

1986 BILL 52

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First Session, 21st Legislature, 35 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 52**

**PLANNING AMENDMENT ACT, 1986**

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DR. CASSIN

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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Bill 52  
Dr. Cassin

## BILL 52

1986

### PLANNING AMENDMENT ACT, 1986

(Assented to \_\_\_\_\_, 1986)

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

1 *The Planning Act is amended by this Act.*

2 *Section 72 is amended by adding the following after subsection (2):*

(3) If, before, on or after the date on which this subsection comes into force, a council

(a) has adopted or adopts a statutory plan that describes a use or intended use referred to in subsection (1) with respect to private land, and

(b) after the adoption of the statutory plan, has amended or enacted or amends or enacts the land use by-law of the municipality to permit more intensive development on any adjacent land than was previously permitted on that adjacent land,

the council shall, within 6 months of the date on which the land use by-law was so amended or enacted or within 6 months of the date on which this subsection comes into force, whichever date is later,

(c) acquire the private land or require it to be provided as reserve land pursuant to this Act,

(d) commence proceedings to acquire the private land or to require it to be provided as reserve land and thereafter acquire it within a reasonable time, or

(e) amend the statutory plan and the land use by-law to describe a use or intended use other than a use or intended use described in subsection (1) or any similar use with respect to the private land.

(4) Notwithstanding subsection (3), if the Crown in right of Canada, the Crown in right of Alberta or another local authority within 6 months from the date the land use by-law is amended or enacted as described in that subsection

(a) acquires the private land referred to in subsection (3), or

## Explanatory Notes

1 This Bill will amend chapter P-9 of the Revised Statutes of Alberta 1980.

2 Section 72 presently reads:

*72(1) If land is designated under a land use by-law for use or intended use as a municipal public building, school facility, park or recreation facility and the municipal corporation does not own the land, the council shall*

*(a) within 6 months from the date the land is so designated*

*(i) acquire the land or require it to be provided as reserve land pursuant to this Act, or*

*(ii) amend the land use by-law to designate the land for another use or intended use,*

*or*

*(b) within 6 months from the date the land is so designated commence proceedings to acquire the land or require it to be provided as reserve land and thereafter acquire it within a reasonable time.*

*(2) Notwithstanding subsection (1), if the Crown in right of Canada, the Crown in right of Alberta or another local authority, within 6 months from the date the land referred to in subsection (1) is designated as described in that subsection,*

*(a) acquires the land, or*

*(b) commences proceedings to acquire the land or requires it to be provided as reserve land and thereafter acquires it within a reasonable time,*

*subsection (1) does not apply.*

(b) commences proceedings to acquire the private land or requires it to be provided as reserve land and thereafter acquires it within a reasonable time,

subsection (3) does not apply.

(5) In this section,

(a) “adjacent land” means land that is contiguous in whole or in part to the private land referred to in subsection (3) and includes land or a portion of land that would be contiguous except for a public roadway, river or stream;

(b) “private land” means land that is not owned by the municipality.

*3 This Act comes into force on Proclamation.*

