

[REDACTED]

From: Robert Bishop [REDACTED]
Sent: April 13, 2022 11:46 AM
To: Office of the Legislative Counsel
Subject: Re: Law Amendments Committee: Request to Appear-Financial Measures Act 2022 - BISHOP

**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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Thanks for your response.

Best number to reach me is my mobile, [REDACTED] with my home number as backup at [REDACTED].
RB

From: Office of the Legislative Counsel <legc.office@novascotia.ca>

Sent: Wednesday, April 13, 2022 10:32:57 AM

To: Robert Bishop [REDACTED]

Subject: RE: Law Amendments Committee: Request to Appear-Financial Measures Act 2022 - BISHOP

Could you please send us a phone number so we can call you to set up an appointment time, once this goes to Law Amendments?

Thank you,

Office of the Legislative Counsel

CIBC Building, Suite 802

1809 Barrington Street

Halifax NS B3J 3K8

tel 902 424 8941

www.nslegislature.ca

From: Robert Bishop [REDACTED]

Sent: April 10, 2022 6:05 PM

To: Office of the Legislative Counsel <legc.office@novascotia.ca>

Subject: Law Amendments Committee: Request to Appear-Financial Measures Act 2022 - BISHOP

**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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[REDACTED]
Kanata, ON [REDACTED]

-

[REDACTED]
Blandford NS [REDACTED]

Office of the Legislative Counsel

CIBC Building

802-1809 Barrington Street

PO Box 1116

Halifax NS B3J 2X1

VIA EMAIL: legc.office@novascotia.ca

April 10, 2022

Nova Scotia Law Amendments Committee

Request to Appear

Financial Measures Act 2022

I am writing today to request an opportunity to make a submission to the Law Amendments Committee in its consideration of the Financial Measures Act 2022. The subject of my presentation is PART IV NON-RESIDENT DEED TRANSFER AND PROPERTY TAXES ACT and the direct impact this legislation would have on our family as owners of a small cabin at Herring Point, Lunenburg County and to address the concerns we have about the broader damaging economic effects of this initiative.

I am a Canadian citizen born and raised in Nova Scotia now primarily resident in Ontario.

I would appreciate the chance to make a presentation in person, virtually, or in writing.

I look forward to your acknowledgement of this request and speaking to the Committee. Please advise if you require any further information.

Sincerely,



Robert Bishop

A copy of this message is attached as a PDF.



Office of the Warden
The Municipality of Chester
151 King St, PO Box 369
Chester, NS B0J 1J0

Phone: (902) 275-3554
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[/ChesterMunicipality](#)
[@chestermun](#)

April 7, 2022

Honourable Tim Houston
One Government Place – 7th floor
1713 Barrington Street
Halifax, Nova Scotia B3J ZA4

Via Fax: 902-424-0667

Dear Premier Houston:

The Council of the Municipality of the District of Chester discussed the proposed non-resident Provincial property tax; and the proposed non-resident Provincial deed transfer tax announced as part of the Province's 22/23 budget. Council understands that the initiative's stated intent is to make housing more attainable and available. However, no information and data has been made publicly available that clearly defines the problem; or demonstrates how the initiative will solve it.

These proposed initiatives should be abandoned so that alternative and refined measures can be developed with insight provided by municipalities; relevant business sectors and associated business associations such as Real Estate and Tourism; and the community.

There are many other reasons why Council opposes the initiative:

1. The annual \$2.00 per \$100 rate is exorbitant. The Municipality has over 1,200 property tax accounts where tax bills are mailed out of province. The assessed value of the properties matched to these accounts could result in an increase up to \$5 million in property tax in our municipality – by far the single largest property tax increase ever levied for our communities.
2. The Province is encroaching into the municipal tax base with this form of direct provincial property taxation. Property tax room will be lost to municipalities that already rely heavily on property taxation and do not have authority to levy income or other more progressive taxes.
3. If the initiative is intended to address housing supply, then the funding raised should be directed to the creation of housing supply and should remain in the

NOVA SCOTIA'S TREASURE

municipality where it is collected to be invested in projects that will see an increase in attainable and affordable housing.

4. The Council does not anticipate that the properties impacted in our municipality are aligned with the stated attainable housing goals. In other words, most properties sold as a result of the new \$2.00 per \$100 tax rate are not likely to be properties relevant to the stated goal.
5. Seasonal property ownership by non-residents has been a long-standing activity in our communities including generational ownership of property. These community members contribute to social, recreational, cultural, and other activity which creates significant positive economic impacts in our Municipality and throughout rural Nova Scotia. Many of these community members contribute their time and money to community organizations and facilities. Council is particularly concerned that this has not been considered and may be lost. Council is also concerned that new construction activity being planned by non-residents will be cancelled.

The Council does support the goal of increasing the amount of attainable housing in our Municipality, and in the Province. Your government's increased focus on this core function is positive. Council is taking its own steps to support this goal in areas that are core to municipal responsibilities.

We intend to invest more in core infrastructure that supports new and expanded residential development. We recently doubled the budget for a progressive low-income property tax exemption program for homeowners. We have amended our Municipal Planning Strategy to support a variety of housing options. An enhanced regulatory framework to manage/dampen the rapid growth of the sharing economy (Air BnB) in our region is also being explored. Council has also approved \$100,000 in funding to a not-for-profit affordable housing initiative in New Ross and has agreed to waive development fees for this proposed project.

Council is supportive of solutions that solve problems. However, the current proposal has too many unanswered questions and will likely create negative consequences disproportionate to the positive consequences.

Please take the time necessary to develop solutions that will achieve government's goal of providing attainable and affordable housing for Nova Scotia residents.



Yours truly,



Allen Webber
Warden, Municipality of the District of Chester

Copy: Minister of Finance, Allan MacMaster
Minister of Municipal Affairs & Housing, John Lohr
MLA Chester-St. Margaret's, Danielle Barkhouse
President, Nova Scotia Federation of Municipalities, Amanda McDougall



[REDACTED]
Kanata, ON [REDACTED]

-

[REDACTED]
Blandford, NS [REDACTED]

The Honourable Tim Houston
Premier
Province of Nova Scotia
VIA EMAIL:
pictoueastamanda@gmail.com
PREMIER@novascotia.ca

The Honourable Allan MacMaster
Minister of Finance
Province of Nova Scotia

VIA EMAIL:
mlamacmaster@bellaliant.com
FinanceMinister@novascotia.ca

April 19, 2022

Financial Measures Act 2022
Impact on Non-Resident Property Owners

I write to you today as a fellow Canadian citizen with deep roots in Nova Scotia and a practical, personal and forward-looking interest in the province's affairs. Naturally I am very concerned to see proposals in the recent budget that would impose harsh measures on me and my family as property owners. I recognize the affordable housing crisis that leaders in all jurisdictions in Canada face and support reasonable policy to improve the situation.

The imposition of a two percent levy on assessed value of property owned by people not permanently resident in Nova Scotia will have a devastating impact on our family. Other than extracting a punishing amount of tax revenue from us it will in no way add to the province's housing supply. In fact, it may have the effect of extinguishing a bright spot in the provincial economy with Nova Scotian builders and contractors losing out.

I will declare my personal interest. The proposed measures will triple my property taxes to a level we cannot afford. My current tax rate is approximately \$0.95/ \$100 assessed for an annual tax bill of about \$2100. The new tax would take that to \$2.95/\$100 for an annual bill of about \$6000. If we had that kind of money available, we would invest it in property improvements using local suppliers and contractors as we have over the years we have owned this property. Now, we will not have that money to invest locally. We would have to sell the property, but based on the sales history in the area, that could take a

considerable time. We listed for sale a lot that was surplus to our needs in 2010. The little interest expressed was almost entirely from out-of-province buyers. It sold in 2020 after 10 years on the market. The new tax measures effectively remove non-residents, even Canadians, from the market thus reducing the likelihood of a sale and certainly reducing value to us in a forced sale. Even if we listed it for sale, the legislation as proposed would require us to pay the extra tax indefinitely if it does not sell based on current assessment. And if it does sell in a depressed market we have the real possibility of selling below the assessed value. Some critics have described this as confiscatory. It certainly feels like a trap.

If I were a new buyer coming along in 2022 I would see this new tax and just walk away. I would have a choice. But as a current owner my choices are severely limited. I can't just walk away.

As non-residents, we already carry a disproportionate tax burden compared to our resident neighbours due to the capped assessment system. I don't like paying higher taxes than my neighbours, but I understand the problem older residents faced with rising assessments and tax bills. So that policy had a clear objective, and while unfair in a way, it eased the problem and I have never complained about it.

I was born and grew up in Kentville in that part of the Annapolis Valley where the Bishop family settled in 1760. My work in broadcasting and journalism would take me to Halifax then eventually to New Brunswick and Ontario. I have owned property in the province continuously even while living elsewhere. Today, my wife and I along with our 17-year-old son own a small cabin, or "camp" as we'd say in Lunenburg County near Blandford. I had taken shelter in the cove late one stormy night in 1978 and returned by sea a number of times over the years. Eventually a property came up for sale and in 2004 we purchased it. I have a strong bond with that little cove. We make as much use of it as we can every year.

Originally the land was inaccessible by vehicle, so we built a 700-meter road at considerable expense. This construction opened up road access for ten other locally owned properties that until then had been landlocked. We also paid to run NS Power lines. We made an expensive, tangible contribution that made additional residential development feasible for those owners.

By forcing us to give up our little getaway, no more housing will be made available. The cabin is not habitable in winter, we have no well and limited septic facilities (holding tank only) The road is not cleared in winter. It is an hour away from Halifax in summer driving conditions. It would be an impractical housing rental and even an Airbnb rental would be problematic due to the water/waste disposal setup. It could charitably be described as "rustic" and is in need of a number of upgrades. We had actually consulted with an architect and a contractor last month to explore possibilities. That investment is now on hold.

In addition, I am looking at several thousands dollars in forestry work this year made necessary by extensive blowdowns during last winter's windstorms.

I am proud of Nova Scotia and my roots. I felt privileged as a young man to have crewed on Bluenose II for two years in the early seventies. It was an honour to represent the province and our marine heritage as we sailed throughout the Maritimes and the US East Coast. My son is looking forward to joining the crew as soon as he's old enough. He's learned to sail, to fish and about marine biology along our shore and in St Margaret's Bay. I am 70 years old now, so my time is running short but I hope we can find a way for him to hold onto his Nova Scotia connection.

I approach this from a strictly non-partisan position. I have shared this letter with the Law Amendments Committee as background to my presentation April 19th. Beyond the practical and financial considerations there is another aspect I find troubling. I certainly do not expect any sympathy from current Nova Scotia residents who have their own challenges. I live in Ontario but I am not a citizen of Ontario any more than you are a citizen of Nova Scotia. We are all CANADIAN citizens with the same rights and freedoms shared across the land. Canada has a remarkable spirit of cooperation across provincial boundaries with money moving around to offset fiscal imbalances and workers seeking opportunities wherever they can be found.

Unfortunately, there are those who see benefit in stoking division whether it's over Covid measures, cultural differences or political ideology. I'm seeing divisive danger signs in the debate rising out of these non-resident taxing proposals. "Too bad for the CFAs!" seems to be a theme in some of the commentary.

Nova Scotia spends millions promoting itself as "Canada's Ocean Playground" as well it should. But unlike cruise ship passengers here for a few hours, hotel guests or AirBnB renters, we as owners have made a commitment based on our spiritual connections with this lovely province and we back it up every year with real after-tax dollars earned in Ontario and spent in Nova Scotia. Why punish that? The province has an initiative to grow population to 2-million and in your mandate letter to the Minister of Labour, Skills and Immigration you identify several categories of prospective new residents. Nova Scotians who've moved away, students and former students, people who've come as tourists, those who love nature and the ocean. They perfectly capture our family and reflect our dreams. Yet the mandate letter to the Minister of Finance commands him to hit us with a punishing new tax that seems intended to drive us away. That hurts.

My key suggestions:

- Given the investment contributions made by non-resident recreational property owners, and in harmony with the new measures announced in the recent federal budget, make them exempt from this legislation or least grandfather existing owners. Alternatively, the crushing rates of tax proposed should be substantially reduced.
- Launch a full examination of the housing crisis, including a comprehensive housing inventory.
- Identify the impact of speculators, leveraged investors, flippers, launderers etc.
- Work with municipal governments on densification and other strategies to clear roadblocks to new housing construction.
- Enhance transit in key areas within commutable distance of employment centres
- Develop a comprehensive, multi-government Nova Scotia Housing Strategy with clear objectives, measurable deliverables, timeline and a budget, including tax measures.

In summary, I suggest a strategic step back now from this controversial measure. Solid research and consultation identifying what needs to be done, and how to do, it can form a rock solid strategy and the results we all want to see.

I realize you owe me no duty of representation, nor do I have any voting rights in Nova Scotia, but you do have a responsibility to make wise decisions that are lawful and fair to all those affected. To that end, today made a submission to the Law Amendments Committee studying this legislation to convey an understanding of the impact on us; the economic impact; what we see as the harmful, divisive effects in general and to propose alternatives. I would also be available to speak with you or your staff in a less formal setting.

Thank you for your consideration. I would appreciate acknowledgement of your receipt of this letter.

Sincerely,



Robert Bishop

[Redacted]

[Redacted]

Blandford NS [Redacted]

[Redacted]

Kanata, ON [Redacted]

Nova Scotia Law Amendments Committee
Speaking Notes for Presentation by Robert Bishop Via Zoom
Kanata, ON / Blandford, NS
April 19, 2022

I will be as brief as possible touching on the points most important to me and invite you to follow up in the question period. I have concerns *and* suggestions. I completely recognize the very real housing crisis in Nova Scotia.

I was born and brought up in the Annapolis Valley where the Bishop family planted roots in 1760. Over a span of 50 + years my work took me from Kentville to Halifax, to New Brunswick and then Ontario. Throughout, I have maintained strong ties to the province and have continuously owned property. Currently my wife and I own a 390 square foot cabin near Blandford. We value our family ties and friendships in the province and spend as much time as possible at our favourite little spot. We are not Non-Residents. We are Part Time residents.

Today we have a government taking action against citizens in a legislature where those citizens are not directly represented. Legislators, particularly in the Official Opposition, must step up to ensure this legislation is subject to rigorous scrutiny even though those harmed by it are not able to cast a vote in provincial elections.

The principles of natural justice demand that legislators hear the views of those affected and consider them without bias. I appreciate the opportunity to be heard today.

We are all citizens of Canada, free to move and work throughout the land. I do not question a province's right to impose taxes as long as that imposition is fair and reasonable and not a capricious or arbitrary act. The non-resident taxes were part of the PC party's platform I acknowledge, but that does not alter the fact the measures in Bill 149 are clearly arbitrary as dictated to the Finance Minister in the premier's mandate letter of September 14th. To my knowledge there was no publicly disclosed research supporting the measures or detailing the extent of the problem needing to be solved. And certainly nothing on the desired objectives or other consequences. In an interview following the budget, the Minister spoke words to the effect of "We had to do something". The clear implication was he did not know what that "something" ought to be. We would have to wait and see how it turned out, to paraphrase him.

Like you, I celebrated Nova Scotia reaching the milestone of one-million population a few months ago. Now the objective is two million. And indeed, why not?

Let's look at the dynamics of getting some of these people to Nova Scotia: Jill Balsor, in her mandate letter from the premier was directed thus: As Minister of Labour, Skills and Immigration you will:

- *Focus on attracting key groups and attracting them to rural areas of our province:*

Here's the premier's list:

- *People who grew up in Nova Scotia and would now consider moving home.* That's me.
- *Current and former students who attend or attended university or college here and fell in love with the province.* This is my 17 year old son who is about to decide where to attend university.

o *Individuals who love the outdoors and have always dreamed of living a more laid back lifestyle, close to the ocean.* Check. That's us.

o *People who have visited Nova Scotia as tourists.* Unlike the folks who fly-in for a week at an Air BnB or drop in for a day on a cruise ship, we are in the province for extended periods year after year.

The people one minister is being tasked with attracting, are among those targeted by the Finance Minister's punitive measures in Bill 149.

Using and maintaining our Nova Scotia property is by far our family's largest discretionary expenditure. Dollars earned in Ontario. All spent now in Nova Scotia.

Our property taxes will triple. How would any of you deal with that kind of a financial bomb with the price of everything going up? It's not like I'm thinking about buying a Nova Scotia property and my enthusiasm will bid up prices. A buyer faced with this big tax penalty would just walk away, not make the purchase. But I bought this property 18 years ago. Now I'm faced with an unaffordable penalty I can only avoid by selling. And who's going to buy it? Non-residents will vanish from the market. It could take a long time to sell, all the while I must pay a tax I cannot afford. If I pay the tax, I can't afford to use the property. It is a virtual trap, a confiscation even, as some have said.

Nova Scotia is the foundation of our family heritage. As a father and husband, a proud Nova Scotian, I had dreamed of making it our future too. I am not ready for the heartbreak that looms.

I do have suggestions and I invite you to ask me about those in the follow-up period.

Robert Bishop

Kanata, ON / Blandford, NS

April 19, 2022

Note:

These are follow up notes but were not presented as time ran out at today's hearing.

I had hoped to make the following suggestions and ask that they be on the record.

Nova scotia needs to get something done on housing. I totally support that.

As a starting point the scope and nature of the problem needs to be clearly defined. There are a lot of anecdotes.

Fact-based answers are badly needed to these key questions.

- A comprehensive housing inventory: What and where are the needs?
- Who are the non-resident owners? How do they use their properties?
- What's tied up by speculators, flippers, launderers?
- What role does recreational property play in affordable housing inventory and pricing?
- How will tax measures affect the market for recreational properties and their contributions to the local economy and the municipal tax base?
- How much recreational property would be suitable to conversion to conventional residential?
- What regulatory roadblocks could be lifted to encourage development of new residential housing?
- How do the answers to these questions differ across the province?

Harmonize with Federal Government:

What opportunities are there to harmonize provincial efforts and policies with the federal government and municipalities? Ottawa's recent budget had a detailed housing package including, if I may add, in its non-resident restrictions, an exemption for recreational properties, Canadians and existing owners. Maybe Nova Scotia does not need an additional restriction on non-residents. Ottawa has it covered.

Work with Municipal Governments:

Many municipalities have their own programs and I refer you to the detailed letter Allan Webber, Warden of Chester Municipality, has written to the premier and finance minister expressing his concerns including impact on the municipal tax base. It is included with this submission.

Make a Plan:

When this information has been gathered, it will be the time for development of a plan with a clear objective, measurable deliverables, a timeline and a budget for getting it done. It need not take a long time but the principles of natural justice and responsible governance demand these steps to ensure fairness to citizens affected and that the resulting law has the proper effect.

Or Face Risks

To go ahead as proposed and without an objectively created plan will expose non-residents/part-time residents to a punishing tax in a virtual Catch-22 trap while not providing an optimal solution to the housing problems faced by the province. It will damage the province's excellent reputation and appeal;

foment division and anti-outsider/CFA sentiments; collapse property valuations for all local and non-resident owners while diminishing the municipal assessment valuations/tax base; raise questions among potential investors about government competence and reliability; and run the risk of legal challenge.

It's time to hit <pause>.