

## **Halifax Regional Municipality**

### **Bylaw Number L-100**

#### **Respecting Charges for Local Improvements**

**Be It Enacted** by the Council of the Halifax Regional Municipality as follows:

##### **Short Title**

1. This Bylaw shall be known as Bylaw L-100 and may be cited as the "Local Improvement Bylaw".

##### **Charge Imposed**

2. Where a water line, sanitary sewer, storm sewer, or combined sewer is or has been constructed, installed, improved, operated or maintained within the Halifax Regional Municipality in an area or zone identified in Schedule "A", as amended from time to time, a tax is hereby levied upon every owner of real property situated in whole or in part within the area or zone except to the extent that any lot or the owner thereof is or is of a type totally or partially exempt from tax by the provisions hereof or the provisions of Schedule "A".

##### **Amount of Charge**

3. The amount of tax levied pursuant to Section (2) shall be determined in accordance with the provisions of this Bylaw and of Schedule "A" of this Bylaw and maybe calculated based on:
  - a) a uniform amount for each lot or parcel of land in existence or subsequently created by subdivision;
  - b) the frontage of the lot on any street;
  - c) the use of the lot;
  - d) the area of the lot;
  - e) any combination of two or more such methods of calculating the tax; or
  - f) such other method as Council deems fit.

### **Variations In Charges**

4. The tax levied pursuant to this Bylaw may be fixed at different rates for different classes or uses of properties and may be fixed at different rates for different areas or zones.

### **Frontage Charges**

5. If the amount of the sewer tax or water tax contains a component calculated, in whole or in part, based upon the frontage of the lot on a street then the component of the tax which is based upon frontage shall be calculated in accordance with the provisions of this section.
  - a) The minimum deemed frontage property shall be 60 feet.
  - b) For the purpose of calculating the component of the tax based upon frontage, the number of lineal feet of frontage shall be measured at a distance twenty (20) feet back from the boundary line or lines of the lot adjacent to any street.
  - c) Every property shall be deemed to be subdivided into the greatest number of lots permissible and the charge shall be calculated for each lot.
6. Charges imposed under subsections (1) to (5) may be adjusted by Council in the following circumstances:
  - (1) A property cannot be developed or cannot be connected to or serviced by a public sewer because of its size, configuration, topography or ground condition of such lot or parcel of real property.
  - (2) Subject to paragraph 5 a) where the lot is situated at the intersection or junction of two or more streets, the component of the tax based upon frontage shall not exceed the amount that would be payable calculated on:
    - (a) one-half of the total frontage on the streets, where the total frontage on streets is two hundred (200) feet or less;
    - (b) the total frontage less one hundred (100 feet where the total frontage on the streets exceeds two hundred (200) feet except for a lot which cannot be subdivided due to the location of buildings on the lot, in which case the charge shall

be one half the total frontage on the streets.  
This is effective as of the 21<sup>st</sup> day of August, 2001.

7. (1) Whenever an area or zone is identified in Schedule "A" for the purpose of assessing a sewer tax or water tax pursuant to this Bylaw, the Engineer shall make and submit to the Director of Finance and the Collector an assessment list containing the names, according to the assessment records, of the owners of all properties in the area or zone and containing the amounts due for sewer taxes and/or water taxes with respect to each property.
  - (2) The Engineer may at any time amend the assessment list to include the name of any person or any property in respect of which a sewer tax or water tax is payable which for any reason was not included in the original assessment list.
  - (3) Where in any assessment list prepared pursuant to this Section, a person has been omitted by error or has been assessed in error or has been assessed for a sewer tax or water tax for a greater amount or a lesser amount than the person should have been assessed, the Engineer may at any time amend the assessment list prepared by him to correct the error and adjust the assessment.
  - (4) The Engineer shall submit to the Director of Finance and the Collector a copy of any amended assessment list prepared by him.
8. The Collector shall keep a separate account of all monies due for sewer taxes and water taxes levied pursuant to this Bylaw and the account shall contain:
    - (1) the names of the owners of properties liable for a sewer and/or water tax;
    - (2) the amount due with respect to each property;
    - (3) the amount paid with respect to each property.

**Lien**

9. (1) A charge imposed pursuant to this Bylaw constitutes a lien upon the property with respect to which the tax has been levied in the same manner and with the same effect as rates and taxes under the Assessment Act.

- (2) A charge imposed pursuant to this Bylaw is collectable in the same manner as rates and taxes under the Assessment Act and at the option of the Treasurer is collectable at the same time and by the same proceedings as are rates and taxes.
- (3) The lien provided for in this Bylaw shall become effective on the date on which the Engineer files with the Treasurer a certificate that the improvement has been completed.
- (4) The lien provided for in this Bylaw shall remain in effect until the charge plus interest has been paid in full.
- (5) Where a property subject to a lien is subdivided, the amount of the charge plus interest then unpaid shall be apportioned among the new lots created including any residual land in the proportion that the value of each new lot including any residual land bears to the total market value of the lands subdivided including any residual lands.

The maximum amount of such allocation shall not exceed 80% of the current market value of the lots so created.

Market value lots so created must be confirmed by an accredited appraiser. Written confirmation shall be submitted to the Treasurer or his/her designate, in the prescribed form.

### **Interest**

10. (1) Interest shall accrue on charges outstanding from the date of billing forward at a rate equal to the prime rate of the Municipality's banker plus two percentage points on the date that notification of the local improvement project is issued.
- (2) The rate of interest to be applied to outstanding charges respecting any project billed between May 11, 1999 and the date that Bylaw L-106 becomes law shall be the original rate up to the date that Bylaw L-106 becomes law and thereafter shall be equal to the prime rate of the Municipality's banker plus two percentage points on the date that notification of the local improvement project was issued.

**Installments**

11. The amount payable may at the option of the owner of the property may be paid in equal annual installments over a period not exceeding twenty years and the whole balance becomes due and payable in case of default of payment of an installment.

**Repeal**

12. Bylaw 67 of the former Halifax County Bylaw is repealed, but all charges and liens imposed pursuant to its provisions remain in effect.

**Attachments - (8) Plans showing:** Cole Harbour Water Extension, Cherry Brook Water Extension Phase 2, Beaver Bank Water & Sewer Extension Phase 1 & 2, Shore Road Sewer & Water Extension, Greenhead Road Water Extension, Lucasville Road Water Extension

## **SCHEDULE "A"**

### **Cole Harbour Water Extension**

The Local Improvement Charge for properties fronting or abutting in whole or in part, on Cole Harbour Road, Ritcey Crescent, Roode Court, Colridge Court, Old Miller Road, Lawlor Crescent, in the area identified on the plan "Cole Harbour Water Extension, dated May 4, 1998," shall be \$13.26 per lineal foot of frontage.

### **Cherry Brook Water Extension, Phase 2**

The Local Improvement Charge for properties fronting or abutting in whole or in part, on Broom Road, Giberson Drive, Trinah Court, Robert Lane, Betty Drive, Sharon's Place, Lake Major Road, Crane Hill Road in the area identified on the plan "Cherry Brook Water Extension, Phase 2, plan 1 of 2 and plan 2 of 2, dated May 4, 1998," shall be \$12.40 per lineal foot frontage.

### **Beaver Bank Water and Sewer Extension Phase 1 & 2**

The Local Improvement Charge for properties fronting or abutting in whole or in part, on Beaver Bank Road in the area identified on the plan "Beaver Bank Water and Sewer Extension, Phase 1 & 2, dated May 4, 1998," shall be \$10.00 per lineal foot of frontage for water and \$28.00 per lineal foot for sewer.

### **Shore Road, Sewer and Water Extension**

The Local Improvement Charge for properties fronting or abutting in whole or in part, on Shore Road, Eastern Passage in the area identified on the plan "Shore Road Water and Sewer Extension, dated May 4, 1998," shall be \$17.57 per lineal foot of frontage for water and \$47.80 per lineal foot of frontage for sewer.

### **Greenhead Road, Water Extension**

The Local Improvement Charge for properties fronting or abutting in whole or in part, on Greenhead Road, Lakeside, in the area identified on the plan "Greenhead Road, Water Extension, dated May 4, 1998," shall be \$17.20 per lineal foot of frontage.

### **Lucasville Road, Water Extension**

- a) The Local Improvement Charge for properties fronting or abutting in whole or in part, on Lucasville Road, in the area identified on the plan "Lucasville Road, Water Extension, plan 1 of 2 and plan 2 of 2, dated May 4, 1998," shall be \$21.04 per lineal foot of frontage plus a charge of \$491 for each water lateral from the main to the property line.

- b) A further tax of one thousand five hundred dollars (\$1,500.) is hereby levied in respect to all future connections to this water system for properties which have not paid a Local Improvement Charge pursuant to paragraph a) hereof.

**Cow Bay Road Area Sewer and Water Extension**

- a) The Local Improvement Charges for properties fronting or abutting in whole or in part, on Cow Bay Road, in the area identified on the plan "Cow Bay Road Area, Sewer and Water Extension, Plan No. 1, dated August 5, 1998," shall be \$65. per lineal foot of frontage.
- b) The Local Improvement Charges for properties identified on the plan "Cow Bay Road Area, Sewer and Water Extension, Plan No. 2, dated August 5, 1998," shall be \$1,848. per acre of area.
- c) The Local Improvement Charges for the property identified on the plan "Cow Bay Road Area, Sewer and Water Extension, Plan No. 3, dated August 5, 1998" shall be \$12,000.
- d) The local improvement charges for the property identified as 615 Cow Bay Road shall be \$5430 and for the property identified as 617 Cow Bay Road shall be \$2283.

**Pockwock Road, Anderson Road and Anderson Court Water Service Extension**

- a) The Local Improvement Charge for properties fronting or abutting in whole or in part on Pockwock Road between White Hills Run and the western end of Pockwock Road, and on Anderson Road and Anderson Court as shown on the plan entitled "Water Service Extension Upper Hammonds Plains Area", shall be \$13.90 per linear foot of frontage.
- b) The Local Improvement Charge for properties fronting or abutting in whole or in part on Pockwock Road between White Hills Run and the Hammonds Plains Road as shown on the plan entitled "Water Services Extension Upper Hammonds Plains" shall be \$16.40 per linear foot of frontage.
- c) A further tax of One Thousand Five Hundred Dollars (\$1,500.00) is hereby levied in respect of all future connections to this water system for properties which have not paid a Local Improvement Charge pursuant to paragraphs (a) or (b) hereof.

**Beaver Bank Water and Sewer Project Phase III**

- a) The Local Improvement Charges for properties fronting or abutting in whole or in part along the portion of Beaver Bank Road as identified on Plan No. 1 dated August 5, 1998 "Beaver Bank Road Water & Sewer Project Phase III" shall be \$70. per lineal foot.
- b) The Local improvement Charges imposed under a) may be paid over a 20-year period. The rate of interest will be as set out by Council for area rate projects.

**Beaver Bank Sewer and Water Project**

- (a) The Beaver Bank Sewer and Water Project is a plan to install sewer and water lines including a reservoir to service properties located within the boundaries identified on a plan entitled "Beaver Bank Servicing Area, By-Law L-108, April 03, 2002 as attached.
- (b) The Project will be constructed in phases over time.
- (c) The Project will be funded by local improvement charges based on the entire cost of the project less any federal, provincial or other revenue.
- (d) The local improvement charges will be imposed at an interim rate of \$70 per lineal foot on each property which abuts in whole or in part any street at the completion of each phase.
- (e) The interim local improvement charges will be adjusted at the earliest of:
  - (i) the completion of the entire project, or
  - (ii) the abandonment of the project by the Council, or
  - (iii) 10 years from the passage of By-Law L-108and will be calculated on the basis of the total cost of the project at the adjustment date, less any federal or provincial or other funding.
- (f) The Local Improvement Charges shall be imposed at the rate per linear foot provided in clause (4) or (5) on each property which abuts in whole or in part any street contained within the boundaries of the plan entitled "Beaver Bank Servicing Area, By-Law L-108, April 03, 2002".
- (g) A further charge of two thousand one hundred dollars (\$2,100.00) is hereby levied in respect of all future connections to either the water or sewer systems for properties which are not assessed a local improvement charge.

By-law L-102 is repealed.

**The Mohawk Street, MicMac Drive and Surrounding Area**

- (a) The Mohawk Street, MicMac Drive and Surrounding Area water project is a plan to install water lines to service properties located within the boundaries identified on a plan entitled "Watermains, Mohawk Street, MicMac Drive and Surrounding Area, Hammonds Plains, CD072013, By-Law L-110, May 22, 2002" as attached.
- (b) The Project will be funded by local improvement charges based on the entire cost of the project less any federal, provincial or other revenue.
- (c) The local improvement charges will be imposed at an interim rate of \$18.50 per lineal foot on each property which abuts in whole or in part any street.
- (d) The actual gross project cost shall not exceed \$450,000
- (e) The interim local improvement charges will be adjusted at the completion of the project, and will be calculated on the basis of the total actual cost of the project at the adjustment date, less any federal or provincial or other funding.
- (f) A further charge of one thousand five hundred dollars (\$1500.00) is hereby levied in respect of all future connections to the water systems for properties which are not assessed a local improvement charge.

**The Miller Lake Water System**

- (a) The Miller Lake Water System is a plan for the Halifax Regional Water Commission to assume ownership and responsibility for an existing private water system and generally upgrade the existing system to include, but not be limited to, upgrade of water treatment facility including arsenic removal equipment, individual service lateral shut-offs to control service to customers and installation of individual meters for accurate billing located within the boundaries identified on a plan entitled "Miller Lake Water System Assumption and Upgrade ,CS086013 , By-Law L-111, June 28, 2002" as attached.
- (b) The Project will be funded by local improvement charges based on the entire cost of the project less any federal, provincial or other revenue.
- (c) The local improvement charges will be imposed at an interim rate of one thousand four hundred dollars (\$1400.00) per property as recorded at the Registry Of Deeds and which abuts in whole or in part any street

- (d) Any property which has, in the opinion of the Chief Engineer of the Halifax Regional Water Commission, an on site well water supply system that was installed based on denied approval for connection to the existing system due to supply constraints, upon application , shall be exempt from any charges imposed under section (c) and (e)
- (e) The interim local improvement charges will be adjusted at the completion of the project, and will be calculated on the basis of the total actual cost of the project at the adjustment date, less any federal or provincial or other funding.
- (f) A further charge of one thousand four hundred dollars (\$1400.00) is hereby levied in respect of all future connections to the water system for properties which are not assessed a local improvement charge or lots which are assessed a local improvement charge and which are subsequently subdivided.

**Little Salmon River subdivision**

- (a) The Little Salmon River Subdivision project is a plan to install water lines to service properties located within the boundaries identified on a plan entitled "Little Salmon River, CD002022, By-Law L-112, July 10, 2002" as attached.
- (b) The Project will be funded by local improvement charges based on the entire cost of the project less any federal, provincial or other revenue.
- (c) The local improvement charges will be imposed at an interim rate of \$26.00 per lineal foot on each property which abuts in whole or in part of any street and an interim acreage charge of \$5600.00 per acre for those properties so designated on the plan
- (d) Acreage charge calculations shall be applied at 92% of recorded acreage
- (e) The interim local improvement charges will be adjusted at the completion of the project, and will be calculated on the basis of the total actual cost of the project at the adjustment date, less any federal or provincial or other funding.
- (f) A further charge of one thousand five hundred dollars (\$1500.00) is hereby levied in respect of all future connections to the water systems for properties which are not assessed a local improvement charge.

**Kings Road, a Private Road**

- (a) The project is a plan to provide for the constructing of a one-lane bridge on Kings Road, a private road, thereby allowing for the reestablishment of full fire service located within the boundaries identified on a plan entitled "Kings Road, a Private Road, By-Law L-116 dated June 17, 2003" as attached,
- (b) The project will be funded by Local Improvement Charges based on the entire cost of the project,
- (c) The Local Improvement Charge will be imposed at an interim rate of \$1707.00 per property for those identified in the attached plan,
- (d) The interim Local Improvement Charge will be adjusted at the completion of the project, and will be calculated on the basis of the total actual cost of the project at the adjustment date.

**Highway 111/Micmac Boulevard**

- (a) The Highway 111/Micmac Boulevard Improvements Project is a plan to address some of the traffic capacity deficiencies of the Highway 111/Micmac Boulevard interchange and improve further commercial/residential expansion and build-out opportunities for other parcels located within the boundaries identified on a plan entitled "Map A - Properties Subject to Local Improvement Charge, By-Law L-113, dated October 23, 2002" as attached.
- (b) The project will be constructed in phases over time.
- (c) The Project will be funded by local improvement charges, provincial cost sharing and the Halifax Regional Municipality.
- (d) The local improvement charges will be imposed at the following fixed percentages:

<u>Property Description</u>	<u>PID#</u>	<u>Fixed Percentage</u>
Ivan Cambridge (Mic Mac Mall) Property	00100446	64.82%
	40173684	5.28%
	401733692	5.28%
United Gulf Developments Ltd. (former YMC) Property	00209361	6.81%
Can Euro Investments Property	40661589	14.10
ASC Commercial Leasing Ltd. (former Aliant MTT Property	40173668	3.71%

applied to gross project costs less provincial and Halifax Regional Municipality cost sharing with the Mic Mac Mall property share receiving a credit of \$40,000.

- (e) Payment of local improvement charges shall commence at substantial project completion.
- (f) The local improvement charge will be adjusted at the completion of the project and will be calculated on the basis of the total cost of the project at the adjustment date less any provincial and Halifax Regional Municipality cost sharing.
- (g) Notwithstanding clause (d) within five years of substantial completion of the project, an adjustment shall be made to the property owners of PID# 00209361, PID#40661589, and/or PID#40173668 should the actual number of residential units constructed be less than the number of units contemplated for the purpose of calculating the original percentage. Should no development occur on PID#'s 00209361, 40661589, or 40173668 within five years from substantial project completion, the adjustment period shall expire and amounts as stipulated in the by-law shall remain enforceable.

### **Phase II Maplewood Project**

- (a) The Phase II Maplewood Project is a plan to install water lines to service properties located on Huron Drive, from Mic Mac Drive to Chippawa Street, and on Chippawa Street, from Huron Drive to the existing water main on Chippawa Street, Hammonds Plains, within the boundaries of the attached map,
- (b) The Project will be funded by local improvement charges based on the entire cost of the project less any federal and provincial funding, Halifax Regional Municipality( HRM), Halifax Regional Water Commission( HRWC), or other funding, as required,
- (c) The local improvement charges will be imposed at an interim rate of \$18.50 per lineal foot on each property which abuts in whole or in part any street
- (d) The interim local improvement charges will be adjusted at the completion of the project, and will be calculated on the basis of the total actual cost of the project at the adjustment date, less any federal or provincial or other funding.
- (e) The HRM and HRWC funding will be limited to an amount not to exceed the lesser of \$15,720 or an amount required to achieve a rate no less than that charged to the properties identified under By- Law 110

- (f) A further charge of one thousand five hundred dollars (\$1500.00) is hereby levied in respect of all future connections to the water systems for properties which are not assessed a local improvement charge.

**Point Pleasant Drive Sewer**

- (a) The Point Pleasant Drive sewer installation and water main renewal project is a plan to install a new sanitary sewer and pumping station and renew the existing water main to service properties located within the boundaries identified on a plan entitled "Point Pleasant Drive Sewer Project , By-Law L-114, January, 8, 2003" as attached.
- (b) The Project will be funded by local improvement charges based on the entire cost of the project less Halifax Regional Municipality and Halifax Regional Water Commission cost sharing
- (c) The local improvement charges will be imposed at a rate of \$99.95 per calculated lineal foot on each property which abuts in whole or in part any street
- (d) For the purpose of this project only, the minimum calculated frontage charge of 60 lineal feet for PID # 40280489 is hereby waived
- (e) A further charge of five thousand, nine hundred and ninety seven dollars (\$5997.00) is hereby levied in respect of all future connections to the sewer systems for properties which are not assessed a local improvement charge.

**Prince's Lodge**

- (a) The Prince's Lodge project is a plan to install sewer and water lines to service properties located within the boundaries identified on a plan entitled "Prince's Lodge, By-Law L-118, August 18, 2004" as attached.
- (b) The Project will be funded by local improvement charges based on the entire cost of the project less any federal, provincial or other revenue.
- (c) A local improvement charge will be imposed at an interim rate of \$6,850.00 per existing lot
- (d) A further local improvement charge will be imposed at an interim rate of \$6,850.00 per lot for those lots which, based on current HRM planning and zoning regulations, once serviced, would have the potential to be subdivided to create additional lots as follows:

Civic Address	PID #	Potential Additional Parcels
16 Kent Ave	0028698	5
6 Kent	00286963	9
15 Kent	00287	1
12 Princess Walk	00290072	1
16 Princess Walk	00290098	1
25 Lodge Drive	40176182	7

- e) The interim local improvement charges will be adjusted at the completion of the project, and will be calculated on the basis of the total actual cost of the project at the adjustment date, less any federal or provincial or other funding.
- f) A further charge of six thousand, eight hundred and fifty dollars (\$ 6850.00) is hereby levied in respect of all future connections to the sewer and water systems for any properties, either existing or created, which are not assessed a local improvement charge.

### **Rockwood Hills Drive**

- (a) The project provides for the rehabilitation of the existing culvert and the construction of a timber bridge over the culvert to accommodate future vehicles loads and lesson the impact on the existing culvert on Rockwood Hills Drive, a private road.
- (b) The project will be funded by Local Improvement Charges based on the entire cost of the project,
- (c) The Local Improvement Charge will be imposed at an interim rate of \$8,333.50 for lots 1 to 4 and \$16,666 for lot 6 as identified on the attached plan entitled "Rockwood Hills Drive, Bridge Stabilization, By-Law L-119 dated September 7, 2004".
- (d) The interim Local Improvement Charge will be adjusted at the completion of the project, and will be calculated on the basis of the total actual cost of the project at the adjustment date.

### **Maplewood on the Lakes Subdivision**

- (a) Water servicing of a portion of Halfway Lake Drive, Kippawa Crescent, a portion of Huron Drive and Longburn Avenue, Maplewood on the Lakes Subdivision is a plan to install water lines to service properties located on those streets to the existing water main and which is more clearly defined within the boundaries of the map attached hereto as Appendix A.

- (b) The Project will be funded by local improvement charges based on the entire cost of the project less any Federal, Provincial, Halifax Regional Water Commission, or other funding.
- (c) The local improvement charges will be imposed at an interim rate of \$25.00 per lineal foot on each property which abuts in whole or in part any street
- (d) The interim local improvement charges will be adjusted at the completion of the project, and will be calculated on the basis of the total actual cost of the project at the adjustment date, less any Federal , Provincial, HRWC, or other funding.
- (e) A further charge of two thousand dollars (\$2000.00) is hereby levied in respect of all future connections to the water systems for properties which are not assessed a local improvement charge.

#### **The Bedford Highway/Millview**

- (a) The Bedford Highway/Millview project is a plan to install sewer lines, water lines and some storm drainage systems to service properties located within the boundaries identified on a plan entitled "Plan of Bedford Highway/Millview Sewer and Water Servicing, Local Improvement Charge Area I and Area II, By-Law L-122, dated April 15, 2005" as attached.
- (b) The Project will be funded by Local Improvement Charges based on the entire cost of the project less any other external recoveries.
- (c) The interim Local Improvement Charges will be imposed at an interim rate of \$305 per foot of frontage for those properties in Area I, and \$140 per foot of frontage for those properties in Area II.
- (d) The interim Local Improvement Charges will be adjusted at the completion of the project and will be calculated on the basis of the total net cost of the project at the adjustment date.
- (e) The plan area is part of the Bedford South Development area and is subject to a Halifax Regional Water Commission Capital Cost Contribution Charge. Area I properties shall be charged \$4621/acre assuming a development density of 18 persons per acre or less. Development in Area I with a higher density shall receive a proportionately higher charge. Area II properties shall be charged \$1800 per lot. These Halifax Regional Water Commission Capital Cost Contribution Charges shall be in addition to those in "c" above and will be added to the project costs and used in calculating the final charge to each property owner .

- f) A further charge, yet to be determined, will be levied in respect of all future connections to the sewer and water systems for any properties either existing or created, which are not assessed a local improvement charge.
- (g) Exempt the portions of PID number 40288128, owned by Clayton Developments Limited, abutting serviced streets from any charges under this By-Law.

### **Armshore Drive**

- (a) The Armshore Drive project is a plan to install sewer lines to service properties located within the boundaries identified on a plan entitled "Plan of Armshore Drive Sewer Servicing, Local Improvement Charge Area I and Area II, By-Law L-123, dated May 2, 2005" as attached.
- (b) The Project will be funded by local improvement charges based on the entire cost of the project less any other external recoveries.
- (c) A local improvement charge will be imposed at an interim rate of \$10,800 for the five properties with access to the forcemain system (civic no.'s 5/7, 6, 9, 10 & 12); and \$11,800 for the nine properties with access to the gravity system (civic no.'s 11, 13, 14/16, 15, 17/19, 18, 20, 21/23 & 24/24A).
- (d) The interim local improvement charges will be adjusted at the completion of the project, and will be calculated on the basis of the total actual cost of the project at the adjustment date.
- (e) A further charge, yet to be determined, will be levied in respect of all future connections to the sewer and water systems for any properties either existing or created, which are not assessed a local improvement charge.

### **The Herring Cove Water and Sewer Servicing**

- (a) The Herring Cove Water and Sewer Servicing project is a plan to install sewer lines, water lines and some storm drainage systems to service properties located within the boundaries identified on a plan entitled "Plan of Herring Cove Water and Sewer Servicing, Local Improvement Charge Area, By-Law L-124, dated May 12, 2005" as attached and shall include the properties located at civic 74 and 78 Ketch Harbour Road.

- (b) The Project will be funded by Local Improvement Charges based on the entire cost of the project less any Halifax Regional Municipality, Halifax Regional Water Commission, (HRWC) Infrastructure Funding and other external recoveries.
- (c) The interim Local Improvement Charges will be imposed at an interim rate of \$20 per foot of calculated frontage plus \$4700 per property for water, and \$10 per foot of calculated frontage plus \$4600 per property for sewer.
- (d) The interim Local Improvement Charges will be adjusted at the completion of the project and will be calculated on the basis of the total net cost of the project at the adjustment date.
- (e) The plan area is part of the Herring Cove Road Water Service District (WSD) and, pending approval by the Nova Scotia Utility and Review Board, is subject to a Capital Cost Contribution (CCC) of \$3600/acre on behalf of HRWC. The HRWC CCC charges are included in "c" above for those properties included in the current project plan. For properties outside the current project plan area the CCC charges will be levied at the time these properties receive water service.
- (f) Future connections to the Herring Cove water and sewer systems for any properties either existing or created which are not assessed a local improvement charge shall be charged \$4,700 per property for water and \$4,600 per property for sewer. Civic 74 and 78 Ketch Harbour Road shall be charged in accordance with clause c).

### **Lively Subdivision**

- (a) The Municipal Services Extension to Lively Subdivision is a plan to install both water and sewer along Sackville Drive. Besides extending central water and sewer systems from approximately Lucasville Road to the Lively Subdivision this project would provide central water and wastewater servicing to residents along Sackville Drive currently serviced with on-site systems. The system will service properties located within the boundaries identified on a plan entitled "Plan of Municipal Services Extension to Lively Subdivision, Local Improvement Charge Area, By-Law L-125, dated May 29, 2007" as attached.
- (b) The Project will be funded by Local Improvement Charges based on the entire cost of the project less any Federal, Provincial, Halifax Regional Municipality (HRM), Halifax Regional Water Commission (HRWC) and other funding.

- (c) The interim Local Improvement Charges will be imposed on each property which abuts in whole or in part on Sackville Drive within the boundaries of the plan at an interim rate of \$42.00 per foot of calculated frontage for water, and \$70.00 per foot of calculated frontage for sewer.
- (d) A further charge of \$2,520 for water and \$4,200 for sewer is hereby levied in respect of all future connections to the water and sewer systems for any properties, existing or created, which are not assessed a local improvement charge.
- (e) The interim Local Improvement Charges in item c) and the charges in item d) will be adjusted at the completion of the project and will be calculated on the basis of the total net cost of the project at the adjustment date.

#### **Spider Lake and Spider Lake Estates Subdivisions**

- a) The Spider Lake Subdivision Water Extension (Phase 1) project is a plan to install water lines to service properties located within the boundaries identified on a plan entitled "Spider Lake and Spider Lake Estates Subdivisions Water Servicing Plan (Phase 1 Area) May 2006" as attached.
- b) The Project will be funded by Local Improvement Charges based on the entire cost of the project less any other external recoveries.
- c) A Local Improvement Charge will be imposed at an interim rate of \$14,976 per lot for those properties located in Phase 1.
- d) The interim Local Improvement Charge will be adjusted at the completion of the project and will be calculated on the basis of the total actual cost of the project at the adjustment date.
- e) A further charge, yet to be determined, will be levied in respect of all future connections to the water system for any properties either existing or created, which are not assessed a local improvement charge.

#### **Hillside Water Utility**

- (a) The Hillside Water Utility Upgrade is a project to undertake upgrading of an existing private water supply system servicing properties in the Bomont Subdivision in Elmsdale, prior to take-over of the system by Halifax Water.

- (b) The estimated cost for the Upgrade is \$380,000 and will be funded in part by a grant from the Provincial Capital Assistance Program in the amount of \$190,000, with the remaining \$190,000 to be funded by Local Improvement Charges levied on the 14 property owners that are currently connected to the Hillside Water Utility for a interim lot charge of \$13,571.43.
- (c) Final lot charge will be calculated 30 days after Halifax Water takes over the system and will be determined by dividing the final cost net of grants by the number of properties connected to the system or committed to connect to the system as of that date.
- (d) A further Charge equal to the amount calculated in clause ( c) shall be imposed for each new connection to the water system made after 30 days following the date of take-over of the Hillside Water Utility by Halifax Water.
- (e) Any monies levied under clause (d) shall be provided to Halifax Water to be used for future operating and maintenance costs of the water system.

#### **Twelve Apostles Sewer - Brunswick Street**

- (a) The Twelve Apostles Sewer Upgrade is a project to undertake upgrading and replacement of an existing private sewer line located at 2046 to 2068 Brunswick Street, Halifax.
- (b) The estimated cost for the Upgrade is \$205,000.00 and will be funded by a Local Improvement Charges levied on the 12 properties located at 2046 to 2068 Brunswick St. for a interim charge of \$17,083.33 per lot.
- (c) Final lot charge will be calculated following completion of the work, based on the actual cost of the project.

#### **Clearwater Drive Bridge - Timberlea**

- a) The project provides for the rehabilitation of the existing private bridge located on Clearwater Drive, Timberlea, thereby allowing for the reestablishment of full fire service located within the boundaries identified on a plan entitled "Clearwater Drive, a Private Road, By-Law L-131 dated April 30, 2009" as attached.
- b) The project will be funded by Local Improvement Charges based on the entire cost of the project.
- c) The Local Improvement Charge will be imposed at an interim rate of \$4,285.71 per property for those identified in the attached plan.

- d) The interim Local Improvement Charge will be adjusted at the completion of the project, and will be calculated on the basis of the total actual cost of the project at the adjustment date.

**Monarch Rivendale**

- a) The Monarch Rivendale Water Servicing Project is a project to install a public water system in the area, known as the Servicing Area, shown on the attached Map 1.
- b) The estimated cost for the Project is \$5,463,338 and will be funded by Local Improvement Charge.
- c) An interim charge of \$17,750 per lot, less any external funding, shall be levied on all parcels shown within the Servicing Area, that currently abut a public street existing at the effective date of this Bylaw.
- d) An interim Charge of \$17,750 shall be levied for each of the following parcels:
  - PID #41077652
  - PID #40014052
- e) Any future lots created which abut a public street existing at the effective date of this Bylaw shall be levied an interim charge of \$17,750
- f) Any monies levied under Clause (e) shall be evenly distributed among properties listed on the attached Addendum 1 and shown on Map A as "Flag Lots", to a maximum of \$2000.00 per property. Any excess amount shall be provided to Halifax Water to be used for future operating and maintenance costs of the water system.
- g) The final charge applied in clauses (c), (d) and (e) shall be calculated following the completion of the work, based on the actual cost of the project.

**Giles Drive, Bedford**

- a) The Giles Drive, Bedford, Water Servicing Project is a project to install a public water system in the area, known as the Servicing Area, as shown on the attached Map A.
- b) The Project entails the installation of the Water Lateral Service from the public supply main to the foundation of each home located within the Servicing Area. The Project does not include the conversion of the home plumbing system from the well to the piped system.

- c) The estimated cost of the Project is \$150,000, with \$50,000 to be provided from West Bedford Holdings Ltd., \$50,000 from Operating cost centre M421, with the net residual amount to be funded from a Local Improvement Charge as described in (d).
- d) An interim charge of \$10,000 per lot, less any other external funding not referred to in ( c ), shall be levied on all parcels shown within the Servicing Area which includes the following parcels:

PID # 00417980	PID # 00419622
PID # 40098543	PID # 00419606
PID # 00419655	

- e) The final charge applied in clause (d) shall be calculated following the completion of the work, based on the actual cost of the project.

**Mount Hope Avenue Extension Project**

- (a) The Mount Hope Avenue Extension Project is a project to provide access to Highway 111 byway of the Highway 111/Mount Hope Avenue Interchange as shown in the attached Map A.
- (b) Upon completion, the extension of Mount Hope Avenue will permit the development of several lots in the Woodside Industrial Park. On this basis, a proportional amount of the Highway 111/Mount Hope Avenue Interchange project cost should be allocated to those lots at the time they are developed.
- (c) The final cost of this Project was \$11,494,136. Based on an estimate of 14.5% of the total traffic utilizing the Interchange originating from the Industrial Park, and a total of 325.43 acres of the land in the Industrial Park, a local improvement charge of \$5,119 per acre be imposed on the lands contained in the following parcels in the amounts shown:

<u>Parcel Description</u>	<u>PID#</u>	<u>Amount</u>
A	PID# to be assigned upon subdivision	\$13,899
B	Portion of PID# 41188780	\$16,732
C	Portion of PID#40771198	\$289,968
D	Portion of PID# 41208729	\$162,729

- (d) The charge shall become in effect and be due and payable on a property upon application for the issuance of a permit for access to the street, or upon application for approval of a subdivision of the parcel of land, whichever occurs first.

Done and passed by Council this 30<sup>th</sup> day of June, A.D., 1998.

Mayor Walter Fitzgerald

Municipal Clerk Vi Carmichael

I, Vi Carmichael, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Halifax Regional Council held on June 30, 1998.

Vi Carmichael  
Vi Carmichael, Municipal Clerk

Notice of Motion:	April 28, 1998
First Reading:	May 12, 1998
"Notice of Intent" Publication:	June 20, 1998
Second Reading:	June 30, 1998
Third Reading:	June 30, 1998
Approval of Minister of Housing & Municipal Affairs	September 10, 1998
Effective Date:	September 19, 1998

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No. 1 Schedule "A" amended by L-101  
Added Cow Bay Road Area

Notice of Motion:	April 28, 1998
First Reading:	May 12, 1998
"Notice of Intent" Publication:	June 20, 1998
Second Reading:	June 30, 1998
Third Reading:	June 30, 1998
Approval of Minister of Transportation & Public Works:	November 17, 1998
Approval of Minister of Housing & Municipal Affairs:	January 27, 1999
Effective Date:	February 6, 1999

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No. 2 Schedule "A" amended by L-103  
Added Pockwock Road, Anderson Road and Anderson Court

Notice of Motion:	March 27, 2001
First Reading:	April 24, 2001
"Notice of Intent" Publication:	April 28, 2001
Second Reading:	May 15, 2001
Approval of Minister of Housing & Municipal Affairs:	N/A
Effective Date:	May 19, 2001

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No. 3 Amended by L-106  
Added subsection (4) to Section 9; Section 10 repealed and substituted  
with Subsection (1) and (2)

Notice of Motion:	May 22, 2001
First Reading:	June 5, 2001
"Notice of Intent: Publication:	June 9, 2001
Second Reading:	June 26, 2001
Approval of Minister of Housing & Municipal Affairs:	N/A
Effective Date:	June 30, 2001

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No. 4 Amended by L-102  
Added Beaver Bank Water & Sewer Project Phase III

Notice of Motion:	February 22, 2000
First Reading:	July 3, 2001
"Notice of Intent" Publication:	July 28, 2001
Second Reading:	August 21, 2001
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	September 1, 2001

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No. 5 Amended by L-107	
Added Subsection (5) to Section 9	
Notice of Motion:	July 3, 2001
First Reading:	July 10, 2001
"Notice of Intent" Publication:	July 28, 2001
Second Reading:	August 21, 2001
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	September 1, 2001
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No. 6 Amended by L-109	
Addition to Section 6 subsection (2) Clause (b)	
Notice of Motion:	April 9, 2002
First Reading:	April 16, 2002
"Notice of Intent" Publication:	April 20, 2002
Second Reading:	May 7, 2002
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	August 21, 2001
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No. 7 Amended by L-108	
Addition to Schedule A	
Notice of Motion:	April 23, 2002
First Reading:	May 14, 2002
"Notice of Intent" Publication:	May 18, 2002
Second Reading:	June 11, 2002
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	June 15, 2002
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No. 8 Amended by L-104	
Amendments to Clause (a) (b) Cow Bay Road Area Sewer and Water Extension	
Notice of Motion:	April 23, 2002
First Reading:	May 14, 2002
"Notice of Intent" Publication:	May 18, 2002
Second Reading:	June 11, 2002
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	June 15, 2002
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No.9 Amended by L-110	
Amendments to Schedule A – Mohawk Street, MicMac Drive and surrounding area	
Notice of Motion:	May 28, 2002
First Reading:	June 11, 2002
"Notice of Intent" Publication:	June 15, 2002
Second Reading:	July 2, 2002
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	July 6, 2002

No. 10 Amended by L-111  
Amendments to Schedule A – Miller Lake Water System

Notice of Motion:	July 9, 2002
First Reading:	July 16, 2002
“Notice of Intent” Publication:	August 3, 2002
Second Reading:	August 20, 2002
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	August 31, 2002

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No. 11 Amended by L-112  
Amendments to Schedule A – Little Salmon River Subdivision

Notice of Motion:	August 20, 2002
First Reading:	August 27, 2002
“Notice of Intent” Publication:	August 31, 2002
Second Reading:	September 17, 2002
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	September 21, 2001

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No. 12 Amended by L-115  
Amendment to Schedule A – Cow Bay Road

Notice of Motion:	June 10, 2003
First Reading:	June 17, 2003
“Notice of Intent” Publication:	June 21, 2003
Second Reading:	July 15, 2003
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	July 19, 2003

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No. 13 Amended by L-116  
Amendment to Schedule A - Kings Road

Notice of Motion:	July 8, 2003
First Reading:	July 15, 2003
“Notice of Intent” Publication:	August 2, 2003
Second Reading:	August 19, 2003
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	August 23, 2003

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No. 14 Amended by L-113  
Amendment to Schedule A - Highway 111/Micmac Blvd.

Notice of Motion:	September 9, 2003
First Reading:	September 23, 2003
“Notice of Intent” Publication:	October 4, 2003
Second Reading:	October 21, 2003
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	October 25, 2003

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No. 15 Amended by L-117  
Amendment to Schedule A - Phase II Maplewood Project

Notice of Motion:	September 23, 2003
First Reading:	October 7, 2003
"Notice of Intent" Publication:	October 11, 2003
Second Reading:	October 28, 2003
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	November 1, 2003

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No. 16 Amended by L-114  
Amendment to Schedule A - Point Pleasant Drive Sewer

Notice of Motion:	December 9, 2003
First Reading:	December 16, 2003
"Notice of Intent" Publication:	December 20, 2003
Second Reading:	January 13, 2004
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	January 17, 2004

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No. 17 Amended by L-118  
Amendment to Schedule A - Prince's Lodge

Notice of Motion:	August 31, 2004
First Reading:	September 7, 2004
"Notice of Intent" Publication:	September 11, 2004
Second Reading:	September 28, 2004
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	October 2, 2004

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No. 18 Amended by L-119  
Amendment to Schedule A - Rockwood Hills Drive

Notice of Motion:	September 28, 2004
First Reading:	October 5, 2004
"Notice of Intent" Publication:	October 9, 2004
Second Reading:	October 26, 2004
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	November 6, 2004

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No. 19 Amended by L-120  
Amendment to Schedule A - Maplewood on the Lakes Subdivision

Notice of Motion:	November 9, 2004
First Reading:	November 16, 2004
"Notice of Intent" Publication:	November 27, 2004
Second Reading:	December 14, 2004
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	December 18, 2004

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No. 20 Amended by L-122  
Amendment to Schedule A - The Bedford Highway/Millview

Notice of Motion:	May 3, 2005
First Reading:	May 10, 2005
"Notice of Intent" Publication:	June 4, 2005
Second Reading:	June 21, 2005
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	June 25, 2005

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No. 21 Amended by L-123  
Amendment to Schedule A - Armshore Drive

Notice of Motion:	May 24, 2005
First Reading:	June 14, 2005
"Notice of Intent" Publication:	June 18, 2005
Second Reading:	July 5, 2005
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	July 9, 2005

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No. 22 Amended by L-124

Notice of Motion:	May 24, 2005
First Reading:	June 14, 2005
"Notice of Intent" Publication:	June 18, 2005
Second Reading:	July 5, 2005
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	July 9, 2005

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No. 23 Amended by L-125  
Amendment to Schedule A – Lively Subdivision

Notice of Motion:	May 29, 2007
First Reading:	June 12, 2007
"Notice of Intent" Publication:	June 16, 2007
Second Reading:	July 3, 2007
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	July 7, 2007

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No. 24 Amended by L-126  
Amendment to Schedule A - Spider Lake and Spider Lake Estates

Notice of Motion:	June 26, 2007
First Reading:	July 3, 2007
"Notice of Intent" Publication:	June 21, 2007
Second Reading:	August 7, 2007
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	August 11, 2007

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No. 25 Amended by L-130  
Amendment to Schedule A – Herring Cove Water and Sewer

Notice of Motion:	March 10, 2009
First Reading:	March 24, 2009
“Notice of Intent” Publication:	March 28, 2009
Second Reading:	April 14, 2009
Approval of Service Nova Scotia and Municipal Relations:	N/A
<u>Effective Date:</u>	<u>April 18, 2009</u>

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No. 26 Amended by L-127  
Amendment to Schedule A – Brunswick Street

Notice of Motion:	May 29, 2009
First Reading:	June 12, 2009
“Notice of Intent” Publication:	June 16, 2009
Second Reading:	July 3, 2009
Approval of Service Nova Scotia and Municipal Relations:	N/A
<u>Effective Date:</u>	<u>July 7, 2009</u>

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No. 27 Amended by L-129  
Amendment to Schedule A – Hillside Water Utility

Notice of Motion:	March 31, 2009
First Reading:	April 7, 2009
“Notice of Intent” Publication:	April 11, 2009
Second Reading:	April 28, 2009
Approval of Service Nova Scotia and Municipal Relations:	N/A
<u>Effective Date:</u>	<u>May 2, 2009</u>

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No. 28 Amended by L-131  
Amendment to Schedule A – Clearwater Drive Bridge

Notice of Motion:	May 29, 2009
First Reading:	June 12, 2009
“Notice of Intent” Publication:	June 16, 2009
Second Reading:	July 3, 2009
Approval of Service Nova Scotia and Municipal Relations:	N/A
<u>Effective Date:</u>	<u>July 7, 2009</u>

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No. 29 Amended by L-132  
Amendment to Schedule A – Monarch Rivendale

Notice of Motion:	February 2, 2010
First Reading:	February 9, 2010
“Notice of Intent” Publication:	February 13 & 20, 2010
Second Reading:	March 2, 2010
Approval of Service Nova Scotia and Municipal Relations:	N/A
<u>Effective Date:</u>	<u>March 6, 2010</u>

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No. 30 Amended by L-133

Amendment to Schedule A – Giles Drive

Notice of Motion:	Waived
First Reading:	July 5, 2011
“Notice of Intent” Publication:	July 16, 2011
Second Reading:	August 2, 2011
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	September 10, 2011

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No. 31 Amended by L-134

Amendment to Schedule A – Mount Hope Avenue

Notice of Motion:	July 5, 2011
First Reading:	August 2, 2011
“Notice of Intent” Publication:	August 127, 2011
Second Reading:	September 13, 2011
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	September 17, 2011