

No. 93

1st Session, 15th Legislature, Alberta
12 Elizabeth II

BILL 93

A Bill to amend The Public Works Department Act

HON. MR. COLBORNE

Explanatory Note

General. This Bill will provide authority for the establishment of Public Works Development Areas as a means of handling land development problems that arise when the Government intends to acquire land in a given area over a period of years as a site for future public works. The scheme requires the Government to negotiate the purchase of the land whenever the owner wants to sell it. If the owner so wishes, the Government can lease the land back to him until such time as the land is actually required for a public work.

BILL

No. 93 of 1964

An Act to amend The Public Works Department Act

(Assented to _____, 1964)

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

1. *The Public Works Department Act* is amended by adding the following heading and section after section 24:

Public Works Development Areas

25. (1) Where it is intended

- (a) to expend public moneys on the acquisition and development of any area of land for the purposes of the Government or another public body in the Province, and
- (b) to acquire all the lands in that area over a period of time as they become available or are needed,

the Lieutenant Governor in Council may declare that area of land to be a Public Works Development Area.

(2) Land within a Public Works Development Area shall be acquired by the Government

- (a) by purchase at any time the owner of the land is willing to sell it to the Government, or
- (b) by expropriation,
 - (i) where the owner of land wishes the Government to acquire it but agreement cannot be reached as to price, or
 - (ii) where the owner of the land requests that the land be expropriated or consents to expropriation,

or

- (c) by purchase or expropriation, when the land is required for or in connection with a public work.

(3) Where the Government is negotiating the purchase of land in a Public Works Development Area and the owner indicates that in the event of a sale he wishes to retain possession or the right to possession of the land for the time being or until it is required for or in connection with a public work, the Government shall negotiate with that owner in good faith and in preference to any other person for the leasing of the land to that owner when it is sold to the Government.

2. Commencement of Act.

(4) No person shall construct an improvement or reconstruct or add to an improvement on any land within a Public Works Development Area, except with the approval in writing of the Minister.

(5) When a Public Works Development Area is created, the Minister shall file a copy of the order in council and a plan of the Public Works Development Area with

(a) the clerk or secretary-treasurer of the municipality, and

(b) the Registrar of Land Titles for the land registration district,

in which the Area is situated and shall give notice of the creation of the Area and of the provisions of this section to all owners of land in the Area.

(6) The Registrar of Land Titles shall endorse upon every certificate of title to land within a Public Works Development Area, a notice that the land is within a Public Works Development Area and that this section applies in respect of that land.

(7) Any person who holds or acquires an interest in land within a Public Works Development Area holds or acquires that interest subject to this section.

(8) Where any conflict exists between this section and any Act, regulation or by-law, this section prevails.

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

FIRST SESSION
FIFTEENTH LEGISLATURE
12 ELIZABETH II
1964

BILL

An Act to amend The Public Works
Department Act

Received and read the

First time

Second time

Third time

HON. MR. COLBORNE
