




# Saskatchewan Parks Service

<b>Section:</b>  50 – Lease Administration	<b>Policy # 50.01</b>	
	<b>Effective Date: May 1, 2012</b>	
	<b>Prepared by: Parks Management Services</b>	
<b>Subject:</b>  General	<b>New</b>	<b>Revision X</b>
	<b>Approved by:</b>  <b>Executive Director</b>	

**AUTHORITY**        *The Parks Act,  
The Parks Regulations 1991;  
The Trade Union Act*

## INTENT

Maintaining and expanding collaboration between public and private sector interests is key to the future of the parks visitor services. This policy framework provides the administrative guidelines which confirm the parameters regarding the leasing of park lands for the purpose of operating private run commercial business facilities for delivery of park visitor services.

## POLICY

- 1.0 The private sector will be encouraged to provide non-basic services which help maximize the tourism potential of the parks, usually those with a higher level of profit or cost recovery potential and not subsidized by taxation.
- 2.0 Government will continue to deliver basic park services that provide general social benefit and typically have lower cost recovery and require higher levels of government funding from taxation.
- 3.0 New development by the private sector will be welcome; development must meet the criteria of providing important and complementary public services to park users, while maintaining the principle of public control of our provincial parks, and ensuring no substantial negative impact on the park environment and/or cultural resources.
- 4.0 Permission in writing from the Ministry in the form of a Commercial Lease Agreement is a prerequisite to a private entrepreneur providing a commercial service or operating a commercial facility on provincial park land.

- 5.0 Commercial Lessees and/or facilities are normally selected by public tender through a Request for Proposals (RFP) process. When facilities or services are not permanent in nature or substantial in size (capital expenditures less than \$10,000), or when a new service is an extension of an existing lessee's business, the commercial lessee approved for development may be selected by the ministry outside of an RFP process.
- 6.0 The ministry accepts unsolicited proposals from the private sector for the establishment of new commercial services. Proposals received are screened and decisions made on a quarterly basis, managed by the Business Development and Leasing Unit. Clause 5.0 applies to all projects chosen to proceed.
- 7.0 When ministry owned commercial facilities which had been previously operated by government are sold, leased or otherwise disposed of, the new owners/operators acquiring the business or assets thereof shall be subject to the "Transfer of Obligations" requirement under Section 37 of the *Trade Union Act*.
- 8.0 Commercial business facilities that are being established for the first time, or have been operated privately, are not subject to the "Transfer of Obligations" section of the *Trade Union Act*.
- 9.0 The ministry believes it is important to maintain the many long standing relationships that have developed with businesses located adjacent to parks and with communities located nearby. Activities and businesses that are commonly found adjacent to parks and/or in nearby communities such as gas stations, hair salons, clothing stores, movie theatres, etc. will not normally be allowed to establish within Provincial Parks.
- 10.0 Activities that detract from a park setting or lend to a carnival atmosphere will not be considered. Examples would include go-carts, mobile food concession stands, carnival rides, petting zoos, etc.
- 11.0 Existing lessees who are utilizing ministry owned assets and facilities in their business operation will be given first option to purchase and upgrade government owned facilities prior to sale through a public tender or proposal call.
- 12.0 Park land will only be leased and cannot be sold.
- 13.0 Rates and fees charged by commercial facilities shall be kept fair and reasonable.
- 14.0 Sale of liquor from a commercial facility must receive approval from the ministry responsible for liquor and gaming, as well as approval from the Ministry of Parks, Culture and Sport (PCS), prior to initiating service. Lessees should work with the Parks Service Business Development and Leasing Unit to obtain PCS approval.
- 15.0 Electronic games will be allowed in provincial parks and recreation sites as a secondary business in suitable commercial operations. Those commercial businesses that can demonstrate adequate space for machines and can physically

distinguish the games area will be considered for approval. Prior approval from the Parks Service Business Development and Leasing Unit is required.

- 16.0 The ministry will honor “non-competition clause” arrangements within existing commercial leases but will not be entering into new lease arrangements, or renewing expired leases, that include similar protection. The Parks Service believes that decisions concerning duplication of services available in parks should be made based upon un-met demand for services, rather than simply availability of a similar service.