

The Provincial Capital Commission Regulations

being

[Chapter P-30.011 Reg 1](#) (effective February 26, 2021).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

| | | | |
|---|---|--|---|
| PART 1 | | PART 4 | |
| Preliminary Matters | | Commission Master Plan Review and Amendment | |
| 1 | Title | 12 | Definitions for Part |
| 2 | Definitions and interpretation | 13 | Public participation required for all major amendments |
| PART 2 | | 14 | Policies regarding public participation on major amendments |
| Prescribed Values for Certain Improvements | | 15 | Required contents of policies and procedures for this Part |
| 3 | Temporary improvements | 16 | Public notice required for standard amendments |
| 4 | Building construction | 17 | Master plan review and renewal participation |
| PART 3 | | 18 | Decisions of commission under Part |
| Public Participation Requirements for Proponent Major Developments | | PART 5 | |
| 5 | Definitions for Part | Miscellaneous and Coming into force | |
| 6 | Required public participation on major developments | 19 | Policies to be made public |
| 7 | Public participation for improvements other than major developments | 20 | Coming into force |
| 8 | Requirements for public participation plans | | |
| 9 | Commission policies re proponent public participation | | |
| 10 | Commission policies regarding major developments | | |
| 11 | Decisions of commission under Part | | |

CHAPTER P-30.011 REG 1
The Provincial Capital Commission Act

PART 1
Preliminary Matters

Title

1 These regulations may be cited as *The Provincial Capital Commission Regulations*.

Definitions and interpretation

2(1) In these regulations:

“**Act**” means *The Provincial Capital Commission Act*;

“**maintenance**” includes:

- (a) ordinary care, repair, or painting of buildings, structures, service facilities and landscape construction or a replacement of them that, in the commission’s opinion, does not involve a significant change;
- (b) snow and waste removal;
- (c) irrigation, lawn cutting, weed control and tree trimming;
- (d) repair of signage, benches, fencing or fountains or a replacement of them that, in the commission’s opinion, does not involve a significant change; and
- (e) use of any machines, equipment or tools required to undertake the activities mentioned in clause (a), (b), (c) or (d);

“**proponent**” means a person or organization, including a participating party, who proposes or desires to engage in, undertake or commence an improvement on public land or private land in the capital region.

(2) For the purposes of the Act and in these regulations, “**improvement**” means a building, structure or service facility constructed within the capital region or landscape construction within the capital region and includes any altering of or adding to any of the things mentioned in clause (a), but does not include the maintenance of any of those things.

PART 2

Prescribed Values for Certain Improvements**Temporary improvements**

3(1) For the purposes of clause 7-2(b) of the Act, the prescribed value of temporary improvements is \$10,000.

(2) The commission shall establish policies respecting whether an improvement is a temporary improvement and respecting how to determine the value of an improvement.

5 Mar 2021 cP-30.011 Reg 1 s3.

Building construction

4(1) For the purposes of clause 7-4(a) of the Act, the prescribed value of building construction is:

(a) \$200,000 if the value of the building area being created or under construction is less than 200 square metres; or

(b) \$1 if the building area created or under construction is equal to or exceeds 200 square metres.

(2) The commission shall determine the established value of building construction in accordance with commission policies.

5 Mar 2021 cP-30.011 Reg 1 s4.

PART 3

Public Participation Requirements for Proponent Major Developments**Definitions for Part**

5 In this Part, “**major development**” means a proposed improvement that, in the commission’s opinion:

(a) requires a major amendment, as that term is defined in section 12, to the master plan;

(b) may have a lasting or material impact on the use or quality of the capital region environment; or

(c) involves the construction of a building that exceeds the prescribed value mentioned in section 4.

5 Mar 2021 cP-30.011 Reg 1 s5.

Required public participation on major developments

6(1) If the commission determines that a proposed improvement is a major development, the commission shall inform the proponent in writing of its determination along with the reasons of the commission for its determination.

(2) Before the commission may approve a proposed major development, the proponent of the major development shall:

- (a) prepare and submit to the commission a plan for public participation satisfactory to the commission; and
- (b) carry out the plan in accordance with the public participation policies of the commission.

5 Mar 2021 cP-30.011 Reg 1 s6.

Public participation for improvements other than major developments

7 Before the commission may approve any proposed improvement other than a major development, the commission may require the proponent:

- (a) to prepare and submit to the commission a public participation plan satisfactory to the commission; and
- (b) to carry out the plan in accordance with the public participation policies of the commission.

5 Mar 2021 cP-30.011 Reg 1 s7.

Requirements for public participation plans

8(1) In a plan required pursuant to section 6 or 7, the proponent must include all of the following:

- (a) dates, frequency, advance notice and timing of public participation events;
- (b) methods and venues to be used for public participation events;
- (c) representatives, associations and interests to be invited to participate;
- (d) methods to receive and review comments and responses;
- (e) materials and information to be provided by the proponent;
- (f) principles and procedures to be followed by the proponent and by the public for public notification, participation and involvement;
- (g) details regarding how the results of the public participation will be reported by the proponent to the public and to the commission;
- (h) any other matters that the commission considers appropriate or necessary to effectively fulfil the requirements of this Part.

(2) The proponent is responsible for all costs related to the preparation and undertaking of a public participation plan required pursuant to this Part.

5 Mar 2021 cP-30.011 Reg 1 s8.

Commission policies re proponent public participation

9(1) The commission shall establish policies and procedures establishing minimum or other requirements for the matters in section 8.

(2) In the policies and procedures mentioned in subsection (1), the commission may establish:

- (a) different categories of major developments; and
- (b) different categories of proponents, including the following:
 - (i) categories of profit and non-profit proponents, participating parties and other proponents;
 - (ii) categories and types of improvements including but not limited to new buildings, existing structures, service facilities and landscape construction; or
 - (iii) other categories established by the commission.

5 Mar 2021 cP-30.011 Reg 1 s9.

Commission policies regarding major developments

10 The commission may establish policies respecting:

- (a) procedures for determining whether a proposed improvement is a major development;
- (b) policies for information, materials or other matters required to be provided by proponents to the commission to determine whether a proposed improvement meets any of the conditions mentioned in section 5; and
- (c) policies for issuing public notices or conducting public participation or other public participation activities on behalf of the commission in addition to those required of or undertaken by a proponent.

5 Mar 2021 cP-30.011 Reg 1 s10.

Decisions of commission under Part

11 After receiving the results of a public participation pursuant to this Part and after undertaking any further reviews the commission considers necessary, the commission, in accordance with any other policies or procedures respecting the approval of improvements:

- (a) may approve or not approve the proposed improvement; and
- (b) shall inform the proponent of its decision in writing along with the reasons of the commission for its decision.

5 Mar 2021 cP-30.011 Reg 1 s11.

PART 4

Commission Master Plan Review and Amendment

Definitions for Part

12 In this Part:

“major amendment” means an amendment to the master plan that, in the commission’s opinion:

- (a) changes the master plan significantly enough to warrant public participation;

(b) may have a lasting or material impact on the use or quality of the Wascana Centre environment; or

(c) is required to accommodate a major development;

“master plan review and renewal” means:

(a) the full review of master plan principles and purposes; or

(b) the repeal of the existing master plan and the adoption of a new master plan;

“standard amendment” means an amendment to the master plan that involves:

(a) changes that meet the basic intentions of the plan and purposes of Wascana Centre;

(b) correcting errata or omissions;

(c) minor updating of the master plan, approved improvements and completed projects;

(d) updating terminology, policies and procedures approved by the commission;

(e) updating to comply with legislative or regulation amendments; or

(f) undertaking any other amendment that is not a major amendment.

5 Mar 2021 cP-30.011 Reg 1 s12.

Public participation required for all major amendments

13 Before approving a major amendment, the commission shall undertake a public participation on the major amendment.

5 Mar 2021 cP-30.011 Reg 1 s13.

Policies regarding public participation on major amendments

14 The commission shall establish policies and procedures for public participation respecting a major amendment.

5 Mar 2021 cP-30.011 Reg 1 s14.

Required contents of policies and procedures for this Part

15(1) The policies and procedures in section 14 must contain all of the following:

(a) the matters mentioned in section 8, and that section applies, with any necessary modification, for the purposes of this clause;

(b) statements of principle for achieving respectful and constructive public participation;

(c) the manner in which the public will be informed of the outcome of the public participation and events.

(2) The policies and procedures in section 14 may be different for different major amendments and different types of major amendments.

5 Mar 2021 cP-30.011 Reg 1 s15.

Public notice required for standard amendments

16 The commission shall give public notice before approving or making a standard amendment in accordance with any policies and procedures that it developed.

5 Mar 2021 cP-30.011 Reg 1 s16.

Master plan review and renewal participation

17 The commission shall:

- (a) complete a master plan review and renewal in 2023 and, after that date, at least once every 10 years;
- (b) undertake public participation for each master plan review before renewing the master plan or repealing and adopting a new master plan;
- (c) develop a public participation plan for each master plan review and renewal and make this plan available to the public at least 6 months before commencing the master plan review;
- (d) include in each public participation plan the policies and procedures the commission will follow regarding the matters listed in section 15 and any other matters the commission considers necessary.

5 Mar 2021 cP-30.011 Reg 1 s17.

Decisions of commission under Part

18 After receiving the results of a public participation pursuant to this Part and after undertaking any further reviews the commission considers necessary, the commission:

- (a) may approve or not approve the major amendment, the master plan renewal, new master plan or standard amendment, as the case may be; and
- (b) shall make its decision available to the public in any manner that the commission considers appropriate, including publishing it on the commission's website.

5 Mar 2021 cP-30.011 Reg 1 s18.

PART 5**Miscellaneous and Coming into force****Policies to be made public**

19 If the commission makes a policy pursuant to these regulations, the commission shall make the policy available to the public in any manner that the commission considers appropriate, including publishing them on the commission's website.

5 Mar 2021 cP-30.011 Reg 1 s19.

Coming into force

20 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

5 Mar 2021 cP-30.011 Reg 1 s20.