

LAW AMENDMENTS – BILL 225

DATE: October 31, 2022

SPEAKER: Pam Lovelace, Deputy Mayor, Councillor District 13 Halifax Regional Municipality

Kwe, Hello, Bonjour, my name is Pam Lovelace, Councillor and Deputy Mayor, Halifax. You can call me Pam.

The Halifax Regional Municipality is located in Mi'kma'ki, the ancestral and traditional lands of the Mi'kmaq. The municipality acknowledges the Peace & Friendship Treaties signed in this Territory and recognizes that we are all Treaty People.

In the midst of a global pandemic, on October 17, 2020, I was duly elected by voters residing in District 13, Hammonds Plains – St. Margarets, to be their Councilor in Halifax Regional Municipality. The following year, on November 23, 2021, I was selected by my peers on Halifax Council to be the 4th female Deputy Mayor in Halifax. I acknowledge that I am privileged to be here speaking before Law Amendments in the Nova Scotia Legislature. I am grateful to the women 100 years ago who fought hard, and some who gave their lives, to permit me, a first-generation woman with German and Canadian citizenship, the opportunity to participate in politics and present today in the People's House. I acknowledge October 18th as Person's Day in Canada, when Canada's highest court of appeal

made the historic decision in 1929 to include women in the legal definition of “persons” paving the way for women to participate in politics.

Over the course of my presentation, I will offer you insight into how local government in Nova Scotia’s Capital Region has progressed over the past 273 years, and why provincial representatives must honour **Section 382 of the Halifax Charter**: “Requirement to consult with Municipality”. In case you are unaware of this provincial legislation, the Halifax Charter, I will remind you that Section 382 reads:

“ 382 (1) The Minister shall consult with the Municipality respecting any proposed amendment to this Act. “

In addition to **Section 382 of the Halifax Charter**, I will also touch on Section 91 and Section 92, Part 8, of the Canadian Constitution.

Section 91 of the Constitution states: “It shall be lawful for the Queen, by and with the Advice and Consent of the Senate and House of Commons, to make Laws for the **Peace, Order, and good Government of Canada**, in relation to all Matters not coming within the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces”

Section 92 of the Canadian Constitution reads:

“ 92 In each Province the Legislature may exclusively make Laws in relation to Matters coming within the Classes of Subjects next hereinafter enumerated; that is to say,

8. Municipal Institutions in the Province. ”

As some of you may now know, municipal governments are creatures of the Provincial Legislature, and I, respectfully acknowledge as a Councilor that I have sworn an Oath to the Monarch of Canada to “**truly, faithfully, and impartially execute the duties of the office** to which I have been elected to the best of my knowledge and ability.” I do not hold bias and will provide provincial legislators with the facts and knowledge that I hold surrounding the Halifax Charter and Canadian Constitution and the intent of those two pieces of legislation remain: **Peace, Order, and Good Government.**

As a public servant, I am here to deliver sector knowledge and advice to provincial legislators on why Bill 225 must be halted immediately to provide the Province of Nova Scotia time to properly and respectfully consult with Halifax Regional Municipality in accordance with the Halifax Charter Section 382. I will remind you that Bill 225 was not recommended by the Joint Housing Panel, which in good faith, Halifax participated in, nor was Bill 225 contemplated or suggested by the Deloitte Housing Development Barrier Review Report.

In fact, we do not know the origins of Bill 225, do we?

As some of you know, Halifax, also known as Kjipuktuk in Mi’kmaq, was established in 1749 by a single Governor, as a fortified town for the British and means to counter the French military presence in Acadie and Louisbourg. While

much time has passed from those days of autocratic rule and absolute power, unfortunately, Nova Scotia continues to stumble backwards to an authoritarian governance model in search of absolute power.

Bill 225 is an example of that provincial, harsh and punitive approach to governing despite the implied democratic intent of the Section 382 of the Halifax Charter. Haligonians witnessed similar hostile governance in 1994 through forced amalgamation of the City of Halifax, City of Dartmouth, Town of Bedford, and County of Halifax. Duly elected municipal leaders were removed from office and a single City Manager was hired by the Province to oversee local government until the first municipal council was elected in December of 1995 to represent the newly formed Capital Region, Halifax Regional Municipality.

By provincial design, this municipality has the land mass of Prince Edward Island, includes half the population of the Province of Nova Scotia, and is the economic engine of the Maritime Provinces. Should I expect mockery from Legislators in this moment as was witnessed in the House on October 25th as I espouse the greatness of our Capital Region? I suspect the origins of mockery from MLAs was in part due to provincial Legislators having little knowledge as to the extent that the provincial government models and implements the work of Halifax Council from pedestrian safety to active transportation, to housing homeless, mitigating climate change, and the separation of lobbyist interests from decision making.

In 2018, Halifax Council skirted the Province's Municipal Election Act and enacted By-law C-1100, the Campaign Financing By-law removing developers, unions and wealthy interference in municipal campaign financing. The result of those Bylaw changes – **gender parity on Council in 2020**. Am I to understand that this Progressive Conservative government wants the power to nullify these types of Bylaw changes that remove powerful interests, decreases transparency, accountability, and democracy?

As municipal institutions in Nova Scotia move towards the negotiation of the Provincial Municipal Service Exchange Agreement, initially developed in 1994 prior to the establishment of Halifax Regional Municipality, I am increasingly concerned about this provincial government negotiating in a collaborative manner and in good faith.

I will remind you again, that the intent of Section 91 and 92 of the Canadian Constitution Act remains: **Peace, Order, and Good Government**. Stepping on a Municipal Institution is not how you keep peace, order, or provide citizens with good government. Indeed, the intended consequences of these reckless actions in Bill 225 will by their inherent nature cause disorder, disruption, distrust and dissent.

Nova Scotia's political legacy in building Canada continues to be Joseph Howe's fight for responsible government. Canada's first elective assembly was

right here in Halifax in 1758. As Joe Howe laboured to remove personal gain and interests from political decision making and ensure Halifax was represented in a fair and honourable manner, his achievements must not be forgotten.

Joseph Howe stated: “My public life is before you; and I know you will believe me when I say, that when I sit down in solitude to the labours of my profession, the only questions I ask myself are, What is right? What is just? What is for the public good?”

Peace, Order, and Good Government. That must be our collective pursuit as elected representatives in Nova Scotia.

Honourable members of the Nova Scotia Legislature, as your municipal representative in Halifax Regional Municipality, I am advising you to honour Section 382 of the Halifax Charter Act and Consult with the municipality on any changes to this legislation. Please defer Bill 225 and engage in meaningful consultation.

Thank you, Merci, Wela’liog.