

1982 BILL 204

Fourth Session, 19th Legislature, 31 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 204

AGRICULTURAL LAND PROTECTION ACT

MR. COOK

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 204
Mr. Cook

BILL 204

1982

AGRICULTURAL LAND PROTECTION ACT

(Assented to , 1982)

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

Definitions

1 In this Act

- (a) "Commission" means the Agricultural Land Commission established pursuant to section 2;
- (b) "Fund" means the Agricultural Land Preservation Fund established pursuant to section 5; and
- (c) "Minister" means the Minister of Agriculture.

Commission established

2(1) There is hereby established a Commission to be known as the Agricultural Land Commission consisting of a Chairman and 11 members to be appointed pursuant to subsections (2) and (3) after money has been appropriated by the Legislature for the purposes of this Act.

(2) The Chairman of the Commission shall be a person nominated by the Minister.

(3) The members of the Commission shall be

- (a) a member of the Legislative Assembly nominated by the Lieutenant Governor in Council;
- (b) 3 persons nominated by the Minister of Agriculture;
- (c) a person nominated by the Minister of the Environment;
- (d) a person nominated by the Minister of Energy and Natural Resources;

- (e) a person nominated by the Minister of Economic Development;
- (f) a person nominated by the Minister of Transportation;
- (g) a person nominated by the Minister of Municipal Affairs;
- (h) a person nominated by the Minister of Housing and Public Works;
- (i) a person nominated by the Minister of Utilities and Tele-phones; and

(4) A member of the Commission nominated pursuant to subsection (3)(b) to (i) may be a member of the Public Service.

(5) The Chairman and members of the Commission who are not members of the Public Service may be paid such remuneration as is ordered by the Lieutenant Governor in Council and the Chairman and all members of the Commission shall receive such reimbursement of expenses as is ordered by the Lieutenant Governor in Council, to be paid out of money appropriated to that purpose by the Legislature.

(6) The Commission may retain such services of legal counsel, technical experts and administrative and secretarial staff as it deems necessary for its operation, which shall be paid for out of money appropriated to that purpose by the Legislature.

Powers of Commission

3(1) The Commission shall have the powers of a Commissioner appointed under the *Public Inquiries Act*.

(2) The Commission may make by-laws governing its own internal procedures.

(3) The Commission shall elect one of its members to be a Vice-Chairman.

(4) The quorum of the Commission is 5 persons including the Chairman.

Preparation of report on planning

4 The Commission shall prepare a report

(a) recommending a proposed zoning plan for the Province including a survey showing the soil classification of all agricultural land, the extent of developed land and the extent of land zoned for development but not yet developed;

(b) recommending any changes it considers necessary to the *Planning Act* and any regulations issued pursuant to it, to ensure that development in the Province minimizes the use of prime agricultural land, and to fulfill the other purposes of this Act;

(c) reviewing the function of the Local Authorities Board and

making such recommendations as it considers advisable on its future operation for the fulfillment of the purposes of this Act;

(d) making recommendations as to what agricultural land in the Province should be protected from any development which would take it out of agricultural production; and

(e) making any other recommendation it deems advisable to achieve the objects of this Act.

Fund established

5 There is hereby established a Fund to be known as the Agricultural Land Preservation Fund into which from time to time shall be paid such money as is appropriated from the Alberta Heritage Savings Trust Fund or the General Revenue Fund to the Fund by the Legislature.

Consideration of use of Fund

6(1) The Commission shall prepare a report making recommendations for the application of the Fund to assist in the preservation of agricultural land in the Province by the methods described in subsection (2) or by any other method which the Commission considers advisable.

(2) The methods of application of the Fund which the Commission shall study and recommend upon are:

(a) grants to assist in the development of land with a low soil classification and minimize damage to land with a higher soil classification adjacent or nearby to it;

(b) grants to persons developing lower soil classification land for residential, industrial or commercial use, payable in respect of increased costs which can be demonstrated as resulting from the development of the lower soil classification land instead of higher soil classification land which is also available to the person for development;

(c) the purchase by the Province of development rights in agricultural land which is zoned to permit development from an owner of the land who agrees to keep the land in agricultural production but who wishes to have a present benefit from the value of the development potential of the land;

(d) municipal tax subsidies to municipalities which are denied tax revenue from developed land as a result of the operation of this Act; and

(e) agricultural property tax credits payable to owners of land in agricultural production where the land has development potential.

Report to Assembly

7 The Committee shall submit its report pursuant to sections 4 and 6 to the Minister of Agriculture who shall table it in the Legislative Assembly if it is then sitting, and if it is not then sitting, within 15 days of the commencement of the next sitting.

Coming into force **8** This Act comes into force on a date to be fixed by Proclamation.