



P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 15.1.1**  
**Halifax Regional Council**  
**April 25, 2023**  
**May 23, 2023**

**TO:** Mayor Savage and Members of Halifax Regional Council

**SUBMITTED BY:** Original Signed

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Cathie O'Toole, Chief Administrative Officer

**DATE:** April 18, 2023

**SUBJECT:** **Amendments to Administrative Order 15, the Building By-law, the Fees By-law, the By-law and Ordinance Repeal By-law, and the User Fees By-law to adjust Building Permit and License, Permits and Processing Fees**

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**ORIGIN**

- Item 2 of the February 17, 2023 Budget Committee motion as amended (Item No. 6.2):

THAT the Budget Committee:

- ...  
2. Direct the Chief Administrative Officer to proceed with the necessary steps to implement a revenue increase of \$1,450,000 through a Building Permit Fee increase as outlined in the Briefing Note BN031 and return to Regional Council;

...  
MOTION PUT AND PASSED

- Item 3 of the March 29, 2023 Budget Committee motion as amended (Item 6.1):

THAT the Budget Committee:

- ...  
3. Notwithstanding the February 17, 2023 direction to proceed with a revenue increase of 1,450,000, direct the Chief Administrative Officer to include a revenue increase of \$1,200,000 through a Building Permit Fee increase to Planning and Developments 2023/24 proposed budget as outlined in the Briefing Note BN031 and recommend that Regional Council rescind the motion from February 17, 2023.

...  
MOTION PUT AND PASSED

On April 4, 2023 the following notice of motion was given by Councillor Cuttell:

TAKE NOTICE that, at a future meeting of Halifax Regional Council, I intend to move:

1. First Reading of proposed By-law F-203, Respecting Fees for Permits and Licenses;
2. First Reading of proposed By-law U-115, Respecting User Chargers

**RECOMMENDATION ON PAGE 2**

3. First Reading of proposed By-law B-206, Respecting the Building Code; and
4. Amendments to Administrative Order 15, the License Permits and Processing Fees Administrative Order the purpose of which is to increase various Planning and Development related fees as proposed in the 2023/24 operating budget, to account for Cost of Living increases and other housekeeping amendments.

### **LEGISLATIVE AUTHORITY**

*Building Code Act*, clause 7(1)(c), as follows:

- 7 (1) The council of the municipality may pass by-laws not inconsistent with this Act or the regulations made by the Minister
- (c) requiring the payment of fees on applications for and issuance of permits and prescribing the amounts thereof;

*Halifax Regional Municipality Charter*, subclauses 60(1)(c)(iii), 188(2)(e)(i), as follows:

- 60 (1) The Council may make
- (c) setting and amending the fees to be paid for
- ...
- (iii) permits, applications and approvals required to be obtained from the Municipality or an employee of the Municipality pursuant to a by-law of the Municipality or an enactment,
- 188 (2) Without restricting the generality of subsection (1) but subject to Part VIII, the Council may, in any by-law
- (e) provide for a system of licences, permits or approvals, including any or all of
- (i) establishing fees for licences, permits or approvals, including fees for licences, permits and approvals that may be in the nature of a reasonable tax for the activity authorized or for the purpose of raising revenue, which fees may be set or altered by policy,

### **RECOMMENDATION**

It is recommended that Halifax Regional Council adopt:

- (a) Amendments to Administrative Order 15, *the License, Permits and Processing Fees Administrative Order*, as set out in Attachment E of this report;
- (b) By-law B-206, amending By-law B-201, the *Building By-law*, as set out in Attachment F of this report;
- (c) By-law F-203, repealing the *Fees By-law* and amending By-law R-100, the *By-Law and Ordinance Repeal By-law*, as set out in Attachment G of this report; and
- (d) By-law U-115, amending the *User Fees By-law*, as set out in Attachment H of this report.

### **BACKGROUND**

On February 17, 2023, the Budget Committee discussed the Planning and Development Operating Budget. A Budget Adjustment List Briefing Note was submitted in respect of Building Permit Fees, a copy of which is attached to this report as Attachment C. The purpose of the Briefing Note was to outline the estimated revenue associated with increasing building permit fees.

Following discussion on the item, the Budget Committee passed a motion directing staff to proceed with measures to implement the fee increase to come into effect on April 1<sup>st</sup>. Subsequent to this direction, staff received feedback from the development industry regarding an appropriate lead time to transition to the adjusted fees. To allow time for contractors to account for the revised fees in pricing estimates, it was then recommended that the Budget Committee rescind their February 17<sup>th</sup> motion and instead provide direction to implement the fee adjustment for June 1<sup>st</sup>. This motion was approved on March 29, 2023.

This report provides the necessary policy and by-law amendments for Council’s consideration to adopt the increased building permit fees. Other incidental housekeeping amendments for License, Permits and Processing Fees as described in the Discussion section of this report are also included.

**DISCUSSION**

**Building Permit Fees**

As noted in Attachment C, Building Permit fees have not been adjusted since 1997. If fees had been increased annually to account for the Consumer Price Index (CPI) between 1997 and 2022, they would be 69% higher. While direct comparisons to other jurisdictions is complicated by different statutes and regulations, since at least 2002, permit fees in Halifax have been consistently less than other comparable Canadian cities.

Using the attached Briefing Note as a basis for discussion, the Budget Committee recommended implementing an across-the-board increase of 25% to all fees covered by the Fees By-law, By-law F-200, as indicated in Attachment A.

The following table provides a detailed comparison of fees included in By-law F-200, and how these fees would change with a 25% increase.

	<b>Current Fee</b>	<b>25% Increase</b>
<i>For new residential construction of four dwelling units or less including excavations, foundations and additions,</i>		
<i>Construction Projects Not exceeding \$5,000</i>	\$ 25.00	\$ 31.25
<i>All floors, above grade</i>	\$0.30 per sq. ft.	\$ 0.38 per sq.ft. / \$4.04 per square metre
<i>All floors extending no more than 5.5 ft below grade</i>	\$0.25 per sq. ft.	\$ 0.31 per sq. ft / \$3.36 per square metre
<i>Finished/Unfinished Basements</i>	\$0.10 per sq. ft.	\$ 0.12 per sq. ft / \$1.35 per square metre
<i>Attached/Detached Garages</i>	\$0.10 per sq. ft.	\$ 0.12 per sq.ft. / \$1.35 per square metre
Renovations and <u>all other types of construction</u> , per \$(‘000) of construction value	\$5.50	\$ 6.88
Processing fee for Change of Applicant	\$25.00	\$ 31.25
Occupancy for change of use	\$50.00	\$ 62.50
Occupancy where building exceeds 1 year	\$100.00	\$ 125.00

	<b>Current Fee</b>	<b>25% Increase</b>
Demolition Permit	\$50.00	\$ 62.50

**Administrative Matters**

By-law F-200 only relates to permit fees and does not include other government-imposed costs such as development charges, or charges imposed by Halifax Water and other utilities. When By-law F-200 was originally adopted, all building permit fees were required to be contained in a by-law. Since that time, legislative amendments were adopted to allow the Municipality to set all fees for permits applications and approvals required by a by-law, by Administrative Order. For this reason, it is recommended that By-law F-200 now be repealed, building permit fees included in Administrative Order 15, and the other relevant provisions of F-200 be moved to an amended By-law B-201, the *Building By-law*.

It should also be noted that the permit intake process for larger, complex projects is being altered administratively to defer payment of the full permit fee until the time of permit issuance. This will allow a developer to release plans for pricing confident that a permit will be issued against the same plans. Currently, payment of building permit fees in full must occur before an application is reviewed by Building Officials. For larger, more complex projects, a fee equal to 25% of the permit fee will be collected to support the technical review process. The applicant will then have up to 6 months to obtain a permit by paying the balance of the fees. If a permit is not issued in 6 months, 75% of the permit fee may be refunded.

**Other Housekeeping Amendments for License, Permits and Processing Fees**

In September 2019, Regional Council approved increases to various permitting, licensing and processing fees as part of a broad fee rationalization exercise through amendments to Administrative Order No. 15 (AO 15). These amendments also provided for an annual adjustment on April 1<sup>st</sup> of each year by the average monthly all-item Consumer Price Index for the preceding calendar year.

Accordingly, AO 15 is proposed to be amended to reflect the current fee amounts (as increase by CPI), along with housekeeping amendments to update charges based on established practices. Amendments to the AO are also included to automatically update fees to reflect the CPI adjustments effective April 1 of each year, commencing April 2024 with direction to staff to post the revised fees from time to time.

**FINANCIAL IMPLICATIONS**

If the proposed policy and by-law amendments are adopted to take effect June 1<sup>st</sup>, an increase of \$1.2 million in revenue from building permit fees is anticipated for the 2023-24 fiscal year.

**RISK CONSIDERATION**

No risk considerations were identified.

**COMMUNITY ENGAGEMENT**

The Construction Association of Nova Scotia (CANS) has indicated that it is not reasonable or fair to adopt a by-law which would be effective as soon as April 1, 2023. CANS cites financial impacts on contractors, developers and renters/buyers that arise from the fact that executed contracts, agreements, etc. would not have contemplated these additional fees.

In consideration of this feedback, an effective date of June 1, 2023 for the amendments is recommended.

### **ENVIRONMENTAL IMPLICATIONS**

No environmental implications were identified.

### **ALTERNATIVES**

Regional Council could choose to not adopt the amendments to the by-laws and Administrative Order 15. This is not recommended for the reasons outlined in this report.

### **ATTACHMENTS**

Attachment A – Showing Proposed Changes to Administrative Order 15

Attachment B – Showing Proposed Changes to the Building By-law

Attachment C – Budget Adjustment List Briefing Note entitled “Building Permit Fees”

Attachment D – Showing Proposed Changes to the *By-Law and Ordinance Repeal By-law*

Attachment E – Amending Administrative Order

Attachment F – Amending By-law B-206

Attachment G – Amending By-law F-203

Attachment H – Amending By-law U-115

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Peter Duncan, Director Engineering & Building Standards, 902.489.4634

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**HALIFAX REGIONAL MUNICIPALITY  
ADMINISTRATIVE ORDER NUMBER 15  
Respecting License, Permit and Processing Fees**

## Schedule A

1. Notwithstanding the processing fees set forth in the various Municipal Planning Strategies, Land Use By-Laws and Subdivision By-Laws in force in Halifax Regional Municipality, the following processing fees shall apply in the place and stead of the fees, including fees for the Heritage, Blasting, Civic Addressing, Sign, Lot Grading and Grade Alteration By-laws.
  - 1A.
    - (1) Subject to 1A(3), beginning on April 1<sup>st</sup>, 2024, and on each April 1<sup>st</sup> thereafter,
      - (a) ~~The~~ the fees for sections 4A, 6A, 6B, 13A, 15A, 16A, and 21A shall be automatically increased ~~on April 1<sup>st</sup> of each calendar year~~ by the average monthly increase to the All-Item Consumer Price Index for the Province of Nova Scotia for the period of time from January 1st to December 31st of the preceding calendar year, rounded up to
        - (i) the nearest \$10— when the fee is \$100 or more, or
        - (ii) the nearest \$1.00 when the fee is under \$100; and
      - (b) the charts listing those fees amounts that have been increased under clause 1A(1)(a) shall be automatically amended to the amount of the increased fees.
    - (2) If there is no increase in the Consumer Price Index for the Province of Nova Scotia, there shall be no increase in the fees under subsection (1).
    - (3) The automatic increase shall not apply respecting the following fees under section 6B:
      - (a) the Owner's License Annual fee;
      - (b) the Owner's Renewal fee;
      - (c) Permanent Taxi Driver's fee; and
      - (d) the Drive Application Fee.
    - (4) From time to time, the Chief Administrative Officer, or designate, shall post a revised version of this Schedule that incorporates the fees that were increased under subsection 1A(1).

## 6A.

Fee Description	Fee	Cancellations & Refunds
Public Consultation/Advertising Deposit  (Public consultation costs include, but are not limited to, advertising, mailouts, engagement material and meetings.)	\$1,000	Deposit funds not used for public consultation will be refunded
<b>Municipal Strategy Amendments, Rezoning, Planning Applications</b>		
Pre-Planning Application	\$500	Cancellation of the pre public consultation will result in a 50% refund, providing the Municipality receives notice of the cancellation within the earlier of 90 calendar days from the day of submission or 90 calendar days from the day the pre public consultation began, counting the day of submission and the day of the pre public consultation.  No refunds will be issued post public consultation.  Where public consultation does not apply, a cancellation within 30 calendar days will result in a full refund.  No refunds will be issued after 30 calendar days from submission.
	<del>\$3,000</del> 3,430	
The following fees include submission fee:		
Municipal Planning Strategy Amendment along with a Development Agreement	<del>\$5,000</del> 5,720	
Land Use By-law Amendment (rezoning and/or text change)	<del>\$3,000</del> 3,430	
Municipal Planning Strategy Amendment along with a Land Use By-law Amendment	<del>\$5,000</del> 5,720	
Land Use By-law Amendment along with a Development Agreement	<del>\$4,000</del> 4,580	
Deregistration & Demolition of a Heritage Property	<del>\$4,000</del> 4,580	
Development Agreement	<del>\$3,000</del> 3,430	
Discharge of a Development Agreement (in whole or in part)	<del>\$500</del> 600	
Amendments to Development Agreements unless all the amendments are listed as non-substantive in the development agreement*	<del>\$4,000</del> 4,580	Non-refundable
Amendments to Development Agreements where all the amendments are listed as Non-Substantive*	<del>\$3,000</del> 3,430	Non-refundable
Telecom Tower Application	\$600	Non-refundable

**~~Please note: In addition to the above noted fees, the applicant shall be responsible for advertising costs, and the Municipality may require the deposit of an appropriate amount too cover such costs. These costs are refundable if not required.~~**

*\* Amendments defined within development agreement*

**Variations and Site Plans**

Variance	<del>\$1000</del> 670	<del>\$500</del> Non-refundable if not appealed
<del>Appeal of a</del> Variance Appeal Deposit	<del>\$1,000</del> 500	<del>Non-refundable</del> Deposit returned if application is not appealed
<del>Non-Substantive Site Plan Approval OR Level 1 (I) Site Plan Approval, including Downtown Halifax Non-Substantive Site Plan Approval but excluding Downtown Halifax Substantive Site Plan Approval.</del>	<del>\$500</del> 600	Non-refundable
<del>Level 2 (II) Site Plan Approval</del>	<del>\$1,000</del>	<del>Non-refundable</del>
Downtown Halifax Substantive Site Plan Approval <del>OR Level 3 (III) Site Plan Approval</del>	<del>\$2,000</del> 2,310	Non-refundable except for exempt properties.
Site Plan Appeal Deposit	500	Deposit returned if application is not appealed

**Development Permit Fees**

Residential Development Permit Fee (includes: New Residential-up to 2 units, enclosed additions, Residential or Multi-use, Industrial, Commercial or Institutional (MICI) renovations, and lease hold improvements)	<del>\$200</del> 250	Non-refundable
Commercial Development Permit Fee (includes: Multi-use, Industrial, Commercial or Institutional (MICI), 3 unit or greater)	<del>\$500</del> 600	Non-refundable
Basic Development Permit Fee (includes: Home Occupation, Occupancy Only and Accessory Structures such as Decks, Pools, Sheds, and Fence)	<del>\$500</del> 600	Non-refundable
Zoning Confirmation Letters	<del>\$150</del> 200	Non-refundable

**Engineering Fees related to Development**

Engineering Review Fee for Non-Engineering Specific Permits (ie: Building & Development Permits)	<del>\$200</del> 250	Non-refundable
Lot Grading	<del>\$200</del> 250	Non-refundable
Grade Alteration	<del>\$200</del> 250	Non-refundable

Top Soil Removal	<del>\$200</del> 250	Non-refundable
For blasting less than 50 cubic metres of rock	<del>\$100</del> 140	Non-refundable
All other blasting applications	<del>\$600</del> 700	Non-refundable
<b>Engineering Inspection Fees</b>	<b>\$150</b>	<b>Non-refundable</b>
<b>Subdivisions</b>		
Subdivision Concept Plan	<del>\$600</del> 700	Non-refundable
Subdivision Tentative Plan	<del>\$400</del> 480	Non-refundable
Subdivision Final Without Infrastructure	<del>\$500</del> 600	Non-refundable
Subdivision Final Plan New Infrastructure	<del>\$2,000</del> 2,310	Non-refundable
Repeal of a Final Plan of Subdivision	<del>\$400</del> 480	Non-refundable
Amendment to a Final Plan of Subdivision	<del>\$400</del> 480	Non-refundable
<b>Civic Naming and Numbering</b>		
Change Civic Number	<del>\$400</del> 480	Non-refundable
Change Street Name <sup>1</sup>	<del>\$2,000</del> 2,310	Non-refundable
Manufacture & Install Private Road Sign - Sign & Sign post <sup>2</sup>	<del>\$150</del> 250	Non-refundable
<b>Private Road Sign Only</b>	<b>\$40</b>	<b>Non-refundable</b>
<p><i>Please note: No civic addressing fee shall be collected from the owner when the installation of a Private Road sign is required as the result of a civic addressing change that added one or more civic addresses to an existing travel way so that it now meets the definition of a "private road" under the Civic Addressing By-law.</i></p>		
<p style="text-align: right;">1 This application fee assumes a consultative process 2 This fee is under review</p>		

**6B.**

<b>Fees pursuant to By-law T-1000, Respecting the Regulation of Taxis, Accessible Taxis, Limousines and Transportation Network Companies</b>										
<b>Fee Description</b>	<b>By-law Section</b>	<b>Fee</b>								
Owner's License Annual fee	Part 3 & Part 5	\$50 (for partial term shall be the license fee prorated monthly.)								
Owner's Renewal fee	Part 3 & Part 5	\$50 (for partial term shall be the license fee prorated on a monthly basis.)								
Permanent Taxi Driver's fee	Part 4 & Part 5	\$100 for a two-year term (for partial term shall be the license fee prorated on a monthly basis.)								
Driver Application Fee	Part 4 & Part 5	\$50 for 12-month license if the applicant successfully passes the testing requirements								
Change of Vehicle Fee	Part 3	\$35								
Change of Business Name Fee	Part 3	\$25								
Change of Broker Fee	Part 3	\$25								
Replacement of destroyed, lost or stolen license fee	Part 5	\$10								
Broker's License Annual Fee	Part 12A	\$300								
Transportation Network Company Annual Fee		<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">1 – 10 Vehicles</td> <td style="text-align: right;">\$2000</td> </tr> <tr> <td>11-15 Vehicles</td> <td style="text-align: right;">\$5,000</td> </tr> <tr> <td>26-100 Vehicles</td> <td style="text-align: right;">\$15,000</td> </tr> <tr> <td>100+ Vehicles</td> <td style="text-align: right;">\$25,000</td> </tr> </table>	1 – 10 Vehicles	\$2000	11-15 Vehicles	\$5,000	26-100 Vehicles	\$15,000	100+ Vehicles	\$25,000
1 – 10 Vehicles	\$2000									
11-15 Vehicles	\$5,000									
26-100 Vehicles	\$15,000									
100+ Vehicles	\$25,000									

## 6D.

<b>Fees Pursuant to By-law B-201, the <i>Building By-law</i></b>		
<b>Fee Description</b>	<b>Fee Amount</b>	<b>Provision of By-law B-201</b>
<b>For new residential construction of four dwelling units or less including excavations, foundations, and additions</b>		
Construction Projects Not exceeding \$5000.	\$31.25	4A(1)(a)
All floors, wherein any portion of the floor plane is at or above the mean finished grade surrounding the dwelling.	\$4.04 per square metre	4A(1)(b)
All floors extending below but not beyond 1.67 meters (5.5 ft) of the mean finished grade surrounding the building.	\$3.36 per square metre	4A(1)(c)
Finished or Unfinished Basements.	\$1.35 per square meter	4A(1)(d)
Attached or Detached Garages.	\$1.35 per square meter	4A(1)(e)
<b>Renovations and Other Types of Construction</b>		
For renovation type construction including structural alterations and repairs, and for all other types of construction.	\$6.88 per thousand dollars of construction value	4A(2)
<b>Renewal or Reissuance to another Individual or Company</b>		
Renew a building permit or reissue the permit in the name of another individual or company.	\$31.25	4A(3)
<b>Change in Use or Occupancy</b>		
Where a building permit is required to facilitate a change in use or occupancy and the change does not involve renovations or structural alterations in excess of \$5000.00.	\$62.50	4A(4)
<b>Occupancy Permit</b>		
Building exceeds one year in age and where the Municipality is requested to issue an Occupancy Permit.	\$125.00	4A(5)
<b>Demolition Permit</b>		
Fee for Demolition Permit	\$62.50	4A(6)
<b>Permit for Construction or Erection of Barricades, Hoardings or Temporary structures</b>		
Permit for the construction or erection of barricades, hoardings or temporary structures.	\$25.00	4A(7)
<p><b>Please note:</b> A non-profit organization or registered Canadian charitable organization that provides affordable housing may be exempt from these fees under subsections 4(8),(9) of the <i>Building By-law</i>.</p> <p>For an application for a new commercial/industrial and multi-tenant residential project, or a leasehold improvement or alteration, 25% of the fees may be paid at the time of application under subsection 4(2A) of the <i>Building By-law</i>.</p>		

13A.

Fees pursuant to By-law C-501, Respecting Vending on Municipal Lands		
Fee Description	By-law Section	Fee
Food Services vehicle	4	<del>\$915.00</del> 1,060 annum
Bicycle Wagon	20 (4)	<del>\$120.00</del> 170 annum
Stands	4	<del>\$230.00</del> 300 annum
Artisans/Craftspeople		
-Spring Garden Road	40 (3)	<del>\$35.00</del> 42 annum
-Waterfront	40 (3)	<del>\$250.00</del> 320 annum
-Ferry Terminal Park	40 (3)	<del>\$100.00</del> 140 annum
Newspaper Boxes	42 (2)	<del>\$55.00</del> 65 annum

15A.

Fees pursuant to By-law S-801, Respecting Licensing of Temporary Signs		
Fee Description	By-Law Section	Fees
Multiple Resident Signs	5(3), 12(5)	<del>\$30.00</del> 37 per license per 30 day Occasion
Mobile Signs	5(3), 12(3)	<del>\$30.00</del> 37 per license per 30 day occasion
Box signs	5(3), 12(4)	<del>\$100.00</del> 140 per license per year
Banners	5(3), 12(2)	<del>\$60.00</del> 70 per license per occasion
Sandwich Boards	5(3), 15(1)	<del>\$80.00</del> 94 per license per Year
Inflatable Signs	5(3), 12(1)	<del>\$30.00</del> 37 per license per 30 day occasion
Community Event Sign	<del>5(3), 12(7), 15</del>	<del>\$20.00</del>
Multi Special Event Signs	5(3), 12(8)	<del>\$30.00</del> 37 per license per occasion

16A.

Fees pursuant to Permanent Signs	
Fee description	Fees
A Permanent Sign includes but is not limited to Projection, Roof, Ground, Billboard, Facia	\$ <del>200</del> 250 per sign

21A.

Fees pursuant to By-law S-1000, Respecting the Regulation of Sidewalk Cafes		
Fee Description	By-Law Section	Fees
Seasonal Sidewalk Cafe License Fee for unenclosed sidewalk café.	13	\$ <del>250</del> 320 per Seasonal Sidewalk Café
Seasonal Sidewalk Café License fee for unenclosed sidewalk café where the tables and chairs are removed from the sidewalk each day by the closing time of the principle use property.		No fee
Seasonal Sidewalk Café License Fee for enclosed sidewalk cafés smaller than 9.29 square meters.	13	\$ <del>400</del> 480 per Seasonal Sidewalk Café
All other Seasonal Sidewalk Café License Fee.	13	\$ <del>800</del> 940 per Seasonal Sidewalk Café
Annual Sidewalk Café License Fee.	13	\$ <del>1000</del> 1,700 per Annual Sidewalk Café
Parking Meter Removal and Reinstatement Fee.		\$ <del>150</del> 200 per meter per sidewalk café season

Street Post Removal and Reinstatement Fee.		<del>\$150</del> 200 per street post per sidewalk café season
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**ATTACHMENT B**

(Showing Proposed Changes to the *Building By-law*)

**HALIFAX REGIONAL MUNICIPALITY  
BY-LAW NUMBER B-201  
RESPECTING THE BUILDING CODE**

BE IT ENACTED by the Council of the Halifax Regional Municipality under the authority of the Building Code Act as follows:

**Short Title**

1. This By-law shall be known as "By-law B-201" and shall be cited as the "Building By-Law".

**Interpretation**

2. (1) Unless otherwise defined herein, definitions contained in the Building Code Act, Nova Scotia Building Code Regulations, and Nova Scotia Building Code also apply to this By-law.

- (2) In this By-law

(a) "Administrative Order 15" means Administrative Order 15, *the License, Permits and Processing Fees Administrative Order*;

(aa) "Authority having Jurisdiction" means any person appointed as a Building Inspector by the Council of the Halifax Regional Municipality;

(aab) "CMP" means a Construction Management Plan prepared in accordance with Administrative Order 2016-003-ADM;

(b) "Core area" means that portion of the Halifax Regional Municipality for which the Municipality has assumed responsibility for maintenance of public streets and is more particularly described in Agreement No. HRM-01 between the Halifax Regional Municipality and the Minister of Transportation & Public Works which became effective on June 24, 1996;

(ba) "Non-profit organization" includes:

(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;

(bb) "Registered Canadian Charitable Organization" means a charitable organization registered pursuant to the Income Tax Act (Canada) and the regulations made pursuant to that Act; and

(c) "Temporary Building" means a building, or part thereof, which because of its nature will exist for a specified period of time as set out in the occupancy permit, and includes a tent, a portable office, and any other building referred to in 1.4.1.12.(1) of the Nova Scotia Building Code Regulations.

### Application

3. This bylaw shall apply to the entire Halifax Regional Municipality.

### Building Permit Application

4. (1) In addition to the requirements in the Nova Scotia Building Code Regulations, an application for a building permit shall include plans as set forth in:

- (a) Appendix-A: Residential projects, except decks and accessory buildings, up to and including four units,
- (b) Appendix-B: Leasehold improvements or alterations,
- (c) Appendix-C: New commercial/industrial and multi-tenant residential projects,
- (d) Appendix-D: Fences exceeding 6.5 feet (2m) in height

(2) Unless subsection (2A) applies, fees shall be paid ~~as prescribed in Bylaw F-200~~ at the time of application and in the full amount as set in Administrative Order 15.

(2A) For an application for either a new commercial/industrial and multi-tenant residential project under Clause 4(1)(c), or a leasehold improvement or alteration under Clause 4(1)(b), 25% of the fees set in section 6D of Administrative Order 15 may be paid at the time of application.

(3) The Municipality may at its discretion, refuse to accept or process any application for which the required plans, information or fees have not been submitted.

(4) No permit shall be issued until ~~the~~ all appropriate fees have been paid.

(5) Unless subsection (5A), ~~where~~ where an application has not been approved within 6 months after the application has been made, the application shall be canceled and 75% of any building permit fees paid shall be refunded.

(5A) There shall be no refund where only 25% of the fee was paid in accordance with subsection 4(2A).

(6) The Halifax Regional Municipality is exempt from the payment of building permit fees.

(7) Notwithstanding subsection (2), within the Barrington Street Heritage Conservation District pursuant to By-law No. H-500, applications for additions, renovations, repairs and attached signs are exempt from the payment of building permit fees.

(8) Notwithstanding subsection (2) but subject to subsection (9), applications for construction, demolition, additions, renovations, repairs and attached signs are exempt from the payment of building permit fees, and fees under section 4A may be waived for residential developments undertaken by an applicant, providing:

- (a) Repealed;
- (b) Repealed;
- (c) Repealed;

(d) Repealed;

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

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

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

(h) 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 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 the Government of Canada, including a Crown Corporation.

(9) To be eligible for a waiver or an exemption from the payment of building permit fees pursuant to subsection 8, the Non-Profit Organization or the Registered Canadian Charitable Organization shall, as of the date of the application, have fully paid all taxes or all instalments or all interim payments due to the Municipality.

#### **Fees**

4A. (1) For new residential construction of four dwelling units or less, including excavations, foundations and additions, Administrative Order 15 shall set permit application fees for:

(a) construction projects not exceeding a fixed dollar amount;

(b) all floors, wherein any portion of the floor plane is at or above the mean finished grade surrounding the dwelling, at a per square meter amount;

(c) all floors extending below but not beyond 1.67 meters (5.5 feet) of the mean finished grade surrounding the building at a per square meter amount;

(d) finished basements, unfinished basements, or both, at a per square meter amount; and

(e) attached garage, detached garages, or both, at a per square meter amount.

(2) For renovation type construction, including structural alterations and repairs, and for all other types of construction, Administrative Order 15 shall set a permit application fee per thousand dollars of construction value.

(3) Where the Municipality renews a building permit, or reissues the building permit in the name of another individual or company, Administrative Order 15 shall set a fee to be paid for the renewal, reissuance, or both.

(4) Where a building permit is required to facilitate a change in use or occupancy and where that change does not involve renovations or structural alterations in excess of \$5,000, Administrative Order 15 shall set a fee for that change.

(5) Where a building exceeds one year in age and where the Municipality is requested to issue an Occupancy Permit, Administrative Order 15 shall set a permit fee for that permit.

(6) Where a demolition permit is required, Administrative Order 15 shall set a permit fee to be paid.

(7) Where a permit is required for the construction or erection of barricades, hoardings or temporary structures, Administrative Order 15 shall set a fee for that permit.

(8) In the event of a dispute between the applicant and the Municipality as to the value of construction of any building project, the Municipality's estimated value of construction shall prevail.

(9) Application fees shall be paid in full prior to the issuance of any Permit.

(10) Unless subsection (11) applies, if within twelve months of the issuance of any permit, the applicant has not exercised the right conferred by the permit the permit holder may by written request to the Municipality apply for a cancellation of the permit and if the application is approved shall receive a refund in an amount of seventy-five Percent (75%) of the fee(s) paid.

(11) There shall be no refund where only 25% of the prescribed fee was paid in accordance with subsection 4(2A).

#### **Demolition Permits**

5. (1) An application for a Demolition Permit shall include proof of \$2 million public liability insurance coverage.

(2) The proof of liability insurance coverage may be waived for the demolition of a single unit dwelling, a semi-detached dwelling and any buildings accessory thereto.

(2A) An application for a Demolition Permit shall include a CMP.

(3) An application for a demolition permit shall include a description of the location or locations where the demolition debris will be disposed and the fee set under Administrative Order 15.

(4) Immediately following demolition, the owner shall clean the property and remove all debris or other material to ensure the site conforms to Part XIII of the Halifax Regional Municipality Act.

#### **Building Permits**

6. (1) A building permit may be withheld until the Building Inspector is satisfied that the provisions of the Planning Act, any regulations or bylaws enacted pursuant thereto including any Land Use Bylaw or Subdivision bylaw, the Heritage Property Act and any regulations or bylaws enacted pursuant thereto, any Lot Grading By-law or applicable Development Agreement have been complied with.

(2) A building permit is valid for a period of 2 years from the date of issue.

(3) If within 2 years of the date of issue,

(a) no work has taken place, the building permit shall be canceled and, unless subsection (3A) applies, 75% of the original permit fee paid shall be refunded; or

(b) where the work has commenced but not been completed, a new application shall be completed and a fee paid based on the value of the work to be completed.

(3A) There shall be no refund where only 25% of the fee was paid in accordance with subsection 4(2A).

(4) In addition to the requirements in the Nova Scotia Building Code Regulations, a building permit shall be obtained for:

- (a) a change of use or tenant in buildings of other than residential occupancy, regardless of the extent of construction being undertaken;
- (b) creation of additional units.

**Budget Adjustment List Briefing Note  
Building Permit Fees**

**COW Date:** February 17, 2023

**Business Unit:** Planning & Development

Tracking Id	Revenue, Expense, or Capital	2023/24 Amount <small>(negative is savings/revenue)</small>	2024/25 Amount <small>(negative is savings/revenue)</small>
BN031	Revenue	(\$290,000) to (\$1,450,000) (Ongoing)	(\$290,000) to (\$1,450,000)
<b>Four Year Impact</b>	(\$1,160,000) to (\$5,800,000)		
<b>Adjustment Description</b>	This Briefing Note outlines the revenue associated with increasing building permit fees.		
<b>Priority Alignment</b>	Prosperous Economy – Economic Growth		

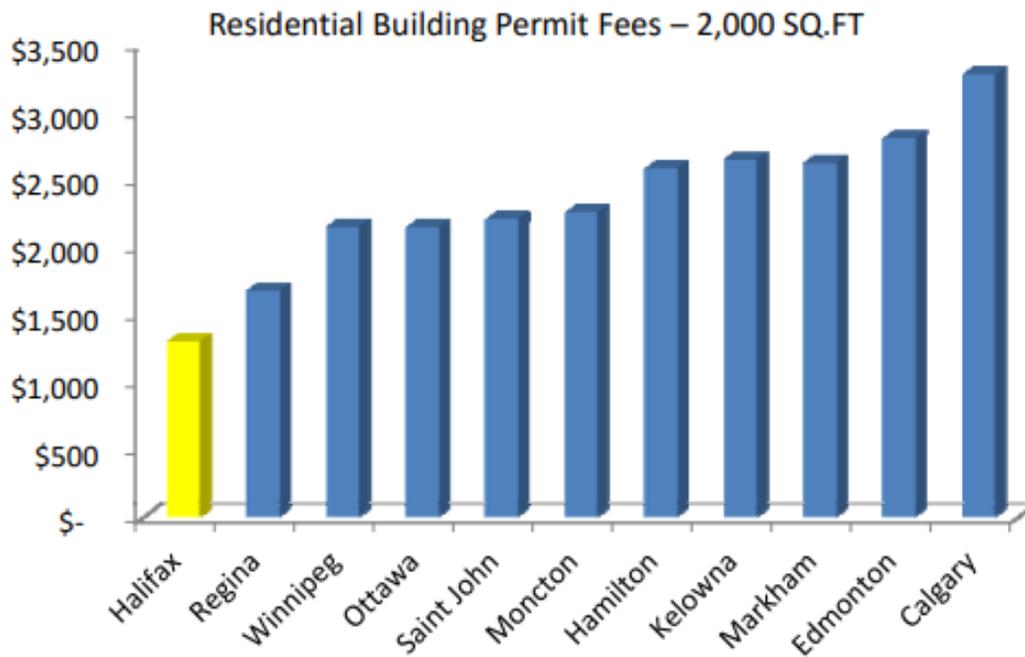
Permit fees in Halifax are considerably less than other Canadian cities. Refer to the building permit fee jurisdictional scans on the following pages for comparison. While legislation and processes differ from province to province, fees in Halifax were consistently half of those in the other cities for low volume residential dwellings and one-third to three-quarters of the amount of fees for multi-unit dwellings in the other jurisdictions. This suggests that fees in Halifax could be increased to be more in line with other Canadian cities.

Building permit fees were not one of the fees increased in late 2019 as part of the [Fee Rationalization initiative](#), and, in fact, building permit fees have not been adjusted since 1997. It was noted at the time that building permit fees needed review, however, that exercise was not undertaken due to the pandemic and the uncertainties of its economic effects on the construction industry. If fees had been increased annually to account for the Consumer Price Index (CPI) between 1997 and 2022, they would be 69% higher. Given the degree by which building permit fees are outdated, staff advise that it is now appropriate to undertake a review over the next one to two years (following the Guiding Principles that were adopted by Council as part of the Fee Rationalization initiative in 2019) and return to Council with a recommendation no later than 2024/25.

Based on year-end revenue projections, an increase in building permit fees of just 5% would meet the business unit target of \$290K for a sustainable budget reduction to achieve a 4% average tax bill increase for 2023/24. Given the relatively low building permit fees in Halifax compared to other Canadian cities, it is recommended to modestly increase permits fees by 25% in 2023/24 and re-assess further increases in subsequent budget years to meet on-going inflationary impacts. This would increase revenue by approximately \$1.45M per year if the level of construction activity remains constant. Alternatively, Council could choose to increase fees by any other percentage for further revenue gains.

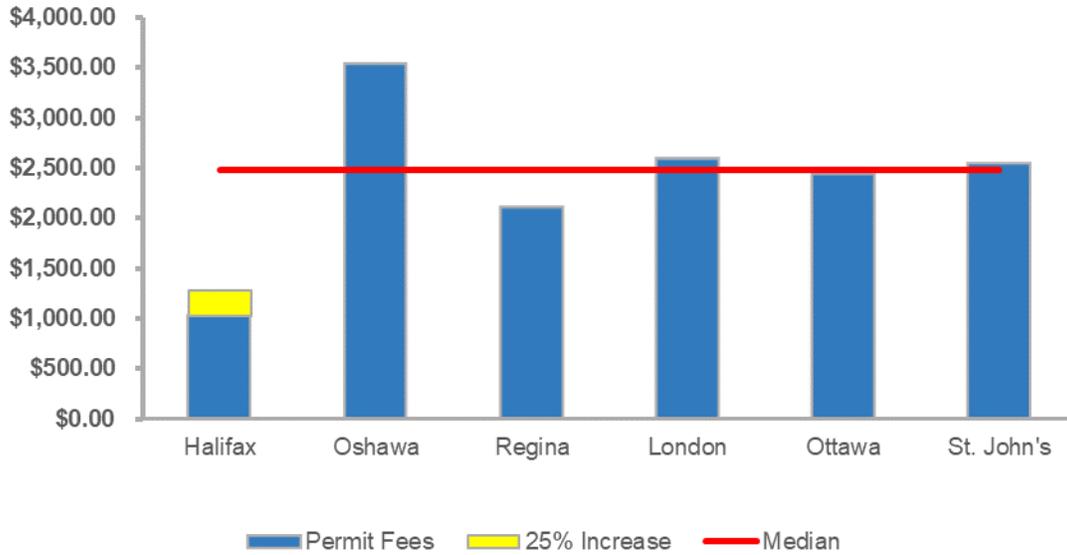
Note: The proceeding discussion only relates to permit fees and does not include other government-imposed costs such as development charges or sales taxes. While the amount of development charges in Halifax varies by location, they are still generally considerably less than other cities that rely on development charges.

**2019 Building Permit Fee Jurisdictional Scan**

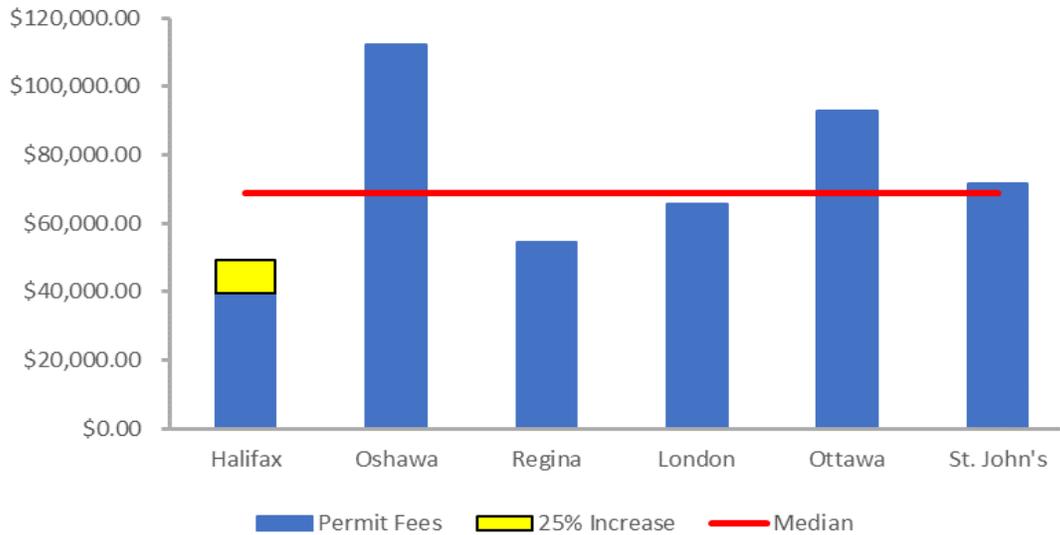


**2022 Building Permit Fee Jurisdictional Scan**

**2,500ft<sup>2</sup> Single Unit Detached**



**53-Unit, 9-Storey with Ground-floor Commercial**



**ATTACHMENT D**

(Showing Proposed Changes to the *By-Law and Ordinance Repeal By-law*)

**BY-LAW NUMBER R-100  
BY-LAW RESPECTING THE REPEAL OF  
BY-LAWS AND ORDINANCES**

3. Said By-law R-100 is further amended by adding immediately thereto the following Schedule:

Schedule E Halifax Regional Municipality

Schedule E Halifax Regional Municipality

<b>By-law Respecting</b>		
1	P-300	Dartmouth Employees' Pension Amendments
2	P-301	Dartmouth Employees' Pension Amendments
3	P-302	Dartmouth Employees' Pension Amendments
4	P-303	Dartmouth Employees' Pension Amendments
5	P-304	Dartmouth Employees' Pension Amendments
6	H-300	Halifax County Regional Rehabilitation Centre
7	S-203	Smoke Free Places
8	N-100	Noise
9	A-200	Automatic Machines
10	P-800	Pesticide By-law
11	F-200	The Fees By-law

**ATTACHMENT E**

(Showing Proposed Changes to the *User Fees By-law*)

**HALIFAX REGIONAL MUNICIPALITY BY-LAW NUMBER U-100  
RESPECTING USER CHARGES**

**Schedule 5**

1. The user charge for a Pre-Planning Application for a planning matter is \$500, and such fee shall be automatically increased on April 1<sup>st</sup> of each by the average monthly increase to the All-Item Consumer Price Index for the Province of Nova Scotia for the period of time from January 1st to December 31<sup>st</sup> preceding calendar year, rounded up to nearest \$10.

2. If there is no increase in the Consumer Price Index for the Province of Nova Scotia, there shall be no increase in the fees under section 1.

**HALIFAX REGIONAL MUNICIPALITY  
ADMINISTRATIVE ORDER NUMBER 15  
Respecting License, Permit and Processing Fees**

**BE IT RESOLVED** by the Council of the Halifax Regional Municipality that Schedule A of Administrative Order 15, *the License, Permits and Processing Fees Administrative Order*, is amended as follows:

1. Subsection 1A(1) is amended by:
  - (a) de-capitalizing the word “The” at the beginning of the subsection;
  - (b) re-lettering the subsection as clause (a) of subsection (1);
  - (c) adding the words, number, and commas “Subject to 1A(3), beginning on April 1<sup>st</sup>, 2024, and on each April 1<sup>st</sup> thereafter,” at the beginning of the subsection before the newly lettered clause (a);
  - (d) adding the word “automatically” after the words “shall be” and before the word “increased” in the newly lettered clause (a);
  - (e) striking out the words, and number “on April 1st of each calendar year” after the word “increased” and before the word “by”;
  - (f) striking out the period at the end of the newly lettered clause (a);
  - (g) numbering the words “the nearest \$10” as subclause (i) of clause (a);
  - (h) adding the words “when the fee is \$100 or more” at the end of subclause (i) of clause (a);
  - (i) adding subclause (ii) to clause (a) after subclause (i) and before subsection (2), as follows:
    - (ii) the nearest \$1.00 when the fee is under \$100; and
  - (j) adding clause (b) after clause (a), as follows:
    - (b) the charts listing those fees amounts that have been increased under clause 1A(1)(a) shall be automatically amended to the amount of the increased fees.
2. Subsections 1A(3) and (4) are added after subsection (2), as follows:
  - (3) The automatic increase shall not apply respecting the following fees under section 6B:
    - (a) the Owner’s License Annual fee;
    - (b) the Owner’s Renewal fee;
    - (c) Permanent Taxi Driver’s fee; and
    - (d) the Drive Application Fee.

(4) From time to time, the Chief Administrative Officer, or designate, shall post a revised version of this Schedule that incorporates the fees that were increased under subsection 1A(1).

3. The chart in section 6B is amended by striking out the word “licence” under the column “Fee” for the rows “Owner’s License Annual fee”, “Owner’s Renewal fee”, and “Permanent Taxi Driver’s fee” and replacing it with the word “license”.

4. The chart in section 16A is amended by striking out the number “200” under the column “Fees” and after the dollar sign and before the word “per” for the row “A Permanent Sign includes but is not limited to Projection, Roof, Ground, Billboard, Facia” and replacing it with the number “250”.

5. Section 6D is added after section 6C and before section 7, as follows:

**6D.**

<b>Fees Pursuant to By-law B-201, the <i>Building By-law</i></b>		
<b>Fee Description</b>	<b>Fee Amount</b>	<b>Provision of By-law B-201</b>
<b>For new residential construction of four dwelling units or less including excavations, foundations, and additions</b>		
Construction Projects Not exceeding \$5000.	\$31.25	4A(1)(a)
All floors, wherein any portion of the floor plane is at or above the mean finished grade surrounding the dwelling.	\$4.04 per square metre	4A(1)(b)
All floors extending below but not beyond 1.67 meters (5.5 ft) of the mean finished grade surrounding the building.	\$3.36 per square metre	4A(1)(c)
Finished or Unfinished Basements.	\$1.35 per square meter	4A(1)(d)
Attached or Detached Garages.	\$1.35 per square meter	4A(1)(e)
<b>Renovations and Other Types of Construction</b>		
For renovation type construction including structural alterations and repairs, and for all other types of construction.	\$6.88 per thousand dollars of construction value	4A(2)
<b>Renewal or Reissuance to another Individual or Company</b>		
Renew a building permit or reissue the permit in the name of another individual or company.	\$31.25	4A(3)
<b>Change in Use or Occupancy</b>		
Where a building permit is required to facilitate a change in use or occupancy and the change does not involve renovations or structural alterations in excess of \$5000.00.	\$62.50	4A(4)
<b>Occupancy Permit</b>		
Building exceeds one year in age and where the Municipality is requested to issue an Occupancy Permit.	\$125.00	4A(5)
<b>Demolition Permit</b>		
Fee for Demolition Permit	\$62.50	4A(6)
<b>Permit for Construction or Erection of Barricades, Hoardings or Temporary structures</b>		
Permit for the construction or erection of barricades, hoardings or temporary structures.	\$25.00	4A(7)
<b>Please note:</b> A non-profit organization or registered Canadian charitable organization that provides affordable housing may be exempt from these fees under subsections 4(8),(9) of the <i>Building By-law</i> .		

For an application for a new commercial/industrial and multi-tenant residential project, or a leasehold improvement or alteration, 25% of the fees may be paid at the time of application under subsection 4(2A) of the *Building By-law*.

6. The charts in sections 6A, 13A, 15A, and 21A are repealed and replaced by the charts listed in Schedule 1 attached hereto.

7. (1) This amending Administrative Order comes into force on adoption except for section 5.

(2) Section 5 comes into force on June 1, 2023.

Done and passed in Council this        th day of        , 2023 .

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MUNICIPAL CLERK

**Schedule 1**

(Charts for sections 6A, 13A, 15A, and 21A)

**6A.**

<b>Fee Description</b>	<b>Fee</b>	<b>Cancellations &amp; Refunds</b>
Public Consultation/Advertising Deposit  (Public consultation costs include, but are not limited to, advertising, mailouts, engagement material and meetings.)	<b>\$1,000</b>	Deposit funds not used for public consultation will be refunded
<b>Municipal Strategy Amendments, Rezoning, Planning Applications</b>		
Pre Pre-Application	<b>\$500</b>	Cancellation of the pre public consultation will result in a 50% refund, providing the Municipality receives notice of the cancellation within the earlier of 90 calendar days from the day of submission or 90 calendar days from the day the pre public consultation began, counting the day of submission and the day of the pre public consultation.  No refunds will be issued post public consultation.  Where public consultation does not apply, a cancellation within 30 calendar days will result in a full refund.  No refunds will be issued after 30 calendar days from submission.
Planning Application Submission Fee	<b>\$3,430</b>	
The following fees include submission fee:		
Municipal Planning Strategy Amendment along with a Development Agreement	<b>\$5,720</b>	
Land Use By-law Amendment (rezoning and/or text change)	<b>\$3,430</b>	
Municipal Planning Strategy Amendment along with a Land Use By-law Amendment	<b>\$5,720</b>	
Land Use By-law Amendment along with a Development Agreement	<b>\$4,580</b>	
Deregistration & Demolition of a Heritage Property	<b>\$4,580</b>	
Development Agreement	<b>\$3,430</b>	
Discharge of a Development Agreement (in whole or in part)	<b>\$600</b>	
Amendments to Development Agreements unless all the amendments are listed as non- substantive in the development agreement*	<b>\$4,580</b>	Non-refundable
Amendments to Development Agreements where all the amendments are listed as Non-Substantive*	<b>\$3,430</b>	Non-refundable
Telecom Tower Application	<b>\$600</b>	Non-refundable

*\* Amendments defined within development agreement*

<b>Variations and Site Plans</b>		
Variance	<b>\$670</b>	Non-refundable
Variance Appeal Deposit	<b>\$500</b>	Deposit returned if application is not appealed
Site Plan Approval, including Downtown Halifax Non-Substantive Site Plan Approval but excluding Downtown Halifax Substantive Site Plan Approval.	<b>\$600</b>	Non-refundable
Downtown Halifax Substantive Site Plan Approval	<b>\$2,310</b>	Non-refundable except for exempt properties.
Site Plan Appeal Deposit	<b>\$500</b>	Deposit returned if application is not appealed
<b>Development Permit Fees</b>		
Residential Development Permit Fee (includes: New Residential-up to 2 units, enclosed additions, Residential or Multi-use, Industrial, Commercial or Institutional (MICI) renovations, and lease hold improvements)	<b>\$250</b>	Non-refundable
Commercial Development Permit Fee (includes: Multi-use, Industrial, Commercial or Institutional (MICI), 3 unit or greater)	<b>\$600</b>	Non-refundable
Basic Development Permit Fee (includes: Home Occupation, Occupancy Only and Accessory Structures such as Decks, Pools, Sheds, and Fence)	<b>\$600</b>	Non-refundable
Zoning Confirmation Letters	<b>\$200</b>	Non-refundable
<b>Engineering Fees related to Development</b>		
Engineering Review Fee for Non-Engineering Specific Permits (ie: Building & Development Permits)	<b>\$250</b>	Non-refundable
Lot Grading	<b>\$250</b>	Non-refundable
Grade Alteration	<b>\$250</b>	Non-refundable
Top Soil Removal	<b>\$250</b>	Non-refundable
For blasting less than 50 cubic metres of rock	<b>\$140</b>	Non-refundable

All other blasting applications	<b>\$700</b>	Non-refundable
Engineering Inspection Fees	<b>\$150</b>	Non-refundable
<b>Subdivisions</b>		
Subdivision Concept Plan	<b>\$700</b>	Non-refundable
Subdivision Tentative Plan	<b>\$480</b>	Non-refundable
Subdivision Final Without Infrastructure	<b>\$600</b>	Non-refundable
Subdivision Final Plan New Infrastructure	<b>\$2,310</b>	Non-refundable
Repeal of a Final Plan of Subdivision	<b>\$480</b>	Non-refundable
Amendment to a Final Plan of Subdivision	<b>\$480</b>	Non-refundable
<b>Civic Naming and Numbering</b>		
Change Civic Number	<b>\$480</b>	Non-refundable
Change Street Name <sup>1</sup>	<b>\$2,310</b>	Non-refundable
Manufacture & Install Private Road Sign - Sign & Sign post <sup>2</sup>	<b>\$250</b>	Non-refundable
Private Road Sign Only	<b>\$40</b>	Non-refundable
<p><i>Please note: No civic addressing fee shall be collected from the owner when the installation of a Private Road sign is required as the result of a civic addressing change that added one or more civic addresses to an existing travel way so that it now meets the definition of a "private road" under the Civic Addressing By-law.</i></p>		
<p style="text-align: right;"><small>1 This application fee assumes a consultative process</small></p>		

**13A.**

<b>Fees pursuant to By-law C-501, Respecting Vending on Municipal Lands</b>		
<b>Fee Description</b>	<b>By-law Section</b>	<b>Fee</b>
Food Services vehicle	4	\$1,060 annum
Bicycle Wagon	20 (4)	\$170 annum
Stands	4	\$300 annum

Artisans/Craftspeople		
-Spring Garden Road	40 (3)	\$42 annum
-Waterfront	40 (3)	\$320 annum
-Ferry Terminal Park	40 (3)	\$140 annum
Newspaper Boxes	42 (2)	\$65 annum

**15A.**

<b>Fees pursuant to By-law S-801, Respecting Licensing of Temporary Signs</b>		
<b>Fee Description</b>	<b>By-Law Section</b>	<b>Fees</b>
Multiple Resident Signs	5(3), 12(5)	\$37 per license per 30 day Occasion
Mobile Signs	5(3), 12(3)	\$37 per license per 30 day occasion
Box signs	5(3), 12(4)	\$140 per license per year
Banners	5(3), 12(2)	\$70 per license per occasion
Sandwich Boards	5(3), 15(1)	\$94 per license per Year
Inflatable Signs	5(3), 12(1)	\$37 per license per 30 day occasion
Multi Special Event Signs	5(3), 12(8)	\$37 per license per occasion

**21A.**

<b>Fees pursuant to By-law S-1000, Respecting the Regulation of Sidewalk Cafes</b>		
<b>Fee Description</b>	<b>By-Law Section</b>	<b>Fees</b>
Seasonal Sidewalk Cafe License Fee for unenclosed sidewalk café.	13	\$320 per Seasonal Sidewalk Café

Seasonal Sidewalk Café License fee for unenclosed sidewalk café where the tables and chairs are removed from the sidewalk each day by the closing time of the principle use property.		No fee
Seasonal Sidewalk Café License Fee for enclosed sidewalk cafés smaller than 9.29 square meters.	13	\$480 per Seasonal Sidewalk Café
All other Seasonal Sidewalk Café License Fee.	13	\$940 per Seasonal Sidewalk Café
Annual Sidewalk Café License Fee.	13	\$1,700 per Annual Sidewalk Café
Parking Meter Removal and Reinstatement Fee.		\$200 per meter per sidewalk café season
Street Post Removal and Reinstatement Fee.		\$200 per street post per sidewalk café season

**HALIFAX REGIONAL MUNICIPALITY  
BY-LAW NUMBER B-206  
RESPECTING THE BUILDING CODE**

**BE IT ENACTED** by the Council of the Halifax Regional Municipality that By-law B-201, *the Building By-law*, is amended, as follows:

1. Subsection 2(2) is amended by:
  - (a) re-lettering clause (aa) as clause (ab);
  - (b) re-lettering clause (a) as clause (aa);
  - (c) adding clause (a) before the newly re-lettered clause (aa) and after the word “By-law”, as follows:
    - (a) “Administrative Order 15” means Administrative Order 15, the *License, Permits and Processing Fees Administrative Order*;
2. Subsection 4(2) is amended by:
  - (a) adding the words, brackets, number, and comma “Unless subsection (2A) applies, “ at the beginning of the subsection; and
  - (b) striking out the words “as prescribed in By-law F-200” after the word “paid” and before the end of the subsection; and
  - (c) adding the words “at the time of application and in the full amount as set in Administrative Order 15” after the word “paid” and before the end of the subsection.
3. Subsection 4(2A) is added after subsection 4(2) and before subsection 4(3), as follows:
  - (2A) For an application for either new commercial/industrial and multi-tenant residential project under Clause 4(1)(c), or a leasehold improvement or alteration under Clause 4(1)(b), 25% of the fees set in section 6D of Administrative Order 15 may be paid at the time of application.
4. Subsection 4(4) is amended by striking out the word “the” after the word “until” and before the word “appropriate” and replacing it with the word “all”.
5. Subsection 4(5) is amended by:
  - (a) de-capitalizing the word “Where” at the beginning of the subsection;
  - (b) adding the words , brackets, number, and comma “Unless subsection (5A) applies,” at the beginning of the subsection; and
  - (c) adding the words “building permit” after the word “any” and before the word “fees”.
6. Subsection 4(5A) is added after Subsection 4(5) and before subsection 4(6), as follows:

(5A) There shall be no refund where only 25% of the fee was paid in accordance with subsection 4(2A).

7. Subsection 4(8) is amended by adding the words and comma “and fees under section 4A may be waived for residential developments undertaken by an applicant” after the words and comma “permit fees, and before the word “providing”.

8. Subsection 4(9) is amended by adding the words “a waiver or” after the word “for” and before the words “an exemption”.

9. Section 4A is added after section 4 and before section 5, as follows:

**Fees**

4A. (1) For new residential construction of four dwelling units or less, including excavations, foundations and additions, Administrative Order 15 shall set permit application fees for:

(a) construction projects not exceeding a fixed dollar amount;

(b) all floors, wherein any portion of the floor plane is at or above the mean finished grade surrounding the dwelling, at a per square meter amount;

(c) all floors extending below but not beyond 1.67 meters (5.5 feet) of the mean finished grade surrounding the building at a per square meter amount;

(d) finished basements, unfinished basements, or both, at a per square meter amount; and

(e) attached garage, detached garages, or both, at a per square meter amount.

(2) For renovation type construction, including structural alterations and repairs, and for all other types of construction, Administrative Order 15 shall set a permit application fee per thousand dollars of construction value.

(3) Where the Municipality renews a building permit, or reissues the building permit in the name of another individual or company, Administrative Order 15 shall set a fee to be paid for the renewal, reissuance, or both.

(4) Where a building permit is required to facilitate a change in use or occupancy and where that change does not involve renovations or structural alterations in excess of \$5,000, Administrative Order 15 shall set a fee for that change.

(5) Where a building exceeds one year in age and where the Municipality is requested to issue an Occupancy Permit, Administrative Order 15 shall set a permit fee for that permit.

(6) Where a demolition permit is required, Administrative Order 15 shall set a permit fee to be paid.

(7) Where a permit is required for the construction or erection of barricades, hoardings or temporary structures, Administrative Order 15 shall set a fee for that permit.

(8) In the event of a dispute between the applicant and the Municipality as to the value of construction of any building project, the Municipality's estimated value of construction shall prevail.

(9) Application fees shall be paid in full prior to the issuance of any Permit.

(10) Unless subsection (11) applies, if within twelve months of the issuance of any permit, the applicant has not exercised the right conferred by the permit the permit holder may by written request to the Municipality apply for a cancellation of the permit and if the application is approved shall receive a refund in an amount of seventy-five Percent (75%) of the fee(s) paid.

(11) There shall be no refund where only 25% of the prescribed fee was paid in accordance with subsection 4(2A).

10. Subsection 5(3) is amended by adding the words and number "and the fee set under Administrative Order 15" after the word "disposed" and before the end of the subsection.

11. Clause 6(3)(a) is amended by:

(a) adding the commas, number, brackets, and words ", unless subsection (3A) applies," after the word "and" and before the percentage "75"; and

(b) striking out the word "original" after the word "the" and before the word "fee" and replacing it with the word "permit".

12. Subsection 6(3A) is added after subsection 6(3) and before subsection 6(4), as follows:

(3A) There shall be no refund where only 25% of the fee was paid in accordance with subsection 4(2A).

13. This By-law comes into force on June 1, 2023.

Done and passed in Council this        th day of        , 2023 .

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MAYOR

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MUNICIPAL CLERK

**HALIFAX REGIONAL MUNICIPALITY  
BY-LAW NUMBER F-203  
RESPECTING THE BUILDING CODE**

**BE IT ENACTED** by the Council of the Halifax Regional Municipality that By-law F-203, repealing the *Fees By-law* and amending By-law R-100, the *By-Law and Ordinance Repeal By-law*, is adopted as follows:

1. The *Fees By-law* is repealed.
2. Schedule E of the *By-Law and Ordinance Repeal By-law* is amended by adding section 11 after section 10, as follows:

11 F-200 The Fees By-law

3. This By-law comes into force on June 1, 2023.

Done and passed in Council this        th day of        , 2023 .

\_\_\_\_\_  
MAYOR

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MUNICIPAL CLERK

**HALIFAX REGIONAL MUNICIPALITY  
BY-LAW NUMBER U-115  
RESPECTING USER CHARGES**

**BE IT ENACTED** by the Council of the Halifax Regional Municipality that By-law U-100, the *User Fees By-law*, is amended as follows:

1. Section 1 of Schedule 5 is amended by adding the number, comma, and words “, and such fee shall be automatically increased on April 1<sup>st</sup> of each calendar year by the average monthly increase to the All-Item Consumer Price Index for the Province of Nova Scotia for the period of time from January 1st to December 31<sup>st</sup> preceding calendar year, rounded up to nearest \$10” after the dollar sign and number “500” before the period.
2. Section 2 of Schedule 5 is added after section 1, as follows:
  2. If there is no increase in the Consumer Price Index for the Province of Nova Scotia, there shall be no increase in the fees under section 1.

Done and passed in Council this        th day of                    , 2023.

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MAYOR

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MUNICIPAL CLERK