



September 22, 2025

His Worship Andy Fillmore
Mayor, Halifax Regional Municipality
Email: mayor@halifax.ca

Dear Mayor Fillmore and Members of Halifax Regional Council:

RE: Infilling in Halifax Harbour

It is our understanding that Halifax Regional Municipality (HRM) might soon be debating the issue of municipal restrictions to infilling by way of bylaws. As such, we remain available to explain the parameters of federal jurisdiction under the *Canadian Navigable Waters Act* (CNWA) to ensure clarity regarding respective roles and responsibilities. Should a bylaw be adopted, we will review and consider its impact on federal authorities, including on navigable waters.

Further to my letter of September 9, 2025, I wish to confirm that Transport Canada has neither the mandate nor the jurisdiction to facilitate the development of municipal bylaws. As noted previously, HRM's decision to restrict infilling by way of bylaws is within its own authority, provided that the pith and substance of the HRM's bylaws do not fall within federal jurisdiction, including navigation.

Transport Canada's responsibility under the CNWA is to ensure navigable waters remain open for transport and recreation. Proponents are responsible for complying with the CNWA and any other applicable federal, provincial or municipal laws and regulations.

I trust this further clarifies Transport Canada's mandate with respect to infilling in the Halifax Harbour.

Sincerely,

Stephanie Hébert
Assistant Deputy Minister, Programs