



REGISTERED

Sir John Thompson Building  
1256 Barrington Street  
Halifax, Nova Scotia  
B3J 1Y6

October 28, 1985

Mr. Arthur C. MacKenzie  
Warden  
Halifax County Municipality  
P.O. Box 300  
Armdale, Nova Scotia  
B3L 4K3

Your file    Votre référence

Our file    Notre référence

E-5673-025 (RT)

Dear Warden MacKenzie:

Re:    Reserve Status  
      Wallace Hill Property  
      C.L.S.R. Plan No. 68671

I have recently been advised that during the period that the Wallace Hill Reserve Proposal was being managed by parties other than myself, the Provincial and Municipal Governments were not properly advised as to the Department's proposed intentions for the subject property.

Therefore, at this time I would like to make amends for this grave oversight and officially advise the Municipality of the Department's proposed intentions for the said property.

First, a brief history of the property. The property was first acquired by the Department of National Defence in 1954 for the use as a Transmitter Site. In 1965, the said property was declared surplus by D.N.D. and acquired by our Department for use as a site by Indians for the construction of Off-Reserve homes.

This proposal, however, never did get off the ground and was shelved with the passage of time. In 1974, the Council of the Shubenacadie Band of Indians, by Band Council Resolution, requested that the Department set aside the property on their behalf as an Indian Reserve, however, as far as I can determine no serious consideration was given to their proposal at that time.



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Canada 

Again in 1976, we received a Resolution from the Shubenacadie Indian Band Council reiterating their request of 1974. In 1976, the Department reacted to the Band's request and set-up a committee to study the proposal.

It was at this time that several contacts were made with officials of both the Provincial and Municipal bureaucracies in the planning area and it now appears that these contacts were later misconstrued to mean that the Department had officially notified both levels of Government of their proposed intentions for the property.

On December 30, 1977, a letter was written by the then Regional Director, C.S. Thompson, to the Assistant Deputy Minister, R.D. Brown, recommending Reserve Status for the property and that the property be set aside as a Reserve in Common for all 12 Bands in Nova Scotia.

This proposal was rejected by the Deputy Minister by letter dated February 2, 1978 on the grounds that the proposal would be administratively impossible in light of the fact that 12 different Bands would have to be consulted before any development could transpire.

On March 27, 1979, the Shubenacadie Band Council once again submitted a Band Council Resolution requesting that the land be granted Reserve Status on their behalf. Appendix 1.

From 1979 to 1981 the Wallace Hill Property was thoroughly discussed at several meetings with the Board of Directors of the Union of Nova Scotia Indians which resulted in a resolution being passed by the majority of the chiefs present at a meeting held on July 21, 1981 concurring with the request of the Shubenacadie Band. Appendix 2.

On November 21, 1983, I wrote a letter to our Regional Office supporting the granting of Reserve Status as outlined in my letter of that date. Appendix 3.

The Department transferred 5.25 acres to the Municipality of the County of Halifax for school construction purposes in 1966.

In 1979, a license of occupation was granted to the Province of Nova Scotia for use by the Department of Lands and Forests in connection with their radio tower located adjacent to the property.

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We are now in contact with the Department of Transportation in regards to the proposed construction of a new highway to bypass the existing Hammonds Plains Road. The right-of-way for the new highway and also the existing right-of-ways, easements, etc. would all be properly secured on behalf of the holders prior to the granting of Reserve Status to the said property.

The current status of the property is Federal Crown Land set aside for the use and benefit of Indians. There are two families now residing at Wallace Hill.

We would appreciate having the Municipality's input into this proposal and look forward to an early reply.

Should further information or clarification be required, please advise.

Thanks in advance for your cooperation.

Yours truly,



D.N. Paul  
District Superintendent  
Reserves and Trusts  
Nova Scotia District

DNP/jpc  
Attachments

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Chronological No. - Numéro consécutif  
 743  
 File Reference - N° de réf. du dossier  
 274/36-13-2

**BAND COUNCIL RESOLUTION**  
**RÉSOLUTION DE CONSEIL DE BANDE**

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditure from Band Funds  
 NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

|   |  |
|---|--|
| THE COUNCIL OF THE<br>LE CONSEIL DE LA BANDE INDIENNE <u>Shubenacadie Band</u>      | Current Capital Balance<br>Solde de capital \$ _____ |
| AGENCY _____  | Committed - Engagé \$ _____                          |
| DISTRICT <u>Nova Scotia District</u>  | Current Revenue balance<br>Solde de revenu \$ _____  |
| PROVINCE <u>Nova Scotia</u>   | Committed - Engagé \$ _____                          |
| PLACE _____   |  |
| NOM DE L'ENDROIT <u>Micmac P.O. Hants Co., N.S.</u>                                 |  |
| DATE <u>27</u> <u>March</u> AD 19 <u>79</u><br>DAY - JOUR MONTH - MOIS YEAR - ANNEE |  |

DO HEREBY RESOLVE:  
 DÉCIDE, PAR LES PRÉSENTES: That we, the Chief & Council of the Indian Brook Reserve have met and hereby request that T.B. # 648468 be amended as follows:

- 1) That the property known as Wallace hill be declared Indian Reserve land.
- 2) That the property when reserve status is granted, 'be turned over to our Band as a reserve of the Shubenacadie Band for the following reasons.
  - a) To provide a site for the relocation of Shubenacadie Band Members, who are working or seeking employment in the Halifax Metro area and do not wish to reside off reserve. This property is located approximately 14 miles from downtown Halifax.
  - b) There is now one Indian family residing on this land and they are members of the Shubenacadie Band.
  - c) There have been many requests and inquiries from our Band members in respect to this property for establishment economic development enterprises.

This Band operates under Section 69 of the Indian Act.

A quorum for this Band  
 Pour cette bande le quorum est

consists of  
 fixé à

Council Members  
 Membres du Conseil

|  |  |       |
|--|--|-------|
| <u>J.P. B. Beards</u><br>(Councillor - conseiller) | <u>Chief J. Brack</u><br>(Chief - Chef)            | _____ |
| <u>St. Michael</u><br>(Councillor - conseiller)    | <u>Eugene V. Paul</u><br>(Councillor - conseiller) | _____ |
| <u>Frank Nordin</u><br>(Councillor - conseiller)   | <u>William L...</u><br>(Councillor - conseiller)   | _____ |
| _____  | _____  | _____ |

**FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE**

|  |  |                     |                            |   |  |
|--|--|---------------------|----------------------------|---|--|
| 1. Band Fund Code<br>Code du compte de bande | 2. COMPUTER BALANCES - SOLDES D'ORDINATEUR |                     | 3. Expenditure<br>Dépenses | 4. Authority - Autorité<br>Indian Act Sec<br>Art. de la Loi sur les Indiens | 5. Source of Funds<br>Source des fonds<br><input type="checkbox"/> Capital <input type="checkbox"/> Revenu |
|  | A. Capital                                 | B. Revenue - Revenu |                            |   |  |
| \$   | \$   | \$                  |                            |   |  |
| k. Recommended - Recommandable               |  |                     | Approved - Approuvable     |   |  |
| Date   | Recommending Officer - Reconnu par         |                     | Date                       | Approving Officer - Approuvé par  |  |

2

Chronological No. - Numéro consécutif

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File Reference - N° de réf. du dossier

**BAND COUNCIL RESOLUTION**  
**RÉSOLUTION DE CONSEIL DE BANDE**

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|  |   |          |
|--|---|----------|
| THE COUNCIL OF THE<br>LE CONSEIL DE LA BANDE INDIENNE                              | Current Capital Balance<br>Solde de capital | \$ _____ |
| AGENCY<br>DISTRICT Nova Scotia District Office                                     | Committed - Engagé                          | \$ _____ |
| PROVINCE<br>Nova Scotia  | Current Revenue balance<br>Solde de revenu  | \$ _____ |
| PLACE<br>NOM DE L'ENDROIT  | Committed - Engagé                          | \$ _____ |
| DATE <u>21</u> <u>July</u> AD 19 <u>81</u><br>DAY - JOUR MONTH - MOIS YEAR - ANNÉE |   |          |

DO HEREBY RESOLVE:  
 DÉCIDE, PAR LES PRÉSENTES:

That we, the Chiefs of Nova Scotia, request that the property known as "Wallace Hill," be granted Reserve status and that this Land be made part of the Indian Brook Band.

A quorum for this Band  
 Pour cette bande le quorum est

consists of  
 fixé à

Council Members  
 Membres du Conseil

*Chief R. Maloney*  
 (Councillor - conseiller)

*Chief J. B. Beigne*  
 (Councillor - conseiller)

*Chief J. C. G. G. G.*  
 (Councillor - conseiller)

*[Signature]*  
 (Chief - Chef)

*[Signature]*  
 (Councillor - conseiller)

*[Signature]*  
 (Councillor - conseiller)

*[Signature]*  
 (Councillor - conseiller)

*[Signature]*  
 (Councillor - conseiller)

| FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE |   |          |                            |  |
|--|---|----------|----------------------------|--|
| 1. Band Fund Code<br>Code du compte de bande     | 2. COMPUTER BALANCES - SOLDES D'ORDINATEUR<br>A. Capital<br>B. Revenue - Revenu |          | 3. Expenditure<br>Dépenses | 4. Authority - Autorité<br>Indian Act Sec<br>Art. de la Loi sur les Indiens                                |
|  | \$ _____  | \$ _____ | \$ _____                   | 5. Source of Funds<br>Source des fonds<br><input type="checkbox"/> Capital <input type="checkbox"/> Revenu |
| 6. Recommended - Recommandable                   |   |          | Approved - Approuvable     |  |
| Date   | Recommending Officer - Recommandé par   |          | Date                       | Approving Officer - Approuvé par   |

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Sir John Thompson Building  
1256 Barrington Street  
Halifax, Nova Scotia  
B3J 1Y6

November 21, 1983

Director of Operations  
Atlantic Region  
Indian & Inuit Affairs  
P.O. Box 160  
Amherst, Nova Scotia  
B4H 3Z3

274/36-13-2 (RT)

Attention: R.D. Campbell  
Director, Reserves & Trusts

Re: Wallace Hill - Reserve Status

In reply to your memo dated October 27, 1983 re the above-mentioned property.

Social Economic Reasons

1. Ready access to a metropolitan area with a population in excess of 280,000 and the corresponding job markets that go with it.
2. Economic opportunities for the Shubenacadie Band Membership that are lacking for all other bands in the Atlantic Region with the possible exception of the Truro Band.
3. The desire of several families to get off the welfare system and move to an area where gainful employment can be achieved, yet where they can maintain their Indian lifestyle in a Reserve environment.
4. At this point in time, the main population of the band is concentrated on Indian Brook Reserve. This reserve is five miles from the nearest main highway, railroad, small non-Indian settlement and the job market within a forty-mile radius is practically nil.
5. Off-Reserve housing is not a viable option nor an attractive option to the Indian as they feel that it is preferable to live among their own people On-Reserve.

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6. Indians have been in continuous occupation of this parcel of land since it was acquired by the Department in 1965.
7. Universities, Vocational Schools, other training facilities, medical facilities are in close proximity to Wallace Hill.

### Urban Reserves

Although Wallace Hill is located approximately 14 miles from Halifax, it is located in an area that has no substantial developments in close proximity and the prospects for any developments of this nature for the immediate future are not imminent.

The property can best be described as being in a rural setting within easy transit distance of the Halifax metropolitan area.

I have attached a letter from Peter Thomas, Project Manager, for the firm that prepared the municipal plan for this area. Please note that I have underlined two key sentences of the letter dealing with the present use of land and a possible date when development of the area may be considered.

We have received several calls from some of the rate payers expressing their concerns about the possible negative effects of having a reserve located in their area (Property values, etc.).

However, in February of this year, I did have an extensive conversation with the president of their association. At that time, I pointed out to him that we had two bands located within two Urban Centres (Truro and Sydney) and that generally, the relationship between the two cultures were quite harmonious and abrasive issues were at a minimum. I also suggested to him that perhaps a delegation of rate-payers should take a trip to Truro and view the surrounding areas of Hillbrook to see for themselves that the reserve had no adverse effect on property values, as there are \$200,000 homes located within a stone's throw of the reserve.

Since that time, we have had no further inquiries from rate-payers and I can only presume that they have satisfied themselves that their worries were unfounded.

I understand that the Regional Office has advised both the provincial and municipal governments of the proposal for giving Reserve Status to the Wallace Hill property and received replies that voiced no objections.

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The property in question is Federal Crown Land and as such, no local Government Authority enjoys By-Law making powers over it. Also, there are no services provided.

The Band's immediate plans for the property is to establish a small subdivision (as they have adopted on B.C.R. No. 16, 10 homes) and for the present, maintain the balance for forestry purposes.

However, their long range plan is to establish a community that will be self-supportive with a definite Indian character that will blend in harmoniously with the development plans of the surrounding communities and be complimentary to those plans.

The homes that are planned, will be hooked up to septic systems and wells. The funding will come out of the Band's present housing program.

For the first 5 years, the only additional expenditure that I can envision is the construction and upgrading of roads for the subdivision.

The Engineering Department at your office should be able to provide a cost estimate.

Yours truly,

Original Signed by  
D. N. PAUL

D.N. Paul  
District Superintendent  
Reserves & Trusts  
Nova Scotia District

DNP/jpc  
Attachments

Project  
Planning  
Consultants  
Limited

Consultants in Municipal  
and Regional Planning  
Site and Subdivision Development  
Engineering, Architecture and  
Landscape Design

3767 Howe Avenue  
Halifax, Nova Scotia  
Telephone (902) 453-0304  
B3L 4H9

Associated Companies in:  
St. John's, Newfoundland  
Toronto and Ottawa  
Ontario  
London, England

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MEMORANDUM

TO: Mr. E.J.M. Hulsman  
Regional Planner, Maritimes  
Indian and Eskimo Affairs

FROM: Peter Thomas  
Project Manager

DATE: January 9, 1977

RE: Wallace Hill Lands Progress Report

Although no firm comment can be made on the Wallace Hill lands at present, work to date indicates the general area will be designated "General Resource" Zone, in the Municipal Development Plan, which will be made public and acted upon sometime this year. Permitted uses would include low density housing (approximately five acre lots), farming and forestry. Industrial and commercial uses would be on the whole dissuaded. In special cases conditional use may be permitted.

Indian Reserve lands, of course, do not come under the jurisdiction of Municipal control; therefore, any use the band decides upon is permissible. It should be realized that a small potential for marketing of any use can be expected if a substantial growth does not occur in the surrounding areas.

The economic feasibility of the site for development appears small. Although located at the junction of secondary highways, the area has little to offer to tourists, and more intense uses are not foreseeable. It is unlikely that this condition will change in the near future. Our current projections indicate that sufficient serviceable land exists within the three municipalities to accommodate growth to the year 2001. The earlier expectations of 6% growth rates have been severely curtailed due to the falling economic and population growth rates.

In summary, the Wallace Hill lands are unlikely to generate any vast economic return. You shall be advised of any change upon the completion of the Municipal Development Plan.



Peter D.C. Thomas

PROJECT PLANNING CONSULTANTS LIMITED