HALIFAX
REGIONAL MUNICIPALITY

P.O. Box 1749
Halifax, Nova Scotia
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Item No. 3
Committee of the Whole
July 22, 2014

TO: Mayor Savage and Members of Committee of the Whole

SUBMITTED BY: Original signed by

Richard Butts, Chief Administrative Officer

Original Signed by Director

Jane Fraser, Director Planning & Infrastructure

DATE: April 7, 2014

SUBJECT: Capital Cost Contributions for Transit and Transportation Services

ORIGIN

On October 16, 2013 the Audit and Finance Standing Committee recommended that Regional Council begin the formal by-law adoption process to enact Development Charges for Transit and Transportation Facilities; and

On October 29, 2013 Regional Council referred the matter to Committee of the Whole to look at how to best implement as a Capital Cost Charge and/or a Development Charge in consultation with the development industry (following Council debate), and that staff report back on the applicability of Capital Cost Charges/Development Charges for different classifications of development.

LEGISLATIVE AUTHORITY

Section 104(1) of the HRM Charter permits Regional Council to make By-laws imposing, fixing and providing methods of payment for charges for transit facilities and streets.

Sections 284, 285 and 286 of the HRM Charter permit Regional Council to collect infrastructure charges for streets, traffic signals and transit facilities to recover the capital costs that arise from the subdivision and future development of land.

Recommendation on Page 2

RECOMMENDATION

It is recommended that Committee of the Whole recommend that Halifax Regional Council:

1. Adopt a Regional Capital Cost Contribution for Transportation Services, collected prior to issuing a building permit region wide; from all types of development that occur in the commutershed, more particularly described as the Regional Transportation Rate Boundary;
2. Adopt a Regional Capital Cost Contribution for Transit Services, collected prior to issuing a building permit region wide; from all types of development that occur in the commutershed, more particularly described as the Regional Transportation Rate Boundary; and,
3. Direct staff to consult with the development industry prior to completing a background study that would form the basis for the proposed charges.

BACKGROUND

Capital Cost Contributions (CCC's) are paid by developers to cover the growth related share of infrastructure that is needed to support development, and are justified under the principle that growth should pay for itself and not be a burden on existing residents. Capital Cost Contributions fund the capital cost of providing infrastructure and do not fund operating or maintenance. They are also referred to as Development Charges, Infrastructure Charges, or off-site levies.

There are two broad types of Capital Cost Contributions – Area Based and Region Wide.

- Area based Capital Cost Contributions are used when growth related capital costs vary by location, and in are currently used in greenfields and collected prior to the Approval of Subdivision.
- Region wide Capital Cost Contributions can be used when capital costs are less dependent on location, and are collected prior to issuing a Building Permit.

Area Based Capital Cost Contributions

HRM adopted an area based CCC program in 2002 that replaced cost sharing programs that were in place prior to amalgamation, and which funded oversized roads and pipes for development from the general tax rate. The area based program is built on a program that was previously established by Halifax Water which emphasized stakeholder consultation, was familiar to developers, and has been "tested" by developers before the NS Utility and Review Board.

The area based program was seen as a reasonable first step for HRM that focused on infrastructure that is within or alongside of a greenfield development area, and included wastewater, stormwater and transportation services. The first area based charges were subsequently adopted for Wentworth Estates/Bedford South in 2003, and the program became a key part of the secondary planning program in greenfield areas that were designated for serviced growth by the Regional Plan in 2006.

The area based program collects funds from development that relies on the subdivision of land, and charges are collected prior to granting approval of sub-division. Secondary Plan Areas subject to a CCC under this program became known as "Charge Areas", and include Bedford South, Wentworth Estates, Bedford West, Russell Lake West, and Portland Hills. The amount of the charge varies between Charge Areas, depending on the cost of infrastructure needed to support development of the area, and the charge is only collected from development located in those specific areas.

Going forward, The Regional Plan requires that CCC's are considered when Council initiates secondary planning in areas designated Urban Settlement such as Port Wallace and Sandy Lake.

Region Wide Capital Cost Contributions

In 2006 Council agreed to consider additional Capital Cost Contributions for regional wastewater, solid waste, transit and regional transportation infrastructure, and adopted a set of recommendations from an external consultant as the basis for developing additional CCC's[1]. According to the recommendations, new charges should be collected from all development, including in-fill development that does not rely on the subdivision of land, and would therefore need to be collected prior to issuing a building permit.

The study also recommended that where growth-related capital costs vary by location, CCC's should be applied on a development by development basis, and where growth-related capital costs are the same across the region, a uniform region-wide rate should apply.

Region wide Capital Cost Contributions for Regional Sewer and Solid Waste Services have since been adopted, and the Regional Sewer Charge became the jurisdiction of Halifax Water in 2007.

Capital Cost Contributions for Transportation and Transit Services are the subject of this report and are discussed in more detail below.

DISCUSSION

The purpose of this report is to confirm the overall policy direction from 2006, and obtain direction on an approach to specific CCC's for Transit & Transportation Services. There are two broad policy matters to address:

- Are the new charges region wide or area based; and,
- Are there specific areas that should be exempt from the new charges.

[1] Infrastructure Charges Study, 2006, SGE Acres. Detailed recommendations from this study can be found as Attachment 1.

Capital Cost Contributions (development charges) were originally developed to ensure that growth pays its' share of the infrastructure that is needed to support growth. However, depending on the circumstances Capital Cost Contributions that are collected on a uniform basis may be a dis-incentive to growth in certain areas. The impact of a CCC on development is more pronounced in areas with higher density such as a downtown or urban core, and many Canadian cities have exempted areas of a downtown from CCC's as a means to incentivize development.

Exempting residential development in the Regional Centre from the CCC's proposed in this report would result in collecting approximately $400,000 less revenue.

In addition to the CCC's that are the subject of this report, there are two other key initiatives underway that could increase the cost of development, as follows:

- the Regional Plan proposes that new developments in urban areas provide buried electrical and telecommunication services (between the pole and new buildings); and
- Halifax Water has recently received NSURB approval for changes to their existing regional development charges.

Consequently, HRM and Halifax Water have jointly commissioned a study[2] to investigate the effect of increased costs on the affordability of housing. In broad terms, the study found that the past CCC's in HRM have had no adverse impact on the market and further increases, of up to $10,000, are not likely to materially affect affordability in the new house market. Development charges on their own account for approximately 1.1% of the median price of a new single detached house in HRM, among the lowest impact of the cities surveyed.

The study found that an increase in the $15,000 - $20,000 range begins to get problematic, and may cause purchasers to consider locations with lower land costs outside of urban areas. The study had similar findings for multi-unit rentals; the impact on demand at the lower range would be minimal, but that a gradual phase in of charges should be considered if new charges approach approximately $13,400 per unit.

The combined impact of the proposed development charges in this report, buried electrical and telecommunication services, and the new Halifax Water development charges is estimated at $8,100 per unit for single unit homes.

I. CAPITAL COST CONTRIBUTION FOR TRANSPORTATION SERVICES

The concept of a "commutershed" for the Halifax metropolitan area was introduced when the regional Plan was adopted in 2006. The Rural Commuter Designation was created to encompass communities within easy commuting distance of the Regional Centre which are heavily influenced by an urban style of residential development, and which rely on transportation links with urban communities. For this reason, it is suggested that benefits that arise from investments

[2] "Economic Impacts of Growth Related Infrastructure Costs", Gardner Pinfold Consultants, August, 2013

in the regional transportation system accrue equally to development in the Rural Commuter as well as the Urban Settlement Designation.

Regional transportation infrastructure that would form the basis of a region wide CCC includes interchanges, improvements to main arteries and collector roads, including bike lanes and paved trails in the right of way.

Notwithstanding, infrastructure that is primarily needed for the development of a secondary plan area would be included in an area based CCC, and would not be included in a Region Wide CCC as well. For this reason, adopting a region wide CCC in respect of transportation services has no impact on area based CCC's in respect of transportation services that are currently in place. For example, the Larry Uteck Blvd/Hwy 102 interchange and connector roads, widening of Hammonds Plains Road, and the Proposed widening of Kearney lake Road are all included in the Bedford West CCC program and would not be part of a region wide CCC.

A region wide CCC for transportation services, collected from all development prior to issuing a building permit is estimated at $350 - $450 per single detached dwelling unit. This option would collect approximately $1.5 million in annual revenue from both residential and commercial sources. This revenue would be available to help fund improvements to the Regional Transportation Network which form~~s~~ the basis of the charge. Improvements to the Regional Transportation Network include roadway widening, the North Park Corridor Project, traffic signal integration, intersection improvements, and paving renewal of main arteries and collector roads.

II. CAPITAL COST CONTRIBUTION FOR TRANSIT SERVICES

Transit related infrastructure which can form the basis of a CCC includes buses, ferries, facilities such as garages and terminals, as well as technology improvements. Municipalities in Ontario currently collect CCC's for transit services, and they are typically collected on a uniform region wide basis.

Three options have been developed for a new Capital Cost Contribution for transit services, each of which is discussed below.

Option 1 - Collect a CCC from all development in areas designated Rural Commuter as well as Urban Settlement.

The rationale for this approach is based on the Regional Plan, and proposes that investment in transit, regional transportation upgrades, active transportation as well as transportation demand management creates capacity in the regional road network. Providing capacity is a uniform level of benefit to all development. The rural commuter designation aligns with the rural transit tax boundary, and both the rural commuter boundary and proposed Urban Transit Service Boundary are shown on Attachment 2.

This approach does however assign benefit, and the resultant cost recovery, to developments that may not have access to Transit Service. This is particularly relevant with the introduction of the Urban Transit Service Boundary (UTSB), and the policy direction under RP+5 to concentrate investment in new transit services in urban communities. Although this is a more efficient manner in which to invest in transit, which will result in a greater increase in ridership and a greater capacity gain in the road network, the linkage between benefit and ridership becomes more tenuous for development beyond the UTSB.

A region wide CCC for transit services, collected from all development in both the rural commuter and urban service designations, prior to issuing a building permit is estimated at $550 - $650 per single detached dwelling unit. This option would collect approximately $2.1 million in annual revenue from both residential and commercial sources, which would be available to be used on infrastructure, fleet and facilities of a regional nature that form the basis of the charge.

Option 2 - Collect a CCC from all development within the Urban Transit Service Boundary

This approach has the advantage of providing a more direct link between paying the charge and the availability of transit services, and in addition there is a uniform level of transit service within the UTSB.

The disadvantage of this approach is that development located beyond the UTSB will not pay the CCC for transit services, but new businesses and residents located outside the UTSB will use the capacity in the regional transportation network that is created from investing in transit.

A CCC for transit services, collected from all development in the proposed Urban Transit Service Boundary, prior to issuing a building permit is estimated at $600 - $750 per single detached dwelling unit. This option would collect approximately $2.1 million in annual revenue from both residential and commercial sources, which would be available to be used on infrastructure, fleet and facilities of a regional nature that form the basis of the charge.

The Urban Transit Service Boundary would be amended to include greenfield development areas as secondary plans are adopted.

Option 3 - Collect an Area Based CCC from Greenfield Development

A third option that was discussed at Council was collecting an Area Based CCC for Transit services only from greenfield development areas. The Transit CCC would be collected in addition to the area based transportation CCC that is currently collected in Charge Areas.

This approach has the practical benefit of bringing a whole systems approach by adding transit to transportation costs when carrying out secondary planning.

The disadvantage with this approach is that development in the UTSB beyond the charge area will have access to the transit services secured by the Charge Areas, but will not contribute towards the capital cost.

The amount of an area based CCC for transit services, collected prior to approving a plan of subdivision from all development in a greenfield area will vary depending on many factors that include the size and location of the greenfield, the density and form of the development, the nature and level of service of the transit service provided, and the mix of residential and commercial uses within the Charge Area. It is difficult to estimate a range of range of costs without carrying out at least preliminary planning on an area, but for discussion purposes it is expected that an area based CCC will be less than $1,000. per single detached dwelling unit. Revenue from an area based CCC could only be used to provide transit services to the Charge Area in question.

FINANCIAL IMPLICATIONS

There are no immediate implications for the general tax rate or the transit tax rate with the new charge. The charge does, however, reduce the pressure for those tax sources to fund growth related infrastructure, hence making the long term capital plan and the municipality's financial situation more sustainable.

If adopted, CCC's for transportation and transit services will not lead to additional cost pressures. Rather, it will provide an additional revenue source in order to pay for expected cost pressures. Revenues will vary depending on the option selected, as outlined in this report. By charging new developments, including infill, the municipality should be able to provide growth related infrastructure faster than it would otherwise and without making existing taxpayers subsidize that growth.

Transit and Transportation Funding from the Regional Capital Cost Charges Reserve will be allowed only for growth related capital expenditures, as approved by Council. Such funds cannot be used for maintenance, operations or recapitalization. They may be used for capital upgrades, but only to the extent that there is capacity available in those facilities to serve new growth.

COMMUNITY ENGAGEMENT

Community engagement will occur if the formal by-law adoption process is initiated by Council. In addition, the development industry will be formally engaged through HRM's "Development Liaison Group", a committee organized by the administration to review business processes and legislation relating to development in HRM.

ENVIRONMENTAL IMPLICATIONS

Implications not identified

ALTERNATIVES

1. Collect a Regional Transportation CCC prior to issuing a building permit from all development in the commutershed; and, collect a Regional Transit CCC prior to issuing a building permit from all development in the proposed Transit Service Boundary.

2. Collect an Area Based Transit CCC prior to Subdivision Approval from development in Greenfields; in addition to existing Area Based CCC's for Transportation.

ATTACHMENTS

Attachment A	Power Point Presentation entitled "Capital Cost Contributions for Transit and Transportation Services"
Attachment B	Report to Regional Council from Audit and Finance Standing Committee entitled "Development Charges for Transit and Transportation Services", dated October 18, 2014.

A copy of this report can be obtained online at http://www.halifax.ca/commcoun/index.html then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Peter Duncan, Manager Infrastructure, 489-4634

Original Signed

Report Approved by: Jane Fraser, Director Planning & Infrastructure, 490-7166

Financial Approval by: Greg Keefe, Director of Finance & ICT/CFO, 490-6308

Halifax Regional Council

Committee of the Whole

Capital Cost Contributions for Transit and Transportation Services

Actions required from Committee of the Whole

1. Confirm Overall Policy Direction from 2006
2. Approach to Specific CCC’s for Transit & Transportation Services

Background

What is a Capital Cost Contribution?

One Time Charge on new development

- Sometimes called "Development Charge"

CCC'S pay the <u>growth related share</u> of <u>capital costs</u>

- "Growth related share" is based on benefit received by new development
- Benefit can be <u>direct</u> or <u>in-direct</u>

Background

Without CCC's - Growth related capital is paid out of taxes or user fees

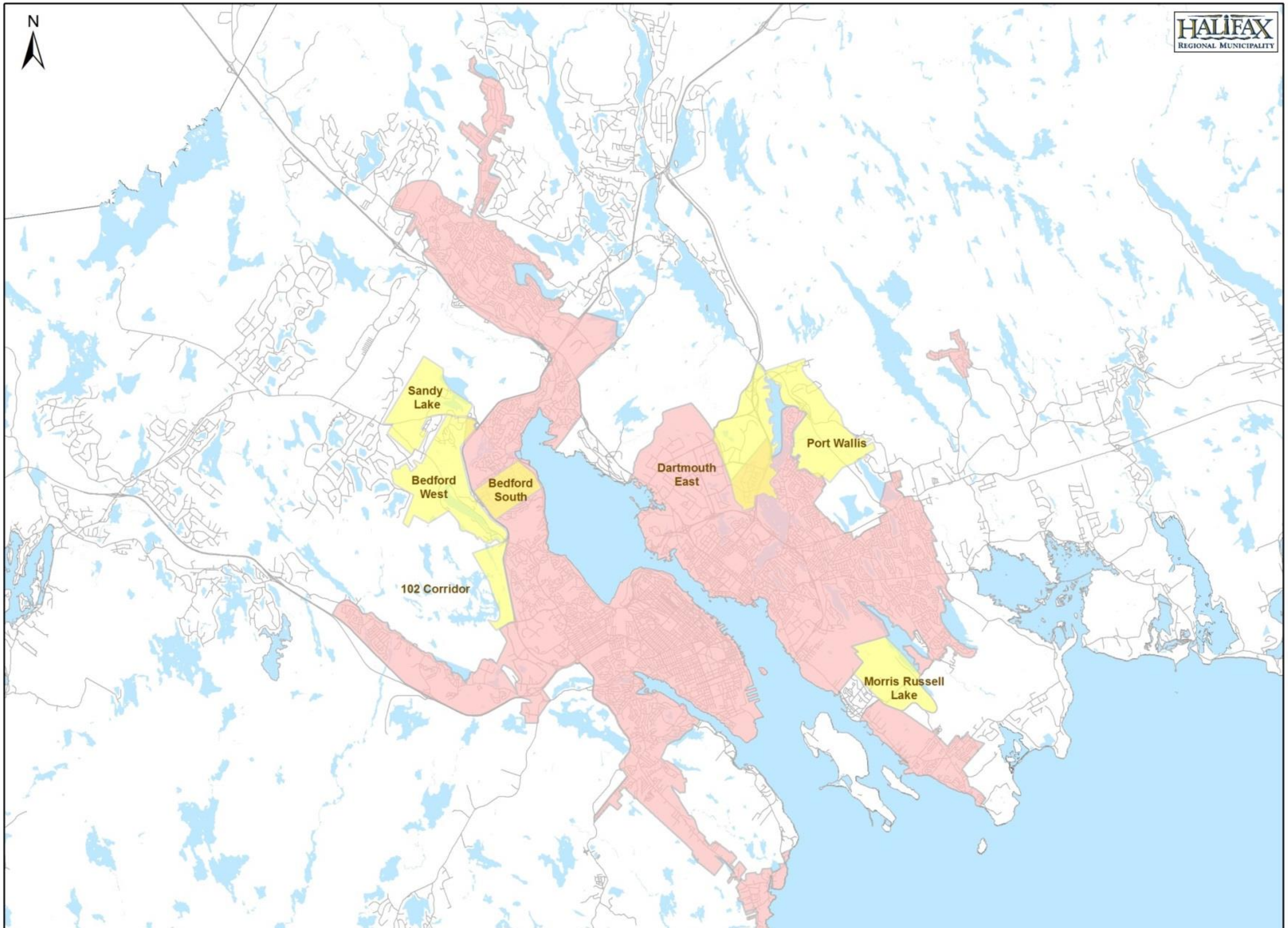
CCC's Do NOT include

- Operating or maintenance
- Benefit to existing community, costs for existing homes

CCC’s can be Area Based or Region -wide

Area Based

- When Capital Costs vary by development
- Helps pay for Infrastructure in greenfield developments
- Collected prior to Subdivision Approval
- Bedford West, Bedford South, Wentworth Estates, Portland Hills, Russell Lake West



Area Based CCC Program

Applies to Priority Growth Areas

CCC’s can be Area Based or Region -wide

Region Wide

- When capital costs do not vary by development
  - Comparable levels of service give rise to comparable capital costs
  - Development in one area uses infrastructure or facilities in another
- Collected Prior to Building Permit Approval
- Includes In-fill development
- Subject of 2006 Program Review

Recommendations from 2006 Study

1.Consider expanding the application of the current CCC charges to include sewer services, solid waste, **transit**, and **regional transportation** infrastructure.

2.Any expanded application of the current Capital Cost Contribution program should include all types of development, including infill development and subdivisions.

3.The charges should be based upon clearly defined standards of service.

4.Capital Cost Contribution charges should reflect variations in the costs of servicing different property types (single family dwellings, apartments, commercial and industrial properties).

5.Where growth-related capital costs vary by location, CCC's should be applied on a development by development basis. Where growth-related capital costs are the same across the region, a uniform region-wide rate should apply.

Area Based or Region Wide?

Where growth-related capital costs vary by location, CCC's should be applied on a development by development basis. Where growth-related capital costs are the same across the region, a uniform region-wide rate should apply.

- Is there a uniform level of service?
- Is there a uniform level of benefit ?
- If "yes" to either – candidate for a Region wide CCC

Transportation Capital Cost Contribution

Current Situation

Area Based CCC's for Transportation collected in Greenfields only

Option 1.

- Collect a CCC from all development in the commutershed ***in addition to*** area based CCC's in master plan areas.
- $350 - $450/unit for single unit dwelling, in addition to Area CCC.

Option 2.

- Status Quo – continue to collect area based CCC's in master plan areas. Do not collect a regional wide CCC.

Transit Capital Cost Contribution

Current Situation

No CCC's collected for capital costs arising from Transit service

Option 1

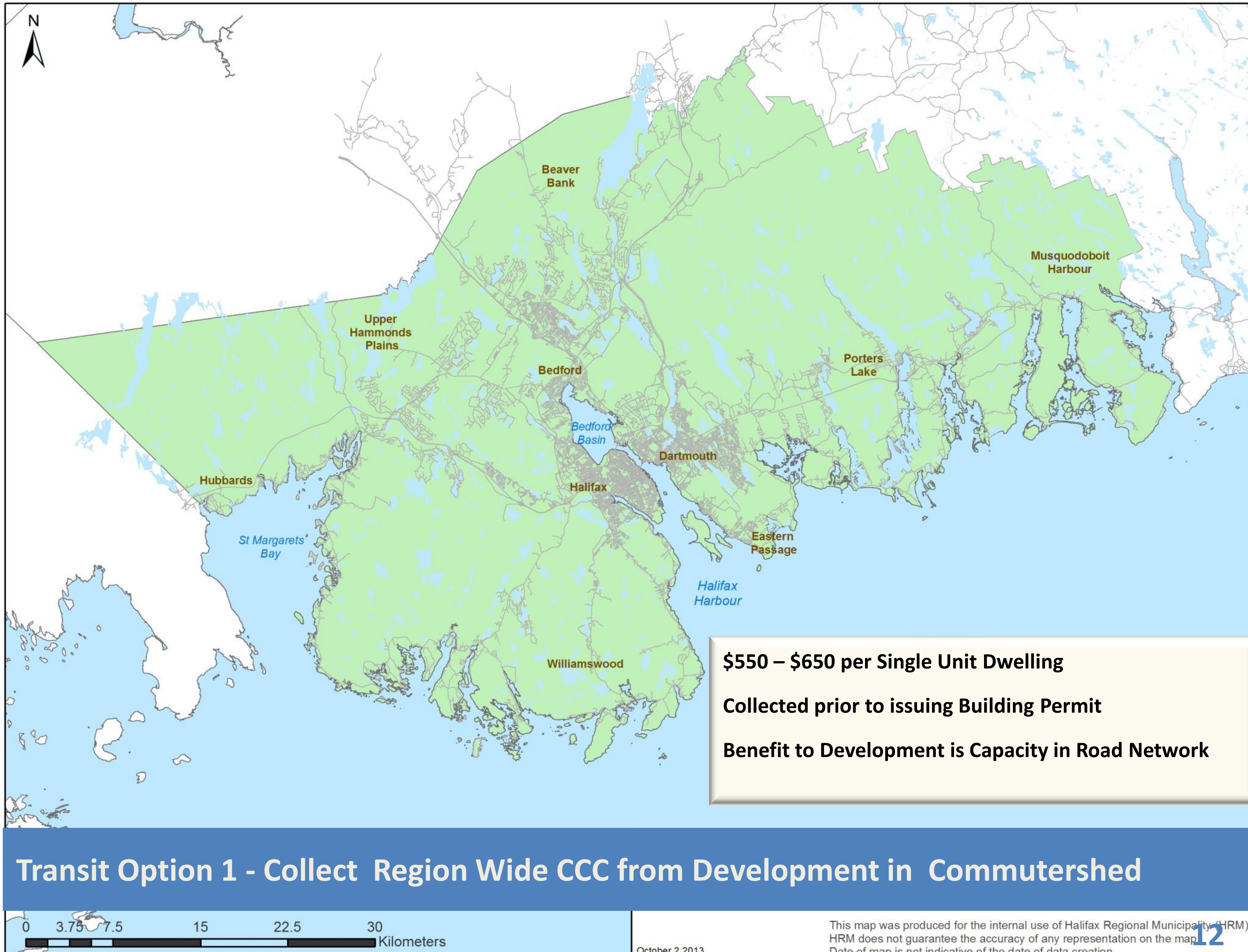
- Collect a Region wide CCC from all development in Commutershed

Option 2

- Collect a CCC from all development in Transit Service Boundary (TSB would be amended to include Greenfields when they are developed)

Option 3

- Area Specific CCC's collected from Greenfield development only

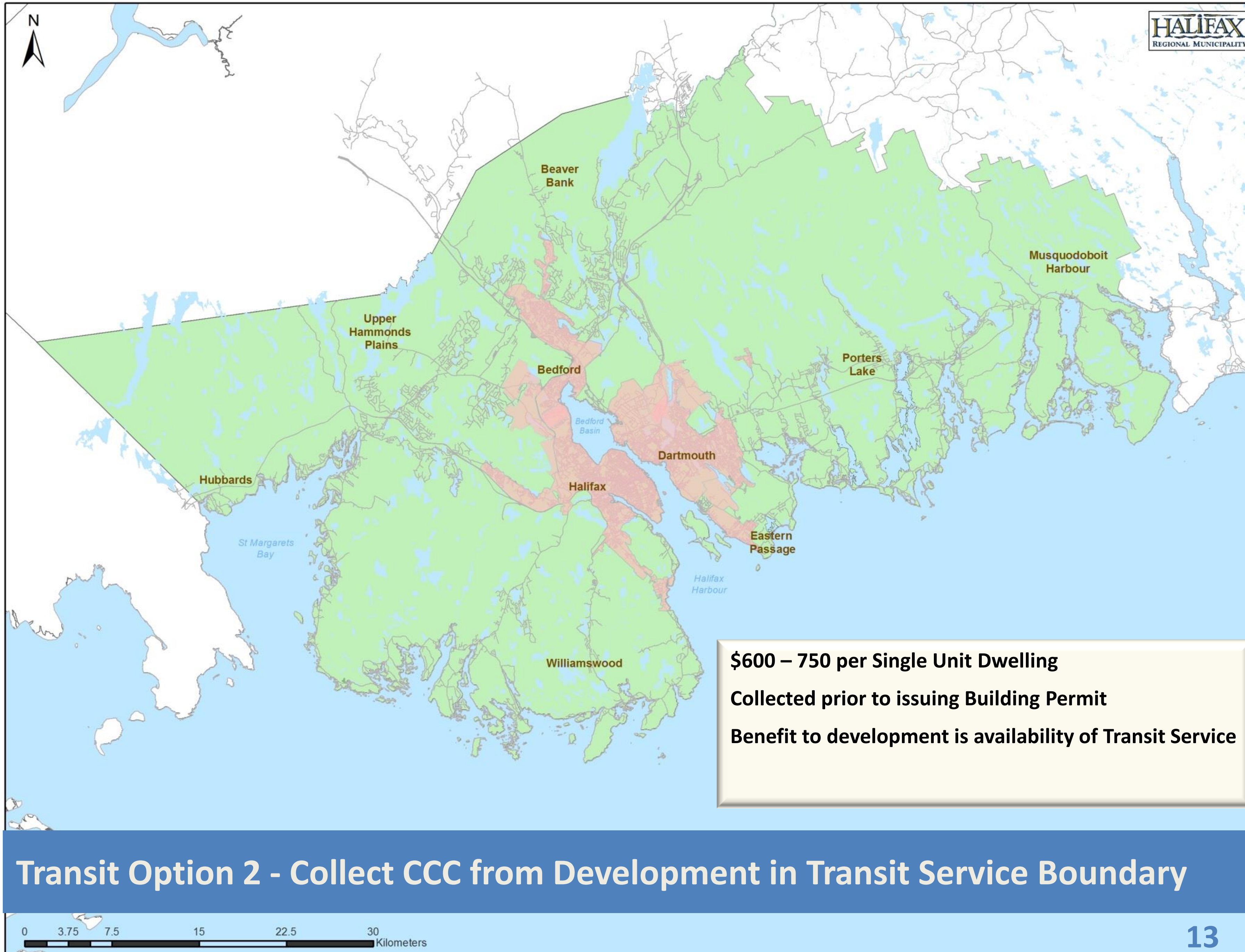


$550 – $650 per Single Unit Dwelling

Collected prior to issuing Building Permit

Benefit to Development is Capacity in Road Network

Transit Option 1 - Collect Region Wide CCC from Development in Commutershed



$600 – 750 per Single Unit Dwelling

Collected prior to issuing Building Permit

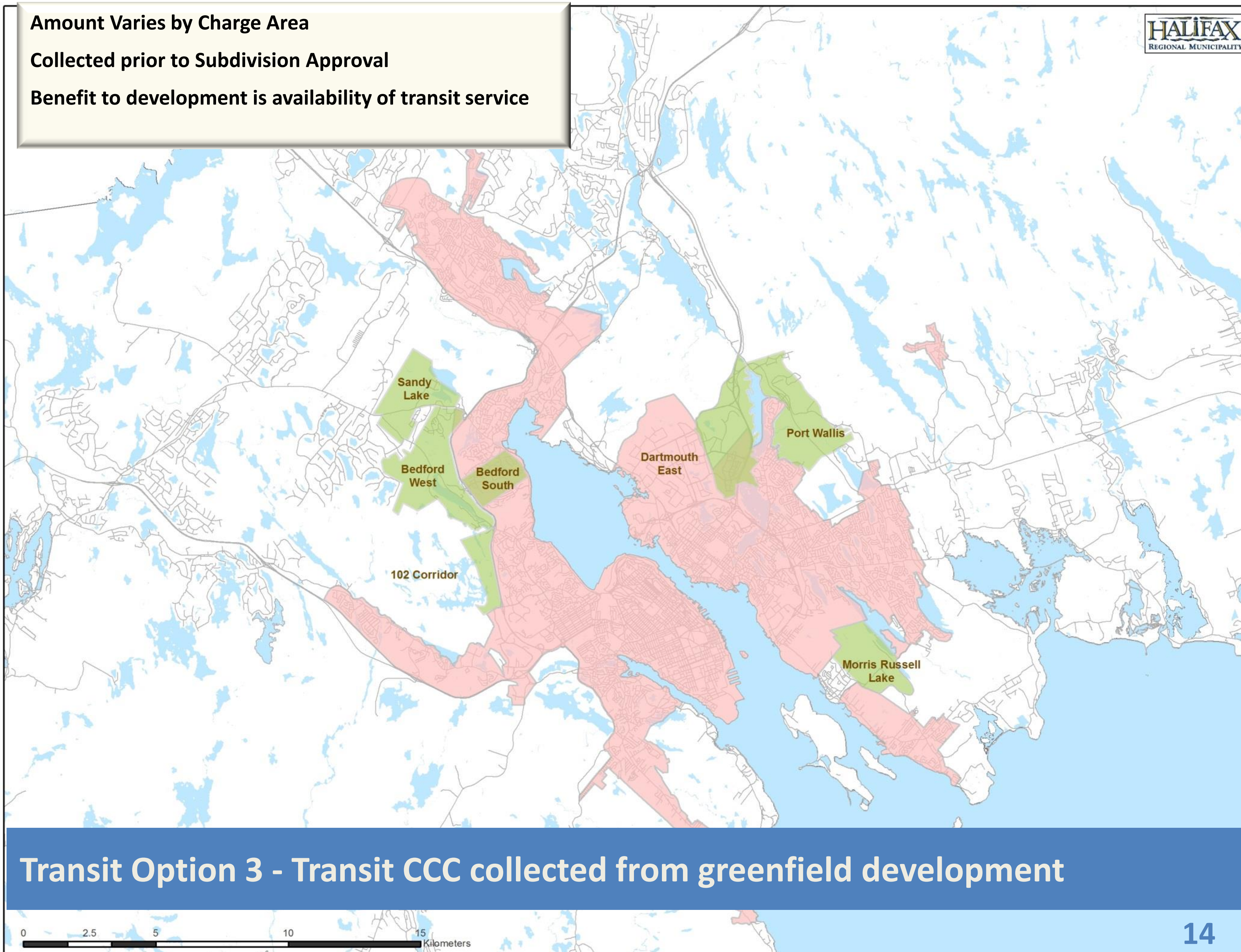
Benefit to development is availability of Transit Service

Transit Option 2 - Collect CCC from Development in Transit Service Boundary

Amount Varies by Charge Area

Collected prior to Subdivision Approval

Benefit to development is availability of transit service



Transit Option 3 - Transit CCC collected from greenfield development

CCC For Transit and Transportation *Recommendation*

Recommended Option, as per staff report

- Adopt a **Regional CCC for Transit and Transportation**, collected prior to issuing a building permit, from all types of development that occur in the commutershed

Alternatives

1. Adopt a **Transportation CCC** collected from development in the commutershed; and, adopt a **Transit CCC** collected from all development in Transit Service Boundary.
2. Adopt a **Transit CCC** collected from development in Greenfields; in addition to existing Area Based CCC for Transportation.

HALIFAX
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P.O. Box 1749
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Item No. 11.4.2
Halifax Regional Council
October 29, 2013

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed

For: Councillor Bill Karsten, Chair, Audit and Finance Standing Committee

DATE: October 18, 2013

SUBJECT: Development Charges for Transit and Transportation Services

ORIGIN

- October 10, 2006, Motion of Regional Council adopting a report entitled "Infrastructure Charges Study" prepared by SGE Acres Ltd., dated September 2006, as the basis for developing new policy and by-laws.
- Staff Report dated October 9, 2013
- October 16, 2013 meeting of the Audit and Finance Standing Committee, Item No. 9.1.2

LEGISLATIVE AUTHORITY

Motion of Halifax Regional Council of December 11, 2012 that proposals outside of the annual budget or tender process be referred to the Audit and Finance Standing Committee for review and recommendation prior to coming to Regional Council.

RECOMMENDATION

The Audit and Finance Standing Committee recommends Halifax Regional Council begin the formal by-law adoption process to enact By-Law D-400, the Development Charges for Transit Facilities By-Law, as outlined in Attachment C of the October 9, 2013 staff report.

BACKGROUND

The October 9, 2013 report deals with the adoption of region-wide Development Charges for transit and transportation services that HRM can collect under existing legislation. Further information in this regard is contained in the staff report (attachment 1).

DISCUSSION

Staff responded to questions from Councillors regarding the process of implementing region-wide Development Charges for transportation and transit services. The Audit and Finance Standing Committee approved the recommendation as outlined in the recommendation section of this report and requested that a detailed staff presentation on this matter be prepared for discussion at Regional Council.

FINANCIAL IMPLICATIONS

Financial Implications are presented in the attached report, dated October 9, 2013

COMMUNITY ENGAGEMENT

All meetings of the Audit and Finance Standing Committee are open to the public agendas, reports and minutes are available on the web in advance of meetings.

ENVIRONMENTAL IMPLICATIONS

Environmental Implications are presented in the attached report, dated October 9, 2013.

ALTERNATIVES

Alternatives are presented in the attached report, dated October 9, 2013.

ATTACHMENTS

1. **Audit and Finance Standing Committee Report dated October 9, 2013**

A copy of this report can be obtained online at http://www.halifax.ca/council/agendasc/cagenda.html then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Liam MacSween, Legislative Assistant, 490-6521

HALIFAX
REGIONAL MUNICIPALITY

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Attachment 1

AUDIT AND FINANCE STANDING COMMITTEE
October 16, 2013

TO: Chair and Members of the Audit and Finance Standing Committee

Signed by

SUBMITTED BY: ______________________________
Peter Stickings, Acting Director, Planning & Infrastructure

DATE: October 9, 2013

SUBJECT: Development Charges for Transit and Transportation Services

ORIGIN

October 10, 2006, Motion of Regional Council adopting a report entitled "Infrastructure Charges Study" prepared by SGE Acres Ltd., dated September 2006, as the basis for developing new policy and by-laws.

LEGISLATIVE AUTHORITY

Section 104 (1) of the HRM Charter permits Regional Council to make by-Laws imposing, fixing and providing methods of enforcing payment of charges for transit facilities and streets.

RECOMMENDATION

It is recommended that the Standing Committee recommend that Regional Council begin the formal by-law adoption process to enact By-Law D-400, the *Development Charges for Transit Facilities By-Law*, attached hereto as attachment C.

BACKGROUND

Development Charges (DC's) are paid by developers and are intended to recover the growth related portion of infrastructure that is needed, in whole or in part, to support growth. Development Charges fund the capital cost of providing infrastructure and assets, and do not fund operating or maintenance.

The amount of the charge is based on the level of benefit received by new development and so DC's are a form of tax for future users of the current infrastructure. Development Charges are not a tax levied on future users to cover deficiencies in existing infrastructure.

In the absence of development charges, growth related capital costs are funded by general tax revenue or do not occur in a timely fashion.

There are two broad types of Development Charges: "*area-based*" and "*region-wide*"

Area Based Development Charges:

Area-based development charges were also known as Capital Cost Contributions when they were approved by HRM in 2002 and apply to new "green field" development in specific areas. Area-based DC's are collected from a developer prior to granting sub-division approval and pay for the developers' share of transportation infrastructure needed to support the development, which is either within or alongside of a "charge area".

The amount of the charge varies between charge areas, depending on the cost of infrastructure needed to support development of the area, and the charge is only collected from development located in those specific areas. Council has adopted area-based DC's in Bedford West, Wentworth Estates/Bedford South, Portland Hills, and Russell Lake West.

In addition to the HRM area-based DC's, Halifax Water has a similar program to recover the developer's share of water and wastewater infrastructure in specific "charge areas".

Region Wide Development Charges:

Region-wide DC's are collected at the building permit stage from all development, including development that does not involve the subdivision of land. Hence, infill areas are charged in the DC.

In 2006, Council adopted the Infrastructure Charges Study[1] as a basis to develop new policy and by-laws relating to DC's. The study recommended that HRM maintain the program for area-based Capital Cost Contributions that was adopted in 2002, and expand the program by considering region wide development charges. Region wide DC's recover the share of infrastructure and capital assets that provide a benefit to all growth in the region, where the capital cost is less dependent on the location of growth. This includes growth-related expenditures not just in new subdivisions but also across the regional centre.

[1] Infrastructure Charges Study, SGE Acres, September, 2006

The study specified a range of region wide charges that could be considered in order of increasing difficulty. Wastewater was deemed to be the "easiest", followed by solid waste, transit and regional transportation. Service and design/construction standards for these services are well defined, and the growth related share is easier to calculate based on the system capacity taken up by infill and other new development. Next in order of difficulty were police, fire, recreation, libraries and regional parks, which are more complex than "hard" services such as roads and buried utilities.

The HRM Charter currently allows region-wide development charges for buses, ferries, transit facilities, solid waste facilities, water, wastewater, and transportation infrastructure.

In October, 2011, HRM requested amendments to the HRM Charter that would enable additional charges for fire services, recreation, libraries and regional parks. On the date of writing this report, no official response has been received from the Province.

HRM currently collects a regional DC for solid waste facilities (By-Law C-800).

Council had previously approved a region-wide wastewater treatment DC for all developments connected to a central sewer, which was adopted by Halifax Water in 2007 when the wastewater assets were conveyed to Halifax Water. The NS Utility and Review Board is currently considering a proposal by Halifax Water to eliminate the region-wide wastewater development charge and sewer re-development charge, and establish new wastewater and water regional charges.

DISCUSSION

This report deals with the adoption of region-wide Development Charges for transit and transportation services, which are the only outstanding charges that HRM can collect under existing legislation.

Overview:
Based on the methodology developed by Kitchen and Slack (refer to Attachment "B"), the amount of a DC for Transit and Transportation Services is as follows:

- Residential - single and semi-detached $882 per unit
- Residential – Multiple Unit $588 per unit
- Non-residential $7.43 per square metre (0.69 per sq. ft.)

Based on Council's Capital Plan and its long term capital forecast, spending for Transit and Transportation projects is estimated at $792,461,000 for the 2013-2022 period. For each project, the growth related capital cost was calculated by multiplying the project cost by its estimated growth related share. The relevant population and employment estimates are taken from a report prepared by Stantec Consulting, which was prepared for the Regional Plan review.[2] This allowed staff to quantify the amount required to pay for future growth.

[2] Quantifying the Costs and Benefits of Alternative Growth Scenarios, Stantec Consulting, March 2013

A project was NOT considered eligible for this region-wide CCC if it is funded in whole or in part by an area-based DC. All eligible costs are NET capital costs after external funding, such as the Federal Gas Tax is deducted.

Region-wide Development Charges are not typically collected for replacements of damaged structures, residential renovations that do not add additional units, residential accessory buildings, and agricultural, fishery, forestry, or mining buildings. The proposed by-law contains the same exemptions.

Key Considerations:
The Infrastructure Charges Study[3] noted that Capital Cost Contributions are justified under the principle that growth should pay for itself and not be a burden on existing residents. The study included a framework for Council to evaluate development charges, and suggests that charges be evaluated with respect to the following:

- Who bears the final burden;
- Equity;
- Location of Development
- Only recover municipal costs;
- Accountability and transparency;
- Certainty and Predictability; and
- Ease and cost of administration.

In addition to the DC that is the subject of this report, there are two other key initiatives underway that could increase the cost of development, as follows:

- the Regional Plan proposes in new developments that electrical and telecommunication services (between the pole and new buildings) be buried; and
- Halifax Water is proposing changes to their existing regional development charges.

Consequently, HRM and Halifax Water have jointly commissioned a study[4] to investigate the effect of increased costs on the affordability of housing. In broad terms, the study found that the past DC's in HRM have had no adverse impact on the market and further increases, of up to $10,000, are not likely to materially affect affordability in the new house market. Development charges on their own account for approximately 1.1% of the median price of a new single detached house in HRM, among the lowest impact of the cities surveyed.

The study found that an increase in the $15,000 - $20,000 range begins to get problematic for purchasers at the margins, and may cause purchasers to consider locations with lower land costs outside of the "serviced area". The study had similar findings for multi-unit rentals; the impact on demand at the lower range would be minimal, but that a gradual phase in of charges should be considered if new charges approach approximately $13,400 per unit.

[3] Infrastructure Charges Study, SGE Acres, September, 2006
[4] "Economic Impacts of Growth Related Infrastructure Costs", Gardner Pinfold Consultants Inc., August, 2013

The combined impact of the initiatives described above is estimated at $8,100 per unit for single unit homes. The amount for a multiple unit residential can vary by as much as 20% depending on the component of commercial uses and whether parking is above or below ground.

FINANCIAL IMPLICATIONS

The proposed Development Charge for Transit and Transportation infrastructure will not lead to additional cost pressures. Rather, it will provide an additional revenue source in order to pay for expected cost pressures. By charging new developments, including infill, the municipality should be able to provide growth related infrastructure faster than it would otherwise and without making existing taxpayers subsidize that growth.

It is anticipated that the proposed Development Charge will lead to additional revenues of $3,200,000 - $3,900,000 per year, depending on the actual rate of growth. These funds will be placed within the Regional Capital Cost Charges Reserve (Q137). Amendments to the reserve business case will be required to permit expenditures for transit and transportation services. The proportion of revenue collected for transit versus transportation services, as outlined in Attachment B, will be allocated to capital project expenditures using a 60% (transit) and 40% (transportation) split.

Transit and Transportation Funding from the Regional Capital Cost Charges Reserve will be allowed only for growth related capital expenditures, as approved by Council. Such funds cannot be used for maintenance or operations. They may be used for capital upgrades, but only to the extent that there is capacity available in those facilities to serve new growth.

There are no immediate implications for the general tax rate or the transit tax rate, of the new charge. The charge does, however, reduce the pressure for those tax sources to fund growth related infrastructure, hence making the long term capital plan and the municipality's financial situation more sustainable.

The amount of the charge to be levied, as well as the proportion of revenue collected for transit versus transportation services, will be reviewed every three years.

COMMUNITY ENGAGEMENT

Community engagement will occur if the formal by-law adoption process is initiated by Council. In addition, the development industry will be formally engaged through HRM's "Development Liaison Group", a committee organized by the administration to review business processes and legislation relating to development in HRM.

ALTERNATIVES

The committee could agree not to recommend expanding the development charges program at this time. This is not recommended for the reasons outlined in this report.

ATTACHMENTS

Attachment A	Recommendations from Infrastructure Charges Study, SGE Acres Ltd., September, 2006
Attachment B	Regional Transportation and Transit Development Charge Background Study
Attachment C	Draft form of By-Law

A copy of this report can be obtained online at http://www.halifax.ca/commcoun/cc.html then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Signed by
Peter Duncan, P.Eng. Manager Infrastructure Planning Office, 490-5449

Financial Approval by: Signed by
FOR: Greg Keefe, Director of Finance & ICT/CFO, 490-6308

Attachment "A"

Recommendations from Infrastructure Charges Study, SGE Acres Ltd., September, 2006

Following is an excerpt from the Executive Study, p.viii

Based upon the research conducted in this report, it is recommended that:

1) HRM should consider expanding the application of the current Capital Cost Contribution (CCC) charges to include:

- Sewer services;
- Solid waste;
- Transit; and
- Regional transportation infrastructure.

2) Any expanded application of the current Capital Cost Contribution program should include all types of development, including infill development and subdivisions.

3) The charges should be based upon clearly defined standards of service.

4) Capital Cost Contribution charges should be reviewed every five years to ensure that they are meeting all of the growth-related capital requirements.

5) Capital Cost Contribution charges should be placed in reserve funds. These funds should be dedicated to specific capital projects as set out in the calculation of the Capital Cost Contribution charges.

6) Where growth-related capital costs vary by location, CCC's should be applied on a development by development basis. Where growth-related capital costs are the same across the region, a uniform region-wide rate should apply.

7) Capital Cost Contribution charges should reflect variations in the costs of servicing different property types (single family dwellings, apartments, commercial and industrial properties).

Attachment B

Regional Transportation and Transit Development Charge Background Study

HALIFAX
REGIONAL MUNICIPALITY

Paul V. Burgess, M.Eng., P.Eng.
Program Engineer
Infrastructure Services

September 14, 2013

TABLE OF CONTENTS

1.0 INTRODUCTION

The Halifax Regional Municipality (HRM) currently levies region wide development charges (DC's) for solid waste facilities, as well as area specific charges for transportation services. The HRM Charter also provides Council with the authority to collect development charges for transportation infrastructure, buses, ferries, transit facilities. This report calculates a region wide DC for transportation and transit. The methodology was developed by Kitchen and Slack[1], and uses projected population and employment increases to estimate the growth related share of infrastructure planned in the ten-year period from 2013-2022.

In addition, Halifax Water collects a region wide DC for wastewater treatment as well as area based charges for water, wastewater and stormwater systems

2.0 POPULATION, EMPLOYMENT, HOUSING AND NON-RESIDENTIAL BUILDING SPACE FORECASTS

Population and employment forecasts were based on the 2013 Stantec report[2] prepared for the HRM Regional Plan review. The Stantec estimates were based on the 2009 Altus Group report[3] which forecast that HRM's population and employment would increase by 65,300 persons and 37,000 employees over the 2006 to 2026 period. The Altus projections were revised by Stantec to reflect the predicted impacts of the Irving shipbuilding contract. The revised estimates were 44,780 persons (4,478 per year) and 26,450 employees (2,645 per year) over the 2012-2022 periods.

Table 1: HRM Population and Employment Forecast: 2012 to 2022			
Year	Population	Employment	Totals
2012	414,329	231,060	645,389
2022	459,109	257,510	716,619
Growth	44,780	26,450	71,230

Notes

1. 2012 Population Estimates were taken from the Environics report: A Note on Population Growth in the Halifax Regional Municipality, Dec 11, 2009.
2. 2012 Employment Estimates were taken from the Statistics Canada Labour Force Survey

[1] Calculation of a Capital Cost Contribution Charge for Fire, Parks and Recreation, Library, and Growth Related Studies in the Halifax Regional Municipality, Harry Kitchen and Enid Slack, May 2011

[2] Quantifying the Costs and Benefits of Alternative Growth Scenarios, Stantec Consulting, March 2013

[3] Employment, Population, and Housing Projections Halifax Regional Municipality: An Update, Altus Group Consulting, July 2009

Housing unit forecasts were taken from the HRM Regional Municipal Planning Strategy. It is estimated that housing units will increase by 28,895 units and average household size will decrease to 2.22 over the period 2013-2022. The household size assumptions used in the DC calculations are presented below:

Table 2: HRM Household Size						
	Housing Units			Household Size		
	Total	**Singles/Semis**	**Multis**	**Total**	**Singles/Semis**	**Multis**
2012	178,645	103,622	75,023	2.33	2.70	1.80
2022	207,540	122,192	85,348	2.22	2.56	1.70
Average				2.28	2.63	1.75

A review of HRM building permit data[4] for the past six years indicates that non-residential floor space inventory increased by 1,070,847 square metres (11,526,507 square feet) or 178,474 square metres per year. This historical growth rate of 178,474 square metres per year was used to predict the future growth in non-residential floor space of 1,784,745 square metres over the next ten years.

These forecasts are a reasonable basis on which to calculate a development charge. Actual rates of growth and development will be monitored and the amount of the charge will be reviewed at least once every three years to coincide with the capital planning cycle.

3.0 HISTORIC CAPITAL SERVICE LEVELS

Provincial legislation in Ontario requires that development charges be set at a level no higher than the average service level provided in the municipality over the ten-year period immediately preceding the preparation of the background study. This provision is intended to prevent municipalities from using DC's as a means to increase service standards. While there is no similar legislation in Nova Scotia, this provision is generally accepted as a best practise in Canadian Municipalities and was applied in this study. The two service standard levels used were roadway length per capita and buses per capita.

The roadway length per capita service standard was based on the estimated 2012 and projected 2022 total roadway length of major collectors, arterial, expressways, and freeways. In 2012, the estimated roadway length was 830 km. Over the ten-year

[4] Hansen Query for NEWCOM, NEWIND, NEWINS, ADDCOM, ADDIND, ADDINS for the period January 1, 2007 to December 31, 2012

period, it is assumed that HRM will construct 5.4 km of new roads, and NSTIR will construct 5.7 km of new roads[5]. The 2022 roadway length per capita service standard is expected to be less than the 2012 service standard. A summary is provided in Table 3.

Table 3 – Roadway Length Per Capita Service Levels			
Year	**Roadway Length**	**Population**	**Roadway (m) per Capita**
2012	830 km [(1)]	414,329	2.00
2022	841.1 km	459,109	1.83
Growth	11.1 km	44,780	

(1) Source: HRM GIS

The buses per capita service standard was based on 2012 Metro Transit and 2022 projected fleet estimates[6]. In 2012, the estimated fleet size was 329 buses. Over the ten-year period, it is estimated that Metro Transit will add 77 buses to its fleet[7]. The buses per capita service standard was calculated as follows:

Table 4 – Bus Per Capita Service Levels			
	Buses (1)	**Population**	**Buses Per 10,000 persons**
2012 Estimate	329	414,329	7.94
2022 Estimate	405	459,109	8.82
Growth	36	44,780	7.94

Notes:

1. 40 ft equivalent buses not including Community Transit or MetroX

Table 4 indicates that bus service levels are expected to increase by 2022. Of the 77 buses Metro Transit plans to add to its fleet, only 36 buses can be attributed to population growth. The remaining 41 buses represent a service standard increase and should not be recovered through a DC charge.

[5] The HRM roads include Margeson Drive, MacLennan Drive, and Herring Cove Road widening projects. It does not include Shearwater Connector (Mount Hope Avenue) project which is not in the current ten-year forecast. The NSTIR roads include the Burnside Drive extension project but do not include Highway 113 or the Cherrybrook Bypass

[6] Metro Transit fleet estimates are based on 40 foot bus equivalents and do not include Community Transit or Metro-X buses.

[7] This figure is based on a total capital expenditure of $36,375,000 and an average bus cost of $475,000.

4.0 CALCULATION OF DEVELOPMENT CHARGES

4.1 Growth Related Share

The growth related share for the Functional Transportation Plan, Road Network Model, and Traffic Studies projects was assumed to be 100 percent. The growth related share for the Bus Expansion project was based on the bus per capita service level and was set at 46.4 percent[8]. The growth related share for the remaining projects was calculated as follows:

Table 6 – Growth Related Share	
Population and Employment in 2012	645,389
Population and Employment Growth 2012-2022	71,230
Growth Related Share	11.04%

4.2 Growth Related Capital Costs

The Development charges in this study are intended to recover the growth related share of the initial capital cost as well as the cost to substantially renew an asset to extend its service life. Projects that are comprised mainly of routine maintenance or rehabilitation were excluded. Additionally projects that address deficiencies in existing infrastructure and have limited benefit to development were excluded. Capital spending for Transit and Transportation projects is estimated at $792,461,000 for the 2013-2022 period[9]. For each project the growth related capital cost was calculated by multiplying the project cost by the growth related share.

The purpose of a development charge is to cover the growth related share of municipal costs, which requires that all external funding be deducted from the gross capital costs before the growth related costs are calculated. The only source of external funds for eligible projects is currently the Federal Gas Tax Fund (GTF). The GTF is program based and eligible projects are included in several budget categories including transit, roads and streets, industrial parks, solid waste and community development. Notwithstanding in recent years the GTF has been allocated at Council's discretion exclusively to transit and roads and streets.

[8] The growth related share for bus expansion was calculated by dividing the total number of buses attributed to population growth (36) by the total number of buses added (77) over the 10-year period.

[9] Source: HRM 2013-2015 Capital Plan and HRM 2016-2022 Project Forecast

This study assumes that this trend will continue and 11.04% of the entire GTF is deducted from growth related costs. The precise allocation between projects included in transit or roads and streets varies and is difficult to predict with certainty. For the revenue allocation purposes - the GTF can be prorated between transit and roads in direct proportion to the budget for each category.

As mentioned previous it is expected that the DC will be reviewed at least once every three years to coincide with the capital planning cycle. The accuracy of these assumptions will be tested, to ensure that they continue to be a reasonable and fair basis on which to calculate a DC. Details of the calculations which determine the growth related share of eligible capital costs are provided in the following table.

Table 7 – Growth Related Capital Costs				
Project	Timing	Cost	Growth Related Share	
			Percent	Cost
Metro Transit				
Terminal Replacement and Upgrades	2013-22	$20,500,000	11.04	$2,262,535
Transit Technology	2013-17	$43,285,000	11.04	$4,777,259
Bus Expansion	2013-22	$36,375,000	46.41	$16,881,638
New/Expanded Transit Centre	2017-18	$30,500,000	11.04	$3,366,210
Transit Other[10]	2013-22	$146,536,000	11.04	$16,172,819
Subtotal Metro Transit		**$277,196,000**		**$43,460,460**
Roads & Streets				
Bridges	2013-22	$24,300,000	11.04	$2,681,931
Street Recapitalization	2013-22	$99,052,500	11.04	$10,932,181
Subtotal Roads and Streets		**$123,352,500**		**$13,614,112**
Traffic Improvements				
Active Transportation and TDM	2013-22	$13,600,000	11.04	$1,500,999
Cogswell Interchange Removal	2018	$20,000,000	11.04	$2,207,351
Intersection Improvement Program	2013-22	$25,100,000	11.04	$2,770,225
Traffic Signal Installation and Integration[11]	2013-22	$14,410,000	11.04	$1,590,396
Traffic and Transportation Studies[12]	2013-22	$3,550,000	100.00	$3,550,000
Transportation Network Improvements[13]	2013-22	$32,200,000	11.04	$3,553,835
Subtotal Traffic Improvements		**$108,860,000**		**$15,172,806**
Grand Total		**$509,408,500**		**$72,247,379**
Minus Gas Tax Funding (2013-22)		**$250,000,000**	**11.04**	**($27,600,000)**
Net Growth Related Capital Forecast				**$44,647,379**

[10] "Transit Other" includes bus, ferry, bus stop service vehicle refits and bus replacements.

[11] "Traffic Signal and Integration" includes new traffic signal installations, controller cabinet and detection upgrades, and traffic signal system integration.

[12] "Traffic and Transportation Studies" include functional transportation plans, road network model, and various traffic studies.

[13] "Transportation Network Improvements" include new roadway corridor land acquisition and construction, roadway widening and upgrade projects, and the North Park Corridor project.

4.3 Residential and Non-Residential Share

Residential and Non-Residential shares were based on the estimated population and employment growth for the ten-year period, and were calculated as follows:

Table 8 – Residential and Non-Residential Share	
Net Growth Related DC	$44,647,379
Population and Employment Growth 2012-2022	71,230
Population Growth 2012-2022	44,780
Residential Percentage	62.87 %
Non-Residential Percentage	37.13%
Residential Share	$28,068,365
Non-Residential Share	$16,579,014

4.4 Residential and Non-Residential DC

The residential DC per capita was estimated by dividing the growth related residential share by the forecast household growth. The non-residential DC per square metre was estimated by dividing growth related non-residential share by the forecast non-residential floor space growth. A summary is presented below:

Table 9 – Residential and Non-Residential DC	
Residential Share	$28,068,365
Household Growth (2012 – 2022)	28,895
Residential DC per unit	$971.39
Non-Residential Share	$16,579,014
Non-Residential Floor Space Growth (2012-2022)	1,784,745 psm
Non-Residential per square metre	$9.29

For each unit type, residential DC per unit type was estimated using the forecast number of units by type, and the average household size by type. The results are presented below:

Table 10 – Regional Transportation and Transit DC by Household Type			
	Forecast Units 2013-2022	DC per Unit	Totals
Singles/Semis	18,570	$1,072.74	$20,477,882
Multiple Units	10,325	$735.16	$7,590,527
Totals			$28,069,409

4.5 Adjustments

This study has estimated the maximum development charges that could be levied. Council may choose to recover less than the total eligible growth-related capital costs. These options are discussed further below.

4.5.1 Trips Originating Outside of HRM

The 2006 Journey to Work Data indicates that approximately 7 percent of all work trips originate from outside of HRM. In other words, 7 % of work related trips are not related to either growth within HRM or existing HRM residents and businesses. In addition to the journey to work trips, there are shopping and tourist trips, as well as the movement of goods that also originate outside of HRM. To ensure that growth does not pay too much, a 10 percent reduction in the calculation of the DC could be used.

4.5.2 Property Tax

While development charges are apportioned to those properties which derive a direct benefit, inequities may arise in the allocation of costs between current and future taxpayers. Owners of new properties not only pay for growth related infrastructure through development charges, a portion of their taxes also help pay for the replacement of existing infrastructure for owners of existing properties. Various studies have been carried out to determine how to address this inequity and the most practical method is to reduce the Development Charge. Estimating the amount of the reduction is subject to many variables including future tax rates, and the practice in Ontario is to lower the DC by 10 percent to handle this situation. This is conservative in the developers' favour, and is generally accepted as a best practise when calculating development charges.

5.6 PROPOSED TRANSPORTATION AND TRANSIT DC

The DC for transportation and transit projects should be reduced by a total of 20%: 10% for trips that originate outside of HRM and 10% for property tax. The results are summarized in the following table:

Table 11 - Proposed Regional Transportation and Transit DC				
Type of Development	DC Before Deduction		Final DC After 20 percent deduction	
Single/Semis	$1,072.74		$882	
Multi Residential	$735.16		$588	
Non residential	$9.29 psm	$0.86 PSF	$7.43 psm	$0.69 PSF

Attachment C

HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER D - 400
RESPECTING REGIONAL DEVELOPMENT CHARGES FOR TRANSIT AND TRANSPORTATION FACILITIES

BE IT ENACTED by the Council of the Halifax Regional Municipality under the authority vested in it by *The Halifax Regional Municipality Charter*, 2008, S.N.S. c. 39, as amended, including sections 102 and 104, as follows:

Short Title

1. This By-law may be cited as By-law D-400, the *Development Charges for Transit and Transportation Facilities By-law.*

Definitions

2. In this By-law,

(a) **"accessory building"** means a subordinate building or structure on the same lot as the main building, or on a lot which directly abuts or is directly across a public street or highway, private road or right of way from the lot containing the main building, and is not attached in anyway to the main building;

(b) **"agricultural building"** means a building or the part thereof which is used for the production of food, fibre, flora, or the breeding and handling of livestock;

(c) **"dwelling unit"** means living quarters that:

(i) are accessible from a private entrance, either outside the building or in a common area within the building,

(ii) are occupied or, if unoccupied, are reasonably fit for occupancy,

(iii) contain kitchen facilities within the unit, and

(iv) have toilet facilities that are not shared with the occupants of other dwelling units;

(d) **"fishery building"** means a building or the part thereof used for storing or processing fish including fish houses, sheds, lobster pounds, wharf storage buildings, and smoke houses;

(e) **"floor space"** means the total area in square feet of all floors, measured along the outside surface of the exterior walls of the building, including the areas occupied by exterior and interior walls and partitions, all exits, service access spaces, vertical service spaces, and parking spaces within the exterior walls of the building but excluding non-habitable attic spaces and crawl spaces;

(f) **"forestry building"** means a building or the part thereof used for sawing or milling forest products including sawmills, vehicle and equipment storage and maintenance buildings;

(g) **"mining building"** means a building or the part thereof used for mining or otherwise extracting minerals or aggregates including vehicle and equipment storage and maintenance buildings;

(h) **"mixed-use building"** means a building that contains both residential and non-residential uses;

(i) **"multiple unit residential building"** means a building that contains more than one dwelling unit;

(j) **"new building"** means a building that is newly constructed or which is moved onto a lot after the coming into force of this By-law;

(k) **"single detached residential building"** means a building that contains not more than one dwelling unit; and

(l) **"transit facilities"** includes a bus, a bus terminal, a bus shelter, a bus bay, a parking lot, a ferry, a ferry terminal and a ferry dock.

Application of By-law

3. This By-law shall apply to the area shaded on the map attached hereto as Schedule "A".

Development Charge for Transit and Transportation Facilities for New Buildings

4. Subject to section 6 of this By-law, the following charges for transit and transportation facilities shall be paid to HRM before the issuance of a building permit:

(a) a charge in the amount of eight hundred and eighty-two dollars ($882) for all new single detached residential buildings;

(b) a charge in the amount of five hundred and eighty-eight dollars ($588) per dwelling unit for all new multiple unit residential buildings;

(c) a charge in the amount of five hundred and eighty-eight dollars ($588) per dwelling unit, and a charge at a rate of sixty-nine cents ($0.69) per square foot of floor space used for non-residential purposes, for all new mixed-use buildings; and

(d) a charge at a rate of sixty-nine cents ($0.69) per square foot of floor space for all other new buildings and building additions except those identified in clauses 5(c) and 4(d)

Development Charge for Transit and Transportation Facilities for Rebuilt Replaced or Repaired Buildings

5. (1) Subject to section 6 of this By-law, a charge shall be payable under this By-law if a building is rebuilt, replaced, or repaired in a manner that creates:

(a) additional dwelling units; or

(b) additional square footage of floor space for non-residential purposes.

(2) A charge in the amount of five hundred and eighty-eight dollars ($588) per each additional dwelling unit shall be paid to HRM prior to the issuance of a building permit.

(3) A charge at the rate of sixty-nine cents ($0.69) per additional square foot of floor space shall be paid to HRM prior to the issuance of a building permit.

Exemptions

6. No charge shall be payable under this By-law for:

(a) an addition to a residential unit within a mixed-use building, where additional dwelling units are not being created by the addition;

(b) an addition to a residential building where additional dwelling units are not being created by the addition;

(c) a building that is a residential accessory building;

(d) a building that is an agricultural building, fishery building, forestry building, or mining building; or

(e) a building that is rebuilt, replaced, or repaired, due to damage or destruction by fire or otherwise providing that:

i) the building that is rebuilt, replaced, or repaired, is substantially the same as it was before the destruction or damage;

ii) the building that is rebuilt, replaced, or repaired is occupied by the same use as was immediately prior to the fire; and

iii) the building does not contain any additional dwelling units.

Lien

7. A charge or charges levied under this by-law shall constitute a lien against the property in respect of which the charge is levied and, in addition to any other remedies at law, may be collected in the same manner and with the same remedies as provided for the collection of real property taxes.

Schedule

8. The Schedule attached hereto shall form part of this By-law.

Done and passed by Regional Council on , 2013.

____

Mayor

____

Municipal Clerk

I, , Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of Halifax Regional Council held on the day of ________________________________, 2013.

____

, Municipal Clerk

Schedule "A"

Transit & Transportation Development Charge Area