

**Conservation Property Tax Exemption Program
Frequently Asked Questions by Nova Scotia Municipalities
Produced by Service Nova Scotia and Municipal Relations
February 2011**

What is a Conservation Property?

Under the Conservation Property Tax Exemption Act, a conservation property can be defined in one of four categories:

- (1) Subject to a conservation easement that is primarily dedicated to the protection of nature under the Conservation Easement Act. A conservation easement is a legal agreement by which landowners voluntarily restrict the use of their land for conservation purposes;
- (2) Designated as an ecological site (nature reserve) under the Special Places Act;
- (3) Designated under the Wilderness Areas Protection Act or;
- (4) Owned or held primarily for the protection of nature by an eligible body within the meaning of the Conservation Easements Act.

What is the purpose of the Conservation Property Tax Exemption Act?

Land that qualifies under any one of the four designations above may be eligible for a property tax exemption under the Conservation Property Tax Exemption Act.

The Conservation Property Tax Exemption Act provides for a grant from the Province to municipalities in lieu of taxes to compensate for lost tax revenue. The intent of the legislation is to help the Province achieve the goal of protecting 12% of Nova Scotia's land area by 2015.

Who is eligible for a conservation property tax exemption?

- Individuals - who protect their land through a nature conservation land trust, or through a provincial protected area designation such as nature reserve or wilderness area.
- Nature conservation land trusts - (e.g., Nature Conservancy of Canada, Nova Scotia Nature Trust, Kingsburg Coastal Conservancy, etc.) that are recognized as "eligible bodies" under the Conservation Easements Act and regulations.
- Municipalities - who own and protect land in another municipality using one of the tools described above and which are not already exempt from taxation on that land, by way of either legislation or municipal policy.

Only lands determined by the Minister of the Environment to be “conservation properties” are eligible for the exemption.

What is the process to obtain designation and exemption?

If a municipality owns land which is located in another municipality, it may be eligible for the Conservation Property Tax Exemption.

A municipality that owns land that it wishes to be considered for designation can:

- 1) Contact Nova Scotia Environment (NSE) (refer to contacts below).
- 2) Approach a land trust. There are several land trust organizations in the province, which work to acquire lands for protection.

If an individual land owner is interested in the program, they should contact either a land trust or NSE.

How are municipalities compensated for lost tax revenue?

Working with land trusts, NSE determines which properties qualify for the Conservation Property Tax Exemption as of September 30th of each year.

Property Valuation Services Corporation (PVSC) uses this information to revise the assessment roll for the next year, and Service Nova Scotia and Municipal Relations works with NSE and PVSC to calculate the payment in lieu of taxes that will be due to municipalities for that year.

Municipalities are asked to confirm the amount due before a cheque is issued. Cheques are sent to municipalities by NSE in March.

Do municipalities or individuals need to apply for the tax exemption annually?

No, NSE works with land trusts to identify the properties qualifying for exemption. Once identified, properties will continue to receive the exemption year after year unless a change of use occurs.

Do land owners have to protect the entire parcel of their land?

No, a land owner of a large land parcel does not need to apply restrictions to the entire parcel. An easement or protected area designation can be written to exclude restrictions on a portion of the land (for example, where a dwelling is situated). These details can be determined when negotiating with a land trust or NSE. Buildings, structures, land used in connection with buildings or structures, and land used primarily for purposes other than nature protection are not eligible for the exemption.

What is a land trust?

Land trusts are non-profit, charitable organizations which acquire land or interests in land (like conservation easements) for the purpose of conservation. Conservation easements allow the owner to retain title to the land.

The major land trusts in Nova Scotia are: Nova Scotia Nature Trust, Nature Conservancy of Canada, Ducks Unlimited, Kingsburg Coastal Conservancy, and Bras D'Or Preservation Foundation.

For more information

Please contact your Municipal Advisor

Or

Nova Scotia Environment
Protected Areas Branch
5151 Terminal Road, 5th floor
Halifax, NS B3J 2P8
902-424-2117

protectedareas@gov.ns.ca

<http://www.gov.ns.ca/nse/protectedareas/>