

12250

Halifax Regional Municipality



Peter J. Kelly

Mayor

1841 Argyle Street
PO Box 1749
Halifax, Nova Scotia
Canada B3J 3A5

Tel: (902) 490 - 4010
Fax: (902) 490 - 4012
Email: kellyp@region.halifax.ns.ca

www.region.halifax.ns.ca

June 22, 2001

Chief Reg Maloney
Indian Brook First Nation
Shubenacadie Band Council
Micmac Post Office
Hants County, NS B0N 1W0

VIA FAX: (902) 758-2017

Dear Chief Maloney:

RE: Shubenacadie Band Addition to Reserve at Wallace Hill (Hammonds Plains Road) on Parcels A and B (Property ID #00425611)

Thank you for your letter of May 31, 2001 concerning your preliminary plans for development at the proposed Wallace Hill Reserve.

Our staff is currently assembling a team to discuss with you a potential process for entering into a Service Agreement. Attached, for your information, is a Staff Report that was received by Council on June 19th about the process and the correspondence that we have recently exchanged. Please contact Mr. Paul Dunphy, Director, Planning and Development, at 490-4933 when you are ready to meet with our negotiating team.

We look forward to an opportunity to meet you and to discuss how we may reach a mutually beneficial agreement on this matter.

Respectfully, I remain,

Peter Kelly, MSA
Mayor



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- c. *Halifax Regional Council*
Geoff Regan, MP, Halifax West
Ken Meech, CAO
Dan English, Deputy CAO
George McLellan, Deputy CAO
Paul Dunphy, Director, Planning and Development
Karen MacTavish, Director, Parks and Recreation Services
Mike Eddy, Chief Director, Fire and Emergency Services
David MacKinnon, Chief, Police Services
Tom Rath, Director, Real Estate Services
Wayne Anstey, Director, Administrative Services
Barbara Maloney, Additions to Reserve Officer, Department of
Indian Affairs and Northern Development
Jim Talbot, Central District Director, N.S. Department of
Transportation and Public Works

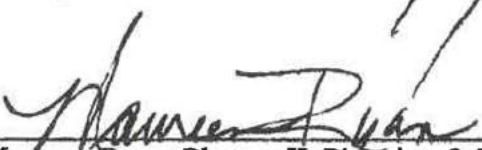
902 661 6237 (fax) -
661 6250 (ph) .

HALIFAX REGIONAL COUNCIL
June 19, 2001

TO: Halifax Regional Council

SUBMITTED BY:


Paul Dunphy, Director, Planning & Development Services


Maureen Ryan, Planner II, Planning & Development Services

DATE: June 14, 2001

SUBJECT: Shubenacadie Band Council proposal to Establish a First Nation Reserve at Wallace Hill, Hammonds Plains (Attachment 1)

INFORMATION REPORT

ORIGIN:

This report originates with motion of Regional Council on May 8, 2001.

BACKGROUND:

On May 8, 2001, Regional Council directed staff to prepare a report on the initiatives of the Indian Brook Shubenacadie Band Council to establish a First Nations Reserve in Hammonds Plains. Regional Council also directed staff to forward a letter to MP Geoff Regan asking him to intercede in the application of a Reserve until a report can be sent to the Department of Indian Affairs and Northern Development (DIAND). Council directed staff to determine, if possible, if the Band Council intended to observe taxation laws and to ensure that future development conforms to the Municipal Planning Strategy for Beaver Bank, Hammonds Plains and Upper Sackville.

The purpose of this report is to update Council on the actions that have been taken to find out more information about: the process for establishing a First Nations Reserve; the future development plans of the Shubenacadie Band Council; and how concerns relative to compliance with local by-laws and taxation laws can be addressed.

DISCUSSION:

The jurisdiction to establish a First Nations Reserve on federal lands rests solely with the Governor-in-Council upon recommendation of the DIAND. According to DIAND, municipalities are given a 60 day time frame to comment on a Band's intention to seek reserve status upon receipt of notice. Municipalities may enter into a Service Agreement with the Band to address issues with respect to loss of taxes, compatibility and enforcement of by-laws, and provision of servicing. The DIAND will not recommend the application of a reserve until negotiations are well underway. If negotiations have not taken place within a reasonable time frame or in a reasonable manner, DIAND will recommend the application of reserve status to the Governor-in-Council.

In response to Council's concerns, a letter was sent to the Indian Brook First Nation Shubenacadie Band Council requesting information on the Band's future development plans for this site (Attachment 2). This information was required to determine the degree of impact on service levels and municipal by-laws. HRM also requested an extension on the time frame for response until 30 days after the receipt of the requested information. As the deadline approached for comment, a second letter was forwarded to the Band Council outlining the land use policy framework for this area and Regional Council's initial concerns about servicing, potential loss of taxes, and by-law compatibility issues (Attachment 3). This was provided as an interim response.

HRM has recently received a reply from the Band Council about its future plans for development. Unfortunately, the Band is only in its preliminary stages of planning and is only able to advise that the majority of the 147 acre site is intended for commercial development with a small residential component (Attachment 4). The Band is awaiting a decision from DIAND on

reserve status before it invests in the development of any market potential studies and detailed site plans. Staff is, therefore, unable to undertake a formal assessment of the impacts of the proposed development until more detailed information is provided. It is Staff's intention, however, to assemble a team of HRM representatives to meet with representatives of the Indian Brook First Nation Shubenacadie Band Council to obtain further information and discuss potential issues relative to servicing, taxation, and compatibility with local by-laws.

BUDGET IMPLICATIONS:

To be determined through dialogue with the Indian Brook First Nation Shubenacadie Band Council.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN:

The report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating Reserves, as well as any relevant legislation.

ALTERNATIVES:

Council could direct that no further action be taken on this matter. This is not recommended since dialogue can foster a better understanding of the issues among both parties and result in a mutually beneficial Service Agreement.

ATTACHMENTS:

- Attachment 1: Map showing the location of the proposed reserve lands at Wallace Hill.
- Attachment 2: Letter dated May 16, 2001 from Mayor Peter Kelly to the Indian Brook First Nation Shubenacadie Band Council
- Attachment 3: Letter dated May 30, 2001 from Mayor Peter Kelly to the Indian Brook First Nation Shubenacadie Band Council
- Attachment 4: Letter dated May 31, 2001 from Chief Reg Maloney to Mayor Peter Kelly

Additional copies of this report, and information on its status, can be obtained by contacting the office of the Municipal Clerk at 490-4210, or Fax 490-4208.

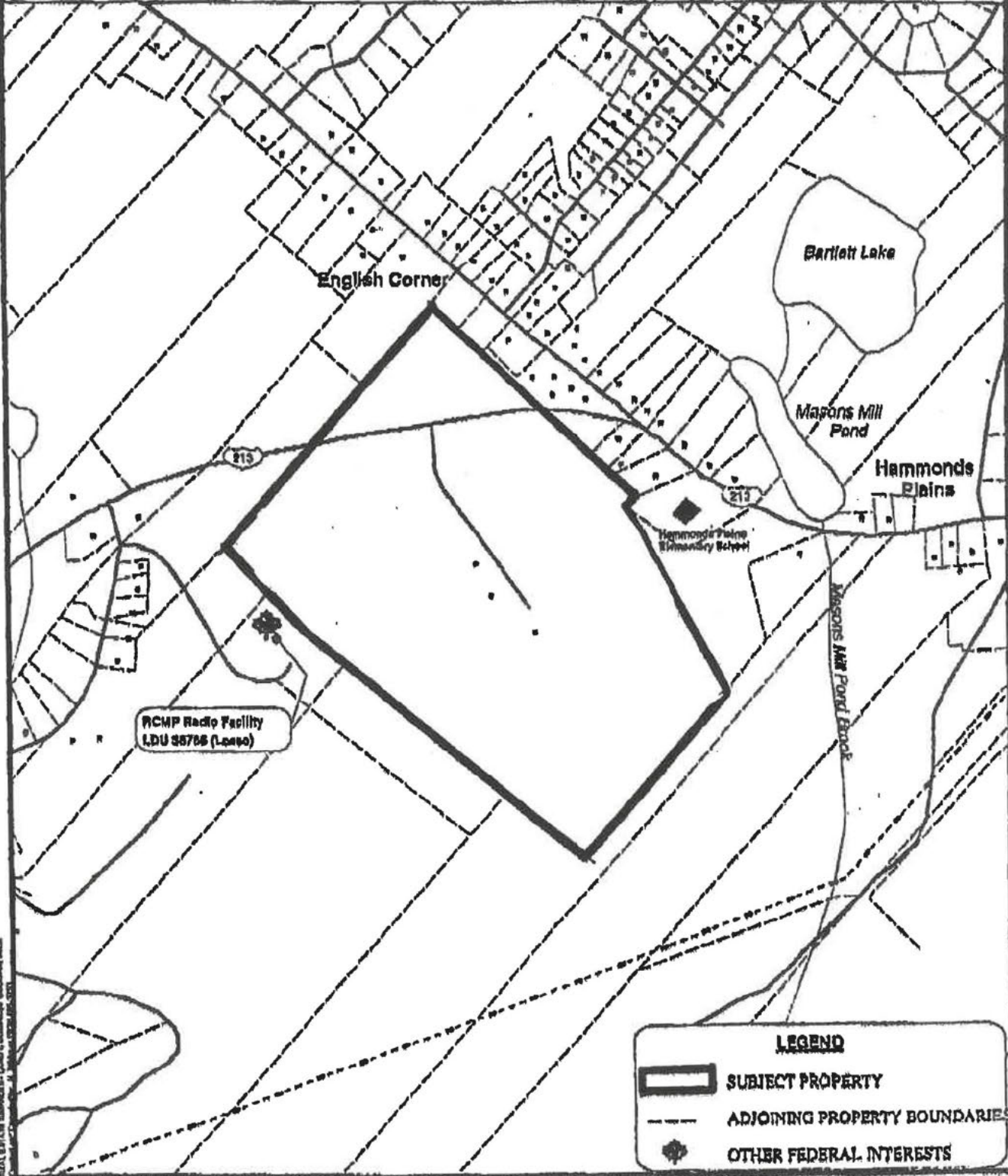
Report Prepared by: Maureen Ryan, Planner II, 490-4799

Report Approved by: Paul Dunphy, Director, Planning and Development Services



Indian and Northern
Affairs Canada
Affaires Indiennes
du Nord Canada

WALLACE HILL HALIFAX COUNTY NOVA SCOTIA



PROPERTY AND OTHER INTERESTS SHOWN ON THIS MAP ARE BASED ON THE LATEST AVAILABLE CADASTRAL MAPS AND RECORDS. THE GOVERNMENT HAS NO RESPONSIBILITY FOR INFORMATION CANNOT BE GUARANTEED.

Scale: 1:25,000. Map of Wallace Hill, Halifax County, Nova Scotia, showing property boundaries and other federal interests. Date: 1994.

GOVERNMENT HAS NO RESPONSIBILITY FOR INFORMATION CANNOT BE GUARANTEED.

**Halifax
Regional
Municipality**



Peter J. Kelly

Mayor

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www.region.halifax.ns.ca

May 16, 2001

Mr. Paul Favel
Indian Brook First Nation
Shubenacadie Band Council
Micmac Post Office
Hants County, NS B0N 1W0

VIA FAX: (902) 758-2017

Dear Mr. Favel:

RE: **Shubenacadie Band Addition to Reserve at Wallace Hill (Hammonds Plains Road) on Parcels A and B (Property ID #004256110)**

Thank you for your correspondence of March 28, 2001 notifying HRM of the Shubenacadie Band Council's request to obtain reserve status on the above-noted lands pursuant to the Indian Act.

As indicated in a response from Mr. Tom Rath on April 24, 2001, this matter is being considered by our Planning and Development, Parks and Recreation, Fire and Police service departments. In this regard, we are seeking information from the Shubenacadie Band Council on its proposed land use plan for these lands so we may properly assess any potential effects on our service levels in this area. Should the Band Council be at a preliminary stage in its planning, we would appreciate receiving some indication of the type of development that is being considered.

I understand from the Department of Indian Affairs and Northern Development that there is a sixty-day time period in which to respond to a request to obtain reserve status upon receipt of notification. We request an extension on the time frame for response until thirty days after we have received the requested information on



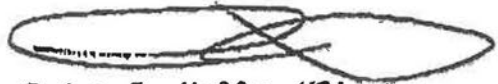
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your proposed development. This will give us sufficient time to coordinate a response from our various line departments and other affected agencies (School Board, N.S. Department of Transportation, and N.S. Department of Environment). In the absence of this information we would have grave concerns about not being able to provide a properly assessed and informed response. After we have received the necessary information, we will be in a much better situation to discuss with you potential solutions to any anticipated problems.

Please confirm whether the Band Council accepts our request for an extension at your earliest possible convenience. Should you have any questions about our information needs, please contact Maureen Ryan, Planner, Planning and Development Services at 490-4799.

We look forward to hearing from you in this regard.

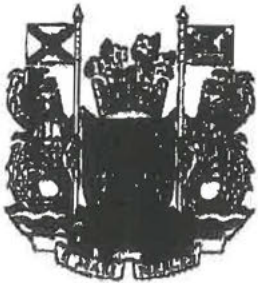
Respectfully, I remain,



Peter J. Kelly, MBA
Mayor

- c: Halifax Regional Council
- Geoff Regan, MP, Halifax West
- Ken Meech, CAO
- Dan English, Deputy CAO
- George McLellan, Deputy CAO -
- Paul Dunphy, Director, Planning and Development
- Karen MacTavish, Director, Parks and Recreation Services
- Mike Eddy, Chief Director, Fire and Emergency Services
- David MacKinnon, Chief, Police Services
- Tom Rath, Director, Real Estate Services
- Barry Allen, Manager, Legal Services
- Barbara Maloney, Additions to Reserve Officer, Department of Indian Affairs and Northern Development

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www.region.halifax.ns.ca

May 30, 2001

Mr. Paul Favel
Indian Brook First Nation
Shubenacadie Band Council
Micmac Post Office
Hants County, NS B0N 1W0

VIA FAX: (902) 758-2017

Dear Mr. Favel:

RE: Preliminary Response to Shubenacadie Band
Addition to Reserve at Wallace Hill (Hammonds
Plains Road) on Parcels A and B (Property ID
#00425611)

Further to your voice mail on Friday, May 25th to
Maureen Ryan, I understand that the Band Council is
still considering our request for a copy of the Band's
proposed land use plan and extension on the deadline
for comment. In the interim, we will provide you with
a general response on two potential areas of concern:

Land Use and Municipal Servicing

One potential area of concern that will have to be more
fully evaluated is in the area of municipal service
provision. The Hammonds Plains area is a rapidly
growing community with severely constrained municipal
services. During a recent municipal plan strategy
review process in 1998, it was found that the Hammonds
Plains Road was operating near capacity and that
schools were over crowded. In response to this,
Halifax Regional Council adopted a residential growth
management policy which permits a maximum of 20 lots
per four year period per area of land that was in



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existence on or before October 17, 1998 (See Attachment 1). Larger scale subdivisions, exceeding 20 lots per four year period, may be considered subject to phasing in accordance with the availability of municipal services.

Likewise, larger scale commercial developments which have the potential for adverse impact on municipal services and/or surrounding land uses are typically considered by way of rezoning. Such rezonings are subject to public hearings before Council. This indicates the significance that HRM places upon the potential impact of large scale commercial development on the surrounding area.

The policy criterion for considering commercial development in the plan area are outlined in the preamble and Policies 24, 24, 25, 26 and 137 of Attachment 2. In addition to matters of a general servicing concern, one area that requires a more detailed examination is the issue of transportation access. The subject lands have access to Highway 213 via a road that was originally granted for access to a transmission tower. Highway 213 is designated as a Controlled Access Highway under the Public Highways Act and future public access for a more intensive form of development would be subject to review by the Nova Scotia Department of Transportation and Public Works.

We understand that federal lands, and particularly those that have been granted reserve status, are beyond the jurisdiction of municipal land use by-laws. We, however, will seek to enter into a Service Agreement with the Shubenacadie Band Council to address any land use compatibility and servicing concerns should the lands receive reserve status.

Municipal Taxation

Another potential concern may be in the area of municipal taxation. We understand that lands that have been granted reserve status pursuant to the Indian Act are exempted from municipal taxes. We also understand that a municipality may recover the cost of providing services by entering into a Service Agreement with a Band to obtain grants in lieu of taxes. As with the area of land use compatibility, HRM will seek to recover the cost of servicing through a negotiated agreement as we are doing with the Millbrook Band in Cole Harbour.

Upon receipt of a specific development proposal, we will circulate it for detailed comment by our various departments such as Planning and Development, Fire, Police, Parks and Recreation and Public Works and Transportation. Copies of your proposal will also be forwarded to all other applicable service agencies outside of HRM for feedback.

We hope that this information provides you with some background on the issues that may arise as a result of future development in this area. We look forward to receiving your proposed land use plan and the opportunity to discuss with you potential solutions to any land use and servicing problems.

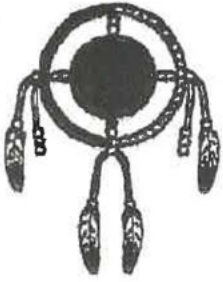
Respectfully, I remain,



Peter J. Kelly, MBA
Mayor

- c. Halifax Regional Council
- Geoff Ragan, MP, Halifax West
- Ken Heech, CAO

Dan English, Deputy CAO
 George MacLellan, Deputy CAO
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 Barry Allen, Manager, Legal Services
 Barbara Maloney, Additions to Reserve Officer, Department of
 Indian Affairs and Northern Development
 Jim Talbot, Central District Director, N.S. Department of
 Transportation and Public Works



INDIAN BROOK FIRST NATION



Shubenacadie Band Council

Micmac Post Office
Hants County, Nova Scotia
B0N 1W0
Tel : (902) 758-2049
Fax : (902) 758-2017

May 31, 2001

VIA FACSIMILE (902) 490-4012

Halifax Regional Municipality
1841 Argyle St., 3rd Floor
P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5

4296

Attention: Peter J. Kelly, Mayor

Dear Mr. Kelly:

RE: Shubenacadie Band – Addition to Reserve
Wallace Hill/Hammonds Plains; Parcels A and B

Thank you for your letter dated May 16th wherein you request certain information concerning the Band's proposed land use plans for the lands and you enquired as to whether the 30 day time frame for a response could be extended. At the outset, I would like to make it clear at this time that any discussions that the Shubenacadie Band has with the Halifax Regional Municipality (HRM) shall not be construed to diminish or derogate from the Shubenacadie Band's or its members' Aboriginal and Treaty rights and Aboriginal title rights. Furthermore, it is our position that any discussions between the Shubenacadie Band and HRM shall be without prejudice to the Shubenacadie Band's or its members' Aboriginal and Treaty rights and Aboriginal title rights.

With respect to your request for a 30-day extension, as a gesture of good faith on our part, the Band Council has agreed to extend the time frame for a response until June 15th.

With respect to the proposed development plans for the lands, the Band is proposing that the lands be used primarily for commercial development. We have not, at this time, had the proposed lots surveyed in furtherance of these plans but will likely make arrangements upon the lands attaining reserve status. While the focus will be on commercial development we may consider a small portion of the lands to be used for residential use. There have been some plans developed in furtherance of our addition to

reserve submission through DIAND, however, we may be undertaking the preparation of more complete plans once it is imminent that the lands will be attaining reserve status. We understand that the adjacent lands are presently zoned as "mixed-use", however, please advise as to whether the zoning status for adjacent lands has been amended. Please also advise as to what the municipality's planning strategy is for the adjacent lands.

Lastly, we are concerned about how this development may be construed or misconstrued by the media and propose that all public statements respecting this matter be reserved until the Shubenacadie Band and HRM have had an opportunity to properly discuss any issues of concern. Any statements as to what this addition to reserve may or may not mean to both the Shubenacadie Band and HRM are premature until we have had good faith discussions with one another.

We look forward to discussing these matters with you in the near future.

Yours truly,

A handwritten signature in cursive script that reads "Chief Reg Maloney". The signature is written in black ink and is positioned above the typed name.

Chief Reg Maloney
RM

cc. Councilors



Halifax Regional Municipality

Peter J. Kelly
Mayor

1841 Argyle St., 3rd Floor
P.O. Box 1749
Halifax, N.S. B3J 3A5
Tel: 902-490-4010
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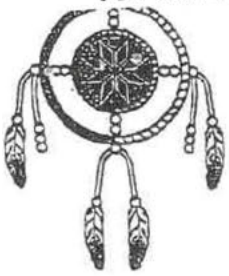
TO: BARBARA MALONEY

FROM: MARGARET SOLEY
MAYOR'S ASSISTANT

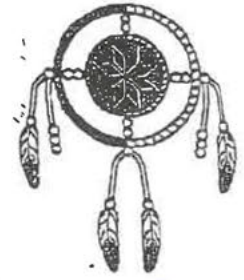
DATE: JUNE 26/01 TIME: _____

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET 15.

REMARKS: Letter attached to Chief Maloney
dated June 22nd



12200



INDIAN BROOK FIRST NATION

Shubenacadie Band Council

Micmac Post Office
Hants County, Nova Scotia
B0N 1W0
Tel : (902) 758-2049
Fax : (902) 758-2017

2782

CM

FACSIMILE AUTHORIZATION FORM

DATE: ~~2001~~ June 1 / 2001

FAX NUMBER OF DESTINATION: 1-902-490-4012

PLEASE DELIVER THE FOLLOWING PAGES TO: _____

NAME: Mayor Kelly

FIRM / ORGANIZATION: HRM

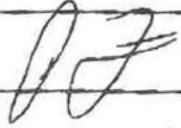
LOCATION: _____

DESCRIPTION OF MATERIAL SENT: _____

FROM: Chief Maloney PROGRAM: _____

WE ARE TRANSMITTING 2 PAGE(S) (NOT INCLUDING THIS COVER LETTER). IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CONTACT US AS SOON AS POSSIBLE.

MESSAGE: _____

AUTHORIZED BY: 

NOTE: PLEASE ENSURE SUPERINTENDENT, STAN FERGUSON, BCM, IS COPIED,



INDIAN BROOK FIRST NATION



Shubenacadie Band Council

Micmac Post Office
Hants County, Nova Scotia
B0N 1W0
Tel : (902) 758-2049
Fax : (902) 758-2017

May 31, 2001

VIA FACSIMILE (902) 490-4012

Halifax Regional Municipality
1841 Argyle St., 3rd Floor
P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5

4346

Attention: Peter J. Kelly, Mayor

Dear Mr. Kelly:

**RE: Shubenacadie Band – Addition to Reserve
Wallace Hill/Hammonds Plains: Parcels A and B**

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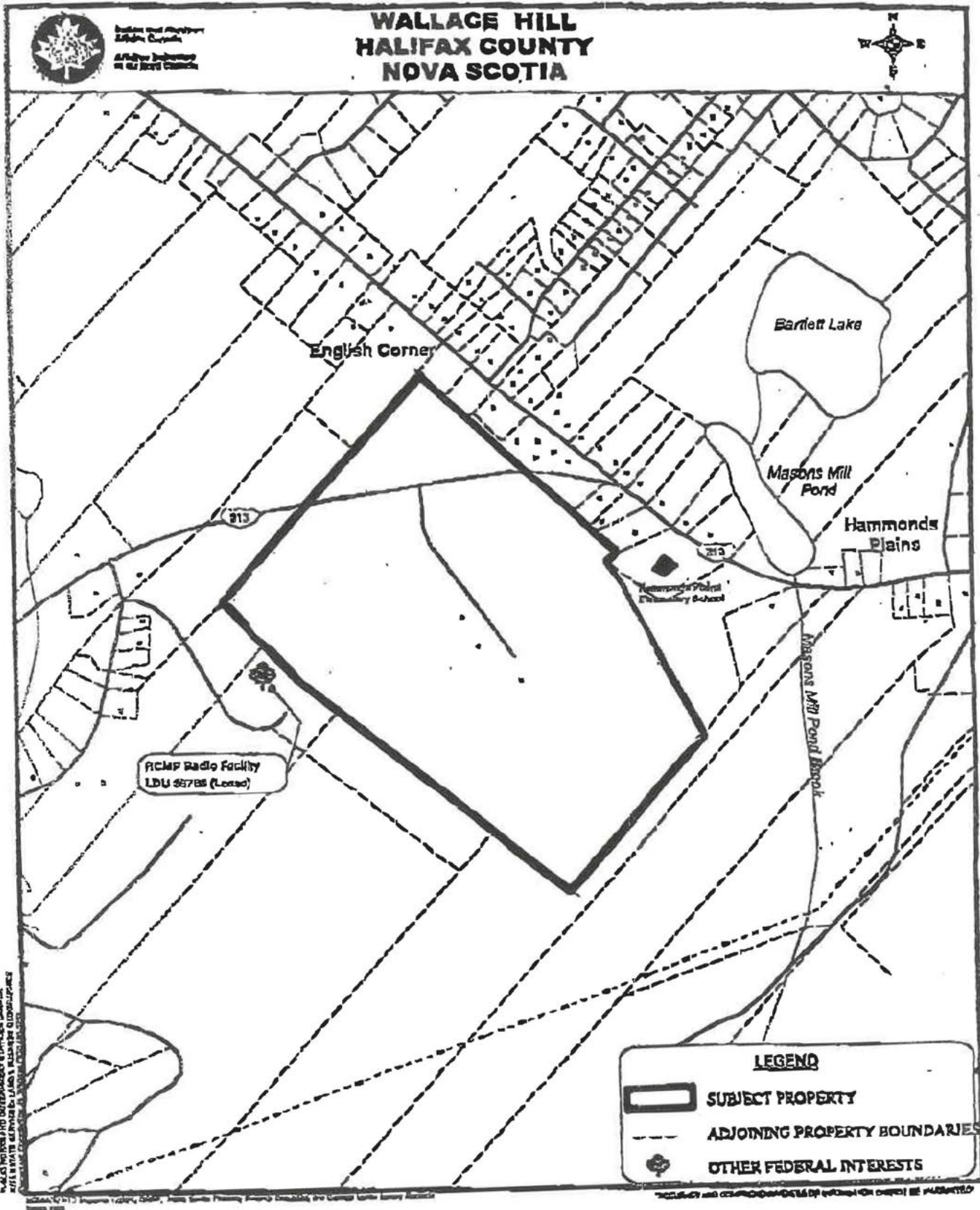
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RM

cc. Councilors



Halifax Regional Municipality



Peter J. Kelly

Mayor

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12200

May 30, 2001

Mr. Paul Favel
Indian Brook First Nation
Shubenacadie Band Council
Micmac Post Office
Hants County, NS B0N 1W0

VIA FAX: (902) 758-2017

Dear Mr. Favel:

RE: Preliminary Response to Shubenacadie Band
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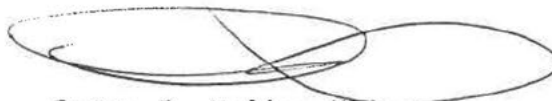
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Respectfully, I remain,



Peter J. Kelly, MBA
Mayor

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Tel: 902-490-4010
Fax: 902-490-4012

PATTI

TO:

Maura Ryan

4346

FROM:

Margaret Zoley

DATE:

June 4/01

TIME:

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET 5

REMARKS:

Letter to Mr. Favel attached
As requested by Council...

Attachment 2

Commercial Development Policy

Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy

Mixed Use A (*Beaver Bank*) and B (*Hammonds Plains*) Designations

As has been previously discussed, commercial development is interspersed with residential development in the Mixed Use Designations. While home business and commercial operations of a limited scale comprise most existing commercial development and will be permitted "by right" within the Mixed Use A (*Beaver Bank*) and B (*Hammonds Plains*) Designations, there is also a need to accommodate a small number of larger existing developments as well as to provide an opportunity for new commercial uses, which serve a growing local market. As well, there is a limited regional market capable of being met within the Mixed Use B (*Hammonds Plains*) Designation.

Although the designations provide for the protection of existing and future residential environments, the availability of a significant amount of undeveloped land makes it possible for residential and some commercial development to be accommodated without creating major land use conflicts. The requirement for an amendment to the land use by-law is intended to provide the review procedure necessary to protect residential and community facility uses and reduce the potential for land use conflict.

Aspects of commercial developments such as lot size, separation distances, highway access, location of parking areas, setbacks from the highway, limits on outdoor storage and display and signage will be addressed in the land use by-law through the use of zone standards. Through attention to such development details, it is possible to accommodate commercial uses without unduly interfering with the suburban and rural residential environments as well as associated community facilities.

In order to provide more flexibility in accommodating commercial development while protecting residential development, there is a need to distinguish between two types of commercial uses. One type of commercial operation involves no outdoor storage or display and is wholly contained in one building. Examples include retail stores and personal service shops. Other types of commercial uses, by the nature of their operation, involve outdoor activities, storage and display and may require numerous accessory buildings or extensive parking areas. Examples include car lots, building supply operations, and garden centres. Such uses will have more significant impacts on the surrounding areas than will the more limited commercial uses. While one site may be appropriate for the more limited range of commercial uses, it may not be suitable for the more intensive commercial uses. These two types of commercial uses will be accommodated through the creation of two commercial zones, with varying zone standards regulating outdoor storage and display, lot coverage, lot size and signage.

Although there are, at present, no identifiable concentrations of commercial development within the Mixed Use A (*Beaver Bank*) and B (*Hammonds Plains*) Designations, this is a development form which shall be encouraged. It is premature to pre-designate land for a commercial core, the concentration of commercial uses will be encouraged through the rezoning process. A reduction in abutting yard requirements will serve as a development bonus for commercial operations proposed to locate adjacent to existing commercial development.

Within the Mixed Use B (*Hammonds Plains*) Designation, construction of a Hammonds Plains by-pass will significantly affect the potential for commercial development serving a regional market. (See Transportation and Utilities). Although the alignment of the Hammonds Plains by-pass is not finalized, it will intersect with the Hammonds Plains Road in the general area of English Corner. This intersection will create a potential commercial focus for the general Hammonds Plains area and this focus shall be encouraged. At the same time, commercial potential along the Hammonds Plains Road from Bedford to this point will be reduced with the reduction in commuter traffic.

A site that has become a commercial centre for the larger area of Hammonds Plains/St. Margaret Bay is located in District 23 just outside the Plan Area, at the intersection of Highway 103 and the Hammonds Plains Road and known as Tantallon Centre. This development serves many shopping needs of residents from the communities along the limited access portion of the Hammonds Plains Road, from English Corner to Highway 103, thereby reducing the need for commercial outlets within this portion of the Plan Area.

The Department of Transportation & Public Works discourages major commercial development along this limited access portion of the Hammonds Plains Road, because of the proposed access points to the Hammonds Plains Road (Highway 213). The Department of Transportation has established a Route 213 Road Access Location Policy Plan which identifies six permanent access locations along the Hammonds Plains Road from English Corner to the Highway 103 intersection, as shown on Map 2, Transportation. All future development of lands adjacent to this highway must gain access through one of these proposed access points. Traffic safety concerns related to commercial development at these points reduce their suitability for larger scale commercial development.

For the most part, specialized shopping needs for the entire Plan Area will continue to be met in the urban areas of Sackville, Bedford and Halifax / Dartmouth. Commercial entertainment uses such as taverns, nightclubs and cabarets will not be permitted in the Mixed Use A (*Beaver Bank*) and B (*Hammonds Plains*) Designations. The public has identified, through community surveys and public meetings, that they are not in keeping with the character of their communities. They are felt to be more appropriately located in more urban areas closer to their major market.

P-23 Notwithstanding the provisions of Policy P-8, it shall be the intention of Council to establish a C-2 (General Business) Zone (*See Zone Below*) in the land use by-law which permits commercial uses and accessory residential uses to a maximum of 5,000 square feet, which do not involve any outdoor storage or display and are wholly contained in one building. The zone shall not include commercial entertainment uses.

This zone shall be applied to existing commercial uses. When considering amendments to the schedules of the land use by-law to permit new commercial uses within the Mixed Use A (*Beaver Bank*) and B (*Hammonds Plains*) Designations, Council shall have regard to the following:

- (a) preference for a location adjacent to or in close proximity to other commercial uses;
- (b) the potential for adversely affecting adjacent residential and community facility uses;
- (c) that the use has direct access to a collector highway as shown on Map 2 - Transportation;
- (d) the impact of the commercial use on traffic circulation and, in particular, sighting distances and entrance to and exit from the site;
- (e) in areas of heavy traffic, preference for a site which is provided with sidewalks or adequate pedestrian walkways as well as street lighting; and
- (f) the provisions of Policy P-137.

P-24 Notwithstanding the provisions of Policy P-8, it shall be the intention of Council to establish a C-4 (Highway Commercial) Zone (*See Zone Below*) in the land use by-law which will permit commercial uses to a maximum of ten thousand (10,000) square feet and shall include those more intensive uses which involve outdoor storage and display. Controls on outdoor storage and display as well as parking and loading areas will address compatibility concerns with adjacent development. In addition, special access requirements shall be established for service stations. This zone shall be applied to existing uses permitted within the highway commercial zone. When considering amendments to the schedules of the land use by-law to permit new highway commercial uses within the Mixed Use A (*Beaver Bank*) and B (*Hammonds Plains*) Designations, Council shall have regard to the following:

- (a) preference for a location adjacent to or in close proximity to other commercial uses;
- (b) the potential for adversely affecting adjacent residential and community facility uses;
- (c) an evaluation of the impact which the site design and operational characteristics of the proposed use shall have on the surrounding community;
- (d) that the use has direct access to a collector highway as shown on Map 2 - Transportation;
- (e) the impact of the commercial use on traffic circulation and in particular sighting distances and entrance to and exit from the site;
- (f) that no rezoning from a R-1 (Single Unit Dwelling) Zone (Policy P-34) or R-6 (Rural Residential) Zone (Policy P-13) to a highway commercial zone shall be considered; and
- (g) the provisions of Policy P-137.

Mixed Use C (*Upper Sackville*) Designation

The Mixed Use C (*Upper Sackville*) Designation permits most small scale commercial operations. Larger commercial activities are permitted where there is direct access to Highway No. 1 and subject to increased lot and frontage requirements (Policy P-11). Although these conditions are preferred, there may be certain situations in which a suitable site can be found where no direct access is available or where the proposed use cannot meet the increased requirements of the MU-2 (Mixed Use 2) Zone (Policy P-11). This designation, with its focus on encouraging commercial development, will not preclude all such development from occurring. However, in cases where there is no direct access to Highway No. 1 the focus shifts from promoting commercial development to protecting the rural residential environment on existing and future local roads. In this situation, and where a proposed commercial use cannot meet increased lot and frontage requirements, the increased control available through this rezoning process provides the opportunity for a site specific evaluation of the proposed site.

P-25 Notwithstanding Policies P-11, within the Mixed Use C (*Upper Sackville*) Designation, it shall be the intention of Council to consider larger scale commercial uses which do not have direct access to Highway No. 1 or which cannot meet the increased lot and frontage requirements of the MU-2 (Mixed Use 2) Zone by amendment to the schedules of the land use by-law to a C-2 (General Business) Zone (P-23) or a C-4 (Highway Commercial) Zone (P-24) and with regard to the following provisions:

- (a) the impact of the volume and type of traffic upon surrounding properties and the local road network in general;
- (b) evidence of identifiable site characteristics which make it particularly suitable for the proposed use; and
- (c) the provisions of Policy P-23 where the proposed amendment is to a C-2 (General Business) Zone;
- (d) the provisions of Policy P-24 where the proposed amendment is to a C-4 (Highway Commercial) Zone; and
- (e) the provisions of Policy P-137.

Unlike the Mixed Use A (*Beaver Bank*) and B (*Hammonds Plains*) Designations, commercial entertainment uses may be considered within the Mixed Use C (*Upper Sackville*) Designation by amendment to the land use by-law.

P-26 Within the Mixed Use C (*Upper Sackville*) Designation it shall be the intention of Council to establish a C-6 (Commercial Entertainment) Zone (*See Zone Below*) in the land use by-law which permits taverns, night clubs, cabarets and other similar commercial entertainment uses, subject to controls on parking and outdoor display. In considering an amendment to the schedules of the land use by-law for a commercial entertainment use, Council shall have regard to the following:

- (a) the potential for adversely affecting adjacent residential and community facility uses;
- (b) direct access to Highway No. 1;

- (c) the impact of the entertainment use on traffic circulation and in particular sighting distances and entrance and exit to the site;
- (d) that the architectural design, including its scale, exterior finish and signage, is in keeping with the surrounding area, as may be more particularly described in the Land Use By-law;
- (e) proximity to a residential environment;
- (f) the proposed development shall not be considered within 500 feet of a R-1 (Single Unit Dwelling), R-2 (Two Unit Dwelling), Zone or dwelling; and
- (g) the provisions of Policy P-137.

P-137 In considering development agreements and amendments to the land use by-law, in addition to all other criteria as set out in various policies of this Plan, Council shall have appropriate regard to the following matters:

- (a) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;
- (b) that the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the Municipality to absorb any costs relating to the development;
 - (ii) the adequacy of central or on-site sewerage and water services;
 - (iii) the adequacy or proximity of school, recreation or other community facilities;
 - (iv) the adequacy of road networks leading or adjacent to or within the development; and
 - (v) the potential for damage to or for destruction of designated historic buildings and sites.
- (c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:
 - (i) type of use;
 - (ii) height, bulk and lot coverage of any proposed building;
 - (iii) traffic generation, access to and egress from the site, and parking;
 - (iv) open storage;
 - (v) signs; and
 - (vi) any other relevant matter of planning concern.
- (d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding.

Commercial Zones

Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-law

PART 16: C-2 (GENERAL BUSINESS) ZONE

16.1 C-2 USES PERMITTED

No development permit shall be issued in any C-2 (General Business) Zone except for the following:

Retail stores
Food stores
Service and personal service shops
Offices
Commercial schools
Banks and financial institutions
Full Service and Take-out Restaurant
Funeral establishments
Theatres and cinemas, except drive-in theatres
Parking lots
Welding, plumbing and heating, electrical and other special trade contracting services and shops
Bakeries
Single and two unit dwellings
Institutional Uses

16.2 C-2 ZONE REQUIREMENTS

No development permit shall be issued except in conformity with the following:

Minimum Lot Area	29,064 square feet (2700 m ²)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	15 feet (4.6 m)
Maximum Height of Main Building	35 feet (10.7 m)

16.3 OTHER REQUIREMENTS: PARKING AND OUTDOOR DISPLAY

In any C-2 Zone, the following shall apply:

- (a) No open storage or outdoor display shall be permitted.
- (b) No parking shall be permitted within any required side or rear yard where the required yard abuts any residential or community use, except where a visual barrier is erected, in which case there will be no parking within (five) 5 feet of the side or rear lot line.
- (c) The parking lot shall be demarcated and paved or otherwise maintained with a stable surface which is treated in a manner to prevent the raising of dust and loose particles.

16.4 OTHER REQUIREMENTS: ABUTTING USES

Notwithstanding the provisions of Section 16.2, where any commercial use abuts another commercial or an industrial use, the abutting side or rear yard requirement may be reduced to eight (8) feet.

16.5 OTHER REQUIREMENTS: COMMERCIAL FLOOR AREA

The gross floor area of all commercial buildings on a lot in any C-2 Zone shall not exceed five thousand (5000) square feet of gross floor area, including any floor area devoted to permitted dwelling units.

16.6 OTHER REQUIREMENTS: INSTITUTIONAL USES

Where institutional uses are permitted in any C-2 Zone, the provisions of Part 22 shall apply.

PART 17: C-4 (HIGHWAY COMMERCIAL) ZONE

17.1 C-4 USES PERMITTED

No development permit shall be issued in any C-4 (Highway Commercial) Zone except for the following:

All uses permitted in the C-2 zone
Display courts
Motels
Service stations
Taxi and bus depots
Greenhouses and nurseries
Veterinary clinics and indoor kennels
Recycling Depots
Building supply outlets
Drive in and take out restaurants
Fraternal centres and private clubs

17.2 C-4 ZONE REQUIREMENTS

In any C-4 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787 m ²)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	15 feet (4.6 m)
Maximum Height of Main Building	35 feet (10.7 m)
Maximum Lot Coverage for Structures and Outdoor Storage	75 per cent

17.3 OTHER REQUIREMENTS: COMMERCIAL FLOOR AREA

The gross floor area of all commercial buildings on a lot in any C-4 Zone shall not exceed ten thousand (10,000) square feet of gross floor area, including any floor area devoted to permitted dwelling units.

17.4 OTHER REQUIREMENTS: OPEN STORAGE AND DISPLAY

Where any portion of any lot in any C-4 Zone is to be used for open storage or outdoor display, the following shall apply:

- (a) Any area devoted to open storage may not exceed fifty (50) per cent of the lot area.
- (b) No open storage shall be permitted within any front yard.
- (c) No outdoor display shall be located within ten (10) feet of any front lot line.
- (d) No open storage or outdoor display shall be permitted in any required yard within any C-4 Zone where the required yard abuts any residential or community facility use except where a visual and physical barrier is provided, in which case there will be no open storage or outdoor display within five feet of the abutting side or rear lot line.

17.5 OTHER REQUIREMENTS: PARKING AND LOADING AREAS

No parking or loading area shall be permitted in any required side or rear yard where the yard abuts any residential or community facility use, except where a visual barrier is provided in which case there will be no parking or loading within five (5) feet of the abutting side or rear lot line.

17.6 OTHER REQUIREMENTS: SERVICE STATIONS

Where service stations are permitted in the C-4 Zone, the following shall apply:

- (a) Minimum lot area 30,000 square feet (2787 m²)
- (b) Minimum Frontage 150 feet (45.7 m)
- (c) No portion of any pump island shall be located closer than twenty (20) feet (6.1 m) from any street line.
- (d) The minimum distance between ramps or driveways shall not be less than thirty (30) feet (9.1 m).
- (e) The minimum distance from a ramp or driveway to a road intersection shall be fifty (50) feet (15 m).
- (f) The minimum angle of intersection of a ramp to a road line shall be forty-five (45) degrees.

- (g) The width of a ramp shall be a minimum of twenty (20) feet (6.1 m) and a maximum of twenty six (26) feet (7.9 m)

17.7 OTHER REQUIREMENTS: ABUTTING USES

Notwithstanding the provisions of Section 17.2, within a C-4 Zone, where any commercial use abuts another commercial or an industrial use, the abutting side or rear yard requirement may be reduced to eight (8) feet.

PART 18: C-6 (COMMERCIAL ENTERTAINMENT) ZONE

18.1 C-6 USES PERMITTED

No development permit shall be issued in any C-6 (Commercial Entertainment) Zone except for the following:

- Taverns and beverage rooms
- Nightclubs and lounges
- Billiard and pool halls
- Private clubs
- Bingo and dance halls

18.2 C-6 ZONE REQUIREMENTS

In any C-6 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	40,000 square feet (3716.1 m ²)
Minimum Frontage	200 feet (30.5 m)
Minimum Front or Flankage Yard	50 feet (15.2 m)
Minimum Rear or Side Yard	25 feet (7.6 m)
Maximum Lot Coverage	25 per cent
Maximum Height of Main Building	35 feet (10.7 m)

18.3 OTHER REQUIREMENTS: PARKING AND OUTDOOR DISPLAY

In any C-6 Zone, the following shall apply:

- (a) No open storage or outdoor display shall be permitted.

- (b) Except where any commercial use abuts another commercial use, no parking shall be permitted within any required side or rear yard, except where a fence or other visual and physical barrier is erected in which case there will be no parking within 5 feet of the side or rear lot line.
- (c) The parking lot shall be demarcated and paved or otherwise maintained with a stable surface which is treated in a manner to prevent the raising of dust and loose particles.

Attachment 1

Residential Growth Management Policy

Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy

The communities of Hammonds Plains, Upper Sackville and Beaver Bank have experienced a considerable amount of residential growth since the early 1980's. Much of this growth is the result of expansions to existing subdivisions such as Haliburton Heights, Highland Park West, Sackville Acres and Caribou Wilds and the creation of newer subdivisions such as Kingswood, Queenswood and Blue Mountain Estates. Parts of the Plan Area are under significant development pressure. For example, there are now a large number of subdivision developments proposed for the Hammonds Plains, Upper Sackville and Beaver Bank areas consisting of approximately 4900 lots overall.

These newer subdivisions have led to a significant increase in population in the Plan Area. The original linear development pattern that was once confined to the main highway systems has also been altered. Many of these subdivisions extend back from the highway system in the form of large country estate lots in a natural forest setting. They are developing near major road intersections and extending a great distance into the backland areas with few connections between the subdivisions. These new subdivisions have given a 'suburban' feel to parts of the Planning Area, where residents generally expect stricter land use controls than those associated with a more traditional mix of uses. Residents may also expect increased levels of service in terms of roads, central servicing, community facilities, etc.

There are concerns in the community associated with residential subdivision development with regard to the provision of services (schools, roads, transit), groundwater, soils and the cost of infrastructure to sustain it. Thus, there is a desire for managed residential growth, that is, growth that is phased in accordance with the provision of services and infrastructure to ensure that it keeps up with development. There is also a desire by the community to retain the traditional rural community form of pasture and woodlands, scenic lakes and wetlands and large country estate lots that are serviced by on-site septic and well systems.

Residential development has environmental impacts. This is particularly true in the Plan Area because for the most part, the subdivisions are unserviced and require both a well for drinking water and an on-site septic system for sewage disposal. This has impact on groundwater and soils in the area. In the past, high water tables, impermeable soils in the area and improper maintenance have led to malfunctioning on-site septic systems. This is a common problem throughout Nova Scotia and has led the N.S. Department of the Environment to revise its regulations for on-site septic regulations by increasing the minimum lot size requirements and requiring higher system design standards.

Water quality is an issue in some portions of the Plan area where residents have experienced high concentrations of iron in their well water supplies. This causes discoloration and odor problems as well as high costs to maintain household fixtures, pumps and filtering systems. Drilled wells in areas high in quartzite, as is the case in many areas throughout the Municipality, are also susceptible to high levels of arsenic, manganese and hydrogen sulphide. Some residents within the Plan Area have also experienced shortages in water supply and have had to explore alternate methods such as the use of cisterns, the drilling of deeper wells or to request the Municipality to extend central water.

School capacity is another issue throughout the Planning Area. Many of the schools are at or over capacity. For example, Hammonds Plains Consolidated School currently has nine portables. The Municipality does not decide which schools get built or where or when they are built. Rather, the provision of schools is a Provincial responsibility. While it is difficult to determine how many school age children originate from a proposed subdivision, the Plan Area is already saturated in terms of enrollment, especially in the Hammonds Plains and Upper Sackville areas. The construction of two elementary schools and one junior high school to service the Plan Area has been announced; however, it is expected that they will be at capacity once opened because of the current overflow situation. Residential growth must therefore be managed in order to ensure that school capacity keeps up with residential development.

Continued residential development will also impact the level of service of roads in the Plan Area and adjacent areas. Parts of the road system, in particular, Hammonds Plains Road, sections of the Beaver Bank Road and sections of the Old Windsor Highway, are in danger of decrease in the level of service provided to motorists during peak periods. This decreased level of service will occur as a result of more and more subdivisions being developed with access off the main collector roads. A number of these roads are currently operating at less than their desired efficiency.

Continued growth in the area has ramifications for the Municipality as a whole. Allowing large scale subdivision development as-of-right encourages sprawl which has broad impacts in terms of the provision and cost of municipal services. As communities grow further and further out from the central core, the demand for roads, sidewalks, central sewer and central water occur. Similarly, the demand for schools, community recreation facilities and bus service to serve the expanding communities also increase. The Municipality must have the financial capability to absorb the costs relating to the development. As such, it would benefit the Municipality to decide where it wants to encourage residential growth so that it can direct its efforts in a more concentrated manner. Suburban growth should be encouraged to take place where services already exist or where they can be most efficiently and economically provided. There is a need for region-wide residential growth management policies to achieve this. Otherwise, as this community has indicated, slowing down residential development in one area of the Municipality will only push it to another area where there are fewer limitations. Thus, in order to address the growth management issues in this community and in the region as a whole, it is the desire of the community to have the Municipality undertake a region-wide study to determine the most cost effective and environmentally sustainable areas to encourage future serviced and unserved residential growth.

P-1 It shall be the intention of Council to determine areas where future serviced and unserviced development can be developed throughout the region in a fiscally and environmentally sustainable manner.

Council is aware of the attractiveness of the area as a place to live and work given the area's proximity to the urban area and physical characteristics. As well, the need to provide for some level of subdivision activity to accommodate area resident's development needs is acknowledged. However, given the community's concerns with regard to the provision of services and infrastructure and the fiscal ramifications of providing such, Council will closely monitor and manage the rate of subdivision activity in the Plan Area until it is determined where future residential development should be encouraged within the region.

In order to allow for some "as of right" opportunities for on-going development and to aid in the future connection between subdivisions, Council will allow for the creation of a maximum of twenty lots per four year period per area of land that was in existence on or before October 17, 1998, the effective date of the amendment to the previous planning strategy. Larger scale subdivisions which would place high demands on community services, infrastructure and the environment, will only be considered by rezoning to a CDD (Comprehensive Development District) Zone under the land use by-law.

The CDD (Comprehensive Development District) Zone requires a developer to enter into a negotiated development agreement with Council and is usually applied to the development of large areas of land. CDD's allow for more control over certain aspects of a development and require comprehensive planning by the developer. Under a Comprehensive Development District agreement, types of land uses, phasing, open space, provisions to retain existing significant natural features, roads and sidewalks, community facilities, landscaping, provisions for stormwater and drainage and the use of temporary rock crushers in the construction of the subdivision can be stipulated.

As previously indicated, subdivision plans have already been prepared for a number of properties in the plan area. Tentative plans which were approved or deemed by the Municipal Development Officer to have met all of the Subdivision By-law's information requirements on or before the first notice of October 17, 1998, will be given a two-year period in which to receive final approval. The remaining properties which are at the concept plan stage shall be zoned CDD to be subdivided and developed by development agreement. Such lands maybe rezoned to the base zone for the designation in which the property is located or to any other zone as provided for under this Planning Strategy where the landowner wishes to subdivide at a rate of twenty lots per four year period.

Final plans of subdivision which have been approved will be able to proceed to full development under the existing regulations. This includes the Glen Arbour Integrated Golf Course and Residential Development that was approved under the provisions of a development agreement before the first notice of Council's intention to adopt these policies on October 17, 1998. Under the terms of this agreement, Council can only discharge the residential component of this development after the final plans of subdivision have been approved and registered. As such, it shall be the intention of Council to not apply a CDD Zone to lands encompassed by this

agreement. Any requests for a substantial amendment to the residential component of this agreement, however, shall be subject to the provisions of this residential growth management policy.

Another development for which the grand fathering provisions of this policy are being extended includes the lands of Piercey's Investors Limited near the Sheldrake Lake interchange. Prior to the first notice of the Council's intention to adopt this policy on October 17, 1998, a tentative plan of subdivision was submitted for a portion of the Piercey's lands that were under conceptual plan of subdivision review. Tentative plans, however, could not be submitted for the remaining portion since the Department of Transportation and Public Works was considering using a portion of these properties for the future development of provincial limited access highway between Highway 103 and Highway 102. It is, therefore, the intention of Council to exempt the entire lands of Piercey's Investors Limited that were affected by a conceptual plan of subdivision 19980566-22-C from these growth management policies.

P-2 It shall be the intention of Council to amend the Subdivision By-law to permit the creation of a maximum of 20 lots (plus the remainder) per 4 year period, per area of land that was in existence on or before October 17, 1998 in the Mixed Use, Residential, Springfield Lake, Upper Hammonds Plains Community and Resource designations; and to allow for the continued subdivision of the remaining lands that were created from the original parcel at a rate of 20 lots per 4 year period after the initial 4 year time period has elapsed.

P-3 It shall further be the intention of Council to establish a Comprehensive Development District (CDD) Zone in the Land Use By-law which permits the development of a mix of low density residential uses, associated community facility uses, local commercial uses, home-based offices and small-scale bed & breakfasts. This Zone shall be applied to those areas of land with 10 or more lots which are at the conceptual stage of subdivision review or approval, except for lands affected by the Glen Arbour Development Agreement and the lands of Piercey's Investors Limited under conceptual plan of subdivision 19980566-22-C, on or before October 17, 1998, which was when the first notice of the intention to adopt this policy appeared in the newspaper. When considering an amendment to the schedules of the land use by-law to establish a CDD on any additional lands, Council shall have regard for the following:

- (a) that the development is within the Mixed Use A (*Beaver Bank*), Mixed Use B (*Hammonds Plains*), Mixed Use C (*Upper Sackville*), Residential, Upper Hammonds Plains Community, Resource and/or Springfield Lake designations;
- (b) that the development is contiguous to a final approved residential subdivision that has a minimum of 10 lots that is serviced by its own internal road network;
- (c) that a traffic impact study, where determined by the Municipality and/or the Nova Scotia Department of Transportation & Public Works, is submitted by the applicant to demonstrate that the proposed development will not reduce the "level of service" of the external transportation network below an acceptable "level of service" as defined by the Municipality and/or the Nova Scotia Department of

- Transportation & Public Works;
- (d) that there are sufficient school, recreation or community facilities and services to support the development; and
- (e) the provisions of Policy P-137.

P-4 Development within any CDD Zone shall only be considered by Council through a development agreement, which shall specify:

- (a) the types of land uses to be included within the development;
- (b) the phasing of the development to ensure that there are sufficient road capacity, school, recreation and community facilities and services to support the development in accordance with the financial capability of the Municipality to absorb any related costs;
- (c) that the proposed development suits the natural terrain and minimizes the negative impacts on the natural environment;
- (d) that the subdivision plan makes provision to retain existing significant natural features such as wetlands, floodplains, and watercourses through site design that guides development away from these areas;
- (e) that useable open space lands are adequately distributed throughout the neighbourhood(s) to meet the needs of the residents and to facilitate convenient access;
- (f) that the layout, design and hierarchy of roads and pedestrian facilities is adequate to service the proposed development and minimizes through traffic along on local streets within the proposed and adjacent subdivisions;
- (g) measures to minimize the impact on local streets within existing adjacent subdivisions during the construction phase of the proposed development;
- (h) provisions for the proper handling of stormwater and general drainage within and from the development;
- (i) the provision of landscaping and the retention of natural vegetation;
- (j) controls on the use of a temporary rock crusher in the construction of the residential subdivision in terms of hours of operation, minimum setbacks and buffering to provide a dust, wind and noise barrier; and
- (k) any other matter relating to the impact of the development upon surrounding uses or upon the general community, as contained in Policy P-137.

P-5 In recognition of the substantial investments that have been made to prepare detailed plans for tentative and final subdivision approval, it shall be the intention of Council to establish provisions in the Subdivision By-law to allow any deemed completed tentative or final application or approved tentative application on or before the first notice of Council's intention to adopt this policy, which was October 17, 1998, to proceed to final subdivision approval within 2 years from the date that tentative approval is granted. Provisions will also be established under the Subdivision By-law to allow the remaining lands under any of these expired tentative applications to be subdivided at a rate of 20 lots per four 4 year period.

It is recognized that the rate of residential growth is subject to change depending on a

number of factors--marketability, growth in the economy, household composition, highway developments, development in other areas, and the availability of school and community services--among other things. While the current pace of development in the Plan Area has been increasing in recent years, this trend may change as a result of any of the above noted factors. As such, the Municipality will undertake a review of these residential growth management policies within a five year period or earlier.

- P-6 It is the intention of Council to review the residential growth management policies within a five year time frame or earlier from the date these policies were first adopted in November 1998, pending a regional growth management study.

From: Maureen Ryan
To: Margaret Soley
Date: 5/29/01 3:31PM
Subject: Shubenacadie First Nation Reserve - Hammonds Plain

Margaret,

Further to our telephone conversation last Friday, we have not received word from the Shubenacadie Band Council on whether it is prepared to give us any information on its proposed land use plan. According to Paul Favel, the Band was meeting this morning to consider our request.

I have prepared a draft interim response for Mayor Kelly's consideration and signature. The letter reflects the concerns that Councillors Rankin and Goucher raised at the May 8th Council meeting. It also reminds the Band that we are waiting for a response to our letter of May 16th and raises our concerns should the Band decide not to grant any further extensions for comment.

Please note that the attachments are provided for information. They are excerpts from our MPS and LUB concerning residential and commercial growth management policies for the Hammonds Plains area.

Please let me know if you need any further assistance. Thank you for help.

Maureen Ryan
490-4799

Halifax Regional Municipality



Peter J. Kelly

Mayor

1841 Argyle Street
PO Box 1749
Halifax, Nova Scotia
Canada B3J 3A5

Tel: (902) 490 - 4010
Fax: (902) 490 - 4012
Email: kellyp@region.halifax.ns.ca

www.region.halifax.ns.ca

May 16, 2001

Mr. Paul Favel
Indian Brook First Nation
Shubenacadie Band Council
Micmac Post Office
Hants County, NS BON 1W0

VIA FAX: (902) 758-2017

Dear Mr. Favel:

RE: Shubenacadie Band Addition to Reserve at Wallace Hill (Hammonds Plains Road) on Parcels A and B (Property ID #004256110)

Thank you for your correspondence of March 28, 2001 notifying HRM of the Shubenacadie Band Council's request to obtain reserve status on the above-noted lands pursuant to the Indian Act.

As indicated in a response from Mr. Tom Rath on April 24, 2001, this matter is being considered by our Planning and Development, Parks and Recreation, Fire and Police service departments. In this regard, we are seeking information from the Shubenacadie Band Council on its proposed land use plan for these lands so we may properly assess any potential effects on our service levels in this area. Should the Band Council be at a preliminary stage in its planning, we would appreciate receiving some indication of the type of development that is being considered.

I understand from the Department of Indian Affairs and Northern Development that there is a sixty-day time period in which to respond to a request to obtain reserve status upon receipt of notification. We request an extension on the time frame for response until thirty days after we have received the requested information on

12200 B.F.
JUNE 8/01

FILED
DIS. 10:
CAO:
CLERK: ✓
COUNCILLORS' OFFICE:
DATE: May 16/01

*Marianne Ryan Planning
called May 2 5/01
she had a call into
Paul Favel re
response.*



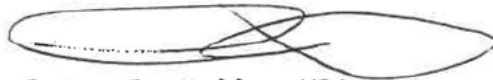
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your proposed development. This will give us sufficient time to coordinate a response from our various line departments and other affected agencies (School Board, N.S. Department of Transportation, and N.S. Department of Environment). In the absence of this information we would have grave concerns about not being able to provide a properly assessed and informed response. After we have received the necessary information, we will be in a much better situation to discuss with you potential solutions to any anticipated problems.

Please confirm whether the Band Council accepts our request for an extension at your earliest possible convenience. Should you have any questions about our information needs, please contact Maureen Ryan, Planner, Planning and Development Services at 490-4799.

We look forward to hearing from you in this regard.


Respectfully, I remain,



Peter J. Kelly, MBA
Mayor

c: Halifax Regional Council
Geoff Regan, MP, Halifax West
Ken Meech, CAO
Dan English, Deputy CAO
George McLellan, Deputy CAO
Paul Dunphy, Director, Planning and Development
Karen MacTavish, Director, Parks and Recreation Services
Mike Eddy, Chief Director, Fire and Emergency Services
David MacKinnon, Chief, Police Services
Tom Rath, Director, Real Estate Services
Barry Allen, Manager, Legal Services
Barbara Maloney, Additions to Reserve Officer, Department of Indian Affairs and Northern Development

PHONE MESSAGE

To	Margaret	Date	May 16	Time	2:30 ^{AM}
From	Carol Horvath				URGENT
Company	Dept. of Indian Affairs				PHONED
Telephone	(902) 661-6242	Extension			PLEASE CALL
Fax					<input checked="" type="checkbox"/> RETURNED YOUR CALL
Message	for 902 661 6237.				WILL CALL AGAIN
					CAME TO SEE YOU
					WANTS TO SEE YOU
Signature					

A 1630-T

BLUELINE



Halifax Regional Municipality

Peter J. Kelly
Mayor

1841 Argyle St., 3rd Floor
P.O. Box 1749
Halifax, N.S. B3J 3A5
Tel: 902-490-4010
Fax: 902-490-4012

TO: Superintendent STAN FERGUSON 426 3602

FROM: MARGARET SOLEY

DATE: MAY 16th. TIME: _____

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET 4

REMARKS: Chief MacKinnon's office suggested
we send you a copy of the attached
letter.



Halifax Regional Municipality

Peter J. Kelly
Mayor

1841 Argyle St., 3rd Floor
P.O. Box 1749
Halifax, N.S. B3J 3A5
Tel: 902-490-4010
Fax: 902-490-4012

TO:

Chief David McKinnon, Police Services
(FAX # 5038)
Tom Raitt, Director Real Estate Services
(FAX # 6030)

FROM:

Margaret, Mayor's Office

DATE:

May. 16/01 TIME: 11:15 a.m.

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET 3

REMARKS:



INDIAN BROOK FIRST NATION



Shubenacadie Band Council

Micmac Post Office
Hants County, Nova Scotia
B0N 1W0
Tel : (902) 758-2049
Fax : (902) 758-2017

March 28, 2001

VIA FACSIMILE (902) 490-6030

Halifax Regional Municipality
Corporate Real Estate Services
P.O. Box 1749
Halifax, Nova Scotia B3J 3A5

Attention: Tom Rath, Director of Real Estate Services

Dear Sir:

Re: **Shubenacadie Band**
Addition to Reserve: Wallace Hill (Hammonds Plains)

This will advise you that the Shubenacadie Band is seeking to convert lands known as Wallace Hill (Hammonds Plains) to reserve status pursuant to the *Indian Act*. These lands are within the Halifax Regional Municipality. In this regard I enclose a copy of a letter from the previous Mayor (Mayor Fitzgerald) to Indian and Northern Affairs Canada.

Representatives from the Shubenacadie Band would like to meet with you and other representatives of the Halifax Regional Municipality in order to discuss this matter further. Please provide us with a time and place that you would be available to meet.

We await your response. Please feel free to call me at (902) 758-1920 if you have any questions.

Yours truly,



Paul Favel
PF

Enclosure: Copy of Mayor Fitzgerald's April 4th, 2000 letter



Halifax Regional Municipality

**Peter J. Kelly
Mayor**

**1841 Argyle St., 3rd Floor
P.O. Box 1749
Halifax, N.S. B3J 3A5
Tel: 902-490-4010
Fax: 902-490-4012**

TO: PAUL FAVEL .

FROM: MARGARET SOLEY.

DATE: MAY 16/01 . **TIME:** _____

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET 3 .

REMARKS: Original to follow in mail .



Halifax Regional Municipality

Peter J. Kelly
Mayor

1841 Argyle St., 3rd Floor
P.O. Box 1749
Halifax, N.S. B3J 3A5
Tel: 902-490-4010
Fax: 902-490-4012

TO: Maurice Ryan 4346

FROM: Margaret Dley

DATE: May 16/01 TIME: _____

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET 3

REMARKS: Ltr to Paul Farel attached

HALIFAX
REGIONAL MUNICIPALITY

PLANNING SERVICES - ALDERNEY GATE OFFICE

(FAX) 490-4346 (TEL) 490-4472
2nd Floor, Alderney Gate
P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5

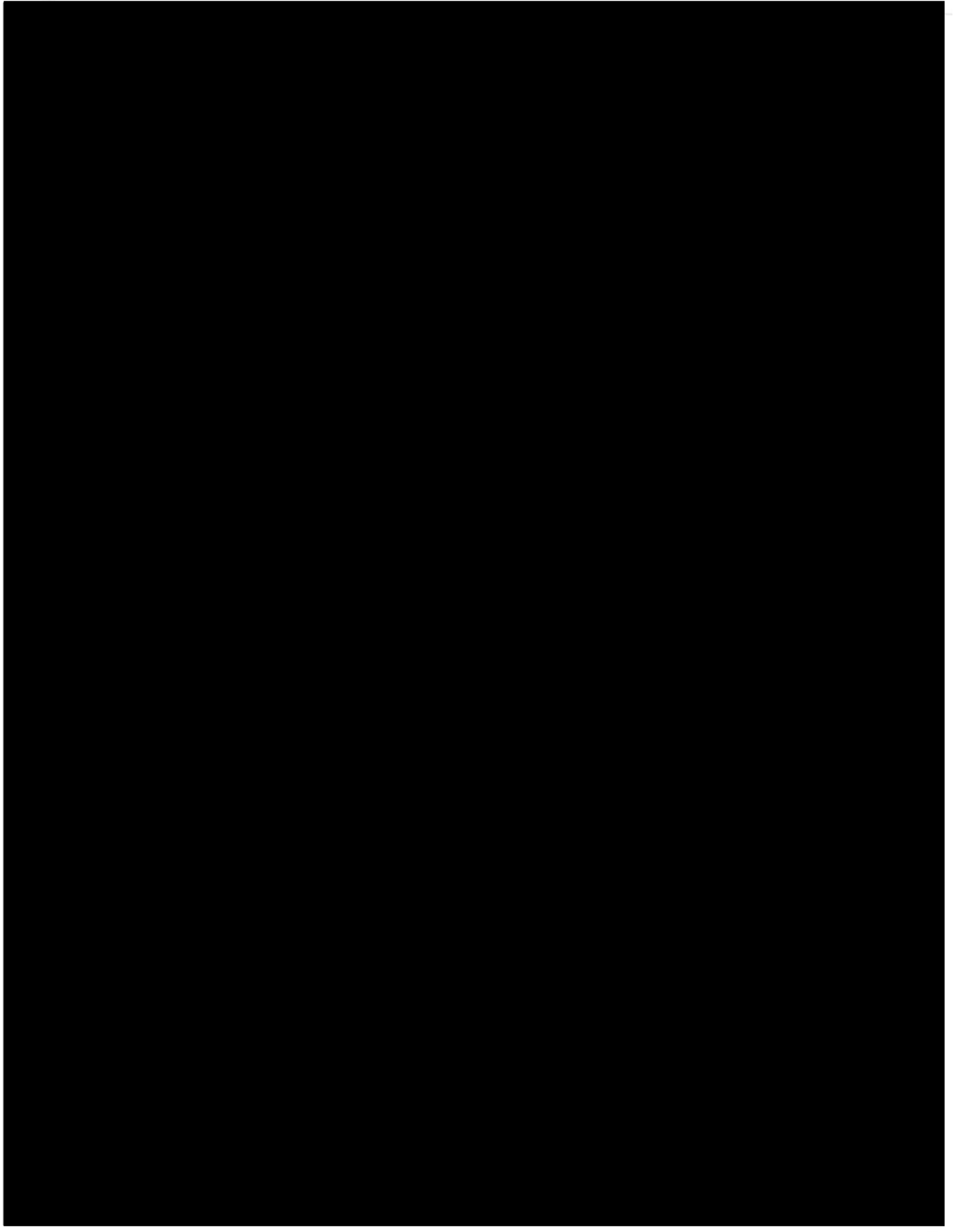
FACSIMILE TRANSMITTAL

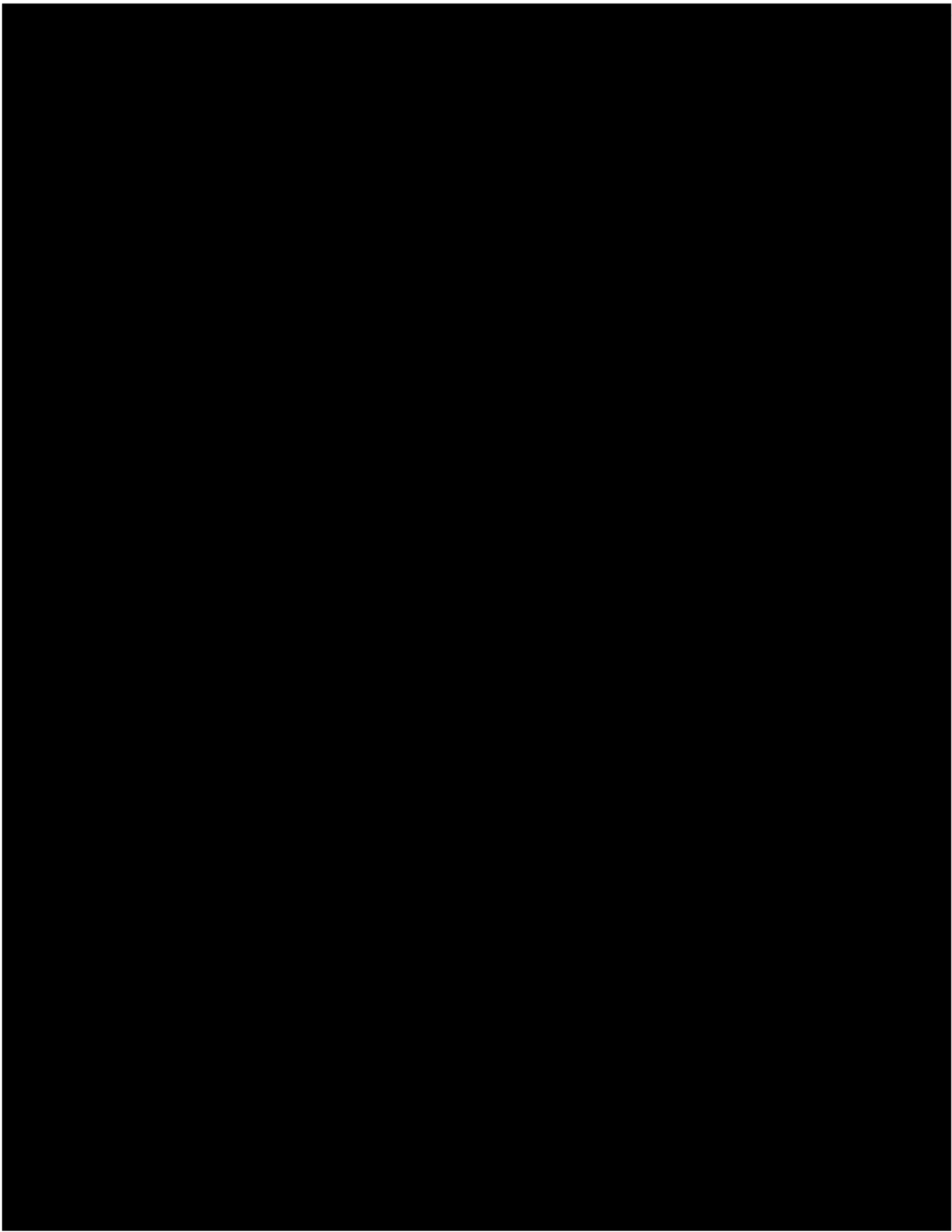
DATE: May 15/01
TO: Margaret Doley
COMPANY: Mayor's Office
FAX # 490 4012

FROM: Shawna Ryan PHONE: 490-
REFERENCE: Shubie Bard's Wallace Hill Reserve
OF PAGES (including cover page) 13

COMMENTS: Margaret; attached is a copy of the correspondence pertaining to the above-noted matter. Should you wish to have a letter prepared to Geoff Regan, please advise.

Shawna





- To: Austin for review
+ input to Tom Rath.

FD

HALIFAX

REGIONAL MUNICIPALITY

7.60.05

MEMORANDUM

DATE: April 24, 2001

TO: ✓ Paul Dunphy, Director, Planning and Development
 Karen MacTavish, Director, Parks and Recreation Services
 Mike Eddy, Chief Director, Fire & Emergency Service
 David MacKinnon, Chief, Police Services

FROM: Tom Rath, Director, Corporate Real Estate Services

SUBJECT: **Shubenacadie Band Additions to Reserves; Wallace Hill (Hammonds Plains)**

RECEIVED
APR 26 2001

Planning & Development Services
Halifax Regional Municipality

I am attaching correspondence from the Indian Brook First Nation Shubenacadie Band Council. As you will see from the correspondence the Shubenacadie Band is seeking to convert lands known as Wallace Hill (Hammonds Plains) to Reserve Status pursuant to the Indian Act of the Government of Canada. Under the Indian Act the application by the Shubenacadie Band Council requires a response from Halifax Regional Municipality as to whether it has any comment, objection or interest in the lands being granted Reserve Status. I would appreciate you providing me with your comments on this matter and I in turn will coordinate a response to the Shubenacadie Band Council.

I am also sending a copy of this correspondence to Barry Allen, Manager of Legal Services with the request that he undertake to provide an opinion as to the exact nature of the requirement for the Municipality to comment upon the Band Councils application to convert these lands to Reserve Status. The other question I would ask him to address is whether a reply from the staff level is sufficient or whether this matter requires referral to Halifax Regional Council.



Tom Rath

TR/ew

cc: Barry Allen, Manager, Legal Services

Corporate Real Estate Services
 5251 Duke Street, 4th. Floor, PO Box 1749, Halifax, NS B3J 3A5
 Phone: 902-490-6015 Fax: 902-490-6030 Email: ratht@region.halifax.ns.ca
 Website: http://www.businessparks.com



April 24, 2001

**BY FAX: (902) 758-2017
ORIGINAL BY MAIL**

Mr. Paul Favel
Indian Brook First Nation
Shubenacadie Band Council
Micmac Post Office
Hants County, Nova Scotia
B0N 1W0

Dear Mr. Favel:

Subject: Subenacadie Band Addition to Reserve; Wallace Hill (Hammond Plains Road)

This is in response to our recent telephone conversation and your correspondence of April 12, 2001 and March 28, 2001 regarding the Subenacadie Bands interest in converting lands known as Wallace Hill (Hammond Plains) to Reserve Status pursuant to the provisions of the Indian Act of the Government of Canada. From your correspondence I am still not clear as to why this matter is of concern to or falls within the jurisdictional interest of Halifax Regional Municipality.

Accordingly, I am sending a copy of your correspondence and the attached sketch to Barry Allen, the Municipality's Manager of Legal Services with the request that he ascertain the Municipality's obligations under the provisions of the Indian Act. At the same time I am forwarding copies of your correspondence to Paul Dunphy, the Municipality's Director of Planning and Development Services; Karen MacTavish, the Municipality's Director of Parks and Recreation; the Municipality's Fire and Police Chiefs with the request that they provide whatever comment they may have on any interest or concern that the Municipality would have in the Shubenacadie Band Council pursuing its interest in the property under the provisions of the Indian Act.

Corporate Real Estate Services

5251 Duke Street, 4th. Floor P.O. Box 1749, Halifax, NS B3J 3A5

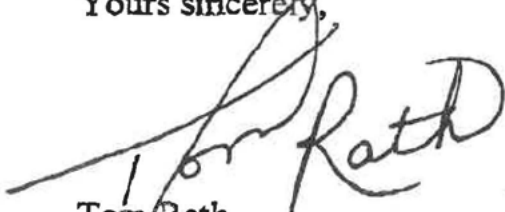
Phone: (902) 490-6015 Fax: (902) 490-6030 Email: ratht@region.halifax.ns.ca

Website: <http://www.businessparks.com>

1/2

I will coordinate the response from these individuals and depending upon the opinion I receive from Barry Allen it may be necessary to refer the matter, along with the staff report, to Halifax Regional Council. In any event, as soon as I have responses from these individuals I will be in touch with you to advise you as to how the Municipality is prepared to proceed in responding to your request.

Yours sincerely,

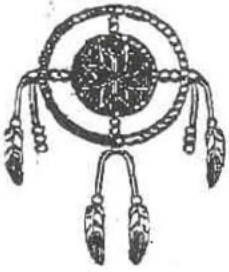


Tom Rath
Director
Corporate Real Estate Services

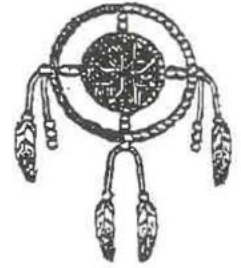
TR/ew

cc: Barry Allen, Manager, HRM Legal Services

Corporate Real Estate Services
5251 Duke Street, 4th. Floor P.O. Box 1749, Halifax, NS B3J 3A5
Phone: (902) 490-6015 Fax: (902) 490-6030 Email: rath@region.halifax.ns.ca
Website: <http://www.businessparks.com>



INDIAN BROOK FIRST NATION



Shubenacadie Band Council

Micmac Post Office
Hants County, Nova Scotia
B0N 1W0
Tel : (902) 758-2049
Fax : (902) 758-2017

FACSIMILE AUTHORIZATION FORM

DATE: April 12/2001

FAX NUMBER OF DESTINATION: 1-902-490-6030

PLEASE DELIVER THE FOLLOWING PAGES TO: _____

NAME: Tom Bath

FIRM / ORGANIZATION: HBM

LOCATION: Halifax

DESCRIPTION OF MATERIAL SENT: _____

FROM: P. Favel PROGRAM: _____

WE ARE TRANSMITTING 2 PAGE(S) (NOT INCLUDING THIS COVER LETTER). IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CONTACT US AS SOON AS POSSIBLE.

MESSAGE: If you have any questions please call me at 758-1920 (direct line)

AUTHORIZED BY: [Signature]



INDIAN BROOK FIRST NATION



Shubenacadie Band Council

Micmac Post Office
Hants County, Nova Scotia
B0N 1W0
Tel : (902) 758-2049
Fax : (902) 758-2017

April 12, 2001

VIA FACSIMILE (902) 490-6030

Halifax Regional Municipality
Corporate Real Estate Services
P.O. Box 1749
Halifax, Nova Scotia B3J 3A5

Attention: Tom Rath, Director of Real Estate Services

Dear Sir:

Re: **Shubenacadie Band**
Addition to Reserve: Wallace Hill (Hammonds Plains)

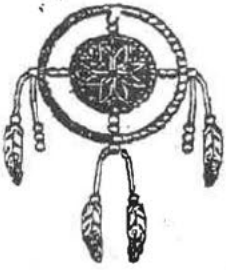
Further to our telephone conversation of April 3, 2001 this will confirm our discussions that the reason the Shubenacadie Band is corresponding with the Halifax Regional Municipality (HRM) is to ascertain whether the HRM has any concerns with the lands being set apart as a reserve for the Shubenacadie Band. You indicated that there were no concerns, however, INAC requires a written response to this effect.

In regard to your inquiry as to the location of the lands, I sent a copy of Mayor Fitzgerald's letter to INAC that referenced the land as CLSR 88671 and CLSR 76665. I assume that you will be able to obtain the plan for this property. I am also enclosing a copy of a diagram/plan prepared by INAC that shows the location of the property in relation to the surrounding properties. I hope that this is of assistance to you.

I look forward to your written correspondence confirming that there are no concerns with this land attaining reserve status.

Yours truly,

Paul Favel
PF



INDIAN BROOK FIRST NATION

Shubenacadie Band Council

Micmac Post Office
Hants County, Nova Scotia
B0N 1W0
Tel : (902) 758-2049
Fax : (902) 768-2017

FACSIMILE AUTHORIZATION FORM

DATE: March 28/2001

FAX NUMBER OF DESTINATION: 1-902-490-6030

PLEASE DELIVER THE FOLLOWING PAGES TO: _____

NAME: Tom Rath

FIRM / ORGANIZATION: HRM

LOCATION: _____

DESCRIPTION OF MATERIAL SENT: Shubenacadie Band's addition to Reserve - Wallace Hill/Hammond's Plains.

FROM: P. Favel PROGRAM: _____

WE ARE TRANSMITTING 2 PAGE(S) (NOT INCLUDING THIS COVER LETTER). IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CONTACT US AS SOON AS POSSIBLE.

MESSAGE: _____

AUTHORIZED BY: [Signature]

Halifax Regional Municipality

Walter R. Fitzgerald
Mayor

1841 Argyle Street
P.O. Box 1749
Halifax, N.S. B3J 3A5
Tel: 902-490-4010
Fax: 902-490-4012

April 4, 2000

Barbara Maloney, Policy Analyst
Indian and Inuit Affairs
P.O. Box 160
Amherst, NS B2T 3Z3

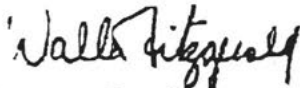
Dear Ms. Maloney:

I acknowledge receipt of your letter of March 28th, 2000, advising that the Schubenacadie First Nation has applied to the Department of Indian Affairs and Northern Development to consider granting reserve status to the parcels of land registered as CLSR 68671 and CLSR 76665.

By copy of this correspondence, I will forward your letter to Councillor Reg Rankin, Paul Dunphy, Director, Planning and Development Services, and Tom Rath, General Manager, Real Estate Services, for their information.

I appreciate your informing me of this application.

Sincerely,



Walter R. Fitzgerald
MAYOR

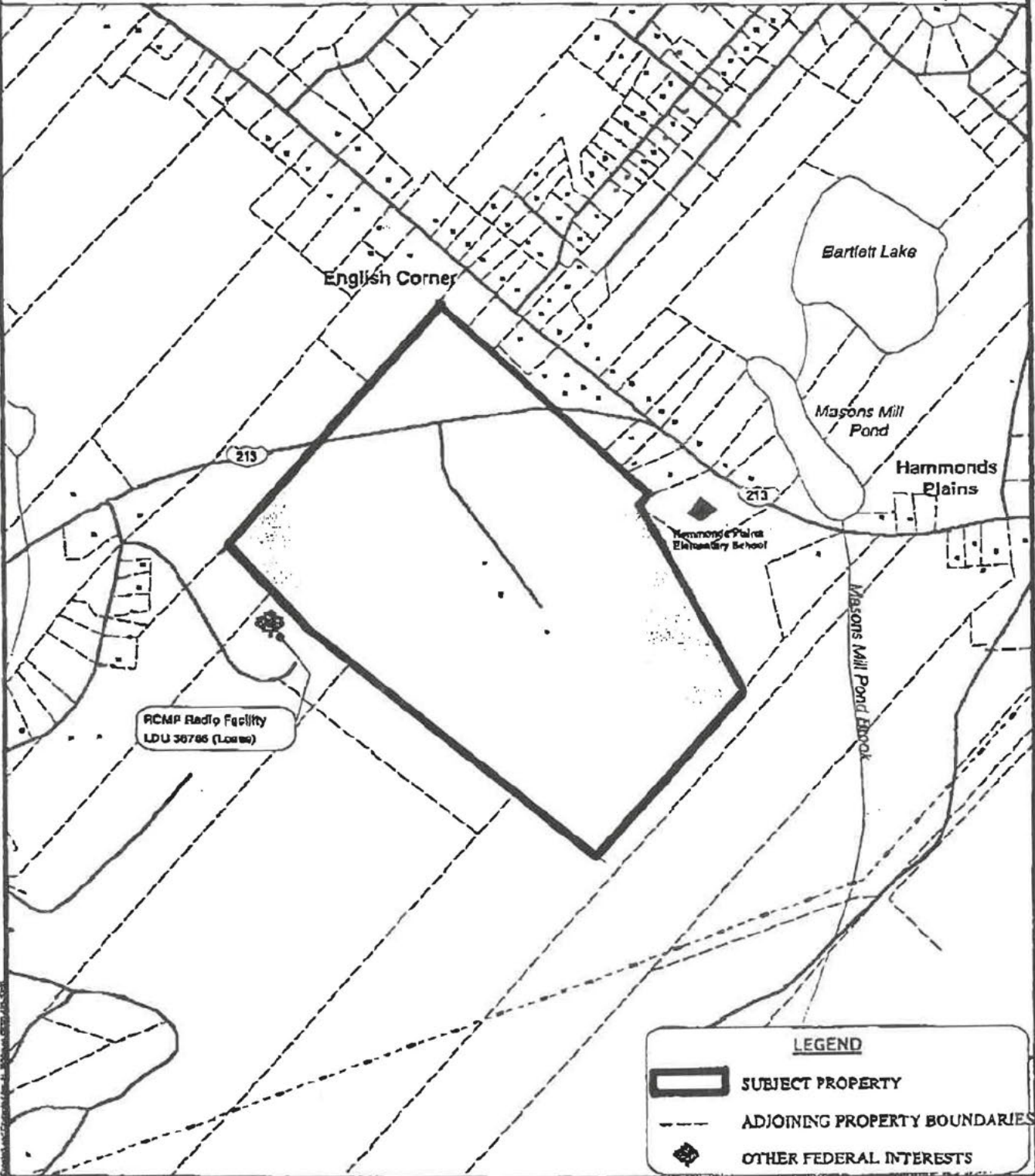
/jic

c. Councillor Reg Rankin
Paul Dunphy, Director, Planning and Development Services
Tom Rath, General Manager, Real Estate Services






Eastern and Northern
Affairs Canada
Affaires Indiennes
et du Nord Canada

WALLACE HILL HALIFAX COUNTY NOVA SCOTIA



RCMP Radio Facility
LDU 36766 (Loose)

LEGEND

-  SUBJECT PROPERTY
-  ADJOINING PROPERTY BOUNDARIES
-  OTHER FEDERAL INTERESTS

PLAN SERVICES AND DEVELOPMENT SERVICES CANADA
SERVICES EN PLANIFICATION ET DEVELOPPEMENT
DU CANADA

SOURCE: L.S. Mapping (2000, 05/00), Home Search Property Owners Database, and Canada Land Survey Records
March 1998

ACCURACY AND COMPREHENSIVENESS OF INFORMATION CANNOT BE GUARANTEED

second month, Union boss Ron Stockton branded the request "outrageous" and a "waste of the court's time." A decision is expected this afternoon and negotiations are continuing.

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Band to develop former DND property

Natives take over 147 hectares in October

By Steve Proctor
Truro Bureau



The area behind Chrissy's Trading Post on Hammonds Plains Road, near Wallace Hill in Halifax, is part of the 147 hectares of land to be turned over the Indian Brook First Nation by October.

Indian Brook
A parcel of land in the Hammonds Plains area that is the size of Halifax's John I and Park will be turned over to Indian Brook First Nation for development by the end of October, says the band's chief.

Reg Malone said incorporating the former Department of National Defence property near English Corner into the reserve, and then developing it commercially will provide his people with much needed economic development opportunities.

"We've been after this since 1974, and there has been a lot of red tape, but it now looks like it will be a done deal by Oct. 29," Chief Malone said in a recent interview.

The largest portion of the Indian Brook reserve is located near Shubenacadie but like many bands in the province, the reserve also has satellite parcels of land in other locations.

Rick Costain, acting director of land and trust services with the Department of Indian Affairs,

said Wednesday the 147-hectare land transfer represents the largest addition to a reserve in Nova Scotia in recent years.

Once used for national defence transmission towers, the property was turned over to Indian Affairs in the 1960s for the development of off-reserve housing for natives seeking employment in the Halifax area.

Mr. Costain said funding for the program never materialized and the land has sat virtually undeveloped ever since.

The Indian Brook band has made several proposals for the property over the years, but it was only about a year ago that a comprehensive plan was submit-

ted and has gone through the approval process at the regional level.

Mr. Costain said the plan still has to go before the Treasury Board for a change-of-use designation, and then on to Indian Affairs Minister Robert Nault and cabinet for final approval, but transfer by the end of the fiscal year is possible.

"The minister has made it clear First Nations need opportunities for economic development. In the Atlantic most reserves are small so where possible, he wants to make land available for development purposes," he said.

Details of the three-year, three-phase development of the prop-

erty are sparse, and Chief Malone was reluctant to provide details.

"We're tossing some ideas around. It's still too far off yet. There's been no feasibility studies done, or anything like that," the chief said.

As part of the process, Mr. Costain said the band has been keeping Halifax Regional Municipality apprised of developments.

But the plan is news to the area's councillor, Reg Rankin (Hammonds Plains-Timberlea.) He said he was "somewhat surprised" to learn the transfer is as far along as it is. He has lots of questions about the effect any commercial development might have on traffic and residential neighbourhoods nearby.

"I was invited to a meeting on the subject about a year ago and it was cancelled. That was the last I heard about it," Mr. Rankin said.

"Are they contemplating a tax-free development zone like in Millbrook? Will we have any effective control over what goes on? I wouldn't appreciate seeing this thing proceed any further without community input."

Several other native bands in the province have submitted proposals for expansion with the department, but Mr. Costain would not comment on them because of their preliminary status.

He said none are as large as the Indian Brook initiative.

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05/01 '01 06:56 NO. 312 12/12
MAY 01 '01 07:58AM

From: Patti Halliday
To: Anne Jamieson; Austin French; Barry Allen; Caro...
Date: Thu, May 10, 2001 3:31 PM
Subject: Re: Reserve Lands: Hammonds Plains - May 8/01 Council

The request for the letter to Geoff Regan, MP, has been forwarded to the Mayor's Office.

>>> Jim Donovan 05/10 3:24 PM >>>

Wayne; that was my impression as well. Consequently, in my initial e-mail to Patti, I suggested that a letter be sent from the Mayor's office outlining the broader concerns raised by Councillor Rankin and requesting a stay in proceedings at the federal level until we've had a chance to articulate specific areas of concern.

Jim

>>> Wayne Anstey 05/10 3:19 PM >>>

I believe that Councillor Rankin wanted a report to come back quickly so that a letter could go off to Indian Affairs registering our objection to the granting of reserve status to the property before the matter progressed too far down the road.

Wayne

>>> Paul Dunphy 05/10 1:54 PM >>>

Austin has some correspondence/notification on this from the Shubenacadie Band Council which was forwarded to us and Tom Rath from the Mayor's Office.

We'll take the lead and consult with others to ensure all implications are addressed.

At this time, I'm not aware of any deadlines for a response, none were indicated in the letter.

Tom, as you noted in your memo, you probably don't need to be involved in this. It appears you were accidentally drawn into this by the Mayor's Office simply because it was a "land" matter. (Hey, you must be involved in all land matters!)

Thanks

>>> Jim Donovan 05/09 3:04 PM >>>

Patti; I can't speak for what the letter may contain at this point, as we'll have to first examine the issues from a Municipal and MPS perspective. The issues that were raised by the Councillor should provide the basis for the report. I suggest that if it was Council's intention to send a letter ASAP to the MP, then this should come from the Mayor's office. The letter should basically state that we've recently become aware of the potential land conversion, outline the concerns expressed by Councillor Rankin and request Mr. Regan take appropriate steps to stay proceedings until HRM's had an opportunity to study the issue and report in further detail. Does this sound reasonable?

Jim

>>> Patti Halliday 05/09 2:45 PM >>>

I have an information sheet regarding the Truro Power Centre (the one referred to by Councillor Rankin) that the Councillor gave to me last night. Once it has been decided, please let me know which Planner will be doing the report and I can fax it to them or anyone else who is interested in receiving this information. Unfortunately, I have no further information regarding the land in Hammonds Plains.

Will Planning also be doing the letter to Mr. Regan's office?

Patti

>>> Jim Donovan 05/09 2:31 PM >>>

Austin; the attached Council request for a staff report raises a number of issues which need to be addressed. Would you please assign a Planner to this in order to provide the required report and recommendation? The location of the land is not clear, only that it's in Hammonds Plains somewhere and owned by DND. I did a quick review of the MPS and it doesn't mention this land or land specifically owned by DND.

Thanks

Jim

CC: Macneil, Cathy; Soley, Margaret

From: Vi Carmichael
To: Patti Halliday
Date: Wed, May 9, 2001 8:09 PM
Subject: Re: Fwd: Item 10.4.3 - May 8/01 Council

Hi: Because it is high level, I would suggest the intention was that it come from the Mayor's Office.
Thanks.

v

>>> Patti Halliday 05/09 3:29 PM >>>

Do you think I should forward this to the Mayor's Office to do the letter, or should we take care of it ourselves?

From: Patti Halliday
To: Margaret Soley
Date: Thu, May 10, 2001 2:02 PM
Subject: Re: Fwd: Item 10.4.3 - May 8/01 Council

Hi Margaret,

At Tuesday's Council meeting the following letter was requested to be sent Geoff Regan regarding the above item. Attached are two emails providing further information. If you need any further info, please let me know.

10.4.3 Councillor Rankin - Reserve Lands in
Hammonds Plains

Referred to staff for a report as soon as possible regarding the application to convert lands in Hammonds Plains to reserve lands under the Indian Act and that a letter be sent to Mr. Geoff Regan, MP, requesting that his office intercede, particularly with respect to a stay of the application. An email with further details will be forwarded to the appropriate staff.

CC: Cathy Macneil

From: Jim Donovan
To: Austin French; Patti Halliday
Date: Wed, May 9, 2001 3:05 PM
Subject: Re: Fwd: Item 10.4.3 - May 8/01 Council

Patti; I can't speak for what the letter may contain at this point, as we'll have to first examine the issues from a Municipal and MPS perspective. The issues that were raised by the Councillor should provide the basis for the report. I suggest that if it was Council's intention to send a letter ASAP to the MP, then this should come from the Mayor's office. The letter should basically state that we've recently become aware of the potential land conversion, outline the concerns expressed by Councillor Rankin and request Mr. Regan take appropriate steps to stay proceedings until HRM's had an opportunity to study the issue and report in further detail. Does this sound reasonable?

Jim

>>> Patti Halliday 05/09 2:45 PM >>>

I have an information sheet regarding the Truro Power Centre (the one referred to by Councillor Rankin) that the Councillor gave to me last night. Once it has been decided, please let me know which Planner will be doing the report and I can fax it to them or anyone else who is interested in receiving this information. Unfortunately, I have no further information regarding the land in Hammonds Plains.

Will Planning also be doing the letter to Mr. Regan's office?

Patti

>>> Jim Donovan 05/09 2:31 PM >>>

Austin; the attached Council request for a staff report raises a number of issues which need to be addressed. Would you please assign a Planner to this in order to provide the required report and recommendation? The location of the land is not clear, only that it's in Hammonds Plains somewhere and owned by DND. I did a quick review of the MPS and it doesn't mention this land or land specifically owned by DND.

Thanks

Jim

CC: Paul Dunphy