



Province of Alberta

## GOVERNMENT ORGANIZATION ACT

# **EDMONTON RESTRICTED DEVELOPMENT AREA REGULATIONS**

### **Alberta Regulation 287/1974**

With amendments up to and including Alberta Regulation 48/2018

#### Office Consolidation

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(Consolidated up to 48/2018)

**ALBERTA REGULATION 287/74**

**Government Organization Act**

**EDMONTON RESTRICTED DEVELOPMENT  
AREA REGULATIONS**

**1** These Regulations may be cited as the “*Edmonton Restricted Development Area Regulations*”.

AR 287/74 s1

**2** In these Regulations,

- (a) “Area” means the Edmonton Restricted Development Area;
- (b) “government agency” means
  - (i) a corporation that is an agent of the Crown in right in Alberta, or
  - (ii) any corporation, commission, board or other body empowered to exercise quasi-judicial or governmental functions and whose members are appointed by an Act of the Legislature, the Lieutenant Governor in Council, or a Minister of the Crown, or any combination thereof;
- (c) “Minister” means the Minister of Infrastructure;
- (d) “surface disturbance” means
  - (i) the disturbance, exposure, covering or erosion of the surface of land in any manner, or
  - (ii) the degradation or deterioration in any manner of the physical surface of land.

AR 287/74 s2;206/2001;105/2005;68/2008

**3** The lands described in the Schedule attached to these Regulations are hereby established as a Restricted Development Area called the “Edmonton Restricted Development Area”.

AR 287/74 s3

**4(1)** No Minister of the Crown or government official shall, without the written consent of the Minister of Infrastructure, grant or cause to be granted any estate or interest in lands of the Crown in the Area pursuant to the *Mines and Minerals Act*, the *Public Lands Act* or any other Act.

**(2)** No Minister of the Crown, government official or government agency shall, without the written consent of the Minister of Infrastructure, exercise any power under the *Municipal Government Act*, the *Pipe Line Act*, the *Water Resources Act* or any other Act to order, authorize, approve, permit or consent to any operation or activity that causes, is likely to cause or will cause a surface disturbance of any land in the Area, or issue or cause to be issued any order, authorization, approval, permit, licence or consent instrument for that purpose.

**(3)** No Minister of the Crown, government official or government agency shall, without the written consent of the Minister, exercise any power under the Planning Act to authorize, approve or consent to any townsite plan, subdivision plan or other plan of survey, or any agreement, transfer or other instrument affecting any land within the Area.

AR 287/74 s4;206/2001;105/2005;68/2008

**5(1)** In this section

- (a) “commercial purposes” means the use of land for retail and wholesale business purposes, offices and warehouses but does not include industrial uses involving the manufacture or assembly of finished products or the processing of raw materials, nor highway commercial use;
- (b) “geophysical operations” means any work or acts done in connection with or incidental to the investigation of the subsurface by
  - (i) seismic operations, or
  - (ii) gravimetric operations, or
  - (iii) magnetic operations, or
  - (iv) electrical operations, or
  - (v) geochemical operations, or
  - (vi) test drilling, or
  - (vii) any other operations or method employed to determine geologic or other conditions underlying the surface of land,

but does not include a geological survey unless holes are drilled or to be drilled to a depth in excess of 20 feet;

- (c) “industrial purposes” means a use entailing the manufacture of goods, the processing of materials or the storage or stockpiling of equipment, machinery or materials in bulk;
- (d) “residential purposes” means the use of land for dwelling sites and ancillary uses.

(2) No person shall, without the written consent of the Minister, commence, continue or recommence any operation or activity that causes, will cause or is likely to cause any surface disturbance of land in the Area or to construct or erect any buildings on any land in the Area, and without limiting the generality of the foregoing, no person shall commence, continue or recommence any operation or activity that is of a kind falling within the following descriptions, namely

- (a) the drilling, operation or abandonment of a well;
- (b) the construction, operation or abandonment of a pipe line, battery, transmission line or telecommunication line;
- (c) the opening up, operation or abandonment of a mine or quarry;
- (d) the opening up, operation or abandonment of a pit or of a waste disposal site or land fill site;
- (e) geophysical operations that result or will result in surface disturbance;
- (f) the construction, operation or abandonment of a mineral processing plant, road, railway or aircraft landing strip;
- (g) the construction, operation or abandonment of any structure (including a micro-wave tower) forming part of a broadcasting undertaking as defined in the *Broadcasting Act* (Canada);
- (h) the construction, operation or abandonment of a site for subsurface disposal of solid or liquid waste;
- (i) the conduct of examination and surveys on land made in connection with water or conduct of exploration in respect of surface and subsurface water;
- (j) the construction of any works for the impoundment, conveying or diversion of water;

- (k) the preparation of land to be used for the purpose of residential, commercial or industrial sites or for recreational development;
- (l) the excavation and removal of top soil or peat for the purposes of sale;
- (m) the excavation and removal of archaeological findings;
- (n) any alteration of or extension of any operation or activity referred to in clauses (a) to (m).

**(3)** The Minister's written consent is hereby deemed to be granted to the continuation of the use of any lands within the Area, existing at the commencement of these Regulations, for agricultural purposes, residential purposes, commercial purposes or industrial purposes.

**(4)** No person shall, after the commencement of these Regulations, without the written consent of the Minister, make any major change, alteration or extension in the use of any lands within the Area to which subsection (3) applies.

AR 287/74 s5

**6(1)** The Minister may give his written consent pursuant to section 4 or 5 for only those uses of the land surface which

- (a) are compatible with the protection of parts of the Area as a watershed, the retention of the environment of parts of the Area in a natural state or a state suitable for recreation or the propagation of plant or animal life and, generally, the preservation of the environment of that Area, and
- (b) do not have a detrimental or destructive effect on the land surface within the Area.

**(1.1)** The Minister may, notwithstanding subsection (1), give his written consent pursuant to section 4 or 5 to the development and use of land for the purpose of

- (a) confining to land within the Area
  - (i) any operation, activity, use, development or occupation of land
    - (A) that adversely affects or is likely to adversely affect the quality or quantity of any natural resource, or
    - (B) that destroys, disturbs, pollutes, alters or makes use of a natural resource or is likely to do so,

or

- (ii) any emission, discharge, noise or other environmental pollutant, or the source thereof, whether from any commercial, industrial or other operation, activity, use development or occupation of land,

or

- (b) separating

- (i) any operation, activity, use, development or occupation of land
  - (A) that adversely affects or is likely to adversely affect the quality or quantity of any natural resources, or
  - (B) that destroys, disturbs, pollutes, alters or makes use of a natural resource, or is likely to do so,

or

- (ii) any emission, discharge, noise or other environmental pollutant, or the source thereof, whether from any commercial, industrial or other operation, activity, use, development or occupation of lands

from any operation, activity, use, development or occupation of adjacent land.

**(2)** The Minister's consent may be unconditional or may be subject to such conditions as in the Minister's opinion will minimize or alleviate any adverse effect on land in the Area and may require the person proposing to conduct or conducting any operation or activity on the land to file with the Minister for approval a development and reclamation plan containing such reports, plans, maps, sketches or other information as the Minister may prescribe.

AR 287/74 s6;216/80

#### **7(1)** The Minister

- (a) may acquire by purchase or expropriation any estate or interest in any land within the Area;
- (b) may order the removal of any buildings, improvements, materials or animals from the Area and authorize the payment of compensation by the Crown to any person for any loss resulting therefrom to that person.

**(2)** Subject to subsection (3), the administration of land acquired under this section is hereby transferred to the Associate Minister of Public Lands and Wildlife.

**(3)** The administration of those portions of land acquired under this section that consist of

- (a) any area of land on which a building is situated and any area of land that is appurtenant to and necessary or convenient for the use and enjoyment of that building, and
- (b) any area of land over which the Minister, for any other reason, deems it advisable that he have the power of administration

is hereby reserved to the Minister.

AR 287/74 s7;54/82

**8** All of the provisions of the *Surface Rights Act* are inapplicable to lands of the Crown within the Area.

AR 287/74 s8

**9** All provisions of the *Expropriation Act* are inapplicable to land of the Crown within the Area.

AR 287/74 s9

**10** A person who contravenes these Regulations is guilty of an offence.

AR 287/74 s10

**11** Any person who is guilty of an offence under these Regulations is liable on summary conviction

- (a) for a first offence, to a fine of not less than \$1,000 and not more than \$10,000 and in default of payment to imprisonment for a term of not more than 120 days, and
- (b) for a second or subsequent offence,
  - (i) in the case of a natural person, to imprisonment for a term of not less than one month and not more than six months, or
  - (ii) in the case of a corporation, to a fine of not less than \$10,000 and not more than \$50,000.

AR 287/74 s11



**Schedule****to****Edmonton****Restricted Development Area Regulations**

All those parcels of land described as:

**1** IN TOWNSHIP 53, RANGE 25, WEST OF THE FOURTH  
MERIDIAN

SECTION 5: Plans 882 0595 and 892 0486, showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area south and west of Plan 882 0595 within the southwest quarter of section 5.

SECTION 7: Plan 892 0486, showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor.

SECTIONS 8 & 18: Plan 892 0486 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area west of Plan 892 0486, north of Plan 6267 R. and east of Plan 782 0811 within the northwest quarter of section 8.

SECTION 17: Plan 892 0486 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor and Area B of Plan 122 0209, EXCEPTING THEREOUT Plan 122 2396.

SECTION 20: Plan 882 2941 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; Lot A of Plan 762 0483; All that area north of Plan 882 2941 within the southwest quarter of section 20; Area A of Plan 022 1630; Area A of Plan 122 0209; EXCEPTING THEREOUT Plan 4291 R.S. within the southwest quarter of section 20; Area B of Plan 022 1630; all that area of Plan 072 9520 lying west of Plan 122 0209.

SECTION 21: Plan 882 2941 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area

northwest of Plan 882 2941 within the northwest quarter of section 21; EXCEPTING THEREOUT Plan 982 2241 within the west half of section 21; Plan 012 6184; All that area south of Plan 992 5031.

SECTION 27: Plan 882 1697 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area south and east of Plan 882 1697 within Block 6 of Plan 179 H.W.; All that area within the northeast quarter of section 27, south of Plan 882 1697 and northeast and northwest of Road Plan 822 3194;

EXCEPTING THEREOUT Plans 022 4775 and 162 1078.

SECTION 28: Plan 882 1697 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor and Plan 022 0636; EXCEPTING THEREOUT Plan 022 4775.

SECTION 34: (1) Plans 882 1697 and 074 0090 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor within the south half of section 34; EXCEPTING THEREOUT Plans 122 4335 and 162 1078.

SECTION 35: Plans 882 1697 and 882 2071 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; Plans 772 1070 and 772 1071 within the northwest quarter of section 35; EXCEPTING THEREOUT Plans 012 6293, 122 4335, 132 0797, 132 4993 and 162 1078.

EXCEPTING THEREOUT All that portion of the original government road allowance (142 Street), within Plan 882 2071 and lying south of the original government road allowance (167 Avenue); All that portion of the original government road allowance (156 Street) lying within Plan 162 1078.

SECTION 36: Plan 882 2071, showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor EXCEPTING THEREOUT Plans 012 6292 and 022 0132.

**2** IN TOWNSHIP 54, RANGE 25, WEST OF THE FOURTH  
MERIDIAN

SECTION 1: (1) Plans 882 2071 and Area B1 of Plan 022 1071 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor within the south half of section 1 and Plan 022 0503.

(2) Plans 882 1652 and Area B2 of Plan 022 1071 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor within the north half of section 1; EXCEPTING THEREOUT Areas A1, A2 and A3 of Plan 022 1071.

SECTION 2: Plans 882 2071 and 022 0942 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor.

Reserving thereout of all of the land herein described, all mines and minerals.

**3** IN TOWNSHIP 54, RANGE 24, WEST OF THE FOURTH  
MERIDIAN

SECTIONS 1 & 12: Plans 882 2632, 022 0945 and 022 3334 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; EXCEPTING THEREOUT Plan 022 3335; All that area southwest of Plan 022 0945 within the west half of section 1.

SECTIONS 6 & 7: Plans 882 1652, 022 0614 and Areas B5, B6 and B7 of Plan 022 1071 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area north and east of Plan 882 1652 within the southeast quarter of section 7.

SECTIONS 8 & 9: Plans 882 1651 and 022 0615 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area north and west of Plan 882 1651 within the south half of section 8; All that area north and east of Plan 882 1651, and all that area west of Lot 4 of Plan 4415 M.C. within the south half of section 9.

All that area within the north-south road allowance adjoining the southwest quarter of

section 8, north of the north boundary of Plan 882 1651.

SECTIONS 2, 10 & 11: Plans 882 1928 and 022 1202 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor.

**4** IN TOWNSHIP 54, RANGE 23, WEST OF THE FOURTH MERIDIAN

SECTION 6: Plans 882 2632, 892 0561 and 022 3334 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area southwest of Plan 882 2632, east of the west limit of Plan 1654 H.W. and north of Plan 4838 P.X. within the southwest quarter of section 6; EXCEPTING THEREOUT Plans 022 3336 and 942 3018.

**5** IN TOWNSHIP 53, RANGE 23, WEST OF THE FOURTH MERIDIAN

SECTION 8: Repealed AR 216/80 s3.

SECTIONS 16 & 17: Plans 892 0981, 022 3214 and Areas A and B of Plan 022 4646 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area east of Plan 892 0981, north of Plan 2743 H.W. and south of Plan 022 3214 within the northwest quarter of section 16; EXCEPTING THEREOUT Area C of Plan 022 4646.

SECTIONS 20 & 21: Plans 892 0981, 892 0369 and 022 3214 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; Lot B of Plan 992 1889; EXCEPTING THEREOUT Plan 822 2434.

SECTION 29: Plans 892 0369 and 892 0561, showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor.

SECTIONS 31 & 32: Plan 892 0561 and Area D of Plan 022 1099 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; Lot 3 of Plan 8188 E.T.; All that area of the northeast quarter of section 31, northeast of Plan 892 0561 and southeast of Plan 5815 R.S.; EXCEPTING THEREOUT Areas A and B of Plan 022 1099 and Plan 092 9343.

NORTH SASKATCHEWAN RIVER The bed and shore of the North Saskatchewan River within section 29 as described on Plan 892 0561 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor.

**6** IN TOWNSHIP 52, RANGE 25, WEST OF THE FOURTH MERIDIAN

SECTIONS 3, 4 & 9: Plan 882 2315 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; Plan 022 0486; All that area of the northerly two hundred and ninety-seven (297) feet throughout within the southwest quarter of section 4; Plan 032 2115; Plan 102 4210; EXCEPTING THEREOUT Plan 002 4559, Area B of Plan 002 4731, Areas C, D, E and F of Plan 032 2116 and Plan 112 3023.

SECTION 5: Plan 882 0604 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor.

SECTIONS 8 & 17: Plan 882 0604 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area southeast of Plan 882 0604 and west of Lot B of Plan 802 2074; All that area south and east of Plan 882 0604 and north of Lot B of Plan 802 2074; EXCEPTING THEREOUT All that area of Plan 882 2480 north and east of Plan 882 0604; All that area of Plan 882 2480 west of Plan 882 0604.

SECTIONS 19, 20 & 29: Plan 882 0577 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area west of Plan 882 0577 within the southwest quarter of section 29; All that area southwest of Plan 882 0577 within the northwest quarter of section 29; EXCEPTING THEREOUT Lots X, Y and Z of Plan 892 1356 within the west half of section 20.

SECTION 30: Lot 2, Block 60, Plan 062 0745; All that area of Plan 882 2479 within the southeast quarter of section 30; All that area of the original government road allowance (199 Street) lying between Plan 882 2479 and Plan 062 0745.

SECTION 31: Plan 102 3661 showing survey of a right-of-way for a Transportation/Utility Corridor.

SECTION 32: Plan 882 0595 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor.

NORTH SASKATCHEWAN RIVER The bed and shore of the North Saskatchewan River within sections 3 and 4 as described on Plan 882 2315 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor.

Reserving thereout of all the lands herein described, all mines and minerals.

**7** IN TOWNSHIP 52, RANGE 23, WEST OF THE FOURTH MERIDIAN

SECTION 5: Plan 892 0406, showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; Lot 2 of Plan 012 1042; All that area south of Lot 2 of Plan 012 1042 between C.N.R. Plan 309 E.O. and Plan 892 0406.

SECTION 8: Plan 082 7221 showing survey of a Transportation Utility Corridor Right of Way.

Reserving thereout of all of the lands herein described, all mines and minerals.

**8** IN TOWNSHIP 51, RANGE 23, WEST OF THE FOURTH MERIDIAN

SECTIONS 29, 30 & 31: Plan 892 0346 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; Plan 042 3867.

SECTION 32: Plans 892 0346 and 892 0406 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; Lot 2 of Plan 812 0416; All that area northwest of Plan 892 0406 within the southeast quarter of section 32; All that area northwest of Plan 892 0346 within the southwest quarter of section 32; EXCEPTING THEREOUT Plan 152 0036.

**9** IN TOWNSHIP 51, RANGE 24, WEST OF THE FOURTH MERIDIAN

SECTIONS 25 & 26: Plan 882 0616 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor.

- SECTIONS 27 & 28: Plan 882 2388 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; Area 1 of Plan 012 2043; Lot 1 of Plan 932 2712; EXCEPTING THEREOUT Lot 2 of Plan 932 2712.
- SECTIONS 29 & 30: Plan 882 2409 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area within LSDs 14, 15 and 16 of section 29; All that area north of Plan 882 2409, including Blocks A and B of Plan 5306 K.S.; Area C of Plan 022 0252; All that area within the original government road allowance (111 Street) lying south of Plan 882 2409 and north of the projection easterly of the north limit of MacEwan Road as shown on Plan 022 6042; EXCEPTING THEREOUT Plans 4637 E.O., 1136 H.W., 932 1472, 942 1206, Areas B, D and E of Plan 942 3984, Plan 002 4386; Areas A and B of Plan 022 0252; Plan 022 6042; Plan 992 2396; All that portion of Road Plan 2312 E.T. lying north and northeast of Plan 992 2396 and Plan 172 1904.
- SECTION 33: Area A of Plan 012 2310 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that portion of Road Plan 1343 R.S. lying south of the south boundary of Area B, Plan 012 2310.
- 10** IN TOWNSHIP 51, RANGE 25, WEST OF THE FOURTH MERIDIAN
- SECTIONS 25 & 26: Plan 882 2894 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area of Block 3 of Plan 822 0275 northwest of Plan 882 2894 within the northeast quarter of section 25; Plans 052 5764 and 052 5117; EXCEPTING THEREOUT Plans 942 1206, 002 0909, 022 6075, 072 1202, 072 2548, 112 1554, 152 1453 and 172 1904.
- SECTIONS 27 & 34: Plan 882 2850 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; Plan 002 0924; Area B of Plan 032 1131; EXCEPTING THEREOUT Area A of Plan 032 1131.

Reserving thereout of all of the lands herein described, all mines and minerals.

AR 287/74 Sched.;301/74;158/75;262/76;202/77;327/77;90/79;216/80;329/80;  
91/81;223/81;228/81;334/81;332/83;104/88;44/89;52/90;145/91;306/93;210/94;  
8/96;105/98;133/98;165/2000;21/2001;199/2001;91/2002;290/2002;55/2003;  
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