



Notice of Decision

CERTIFICATE OF APPROVAL

Under *The Planning and Development Act, 2007*

Our File: R0184-08R

August 26, 2008

**Re: RM of McKillop No. 220
E ½ 29-21-22-W2
Cottage Lot Subdivision**

Under Sections 128(4)(c)(ii) and 129 of *The Planning and Development Act, 2007* (the Act), the proposed subdivision shown on the attached plan is hereby **APPROVED** subject to compliance with the following directives regarding development standards issued under Section 130 of the Act.

Development Standards

Geotechnical Considerations

At the time of this decision, it was determined that the approved lots have a building area that is suitable for development provided specific development standards are undertaken in order to minimize the activities of development from activating slope instability and causing damage to property improvements. Therefore, all new permanent buildings and structures to be located within the proposed subdivision shall comply with the following development standards:

1. All lot purchasers shall obtain a copy of, and comply with, the recommendations contained in the attached geotechnical report described as: *Geotechnical Report, Proposed Sun Dale Subdivision, Portions of Sections 28 and 29-21-22-W2M, Sunset Cove, Saskatchewan*, for Val Lane Ltd., prepared by Clifton Associates Ltd., their file No. R3985.1, dated January 18, 2008, *Additional Commentary, Geotechnical Assessment Sun Dale Subdivision, E ½ 29-21-22-W2M (RM of McKillop No. 220) Last Mountain Lake, Saskatchewan*, prepared by Clifton Associates Ltd., their file No. R3985.2, dated June 5, 2008 and *Additional Commentary, Estimates Setback, Sun Dale Subdivision, E ½ 29-21-22-W2M*

(RM of McKillop No. 220), Last Mountain Lake, Saskatchewan, prepared by Clifton Associates Ltd., their file R3985.2, dated July 21, 2008.

The developer shall make a copy available to all future lot purchasers and the lot purchaser shall review and become familiar with the findings and conclusions of the Geotechnical investigation by Clifton Associates Ltd. A copy of the report is available for review by contacting Information Services Corporation of Saskatchewan (ISC) in conjunction with the following "interest registration".

2. Safe building sites exist in this area, despite the fact that landsliding has occurred in the past. Preliminary recommendations for development can be revised based on future assessment of specific areas along the valley wall and in conjunction with the development of the subdivision plan.
3. Development should endeavour to minimize infiltration of groundwater. Development is expected to result in an overall increase in groundwater levels which will reduce stability by about 5 percent or less. Depressions should be graded to drain, and pools and services should be equipped with systems to allow the detection of leaks. Irrigation should be kept to a minimum, landscaping that minimizes the use of water is preferred. The infiltration of water into the ground can activate slope movement causing damage to property and building improvements.
4. Shoreline development must ensure that erosion does not occur. Natural armouring should be left intact, since removal will inevitably result in an increase in the rate of erosion.
5. Naturally occurring sand and gravel areas should be utilized for beaches. Removal of large accumulations of cobbles or boulders should be avoided, since the result will be increased rates of erosion.
6. Flattening of steep and high slopes should be considered to improve stability and to reduce the amount of surface erosion. Vegetation should be encouraged to reduce the rate of erosion on slopes. Growing plants on the usually nutrient poor bedrock clay shale can be challenging. Suitable resources should be consulted for additional information.
7. Grading of most areas should be restricted to less than 1.0 metre of fill or excavation. Areas adjacent to the shoreline will be most sensitive to changes, Fills and cuts greater than 1.0 metre may be contemplated for small areas.
8. Permanent or any other structures sensitive to differential vertical and horizontal movement must avoid areas identified as landslide scarps. Residential and other

permanent structures are best located on knolls or high areas, since these are typically landslide blocks.

9. Roadways may be best located in lower areas identified as scarps, since damage associated with movement can usually be repaired easily. Fills and cuts should be minimized and drainage improved where necessary.
10. Foundation conditions for developments should be determined on a "site by site" basis. Surficial soil conditions consist of either glacial till or high plasticity clay shale. Foundation alternatives include augered cast-in-place concrete piles for either soil type or shallow spread footings for foundation supported on glacial till. Significant heave can be expected for grade supported floors constructed on high plasticity clay shale.
11. A setback in shoreline areas is recommended to account for some erosion that may occur. As indicated in the additional commentary from Clifton Associates dated July 21, 2008, they have provided specific setback distances for development from the crest or top of the slope for the lots along the shoreline. The setback for development from the crest or top of slope for the condominium lots or Lots 9 to 14 along Mihr Drive is 2.0 metres. The setback for development from the crest or tip of the slope for the single parcel residential lots or Lots 15 to 31 along Kiiswa Ridge, Point and Bay is 2.0 metres with the exception of Lots 15, 16, 21, 22, 28 and 29. The setback for Lot 15 is 6.0 metres, Lot 16 is 2.5 metres, Lot 21 is 3.4 metres, Lot 22 is 3.4 metres, Lot 28 is 2.9 metres and Lot 29 is 2.9 metres.

Notice of Appeal

Within 30 days of your receipt of Notice, you may appeal this decision under Section 228 of the Act. To appeal you must send a written notice of appeal to the: **Planning Appeals Committee, Saskatchewan Municipal Board, 2151 Scarth Street, REGINA, SK, S4P 3V7**. We would appreciate a copy of your notice of appeal for our file.

Interest Registration

Accordingly, pursuant to Section 130 of *The Planning and Development Act, 2007*, to ensure that the above provincial interests and development standards are protected, the Director of Community Planning has registered an interest with respect to the above development standards at Information Services Corporation of Saskatchewan. A copy is enclosed for your records. Our interest will remain on the land unless directed otherwise by the Saskatchewan Municipal Board.

Municipal Reserve

Section 181 of the Act requires a landowner who is subdividing land, to provide without compensation, part of the land, or money in lieu of that part of the land, as municipal reserve for public use. On this proposal, we note the requirement is being met by the dedication of the Municipal Reserves (MR), (MR1), (MR2), (MR3) and (MR4) shown on the attached plan.

Legal

This certificate is subject to the following legal limitations and qualifications:

- a) It does not establish the method of registration prescribed under *The Land Titles Act, 2000*. In order to register the approved subdivision in the Saskatchewan Land Titles Registry, this Certificate must be submitted with other documents to the Controller of Surveys.
- b) It is valid for 24 months from the date of issue. If requested before the expiry date, it may be reissued for a fee of \$25.00. After the expiry date, such a request must be considered a new application subject to the full examination fees.
- c) It does not eliminate the need to comply with the requirements of any other government department or authority, or with the municipality's building, zoning or other bylaws.

General Comments

If any digging or excavating is to be done **SaskTel**, **SaskPower**, and **SaskEnergy** must be contacted for a free cable, power, and pipeline location service. Please contact SASK 1st CALL at 1-866-828-4888 and **SaskPower** at 1-888-757-6937 for line locates. If any construction plans conflict with these facilities, the owner will be required to contact the corporation to discuss details regarding the possibility of moving the facilities and related costs.

Fisheries and Oceans Canada has the following comments:

Development work in or near the water body may be subject to the provisions of the federal *Fisheries Act*. If you or anyone who purchases property in the subdivision, plan to do any work in or near the water that may affect fish or fish habitat, you are advised to contact the nearest office of the Department of Fisheries and Oceans (DFO) for a review of your proposed work. Work that may require DFO review includes, but is not limited to, deposit of materials into the water, removal of materials from the water, infilling of marshy areas near the shoreline, installation of water intakes, construction of boat launches, marinas or crib docks and any modifications or disruptions to the shoreline. We understand that DFO has provided mitigation measures to reduce potential impacts to fish and fish habitat during the development of the proposed water intake installation for the above proposed development.

Should you have any questions regarding the above comments, please contact Sherri Clifford, Fish Habitat Technician at (306) 780-8722.

Ministry of Environment has the following comments:

1. Both the proposed water system and sewage system will require permits from their Ministry prior to construction and operation. Any design matters pertaining to the water supply system should be dealt with by the Approvals, Standards and Compliance Unit in the Drinking Water Quality Section of the Environmental Protection Branch.
2. Where individual septic tank or holding tank systems are used in proximity to lakes, *The Shoreland Pollution Control Regulations, 1976* must be adhered to. These regulations are administered by the local Health Region in conjunction with Saskatchewan Health. Section 11 of the regulation provides separation distances between holding tanks and surface water levels. Persons installing septic systems should contact the local Public Health Inspector.
3. Any alterations potentially affecting the lake shoreline are subject to *The Environmental Management and Protection Act, 2002* and sections 8 through 11 of *The Water Regulations, 2002*. The eventual landowners who may contemplate changes affecting the shoreline should contact the Ministry of Environment's Resource Stewardship branch at 787-8200

For permitting requirements and any questions regarding the above, please contact Mr. Scott Marchinko, Environmental Protection Officer, at (306) 694-3364.

Regina Qu'Appelle Health Region approves the above subdivision subject to the following requirements.

1. Recommendation for communal water and communal sewage systems, and agree with Saskatchewan Environment's comments that these types of systems are safer than individual systems in new subdivisions.
2. Development must comply with the following:
 - *The Saskatchewan Plumbing & drainage Regulations, 1996*
 - *The Saskatchewan Private Sewage Disposal Guide*
 - *The Shoreland Pollution Control Regulations*
 - All local bylaws
3. Required permits applications for plumbing systems are to be obtained from and submitted to their office for review prior to construction.

For required permitting, any clarification or additional information pertaining to public health requirements please contact Michael P. McCann, Public Health Inspector, at 766-7716.

Saskatchewan Watershed Authority has the following comments:

1. The developer is aware of the requirements to obtain approval from Saskatchewan Watershed Authority for the right to construct and operate the lake water intake, pumping facility and water supply pipeline up to the water treatment plant. They also indicate that the water treatment plant, the distribution system, the sewage collection and sewage disposal system will require approval from the Ministry of Environment. The applicant will also require approval from the Ministry of Environment (Conservation Office) for the shoreline alterations and from the federal Department of Fisheries and Oceans and Transport Canada related to the lake intake system.
2. They have estimated that the peak water level for the proposed subdivision varies from 493.64 metres. *Almost all of the entire subdivision is above the 1:500 calm water level, meaning that almost all of the subdivision is safe from flooding. Portions of lots 6,7,10 and 11 have area's below the 1:500 flood elevation, however, the safe building sites on these lots are well above this elevation.*

Should you have any questions regarding the above requirements, please contact Mr. Don Newcombe at (306) 786-1493.

Fees

Thank you for the payment covering our examination and approval fees.

An additional fee will be required for an interest (caveat) that must be registered with Information Services Corporation (ISC) against the property by this office prior to our approval. This additional fee covers the cost of registering the interest with ISC.

Our **Invoice** for the interest registration fee is enclosed.



Ralph Leibel, P.P.S., M.C.I.P.
Director of Community Planning
Attachment

cc: RM Mckillop No. 220
Resort Village of Pelican Pointe
Resort Village of Sunset Cove
SaskTel (Schmidt RGBH 4035)
SaskPower (Crerar 24911)
SaskEnergy (Aldag 08-10910)
Regina Qu'Appelle Health Region
Environment (Zitta 21020-501WW/CON/MUN/RM of Mckillop)
Sask Watershed Authority (Newcombe F8-3-3/RM 220)
Tourism, Parks, Culture and Sport (Ebert 08-263)
Fisheries and Oceans Canada (RE-08-0466)
Mr. Larry McLeod, S.L.S., Harding, Boss & McLeod Surveys Ltd.
660 – 13th Avenue East, REGINA SK S4N 6C7 (File 220-4810/H-0033-08)

INTEREST

To the Registrar of Titles

Take notice that Her Majesty the Queen (Saskatchewan) as represented by the Director of Community Planning, Government Relations, claiming pursuant to subsection 130(2) of *The Planning and Development Act, 2007* an interest as the duly authorized approving authority in the need to ensure compliance with the following directive:

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in the following land: All that portion of the E ½ 29-21-22-W2M described as Surface Parcels 145272337, 146646029, 146646041 and 146646063.

Forbid the registration of any transfer or other instrument affecting such land or the granting of a Certificate of Title thereto except subject to the claim herein set forth.

My address in Saskatchewan is 420 - 1855 Victoria Avenue, Regina, SK S4P 3T2

Dated this 26th day of August, 2007.



Director of Community Planning

SUN DALE BEACH

PLAN SHOWING

PROPOSED SUBDIVISION

OF PART OF

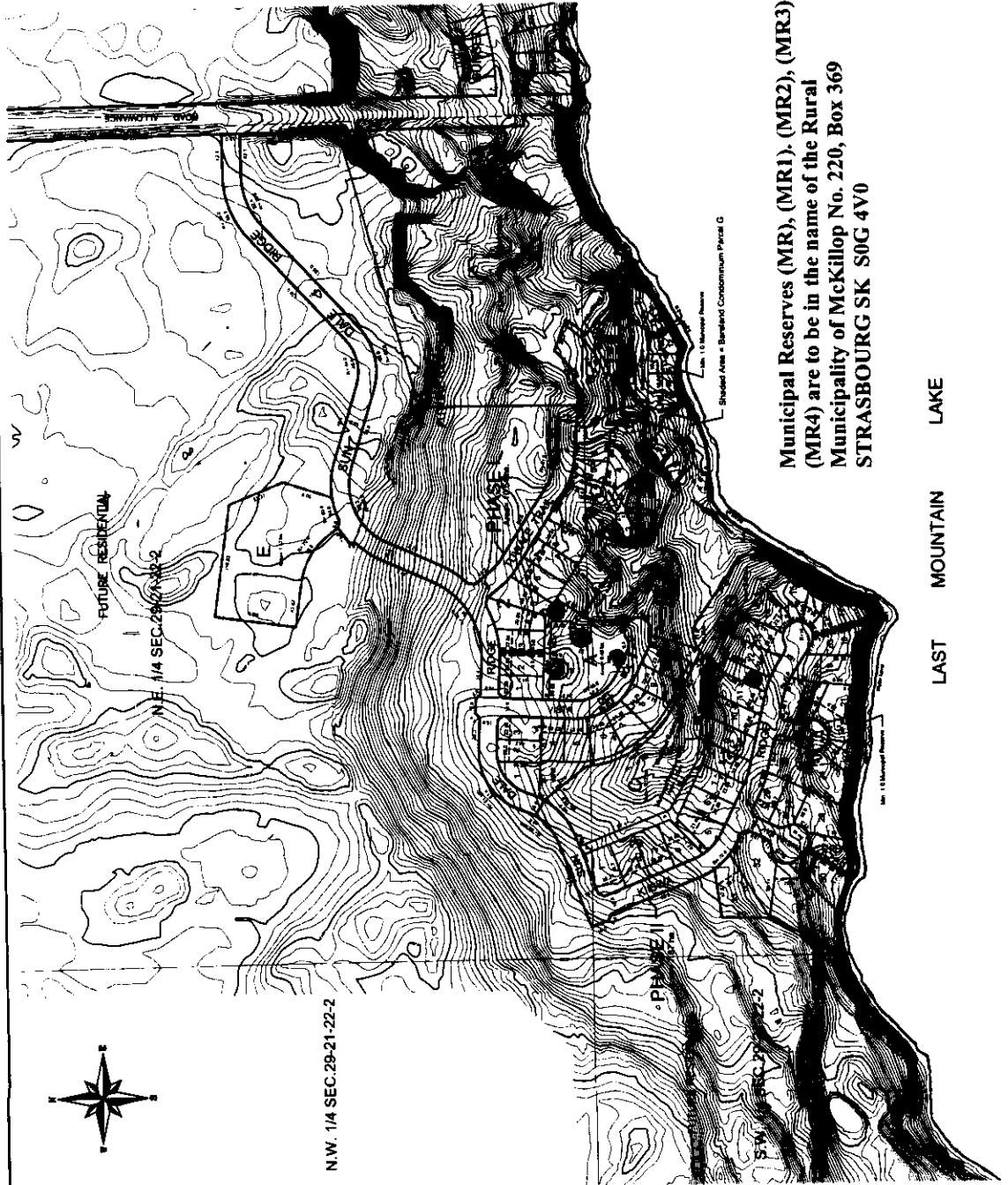
PARCEL A, PLAN NO. 101410535

AND PART OF

SEC. 29, TWP. 21, RGE. 22, W.2M.

R.M. OF McKillop No. 220

SASKATCHEWAN



Municipal Reserves (MR), (MR1), (MR2), (MR3),
(MR4) are to be in the name of the Rural
Municipality of McKillop No. 220, Box 369
STRASBOURG SK S0G 4V0

NOTE

- Measurements are in metres and decimals thereof
- Area to be approved is outlined by a bold dashed line and contains 18.21 ha
- Survey measurements are approximate and may differ from the field
- Plan of Survey by as much as 1:5
- Proposed drainage easements are shown thus
- Contours are at 0.5 metre intervals
- Acres/decimals are shown thus

May 2, 2008

Date

Revised August 18, 2008

Surveyor General, Saskatchewan

THE SUBDIVISION SHOWN WITHIN THE BOLD
DASHED LINE IS HEREBY APPROVED AS
PER THE ATTACHED NOTICE OF DECISION

DIRECTOR OF COMMUNITY PLANNING
VALID FROM AUG 18 2008 FOR 24 MONTHS

LAST MOUNTAIN LAKE

HARDING BOSS & MCLEOD SURVEYS
A DIVISION OF MIDWEST SURVEYS INC.
FILE NO. 220-4810 / H-0033-08
MIDWEST SURVEYS