



CBRM

A Community of Communities

Cape Breton Regional Municipality

CBRM FEE POLICY: PLANNING, DEVELOPMENT, AND BUILDING

1. LEGISLATIVE AUTHORITY

- (1) This policy derives its authority from Sections 49, 211, 220 (4)(l), 221(2), 232(4), 237(3), 270(3)(e), 271(3)(f), and 282(1)(b) of the *Municipal Government Act* and Section 7 of the *Building Code Act* of the Province of Nova Scotia

2. PURPOSE

- (1) The purpose of this policy is to outline fees for permits, applications, and services associated with land use planning and building development offered by the Planning and Development Department.
- (2) The purpose of this policy is to ensure fair and consistent approach when setting parameters for refunding fees for the various services identified in Schedule A.

3. STATEMENTS OF POLICY

- (1) The *Municipal Government Act* provides clear direction for the recovery of municipal costs incurred with respect to applications for various permits and changes needed for permission for land use planning and building development.

4. ADVERTISEMENT

- (1) In addition to the application fees identified in Schedule A, an applicant requesting an amendment Municipal Planning Strategy Amendment, Land Use By-law Amendment, Subdivision By-law Amendment, or Development Agreement Application shall be required to provide a deposit for costs related to public notification. Should the actual costs associated with public notification be greater than the deposit, then the applicant shall be responsible for the outstanding balance. However, if the actual costs are less than the deposit, then the Municipality shall refund the balance to the applicant.
- (2) For greater clarity, all costs incurred related to public notification for Municipal Planning Strategy Amendment, Land Use By-law Amendment, Subdivision By-law Amendment, or Development Agreement Application must be paid even if an application is refused.

5. REMISSION OF FEES

- (1) If a person submits a written request to withdraw or discontinue an application for a planning service identified in Schedule A, refunds of application fees are available in accordance with the following:

- (a) For Municipal Planning Strategy Amendment Applications (which may or may not include a Land Use By-law Amendment or Development Agreement):
 - i. 90% refund prior to a presentation to Council or if Council decides to uphold policy prior to proceeding with a Public Participation Program;
 - ii. 70% refund prior to a Public Participation Program;
 - iii. 50% refund prior to First Reading;
 - iv. No refund shall be available upon the completion of the Public Hearing;
 - v. No refund shall be available for any costs incurred related to public notification.
- (b) For Land Use By-law Amendment or Development Agreement Applications:
 - i. 90% refund prior to a presentation to Council;
 - ii. 50% refund prior to First Reading;
 - iii. No refund shall be available upon the completion of the Public Hearing;
 - iv. No refund shall be available for any costs incurred related to public notification.
- (c) For Subdivision By-law Amendment Applications:
 - i. 90% refund prior to a presentation to Council;
 - ii. 70% refund prior to a Public Participation Program;
 - iii. 50% refund prior to First Reading;
 - iv. No refund shall be available upon the completion of the Public Hearing;
 - v. No refund shall be available for any costs incurred related to public notification.
- (d) For Variance Applications:
 - i. 90% refund shall be available only if the application is withdrawn prior the application being circulated to neighbouring property owners.
 - ii. No refund shall be available after notice of the application has been circulated to neighbouring property owners.
- (e) For Site Plan Approval Applications:
 - i. 90% refund shall be available only if the application is withdrawn prior the application being circulated to neighbouring property owners.
 - ii. No refund shall be available after the site plan has been circulated to neighbouring property owners.
- (f) Refunds on Zoning Confirmation Letters and Municipal Clearance Letters shall not be granted.
- (g) For Subdivision Applications:
 - i. No refund shall be available for Preliminary Approval.
 - ii. 90% refund shall be available for Tentative Approval only if the application is withdrawn prior the application being circulated.
 - iii. No refund shall be available for Tentative Approval after the application has been circulated.
 - iv. 90% refund shall be available for Final Approval only if the application is withdrawn prior the application being circulated.
 - v. If the Development Officer refuses to approve or repeal a Final plan of subdivision, the Development Officer shall return the submitted fees charged

by the Province under the *Costs and Fees Act* for filing an approved plan of subdivision in the Registry of Deeds back to the subdivider after the appeal period has lapsed.

- (h) No refunds shall be available for mapping costs after a map has been printed.
- (i) For Development Permit:
 - i. 90% refund if a complete application is not received within one year of the original submission;
 - ii. 90% refund if the application was denied;
 - iii. No refund shall be available for an approved Development Permit.
- (j) For Building Permit Application:
 - i. 90% refund if a complete application is not received within one year of the original submission;
 - ii. 90% refund if the application was denied;
 - iii. 70% refund if Building Permit revoked or abandoned before work commenced (fee for the Development Permit is retained);
 - iv. No refund shall be available if a Building Permit is revoked or abandoned after work commenced;
 - v. No refund shall be available if a Building Permit is expired.

Approved by Council: November 14, 2023

Schedule A
Fee Schedule – Planning and Development

Category		Fee	
Municipal Planning Strategy Amendment (may/may not include a Land Use By-law Amendment or Development Agreement)		\$1,500*	Plus, Total Cost of Advertising (\$500 Deposit plus remainder invoiced)*
Land Use By-law Amendment		\$1,000*	Plus, Total Cost of Advertising (\$500 Deposit plus remainder invoiced)*
Development Agreement (Adoption, Amendment, or Discharge)		\$1,000*	Plus, Total Cost of Advertising (\$500 Deposit plus remainder invoiced)*
Subdivision By-law Amendments		\$1,500*	Plus, Total Cost of Advertising (\$500 Deposit plus remainder invoiced)*
Development Permit		\$50.00	
Renewal of Development Permit		\$50.00 per year	
Variance		\$100.00	
Site Plan Approval		\$100.00	
Zoning Confirmation		\$50.00 Plus HST	Per PID No.
Municipal Clearance Letter		\$50.00 Plus HST	Per PID No.
Subdivision	Preliminary	\$50.00	
	Tentative	\$70.00	
	Final	\$300.00	
	Repeal	\$300.00	
Mapping	Single copies of 8.5x11 and 11x17	No fee	
	Maps larger than 11x17	\$25.00, plus HST	

*All costs incurred related to advertisement must be paid even if an application is refused

Schedule A
Fee Schedule – Building

Category		Fee
Plan Review	Residential	\$30.00
	Commercial	\$70.00
Residential	Mobile Home and Modular Home	\$200.00
	New One Unit Dwelling Residential	\$400.00
	New Multiple Residential	\$200.00 per unit
	Addition - greater than 53.5m ² (576 ft ²)	\$150.00
	Addition - less than 53.5m ² (576 ft ²)	\$2.69 per m ² (\$0.25 per ft ²)
	Residential Renovations	\$20 construction base plus \$1.50 per \$1000 of project cost
	Change of Use	\$20 construction base plus \$1.50 per \$1000 of project cost
	Accessory Dwelling Unit	\$400.00
	Secondary Suite	\$200.00
	Residential Plumbing	\$50.00 per dwelling unit
	Residential Accessory Building, one storey up to 53.5m ² (576 ft ²)	\$50.00
	Residential Accessory Building, two storey and/or greater than 53.5m ² (576 ft ²)	\$100.00
	Power Connect	\$50.00
	Pool and Fence	\$50.00
	Deck	\$50.00
Tent		\$50.00
Demolition		\$50.00
Renewal of Building Permit		\$50.00 per year
Commercial and all other, excluding residential	Commercial New Construction and Additions	\$20 construction base plus \$2.69 per m ² (\$0.25 per ft ²) of total Building Area
	Industrial, Institutional, Agricultural or Recreational New Construction and Additions	\$20 construction base plus \$1.61 per m ² (\$0.15 per ft ²) of total Building Area
	Repairs and Alterations	\$20 construction base plus \$1.50 per \$1,000 of value of work
	Change of Use	\$20 construction base plus \$1.50 per \$1000 of project cost
	Plumbing	\$15.00 per fixture
	Any Non-Residential Accessory building	\$150
Work commenced without an approved building permit**		double the permit fee

**The additional fee applied where construction has been started prior to issuance of Building permit does not preclude prosecution for non-compliance and does not prevent the Building Official from requiring construction work to be undone in whole or in part in order to inspect conditions not otherwise observable.