



BILL NO. 225

Government Bill

*1st Session, 64th General Assembly
Nova Scotia
1 Charles III, 2022*

An Act to Amend Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter

CHAPTER 48
ACTS OF 2022

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
NOVEMBER 9, 2022**

The Honourable John Lohr
Minister of Municipal Affairs and Housing

*Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly*

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**An Act to Amend Chapter 39
of the Acts of 2008,
the Halifax Regional Municipality Charter**

Be it enacted by the Governor and Assembly as follows:

1 Section 204 of Chapter 39 of the Acts of 2008, the *Halifax Regional Municipality Charter*, is amended by striking out “Unless” in the first line and substituting “Subject to Section 204A and unless”.

2 Chapter 39 of the Acts of 2008 is further amended by adding immediately after Section 204 the following Section:

204A (1) A by-law or part of a by-law made by the Council pursuant to this Act or another Act of the Legislature may be nullified by order of the Minister if the Minister

(a) determines that the by-law or part of a by-law would impact housing or development;

(b) determines that it is in the public interest of the Province to nullify the by-law or part of a by-law, as the case may be; and

(c) so orders within six months from the date the by-law or part of the by-law is enacted.

(2) Where a by-law or part of a by-law exclusively impacts marginalized communities, including African Nova Scotian and Mi’kmaq communities, the Minister shall conduct consultations with representatives of the impacted communities to ensure the protection of the communities before making an order under subsection (1) respecting that by-law or part of a by-law.

(3) A by-law or part of a by-law nullified pursuant to subsection (1) is of no force or effect as of the date of the Minister’s order.

(4) The Minister’s order must be in writing and immediately provided to the Council.

(5) When a Minister’s order is issued under this Section, the Council shall publish a notice in a newspaper circulating in the Municipality, stating the effect of the order and the place where it may be read.

(6) Section 205 applies, with all necessary changes, to the Minister’s order.

(7) A by-law or part of a by-law nullified pursuant to subsection (1) may not be re-enacted or replaced within one year following the date of the Minister’s order unless the Council first obtains the approval of the Minister.

3 Notwithstanding Section 382 of the *Halifax Regional Municipality Charter* and Section 519 of the *Municipal Government Act*, nothing in this Act or done pursuant to the provisions

enacted or amended by this Act triggers any requirement to consult with the Halifax Regional Municipality or to notify the Nova Scotia Federation of Municipalities.
