

HALIFAX

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 11.1.4
Halifax Regional Council
March 23, 2021

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 
Jacques Dubé, Chief Administrative Officer

DATE: March 11, 2021

SUBJECT: Endorsement of Addition to Sipekne'katik Wallace Hills Reserve

ORIGIN

February 9, 2021 e-mail correspondence from Indigenous Services Canada requesting a letter of support from the Halifax Regional Municipality for the addition of a lot to the Sipekne'katik Wallace Hills Reserve.

LEGISLATIVE AUTHORITY

HRM Charter Section 74(1) – *The Municipality may agree with one or more municipalities, villages, service commissions, the Government of the Province or of Canada or a department or agency of either of them or a band council pursuant to the Indian Act (Canada) to provide or administer municipal or village services.*

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Authorize the Mayor to write a letter on behalf of Halifax Regional Council supporting the addition of Lot 329 to the Wallace Hills Number 14A area of the existing Sipekne'katik Reserve.
2. Direct the Chief Administrative Officer to work with Sipekne'katik to identify any municipal services or assistance required when the reserve is formally approved and the development process commences.

BACKGROUND

On January 21, 2019 the Mayor's Office received correspondence from Indigenous Services Canada advising the Halifax Regional Municipality that Sipekne'katik First Nation was moving forward with the process to add Lot 329 to Wallace Hills No. 14A, an existing piece of their reserve lands. A copy of the letter is attached to this report as Attachment A. The letter includes maps of the lot.

On February 9, 2021 the Mayor's Office received e-mail correspondence from Indigenous Services Canada stating that they are preparing the Ministerial Order to formally approve the addition of Lot 329 to the reserve and that they now require a letter of support from Halifax Regional Municipality.

DISCUSSION

On March 10, 2011, an Order in Council was issued, setting aside 135.36 acres of property, known as Wallace Hills IR no. 14A, for use as Sipekne'katik Reserve Lands. Approximately two acres of the land, described as Lot 329, was excluded from the addition to reserve until third party interests could be resolved. Sipekne'katik has since been successful in resolving the third-party interests and is now ready to move forward with the addition of this lot to the reserve.

Staff from Indigenous Services Canada are in the final stages of preparing a Ministerial Order package to formally add this lot to the reserve. A letter of support from the Municipality is required to finalize the process. The intent of the letter of support is to state that the Municipality has no concerns with the addition of the lot and will work with the band to identify municipal services or assistance required, if any.

Staff from Sipekne'katik have indicated that the intended use of the lot will be for economic development purposes, much the same as the current use of Wallace Hills 14A. Presently the band is exploring and assessing options and opportunities regarding the development of Wallace Hills. The proposed use includes establishment of a meeting area for the Chief and Council and creation of economic development opportunities. Lot 329 is encompassed by the existing Wallace Hills reserve and contains two existing buildings (2290 Hammonds Plains Road). Given Lot 329 is surrounded by the Wallace Hills Reserve, the impact of adding these lands is minimal.

Sipekne'katik has been working on a preliminary plan for the area but cannot move forward with a formal land use plan until the lot is officially added to the reserve. The band has committed to maintaining clear and open discussion with municipal staff and keeping the Municipality informed on progress with developing the lot and broader Wallace Hills reserve.

FINANCIAL IMPLICATIONS

Land owned by the federal government is not taxable. However, the federal government provides the Municipality with a payment in lieu of taxes (PILT) for its properties. The federal PILT payment is equal to the assessed property value multiplied by the applicable tax rates. When Lot 329 is transferred to the Sipekne'katik Wallace Hills Reserve it will not be taxable and the Municipality will no longer receive the federal PILT payment. The value of this payment based on the 2021 assessed value would have been \$3,050.

RISK CONSIDERATION

There are no significant risks associated with the recommendations in this report. The risks considered rate low.

COMMUNITY ENGAGEMENT

N/A

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications related to the information presented in this report.

ALTERNATIVES

Halifax Regional Council may choose not to endorse the addition of Lot 329 to Sipekne'katik Reserve Lands. This approach is not recommended.

ATTACHMENTS

Attachment A – January 21, 2019 letter from Indigenous Services Canada to Mayor Savage.

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Paul Johnston / Managing Director of Government Relations and External Affairs / 902.240.2759



COPY

January 21, 2019

5600-30-09932-L1

Mayor Mike Savage
Halifax Regional Municipality
PO Box 1749
HALIFAX NS B3J 3A5

Dear Mayor Savage:

Wallace Hills No. 14A - Addition to Reserve - Lot 329

This letter is to inform you that Sipekne'katik First Nation has, by way of a Band Council Resolution, submitted a request to Indigenous Services Canada (ISC) for an Addition to Reserve. The proposed reserve land (approximately 0.900 hectares/2.223 acres) known as Lot 329, is considered part of PID 00425611 as identified on the attached maps. The lot is located on Hammonds Plains Road in the Halifax Regional Municipality and was part of the original request to set apart Wallace Hills No. 14A (PID 00425611) however, because of a third party interest that required resolution it was decided to exclude the lot and add it at a later date.

As you may know, reserves are land that has been set apart for the use and benefit of a First Nation. The Government of Canada has discretion to create reserves and add land to existing reserves in accordance with Canada's Addition to Reserve/Reserve Creation Policy Directive. Should you have any concerns about this proposed reserve addition please submit your comments by Monday, April 22, 2019.

Local Government(s) and the Province are encouraged to work with the First Nation using a "good neighbour" approach, which involves good will, good faith and reasonableness in discussions between the First Nation and other Governments. As part of the Reserve Creation process the First Nation is responsible for negotiating agreements with local governments on issues such as service provisions, by-law harmonization, tax considerations, land-use planning and dispute resolution.

.../2

We encourage Municipal, Provincial and First Nation governments to work together on common and shared obligations and goals. By working together, we can advance our collective work in the spirit of reconciliation and a nation-to-nation relationship. Communication among all relevant parties is encouraged when addressing issues of mutual concern.

Should you have any questions or wish to receive further information, please do not hesitate to contact me at 902-661-6355 or at the address below.

Sincerely,



gina Barlow
Lands Advisor
Lands, Environment and Economic Development
Indigenous Services Canada – Atlantic Region
40 Havelock Street
PO Box 160
AMHERST NS B4H 3Z3
(902) 661-6355
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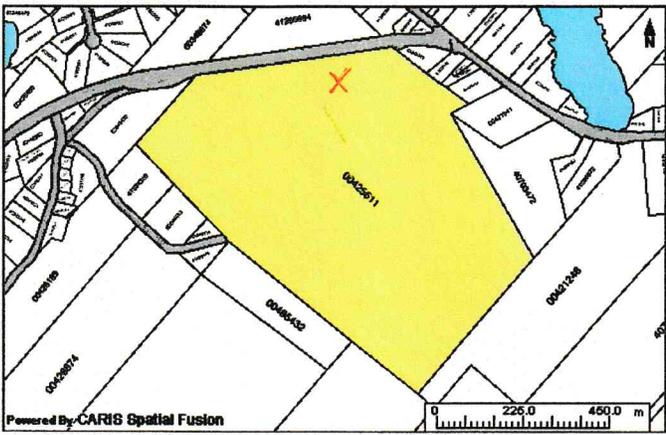
c.c.: Councillor Matt Whitman
Hammonds Plains-St. Margaret's District
PO Box 1749
HALIFAX NS B3J 3A5

Council of Sipekne'katik
522 Church Street
INDIAN BROOK NS B0N 1W0

Jason McDonald
Lands Manager
522 Church Street
INDIAN BROOK NS B0N 1W0

 • Mouse Coordinate Y2 must be an integer.

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Lat: 44-44-11N Long: 63-48-19W Scale: 10766 Zoom: 2

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [Land Registration Act subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Location: Search

1 Property found

PID:	00425611	Details
AAN:	03384543	
Value:	\$200,400 (2018 RESIDENTIAL EXEMPT)	
	\$49,300 (2018 RESOURCE EXEMPT)	
Address:	HAMMONDS PLAINS LOT 326	
County:	HALIFAX COUNTY	
Owner:	HER MAJESTY THE QUEEN CANADA INDIAN AND NORTHERN AFFAIRS CANADA	
LR:	NOT LAND REGISTRATION	

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