

1969 Bill 7

---

---

Second Session, 16th Legislature, 18 Elizabeth II

---

---

THE LEGISLATIVE ASSEMBLY OF ALBERTA

## **BILL 7**

**An Act to provide for the Planning and  
Development of New Towns**

---

---

THE MINISTER OF MUNICIPAL AFFAIRS

---

---

First Reading .....

Second Reading .....

Third Reading .....

---

---

Printed by L. S. Wall, Queen's Printer, Edmonton

# BILL 7

1969

An Act to provide for the Planning  
and Development of New Towns

(Assented to \_\_\_\_\_, 1969)

**H**ER 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 New Towns Act, 1969*.

**2.** In this Act,

- (a) "board of administrators" means the board of administrators of a new town;
- (b) "elector" means a person qualified to vote at an election or at the taking of a vote, as the case may be;
- (c) "Minister" means the Minister of Municipal Affairs;
- (d) "new town" means a new town constituted pursuant to this Act;
- (e) "town" means a town within the meaning of *The Municipal Government Act*.

**3.** (1) Application for the formation of a new town shall be made to the Provincial Planning Board.

(2) The applicant shall file with the Provincial Planning Board such information as it may require to determine whether establishment of a new town is necessary, practical and in the public interest, and to assist in that determination the Board may require

- (a) such facts as may prove the necessity for establishment and development of a new town,
- (b) surveys, plans, maps and aerial photographs indicating the physical and topographical features of the proposed new town and its relationship to adjoining and nearby areas,

## **Explanatory Notes**

**1.** This Bill is a consolidation and revision of The New Towns Act. The section references in the explanatory notes are to the equivalent provisions in the present Act, which is chapter 39 of the Statutes of Alberta, 1956.

**2.** Interpretation. Present section 2.

**3.** Application for establishment of new town. Present section 4(1) in part and subsection (2).

- (c) economic planning studies of the proposed new town including costs of land acquisition, utilities and other services, and
- (d) estimated selling prices of developed lots for industrial, commercial and residential uses.

4. (1) On receipt of an application for the formation of a new town, the Provincial Planning Board may

- (a) give such notice as it considers necessary of the application,
- (b) cause a public hearing to be held at which any person may make representation with regard to the application,
- (c) refer the application to the Local Authorities Board for its recommendations on the financial aspects thereof and that Board may require the applicant to file with it certain material and may hold a hearing thereon, and
- (d) engage consultants or technical experts to report to it on any phase of the development of the proposed new town.

(2) After making such enquiries as it considers necessary, the Provincial Planning Board shall make such recommendations as it believes proper and necessary in each case.

5. (1) Where the Provincial Planning Board recommends the formation of a new town, the Lieutenant Governor in Council may, by order, form the new town.

(2) The order forming a new town

- (a) shall describe the boundaries of the new town,
- (b) shall give a name to the new town in the following form: "The New Town of . . . . .", and
- (c) shall state the date upon which the order becomes effective.

6. (1) When a new town has been established, the rights, debts, liabilities, taxes and all other assets including property of the former municipality in and of the area of the new town pass to the new town and section 23 of *The Municipal Government Act* applies *mutatis mutandis* thereto.

(2) Where a new town is established in the place of an existing town or village, the council of the town or village shall act as the board of administrators of the new town and shall continue in office until such time as the board of administrators has been appointed under this Act.

**4.** Functions of the Provincial Planning Board on receipt of an application. Present section 4(1) in part and subsection (2).

**5.** Formation of new town. Present section 3.

**6.** Transfer of assets and liabilities. Present sections 10 and 11.

(3) All by-laws and resolutions in force and effect in a town or village that has been established as a new town continue in force and effect in the new town until amended or repealed by the board of administrators.

(4) All suits and rights of action by or against a town or village at the date of its being established a new town may be continued or maintained by or against the new town.

**7.** (1) A new town shall have a board of administrators.

(2) The board of administrators and the electors of every new town are a corporation with the name given the new town in the order forming it.

(3) A board of administrators has and shall exercise all the rights, duties, privileges and powers conferred on a council of a town including, without restricting the generality of the foregoing, the power to levy and collect taxes.

**8.** (1) A board of administrators shall consist of one or more members, not exceeding seven in number, and may be composed of any or all of the following:

- (a) employees of the Government;
- (b) residents within the area of the new town;
- (c) representatives of agencies, organizations, companies or municipalities operating in or having jurisdiction near the new town.

(2) The members of a board of administrators shall be appointed by the Minister, except for such number of members as the Minister may decide shall be elected by the electors of the new town.

(3) An elected member shall serve for the term specified in the Minister's order and an appointed member shall serve during the pleasure of the Minister.

(4) When the office of an elected member becomes vacant before the expiry of his term, the Minister may appoint a person to the board of administrators to complete the term of the office that is vacant.

(5) When the Minister has by order provided that one or more of the members shall be elected, the appointed members shall act as the board of administrators until the election has taken place.

(6) An election ordered by the Minister under this section shall be conducted under *The Municipal Election Act*, which applies *mutatis mutandis* thereto.

**9.** (1) The Minister shall appoint one of the members of a board of administrators to be chairman thereof.

**7.** Board of administrators of a new town. Sections 5(a) and 8.

**8.** Membership of a board of administrators. Sections 5(b) and 6 amended to have appointments by the Minister instead of by order in council.

**9.** Chairman of board of administrators. Section 5b with appointment by Minister instead of by order in council.

(2) The chairman of a board of administrators is the chief executive officer of a new town and is vested with all rights, duties, privileges and powers of the mayor of a town, except as otherwise provided in this Act.

**10.** (1) A board of administrators may provide for the payment to its members of fees and allowances for attendance at board meetings and committees thereof or performing additional duties.

(2) A board of administrators may provide for the payment to its members of reasonable allowances for travelling, subsistence and out-of-pocket expenses incurred in attending meetings affecting the new town.

(3) The salaries, expenses and travelling allowances of employees of the Government serving on a board of administrators shall be paid by the department of which he is an employee.

**11.** (1) A board of administrators shall, pursuant to *The Municipal Government Act*, appoint

- (a) a municipal secretary, or
- (b) a municipal treasurer, or
- (c) a municipal secretary-treasurer.

(2) A person appointed under this section is hereby vested with all the rights, duties, privileges and powers of a secretary, treasurer or secretary-treasurer of a town.

(3) A board of administrators may provide for the appointment of such other officials as it considers necessary for the efficient operation of the new town.

**12.** (1) As soon as possible after its appointment, a board of administrators shall submit to the Provincial Planning Board for its approval comprehensive plans and proposals for the planning and development of the new town.

(2) The proposals shall be in the nature and form of the proposals that a council of a town may make by means of a general plan under *The Planning Act*.

(3) To assist a board of administrators in the preparation of proposals for the planning and orderly development of a new town and to ensure that its planning and development will be consistent and co-ordinated with the planning of adjacent areas, the Provincial Planning Board may require the proposals be prepared on behalf of the board of administrators by



**10.** Fees and allowances. Present section 7 revised to enable them to be fixed by the board instead of by order in council.

**11.** Employees. Present section 16.

**12.** Planning and orderly development of new towns. Sections 19 and 20.

- (a) a regional planning commission having jurisdiction in the area, or
- (b) professional planning consultants engaged by the board of administrators, or
- (c) the staff of the Provincial Planning Director.

(4) The proposals for the planning and orderly development of a new town may from time to time be added to, amended or rescinded by

- (a) order of the Provincial Planning Board, or
- (b) the board of administrators with the approval of the Provincial Planning Board.

**13.** A board of administrators may, with the consent of the Provincial Planning Board,

- (a) acquire by expropriation or otherwise, and for any municipal purpose, land either within or outside the new town,
- (b) enter into agreements with private land owners or proposed developers of land within the new town, with regard to the subdivision of land, the provision of utilities, streets, sidewalks and other services, the selling price of lots and the method by which lots will be offered for sale,
- (c) prohibit any owner or developer of land from subdividing, selling or developing land until such an agreement as mentioned in clause (b) is entered into, and
- (d) provide, by the construction and operation of trailer camps, camp grounds and like facilities, for the temporary housing and shelter of residents of the new town.

**14.** Except for the immediate and urgent needs of a new town, a board of administrators shall not expend any moneys, undertake any works, make any agreements with land owners or developers or do any other matter or thing until its proposal for the planning and development of the new town has been approved by the Provincial Planning Board.

**15.** Except for the immediate and urgent needs of a new town, the board of administrators of a new town shall not obtain any loans or advances, expend any moneys, pass any money by-law or issue any debenture until the financial program of that year has been approved by an order of the Local Authorities Board.

**13.** Additional powers of a board. Section 18.

**14.** Expenditures subject to approval of development plans.  
Present section 21.

**15.** Approval of financial program. Present section 24.

**16.** Notwithstanding anything in this or any other Act, no vote of the proprietary electors on any by-law for the expenditure of money, the issuance of debentures or for any other matter or thing shall take place or be required except in the case of an election of members of the board of administrators.

**17.** Notwithstanding anything in any other Act, a board of administrators, without petition and without advertising its intention to do so, may undertake any local improvement described in *The Municipal Taxation Act* and may impose therefor a special frontage or special local benefit assessment.

**18.** A board of administrators is responsible

- (a) to the Provincial Planning Board with regard to all matters relating to the planning and development of the new town, and
- (b) to the Local Authorities Board with regard to all matters relating to the financing of the new town's development and operation,

and shall carry out any instructions with regard to these matters that either of those Boards issue from time to time.

**19.** (1) The Lieutenant Governor in Council may, upon the establishment of a new town and from time to time thereafter, pay to the board of administrators of any new town out of the General Revenue Fund and without any further or other appropriation than is provided by this section, such sums as will enable the board of administrators to meet all authorized current and capital expenditures that may be required for development and operation of the new town.

(2) The sums paid under subsection (1) may be

- (a) by grant, or
- (b) by advance or loan, or
- (c) by the purchase of debentures of the new town.

(3) Any sum advanced or loaned by the Government is a debt due by the new town to the Government and shall be repaid by the new town.

(4) The Lieutenant Governor in Council may specify the terms of repayment or retirement of moneys advanced or loaned under this section.

**20.** As soon as possible in each year the board of administrators of a new town shall submit to the Local Authorities Board a financial program for that year which shall include particulars of its estimates of

**16.** Vote of proprietary electors not required. Present section 17.

**17.** Local improvements. New.

**18.** General responsibility of board of administrators. Present section 9.

**19.** Government assistance to meet current and capital expenditures. Present section 13.

**20.** Financial program. Present section 23.

- (a) general revenues and expenditures,
- (b) capital revenues and expenditures,
- (c) utilities revenues and expenditures,
- (d) population growth, and
- (e) the amount of its taxable assessment.

**21.** Except where inconsistent with this Act, a new town shall be deemed to be a town for the purpose of any other Act.

**22.** (1) Upon arrangements being made for the repayment or retirement of all special loans and advances made to a new town by the Government under this Act, the Lieutenant Governor in Council may provide

- (a) for the formation of the new town into a city, town or village, or
- (b) for the dissolution of the new town and the inclusion of the area thereof in some other municipality.

(2) The formation of a new town into a city, town or village shall take place in accordance with the requirements of population or the number of occupied dwellings, as the case may be, as are specified in *The Municipal Government Act*.

(3) Dissolution of a new town shall take place in accordance with the requirements of *The Municipal Government Act*.

**23.** (1) The Lieutenant Governor in Council may make regulations to provide for any matter not provided for or insufficiently provided for in this Act.

(2) The Lieutenant Governor in Council may exclude any Act or provision thereof from application to a new town.

**24.** This Act repeals and replaces *The New Towns Act*, being chapter 39 of the Statutes of Alberta, 1956, and any new town heretofore constituted continues as a new town subject to this Act.

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

**21.** Application of other Acts to new towns. New.

**22.** Change in status of new town. Present section 12.

**23.** Regulations. Present section 27.

**24.** Repeal.