



AGENDA ITEM

LAND USE BYLAW AMENDMENT REQUEST

ON Pt. SW 16-39-01-W5M

ADEARA RECOVERY CENTRE

December 16, 2021

BACKGROUND

Work on That Inc., on behalf of Adeara, is seeking permission to add a special discretionary use to the Agricultural 'A' District of the County's *Land Use Bylaw* to consider a "treatment centre" on Pt. SW 16-39-01-W5M. The request letter and details of the proposed development is attached as Appendix A.

The subject lands are accessed by the Jarvis Bay Access Road (Township Road 39-2), near the Summer Village of Birchcliff, The Slopes on Sylvan Lake, and the Jarvis Bay Provincial Park.

In 2011, the landowner received development approval for a single detached dwelling, as a second residence on the property, for personal use only (Development Permit 148/11).

In 2017, the landowner received development approval to utilize the existing dwelling for a prayer centre, subject to conditions of approval including a three (3) year term (Development Permit 173/11). This permit is no longer active, as it has expired.

In late 2019, the landowner passed away, leaving a large lakeside property with 80 acres of land and a large retreat centre. In her will, she asked that the property be sold to a women-centred non-profit that was faith-based and serving people in need in Alberta. Adeara, in conjunction with The PAR Foundation, partnered to put their name forward, and their offer was approved. Through this centre and land, Adeara wishes to expand the addiction treatment work it is already doing to central Alberta.

DEVELOPMENT CONCEPT

The development proposal if a *Land Use Bylaw* amendment and Development Permit approval were successful includes a recovery centre for women run by Adeara (www.adeara.ca). The existing dwelling would be converted to be used as a recovery centre for a maximum of 12 women, who would be on referral to Adeara's 90-day accredited program.

Each woman would be paired with another one in six separate bedrooms. There will be a resident couple on-site as well as therapist who will commute daily to and from the house (2 therapists). The centre would not accept any visitors except from 12:00 noon to 4:30 PM on Sundays where family will be granted a visit with their loved ones. The activities outside of the house will always be made in group and only once or twice a week, including going to church on Sunday morning.

There is no detoxification proposed as part of the Adeara program.

This initial development is part of the developer's long-term vision for the property.

Representatives of this application will be present at the Council meeting to provide further information on the proposed development.

POLICY CONSIDERATIONS

A "treatment centre" is defined in the County's *Land Use Bylaw* as "a centre for the treatment of persons with addiction, such as but not limited to drugs or alcohol, which may include the provision of services including psychotherapy, detoxification, and the dispensing of medication. This includes providing overnight or short-term accommodation to residents but does not include a detention or correction centre".

A "treatment centre" can only be considered on specific lands that it has been listed as a discretionary use in the County's *Land Use Bylaw*.

The development would be required to be consistent with the County's *Municipal Development Plan* and *Land Use Bylaw*.

The subject property is within the boundary of the *Sylvan Lake Area Structure Plan (ASP)* and *Sylvan Lake Intermunicipal Development Plan (IDP)*.

If the *Land Use Bylaw* amendment was successful, and the development permit application for a “treatment centre” was applied for, it would be a requirement that the centre is connected to the regional wastewater line.

LEGISLATIVE RESPONSIBILITIES

The *Municipal Government Act* gives Council the sole authority and responsibility to consider amendments to the *Land Use Bylaw*. In dealing with any request to change the *Land Use Bylaw*, Council is required to consider:

- the suitability of the land for the intended use; and
- the compatibility of the intended use with other uses, both existing and proposed, in the surrounding area.

Council is also expected to consider how the proposed change conforms to the *Municipal Development Plan* and any other local plans that Council has adopted, which affect the land.

COUNTY PROCESS

Typically *Land Use Bylaw* amendments are considered during our annual policy review. Due to the unique circumstances of this request, as it applies to one specific parcel, staff do not recommend packaging this amendment request into our annual updates.

The County’s *Multi-Lot Development Proposals: Guide to the Approval Process* outlines the process that developers are required to follow as part of their application for rezoning and subdivision development. While this proposed development does not include rezoning or subdivision, staff are recommending following the same process to consider this unique *Land Use Bylaw* amendment.

This requires the developer to make an initial presentation to County Council for information. The purpose of this initial presentation is to provide Council with a preliminary view of the development prior to the developer holding any public meetings.

The developer would then be required to complete community consultation. A community information meeting must be held by the developer and advertised appropriately. The circulation radius for mail notices is to be 1.0 mile from the

property, including lands within adjacent municipalities of Red Deer County and the Summer Village of Birchcliff.

After community consultation, a community consultation report would be required, prior to Council beginning bylaw readings.

After a successful *Land Use Bylaw* amendment, the developer could apply for a development permit for the use as a “treatment centre”. As a discretionary use, any Municipal Planning Commission decision would be circulated again to lands within 1.0 mile of the property and advised of their right to appeal.

ANALYSIS

The proposed amendment would not generally conflict with the *Sylvan Lake IDP*, *Sylvan Lake ASP*, or the County’s *Municipal Development Plan* and *Land Use Bylaw*. Existing development uses within the Agricultural ‘A’ District can continue to be considered on lands within the *Sylvan Lake ASP* or *Sylvan Lake IDP*, regardless of what future use they are identified for.

As the developer has outlined this use is the first step to a longer-term vision for the property, they should give consideration to how the proposed centre would fit within any future development.

RECOMMENDATION

If Council is satisfied with the information presented, staff recommend that Council accept the presentation of the *Land Use Bylaw* amendment and development concept for the Adeara Recovery Centre for information.

The developer public meeting has tentatively been set for Thursday February 3, 2022, at the existing prayer centre, starting at 5 pm (see Appendix B for draft advertisement).

COUNCIL DECISION

PREPARED BY: Cajun Paradis, Senior Planner
REVIEWED BY: Dale Freitag, Director of Planning Services
REVIEWED BY: Tim Timmons, County Manager

