

**EXPLANATORY NOTES**  
**B I L L**  
**No. \_\_76\_\_**  
**An Act to amend *The Parks Act***

**Clause  
of Bill**

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1     *The Parks Amendment Act, 2017.*

2     *The Parks Act.*

**3(1) Existing Provision**

**“Interpretation**

**2(1)** In this Act:

- (a) **“Crown”** means ~~Her Majesty the Queen~~ in right of Saskatchewan;
- (b) **“Crown lands”** means lands in Saskatchewan owned by the Crown;
- ~~(c) **“department”** means the department over which the minister presides;~~
- (c.1) **“direct service costs”** means the direct cost of services provided by the ~~department~~ to a holder of a recreational lease, as those costs are determined by the minister in accordance with the regulations;
- (d) **“disposition”** means a permit, lease, licence, easement or other authorization granted by the minister pursuant to section 15;
- (e) **“enforcement officer”** means an enforcement officer appointed pursuant to section 28 and includes a member of the Royal Canadian Mounted Police;
- (e.1) **“fiscal year”** means the period commencing on April 1 of one year and ending on March 31 of the following year;
- (e.2) **“holder of a recreational lease”** means the person to whom the minister has issued a lease pursuant to section 15 for the use and occupation of park land for recreational purposes;
- (f) **“minister”** means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (g) **“park land”** means Crown land constituted pursuant to this Act as a provincial park, protected area, recreation site or historic site;
- (g.1) **“prescribed”** means prescribed in the regulations;

- (h) “**provincial park**” means an historic park, a recreation park, a natural environment park or a wilderness park designated pursuant to section 4;
- (i) “**provincial highway**” means a provincial highway as defined in *The Highways and Transportation Act, 1997*;
- (j) “**vehicle**” means any conveyance, other than a water vessel, that is drawn, propelled or driven by any mechanical means.

1986, c.p-1.1, s.2; 1989-90, c.50, s.3; 1992, c.60, s.3; 2003, c.35, s.3; 2006, c.29, s.3”

## Explanation

In clause 2(1)(a) the definition of “Crown” is being amended with gender-neutral wording.

Clause 2(1)(c) is being removed as the term “department” is no longer required.

Clause 2(1)(c.1) is being amended to provide updated and consistent ministry reference.

A new definition is added, following clause 2(f), to define the term “ministry”.

A new definition is added, following clause 2(l)(i), to define the term “timber”. The new definition is needed to replace the term “Crown timber”, which is no longer used in *The Forest Resources Management Act, 2010*.

### 3(2) Existing Provision

(2) For the purposes of ~~sections 25, 26 and 27~~:

- (a) land set aside pursuant to an Act or an Act of Canada for the making of a road, on which a road has not been constructed; and
- (b) the portion of a provincial highway that is not a roadway within the meaning of *The Highways and Transportation Act, 1997*;

that is within the outside boundaries of park land, is deemed to be park land.

1986, c.P-1.1, s.2; 1989-90, c.50, s.3; 1992, c.60, s.3; 2003, c.35, s.3; 2006, c.29, s.3

## Explanation

The amendment updates the cross-referenced section numbers to include a reference to section 25.1, which is a new clause.

**4 Existing Provision**

**“Recreation sites**

**6** The Lieutenant Governor in Council may make regulations constituting as a recreation site any Crown lands that ~~he~~ considers suitable for recreational purposes.

1986, c.P-1.1, s.6.

**Explanation**

Section 6 is being amended to substitute a gender-neutral reference.

**5 Existing Provision**

**“Historic sites**

**7** The Lieutenant Governor in Council may make regulations constituting as an historic site any Crown lands that ~~he~~ considers contain significant prehistoric or historic resources.

1986, c.p-1.1, s.7.”

**Explanation**

Section 7 is being amended to substitute a gender-neutral reference.

**6 Existing Provision**

**“Provincial markers**

~~**8** The minister may, with the consent of the owner of land, install and maintain, or authorize the installation of, provincial markers on that land where he considers it appropriate to interpret any significant prehistoric or historic theme or event, historic personage or feature of scientific or natural interest.~~

1986, c.p-1.1, s.8.”

**Explanation**

Section 8 is being repealed and replaced to remove gender-specific references.

**7 Existing Provision**

**“Disposition of park land reserve**

**11(3)** Disposition of an interest in, or granting of any right with respect to, park land reserve pursuant to subsection (2) is to be made in accordance with the ~~terms and conditions prescribed in the regulations~~ and the terms and conditions,

not inconsistent with this Act and the regulations, that the minister may determine.

1986, c.P-1.1, s.11.

## Explanation

Subsection 11(3) is being amended to clarify the intent of the phrase as referring to terms and conditions that may be described in other provisions beyond just the regulations, such as the Act or within leases, permits or dispositions.

## 8 Existing Provision

### “Disposition

~~15(2) Subject to the other provisions of this Act and the terms and conditions prescribed in the regulations, the minister may, on the terms and conditions he determines that are not inconsistent with the terms and conditions prescribed in the regulations:~~

- (a) issue permits, licences or other authorizations for the use and occupation of park land for a term not exceeding five years;
- (b) enter into agreements to lease any park land or to grant an easement or other authorization with respect to park land ~~where~~:
  - (i) the term of an agreement does not exceed 21 years;
  - (ii) expenditures required to be made by the Crown pursuant to an agreement do not exceed \$50,000; and
  - (iii) the invested private capital pursuant to an agreement does not exceed \$250,000; and
- (c) subject to the approval of the Lieutenant Governor in Council, enter into agreements to lease any park land or to grant an easement or other authorization with respect to park land ~~where~~:
  - (i) the term of an agreement is more than 21 years;
  - (ii) expenditures required to be made by the Crown pursuant to an agreement are more than \$50,000; or
  - (iii) the invested private capital pursuant to an agreement is more than \$250,000.

1986, c.p-1.1, s.15; 1989-90, c.50, s.4; 2003, c.35, s.4; 2012, c.26, s.3.”

## Explanation

Subsection 15(2) is being amended to for consistency with subsection 11(3).

Clauses 15(2)(b) and 15(2)(c) are being amended for clarity.

**9** **Existing Provision**

**“Implied reservations**

**17** Every disposition of park land is subject to the following implied reservations to the Crown:

(c) the property in and the right to and to the use of all the water at any time in any lake, river, stream or other body of water and to the land forming the bed and bank of ~~such~~ water;

(f) the right to develop and maintain any irrigation works or works of any nature considered by the minister to be in the public interest on any park land and to enter on park land for that purpose and develop and maintain ~~such~~ works without compensating the holder of the disposition; and

1986, c.P-1.1, s.17.

**Explanation**

Clauses 17(c) and 17(f) are being amended for clarity.

**10** **Existing Provision**

**“Implied conditions of dispositions**

**19** Every disposition of park land is subject to the following conditions, whether or not the conditions are set out in the disposition:

(a) ~~unless otherwise prescribed in the regulations or~~ set out in the disposition, the minister may, at any time during the term of a disposition, on 30 days’ written notice to the holder of the disposition, cancel the disposition:

(i) for default in payment of any rent or other consideration required by the disposition;

(ii) for the breach or non-performance of any term or condition of the disposition; or

(iii) ~~where~~ the disposition was issued through fraud or error or the holder of the disposition misrepresented or failed to disclose any material fact in obtaining the disposition;

(a.1) on the expiration of the thirtieth day following the day on which notice is served on the holder of the disposition pursuant to clause (a), the disposition ceases;

(b) the whole or any part determined by the minister of the costs incurred by the minister in making any improvements to park land that he

considers to be of benefit to the holder of the disposition are a debt due and owing to the Crown;

1986, c.p-1.1, s.19; 1989-90, c.50, s.5.”

## **Explanation**

Subsection 19(a) is being amended to for consistency with subsection 11(3).

Clause 19(a)(iii) is being amended for clarity.

Clause 19(b) is being amended to substitute a gender-neutral reference.

## **11 Existing Provision**

### **“Annual fees payable by holders of recreational leases**

**19.01(3)** The holder of a recreational lease shall pay the annual fee within the ~~time~~ set by the minister.

2006, c.29, s.4.

## **Explanation**

Subsection 19.01(3) is being amended for clarity.

## **12 Existing Provision**

### **“Summary proceedings for possession**

**19.1(1)** In this section:

(a) “**court**” means ~~Her Majesty’s Court of Queen’s Bench for Saskatchewan;~~

(b) “**respondent**” means a person against whom an order for possession is sought or made pursuant to this section.

(2) ~~Where:~~

(a) a person:

(i) is, in the opinion of the minister, wrongfully or without lawful authority using, possessing or occupying park land; or

(ii) remains on park land which is the subject matter of his or her disposition, after the:

(A) expiration;

(B) termination; or

(C) cancellation;

of that disposition; and

(b) the person mentioned in clause (a) refuses or neglects, upon service of a demand made in writing, to go out of possession of the park land; the minister or any person authorized by the minister for that purpose, may apply to the court sitting at the judicial centre nearest to where the land, or any portion of the land, is situated for an order for possession.

(3) ~~Where~~ a court hearing an application made pursuant to subsection (2) is satisfied on the evidence that:

(a) the respondent:

(i) wrongfully or without lawful authority used, possessed or occupied park land; or

(ii) remained on park land which is the subject matter of his or her disposition, after the:

(A) expiration;

(B) termination; or

(C) cancellation;

of that disposition;

(b) written demand for possession was served on the respondent pursuant to subsection (2); and

(c) the respondent refused to go out of possession of the park land after being served with a demand for possession pursuant to subsection (2); the court may issue an order for possession and make any order as to costs that the court sees fit.

(5) ~~Where~~ the sheriff, deputy sheriff or sheriff's bailiff exercises any of the powers mentioned in subsection (4):

(a) the respondent is responsible:

(i) for the sheriff's fees and poundage; and

(ii) for any storage costs; incurred as a result of the exercise of those powers; and

(b) the minister may sell any or all of the goods and chattels of the respondent removed pursuant to that subsection.

(6) ~~Where~~ an order for possession is made pursuant to this section, all buildings and other improvements on the park land that is the subject of the order, whether affixed to the land or not:

(a) are deemed to be the property of the Crown; and

(b) may be disposed of in any manner the minister considers appropriate.

## Explanation

Clause 19.1(1)(a) is being amended to substitute a gender-neutral reference.  
Subsections 19.01(2), (3), (5) and (6) are being amended for clarity.

### 13 Existing Provision

#### **“Removal of property**

~~20(1) Unless otherwise prescribed in the regulations or set out in a disposition, where the holder of a disposition does not, within 90 days after the expiration, termination or cancellation of a disposition, remove any fixtures constructed or affixed by him, or any chattels owned or placed by him, on the park land which was the subject of the disposition:~~

~~(a) in the case of fixtures, he is not entitled to remove the fixtures;~~

~~(3) Where:~~

~~(a) fixtures are not removed in accordance with subsection (1); or~~

~~(b) chattels are forfeited pursuant to subsection (1) or (2);~~

~~they may be disposed of in any manner that the minister considers appropriate.~~

1986, c.p-1.1, s.20.”

## Explanation

Subsection 20(1) is being amended to improve clarity and substitute gender-neutral references.

Clause 20(1)(a) is being amended to substitute a gender-neutral reference.

Subsection 20(3) is being amended for clarity.

### 14 Existing Provision

#### **“Use in accordance with Act**

~~25(1) No person shall enter or occupy park land except in accordance with this Act or the regulations.~~

~~(2) A person may enter park land under an authorization to cut Crown timber on that park land granted pursuant to *The Forest Resources Management Act* or the regulations made pursuant to *The Forest Resources Management Act* and may carry out on that park land the activities allowed by that authorization.~~

~~(3) The provisions of *The Forest Resources Management Act* and the regulations made pursuant to *The Forest Resources Management Act* relating to the cutting of Crown timber apply to park land.~~

1986, c.p-1.1, s.25; 1996, c.f-19.1, s.102.”



## Explanation

The amendment repeals section 25 and replaces with two new sections.

Proposed section 25 is expanded to more accurately capture the intent that use of park land is also subject to the Act and regulations.

Proposed section 25.1 provides clarification that both *The Parks Act* and *The Forest Resources Management Act* apply to timber harvesting within park land.

Previous wording neglected to identify the condition for a disposition under *The Parks Act*. The different purposes for each disposition/permit are clarified within regulations.

The reference to entry permit exemption (s. 25(2)) is being removed from the Act to allow entry permits to be consistently handled through policy and Regulation rather than the Act. The current procedure is to issue Courtesy Permits to contractors and service vehicles, in accordance with the Regulations (s. 5(4)(h)). This policy would apply to timber harvesting vehicles as well.

## 15 Existing Provision

### “Regulations

**27(1)** The Lieutenant Governor in Council may make regulations for the protection, care, management, control, maintenance and improvement of park land and, without limiting the generality of the foregoing, may make regulations:

(g) subject to *The Water Security Agency Act* or any Act of the Parliament of Canada, governing the use and enjoyment of, and activities on, waters that are within or adjacent to park land and the land under ~~such~~ waters;

(j.1) authorizing an enforcement officer to remove or cause the removal of, from any land or premises other than from a private dwelling, a wildlife attractant, as defined in the regulations, and any container in which wildlife attractants are kept if:

(ii) the person who owns or possesses the wildlife attractant or container has failed to comply with any order made by the enforcement officer respecting the wildlife attractant or container within the ~~time~~ and in the manner directed by the enforcement officer;

(o.3) for the purposes of subsection 19.01(5), respecting appeals of land lease fees, including:

(i) prescribing the ~~time~~ within which and the manner in which appeals may be made;

(ii) determining to whom appeals are to be made; and

(iii) respecting any rules governing the hearing and determining of appeals;

(p) ~~respecting the disposition of park land;~~

1986, c.p-1.1, s.27; 1986, c.33, s.19; 1989-90, c.50, s.7; 2002, c.s-35.02, s.135; 2003, c.35, s.6; 2004, c.T-18.1, s.297; 2005, c.s-35.03, s.111; 2006, c.29, s.5; 2010, c.e-10.22, s.105; 2012, c.26, s.4; 2013, c.22, s.3 and c.32, s.8.”

## Explanation

Clauses 27(1)(g), (j.1), and (o.3) are being amended for clarity.

Clause 27(p) is being replaced to clarify that the terms and conditions of dispositions and related applications may be established in regulation. This clarification is needed to support directives that establish the terms and conditions applied to timber harvesting dispositions issued by the Ministry of Parks, Culture and Sport.

## 16 Existing Provision

**“Enforcement officers**

**28** The minister may appoint:

(a) any employees or categories of employees of the ~~department~~; and

1989-90, c.50, s.8.

## Explanation

Section 28 is being amended to provide updated and consistent ministry reference.

## 17 Existing Provision

**“Protection of enforcement officers**

**29** ~~An enforcement officer has the powers of a peace officer to enforce this Act and the regulations and is entitled, while performing his duties, to all the protection to which peace officers are entitled pursuant to the *Criminal Code*, as amended from time to time.~~

1986, c.p-1.1, s.29.”

## Explanation

Section 29 is being repealed and replaced to provide gender-neutral references and remove redundancy.

**18**     **Existing Provision**

**“Search and seizure**

**30(1)** An enforcement officer may, at any reasonable time, without a warrant, enter any vehicle, airplane or water vessel in or on which ~~he~~ has reasonable grounds to believe evidence of a contravention of this Act or the regulations may be found, and may:

- (a) order the production of any article or document that ~~he~~ considers necessary;
- (b) order the owner of the article or document or any person apparently in charge of the vehicle, airplane or water vessel to give ~~him~~ all reasonable assistance;
- (c) seize any article or document.

(3) ~~Where~~ a justice of the peace or a judge of the Provincial Court of Saskatchewan is satisfied, on the oath of an enforcement officer, that:

- (a) there are reasonable grounds for believing that a contravention of this Act or the regulations has occurred; and
- (b) there is evidence of the contravention to be found at the place to be searched;

he may issue a warrant:

1986, c.p-1.1, s.30; 1989-90, c.50, s.9.”

**Explanation**

Section 30 is being amended to substitute gender-neutral references.

**19**     **Existing Provision**

**“Disposal of seized articles or documents**

~~**31(1)** Where a person is convicted of a contravention of this Act or the regulations, the articles or documents seized in respect of the contravention are forfeited to the Crown and are to be disposed of in the manner specified by the minister.~~

(2) If no prosecution for an offence in respect of which any article or document is seized in accordance with section 30 is brought within 30 days after the date of its seizure, or if, after trial, the person proceeded against is acquitted and no appeal is taken or is acquitted after an appeal is taken, the article or document seized is to be disposed of in the manner specified by the minister.

(3) Articles or documents obtained by an enforcement officer in the performance of his duties that are not claimed by the owner within six months are to be disposed of in the manner specified by the minister.

1986, c.p-1.1, s.31; 1990-91, c.s-63.1, s.67.”

## **Explanation**

Subsection 31(1) is being repealed and replaced to provide gender-neutral references and improve clarity.

Subsection 31(2) is being amended to improve clarity.

Subsection 31(3) is being amended to establish a gender-neutral reference.

## **20 Existing Provision**

### **“Eviction of persons from park land**

~~32(1) If an enforcement officer reasonably believes that a person is contravening a prescribed provision of this Act or the regulations, the enforcement officer may order that person to cease the contravention or may order him or her to leave park land and to remain out of park land for a period of 72 hours.~~

(2) ~~Where~~ a person who has been ordered by an enforcement officer pursuant to subsection (1) to leave park land:

1986, c.p-1.1, s.32; 2012, c.26, s.5.”

## **Explanation**

This amendment repeals and replaces subsection 32(1) to provide clear reference to *The Alcohol and Gaming Regulation Act, 1997* in order to clarify eviction authority related to the annual Alcohol Ban Minister’s Order.

Fines and evictions are an important tool for maintaining public safety but are only used as the last step in enforcement process. Enforcement officers typically give verbal and written warnings before resorting to fines or evictions. Clarified language will ensure suitable enforcement authority exists within *The Parks Act*.

Subsection 32(2) is being amended to improve clarity.

## **21 Existing Provision**

### **“Offence and penalty**

~~34(2) When~~ a person is convicted of a contravention of this Act or the regulations the convicting judge may, in addition to any fine that may be imposed pursuant to subsection (1), order that:

(a) the person make restitution for any damage to property caused as a result of the contravention in the amount, and within the ~~time~~, determined by the judge and stated in the order;

(a.1) the person pay any costs to reclaim, or mitigate damage caused to, any natural, cultural, historic or prehistoric resources as a result of the contravention in the amount, and within the ~~time~~, determined by the judge and stated in the order;

~~(3) Where an amount that is ordered to be paid pursuant to clause (2)(a) or (a.1) is not paid within the time fixed in the order, the minister may, by filing the order, enter the amount ordered to be paid as a judgment in Her Majesty's Court of Queen's Bench for Saskatchewan and that judgment is enforceable against the person convicted in the same manner as if it were a judgment rendered against him in that court in civil proceedings.~~

1986, c.p-1.1, s.34; 2012, c.26, s.6.”

## Explanation

Subsection 34(2) is being amended to improve clarity.

Subsection 34(3) is being repealed and replaced with the proposed to provide an extended limitations period for prosecutions within *The Parks Act*.

The current limitations default to s. 4(3) of *The Summary Offences Procedures Act, 1990*, which specifies a 6 month period. Six months is often too short a period to commence proceedings for seasonal and remote offenses which are typical in provincial parks. Other similar Acts have limitations periods ranging from two to three years.

Changes to the previous subsection 34(3) also substitute gender-neutral references and improve clarity.

## 22 Existing Provision

### “Regulations

~~35 The Lieutenant Governor in Council may make regulations respecting any matter or thing necessary to carry out the provisions of this Act.~~

1986, c.P-1.1, s.35.

## Explanation

Section 35 is being repealed and replaced to more clearly describe the authority of the minister to make regulations as authorized in the Act or any other matter that may be approved by the Lieutenant Governor in Council.

**23** SCHEDULE I, PART B  
RECREATION PARKS

**23(a)** Existing Provision

**“Candle Lake Provincial Park**

All those lands in Township 19, in Range 5, west of the Second Meridian, not covered by the waters of Crooked Lake, described as follows:

**Explanation**

The description of Candle Lake Provincial Park is being amended to add a new parcel to the park description.

The parcel being added to the park includes the maintenance compound, staff accommodations and former superintendent’s residence. The Ministry of Parks, Culture and Sport currently leases the Crown land from the Ministry of Environment. Upon designation, the land administration will be transferred to the Ministry of Parks, Culture and Sport, and the lease will be surrendered.

Having the land included within the park will allow for more comprehensive long-term planning.

This amendment will result in a net increase of approximately 5 hectares of land to Candle Lake Provincial Park.

**23(b)** Existing Provision

**“Crooked Lake**

~~All those lands in Township 19, in Range 5, west of the Second Meridian, described as follows:~~

~~(a) legal subdivisions 12 and 13 of Section 4;~~

~~(b) those portions of the north half of Section 5 not covered by the waters of Crooked Lake, described as follows:~~

~~(i) those portions of Legal Subdivisions 10, 11, 13 and 14 lying north and west of the Townsite of Greenspot as shown on registered Plan No. 61 R 37982 in the Land Surveys Directory;~~

~~(ii) those portions of Legal Subdivisions 9, 10, 15 and 16 lying east of a roadway as shown on Plan No. 71 R 27757 in the Land Surveys Directory;~~

~~(c) in Section 8:~~

~~(i) that portion of the south-west quarter not covered by the waters of Crooked Lake, except that portion taken for roadway as shown on Plan No. 71 R 27757 in the Land Surveys Directory;~~

~~(ii) legal subdivisions 11 and 12.~~

## **Explanation**

The description of Crooked Lake Provincial Park is being repealed and replaced to more clearly describe the park boundary and add two parcels of land to the park description.

Both parcels are Environment Crown land. The first parcel was partially cultivated for hay but is now vacant. It will be returned to native prairie. The second parcel is partially cultivated for hay and following designation the lease administration will be transferred to the Ministry of Parks, Culture and Sport. It will be transitioned to native prairie as haying use diminishes.

The park land description is being rewritten in whole for overall clarity.

This amendment will result in a net increase of approximately 64 hectares of land to Crooked Lake Provincial Park.

## **23(c) Existing Provision**

### **“Danielson Provincial Park**

All those lands lying west of the Third meridian, not covered by the waters of Lake Diefenbaker, described as follows:

(b) in Township 27, in Range 6:

~~(ii) that portion of Section 6 lying south, east and south-east of a line drawn 100 feet perpendicularly south, east and south-east from the centre line of Highway No. 44 as shown on Plan No. 73S10325, in the Land Titles Office for the Saskatoon Land Registration District;~~

~~(x) the south half of Section 34, excluding the roadway for Highway No. 44 as shown on Plan No. 73 MJ 10635;~~

## **Explanation**

The description of Danielson Provincial Park is being amended by repealing and replacing subclause (b)(ii) to exclude the M1 canal and two isolated parcels from the park.

The Water Security Agency is consolidating its land for better management control and requested administrative control of the M1 canal to facilitate ongoing rehabilitation, operation and maintenance activities.

The resulting two parcels of land would be isolated from the park, are not integral to the park and are therefore being removed from park dedication.

Administration will be transferred to the Ministry of Environment, who may consider transfer to the Water Security Agency for its use.

Subclause (b)(x) is also being repealed and replaced to describe the removal of an access road from the park boundary. The access road is being removed to allow direct access to the new cottage subdivision, which was excluded from the park in 2013. Road access was not excluded at that time to allow for final design and alignment of the roadway to occur. The roadway administration will be transferred to the RM of Coteau No. 255.

This amendment will result in a decrease of approximately 43 hectares from Danielson Provincial Park.

#### **23(d) Existing Provision**

##### **“Great Blue Heron Provincial Park**

NOTE: All plans referred to are plans of record in the Land Surveys Directory.

All those lands and water lying West of the Second Meridian and excluding the waters of Emma Lake and Christopher Lake as described below:

This area includes all undeveloped road allowance and excludes surveyed and unsurveyed portions of provincial highways nos. 2, 952 and 953 throughout and further described as follows:

(c) in projected Township 53, in range 27:

(i) Sections 23 to 27 inclusive lying north and east of Highway No. 953;

(ii) all that portion of Section 28 excepting:

(A) the Murray Point Summer Resort Subdivision as shown on Plan Nos. 60PA 04207, 61PA 03380, and 62PA 12090; and

(B) the Murray Point access road right of way known as Victoria Avenue and the right of way for Highway No. 952;

(C) out of the east half of Legal Subdivision 1, the access road to McIntosh Point and lands lying east of said access road;

(iii) ~~Sections 30 to 36 inclusive, excepting the lands falling within Fairy Island in Section 32, Parcel ‘F’ as shown on Plan No. 98PA11846, the land lying between parcel ‘F’ and the waters of Emma Lake, and the~~



~~surveyed road shown on Plan No. 74PA18365 in the south half of Section 34;~~

## Explanation

The description of Great Blue Heron Provincial Park (GBHPP) is being amended by repealing and replacing subclause (c)(iii) to exclude three unintended parcels from the park description and to make the description read more clearly.

The boundaries of GBHPP were established as part of the *The Parks Amendment Act, 2013*. Through review of land title mapping, three parcels were found to be unintentionally included in the park description. The three parcels include:

1. The channel, south of Cattle Island, connecting two portions of Emma Lake.
2. A subdivision access road, at the southeast corner of section 32.
3. An isolated parcel of land, north of Laura Lake and south of the roadway.

One minor punctuation error is being corrected in subclause (c)(ii).

This amendment will result in a minor decrease of land within Great Blue Heron Provincial Park.

## 24 SCHEDULE I, PART C NATURAL ENVIRONMENT PARKS

### 24(a) Existing Provision

#### **“Douglas Provincial Park**

All those lands west of the Third Meridian not covered by the waters of Lake Diefenbaker, described as follows and including abandoned railways throughout:

(c) in Township 24, in Range 4:

(x) in Section 29, that portion of the south-east quarter to the east of the Canadian Pacific Railway right of way and extra right of way as shown on Plan No. 67 MJ 11017 ~~and excluding Highway No. 19 as shown on Plan No. 61 MJ 05158, both plans in the Land Surveys Directory;”~~

## Explanation

The description of Douglas Provincial Park is being amended to remove a duplicate land description. There is no resulting change to the park boundary.

**24(b) Existing Provision**

**“Greenwater Lake Provincial Park**

All those lands west of the Second Meridian, excluding those portions throughout taken for Highways No. 38, 678, and 679, and described as follows:

(e) in Township 41, in Range 11:

~~(i) Sections 1 to 33, except that portion of the south east quarter of Section 3 lying within Parcel ‘E’ as shown on Plan No. 101151425 in the Land Surveys Directory;”~~

**Explanation**

The description of Greenwater Lake Provincial Park is being amended by repealing and replacing subclause (e)(i) to exempt two parcels that are contiguous with subdivision areas in the RM of Bjorkdale to enable municipal use. The parcels are discontinuous from the park and not used for park purposes.

This amendment will result in a minor decrease of land within Greenwater Provincial Park.

**24(c) Existing Provision**

**“Lac La Ronge Provincial Park**

All those lands west of the Second Meridian described as follows and excepting Highways Nos. 102 and 915:

(a) contained within the following boundary:

~~(iv) thence north along the east boundary of that section to the intersection with the bank of McGibbon Bay of Lac La Ronge;~~

~~(v) thence north, east, north and west along the bank of McGibbon Bay and Lac La Ronge to the intersection with the north boundary of projected Section 24, in Township 71, in Range 22;”~~

(xxxii) thence north along the east limit of Highway No. 102 as shown on Plan No. CX2272 in the Land Surveys Directory and the north production of that east limit to the point of commencement, except:

(A) those lands leased pursuant to instruments filed in the Sustainable Lands Branch of the Department of Environment at Prince Albert and numbered 300040, 300044, 300055, 300241, 300490, 301657 and 301859;

~~(F) projected Section 9 and that portion of projected Section 8 which is not covered by the waters of McCaffrey Lake, and those~~

~~portions of projected Sections 16, 17, 20 and 21 that lie south of Mountain Lake in Township 74, in Range 17;~~

### **Explanation**

The description of Lac La Ronge Provincial Park is being amended by repealing and replacing subclauses (a)(iv) and (v) to more clearly describe those adjacent water areas along and connected to the Churchill River system.

Subclause (a)(xxxii)(A) is being amended to correct a ministry reference.

Subclause (a)(xxxii)(F) is being repealed and replaced to more clearly describe the park boundary around Stanley Mission.

There is no resulting change to the park boundary.

### **24(d) Existing Provision**

#### **“Meadow Lake Provincial Park**

All those lands lying west of the Third Meridian, described as follows and excepting Highway Nos. 4, 21, 26, 224, 904, 919, 941, 950, 951 and 954:

(i) in Township 63, in Range 18:

~~(iii) Sections 17 to 36, except Greig Lake Resort out of the west half of Section 17 as shown on Plan Nos. 101568966, 101569046, 101569035, 101569024, 101569013 and 64 B 01263, all plans in the Land Surveys Directory, and Lots 2, 3, 6, 7, 9, 10, 22, 23 and 24 in Block 1 and Lots 4 and 7 in Block 3 as shown on Plan No. BQ 8006 in the Land Surveys Directory;”~~

### **Explanation**

The description of Meadow Lake Provincial Park is being amended by repealing and replacing subclause (i)(iii) to more clearly describe the existing subdivision lots and reference updated lot numbers. There is no resulting change to the park boundary.

### **24(e) Existing Provision**

NEW

## Explanation

This amendment designates a new provincial park in the Porcupine Hills area.

The park area will consist of two parts including:

### - **McBride Lake Site**

McBride Lake, Pepaw Lake, Parr Hill Lake, and Saginas Lake Recreation Sites plus additional Crown lands excluded from the Forest Management Agreement as recommended by the Pasquia-Porcupine Integrated Forest Land Use Plan; and

### - **Woody River Site**

This part includes existing Woody River Recreation Site which consists of several component lake parcels and developments.

The new park was identified in the Pasquia/Porcupine Integrated Forest Land Use Plan (1998) as being representative of mid-boreal to boreal transition ecoregions and containing significant habitat areas. The park area also provides for nature-based recreational opportunities and tourism potential and can serve as an economic stimulus for local economies.

Consultations with the general public, local jurisdictions and special interest groups spanned from 2011 to 2017. While there have been some local concerns around details, there has been a consistent positive approach around the need to protect the area and support to designate this new provincial park continues to increase.

In-depth consultation with First Nations and Métis in the region has been ongoing since 2011. The ministry believes it will surpass its legal duty to consult requirement, before proclamation. Through the extensive engagement process, the ministry will better understand and give special recognition to the traditional interests in the proposed park. Continuing dialogue will be used to establish agreement on the long-term management principles and approach to management planning for the park.

The name Porcupine Hills Area Provincial Park is a preliminary name based on the geography of the area. An alternate name, which may include a name with First Nations connections, may be considered through additional consultation, prior to proclamation.

The park will be designated as a Natural Environment class provincial park with current levels of services. It is anticipated the park will accommodate and give special recognition through in-park information and park zoning to First Nations traditional interest in the Pepaw Plain area of the new park.

Integrating the five existing recreation sites as a provincial park will result in a follow up amendment to *The Recreation Sites Regulations, 1991*. Amendments to

*The Wildlife Regulations, 1981 and The Open Seasons Game Regulations, 2009* will be required to define the hunting practices and limits within the new park boundaries.

This new park area will result in an increase of approximately 25,800 hectares of land to the provincial park system.

25 SCHEDULE II  
PROTECTED AREAS

**Existing Provision**

**“Christopher Lake**

~~That portion of the south west quarter and south half of the north west quarter of Section 6, Township 53, Range 26 west of the Second Meridian, lying north and east of the northerly and easterly limits of Highway No. 263 as shown on Plan No. 87PA 02701 in the Land Titles Office for the Prince Albert Land Registration District and west of the westerly limits of Turner Street, Ward Street and Ambrose Avenue as shown on Plan No. 63PA 07588 in that same office, excepting:~~

~~(a) Parcel B and those lands taken for road widening as shown on Plan No. 90PA 17662 in the Land Titles Office for the Prince Albert Land Registration District;~~

~~(b) those lands taken for road widening as shown on Plan No. 71PA 13814 in the Land Titles Office for the Prince Albert Land Registration District;~~

~~(c) those lands taken for public improvement as shown on Plan No. 73PA 00893 in the Land Titles Office for the Prince Albert Land Registration District; and~~

~~(d) all that portion of the south west quarter of Section 6 bounded on the west by the lands taken for public improvement as shown on Plan No. 73PA 00893 in the Land Titles Office for the Prince Albert Land Registration District, on the east by Turner Street and on the north east by Ward Street as shown on Plan No. 63PA 07588 in that same office.”~~

**Explanation**

The description of Christopher Lake Protected Area is being repealed and replaced to more clearly describe the park boundary and to exclude a portion for highway widening from the Protected Area description.

The Ministry of Highways and Infrastructure requested the boundary adjustment along Hwy 263 to accommodate a roadway realignment and backslope regrading. The widened right of way and regraded backslope is being removed from the Protected Area and will be administered and maintained by the Ministry of Highways.

The park land description is being rewritten in whole for overall clarity.

This amendment will result in a decrease of approximately 6 hectares from Christopher Lake Protected Area.

**26     Existing Provision**

Coming into force.

**Explanation**

The amendments, with the exception of the new park, will come into force upon assent.

Proclamation of the new park in the Porcupine Hills area will come into force upon proclamation to allow time to determine a formal park name, to initiate any accommodations arising from consultations and to undertake more detailed work related to the transfer of existing dispositions from Ministry of Environment to Ministry of Parks, Culture and Sport.

**Prepared by the Ministry of Parks, Culture and Sport**