been clearer in its communications to the public
Suggested an email notification system similar to other neighbouring communities

**QUESTIONS FROM COUNCIL
& COMMENTS FROM
ADMINISTRATION**

NAME OF INDIVIDUAL

Gordon Stewart

Appreciation for all of the public feedback
Advised that we would be reviewing the information from the public hearing to inform any Land Use Bylaw revisions moving forward.

COMMENTS

Had concerns related to the increase in his tax bill over the past 4 years, dicussed that he spoke with CAO at the Open House
Voiced displeasure about the condition of the length of grass in a public space adjacent to his property. Wanted information on if it was his responsibility to mow or the Town's
Deputy Brown spoke to the group, about note taking and appreciating feedback
Councillor Lauze thanked everyone for their input.

Mayor discussed first reading and that Council will be reviewing the information discussed.

Councillor Lauze asked how everyone's input will be addressed.
CAO addressed that individual letters will be sent and/or that information will be posted publicly
Kelsie Fournier – discussed web site engagement and is appreciative of the consultation
Further discussion amongst members of the public further re-iterating their previous statements

Administration and MMSA will work to review the objections and advise Council appropriately in addition to looking at potential ways to further inform the public

Next Meeting

Regular Meeting – July 10, 2024

Res. 24-212

Moved by Councillor Lauzé to close the public hearing.
CARRIED

ADJOURNMENT:

Mayor Buchinski adjourned the meeting at 8:08 p.m.

Mayor

Municipal Administrator