

BEING A BYLAW OF PARKLAND COUNTY FOR THE PURPOSE OF AMENDING SECTION 10.3 - ATIM CREEK / BIG LAKE OVERLAY, SECTION 16.4 – APPLICATION FOR A DEVELOPMENT PERMIT AND SCHEDULE 6 – BIG LAKE / ATIM CREEK FLOODPLAIN MAP OF LAND USE BYLAW NO. 20-2009

WHEREAS the Council of Parkland County has passed a Bylaw pursuant to Part 17, Section 639 of the Municipal Government Act, R.S.A. 2000, Chapter M-26, known as the Parkland County Land Use Bylaw No. 20-2009 for the purpose of regulating and controlling the use and development of land and buildings within Parkland County; and

WHEREAS and pursuant to Part 17, Section 692 of the Municipal Government Act, R.S.A. 2000, Chapter M-26, 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 Act respectively; and

WHEREAS the Council of Parkland County has received an application from the landowner of S.E. 20-53-26-W4M and N.E. 17-53-26-W4M to consider amendments to Section 10.3 Atim Creek / Big Lake Overlay and Schedule 6 of Land Use Bylaw No. 20-2009 to allow for consideration of the reconstruction of the clubhouse and other improvements on the property within the 2.47 hectare area identified to be above the 1:100 year floodplain plus half meter factor of safety consistent with the *'Floodplain Delineation Review of Edmonton Springs Golf Course Study'* (Sameng, 2013):

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

THAT LAND USE BYLAW NO. 20-2009, AND AMENDMENTS THERETO, IS AMENDED AS FOLLOWS:

1. Section 10.3 Atim Creek / Big Lake Overlay

That the existing section, including the Section Heading, be repealed in its entirety and replaced with the following:

10.3 Atim Creek / Big Lake Floodplain Overlay

The purpose of this Overlay is to provide for the safe and efficient use of lands within the defined Atim Creek / Big Lake Floodplain Area, within Parkland County, through the regulation of future land use and subdivision.

1. Application

- a) This Overlay applies to those lands identified as within the **Atim Creek** Flood Plain Area, which is defined as the 1:100 year Flood Plain plus 0.5 metre consistent with the *'Big Lake Basin Task Force: Floodplain Delineation for Atim Creek from Campsite Road to Big Lake Study'* (Sameng, March 2007) as shown on Schedule 6. As the floodplain elevation along Atim Creek varies, reference to the 2007 Study should be undertaken in all cases.
- b) This Overlay applies to those lands identified as within the **Big Lake** Flood Plain Area, which is defined as the 1:100 year Flood Plain (653.30 m ASL) plus 0.5 metre (653.80 m ASL) consistent with the *'Big Lake Basin Task Force: Floodplain Delineation for Atim Creek from Campsite Road to Big Lake Study'* (Sameng, March 2007) as partially shown on Schedule 6.

2. Regardless of the underlying land use district, only the following uses shall be considered on a discretionary basis within the Atim Creek/Big Lake Floodplain Overlay:

- a) private open space;
- b) environmental reserve or natural areas;
- c) existing uses, provided such uses were approved by the County prior to the passing of this Bylaw;
- d) alterations or the reconstruction of an existing building or structure may be permitted within the building footprint that existed at the time of passing of this Bylaw;

- e) extensive agriculture;
- f) forestry;
- g) public utilities;
- h) passive outdoor recreation;
- i) golf courses with environmental protection plan, excluding a clubhouse; and
- j) Notwithstanding 2(a) through (i) above, the landowner of the golf course located at S.E. 20-53-26-W4M and N.E. 17-53-26-W4M may complete the following within the identified floodplain overlay area consistent with the *'Floodplain Delineation Review of Edmonton Springs Golf Course Study'* (Sameng, 2013):
 - (i) Undertake additions, alterations or the reconstruction of the existing clubhouse approved by the County prior to passing of this Bylaw only within the identified 2.47 hectares of land area above the floodplain plus 0.5 metre factor of safety (653.80 m ASL). Before a building permit is issued, detailed flood proofing techniques must be approved by the Building Inspector. All openings unless part of flood-proofing techniques must be a minimum of 0.5 metres above the 653.80 metre elevation. At the time of the foundation inspection and before further construction takes place, the permit holder (owner/contractor) is required to provide a certificate from a surveyor verifying that the said openings are above the required elevation.
 - (ii) As part of undertaking an addition, alteration or reconstruction of the existing clubhouse, the landowner shall connect the clubhouse to municipal services within Range Road 264 consistent with the servicing policies of the County's Big Lake Area Structure Plan. The new water supply system and sanitary sewer system shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. The existing on-site well and sanitary sewage system shall be reclaimed in accordance with current standards.
 - (iii) The private access roadway, approved by the County prior to passing of this Bylaw, shall provide access from Range Road 264 to the clubhouse area (2.47 hectares) identified as being above the floodplain plus 0.5 metre factor of safety. The access roadway shall provide a depth of flooding not to exceed 1.0 metre below the floodplain plus 0.5 metre factor of safety.
 - (iv) A private parking lot, approved by the County prior to passing of this Bylaw is constructed within the 3.07 hectare clubhouse, parking and access road area. In those areas of the parking lot that are below the floodplain plus a 0.5 metre factor of safety, the parking lot shall provide a depth of flooding not to exceed 1.0 metre below the floodplain plus 0.5 metre factor of safety.
 - (v) Grading and landscaping within the 3.07 hectare clubhouse, parking and access road area, subject that the grading and landscaping has a negligible impact on the floodplain's water level and storage capacity.

2. Schedule 6: Big Lake / Atim Creek Floodplain Map

That the following text be added to the Legend of Schedule 6, as shown on Schedule "A" attached to and forming part of this Bylaw:

Note: This map is for general information only. Parkland County does not guarantee its accuracy. All information should be verified. The floodplain is the hatched area adjacent to Big Lake / Atim Creek and connected watercourses. Flooding may still occur outside of the designated floodplain area.

The extent of the floodplain boundaries shown are based on Figure 1 and Figure 2 of the *'Big Lake Basin Task Force: Floodplain Delineation for Atim Creek from Campsite Road to Big Lake Study'* (Sameng, March 2007).

Due to the map scale, this map does not represent the precise boundaries of the 100-year floodplain of Atim Creek / Big Lake. It is intended to be used only as an indicator of areas of concern. Floodplain boundaries and flood construction levels must be determined for any application by a qualified professional engineer who

certifies, subject to conditions contained within the report, that the land may be used safely for the intended use.

Section 16.4 Application for a Development Permit

That existing section 16.4(3)(g) be repealed in its entirety and replaced with the following:

- g) Floodplain Information
 - (i) A Floodplain Delineation Analysis Study;
 - (ii) When an application for a Development Permit is submitted for the development of a parcel of land partially or wholly contained within one of the Floodplain Overlay Schedules under this Bylaw, the Development Authority may require that the application contain information regarding the grade elevation of the proposed building site, the building and all openings, to be referenced to geodetic elevations. Geodetic elevation means the elevation of a point and its vertical distance determined by employing the principles of geodesy above or below an assumed level service of datum.
 - (iii) Prior to the issuance of Development Permit for the construction of any development within a Floodplain Overlay Schedule under this Bylaw, the Development Authority may require that the applicant submit a certificate from a qualified, registered Professional Engineer or Architect indicating that the following factors have been considered in the design of the building:
 - (A) Canada Mortgage and Housing Corporation guidelines for building in flood-susceptible areas;
 - (B) The flood-proofing of habitable rooms, electrical panel and heating units, and openable windows;
 - (C) Basement drainage; and
 - (D) Site drainage.

AND THAT this Bylaw shall come into force and have effect from and after the date of third reading and signing thereof.

READ A FIRST TIME this 8TH day of July, 2014.

PUBLIC HEARING held this ____ day of _____, 2014.

READ A SECOND TIME this ____ day of _____, 2014.

READ A THIRD TIME AND FINAL TIME this ____ day of _____, 2014.

MAYOR

MANAGER,
LEGISLATIVE & ADMINISTRATIVE SERVICES