

Topic: Bylaw 2019-11 Legend Estates Redistricting from DC – Direct Control District and CR – Country Residential District to CRE – Country Residential Estate District

Introduction:

Legend Estates was redistricted in 2016 to DC – Direct Control District and CR – Country Residential District. This was done to restrict residential development in Legend Estates until the outstanding engineering work was completed. As the engineering work is currently being undertaken by Parkland County, proposed Bylaw 2019-11 to redistrict Legend Estates is being brought forward for consideration by County Council to allow for residential development to occur.

Facts (Background Information):

The original developer for the Legend Estates subdivision did not fulfill a number of the engineering obligations outlined in the development agreement therefore many deficiencies still exist with site grading and drainage. Due to these deficiencies, in 2016, all properties within Legend Estates were districted to DC - Direct Control District and CR - Country Residential District to restrict residential development until the engineering deficiencies were addressed. Council approved budget to proceed with completing the required improvements to Legend Estates on February 12, 2019 and directed Administration to proceed with redistricting the subdivision from DC – Direct Control District and CR – Country Residential District to CRE – Country Residential Estate District. There are 20 privately owned residential lots within Legend Estates, three (3) of which contain single detached dwellings that were constructed prior to the DC – Direct Control Districting. The remainder of the residential lots are undeveloped.

Redistricting the subject lands to CRE – Country Residential Estates will allow for residential development to occur, however a notice will be registered on title prior to Third and Final Reading of Bylaw 2019-11 notifying future landowners of the engineering work being undertaken by the County. In addition, a Restrictive Covenant will be registered on title for the undeveloped lots to ensure notice is provided to future landowners of geotechnical requirements.

Analysis:

The proposed Land Use Bylaw map amendment is in compliance with Parkland County Municipal Development Plan Bylaw No. 2017-14, Big Lake Area Structure Plan Bylaw No. 17-91 and Land Use Bylaw No. 2017-18. As the County is undertaking the necessary engineering work required to deem the lands suitable for residential development, the proposed redistricting to CRE – Country Residential Estate District will allow for residential development to occur. The notice and Restrictive Covenant placed on title will ensure future landowners are aware of the engineering work being undertaken by the County and the geotechnical requirements for construction on the lands.

As the existing lots within Legend Estates are approximately 0.4 hectares (1.0 acre) in size, the CRE - Country Residential Estate District will bring the lands into compliance with the Land Use Bylaw as the CR – Country Residential District has a minimum parcel requirement of 0.8 hectares (2.0 acres).

For the above reasons, Administration supports the redistricting of Plan 082 0032 within SW-17-53-26-W4M from DC – Direct Control District and CR – Country Residential District to CRE – Country Residential Estate District.

Public Consultation

The County Solicitor has been in consultation with the landowners of Legend Estates and their representatives regarding the proposed redistricting and the necessary notices to be registered on title. If proposed Bylaw 2019-11 receives First Reading, notice of the Public Hearing will be sent to landowners, internal stakeholders, external agencies and advertised in the local paper, as per the requirements of the *Municipal Government Act*. The Public Hearing will provide further opportunity for comments from stakeholders.

Policy Framework Review

The policy frameworks relevant to the consideration of the proposed redistricting:

1. Edmonton Metropolitan Region Growth Plan (EMRGP):

Bylaw 2019-11 does not require referral to the Edmonton Metropolitan Region Board (EMRB) as Land Use Bylaw amendments are not a requirement under the Regional Evaluation Framework (REF).

2. Municipal Development Plan (Bylaw 2017-14):

Legend Estates is designated as Country Residential as shown on Figure 7 - Development Concept Map and falls within a High Priority Landscape as shown on Figure 14 of the MDP. This designation supports multi-parcel residential subdivision where servicing is provided either through on-site water and private sewage systems or through municipal infrastructure. In addition, the High Priority Landscape indicates areas that are of ecological importance, as Legend Estates is situated between the Wagner Natural Area and Lois Hole Centennial Provincial Park.

In reference to the Figures of the MDP, the subject lands are identified in the following classifications:

Figure 2-Edmonton Metropolitan Region-Policy Tiers	The subject parcel is located within the Rural Area of the Edmonton Metropolitan Region.
Figure 5-Environmentally Significant Areas	Is the subject parcel located within an Environmentally Significant Area? <input type="checkbox"/> Yes/ <input checked="" type="checkbox"/> No
Figure 7- Development Concept	The subject parcel is located within the Country Residential Area .
Figure 9-Prime Agriculture Areas	The subject parcel is NOT located within one of the identified Prime Agricultural Areas.
Figure 11-Prime Recreation and Tourism Areas	The subject parcel is NOT located within one of the identified Prime Recreation and Tourism Area.
Figure 14-High Priority Landscapes	Is the subject parcel located within a High Priority Landscape? <input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No

3. Big Lake Area Structure Plan Bylaw 17-91

Legend Estates is designated as Country Residential Land #2 in Big Lake ASP Future Land Use Concept map. This designation allows for lots between 0.2 ha (0.5 ac) and 1.2 ha (3.0 ac) in size. The ASP requires municipal water

and sewer servicing, road access to be obtained from the arterial roadway (Township Road 532A) and stormwater management facilities to control runoff to predevelopment rates. Currently, lots within Legend Estates are approximately 0.4 ha (1.0 ac) in size, serviced by municipal water and sewer services, access onto Township Road 532A and the County is undertaking improvements to the stormwater management facility and drainage to ensure it meets County and Provincial requirements. The proposed redistricting Bylaw complies with the Big Lake ASP.

4. Land Use Bylaw 2017-18

Legend Estates is currently districted DC – Direct Control District and CR – Country Residential District, as shown in LUB Map 9A. The current lot sizes in Legend Estates are approximately 0.4 ha (1.0 ac) and do not comply with the minimum lot size in the CR – Country Residential District. As such, the proposed redistricting would bring the lands into compliance as the CRE – Country Residential Estate District allows for a minimum parcel size of 0.2 ha (0.5 acres). In addition, the DC – Direct Control District is no longer required as the County is undertaking the necessary improvements to the lands to ensure they are suitable for residential development.

Alternatives:

1. Upon giving first reading, Council may schedule a Public Hearing regarding Bylaw 2019-11 for a time/date other than the October 22, 2019 date in County Chambers.
2. Council may defeat Bylaw 2019-11 at first reading.

Conclusion/Summary:

Administration finds that proposed redistricting aligns with the Edmonton Metropolitan Region Growth Plan, Municipal Development Plan and Big Lake Area Structure Plan and therefore supports proposed Bylaw 2019-11 and recommends that Council give first reading to Bylaw 2019-11.

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