



P.O. Box 1749
Halifax, Nova Scotia
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Item No. 15.1.1
Halifax Regional Council
April 14, 2026

TO: Mayor Fillmore and Members of Halifax Regional Council

FROM: Brad Anguish, Acting Chief Administrative Officer

DATE: April 7, 2026

SUBJECT: Amendment to By-Law D-600 Development Charges in Dartmouth Cove

ORIGIN

- 1) June 6, 2019 Harbour East-Marine Drive Community Council motion (Item 13.1.1)

MOVED by Councillor Karsten, seconded by Deputy Mayor Mancini

THAT Harbour East-Marine Drive Community Council endorse the Downtown Dartmouth Combined Infrastructure Renewal Plan as presented at their June 6, 2019 meeting.

MOTION PUT AND PASSED.

- 2) September 29, 2020 Halifax Regional Council motion (Item 7.7)

MOVED by Councillor Austin, seconded by Councillor Cleary

THAT Halifax Regional Council direct the Chief Administrative Officer to draft a Development Charge By-law to fund 50% of the net project cost as described in the Financial Implications section of the staff report dated August 25, 2020, for the design and construction of the Dundas Street extension and bridge, and return to Council for consideration.

MOTION PUT AND PASSED UNANIMOUSLY

- 3) August 23, 2022 Halifax Regional Council motion (Item 15.1.1)

MOVED by Councillor Austin, seconded by Councillor Mancini

THAT Halifax Regional Council adopt By-law D-600, the Dartmouth Cove Development Charge By-law, as set out in Attachment A of the staff report dated June 14, 2022.

MOTION PUT AND PASSED UNANIMOUSLY

RECOMMENDATIONS ON PAGE 2

EXECUTIVE SUMMARY

This report proposes an amendment to the Dartmouth Cove Development Charge By-law (By-Law D-600). In accordance with HRM's Housing Accelerator Fund (HAF) Action Plan, amendments were made to the Regional Center Land Use By-law to increase allowable Floor Area Ratios in the Dartmouth Cove Future Growth Node. Because the development charges under By-Law D-600 are based on Floor Area Ratios, amendments are now required to the By-Law to reflect the amended floor area ratios and ensure equitable distribution of the development charges among the affected property owners.

The estimates of cost have also been updated in this report, based on the latest project estimates from the ongoing construction in the area, and land appraisals.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Request the Mayor write a letter to the Minister of Municipal Affairs to ask for approval of a change to the development charges under By-law D-600; and
2. Adopt Amending By-law D-601, amending By-law D-600, the *Dartmouth Cove Development Charge By-law*, as set out in Attachment B to this report.

BACKGROUND

The goal of the Comprehensive Plan approved by the Harbour East Community Council in June 2012 was to prepare a comprehensive, mixed-use plan for the re-development of the Dartmouth Cove study area. The vision for the community is to have a walkable and cycle-friendly area, increasing the connection between this area and downtown Dartmouth.

As part of the 2019 adoption of the Regional Centre Secondary Municipal Planning Strategy (SMPS) and Land Use By-law (Package A) (LUB), the Dartmouth Cove plan was updated and designated as a Future Growth Node. The SMPS encourages the re-development of Dartmouth Cove, including creation of a new street grid, and extending a new street, Patuo'kn Street, an extension to Dundas Street, crossing Alderney Drive, Shubenacadie Canal, Canal Street and ending at an intersection with Skokomul Street (formerly Maitland Street) as shown on Schedule 1. The extension of Patuo'kn Street to Skokomul Street provides a second means of access and egress for the Growth Node; a concept that was endorsed by the Harbour East-Marine Drive Community Council on June 16, 2019¹.

The Regional Centre SMPS designated the land required for the Patuo'kn Street connection as a transportation reserve, with the land between Alderney Drive and Canal Street acquired in 2020 and 2021. Construction is underway and will be completed in Spring 2026. Property acquisition for the required property from Canal Street to Skokomul Street is ongoing.

Because the construction of Patuo'kn Street benefits both existing businesses as well as landowners within Dartmouth Cove, a 50/50 cost sharing between the municipality and the landowners was approved by Regional Council at their regular meeting of September 22, 2020². In August 2022³, Regional Council approved By-law D-600 Respecting Development Charges for Dartmouth Cove, enabling funding of 50% of the net project cost for the design and construction of Patuo'kn Street.

¹ [June 6, 2019 Harbour East-Marine Drive Community Council | Halifax](#)

² [Dartmouth Cove Project – Development Charges - Sep 22/20 Regional Council | Halifax.ca](#)

³ [Second Reading Proposed By-law D-600, Respecting Development Charges for Dartmouth Cove - Aug 23/22 Regional Council | Halifax.ca](#)

The cost sharing does not include the work to the nearby Prince Albert Road / Portland Street / Alderney Drive intersection, nor the Halifax Water work to further daylight Sawmill Creek, as these are not of direct benefit to the land owners.

Land owners in this area include several private developers, Build Nova Scotia, the Dartmouth Curling Club, and marine industrial businesses. There are currently no residences in the area subject to the development charge.

DISCUSSION

As discussed in the 2022 staff report⁴, the development charge is distributed among the property owners based on the area of land and potential for development density as a proxy for the level of benefit arising from the infrastructure needed to support the development, using development permissions set out in the Regional Centre SMPS and LUB. In this respect, the By-law uses Floor Area Ratios permitted by the LUB to determine the amount of the charge. The Municipality initially pays for the infrastructure, and a development charge will be collected at the time of development, which must be paid prior to the issuance of a building permit. This allows existing uses such as the Curling Club to continue operation without additional financial burden.

Housing Accelerator Amendments

Under HRM's Housing Accelerator Fund (HAF) Action Plan, amendments were made to allowable Floor Area Ratios in the Dartmouth Cove Future Growth Node. Because the development charges under By-Law D-600 are based on Floor Area Ratios, amendments are now required to the By-Law to ensure an equitable distribution of the development charges among the affected property owners. Figures 1 and 2, below, show the FAR distribution from the SMPS effective in 2021 and the amendments made through HAF, respectively.

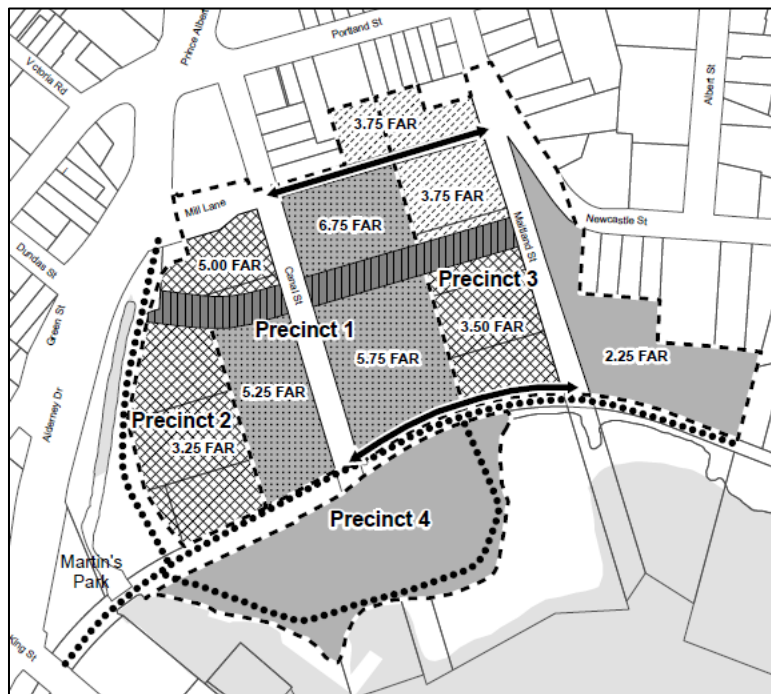


Figure 1 – A portion of Map 13 from the Halifax Regional Centre Secondary Municipal Planning Strategy: Future Growth Node Land Use Concept – Dartmouth Cove, November 2021

⁴ [Second Reading Proposed By-law D-600, Respecting Development Charges for Dartmouth Cove - Aug 23/22 Regional Council | Halifax.ca](#)

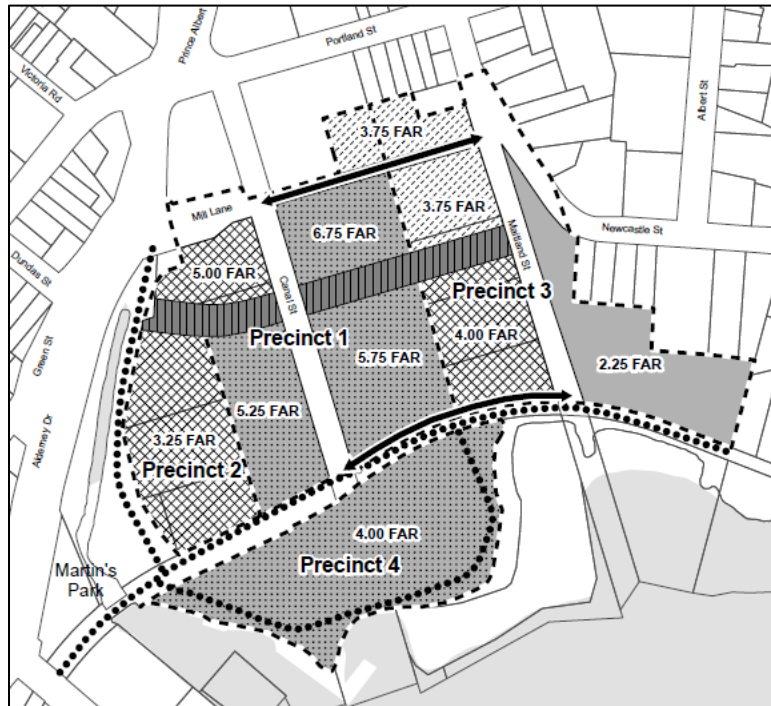


Figure 2 – A portion of the Map 13 from the Halifax Regional Centre Secondary Municipal Planning Strategy: Future Growth Node Land Use Concept – Dartmouth Cove, amended in June 2024 through the Housing Accelerator Fund Action Plan.

Design and Construction Costs

The estimated costs have fluctuated over time. Property costs have risen, while construction costs have decreased due to efficiencies found in combining construction with Halifax Water’s work to daylight Sawmill Creek, and due to funding received from the Province under the Municipal Capital Growth Program. The estimated costs are as indicated in Table 1, as well as the estimated costs presented under the existing By-Law.

Table 1 – Dartmouth Cove Development Charges*		
Property Identification Description	Estimated cost under By-Law, 2021	Estimated Cost under amended By-Law*
Halifax Regional Municipality	\$ 5,500,000	\$ 5,876,000
00114249	\$ 314,000	\$ 252,000
00114256	\$ 451,000	\$ 361,000
00114264	\$ 532,000	\$ 426,000
00114272	\$ 331,000	\$ 265,000
00381228	\$ 105,000	\$ 337,000
40612384	\$ 40,000	\$ 129,000
00114330	\$ 1,290,000	\$ 1,034,000
00114322	\$ 142,000	\$ 114,000
40180127	\$ 145,000	\$ 125,000
40718934	\$ 433,000	\$ 369,000

00114306	\$ 753,000	\$ 625,000
00114280**	\$ 233,000	\$ 1,460,000
40612376**	\$ 236,000	\$ 0
00097568	\$ 439,000	\$ 352,000
41496472	\$ 33,000	\$ 27,000
40612996**	\$ 23,000	\$ 0

*Costs shown are based on the current project estimates for January 2026, rounded to the nearest \$1,000. Final charges to property owners will be a percentage of the final project cost. Inflation will be accounted for as described in Attachment A, By-law D-600.

**In 2025 a subdivision and consolidation of these properties redistributed the PID areas and created two water lots. Water lots are considered to have an allowable FAR of 0 and therefore are not part of the charge.

The proposed by-law amendments will allow the municipality to recover up to 50% of the project costs, without compromising existing uses in the area.

In 2023, the Province of Nova Scotia amended the *HRM Charter* to prohibit changing any fee or charge that would have the effect of increasing the cost to applicants for development approvals. Notwithstanding, capital cost and similar charges are permitted if the method of calculating the charge was in effect prior to the restriction coming into force, and if approved by the Minister. The proposed amendments do result in an increase for some PIDs in the area, resulting from the changes to allowable Floor Area Ratios as a part of the Housing Accelerator Fund amendments as well as changes to the fixed percentages contained in the by-law. These changes are subject to approval by the Minister. The recommendation included in this report requests the Mayor to seek approval by the Minister, and the amendments' effective date is subject to that approval.

FINANCIAL IMPLICATIONS

The costs associated with executing the Development Charge By-law for Dartmouth Cove can be accommodated within the proposed 2026/2027 budget.

\$1.8M has already been spent on project design, testing and property acquisition. Construction of Patuo'kn Street from Alderney Drive to Canal Street, and associated changes to Alderney Drive, is nearing completion, with an estimated cost of \$3.7M from capital account CT190003. There is \$6.4M available for remaining property acquisition and the design and construction of Patuo'kn Street from Canal Street to Skokomul Street in capital account CT240001 – Dartmouth Infrastructure Renewal-Patuo'kn St. If approved, the development charge will recover up to \$5.88 million of the capital costs.

HRM and Halifax Water are receiving \$14M from Nova Scotia Department of Municipal Affairs through the Municipal Capital Growth Fund for the "Sawmill Creek" project, which includes the construction of Patuo'kn and supporting infrastructure. \$1.2M of this will be directed to the Patuo'kn extension, reducing construction costs, and the estimated costs needing to be recouped through the Development Charge.

The Municipality will fully fund the project costs up front and recover up to 50% of capital costs from identified property owners through the development charge as described in this report. However, there are risks associated with HRM's ability to recover the full 50% of capital costs. These are listed in the Risk Consideration section of this report.

RISK CONSIDERATION

1. Development Charges are collected at the time of issuance of a streets and services permit or building permit. Therefore, the project costs will not be recouped until the area is developed. This poses a risk because the Municipality cannot be certain of the timing of development.
2. Build Nova Scotia (BNS, formerly Develop Nova Scotia) is a Provincial Crown Corporation and therefore not subject to taxes imposed by the Municipality, and do not require development approvals or building permits.

In the past, Provincial Crown Corporations have agreed to pay a development-based charge. BNS have thus far indicated they are willing to pay but have indicated they would prefer to not pay according to the densities set out in the Centre Plan, but to the densities they actually build to in the future. BNS have indicated they may not build to the maximum densities allowed by the Centre Plan, however, they are not in a position to state to what density, form or use they will be building. Therefore, HRM may not be able to recoup the full portion of the development charge allotted for the BNS properties. In this event, the Municipality may choose to:

- a. distribute the BNS share of the charge to the other property owners identified in the By-law, and HRM; or,
 - b. absorb the cost.
3. There is a risk of cost overrun due to rising costs in property and construction. Based on recent experience, this risk is rated high. The development charge will be recalculated based on actual construction costs.
 4. There is a risk that the Minister may not approve the request to update By-Law D-600 based on restrictions on increasing development fees. This risk is rated low, because this is a fair redistribution of an existing fee. If the Minister does not approve this change, By-Law D-600 would remain as is; in which case some developers would pay too little, and some would pay too much.

COMMUNITY ENGAGEMENT

Community Engagement on the Dartmouth Cove project overall is described in the 2020 staff report.

For Community Engagement regarding By-law D-600, meetings have been held with several property owners in the Future Growth Node to discuss the project plan throughout the design process, including the plan for project funding and a development charge where applicable. Property owners were made aware of By-law D-600 becoming official in 2021 through communications from staff.

For Community Engagement regarding the amendments described in this report, property owners were sent a letter through Canada Post summarizing the proposed changes. This letter was also sent to property owners by email, where available.

ENVIRONMENTAL IMPLICATIONS

Environmental Implications on the Dartmouth Cove project overall are described in the 2020 staff report.

There are no environmental implications associated with the recommendations of this report.

ALTERNATIVES

That Halifax Regional Council:

1. refuse to adopt Amending By-law D-601, amending By-law D-600, the *Dartmouth Cove Development Charge By-law*, as set out in Attachment B. This is not recommended for the reasons discussed in this report.
2. adopt Amending By-law D-601, amending By-law D-600, the *Dartmouth Cove Development Charge By-law*, as set out in Attachment B, subject to modifications. This may require a supplementary staff report.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, RSNS 2008, c 39:

Part VIII, Planning & Development

Municipal expenditures

79A (1)... the Municipality may only spend money for municipal purposes if

(a) the expenditure is included in the Municipality's operating budget or capital budget or is otherwise authorized by the Municipality;

By-law regarding payment of charges

104 (1) The Council may make By-laws imposing, fixing and providing methods of enforcing payment of charges for

(f) laying out, opening, constructing, repairing, improving and maintaining streets, curbs, sidewalks, gutters, bridges, culverts and retaining walls, whether the cost is incurred by the Municipality directly or by, or pursuant to, an agreement with Her Majesty in right of the Province, the Minister of Transportation and Infrastructure Renewal or any person;

236A (1) Notwithstanding any other provision of this Act or any other enactment, until the later of November 9, 2025, and the date prescribed by the regulations for the expiration of this Section,

(a) no change may be made to any fee, infrastructure, capital or similar charge;

(b) no change may be made to the formula or rate used in the calculation of any fee, infrastructure, capital or similar charge;

(c) subject to subsection (3), no new fee, infrastructure, capital or similar charge may be created; (d) no change may be made to an incentive or bonus zoning agreement; and

(e) subject to subsection (3), no new incentive or bonus zoning agreement may be created,

that would have the effect of increasing the cost to applicants for development approvals beyond the cost that would have been chargeable immediately prior to the coming into force of this Section.

...

(3) A new incentive or bonus zoning agreement, capital cost contribution agreement or local improvement charge may be created if the formulas and methods for calculating charges used in the agreement are (a) the same as those in effect at the time this Section comes into force; or (b) in accordance with formulas approved by the Minister.

(4) The prohibition under subsection (1) does not apply if the Minister gives written approval for the change made to a fee or charge or incentive or bonus zoning agreement.

ATTACHMENTS

Attachment A – Showing Proposed Changes to By-law D-600
Attachment B – Amending By-law D-601

Report Prepared by: Shannon O'Connell, Senior Program Engineer, Infrastructure Planning, 902.476.2917

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER D-600
RESPECTING DEVELOPMENT CHARGES FOR DARTMOUTH COVE**

WHEREAS the Dundas Street Bridge and Extension project is a plan to improve access and development opportunities in the Dartmouth Cove area; and

WHEREAS the Dundas Street Bridge and Extension project will be funded by development charges and by the Halifax Regional Municipality;

BE IT ENACTED by the Council of the Halifax Regional Municipality, under the authority of Section 104 of the *Halifax Regional Municipality Charter, 2008 R.S.N.S., c.39*, as amended, as follows:

Number and Short Title

1. This By-law shall be known as By-law D-600 and may be cited as the *Dartmouth Cove Development Charge By-Law*.

Interpretation

2. In this By-law

“Floor Area Ratio (FAR)” means; floor area ratio as defined in the Regional Centre Land Use By-law;

Development Charge

3. A development charge shall be applied to the properties identified on Schedule 1 entitled “Properties Subject to the Dartmouth Cove Development Charge”, ~~dated September 16, 2021~~.

4. (1) The interim development charge shall be based on fixed percentages and the estimated project cost, and shall be collected prior to the issuance of a building permit, or streets and services permit associated with a new development, whichever occurs first.

(2) The percentages in subsection (1) are calculated based on area of land parcel PID and Floor Area Ratio as set out in the Regional Centre Secondary Municipal Planning Strategy, 2021, and set out in Table 1:

Table 1 – Dartmouth Cove Development Charges		
Property Identification Description	Fixed Percentage	Estimate Cost
Halifax Regional Municipality	50.00	\$ 5,500,000
00114249	2.85	\$ 314,000
00114256	4.10	\$ 451,000
00114264	4.83	\$ 532,000
00114272	3.01	\$ 331,000
00381228	0.96	\$ 105,000
40612384	0.37	\$ 40,000
00114330	11.72	\$ 1,290,000
00114322	1.29	\$ 142,000
40180127	1.32	\$ 145,000
40718934	3.94	\$ 433,000
00114306	6.84	\$ 753,000
00114280	2.12	\$ 233,000
40612376	2.15	\$ 236,000
00097568	3.99	\$ 439,000
41496472	0.30	\$ 33,000
40612996	0.21	\$ 23,000

Table 1 – Dartmouth Cove Development Charges		
Property Identification Description	Fixed Percentage	Estimate Cost
Halifax Regional Municipality	50.00	\$ 5,876,500
00114249	2.14	\$ 252,000
00114256	3.07	\$ 361,000
00114264	3.63	\$ 426,000
00114272	2.25	\$ 265,000
00381228	2.87	\$ 337,000
40612384	1.10	\$ 129,000
00114330	8.80	\$ 1,034,000
00114322	0.97	\$ 114,000
40180127	1.07	\$ 125,000

40718934	3.14	\$ 369,000
00114306	5.32	\$ 625,000
00114280	12.42	\$ 1,460,000
00097568	2.99	\$ 352,000
41496472	0.23	\$ 27,000

5. The interim development charge shall be adjusted at the substantial completion of the project and will be calculated based on the total net cost of the project.

Indexing

6. (1) The development charge prescribed in this By-law shall be indexed without amendment to this By-law on April 1, 2023, and in each subsequent year on April 1, by the “all-in cost” debenture rate published by the Nova Scotia Municipal Finance Corporation for their most recent debenture issue.

(2) The development charge shall not be indexed in the year that it is adjusted based on the total net cost of the project.

(3) The fees indexed in this manner shall be reduced to the nearest dollar where they contain a fraction of a dollar less than \$0.50 and shall be increased to the nearest dollar where they contain a fraction of a dollar equal to or greater than \$0.50.

(4) The Council of the Halifax Regional Municipality shall inform the public by publication of an Administrative Order, or by such other means as it considers appropriate, of the indexing calculated under this by-law.

Interest

7. Interest shall accrue on the Development Charges outstanding from the date of billing forward at the rate as set out in Administrative Order 14, *Respecting the Application of Interest Charges on Outstanding Accounts*.

Lien

8. (1) A charge imposed pursuant to this By-Law constitutes a lien upon the real property with respect which the charge has been levied in the same manner and with the same effect as taxes.

(2) A charge imposed pursuant to this By-law is collectable in the same manner as taxes and at the option of the Treasurer is collectable at the same time and by the same proceedings as taxes.

(3) The lien provided for in this By-law shall become effective on the date on which the Treasurer receives documentation confirming completion.

(4) The lien provided for in this By-law shall remain in effect until the charge plus interest has been paid in full.

Done and passed by Council this 23rd day of August, 2022.

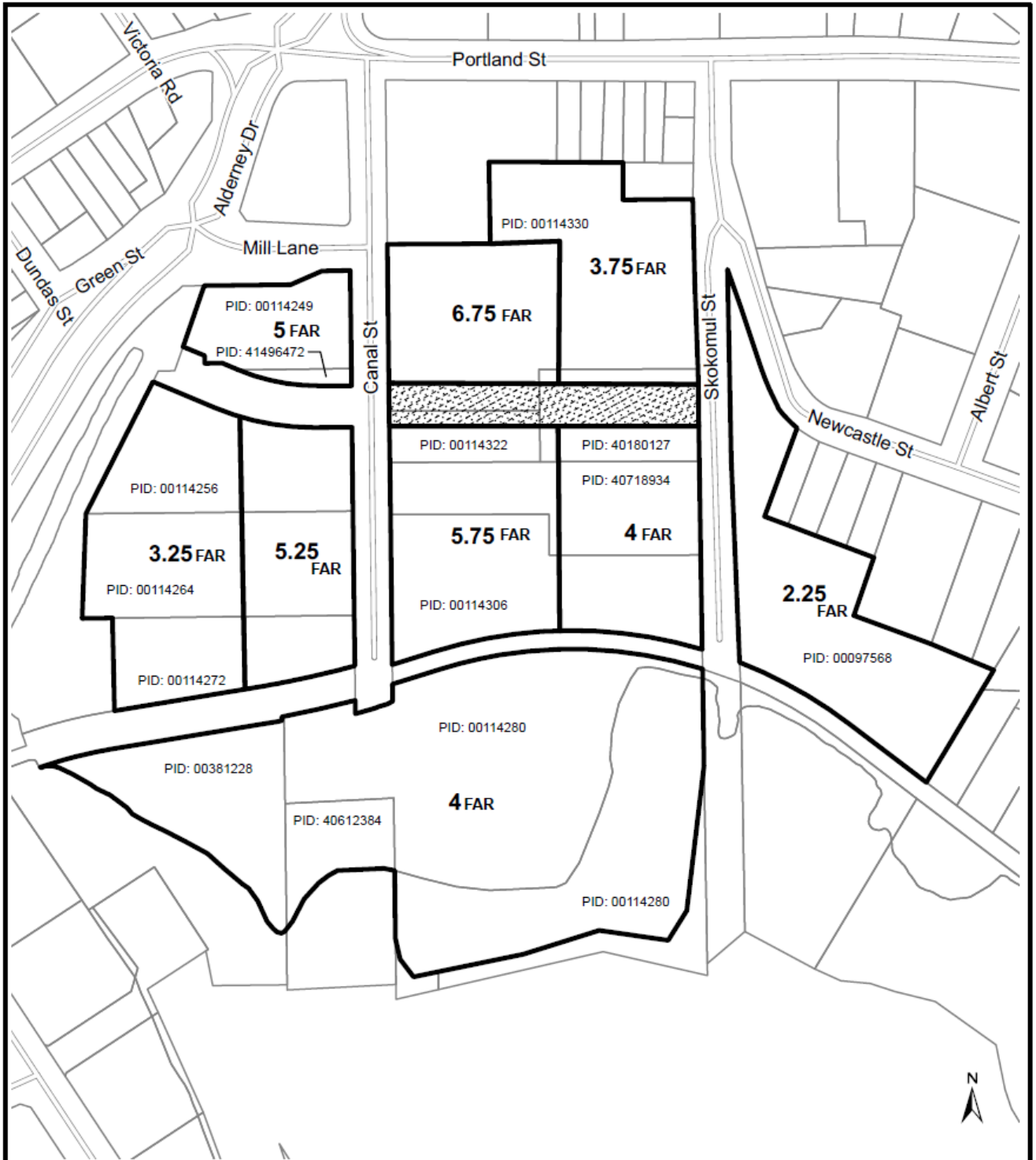
Mayor Mike Savage

Iain MacLean, Municipal Clerk

I, Iain MacLean, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above-noted By-law was passed at a meeting of the Halifax Regional Council held on August 23, 2022.




Iain MacLean, Municipal Clerk

Notice of Motion:	June 14, 2022
First Reading:	June 28, 2022
Notice of Second Reading Publication:	August 6, 2022
Second Reading:	August 23, 2022
Approval by Minister of Municipal Affairs and Housing:	N/A
Effective Date:	September 3, 2022

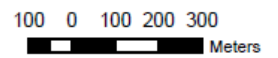


Schedule 1

**Properties Subject to
Dartmouth Cove
Development Charge**

-  Property Boundaries
-  Far Boundaries
-  Transportation Reserve

HALIFAX



**HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER D-601
RESPECTING DEVELOPMENT CHARGES FOR DARTMOUTH COVE**

BE IT ENACTED by the Halifax Regional Municipal Council, that By-law D-600, the *Dartmouth Cove Development Charge By-law*, is amended as follows:

1. Amending section 3 by striking out the comma, words and numbers “, dated September 16, 2021” after the word and quotation “Charge” and before the period.
2. Repealing the table in subsection 4(2) and replacing it as follows:

Table 1 – Dartmouth Cove Development Charges		
Property Identification Description	Fixed Percentage	Estimate Cost
Halifax Regional Municipality	50.00	\$ 5,876,500
00114249	2.14	\$ 252,000
00114256	3.07	\$ 361,000
00114264	3.63	\$ 426,000
00114272	2.25	\$ 265,000
00381228	2.87	\$ 337,000
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00114306	5.32	\$ 625,000
00114280	12.42	\$ 1,460,000
00097568	2.99	\$ 352,000
41496472	0.23	\$ 27,000

3. Repealing Schedule 1 and replacing it with “Schedule 1” as attached to this by-law as “Attachment 1”.

4. This by-law shall take effect on the same date as the date the Clerk receives notice of the Minister's approval of the changes to the development charges as described in this by-law and posts the notice on the Municipality's website that the by-law is in effect.

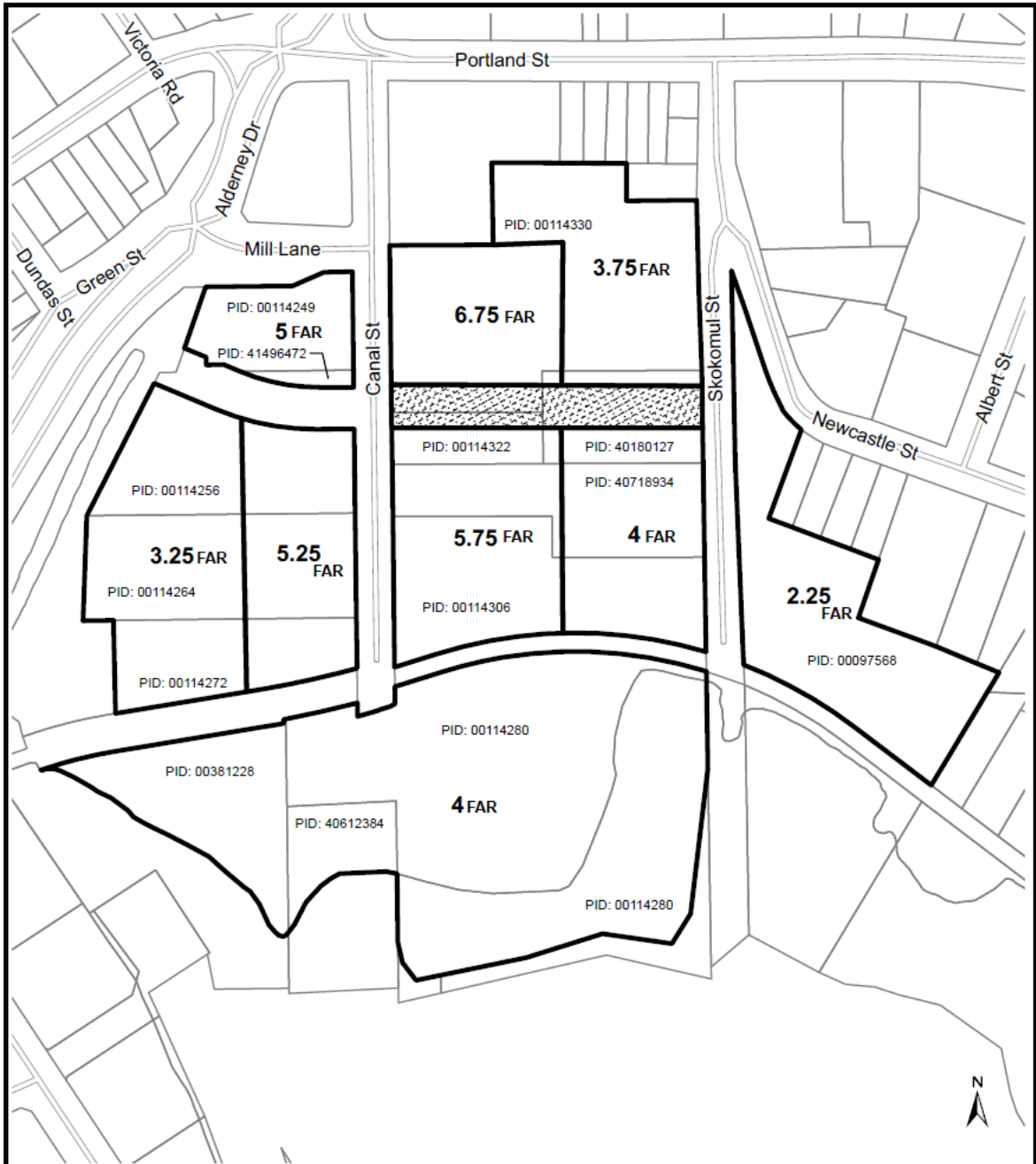
Done and passed by Council this _____ day of _____, 2026.

Mayor

Municipal Clerk




I, Iain MacLean, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above-noted By-law was passed at a meeting of the Halifax Regional Council held on _____, 2026.

Iain MacLean, Municipal Clerk



Schedule 1

**Properties Subject to
Dartmouth Cove
Development Charge**

-  Property Boundaries
-  Far Boundaries
-  Transportation Reserve

HALIFAX

