

CARRIED
Oct 30, 2023
CWHB
Hon. John Lehr

Bill #329
Halifax Regional Municipality Charter (amended) and
Housing in the Halifax Regional Municipality Act (amended),
Respecting Housing

CHANGES RECOMMENDED TO THE
COMMITTEE OF THE WHOLE HOUSE ON BILLS
BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

PAGE 2, Clause 2, proposed subsection 219B(9) - delete and substitute:

(9) The Municipality shall adopt a by-law under this Section by the date specified in the regulations.

PAGE 2, Clause 2, proposed subsection 219B(12) - delete and substitute:

(12) The Minister may make regulations specifying

(a) additional terms and provisions to be included in a by-law made under this Section;

(b) a date by which the Municipality shall adopt a by-law under this Section.

PAGE 4, Clause 4, proposed clauses 236A(1)(c) and (e) - add "subject to subsection (3)," at the beginning of each clause.

PAGE 4, Clause 4, proposed Section 236A - add after proposed subsection (2) the following subsection:

(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.

PAGE 5, Clause 4, proposed subsection 236A(3) - renumber as (4).

PAGE 5, Clause 4, proposed subsection 236A(4), as renumbered, line 2 - delete "fee, charge,".

PAGE 5, Clause 6, proposed subsection 244(2A) - delete and substitute:

(2A) The Chief Administrative Officer may discharge a completed development agreement in whole or in part.

PAGE 6, Clause 10, proposed Section 251A -

- (a) delete “application for” in the first line of proposed subsection (1), the first line of proposed subsection (2) and the first line of proposed subsection (3);
- (b) delete “application” in the second line of proposed subsection (1) and substitute “appeal”.

PAGE 6 - add after Clause 10 the following Clause:

11 Chapter 39 is further amended by adding immediately after Section 257 the following Section:

257A (1) The Chief Administrative Officer may modify or discharge a private covenant in so far as it is more restrictive than the current zoning for the land it governs with respect to height or density.

(2) A covenant modified or discharged under subsection (1) is deemed to have been modified or discharged for offending public policy under subsection 61(1) of the *Land Registration Act* and a certified copy of the decision of the Chief Administrative Officer may be registered or recorded as if it were an order of the court made under that subsection.

(3) A decision of the Chief Administrative Officer under subsection (1) may be appealed to the Board.

(4) Sections 264 to 269 apply, with necessary changes, to an appeal under this Section.

Renumber and change cross-references accordingly.
