

 Provincial Capital Commission <small>Wascana Centre Government House</small>	TENANT LAND USE APPLICATION POLICY	
<u>Section:</u> Land Use and Development	<u>Policy#</u> 602	<u>Version#</u> 1
Effective Date: April 8, 2021		Replaces: N/A
Approved By: Provincial Capital Commission, Board of Directors		

1. Purpose:

The purpose of this policy is to inform property owners, lessors, sub-lessors, and tenants of the criteria that must be met for land use to be approved by the Provincial Capital Commission (Commission) prior to the finalization of any lease agreement between the property owner, lessor, or sub-lessor and the tenant.

2. Scope:

This policy applies to all property owners, lessors, sub-lessors, and tenants in Wascana Centre.

3. Definitions:

3.1. **Accessory Use:** means a land use that is exclusively devoted to the principal land use, building, or structure on the same lot.

3.2. **Discretionary Use:** means any commercial activity requiring additional review and inspection for alignment with the *Wascana Centre – 2016 Master Plan* prior to approval as per Commission bylaws.

3.3. **Non-Permitted Use:** means a land use does not align with the objectives of the *Wascana Centre – 2016 Master Plan*.

3.4. **Permitted Use:** means a land use that aligns with the objectives of the *Wascana Centre – 2016 Master Plan*, including the five main components of the vision upon which Wascana Centre was founded (Pg. 1).

4. Policy:

4.1. The Commission monitors properties within its boundaries to ensure that all land use aligns with the *Wascana Centre – 2016 Master Plan* and Commission policies. Individuals or corporations who lease property in Wascana Centre must demonstrate to the Commission that use of the property aligns with the principles of the *Wascana Centre – 2016 Master Plan* and Commission policies.

All new tenants must seek and obtain approval from the Commission prior to engaging in any activities on leased properties; existing tenants must confirm that property use has not materially changed once per calendar year.

Roles and Responsibilities

- 4.2. Property owners, lessors, and sub-lessors of property in Wascana Centre must ensure that a prospective tenant submits a tenant land use application to the Commission prior to finalizing a lease with a tenant.
- 4.3. Tenants in Wascana Centre must:
 - 4.3.1. submit a tenant land use application to the Commission;
 - 4.3.2. abide by terms and conditions of the land use approved by the Commission and any applicable Commission bylaws; and
 - 4.3.3. notify the Commission if they seek any material change in land use during the course of their tenancy and obtain the Commission's permission prior to changing the land use.
- 4.4. The Commission will send to all property owners, lessors, sub-lessors, and tenants a notice to confirm the land usage for a specific property each calendar year.

Approval Criteria

- 4.5. A tenant use application may be approved as a Permitted Use, Accessory Use, or a Discretionary Use.
- 4.6. A tenant use application may be approved by the Chief Executive Officer (CEO) as a Permitted Use if the applicant demonstrates that the intended use of the property meets at least one of the following five elements of the vision in which Wascana Centre was founded (as identified in the *Wascana Centre – 2016 Master Plan*):
 - “the seat of government”;
 - “education and research”;
 - “cultural arts”;
 - recreational opportunities”; and/or,
 - “conservation of the environment”.

4.7. An application may be approved by the CEO as an Accessory Use if the tenant can show that the main use of the property aligns with, and does not detract from, the principal approved land use, building, or structure on the same property lot. Examples of Accessory Use include:

- a coffee shop or gift store adjoining a museum;
- restaurants or food stores supporting institutions and facilities; or
- retail trades that support the education, research, or recreational activities of institutions, faculties, or businesses.

4.8. Applications that do not meet Permitted or Accessory Use criteria may be approved by the Board on the recommendation of the CEO as a Discretionary Use. Discretionary Use applications for commercial activity are vetted for their:

4.8.1. alignment with the *Wascana Centre – 2016 Master Plan*, Commission bylaws, and Commission policies; and

4.8.2. potential adverse impacts affecting:

4.8.2.1. nearby land, land uses, developments, and properties;

4.8.2.2. neighborhood character;

4.8.2.3. the environment and local ecosystems;

4.8.2.4. traffic and parking; and

4.8.2.5. any other matter deemed of public importance.

The Board will only approve Discretionary Use applications when potential adverse impacts or nuisances are judged to be minimal and do not undermine the overall objectives of the master plan and Commission policies.

The CEO may approve a Discretionary Use application if the lease is for six months or less or is non-renewable.

4.9. The Commission will not approve applications for tenant use for a Non-Permitted use.

Authority:

This policy is established under the authority of *The Provincial Capital Commission Act* and Commission Bylaw 24 – Land Use and Development.

Related Documents:

- 602.1: Tenant Land Use Application Procedure
- 600: Land Use and Development Policy