

No. 60

4th Session, 13th Legislature, Alberta
6 Elizabeth II, 1958

BILL 60

A Bill to amend The Town and Rural Planning Act

HON. MR. HOOKE

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Edmonton, Alberta, 1958

Explanatory Note

2. The definition of "small parcel" is amended to include all such areas within two miles of a city, town or village, instead of within one mile of a city, and one mile of a town or village as at present.

3. These sections relate to the control and regulation of subdivisions. There is at present conflict between the various statutory provisions respecting subdivisions and these sections are to be repealed in anticipation of other legislation removing the conflicts.

4. Section 71a, subsection (1) presently reads as follows:

"71a. (1) Where an interim development order applies to a municipality that is represented on a district planning commission or that employs a professional planning staff of one or more qualified persons, the order shall provide for the establishment of an appeal board consisting of either

"(a) at least three persons to be appointed annually by resolution of the council, none of whom shall be officials or servants of the council and a majority of whom shall consist of persons other than members of the council, or

"(b) the council."

This amendment will permit the council to act as a final appeal board in some but not all cases. This procedure is desirable when applying certain types of interim control.

5. Section 86, subsection (3) presently provides that a senior official of the municipality may be appointed to a district planning commission as one of the representatives of the municipality. The provision was not intended to permit the appointment of technical officers such as a town engineer or city planner. The amendment is for the purpose of clarification.

BILL

No. 60 of 1958

An Act to amend The Town and Rural Planning Act

(Assented to _____, 1958)

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

1. *The Town and Rural Planning Act*, being chapter 337 of *The Revised Statutes of Alberta, 1955*, is hereby amended.

2. Section 2, clause (r) is amended by striking out sub-clause (ii) and by substituting the following:

“(ii) situated within

“(A) the boundaries of a city, town or village,

“(B) two miles of a city, town or village, or

“(C) a hamlet within the meaning of *The Municipal District Act*.”

3. Sections 25, 26, and 27 are repealed.

4. Section 71a is amended by adding the following new subsection immediately after subsection (1):

“(1a) Where an appeal board is established in accordance with clause (a) of subsection (1) the interim development order may provide a further right of appeal to the council upon such conditions as may be specified in the order and in that event the council has all the powers of an appeal board to vary decisions.”

5. Section 86 is amended

(a) as to subsection (3) by striking out clauses (a) and (b) and by substituting the words “one member shall always be a member of the council.”,

(b) by adding the following new subsection immediately after subsection (3):

“(4) Any other member appointed need not be a member of the council but may be

6. Section 99 now defines a number of zones which are meant to include all the major land uses of importance in drawing up a preliminary district plan. Airports are such a major use which should be included. The amendment remedies this omission.

7. Section 114, clause (a) at present permits a commission to use only the zones defined in section 99. This may be unduly restrictive in not allowing variations to meet local conditions and may thus delay rather than facilitate the early adoption of the preliminary plan. This amendment will allow a commission greater freedom to adjust the plan to local circumstances.

- “(a) a resident of the municipality who is not a municipal official, or
- “(b) in the case of a municipality other than a city or town, the secretary-treasurer of the municipality.”.

6. Section 99 is amended

- (a) by re-lettering clause (a) as clause (a1),
- (b) by adding immediately preceding the re-lettered clause (a1) the following new clause:
 - “(a) “airport zone” means a zone in which land is used or will be used mainly for an airport and for ancillary activities directly connected with the operation of the airport, and in which other uses are prohibited or restricted to particular locations, or are subject to special regulations, or both, as determined by the commission to be necessary for the safe and efficient operation of the airport and for the safeguarding of adjoining development;”.

7. Section 114, clause (a) is amended by adding immediately after the word “Part” the words “and such other similar zones as the commission may deem essential for the purposes of the preliminary plan”.

8. This Act comes into force on the day upon which it is assented to.

No. 60

FOURTH SESSION

THIRTEENTH LEGISLATURE

6 ELIZABETH II

1958

BILL

An Act to amend The Town and
Rural Planning Act

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. HOOKE
