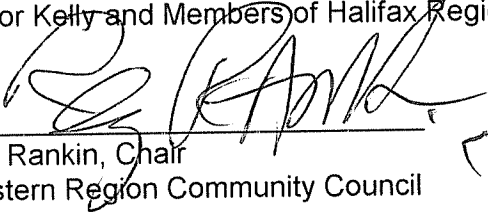

HALIFAX REGIONAL COUNCIL

July 9, 2002

TO: Mayor Kelly and Members of Halifax Regional Council

FROM: 
Reg Rankin, Chair
Western Region Community Council

DATE: June 25, 2002

SUBJECT: New Area Rate for Kingswood Ratepayers Association

ORIGIN:

Western Region Community Council meeting held on June 24, 2002.

RECOMMENDATION:


It is recommended that Regional Council approve a flat rate of \$50.00 to be applied against the properties within the mapped area depicted in Appendix A of the Staff Report dated June 21, 2002 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, Kingswood South and area subdivisions which make up the Kingswood Ratepayers Association.

ATTACHMENT:

Staff Report dated June 21, 2002 (For attachments, see CAO's report dated June 25, 2002)

Western Region Community Council
June 24, 2002

TO: Chairman and Members of Western Regional Community Council

SUBMITTED BY: 
Peter Ross, Acting Director Financial Services

DATE: June 21, 2002

SUBJECT: New Area Rate for Kingswood Ratepayers Association

ORIGIN

Interim Area Rate Guidelines were adopted by Council in January 2000 to create a process to assist communities 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 Kingswood, Kingswood West, Blue Mountain Estates, Queenswood and Kingswood South subdivisions which make up the Kingswood Ratepayers Association.

RECOMMENDATION

It is recommended that :

A flat rate of \$50.00 be approved 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, Kingswood South and area subdivisions which make up the Kingswood Ratepayers Association.

BACKGROUND

The Kingswood Ratepayers Association was formed in April 1995 and registered under the Societies Act with the Registry of Joint Stock Companies. In the Kingswood Courier of May 2002 the Ratepayers Association informed the community of their continued attempts to be included into the HRM's capital budget for the purpose of developing the 35 acres located off Kingswood Drive, behind George Samuel Drive and Nousha Court (Map provided by the Kingswood Ratepayers Association showing area parks attached as Appendix B). An estimate to develop the site, which would include a sports field and a hiking fitness trail around the perimeter, is approximately \$250,000 to \$300,000. The Kingswood Ratepayers Association are proposing to use the area rate revenue to either develop this site or for completion of the trail with the field(s) to be developed at a later date.

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 its predecessor municipal units have traditionally funded, either entirely or partially through partnerships, the construction and on-going 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.***

Although the community is located in the suburban area of HRM they have not been able to have their project included in HRM's capital budget and feel that with 1048 residential properties, and still growing, 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 22. The Councillor for the District, Reg Rankin, conducted a vote of all community households in June 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 Western Region 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 June 5, 2002 to vote on the proposed area rate. The date, time, location, and purpose of the meeting was advertised in the Association's newsletter of May 2002 (Appendix C) which is delivered to every household in the Kingswood, Kingswood West, Blue Mountain Estates, Queenswood and Kingswood South subdivisions. A notice of the meeting was also advertised on the Bulletin Board in the entry to the Happy Market, Kingswood.(Appendix D) As well, a notice of the meeting along with a "Proxy" form (Appendix E) was also distributed to each residence via Canada Post as well copies left at the Happy Market, Kingswood.

Ten (10%) percent of the residents attended the meeting with ninety-five (95%) percent of those in attendance in favour of the flat annual rate of \$50.00 per household. The details of the poll are as follows:

		Percentage of Total
Property Owners Advised	1057	
Number in Attendance at Annual General Meeting	105	10% of Property Owners
Votes in Favour	100	95% of Attendees
Votes Against	5	5% of Attendees

- 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 submitted by the Director, Financial Services is to provide the Western Region Community Council with the necessary information required to consider making a recommendation to Halifax Regional Council for the 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.

- 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 of the Western Regional Community Council approving the Recommendation contained in this report.

BUDGET IMPLICATIONS

There are no budget implications. The Municipality is simply collecting this amount from each property owner in the Kingswood, Kingswood West, Blue Mountain Estates, Queenswood and Kingswood South subdivisions on behalf of the Kingswood Ratepayers Association. There are currently 1048 properties within the proposed catchment area which would generate \$52,400. in revenue from the new 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

Western Region Community Council may decide not to make a recommendation to Regional Council for this new area rate, in which case the Kingswood Ratepayers Association would continue to engage in fund raising activities to generate the funds it requires.

ATTACHMENTS

- Appendix A: Map of Catchment Area for Proposed Area Rate
- Appendix B: Kingswood Ratepayers Association map of parklands
- Appendix C: Copy of excerpts from Kingswood Courier May 2002
- Appendix D: Notice of Kingswood Ratepayers Association Annual General Meeting
- Appendix E: Notice of Kingswood Ratepayers Association Annual General Meeting & Proxy Form

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 Assistance, Financial Planning 490-6498