

The Wakamow Valley Authority Act

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Chapter W-1.1 of *The Statutes of Saskatchewan, 1980-81* (consult Tables of Statutes of Saskatchewan for effective date) as amended by the *Statutes of Saskatchewan, 1980-81, c.83; 1983, c.11, 29 and 33; 1983-84, c.6 and 63; 1984-85-86, c.16 and 20; 1988-89, c.23 and 42; 1989-90, c.64; 1990-91, c.P-15.01 and c.8; 1991, c.13; 1992, c.A-24.1 and c.12; 1993, c.20 and c.42; 1997, c.53; 2000, c.L-5.1; 2002, c.C-11.1 and S-35.02; 2004, c.10; 2005, c.L-11.2, M-36.1 and S-35.03; 2007, c.6; 2012, c.C-16.001; 2013, c.32; 2015, c.F-15.11 and c.21; 2016, c.8; and 2023, c.30.*

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 W-1.1

An Act respecting the Establishment of the Wakamow Valley Authority

SHORT TITLE

Short title

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

INTERPRETATION

Interpretation

- 2 In this Act:

- (a) **“advisory area”** means the lands described in Schedule B;
- (b) **“appeal board”** means the Wakamow Valley Appeal Board established by section 28;
- (c) **“authority”** means the Wakamow Valley Authority constituted by section 4;
- (d) **“authority land”** means land within Wakamow Valley owned by the authority;
- (e) **“boat”** includes any vessel used or designed to be used in navigation;
- (f) **“bylaw”** means a bylaw of the authority;
- (g) **“city”** means the City of Moose Jaw;
- (h) **“city land”** means land within Wakamow Valley:
 - (i) that is owned by the city; or
 - (ii) that the city occupies or has the right to occupy pursuant to a lease with the owner of the land for a term in excess of 100 years;
- (i) **“development plan”** means the conceptual plan respecting Wakamow Valley on file in the office of the authority and designated by the authority as the development plan;
- (j) **“farmer”** means a person whose principal occupation is farming;
- (k) **“farming”** includes livestock raising, poultry raising, bee keeping, fur farming, tillage of the soil, nursery gardening or any other activity undertaken to produce agricultural products;
- (l) **“fiscal year”** means the period commencing on April 1 in one year and ending on March 31 in the following year;

- (m) **“government”** or **“Government of Saskatchewan”** means the Crown in right of Saskatchewan, every corporation and agency thereof and the Lieutenant Governor in Council;
- (n) **“Government of Canada”** means the Crown in right of Canada, every corporation and agency thereof and the Governor General in Council;
- (o) **“government land”** means land within Wakamow Valley owned by the government but does not include the Wild Animal Park;
- (p) **“improvement”** means a building, structure or service facility constructed, or landscape construction, within Wakamow 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;
- (q) **Repealed.** 2000, c.L-5.1, s.550.
- (r) **“landscape construction”** means:
- (i) the clearing, breaking, grading, fertilizing or cultivating of any area;
 - (ii) the construction of an outdoor ground surface for games or athletics;
 - (iii) the establishment on any outdoor ground surface of trees, shrubs, flowers, grass or other forms of vegetative growth;
 - (iv) the placement on any outdoor ground surface of outdoor furniture, including seating of a type suitable for a garden or park but not for an audience or assembly of spectators; or
 - (v) the placement of any functional or aesthetic features contributing to the general landscape design of the area;
- and includes:
- (vi) the provision of any machines, equipment and tools that, in the opinion of the authority, are necessary; and
 - (vii) for the purposes of sections 16 to 27, the breaking and use of any area for the operation of a gravel pit;
- (s) **“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;
- (t) **“management area”** means the lands described in Schedule A;
- (u) **“member”** means a member of the authority appointed pursuant to section 5;
- (v) **“participating party”** means the government, the city or a rural municipality;
- (w) **“person”** does not include a participating party or the authority;

- (x) **“private land”** means land within Wakamow Valley owned by a person;
- (y) **“property”** means real or personal property or any interest therein;
- (z) **“public land”** means land within Wakamow Valley owned by one or more participating parties and includes the verge;
- (aa) **“rural municipal land”** means land within Wakamow Valley owned by a rural municipality;
- (bb) **“rural municipality”** means the Rural Municipality of Baidon No. 131 or the Rural Municipality of Moose Jaw No. 161, as the case may be;
- (cc) **“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 Wakamow 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 sub-clauses (i) to (iii);
- (dd) **“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;
- (ee) **“special resolution”** means a resolution of the authority passed with the approval of at least five members, other than members designated under subsection 5(11), and of whom at least:
 - (i) one member is appointed under clause 5(1)(a); and
 - (ii) two members are appointed under clause 5(1)(b);
- (ff) **“verge”** includes all lands lying between the boundary of Wakamow 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;
- (gg) **“Wakamow Valley”** means the area described in Schedules A and B, subject to any alterations made pursuant to section 14, and, for the purposes of section 13, includes the verge.

APPLICATION OF ACT

Application of Act

3(1) Subject to subsection (2), this Act does not apply:

(a) to any public land that, at the time of the coming into force of this section, is occupied or used by the Government of Canada or of Saskatchewan 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.

(2) Without limiting the generality of section 64, 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.

(3) Subject to subsection (2), nothing in this Act or the bylaws is to be construed so as 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).

(4) Subject to subsection (1), for the purposes of this Act every public reserve in Wakamow Valley is deemed to be authority land.

(5) Any Act, regulation, bylaw or other law applicable in respect of Wakamow Valley, whether enacted, made or passed before or after the coming into force of this section, continues to apply in respect of Wakamow Valley, except to the extent that it is superseded by or is in conflict with this Act or any bylaw made under this Act.

1980-81, c.W-1.1, s.3; 1980-81, c.83, s.59.

WAKAMOW VALLEY AUTHORITY

Authority constituted

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

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

1980-81, c.W-1.1, s.4.

Membership of authority

5(1) The authority shall consist of:

(a) three members appointed by the Lieutenant Governor in Council;

(b) four members appointed pursuant to a resolution of the city; and

(c) two other members, one each of which is appointed pursuant to a resolution of each rural municipality.

- (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 chairperson is vacant, the vice-chairperson has and may exercise all the powers and functions of the chairperson.
- (8) The authority shall pay to the members, other than the members designated under subsection (11), any remuneration that may be determined by the authority.
- (9) Notwithstanding *The Legislative Assembly 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 any 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.
- (11) When appointing members to the authority, the government and the city shall each designate one member appointed by it pursuant to subsection (1) as a member who is not entitled to vote on any question or matter before the authority.
- (12) No officer or employee of the city is eligible to be appointed as a member of the authority, unless he is also designated under subsection (11).

1980-81, c.W-1.1, s.5; 1984-85-86, c.20, s.4; 2002, c.C-11.1, s.419; 2005, c.L-11.2, s.97; 2005, c.M-36.1, s.480; 2007, c.6, s.2; 2015, c.21, s.64; 2016, c.8, s.3.

Disclosure of land holdings

6(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 25% 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 under section 15 shall, before entering upon the duties of his office or within 30 days after the coming into force of this section, whichever is later, furnish the authority with a declaration in the form prescribed in Schedule C setting out the lands within Wakamow 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 30 days after any disposition or acquisition of lands described in that subsection, notify the authority of the disposition or acquisition.

(4) The authority shall maintain a register containing:

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

(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.

(7) The register maintained by the authority in accordance with this section may be inspected by any person during the regular business hours of the authority.

1980-81, c.W-1.1, s.6.

Quorum

7(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), five members constitute a quorum.

1980-81, c.W-1.1, s.7.

Head office

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

1980-81, c.W-1.1, s.8.

Meetings

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

1980-81, c.W-1.1, s.9.

Employees of authority

10(1) The authority may employ any officers or other employees or any consultants or advisors that it considers necessary for the purposes of this Act, and may fix their remuneration and the terms and conditions of their employment.

(2) Subject to subsection (3), the city may arrange for the participation by officers and employees employed pursuant to subsection (1) in the City of Moose Jaw 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 one month from the day on which he is employed under subsection (1), by notice in writing to the authority and to the governing authority of that superannuation plan or scheme, elect to continue to participate in that superannuation plan or scheme, if arrangements for his continued participation are made by the participating party and the governing authority of the superannuation plan or scheme.

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

(a) the election is irrevocable; and

(b) he shall continue to participate in the superannuation plan or scheme that he was participating in as a result of his former employment.

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(5) The authority may, by agreement, make any arrangements with the governing authority of any superannuation plan or scheme that may be necessary to provide for a superannuation plan or scheme for any officers and employees of the authority.

1980-81, c.W-1.1, s. 10.

Powers of authority

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

- (a) subject to subsection 12(4), amend or elaborate the development plan after consultation with the architect planner appointed pursuant to section 70;
- (b) co-ordinate or control the use, development, conservation, maintenance and improvement of public land in accordance with the development plan;
- (c) acquire property by gift or purchase or in any other manner;
- (d) hold or administer property or acquire, by lease, licence or otherwise, the right to occupy and use property;
- (e) subject to section 48, sell, grant, convey, lease or otherwise dispose of its property;
- (f) construct, maintain or operate any park, improvement or service facility;
- (g) 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;
- (h) upon the request and at the expense of a participating party, maintain, develop or improve property owned by the participating party and situated outside Wakamow Valley;
- (i) 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;
- (j) 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*;
- (k) dispose of any securities in which moneys have been invested under clause (j) in any manner and on any terms that it may consider expedient;

- (l) 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;
- (m) 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;
- (n) 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.

1980-81, c.W-1.1, s.11; 1983, c.29, s.55; 1988-89, c.42, s.109; 2004, c.10, s.17 and 18.

Exercise of powers by resolution

- 12(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) Subject to subsection (4), a resolution requires the approval of at least four members.
- (4) The development plan may only be amended or elaborated by a special resolution.

1980-81, c.W-1.1, s.12.

Bylaws

- 13(1)** Without limiting the generality of any of the powers conferred upon it by section 11, the authority may, for the purpose of carrying out the provisions of this Act according to their intent, make bylaws in respect of Wakamow Valley:
 - (a) subject to subsection (2), regulating the use of public land and prohibiting, regulating or controlling the construction or alteration of any improvement on any public land in the management area;
 - (b) notwithstanding *The Cities Act* or *The Municipalities Act*, controlling traffic in the management area, including the regulation of speed and parking of vehicles;
 - (c) without limiting the generality of clause (j), prohibiting or regulating the use, for recreational purposes, of the waters of the Moose Jaw River flowing within Wakamow Valley or of any lake, stream, pond or other body of water in Wakamow Valley;
 - (d) authorizing police, special constables or peace officers, or any designated officer:
 - (i) to remove or cause the removal of any vehicle or boat that is placed, left or kept in Wakamow Valley in contravention of this Act or a bylaw;

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- (ii) to impound or store any vehicle or boat described in subclause (i); and
- (iii) to release any vehicle or boat that has been impounded to the owner upon payment of the cost of removal and impounding or storage within a period of 30 days after the day of the removal of the vehicle or boat or within any extended period of time that may be specified in the bylaw;

and providing for the recovery of the cost of removal and impounding or storage cost, if not paid within the period of time allowed, 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) applicable to public land, 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) and (3), applicable to the management area:
 - (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) prescribing fees for the entrance to or use of authority land or of facilities operated or owned by the authority;
- (j) regulating, restricting or prohibiting sports, games, picnicking, camping or other recreational activities on public land;
- (k) for the preservation of the public health and the prevention of the spread of disease;
- (l) prohibiting the making of excessive noise on public land;
- (m) subject to subsection (4), prohibiting the keeping, or controlling the use or manner of the keeping, of horses, dogs and other animals;
- (n) subject to any Act of the Parliament of Canada or of the Legislature, 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;
- (o) for the protection, care and preservation of property of the authority;
- (p) for the prevention of nuisances and compelling the abatement of nuisances;
- (q) 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 section and that has been carried on continuously from that time.
- (4) No bylaw made under clause (1)(m) applies in respect of rural municipal land, private land or land used for any agricultural exhibition or zoo.
- (5) Every bylaw made under subsection (1), other than a bylaw made under clause (1)(g) or (q), is to be published in the Gazette and in a newspaper having circulation in the city and 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 published in the Gazette.
- (6) Every bylaw made under clause (1)(g) or (q) 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) Notwithstanding that parts of the management area are government land:
- (a) every bylaw passed by the council of the city respecting traffic applies throughout the portion of the management area situated within the city;
 - (b) every bylaw passed by the council of the rural municipality respecting traffic applies throughout the portion of the management area situated within the rural municipality.
- (8) All bylaws made by the authority may be enforced in the same manner that bylaws of the city may be enforced pursuant to *The Cities Act*, and for that purpose subsection 8(2) and sections 82, 335 and 345 of *The Cities Act* apply, with any necessary modification.

1980-81, c.W-1.1, s.13; 1980-81, c.83, s.59;
 1984-85-86, c.16, s.42; 2002, c.C-11.1, s.419;
 2005, c.M-36.1, s.480; 2015, c.F-15.11, s.65.

Alteration of area of Wakamow Valley

- 14(1) Subject to subsections (2) and (3), the authority may, by special resolution, alter the area of Wakamow Valley by adding to or excluding from the area any parcel of land.
- (2) The authority may, by special resolution, alter the area of Wakamow Valley by adding to the area any parcel of private land within the geographical area of a participating party, other than the government, with the approval of the participating party.

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(3) The authority may, by special resolution, alter the area of Wakamow Valley by adding to or excluding from the area any parcel of land outside the geographical area of the participating parties, other than the government, with the approval of each of the participating parties and the municipality in which the land is situated.

(4) The authority may, by special resolution:

(a) alter the area of the management area by adding to the area any parcel of land in the advisory area;

(b) alter the area of the advisory area by adding to the area any parcel of land in the management area;

with the approval of the participating party in whose geographical area the parcel of land is situated.

(5) Where any parcel of private land is added to or excluded from Wakamow Valley or the management area, the authority shall, within 10 days after the date of the special resolution effecting the addition or exclusion, advise the owner of the parcel of private land in writing of the addition or exclusion.

1980-81, c.W-1.1, s.14; 1980-81, c.83, s.59.

Withdrawal

14.1(1) A rural municipality may, in accordance with subsection (2), withdraw as a participating party of the authority effective December 31 in any year.

(2) A rural municipality that wishes to withdraw as a participating party of the authority shall give written notice of its withdrawal to the chairperson of the authority and every other participating party at least two years prior to December 31 of the year in which it will withdraw.

(3) On and from the date that a rural municipality withdraws as a participating party:

(a) that rural municipality has no power to appoint a member of the authority; and

(b) the member of the authority appointed by that rural municipality who was serving at the time of the withdrawal ceases to be a member; and

(c) any area of land within that rural municipality which is included in Wakamow Valley ceases to be part of Wakamow Valley unless that rural municipality agrees that the land should remain as part of Wakamow Valley.

1984-85-86, c.20, s.5; 2015, c.21, s.64.

COMMITTEES

Advisory committees

15 The authority may appoint, upon any terms and conditions that it considers advisable, any committees that it considers advisable consisting of persons who may, but need not, be members.

1980-81, c.W-1.1, s.15.

16 to 24 Not yet proclaimed.

Improvements made by authority

25 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.

1980-81, c.W-1.1, s.25.

26 to 34 Not yet proclaimed.

Landscape construction to accord with development plan

35 The authority shall not perform any landscape construction that is not consistent or in accordance with the development plan.

1980-81, c.W-1.1, s.35.

36 Not yet proclaimed.

SERVICE FACILITIES AND SERVICE MAINTENANCE

Service facility of participating party

37 A participating party shall, at its own expense, construct any service facility that it requires, 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.

1980-81, c.W-1.1, s.37.

Service facility of authority

38 The authority shall, at its own expense, construct any service facility that it requires.

1980-81, c.W-1.1, s.38.

Authority determines service maintenance

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

1980-81, c.W-1.1, s.39.

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Service maintenance

40(1) Each participating party shall pay for service maintenance of a service facility which it requires.

(2) The authority shall pay for service maintenance of a service facility which it requires.

(3) Service maintenance of a service facility which is required by a participating party may be performed by the authority at the expense of the participating party, 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 service facility.

1980-81, c.W-1.1, s.40.

Existing service facility

41 Each participating party shall maintain, at its own expense, any service facility existing at the time of the coming into force of this section and for which it was responsible on the day before the day on which this section comes into force.

1980-81, c.W-1.1, s.41; 1980-81, s.83, s.59.

COST OF SERVICE MAINTENANCE

Determination of cost

42 Notwithstanding any other provision of this Act:

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

(b) where no special resolution applicable to a fiscal year has been passed pursuant to clause (a), the rates for the various types of 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 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 are 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.

1980-81, c.W-1.1, s.42; 1992, c.A-24.1, s.61.

VERGE

Construction, etc., on verge

43(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.

1980-81, c.W-1.1, s.43.

CLOSING OF PUBLIC HIGHWAY

Closure by authority

44(1) Subject to subsections (2) and (4), the authority may close the whole or any part of a public highway in the management area.

(2) The authority may delegate to an officer of the authority its power to close the whole or any part of a public highway in the management area for a period of not more than seven days.

(3) 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.

(4) Where the authority intends to close a public highway or part of a public highway within the management area 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, it shall not close the public highway or part unless:

(a) it gives at least 30 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.

(5) A person described in clause (4)(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.

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(6) Where a person entitled to compensation pursuant to subsection (5) is dissatisfied with the amount offered, sections 50 to 55, subsection 56(3) and sections 57 and 58 of *The Highways and Transportation Act* apply, *mutatis mutandis*, for the purpose of determining the amount of compensation.

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

1980-81, c.W-1.1, s.44; 1983-84, c.6, s.21.

Closure by participating party

45(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 Wakamow Valley for any period not exceeding 28 days.

(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.

1980-81, c.W-1.1, s.45.

INSTRUMENTS AFFECTING PUBLIC LAND

Instruments affecting public land

46(1) Subject to subsections (3) and (4) but otherwise notwithstanding any other provision of this Act, a transfer of title with respect to public land in the management area must be accompanied by the written consent of the authority.

(2) Subject to subsections (3) and (4) 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 management area is invalid unless it is accompanied by the written consent of the authority.

(3) Subsections (1) and (2) 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;
 - (d) any transfer of land to the government where the land transferred is dedicated to public use; or
 - (e) any transfer or interest that is exempted by bylaw from the application of subsections (1) and (2).
- (4) The authority shall not withhold its consent under subsections (1) and (2) 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.551.

ACQUISITION AND DISPOSAL OF LAND

Approval to expropriate

47 No person or participating party shall exercise any power given by an Act to expropriate any land or interest in land within Wakamow Valley without the approval of the authority.

1980-81, c.W-1.1, s.47.

Disposal of authority land

48(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; and
- (b) the cost of improvements constructed by the authority on the land and the cost of 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, service facilities or service maintenance.

1980-81, c.W-1.1, s.48.

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Acquisition of land by authority or participating party

49(1) The authority may by agreement acquire any private land or land owned by a participating party.

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

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

1980-81, c.W-1.1, s.49.

50 Not yet proclaimed.**Disposal of public land**

51(1) Subject to subsection (2), where a participating party proposes to dispose of land owned by it within Wakamow 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.

(3) Subsection 50(2) applies, *mutatis mutandis*, in respect of public land that is to be disposed of.

1980-81, c.W-1.1, s.51; 2000, c.L-5.1, s.552.

Transfer of land by city or rural municipality

52 Subject to section 51:

(a) the city may, without complying with *The Cities Act* and notwithstanding that Act and notwithstanding those Acts, lease to any other participating party or the authority, or transfer to any other participating party or the authority by way of sale, gift or otherwise, any city land;

(b) the rural municipality may, without complying with *The Municipalities Act* and notwithstanding that Act, lease to any participating party or the authority, or transfer to any other participating party or the authority by way of sale, gift or otherwise, any rural municipal land.

1980-81, c.W-1.1, s.52; 1984-85-86, c.16, s.42;
2002, c.C-11.1, s.419; 2005, c.M-36.1, s.480.

53 to 55 Not yet proclaimed.

FINANCE

Amounts payable to the authority

56 In every fiscal year:

- (a) the city shall pay \$190,500 to the authority; and
- (b) each rural municipality that is a participating party of the authority shall pay \$1,500 to the authority.

2016, c.8, s.4.

57 Repealed. 2016, c.8, s.4.

58 Repealed. 1997, c.53, s.4.

59 Repealed. 1997, c.53, s.4.

60 Repealed. 1993, c.20, s.3.

Time of making payments

61(1) One-fourth of the amounts to be paid during a fiscal year by one of the participating parties pursuant to section 42, or by the city or a rural municipality that is a participating party pursuant to section 56, must be paid:

- (a) on each of April 1, July 1, October 1 and January 1 in that fiscal year; or
- (b) in the case of payments pursuant to:
 - (i) section 42, at any other time that may be agreed to between the authority and the participating party that is required to make the payment; or
 - (ii) section 56, at any other time that may be agreed to between the authority and the city or the rural municipality.

(2) An agreement pursuant to subsection (1) may be for any occasion or any period.

2016, c.8, s.5.

61.1 Repealed. 1997, c.53, s.4.

Interest on overdue payments

62 If a participating party fails to pay to the authority an amount required by this Act when due, it shall pay to the authority, on demand, interest at a rate equal to the prime rate of interest payable under the latest debentures issued by the city before the day on which the sum became due on the amount in arrears from the day on which it became due.

2016, c.8, s.6.

Temporary loans

63(1) Subject to subsections (2) and (3), 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 or other securities of the authority pending the sale thereof 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.

(2) Subject to subsection (4), any sum borrowed under subsection (1) is to be borrowed on the condition that the sum is to be repaid or the loan otherwise retired within the fiscal year in which the loan is made.

(3) The aggregate of the sums borrowed pursuant to subsection (1) that are outstanding at any one time in any fiscal year must not exceed one-half of the total of the amounts payable pursuant to section 56 in that fiscal year by the city and any rural municipality that is a participating party.

(4) The authority may, during the fiscal year in which any sum is borrowed and the two succeeding fiscal years, extend the loan and renew or extend the promissory notes or other obligations securing the loan.

1980-81, c.W-1.1, s.63; 1997, c.53, s.5; 2016, c.8, s.7.

Agreements

64(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 Wakamow Valley or the land forming part of any road or street abutting upon Wakamow Valley:

(a) enter into an agreement with the Government of Canada or the council of any municipality in Saskatchewan, 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.

1980-81, c.W-1.1, s.64; 2002, c.C-11.1, s.419; 2004, c.10, s.17; 2005, c.M-36.1, s.480.

MISCELLANEOUS

Non-liability of participating parties, etc.

65 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 or any committee appointed by 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.23, s.4.

Proposal re development plan

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

1980-81, c.W-1.1, s.66.

Fire protection

67(1) Subject to subsection (2), the city shall provide fire protection in respect of property of the authority in Wakamow Valley.

(2) The authority may take measures necessary for the prevention and extinguishment of fires within Wakamow 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.

1980-81, c.W-1.1, s.67.

Law enforcement

68(1) The city shall provide law enforcement in Wakamow Valley.

(2) Without limiting the powers of the city to provide law enforcement in Wakamow Valley, the authority may appoint special constables, to be engaged at the expense of the authority, who have the authority to perform and exercise, within Wakamow Valley, all the duties and powers that constables and peace officers are by law authorized to perform or exercise.

(3) Special constables appointed under subsection (2) 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.

(4) The authority shall supply every special constable with an identification card and every special constable 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*.

(5) 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.

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(6) 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 of the charge to the authority.

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

1980-81, c.W-1.1, s.68; 1983, c.11, s.94; 1990-91, c.P-15.01, s.103.

Exemption from taxation

69 No authority land or improvement on authority land is subject to taxation for provincial, municipal or school purposes.

1980-81, c.W-1.1, s.69.

Architect planner

70(1) The authority shall, 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.

(2) The architect planner appointed pursuant to subsection (1) shall review the development plan at least once every seven years.

1980-81, c.W-1.1, s.70; 1993, c.20, s.4.

Attestation of deeds

71 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 or vice-chairperson and the secretary or any member designated by the authority for the purpose.

1980-81, c.W-1.1, s.71; 2015, c.21, s.64.

Evidence of bylaw, etc.

72(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 King'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. W-1.1, s.72; 2023, c30, s.16.

Majority view

73 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 necessity of holding a committee or subcommittee meeting for the purpose.

1980-81, c.W-1.1, s.73.

Audit

74(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.

1980-81, c.W-1.1, s.74.

Approval of authority required

75(1) Where a member of the Executive Council or any other person is authorized to grant any licence, permit, approval, right, authority, grant, permission, lease or concession under *The Agricultural Operations Act*, *The Water Power Act*, *The Environmental Protection and Management Act* or *The Water Security Agency Act* or under any regulations made under any of those Acts, for the doing of any act or thing in Wakamow Valley or in or upon any land owned by the authority outside Wakamow Valley, the approval of the authority to the granting thereof shall first be obtained by the applicant.

(2) Nothing in subsection (1) affects the application of any Act or regulation mentioned in that subsection which requires an approval, or which requires the doing or omitting of any act or thing, in respect of a licence, permit, approval, right, authority, grant, permission, lease or concession granted or to be granted under such Act or regulation.

1980-81, c.W-1.1, s.75; 1983-84, c.63, s.15; 2002, c.S-35.02, s.154; 2005, c.35.03, s.118; 2013, c.32, s.8.

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Roads, etc., within management area

76(1) Notwithstanding anything in *The Cities Act*, *The Municipalities Act* or any other Act, no road, street, bridge, highway, lane, alley, square or public place within the management area constructed by the authority shall be under the direction, management or control of the city or the rural municipality, but this section does not affect the application, pursuant to subsection 3(5), of bylaws of the city or the rural municipality.

(2) **Repealed.** 2005, c.M-36.1, s.480.

1980-81, c.W-1.1, s.76. 1984-85-86, c.16, s.42;
2002, c.C-11.1, s.419; 2005, c.M-36.1, s.480.

Crown bound

77 The Crown is bound by this Act.

1980-81, c.W-1.1 s.77.

Coming into force

78 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.

1980-81, c.W-1.1 s.78.

SCHEDULE A

1 All those lands, as shown in Plan Old 96, described as follows:

- (a) Lots 1 and 20 in Block 90;
- (b) Lots 19 to 22, inclusive, in Block 91;
- (c) Lots 19 to 22, inclusive, in Block 112;
- (d) Lots 1 and 20 in Block 113;
- (e) Lots 1 and 20 in Block 121;
- (f) Lots 19 to 22, inclusive, in Block 122;
- (g) Lots 1 to 7, inclusive, and Lots 22 to 30, inclusive, in Block 134;
- (h) all that portion of:
 - (i) the lane in Block 134, lying west of the production southerly of a line drawn parallel to and 6.096 metres perpendicularly distant westerly from the east boundary of Lot 2 in Block 134;
 - (ii) Selwyn Street, lying between the production southerly of the west boundary of the east half of Lot 25 in Block 134 and the south-east limit of Pasqua Street;
 - (iii) North Bridge Street, lying between the production southerly of the east boundary of Lot 11 in Block 142 and the right bank of Moose Jaw Creek; and
 - (iv) Pasqua Street, lying between the south limit of Manitoba Street and the north limit of North Bridge Street;

except all that portion lying to the east of a line drawn parallel to and 6.096 metres perpendicularly distant westerly from the east boundary of Lot 2 in Block 134;

- (i) Block 142 and all that portion of North Bridge Street, lying between the production southerly of the east boundary of Lot 12;

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- (j) Blocks 144 and 149;
 - (k) Lots 1 to 10, inclusive, in Block 157;
 - (l) Lots 1 to 10, inclusive, in Block 158;
 - (m) Lots 4 to 17, inclusive, in Block 162; and
 - (n) Blocks 171A, 196A and 197A, as amended by M.T.O. 61 MJ 12884.
- 2 Lots 4 to 6, inclusive, in Block A, as shown in Plan D 850.
- 3 Block 1 and Blocks A and B, as shown in Plan E 1505.
- 4 All those lands, as shown in Plan F 1789, described as follows:
- (a) Block 1, except that portion as shown in Plan CX 345; and
 - (b) Block 2, except Parcel A as shown in Plan BA 3400.
- 5 Block D, as shown in Plan G 1209.
- 6 All those lands, as shown in Plan N 3102, described as follows:
- (a) Lot 1, except the north 60.96 metres;
 - (b) Lot 2, except the north 53.34 metres;
 - (c) Lot 3, except the north 45.72 metres;
 - (d) Lot 4, except the north 38.10 metres; and
 - (e) Lots 5 to 7, inclusive.
- 7 Lots 7 to 16, inclusive, in Block K, as shown in Plan N 4280.
- 8 All those lands as shown in Plan R 1941, described as follows:
- (a) Blocks 1 to 9, inclusive, and Blocks 17 and 20;
 - (b) Parcel A, as amended by M.T.O. 72 MJ 01571;
 - (c) Blocks H and J, as amended by M.T.O. 62 MJ 06348; and
 - (d) Maryland Public Park.
- 9 All those lands, as shown in Plan S 2499, described as follows:
- (a) Lots 21 to 23, inclusive, Lots 35 to 37, inclusive, and the east half of Lot 38 in Block 4;
 - (b) Lots 1, 2 and 7 in Block 2; and
 - (c) Blocks 5 and 6.
- 10 Blocks 21 to 24, inclusive, Blocks 25 to 28, inclusive, and Blocks 37 to 40, inclusive, as shown in Plan S 3865.
- 11 blocks 1 to 13, inclusive, Blocks 25 to 28, inclusive, and Blocks A and B, as shown in Plan V 1328.
- 12 All those lands, as shown in Plan AD 885, described as follows:
- (a) Block G; and
 - (b) Block H, as amended by M.T.O. 62 MJ 06348.
- 13 Parcel A as shown in Plan BA 3400.
- 14 All those lands, as shown in Plan BF 1256, described as follows:
- (a) Block B, except the north 182.88 metres;
 - (b) Block C, except the north 152.4 metres;
 - (c) Block D, except the north 121.92 metres; and
 - (d) Block E, except the north 91.44 metres.

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- 15 Blocks 1 to 10, inclusive, Block 12, and Blocks R and R1, as shown in Plan CX 33.
- 16 Blocks 13 to 16, inclusive, and Blocks 18 and 19, as shown in Plan CX 126.
- 17 Blocks 17 and 20, as shown in Plan CX 251.
- 18 Parcel L as shown in Plan CX 296.
- 19 Parcels L and M, as shown in Plan CX 345.
- 20 All those lands, as shown in Plan EX 222, described as follows:
 - (a) Parcels A, C, D and E; and
 - (b) Block R1, as amended by M.T.O. 76 MJ 03766.
- 21 Blocks 17 and 21, as shown in Plan EX 1001.
- 22 Parcel N, as shown in Plan 59 MJ 10599.
- 23 Blocks B and C, as shown in Plan 61 MJ 10993.
- 24 Parcel A, as shown in Plan 61 MJ 12463.
- 25 Block 271, as shown in Plan 63 MJ 03288.
- 26 Lots 1 and 10 in Block 19, as shown in Plan 66 MJ 09836.
- 27 All those lands, as shown in Plan 67 MJ 05748, described as follows:
 - (a) Lot A in Block 4; and
 - (b) Lot A in Block E.
- 28 Parcel B, as shown in Plan 68 MJ 01459.
- 29 Block 20, as shown in Plan 73 MJ 01303.
- 30 Block C, as shown in Plan 74 MJ 11295.
- 31 Blocks D, E, F, G and H, as shown in Plan 75 MJ 01141.
- 32 Parcel A, as shown in Plan 75 MJ 08030.
- 33 All those lands, as shown in Plan 77 MJ 09336, described as follows:
 - (a) Lots B, C and D; and
 - (b) Block R.
- 34 All those lands in Township 16, in Range 26, west of the Second Meridian, described as follows:
 - (a) all that portion of the north-east quarter of Section 28, lying east of a line drawn parallel to and 251.46 metres perpendicularly distant from the west boundary of the quarter section, except all that portion as shown in Plan S 3865;
 - (b) the west 251.46 metres in perpendicular width throughout of the north-east quarter of Section 28, lying north of the north limit of Princess Street, as that street is shown in Plan S 3865, except all that portion as shown in Plan E 1505;
 - (c) all that portion of the north-west quarter of Section 28 contained within the boundaries of a line drawn:
 - (i) commencing at the south-west corner of the quarter section;
 - (ii) thence northerly along the west boundary of the quarter section a distance of 239.99 metres;
 - (iii) thence easterly and parallel to the south boundary of the quarter section a distance of 84.49 metres;
 - (iv) thence southerly and parallel to the west boundary of the quarter section to the south boundary of the quarter section; and
 - (v) thence westerly along the south boundary of the quarter section to the point of commencement;

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- (d) all that portion of the original road allowance known as Main Street, lying west of the north-west quarter of Section 28, as shown in Plan CP 288, except the most north-westerly 6.096 metres in perpendicular width throughout;
- (e) all that portion of the north-east quarter of Section 29 contained within the boundaries of a line drawn:
- (i) commencing at the intersection of the production easterly of the north limit of Block 2, as shown in Plan F 1789, with the east boundary of the quarter section;
 - (ii) thence westerly along the production and the north limit of Block 2, as shown in Plan F 1789, to the right bank of Moose Jaw Creek;
 - (iii) thence northerly along the right bank of Moose Jaw Creek to its intersection with the east boundary of the quarter section; and
 - (iv) thence southerly along the east boundary of the quarter section to the point of commencement;
- (f) the north-west quarter of Section 29, except:
- (i) all that portion taken for the Riverview Addition to the City of Moose Jaw, as shown in Plan O 4753, as amended by M.T.O. AI 1616;
 - (ii) all that portion lying north of a line drawn parallel to and 409.65 metres distant southerly from the north boundary of the quarter section and west of the west limit of Fourth Avenue and its production southerly, as Fourth Avenue is shown in Plan O 4753;
 - (iii) all that portion, as shown in Plan EX 222;
 - (iv) all that portion, as shown in Plan EX 1010; and
 - (v) Parcel A, as shown in Plan 75 MJ 08030;
- (g) the north half of the south-east quarter of Section 29;
- (h) the south-west quarter of Section 29, except all that portion, as shown in Plan V 1328, as amended by M.T.O. 59 MJ 09221;
- (i) all that portion of the south-west quarter of section 29 described as follows:
- (i) Parcel F, as shown in Plan 59 MJ 09223; and
 - (ii) Parcels X and Y, as shown in Plan 65 MJ 07348;
- (j) all that portion of the south-east and south-west quarters of Section 32, the south-west quarter of Section 33 and the original road allowance, lying between Sections 32 and 33, contained within the boundaries of a line drawn:
- (i) commencing at the intersection of the south limit of Manitoba Street, as shown in Plan Old 96, with the west limit of a roadway, as shown in Plan G 2009;
 - (ii) thence westerly along the south limit of Manitoba Street to the east limit of Second Avenue;
 - (iii) thence southerly along the east limit of Second Avenue to the south limit of Langtry Street, as shown in Plan Old 96;
 - (iv) thence westerly along the south limit of Langtry Street to the west boundary of Section 32;
 - (v) thence southerly along the west boundary of Section 32 to the north limit of Home Street, as shown in Plan Old 96;
 - (vi) thence easterly along the north limit of Home Street to the west limit of Third Avenue;
 - (vii) thence northerly along the west limit of Third Avenue to the north limit of South Crescent Street, as shown in Plan Old 96;
 - (viii) thence easterly along the north limit of South Crescent Street to the east limit of Fifth Avenue;

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- (ix) thence southerly along the east limit of Fifth Avenue to the north limit of Maple Street, as shown in Plan Old 96;
 - (x) thence easterly along the north limit of Maple Street to the east limit of Seventh Avenue;
 - (xi) thence southerly along the east limit of Seventh Avenue to the north limit of Home Street;
 - (xii) thence easterly along the north limit of Home Street to the west limit of Main Street, as shown in Plan Old 96;
 - (xiii) thence northerly along the west limit of Main Street to the production of the north limit of the unnamed street north of Block 159, as shown in Plan Old 96;
 - (xiv) thence easterly along the north limit of the unnamed street and its production to the west limit of the roadway shown in Plan G 2009; and
 - (xv) thence northerly along the west limit of the roadway shown in Plan G 2009 to the point of commencement;
- except:
- (xvi) Parcel A, as shown in Plan 61 MJ 12463;
 - (xvii) Parcel B, as shown in Plan 68 MJ 01459;
 - (xviii) all that portion, as shown in Plan 77 MJ 09336;
 - (xix) all that portion, as shown in Plan 74 MJ 11295;
 - (xx) all that portion, as shown in Plan 75 MJ 01141; and
 - (xxi) all that portion of the south-west quarter of Section 32, lying west of the east limit of Fifth Avenue South West;
- (k) all that portion of Bow Street and South Bridge Street in the south-west quarter of Section 33, lying west of a line drawn due north and south 30.48 metres perpendicularly distant westerly from the most westerly point of Lot 1 in Block 149, as those streets and lots are shown in Plan Old 96;
 - (l) all that portion of Section 33 contained within the boundaries of a line drawn:
 - (i) commencing at the intersection of the north limit of Coteau Street with a line drawn parallel to and perpendicularly distant easterly 20.12 metres from the east limit of Block 197;
 - (ii) thence northerly, parallel to and perpendicularly distant easterly 20.12 metres from the east limits of Blocks 197, 196, 171 and 162, a distance of 20.12 metres, more or less, to a point perpendicularly distant northerly 20.12 metres from the north limit of Block 162;
 - (iii) thence westerly and parallel to the north limit of Block 162 to intersect a line drawn parallel to and perpendicularly distant north-westerly 20.12 metres from the north limit of Block 161;
 - (iv) thence south-westerly and parallel to the north limit of Block 161 to intersect a line drawn parallel to and perpendicularly distant northerly 20.12 metres from the north limit of Block 160;
 - (v) thence westerly and parallel to the north limit of Block 160 to the east limit of the unnamed street 20.12 metres in width connecting the unnamed street north of Block 159 with Manitoba Street;
 - (vi) thence north-easterly and northerly along the east limit of the connecting street and its different courses to the south limit of Manitoba Street;
 - (vii) thence easterly along the south limit of Manitoba Street to the west limit of Pasqua Street;
 - (viii) thence south-westerly along the west limit of Pasqua Street to the north limit of North Bridge Street;
 - (ix) thence west along the north limit of North Bridge Street or its production to the water's edge of Moose Jaw Creek;
 - (x) thence southerly along the water's edge or Moose Jaw Creek to the south limit of North Bridge Street;

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- (xi) thence easterly along the south limit of North Bridge Street to the west limit of Eighteenth Avenue;
- (xii) thence southerly along the west limit or Eighteenth Avenue to the north limit of South Bridge Street;
- (xiii) thence westerly along the north limit of South Bridge Street to the water's edge of Moose Jaw Creek;
- (xiv) thence southerly along the water's edge of Moose Jaw Creek to the south limit of South Bridge Street;
- (xv) thence easterly along the south limit of South Bridge Street to the west limit of Bow Street;
- (xvi) thence south-easterly, easterly and north-easterly along the west, south and east limits of Bow Street to the old south limit of South Bridge Street;
- (xvii) thence easterly along the old south limit of South Bridge Street to its intersection with the south-west limit of Caron Crescent;
- (xviii) thence south-easterly along the south-west limit of Caron Crescent to intersect a line drawn parallel to and perpendicularly distant westerly 20.12 metres from the west limit of Block 170;
- (xix) thence southerly and parallel to the west limit of Block 170 to the north limit of Coteau Street;
- (xx) thence westerly along the north limit of Coteau Street to the point of commencement;

as the streets, blocks and crescent are shown in Plan Old 96, except:

- (xxi) all that portion, as shown in Plan 61 MJ 10993; and
- (xxii) all that portion, as shown in Plan 75 MJ 01141.

SCHEDULE B

- 1 All those lands, as shown in Plan Old 96, described as follows:
 - (a) Lots 1 to 6, inclusive, and Lots 11 and 12 in Block 87;
 - (b) Block 88;
 - (c) Lots 1 to 18, inclusive, and Lot 21 in Block 89;
 - (d) Lots 4 to 20, inclusive, in Block 114;
 - (e) Block 114A and Parcels P and Q, as amended by M.T.O. CX 557;
 - (f) Lots 1 to 10, inclusive, in Block 116;
 - (g) Lots 1 to 20, inclusive, in Block 119;
 - (h) Block 120;
 - (i) Lots 11 to 19, inclusive, in Block 121;
 - (j) Lots 23 to 40, inclusive, in Block 122;
 - (k) Lots 11 to 25, inclusive, and Lot A in Block 123;
 - (l) Lots 8 to 21, inclusive, in Block 134;
 - (m) Blocks 143, 150 and 156;
 - (n) Lots 11 to 20 in Block 157;
 - (o) Lots 11 to 20 in Block 158;
 - (p) Blocks 159, 160 and 161;
 - (q) Lots 1 and 20 in Block 162;
 - (r) Lots 1 to 8, inclusive, in Block 175;

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- (s) Lots 1 to 10, inclusive, in Block 176;
 - (t) Lots 1 to 10, inclusive, in Block 177;
 - (u) Parcel T, as amended by M.T.O. EX 216; and
 - (v) Parcel M, as amended by M.T.O. CX 141.
- 2 Lots 1 to 3, inclusive, in Block A, as shown in Plan D 850.
 - 3 Blocks 7 and 8, as shown in Plan D 3174.
 - 4 All those lands, as shown in Plan D 3845.
 - 5 Lots 38 to 66, inclusive, as shown in Plan D 4450.
 - 6 All those lands, as shown in Plan G 1209, described as follows:
 - (a) Lots 10 to 17, inclusive, in Block C; and
 - (b) Block E.
 - 7 All those lands, as shown in Plan N 1398 and Parcel B in Plan N 1398, as amended by M.T.O. 65 MJ 04067.
 - 8 All those lands, as shown in Plan N 3102, described as follows:
 - (a) the north 60.96 metres of Lot 1;
 - (b) the north 53.34 metres of Lot 2;
 - (c) the north 45.72 metres of Lot 3; and
 - (d) the north 38.10 metres of Lot 4.
 - 9 Lots 1 to 6, inclusive, in Block K, as shown in Plan N 4280.
 - 10 All those lands, as shown in Plan N 4354, described as follows:
 - (a) Lots 71A and 63, as amended by M.T.O. 64 MJ 12209; and
 - (b) Lot B, as amended by M.T.O. 69 MJ 09621.
 - 11 All those lands, as shown in Plan O 473, described as follows:
 - (a) Lots 11 and 12 in Block 21; and
 - (b) Lots 7 to 11, inclusive, in Block 22.
 - 12 Lots 13 to 20, inclusive, in Block 231, as shown in Plan O 4753.
 - 13 Lots 29, 31, 33, 35 and 37, as shown in Plan R 3437.
 - 14 Block A, as shown in Plan R 4723.
 - 15 All those lands, as shown in Plan S 128, described as follows:
 - (a) Lots 21 to 40, inclusive, in Block 232;
 - (b) Lots A and B and Lots 1 to 15, inclusive, in Block 233; and
 - (c) Lots 8 to 20, inclusive, and Lots 22 to 24, inclusive, in Block 241.
 - 16 All those lands, as shown in Plan S 2499, described as follows:
 - (a) Lots 3 to 6, inclusive, and Lot A in Block 2; and
 - (b) Lots 1 to 10, inclusive, the west half of Lot 38 and Lots 39 and 40 in Block 4.
 - 17 Blocks 1 to 4, inclusive, Blocks 13 to 16, inclusive, Block 13A, Blocks 17 to 20, inclusive, and Blocks 29 to 36, inclusive, as shown in Plan S 3865.
 - 18 All those lands, as shown in Plan BF 1256, described as follows:
 - (a) the north 182.88 metres of Block B;
 - (b) the north 152.40 metres of Block C;
 - (c) the north 121.92 metres of Block D; and
 - (d) the north 91.44 metres of Block E.

- 19 All that portion of Block A, lying south of the north limit of Manitoba Street West, as shown in Plan BV 5530.
- 20 Block C, except the portion shown in Plan 71 MJ 01346, as shown in Plan CK 579.
- 21 All those lands, as shown in Plan EX 222, described as follows:
 - (a) Lots 11 to 27, inclusive, in Block 230;
 - (b) Lots 8 to 14, inclusive, in Block 244; and
 - (c) Parcel R.
- 22 All those lands, as shown in Plan EX 1010, described as follows:
 - (a) Lots 13 to 28, inclusive, in Block 265; and
 - (b) Block R4.
- 23 Blocks A, B and C, as shown in Plan 62 MJ 06543.
- 24 Parcel X, as shown in Plan 63 MJ 03696.
- 25 Parcel Y, as shown in Plan 63 MJ 03697.
- 26 Parcel Z, as shown in Plan 63 MJ 03698.
- 27 Parcels D, E, F, G and FF, as shown in Plan 67 MJ 04892.
- 28 Lot B in Block 4, as amended by M.T.O. 73 MJ 10474, as shown in Plan 67 MJ 0 5748.
- 29 Block 25, as shown in Plan 67 MJ 13991.
- 30 Parcel C, as shown in Plan 68 MJ 04058.
- 31 Parcel G, as shown in Plan 68 MJ 04421.
- 32 All that portion of Block H, lying south of the north limit of Manitoba Street West, as shown in Plan 71 MJ 01346.
- 33 Lots A, B, C and D, as shown in Plan 72 MJ 00318.
- 34 Lots D and C in Block 265, as shown in Plan 72 MJ 11622.
- 35 Lots A, B, C and D in Block 87, as shown in Plan 73 MJ 05140.
- 36 Block F, as shown in Plan 73 MJ 13196.
- 37 Parcel F, as shown in Plan 73 MJ 15131.
- 38 Block B, as shown in Plan 77 MJ 06016.
- 39 All that portion of Parcel M, lying south of the north limit of Manitoba Street West, as shown in Plan 77 MJ 08834.
- 40 Parcel H, as shown in Plan 79 MJ 04363.
- 41 Lots 1 to 7, inclusive, in Block 27, as shown in Plan 79 MJ 15502.
- 42 Parcel C, as shown in Plan 80 MJ 03174.
- 43 All those lands shown in Plan 80 MJ 08559.
- 44 All those lands, in Township 16, in Range 26, west of the Second Meridian, described as follows:
 - (a) the north-east and north-west quarters of Section 20;
 - (b) the north-west quarter of Section 27, except all that portion as shown in Plan N 1015;
 - (c) all that portion of the north-east quarter of Section 29 contained within the boundaries of a line drawn:
 - (i) commencing at a point on the east boundary of the quarter section 201.17 metres distant southerly from the north-east corner of the quarter section;

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- (ii) thence westerly and parallel to the north boundary of the quarter section a distance of 42.37 metres to the point of commencement;
 - (iii) thence westerly and parallel to the north boundary of the quarter section a distance of 38.10 metres;
 - (iv) thence southerly and parallel to the east boundary of the quarter section a distance of 15.24 metres;
 - (v) thence easterly and parallel to the north boundary of the quarter section a distance of 38.10 metres; and
 - (vi) thence northerly and parallel to the east boundary of the quarter section a distance of 15.24 metres, more or less, to the point of commencement;
- (d) those portions of Parcels A and B, lying within Legal Subdivisions 1 and 2 in the south-east quarter of Section 29;
- (e) all that portion of the south-west quarter of Section 32 bounded:
- (i) on the north by the south limit of Manitoba Street West;
 - (ii) on the east by the east limit of Fifth Avenue South West;
 - (iii) on the south by the north limit of South Crescent Street; and
 - (iv) on the west by the east limit of Sixth Avenue South West;

except all those portions as shown in Plans BV 5530, CK 579, 71 MJ 01346 and 77 MJ 08834;

- (f) all those portions of Section 33:
- (i) contained within the boundaries of a line drawn:
 - (A) commencing at the intersection of the north limit of Pasqua Street with the east limit of Sixteenth Avenue;
 - (B) thence easterly along the north limit of Pasqua Street to the water's edge of Moose Jaw Creek;
 - (C) thence southerly along the water's edge of Moose Jaw Creek to the south limit of Skeena Street;
 - (D) thence westerly along the south limit of Skeena Street to the east limit of Seventeenth Avenue;
 - (E) thence southerly along the east limit of Seventeenth Avenue to the north limit of Manitoba Street;
 - (F) thence easterly along the north limit of Manitoba Street to the west limit of High Street;
 - (G) thence north-westerly along the limit of High Street to the east limit of Sixteenth Avenue; and
 - (H) thence southerly along the east limit of Sixteenth Avenue to the point of commencement;

as these streets and avenues are shown in Plan Old 96, except all that portion as shown in Plan 67 MJ 04892;
 - (ii) contained within the boundaries of a line drawn:
 - (A) commencing at the intersection of the east limit of Fourteenth Avenue with the north limit of Pasqua Street, as shown in Plan Old 96;
 - (B) thence north-easterly along the north limit of Pasqua Street to the west limit of Fifteenth Avenue;

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- (C) thence northerly along the west limit of Fifteenth Avenue to the south limit of High Street;
 - (D) thence westerly along the south limit of High Street to the east limit of Fourteenth Avenue; and
 - (E) thence southerly along the east limit of Fourth Avenue to the point of commencement; and
- (iii) contained within the boundaries of a line drawn:
- (A) commencing at the intersection of the east limit of Fifteenth Avenue with the north limit of Pasqua Street, as this street and avenue are shown in Plan Old 96;
 - (B) thence easterly along the north limit of Pasqua Street to the west limit of Sixteenth Avenue;
 - (C) thence northerly along the west limit of Sixteenth Avenue to the north water's edge of Moose Jaw Creek;
 - (D) thence westerly along the north water's edge of Moose Jaw Creek to the east limit of Fifteenth Avenue; and
 - (E) thence southerly along the east limit of Fifteenth Avenue to the point of commencement; and
- (iv) contained within the boundaries of a line drawn:
- (A) commencing at the intersection of the east limit of Thirteenth Avenue produced with the north limit of Pasqua Street, as this street and avenue are shown in Plan Old 96;
 - (B) thence north-easterly along the north limit of Pasqua Street to the west limit of Fourteenth Avenue;
 - (C) thence northerly along the west limit of Fourteenth Avenue to the south limit of High Street;
 - (D) thence westerly along the south limit of High Street to the north-east corner of Block 114A;
 - (E) thence south-westerly along the south-east limit of Block 114A to the east limit of Thirteenth Avenue; and
 - (F) thence southerly along the production of the east limit of Thirteenth Avenue to the point of commencement;
- (g) the north-east quarter of Section 34;
- (h) all that portion of the north-west quarter of Section 34:
- (i) contained within the boundaries of a line drawn:
 - (A) commencing at a point on the south boundary of the quarter section a distance of 246.07 metres west from the south-east corner of the quarter section;
 - (B) thence northerly a distance of 177.09 metres at an angle of 90° and 1';
 - (C) thence easterly a distance of 159.94 metres at an angle of 90° and 1';
 - (D) thence southerly at an angle of 89° and 59' to the south boundary of the quarter section; and
 - (E) thence westerly along the south boundary of the quarter section to the point of commencement;
- except all that portion as shown in Plan 77 MJ 06016; and
- (ii) contained within the boundaries of a line drawn:
 - (A) commencing at the south-east corner of the quarter section;

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(B) thence westerly along the south boundary of the quarter section a distance of 246.07 metres;

(C) thence northerly a distance of 345.25 metres at an angle of 90° and 1';

(D) thence easterly at an angle of 90° and 1' to the east boundary of the quarter section; and

(E) thence southerly along the east boundary of the quarter section to the point of commencement; and

(i) the north-west quarter of Section 35.

45 The south-west quarter of Section 2, in Township 17, in Range 26, west of the Second Meridian, except all that portion lying north of the north limit of the right of way as shown in Plan AF 6582.

SCHEDULE C

[Section 6]

DECLARATION OF OWNERSHIP OF LANDS WITHIN WAKAMOW 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 Wakamow Valley Authority Act* and situate in Wakamow Valley.
2. THAT I make this declaration pursuant to section 6 of *The Wakamow 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. 19_____.

 A Commissioner for Oaths for Saskatchewan.
 My commission expires Dec. 31, 19 _____.

2012, c.C-16.001, s.18.