

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER C-600
RESPECTING REGIONAL CAPITAL COST CHARGES**

GENERAL

The Council of the Halifax Regional Municipality under the authority vested in it by Sections 79 and 81(1)(a) of the Municipal Government Act, enacts as follows:

Number and Short Title

1. This by-law may be cited as By-Law C-600, the Capital Cost Charges By-Law.

Interpretation/Definitions

2. In this By-Law
 - (a) **“ Dwelling Unit ”** means one or more habitable rooms designed, occupied or intended for use by one or more persons as an independent and separate housekeeping establishment in which cooking, sleeping and bathroom facilities are provided for the exclusive use of such persons.
 - (b) **“ Single Detached Residential Building ”** means a building that contains not more than one dwelling unit.
 - (c) **“ Multiple Unit Residential Building ”** means a building that contains more than one dwelling unit.
 - (d) **“ 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;
 - (e) **“ New Building ”** means a building that is newly constructed or which is moved onto a lot after coming into force of this By-Law;
 - (f) **“ non-profit organization ”** means:
 - (i) a society incorporated pursuant to the *Societies Act*, R.S.N.S.1989 c.435, as amended,
 - (ii) a non-profit association incorporated pursuant to *the Co-operative Associations Act*, R.S.N.S.1989 c. 98, as amended,

(iii) a non-profit association to which the *Co-operative Associations Act* applies,

(iv) a not-for-profit corporation incorporated pursuant to the *Canada Not-for-profit Corporations Act*, S.C. 2009, c. 23, and

(v) a non-profit organization otherwise incorporated pursuant to an Act of the Nova Scotia Legislature; and

(g) **“registered Canadian charitable organization”** means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act.

Capital Cost Charge for Wastewater Treatment Facilities

3.
 - (1) A charge in the amount of \$880.00 shall be paid to HRM prior to the issuance of a building permit for all new single detached residential buildings that will be connected to municipal wastewater facilities.
 - (2) A charge in the amount of \$590.00 per dwelling unit shall be paid to HRM prior to the issuance of a building permit for all new multiple unit residential buildings that will be connected to municipal wastewater facilities.
 - (3) A charge at a rate of \$0.27 per square foot of floor space shall be paid to HRM prior to the issuance of a building permit for all other new buildings and building additions in serviced areas.
 - (4) When an un-serviced lot of land, occupied by a building, existed prior to the coming into force of this by-law, the charge shall be payable to HRM when the building is connected to municipal wastewater facilities.
 - (5) Buildings accessory to a residential use that contain facilities which can discharge effluent to the municipal wastewater facilities shall pay a charge at a rate of \$0.27 per square foot of floor space, payable to HRM when the building is connected to municipal wastewater facilities.
4. Notwithstanding Section (3), where a building has previously been connected to municipal wastewater facilities or the capital cost charge has been paid in respect of same, no charge shall be payable under this By-law where the building is rebuilt, replaced or repaired, if destroyed or damaged by fire or otherwise, including demolition for the purpose of renovation or redevelopment, if the building is substantially the same as it was before the destruction or damage and it is occupied by the same use.

4A. The fees set out in section 3 may be waived for residential developments undertaken by a non-profit organization or registered Canadian charitable organizations, providing all the following are satisfied:

(a) on the date the complete application is received by the Municipality, the applicant must have been registered as a non-profit organization or a registered Canadian charitable organization for a period of least 1 year;

(b) the provision of affordable housing must be included in either the mandate, or programs and activities, of the non-profit organization or a registered Canadian charitable organization;

(c) a minimum of 60% of the total gross floor area the development must be for a residential use;

(d) the property that is the subject of the application must be solely owned by one, or a combination of, the following:

- (i) the non-profit organization or the registered Canadian charitable organization,
- (ii) the Municipality,
- (iii) the Province of Nova Scotia,
- (iv) the Government of Canada, or
- (v) an agent of the Province of Nova Scotia or Government of Canada, including a Crown corporation; and

(e) on the date the complete application is received by the Municipality, the non-profit organization or registered Canadian charitable organization must have fully paid all taxes or all installments or all interim payments due to the Municipality.

Lien

5. 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 may be collected in the same manner and with the same remedies as provided for the collection of real property taxes.

Mayor

Municipal Clerk

I, Jan Gibson, 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 15th day of May, 2007.

Jan Gibson, Municipal Clerk

Notice of Motion:	March 27, 2007
First Reading:	April 3, 2007
Notice of Public Hearing Publication:	April 7, 2007
Second Reading:	April 24, 2007
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	May 19, 2007

Amendment #1 (C-601)

- Added clauses 2(f)(g) and section 4A

Notice of Motion:	September 22, 2020
First Reading:	September 30, 2020
Notice of Second Reading Publication:	October 24, 2020
Second Reading:	November 10, 2020
Approval by Minister of Municipal Affairs and Housing:	N/A
Effective Date:	November 14, 2020
