

1992

CHAPTER 60

An Act to amend *The Parks Act*

(Assented to August 24, 1992)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Parks Amendment Act, 1992*.

S.S. 1986, c.P-1.1 amended

2 *The Parks Act* is amended in the manner set forth in this Act.

Section 2 amended

3 Clause 2(1)(j) is amended by striking out "motorized".

New section 34.1

4 The following section is added after section 34:

"Evidence re speed measuring devices

34.1(1) In a prosecution for a contravention of this Act or the regulations, a certificate described in subsection (2) is admissible in evidence as prima facie proof of the facts stated in the certificate and of the authority of the person who issued the certificate, without proof of the person's appointment or signature.

(2) A certificate mentioned in subsection (1) is a certificate:

(a) that states the result of a test of:

(i) the speedometer of a vehicle identified in the certificate;

(ii) a tuning fork identified in the certificate and used for determining the accuracy of a radar set;

(iii) a stop watch identified in the certificate; or

(iv) any other device that is identified in the certificate and used for or in connection with establishing the speed of vehicles;

(b) that bears a date:

(i) in the case of a tuning fork, that is not more than one year before or after the date of the offence charged; or

(ii) in the case of a speedometer, stop watch or other device used for establishing the speed of vehicles, not more than 30 days before or after the date of the offence charged; and

(c) that purports to be signed by a tester who is appointed by the Highway Traffic Board to test devices of the type stated to have been tested".

Part B of Schedule I amended**5(1) Part B of Schedule I is amended in the manner set forth in this section.****(2) The following clauses are added after clause (f) of the description of Candle Lake Provincial Park:**

“(g) contained within the boundary commencing at the intersection of the east bank of Hanin Creek and the bank of Candle Lake; thence north-westerly along the bank of Hanin Creek to the north boundary of the north-east quarter of Section 31, in Township 56, in Range 23, west of the Second Meridian; thence east along the north boundary of the north-east quarter of Sections 31 and 32, in Township 56, in Range 23, west of the Second Meridian to the east boundary of Section 5, in Township 57, in Range 23, west of the Second Meridian; thence north along said Section 5 to the north boundary of Section 4, in Township 57, in Range 23, west of the Second Meridian; thence east along the north boundary of said Section 4 to the east boundary of Section 9, in Township 57, in Range 23, west of the Second Meridian; thence north along the east boundary of said Section 9 to the north boundary of Section 10, in Township 57, in Range 23, west of the Second Meridian; thence east along the north boundary of Sections 10, 11 and 12, in Township 57, in Range 23, west of the Second Meridian and Section 7, in Township 57, in Range 22, west of the Second Meridian to the east boundary of said Section 7; thence south along the east boundary of said Section 7 to the north boundary of Section 5, in Township 57, in Range 22, west of the Second Meridian; thence east along the north boundary of said Section 5 to the east boundary of said Section 5; thence south along the east boundary of said Section 5 and Section 32, in Township 56, in Range 22, west of the Second Meridian to the north boundary of the north-west quarter of Section 28, in Township 56, in Range 22, west of the Second Meridian; thence east along the north boundary of said north-west quarter of Section 28 to the east boundary of the west half of Section 28, in Township 56, in Range 22, west of the Second Meridian; thence south along the east boundary of the said west half of Section 28 and Section 21, in Township 56, in Range 22, west of the Second Meridian to the north boundary of the north-east quarter of Section 16, in Township 56, in Range 22, west of the Second Meridian; thence east along the north boundary of said Section 16 to the east boundary of said Section 16; thence south along the east boundary of said Section 16 to the north boundary of the north-west quarter of Section 10, in Township 56, in Range 22, west of the Second Meridian; thence east along the north boundary of the said north-west quarter of Section 10 to the east boundary of said north-west quarter of Section 10; thence south along the east boundary of said north-west quarter of Section 10 to the north boundary of the south-east quarter of Section 10, in Township 56, in Range 22, west of the Second Meridian; thence east along the north boundary of said south-east quarter of Section 10 and south half of Section 11, in Township 56, in Range 22, west of the Second Meridian to the east boundary of said south half of Section 11; thence south along the east boundary of said south half of Section 11 to the north boundary of Section 1, in Township 56, in Range 22, west of the Second Meridian; thence east along the north boundary of said Section 1 to the west boundary of Highway No. 120 right-of-way; thence south along said west boundary of Highway No. 120 right-of-way to the intersection with the existing Candle Lake Provincial Park boundary; thence west along the said park boundary to the bank of Candle Lake; thence northerly and westerly along the bank of Candle Lake to the point of commencement;

“(h) those lands known as the Curly Islands situated within Candle Lake”.

(3) The description of Danielson Provincial Park is amended:

(a) by repealing subclause (c)(ii) and substituting the following:

“(ii) all of Section 21, except:

(A) that portion of the south-west quarter taken for CNR pipeline and right-of-way as shown on Registered Plan No. X 5565;

(B) that portion of the south-east quarter shown as Parcel `A' on Registered Plan No. 64 MJ 04649;

(C) Legal Subdivisions 7 and 8;

“(iii) Legal Subdivisions 9, 15 and 16 of Section 23”;

(b) by repealing subclauses (c)(ix) and (x) and substituting the following:

“(ix) the south-east quarter of Section 33;

“(x) the south half of Section 34”; and

(c) by repealing clause (d).

(4) Clause (c) of the description of Echo Valley Provincial Park is repealed and the following substituted:

“(c) the fractional south-east and south-west quarters of Section 20”.

(5) Clause (a) of the description of Pike Lake Provincial Park is repealed and the following substituted:

“(a) the east half, south-west quarter, Legal Subdivisions 11 and 14 of Section 5 and Parcel `C' as shown on Plan No. 61507096”.

(6) Clause (a) of the description of Rowan's Ravine Provincial Park is repealed and the following substituted:

“(a) the north-west quarter of Section 28 except parcels taken for the roadway shown on Plan No. DN 5686 and Plan No. 62 R 26523”.

Part C of Schedule I amended

6(1) Part C of Schedule 1 is amended in the manner set forth in this section.

(2) The description of Douglas Provincial Park is repealed and the following substituted:

“Douglas Provincial Park

All those lands west of the Third Meridian, described as follows:

(a) in Section 30, in Township 23, in Range 3, that portion of the north half lying to the west of Highway No. 19;

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- (b) in Section 31, in Township 23, in Range 3:
- (i) that portion of the south-west quarter lying west of the west limit of the CPR right-of-way and extra right-of-way as shown on Plan No. 67 MJ 11017 in the Land Titles Office for the Moose Jaw Land Registration District and to the south-west of the south-west limit of Highway No. 19 as shown on Plan No. 61 MJ 05157 in that office;
 - (ii) that portion of the north-west quarter lying to the south-west of the south-west limit of said Highway No. 19;
 - (iii) that portion of the south half lying to the south-west of the south-west limit of Highway No. 19;
- (c) in Township 23, in Range 4:
- (i) in Section 15, that portion of the north-west quarter north of the former rail line;
 - (ii) all of Section 21 east of the former rail line;
 - (iii) all of Section 22 excluding the south-east half of the south-east quarter;
 - (iv) the north-east quarter of Section 25;
 - (v) all of Section 27 that from day to day is not covered by the waters of Lake Diefenbaker;
 - (vi) all of Section 28;
 - (vii) the north-east half of the north-east quarter of Section 29;
 - (viii) Sections 32 and 33;
 - (ix) those portions of the south-east quarter of Section 36 lying to the north-west of the north-west limit of the CPR right-of-way as shown on Plan No. 67 MJ 11017 in the Land Titles Office for the Moose Jaw Land Registration District that from day to day are not covered by the waters of Lake Diefenbaker;
 - (x) those portions of the east half and north-west quarter of Section 35 that from day to day are not covered by the waters of Lake Diefenbaker;
 - (xi) those portions of the west half of Section 36 that from day to day are not covered by the waters of Lake Diefenbaker;
 - (xii) the north-east quarter of Section 36, except those portions taken for Highway No. 19 as shown on Plan No. 61 MJ 05157 in the Land Titles Office for the Moose Jaw Land Registration District and CPR right-of-way and extra right-of-way as shown on Plan No. 67 MJ 11017 in that office;

(d) in Township 24, in Range 4:

- (i) Sections 1, 5, 8, 11, 12, 13, 14, 15, 21, 22 and 23 except those portions of Sections 1, 11, 15 and 21 taken for Highway No. 19 as shown on Plan No. 61 MJ 05157 in the Land Titles Office for the Moose Jaw Land Registration District, and for the CPR right-of-way and extra right-of-way as shown on Plan No. 67 MJ 11017 in that office;
- (ii) in Section 6, that portion of the east half east of Highway No. 19;
- (iii) the east half of Section 7;
- (iv) the south-west quarter of Section 24;
- (v) the south half of Section 26;
- (vi) the south half and north-west quarter of Section 27;
- (vii) Section 28;
- (viii) those portions of Sections 2, 3, 9, 10 and 16 that from day to day are not covered by the waters of Lake Diefenbaker, except those portions of sections 2, 10 and 16 taken for Highway No. 19 as shown on Plan No. 61 MJ 05157 in the Land Titles Office for the Moose Jaw Land Registration District, and for the CPR right-of-way and extra right-of-way as shown on Plan No. 67 MJ 11017 in that office".

(3) The description of Good Spirit Lake Provincial Park is amended:

(a) by repealing subclause (a)(i) and substituting the following:

"(i) the north-east quarter of Section 7;

"(i.1) the north half of Section 9 lying south of Good Spirit Lake, except that portion described as follows:

- (A) commencing on the south-west corner of the north-west quarter of Section 9;
- (B) thence east along the south boundary of the north-west quarter of Section 9, 603.5 metres;
- (C) thence north parallel to the west boundary of the north-west quarter of Section 9, 201.2 metres;
- (D) thence west parallel to that south boundary to that west boundary;
- (E) thence south along that west boundary to the point of commencement"; **and**

(b) by repealing subclause (a)(iv) and substituting the following:

"(iv) those portions of Section 10 shown as Parcel `A' on Plan No. 74 Y 06950 and as Parcels `B' and `C' on Plan No. 88 Y 02203 in the Land Titles Office for the Yorkton Land Registration District".

(4) The description of Makwa Lake Provincial Park is amended:

- (a) by striking out the portion of subclause (a)(viii) that precedes paragraph (A) and substituting**
"Section 22, including Parcel `C' as shown on Plan No. 60 B 07794 in the Land Titles Office for the Battlefords Land Registration District, Public Reserve R1 as shown on the Makwa Resort Subdivision Plan No. BQ 4721, those portions of the north half of Section 22 lying west of the west

limit of Makwa Drive as shown on Plan No. BQ 4721, those portions lying east of the east bank of Jumbo Lake and lying north-east of the Public Reserve R1, as shown on Plan No. BQ 4721 and those portions lying north of the north-west limit of First Avenue as shown on Plan No. BQ 4721, except"; and

(b) by repealing paragraph (a)(viii)(C) and substituting the following:

"(C) those portions of the Makwa Lake Subdivision as shown on Plan Nos. BQ 4721 and 60 B 07794 that are not described in the portion of subclause (viii) that precedes paragraph (A)".

(5) The description of Meadow Lake Provincial Park is amended:

(a) by adding the following clause after clause (g):

"(g.1) in projected Township 66, in Ranges 17 and 18; commencing at the point where the west limit of Highway No. 104 meets the south boundary of projected Township 66, thence north-west along the west limit of Highway No. 104 to the north boundary of projected Township 66, thence west along the north boundary of projected Township 66 to a point 1 000 metres west of Young Creek, thence south-east along a line parallel to and 1 000 metres west and south of Young Creek until it meets the south boundary of projected Township 66, thence east along the south boundary of projected Township 66 until it meets the west limit of Highway No. 104";

(b) by repealing clause (k) and substituting the following:

"(k) in projected Township 65, in Range 18:

(i) Sections 1, 12, 13, 24, 25 and 36;

(ii) commencing at the north-west corner of Section 36, thence west along the north boundary of projected Township 65 to a point 1 000 metres west of Young Creek, thence south-east along a line parallel to and 1 000 metres west and south of Young Creek until it meets the west boundary of Section 24, thence north along the west boundaries of Sections 24, 25 and 36 until it meets the north boundary of projected Township 65"; and

(c) by repealing subclause (ee)(i) and substituting the following:

"(i) Sections 3, 10, 11, 13 and 14".

(6) The description of Nipawin Provincial Park is amended by striking out "Nipawin Provincial Park" and substituting "Narrow Hills Provincial Park".

Part D of Schedule I amended

7(1) Part D of Schedule I is amended in the manner set forth in this section.

(2) The following is added before the description of Clearwater River Provincial Park:

"Athabasca Sand Dunes Provincial Park

All those lands:

(a) within the boundaries described as follows:

- (i) commencing at a point at the intersection of the north bank of Guthrie Bay on Davy Lake with the east bank of the east channel from Guthrie Bay into the MacFarlane River at approximate latitude $58^{\circ}56'20''$ longitude $108^{\circ}10'00''$;
- (ii) thence due west approximately 70 kilometres along the line of approximate latitude $58^{\circ}56'20''$ to a point at longitude $109^{\circ}23'00''$;
- (iii) thence due north approximately 3.3 kilometres along the line of longitude $109^{\circ}23'00''$ to a point of latitude $58^{\circ}58'10''$;
- (iv) thence north-westerly approximately 4.6 kilometres on a line parallel to and one kilometre south-west from Ennuyeuse Creek to a point at latitude $59^{\circ}00'00''$ longitude $109^{\circ}26'40''$;
- (v) thence westerly approximately 3.2 kilometres to a point at latitude $59^{\circ}00'00''$ longitude $109^{\circ}30'00''$;
- (vi) thence due north approximately 3.8 kilometres along the line of longitude $109^{\circ}30'00''$ to a point one kilometre south-west from Ennuyeuse Creek at approximate latitude $59^{\circ}01'30''$;
- (vii) thence north-westerly approximately five kilometres on a line parallel to and one kilometre west from Ennuyeuse Creek to a point on the bank of Lake Athabasca one kilometre south-west from the mouth of Ennuyeuse Creek at approximate latitude $59^{\circ}03'40''$ longitude $109^{\circ}30'40''$;
- (viii) thence in a north-westerly direction perpendicular to the bank exactly three kilometres into Lake Athabasca to a point at approximate latitude $59^{\circ}05'10''$ longitude $109^{\circ}33'25''$;
- (ix) thence easterly approximately 107.5 kilometres on a line parallel to and perpendicularly distant three kilometres north from the bank of Lake Athabasca to a point at approximate latitude $59^{\circ}14'40''$ longitude $107^{\circ}56'40''$ which is three kilometres due north from a point on the south bank of Lake Athabasca which is one kilometre east of the east bank of the mouth of the MacFarlane River;
- (x) thence due south three kilometres to a point on the bank of Lake Athabasca one kilometre east of the east bank of the mouth of the MacFarlane River at approximate latitude $59^{\circ}12'50''$ longitude $107^{\circ}56'40''$;
- (xi) thence south-easterly approximately four kilometres on a line parallel to and one kilometre east from the east bank of the MacFarlane River to a point at latitude $59^{\circ}11'00''$ and approximate longitude $107^{\circ}54'40''$;

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- (xii) thence easterly approximately 3.6 kilometres to a point at latitude $59^{\circ}11'00''$ longitude $107^{\circ}51'00''$;
- (xiii) thence due south approximately 2.8 kilometres along the line of longitude $107^{\circ}51'00''$ to a point at latitude $59^{\circ}09'30''$;
- (xiv) thence westerly approximately 2.6 kilometres to the northernmost corner of Indian Reserve Number 231 as shown on Registered Plan Number 82 B0 6651 in the Land Titles Office for the Battlefords Land Registration District;
- (xv) thence south-westerly, south-easterly and north-easterly along the north-west, south-west and south-east boundaries respectively of Indian Reserve No. 231 to a point on the south-east boundary one kilometre north-east of the east bank of the MacFarlane River;
- (xvi) thence south-westerly and southerly approximately 30.5 kilometres on a line parallel to and one kilometre south-east and east from the east bank of the MacFarlane River and the east channel from Guthrie Bay to the MacFarlane River to a point on the north bank of Guthrie Bay at approximate latitude $58^{\circ}56'20''$ longitude $108^{\circ}09'00''$;
- (xvii) thence westerly approximately one kilometre along the northerly bank of Guthrie Bay to the point of commencement;
- (b) constituting the bed of the portion of the MacFarlane River that is bounded on both sides by Indian Reserve Number 231 as the Reserve is shown on Plan No. 82 B0 6651 in the Land Titles Office for the Battlefords Land Registration District; and
- (c) constituting Long Island, Foster Island and the small island at the east end of Long Island, all situated within Lake Athabasca*.

(3) The following is added after the description of Clearwater River Provincial Park:

"Wildcat Hill Provincial Park

All those lands lying west of the Second Meridian contained within boundaries described as follows:

- (a) commencing at the north-east corner of Township 48, in Range 4;
- (b) thence east along the north boundary of Township 48, in Range 3, to the north-east corner of Section 33, in Township 48;
- (c) thence north along the east boundaries of Sections 4, 9, 16 and 21 to the north bank of the Pasquia River;
- (d) thence following the north bank of the Pasquia River south-east and then north-east until it meets the north boundary of Township 49;
- (e) thence west along that north boundary to the north-east corner of Section 31, in Township 49, in Range 3;
- (f) thence north along the east boundaries of Sections 6, 7 and 18, in projected Township 50, in Range 3, to the north-east corner of that Section 18;
- (g) thence west along the north boundary of that Section 18 and the north boundaries of Sections 13, 14, 15, 16, 17 and 18 to the north-west corner of that Section 18;
- (h) thence south along the west boundaries of Sections 18, 7 and 6 to the south-west corner of that Section 6, in Township 50, in Range 4;

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- (i) thence west along the south boundary of Township 50 to the north-west corner of Section 35, Township 49, in Range 5;
 - (j) thence south along the west boundaries of Sections 35, 26 and 23 in Township 49, in Range 5 to the north bank of the Fir River;
 - (k) thence south-east along the north bank of the Fir River to the north boundary of Township 48, in Range 4;
 - (l) thence south-east and north-east along the north bank of the Fir River to the north boundary of Township 48, in Range 4;
 - (m) thence east along that north boundary to the place of commencement".

Schedule II amended**8(1) Schedule II is amended in the manner set forth in this section.****(2) The following is added after the description of Besant Midden:****"Brockelbank Hill**

All those lands west of the First Meridian described as follows:

- (a) Sections 24 and 25 and the east halves of Sections 23 and 26, in Township 42, in Range 31; and
- (b) Sections 19 and 30, in Township 42, in Range 30".

(3) The description of Waskwei River is repealed and the following substituted:**"Waskwei River**

That parcel or tract of land, in projected Township 51, in Range 1, west of the Second Meridian, described as follows:

- (a) those portions of Section 22 lying east and west of the Highway No. 9 right-of-way;
- (b) Sections 23 and 24;
- (c) the south halves of Sections 25 and 26;
- (d) those portions of the south half of Section 27 lying east and west of the Highway No. 9 right-of-way".

(4) The description of Wildcat Hill is repealed.

Coming into force

9 This Act comes into force on the day of assent.