



## Environment

### Conservation Property Tax Exemption

#### **What is the conservation property tax exemption?**

The conservation property tax exemption eliminates property taxes paid by private land owners who legally protect their lands for ecological protection. It was created in 2008 through the *Conservation Property Tax Exemption Act* – an act which amends the *Assessment Act* and *Municipal Government Act*.

#### **Why is it needed?**

In the *Environmental Goals and Sustainable Prosperity Act*, Nova Scotia has committed to protecting 12% of the province's land area by 2015. However, seventy per cent of Nova Scotia is privately owned, including 95% of the coast. Many Nova Scotians want to legally protect their private land to help meet the 12% goal. But landowners who make the commitment to protect their land can often no longer use it to generate economic revenue through activities such as forestry, farming, or land development. These landowners still pay property taxes and may be subject to more tax charges as a result of the land becoming unavailable for resource use. These taxes have been a barrier to landowners who want to protect their land.

Protecting ecosystems and natural areas helps our province remain a clean, green and healthy place to live, work, invest and do business. To reach the 12% protection goal more private landowners need to protect their lands. The Conservation Property Tax Exemption removes a significant barrier to interested land owners, while compensating municipalities for foregone property tax revenue. The exemption also helps charitable, non-governmental land trusts, who are accumulating conservation land at a growing rate, and who would otherwise be carrying a growing property tax burden. They will no longer have to fund-raise just to pay the annual taxes on land they are protecting on behalf of all Nova Scotians.

#### **How does it work?**

Simply put, the Conservation Property Tax Exemption does two things: i) it exempts the landowner from paying property taxes on a qualifying "*conservation property*"; and ii) it provides a grant from the Province to municipalities in lieu of taxes to compensate for lost revenue.

The Act also eliminates change-of-use taxes. They can range from 20% to 50% of a property's fair market value, and can arise as a result of a parcel of land becoming protected. This threat of a change-in-use tax has been a major disincentive to landowners considering protection for their lands.

The Conservation Property Tax Exemption is not intended to be used as a means to temporarily avoid paying property taxes. To ensure that does not happen, a change-of-use tax, equal to 20% of the fair market value of the property, will be charged against any person deemed responsible for causing a property to cease being conservation property.

### **What is a conservation property?**

According to the *Conservation Property Tax Exemption Act*, there are four ways land can qualify as “conservation property”.

*"conservation property" means any lot of land that is*

*(I) subject to a conservation easement that is primarily dedicated to the protection of native biodiversity and natural processes, prohibits industrial or commercial uses of the land including forestry, agriculture and quarrying, and is entered into in perpetuity within the meaning of the Conservation Easements Act,*

*(ii) owned or held primarily for the protection of native biodiversity and natural processes by an eligible body within the meaning of the Conservation Easements Act,*

*(iii) designated as an ecological site pursuant to the Special Places Protection Act, or*

*(iv) designated permanently as a wilderness area pursuant to the Wilderness Areas Protection Act;*

*excluding any buildings or structures on the land and any of the land used in connection with those buildings or structures, and excluding any lands used or permitted to be used primarily for purposes other than the protection of native biodiversity and natural processes.*

### **How can I determine if my land qualifies as a “conservation property”?**

The land must qualify in one of the four categories listed above. That means it must be: protected through a conservation easement with a land trust, Nova Scotia municipality, or provincial or federal government agency; or be designated as a protected area (nature reserve or wilderness area) by the Minister of Environment; or be owned by a qualifying land trust.

For land to be of conservation interest to one of these organizations, it must have some significant ecological value. Properties of interest could include old-growth forests, habitats of rare or vulnerable species, stretches of undeveloped coastline, rare or threatened ecosystems, lands adjacent to existing protected areas, and large undisturbed areas of forest or wetland.

To determine if your land might be of interest for formal protection and what steps are involved, you can contact Nova Scotia Environment, the Nova Scotia Nature Trust,

Nature Conservancy of Canada, or another organization eligible to hold conservation easements. A list of eligible organizations is found at the bottom of this document. In some cases, land trusts or other eligible organizations may approach the owners of land with ecological significance to determine if the owners are interested in voluntarily placing their land under protection, and thereby qualifying for the exemption.

### **Who is eligible for this tax exemption?**

All landowners in Nova Scotia with qualifying conservation property are eligible for this tax exemption. This includes non-governmental, charitable conservation land trusts which own land acquired for conservation purposes.

### **Do I need to apply for the tax exemption?**

Individual landowners do not need to apply for the exemption. Nova Scotia Environment will work with Service Nova Scotia and Municipal Relations, the Property Valuation Services Corporation, and qualifying land trusts to identify properties that will become eligible for the Conservation Property Tax Exemption in each year. Once identified, those properties will continue to receive the exemption year after year unless a change of use occurs.

The exemption was first applied in the 2009-10 tax year. It applied to properties determined to have been "conservation properties" on September 30, 2008 by the Minister of Environment. In subsequent years, the exemption will apply to lands determined to be conservation properties on September 30th of the preceding year. If you believe your property is eligible for the exemption but has been overlooked, please contact Nova Scotia Environment, Protected Areas Branch.

### **Contacts**

Nova Scotia Environment,  
Protected Areas Branch  
P.O. Box 442  
Halifax, Nova Scotia  
B3J 2P8  
Phone: 902-424-2117  
Fax: 902-424-0501  
Email: [protectedareas@gov.ns.ca](mailto:protectedareas@gov.ns.ca)  
Web: [www.gov.ns.ca/nse/protectedareas](http://www.gov.ns.ca/nse/protectedareas)

Service Nova Scotia and Municipal Relations  
Municipal Services Division  
Mail Room, 8 South, Maritime Centre  
1505 Barrington Street  
Halifax, Nova Scotia  
B3J 3K5  
Phone: 902-424-5200

Toll-free: 1-800-670-4357  
Fax: 902-424-0720  
Email: [askus@gov.ns.ca](mailto:askus@gov.ns.ca)  
Web: [www.gov.ns.ca/snsmr/](http://www.gov.ns.ca/snsmr/)

### **Some Organizations Eligible to Hold Conservation Easements**

Nova Scotia Nature Trust  
Box 2202  
Halifax, Nova Scotia, Canada  
B3J 3C4  
Phone: 902-425-5263  
Toll-free: 877-434-5263  
Fax: 902-429-5263  
Email: [nature@nsnt.ca](mailto:nature@nsnt.ca)  
Web: [www.nsnt.ca](http://www.nsnt.ca)

Nature Conservancy of Canada  
924 Prospect Street, Suite 180  
Fredericton, New Brunswick  
E3B 2T9  
Phone: 506-450-6010  
Toll-free: 877-231-4400  
Fax: 506-450-6013  
Email: [atlantic@natureconservancy.ca](mailto:atlantic@natureconservancy.ca)  
Web: [www.natureconservancy.ca](http://www.natureconservancy.ca)

Kingsburg Coastal Conservancy  
Box 1, Site 1A, Rose Bay,  
Nova Scotia, B0J 2X0  
Email: [donate@kccns.org](mailto:donate@kccns.org)  
Web: [www.kccns.org](http://www.kccns.org)

Bras d'Or Preservation Foundation  
PO Box 711, Baddeck  
Nova Scotia, BOE 1B0  
Phone: 902-295-1675  
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