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North West Community Council  
March 17, 2014

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

Original Signed

**SUBMITTED BY:** \_\_\_\_\_  
Greg Keefe, Director of Finance & ICT, Chief Financial Officer

**DATE:** February 24, 2014

**SUBJECT:** Uniform Charge for Birch Bear Woods Homeowners Association

### **ORIGIN**

Interim Area Rate Guidelines were adopted by Council in January 2000 to create a process to assist communities establish new area rates or uniform charges, and to ensure that all taxpayers have an opportunity to participate in setting a rate. The Guidelines are also intended to ensure that rates are set only for valid municipal purposes and not for services already covered by the general tax 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 uniform charge for the Birch Bear Woods Homeowners Association.

### **LEGISLATIVE AUTHORITY**

- Charter section 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.
- Charter section 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**

It is recommended that North West Community Council recommend to Regional Council that: An annual uniform charge of \$45.00 be approved to be applied against each of the residential properties within the mapped area depicted in Appendix A of this report for a period of two years commencing with the 2014-15 fiscal year for the purpose of funding the construction of new signage for the main entrance to Birch Bear Woods subdivision.

## **BACKGROUND**

The Birch Bear Woods Homeowners Association is a neighbourhood volunteer group which has been incorporated under the Societies Act and registered with the Registry of Joint Stock Companies since October 2, 2007. The Birch Bear Woods subdivision is located in the community of Lewis Lake in District 13.

On March 31, 2009, Regional Council approved a uniform charge of \$60.00 per property to be applied to all properties in this subdivision for a period of four years commencing in 2009-10 for the purpose of partially funding a new playground. The Association was successful in obtaining additional funding for this project from HRM and the Nova Scotia Department of Health Promotion and Protection. The last year for the area rate was 2012-13.

Based on priorities set by the Association in consultation with the homeowners, the Association has applied to HRM to implement another uniform charge to fund a new main entrance sign to the subdivision.

## **DISCUSSION**

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.*

Charter section 96 (1) enables Council to spend money in an area, or for the benefit of an area, for any purpose for which the Municipality may expend funds or borrow. Road signage, including community name signs, are a normal expense incurred by the Municipality as part of its responsibilities for street and road infrastructure.

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.*

The community to which the uniform charge would be applied is entirely within the rural area of HRM; therefore the service is not covered under the rural general tax rate.

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 this uniform charge falls entirely within District 13. The Councillor for the District, Matt Whitman, has indicated his support for the uniform charge if there is support from a majority of the community for it. The results of the vote are indicated below. Having determined that sufficient support exists, staff has prepared a report in compliance with Step 5 of the Interim Area Rate Guidelines for consideration at the next meeting of the North West 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.*

An information package including a ballot was mailed to the owners of the 113 taxable residential properties identified within the proposed catchment area. A map of the proposed catchment area was included with the information package. A copy of the information package is provided in Appendix A of this report. The information package included details of the purpose and amount of the uniform charge, and the date, time and location of a public information meeting which was held on Thursday, February 13, 2014 at the Tantallon Library, 3646 Hammonds Plains Road, Upper Tantallon. The results of the ballot are shown below.

#### **Balloting Results**

Total in Favour of Uniform Charge:	38	% Respondents voting For:	81 %
Total Against Uniform Charge:	9	% Respondents voting Against:	19 %
Total Ballots Distributed:	113	Response Rate:	42 %
Total Ballots Returned:	47		

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 initiating this uniform charge within the proposed catchment area. The implications to the Municipality are identified under the Financial Implications section which follows.

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.*

Completion of steps 6 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 2014-15 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 General Operating Budget. There is also no impact on the Capital or Reserve Budgets. The Association has provided HRM with quotes from five vendors for the signage. The total

cost of the signage selected by the Association was quoted to be \$9,975 including HST. The uniform charge of \$45.00 per property applied to the 113 residential properties in the proposed catchment area would provide \$5,085 in revenue annually, and \$10,170 over the two year period the area rate will be in place.

### **COMMUNITY ENGAGEMENT**

In accordance with the Interim Area Rate Guidelines, the public consultation process included a public information meeting, and the mailing of information and a ballot to each property owner in the affected area. Details of the public consultation process are provided in the Discussion section of this report.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

### **ALTERNATIVES**

North West Community Council could decide not to recommend the uniform charge to Regional Council, or could request changes to the amount or catchment area, or could request additional information prior to approval.

### **ATTACHMENTS**

Appendix A: Copy of Ballot and Information Package mailed to Property Owners (map of catchment area for proposed uniform charge included on second page).

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A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Gordon Roussel, Senior Financial Consultant, 490-2500

Original Signed

Report Approved by: Bruce Fisher, Manager, Financial Policy and Planning, 490-4493  
Original Signed

Financial Approval by: Greg Keefe, Director of Finance & ICT/CFO, 490-6308

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Appendix A



REGIONAL MUNICIPALITY

AREA TAX RATE BALLOT

January 28, 2014

FIRST NAME / LAST NAME  
FIRST NAME2 / LAST NAME2  
MAILING ADDRESS  
CITY / PROVINCE / POSTAL CODE

Assessment # AAN

CIVIC# / STREET / ST TYPE / COMMUNITY / LOT\_TYPE / LOT#

Dear Property Owner:

The Birch Bear Woods Homeowners Association (BBWHA) is a not-for-profit, volunteer-led group of local citizens, who are engaged in neighbourhood improvement programs, recreation development, and social activities for all residents of Birch Bear Woods to enjoy. The BBWHA was incorporated under the Societies Act with the Registry of Joint Stock Companies in October 2007.

Feedback from residents has indicated that one of their top priorities is the installation of a high-quality, durable and aesthetically pleasing main entrance sign for the subdivision. Enclosed with this mailing is a letter from the Association providing details of the signage proposed. The total cost of the sign selected by the Association including HST has been quoted at \$9,975. The Association has proposed that the cost be covered by an area rate of \$45 per property per year for two years. With 113 residential properties in the neighbourhood, the area rate would raise \$10,170 over two years. The difference of \$195 provides a small contingency against unforeseen costs.

In accordance with the Halifax Regional Municipality's procedure for implementing area rates, the property owners in the neighbourhood must be consulted with regard to whether they wish to pay \$45 each year for two years to cover the cost of the signage. Each residential property is provided with one ballot and one vote. If a simple majority (50% + 1) of ballots returned vote in favour of the area rate, it will be applied to the property tax bills of all residential properties within the mapped area shown on the reverse side of this letter commencing in 2014.

For more information, please plan to attend the meeting scheduled for **Thursday, February 13 at 7:00 pm at Tantallon Library, 3646 Hammonds Plains Road, Hubley Centre, Upper Tantallon**. A representative of HRM will be in attendance along with members of the Association's Executive to help answer your questions.

As the owner of the property identified above, you are entitled to one vote. Please complete the ballot below and either drop it off at the meeting, fax it to 490-5622, or return it in the enclosed self-addressed envelope. You may also scan your completed ballot and e-mail it to: rousseg@halifax.ca. If you lose your ballot, or have any questions specific to the balloting process or area rates, please contact Gordon Roussel at 490-2500. For questions regarding the signage, please contact Jolene Redmond phone number redacted or Linda Warden Phone number redacted.

**Please note that all Ballots must be received by Friday, February 21, 2014 (Sorry, but we cannot make any exceptions).** If you are mailing your ballot in, please allow adequate time for delivery.

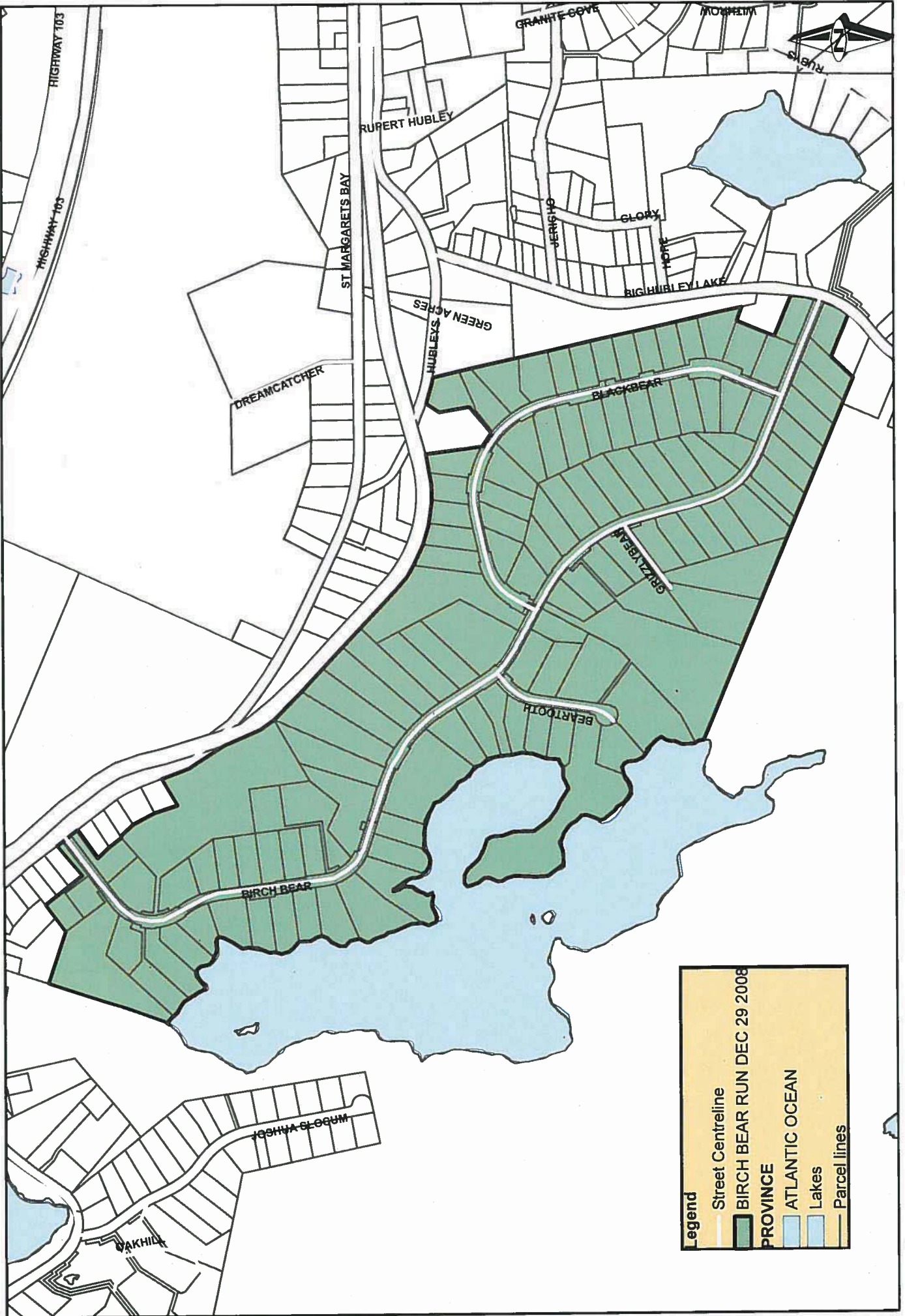
- YES**, I am in favour of paying an area rate of \$45.00 per year for two years on my property tax bill to cover the cost of the main entrance signage proposed by the Birch Bear Woods Homeowners Association.
- NO**, I am not in favour of paying an area rate of \$45.00 per year for two years on my property tax bill to cover the cost of the main entrance signage proposed by the Birch Bear Woods Homeowners 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.



BIRCH BEAR RUN UPDATED DECEMBER 2, 2013



To All Home Owners:

An Important Message

As you know we are in the process of trying to arrange to have a main entrance sign for our subdivision. We cannot do this unless we have your support. The money will come from an interim area rate if approved by a majority of voting property owners.

What are the benefits of having a sign at the main entrance of our subdivision? Signs improve curb appeal, boost community pride, and enhance home resell values. A neighborhood entry sign is critical for helping visitors easily find your neighborhood, welcome them to our community, and create a great first impression. We all know that first impressions are important and the neighborhood entrance sign is the first impression people have of your community. Custom street signs represent a commitment to detail by the Homeowner's Association and reinforces the message that the community is well managed, safe and caring.

The preliminary quotes coming in are that the total cost of the project will be approximately \$9,975.00. This includes permit, site preparation, sign, and masonry. The lot that the sign will be built on has been obtained by an original Grant of Easement recorded at the Halifax Land Registration Office. An approximate likeness of the sign is shown on the reverse side of this letter.

What are the next steps? *First* there will be an information night to answer all your questions. That date will be the 13<sup>th</sup> of February, 2014 at the Tantallon Public Library at 7:00pm. Your vote for the area rate to fund the sign is essential. Come out to the information session to get any questions you may have answered to your satisfaction, *second* vote and mail in your vote. We need to see that you are interested. So please help us provide for this sign in your community.

Your association has been working hard on your behalf to get this project up and running but there are a number of other issues that we will need your input on. This includes the proper use of the second piece of parkland that is on the lake and other developments. If you would like to join any committee you would be most welcomed.

If you have any questions or concerns please feel free to call any member of the executive, they are:

Linda Warden	Chairperson	Phone numbers
Jolene Redmond	Treasurer	redacted
Jim Hanifen	Vice-Chair	
Julie Wiseman	Secretary	

Thank you for your support.

Birch Bear Woods Homeowners Association

