

Section 10.5 – Legend Estates Overlay

10.5 Legend Estates Overlay

The purpose of this Overlay is to provide for the safe and efficient use of lands within the Legend Estates subdivision area, within Parkland County, through the regulation of future land use development and subdivision.

1. Application:
 - a) this Overlay applies to those lands identified within Schedule A – Land Use Maps and shown on Schedule I – Legend Estates Overlay Map; and
 - b) where provisions of this Overlay appear to be in conflict with the regulation of any underlying district or any other Section of this Bylaw, the provisions of this Overlay shall take precedence and be applied in addition to the regulations of the underlying district and other sections of this Bylaw.
2. Regardless of the underlying land use district, all uses provided in the underlying land use district applicable to lands located within this Overlay shall be discretionary.
3. In addition to the regulations provided in any underlying land use district and those provided under PART 3 – DEVELOPMENT and PART 4 – PROCESS of this Bylaw, the following additional requirements apply to lands located within this Overlay:
 - a) Regardless of the development proposed, the Development Authority may require an applicant for a development permit to submit information from a qualified, registered professional engineer or architect indicating that the following factors have been considered in both the design and construction of any building applied for:
 - i. best practices and/or guidelines for building in flood-susceptible areas;
 - ii. the flood-proofing of Habitable Rooms, electrical panel and heating units, and operable windows;
 - iii. basement drainage; and
 - iv. other requirements respecting suitability of the site for the proposed development.
 - b) Regardless of the development or subdivision that is proposed, the Development Authority or Subdivision Authority may require an applicant for a development permit or subdivision approval application to submit as part of any application for development or subdivision, information from a qualified, registered professional engineer relating to the site and the drainage from the site, including, but not limited to:
 - i. a Site Drainage and Grading Plan;
 - ii. a soil compaction and quality report that either ~~certifies~~ certifying the lands are suitable for the development or that provides recommendations to facilitate development; and
 - ~~iii. a Stormwater Management Study; and~~

~~iv.iii.~~ any other information that, in the opinion of the Development Authority or Subdivision Authority, ~~is~~ ~~are~~ required to determine if the site is suitable for the proposed development or subdivision.

- c) In addition to the authority provided under PART 4 – PROCESS of this Bylaw, the Development Authority or Subdivision Authority may, as a condition of any approval with respect to land within this Overlay, impose requirements relating to development constraints, including, but not limited to, lot drainage, geotechnical investigations and confirmation of fill or soil compaction prepared and authenticated by a qualified, registered professional engineer.