

**PARKLAND COUNTY
PROVINCE OF ALBERTA**

BYLAW 2020-04

**BEING A BYLAW FOR THE PURPOSE OF AMENDING LAND USE BYLAW 2017-18 TO REDISTRIC
LEGEND ESTATES FROM LEGEND ESTATES DIRECT CONTROL DISTRICT (DC AREA 7) TO CRE –
COUNTRY RESIDENTIAL ESTATE DISTRICT WITH A LEGEND ESTATES OVERLAY**

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, 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;

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

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

TITLE

1. This bylaw shall be known as the "Legend Estates Overlay Bylaw".

LAND USE BYLAW 2017-18 AMENDMENTS:

2. That Bylaw 2017-18, being the Parkland County Land Use Bylaw, is amended as follows:
 - (1) Section 9.8, being the Legend Estates Direct Control District (DC Area 7), is repealed in its entirety;
 - (2) Section 10.4, being the new Legend Estates Overlay, is added in the manner provided at Schedule "A" of this bylaw;
 - (3) Maps 9 and 9A of Schedule A, being the Land Use Maps and amendments thereto, are amended by redistricting the parcels shown on the map provided at Schedule "B" of this bylaw and legally described below to CRE – Country Residential Estate District with the Legend Estates Overlay provided at Section 10.4:

Plan 0820032; Block 1; Lot 1 MR
Plan 0820032; Block 1; Lot 3PUL
Plan 0820032; Block 1; Lot 5ER
Plan 0820032; Block 1; Lot 7
Plan 0820032; Block 1; Lot 9

Plan 0820032; Block 1; Lot 11
Plan 0820032; Block 1; Lot 13
Plan 0820032; Block 1; Lot 15
Plan 0820032; Block 2; Lot 9MR
Plan 0820032; Block 2; Lot 17
Plan 0820032; Block 2; Lot 19
Plan 0820032; Block 2; Lot 21
Plan 0820032; Block 2; Lot 23
Plan 0820032; Block 2; Lot 25
Plan 0820032; Block 2; Lot 27
Plan 0820032; Block 2; Lot 29
Plan 0820032; Block 2; Lot 31
Plan 0820032; Block 3; Lot 10
Plan 0820032; Block 3; Lot 12
Plan 0820032; Block 3; Lot 14
Plan 0820032; Block 3; Lot 16
Plan 0820032; Block 3; Lot 18
Plan 0820032; Block 3; Lot 20MR
Plan 0820032; Block 3; Lot 22
Plan 0820032; Block 4; Lot 2MR
Plan 0820032; Block 4; Lot 4PUL
Plan 0820032; Block 4; Lot 6PUL
Plan 0820032; Block 4; Lot 8

- (4) Schedule I, being the Legend Estates Direct Control District Map, is repealed in its entirety and replaced with the Legend Estates Overlay Map in the manner provided at Schedule "C" of this Bylaw.

- (5) Section 16.16 is added as follows:

16.16 Expert and Professional Qualifications

Where, in accordance with this Bylaw, an applicant is required to submit information to the County that has been prepared or reviewed by an expert or professional, including, but not limited to, a professional engineer, architect, arborist or Alberta Land Surveyor, the Development Authority or Subdivision Authority may, in their sole opinion, determine whether the expert or professional is properly qualified or whether the information submitted by the expert or professional is sufficient for the intended purpose and may reject information on either basis.

ENACTMENT/TRANSITION

3. 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.
4. Schedules "A", "B" and "C" form part of this bylaw.

5. This bylaw shall come into force and take effect on the day of third reading and signing thereof.

READ A FIRST TIME this ____ day of _____, 2020.

READ A SECOND TIME this ____ day of _____, 2020.

READ A THIRD TIME and finally passed this ____ day of _____, 2020.

SIGNED AND PASSED this ____ day of _____, 2020.

Mayor

Chief Administrative Officer

SCHDULE "A"

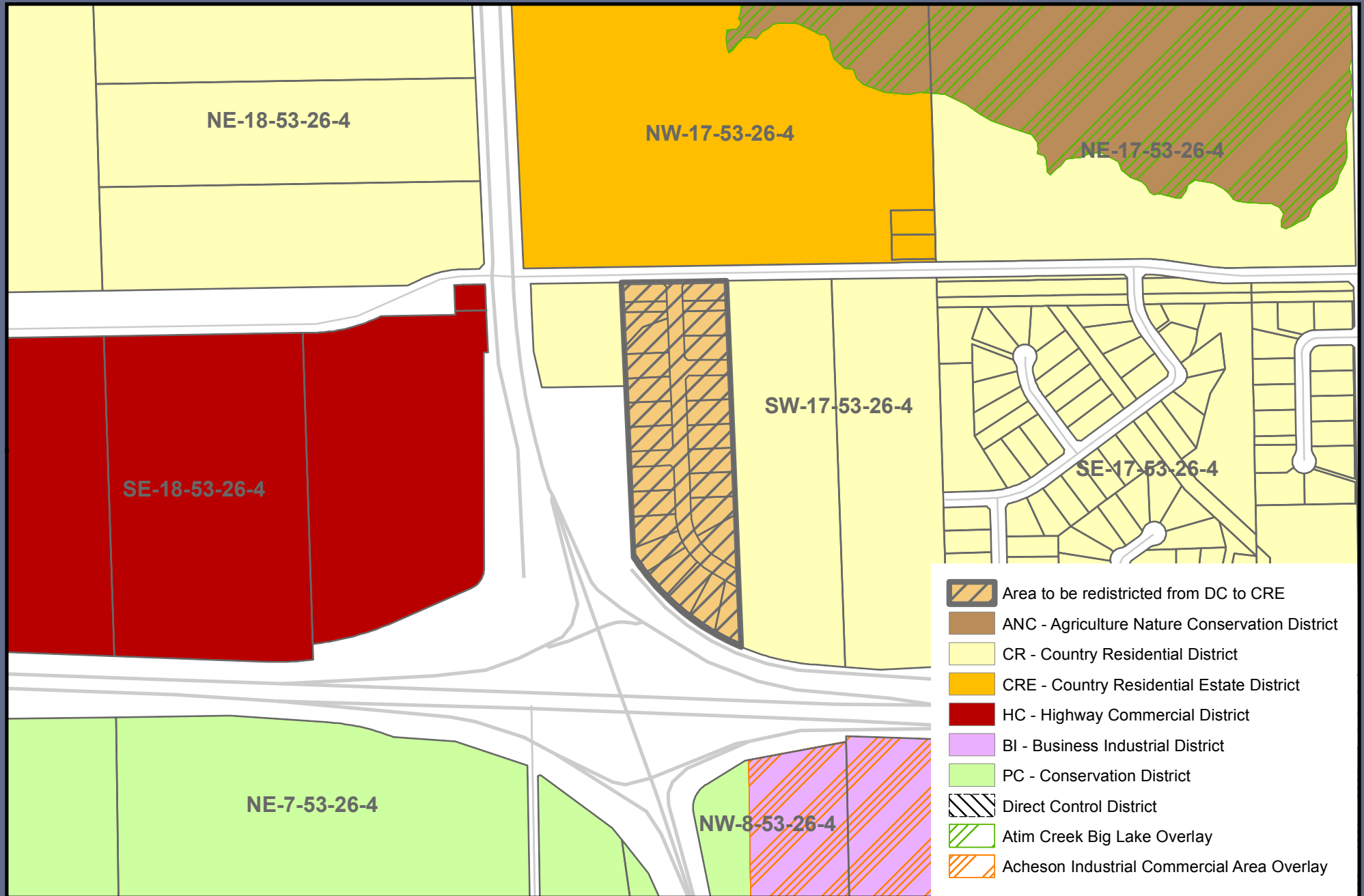
Section 10.4 – Legend Estates Overlay

10.4 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 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 proposed, the Development Authority or Subdivision Authority may require an applicant for a development permit or subdivision application to submit 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 certifying the lands are suitable for the development;
 - iii. a Stormwater Management Study; and

- iv. any other information that, in the opinion of the Development Authority or Subdivision Authority, 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, drainage and fill or soil compaction.



Schedule 'B' Bylaw 2020-04



Disclaimer:
Parkland County offers this information in good faith, but makes no warranty with regard to correctness, and accuracy of the data.

Drawn by: JB

Date: March 25, 2020

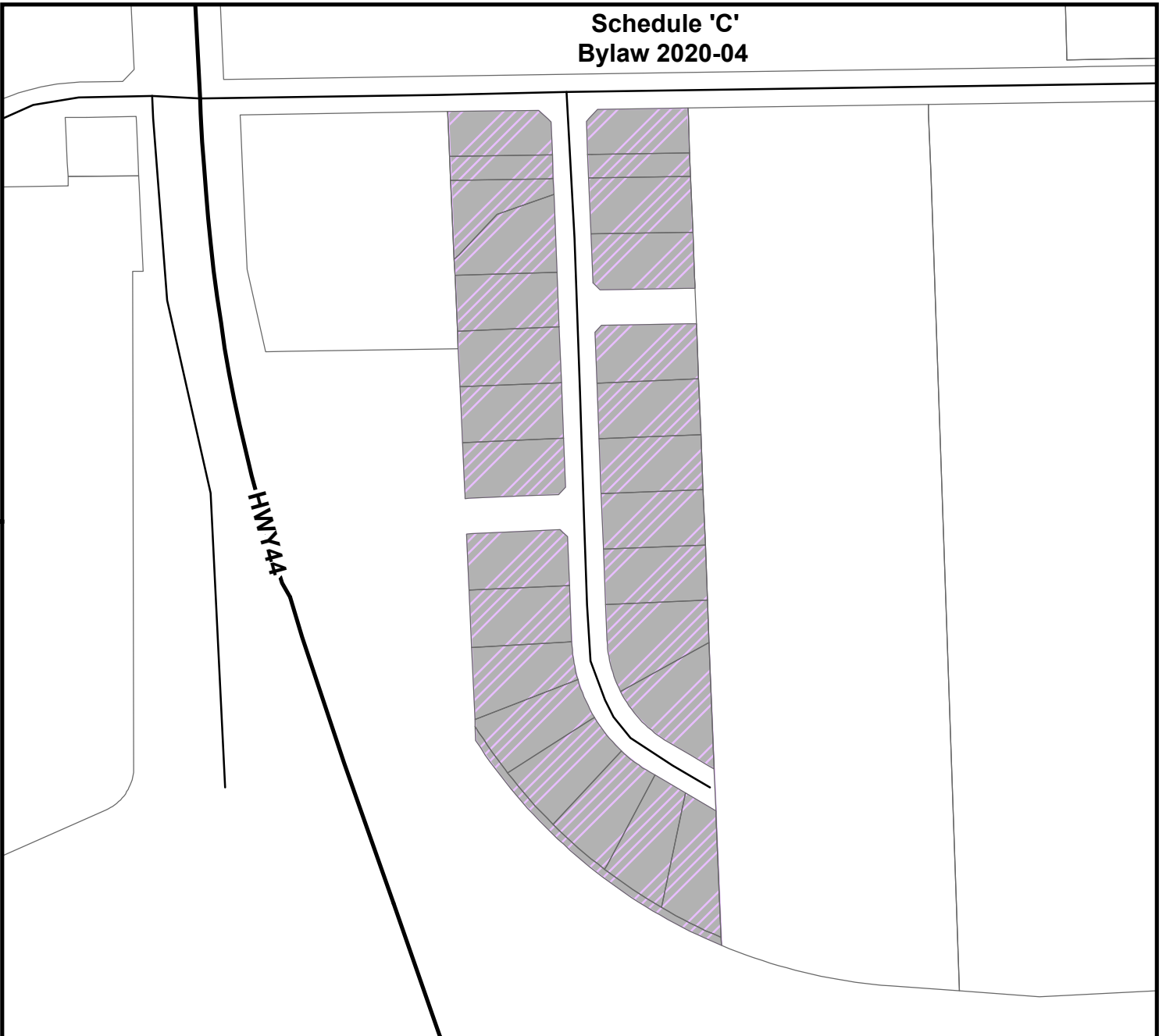
2017 Orthophotography

Scale: 1:10,000

Geopositional Accuracy (+/- 3-5m)



Schedule 'C'
Bylaw 2020-04



Schedule I


Legend Estates Overlay



1:5,000

0 50 100 200 300 Meters

Zoning

 Legend Estates Overlay

**Parkland County
Land Use Bylaw**



March 03, 2020