

# *The Meewasin Valley Authority Act*

*being*

Chapter M-11.1 of the *Statutes of Saskatchewan, 1979* (effective September 4, 1979) as amended by the *Statutes of Saskatchewan, 1979-80, c.M-32.01, c.4 and 96; 1980-81, c.69; 1982-83, c.16; 1983, c.11, 29 and 32; 1983-84, c.6 and 63; 1986, c.35; 1989-90, c.5, c.44 and c.54; 1990-91, c.P-15.01 and c.8; 1991, c.13; 1992, c.A-24.1 and c.8; 1993, c.42; 1994, c.6; 1995, c.13; 1996, c.E-9.3 and c.50; 1997, c.41; 1998, c.S-35.2, c.4 and c.40; 2000, c.L-5.1; 2002, c.C-11.1, M-11.12 and S-35.02; 2004, c.W-17.2 and c.10; 2005 c.L-11.2, M-36.1 and S-35.03; 2006, c.24; 2007, c.P-13.2 and c.6; 2010, c.E-10.22; 2012, c.C-16.001; 2013, c.W-17.11 and c.32; and 2015, c.F-15.11.*

## **NOTE:**

This consolidation is not official and is subject to House amendments and Law Clerk and Parliamentary Counsel changes to Separate Chapters that may be incorporated up until the publication of the annual bound volume. Amendments have been incorporated for convenience of reference and the official Statutes and Regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the official Statutes and Regulations, errors that may have appeared are reproduced in this consolidation.



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## CHAPTER M-11.1

### An Act respecting the Establishment of the Meewasin Valley Authority

#### SHORT TITLE

##### Short title

- 1 This Act may be cited as *The Meewasin Valley Authority Act*.

#### INTERPRETATION

##### Interpretation

- 2 In this Act:

- (a) **“appeal board”** means the Meewasin Valley Appeal Board established by section 29.1;
- (a.1) **“authority”** means the Meewasin Valley Authority constituted by section 4;
- (b) **“authority land”** means land within Meewasin Valley owned by or leased to the authority;
- (c) **“boat”** includes any vessel used or designed to be used in navigation;
- (d) **“bylaw”** means a bylaw of the authority;
- (e) **“city”** means The City of Saskatoon;
- (f) **“city land”** means land within Meewasin Valley owned by or leased to the city;
- (g) **“conservation zone”** means the lands described in Schedule A;
  - (g.1) **“development plan”** means a development plan and any amendments to that plan that are adopted by the authority in accordance with sections 11.1 to 11.3 and includes the development plan that is continued pursuant to section 11.5 until that development plan is repealed and replaced by a subsequent development plan;
  - (g.2) **“Development Review Committee”** means the Development Review Committee appointed pursuant to section 14;
- (h) **“fiscal year”** means the period commencing on April 1 in one year and ending on March 31 in the next year, both dates inclusive;
- (i) **“government”** or **“Government of Saskatchewan”** means the Crown in right of Saskatchewan, every corporation and agency thereof and the Lieutenant Governor in Council;
- (j) **“Government of Canada”** means the Crown in right of Canada, every corporation and agency thereof and the Governor General in Council;
- (k) **“government land”** means land within Meewasin Valley owned by or leased to the government;

(l) **“improvement”** means a building, structure or service facility constructed, or landscape construction, within Meewasin Valley, or any alteration thereof or addition thereto but does not include the ordinary care, maintenance or repair of a building, structure or service facility or of landscape construction;

(m) **Repealed.** 2000, c.L-5.1, s.325.

(n) **“landscape construction”** means any clearing, breaking, grading, fertilizing or cultivation of any area or the construction of an outdoor ground surface for games or athletics or the establishment thereon of trees, shrubs, flowers, grass or other forms of vegetative growth or outdoor furniture, including seating of a type suitable for a garden or park but not for an audience or assembly of spectators, or any functional or aesthetic features contributing to the general landscape design of the area, and includes the provision of any machines, equipment and tools that, in the opinion of the authority, are necessary;

(o) **“landscape maintenance”** means the sustaining of landscape construction and includes the provision of any machines, equipment and tools that, in the opinion of the authority, are necessary;

(p) **Repealed.** 1980-81, c.69, s.3.

(q) **“Meewasin Valley”** means:

(i) the areas described in Schedules A and B, subject to any alterations made to those schedules pursuant to section 13;

(ii) the lands in and under the waters of the South Saskatchewan River bounded:

(A) on the north by the projection eastward of the north boundary of Section 10, in Township 40, in Range 3, west of the Third Meridian; and

(B) on the south by the projection eastward of the south boundary of that portion of Section 4 in Township 35, in Range 6, West of the Third Meridian, lying west of the river; and

(iii) the shores of the South Saskatchewan River adjacent to the lands described in subclause (ii);

and, for the purposes of section 12, includes the verge;

(r) **“member”** means a member of the authority appointed pursuant to section 5;

(s) **“participating party”** means the government, the city or the university;

(t) **“person”** does not include a participating party or the authority;

(u) **“private land”** means land within Meewasin Valley owned by a person;

(v) **“property”** means real or personal property or any interest therein;

(w) **“public land”** means land within Meewasin Valley owned by or leased to the authority or owned by or leased to one or more participating parties, and includes the verge;

(w.1) **“river channel”** means the bed in which the streams of the South Saskatchewan River flow and includes all land under that river from one shoreline to the other shoreline;

(x) **Repealed.** 1980-81, c.69, s.3.

(y) **Repealed.** 1980-81, c.69, s.3.

(z) **“service facility”** means anything by means of which water, light, power or gas is supplied, any sewer or sewage system or any other facility that, in the opinion of the authority, is necessary for the purpose of Meewasin Valley, and includes a road, curb, bridge, sidewalk or parking lot, outdoor seating of a type suitable for an audience or assembly of spectators and a building that is:

(i) a headquarters building for the authority;

(ii) a public bathroom, toilet, shower, changing room, restroom, shelter, tool or equipment locker, pumphouse or machine-house;

(iii) in the opinion of the authority, incidental to a park or used in connection with the operation of a park; or

(iv) used for any combination of the purposes mentioned in subclauses (i) to (iii);

(aa) **“service maintenance”** means the maintenance of any service facility and includes snow removal, garbage disposal and the provision of any machines, equipment and tools that, in the opinion of the authority, are necessary;

(aa.1) **“shoreline”** means the line dividing the bank and the bed of the South Saskatchewan River where:

(i) the vegetation ceases; or

(ii) the character of the vegetation and soil changes;

(bb) **“special resolution”** means a resolution of the authority passed with the approval of at least:

(i) two members appointed under clause 5(1)(a);

(ii) two members appointed under clause 5(1)(b);

(iii) two members appointed under clause 5(1)(c); and

(iv) any one other member;

(cc) **“university”** means The University of Saskatchewan;

(dd) **“university land”** means land within Meewasin Valley owned by or leased to the university;

(ee) **“verge”** includes all lands lying between the boundary of Meewasin Valley where it abuts upon a street, road or lane and the nearest part of the street, road or lane that is intended for the use of vehicles.

1979, c.M-11.1, s.2; 1979-80, c.4, s.3; 1980-81, c.69, s.3; 1988-89, c.14, s.3; 2000, c.L-5.1, s.325; 2006, c.24, s.3.

## APPLICATION OF ACT

**Application of Act**

3(1) Subject to subsection (3), this Act does not apply:

(a) to any public land that, at the time of the coming into force of this Act, is occupied or used by the Government of Canada, by the Saskatchewan Power Corporation or by any other person pursuant to any lease, licence or permit to do so granted by any person or participating party having the right to grant such occupation or use;

(b) to any public land mentioned in clause (a) that is occupied or used as described in that clause pursuant to a renewal of a lease, licence or permit to do so approved by the authority;

(c) to any university land that is occupied by Innovation Place;

(d) to Parcel X, Plan 101833848, Extension 5, in Township 36, in Range 5, west of the Third Meridian.

(2) **Repealed.** 2006, c.24, s.4.

(3) Without limiting the generality of section 69, where the Government of Canada or of Saskatchewan or any other person who is occupying or using public land mentioned in subsection (1) enters into an agreement with the participating party that owns the land and the authority to provide for the application of this Act or any provision of this Act to that land, this Act applies in respect of that land in accordance with the agreement.

(4) Subject to subsection (3), nothing in this Act or the bylaws shall be construed to infringe, restrict or enlarge upon the rights and obligations of a participating party or person under any lease, licence or permit mentioned in subsection (1).

(5) Subject to subsection (1), for the purposes of this Act:

(a) every public reserve in Meewasin Valley situated within the city is deemed to be city land; and

(b) **Repealed.** 1980-81, c.69, s.4.

1979, c.M-11.1, s.3; 1980-81, c.69, s.4; 2006, c.24, s.4.

## MEEWASIN VALLEY AUTHORITY

**Authority constituted**

4(1) There is hereby constituted a body corporate to be known as the Meewasin Valley Authority.

(2) The authority has perpetual succession and a common seal of any design that the authority may determine.

1979, c.M-11.1, s.4.



**Membership of authority**

5(1) The authority shall consist of:

- (a) four members appointed by the Lieutenant Governor in Council;
  - (b) four members appointed pursuant to a resolution of the council of the city; and
  - (c) four members appointed pursuant to a resolution of The Board of Governors of The University of Saskatchewan.
- (2) A member may be appointed or reappointed for any term expressed in his appointment or reappointment but, in the absence of an expressed term, the appointment or reappointment, unless sooner terminated by the death or written resignation of the member or by any other cause, as determined by a judge or a court of competent jurisdiction, continues until terminated by the participating party that made the appointment or reappointment.
- (3) Notwithstanding subsection (2), an appointment may be terminated at any time by the participating party that made the appointment or by the written and signed resignation of the member appointed, and, where a member resigns, his resignation takes effect on the day it is received by the chairperson or secretary of the authority, unless a later time is specified for the purpose in the written resignation, in which case the resignation takes effect at the time so specified.
- (4) Where a vacancy occurs in a participating party's representation on the authority, the participating party may appoint another person to fill the vacancy.
- (5) A vacancy in the membership of the authority does not impair the power of the authority to act.
- (6) The members shall name a chairperson and a vice-chairperson from among their number, and shall appoint a secretary and a treasurer who may but need not be members.
- (7) Where the chairperson is absent or unable to act or where the office of the chairperson is vacant, the vice-chairperson has and may exercise all the powers and functions of the chairperson.
- (8) Any remuneration payable to a member shall be paid by the authority.
- (9) Notwithstanding anything in *The Legislative Assembly and Executive Council Act, 2007*, where a member of the Legislative Assembly is appointed as a member of the authority, he is not, by reason only of the appointment or of any payment made to him under subsection (8), required to vacate his seat and is not disqualified from sitting or voting in the Legislative Assembly.
- (10) Notwithstanding *The Cities Act* or *The Municipalities Act*, if a member of the council of a municipality other than a northern municipality is appointed as a member of the authority, that person is not, by reason of the appointment or of any payment made to him or her pursuant to subsection (8), disqualified from being a member of or voting in the council of the municipality.

1979, c.M-11.1, s.5; 1980-81, c.69, s.5; 1988-89, c.14, s.4; 1998, c.4, s.3; 2002, c.C-11.1, s.392; 2005, c.L-11.1, s.97; 2005 c.M-36.1, s.438; 2007, c.6, s.2.

**Disclosure of land holdings**

5.1(1) In this section:

(a) **“controlling interest”**, with respect to a corporation, means:

- (i) beneficial ownership, whether direct or indirect, of; or
- (ii) the exercise of control or direction over;

shares of the corporation that carry more than twenty-five per cent of the voting rights attached to all of the issued shares of the corporation;

(b) **“director or other officer”**, with respect to a corporation, is deemed not to include a director or other officer of a co-operative association;

(c) **“land”** includes:

- (i) lands, tenements and hereditaments and any estate or interest therein, or right or easement affecting the same;
- (ii) buildings, or parts of buildings, structures or fixtures, erected or placed upon, in, over or under or affixed to land, but does not include machinery permanently affixed to buildings or imbedded in foundations, or such foundations; and
- (iii) structures and fixtures erected or placed upon, in, over or under or affixed to any highway, lane or public place or water, but does not include the rolling stock of a railway;

(d) **“own”**, in relation to land, includes:

- (i) owning in a representative capacity, such as executor, administrator or trustee;
- (ii) holding an option to purchase; and
- (iii) purchasing by way of agreement for sale.

(2) Every member or officer of the authority and every member of a committee appointed pursuant to section 14 or 15 shall, before entering upon the duties of his office or within thirty days after the coming into force of this section, whichever is later, furnish the chief executive officer of the authority with a declaration in the form prescribed in schedule C setting out the lands within Meewasin Valley owned by him, his spouse or any corporation of which he or his spouse is a director or other officer or in which he or his spouse has a controlling interest.

(3) Every person required to make a declaration pursuant to subsection (2) shall, within thirty days of any disposition or acquisition of lands described in that subsection, notify the chief executive officer of the authority of the disposition or acquisition.

(4) The chief executive officer of the authority shall maintain a register containing:

- (a) the information furnished to him pursuant to subsections (2) and (3); and
- (b) the name of the person to whom the information relates;

and he shall submit the register to the authority in the form of a report.

(5) Every person who contravenes subsection (2) or (3) is guilty of an offence and liable on summary conviction to a fine of not more than \$50 and to a further fine of not more than \$25 for each day or part of a day during which the offence continues.

(6) Where a member is convicted of an offence against subsection (2) or (3), his appointment as a member is terminated, notwithstanding subsection 5(3), and he is not eligible to be appointed as a member for a period of three years after the date of his conviction.

1979-80, c.4, s.4; 2006, c.24, s.5.

#### **Quorum**

**6(1)** Subject to any provision of this Act that requires a special resolution, the authority may determine the number of its members that constitutes a quorum.

(2) Until the authority makes a determination pursuant to subsection (1), six members constitute a quorum.

1979, c.M-11.1, s.6.

#### **Head office**

**7** The head office of the authority shall be at the city or at any other place within Meewasin Valley that the authority may determine.

1979, c.M-11.1, s.7.

#### **Meetings**

**8** The members shall meet at least four times in each year and at any other times that they may consider necessary.

1979, c.M-11.1, s.8.

#### **Employees of authority**

**9(1)** The authority may employ any officers or other employees or any consultants or advisors that it considers necessary for the purpose of this Act and may fix their remuneration and the terms and conditions of their employment.

(2) Subject to subsection (3), any person employed pursuant to subsection (1) shall participate in the Public Employees (Government Contributory) Superannuation Plan.

(3) Any person employed under subsection (1) who, immediately prior to being so employed, is participating in a superannuation plan or scheme as a result of employment with a participating party may, within six months from the day on which he is employed under subsection (1), by notice in writing to the Supervisory Board at Regina, elect to participate in the Public Employees (Government Contributory) Superannuation Plan.

(4) Where a person makes an election under subsection (3):

(a) the election is irrevocable; and

(b) the Public Employees (Government Contributory) Superannuation Plan applies to him on and from the day on which he commenced employment with the authority.

(5) The authority may, by agreement, make any arrangements with the governing authority of any superannuation plan or scheme mentioned in subsection (3) that may be necessary to provide for the continued participation in that plan or scheme of an officer or employee mentioned in subsection (3) who does not make an election under that subsection.

1979, c.M-11.1, s.9.

**Powers of authority**

**10** In addition to any other power conferred upon it by this Act, the authority may:

- (a) **Repealed.** 1988-89, c.14, s.5.
- (b) **Repealed.** 1988-89, c.14, s.5.
- (c) co-ordinate or control the use, development, conservation, maintenance and improvement of public land in accordance with the development plan;
- (d) acquire property by gift or purchase or in any other manner;
- (e) hold or administer property or acquire, by lease, licence or otherwise, the right to occupy and use property;
- (f) subject to section 47, sell, grant, convey, lease or otherwise dispose of its property;
- (g) construct, maintain or operate any park, improvement or service facility;
- (h) subject to any other provision of this Act relating to landscape maintenance, service maintenance, landscape construction and service facilities:
  - (i) maintain, develop, improve or build on any authority land;
  - (ii) with the consent of a participating party, or of its agent or representative, maintain, develop, improve or build on any public land owned by that participating party;
  - (iii) upon the request and at the expense of the owner or occupant of any private land, maintain, develop, improve or build on any private land of the owner or occupant making the request;
- (i) without limiting the powers contained in section 69, upon the request and at the expense of a participating party, maintain, develop or improve property owned by a participating party and situated outside Meewasin Valley;
- (j) on authority land, establish, maintain and operate, or grant concessions or permission for the operation of, places of entertainment, amusement, recreation or refreshment or other places of public interest or accommodation and may operate, or grant permission for the operation of, a public information service respecting the activities and services of the authority;
- (k) invest for its benefit all or any sums of money belonging to it and not presently required for expenditure in any security or class of securities authorized for the investment of moneys in the general revenue fund pursuant to *The Financial Administration Act, 1993*;
- (l) dispose of any securities in which moneys have been invested under clause (k), in any manner and on any terms that may be considered expedient;
- (m) provide for the creation and management of sinking funds or other means of securing repayment of loans, bonds, debentures or other securities;

- (n) acquire, take and hold, according to law, any property that is *bona fide* mortgaged, hypothecated or pledged to it by way of security or conveyed to it in satisfaction of debts previously contracted;
- (o) enter into any contract or agreement that it considers expedient or desirable in the exercise of any of its powers or the discharge of any of its duties under this Act;
- (p) generally do and authorize the doing of any things that are incidental or conducive to the attainment of its objects and purposes and the exercise of its powers under this Act.

1979, c.M-11.1, s.10; 1980-81, c.69, s.6; 1983, c.29, s.23; 1988-89, c.14, s.5 and c.42, s.62; 2004, c.10, s.17; 2006, c.24, s.6.

#### Exercise of powers by resolution

11(1) The authority shall exercise its powers by resolution.

(2) A resolution of the authority may be passed at a meeting of the members or in any other manner prescribed in the bylaws.

(3) A resolution of the authority is to be made by a majority vote of the members present, subject to the requirement of a quorum.

(4) **Repealed.** 1988-89, c.14, s.6.

1979, c.M-11.1, s.11; 1980-81, c.69, s.7; 1988-89, c.14, s.6; 1998, c.4, s.4.

#### Development Plan

11.1(1) The authority shall prepare or cause to be prepared and shall adopt a development plan in accordance with this section and sections 11.2 and 11.3.

(2) The authority may amend the development plan or repeal and adopt a new development plan and any amendments to or repeal of the plan shall be adopted in the same manner as the development plan.

(3) The authority:

- (a) shall adopt the development plan and any amendments to it; and
- (b) may repeal the development plan;

only by special resolution.

1988-89, c.14, s.7.

**Notice**

**11.2(1)** The authority shall give notice of its intention to pass a special resolution adopting, amending or repealing a development plan by advertisement inserted at least once a week for two consecutive weeks in a newspaper published or circulated in the area affected by the bylaw.

(2) The first of the notices required by subsection (1) shall:

(a) in the case of a proposed development plan, be published at least four weeks; or

(b) in the case of a proposed amendment to or repeal of a development plan be published at least three weeks;

before the date fixed by the authority for a public hearing to consider any representations respecting its proposal.

(3) The notice required by subsection (1) shall be in any form that the authority may specify and shall:

(a) contain a summary of the intent of the proposed special resolution;

(b) specify any places where and the hours during which the special resolution may be inspected by any person;

(c) specify any dates, places and times that the authority will hold a public hearing with respect to the proposed special resolution;

(d) outline the procedure by which the public hearing will be conducted; and

(e) describe the affected area by:

(i) reference to street names and addresses and commonly understood area designations;

(ii) publication of a map of the area; or

(iii) if the special resolution is amending a development plan and the amendment does not designate land for specific uses, a description of the type of property affected but not by the specific location of all that property.

(4) At the public hearing mentioned in subsection (2), the authority:

(a) shall hear any person or group of persons, or person acting on his or their behalf, who wishes to make representations; and

(b) may receive all representations on the same day or, where it considers it advisable, adjourn the hearing until all representations are received.

(5) Where a hearing is adjourned pursuant to clause (4)(b), the authority may subsequently sit and receive the representations on the date fixed for the reconvened hearing.

- (6) Where, as a result of the consideration of representations which shall be recorded by the authority regarding the proposed special resolution or for any other reason the authority proposes to alter the special resolution, the authority shall not pass the special resolution as altered until the alteration has been advertised and made available for inspection in the manner prescribed in this Part.
- (7) Any person who wishes to make a representation following the advertisement of a proposed alteration shall limit his representation to the alteration.
- (8) Notwithstanding subsections (1) to (7), if the special resolution is amending a development plan and the amendment is, in the opinion of the authority, of a minor nature, the authority may dispense with the requirements of this section.

1988-89, c.14, s.7.

**Contents of development plan**

**11.3** A development plan may contain:

- (a) a statement of the objectives for the future development and conservation of Meewasin Valley;
- (b) statements of policy with respect to:
- (i) the development and use of land under the authority's jurisdiction;
  - (ii) the conservation and improvement of the physical environment;
  - (iii) conservation education;
  - (iv) the provision or undertaking of service facilities, improvements and landscape construction within Meewasin Valley;
  - (v) the development of transportation, electrical and communication systems;
  - (vi) the control of hazard areas;
  - (vii) the management and preservation of historical resources, forested areas, natural and wildlife areas and water storage areas;
  - (viii) gravel pits, quarries and mineral resource areas;
  - (ix) the relationship between Meewasin Valley and adjacent development;
  - (x) co-ordination with the programs of participating parties or other local governments; and
  - (xi) any other matter that the authority considers advisable;
- (c) guidelines for land use and development of improvements by persons and participating parties;
- (d) concept or detailed design plans for particular areas under the authority's jurisdiction; and
- (e) a capital works forecast for the authority.

1988-89, c.14, s.7.

**Development plan to govern**

**11.4** Notwithstanding *The Planning and Development Act, 2007*, if there is a conflict between the development plan and an official community plan adopted pursuant to *The Planning and Development Act, 2007*, the development plan prevails.

2007, c.P-13.2, s.261.

**Continuance of development plan**

**11.5(1)** The plans respecting Meewasin Valley that, on the coming into force of this section:

- (a) are on file in the office of the authority; and
- (b) have been designated by the authority as the development plan;

are continued as the development plan, but the authority shall repeal that development plan and adopt a new development plan within five years of the day this section comes into force.

(2) The development plan continued pursuant to subsection (1) may be amended by the authority in accordance with sections 11.1 to 11.3.

1988-89, c.14, s.7.

**Authority may make bylaws**

**12(1)** Without limiting the generality of any of the powers conferred upon it by section 10, the authority may, for the purpose of carrying out the provisions of this Act according to their intent, make bylaws in respect of Meewasin Valley:

- (a) subject to subsections (2) and (4.1), regulating the use of public land and prohibiting, regulating or controlling the construction or alteration of any improvement on any public land in the conservation zone;
- (b) notwithstanding *The Cities Act, The Municipalities Act or The University of Saskatchewan Act, 1995* but subject to subsection (4.1), controlling traffic in the conservation zone including the regulation of speed and parking of vehicles;
- (c) without limiting the generality of clause (i), prohibiting or regulating the use, for recreational purposes, of the waters of the South Saskatchewan River flowing within Meewasin Valley or of any lake, stream, pond or other body of water therein;
- (d) authorizing police, special constables or peace officers, or any designated officer, to remove or cause the removal of any vehicle or boat that is placed, left or kept in Meewasin Valley in contravention of this Act or a bylaw, to impound or store any such vehicle or boat and to release it to the owner upon payment of the cost of removal and impounding or storage within a period of thirty days after the day of the removal of the vehicle or boat or within such extended period as may be specified in the bylaw, and providing for the recovery of such cost, if not paid within the specified period, from the owner of the vehicle or boat, by action in a court of competent jurisdiction or by sale of the vehicle or boat at public auction or by private sale;
- (e) for the protection of animal, bird, aquatic and plant life;



- (f) subject to *The Fire Safety Act*, for fire prevention and extinguishment of fires;
  - (g) respecting the provision of any service facility;
  - (h) subject to subsections (2), (3) and (4.1);
    - (i) regulating, restricting or prohibiting a trade, commercial or industrial enterprise, amusement, occupation or other activity or undertaking;
    - (ii) determining the place where any activity or undertaking mentioned in subclause (i) may or may not be carried on;
    - (iii) providing for the licensing of a person carrying on any activity or undertaking mentioned in subclause (i) and prescribing licence fees;
  - (i) regulating, restricting or prohibiting sports, games, picnicking, camping or other recreational activities except those that are a part of university activities on university land;
  - (j) for the preservation of the public health and the prevention of the spread of disease;
  - (k) prohibiting the making of excessive noise;
  - (l) subject to subsection (4), prohibiting the keeping, or controlling the use or manner of the keeping, of horses, dogs and other animals;
  - (m) subject to any Act of the Parliament of Canada or the Legislature of Saskatchewan, for dealing with, controlling the use of, or preventing the pollution or contamination of or other injury to, the waters and banks of any well, lake, stream, river, pond or other body of water;
  - (n) for the protection, care and preservation of property;
  - (o) for the prevention of nuisances and compelling the abatement of nuisances;
  - (p) for the internal government of the affairs of the authority including its proceedings and the calling and conduct of its meetings.
- (2) No bylaw made under clause (1)(a) or subclause (1)(h)(i) or (ii) applies with respect to any matter or thing done solely within the interior of a building.
- (3) No bylaw made under clause (1)(h) prohibits any person or participating party from carrying on any activity or undertaking that was carried on prior to the coming into force of this Act and that has been carried on continuously from that time.
- (4) No bylaw made under clause (1)(l) applies in respect of university land, private land or land used for any agricultural exhibition or zoo.
- (4.1) No bylaw made under clause (1)(a), (b) or (h) with respect to authority land only has any force or effect in the Rural Municipality of Corman Park No. 344 unless, prior to the making of the bylaw, the authority has consulted with the council of the rural municipality with respect to the proposed bylaw.

- (5) Every bylaw made under subsection (1), other than a bylaw made under clause (1)(g) or (p), shall be published in the Gazette and shall have force and effect on and after the date specified for the purpose in the bylaw or, if no date is so specified, on and after the day on which the bylaw is published.
- (6) Every bylaw made under clause (1)(g) or (p) has force and effect on and after the date specified for the purpose in the bylaw or, if no date is so specified, on and after the day on which the bylaw is made.
- (7) Any Act, regulation, bylaw or other law applicable in respect of Meewasin Valley, whether enacted, made or passed before or after the coming into force of this Act, continues to apply in respect of Meewasin Valley except to the extent that it is superseded by or is in conflict with any bylaw made under this section.
- (8) Subject to subsection (7) but notwithstanding that parts of the conservation zone are government land:
- (a) every bylaw passed by the council of the city respecting traffic applies throughout the portion of the conservation zone, other than university land, situated within the city;
  - (b) every order made by The Board of Governors of the university pursuant to sections 99, 100 and 101 of *The University of Saskatchewan Act, 1995* applies throughout the portion of the conservation zone consisting of university land.
  - (c) **Repealed.** 1980-81, c.69, s.8.
- (9) All bylaws made by the authority may be enforced in the same manner as bylaws of the city may be enforced pursuant to *The Cities Act*, and for that purpose sections 8, 82, 325, 334, 335 and 344 of *The Cities Act* apply, with any necessary modification.

1979, c.M-11.1, s.12; 1980-81, c.69, s.8; 1982-83, c.16, s.40; 1988-89, c.14, s.8; 1989-90, c.54, s.4; 2002, c.C.11.1, s.392; 2005, c.M-36.1, s.438; 2006, c.24, s.7; 2015, c.F-15.11, s.61.

**Alteration of area of Meewasin Valley**

- 13(1)** In this section, “**land**” means land situated within the city or within the Rural Municipality of Corman Park No. 344.
- (2) The authority may, by special resolution, enter into an agreement:
- (a) with a participating party to alter the area of Meewasin Valley by adding to the area any land owned by or leased to the participating party;
  - (b) with a person to alter the area of Meewasin Valley by adding to the area any land owned by or leased to the person.
- (3) The authority may, by special resolution, alter the area of Meewasin Valley by excluding from the area any parcel of land.
- (4) The authority shall, upon the written request of the owner or lessee of any land added to Meewasin Valley pursuant to clause (1)(b), exclude the land from Meewasin Valley.

- (5) The authority may, by special resolution, alter the area of Meewasin Valley by adding to or excluding from the area any land owned by or leased to the authority and situated outside Meewasin Valley.
- (6) An agreement entered into under this section may contain terms and conditions:
- (a) respecting the application or non-application of any of the provisions of this Act to the land involved or to the participating party or person entering the agreement;
  - (b) governing any other matter or thing in connection with the alteration of the area of Meewasin Valley by the addition to or the exclusion from the area of any lands.

1980-81, c.69, s.9.

## ADVISORY COMMITTEES

### Development Review Committee

14(1) The authority shall appoint a Development Review Committee consisting of at least seven persons.

(2) The Development Review Committee shall include:

- (a) at least two architects;
- (b) at least two professional community planners;
- (c) at least two members, as defined in *The Engineering and Geoscience Professions Act*, at least one of whom is a geotechnical engineer or a professional geoscientist; and
- (d) at least one landscape architect.

1994, c.6, s.3 [see Editorial Appendix]; 1996, c.E-9.3, s.63; 2006, c.24, s.8.

### Other committees

15 The authority may appoint, upon any terms and conditions that it considers advisable, any other committee that it considers advisable.

1979, c.M-11.1,s.15; 1980-81, c.69, s.10.

### Need not be members

16 A person appointed a member of a committee under section 14 or 15 may but need not be a member of the authority.

1979, c.M-11.1, s.16.

17 **Repealed.** 1994, c.6, s.4.

## IMPROVEMENTS

**Improvements outside conservation zone**

**18(1)** Any person or participating party proposing to make an improvement on land within Meewasin Valley outside the conservation zone shall, at least forty-five days before commencing the improvement, advise the authority of the proposal.

(2) Subsection (1) does not apply to any improvement:

- (a) whose aggregate cost results in an expenditure of less than \$150,000;
- (b) undertaken solely to the interior of a building; or
- (c) that consists solely of landscape construction.

1979, c.M-11.1, s.18; 1979-80, c.4, s.6; 1980-81, c.69, s.13.

**Improvements within conservation zone**

**19(1)** Subject to subsections (2) and (3), no improvement shall, without the approval of the authority, be commenced or made by any person or participating party on private land or public land within the conservation zone.

(2) Subsection (1) does not apply to:

- (a) any improvement pertaining solely to the interior of a building;
- (b) any improvement consisting solely of the repair, replacement or expansion of water pumping facilities, water transmission pipelines, a water treatment plant or a sewage treatment facility, or to any public improvement within the meaning of *The Highways and Transportation Act, 1997*, on public land within the conservation zone;
- (c) any improvement undertaken with respect to a residence for not more than two families whose aggregate cost results in an expenditure of less than \$50,000;
- (d) **Repealed.** 1980-81, c.69, s.13.
- (e) any improvement that:
  - (i) is not an improvement to the river channel or shoreline; and
  - (ii) has aggregate costs resulting in an expenditure of less than \$10,000;
- (f) any improvement or class of improvements that the authority may, by bylaw, exempt from the application of subsection (1).

(3) Notwithstanding subsection (2), the authority may, by bylaw, designate areas in the conservation zone where the exemptions provided in clauses (2)(c) to (f) do not apply.

1979-80, c.4, s.7; 1980-81, c.69, s.13; 1988-89, c.14, s.9; 2006, c.24, s.9.

**Application for approval**

**20(1)** Any person who has any estate or interest in any private land in the conservation zone or any participating party may apply to the authority for approval of a proposal to make an improvement on the land.

(2) Any person who has any estate or interest in any public land in the conservation zone or any participating party may apply to the authority for approval of a proposal to make an improvement on the land.

1979-80, c.4, s.8; 1980-81, c.69, s.14.

**Plans, etc., to be submitted *re* building**

**21(1)** Subject to subsection (2), no approval of any application under section 20 for the construction of a building shall be given unless:

(a) the person or participating party requesting approval of the proposed improvement submits all plans, elevations, specifications and models relating to the exterior of the proposed improvement that the authority may require; and

(b) where the authority has decided to submit any plans, elevations, specifications and models of the proposed building to the Development Review Committee, it has made the submission to the committee and has obtained its recommendations with respect thereto, but the authority is not bound to accept those recommendations.

(2) The authority may, by bylaw, exempt any buildings or classes of buildings from the requirements of clause (1)(a).

1979, c.M-11.1, s.21; 1980-81, c.69, s.15; 1994, c.6, s.5.

**Approval *re* construction of service facility**

**22** Where the authority receives an application under subsection 20(2) for approval of construction of a service facility and submits a plan respecting the proposed construction to the Development Review Committee, the authority shall not give its approval to the application unless it has obtained the recommendations of the committee with respect thereto, but the authority is not bound to accept those recommendations.

1980-81, c.69, s.16; 1994, c.6, s.6.

**23 Repealed.** 1980-81, c.69, s.17.

**Decision on application**

**24(1)** Subject to subsections (2) and (3), the authority shall, within 60 days of the date on which it receives an application pursuant to section 20, advise the applicant of its decision with respect to the application.

(2) Where the authority requires an applicant to submit plans, elevations, specifications and models in respect of an application, the time prescribed under subsection (1) shall be calculated from the day on which the authority receives the last of the plans, elevations, specifications and models it requires.

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- (3) The authority shall give notice of its decision:
- (a) to a person making an application under section 20, by giving it to him personally or by sending it to him by registered mail, postage prepaid, at his address set out in his application to the authority;
  - (b) to a participating party, by sending it by ordinary mail.

1979, c.M-11.1, s.24; 1988-89, c.14, s.10.

**Where authority fails to advise of decision**

**25** Where the authority receives an application under section 20 and fails or neglects to advise the applicant of its decision within the time prescribed in clause 24(1)(a) or (b), as the case may require, the proposal is, for the purposes of this Act, deemed to have been approved by the authority with effect from the first day immediately following the expiration of the period within which the authority ought to have advised the applicant of its decision.

1979, c.M-11.1, s.25.

**Condition for withholding approval**

**26(1)** The authority shall not withhold its approval of a proposed improvement unless it is of the opinion that the improvement will not be consistent or in accordance with the development plan and, where the authority does not give its approval to a proposed improvement, it shall include in the notice to the applicant under section 24 the reasons for its decision.

(2) The authority may, in granting approval with respect to a proposed improvement, grant the approval subject to any terms and conditions that the authority considers appropriate, but no terms or conditions are to be imposed which will result in the improvement's being inconsistent or not in accordance with the development plan.

1979, c.M-11.1, s.26; 1980-81, c.69, s.18.

**Improvement to be in accordance with development plan**

**27** The authority shall not make an improvement on public land unless it considers the proposed improvement to be consistent or in accordance with the development plan.

1979, c.M-11.1, s.27; 1980-81, c.69, s.19.

**Enforcement**

**27.1(1)** No person or participating party shall fail to comply with:

- (a) the provisions of sections 18 and 19;
- (b) any terms and conditions imposed on him or it pursuant to subsection 26(2);

and every person or participating party who fails to so comply is guilty of an offence and liable, on summary conviction, to a fine in an amount that may be prescribed by the authority in a bylaw.

(2) For the purposes of subsection (1), the authority may make bylaws prescribing the amount of fines for an offence mentioned in subsection (1), and section 8 of *The Cities Act* applies, with any necessary modification, to those bylaws.

(3) If a person or participating party fails to comply with the terms or conditions imposed on him or it pursuant to subsection 26(2), the authority may, in addition to any other remedy allowed by this Act or by law, apply to a judge of Her Majesty's Court of Queen's Bench for Saskatchewan for an order directing the person or participating party, as the case may be, to comply with the terms or conditions, and the judge may make any order, including an order as to costs, that he considers just.

1988-89, c.14, s.11; 2005, c.M-36.1, s.438.

#### **Action against owner**

**28** Where an improvement is made or land is used in contravention of this Act or a bylaw, the authority or a participating party may, in addition to, or in lieu of having recourse to, any other remedy provided for in this Act or in any other law, bring an action against the owner of the improvement in any court of competent jurisdiction, and in such an action the court may order the owner to remove the improvement at his own expense or may, by injunction, restrain the owner from the continuance of the unlawful use of the land, as the case may require.

1979, c.M-11.1, s.28.

#### **Authority may delegate power**

**29** The authority may, subject to any terms and conditions that it considers appropriate delegate its power to grant or to refuse to grant approval in respect of an application under section 20 including its power to grant approval of such an application subject to terms and conditions:

- (a) to the city, where the application relates to an improvement proposed on land within the city other than land owned by the university;
- (b) to the university, where the application relates to an improvement proposed on land owned by the university or proposed by:
  - (i) Emmanuel-St. Chad's College, St. Andrew's College or St. Thomas More College; or
  - (ii) an institution affiliated or federated with the university in respect of land within the geographical area of the university;
- (c) to the government, where the application relates to an improvement:
  - (i) proposed on government land; or
  - (ii) in respect of which any licence, permit, consent or any other form of authorization is required by an Act of the Legislature, from the government or a member of the Executive Council.

1979, c.M-11.1, s.29; 1979-80, c.4, s.9; 1980-81, c.69, s.20.

## APPEALS

**Appeal board constituted**

**29.1(1)** The Meewasin Valley Appeal Board is established and consists of:

- (a) one member appointed by the city;
- (b) one member appointed by the government; and
- (c) one member appointed by the university.

(2) **Repealed.** 1994, c.6, s.7.

(3) The first members of the appeal board appointed by the city and the government each hold office for a term of one year and until his successor is appointed.

(4) Subject to subsection (3), each member of the appeal board holds office for a term of three years and until his successor is appointed and is eligible for reappointment, but no member shall hold office for more than two consecutive terms of office.

(5) A person appointed to fill a vacancy on the appeal board holds office for the remainder of the term of office of the member being replaced.

(6) No person who is a member of:

- (a) the authority or of any committee appointed pursuant to section 14 or 15;
- (b) the council of the city;
- (c) The Board of Governors of The University of Saskatchewan; or
- (d) the Legislative Assembly;

is eligible to be appointed as a member of the appeal board.

(7) The appeal board shall elect one of its members as chairperson and, in his or her absence, the appeal board shall choose another of its members to act as chairperson for the time being.

(7.1) Two members of the appeal board constitute a quorum at any sitting of the appeal board.

(8) The appeal board shall appoint a secretary who may, but need not, be a member of the appeal board.

(9) The appeal board may appoint any consultants or other officers and any employees that may be necessary, and may authorize the expenditure of any funds that may be furnished by the authority.

(10) Meetings of the appeal board are to be held at the call of the chairperson and at any other times that the appeal board may determine.

(11) The appeal board shall adopt general rules and rules of procedure to be followed in carrying out its duties.

(12) The appeal board shall keep records of its proceedings, which are to be filed in the office of the appeal board and are a public record.



(13) The authority shall pay to the members of the appeal board any remuneration for their services that it may determine.

1980-81, c.69, s.21; 1988-89, c.14, s.12; 1994, c.6, s.7; 1998, c.4, s.5; 2006, c.24, s.10.

**Procedure on appeals to appeal board**

**29.2(1)** Any person or participating party who:

- (a) alleges that the authority or a participating party acting for or on behalf of the authority has misapplied the development plan in relation to his application under section 20; or
- (b) feels aggrieved with respect to any terms or conditions attached to an approval granted on an application made under section 20;

may appeal to the appeal board by filing a notice of appeal with the secretary of the appeal board within 30 days after the day on which the decision appealed from is made, together with a deposit in any amount, not exceeding \$100, that may be prescribed by the appeal board to meet its expenses.

(2) The chairperson or the chairperson's designate shall fix a day for the hearing of the appeal which is not later than 30 days after the date of the filing of the notice of appeal.

(3) The appeal board shall, not later than 10 days before the day fixed for the hearing of the appeal, notify the appellant, the authority and any other interested person of the date and time of the appeal.

(4) The appellant shall, not later than 10 days before the day fixed for the hearing of the appeal, file with the secretary of the appeal board all maps, plans, drawings and written material that he intends to submit in support of his appeal.

(5) The authority shall, if required by the appeal board, transmit to the secretary of the appeal board, before the day fixed for the hearing of the appeal, the original or true copies of maps, plans, drawings and written material in its possession relating to the subject-matter of the appeal.

(6) Unless otherwise ordered by the appeal board, all maps, plans, drawings and written material, or copies thereof, filed with or transmitted to the appeal board in accordance with subsection (5) or (6) are to be retained by the appeal board as part of its permanent records, but, pending the hearing of the appeal, the appeal board shall make all such material available for inspection to any interested person or participating party.

(7) The hearing of an appeal is open to the public and the appeal board may adjourn the hearing or reserve its decision.

(8) The chairperson of the appeal board or, in his or her absence, the acting chairperson may administer oaths, affirmations or declarations.

(9) Where a member of the appeal board has an interest in a matter before the appeal board, he is not entitled to vote thereon.

(10) The appeal board may affix any conditions to the granting of an appeal that in its opinion will preserve the purposes and intent of the development plan.

(11) A decision concurred in by a majority of the members of the appeal board is the decision of the appeal board and, in the event of a tie, the chairperson or, in his or her absence, the acting chairperson has a casting vote.

(12) The decision of the appeal board shall be:

- (a) based on the facts and merits of the case;
- (b) rendered, in writing, within 60 days after the conclusion of the hearing, setting forth the reasons for the decision; and
- (c) signed by the chairperson or, in his or her absence, the acting chairperson, and the secretary of the appeal board.

and the secretary shall send a copy of the decision, by registered mail, to the appellant, to the authority and to each interested person or participating party who has requested a copy within 10 days after the day on which the decision was rendered.

(13) Subject to section 29.3, an appeal granted by the appeal board is not effective until the expiration of 35 days after the day on which the decision is made or, if conditions are affixed pursuant to subsection (10), until such time as the conditions have been complied with, whichever is later.

1980-81, c.69, s.21; 1998, c.4, s.6.

#### **Appeal to Saskatchewan Municipal Board**

**29.3(1)** The appellant or the authority may, within 20 days after the day on which a copy of the decision is received and upon written notice to the appeal board, appeal against a decision of the appeal board to the Saskatchewan Municipal Board.

(2) An appeal under subsection (1) in respect of a decision of the appeal board granting an appeal has the effect of suspending the decision of the appeal board pending the decision of the Saskatchewan Municipal Board.

(3) Within 10 days after notice is given to the appeal board pursuant to subsection (1), the secretary of the appeal board shall transmit to the secretary of the Saskatchewan Municipal Board a copy, certified by the secretary of the appeal board to be a true copy, of all the records of the appeal board pertaining to the case.

1980-81, c.69, s.21; 1989-90, c.5, s.12.

#### **Appeal to Court of Appeal**

**29.4(1)** At any stage of the proceedings before it, the Saskatchewan Municipal Board may submit, in the form of a stated case for the opinion of the Court of Appeal, a question of law arising in connection with any appeal and shall reserve its decision until the opinion of the court has been given and shall then decide the appeal in accordance with the court's opinion.

(2) Any party to the proceedings before the Saskatchewan Municipal Board may request the board to submit, in the form of a stated case for the opinion of the Court of Appeal, a question of law alone by sending a notice in writing addressed to the

secretary of the board within 30 days after the decision of the board, together with a deposit in the amount of \$10 as security for costs.

(3) A judge of the Court of Appeal may, before or after the expiration of the time allowed by subsection (2) for requesting a submission of a stated case, enlarge the time for making the request.

(4) Within 15 days after the receipt of the request and deposit in accordance with subsection (2), the Saskatchewan Municipal Board shall submit in writing a stated case for the opinion of the Court of Appeal.

(5) The costs of and incidental to a stated case are in the discretion of the Court of Appeal.

(6) Where a case is stated, the secretary of the Saskatchewan Municipal Board shall immediately file the case with the registrar of the Court of Appeal who shall enter the case for argument before the court.

(7) The Court of Appeal shall hear and determine the question and within 30 days give its opinion and cause it to be forwarded to the Saskatchewan Municipal Board, but the court may, if it thinks fit, cause any case to be remitted to the board for amendment, and thereupon the board shall amend the case accordingly and the court shall deliver its opinion after the amendment.

1980-81, c.69, s.21; 1989-90, c.5, s.12.

## LANDSCAPE CONSTRUCTION AND LANDSCAPE MAINTENANCE

### **Authority determines landscape construction and maintenance**

**30** The authority may determine the landscape construction and the landscape maintenance to be performed on land other than private land and may perform or cause to be performed all landscape construction and landscape maintenance so determined.

1979, c.M-11.1, s.30; 1980-81, c.69, s.22.

### **Participating party to pay for additional landscape construction**

**31(1)** A participating party constructing or proposing to construct a building or structure on public land shall pay the authority for any portion of the landscape construction, in addition to that determined under section 30, that the participating party may determine is necessary by reason of the construction or proposed construction of the building or structure.

(2) A participating party that requests the authority to perform landscape construction on its lands in addition to the landscape construction to be performed thereon under section 30 shall pay the authority for any such additional landscape construction when performed or caused to be performed by the authority.

1979, c.M-11.1, s.31.

### **Payment for landscape construction**

**32(1)** The authority may pay for all landscape construction determined by it to be performed on public land.

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(2) The authority may, subject to any agreement made under clause 10(o) or section 69, reimburse a participating party for any part of the sum paid for additional landscape construction pursuant to subsection 31(2) that the authority in its discretion considers expedient and desirable, and that reimbursement shall be made in any manner that may be determined by the authority.

1980-81, c.69, s.23.

**Consistent with development plan**

**33** Landscape construction performed on public land shall be consistent and in accordance with the development plan.

1988-89, c.14, s.13.

**Landscape maintenance**

**34(1)** Landscape maintenance on land of a participating party shall be performed at the expense of that participating party calculated in accordance with section 40, but that expense may, in the discretion of the authority, be assumed wholly or partly by the authority in any case where the authority considers that it will derive all or a substantial part of the benefit to be derived from the landscape maintenance.

(2) In this section, “**land of a participating party**” includes land:

- (a) that was owned by the participating party on December 31, 1978, or at any time after that day; and
- (b) that has subsequently been transferred to, and remains vested in, the authority.

1979, c.M-11.1, s.34.

## SERVICE FACILITIES AND SERVICE MAINTENANCE

**Service facility of participating party**

**35** A service facility required by a participating party shall be constructed by and at the expense of the participating party, but that construction or its expense, or both, may, in the discretion of the authority, be assumed wholly or partly by the authority in any case where the authority considers that it will derive all or a substantial part of the benefit to be derived from the service facility.

1979, c.M-11.1, s.35.

**Service facility of authority**

**36** A service facility required by the authority shall be constructed by and at the expense of the authority.

1979, c.M-11.1, s.36.

**Authority determines service maintenance**

**37** The authority may determine the service maintenance to be performed on land other than private land within Meewasin Valley and shall perform or cause to be performed all service maintenance so determined.

1979, c.M-11.1, s.37; 1980-81, c.69, s.25.

**Service maintenance**

**38(1)** Service maintenance of a service facility which is required by a participating party shall be paid for by that participating party.

(2) Service maintenance of a service facility which is required by the authority shall be paid for by the authority.

(3) The cost of service maintenance of a service facility required by a participating party may, in the discretion of the authority, be assumed wholly or partly by the authority in any case where the authority considers that it will derive all or a substantial part of the benefit to be derived from the service facility.

1979, c.M-11.1, s.38; 1980-81, c.69, s.26.

**Existing service facility**

**39** Any service facility existing at the time of the coming into force of this Act shall be maintained by and at the expense of the participating party that was responsible for its maintenance on the day before the day on which this Act comes into force.

1979, c.M-11.1, s.39.

## COST OF LANDSCAPE MAINTENANCE AND SERVICE MAINTENANCE

**Determination of cost**

**40** Notwithstanding any other provision of this Act:

(a) the amount of the expense of landscape maintenance and service maintenance is, in every case in which the authority passes a special resolution for the purpose of this clause, deemed to be, notwithstanding that the amount of the expense might be determined in another manner, the sum fixed by the resolution;

(b) where no special resolution applicable to a fiscal year has been passed pursuant to clause (a), the rates for the various types of landscape maintenance and service maintenance may be established by agreement between the authority and each participating party;

(c) where, in any case, the amount of the expense of landscape maintenance or service maintenance to be charged to a participating party has not been established by a special resolution pursuant to clause (a) or by agreement with the participating party pursuant to clause (b), the authority may by resolution provide that the amount of the expense be determined by a single arbitrator and, where such a resolution is passed, it is deemed, with respect to the matter to be determined, to be an arbitration agreement within the meaning of *The Arbitration Act, 1992* and the authority and the participating party shall be

bound by the award of the arbitrator unless, prior to the handing down of the award, there has been a special resolution passed pursuant to clause (a) or an agreement made pursuant to clause (b) with respect to the matter of the arbitration agreement.

1979, c.M-11.1, s.40; 1992, c.A-24.1, s.61.

## VERGE

### **Construction, etc., on verge**

41(1) No person or participating party shall, except with the prior approval of the authority, build, erect, place, alter or renovate a structure, hoarding, poster, sign, seating, fencing or construction of any kind whatsoever within the verge other than a traffic or bus-stop sign, or a structure erected or placed for the shelter of persons intending to use any public transportation system, that is of a style and size acceptable to the authority.

(2) No person or participating party shall, without the prior approval of the authority, carry out any landscape construction or alter or interfere with landscaping or vegetative growth within the verge.

1979, c.M-11.1, s.41.

## CLOSING OF PUBLIC HIGHWAY

### **Closing of public highway by authority**

42(1) Subject to subsections (2) and (3), the authority may close the whole or any part of a public highway in the conservation zone.

(2) The authority shall not permanently close the whole or any part of a public highway within the area of jurisdiction of a participating party without its approval.

(3) Where the authority intends to close a public highway or part of a public highway within the conservation zone and there is land abutting on the public highway or part that is to be closed that is not owned by a participating party or by the authority, the public highway or part to be closed shall not be closed unless:

(a) the authority gives at least thirty days' notice of its intention by registered mail to each registered owner of land abutting on the public highway or part that is proposed to be closed;

(b) the notice mentioned in clause (a) is published at least once each week for two successive weeks in a newspaper published in the city; and

(c) every person who, before the public highway or part is closed, claims that his land will be injuriously affected by the closing and who petitions the authority for a hearing has been given an opportunity to be heard by himself or his agent with respect to the proposed closing.

(4) A person described in clause (3)(c) is entitled to be compensated by the authority for all damage caused to his land by reason of the closing, and, where the amount of compensation is not agreed upon between the claimant and the authority, the

authority shall, within one month after the public highway or part has been closed, cause to be served upon the claimant, by ordinary mail, a notice setting out a description of the public highway or part, the day on which it was closed and the amount of compensation that the authority is prepared to pay.

(5) If a person entitled to compensation pursuant to subsection (4) is dissatisfied with the amount offered, *The Expropriation Procedure Act* applies, with any necessary modification, for the purpose of determining the amount of compensation.

(6) Nothing in this Act restricts the power of the Minister of Highways and Transportation pursuant to *The Highways and Transportation Act, 1997* to close the whole or any portion of a public highway within Meewasin Valley, but the minister, before exercising that power, shall obtain the prior consent of the authority for the purpose.

1979, c.M-11.1, s.42; 1980-81, c.69, s.27; 1983-84, c.6, s.10; 2006, c.24, s.11.

#### **Closing of public highway by participating party**

**43(1)** Subject to subsection (2), a participating party may close the whole or any part of a public highway in any area within its jurisdiction situated within Meewasin Valley for a temporary period prescribed by the authority.

(2) Subject to subsection (3), a participating party proposing to close a public highway under subsection (1) shall, at least two days before closing the public highway, advise the authority of its intention to do so.

(3) Subsection (2) does not apply where a participating party closes a public highway under subsection (1) because of an emergency.

1979, c.M-11.1, s.43.; 1988-89, c.14, s.14.

## INSTRUMENT AFFECTING PUBLIC LAND

#### **Interest affecting public land**

**44(1)** In this section, “**public land**” means land owned by the authority or by one or more participating parties.

(2) Subject to subsections (4) and (5) but otherwise notwithstanding any other provision of this Act, a transfer of title with respect to public land in the conservation zone must be accompanied by the written consent of the authority.

(3) Subject to subsections (4) and (5) but otherwise notwithstanding any other provision of this Act or any other Act, an interest registered in the Land Titles Registry with respect to public land in the conservation zone is invalid unless it is accompanied by the written consent of the authority.

(4) Subsections (2) and (3) do not apply with respect to:

- (a) any transfer or interest evidencing the occupation or use of public land to which, by reason of section 3, this Act does not apply;
- (b) leases of property for a term not exceeding 10 years;
- (c) any transfer or interest affecting land intended for residential purposes and concerning which a plan of subdivision has been approved by the Controller of Surveys; or

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- (d) any transfer or interest that is exempted by bylaw from the application of subsections (2) and (3).
- (5) The authority shall not withhold its consent under subsections (2) and (3) to any transaction involving public land unless it considers that the use to be made of the land as a result of the transaction will not be consistent or in accordance with the development plan.

2000, c.L-5.1, s.326.

## ACQUISITION AND DISPOSAL OF LAND

**Acquisition of land**

**45** No land or interest in land within Meewasin Valley may be acquired by any person pursuant to *The Public Utilities Easements Act* or any other similar Act without the approval of the authority.

1979, c.M-11.1, s.45; 1979-80, c.4, s.10.

**46 Repealed.** 1979-80, c.4, s.12.

**Cancellation of interest**

**46.1** Any interest that contained the notation, “The land herein described is subject to *The Meewasin Valley Authority Act*”, and that was based on section 46, as that section existed before the coming into force of section 12 of *The Meewasin Valley Authority Amendment Act, 1979*, is null and void.

2000, c.L-5.1, s.327.

**Disposal of authority land**

**47(1)** The authority shall not dispose of authority land or any interest in authority land without the consent in writing of each participating party.

(2) Any land that is acquired by the authority may, at the discretion of the authority, be sold at any time to any participating party desiring to purchase the land at a price that is, as nearly as it is possible to determine, equivalent to the total cost incurred by the authority in respect of the land.

(3) In subsection (2), “**total cost**” includes all expenditures that the authority determines it has incurred in respect of the land, including:

- (a) the actual cost of acquiring the land, of fixing and paying the price thereof or the compensation therefor and of all valuations and other matters incidental or related thereto;
- (b) the sums required to satisfy any interest and all sinking fund or other debt service charges on any loan obtained, and on any bond, debenture or other security issued by the authority for the purpose of providing funds to discharge all or any part of the costs mentioned in clauses (a) and (c); and



(c) the cost of improvements constructed by the authority on the land and the cost of landscape maintenance, construction of service facilities and service maintenance in respect of the land, but such cost may be wholly or partly excluded at the discretion of the authority in any case where the authority considers that it will derive all or a substantial part of the benefit to be derived from the improvements, landscape maintenance, service facilities or service maintenance;

less the aggregate of the sums available to the authority out of any loan obtained for the purpose of paying and discharging all or a part of the costs and sums mentioned in clauses (a), (b) and (c).

1979, c.M-11.1, s.47.

**Amount to be paid to authority *re* sale**

**48** Where a participating party is liable to the authority, by reason of a sale under subsection 47(2), for a sum of money in respect of land, the participating party is also liable to the authority:

(a) for the sums from time to time paid by the authority in respect of a loan obtained for the purpose of paying the whole or any part of the total cost of acquiring the land or in respect of that part of a loan that has been used for that purpose; and

(b) for the sums from time to time paid by the authority in respect of a loan obtained for the purpose of repaying a loan mentioned in clause (a) or in respect of that part of a loan that has been used for that purpose.

1979, c.M-11.1, s.48.

**Acquisition of land by authority or participating party**

**49(1)** The authority may, by agreement, acquire any private land that, or any land owned by a participating party that, is situated within the city or the Rural Municipality of Corman Park No. 344.

(2) A participating party may by agreement, with the approval of the authority, acquire any land within Meewasin Valley owned by another participating party.

(3) Where a participating party acquires any private land within Meewasin Valley, it shall give notice of the acquisition to the authority.

1979, c.M-11.1, s.49; 1980-81, c.69, s.29.

**50 Repealed.** 1979-80, c.4, s.13.

**Disposal of public land**

**51(1)** Subject to subsections (2) and (2.1), where a participating party proposes to dispose of land owned by it within Meewasin Valley, it shall provide the other participating parties and the authority with an opportunity to acquire the land before attempting to dispose of it.

(2) Subsection (1) does not apply to any lands to be sold for residential purposes and in respect of which a plan of subdivision has been approved by the authority and the Controller of Surveys.

(2.1) Subsection (1) does not apply to the granting of a voluntary easement by a participating party to the authority pursuant to sections 52.2 to 52.91.

(3) **Repealed.** 1980-81, c.69, s.30.

1979, c.M-11.1, s.51; 1980-81, c.69, s.30; 1992, c.8, s.3; 2000, c.L-5.1, s.328.

**Disposition of land by the city**

**52** Subject to section 51, without complying with *The Cities Act* and notwithstanding that Act, the city may:

- (a) lease any city land to any other participating party or to the authority; or
- (b) transfer, by way of sale, gift or otherwise, any city land to any other participating party or to the authority.

2005, c.M-36.1, s.438.

**Rights to certain lands**

**52.1(1)** There is hereby granted to the authority the rights described in subsection (2), in this section called an easement, to all that portion of land enclosed within the red colored line on Plan No. 88S15254 in respect of land described as follows:

- (a) all that portion of the north-west quarter of Section 23, in Township 37, in Range 5, west of the Third Meridian, lying to the left of the left bank of the South Saskatchewan River, containing 68 acres, more or less, Survey dated the 5th Day of May, 1884 described in Certificate of Title No. 75-S-07044;
- (b) the south half of Section 26, in Township 37, in Range 5, west of the Third Meridian.

(2) The easement granted by subsection (1) entitles the authority and persons expressly or impliedly authorized by it to use and enjoy the lands within the easement for all purposes and objects contemplated by and pursuant to this Act.

(3) The authority may apply to the Registrar of Titles to register an interest based on an easement granted by subsection (1) against the affected titles.

1988-89, c.14, s.16; 2000, c.L-5.1, s.329; 2006, c.24, s.12.

**Voluntary easements**

**52.2(1)** In this section and in sections 52.3 to 52.91 “**voluntary easement**” means the rights and privileges granted pursuant to subsection (2).

(2) The registered owner of a parcel of land may grant an easement to the authority, and to a person expressly or impliedly authorized by the authority, to use and enjoy all or a portion of the land for all or any of the purposes and objects contemplated by or pursuant to this Act.

1992, c.8, s.4.

**Registration**

**52.3(1)** The authority may apply to the Registrar of Titles to register an interest based on an agreement granting a voluntary easement against the affected titles.

(2) The rights and privileges created by the voluntary easement and the agreement related to the voluntary easement:

- (a) enure to the benefit of the authority; and
- (b) on registration of an interest pursuant to subsection (1), run with the land and are binding on:
  - (i) the registered owner of the land;
  - (ii) the registered owner’s heirs, executors and administrators;
  - (iii) those persons to whom the registered owner transfers title; and
  - (iv) subject to sections 52.4 to 52.9, all other persons interested in the land.

2000, c.L-5.1, s.330.

**Consents**

**52.4(1)** Where the records of the Land Titles Registry show that a person other than the registered owner is interested in the land, the registered owner or the authority shall obtain a consent from that person to:

- (a) the proposed amount of compensation to be paid to the registered owner; and
- (b) the payment of the compensation to be paid to the registered owner or, with the approval of the registered owner, to another person specified in the approval by the owner.

(2) Every consent and approval given pursuant to subsection (1) shall be verified by the affidavit of an attesting witness.

(3) A voluntary easement is not valid until a consent given pursuant to this section from the person with the interest, an affidavit of the authority pursuant to section 52.5 or a decision of an arbitrator made under section 52.6, respecting every person interested in the land other than the owner, is submitted to the Land Titles Registry

as a document accompanying the application to register the interest mentioned in section 52.3.

1992, c.8, s.4; 2000, c.L-5.1, s.331.

**Notice in lieu of consent**

**52.5(1)** Instead of proceeding pursuant to section 52.4, the authority may give each person interested in the land other than the owner a written notice requiring that person to state in writing, within 30 days of receiving the written notice, whether the person consents to:

- (a) the amount of proposed compensation; and
- (b) the payment of the compensation to the owner or to another person specified in the written notice.

(2) The authority shall deliver a written notice under subsection (1) personally or by registered mail to the person's address shown in the records of the Land Titles Registry.

(3) The authority shall place in a written notice under subsection (1):

- (a) the legal description of the land affected by the voluntary easement;
- (b) the nature of the voluntary easement;
- (c) the amount of proposed compensation;
- (d) the names and addresses of persons to whom the compensation is to be paid; and
- (e) the address of the authority to which the written reply is to be sent.

(4) The person to whom a written notice is sent under this section shall deliver personally or by registered mail the written reply to the address of the authority that is specified in the written notice.

(5) The person to whom a written notice is sent may give a consent in the manner prescribed in section 52.4.

(6) If a person to whom a written notice is sent does not reply in writing within 30 days of receiving the written notice:

- (a) that person is deemed to have consented to the voluntary easement on the terms proposed in the written notice; and
- (b) the authority shall submit an affidavit to the Land Titles Registry, as a document accompanying the application to register the interest mentioned in section 52.3, stating that this subsection applies with respect to that person.

1992, c.8, s.4; 2000, c.L-5.1, s.332.

**Arbitration**

**52.6(1)** If a person to whom a written notice is sent pursuant to section 52.5 objects within 30 days of receiving the written notice, the authority may submit the matter to arbitration.

- (2) If a matter is sent to arbitration pursuant to this section:
- (a) one judge of the Court of Queen's Bench shall be the arbitrator;
  - (b) *The Arbitration Act, 1992* applies to the arbitration;
  - (c) before the arbitration proceeds, the authority shall provide reasonable notice to all persons who are interested in the land as shown in the records of the Land Titles Registry;
  - (d) the arbitrator shall decide the amount of compensation and to whom the compensation shall be sent.
- (3) There is no appeal from the decision of the arbitrator pursuant to subsection (2).
- (4) The authority shall register an interest based on the arbitration, accompanied by a copy of the objection and the decision of the arbitrator, in the Land Titles Registry against the affected titles.

1992, c.8, s.4; 2000, c.L-5.1, s.333; 2006, c.24, s.13.

#### **Abstract directory**

**52.7** Where title has not been issued and consequently an interest based on a voluntary easement cannot be registered in the Land Titles Registry in accordance with section 52.3, the authority may file an interest based on the voluntary easement in the Abstract Directory established pursuant to *The Land Titles Act, 2000*.

2000, c.L-5.1, s.334.

#### **Plan may be required**

**52.71** Before registering an interest based on a voluntary easement in accordance with section 52.3, the authority shall submit a plan of the land affected by the voluntary easement to the Controller of Surveys, where required to do so pursuant to *The Land Surveys Act, 2000* and the regulations made pursuant to that Act.

2000, c.L-5.1, s.334.

#### **Mortgaging, releasing or discharging**

**52.8(1)** The authority may assign an interest or register an interest based on a mortgage or charge of a voluntary easement, in the Land Titles Registry, accompanied by a copy of the executed assignment, mortgage or charge, against the affected titles.

(2) The authority may discharge any interest based on a voluntary easement registered by it, and on registration of the discharge, the authority's rights and privileges under the voluntary easement cease.

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(3) Where title has not been issued and consequently an interest or discharge mentioned in this section cannot be registered in the Land Titles Registry, the authority may file an interest or discharge mentioned in this section in the Abstract Directory established pursuant to *The Land Titles Act, 2000*.

2000, c.L-5.1, s.334.

***Homesteads Act, 1989 not applicable***

**52.9(1)** *The Homesteads Act, 1989* does not apply to the acquisition of a voluntary easement.

(2) The authority shall submit, as a document accompanying the application to register the interest mentioned in section 52.3, an affidavit of the registered owner of the title for the parcel of land who is granting the voluntary easement, stating that this section applies to the granting of the voluntary easement.

1992, c.8, s.4; 2000, c.L-5.1, s.335.

**52.91 Repealed.** 2000, c.L-5.1, s.336.

## EXPROPRIATION OF LAND

**Expropriation by authority**

**53(1)** The authority may, without the consent of the owner, enter upon, take and expropriate:

(a) any land, other than land owned by a participating party that is situated within Meewasin Valley.

(b) **Repealed.** 1979-80, c.4, s.14.

(2) Where the authority proposes to expropriate any land, it may authorize any of its employees or agents to enter upon the land and make a survey thereof, and no person shall interrupt, hamper or molest any such employee or agent while he is engaged in exercising the authority conferred on him under this section.

(3) The authority shall exercise its power to expropriate land under subsection (1) by following the procedure set forth in *The Expropriation Procedure Act*.

(4) **Repealed.** 2000, c.L-5.1, s.337.

1979, c.M-11.1, s.53; 1979-80, c.4, s.14; 2000, c.L-5.1, s.337.

**Compensation**

**54** The authority shall, with respect to land expropriated pursuant to section 53, make compensation:

- (a) to the owner of the land for the value of the land;
  - (b) to the owner of the improvements that were on the land at the time of the coming into force of this Act for the value of the improvements; and
  - (c) to the owner of any additional improvements:
    - (i) made with the approval of the authority or with the approval of a participating party authorized under section 29 to grant such approval;
    - (ii) the making of which did not require approval under this Act;
- for the value of the improvements;

calculated as of the date that the declaration of expropriation under *The Expropriation Procedure Act* was submitted to the Land Titles Registry in respect of the land, and the authority shall also make compensation for the damage, if any, to other land of the owner, less the amount of any increase in value of the other land resulting from the improvements made or to be made by the authority on the land taken.

1979, c.M-11.1, s.54; 1980-81, c.69, s.32; 2000, c.L-5.1, s.338.

#### **Resistance or opposition**

**55(1)** If resistance or opposition is made by any person to the entering upon or the taking of any land under section 53, a judge of the Court of Queen's Bench shall, upon being satisfied that the entering or taking is within the authority conferred by this Act, issue his warrant to the sheriff at the judicial centre nearest to which the land is situated directing him to put down the resistance or opposition and to take any steps that may be necessary to assure peaceable entry upon the land by the authority or its employees or agents or to put the authority or its employees or agents in possession of the land.

(2) The sheriff shall immediately make a return to the Court of Queen's Bench of the warrant and of the manner in which he executed the warrant.

1979, c.M-11.1, s.55.

## FINANCE

#### **Amounts paid by participating parties**

**56(1)** In every fiscal year, the participating parties shall pay the following amounts to the authority:

- (a) in the case of the government, \$740,169;
- (b) in the case of the city, \$556,700;
- (c) in the case of the university, \$574,000.

- (2) In any fiscal year, the participating parties may pay any amounts to the authority that they consider appropriate in addition to the amounts to be paid pursuant to subsection (1).
- (3) The participating parties shall review the amounts mentioned in subsection (1) at least once every five years after April 1, 1998, giving consideration to:
- (a) the total level of funding;
  - (b) each participating party's share of the funding; and
  - (c) the desirability of implementing a funding formula.
- (4) The amounts mentioned in subsection (1), and any additional amounts paid pursuant to subsection (2), are to be used to cover the lawful expenses of the authority other than:
- (a) the expenses specifically provided for or reimbursed by a participating party pursuant to any other provision of this Act or pursuant to any other Act;
  - (b) the expenses provided for or reimbursed out of the proceeds of a loan;
  - (c) the expenses provided for or reimbursed by any person; and
  - (d) any expense for which provision is made pursuant to subsection (5).
- (5) Subject to subsection (7), the participating parties shall pay to the authority, in addition to the amounts to be paid pursuant to subsection (1) and any amounts paid pursuant to subsection (2), the following amounts in the proportions provided for in subsection (6):
- (a) any amount required for or towards the cost of the acquisition of land, of fixing and paying the price of or the compensation for the land and of all valuations and other matters incidental or related to the acquisition, to the extent that the cost is not provided out of the proceeds of a loan or loans;
  - (b) any amount required for or towards the satisfaction of any interest payable, and all sinking fund or other debt service charges payable on any loan obtained and on any bond, debenture or other security issued by the authority;
  - (c) any amount that is declared to be excluded from the scope of subsections (1) and (2) by a special resolution of the authority;
  - (d) any amount required for or towards the cost of the acquisition of land or required in relation to a loan obtained or a bond, debenture or other security issued to provide the whole or part of the loan, where the land concerned has been purchased or expropriated by the authority.
- (6) Any amount payable pursuant to subsection (5) is to be paid by the participating parties in the following proportions:
- (a) in the case of the government, 40 1/3%;
  - (b) in the case of the city, 30 1/3%;
  - (c) in the case of the university, 29 1/3%.
- (7) No payment shall be made pursuant to subsection (5) except pursuant to a special resolution.



(8) Any amount payable by the government pursuant to subsection (1), (2) or (5) shall be paid out of the general revenue fund.

1998, c.4, s.7.

**57 Repealed.** 1998, c.4, s.7.

**Minimum contribution**

**58(1)** The aggregate of the sums to be paid by the participating parties in respect of a fiscal year shall not be less than \$500,000.

(2) Where the aggregate of the sums calculated to be paid by the participating parties in respect of a fiscal year would be less than \$500,000, each participating party shall pay to the authority, within three months after the end of the fiscal year:

- (a) in the case of the government 40 1/3%;
- (b) in the case of the city 30 1/3%;
- (c) in the case of the university, 29 1/3%;
- (d) **Repealed.** 1980-81, c.69, s.34.

of the amount by which \$500,000 exceeds the amount calculated to be paid.

1979, c.M-11.1, s.58; 1980-81, c.69, s.34.

**59 Repealed.** 1998, c.4, s.8.

**Allocation of moneys paid to authority**

**60** The authority shall, in each fiscal year, allocate, out of the sums paid to it pursuant to subsections 56(1) and (2), not less than one-third of the total of the sums so paid for any one or more of:

- (a) landscape construction on public land;
- (b) the construction of a service facility or facilities on authority land;
- (c) the construction, subject to section 35, of a service facility or facilities on land of a participating party.

1979, c.M-11.1, s.60; 1998, c.4, s.9.

**Prepayment of loan by participating party**

**61(1)** In subsection (2), “**loan**” includes a loan raised to repay the whole or any part of a prior loan.

(2) A participating party may, at any time, require the authority to prepare an account of the respective sums that would be required from the participating parties in the proportions provided for in subsection 56(6) in order fully to discharge a loan obtained or cost incurred by the authority, and thereafter a separate account shall be kept for each participating party’s share of the loan or cost and, if the obligations of the authority so permit, a participating party may provide funds for, and require the authority to repay, the whole or any part of its percentage liability and, upon such repayment, that participating party’s liability under section 56 in respect of the loan or cost shall be discharged or reduced accordingly.

(3) Nothing done under subsection (2) shall result in a duplication of the sums payable under section 56.

1979, c.M-11.1, s.61; 1998, c.4, s.10.

**Time at which payments to authority are required**

**62** One-fourth of each of the sums to be paid by a participating party during a fiscal year pursuant to sections 34, 38 and 56 becomes due on each of April 1, July 1, October 1 and January 1 in that fiscal year, or at any other time or times that may be arranged, in the case of all or any of the participating parties and for the purpose of substituting such a time or times either for one occasion or for a specified or indefinite period, by agreement between the authority and the participating party or parties for whom the arrangement is to be made.

1979, c.M-11.1, s.62.

**62.1 Repealed.** 1998, c.4, s.11.

**Interest payable by participating party**

**63** Where a participating party fails to pay a sum when due, it shall pay to the authority, upon demand, interest at a rate equal to the rate of interest payable under the latest debentures issued by the city prior to the day the sum became due on the amount in arrears from the day on which it became due.

1979, c.M-11.1, s.63.

**Borrowing powers of authority**

**64(1)** Subject to section 69, the authority may, pursuant to a special resolution, borrow any sums of money that it considers necessary for its purposes, including, without limiting the generality of the foregoing:

- (a) the repayment, renewal or refunding from time to time of the whole or any part of any loan obtained or securities issued by the authority under this Act;
- (b) the repayment of the whole or any part of any loan guaranteed or assumed by the authority;
- (c) the payment of any liability or any bonds, debentures or other securities whose payment is guaranteed or assumed by the authority;
- (d) the payment of the whole or any part of any other liability or indebtedness of the authority;
- (e) carrying out any of the powers of the authority under this Act;
- (f) providing in whole or in part for expenditures of the authority made or to be made in connection with the carrying out of any of its powers under this Act;
- (g) reimbursing the authority for any expenditures mentioned in clause (f);
- (h) the repayment of the whole or any part of any sum borrowed under subsection (8);

and, for the purpose of such borrowing, the authority may issue any bonds, debentures or other securities, bearing any rate or rates of interest and being payable as to principal and interest at any time or times, in any manner, in any place or

places in Canada or elsewhere, and in the currency of any country or countries, as the authority may determine.

(2) The bonds, debentures and other securities mentioned in subsection (1) may be issued in any amounts that will realize the net sums required for the purposes of the authority, and a recital or declaration in the special resolution of the authority authorizing the issue of securities to the effect that the amount of the securities so authorized is necessary to realize the net sum required for the purposes of the authority is conclusive evidence of that fact.

(3) The authority may sell or otherwise dispose of any bonds, debentures or other securities on any terms and conditions that it considers advisable, or may charge, pledge, hypothecate, deposit or otherwise deal with them as collateral security.

(4) Any securities dealt with as collateral security under subsection (3), when redelivered to the authority or its nominees on or after payment, satisfaction, release or discharge in whole or in part of any indebtedness or obligation for which the securities were given as collateral, or when the authority again becomes entitled to the securities, may be treated by the authority as unissued and may, subject to section 67, be issued, reissued, charged, pledged, hypothecated, deposited, dealt with as collateral security, sold or otherwise disposed of upon any terms and conditions that the authority considers advisable or, at its option, may be cancelled and fresh securities in the like amount and in the like form may be issued in lieu thereof with the like consequences, and upon such issue or reissue a person entitled thereto has the same rights and remedies as if the securities had not been previously issued.

(5) Bonds, debentures and other securities issued by the authority under this section shall be in any form and shall be executed in any manner that the authority may by resolution determine.

(6) The authority may by resolution provide that its seal may be engraved, lithographed, printed or otherwise mechanically reproduced on any bonds, debentures or other securities to which it is to be affixed, and that any signature upon any bonds, debentures or other securities, and upon the coupons, if any, attached thereto, may be engraved, lithographed, printed or otherwise mechanically reproduced thereon.

(7) The seal of the authority, when mechanically reproduced as described in subsection (6), is of the same force and effect as if manually affixed, and such mechanically reproduced signatures are, for all purposes, valid and binding upon the authority, notwithstanding that any person whose signature is reproduced has ceased to hold office before the date of the security or before its issue.

(8) Subject to section 67, the authority may borrow by way of temporary loans from any bank or from any person or corporation, any sums, upon any terms, for any purposes and upon any conditions that the authority may determine by way of bank overdraft or line of credit, or by the pledging as security for such temporary loans of notes, bonds, debentures or other securities of the authority pending their sale or in lieu of selling them, or in any other manner that the authority may determine, and any cheques, promissory notes or other instruments that may be necessary or desirable in connection with the borrowing of money and the obtaining of advances

by way of temporary loans may be executed in any manner that the authority may determine.

1979, c.M-11.1, s.64.

**Guarantee by province**

**65(1)** The Lieutenant Governor in Council may, on any terms that may be stated in the Order in Council passed for the purpose, guarantee the payment of the principal and interest of any bonds, debentures or other securities issued by the authority and of loans, temporary or otherwise, raised by the authority.

(2) A guarantee pursuant to subsection (1) shall be in any form and manner that the Lieutenant Governor in Council may approve.

(3) A guarantee pursuant to subsection (1) shall be signed by the Minister of Finance, or any other officer or officers that may be designated by the Lieutenant Governor in Council, and, on the signing of such a guarantee, the province is liable for the payment of the principal and interest of the bonds, debentures, securities and loans guaranteed according to the tenor thereof.

(4) Any guarantee signed in accordance with subsection (3) is conclusive evidence that the terms of this section have been complied with.

(5) The Lieutenant Governor in Council may make any arrangements that may be necessary for supplying the money required to implement any guarantee pursuant to subsection (1) and for advancing the amount necessary for that purpose out of the general revenue fund.

(6) Notwithstanding any other provision of this Act:

(a) 30 1/3% of each amount paid by the province in implementing any guarantee pursuant to subsection (1) is a debt payable to the province by the city;

(b) 29 1/3% of each amount paid by the province in implementing any guarantee pursuant to subsection (1) is a debt payable to the province by the university.

(7) **Repealed.** 1980-81, c.69, s.35.

(8) **Repealed.** 1980-81, c.69, s.35.

1979, c.M-11.1, s.65; 1980-81, c.69, s.35; 2004, c.10, s.17.

**Sinking fund debentures**

**66(1)** Where debentures are issued, the authority may provide that the principal shall be repaid at a fixed date with interest payable annually or semi-annually, and in that case the debentures shall be known as sinking fund debentures.

(2) Where sinking fund debentures are issued, the amount of principal to be raised in each year shall be a specific sum that is, together with the estimated interest at a rate not exceeding four per cent per annum capitalized yearly, sufficient to pay the principal of the debentures or of any set of them when due.

(3) Where sinking fund debentures are issued, a consolidated bank account shall be kept, in which the treasurer of the authority shall deposit each year during the term of the debentures, on or before the anniversary of the date of the debentures, separate from any other account, the moneys raised for the sinking funds of all debts that are to be paid by means of sinking funds.

1979, c.M-11.1, s.66.

**Maximum amount authority may borrow**

**67** The aggregate of the sums that may be borrowed by the authority under this Act, whether by way of the issue of bonds, debentures or other securities or by way of temporary loan or otherwise, after deduction of discount and payment of commission applicable to all such loans, shall not, at any one time, exceed the amount obtained by multiplying the aggregate of the sums payable at that time under subsection 56(2) by five.

1979, c.M-11.1, s.67.

**Investment in securities issued by authority**

**68(1)** The council of any municipality may invest any of the surplus funds of the municipality in bonds, debentures or other securities issued by the authority.

(2) Notwithstanding anything in any other Act, moneys to be invested by any department of the government or by any board or commission or any sinking fund trustees or other trustees set up or appointed under any Act may be invested in bonds, debentures or other securities issued under this Act by the authority.

(3) Without limiting the generality of subsections (1) and (2), moneys to be invested under:

- (a) *The Liquor Board Superannuation Act*;
- (b) **Repealed.** 2002, c.M-11.12, s.15.
- (c) *The Municipal Employees' Pension Act*;
- (d) *The Power Corporation Act*;
- (e) *The Power Corporation Superannuation Act*;
- (f) *The Saskatchewan Government Insurance Act, 1980*;
- (g) *The Financial Administration Act, 1993*;
- (h) *The Saskatchewan Telecommunications Act*;
- (i) **Repealed.** 1998, c.S-35.2, s.11.
- (j) *The Teachers Superannuation and Disability Benefits Act*;
- (k) *The Workers' Compensation Act, 2013*;
- (l) **Repealed.** 2004, c.W-17.2, s.11.

may be invested in bonds, debentures or other securities issued by the authority.

(4) **Repealed.** 1998, c.40, s.14.

1979, c.M-11.1, s.68; 1980-81, c.69, s.36; 1983, c.29, s.23; 1988-89, c.42, s.62; 1998, c.S-35.2, s.11 and c.40, s.14; 2002, c.M-11.12, s.15; 2004, c.W-17.2, s.11; 2006, c.24, s.14; 2013, c.W-17.11, s.189.

#### Agreements

**69(1)** Notwithstanding any other provision of this Act or any provision of any other Act, the authority or a participating party may, for the whole or part of any purpose relating or incidental to Meewasin Valley or the land forming part of any road or street abutting upon Meewasin Valley:

(a) enter into an agreement with the Government of Canada, the government of any other province, or the council of any municipality other than a northern municipality, or with each other or with any other participating party;

(b) expend moneys, provide services and carry out obligations.

(2) Notwithstanding any other provision of this Act or any provision of any other Act, a participating party may pay moneys to the authority on account of any future obligation of the participating party to the authority, whether or not the amount of the obligation is then known and whether or not the obligation is likely to be incurred in the same fiscal year as the fiscal year in which the payment is made.

(3) All moneys to be paid under subsection (1) or (2) by the government shall, subject to the approval of the Lieutenant Governor in Council, be paid out of the general revenue fund.

1979, c.M-11.1, s.69; 2004, c.10, s.17; 2005, c.M-36.1, s.438.

#### Authority may provide expertise

**69.1** Notwithstanding any other provision of this Act or any other Act, the authority may, for the purpose of providing its expertise to a party outside of the Meewasin Valley:

(a) enter into an agreement with that party; or

(b) expend and receive moneys, provide services and carry out obligations.

1995, c.13, s.4.

## MISCELLANEOUS

#### Non-liability of authority or participating party

**70** No action lies against a participating party, any member, officer or employee of the authority acting on the instructions of the authority or pursuant to the authority of this Act, the architect planner of the authority, the Development Review Committee or any other committee of the authority for any loss or damage suffered

by any person or participating party by reason of anything in good faith done or omitted to be done in the exercise or supposed exercise of any authority granted pursuant to this Act or a bylaw.

1988-89, c.14, s.19; 2006, c.24, s.15.

**Proposal re development plan**

**71** A participating party may propose to the authority that the development plan be implemented, elaborated or amended.

1979, c.M-11.1, s.71; 1980-81, c.69, s.38.

**Fire protection**

**72** Subject to section 73, fire protection in the portion of the conservation zone situated within the city shall be provided by the city.

1979, c.M-11.1, s.72; 1980-81, c.69, s.39.

**Same**

**73** The authority may take measures necessary for the prevention and extinguishment of fires within Meewasin Valley and, without limiting the generality of the foregoing, may purchase or otherwise acquire engines and other fire fighting equipment and engage the necessary staff for carrying out such measures.

1979, c.M-11.1, s.73.

**Law enforcement**

**74(1)** The authority and the Rural Municipality of Corman Park No. 344 may enter into an agreement respecting the provision of law enforcement for property of the authority situated in the rural municipality.

(2) **Repealed.** 1980-81, c.69, s.40.

(3) Without limiting the powers of any municipality other than a northern municipality to provide law enforcement in the Meewasin Valley, the authority may appoint special constables, to be engaged at the expense of the authority, who shall have authority to perform and exercise, within Meewasin Valley, all the duties and powers that constables and peace officers are by law authorized to perform or exercise.

(4) Special constables appointed under subsection (3) are, in the performance of their duties and the exercise of their powers, subject to the lawful directions and orders of the chief of police of the city.

(5) Every special constable shall be supplied by the authority with an identification card and shall, before entering upon his duties, take and subscribe to an oath or affirmation in the same form, with any necessary modification, as the form prescribed in the regulations made pursuant to *The Police Act, 1990*.

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(6) No special constable shall be a member of the police force of the city, and neither the city nor the board of police commissioners of the city is responsible for any act of a special constable or for his failure to act in any circumstances.

(7) The authority may make any charges against any participating party that it considers reasonable, in respect of services performed by special constables, and a participating party against whom any such charge has been made shall pay the amount thereof to the authority.

(8) Nothing in this section affects the power of the government or the Minister of Justice to provide for the performance of police duties within Meewasin Valley by members of the Royal Canadian Mounted Police or special constables appointed under *The Police Act, 1990*.

1979, c.M-11.1, s.74; 1980-81, c.69, s.40; 1983, c.11, s.52; 1990-91, c.P-15.01, s.100; 2005, c.M-36.1, s.438.

**Taxation**

**75(1)** Subject to subsection (2), no authority land or improvement on authority land is subject to taxation for provincial, municipal or school purposes.

(2) Any authority land or improvement on authority land which is not being used by the authority for any of its purposes is subject to taxation for municipal and school purposes until such time as it is used by the authority for any of its purposes.

1980-81, c.69, s.41.

**Architect planner**

**76** The authority may, upon any terms and conditions that it considers desirable, appoint an architect, a landscape architect or a community planner, or a firm consisting of or including any number of those persons, to be an architect planner for the authority.

1980-81, c.69, s.42.

**Attestation of deeds**

**77** Except in cases otherwise provided for in this Act, all deeds executed under the common seal of the authority shall be attested by the signature of the chairperson and vice-chairperson and the secretary or any member designated by the authority for the purpose.

1979, c.M-11.1, s.77; 1998, c.4, s.12.

**Evidence of bylaw, etc.**

**78(1)** A copy of a resolution, bylaw or other document in the custody of the secretary of the authority which purports to be:

- (a) certified by the secretary to be a true copy; and
- (b) sealed with the seal of the authority;



is admissible in evidence as prima facie proof:

- (c) of the resolution, bylaw or document; and
- (d) of its contents;

without proof of the signature or official character of the person purporting to have signed the certificate.

(2) A printed copy of a bylaw passed by the authority and purporting to be printed by the Queen's Printer or under the authorization of the authority is admissible in evidence as prima facie proof of its contents and of the fact that it has been duly passed without any further proof.

1980-81, c.69, s.43.

#### Majority view

**79** Unless a member of a committee or subcommittee of the authority requests that a meeting be held for the purpose of rendering the decision, view or advice of the committee or subcommittee respecting a matter, the decision, view or advice of the committee or subcommittee, when supported individually by a majority of its members, may be accepted as the decision, view or advice of the committee or subcommittee, as the case may be, without the committee or subcommittee holding a meeting for the purpose.

1979, c.M-11.1, s.79.

#### Audit

**80(1)** The authority shall appoint an auditor and cause an annual audit of the books, accounts and financial affairs of the authority to be made by the auditor.

(2) The auditor shall, immediately after completing an audit, prepare a report with respect to his findings and furnish each participating party with a copy of the report.

1979, c.M-11.1, s.80.

#### Approvals, etc., required

**81** Nothing in this Act affects the application of *The Agricultural Operations Act*, *The Water Power Act*, *The Environmental Management and Protection Act, 2010* or *The Water Security Agency Act*, or any regulations in force under any of those Acts, that requires:

- (a) an approval; or
- (b) the doing or omitting of any act or thing, with respect to a licence, permit, approval, right, authority, grant, permission, lease or concession;

granted or to be granted pursuant to any such Act or regulation.

1988-89, c.14, s.20; 2002, c.S-35.02, s.130; 2005, c.S-35.03, s.108; 2006, c.24, s.16; 2010, c.E-10.22, s.105; 2013, c.32, s.8.

**Roads, etc. within the conservation zone**

**82** Notwithstanding anything in *The Cities Act*, *The Municipalities Act*, *The University of Saskatchewan Act, 1995* or any other Act, no road, street, bridge, highway, lane, alley, square or public place within the conservation zone shall be under the direction, management or control of any municipality or the university, but this section does not affect the application pursuant to subsection 12(7) of a bylaw of the city or a regulation of the university.

2005, c.M-36.1, s.438.

**Act and bylaws prevail**

**83** Where the provisions of this Act or of any bylaw conflict with any other Act, the provisions of this Act or the bylaw, as the case may be, prevail, but nothing in this Act or in any bylaw shall be construed to affect the academic powers of the university pursuant to *The University of Saskatchewan Act, 1995*.

1979, c.M-11.1, s.83; 2006, c.24, s.17.

**Act binds Crown**

**84** The Crown is bound by this Act.

1979, c.M-11.1, s.84.

**Coming into force**

**85** This act or any of the provisions of this Act come into force on a day or days to be fixed by proclamation of the Lieutenant Governor.

1979, c.M-11.1, s. 85.

**SCHEDULE A**

[*Clauses 2(g) and (q)*]

1 All those lands in Township 35, in Range 5, west of the Third Meridian, described as follows:

- (a) the north-west quarter of Section 6;
- (b) all that portion of the west half of:
  - (i) Section 7;
  - (ii) Section 18; and
  - (iii) Section 30;

lying to the west of the west bank of the South Saskatchewan River;

- (c) all that portion of the south half of Section 30 lying to the east of the east bank of the South Saskatchewan River;
  - (d) all that portion of the south-west quarter of Section 7 lying to the east of the east bank of the South Saskatchewan River;
  - (e) the north-west quarter of Section 19, Extension 13 as described on Certificate of Title 77S32651A, description 13.
- 2 All those lands in Township 35, in Range 6, west of the Third Meridian, described as follows:
- (a) all that portion of the north-east quarter of Section 1 lying to the north of Beaver Creek, and to the east of the east bank of the South Saskatchewan River;
  - (b) all that portion of the south-east quarter of Section 4 lying to the south of the surveyed road, as shown on Plan CT 2637;
  - (c) all that portion of the east half of Section 11 lying to the south of the south bank of the South Saskatchewan River;
  - (d) the west half of Section 11;
  - (e) all that portion of the south-east quarter of Section 12 lying to the east of the east bank of the South Saskatchewan River;
  - (f) all that portion of the south-west quarter of Section 12 lying to the south of the south bank of the South Saskatchewan River;
  - (g) all that portion of the north-west quarter of Section 2 lying to the west of the west bank of the South Saskatchewan River;
  - (h) all that portion of the south-east quarter of Section 3 lying to the north of the north bank of the South Saskatchewan River;
  - (i) all that portion of the north-east quarter of Section 3 lying to the north of the north bank of the South Saskatchewan River, except that parcel described on title 25386544;
  - (j) the south-east quarter of Section 10, Extension 0;
  - (k) Parcel B as shown on Registered Plan 97S42012, being a subdivision of the south-west quarter of Section 3.
- 3 All those lands in Township 36, in Range 5, west of the Third Meridian, described as follows:
- (a) the south half of Section 17;
  - (b) all that portion of Section 17, lying to the west of the west boundary of Idylwyld Drive;
  - (c) **Repealed.** 2006, c.24, s.18.
  - (d) all that portion of Section 18, lying to the west of the west bank of the South Saskatchewan River;
  - (e) all that portion of the south-west quarter of Section 20, lying to the east of the east bank of the South Saskatchewan River;
  - (f) all that portion of the fractional west half and the south-east quarter of Legal Subdivision 10, in Section 20, lying to the east of the South Saskatchewan River and to the west of the west limit of the land taken for a roadway, as shown in Plan DC 5592, except Parcel A, as shown in Plan FN 4129;

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- (g) all that portion of the fractional north-east quarter of Legal Subdivision 10, in Section 20, that is not covered by the waters of the South Saskatchewan River, lying to the west of the west limit of the land taken for a roadway, as shown in Plan DC 5592, except:
- (i) Parcels B and C, as shown in Plan 61 S 15526; and
  - (ii) all those lands shown in Plan 69 S 14830;
- (h) the north-east quarter of Section 26, except all those lands shown in Plans:
- (i) 62 S 18696;
  - (ii) 64 S 03489;
  - (iii) 66 S 19386;
  - (iv) 67 S 02922;
  - (v) 67 S 10958;
  - (vi) 69 S 21067;
  - (vii) 72 S 06980;
  - (viii) 72 S 25394;
- (i) the north-west quarter of Section 26, except all those lands shown in Plan 64 S 03489;
- (j) the north-east quarter of Section 27, except all those lands shown in Plan 64 S 03489;
- (k) all that portion of fractional Sections 28 and 33, bounded on the west by the centre line of Spadina Crescent, on the north by the north limit of Queen Street, on the east by the west bank of the South Saskatchewan River and on the south by the centre line of 3rd Avenue;
- (l) the east half of Section 34;
- (m) all that portion of the north-west quarter of Section 34, lying to the east of the east bank of the South Saskatchewan River;
- (n) the west half of Section 35; and
- (o) the west half of the south-east quarter of Section 35, except all that portion shown in Plan G 773.
- 4 All those lands in Township 36, in Range 6, west of the Third Meridian, described as follows:
- (a) all that portion of:
    - (i) the east half of Section 1; and
    - (ii) the south-east quarter of Section 12;
 lying to the east of the east bank of the South Saskatchewan River;
  - (b) all that portion of the south-east quarter of Section 22 lying to the south of the Canadian National Railways right of way;
  - (c) all that portion of the south-west quarter of Section 23 lying to the south of the south limit of the Canadian National Railways yards, as shown in Plan 63 S 11744, except all those lands taken for a road, as shown in Plan 64 S 05529;
  - (d) all that portion of the south-east quarter of Section 23 contained within the boundaries of a line drawn:
    - (i) commencing at the south-east corner of the quarter section;

(ii) thence northerly along the east boundary of the quarter section a distance of 512.98 metres to a point;

(iii) thence westerly and parallel to the south boundary of the quarter section to a point on the west boundary of the quarter section;

(iv) thence southerly along the west boundary of the quarter section a distance of 512.98 metres, more or less, to the south-west corner of the quarter section; and

(v) thence easterly along the south boundary of the quarter section to the point of commencement;

except:

(vi) all those lands included in the Canadian National Railways yards shown in Plan 63 S 11744; and

(vii) all those lands taken for a roadway, as shown in Plan 64 S 05529;

(e) the north-east quarter of Section 12, Extension 31;

(f) the north-west quarter of Section 12, Extension 32.

5 All those lands in Township 37, in Range 4, west of the Third Meridian, described as:

(a) Legal Subdivision 13, in Section 7;

(b) Legal Subdivision 14, in Section 7, except the most north-easterly 11.48 hectares;

(c) Legal Subdivisions 2 to 12, inclusive, and 14, 15 and 16, in Section 18; and

(d) all that portion of the north-west quarter of Section 30, lying to the north of the north bank of the South Saskatchewan River.

6 All those lands in Township 37, in Range 5, west of the Third Meridian, described as follows:

(a) the north half of Section 1;

(b) the north half and the south-west quarter of Section 2;

(c) the south-east quarter of Section 2, except all those lands shown in Plans G 38 and G 219;

(d) the south-east quarter of Section 3;

(e) all that portion of Section 11, lying to the east of the east bank of the South Saskatchewan River;

(f) Section 12;

(g) Legal Subdivisions 1 to 5, inclusive, and 8, 12 and 13, in Section 13;

(h) **Repealed.** 1986, c.35, s.2.

(i) all those portions of Section 23 described as Parcel C and Municipal Reserve MR1 in Plan 85-S-42163;

(j) **Repealed.** 1998, c.4, s.13.

(k) all that portion of the north-west quarter of Section 25, described in Plan 72 S 16637 as a public improvement;

(l) all that portion of the north-east quarter of Section 26, described in Plan 73 S 01203 as a public reserve;

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- (l.1) all that portion of the north-west quarter of Section 25 described as Parcel C in Plan 92-S-11476;
  - (l.2) all that portion of the south half of Section 35 described as Parcel C in Plan 92-S-11476; and
  - (l.3) all that portion of the west half of Section 36 described as Parcel C in Plan 92-S-11476.
  - (m) **Repealed.** 1986, c.35, s.2.
- 7 All those lands in Township 38, in Range 4, west of the Third Meridian, described as:
- (a) all that portion of the south-east quarter of Section 16, lying to the east of the east bank of the South Saskatchewan River;
  - (b) all that portion of the east half of Section 26, lying to the west of the west bank of the South Saskatchewan River; and
  - (c) all that portion of the north-west quarter of Section 36 described in Plan CJ 5500 as Parcel C.
- 8 All those lands in Township 39, in Range 4, west of the Third Meridian, described as:
- (a) all that portion of the south-west quarter of Section 1, lying to the west of the west bank of the South Saskatchewan River; and
  - (b) the east half of Section 2.
- 9 All those lands:
- (a) shown in Plan BA 4993;
  - (b) in Blocks 31 and 32, as shown in Plan CE;
  - (c) in Block 44, as shown in Plan CE 1;
  - (d) in Parcels A, B, C, D, G, H and I and Block X, as shown in Plan CM 2265;
  - (e) shown in Plan CP 3114;
  - (f) bounded on the west by Spadina Crescent, on the north by 33rd Street, on the east by the west bank of the South Saskatchewan River and on the south by Queen Street, as shown in Plans DE and DE 1;
  - (g) in Blocks H and J, as shown in Plan EF, and in Parcels shown in Plan 65 S 08201;
  - (h) in Blocks FF, GG, HH and W, as shown in Plan EF 1;
  - (i) in Parcel A, as shown in Plan EN 3272;
  - (j) in Blocks 2, 4, 5, 6 and 7, as shown in Plan FJ and in MR1 Plan 95 S 32291;
  - (k) in Parcel A, as shown in Plan FN 4129, and in Parcel D, as shown in Plan 82 S 08142;
  - (l) in Blocks 14 and 15, as shown in Plan FW;
  - (m) in Block C, as shown in Plan FZ;
  - (n) in Blocks A and B, as shown in Plan FZ 1;
  - (o) in Lots 1 to 5, inclusive, as shown in Plan G 128, and all lands previously included and now shown in Plans 83 S 19140 and 85 S 28041;
  - (p) in Lots 9 to 25, inclusive, as shown in Plan G 176;
  - (q) in Lots 40 to 44, inclusive, as shown in Plan G 192;
  - (r) in Blocks 15A and 16A, as shown in Plan G 194;

- (s) in Parcel A, as shown in Plan G 252;
- (t) in Block A, as shown in Plan G 259;
- (u) shown in Plan G 328;
- (v) in Blocks 124, 125 and 126, as shown in Plan G 461;
- (w) in Parcels J to N, inclusive, as shown in Plan G 573;
- (x) in Blocks B, C and D, as shown in Plan G 616;
- (y) in Block F, as shown in Plan G 618;
- (z) in Parcels A, B and C, as shown in Plan G 625;
- (aa) shown in Plan G 690;
- (bb) in Parcels O, P, Q and S, as shown in Plan G 859;
- (cc) shown in Plan Q:
  - (i) lying between Saskatchewan Crescent East and the South Saskatchewan River;
  - (ii) as Parcel B; and
  - (iii) as Blocks 86, 87, 118 and 119;
- (dd) in Blocks 19 and 20, as shown in Plan Q 1;
- (ee) in Lot 16, in Block 145, as shown in Plan Q 2;
- (ff) shown in Plan Q 5;
- (gg) shown in Plan Q 16;
- (hh) shown in Plan Q 20;
- (ii) in Blocks A 2 and A 4, as shown in Plan Q 24 (A 955);
- (jj) shown in Plan Q 25;
- (kk) in Block W, as shown in Plan 60 S 09779;
- (ll) in Parcels A to F, inclusive, as shown in Plan 60 S 13285;
- (mm) in Parcels A and D, as shown in Plan 61 S 14744;
- (nn) shown in Plan 61 S 15526:
  - (i) as Parcel B; and
  - (ii) as Parcel C, except all those lands shown in Plan 69 S 14830;
- (oo) in Parcel A, as shown in Plan 62 S 03373, except all those portions of land shown in Plan 66 S 07385;
- (pp) shown in Plan 63 S 01249:
  - (i) as Parcels G, H, J, K, L, M, O, P and Q;
  - (ii) as Blocks 32 and 33; and
  - (iii) as Lot 30, in Block 31;
- (qq) shown in Plan 63 S 03501:
  - (i) as Blocks 510, 512 and 512A;

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- (ii) as Parcels A, B, C, D and W; and
- (iii) as Public Reserve R;
- (rr) shown in Plan 64 S 11679:
  - (i) as Parcels A and B; and
  - (ii) as Block A1;
- (ss) in Parcel C, as shown in Plan 64 S 11680;
- (tt) in Block 576, as shown in Plan 65 S 07271;
- (uu) in Parcels D and F, as shown in Plan 65 S 12125;
- (vv) in Parcels E and F, as shown in Plan 65 S 18756;
- (ww) in Parcel S, as shown in Plan 66 S 03854;
- (xx) shown in Plan 69 S 14831:
  - (i) as Lot 25, in Block 19; and
  - (ii) as Lot 34, in Block 20;
- (yy) in Parcel D, as shown in Plan 70 S 00223, except those portions of land shown in Plan 78 S 42716;
- (zz) in Parcels A to D, inclusive, as shown in Plan 70 S 12061;
- (aaa) in Block 667, as shown in Plan 70 S 20419;
- (bbb) in Parcel Y, in Block 145, as shown in Plan 71 S 24965;
- (ccc) in Parcel E, as shown in Plan 73 S 03402, except all those portions of land shown in Plan 74 S 09502;
- (ddd) in Block 617, as shown in Plan 73 S 24502;
- (eee) shown in Plan 73 S 33840:
  - (i) as Block 617; and
  - (ii) as Public Reserve R 3;
- (fff) in Public Reserve R 4, as shown in Plan 75 S 12009;
- (ggg) in Parcel ZZ, as shown in Plan 75 S 13724;
- (hhh) in Parcels G, H and K, as shown in Plan 75 S 32639;
- (iii) shown in Plan 75 S 33886:
  - (i) as Public Reserve R 5; and
  - (ii) as Parcel A;
- (jjj) in Parcels M and N, as shown in Plan 76 S 30270;
- (kkk) in Parcel K, in Block 908, as shown in Plan 77 S 13017;
- (lll) in Parcels D, E and J, in Block 908, as shown in Plan 77 S 13018;
- (mmm) shown in Plan FJ 1044;
- (nnn) shown in Plan 65 S 22071;
- (ooo) shown in Plan 66 S 20185;



(ppp) in the south-west quarter of Section 34, in Township 36, in Range 5, west of the Third Meridian.

1998, c.4, s.13; 2006, c.24, s.18.

**SCHEDULE B**  
[*Clause 2(q)*]

- 1 All those lands in Township 36, in Range 5, west of the Third Meridian, described as follows:
  - (a) all that portion of Legal Subdivision 7, in Section 19, bounded:
    - (i) on the north and west by the north and west boundaries of the legal subdivision;
    - (ii) on the south by the north limit of Carlisle Street, as that street is shown in Plan G 130; and
    - (iii) on the east by the west limit of Avenue X, as that avenue is shown in Plan GQ;
  - (b) all that portion of:
    - (i) the north-west quarter of Legal Subdivision 9, in Section 20; and
    - (ii) the north-east quarter of Legal Subdivision 10, in Section 20; lying east of the right of way, except all those lands shown in Plan 69 S 14830.
- 2 All those lands in Parcel A, as shown in Plan BV 4816.
- 3 All those lands in Blocks 17, 18, 19, 28, 29, 30 and 34 to 37, inclusive, as shown in Plan CE.
- 4 All those lands in Blocks 33 to 43, inclusive, and 49 and 50, as shown in Plan CE 1.
- 5 All those lands in Lots 1 to 4, inclusive, in Block 50, as shown in Plan CE 2.
- 6 All those lands in Lots 1 to 4, inclusive, in Block 50, as shown in Plan CE 3.
- 7 All those lands in Lots E and F, in Block 13, as shown in Plan CM 2265.
- 8 All those lands in Blocks 2 to 7, inclusive, and 13, 14 and 15, as shown in Plan DE.
- 9 All those lands, as shown in Plan DE 1, described as follows:
  - (a) all that portion, known as Wilson Park, and bounded:
    - (i) on the north by 33rd Street;
    - (ii) on the east by King Street; and
    - (iii) on the west by 10th Avenue;

except all that portion of land that lies to the north of a line drawn parallel with and 15.24 metres perpendicularly distant southerly from the centre line of the Pleasant Hills Branch of the Canadian Pacific Railway, as shown in Plan E 917; and
  - (b) Blocks 1, 2, 3 and 5 to 8, inclusive.
- 10 All those lands, as shown in Plan DE 2, described as follows:
  - (a) Lots 20 to 39, inclusive, in Block B;

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- (b) Lots 20 to 39, inclusive, in Block D; and
  - (c) Block E.
- 11 All those lands in Block 4, as shown in Plan DZ.
  - 12 All those lands in Blocks A to G, inclusive, K to N, inclusive, and P and X, as shown in Plan EF.
  - 13 All those lands, as shown in Plan EF 1, described as follows:
    - (a) Parcels X and Y; and
    - (b) Blocks Q, R and S.
  - 14 All those lands in Block 2, as shown in Plan EW.
  - 15 All those lands, as shown in Plan FT, described as follows:
    - (a) Parcels K to N, inclusive; and
    - (b) Blocks 1, 2, 4, 5, 8, 14, 15, 32 and 40.
  - 16 All those lands in Blocks 1 and 2, as shown in Plan FV.
  - 17 All those lands in Blocks 7, 10 to 13, inclusive, 31 and 36, as shown in Plan FW.
  - 18 All those lands in Blocks 4 and 5, as shown in Plan FZ.
  - 19 All those lands in Parcel A and in Blocks 1, 2, 3, 6 to 9, inclusive, and 14, as shown in Plan FZ 1.
  - 20 All those lands in Parcel A and the south-west 3.05 metres of Parcels B and C, as shown in Plan G 121.
  - 21 All those lands in Parcels A, B and C, as shown in Plan G 203.
  - 22 All those lands shown in Plan G 206.
  - 23 All those lands in Lots A to G, inclusive, as shown in Plan G 220.
  - 24 All those lands shown in Plan G 225.
  - 25 All those lands shown in Plan G 232.
  - 26 All those lands in Lots A and B, as shown in Plan G 249.
  - 27 All those lands shown in Plan G 259, except Parcel A.
  - 28 All those lands in Blocks 3, 4, 16, 17 and 32, as shown in Plan G 269.
  - 29 All those lands in Block 121, as shown in Plan G 272.
  - 30 All those lands shown in Plan G 285.
  - 31 All those lands in Lot A, as shown in Plan G 409.
  - 32 All those lands in Blocks 122, 123 and 127, as shown in Plan G 461.
  - 33 All those lands in Block 22A, as shown in Plan G 522.
  - 34 All those lands in Block 115A, as shown in Plan G 531.
  - 35 All those lands shown in Plan G 566.
  - 36 All those lands in Block A, as shown in Plan G 616.
  - 37 All those lands in Block G, as shown in Plan G 618.
  - 38 All those lands in Blocks 1, 2, 5, 5A, 6 and 7, as shown in Plan G 704.
  - 39 All those lands in Block 5, as shown in Plan G 785.

- 40 All those lands in Parcels C and D, as shown in Plan G 796.
- 41 All those lands in Block 1, as shown in Plan G 797.
- 42 All those lands in Parcels F and G, as shown in Plan G 865.
- 43 All those lands in Parcels A, B and C, as shown in Plan G 900.
- 44 All those lands in Blocks 1, 2, 3 and 9 to 12, inclusive, as shown in Plan GH.
- 45 All those lands in Blocks 1, 1A, 2 and 9 to 12, inclusive, as shown in Plan GR.
- 46 All those lands, as shown in Plan GV, described as follows:
- (a) Blocks 25, 27, 28, 29 and 30; and
  - (b) Parcel X.
- 47 All those lands in Blocks 84, 85, 88, 89, 90, 115, 116, 117, 120 and 128, as shown in Plan Q.
- 48 All those lands in Blocks 19 to 22, inclusive, 39 to 42, inclusive, 60 to 63, inclusive, and 83, as shown in Plan Q 1.
- 49 All those lands, as shown in Plan Q 2, described as follows:
- (a) Blocks 146, 153, 154, 155, 159 and 162; and
  - (b) Lots 1 to 5, inclusive, and 9 to 17, inclusive, in Block 160.
- 50 All those lands in Blocks 161, 170, 171, 172, 172A and 173, as shown in Plan Q 3.
- 51 All those lands in Block 161, as shown in Plan Q 8.
- 52 All those lands in Block 172, as shown in Plan Q 9.
- 53 All those lands in Blocks 180 to 183, inclusive, as shown in Plan Q 13.
- 54 All those lands in Lots A to E, inclusive, as shown in Plan Q 18.
- 55 All those lands shown in Plan Q 19.
- 56 All those lands shown in Plan Q 23.
- 57 All those lands in Block A 3, as shown in Plan Q 24.
- 58 All those lands in Block C, as shown in Plan Q 26.
- 59 All those lands in Blocks 245 to 249, inclusive, as shown in Plan 60 S 13285.
- 60 All those lands, as shown in Plan 61 S 07054, described as follows:
- (a) Block 465; and
  - (b) Parcel A.
- 61 All those lands, as shown in Plan 62 S 03373, described as follows:
- (a) Lots 1 to 11, inclusive, in Block 479; and
  - (b) Parcel C.
- 62 All those lands, as shown in Plan 62 S 05560, described as follows:
- (a) Lot 1, in Block 602; and
  - (b) Lot 1, in Block 603.
- 63 All those lands, as shown in Plan 63 S 03501, described as follows:
- (a) Blocks 499, 500, 501, 505, 509, 511, 513 and 514;

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- (b) Lots 13 to 18, inclusive, in Block 502;
  - (c) Lots 1, 2 and 3, in Block 503;
  - (d) Parcels E, F and G.
- 64 All those lands in Parcel A, as shown in Plan 63 S 06665.
- 65 All those lands in Parcel B, as shown in Plan 63 S 21942.
- 66 All those lands in Lot 10 in Block 482, as shown in Plan 64 S 04243.
- 67 All those lands in Parcels X, Y and Z, as shown in Plan 64 S 15658.
- 68 All those lands in Parcel A, as shown in Plan 64 S 17967.
- 69 All those lands in Block 601A, as shown in Plan 64 S 19388.
- 70 All those lands in Block C, as shown in Plan 64 S 22815.
- 71 All those lands in Blocks 500 and 511, as shown in Plan 65 S 02678.
- 72 All those lands in Block 509, as shown in Plan 65 S 04867.
- 73 All those lands in Parcels C and H, as shown in Plan 65 S 12125.
- 74 All those lands in Block 603, as shown in Plan 65 S 23431.
- 75 All those lands in Blocks 602 and 603, as shown in Plan 66 S 05653.
- 76 All those lands in Parcel B, as shown in Plan 66 S 11903.
- 77 All those lands in Block 602, as shown in Plan 67 S 22046.
- 78 All those lands in Parcel D, as shown in Plan 68 S 03829.
- 79 All those lands in Lot G, in Block 13, as shown in Plan 68 S 05217.
- 80 All those lands in Blocks 1 and 2, as shown in Plan 68 S 21984.
- 81 All those lands in Lot 76, in Block 4, as shown in Plan 69 S 14830.
- 82 All those lands, as shown in Plan 69 S 14831, described as follows:
- (a) Lot 1, in Block 637;
  - (b) Lot 35, in Block 20;
  - (c) Lot 38, in Block 21; and
  - (d) Parcels D and F.
- 83 All those lands in Public Reserve R 2, as shown in Plan 69 S 16169.
- 84 All those lands in Block A 3, as shown in Plan 69 S 21978.
- 85 All those lands in Parcel B, as shown in Plan 70 S 12701.
- 86 All those lands in Blocks 1 and 2, as shown in Plan 70 S 15131.
- 87 All those lands in Lot A, in Block 17, as shown in Plan 70 S 16633.
- 88 All those lands in Parcels A and B, as shown in Plan 71 S 07965.
- 89 All those lands in Blocks 1 and 2, as shown in Plan 72 S 08530.
- 90 All those lands in Blocks H and J, as shown in Plan 72 S 26860.
- 91 All those lands in Block 25, as shown in Plan 73 S 21500.

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- 92 All those lands in Blocks 616 and 618, as shown in Plan 73 S 24502.
- 93 All those lands in Block 27, as shown in Plan 73 S 27086.
- 94 All those lands in Blocks 618 and 620, as shown in Plan 73 S 28284.
- 95 All those lands in Block 618, as shown in Plan 73 S 33840.
- 96 All those lands in Lots 18A and 18B, in Block 500, as shown in Plan 74 S 17608.
- 97 All those lands in Block 620, as shown in Plan 74 S 21371.
- 98 All those lands in Block 602, as shown in Plan 74 S 27539.
- 99 All those lands in Block 618, as shown in Plan 74 S 28997.
- 100 All those lands in Blocks 618 and 619, as shown in Plan 75 S 11217.
- 101 All those lands in Blocks 619 and 620, as shown in Plan 75 S 12009.
- 102 All those lands, as shown in Plan 75 S 18188, described as follows:
- (a) Public Reserve R5; and
  - (b) Block 616.
- 103 All those lands in Parcel E, as shown in Plan 75 S 26537.
- 104 All those lands in Blocks 810 and 811, as shown in Plan 75 S 33886.
- 105 All those lands in Blocks 809 and 810, as shown in Plan 76 S 02129.
- 106 All those lands in Parcels F, G and H, in Block 908, as shown in Plan 77 S13018.
- 107 All those lands in units 1 to 32, inclusive, as shown in Condominium Plan 77 S 18928.
- 108 All those lands, as shown in Plan 77 S 19890, described as follows:
- (a) Public Reserve R6; and
  - (b) Parcel AA.
- 109 All those lands, as shown in Plan 77 S 25116, described as follows:
- (a) Lots 114 to 146, inclusive, and 231 to 262, inclusive, in Block 898; and
  - (b) Blocks 899 and 908.
- 110 All those lands, as shown in Plan 77 S 28478, described as follows:
- (a) Lots 1 to 113, inclusive, and 263 to 307, inclusive, in Block 898;
  - (b) Parcel CC, in Block 898; and
  - (c) Blocks 903 to 907, inclusive.
- 111 All those lands in Block 899, as shown in Plan 78 S 01080.
- 112 All those lands, as shown in Plan 78 S 15186, described as follows:
- (a) Lots 1 to 33, inclusive, and Parcels A, B, D, F, G, H, J and L, in Block 923;
  - (b) Lots 1 to 15, inclusive, in Block 926;

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- (c) Parcel A, in Block 926;
  - (d) Lots 1 to 66, inclusive, in Block 928;
  - (e) Parcels A to E, inclusive, in Block 928;
  - (f) Block 929;
  - (g) Lots 1 to 28, inclusive, in Block 930;
  - (h) Parcel A, in Block 930;
  - (i) Lots 1 to 24, inclusive, in Block 931;
  - (j) Parcel F, in Block 931;
  - (k) Lots 1 to 20, inclusive, in Block 932;
  - (l) Parcel A, in Block 932;
  - (m) Parcels A and B, in Block 933;
  - (n) Public Reserve R1;
  - (o) Parcels A, B and C, in Block 924;
  - (p) Lots 1 to 5, inclusive, in Block 925;
  - (q) Parcels A and B, in Block 925; and
  - (r) Block 927.
- 113 All those lands in Parcel B, as shown on Plan 84 S 04675.
- 114 All those lands in Parcel A, as shown on Plan 82 S 39647.
- 115 All those lands in Parcel A, as shown on Plan 82 S 26084.
- 116 All those lands in B1, as shown on Plan 82 S 12599.
- 117 All those lands in Parcel J, as shown on Plan 79 S 44700.
- 118 All those lands as shown on Plan G 360.
- 119 All those lands in B2, as shown on Plan 78 S 44806.

## SCHEDULE C

[Section 5.1]

## DECLARATION OF OWNERSHIP OF LANDS WITHIN MEEWASIN VALLEY

I, \_\_\_\_\_ of \_\_\_\_\_  
in the Province of Saskatchewan, \_\_\_\_\_,

SOLEMNLY DECLARE AS FOLLOWS:

- 1 THAT attached hereto and marked as an Exhibit to this my declaration is a complete list of lands owned by me within the meaning of *The Meewasin Valley Authority Act* and situate in Meewasin Valley.
- 2 THAT I make this declaration pursuant to section 5.1 of *The Meewasin Valley Authority Act*.
- 3 THAT I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED before me at \_\_\_\_\_

in the Province of Saskatchewan, this \_\_\_\_ day

of \_\_\_\_\_, A.D., 20 \_\_\_\_ . \_\_\_\_\_

\_\_\_\_\_  
A Commissioner for Oaths for Saskatchewan.

My commission expires Dec. 31, 20 \_\_\_\_ .

1979-80, c.4, s.17; 2012, c.C-16.001, s.17.

### Editorial Appendix

Note: Section 9 of *The Meewasin Valley Authority Amendment Act, 1994*, being chapter 6 of *The Statutes of Saskatchewan, 1994*, provides for transitional application of this Act as follows:

**9** The persons who hold office as members of the Planning and Development Committee and the Engineering Advisory Committee immediately before the coming into force of this Act continue to hold office as members of the Development Review Committee until the Development Review Committee is appointed pursuant to section 14 of *The Meewasin Valley Authority Act as enacted by section 3 of this Act*.

