

BILL

No. 34 of 1930.

An Act to amend The Town Planning Act, 1929.

(Assented to _____, 1930).

HIS 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 Town Planning Act, 1929, Amendment Act, 1930.*"

2. *The Town Planning Act, 1929*, being chapter 49 of the Statutes of Alberta, 1929, is amended as to section 2 thereof by striking out paragraph (i) and substituting therefor the following:

"(i) 'Subdivision' shall mean any area of land which has been divided into two or more parcels, whether by plan, or by metes and bounds, description or otherwise, and shall include subdivisions."

3. Section 17 of the said Act is amended by adding thereto as subsection (6) thereof, the following:

"(6) Two-thirds of the commission shall form a quorum for the transaction of business."

4. Section 33 of the said Act is amended by adding after the words "or deeper yards," where they first occur, the words "or more restricted uses."

5. Section 36 of the said Act is amended as to subsection (2) thereof, by striking out the words "If a town planning commission has been appointed, the appeal shall be in the first instance to that commission, and there shall be an appeal from the commission to the board," and substituting therefor the words "If a town planning commission has been appointed, the appeal shall be in the first instance to that commission, or to the members thereof to whom the duty of hearing appeals may be delegated by the commission, and by leave of the board there shall be an appeal from the commission to the board."

6.—(1) Section 43 of the said Act is amended by striking out subsections (1) and (2) thereof, and substituting therefor the following:

"43.—(1) No sale, lease or mortgage or charge, and no agreement to sell, lease, mortgage or charge, and no

other document or act which would, but for this section, effect the voluntary transfer of an interest in any small parcel of land, as hereinafter defined, which was not a separate parcel immediately prior to the execution of the document or completion of the act, shall be effectual to pass any interest either at law or in equity in such parcel until the same has been approved by the board.

“(2) The approval may be given at any time, either before or after the execution of the document or completion of the act, and by such person or persons in such manner and upon such conditions as may be from time to time prescribed by regulation of the board.

“(2a) ‘Small parcel’ in this section shall mean—

“(a) a parcel of land which contains less than one acre; and also

“(b) with respect to land within the boundaries of any city, town or village, or situated within two miles of the same, a parcel of land containing less than eleven acres.

“(2b) ‘Separate parcel’ in this section shall mean—

“(a) a parcel which is the subject matter of a separate certificate of title; and also

“(b) a parcel which is a lot in a plan of subdivision duly registered in the proper Land Titles Office; and also

“(c) a parcel, which is not within paragraphs (a) and (b), but which is at the date of the execution of the document or completion of the act a parcel distinct from the adjacent parcels by reason of separate ownership or occupation, and was such a parcel immediately prior to the passing of this Act.

“(2c) The registrar shall not make any registration (by way of caveat or otherwise) of or founded upon any document or act, of the nature specified in subsection (1), without the approval of the board, but should any such registration be effected, it shall be good and effectual for all purposes.

“(2d) The previous subsections shall not apply to a lease or agreement to lease for a period of three years or less.”

(2) This section shall have effect as from the twentieth day of March, one thousand, nine hundred and twenty-nine.

7. Section 65a is added to the said Act as follows:

“**65a.** The board may fix a quorum for its meetings, and may delegate such of its duties as may seem to it proper, to any person or persons.”

8. Section 65b is added to the said Act as follows:

“**65b.** The board may make regulations calculated to effect the objects of this Act.”

FOURTH SESSION
SIXTH LEGISLATURE
20 GEORGE V
1930

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An Act to amend The Town Planning
Act, 1929.

Received and read the

First time

Second time.....

Third time.....

HON. MR. REID

EDMONTON:
W. D. McLEAN, KING'S PRINTER
A.D. 1930