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Traves
presentation



Good afternoon Mr. Chair and members of the Committee, my name is John Traves, Q.C. and I am the Director of Legal, Municipal Clerk, and External Affairs with the Halifax Regional Municipality – Municipal Solicitor if you prefer.

I appreciate the opportunity to speak in support of Bill 201, an Act to Amend the *Municipal Government Act* and *Halifax Regional Municipality Charter*.

With all due respect, this is not a PACE Program (Property Assessed Clean Energy Program). The On-Site Sewage Program is a program of the Nova Scotia Department of Environment, not the Municipality's. The Property Assessed Clean Energy Program is intended to incent home owners to choose clean energy options when given a choice. Wells and on-site sewage systems are important but do not involve a policy choice of this nature, adding them to the PACE program simply raises expectations with those who are often most vulnerable. Let me be blunt – if you can't arrange financing for an on-site sewage system from a lending institution

you are probably going to struggle to repay the Municipality. While a program with respect to on-site sewage system something that municipalities might entertain after consultation and discussion, it is not something that HRM has requested or considered at this time.

As you are aware, the Charter legally obliges the Minister to consult with HRM in respect of any proposed changes to the Halifax Regional Municipal Charter. I am aware that the government's legislative agenda for this fall sitting was set approximately seven months ago, and in that time there has been no consultation or discussions with respect to this proposal. This despite the concerns raised by HRM with respect to the lack of consultation in 2016 with respect to Bill 62 adding wells to the PACE Program and Bill 177 creating commercial tax districts.

On November 22, 2018, Councillor Wayne Mason, President of NSFM, wrote the Minister attaching a list of the four key statements of municipal concern (a copy of his letter is attached to my submission). The first of those being Municipal Responsibilities as Councillor Mason indicated.

Municipal costs of policing, fire services, solid waste, water and wastewater treatment have been increasing faster than the Consumer Price Index with municipalities having little control over these costs. And while the Province has high demands on its services, these local services are just as important. Without consultation there is no opportunity for the Province and the Municipality to reach any common understanding with respect to what is or is not municipal responsibility on items like PACE, and more importantly, what is the ability in terms of property taxes to pay for existing responsibilities before being asked to consider taking on additional responsibilities, such as funding wells and portions of the provincial On-site Sewage Program.

These sorts of amendments have impacts on municipalities like HRM. Bill 201 will lead to an expectation that HRM will establish a program, "staff it" and based on the Minister's remarks at 2nd Reading I assume, fund it out of property taxes.

Well what does Bill 201 not address? The balance of Council's request with respect to commercial tax options, changes to the assessment process to provide for three year averaging is outstanding. Council's request regarding inclusionary zoning is not addressed. Affordable housing remains a problem throughout HRM. Most recently Council's request for changes to allow accessible taxi incentives, the ability to provide business grants for vehicle purchase or conversion. These are all topics which are priorities for Council and have impacts for all residents.

With all due respect, the Property Assessed Clean Energy program is not the appropriate vehicle for on-site sewage systems any more than it is for wells, new roofs, driveways, pest control or other private property matters.

Thank you,