



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

**Item No. 14.2.1**  
**Halifax Regional Council**  
**May 23, 2017**

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

**SUBMITTED BY:** Original Signed  
Councillor Tim Outhit, Chair, North West Community Council

**DATE:** May 9, 2017

**SUBJECT:** Area Rate for Kingswood Ratepayers Association

**ORIGIN**

May 8, 2017 meeting of North West Community Council, Item No. 13.1.3.

**LEGISLATIVE AUTHORITY**

Section 25(d) of the Halifax Regional Municipality Charter sets out the powers and duties of Community Council to include: “recommending to the Council appropriate user charges for the different parts of the community”.

**RECOMMENDATION**

North West Community Council recommends that Halifax Regional Council:

- a) Expand the catchment area for the Kingswood Ratepayers Association uniform charge to include Kingswood North as identified in the map in Appendix B of the staff report dated May 4, 2017; and
- b) That the annual uniform charge of \$50 be levied on each of the taxable residential and commercial property assessments in the revised catchment area, effective with the 2017-18 fiscal year for the purpose of funding the recreational activities of the Kingswood Ratepayers.

**BACKGROUND**

A staff report dated May 4, 2017 pertaining to changes to catchment area and annual uniform charge for the Kingswood Ratepayers Association was before North West Community Council for consideration at its meeting held on May 8, 2017.

For further information, please refer to the attached staff report dated May 4, 2017.

**DISCUSSION**

North West Community Council considered the staff report dated May 4, 2017 at its meeting held on May 8, 2017 and forwarded the recommendation to Halifax Regional Council as outlined in this report.

**FINANCIAL IMPLICATIONS**

As outlined in the attached staff report dated May 4, 2017.

**RISK CONSIDERATION**

As outlined in the attached staff report dated May 4, 2017.

**COMMUNITY ENGAGEMENT**

North West Community Council meetings are open to public attendance and members of the public are invited to address the Committee for up to five minutes at the end of each meeting during Public Participation. The agenda, reports, and minutes of North West Community Council are posted on Halifax.ca.

**ENVIRONMENTAL IMPLICATIONS**

Not applicable.

**ALTERNATIVES**

North West Community Council did not discuss alternatives.

**ATTACHMENTS**

1. Staff report dated May 4, 2017.

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A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by:       Liam MacSween, Legislative Assistant, 902.490.6521

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P.O. Box 1749  
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**Attachment 1**  
**North West Community Council**  
**May 08, 2017**

**TO:** Chair and Members of North West Community Council

Original Signed

**SUBMITTED BY:**

\_\_\_\_\_  
Amanda Whitewood, Director of Finance and Asset Management, CFO

**DATE:** May 4, 2017

**SUBJECT:** Area Rate for Kingswood Ratepayers Association

**ORIGIN**

On January 2000, Regional Council adopted the Interim Area Rate Guidelines.

On July 9, 2002 Regional Council approved an annual charge of \$50 to be applied against the properties within the mapped area depicted in Appendix A effective with the 2002-03 fiscal year for the purpose of enabling the Kingswood Ratepayers Association to develop parkland and other recreational amenities within the community of Kingswood, Kingswood West, Blue Mountain Estates, Queenswood and Kingswood South subdivisions which make up the Kingswood Ratepayers Association.

On January 4, 2017 staff received notification from the Kingswood Ratepayers Association that they had been approached by property owners of the Kingswood North community expressing an interest in joining the Association and participating in Kingswood Ratepayers Association area tax rate fee.

**LEGISLATIVE AUTHORITY**

- Halifax Regional Municipality Charter, (HRM Charter) subsection 96 (1) "The Council may spend money in an area, or for the benefit of an area, for any purpose for which the Municipality may expend funds or borrow."
- HRM Charter, subsection 96 (4) "The Council may, in lieu of levying an area rate, levy a uniform charge on each
  - (a) taxable property assessment
  - (b) dwelling unit,in the area"

**Recommendation on page 2.**

## **RECOMMENDATION**

It is recommended that North West Community Council recommend to Regional Council to:

- (a) expand the catchment area for the Kingswood Ratepayers Association uniform charge to include Kingswood North as identified in the map in Appendix B, and
- (b) that the annual uniform charge of \$50 be levied on each of the taxable residential and commercial property assessments in the revised catchment area, effective with the 2017-18 fiscal year for the purpose of funding the recreational activities of the Kingswood Ratepayers Association.

## **BACKGROUND**

Kingswood sub-division is located off Hammonds Plains Road in the community of Hammonds Plains in District 13. The Kingswood Ratepayers Association (KRA) was incorporated under the Societies Act with the Registry of Joint Stock Companies in April 1995. The Association is a not-for-profit, volunteer-led group of local citizens, who are engaged to maintain and enhance the quality of life for residents of the Kingswood community through community beautification, parks, trails, recreational amenities, community events, residential advocacy, community safety and information services.

Council approved an on-going uniform charge of \$50.00 per residential & commercial property assessment commencing in the 2002-03 fiscal year.

## **DISCUSSION**

On January 4, 2017 staff received notification from the Kingswood Ratepayers Association that they had been approached by members of the Kingswood North community expressing an interest in joining the Association and participating in Kingswood Ratepayers Association uniform charge.

The community of Kingswood North is located on the opposite side of Hammonds Plains Road from the community of Kingswood, and resides in District 14. On October 17, 2016 a meeting of Kingswood North residents was held to determine if they should form their own association. The residents present decided that it might be more productive to become part of the Kingswood Ratepayers' Association, which has existed for more than twenty years. A resolution to invite Kingswood North to become part of the Kingswood Ratepayers' Association was brought forward at KRA's November AGM and was overwhelmingly approved by the membership.

The current status of this proposed uniform charge in terms of the Interim Area Rate Guidelines is as follows:

1. *Area rates can only be used for the provision of services within the municipal mandate; services traditionally provided by the municipality.*

Clause 79(1) (ah) of the HRM Charter states that a "Council may expend money required by the municipality for...(ah) playgrounds, trails, bicycle paths, swimming pools, ice arenas and other recreational facilities." The Halifax Regional Municipality and its predecessor municipal units have traditionally funded, either entirely or partially through partnerships, the construction and ongoing operating costs of recreation facilities. The KRA intends to continue to use the area rate funds for social events, signage, trail and parkland development.

4. *Proposals for new area rates must be advertised publicly, clearly identifying affected areas, the purpose for the rate, rate information and the duration the rate is expected to be charged. A public meeting will be held and those attending the meeting will be informed of the rationale for the rate and consulted on its appropriateness.*

The meeting notice was developed by staff and included all the information required above as per the Interim Area Rate Guidelines and standard practice. A letter was mailed, to all property owners of Kingswood North, impacted by new area rate tax, stating the meeting time and place of a public meeting, and a description of the voting process and ballot (Appendix C).

The purpose of the ballot was to determine whether enough property owners in Kingswood North representing a majority (50% + 1) of the properties voting were in favour of joining the Kingswood Ratepayers Association and begin paying the area rate tax of \$50 starting in 2017-2018. There was one vote per property, with a ballot to be submitted to staff at the meeting, or via email, fax or mail by April 7, 2017.

The public meeting of the affected property owners was held on Monday, March 27, 2017 at 7 p.m. at the Wesleyan Church, 1215 Hammonds Plains Road, Hammonds Plains. HRM staff were present at the meeting to supervise the proceedings, and answer any questions with respect to the Interim Area Rate Guidelines. A short presentation was made by the Chairman of the Association, as well as a member of the Kingswood North Community to explain the rationale used to join KRA, after which attendees had an opportunity to ask questions.

HRM staff tabulated all the ballots received, and provided the Chairman with the results via email on April 11, 2017. The results of the ballot are shown below.

#### **Balloting Results**

Total in favour of Uniform Charge:	40
Total against Uniform Charge:	15
Total ballots returned	55
Total ballots distributed:	241
% Respondents voting For:	72.7%
% Respondents voting Against	27.3%
Response Rate:	23%

- 5. With the concurrence of the Councillor, the request is forwarded to the Community Council for review and a recommendation to Halifax Regional Council. Where a Community Council does not exist, the request will go directly to Halifax Regional Council.*

The purpose of this report is to provide the North West Community Council with the necessary information required to consider making a recommendation to Halifax Regional Council for adding this uniform charge within the proposed catchment area. The implications to the Municipality are identified under the Financial Implications section which follows.

- 7. Halifax Regional Council is responsible for approving all area rates.*

Completion of steps 5 and 7 are contingent on the North West Community Council approving the Recommendation contained in this report.

#### **FINANCIAL IMPLICATIONS**

The uniform charge would take effect in the 2017-18 fiscal year. As all funding is from the uniform charge (i.e. no transfers from the general tax rate), there would be no impact on the HRM Operating Budget, funded by the General Tax Rate. There is also no impact on the Capital or Reserve Budgets.

The uniform charge of \$50 per taxable property assessment applied to the 241 residential properties in the catchment area would provide an additional \$12,050 in revenue annually to the Kingswood Ratepayers Association. A copy of the KRA's 4-year operating plan is included with the Appendix C of this report. Any future change to the uniform charge would require Regional Council's approval.

### **RISK CONSIDERATION**

There are no significant risks associated with the recommendations in this Report. The risks considered rate is Low.

### **COMMUNITY ENGAGEMENT**

As explained in the Discussion section of this report, information and a ballot was mailed to every property owner of Kingswood North in advance of the vote, and a special meeting was held on March 27, 2017 for all property owners impacted by the new area rate fee.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

### **ALTERNATIVES**

North West Community Council could decide not to recommend the addition of the uniform charge in Kingswood North to Regional Council, or could request changes to the amount or catchment area, or could request additional information prior to approval. These alternatives are not recommended because a majority of voting property owners voted in favour of the area rate.

### **ATTACHMENTS**

Appendix A – Kingswood Ratepayers Association Map (2002)  
Appendix B – Kingswood North Map (2017)  
Appendix C - Ballot and Information letter from KRA Chairman

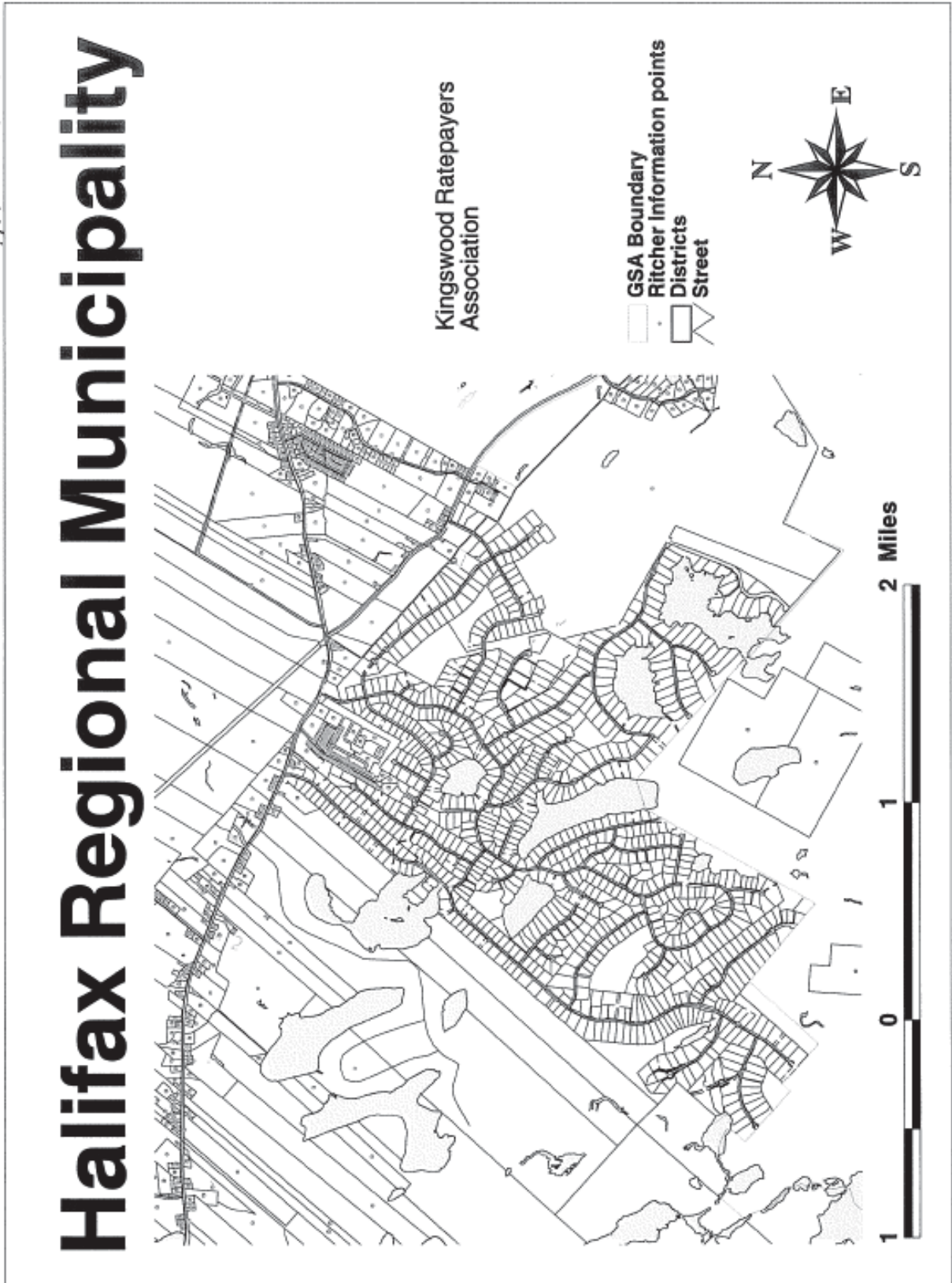
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A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.php> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Barbara Wilson, Senior Financial Consultant 902.490.4280

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APPENDIX A



APPENDIX B



KINGSWOOD NORTH MAPPED AREA APRIL 11 2017



0 900 1,800 3,600 Meters



APPENDIX C

BALLOT FOR AREA TAX RATE

01 March 2017

OWNER1  
OWNER2  
MAILINGADDRESS  
CITYPROV PC

Assessment # AAN#  
Lot Information

Dear Property Owner:

The Halifax Regional Municipality has been notified by the Kingswood Ratepayers Association (KRA) that the neighbourhood of Kingswood North has expressed an interest in joining the Association and participating in KRA's area tax rate fee. The KRA exists to represent the interests of the residents of Kingswood and to enhance the quality of life within the subdivision. This is accomplished through neighbourhood improvement programs, recreation development, and social activities for all residents to enjoy. Further information is included in the enclosed letter from the Chair of the Kingswood Ratepayers' Association, which includes a 4-year budget plan. You are being notified as the owner of the above referenced property as it would be affected by this proposed area tax rate.

In accordance with the Halifax Regional Municipality's procedure for implementing area tax rates, the property owners in the subdivision must be consulted with regard to whether they wish to pay the \$50 annual fee to contribute to the projects and events proposed by KRA. The owner or owners of each residential property in Kingwood North are provided with one ballot and one vote, located on the reverse side of this letter. If a simple majority (50% +1) of ballots returned vote in favour of the area tax rate, it will be applied to the property bills of all residential properties in Kingswood North.

A meeting will be held to provide additional information and to give property owners an opportunity to ask questions or raise concerns. The meeting will be held on:

**Monday March 27, 2017 @ 7 p.m.**  
**Wesleyan Church, 1215 Hammonds Plains Road**

Completed ballots may be dropped off at the meeting, faxed to 902-490-6030, or mailed in the enclosed self-addressed envelope. You may also scan and email the completed ballot to [wilsonba@halifax.ca](mailto:wilsonba@halifax.ca). If you have any questions regarding the process, please contact Barb Wilson at 902-490-4280. For questions regarding area rate services and its offerings, please contact Jim Kochanoff ( ) or Roger Spriggs ( ).

**Please note that all ballots must be received by April 7, 2017.** If you are mailing in your ballot please allow adequate time for delivery. Results of the ballot will be communicated by the Kingswood Ratepayers' Association once the final votes are counted.

**BALLOT FOR AREA TAX RATE**

- YES**, I am in favour of paying an area tax rate for the Kingswood Ratepayers Association of \$50 per year which will be added to my property tax bill.
- NO**, I am not in favour of paying an area tax rate for the Kingswood Ratepayers Association.

**Assessment # AAN#**

**NOTE:** Only one vote per assessment number will be counted. Ballots with written-in, typed-in, or altered assessment numbers will not be accepted.

Dear residents of Kingswood North,

On October 17, 2016 a meeting of Kingswood North residents was held to determine if they should form their own association. The residents present decided that it might be more productive to instead become part of the Kingswood Ratepayers' Association (KRA) which has existed for more than 20 years and already has an established relationship with the Halifax Regional Municipality.

Representatives later met with the chair of the KRA to discuss if this was possible. In fact, back in 2009 the KRA had passed a motion to invite Kingswood North to join the association and a mail-out had been sent out. Very few responses came back and since there were not a large number of homes yet in the subdivision, the matter was not pursued.

Roger Spriggs and Alina Guk attended the KRA's October 24th board meeting as representatives of Kingswood North and made their case for joining our association. The KRA's bylaws state that any adjoining street can join the association, so the board decided to hold a vote at the KRA's November Annual General Meeting. A resolution to invite Kingswood North to become part of the Kingswood Ratepayers' Association was brought forward at the AGM and was overwhelmingly approved by the membership.

The KRA has been actively developing parkland in Kingswood for two decades and has been especially productive since 2010. Here are just some of the projects that have been completed in the last six years:

- New walking trails
- New playgrounds as well as the replacement of aging equipment
- Existing trails were brought up to standard
- Built a baseball diamond with dugouts and stands for spectators
- Built a multi-purpose sports pad
- Installed outdoor exercise equipment
- Purchased a radar speed sign to encourage drivers to slow down

We have ambitious plans for the next three years and the board would like Kingswood North to be able to participate in and benefit from those plans. Our first proposal for your neighborhood would be a phased development of the large lot on the corner of Gatehouse Run and Viscount Run. This could include a playground, a regulation soccer field with a running/walking track around it and a parking area.

The opinion of every resident counts and should you choose to join our association; a survey would be sent out so we can best determine what the community wants and needs. We currently have Roger Spriggs attending board meetings as an observer, but we would encourage other residents of Kingswood North to join our board of directors at the 2017 AGM next fall. More information about the KRA can be found at [www.mykingswood.ca](http://www.mykingswood.ca).

Sincerely,

Oleg Vydykhan  
Chair, Kingswood Ratepayers' Association

<b>Kingswood Ratepayers Association</b>	
4 Year Budget	
<b>Surplus at March 7, 2017:</b>	<b>362,966</b>
<b>Projects 2017</b>	
Long Lake playground	-20,000
Long Lake dock	-15,000
Long Lake picnic table and shelters	-15,000
Fenced dog park	-15,000
Signage	-10,000
Trail from Sportscourt to Tim's	-5,000
Garbage cans at mailboxes	-1,000
Operating expenses	-1,000
Community Events	-10,000
Insurance	-2,350
Subtotal	-94,350
Ratepayers fees	64,800
Year end	333,416
<b>Projects 2018</b>	
Trail from Kingswood dr to Blue Forest	-25,000
Dock at Schmidt lake	-15,000
Picnic tables shelters at 4 parks	-40,000
Extend parking lot at ball diamond	-50,000
Playground Kingswood North	-35,000
Trail from Baseball Field to Diana	-20,000
Operating expenses	-1,000
Community Events	-10,000
Insurance	-2,350
Subtotal	-198,350
Ratepayers fees	64,800
Year end	199,866
<b>Projects 2019</b>	
Running track Kingswood North	-50,000
Kara Ct trails	-50,000
Operating expenses	-1,000
Community Events	-10,000
Insurance	-2,350
Subtotal	-113,350
Ratepayers fees	64,800
Year end	151,316
<b>Projects 2020</b>	
Soccer pitch Klngswood North	-150,000
Operating expenses	-1,000
Community Events	-10,000
Insurance	-2,350
Subtotal	-163,350
Ratepayers fees	64,800
Year end	52,766
<b>*NOTES:</b> Properties in Kingswood	1,055
Properties in Kingswood North	241
Total Lots	1,296