

No. 77

2nd Session, 13th Legislature, Alberta
4 Elizabeth II, 1956

BILL 77

A Bill to Provide for the Regulation of Interim Development Within the Enlarged Areas of Edmonton and Calgary Recommended by the Royal Commission on Metropolitan Development

HON. MR. HOOKE

EDMONTON, ALBERTA
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1956

Explanatory Note

This Bill results from the recommendations contained in the Report of the Royal Commission on Metropolitan Development of Calgary and Edmonton which was tabled in the Legislature during the present session. The Act will prohibit undertakings of projects by municipalities within the recommended boundaries of the metropolitan areas without the approval of the Executive Council or delegated body. Agreements entered into in contravention of this Act will be nullities for all purposes. The Act is temporary and will expire on the 31st day of March, 1957, but the Lieutenant Governor in Council may suspend parts of it or the whole of it before that date.

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No. 77 of 1956

An Act to Provide for the Regulation of Interim Development Within the Enlarged Areas of Edmonton and Calgary Recommended by the Royal Commission on Metropolitan Development

(Assented to _____, 1956)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Metropolitan Interim Development Act*".

Interpretation

2. In this Act,

- (a) "board" means the Metropolitan Interim Development Board appointed pursuant to this Act;
- (b) "Commission" means the Royal Commission on Metropolitan Development of Calgary and Edmonton;
- (c) "metropolitan area" means the area included within the boundaries recommended for the Cities of Calgary and Edmonton, respectively, by the report of the Commission tabled at the second session of the thirteenth Legislature;
- (d) "municipalities" means cities, towns, villages, municipal districts and improvement districts, wholly or partly within a metropolitan area.

Metropolitan Interim Development Board

3. (1) The Lieutenant Governor in Council may appoint a board of not more than five members, which shall be known as the Metropolitan Interim Development Board.

(2) The chairman of the board shall be designated from the members of the board by the Lieutenant Governor in Council.

(3) The members of the board shall be paid such remuneration as may be approved by the Lieutenant Governor in Council.

(4) Subject to *The Public Service Act, 1954*, the board may employ such clerical and other assistance as it deems necessary.

4. (1) The board shall act in an advisory capacity to the Lieutenant Governor in Council and to municipalities in all matters relating to the recommendations of the Commission.

(2) Without limiting the generality of subsection (1), the board shall advise the Lieutenant Governor in Council as to

- (a) the possible results or consequences of implementing in whole or in part the recommendations of the Commission or any modification of such recommendations,
- (b) any matter, projects, undertakings, plans or programs that are proposed or approved by municipalities and that would materially affect or prejudice the carrying out of any recommendation of the Commission in whole or in part, and
- (c) any matters that relate to any recommendation of the Commission and that the Lieutenant Governor in Council requests the board to examine on its behalf or on behalf of the municipalities or any municipality wholly or partly within a metropolitan area.

General

5. (1) Notwithstanding any other Act, no municipality shall approve or begin any undertaking or project, or enter into any agreement for any undertaking or project, that would in the opinion of the board materially affect or prejudice the carrying out of a recommendation of the Commission, unless approval of such project or undertaking is obtained from the Lieutenant Governor in Council or such body as the Lieutenant Governor may by order authorize to grant such approval.

(2) A contract, promise or agreement or a by-law or resolution entered into or made by a municipality in contravention of subsection (1) is void for all purposes.

6. For the purposes of section 5 the following shall be deemed not to be an undertaking or project that would materially affect or prejudice the carrying out of a recommendation of the Commission, namely:

- (a) the completion of any undertakings or contracts duly authorized or entered into by the municipality prior to the passing of this Act;
- (b) the administration of the ordinary routine business of the municipality;

- (c) the provision of reasonable and necessary extensions of or additions to existing services or utilities within the municipality;
- (d) the carrying out of necessary repairs and improvements to existing properties and utilities within the municipality;
- (e) the provisions of necessary police, transportation, telephone, electric light, water, sewer, health and welfare, and fire prevention services within the municipalities;
- (f) the provision of repairs and improvements to existing roads, streets, highways and sidewalks within the municipality;
- (g) the assessment and collection of taxes and the raising of money for any of the aforesaid purposes.

7. The Lieutenant Governor in Council may by general regulations or special orders exempt any undertaking or project or any class thereof from the provisions of subsection (1) of section 5 for a definite period or permanently and may so exempt any municipality from the provisions of that subsection in respect of any undertaking or project.

8. (1) This Act comes into force on the day upon which it is assented to and expires on the thirty-first day of March, 1957.

(2) The Lieutenant Governor in Council may suspend the operation of any or all sections of this Act, other than this section, at any time when it is deemed in the public interest to do so.

No. 77

SECOND SESSION
THIRTEENTH LEGISLATURE
4 ELIZABETH II
1956

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Received and read the

First time.....

Second time.....

Third time.....

HON. MR. HOOKE
