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PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
May 27, 2003

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

A handwritten signature in black ink, appearing to read "George McLellan".

George McLellan, Chief Administrative Officer

A handwritten signature in black ink, appearing to read "Dan English".

Dan English, Deputy Chief Administrative Officer

DATE: May 13, 2003

SUBJECT: Silversides Residents Association Area Rate

ORIGIN

Interim Area Rate Guidelines were adopted by Council in January 2000 to create a process to assist communities to establish new area rates, ensure that all taxpayers have an opportunity to participate in setting a rate and ensure that rates are set only for valid municipal purposes and not for services already covered by the general rate.

The purpose of this report is to determine if the Interim Area Rate Guidelines have been satisfied thus far with regard to a proposed new area rate to develop parkland and other recreational amenities within the Silversides Subdivision.

RECOMMENDATION

It is recommended that :

A flat rate of \$60.00 be approved to be applied against the properties within the mapped area depicted in Appendix A effective with the 2003/04 fiscal year for the purpose of enabling the Silversides Residents Association to develop parkland and other recreational amenities within the Silversides Subdivision.

BACKGROUND

The Silversides Residents Association was formed in September 1975 and registered under the Societies Act with the Registry of Joint Stock Companies. The Association is proposing to use the area rate revenue for the replacement of playground equipment, the maintenance of the playground, maintenance of the two subdivision entrances, to support the hiring of a lifeguard at the beach during the summer months and to pay the public liability insurance as well as any other projects as may arise which will benefit all residents of the subdivision.

On March 25, 1996 a loan in the amount of \$15,000.00 was granted to the Silversides Residents Association by the Executive Committee of the former County of Halifax. As noted in the attached Appendix F the loan was approved for a seven year period, repayable with interest and the Municipal Council reserved the right to levy an area rate in default of repayment of principal and interest. As of February 2003 an amount of \$4,366.25 remains outstanding. The Silversides Residents Association has agreed that repayment of the outstanding balance would be the first priority from area rate funds, therefore the implementation of an area rate would ensure the repayment of the loan. The outstanding balance will be netted off area rate revenues by HRM with the balance forwarded to the Association.

DISCUSSION

The current status of this proposed new area rate 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.***

Section 65 (ag) of the Municipal Government Act states that "Council may expend money required by the municipality for playgrounds, trails, bicycle paths, swimming pools, ice arenas and other recreational facilities." The Halifax Regional Municipality and it's predecessor municipal units have traditionally funded, either entirely or partially through partnerships, the construction and ongoing operating costs of recreation facilities.

- 2. Area rates are not to be used to provide different levels of a municipal service within urban and suburban areas where said service is covered by the general tax rate.***

This area rate allows the community to acquire a level of service that is available in many communities within HRM but has not been provided by HRM in this area. The community has a need for these facilities and are willing to raise the financing through the implementation of an area rate. Further, the Association is not duplicating any services currently provided directly by the Municipality to the community.

3. In order for a proposed new area rate to move to the process as outlined in #4 below, it must have the support of the area's Councillor(s).

The catchment area for the proposed area rate falls entirely within District 2. The Councillor for the District, Gary B. Hines, conducted a vote of all community households in December 2002 to determine if there was support from a majority of the community for the area rate. The results of the vote are indicated below. Having determined that sufficient support existed, he has requested staff prepare a report in compliance with Step 5 of the Interim Area Rate Guidelines for consideration at the next meeting of the Marine Drive, Valley & Canal Community Council.

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.

A public meeting was held on December 12, 2002 to vote on the proposed area rate. The date, time, location, and purpose of the meeting was advertised in The Laker, a month publication serving the area (Appendix C) and Notice and Agenda (Appendix C-1), ballot (Appendix D), proxy form (Appendix E) and letter from the Association (Appendix B) was delivered to every property owner of the subdivision.

The results of the voting process are as follows:

		Percentage of Total
Ballots Delivered	160	
Ballots Returned	28	18% of Property Owners
Votes in Favour	24	86%
Votes Against	4	14%

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.

At the May 12th meeting, the Marine Drive, Valley and Canal Community Council approved forwarding to Halifax Regional Council the recommendation contained in this report.

6. Any proposed new area rates recommended by a Community Council (or, in the absence of a Community Council, the Councillor for the area) will be submitted to Halifax Regional

Council through a staff report with a recommendation from the Chief Administrative Officer. The staff report will identify the implications to the Municipality along with the results of any public meeting.

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

The purpose of this report submitted by the Chief Administrative Office is to provide Council with the necessary information required to consider the recommendation forwarded from the Marine Drive, Valley & Canal Community Council for a new area rate. The results of the public meeting and vote were outlined previously in this report, and the implications to the Municipality are identified under the Budget Implications section which follows.

BUDGET IMPLICATIONS

There are currently 160 properties within the proposed catchment area which would generate \$9,600.00 in revenue from the new area rate. There would be \$9,600.00 in offsetting expenditures. The playground is not an HRM asset and there would be no additional operating costs to HRM due to the area rate.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

Council may decide not to approve this new area rate, in which case the Silversides Residents Association would continue to engage in activities to generate the funds it requires.

ATTACHMENTS

- Appendix A Map of Catchment Area for Proposed Area Rate
- Appendix B Letter from Silversides Residents Association President dated October 31, 2002
- Appendix C Notice of Silversides Residents Association General Meeting - December 12, 2002
advertised in the December 2002 issue of the Laker
- Appendix C-1 Notice & Agenda Silversides Residents Association General Meeting - December
12, 2002
- Appendix D Ballot

**Silversides Residents Association Area Rate
Council Report**

- 5 -

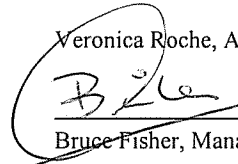
May 27, 2003

- Appendix E Proxy
- Appendix F Letter from C. William Hayward dated March 29, 1996
- Appendix G Approval, Marine Drive Valley and Canal Community Council

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Veronica Roche, Administrative Support Assistant

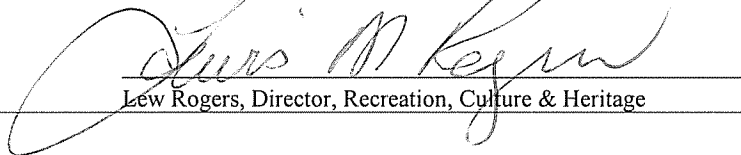
Report Approved by:



Bruce Fisher, Manager, Financial Planning

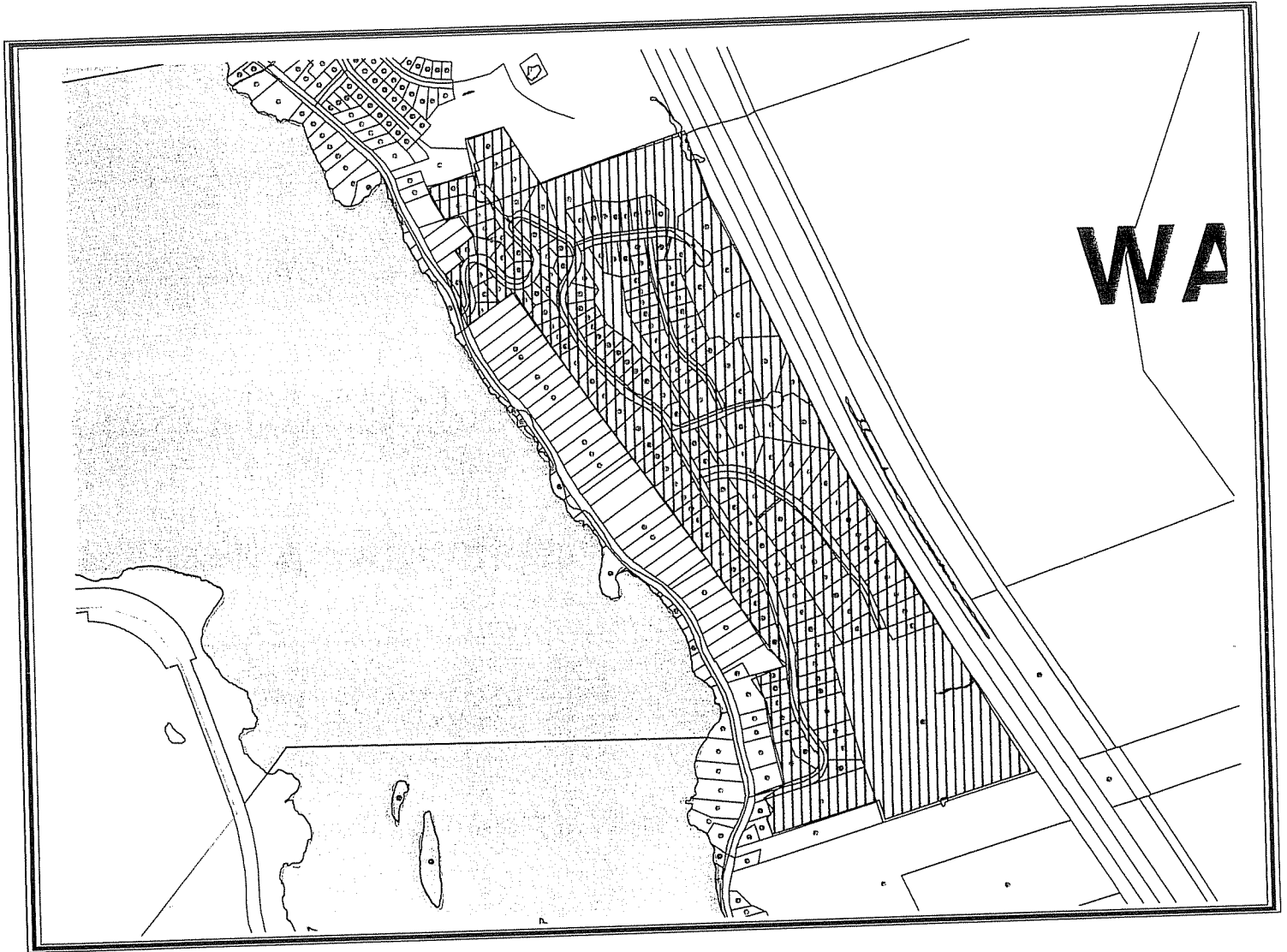


Dale MacLennan, Director Financial, Services



Lew Rogers, Director, Recreation, Culture & Heritage

Halifax Regional Municipality



0.6 0 0.6 1.2 Kilometers

Appendix A Silversides Subdivision Boundary for Silversides Residents Association

-  Silversides.shp
-  GSA Boundary
-  Ritcher Information points
-  Districts
-  Street

Prepared by V. Roche November 6, 2002

TO: The Residents of Silversides Subdivision
FROM: The Executive of the Silversides Residents Association
RE: Silversides Subdivision - Proposed Area Rate

The Silversides Subdivision is a wonderful family oriented community. In the subdivision, we currently are maintaining the Silversides beach and park locations and the Silversides entrances. We have had comments from our community that these properties not only provide an avenue for recreation, they also add to our property values.

As you are aware, our park and entrances are in need of improvements. Due to busy family schedules, door-to-door collection of dues has been a difficult task, at best resulting in only a 60% collection rate. This funding is not enough to improve and maintain these properties. With the area rate, we will have consistent funding that we can rely on year after year to complete our necessary improvements. With the area rate funding we will, with the help of neighbourhood volunteers, develop a 2-5 year plan to improve our community properties for the growth of our youth and for the well being of all.

Looking forward to seeing you on December 12th.

Teachers await board's decision

Marie Beckwith

Teachers from Fall River, banned from the classroom after criminal charges were laid against them, should know in the next couple of weeks if and when they will be permitted to return.

Taylor, 41, an art teacher at Georges River Junior High School, pleaded guilty to membership in a criminal organization and received a conditional discharge. Her charges against her 37-year-old daughter, a resource teacher at Auburn High School, were stayed in October. High School, were stayed in October. Charges were laid after RCMP officers searched across several marijuana plants on a Lexington Avenue property after discovering a small amount of marijuana in a residence on the property. Charges were laid the Halifax

Regional School Board asked the teachers to stay home while the board's disciplinary committee decided on what action it might take.

School board lawyer Rene Gallant said in late November the disciplinary process should be concluded "in the next couple of weeks."

He said the process is put into place whenever criminal charges are laid and could result in anything from no action to absolute dismissal.

Until the process is completed the Taylors remain at home and are being paid, he added.

Board spokesman Doug Hadley said earlier that among the issues the disciplinary committee would have to examine is the impact such a conviction might have on the Taylors' ability to perform their classroom duties.

SILVERSIDES RESIDENTS ASSOCIATION GENERAL MEETING

DATE: - Thursday, December 12, 2002

LOCATION: - Waverley Legion (2nd Floor)
Rocky Lake Drive

TIME: - 7 p.m.

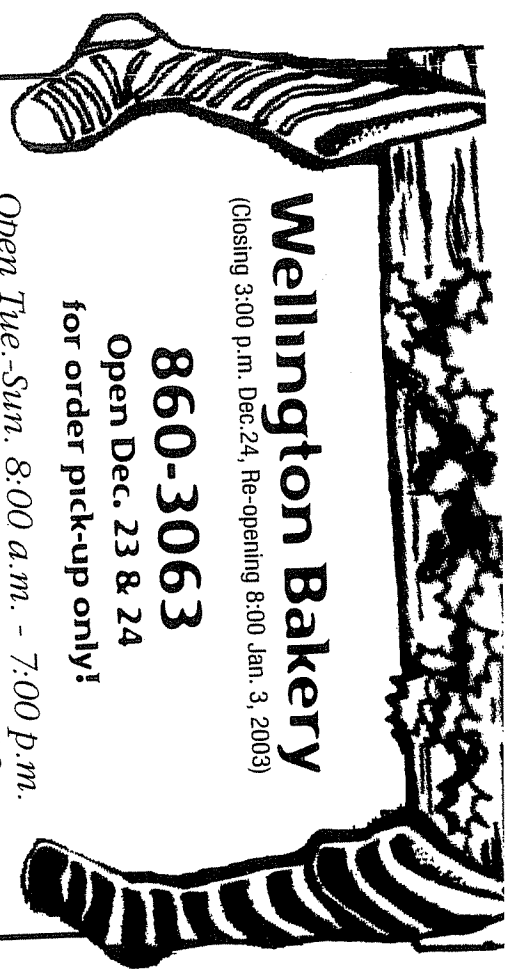
AGENDA:

- Discussion and vote on area rate tax.
- Area Tax Rate will replace the current SRA "door to door" dues collection.

GUEST SPEAKERS:

- Gary Hines, Councillor for District 2
- Waverley/Dutch Settlement
- Veronica Hardy-Roche, representative for the Halifax Regional Municipality

Please note that as a resident of Silversides Subdivision, you are bound by the decisions of the other residents as a result of a vote carried out at this meeting.



Wellington Bakery

(Closing 3:00 p.m. Dec. 24, Re-opening 8:00 Jan. 3, 2003)

860-3063

Open Dec. 23 & 24

for order pick-up only!

Open Tue.-Sun. 8:00 a.m. - 7:00 p.m.

4320A Highway 2, Wellington, N.S.

BAKERY BUCKS CONTEST

• Did you know that we work around the clock at Christmas? Despite this, some folks are still disappointed on Christmas Eve because they did not order ahead. We want to prevent this. Help us plan our shifts by placing orders before December 15 for any purchases after December 19. We'll reward three lucky winners with **BAKERY BUCKS!**

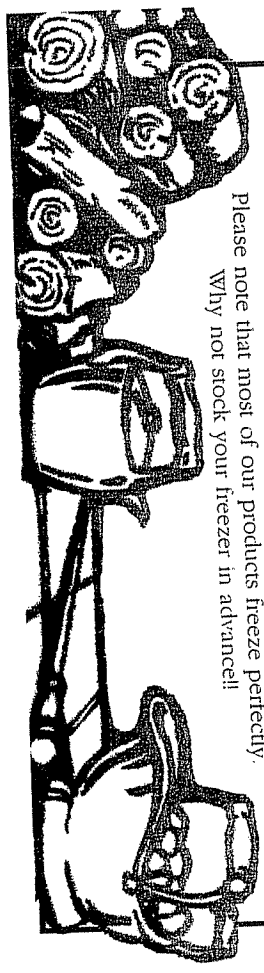
HOW TO WIN

Place your Christmas orders (to be picked up after Dec. 19) on or before December 15 and we'll enter your name and phone number in our draw. Draw date is Dec. 19, 2002.

- 1st name drawn - \$25 - 5 separate \$5 Gift Certificates
- 2nd name drawn - \$15 - 3 separate \$5 Gift Certificates
- 3rd name drawn - \$10 - 2 separate \$5 Gift Certificates

• These Bucks can be spent (limit one per purchase) at the Bakery in the New Year. Expires Nov. 2003

Please note that most of our products freeze perfectly. Why not stock your freezer in advance!



SILVERSIDES RESIDENTS ASSOCIATION

GENERAL MEETING

Thursday, December 12, 2002

Waverley Legion (2nd floor)

Rocky Lake Drive

7:00 PM

AGENDA:

- Discussion and vote on area rate tax.
- Area Tax Rate will replace the current SRA "door to door" dues collection.

GUEST SPEAKERS:

- Gary Hines – Councilor-District No.2 Waverley/Dutch Settlement
- Veronica Hardy-Roche -Representative for the Halifax Regional Municipality

Please note that as a resident of Silversides Subdivision, you are bound by the decisions of the other residents as a result of a vote carried out at this meeting.

"The vote will be used to determine if an area rate, in the amount of \$60.00 flat rate per annum, will be applied to the tax billings of all residents in the Silversides Subdivision."

If you wish to have as much say as possible about decisions being made that affect your community, it is in your best interest to be present at the meeting. Please mark your calendar and plan to attend. We look forward to seeing you at the meeting.



DEADLINE FOR RETURN: DECEMBER 12, 2002

Dear Residents:

In response to the interest shown by residents of the Silversides Residents Association I would ask you to complete the following ballot and return it to the Residents meeting on December 12, 2002, which will be held at the Waverley Legion, Rocky Lake Drive, 7:00 p.m. The ballot results will be used to determine if an area rate, in the amount of a flat fee of \$60.00 per annum, will be applied to the tax billings of all residents in the Silversides Subdivision.

- YES**, I am in favour of paying a \$50.00 flat rate per annum in support of the Silversides Residents Association for the purpose of recreational development.
- NO**, I am not in favour of paying a \$50.00 flat rate per annum in support of the Silversides Residents Association for the purpose of recreational development.

Date

Signature

Property Address (Assessment Number if available)

Gary Hines
Councillor, District 22

PLEASE SUBMIT ONLY ONE BALLOT PER PROPERTY.

SILVERSIDES RESIDENTS ASSOCIATION

GENERAL MEETING

PROXY FORM

I, _____, being a member of the Silversides Subdivision Association, HEREBY APPOINT _____ as my PROXY to attend, act, and vote on my behalf at the GENERAL MEETING of the Association, to be held on the 12th day of December, 2002, at the Waverley Legion, Rocky Lake Drive, Waverley, Nova Scotia at 7:00 p.m., and any adjournment thereof. I HEREBY REVOKE ANY FORMER INSTRUMENTS APPOINTING A PROXY FOR ME AT THE ABOVE-NOTED MEETING.

DATED THIS _____ DAY OF _____, 2002.

Signature

PLEASE PRINT - Name: _____
 Address: _____

 Phone: _____

Directions for Completion:

1. Clearly print the name of the person to whom you are giving your Proxy. Please note that this person must be a member of the Association.
2. Date and sign the Proxy form above where indicated, and clearly print your name address and phone number in the spaces provided. *(Only Proxy forms with original signatures will be accepted. Faxed or photocopied signatures are not acceptable).*
3. Your Proxy must present this completed form to the registration desk at the meeting.
4. Proxy votes will only be recorded where they could affect the outcome of a vote; therefore, *Proxy votes may not necessarily be cast.*

Hay

Halifax Regional Municipality

W. Hayward, FCA
Co-ordinator

34330

Suite 1207, Maritime Centre
1505 Barrington Street
Halifax, NS, Canada B3J 3K5
Telephone: 902-496-2000
Fax: 902-425-1466

March 29, 1996

Mr. Vincent T. Smith
Chief Administrative Officer
Administration Centre
150 Dutch Village Road
Halifax, NS B3L 4K3

Subject: Approvals

Dear Mr Smith:

The Co-ordinator hereby approves the following:

34330
34217 401
???

- 5. Approval of a seven (7) year \$15,000.00 loan to the Silversides Residents Association. The loan is repayable with interest and the Municipal Council reserves the right to levy an area rate in default of repayment of principal and interest.



Yours very truly,

William Hayward

William Hayward, FCA
Co-ordinator
Title



**MARINE DRIVE VALLEY AND CANAL
COMMUNITY COUNCIL
Action Summary**

**Monday, May 12, 2003
LWF Fire Station
853 Fall River Road, Fall River
7:00 p.m.**

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

2. APPROVAL OF MINUTES - February 10, March 25, and April 1, 2003

Minutes approved as circulated. These can be found on the r drive.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF
ADDITIONS AND DELETIONS

Councillor Streach - Water and Sewer System - Musquodoboit Harbour Area

The Order of Business approved, as amended.

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS

8. PUBLIC HEARING

8.1 Case 00509 - Rezoning Application - Clamshell Road, Musquodoboit
Harbour

Approved, as recommended by staff.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

10. REPORTS

10.1 Silversides Residents Association Area Rate

Approved, as recommended by staff.

11. MOTIONS - None

12. ADDED ITEMS

12.1 Water and Sewer System - Musquodoboit Harbour Area - Councillor Streach

Staff requested to provide a report on the cost of installing a water and sewer system in the Musquodoboit Harbour area.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION - NONE

15. NEXT MEETING

To be determined.

16. ADJOURNMENT

Meeting adjourned at 7:45 p.m.

INFORMATION ITEMS

1. Memorandum dated March 20, 2003 from the Halifax/Halifax County Watershed Advisory Board
2. New Highway 107 Interchange
3. Traffic Study - Musquodoboit Harbour