

1976 Bill 28

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Second Session, 18th Legislature, 25 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 28**

THE PLANNING AMENDMENT ACT, 1976

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MR. COOKSON

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First Reading . . . . .

Second Reading . . . . .

Third Reading . . . . .

Bill 28  
Mr. Cookson

## BILL 28

1976

### THE PLANNING AMENDMENT ACT, 1976

(Assented to \_\_\_\_\_, 1976)

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

1. *The Planning Act is hereby amended.*
2. *Section 2 is amended*
  - (a) *as to clause (a1) by striking out the words "Provincial Planning";*
  - (b) *by striking out clause (g) and by substituting the following clause:*
    - (g) "Director" means the Provincial Planning Director and includes a person authorized in writing by the Minister to perform all or any of the duties and exercise all or any of the powers of the Director under this Act;
3. *Section 23 is amended*
  - (a) *by renumbering the section as subsection (1), and*
  - (b) *by adding the following subsection after the renumbered subsection (1):*
    - (2) Where an order or judgment of a court made before or after the commencement of this subsection would, if registered, have the effect of dividing a parcel or transferring or creating an estate or interest in part of a parcel, the Registrar shall not accept the order or judgment unless the order or judgment, or a plan of subdivision covering the parcel in the order or judgment, has been approved in accordance with this Act and The Subdivision and Transfer Regulations.
4. *This Act comes into force on the day upon which it is assented to.*

**1.** This Bill will amend chapter 276 of the Revised Statutes of Alberta.

**2.** Section 2, clauses (a1) and (g) presently read:

2. In this Act,

(a1) "approving authority" means the Provincial Planning Director, a regional planning commission or a municipal planning commission authorized under this Act to approve proposed subdivisions of land;

(g) "Director" means the Provincial Planning Director;

**3.** Section 23 presently reads:

23. Where an instrument

(a) granting a lease of only part of a parcel, or

(b) charging, mortgaging or otherwise encumbering only part of a parcel, or

(c) providing for the sale of part of a parcel, or

(d) representing a survey performed in accordance with section 75 of The Land Titles Act,

has the effect or may have the effect of subdividing the parcel, the Registrar shall not accept the instrument unless it is approved in accordance with this Act and The Subdivision and Transfer Regulations.