

1992 BILL 291

Fourth Session, 22nd Legislature, 41 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 291

PLANNING AMENDMENT ACT

MR. GESELL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 291
Mr. Gesell

BILL 291

1992

PLANNING AMENDMENT ACT

(Assented to , 1992)

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 61 is amended

(1) in subsection (3) by striking out "may" and substituting "shall";

(2) by adding the following after subsection (3):

(4) A joint general municipal plan adopted pursuant to subsection (3) shall be reviewed by the municipalities having adopted it every five years.

3 The following is added after section 67

67.1(1) Where a council has adopted a general municipal plan, an area structure plan or an area redevelopment plan which designates land for 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 1 year from the date the plan is adopted,

(i) acquire the land or require it to be provided as

Explanatory Notes

- 1 This Bill will amend Chapter P-9 of the Revised Statutes of Alberta.
- 2 This amendment will require adjoining municipalities to adopt a joint general municipal plan and to review the joint plan every 5 years.

- 3 This amendment will require municipal councils which have designated land for certain public uses in a statutory plan to act with respect to the land so designated within 1 year.

reserve land pursuant to this Act, or

(ii) amend the general municipal plan, area structure plan or area redevelopment plan to designate the land for another use or intended use,

or

(b) within 1 year from the date the plan is approved 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 1 year from the date the plan referred to in subsection (1) is approved,

(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.

4 *The following is added after subsection 102(4)*

(5) A caveat or successive caveats referred to in subsection (3) shall not claim an aggregate amount of land in excess of 10% of the area of the parcel less the land required to be provided as environmental reserve.

5 *This Act comes into force on Proclamation.*

4 This amendment will assure that the required reserve dedication will not be in excess of 10% of the original area subdivided.