

# HALIFAX

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

**Item No. 15.1.5**  
**Halifax Regional Council**  
**September 13, 2022**

**TO:** Mayor Savage and Members of Halifax Regional Council

Original Signed by 

**SUBMITTED BY:**

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Jacques Dubé, Chief Administrative Officer

**DATE:** September 1, 2022

**SUBJECT:** Nova Scotia Federation of Municipalities Survey on Service Exchange

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## **ORIGIN**

Request from Nova Scotia Federation of Municipalities for Halifax Regional Council input.

## **LEGISLATIVE AUTHORITY**

### ***Halifax Regional Municipality Charter***

#### **Purposes of Municipality**

- 7A The purposes of the Municipality are to
- (a) provide good government;
  - (b) provide services, facilities and other things that, in the opinion of the Council, are necessary or desirable for all or part of the Municipality; and
  - (c) develop and maintain safe and viable communities.

#### **Powers of Council**

11 (1) The powers of the Municipality are exercised by the Council.

## **RECOMMENDATION**

It is recommended that Halifax Regional Council:

1. Approve the Council Survey Report (Attachment 2) as Halifax Regional Council's official response to the Nova Scotia Federation of Municipalities (NSFM) *Membership Survey to Support the Service Exchange Renegotiation and MGA Review Committee* and direct the CAO to forward the report to NSFM.

**BACKGROUND**

The Halifax Regional Municipality is member of the Nova Scotia Federation of Municipalities (NSFM). The NSFM has formed a committee to support municipalities in upcoming renegotiations of the Service Exchange Agreement and review of the Municipal Government Act (MGA) and Halifax Regional Municipality Charter (HRM Charter). On May 16, 2022, NSFM sent out a survey request and link to HRM (Mayor and CAO). NSFM requested one consolidated response: “The goal is to receive one response per municipal unit. Municipal councils, as opposed to individual elected officials and staff, are the target respondents of this survey. This will help to ensure that responses indicate the official position of your municipal council.” The survey includes 20 questions, organized into four sections focusing on: service exchange, the MGA/HRM Charter, municipal revenue and special considerations/final comments. A PDF copy of the NSFM survey is included as Attachment 1.

**DISCUSSION**

To gather the thoughts and opinions of Halifax Regional Council, HRM staff created an electronic survey of the NSFM questions. The survey was developed and open for responses from July 15 to August 2. Eleven Members of Council responded. To supplement the Regional Council survey, four of the NSFM questions were sent to HRM Business Unit managers to add information on the operations-level impacts of federal and provincial legislation/regulation and the usefulness of existing provincial grant programs.

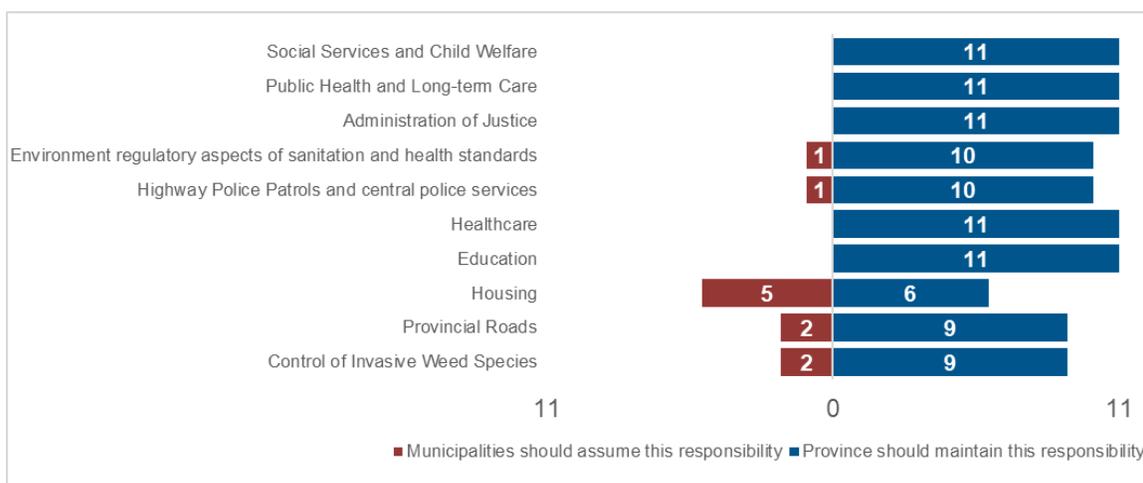
The results of the Council survey are found in the Council Survey Report (Attachment 2). A compilation of staff feedback can be found in the Staff Survey Input (Attachment 3). Regional Council may wish to consider some of the issues raised in finalizing its survey response to NSFM.

Highlights of Council survey responses are provided below.

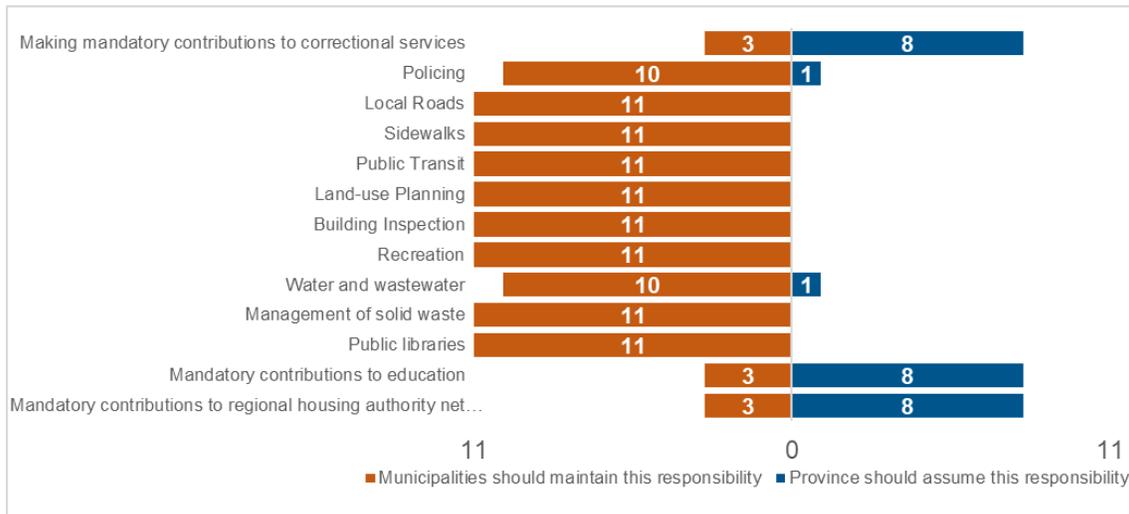
**Questions related to the Service Exchange Agreement Negotiation**

In 1994, the Provincial-Municipal Service Exchange Agreement reallocated responsibilities and restructured the fiscal framework. The objectives of the Service Exchange Agreement were: 1) to create strong, financially viable local governments, 2) to develop a clearer, fairer, provincial-municipal partnership, and 3) to rationalize service provision.

**Q2. Considering Provincial responsibilities, please indicate whether you think the Province should maintain or the Municipality should assume these responsibilities.**

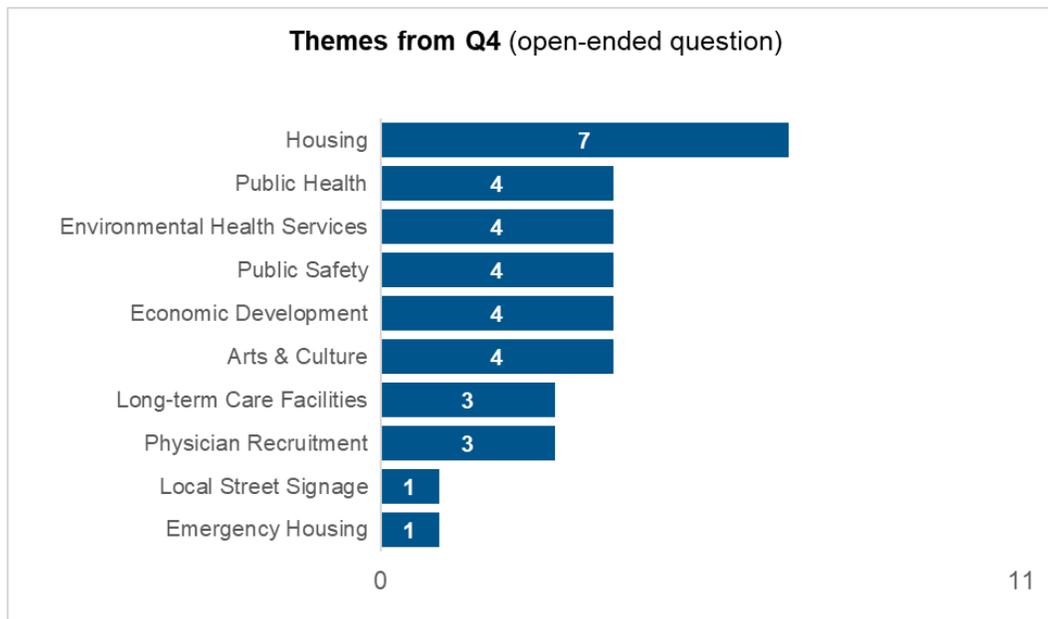


**Q3. Considering Municipal responsibilities, please indicate whether you think the Municipality should maintain or the Province should assume these responsibilities.**



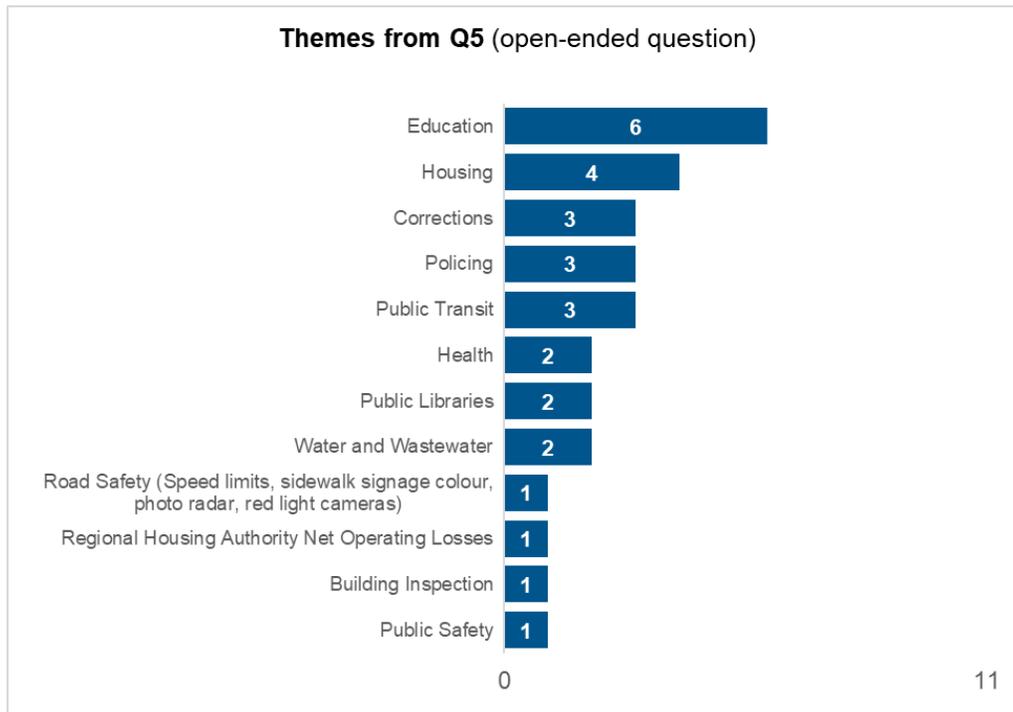
**Q4. Municipalities often respond to challenges and opportunities in their jurisdictions at their own discretion. Many municipalities continue to make significant expenditures in the areas of Public Health, Environmental Health Services, Long-Term Care Facilities, Housing, Public Safety, Physician Recruitment, Economic Development, and Arts and Culture.**

**What discretionary expenditures should be better supported by the Province?**

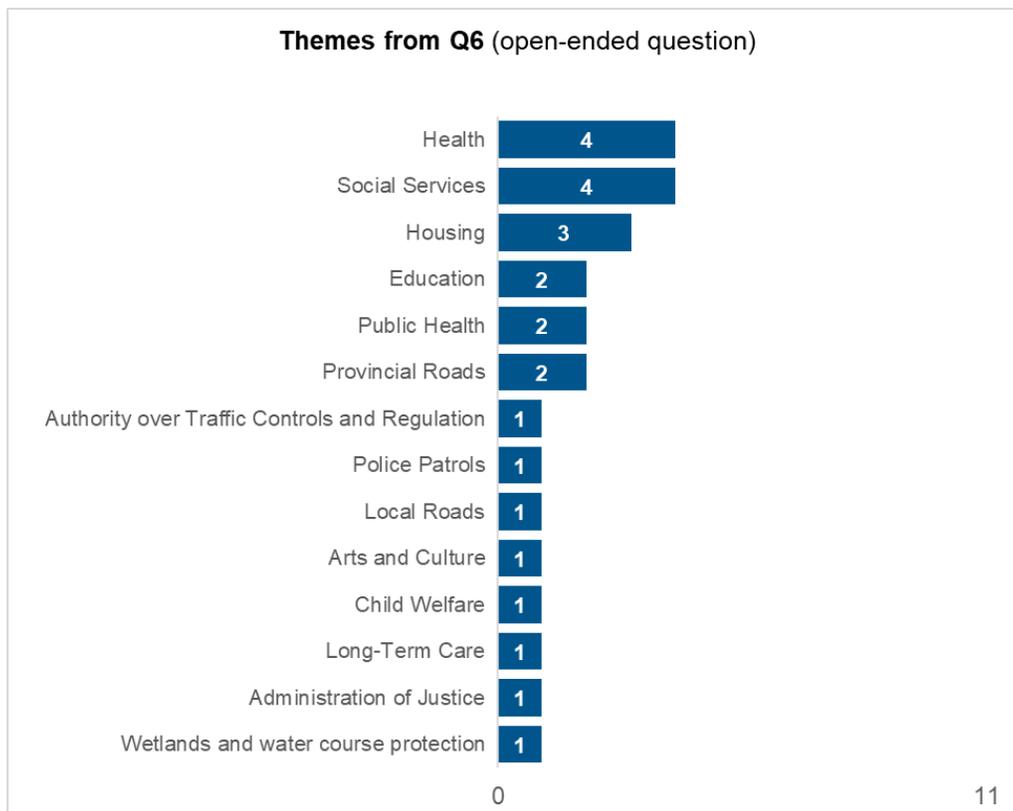


For Questions 5 and 6, the expenditure or service responsibilities could include, but are not limited to, the services mentioned in Questions 2, 3, and 4.

**Q5. What are the top three municipal expenditure responsibilities that should be reviewed and why?**



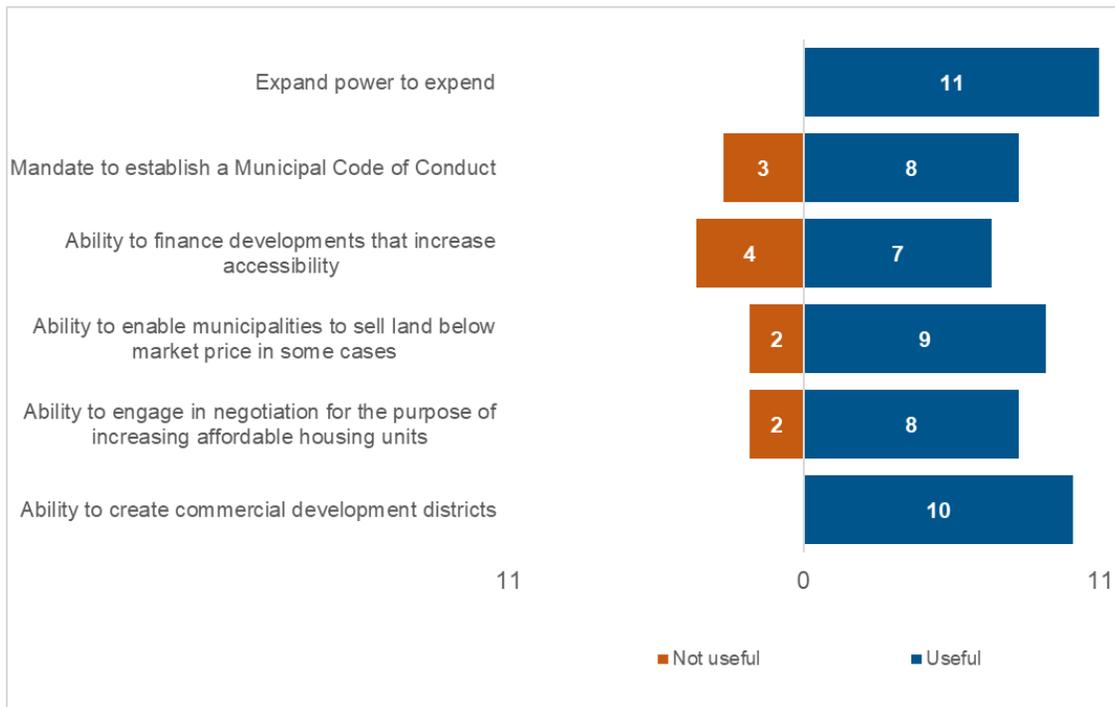
**Q6. What new service responsibilities would you find unacceptable?**



**Questions related to the Municipal Government Act Review**

Since the last MGA Review in 2015, several changes have been made to the MGA. These changes have granted municipal authority to take actions that were previously prohibited. These changes allow municipalities to invest and make decisions in new aspects of the communities that they govern.

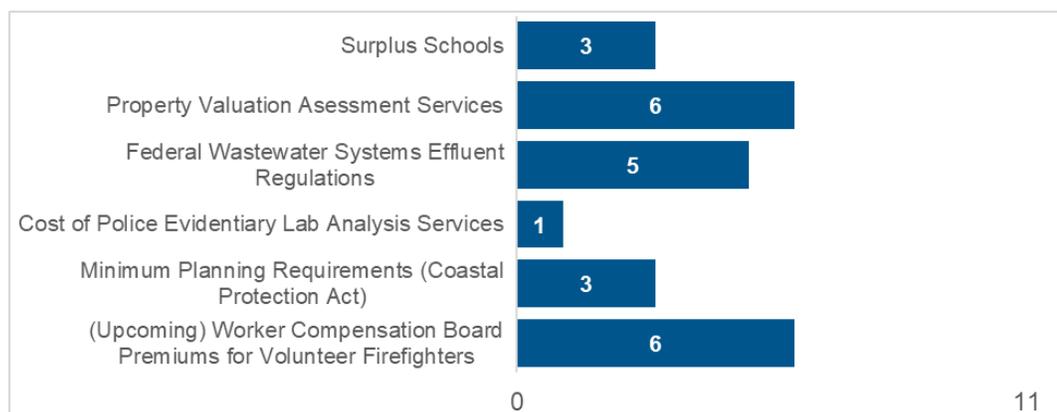
**Q7. The following question provides a list of recent changes to the MGA and HRM Charter that have implications for the abilities and responsibilities of municipalities. Please indicate whether the following discretionary abilities are useful or not useful for your municipality.**



*Note: Only 10 councillors responded to the final two items in this question.*

**Q10. A number of other federal and provincial statutes and regulations have implications for municipal budgets as non-discretionary expenses.**

**Please indicate which regulations or responsibilities cause considerable pressure on your budget and capacity to accomplish core goals. Select all that apply.**



Responses to all the survey questions, plus comments and rational on the response are included in the full Council Survey Report (Attachment 2).

### **FINANCIAL IMPLICATIONS**

There are no financial implications resulting from this report.

### **RISK CONSIDERATION**

No risk considerations were identified.

### **COMMUNITY ENGAGEMENT**

No community engagement was required.

### **ENVIRONMENTAL IMPLICATIONS**

No environmental implications were identified.

### **SOCIAL VALUE**

No social value was identified.

### **ALTERNATIVES**

Regional Council could choose to:

1. Request HRM staff to amend the Council Survey Report, as specified by Council, and direct the CAO to forward the amended report to NSFM as Halifax Regional Council's official response to the Nova Scotia Federation of Municipalities (NSFM) survey.

### **ATTACHMENTS**

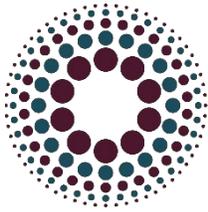
Attachment 1: NSFM Survey Request  
Attachment 2: Council Survey Report  
Attachment 3: Staff Survey Feedback

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Andre MacNeil, Senior Financial Consultant, Finance & Asset Management, 902.292.4556

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NOVA SCOTIA  
FEDERATION OF  
MUNICIPALITIES

## Membership Survey to Support the Service Exchange Renegotiation and MGA Review Committee

### Purpose of this survey:

As Nova Scotia municipalities head into the renegotiation of the Service Exchange Agreement, it is important to take stock of their needs and aspirations to better serve their constituents. The Province is also reviewing the Municipal Government Act (MGA) and Halifax Regional Municipality Charter (HRMC) and it is important for NSFM to collectively envision an MGA/HRMC that helps municipalities confront modern challenges. This survey will help to develop an in-depth understanding of the problems and opportunities that should be addressed in these two importance processes.

This survey includes 20 questions and is organized into four sections. The first section focuses on service exchange, the second section focuses on the MGA/HRMC, the third section focuses on municipal revenue. The survey ends with questions about special considerations that your municipal unit requires and final comments.

Please note, this information is collected for internal use only. Survey responses will only be reported in aggregate form. Information that identifies specific municipalities will not be released.

If you have any questions, please contact [info@nsfm.ca](mailto:info@nsfm.ca).

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**Q1:** What is the name of your municipality?

(Dropdown menu)

### **Questions related to the Service Exchange Agreement Renegotiation**

In 1994, the Provincial-Municipal Service Exchange Agreement reallocated responsibilities and restructured the fiscal framework. The objectives of the Service Exchange Agreement were 1) to create strong, financially viable local governments, 2) to develop a clearer, fairer, provincial-municipal partnership, and 3) to rationalize service provision.

### **Information for Q2 and Q3:**

Under the Service Exchange Agreement, the provincial government took responsibility for:

- Social Services and Child Welfare
- Public Health and Long-term Care

This PDF copy of the survey is for review purposes only.

Responses must be submitted using the online platform:

<https://form.surveypal.net/Service-Exchange-Renegotiation-and-MGA-Review-Survey>

- Administration of Justice
- Environment (regulatory aspects of sanitation and health standards)
- Highway Police Patrols and central police services

The provincial government also continued to hold a range of responsibilities, such as those pertaining to healthcare, education, housing, and provincial roads.

Municipalities took responsibility for:

- Making mandatory contributions to correctional services
- Policing
- Local Roads
- Sidewalks
- Public Transit
- Land-use Planning
- Building Inspection
- Recreation
- Control of Invasive Weed Species

Municipalities continued to be responsible for water and wastewater, management of solid waste, public libraries, and mandatory contributions to education and regional housing authority net operating losses.

Some municipalities also pay a per kilometre service exchange balancing fee (initially \$3500 per/km pegged to CPI) in lieu of accepting the transfer of local roads under the Provincial-Municipal Service Exchange.

**Q2:** Considering the responsibilities listed above, which responsibilities does your council believe municipalities should maintain or assume and why?

(Open Response Box)

**Q3:** Considering the responsibilities listed above, which responsibilities does your council believe the Province should maintain or assume and why?

(Open Response Box)

**Information for Q4:** Municipalities often respond to challenges and opportunities in their jurisdictions at their own discretion.

Many municipalities continue to make significant expenditures in the areas of Public Health, Environmental Health Services, Long-Term Care Facilities, Housing, Public Safety, Physician Recruitment, Economic Development, and Arts and Culture.

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Responses must be submitted using the online platform:

<https://form.surveypal.net/Service-Exchange-Renegotiation-and-MGA-Review-Survey>

**Q4:** What discretionary expenditures by your municipality does your council believe should be better supported by the Province?

(Open Response Box)

**Q5:** To provide a sense of priorities, state the top three municipal expenditure responsibilities that your municipal council believes should be reviewed and why?

(Open Response Box)

**Q6:** What new service responsibilities would your municipality find unacceptable?

(Open Response Box)

### **Questions related to the Municipal Government Act Review**

Since the last MGA Review in 2015, several changes have been made to the MGA. These changes have granted municipal authority to take actions that were previously prohibited. These changes allow municipalities to invest and make decisions in new aspects of the communities that they govern.

**Q7:** The following question provides a list of recent changes to the MGA that have implications for the abilities and responsibilities of municipalities. Using the checklist below, please indicate the discretionary abilities that your council believes are useful for your municipality.

(Checklist Response List)

- Expanded power to expend
- Mandate to establish a Municipal Code of Conduct
- Ability to finance developments that increase accessibility
- Ability to enable municipalities to sell land below market price in some cases
- Ability to engage in negotiation for the purpose of increasing affordable housing units
- Ability to create commercial development districts
- Others? Please add.

**Q8:** What discretionary abilities conferred by the MGA does your municipal council believe are not useful and why?

(Open Response Box)

**Q9:** What additional discretionary abilities does your municipal council believe should be granted by changes to the MGA?

(Open Response Box)

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**Information for Q10:** A number of other federal and provincial statutes and regulations have implications for municipal budgets as non-discretionary expenses.

**Q10:** Using the checklist below, please indicate which regulations or responsibilities your municipal council finds to be causing considerable pressure on your budget and capacity to accomplish core goals?

(Checklist Response List)

- Surplus Schools
- Property Valuation Assessment Services
- Federal Wastewater Systems Effluent Regulations
- Cost of Police Evidentiary Lab Analysis Services
- Minimum Planning Requirements (Coastal Protection Act)
- (Upcoming) Worker Compensation Board Premiums for Volunteer Fire Fighters

**Q11:** Are there any other responsibilities brought about by statutes or regulations not mentioned above that add significant pressure on your budget?

(Open Response Box)

**Q12:** If your county or district municipality elects a warden, please indicate whether, in the opinion of your municipal council, the warden system should be replaced by the mayoral system.

(Open Response Box)

**Q13:** Village governance is established in Part XVII of the MGA. In the view of your municipality, should villages be consolidated with districts and counties? Please explain why or why not.

(Open Response Box)

[This survey continues on the next page]

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**Information for Q14:** Municipal mergers can help municipalities cooperate rather than engage in competition with each other. Consolidation is a new approach to municipal mergers that is more collaborative for the municipal partners than dissolution or amalgamation. Below is a chart that describes the difference between consolidation and amalgamation.

	Consolidation	Amalgamation
Examples	Windsor West Hants	Halifax Regional Municipality Cape Breton Regional Municipality
Overview	Municipal Leadership "Bottom Up" Process	Provincial Leadership "Top Down" Process
Legislation	Special Legislation for each merger Joint Councils make the merger decision Councils request special legislation	Municipal Government Act, Part XVII NSUARB Reviews Municipal proposals Cabinet issues merger order
Structure	Joint Transition Committee  Joint Committee recommends Coordinator Joint Committee develops organization Staffed with municipal staff, consultants Joint Committee hires first CAO Boundaries reviewed by NSUARB Joint Committee organizes first election	Independent Coordinator  Cabinet Chooses Coordinator Coordinator develops organization Staffed by experts, consultants Coordinator hires first CAO Boundaries reviewed by NSUARB Coordinator organizes first election

Source: Antigonish Fact Sheet "Consolidation or Amalgamation? What is the Difference?",  
<https://antigonish.ca/>

**Q14:** Under what conditions does your council believe municipal consolidation is advisable? Reasons could include fiscal insolvency, limited access to qualified personnel, infrequency of competitive elections, or an effort to decrease costs.

(Open Response Box)

**Q15:** What incentives could be put in place to make amalgamation a viable option?

(Open Response Box)

**Questions related to municipal revenue**

**Q16:** Municipalities can be supported in fulfilling all responsibilities with new or expanded sources of revenue. What new or expanded revenue sources or tools does your municipal council believe to be most viable?

(Open Response Box)

[This survey continues on the next page]

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**Information for Q17 and Q18:**

Municipalities benefit from a range of grants including grants-in-lieu of taxes, the Municipal Financial Capacity Grant, and the Towns Foundation Grant.

Grants-in-lieu of Taxes include Farmland Grant, Nova Scotia Power Grants-in-lieu of Taxes, and Provincial or Federal grants-in-lieu of Taxes.

Other Grant Programs include a) Emergency Services Provider Fund, b) Municipal Innovation Program, c) Provincial Capital Assistance Program, d) Flood Risk Infrastructure, e) Investment Program, f) Fire Protection Grant, g) Municipal Flood Line Mapping Program, h) Beautification and Streetscaping Program, i) Community Works Program, j) Canadian Community Building Fund (formerly the Gas Tax), k) 911 grant.

**Q17:** What grants has your municipality received for operational expenses and how could these grants be improved?

(Open Response Box)

**Q18:** What grants has your municipality received for capital expenses and how could these grants be improved?

(Open Response Box)

**Special considerations and other comments**

**Q19:** Is there anything about your municipality that your council believes deserves special consideration in terms of expenditure responsibilities, legislation, or financial support?

(Open Response Box)

**Q20:** Is there anything else that your municipal council would like to share?

(Open Response Box)

# Nova Scotia Federation of Municipalities Survey

## Council Survey Report (Compiled August 2, 2022)

### Executive Summary

This survey gathered input from Halifax Regional Council to support HRM's submission to the Nova Scotia Federation of Municipalities' (NSFM) *Membership Survey to Support the Service Exchange Renegotiation and MGA Review Committee*.

As Nova Scotia municipalities head into the renegotiation of the Service Exchange Agreement, it is important to take stock of their needs and aspirations to better serve their constituents. The Province is also reviewing the Municipal Government Act (MGA) and Halifax Regional Municipality Charter (HRMC) and it is important for Nova Scotia Federation of Municipalities (NSFM) to collectively envision an MGA/HRMC that helps municipalities confront modern challenges. Responses from this survey will help to develop an in-depth understanding of the problems and opportunities that should be addressed in these two important processes.

*\*\* Survey responses will be aggregated to create a single response to NSFM from the Halifax Regional Municipality. For example, depending on the question format: "60% of Council believes..." or "7 of 12 (58%) of Councillors believe that...". For open ended questions, common themes will be consolidated, but all comments will also be included in the submitted response. The Rationale section of each of the questions are the actual responses.*

There were **11** responses to the survey. This report provides a summary of responses to each survey question for the Halifax Regional Municipality.

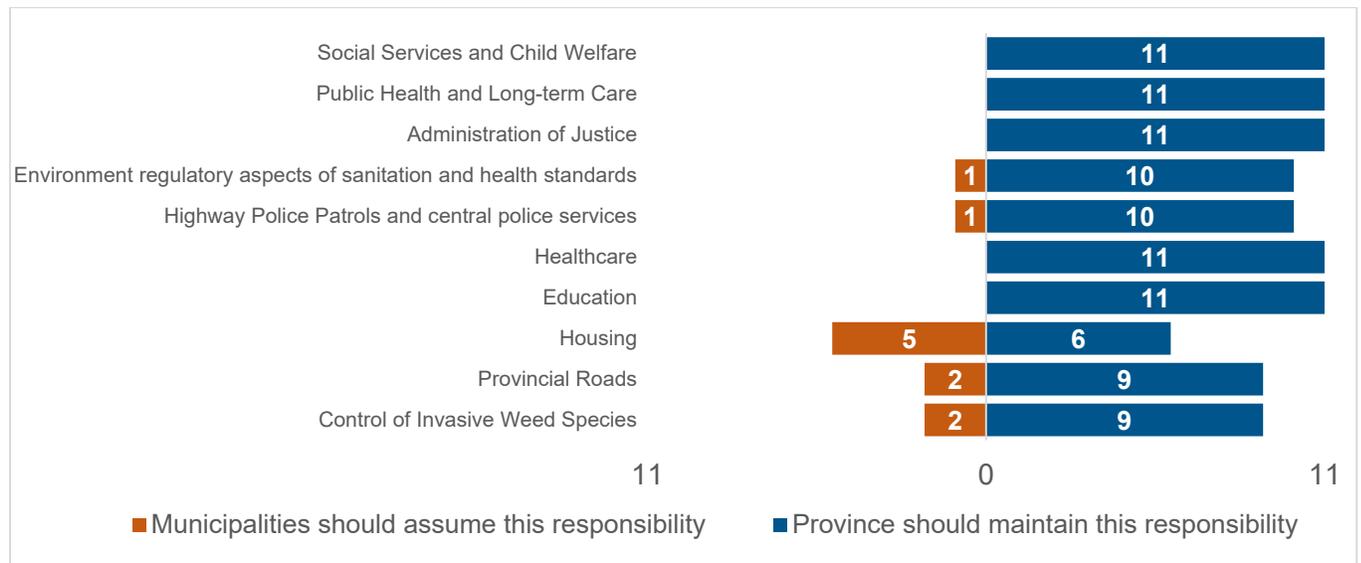
## Survey Results

Survey questions are listed below in **bold**. Responses are collated below each question.

### Questions related to the Service Exchange Agreement Negotiation

In 1994, the Provincial-Municipal Service Exchange Agreement reallocated responsibilities and restructured the fiscal framework. The objectives of the Service Exchange Agreement were 1) to create strong, financially viable local governments, 2) to develop a clearer, fairer, provincial-municipal partnership, and 3) to rationalize service provision.

**Q2. Considering the below Provincial responsibilities, please indicate whether you think the Province should maintain or the Municipality should assume these responsibilities.**



The respondent level of support for the Province maintaining responsibility is as follows:

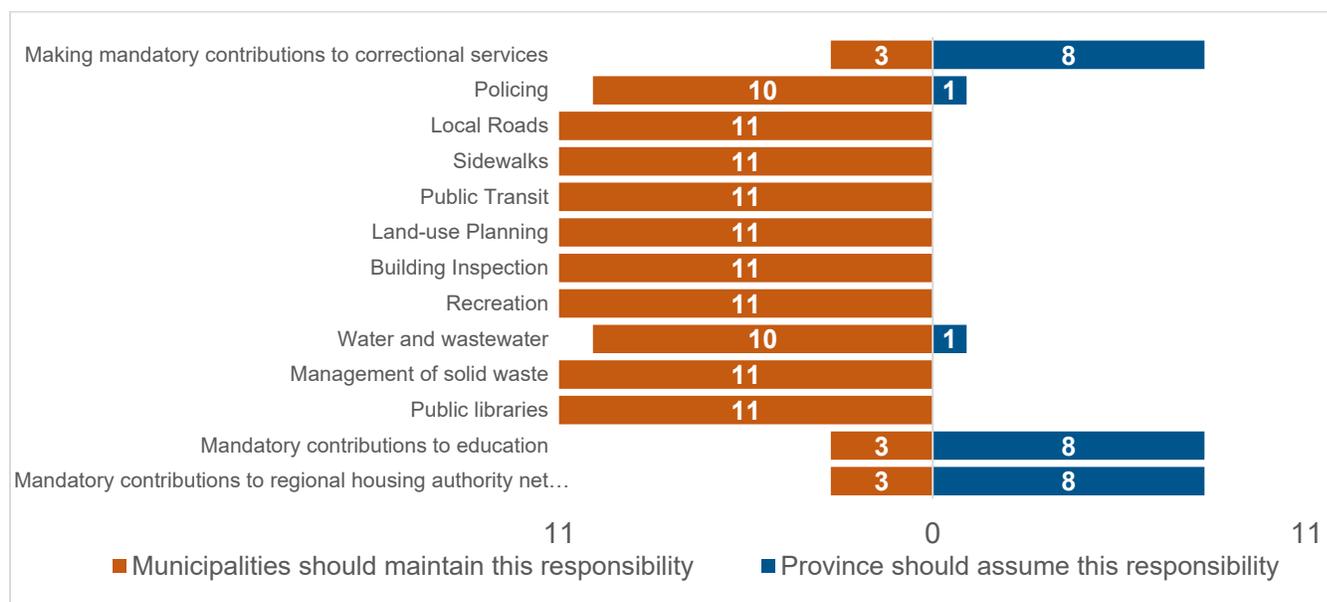
Responsibility	Number of Respondents	Percentage of Respondents Indicating Province Should Maintain Responsibility
Social Services and Child Welfare	11 of 11	100%
Public Health and Long-term Care	11 of 11	100%
Administration of Justice	11 of 11	100%
Environment regulatory aspects of sanitation and health standards	10 of 11	91%
Highway Police Patrols & central police services	10 of 11	91%
Healthcare	11 of 11	100%
Education	11 of 11	100%
Housing	6 of 11	55%
Provincial Roads	9 of 11	82%
Control of Invasive Weed Species	9 of 11	82%

## Q2 – Rationale

**For any answers to the above where you indicated the Municipality should assume responsibilities currently held by the Province, please provide context for why you made these selections.**

- *I believe that Health Care and Child Welfare/Social Services are a lot more involved than municipals can afford, unless subsidized by Province. Health and Education should remain as promises have been already been made. In addition, the province has members that can focus of issues and not all of the issues at the same time as the Municipalities do. Provincial roads have already been transferred to Municipalities with no funding.*
- *Regarding housing, if we had the funding that would have to come with any transfer, I think we would do better as we still build stuff. It would also pair well with our land-use planning functions. Ideally we would site schools as well.*
- *Social housing and emergency housing is not being well managed by the Provincial government. Municipalities, given the appropriate resources, could do a better job.*
- *Housing should be delivered on a municipal or regional level but has to be accompanied by sustained permanent funding or transfer of tax points*
- *If municipalities had the mandate and resources for housing, we could better integrate it with land use and incentives for developers.*
- *All policing, regardless of road type, should be by one force.*
- *We should take care of the plants and animals that are on our property, and so should the province.*

**Q3. Considering the below Municipal responsibilities, please indicate whether you think the Municipality should maintain or the Province should assume these responsibilities.**



The respondent level of support for the Municipality maintaining responsibility is as follows:

Responsibility	Number of Respondents	Percentage of Respondents Indicating Municipality Should Maintain Responsibility
Making mandatory contributions to correctional services	3 of 11	27%
Policing	10 of 11	91%
Local Roads	11 of 11	100%
Sidewalks	11 of 11	100%
Public Transit	11 of 11	100%
Land-use Planning	11 of 11	100%
Building Inspection	11 of 11	100%
Recreation	11 of 11	100%
Water and Wastewater	10 of 11	91%
Management of Solid Waste	11 of 11	100%
Public libraries	11 of 11	100%
Mandatory contributions to education	3 of 11	27%
Mandatory contributions to regional authority net operating losses	3 of 11	27%

### Q3 – Rationale

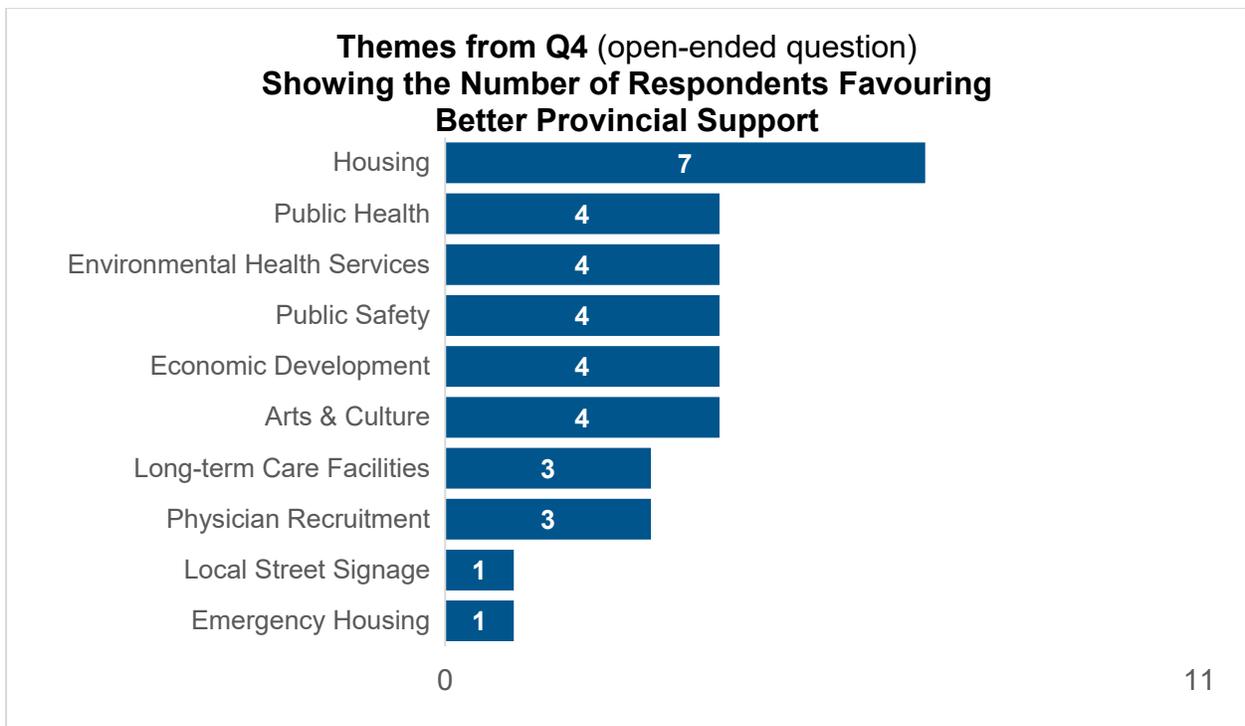
**For any answers to the above where you indicated the Province should assume responsibilities currently held by the Municipality, please provide supporting context for why you made these selections.**

- *These fall within provincial jurisdiction. HRM has no authority over corrections, education or housing. Authority should follow funds; funds should follow authority.*
- *The Province has greater financial resources and more taxation options. On Education, the music programs funded by HRM are very successful and I don't want to see them changed.*
- *It makes no sense for one order of government to collect taxes for services that we have no relation too. It's confusing to citizens and constrains municipal budgets. It's difficult to change though since the Province obviously fears having to explain that municipal taxes are going down, but provincial income taxes are going up. Fear that the public won't follow and that they'll just get the blame for a higher provincial tax rate. Seems unlikely to ever happen.*
- *While i think municipalities should contribute as they can to some Provincial areas of responsibility, it should not be mandatory for Municipalities to support Provincial mandated responsibilities.*
- *Areas of provincially responsibility should come from provincial taxes. This could free up resources for housing, if municipalities were to take that over.*
- *Unless housing becomes municipal/regional the province should pay for its own work. Education should be provincial.*
- *Environment, Education and Housing are already part of the Province's mandate, so these are tag alongs.*
- *Education and Housing are provincial.*
- *Housing should be provincial*

**Q4. Municipalities often respond to challenges and opportunities in their jurisdictions at their own discretion. Many municipalities continue to make significant expenditures in the areas of Public Health, Environmental Health Services, Long-Term Care Facilities, Housing, Public Safety, Physician Recruitment, Economic Development, and Arts and Culture.**

**What discretionary expenditures should be better supported by the Province?**

- *All of the above*
- *All of the ones listed.*
- *Public Health, Environmental Health Services, Long-Term Care Facilities, Housing, Public Safety, Physician Recruitment, Economic Development, and Arts and Culture*
- *Local street signage, funding for Public Health, Environmental Health, Housing and public safety. Not that the others should be considered.*
- *Housing*
- *Housing, Arts & Culture.*
- *housing, economic development.*
- *Emergency housing!*
- *Councils should be allowed latitude to make these decisions.*
- *Expenditures should be made based on lines of authority*



For Questions 5 and 6, the expenditure or service responsibilities could include, but are not limited to, the services mentioned in Questions 2, 3, and 4, which are summarized below for reference.

***Provincial Responsibilities:*** Social Services and Child Welfare, Public Health and Long-term Care, Administration of Justice, Environment (regulatory aspects of sanitation and health standards), Highway Police Patrols and central police services, Healthcare, Education, Housing, Provincial Roads, Control of Invasive Weed Species

***Municipal Responsibilities:*** Making mandatory contributions to correctional services, Policing, Local Roads, Sidewalks, Public Transit, Land-use Planning, Building Inspection, Recreation, Water and Wastewater, Management of solid waste, public libraries, mandatory contributions to education, mandatory contributions to regional housing authority net operating losses

***Discretionary Expenditures:*** Public Health, Environmental Health Services, Long-Term Care Facilities, Housing, Public Safety, Physician Recruitment, Economic Development, Arts and Culture

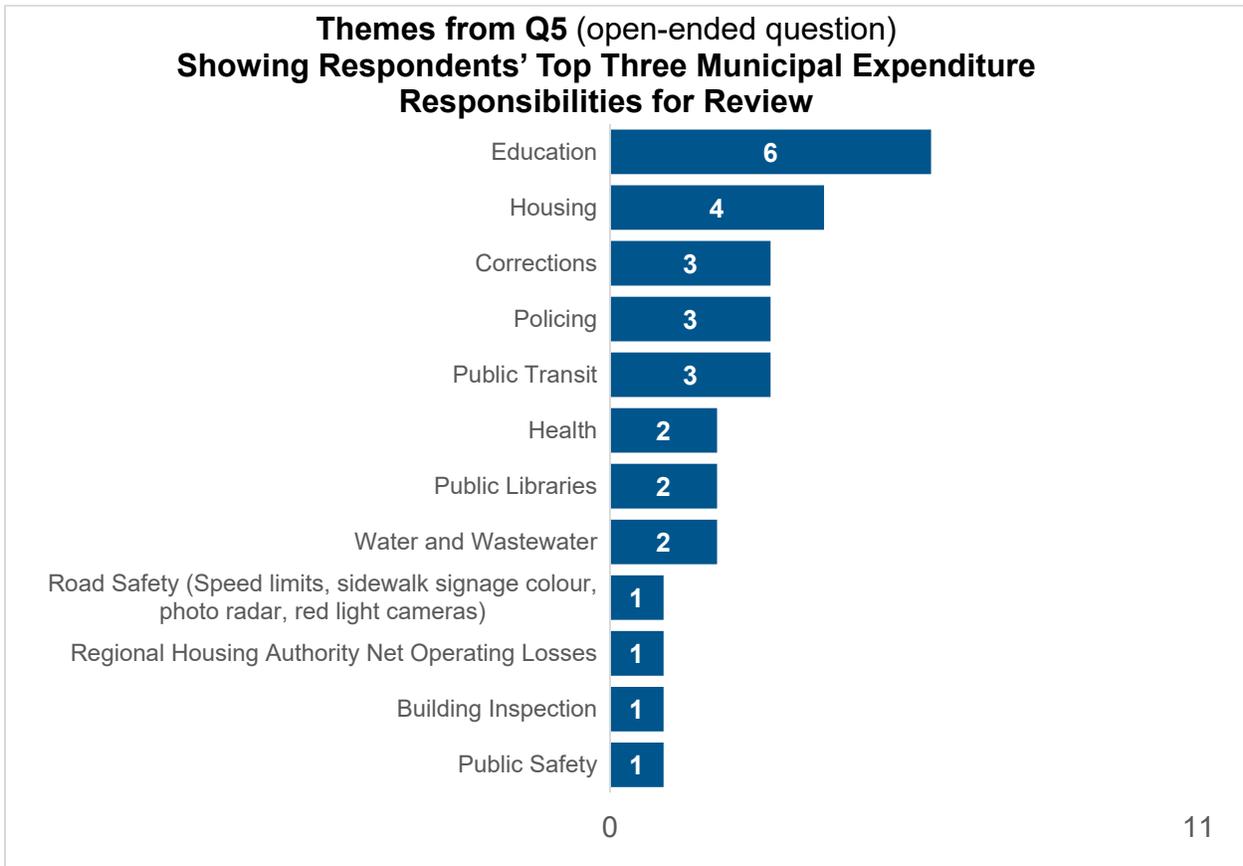
**Q5. What are the top three municipal expenditure responsibilities that should be reviewed and why?**

- *Health, Education and Housing. These are provincial.*
- *Education, corrections and housing*
- *Mandatory contributions to corrections and education*
- *Mandatory contributions to housing, education and public safety.*
- *Funding for education, corrections.*
- *Housing, Public Libraries, Health*
- *Public Transit - a strong system benefits the whole provincial economy and municipalities do not have tax base to make the needed investments in transit infrastructure.*
- *Policing...Public Transit...contributions to education. Policing and Public Transit costs are spiraling and contributions to education could be better spent elsewhere.*
- *Transit - province needs to help with capital for major projects*  
*Policing - not so much policing but helping to establish alternatives/re-tasking of police like mental health supports, unarmed non-constabulary response to community issues, sobering centres etc*  
*Wastewater - meeting federal standards for tertiary treatment will be an issue for all municipalities due to cost."*
- *Policing, mandatory contributions to regional housing authority net operating losses, building inspection;*

*Water and wastewater - NS needs to move to regional watershed planning to protect water supply and quality and this should be organized at a provincial level;*

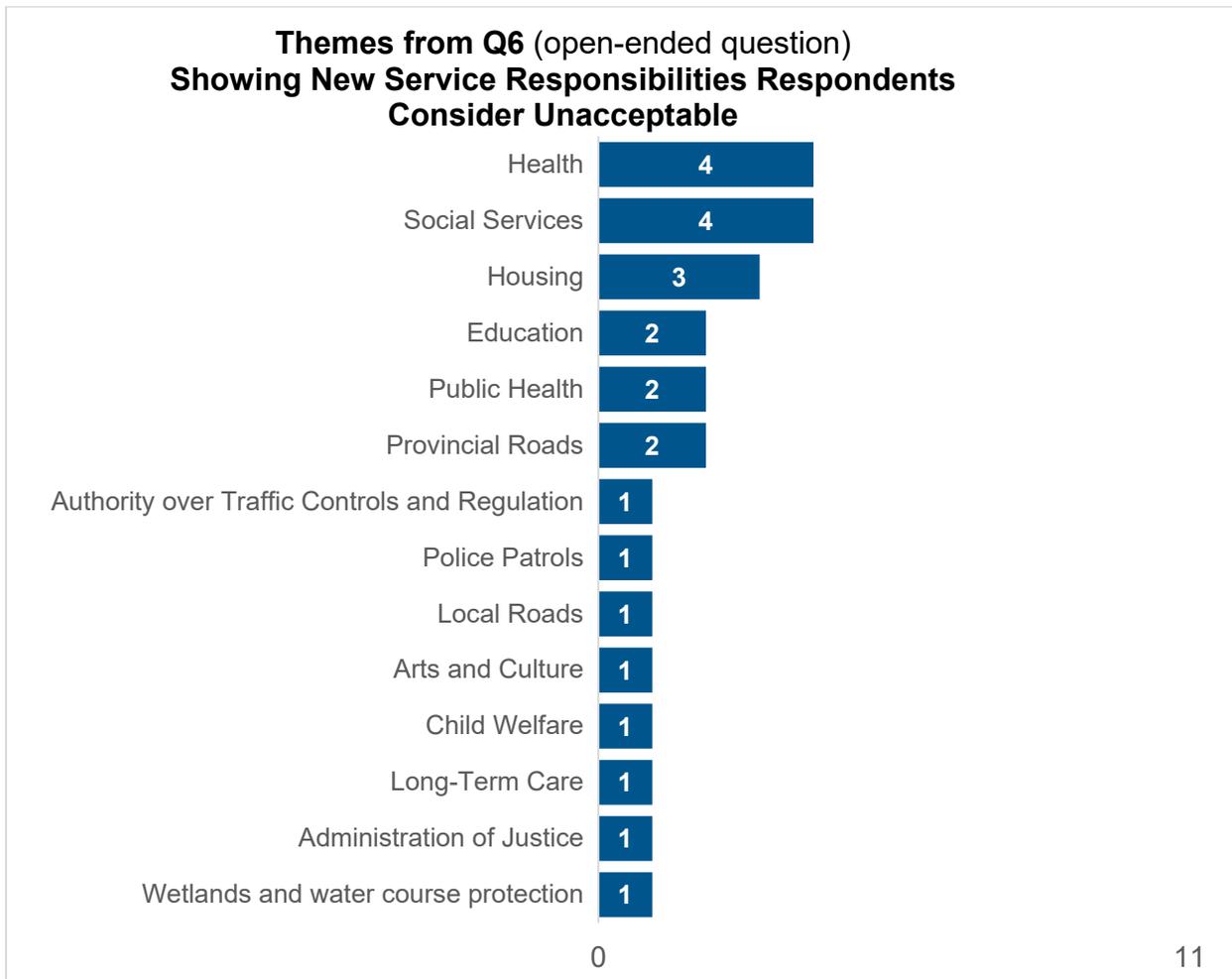
*Public libraries should receive more provincial funding to ensure more equitable access to books and the internet across Nova Scotia; more funding is needed to match per person funding in other Canadian jurisdictions.*

- *Municipalities should be able to set speed limits lower and have jurisdiction over sidewalk signage colour, the use of photo radar, and the use of red-light cameras to improve safety in urban and suburban areas!*



**Q6. What new service responsibilities would you find unacceptable?**

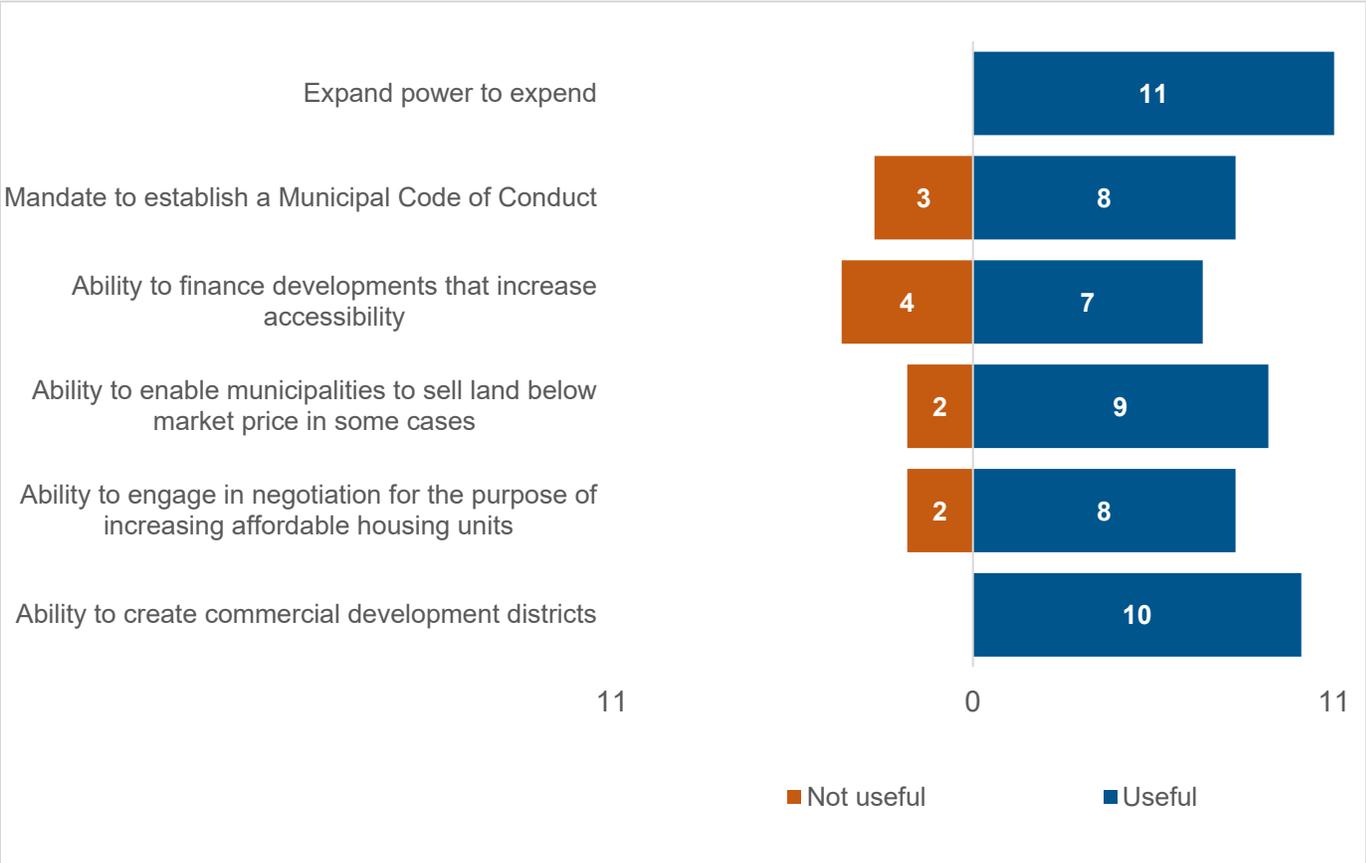
- *Health, Education and Housing. These are provincial.*
- *Social services and health care need to stay with the province.*
- *Social services, public health (other than those currently managed by municipalities such as trails, rec etc), provincial roads.*
- *Social Services and Child Welfare, Public Health and Long term Care, Administration of Justice, Healthcare, Education, Provincial Roads*
- *Hayward report was right - I think other than housing being better allied with planning it does not make sense to encourage downloading of social or health services.*
- *Housing (but Council narrowly voted not to so not sure what to do with that)*
- *Housing*
- *Police patrols, local roads, arts and culture*
- *Authority over traffic controls and regulation.*
- *Wetlands, water course protection.*



## Questions related to the Municipal Government Act Review

Since the last MGA Review in 2015, several changes have been made to the MGA. These changes have granted municipal authority to take actions that were previously prohibited. These changes allow municipalities to invest and make decisions in new aspects of the communities that they govern.

**Q7. The following question provides a list of recent changes to the MGA and HRM Charter that have implications for the abilities and responsibilities of municipalities. Please indicate whether the following discretionary abilities are useful or not useful for your municipality.**



*Note: Only 10 councillors responded to the final two items in this question.*

The respondents indicated the level of usefulness of the new discretionary abilities as follows:

Abilities	Number of Respondents	Percentage of Respondents Indicating Discretionary Abilities are Useful
Expand power to expend	11 of 11	100%
Mandate to establish a Municipal Code of Conduct	8 of 11	73%
Ability to finance development that increase accessibility	7 of 11	64%

Ability to enable municipalities to sell land below market price	9 of 11	82%
Ability to engage in negotiation for the purpose of increasing affordable housing units	8 of 10	82%
Ability to create commercial development districts	10 of 10	100%

**Q8. For any of those discretionary abilities you indicated were not useful, please indicate why.**

- *The ultimate code of conduct comes from the voters. After 6 years of seeing this play out at Council, I can only conclude it's generally meaningless paper with no teeth. Not convinced that we should be offering financial incentives for accessibility, that should come through the building code and just be mandatory. Haven't seen any below market price situations that have made sense since we already can do below market for non-profits and I don't think we should be subsidizing private business.*
- *Per above I think we have the ability to do CDDs already? Municipalities can sell property below market to not for profits already.*

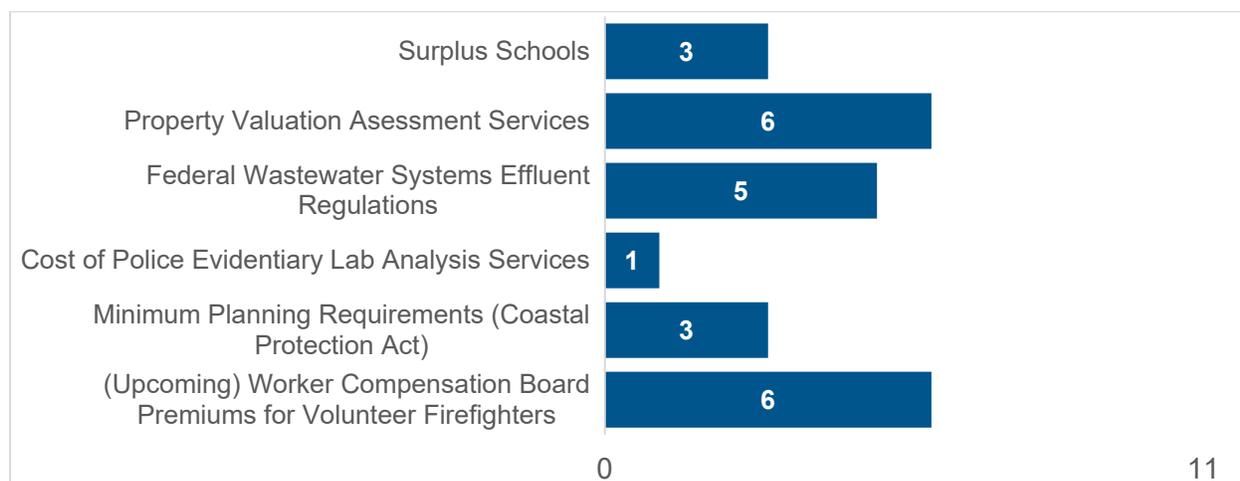
**Q9. What additional discretionary abilities should be granted by changes to the MGA and HRM Charter?**

- *The empowerment to launch a small business tax rate.*
- *More authority over road safety, speed limits, rules of the road.*
- *The ability to control and monitor some of our streets traffic controls, i.e. speeds*
- *We should have a broader delegation of responsibilities and powers by subject area rather than a narrowly defined list. A list inevitably means that something will come up that wasn't contemplated, and the process of amending is painful, if you even get an amendment. That's what the Halifax Charter was intended to do, but it hasn't lived up to it and is too often seen as a mirror of the Municipal Government Act, even though the challenges of a city of 450,000 are very different than a place like Lockport or Digby*
- *the charter would be more useful if it spelled out things Municipalities can not do....as opposed to indicating those limited powers they have.*
- *Municipalities should have the power to reduce traffic speeds in residential areas. Municipalities should have the power to protect old forests, lakes, rivers, wetlands and other natural resources within their boundaries;*
- *Natural person powers.*

**Q10. A number of other federal and provincial statutes and regulations have implications for municipal budgets as non-discretionary expenses.**

**Using the checklist below, please indicate which regulations or responsibilities cause considerable pressure on your budget and capacity to accomplish core goals.**

**Select all that apply**



The respondents indicated that the regulations or responsibilities causing considerable budget pressure on their budget and capacity to accomplish core goals as follows:

Responsibilities	Number of Respondents	Percentage of Respondents Indicating Considerable Pressure on Budget and Capacity to Accomplish Core Goals
Surplus Schools	3 of 11	27%
Property Valuation Assessment Services	6 of 11	55%
Federal Wastewater Systems Effluent Regulations	5 of 11	45%
Cost of Police Evidentiary Lab Analysis Services	1 of 11	9%
Minimum Planning Requirements (Coastal Protection Act)	3 of 11	27%
(Upcoming) Worker Compensation Board Premiums	6 of 11	55%

**Q11. Are there any other responsibilities brought about by statutes or regulations not mentioned above that add significant pressure on your budget?**

- *Employee compensation, streets and roads*
- *Transfer of provincial roads to Municipal responsibility is very costly.*
- *Province's downloading of provincial roads in HRM. Province's bill to cap the height of landfill cells at Otter Lake could cause considerable costs in decades ahead by needing to create a new landfill sooner than might otherwise be required.*

## **Questions related to municipal revenue**

**Q16. Municipalities can be supported in fulfilling all responsibilities with new or expanded sources of revenue. What new or expanded revenue sources or tools do you believe would be most viable?**

- *100% of the revenue from motor vehicle speed enforcement.*
- *Road tolls*
- *Traffic tickets; fuel motive tax*
- *Gas/carbon taxes (mentioned 2x)*
- *Income taxes (mentioned 2x)*
- *Part of sales tax, part on income tax.*
- *Getting rid of mandatory education and corrections charges on property taxes would open up a considerable new revenue. In other places, municipalities get shares of income or sales taxes. That seems unlikely to ever happen here, but it's something that other places in the world have figured out. Canada seems built on a system of the feds have all the money, the provinces have all the jurisdiction, and the municipalities do everything. It's a rather odd setup!*
- *Support for public transit.*
- *In long term, sustainable funding from Province for Climate change action.*
- *Specific commercial district taxation.*
- *Higher capital cost contributions.*
- *Housing*

## Special considerations and other comments

**Q19. Is there anything about the municipality that you believe deserves special consideration in terms of expenditure responsibilities, legislation, or financial support?**

- *HalifACT, assistance with providing more EV outlets to encourage more EV's and plug ins.*
- *Transportation, particularly transit, needs a provincial commitment, and not a commitment to twin more highways. Support for implementing shift to zero greenhouse gas emissions would also be helpful.*
- *Public transit, more consideration for protection of important natural areas for parkland, for biodiversity and for climate mitigation.*
- *More authority for progressive policies and technology for traffic speed enforcement.*
- *There will be over 1000 families homeless when the rent cap comes off in HRM alone. We need concrete action on the province funding construction of affordable housing in NS.*
- *Municipalities have responsibility for 60 percent of infrastructure, collect less than 10 percent of all tax revenue. As the Province grows in population, and more people live in our communities, extra costs (recreation, libraries, roads, etc.) are inevitable. Feds have enormous fiscal capacity / Provinces have significant fiscal / Municipalities have much less.*
- *NS Gov must stop taking such a large amount of property taxes from HRM without any transparency or accountability of where those funds are spent.*

**Q20. Is there anything else that you would like to share?**

- *The province should fund those things in the provincial mandate; and the municipality should fund those things in the municipal mandate.*
- *I believe a lot of our suggestions and requests take too long to get approved or even come to the table through the Province and Municipalities get frustrated and lose hope.*
- *Thanks for the opportunity to share thoughts. The key area of improvement would be a mature, collaborative relationship between PNS and Muni's. Bring in a no surprise policy...remember we get elected too...are perfectly capable of making decisions and defending them.*

# Nova Scotia Federation of Municipalities Survey

## Staff Survey Feedback (Compiled July 29, 2022)

### Executive Summary

The Nova Scotia Federation of Municipalities (NSFM) is collecting feedback from its membership to better understand municipalities' needs and aspirations, which will help NSFM better serve its constituents and to support an upcoming review of the Service Exchange Agreement. As part of this consultation, NSFM has asked the municipality to comment on the implications of federal and provincial statutes and regulations on municipal budgets, and on operating and capital expense grants the municipality currently receives and how they can be improved.

An initial list of HRM grants was compiled in consultation with HRM Revenue office and colleagues at the Provincial government, which was provided in the survey as a reference (see question 3). The survey asked business units to consider this list and then (1) fill in any gaps on other operating and capital grants business units have received, and (2) provide input on how grants can be improved. The results will be summarized and shared with Council for their input, and a summary of Council and staff input will be provided in HRM's response to Nova Scotia Federation of Municipalities.

Business units were asked to provide one collated response per business unit. There were **6** responses to the survey. One additional business unit indicated by email that they did not have any grants. This report provides a summary of responses to each survey question.

## Survey Results

Survey questions are listed below in **bold**. Responses are collated below each question.

**Q10/Q11 Federal and provincial statutes and regulations can have implications for municipal budgets as non-discretionary expenses. Please indicate which regulations or responsibilities cause considerable pressure on your budget and capacity to accomplish core goals?**

- *Special Planning Areas legislation*
  - *has a significant impact on staffing resource; it is more along the lines of reassigning/reallocating at the moment, rather than costing more, but we will need additional staff to compensate for the additional work.*
- *Traffic management and transportation*
  - *[Nova Scotia is the] only province with strong provincial oversight and overlapping system, i.e. we can't change a speed limit without getting provincial approval, etc.*
- *NS Environmental Goals and Climate Change Reduction Act*
  - *Act sets targets for disposal rate of 300 kg per person by 2030. Could be impacts to our budget depending on what's required to achieve the target.*
  - *EPR implementation of Extended Producer Responsibility (EPR) will impact our budget.*
  - *Potential pressures dependent on which regulations are implemented for litter and illegal dumping.*
- *Single-use Plastics Prohibition Regulations (federal)*
- *Relationships with Schools / HRCE related requests*
  - *School/outdoor asset enhancements when not planned at the early stages*
  - *Outdoor recreation assets (construction, inspection, transfer of assets, specifications, maintenance, accessibility, pathways)*
  - *Modular and portables – last minute requests which impact P&R programming, bookings and potentially recreational assets*
  - *Surplus Schools – if this is on parkland it will usually need redevelopment/ demolition to make way for new outdoor rec assets.*
  - *Joint use agreements and access to schools*
- *Increased costs associated with leasing parkland from the province due to change in lease fees*
- *Accessibility Act*
- *Pesticide regulations*
- *Emergency Shelters in Recreation Centres*
- *Responsibilities related to homelessness and supports*
- *The new accessibility standard (that the province is implementing)*
  - *will have an impact on capital and operating budgets for Library [and other municipal] spaces and services.*

## Further comments from Public Works staff

- *Road Transfers*
  - *HRM negotiated a transfer of roads based upon a density trigger. Once an area reaches the specified density, all roads, drainage and structures within the area transfer to HRM without compensation.*
    - *Agreement HRM-01 currently governs road transfers but it is significantly outdated, and Regional Council has directed staff to negotiate a modernized agreement (discussions now underway with PNS).*
    - *The question becomes whether the cost of the road transfers is significantly exceeding the investments by the Province in Social Services.*
  - *It makes sense that the municipality continue to maintain local roads; however, this does not make sense for rural development where the province is already maintaining the major roads in the area. There needs to be a mechanism to maintain efficient operations for both HRM and Province.*
- *Traffic, AT Infrastructure and ROW Management*
  - *Photo enforcement legislation should be established and supported*
  - *HRM should be able to set default speed limit for all residential streets and be able to set discretionary speed limits on any street in HRM (whether owned by Province or not) both under 50Km/hr and over 80km/hr*
  - *PNS should, by policy, work with municipalities, to fund, build, and maintain AT infrastructure on their new/existing roads*
  - *HRM to assume the management and issuance of all parking enforcement special constable licenses for ROW and private property within the HRM jurisdiction*
    - *Staff already had conversations with the province on this and DOJ is in support. This is a drain on DOJ resources with no financial return for them.*
    - *Staff already does all the application processing, training, and quality assurance of the appointments. DOJ does the final review and issuance of the license.*
    - *Due to the extra level of bureaucracy, the current system adds unnecessary delays in the applications getting processed and special constables getting appointed.*
- *Night Court*
  - *HRM should reconsider assuming responsibility for night court/adjudication of parking tickets (to be discussed with Legal services)*
    - *HRM is the largest producer of parking violations in NS*

- *Court is significantly delayed and behind due to COVID*
  - *DOJ has expressed frustration with time/efforts/resources spent on parking tickets*
- *HRM presently pays 100k a year for administration and a flat rate per ticket processed Justice argues this isn't sufficient to operate court.*
- *Assuming adjudication of our own tickets would provide HRM with more options and leniency for tickets, generate more revenue for HRM*
- *Regional Council officially requested to take night court on in 2003 - request ignored/rejected by the province at the time*
- *Responsibility for Dams*
  - *The province should assume responsibility for dams not yet assumed by any municipality given that they regulate watercourses*

### Q17/Q18 Operating and Capital Grants

The municipality has received the following grants for operating and capital expenses.

HRM Grant Revenues	2020/21	2021/22
Municipal Financial Capacity Grant	\$0	\$0
Towns Foundation Grant	\$0	\$0
Farmland Grant	\$61,757	\$62,126
Nova Scotia Power Grant-in-lieu of Taxes	\$4,395,763	\$4,547,146
Provincial Grant-in-lieu of Taxes	\$8,867,548	\$8,568,393
Other grants:		
a) Emergency Services Provider Fund	\$20,000	\$0
b) Municipal Innovation Program		
c) Provincial Capital Assistance Program		
d) Flood Risk Infrastructure	\$0	\$0
e) Fire Protection Grant	\$341,706	\$336,203
f) Municipal Flood Line Mapping Program	\$0	\$0
g) Beautification and Streetscaping Program	\$20,000	\$12,500
h) Community Works Program	\$0	\$0
i) Canadian Community Building Fund (formerly the Gas Tax)	\$25,341,890	\$51,813,400
j) 911 grant.	\$133,360	\$133,811

Please indicate if any additional OPERATING grants were received in 2020/21 or 2021/22, including the name and amount of the grant for the year it was received.

- *Operating grants have been received associated with the Rapid Housing Initiative, but these funds effectively flow through HRM to external non-profits.*

- *Beautification and streetscape grants received by the community will impact operating funds on a go forward basis.*

*Provincial grants received directly by partners.*

*For Alderney Landing Facility Association:*

- *2020-21: Provincial Wage Subsidy - \$108,805*
- *2021-22: Provincial Wage Subsidy - \$67,500*

*For Centennial Pool Association:*

- *2020-21: Provincial Wage Subsidy - \$10,000*
- *2021-22: Provincial Wage Subsidy - \$10,000*

*Recreation Programming (Mainland North & Western):*

- *2020/21 – Provincial Grant - \$4200*
- *2021/22 - Provincial Grant - \$4200*

- *The provincial operating grant for libraries is established through the Department of Communities, Culture, Tourism and Heritage. Based on an agreed distribution model by all regional library systems in Nova Scotia - \$5,274,300 (2020/21) and \$5,274,300 (2021/22).*

*In addition, through the Library Development Fund, the following grants were received from the Department of Communities, Culture, Tourism and Heritage:*

<i>Fiscal 2020/'21</i>		
	<i>Community Technology Funding Grant</i>	<i>\$ 284,000</i>
	<i>Library Development Fund – Expand Service (NovelBranch and Wifi)</i>	<i>54,000</i>
	<i>Library Development Fund - Expand Home Delivery</i>	<i>50,000</i>
	<i>Collection LGBTQ2 Grant</i>	<i>4,800</i>
		<i>\$392,800</i>
<i>Fiscal 2021/'22</i>		
	<i>LDF- Artist in Residence/ Equipment</i>	<i>\$ 125,000</i>
	<i>LDF-T&amp;C Equipment</i>	<i>32,000</i>
	<i>Library Development Fund Living Foundations</i>	<i>17,000</i>
	<i>Expand eBook Collection;</i>	<i>10,000</i>
	<i>Balance of Indigenous Collection</i>	<i>500</i>
		<i>\$ 184,500</i>

**Please indicate, for any OPERATING grant, how this grant could be improved.**

- *No specific grants to name, however improved communication about grant awards would be an improvement across the board.*
- *For the Beautification and Streetscaping program grants, HRM applies on behalf of BIDs and Community Groups and then essentially acts as a "flow through" for*

*funding if any of the applications are approved. Some administrative burden would be reduced if these groups were allowed to apply directly (perhaps with municipal endorsement) and then receive the grant money directly from the Province, rather than through the municipality.*

- *The process is smooth and there is a good relationship between the [provincial] department and libraries. Nothing specifically needs improvement.*

**Please indicate if any additional CAPITAL EXPENSE grants were received in 2020/21 or 2021/22, including the name and amount of the grant for the year it was received.**

- *Public Transit Assistance Program (PTAP) - \$ 2,000,000 (annually)*
- *ACOA Canada Community Revitalization Fund (CCRF) - \$178,533 (2021/22) and \$146,049 (2022/23, so far).*
- *PNS Recreational Facility Development Grant - \$226,420 (2020/21) and \$52,500 (2021/22)*

**Please indicate, for any CAPITAL EXPENSE grant received, how this grant could be improved.**

- *Current capital programs are very rigid in terms of scope, budget, and timing. Current (post-pandemic recovery) market conditions, including supply chain issues, makes it impossible to predict construction costs including cost escalation driven by variability on sourcing materials. The management and administration of Capital Grant programs need to be restructured to accommodate changes to scope, budget (including timing) in order to respond to these uncertainties.*
- *Province of Nova Scotia Recreational Facility Development Grants are issued in May with completion by April of the following year. For construction projects (considering timelines for tendering/awarding/ordering equipment and constructing), a completion date of April is unrealistic. This is generally the case of funding agreements that are not considerate of municipal capital planning.*