

Parkland County
Province of Alberta

BYLAW 2020-11

BEING A BYLAW OF PARKLAND COUNTY FOR THE PURPOSE OF AMENDING
LAND USE BYLAW 2017-18 RELATED TO WELLNESS CENTRE LAND USE REGULATIONS

WHEREAS the Council of Parkland County passed a Bylaw pursuant to Part 17, Section 630 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, known as the Parkland County Land Use Bylaw 2017-18 for the purpose of regulating and controlling the use and development of land and buildings within Parkland County;

WHEREAS and pursuant to Part 17, Section 692 of the *Municipal Government Act* the Council of a municipality is authorized to amend a Land Use Bylaw; and

WHEREAS Section 692 of the *Municipal Government Act* requires the Council of a municipality to hold a public hearing and advertise such a Bylaw in accordance with Section 230 and Section 606 of the *Municipal Government Act*, respectively.

NOW THEREFORE the Council of Parkland County duly assembled and under the authority of the Municipal Government Act, as amended, hereby enacts the following:

BYLAW 2020-11 AMENDMENTS:

1. That Bylaw 2017-18, being the Land Use Bylaw, is amended as follows:
 - (1) Adding WELLNESS CENTRE as a Permitted Use within the BRR, PS, and PR Land Use Districts in Table 3.4-1.
 - (2) Adding WELLNESS CENTRE as a Permitted/Discretionary Use* within the AGG, ANC, AGR and CR Land Use Districts in Table 3.4-1.
 - (3) Adding the following beneath Table 3.4-1:
 - a) *See Fundamental Use Provisions in the respective Land Use District for Permitted or Discretionary Use qualifiers.
 - (4) Adding WELLNESS CENTRE Use classification as a Permitted Use within the Subsections of the following Use Tables:
 - a. Section 5.1 BRR – Bareland Recreational Resort District, Subsection 2;
 - b. Section 8.2 PS – Public Services District, Subsection 2; and
 - c. Section 8.3 PR – Recreation District, Subsection 2.
 - (5) Adding WELLNESS CENTRE Use classification as a Permitted and Discretionary Uses within the Subsections of the following Use Tables:
 - a. Section 4.1 AGG – Agricultural General District, Subsection 2;
 - b. Section 4.3 ANC – Agriculture / Nature Conservation District, Subsection 2;
 - c. Section 4.4 AGR – Agricultural Restricted District, Subsection 2; and

- d. Section 5.3 CR – Country Residential District, Subsection 2.
- (6) Adding the following to Fundamental Use Provisions under Subsection 2. a) of Section 4.1 AGG – Agricultural General District, and Section 5.3 CR – Country Residential District:
- a. That Wellness Centre shall be a Permitted Use if both of the following criteria have been deemed to be satisfied by the Development Authority:
 - (1) A Master Site Development Plan for the site, outlining the overall location and scope of the proposed development, has been approved by Parkland County; and
 - (2) The proposed development is not located within 150.0 m of a Multi-Parcel Residential Subdivision.
 - b. That Wellness Centre shall be a Discretionary Use if either of the two criteria in above Subsection 2. a) vi) have not been satisfied as determined by the Development Authority.
- (7) Adding the following to Fundamental Use Provisions under Subsection 2. a) of Section 4.3 ANC – Agriculture / Nature Conservation District:
- a. That Wellness Centre shall be a Permitted Use if both of the following criteria have been deemed to be satisfied by the Development Authority:
 - (1) A Master Site Development Plan for the site, outlining the overall location and scope of the proposed development, has been approved by Parkland County; and
 - (2) The proposed development is not located within 150.0 m of a Multi-Parcel Residential Subdivision.
 - b. That Wellness Centre shall be a Discretionary Use if either of the two criteria in above Subsection 2. a) iv) have not been satisfied as determined by the Development Authority.
- (8) Adding the following to Fundamental Use Provisions under Subsection 2. a) of Section 4.4 AGR – Agricultural Restricted District:
- a. That Wellness Centre shall be a Permitted Use if both of the following criteria have been deemed to be satisfied by the Development Authority:
 - (1) A Master Site Development Plan for the site, outlining the overall location and scope of the proposed development, has been approved by Parkland County; and
 - (2) The proposed development is not located within 150.0 m of a Multi-Parcel Residential Subdivision.
 - b. That Wellness Centre shall be a Discretionary Use if either of the two criteria in above Subsection 2. a) vii) have not been satisfied as determined by the Development Authority.

- (9) Adding WELLNESS CENTRE to the uses listed under Subsection 2. a) i) of Section 5.3 CR – Country Residential District.
- (10) Adding the following to SECTION 12 – SPECIFIC USE REGULATIONS:

12.29 Wellness Centres

1. A Wellness Centre shall not be located in a Multi-Parcel Residential Subdivision.
2. In determining the appropriateness and suitability of a site for a proposed Wellness Centre use, the Development Authority shall consider such factors as accessibility, compatibility with adjacent land uses, environmental features or sensitivities, physical suitability and on-site or municipal serviceability of the site.
3. The Wellness Centre use will be encouraged to locate in areas with a soil class of 3 to 6 when proposing to be located within a Prime Agricultural Area as identified in Parkland County's *Municipal Development Plan* Bylaw 2017-14.
4. The proposed Wellness Centre use shall comply with Parkland County's policy on dark sky lighting.
5. Roads and road networks leading to a proposed Wellness Centre may be required as a condition of Development Permit approval to be brought into a condition necessary to sustain the volume and type of traffic to be generated by the proposed development.
6. Adequate on-site parking shall be provided and approved by the Development Authority in accordance with Section 14 of this Bylaw.
7. Vehicular entrances and exits as well as on-site pedestrian and vehicular routes shall be designed in a manner that provides a safe and clearly defined circulation pattern.
8. The Wellness Centre use shall not generate off-site nuisance including noise, dust, odour, heat, glare or refuse matter considered excessive by the Development Authority.
9. At all times the privacy of the adjacent residential dwellings shall be preserved and the Wellness Centre use shall not unduly offend neighbouring or adjacent residents by way of excessive lighting, traffic congestion, on-street parking or other off-site nuisance factors.
10. The Wellness Centre use is encouraged to incorporate building design, site design and landscaping that are designed to be both attractive and in balance with the surrounding natural landscapes and requires minimal resource inputs. The design should be functional, visually pleasing, environmentally friendly and easy to maintain.
11. The Wellness Centre use is encouraged to incorporate Low Impact Design principles for stormwater management.
12. The Development Authority may require the applicant to conduct and document public engagement prior to submitting a Development Permit application for a Wellness Centre, if, in the opinion of the Development Authority, the proposal may affect adjacent residences by ways of potential nuisance effects.
13. The display or placement or signage on the premises of a Wellness Centre shall be in accordance with Section 15 of this Bylaw.

14. The Wellness Centre use shall comply with all applicable federal, provincial and other relevant legislation and regulations, including all requirements under the Alberta Safety Codes Act.

(11) Adding the following to Section 16 – DEVELOPMENT APPLICATION PROCESS:

16.7(ii) Application for a Wellness Centre

1. In addition to the Development Permit application requirements stipulated in Subsection 16.3, a Development Permit application for a Wellness Centre use may be required to provide the following information at the discretion of the Development Authority:
 - a) A detailed description of the business, including the types of activities that will take place at the site, estimated occupancy, hours of operation and the number of employees;
 - b) How outdoor uses are to be effectively screened from adjacent properties and roads;
 - c) Measures that will be undertaken to avoid potential nuisance effects of operating the business for adjacent residents, where applicable;
 - d) How the proposed development incorporates Low Impact Development principles and/or surrounding natural landscapes as part of building and site design;
 - e) The type, volume, frequency and circulation of vehicle movements within the site;
 - f) The availability and adequacy of emergency management services to the site;
 - g) The need for any off-site infrastructure improvements, including water, sanitary, storm and transportation upgrades, and details related to the proposed upgrades where applicable; and
 - h) The results of the public consultation process where applicable.
2. For a multi-phased Wellness Centre, a Master Site Development Plan may be required prior to the application of a Development Permit for the first phase. The requirements of a Master Site Development Plan are outlined in detail in the County's *Municipal Development Plan* Bylaw 2017-18, and in addition may include the requirements outlined in Section 16.7(ii) above as determined by the Development Authority.

(12) Adding a General Definition for LOW IMPACT DEVELOPMENT in Section 20.2 – GENERAL DEFINITIONS as follows:

- a. **LOW IMPACT DEVELOPMENT** means a land planning and engineering design approach for managing stormwater runoff. LID emphasizes conservation and use of on-site natural features to protect water quality. This approach implements engineered small scale hydrologic controls to replicate the predevelopment hydrologic regime of watersheds through infiltrating, storing, evaporating, and detaining runoff close to its source.

- (13) Adding a Land Use Class Definition for WELLNESS CENTRE in Section 20.3 – USE CLASS DEFINITIONS as follows:
- a. **WELLNESS CENTRE** means a development that provides opportunity for recreational and holistic health pursuits. Wellness Centre use typically maintains, and is compatible with, the natural landscape and rural environmental features by way of landscaping, site design, building design, and incorporation of Low Impact Development principles. Typical uses may include facilities that accommodate yoga and guided meditation practices, saunas, indoor and outdoor pools, and complementary or supporting activities such as minor eating establishments, spas, fitness rooms or similar accessory activities. Wellness Centre use does not include overnight accommodation, or any uses associated with medical or rehabilitation treatment that would be covered under a Medical Treatment Services use. Wellness Centres shall not be located within a Multi-Parcel Residential Subdivision.
- (14) Revising the ACCOMMODATION AND CONVENTION SERVICES Land Use Class Definition in Section 20.3 – USE CLASS DEFINITIONS as follows:
- a. **ACCOMMODATION AND CONVENTION SERVICES** means development to serve the traveling public primarily used for the provision of rooms or suites for temporary sleeping accommodation such as hotels (rooms have access from a common interior corridor and are not equipped with individual kitchen facilities), motels (temporary lodging or kitchenette where each room or suite has its own exterior access), country inns (more rooms than bed and breakfast); or, development which provides permanent facilities for meetings, seminars, conventions, product and trade fairs and other exhibitions with or without eating and drinking facilities. This use class does not include Boarding Houses or Wellness Centres.
- (15) Revising the COTTAGE INDUSTRY Land Use Class Definition in Section 20.3 – USE CLASS DEFINITIONS as follows:
- a. **COTTAGE INDUSTRY** means one or more low intensity activities of a gainful nature demanding a skilled trade or craft or related to an agricultural and/or horticultural operation on a parcel. Cottage Industry shall maintain, and be compatible with, the rural residential and/or agricultural character of the surrounding landscape. Cottage Industry may be the principal use of the parcel, or secondary to existing principal uses such as residential dwelling. A Cottage Industry use shall not be located within a Multi-Parcel Residential Subdivision. This use class does not include Wellness Centres. Typical Cottage Industry requiring skilled trade may include workshops or storefronts selling custom made products or offering related services. Typical agriculture and horticulture related Cottage Industry may include growing, packing and sale of food products, small-scale wineries and breweries, and minor food establishments including cafes and diners.
- (16) Revising the OUTDOOR PARTICIPANT RECREATION SERVICES Land Use Class Definition in Section 20.3 – USE CLASS DEFINITIONS as follows:

- a. **OUTDOOR PARTICIPANT RECREATION SERVICES** means development providing facilities that are available to the public at large for sports and active recreation conducted outdoors. This use class does not include Outdoor Shooting Ranges or Wellness Centres. Typical facilities include golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, miniature golf establishments, Scout/Guide camps, religious outdoor retreat camps and parks, paint-ball parks, gymkhana/rodeos.
- (17) Revising the **PERSONAL AND HEALTH CARE SERVICES** Land Use Class Definition in Section 20.3 – USE CLASS DEFINITIONS as follows:
- a. **PERSONAL AND HEALTH CARE SERVICES** means development used for the provision of physical and mental health services on an out-patient basis, of a preventative, diagnostic treatment, therapeutic, rehabilitator or counseling nature. It may also mean development related to the care and appearance of the body. This use class does not include Wellness Centres.

ENACTMENT/TRANSITION


- 2. Should any provision of this bylaw be deemed invalid then such invalid provision will be severed from this bylaw and such severance will not affect the validity of the remaining portions of this bylaw, except to the extent necessary to give effect to such severance.
- 3. This bylaw shall come into force and take effect on the day of third reading and signing thereof.

READ A FIRST TIME this 25th day of August, 2020.

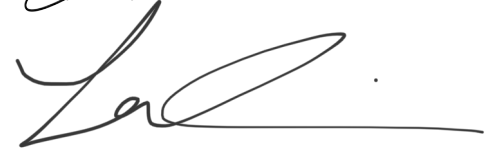
READ A SECOND TIME this 22nd day of September, 2020.

READ A THIRD TIME and finally passed this 22nd day of September, 2020.

SIGNED AND PASSED this 22nd day of September, 2020.



Deputy Mayor



Chief Administrative Officer