

# *The Wascana Centre Act*

*being*

Chapter W-4 of *The Revised Statutes of Saskatchewan, 1978* (effective February 26, 1979) as amended by the *Statutes of Saskatchewan, 1979-80, c.72 and 96; 1983, c.11, 29 and 34; 1983-84, c.6, 54 and 63; 1984-85-86, c.21 and 55; 1988-89, c.24 and 42; 1989-90, c.5 and 65; 1990-91, c.P-15.01 and 8; 1991, c.13; 1992, c.A-24.1; 1993, c.L-33.1, 2 and 42; 1994, c.12; 1995, c.15; 1996, c.E-9.3 and 69; 1997, c.54; 1998, c.S-35.2, 7 and 40; 1999, c.29; 2000, c.L-5.1; 2001, c.23; 2002, c.C-11.1, M-11.12 and S-35.02; 2003, c.41; 2004, c.W-17.2, 10 and 38; 2005, c.L-11.2, M-36.1 and S-35.03; and 2007, c.P-13.2 and 6.*

## **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.



## Table of Contents

	Preamble		22.2 Court order for compliance
	SHORT TITLE		22.3 Court order in case of anticipated damage, etc.
1	Short title		
	INTERPRETATION		
2	Interpretation		
	WASCANA CENTRE AUTHORITY		
3	Authority continued		
4	Membership, term of office, officers, etc.		
5	Quorum		
6	Head office		
7	Meetings		
8	Staff		
9	Powers		
10	Exercise of powers by resolution		
11	Bylaws		
11.1	Bylaw enforcement on university lands		
12	Alteration of area of Wascana Centre		
	MASTER PLAN		
12.1	New master plan		
12.2	Resolution re plan, required approval		
12.3	Notice of intended resolution		
12.4	Hearing of representations		
12.5	Dispensation with requirements		
12.6	Contents of master plan		
12.7	Master plan prevails		
12.8	Continuation of master plan		
	ADVISORY COMMITTEES		
13	Architectural Advisory Committee and Landscape Adviser		
14	Engineering Advisory Committee		
14.1	Additional committees		
	IMPROVEMENTS		
15	Application for approval of proposed improvement		
16	Procedure where application refused		
17	Restriction on improvements on public land		
18	Restriction on approval of construction of building		
19	Reconsideration of plans		
20	Authority may give approval notwithstanding absence of recommendation of Architectural Advisory Committee		
21	Restriction respecting improvements on public land		
22	Remedies in case of unlawful improvements or unlawful use of land		
22.1	Offences and penalties		
			LANDSCAPE CONSTRUCTION AND LANDSCAPE MAINTENANCE
		23	Performance by Authority
		24	Submission of plans of landscape construction to Landscape Adviser
		25	Payment for landscape construction
		26	Reimbursement in respect of certain payments
		27	Payment for landscape maintenance
			SERVICE FACILITIES AND SERVICE MAINTENANCE
		28	Approval of Authority required
		29	Submission of plan to Engineering Advisory Committee
		30	Service facility on land of participating party
		31	Service facility on authority land
		32	Service maintenance on land of participating party
		33	Land vested in Crown as streets, etc., deemed to be owned by adjoining owner
		34	Service maintenance on authority land
		35	City not to have control of roads, streets, etc., within Wascana Centre
		35.1	Road closures
		36	Closing of public highways
			SPECIAL PROVISIONS RESPECTING EXPENSES OF LANDSCAPE MAINTENANCE AND SERVICE MAINTENANCE
		37	Determination of amount of expenses in certain cases
			ACQUISITION AND DISPOSITION OF LAND WITHIN WASCANA CENTRE
		38	Certain interests not valid without consent of Authority
		39	Restriction on acquisition of land in Wascana Centre
		40	Registration of interest
		41	Restriction on disposal of authority land
		42	Acquisition of land by Authority or participating parties
		43	Acquisition of land described in schedule B
		44	Acquisition of land described in schedule C
		45	Sale of certain lands by Authority to participating parties
		46	Interpretation
		47	Liability of participating parties with respect to acquisition of certain lands

EXPROPRIATION OF LAND

- 48 Powers of Authority
  - 49 Compensation for land expropriated
  - 50 Suppression of resistance
- FINANCIAL PROVISIONS
- 51 Repealed
  - 52 Repealed
  - 53 Amounts paid by participating parties
  - 54 Disposition by Authority of sums paid to it
  - 55 Prepayment of loan by participating party
  - 56 When payments due
  - 56.1 Repealed
  - 57 Interest
  - 58 Borrowing powers
  - 59 Guarantee by province
  - 60 Sinking fund debentures
  - 61 Limitation on borrowing powers
  - 62 Power of city to invest in bonds, etc., issued by Authority
  - 63 Power to invest in securities by Authority
  - 64 Repealed

SPECIAL POWERS

- 65 Power of participating parties to enter into agreements, etc.

MISCELLANEOUS

- 66 Non-liability of participating parties, etc.
- 67 Proposal to implement, elaborate or amend master plan
- 68 Fire protection and law enforcement
- 69 Exemption of public land from taxation
- 70 Architect planner
- 71 Repealed
- 72 Execution of deeds by Authority
- 73 Evidence of resolution, etc.
- 74 Rendering of a decision without a meeting by committee
- 75 Auditor and audit
- 76 The Crown bound
- 77 Act governs in case of conflict

SCHEDULE A

SCHEDULE B

SCHEDULE C

SCHEDULE D

## CHAPTER W-4

### An Act respecting an Area to be known as Wascana Centre

#### Preamble

It is deemed expedient and desirable that an area surrounding Wascana Lake in the city of Regina, known as Wascana Centre, continue to be devoted to the development of the seat of Government, the enlargement of educational, research and development opportunities, the advancement of the cultural arts, the improvement of recreational facilities and the conservation of the environment:

#### SHORT TITLE

#### Short title

1 This Act may be cited as *The Wascana Centre Act*.

#### INTERPRETATION

#### Interpretation

2 In this Act:

- (a) **“Authority”** means the Wascana Centre Authority continued by section 3;
- (b) **“authority land”** means lands within Wascana Centre owned by the authority;
- (c) **Repealed.** 1993, c.2, s.3.
- (d) **“city”** means The City of Regina;
- (e) **“city land”** means land within Wascana Centre owned by the city;
- (f) **“fiscal year”** means the period commencing on the first day of April in one calendar year and ending on the thirty-first day of March in the next calendar year;
- (g) **“Government”** means the Crown in right of Saskatchewan, every corporation and agency thereof and the Lieutenant Governor in Council;
- (h) **“government land”** means land within Wascana Centre owned by the Government;
- (i) **“improvement”** means a building, structure or service facility constructed within Wascana Centre or landscape construction within Wascana Centre or any alteration thereof or addition thereto, the aggregate cost of which results in an expenditure exceeding \$2,000 in any period of twelve months, but does not include the ordinary care, maintenance and repair of a building, structure or service facility or of landscape construction, and for the purposes of sections 15, 46 and 49 the aggregate cost mentioned in this clause does not have to result in an expenditure exceeding \$2,000;

- (j) **Repealed.** 2000, c.L-5.1, s.554.
- (k) **“landscape construction”** means any clearing, breaking, grading, fertilizing or cultivation of an 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 such machines, equipment and tools as, in the opinion of the Authority, is requisite for all or any of such matters;
- (l) **“landscape maintenance”** means the sustaining of landscape construction and includes the provision of such machines, equipment and tools as, in the opinion of the Authority, is requisite therefor;
- (m) **“master plan”** means a master plan and any amendments to that plan that are adopted by the Authority pursuant to section 12.1 and includes the master plan that is continued pursuant to section 12.8 until that master plan is repealed and replaced by a subsequent master plan;
- (n) **“participating party”** means the Government, the city or the university;
- (o) **“person”** includes a corporation and the heirs, executors, administrators or other legal representatives of a person, but does not include a participating party or the Authority;
- (p) **“private land”** means land within Wascana Centre owned by a person;
- (q) **“property”** means real or personal property or any interest therein;
- (r) **“public land”** means land within Wascana Centre owned by the Government, the city, the university or the Authority;
- (s) **“service facility”** means anything by means of which water, light, power or gas is supplied, or any sewer or sewerage system, or any other facility that in the opinion of the Authority is requisite for the purpose of Wascana Centre, and includes a road, curb, bridge, sidewalk and parking lot and outdoor seating of a type suitable for an audience or assembly of spectators, and also includes a building that is one of, or a combination of two or more of, the following kinds, but does not include any other building, namely: headquarters building for the Authority, public bath-room, toilet, shower, changing-room, rest-room, shelter, tool or equipment locker, pumphouse, machine-house, a building that in the opinion of the Authority will be incidental to a park or used in connection with the operation of a park;
- (t) **“service maintenance”** means the maintenance of any service facility and includes snow removal and garbage disposal and also includes the provision of such machines, equipment and tools as, in the opinion of the Authority, is requisite therefor;
- (u) **“university”** means The University of Regina;
- (v) **“university land”** means the land within Wascana Centre owned by the university;

(w) **“Wascana Centre”** means the area described in schedule A subject to any alteration under section 12.

R.S.S. 1978, c.W-4, s.2; 1989-90, c.65, s.4; 1993, c.2, s.3; 2000, c.L-5.1, s.554.

## WASCANA CENTRE AUTHORITY

### **Authority continued**

**3** Wascana Centre Authority is hereby continued as a body corporate having perpetual succession and a common seal of such design as the Authority may determine.

R.S.S. 1978, c.W-4, s.3.

### **Membership, term of office, officers, etc.**

- 4(1) The Authority shall consist of eleven members.
  - (2) Five of the members shall be appointed by the Lieutenant Governor in Council.
  - (3) Three of the members shall be appointed by resolution of the council of the city.
  - (4) Three of the members shall be appointed by The Board of Governors of the university.
  - (5) A demonstrated interest in cultural affairs, conservation of the environment, education or recreation is a desirable qualification of a member of the Authority.
  - (6) A member may be appointed or reappointed for any term, expressed in the 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, continues until terminated by the participating party making the appointment or reappointment.
  - (7) Notwithstanding subsection (6), 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 the resignation shall take effect upon the receipt thereof by the chairman or secretary of the Authority, unless a later time is specified for the purpose in the written resignation, in which case the resignation shall take effect at the time so specified.
  - (8) Where a vacancy in a participating party’s representation on the Authority occurs the participating party may appoint another person to fill the vacancy.
  - (9) A vacancy in the membership of the Authority shall not impair the power of the Authority to act.
  - (10) The members shall appoint a chairman and a vice-chairman from among their number, and shall also appoint a secretary and a treasurer who may but need not be members.
  - (11) Where the chairman is absent or unable to act or where the office of chairman is vacant, the vice-chairman has and may exercise all the powers and functions of the chairman.

(12) Any salary or remuneration payable to a member shall be paid by the Authority.

(13) Notwithstanding anything in *The Legislative Assembly and Executive Council Act, 2007*, where a member of the Legislative Assembly is appointed a member of the Authority, he or she shall not, by reason of the appointment or of any payment to him or her pursuant to subsection (12), vacate his or her seat or be disqualified from sitting or voting in the Legislative Assembly.

(14) Notwithstanding *The Cities Act*, if a member of the council of the city 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 (12):

- (a) disqualified from being a member of or voting in the council; or
- (b) considered to have a pecuniary interest, within the meaning of section 117 of *The Cities Act*, in a matter in which the council of the city has an interest.

R.S.S. 1978, c.W-4.01, s.4; 1989-90, c.65, s.5; 1998, c.7, s.4; 2002, c.C-11.1, s.420; 2005, c.L-11.2, s.97; 2005, c.M-36.1, s.481; 2007, c.6, s.2.

#### Quorum

5 Subject to subsection 10(3), clause (a) of section 37 and clause 53(5)(c), the Authority may fix the number of its members that shall constitute a quorum and until the Authority fixes the number of members that shall constitute a quorum six members of the Authority shall constitute a quorum.

R.S.S. 1978, c.W-4, s.5; 1989-90, c.65, s.6; 1998, c.7, s.5.

#### Head office

6 The head office of the Authority shall be at the city of Regina.

R.S.S. 1978, c.W-4, s.6.

#### Meetings

7 The members of the Authority shall meet at least three times in each year and at such other times as they may deem necessary.

R.S.S. 1978, c.W-4, s.7.

#### Staff

8(1) The Authority may employ such officers and other employees and such consultants and advisers as it deems necessary for the purpose of this Act and may fix their remuneration and the terms and conditions of their employment.

(2) Unless the contract of employment provides otherwise:

- (a) *The Public Service Superannuation Act*;
- (b) *The Superannuation (Supplementary Provisions) Act*; and
- (c) *The Superannuation (Supplementary Provisions) Act, 1977*;

apply to officers and employees employed under subsection (1).

R.S.S. 1978, c.W-4, s.8; 1989-90, c.65, s.7.

**Powers**

**9(1)** In addition to any other power conferred upon it by this Act, the Authority may:

- (a) **Repealed.** 1989-90, c.65, s.8.
- (b) **Repealed.** 1989-90, c.65, s.8.
- (c) co-ordinate or control the use, development, conservation, maintenance and improvement of public land in accordance with the master plan;
- (d) accept donations of funds from the public and acquire property by gift, purchase or any other manner;
- (e) hold or administer property or acquire by lease, licence or otherwise the right to occupy and use property;
- (f) sell, grant, convey, lease or otherwise dispose of property;
- (g) construct, maintain or operate any park, square, improvement or service facility;
- (h) subject to the provisions of this Act relating to landscape maintenance, service maintenance, landscape construction and service facilities:
  - (i) maintain, develop or improve, or build on, any authority land;
  - (ii) with the consent of a participating party, or of its agent or representative, maintain, develop or improve, or build on, any public land, other than authority land, owned by that participating party;
- (i) without limitation to the powers contained in section 65, upon the request and at the expense of a participating party, maintain, develop or improve property owned by a participating party and situated outside Wascana Centre;
- (j) on authority land, establish, maintain and operate, or grant concessions for the operation of, places of entertainment, amusement, recreation or refreshment or other places of public interest or accommodation;
- (k) invest for its benefit all or any sums of money belonging to it and available for investment in:
  - (i) public securities of or securities guaranteed by Canada or any province of Canada;
  - (ii) public stock, funds or government securities of or securities guaranteed by the United Kingdom or the United States of America;
  - (iii) debentures of municipalities, drainage districts or school divisions in Saskatchewan;
  - (iv) **Repealed.** 2001, c.23, s.7.
  - (v) bonds, debentures or other securities issued by the Authority;
  - (vi) bonds, debentures or other securities issued by the Saskatchewan Economic Development Corporation;

- (vii) first mortgages given as security for loans in respect of which insurance policies have been issued under any *National Housing Act* (Canada) and are in force;
  - (viii) guaranteed trust or investment certificates, promissory notes, certificates of deposit, deposit receipts or other evidences of indebtedness given by a trust company or a loan company incorporated under the laws of Canada or of a province of Canada;
  - (ix) promissory notes, certificates of deposit, deposit receipts or other evidences of indebtedness given by a bank or credit union in consideration of a deposit or deposits made with the bank or credit union, or drafts or notes drawn by a borrower for payment on a specified date, accepted or guaranteed by a bank or credit union;
  - (x) bonds, debentures or other securities issued or guaranteed by the International Bank for Reconstruction and Development established by the Agreement for an International Bank for Reconstruction and Development, approved by the *Bretton Woods Agreements Act* (Canada), but only if the bonds, debentures or other securities are payable in the currency of Canada, the United Kingdom, any member of the British Commonwealth or the United States of America;
  - (xi) bonds, debentures, notes or other evidences of indebtedness issued by a corporation created or continued under *The Crown Corporations Act, 1993* or a corporation established by an Act of the Legislature and that is an agent of the Crown or responsible to the Legislature;
  - (xii) investments and loans in which a company may invest and lend under subsections 63(1), (2) and (10) of the *Canadian and British Insurance Companies Act* (Canada), and the restrictions and limitations contained in those provisions apply;
- (l) dispose of any securities in which moneys have been invested under clause (k), in such manner and on such terms as may be deemed expedient;
  - (m) provide for the creation and management of sinking funds or other means of securing repayments of loans, bonds, debentures or other securities;
  - (n) acquire, take and hold, according to law, all such property as shall be *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 carry out any activities, provide any services and 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 pursuant to this Act.
- (2) The Authority may, by resolution, delegate to any officer, employee or committee of the Authority the exercise of any of the powers conferred on the Authority pursuant to subsection (1).

(3) The exercise of any power by the officer, employee or committee of the Authority to whom the power is delegated pursuant to subsection (2) is deemed to be the exercise of the power by the Authority.

(4) The Authority may, by resolution, set any limits or impose any terms and conditions that the Authority considers appropriate on a delegation of any power pursuant to subsection (2).

R.S.S. 1978, c.W-4, s.9; 1979-80, c.72, s.3 and  
c.96, s.21; 1989-90, c.65, s.8; 1998, c.7, s.6;  
2001, c.23, s.7; 2004, c.38, s.6.

#### Exercise of powers by resolution

**10(1)** The Authority shall exercise its powers by resolution.

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

(3) Subject to section 12.2, a resolution requires the approval of at least six members.

(4) **Repealed.** 1989-90, c.65, s.9.

R.S.S. 1978, c.W-4, s.10; 1989-90, c.65, s.9.

#### Bylaws

**11(1)** Without limiting any of the powers conferred upon it by section 9, the Authority may for the purpose of carrying out the provisions of this Act according to their intent make bylaws in respect of Wascana Centre:

(a) regulating the use of public land and the construction or alteration of any improvement thereon;

(b) notwithstanding *The Cities Act* or *The Municipalities Act*, controlling traffic including the regulating of speed and parking of vehicles;

(c) **Repealed.** 1993, c.2, s.4.

(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 Wascana Centre 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 and conservation of natural areas and animal, bird and plant life;

(f) subject to *The Fire Prevention Act*, for fire protection and the prevention and extinguishment of fires;

(g) respecting the provision of any service facility;

- (h) regulating, restricting or prohibiting a trade, commercial enterprise, amusement, occupation or other activity or undertaking, determining the place where any such activity or undertaking may or may not be carried on, providing for the licensing of a person carrying on any such activity or undertaking and prescribing a licence fee with respect thereto;
  - (i) regulating, restricting or prohibiting sports, games, swimming, picnicking, camping or other recreational activities except such as are a part of university activities;
  - (j) for the preservation of the public health and the prevention of the spread of disease;
  - (k) prohibiting the making of unnecessary noise;
  - (l) prohibiting the keeping, or controlling the use or manner of keeping, of horses, dogs and other animals;
  - (m) subject to *The Environmental Protection and Management Act* or *The Saskatchewan Watershed Authority Act, 2005*, for dealing with, controlling the use of, preventing the pollution or contamination of or other injury to, the waters of any well, lake, stream, river, pond or other body of water;
  - (n) for the protection, care and preservation of property;
  - (o) for preventing 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.
- (1.1) Every bylaw made under clause (1)(a) shall be consistent with the master plan.
- (2) Every bylaw made under subsection (1), other than a bylaw made under clause (g) or (p) thereof, shall be published in *The Saskatchewan 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 date on which the bylaw is published.
- (3) Every bylaw made under clause (g) or (p) of subsection (1) 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 date on which the bylaw is made.
- (4) All Acts, regulations and bylaws and all other laws applicable in respect of Wascana Centre, whether heretofore or hereafter enacted, made or passed, shall continue to be applicable in respect of Wascana Centre except to the extent that they are superseded by or are in conflict with bylaws made under this section.
- (5) Subject to subsection (4), every bylaw passed by the council of the city respecting traffic applies throughout Wascana Centre notwithstanding that parts of Wascana Centre may be Crown land.
- (6) 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, 325, 334, 335, 337 and 345 of *The Cities Act* apply, with any necessary modification.

(7) All references in the bylaws of the Authority to The University of Saskatchewan shall in each case be interpreted as references to the “university”, and the reference in bylaw 2 to the University Senate under *The University Act*, shall be interpreted as reference to The University of Regina Senate under *The University of Regina Act*.

R.S.S. 1978, c.W-4, s.11; 1979-80, c.72, s.4;  
1983-84, c.63, s.16; 1989-90, c.65, s.10; 1993,  
c.2, s.4; 2002, c.S-35.02, s.155; 2002, c.C-11.1,  
s.420; 2005, c.S-35.03, s.119; 2005, c.M-36.1,  
s.481.

#### **Bylaw enforcement on university lands**

**11.1** Notwithstanding anything in this Act or the regulations, every bylaw passed by The Board of Governors of The University of Regina pursuant to section 90.2 of *The University of Regina Act* with respect to parking applies throughout that portion of Wascana Centre consisting of university land.

1999, c.29, s.5.

#### **Alteration of area of Wascana Centre**

**12(1)** The Authority may, with the approval of the participating parties, by resolution alter the area of Wascana Centre by adding thereto or excluding therefrom any parcel of land wholly or partly within the limits of the city of Regina or wholly or partly within a rural municipality, by agreement with the rural municipality.

(2) Where a resolution is passed pursuant to subsection (1) adding a parcel or a portion of a parcel to the area of Wascana Centre, the Authority shall apply to the Registrar of Titles to register an interest based on the resolution against the affected titles.

(3) Where a resolution is passed pursuant to subsection (1) excluding an entire parcel from the area of Wascana Centre, the Authority shall apply to the Registrar of Titles to discharge any interest registered pursuant to subsection (2) or section 40.

R.S.S. 1978, c.W-4, s.12; 1998, c.7, s.7; 2000,  
c.L-5.1, s.555.

## MASTER PLAN

#### **New master plan**

**12.1(1)** The Authority shall, within one year after the coming into force of this section:

- (a) complete a review of the master plan that is in force on the day on which this section comes into force; and
- (b) prepare, or cause to be prepared, and adopt a new master plan in accordance with sections 12.2 to 12.6.

(2) After a master plan is prepared and adopted pursuant to subsection (1), the Authority shall, at least once every seven years:

- (a) complete a review of the master plan that is then in force; and
- (b) if the Authority considers it necessary, amend the master plan or repeal it and adopt a new master plan in substitution for it in accordance with sections 12.2 to 12.6.

1998, c.7, s.8.

**Resolution re plan, required approval**

**12.2** A resolution to amend, repeal or adopt a master plan pursuant to section 12.1 requires the approval of at least eight members, of whom:

- (a) no fewer than three are members appointed pursuant to section 4 by the Lieutenant Governor in Council;
- (b) no fewer than two are members appointed pursuant to section 4 by resolution of the council of the city; and
- (c) no fewer than two are members appointed pursuant to section 4 by The Board of Governors of the university.

1989-90, c.65, s.11.

**Notice of intended resolution**

**12.3(1)** The Authority shall give notice of its intention to pass a resolution under section 12.1 adopting, amending or repealing a master plan by an advertisement inserted at least once a week for two consecutive weeks in a daily newspaper published or circulated in the city.

(2) The first of the notices required by subsection (1) shall be published at least four weeks before a date to be fixed by the Authority for a public meeting of the Authority to be held to consider any representations respecting its intention mentioned in subsection (1).

(3) The notice required by subsection (1) shall:

- (a) contain a summary of the intent of the proposed resolution;
- (b) specify any places where and the hours during which the proposed resolution may be inspected by any person;
- (c) specify any dates, places and times that the Authority will hold a public meeting with respect to the proposed resolution; and
- (d) describe the affected area by any one of the following means:
  - (i) reference to street names and addresses;
  - (ii) reference to commonly understood area designations;
  - (iii) publication of a map of the area; or
  - (iv) a description of the type of property affected but not the specific location of all that property.

1989-90, c.65, s.11.

**Hearing of representations**

**12.4(1)** At the public meeting mentioned in subsection 12.3(2), the Authority:

- (a) shall hear any person or group of persons, or person acting on behalf of any person or group of persons, who wishes to make representations; and
- (b) may:
  - (i) receive all representations on the same day; or
  - (ii) where it considers it advisable, adjourn the meeting until all representations are received.

(2) Where a meeting is adjourned pursuant to subclause (1)(b)(ii), the Authority may subsequently sit and receive the representations on the date fixed for the reconvened meeting.

1989-90, c.65, s.11.

**Dispensation with requirements**

**12.5** Notwithstanding sections 12.3 and 12.4, if the resolution is amending a master plan and the amendment is, in the opinion of the Authority, of a minor nature, the Authority may dispense with the requirements of those sections.

1989-90, c.65, s.11.

**Contents of master plan**

**12.6** A master plan may contain:

- (a) a statement of the objectives for the future development and conservation of Wascana Centre;
- (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 of Wascana Centre;
  - (iii) the provision or undertaking of service facilities, improvements and landscape construction within Wascana Centre;
  - (iv) the development of transportation, electrical and communication systems;
  - (v) the management and preservation of historical resources, forested areas, natural areas, wildlife and waterfowl areas and water storage areas;
  - (vi) the relationship between Wascana Centre and adjacent developments; and
  - (vii) any other matter that the Authority considers advisable;
- (c) a statement of guide-lines for land use and the development of improvements by persons and participating parties;
- (d) plans showing the concept or detailed design for particular sites or areas under the Authority's jurisdiction; and

(e) a statement of the development priorities or a capital works forecast of the Authority.

1989-90, c.65, s.11.

**Master plan prevails**

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

2007, c.P-13.2, s.262.

**Continuation of master plan**

**12.8(1)** The master plan respecting Wascana Centre that is on file in the office of the Authority and has been designated by the Authority as the master plan continues as the master plan until a subsequent master plan is adopted by the Authority pursuant to section 12.1.

(2) The master plan continued pursuant to subsection (1) may be amended in accordance with sections 12.2 to 12.6.

1989-90, c.65, s.11; 1998, c.7, s.9.

## ADVISORY COMMITTEES

**Architectural Advisory Committee and Landscape Adviser**

**13(1)** The Authority shall, upon any terms and conditions it considers advisable, appoint:

- (a) an advisory committee to be known as the Architectural Advisory Committee consisting of two or more persons, each of whom shall, subject to subsection (2), be an architect, a landscape architect or a community planner;
- (b) an adviser to be known as the Landscape Adviser, who shall be a landscape architect or a landscape planner.

(2) At all times a majority of the members of the Architectural Advisory Committee shall be architects other than landscape architects.

R.S.S. 1978, c.W-4, s.13.

**Engineering Advisory Committee**

**14** Each participating party shall appoint a professional engineer, as defined in *The Engineering and Geoscience Professions Act*, to be its representative on an advisory committee to be known as the Engineering Advisory Committee.

R.S.S. 1978, c.W-4, s.14; 1996, c.E-9.3, s.66.

**Additional committees**

**14.1** The Authority may appoint, on any terms and conditions that it considers advisable, any other committees that it considers advisable consisting of persons who may, but need not, be members.

1988-89, c.24, s.3.

## IMPROVEMENTS

**Application for approval of proposed improvement**

**15** Any person may apply to the Authority for approval of his or her proposal to make an improvement on his or her land within Wascana Centre.

R.S.S. 1978, c.W-4, s.15; 1998, c.7, s.10.

**Procedure where application refused**

**16** If the Authority refuses to approve an application made under section 15 the applicant may by registered mail send to the Authority an offer to sell the land mentioned in the application, and the Authority shall, within one year after the day on which it receives such an offer, purchase or expropriate the land unless in the meantime it has been acquired by another person or a participating party.

R.S.S. 1978, c.W-4, s.16.

**Restriction on improvements on public land**

**17(1)** Subject to subsection (2), no person or participating party shall commence or make an improvement on public land, other than an improvement that pertains solely to the interior of a building, unless:

- (a) the Authority has given its prior approval to do so; and
- (b) the improvement conforms to:
  - (i) the master plan; and
  - (ii) any terms or conditions attached by the Authority to its approval of the improvement.

(2) If the Authority is of the opinion that an improvement is of a temporary nature or, in the case of a building other than of a temporary nature, has a value of less than \$25,000, it may waive the requirement of subclause (1)(b)(i), but only if 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.

1993, c.2, s.5.

**Restriction on approval of construction of building**

**18(1)** Subject to subsection (2), no approval of the construction of a building shall be given under section 17 unless:

- (a) the participating party requesting approval of the proposed building submits all plans, elevations, specifications and models relating to the exterior of the proposed building that the Authority may require; and
  - (b) the Architectural Advisory Committee has recommended the approval by the Authority of the proposed building on the ground that it is consistent with the master plan.
- (2) The Authority may waive the requirements of clause (1)(b) if, in its opinion:
- (a) the value of the proposed building will be less than \$25,000; or
  - (b) the proposed building is of a temporary nature and conformity with the master plan has been waived by the Authority pursuant to subsection 17(2).

R.S.S. 1978, c.W-4, s.18; 1979-80, c.72, s.5;  
1993, c.2, s.6.

**Reconsideration of plans**

**19** If a recommendation under clause (b) of subsection (1) of section 18 is not unanimous the Authority shall request the Architectural Advisory Committee to reconsider the plans submitted by the party seeking the approval of the Authority.

R.S.S. 1978, c.W-4, s.19.

**Authority may give approval notwithstanding absence of recommendation of Architectural Advisory Committee**

**20** Where after the submission of plans, elevations, specifications and models pursuant to clause (a) of subsection (1) of section 18 a recommendation is not made under clause (b) of that subsection the Authority may nevertheless give its approval if it is satisfied that the plan respecting the proposed building is in accordance with the master plan or consistent therewith.

R.S.S. 1978, c.W-4, s.20.

**Restriction respecting improvements on public land**

**21** The Authority shall not make an improvement on public land unless it considers the proposed improvement to be in accordance with the master plan or consistent therewith.

R.S.S. 1978, c.W-4, s.21.

**Remedies in case of unlawful improvements or unlawful use of land**

**22** Where an improvement is made or land is used in contravention of this Act, the master plan 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 by this Act or by any other law, bring an action against the owner in Her Majesty's Court of Queen's Bench for Saskatchewan, and in such an action the court may order the owner of the improvement to remove it at his or her own expense or by injunction restrain the owner from the continuance of the unlawful use of the land, as the case may require.

R.S.S. 1978, c.W-4, s.22; 1989-90, c.65, s.13;  
1998, c.7, s.11.

**Offences and penalties**

**22.1(1)** Every person or participating party who contravenes or fails to comply with any:

- (a) provision of this Act;
- (b) provision of any approval issued to the person or party pursuant to this Act; or
- (c) term or condition of any approval issued to the person or party pursuant to this Act;

is guilty of an offence and liable on summary conviction to the penalty prescribed by the Authority pursuant to subsection (2) for the offence.

(2) For the purposes of subsection (1), the Authority may prescribe, by bylaw, maximum fines for contraventions of:

- (a) this Act;
- (b) approvals issued pursuant to this Act; or
- (c) terms or conditions of approvals issued pursuant to this Act.

(3) If the city is incorporated or continued pursuant to *The Cities Act*, subsection 8(2) and section 345 of that Act applies, with any necessary modification, to fines prescribed pursuant to subsection (2).

(4) **Repealed.** 2003, c.41, s.44.

1989-90, c.65, s.14; 2002, c.C-11.1, s.420; 2003, c.41, s.44.

**Court order for compliance**

**22.2(1)** Where a person or participating party contravenes any:

- (a) provision of this Act;
- (b) provision of any approval issued to the person or party pursuant to this Act; or
- (c) term or condition of any approval issued to the person or party pursuant to this Act;

the Authority may, in addition to or in lieu of having recourse to any other remedy provided for by this Act or by any other 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 provision of the Act, approval or term or condition being contravened.

(2) On hearing an application pursuant to subsection (1) the judge may:

- (a) make any order, including any order for costs, that the judge considers just in the circumstances; or
- (b) refuse to make any order.

1989-90, c.65, s.14.

**Court order in case of anticipated damage, etc.**

**22.3(1)** The Authority may, in addition to any other remedy allowed by this Act or by any other law, apply to a judge of Her Majesty's Court of Queen's Bench for Saskatchewan for an order directing any person to comply with the requirements of a resolution of the Authority which has been passed in consequence of special circumstances determined by the Authority to warrant the resolution where:

- (a) the person has done, or is about to do or has authorized or participated in the doing of, any act that in the judgment of the Authority constitutes or may constitute a trespass on, or other unauthorized interference with, any area within Wascana Centre which in the judgment of the Authority may result in:
  - (i) permanent or long-term loss;
  - (ii) injury or damage to the affected area; or

- (iii) otherwise have substantial and detrimental effects on the affected area or on any animal, bird and plant life within or outside the affected area; and
  - (b) notice of the resolution and the requirements of it have been communicated to the person specified in the resolution and the Authority is satisfied that a judge's order directing compliance with it is required.
- (2) On hearing an application pursuant to subsection (1), the judge may:
- (a) make any order, including any order for costs, that the judge considers just in the circumstances; or
  - (b) refuse to make any order.

1989-90, c.65, s.14.

## LANDSCAPE CONSTRUCTION AND LANDSCAPE MAINTENANCE

### **Performance by Authority**

**23** The Authority shall determine the landscape construction and the landscape maintenance to be performed on public land and shall perform or cause to be performed all landscape construction and landscape maintenance so determined.

R.S.S. 1978, c.W-4, s.23.

### **Submission of plans of landscape construction to Landscape Adviser**

**24** The Authority shall submit to the Landscape Adviser a plan of any proposed landscape construction but is not bound to accept the recommendation of the Landscape Adviser with respect thereto.

R.S.S. 1978, c.W-4, s.24.

### **Payment for landscape construction**

**25(1)** A participating party constructing or proposing to construct a building on public land shall pay the Authority for such portion of the landscape construction as the participating party may determine is necessary by reason of the construction or proposed construction of the building.

(2) A participating party who requests the Authority to perform landscape construction on its lands in addition to the landscape construction proposed to be performed thereon by the Authority shall pay the Authority for any such additional landscape construction when performed or caused to be performed by the Authority.

(3) Except as provided for by subsections (1) and (2), all landscape construction on public land shall be paid for by the Authority.

R.S.S. 1978, c.W-4, s.25.

**Reimbursement in respect of certain payments**

**26** When in the opinion of the Authority all landscape construction in Wascana Centre is substantially completed in accordance with the master plan, the Authority may, subject to any agreement made under clause (o) of section 9 or section 65, reimburse a participating party such part of the sum paid pursuant to subsection (2) of section 25 for additional landscape construction as the Authority in its discretion considers expedient and desirable, such reimbursement to be made in such manner as may be determined by the Authority.

R.S.S. 1978, c.W-4, s.26.

**Payment for landscape maintenance**

**27(1)** Landscape maintenance on land of a participating party shall be performed at the expense of that participating party calculated in accordance with section 37, but such expense may, at the discretion of the Authority, be assumed wholly or partly by the Authority in any case where it is considered that the Authority will derive all or a substantial part of the benefit to be derived from the landscape maintenance.

(2) For the purpose of this section “land of a participating party” includes land that was owned by a participating party on April 1, 1962, or at any time after that day, but has subsequently been transferred to, and remains vested in, the Authority.

R.S.S. 1978, c.W-4, s.27.

**SERVICE FACILITIES AND SERVICE MAINTENANCE****Approval of Authority required**

**28** No service facility shall be constructed by a participating party on its land without the approval of the Authority.

R.S.S. 1978, c.W-4, s.28.

**Submission of plan to Engineering Advisory Committee**

**29** The Authority shall not approve the construction of a service facility unless it has submitted a plan respecting the proposed construction to the Engineering Advisory Committee and has obtained its recommendations with respect thereto, but the Authority is not bound to accept the recommendations of the committee.

R.S.S. 1978, c.W-4, s.29.

**Service facility on land of participating party**

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

R.S.S. 1978, c.W-4, s.30.

**Service facility on authority land**

**31** A service facility required on authority land shall be constructed by and at the expense of the Authority.

R.S.S. 1978, c.W-4, s.31.

**Service maintenance on land of participating party**

**32(1)** Service maintenance required on the land of a participating party may be performed by the Authority at the expense of the participating party but such expense may, at the discretion of the Authority, be assumed wholly or partly by the Authority in any case where it is considered that the Authority will derive all or a substantial part of the benefit to be derived from the service maintenance.

(2) For the purpose of this section “**land of a participating party**” includes land that was owned by a participating party on the first day of April, 1962, or at any time after that day, but has subsequently been transferred to, and remains vested in, the Authority, but does not include a building on that land while the building is occupied or operated by the Authority or its lessee, tenant or licensee, not being the participating party that transferred the land to the Authority.

R.S.S. 1978, c.W-4, s.32.

**Land vested in Crown as streets, etc., deemed to be owned by adjoining owner**

**33(1)** Notwithstanding anything in this Act, but subject to subsection (4), where in Wascana Centre the land adjoining on both sides of a street, road or lane that is vested in the Crown is owned by the same owner the portion of the street, road or lane so adjoined shall, for purposes of landscape maintenance, service maintenance and service facilities construction and the expenses thereof, be deemed to be owned by that owner.

(2) Notwithstanding anything in this Act, but subject to subsection (4), where in Wascana Centre the land adjoined on both sides of a street, road or lane that is vested in the Crown is owned by different owners the portion of the street, road or lane so adjoined shall, for purposes of landscape maintenance, service maintenance and service facilities construction and the expenses thereof, be deemed to be owned by those owners in equal shares but the owner who did not own any part of the land immediately prior to its being so vested shall not be deemed to be an owner under this subsection except to the extent that he or she may agree to assume certain liabilities in respect of the land and an owner who owned all or a part of the land immediately prior to its being so vested shall, except to the extent that all or a portion of his or her liability is assumed by another party hereunder, be deemed to be the owner of the portion that he or she owned immediately prior to its being so vested.

(3) Notwithstanding subsections (1) and (2), the city is solely responsible for the expense of landscape maintenance, service maintenance and service facilities construction of those streets, roads and lands described in schedule D.

(4) Notwithstanding anything in this Act, a participating party or the Authority may assume and pay the whole or any part of the expense of landscape maintenance, service maintenance and service facilities construction that is the liability of another person; and, where so assumed and paid, that person shall cease to be liable for the amount of the expense so paid.

(5) Notwithstanding clause (w) of section 2, for the purposes of the bylaws of the authority, clause (r) of section 2 and section 11, Wascana Centre is deemed to include all land, hereinafter called the “verge”, lying between the boundary of Wascana Centre where it abuts upon a street, road or lane and the nearest part of the street, road or land that is intended for the use of vehicles.

(6) No person 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 traffic and bus-stop signs of a style and sizes acceptable to the Authority.

(7) No person 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.

(8) Nothing in subsections (5), (6) or (7):

(a) prevents the city under *The Local Improvements Act, 1993*; or

(b) the Minister of Highways and Transportation under *The Highways and Transportation Act*;

from carrying out in whole or in part, in the case of the city, a work of local improvement and, in the case of the minister, a work of public improvement, within the verge where the city or the minister, as the case may be, has, prior to carrying out such work, consulted with and obtained and considered the views of the Authority with respect to the work.

R.S.S. 1978, c.W-4, s.33; 1983-84, c.6, s.22;  
1993, c.L-33.1, s.69; 1998, c.7, s.12.

**Service maintenance on authority land**

**34** Subject to section 32, service maintenance required on authority land shall be performed by and at the expense of the Authority.

R.S.S. 1978, c.W-4, s.34.

**City not to have control of roads, streets, etc., within Wascana Centre**

**35** Notwithstanding anything in *The Cities Act* or any other Act, no road, street, bridge, highway, lane, alley, square or public place within Wascana Centre shall be under the direction, management or control of the city, but this section does not affect the application in respect of Wascana Centre, pursuant to subsection (4) of section 11, of a bylaw of the city.

R.S.S. 1978, c.W-4, s.35; 1989-90, c.65, s.15;  
2002, c.C-11.1, s.420; 2005, c.M-36.1, s.481.

**Road closures**

**35.1(1)** In this section, “**provincial highway**” means a provincial highway as defined in *The Highways and Transportation Act*.

(2) Notwithstanding *The Highways and Transportation Act, 1997*, *The Cities Act* and *The Municipalities Act*, the Authority, or any person or official designated by the Authority by bylaw, may regulate or prohibit vehicular or pedestrian traffic within Wascana Centre on all or any portion of a road, street, bridge, highway, lane, alley, square or public place designated or intended for or used by the general public for the passage of vehicles:

- (a) for a temporary period that may be prescribed by the Authority;
- (b) for any purpose considered necessary by the Authority; and
- (c) on any terms that may be determined by the Authority.

(3) The Authority shall cause every road, street, highway or other place that is closed pursuant to this section to be marked with a sign indicating its closure and the hazards, if any, that would be encountered in its use.

(4) Any person using a road, street, highway or other place that is closed pursuant to this section is deemed to do so at his or her own risk and:

- (a) has no right to recover damages from the Authority, any member of the Authority or any officer or employee of the Authority in case of accident or injury; and
- (b) is solely liable for any damage or injury resulting from his or her use of that road, street, highway or other place.

(5) The provisions of this section do not apply to:

- (a) any area, whether privately or publicly owned, that is primarily intended to be used for the parking of vehicles and the necessary passageways on that area; or
- (b) any portion of a provincial highway, or an extension of a provincial highway, within Wascana Centre.

1988-89, c.24, s.4; 1998, c.7, s.13; 2002, c.C-11.1, s.420; 2005, c.M-36.1, s.481.

**Closing of public highways**

**36(1)** The Authority has the exclusive right to close, subject to the consent of each participating party and subject to subsections (2) and (3), the whole or any part of a public highway within Wascana Centre.

(2) Where it is proposed to close a public highway or part of a public highway within Wascana Centre and there is land abutting on the highway or the part to be closed that is not owned by the Crown, the city, the university or the Authority, the highway or the part to be closed shall not be closed unless:

- (a) at least two weeks’ notice of the intention to close the highway, or a part thereof, is given by registered mail to each registered owner of land abutting on the highway, or the part of a highway, proposed to be closed;

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

(c) every person who, before the highway or part of the highway is closed, claims that his or her land will be injuriously affected by the closing and petitions the Authority for a hearing is given an opportunity to be heard, by or without an agent, with respect to the proposed closing.

(3) A person who, before the highway, or part thereof, is closed, claims that his or her land will be injuriously affected by the proposed closing, petitions for a hearing and appears at the hearing is entitled to be compensated by the Authority for all damage caused to his or her land by reason of the closing and if the amount of compensation is not agreed upon between the claimant and the Authority the Authority shall, within one month after the highway, or part thereof, has been closed, cause to be served upon the claimant, by ordinary process of mail, a notice setting forth a description of the highway, or part thereof, the date on which it was closed and the amount of compensation that the Authority is prepared to pay.

(4) If a person entitled to compensation pursuant to subsection (3) is dissatisfied with the amount offered, sections 50 to 58, except subsections (1) and (2) of section 56, of *The Highways and Transportation Act*, as amended from time to time, or any provisions that may be substituted for those sections or any of them, shall apply *mutatis mutandis* for the purpose of determining the amount of compensation, subject to the substitution of the word “Authority” for the words “minister” and “department” wherever those words respectively occur, but the references therein to the notice mentioned in subsection (2) of section 49 shall be read as references to the notice mentioned in subsection (3) of this section.

(5) 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 Wascana Centre; but the minister before exercising that power shall obtain the prior consent of the Authority for the purpose.

R.S.S. 1978, c.W-4, s.36; 1983-84, c.6, s.22;  
1998, c.7, s.14.

## SPECIAL PROVISIONS RESPECTING EXPENSES OF LANDSCAPE MAINTENANCE AND SERVICE MAINTENANCE

### **Determination of amount of expenses in certain cases**

**37** Notwithstanding any other provision in this Act:

(a) the amount of the expense of landscape maintenance and service maintenance shall, in every case in which the Authority passes a resolution for the purpose of this clause, be deemed to be, notwithstanding that the amount of the expense might be determined in another manner, the sum fixed by the resolution, but no such resolution shall have force or effect unless it has been passed with the approval of at least eight members, of whom no fewer than three are members appointed under section 4 by the Lieutenant Governor in Council, no fewer than two are members appointed under section 4 by the council of the city and no fewer than two are members appointed under section 4 by The Board of Governors of the university;

(b) where no 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 resolution pursuant to clause (a) or by agreement with such 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 shall be 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 resolution pursuant to clause (a) or an agreement pursuant to clause (b) with respect to the matter of the arbitration agreement.

R.S.S. 1978, c.W-4, s.37; 1992, c.A-24.1, s.61.

## ACQUISITION AND DISPOSITION OF LAND WITHIN WASCANA CENTRE

### **Certain interests not valid without consent of Authority**

**38(1)** Notwithstanding any other provision of this Act, a transfer of title with respect to public land must be accompanied by the written consent of the Authority.

(2) Notwithstanding any other provision of this Act or any other Act, an interest registered in the Land Titles Registry with respect to public land is invalid unless it is accompanied by the written consent of the Authority.

2000, c.L-5.1, s.556.

### **Restriction on acquisition of land in Wascana Centre**

**39** No land or interest in land within Wascana Centre may be acquired pursuant to *The Public Utilities Easements Act* or any other Act without the approval of the Authority.

R.S.S. 1978, c.W-4, s.39.

### **Registration of interest**

**40(1)** The Authority shall register an interest in the Land Titles Registry against each title within Wascana Centre.

(2) Any application for registration pursuant to subsection (1) must be accompanied by a notice to third parties that the titles are subject to *The Wascana Centre Act*.

2000, c.L-5.1, s.557.

### **Restriction on disposal of authority land**

**41** The Authority shall not dispose of authority land to a person other than a participating party without the consent in writing of each participating party.

R.S.S. 1978, c.W-4, s.41.

**Acquisition of land by Authority or participating parties**

42(1) The Authority may acquire any private land or land owned by a participating party, and a participating party may, with the approval of the Authority, acquire any private land or land owned by another participating party.

(2) Subject to the approval of the Authority, the city may, without complying with *The Cities Act* and notwithstanding that Act, lease to the Authority, or transfer to the Authority by way of sale, gift or otherwise, any of the city's land within Wascana Centre.

R.S.S. 1978, c.W-4, s.42; 1989-90, c.65, s.16;  
2002, c.C-11.1, s.420; 2005, c.M-36.1, s.481.

**Acquisition of land described in schedule B**

43(1) Subject to subsections (2) and (3), upon the acquisition by the Authority of any parcel of the land described in schedule B the Government shall pay to the Authority out of the general revenue fund the total cost to the Authority of acquiring the parcel and thereupon the Authority shall transfer the parcel to the Government.

(2) Where the total cost mentioned in subsection (1) has not been determined at the time of the acquisition of the land, the Authority may, at its discretion, at any time transfer the land to the Government upon payment of the portion of the total cost then determined, and in such case the Government shall pay to the Authority the remainder of the total cost forthwith after the amount thereof has been determined.

(3) Notwithstanding anything in subsections (1) and (2), the Government may, upon the acquisition by the Authority of a parcel of the land described in schedule B, pay to the Authority the whole or any part of the total cost mentioned in subsection (1) without then receiving a transfer of the land, subject to the condition that the Authority will transfer the parcel to the Government at such time as may be agreed upon between the Government and the Authority.

(4) Any land vested in the Authority, which is or may become subject under this section to the Authority's obligation to transfer it to the Government, is, for the purposes of this Act, Government land.

R.S.S. 1978, c.W-4, s.43; 2004, c.10, s.17.

**Acquisition of land described in schedule C**

44(1) Subject to subsections (2) and (3), upon the acquisition by the Authority of any parcel of the land described in schedule C the university shall pay to the Authority the total cost to the Authority of acquiring the parcel and thereupon the Authority shall transfer the parcel to the university.

(2) Where the total cost mentioned in subsection (1) has not been determined at the time of the acquisition of the land, the Authority may, at its discretion, at any time transfer the land to the university upon payment of the portion of the total cost then determined, and in such a case the university shall pay to the Authority the remainder of the total cost forthwith after the amount thereof has been determined.

(3) Notwithstanding anything in subsections (1) and (2), the university may, upon the acquisition by the Authority of a parcel of the land described in schedule C, pay to the Authority the whole or any part of the total cost mentioned in subsection (1) without then receiving a transfer of the land, subject to the condition that the Authority will transfer the parcel to the university at such time as may be agreed upon between the university and the Authority.

(4) Any land vested in the Authority, which is or may become subject under this section to the Authority's obligation to transfer it to the university, is, for the purposes of this Act, university land.

R.S.S. 1978, c.W-4, s.44.

**Sale of certain lands by Authority to participating parties**

**45** Any land, other than the lands described in schedules B and C, 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.

R.S.S. 1978, c.W-4, s.45.

**Interpretation**

**46(1)** In sections 43 and 44 "**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 referred to in clauses (a) and (c);
- (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 the costs and sums referred to in clauses (a), (b) and (c) or any part thereof.

(2) In section 45 "**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, less:
  - (i) in the case of a sale to the Government, fifty-five per cent thereof;
  - (ii) in the case of a sale to the city, thirty per cent thereof;
  - (iii) in the case of a sale to the university, fifteen per cent thereof;

(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 referred to in clauses (a) and (c);

(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 the costs and sums referred to in clauses (a), (b) and (c) or any part thereof.

R.S.S. 1978, c.W-4, s.46.

**Liability of participating parties with respect to acquisition of certain lands**

47 Where a participating party is liable to the Authority, pursuant to section 43 or 44 or by reason of a sale under section 45, for a sum of money in respect of land acquired by the Authority, the participating party shall also be 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.

R.S.S. 1978, c.W-4, s.47.

**EXPROPRIATION OF LAND**

**Powers of Authority**

48(1) The Authority may, without the consent of the owner, enter upon, take and expropriate any land, other than land owned by a participating party, situated within Wascana Centre.

(2) With the approval of the participating parties the Authority may also, without the consent of the owner, enter upon, take and expropriate any land situated outside Wascana Centre but within the limits of the city of Regina or any parcel of land of which any part is within five miles from those limits.

(3) 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 engaged in exercising the authority conferred on him or her under this section.

(4) The Authority shall exercise its power to expropriate land pursuant to subsection (1) or (2) by following the procedure set out in *The Expropriation Procedure Act*.

(5) In the case of an expropriation pursuant to subsection (2), the Authority shall, on application to the Registrar of Titles for a transfer of title, submit any approvals required pursuant to that subsection.

R.S.S. 1978, c.W-4, s.48; 1998, c.7, s.15; 2000, c.L-5.1, s.558.

#### **Compensation for land expropriated**

**49** In respect of land taken under section 48 the Authority shall make compensation for:

- (a) the value to the owner of the land, as of the date of the filing of the resolution mentioned in subsection (4) of section 48;
- (b) the value to the owner of the improvements that were on the land at the time of the coming into force of this Act, calculated as of the date of the filing of the resolution mentioned in subsection (4) of section 48;
- (c) the value to the owner of any additional improvements made with the written approval of the Authority on the land after the coming into force of this Act, calculated as of the date of the filing of the resolution mentioned in subsection (4) of section 48;
- (d) 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.

R.S.S. 1978, c.W-4, s.49.

#### **Suppression of resistance**

**50(1)** If resistance or opposition is made by any person to the entering upon or the taking of any land under section 48, 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 a warrant to the sheriff at the judicial centre nearest to which the land is situated directing the sheriff to put down the resistance or opposition and take such steps as 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 take with him or her sufficient assistance for that purpose and shall put down the resistance or opposition and take such steps as 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, as the case may require and the sheriff shall forthwith make a return to the Court of Queen's Bench of the warrant and of the manner in which he or she executed the warrant.

R.S.S. 1978, c.W-4, s.50; 1998, c.7, s.16.

## FINANCIAL PROVISIONS

**51 Repealed.** 1998, c.7, s.17.

**52 Repealed.** 1998, c.7, s.17.

**Amounts paid by participating parties**

**53(1)** In every fiscal year, the participating parties shall pay the following amounts to the Authority:

- (a) in the case of the Government, \$781,550;
- (b) in the case of the city, \$426,300;
- (c) in the case of the university, \$213,150.

(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) 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, other than land described in schedule B or C, 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, other than a loan to provide all or part of the cost of the acquisition of land described in schedule B or C or a loan to repay all or part of that loan, 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 resolution of the Authority passed with the approval of at least eight members, of whom:
- (i) no fewer than three are members appointed pursuant to section 4 by the Lieutenant Governor in Council;
  - (ii) no fewer than two are members appointed pursuant to section 4 by the council of the city; and
  - (iii) no fewer than two are members appointed pursuant to section 4 by The Board of Governors of the university;
- (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 is not described in schedule B or C and has been purchased or expropriated by the Authority pursuant to section 16.
- (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, 55%;
  - (b) in the case of the city, 30%;
  - (c) in the case of the university, 15%.
- (7) Any amount payable by the Government pursuant to subsection (1), (2) or (5) shall be paid out of the general revenue fund.

1998, c.7, s.18.

**Disposition by Authority of sums paid to it**

**54** The Authority shall in every fiscal year allocate, out of the sum paid to the Authority pursuant to subsections 53(1) and (2), not less than the sum of \$375,000 for any one or more of the following:

- (a) landscape construction or restoration of landscape construction on public land;
- (b) the construction or restoration of a service facility or facilities on authority land;
- (c) the construction or restoration, subject to section 30, of a service facility or facilities on land of a participating party.

R.S.S. 1978, c.W-4, s.54; 1993, c.2, s.7; 1998, c.7, s.19.

**Prepayment of loan by participating party**

**55(1)** In subsection (2), “**loan**” includes a loan raised to repay the whole or any part of a prior loan.

(2) Any member of the Authority 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 53(6) in order to fully discharge a loan obtained or cost incurred by the Authority, and after that a separate account is to 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, on such repayment, that participating party’s liability pursuant to section 53 with respect to the loan or cost is to be discharged or reduced accordingly.

(3) Nothing done pursuant to subsection (2) shall result in a duplication of the sums payable pursuant to section 53.

1998, c.7, s.20.

**When payments due**

**56(1)** One-fourth of each of the sums to be paid by a participating party during a fiscal year pursuant to sections 27 and 32, subsection (3) of section 33 and sections 53 and 55 shall become due on the first day of each of the months of April, July, October and January in that fiscal year or at such other time or times as may be arranged, in the case of all or any of the participating parties and either for the purpose of substituting such a time or times for one occasion or for a specified or indefinite period, by agreement between the representatives of the Authority on the one hand and the representatives of the participating party or parties for whom the arrangement is to be made on the other.

(2) For the purpose of subsection (1):

(a) the representatives of the Authority shall be any two or more of the following:

- (i) the members of the Authority; and
- (ii) the secretary to the Authority;

(b) the representatives of the Government shall be any two or more of the following:

- (i) the members of the Executive Council; and
- (ii) the Deputy Minister of Finance;

(c) the representatives of the city shall be any two or more of the following:

- (i) the mayor of the city;
- (ii) the commissioners of the city;
- (iii) the manager for the city;
- (iv) the treasurer of the city;

(d) the representatives of the university shall be any two or more of the following: the members of the Authority appointed under subsection (4) of section 4, the chairman of The Board of Governors of the university and the controller of the university.

R.S.S. 1978, c.W-4, s.56; 1998, c.7, s.21.

**56.1 Repealed.** 1998, c.7, s.22.

**Interest**

**57** Where a participating party fails to pay a sum when due it shall pay to the Authority, upon demand, interest at the rate equal to the prime 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 date on which it became due.

R.S.S. 1978, c.W-4, s.57; 1984-85-86, c.21, s.4.

**Borrowing powers**

**58(1)** Subject to section 61, the Authority may from time to time borrow such sums of money as the Authority deems requisite 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 of any bonds, debentures or other securities, payment whereof 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 the powers of the Authority under this Act;
- (g) reimbursing the Authority for any such expenditures; and
- (h) the repayment of the whole or any part of any sum borrowed under subsection (8);

and for the purpose of such borrowing may issue such bonds, debentures or other securities, bearing such rate or rates of interest and being payable as to principal and interest at such time or times, in such manner, in such place or places in Canada or elsewhere, and in the currency of such country or countries, as the Authority may determine.

(2) The bonds, debentures and other securities mentioned in subsection (1) may be issued in such amounts as will realize the net sums required for the purposes of the Authority, and a recital or declaration in the 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 shall be conclusive evidence of that fact.

(3) The Authority may sell or otherwise dispose of such bonds, debentures or other securities on such terms and conditions as may be deemed 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 61, be issued, reissued, charged, pledged, hypothecated, deposited, dealt with as collateral security, sold or otherwise disposed of from time to time upon such terms and conditions as the Authority deems advisable, or at its option be cancelled and fresh securities to the like amount and in the like form issued in lieu thereof with the like consequences, and upon such issue or reissue a person entitled thereto shall have 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 such form or forms and shall be executed in such manner as the Authority may by resolution determine.

(6) The Authority may by resolution provide that the seal of the Authority 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 or printed otherwise mechanically reproduced thereon.

(7) The seal of the Authority when so mechanically reproduced shall be of the same force and effect as if manually affixed, and such mechanically reproduced signatures shall for all purposes be 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 the issue thereof.

(8) Subject to section 61, the Authority may also from time to time borrow by way of temporary loans from any chartered bank or from any person or corporation such sums, upon such terms, for such purposes and upon such conditions as the Authority may determine, by way of bank over-draft 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 the sale thereof or in lieu of selling them, or in such other manner as 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 such manner as the Authority may determine.

**Guarantee by province**

**59(1)** The Lieutenant Governor in Council may, on such terms as may be stated in the order in council passed for the purpose, guarantee the payment of the principal and interest of any bonds, debentures and other securities issued by the Authority and of any loans, temporary or otherwise, raised by the Authority.

(2) The form and manner of any such guarantee shall be such as the Lieutenant Governor in Council may approve.

(3) Such guarantee shall be signed by the Minister of Finance or such other officer or officers as may be designated by the Lieutenant Governor in Council, and on being so signed the Province of Saskatchewan shall become 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) shall be conclusive evidence that the terms of this section have been complied with.

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

(6) Notwithstanding any other provision of this Act, thirty per cent of each amount paid by the province in implementing any such guarantee is a debt payable to the province by the city and the amount of the debt shall be paid by the city to the province within one year after the day on which the amount was paid by the province, but this subsection does not apply with respect to an amount paid by the province in implementing a guarantee in respect of a loan raised for or in respect of the acquisition of land described in schedule B or schedule C.

R.S.S. 1978, c.W-4, s.59; 2004, c.10, s.17.

**Sinking fund debentures**

**60(1)** When debentures are issued, the Authority may provide that the principal shall be repaid at a fixed date with interest payable annually or semi-annually, in which case such debentures shall be known as sinking fund debentures.

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

(3) When 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.

R.S.S. 1978, c.W-4, s.60.

**Limitation on borrowing powers**

**61** 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 exceed the aggregate net sum of \$3,000,000, but in computing such aggregate net sum the following sums shall be excluded:

- (a) sums borrowed by way of temporary loan that have been repaid by the Authority otherwise than out of the proceeds of the sale of securities of the Authority issued for that purpose;
- (b) sums borrowed by the issue and sale of securities to the extent that the net proceeds thereof have been applied or are to be applied to the repayment of outstanding temporary loans of the Authority;
- (c) sums borrowed to repay, renew or refund from time to time the whole or any part of any loan raised or securities issued by the Authority under this Act.

R.S.S. 1978, c.W-4, s.61.

**Power of city to invest in bonds, etc., issued by Authority**

**62** The council of the city may, with the approval of the Saskatchewan Municipal Board, invest any of the surplus funds of the city in bonds, debentures or other securities issued by the Authority.

R.S.S. 1978, c.W-4, s.62; 1989-90, c.5, s.10.

**Power to invest in securities by Authority**

**63(1)** Notwithstanding anything contained 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.

(2) Without restricting the generality of the foregoing, moneys to be invested under the following Acts may be invested in bonds, debentures or other securities issued by the Authority:

- (a) **Repealed.** 1998, c.S-35.2, s.17.
- (b) *The Workers' Compensation Act*;
- (c) **Repealed.** 2004, c.W-17.2, s.18.
- (d) *The Municipal Employees' Superannuation Act*;
- (e) *The Teachers' Superannuation Act*;
- (f) *The Liquor Board Superannuation Act*;
- (g) *The Power Corporation Superannuation Act*;

- (h) *The Saskatchewan Government Insurance Act*;
- (i) **Repealed.** 2002, c.M-11.12, s.15.
- (j) *The Power Corporation Act*;
- (k) *The Saskatchewan Telecommunications Act*;
- (l) *The Financial Administration Act, 1993*.

R.S.S. 1978, c.W-4, s.63; 1983, c.29, s.56; 1988-89, c.42, s.110; 1998, c.S-35.2, s.17; 2002, c.M-11.12, s.15; 2004, c.10, s.18; 2004, c.W-17.2, s.18.

**64 Repealed.** 1998, c.40, s.17.

### SPECIAL POWERS

#### Power of participating parties to enter into agreements, etc.

**65(1)** Notwithstanding anything in this or any other Act, the Authority or a participating party may, for the whole or part of any purpose relating or incidental to or connected with Wascana Centre or relating or incidental to or connected with the land forming part of any road or street abutting upon Wascana Centre, or for any of the purposes mentioned in the preamble:

- (a) enter into an agreement with each other or with any other participating party;
  - (b) expend moneys, provide services and carry out obligations;
  - (c) 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.
- (2) All moneys to be paid under subsection (1) by the Government shall, subject to the approval of the Lieutenant Governor in Council, be paid out of the general revenue fund.
- (3) Where an agreement that would be valid and binding if entered into under subsection (1) has been heretofore entered into by a participating party it shall be valid and binding and have the same force and effect as if it had been entered into under subsection (1) after the coming into force of this Act.

R.S.S. 1978, c.W-4, s.65; 2004, c.10, s.17.

## MISCELLANEOUS

**Non-liability of participating parties, etc.**

**66** 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 or the landscape adviser or the Architectural Advisory Committee, the Engineering Advisory Committee or any other 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.24, s.6.

**Proposal to implement, elaborate or amend master plan**

**67** A participating party may propose to the Authority that the master plan be implemented, elaborated or amended.

R.S.S. 1978, c.W-4, s.67.

**Fire protection and law enforcement**

**68(1)** Fire protection and law enforcement in Wascana Centre shall be provided by the city.

(2) Notwithstanding subsection (1), the Authority at its own expense may appoint special constables who, upon their appointment, have the authority to perform and exercise, within Wascana Centre or with respect to offences committed or matters originating within Wascana Centre, 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) shall, in the performance of their duties and the exercise of their powers be subject to the lawful directions and orders of the chief of police of the city.

(4) Every such special constable shall be supplied by the Authority with an identification card and shall, before entering upon his or her 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) Special constables shall not be members of the police force of the city and neither the city nor the board of police commissioners of the city shall be responsible for any of their acts or for their failure to act in any circumstances.

(6) The Authority may make such charges, against any participating party, as it considers reasonable, in respect of services performed by special constables appointed under subsection (2), and a participating party against whom any such charge has been made may pay the amount thereof 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 Wascana Centre by members of the Royal Canadian Mounted Police or constables appointed under *The Police Act, 1990*.

R.S.S. 1978, c.W-4, s.68; 1979-80, c.72, s.6;  
1983, c.11, s.95; 1990-91, c.P-15.01, s.104; 1998,  
c.7, s.23.

**Exemption of public land from taxation**

**69** No public land shall be subject to taxation for provincial municipal or school purposes but shall be exempt from all forms, and manner of taxation.

R.S.S. 1978, c.W-4, s.69.

**Architect planner**

**70** The Authority shall, upon any terms and conditions it considers desirable, appoint an architect, landscape architect or a community planner, or a firm consisting of or including any number of those persons, to be architect planner.

R.S.S. 1978, c.W-4, s.70.

**71 Repealed.** 1998, c.7, s.24.

**Execution of deeds by Authority**

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

R.S.S. 1978, c.W-4, s.72.

**Evidence of resolution, etc.**

**73(1)** A copy of a resolution, bylaw or other document in the custody of the secretary of the Authority purporting to be certified by the secretary to be a true copy and purporting to be sealed with the seal of the Authority shall be *prima facie* evidence of the resolution, bylaw or document without proof of the signature of the secretary.

(2) Where a copy of a resolution, bylaw or other document in the custody of the secretary of the Authority, purporting to be certified in accordance with subsection (1) is filed in any court it is for the purpose of any proceeding before the court involving or relating to the resolution, bylaw or document a public record and may be used and acted upon in the same manner as an Act of the Legislature.

(3) A printed copy of any bylaw passed by the Authority and purporting to be printed by the Queen's Printer or by the authorization of the Authority is *prima facie* evidence in all courts in the province of the bylaw and of the due passing thereof.

R.S.S. 1978, c.W-4, s.73.

**Rendering of a decision without a meeting by committee**

**74** Unless a member of a committee or subcommittee of the Authority requests that a meeting be held for the purpose of rendering a 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.

R.S.S. 1978, c.W-4, s.74.

**Auditor and audit**

**75(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 forthwith after completing an audit prepare a report with respect to his or her findings and furnish each participating party with a copy of the report.

R.S.S. 1978, c.W-4, s.75; 1998, c.7, s.25.

**The Crown bound**

**76** Her Majesty is bound by this Act.

R.S.S. 1978, c.W-4, s.76.

**Act governs in case of conflict**

**77** Where the provisions of this Act or of any bylaw made thereunder conflict with any other Act, the provisions of this Act or the bylaw, as the case may be, shall govern, but nothing in this Act or in any such bylaw shall affect the powers of The University of Regina Board of Governors under *The University of Regina Act*.

R.S.S. 1978, c.W-4, s.77; 1999, c.29, s.5.

## SCHEDULE A

[Section 2, clause (w)]

All that portion of sections 5, 6, 7, 8, 17 and 18, in township 17, in range 19, west of the second meridian, and intervening road allowances and surveyed roads, in the Province of Saskatchewan, described as follows:

Commencing at the intersection of the west boundary of the said section 18 with the south limit of College Avenue as the said College Avenue is shown on plan FF 4253, thence southerly along the west boundary of the said section 18 to the north-west corner of said section 7, thence southerly along the west boundary of the said section 7 to the north limit of the surveyed roadway (Twenty-third Avenue) as shown on plan BX 7109, thence easterly along the said north limit of the roadway and the production easterly thereof to the west limit of Twenty-third Avenue as the said avenue is shown on plan FV 2273, thence northerly along the said west limit to the north-west corner of the said Twenty-third Avenue, thence easterly along the north limit of the said Twenty-third Avenue as shown on said plan FV 2273 to the most westerly corner of Hillsdale Street as shown on plan 60R13698, thence north-easterly, northerly and north-easterly along the north-westerly, westerly and north-westerly limits of the said Hillsdale Street and the production north-easterly thereof to the north-easterly limit of Broad Street as shown on said plan 60R13698, thence south-easterly along the said north-easterly limit of Broad Street and the production south-easterly thereof to the east boundary of the said section 7, thence southerly along the said east boundary to the most northerly corner of block Y as shown on plan 68R34011, thence southerly along the most easterly limits of the area shown on the said plan 68R34011 to the most northerly north-east corner of lot C, block 23 as shown on plan 91R27302, thence southerly, south-westerly and southerly along the easterly, south-easterly and easterly limits of said lot C to the south-east corner of the said lot C thence westerly along the southern limit of the said lot C to intersection with the easterly limit of lot 34 in block 23 as shown on plan GE 191, thence southerly along the easterly limit of the said lot 34 and the southerly production of said easterly limit to an iron post planted 69.86 feet more or less south of the south-east corner of said lot 34, thence south-westerly, southerly and south-easterly along the western limits of parcels X and Y as shown on plan 64R33128 to

the southwest corner of the said parcel Y, thence southerly along the westerly limit of parcel K as shown on plan 63R37205 to the east boundary of said section 6, thence southerly along the east boundary of said section 6 to the most northerly corner of parcel L as shown on plan 63R40459, thence south-westerly and south-easterly along the north-westerly and south-westerly limits respectively of said parcel L and the production south-easterly of the said south-westerly limit to intersection with the north-westerly limit of the surveyed roadway (Regina by-pass) as shown on plan FU 741, thence south-westerly along the said north-westerly limit to intersection with the said east boundary of section 6, thence southerly along the said east boundary of section 6 to intersection with the south-easterly limit of the surveyed roadway (Regina by-pass) as shown on plan FU 741, thence south-westerly along the said south-easterly limit to intersection with the south boundary of the said section 6, thence easterly along the said south boundary of section 6 and the south boundary of section 5 to the south-east corner of the said section 5, thence northerly along the east boundary of the said section 5 to the north-east corner thereof, thence westerly along the northern boundary of said section 5 a distance of 590.78 feet, thence northerly and parallel to the eastern boundary of section 8 a distance of 885.6 feet, thence easterly and parallel to the northern boundary of said section 5 to intersection with the centre line of Wascana Creek, thence south-easterly along the centre line of Wascana Creek to intersection with the west boundary of section 9, thence southerly along the west boundary of said section 9 to the left bank of Wascana Creek, thence south-easterly along the said south-westerly limit of parcel A, plan BZ 2842, and the left bank of the Wascana Creek to intersection with the east boundary of section 9, thence northerly along the said east boundary of section 9 to intersection with the Traverse Line as shown on plan 74R46986, thence westerly along the said Traverse Line as shown on plan 74R46986 to intersection with the west boundary of said section 9, thence northerly along the said west boundary of section 9 to intersection with a line drawn parallel with and perpendicularly distant southerly 300 feet from the northerly limit of parcel B as shown on plan FA 4664 and the production easterly thereof, thence westerly along the said line to intersection with the easterly limit of block L as shown on plan 60R21695, thence northerly along the said easterly limit of block L as shown on plan 60R21695 to the north-east corner thereof, thence westerly along the north limit of said block L as shown on plan 60R21695 and the production westerly thereof to intersection with a line drawn parallel with and perpendicularly distant south-easterly 66 feet from the north-westerly limit of the said surveyed roadway (Regina by-pass) as shown on plan FU 741, thence north-easterly parallel with the said north-westerly limit of the said roadway (Regina by-pass) and the production north-easterly thereof across Assiniboine Avenue as shown on plan FK 1219 to intersection with the production south-easterly of the tangent course of the south-westerly limit of Douglas Park Crescent as shown on plan GD 1553, thence north-westerly along the said production and the south-westerly limit to the most easterly corner of lot 37, block 7, as shown on the said plan GD 1553, thence south-westerly along the south-easterly limit of the said lot 37 to the most southerly corner thereof, thence north-westerly along the south-westerly limits of lots 32 to 37, both inclusive, in block 7 as shown on the said plan GD 1553 to the most westerly corner of the said lot 32, thence north-easterly along the north-westerly limit of the said lot 32 to the south-westerly limit of the said Douglas Park Crescent, thence north-westerly along the said south-westerly limit to the most easterly corner of lot 31, block 7, as shown on the said plan GD 1553, thence south-westerly along the south-easterly limit of the said lot 31 to the most southerly corner thereof, thence north-westerly and northerly along the south-westerly and westerly limits of lots 17 to 31, both inclusive, in block 7 as shown on the said plan GD 1553 to the southerly limit of Twentieth Avenue as shown on the said plan GD 1553, thence westerly along the said south limit to the north-east corner of lot 16 in block 7 as shown on the said plan GD 1553, thence southerly along the east limit of the said lot 16 to the south-east corner thereof, thence westerly along the south limits of lots 1 to 16, both inclusive, in block 7 as shown on the

said plan GD 1553 to the south-west corner of said lot 1, thence northerly along the west limit of the said lot 1 to the south limit of the said Twentieth Avenue, thence westerly along the said south limit and the production westerly thereof to the west limit of McDonald Street as shown on plan Q 3743, thence northerly along the said west limit of McDonald Street to the southerly limit of the surveyed roadway as shown on plan DV 1867, thence westerly, north-westerly, and westerly along the southerly, south-westerly and southerly limits of the said roadway as shown on plan DV 1867 and their continuations throughout all streets and lanes as shown on plans Q 3743, D 3172 and U 2439 to the west limit of Winnipeg Street as shown on plan DV 459, thence northerly along the said west limit of Winnipeg Street to the south-east corner of lot 15, block 3, as shown on plan FF 3885, thence westerly along the south limit of the said lot 15 to the easterly limit of the lane east of block 4 as shown on the said plan FF 3885, thence southerly, south-westerly, north-westerly and northerly along the east, south-easterly, south-westerly and westerly limits of the said lane and the lane south and west of the southerly and westerly limits of block 7 as shown on the said plan FF 3885 to the southerly limit of Quinn Drive as shown on plan FF 3724, thence westerly along the said southerly limit and the radial production westerly thereof to the westerly limit of the surveyed roadway (Broad Street) as shown on the said plan BX 7109, thence northerly along the said westerly limit as shown on the said plan BX 7109 and on plan BL 1197 to the said southerly limit of College Avenue as shown on plan FF 4253, thence westerly along the said southerly limit to the point of commencement;

Excepting:

(a) all those portions of Broad Street shown on plans 61R26843 and 60R13698 and that portion of the surveyed roadway shown on plan BX 7109 lying east of the production southerly of the westerly radial limit of Broad Street shown on plan 61R26843; and

(b) that portion of the surveyed roadway (Regina by-pass) shown on said plan FU 741 lying north of a line drawn parallel with and perpendicularly distant southerly 1896 feet from the north boundary of said section 5 and south-east of a line drawn parallel and/or concentric with and perpendicularly and/or radially distant south-easterly 66 feet from the north-westerly limits thereof and the productions thereof; and

(c) that portion of the said surveyed roadway (Regina by-pass) shown on plan FU 741 lying between a line drawn parallel with and perpendicularly distant southerly 1896 feet from the north boundary of the said section 5 and the east boundary of the said section 6 excepting thereout that portion lying north-east of a line drawn at right angles to the north-westerly limit of the said roadway from a point distant north-easterly thereon 686.83 feet from an iron post marked R14 on said plan FU 741 and north-west of a line drawn parallel with and perpendicularly distant south-easterly 66 feet therefrom;

all plans aforementioned being of record in the land titles office for the Regina Land Registration District.

R.S.S. 1978, c.W-4, Schedule A; 1984-85-86,  
s.21, s.5; 1993, c.2, s.9; 1998, c.7, s.26.

**c. W-4**

## WASCANA CENTRE

**SCHEDULE B**  
*[Sections 43, 45, 53 and 59]*

1 The whole of Blocks H, J and K in Hillsdale Commercial, Regina, Saskatchewan plan No. 60R13698.

2 All those portions of the north-east and south-east quarters of section 8, in township 17, in range 19, west of the second meridian, in the Province of Saskatchewan, lying east of the south-eastern limit of a roadway as shown on plan No. FU 741, and west of the south-western limit of parcel A as shown on plan BZ 2842;

Excepting:

out of the said south-east quarter the most easterly 66 feet in width throughout.

3 All those portions of the north-east and south-east quarters of section 8, in township 17, in range 19, west of the second meridian, in the Province of Saskatchewan, shown as parcel A on plan No. BZ 2842, lying east of the south-eastern limit of the roadway as shown on plan No. FU 741;

Excepting:

all that portion described as follows: commencing at a point on the south-western limit of said parcel A 66 feet perpendicularly distant from the eastern boundary of said south-east quarter, thence northerly parallel to said eastern boundary to the north-eastern limit of said parcel A, thence south-easterly along the said north-eastern limit to said eastern boundary, thence southerly along said eastern boundary to said south-western limit, thence north-westerly along said south-western limit to the point of commencement.

4 All those portions of the north-east and north-west quarters of section 5, in township 17, in range 19, west of the second meridian, in the Province of Saskatchewan, lying north of a line drawn parallel to and perpendicularly distant southerly 1896 feet from the northern boundary of the said north-east and north-west quarters of the said section 5 and easterly of the south-eastern limit of the roadway as shown on plan No. FU 741;

Excepting:

(a) out of said north-east and north-west quarters of the said section 5, all those portions taken for roadway as shown on plan No. BB 432;

(b) out of said north-west quarter, parcel T, containing 16.07 acres, more or less, taken for roadway as shown on plan No. 71R00082.

5 All that portion of the original road allowance which lies north of a straight line joining the south-west corner of section 5, in township 17, in range 19, west of the second meridian, in the Province of Saskatchewan, with the south-east corner of section 6, in township 17, in range 19, west of the second meridian, in the Province of Saskatchewan, and south of the production north-easterly of the south-easterly limit of the roadway as shown on plan No. FU 741.

6 The north-east quarter of section 5, in township 17, in range 19, west of the second meridian, in the Province of Saskatchewan, containing 160 acres, more or less, according to Dominion Government survey thereof;

Excepting:

(a) 4.008 acres, more or less, taken for roadway as shown on plan No. BB 432;

(b) the most northerly 1896 feet in perpendicular width throughout.

## WASCANA CENTRE

## c. W-4

7 All that portion of the north-west quarter of section 5, in township 17, in range 19, west of the second meridian, in the Province of Saskatchewan, lying south of a line drawn parallel to and perpendicularly distant southerly 1896 feet from the northern boundary of said quarter section and easterly of the south-eastern limit of the roadway as shown on plan No. FU 741;

Excepting:

parcel X, containing 4.08 acres, more or less, taken for a roadway as shown on plan No. 71R00082.

8 The south-west quarter of section 5, in township 17, in range 19, west of the second meridian, in the Province of Saskatchewan, containing 160 acres, more or less, according to Dominion Government survey thereof;

Excepting:

(a) 4.40 acres, more or less, taken for a roadway as shown on plan No. FU 741;

(b) 1.00 acres, more or less, taken for a roadway as shown on plan No. 71R00082;

(c) all that portion lying north-west of the north-west limit of the roadway as shown on plan No. FU 741.

9 All that portion of the south-east quarter of section 6, in township 17, in range 19, west of the second meridian, in the Province of Saskatchewan, lying south and east of the south-easterly limit of the surveyed road shown on plan No. FU 741.

10 The south-east quarter of section 5, in township 17, in range 19, west of the second meridian, in the Province of Saskatchewan, containing 160 acres, more or less, according to Dominion Government survey thereof.

11 All plans referred to in this schedule are plans of record in the land titles office for the Regina Land Registration District.

R.S.S. 1978, c.W-4, Schedule B.

**SCHEDULE C**  
[Sections 44, 45, 53 and 59]

1 Those portions of parcel A as shown on plan No. BZ 2842 lying westerly of the north-westerly limit of the Regina by-pass as shown on plan No. FU 741.

2 All that portion of the east half of section 8, in township 17, in range 19, west of the second meridian, in the Province of Saskatchewan, bounded on the north by the southerly limit of parcel A as shown on plan No. BZ 2842, bounded on the south and east by the north-westerly limit of the Regina by-pass as shown on plan No. FU 741 and on the west by a line drawn easterly from and parallel with and perpendicularly distant 100 feet from the westerly limit of the said east half of section 8, in township 17, in range 19, west of the second meridian, in the Province of Saskatchewan.

3 All that portion of the north-west quarter and the south-west quarter of section 5, in township 17, in range 19, west of the second meridian, in the Province of Saskatchewan, lying north-westerly of the north-westerly limit of the Regina by-pass as shown on plan No. FU 741.

R.S.S. 1978 c.W-4, Schedule C.

**SCHEDULE D**  
*[Section 33, subsection (3)]*

1 All that parcel of land within Wascana Centre known as parcel R.5., according to a plan of record in the land titles office of the Regina Land Registration District, 64R34291.

2 The following streets or roads, so far as they are within Wascana Centre, namely:

- (a) Wascana Parkway, as shown on plans 66R01032 and 66R00799;
- (b) Assiniboine Avenue;
- (c) McDonald Street.

2.1 All streets and roads within that parcel of land within Wascana Centre known as parcel D, Plan FL 1542, as amended by Master of Titles Order No. 71R14173, comprised in a plan of record in the Land Titles Office for the Regina Land Registration District as No. 83R68665.

3 All references in this schedule to roads and streets are to be interpreted as references to such roads and streets as they may be respectively changed from time to time hereafter whether in name, boundaries or dimensions; and references to plans shall respectively be interpreted as references to amending plans filed from time to time in substitution for the plans hereinbefore referred to.

R.S.S. 1978, c.W-4, Schedule D; 1984-85-86, c.55, s.2.