

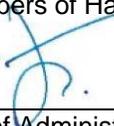


REVISED (Attachment A only)
March 21, 2017

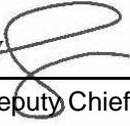
P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 14.1.2
Halifax Regional Council
March 21, 2017

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 

John Traves, Acting Chief Administrative Officer

Original Signed by 

Jane Fraser, Acting Deputy Chief Administrative Officer

DATE: February 10, 2017

SUBJECT: Road Maintenance Fee for South West Grand Lake Property Owners Association

ORIGIN

On January 26, 2010, Regional Council approved amending Administrative Order 45 by adding Schedule 4 to permit the implementation of private road maintenance fees to be collected on the tax billings of all properties which must be accessed via Kings Road in Wellington.

On February 12, 2013, Regional Council approved amending Schedule 4 of Administrative Order 45 for nine properties which met the criteria for a different fee within the existing fee schedule.

On June 16, 2015, Regional Council approved amending Schedule 4 of Administrative Order 45 for ten other properties which met the criteria for a different fee within the existing fee schedule.

On August 31, 2016, staff received notification from the South West Grand Lake Property Owners Association that they wish to both increase the total budget and amend the private road maintenance fee structure for all properties which must be accessed via Kings Road in Wellington.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter clause 104 (1) (g) as follows:

- (1) "The Council may make by-laws imposing, fixing and providing methods of enforcing payment of charges for
 - (g) laying out, opening, constructing, repairing, improving and maintaining private roads, curbs, sidewalks, gutters, bridges, culverts and retaining walls that are associated with private roads, where the cost is incurred
 - (i) by the Municipality, or
 - (ii) under an agreement between the Municipality and a person,"

By-Law P-1100, Private Road Maintenance By-Law, Subsection 2(6)

- (6) Area Rates or Uniform Charges imposed pursuant to the provisions of this by-law may be adjusted by Council upon application from the Property Owner's Association.

Administrative Order 45, Respecting Private Road Maintenance.

RECOMMENDATION

It is recommended that Halifax Regional Council adopt the amendments to Administrative Order 45, Respecting Private Road Maintenance, as set out in Appendix A of this report, including repealing Schedule 4 and adding Schedule 4A.

BACKGROUND

On January 16, 2007, Regional Council approved the Private Road Maintenance Costs Recovery Policy. The purpose of this Policy is to provide owners of property accessed by private roads with the use of area rates or uniform charges to collect the funds required to maintain private roads.

Kings Road is located just off of Hwy #2 in the community of Wellington in District 1. Kings Road and other private roads which branch off from Kings Road are maintained by the South West Grand Lake Property Owners Association (Association). The private roads maintained by the Association are: Kings Road, Alben Lane, Twilight Lane, Sleepy Cove Road, and Turtle Cove Road. Canal Cays Drive and Keegan Lane also branch off of Kings Road but are not maintained by the Association. However, the owners of property on Canal Cays Drive and Keegan Lane are required to pay a fee for the maintenance of Kings Road as they must travel over it to access their properties.

The Association funds road maintenance expenses through annual fees collected from the owners of each of the 110 properties which must be accessed via Kings Road. The current fees vary from \$0 to \$1,020 depending on which road the property is located, whether the property is vacant or has a residence on it, whether the property is occupied on a seasonal or year-round basis, or whether a property owner owns a second property which is vacant. For example, if a property owner owns a property with a residence, and a second property which is vacant, no fee is charged on the second property. The schedule of fees was developed over a number of years as the result of discussions between the property owners. HRM staff were not involved in the development of the fee schedule. A Schedule of Annual Uniform Charges with criteria to determine which fee amount applies to a property is included in Table 1.

On January 26, 2010, Regional Council approved amending Administrative Order 45 by adding Schedule 4 to permit implementation of the Schedule of Annual Uniform Charges to collect private road maintenance fees on the tax billings of all properties which must be accessed via Kings Road in Wellington.

On February 12, 2013, Regional Council approved amending Schedule 4 of Administrative Order 45 for nine properties for which the criteria had changed and therefore a different fee within the existing fee schedule was applicable.

On June 16, 2015, Regional Council approved amending Schedule 4 of Administrative Order 45 for ten other properties for which the criteria had changed and therefore a different fee within the existing fee schedule was applicable.

In accordance with the Private Road Maintenance By-law, Council may adjust the area rates or uniform charges imposed upon application from the Property Owner's Association.

DISCUSSION

On August 31, 2016, staff received a phone notification from the Association that they wish to call a vote in the autumn to increase the area rates for 2017-2018, as the budget had not been increased in eleven years. Further information was received by email on October 4, 2016, that along with the increased budget would be a revised fee schedule for property owners. The Association Board felt that the current fee structure was too complicated and unfair, as some homeowners pay six-times as much as others.

The current fee schedule is shown in Table 1 followed by a new proposed fee schedule, in Table 2.

Table 1 - Current Schedule of Annual Uniform Charges

Annual Fee	Criteria
Not Applicable	Vacant land where the owner is paying a fee on another property under this fee schedule, or has a legal exemption.
\$125.00	Vacant or seasonal use property from and including 54 Kings Rd up to but not including 112 Kings Rd., or vacant land on Alben Lane or Canal Cays Drive.
\$150.00	Year round use property on Canal Cays Drive, or from and including 54 Kings Rd up to but not including 112 Kings Rd., with the exception of the property located at 81 Kings Rd (this property is a two unit apartment building).
\$175.00	Vacant or seasonal use property located on Keegan Lane, or from and including 112 Kings Rd up to but not including 515 Kings Rd.
\$285.00	Property located at 515 or 521 Kings Rd which is used seasonally with winter access, or vacant land located beyond 521 Kings Rd to the end of Kings Rd, or on Sleepy Cove Road, Turtle Cove Road, or Twilight Lane.
\$300.00	Year round use property located on Keegan Lane, 81 Kings Rd (this property is a two unit apartment building), or from and including 112 Kings Rd up to but not including 515 Kings Rd.
\$325.00	Seasonal use property located on Alben Lane.
\$375.00	Seasonal use property with winter access located on Alben Lane.
\$395.00	Seasonal use property located beyond 521 Kings Rd to the end of Kings Rd, or on Sleepy Cove Road, Turtle Cove Road, or Twilight Lane.
\$400.00	Year round use property on Alben Lane.
\$895.00	Seasonal use property with winter access located beyond 521 Kings Rd to the end of Kings Rd, or on Sleepy Cove Road, Turtle Cove Road, or Twilight Lane.
\$1,020.00	Year round use property located beyond 521 Kings Rd to the end of Kings Rd, or on Sleepy Cove Road, Turtle Cove Road, or Twilight Lane.

Table 2 - New Proposed Fee Classification

Annual Fee	Criteria
Not Applicable	Vacant land where the owner is paying a fee on another property under this fee schedule, or has a legal exemption.
\$200.00	Vacant land where the owner is not paying a fee on another property under this fee schedule.
\$300.00	Homes and commercial properties on Kings Road from civic number 54 up to and including 104 & 106, and Canal Cays Drive; and all properties with Summer cottages.
\$450.00	Homes and commercial properties on Alben Lane and Kings Road from civic number 112 to 429
\$600.00	Homes and commercial properties beyond 429 Kings Road

The Private Road Maintenance Costs Recovery Policy outlines under Section 11, the conditions which must be satisfied for the approval of a Property Owner's Association Budget and all proposed rate adjustments.

1. *Meetings of the Association. The Property Owner's Association shall have an annual general meeting prior to the end of September in each year, at which meeting the majority of a quorum present shall review and approve the road maintenance plan and budget for the following year.*
2. *Any changes to the amount of the flat rate shall require majority approval at a special meeting of the Property's Owner's Association called for the purpose of determining the rate increase issue.*
3. *Notice of the special meeting shall conform to the standards set out above for the application meeting.*

(Section 6 – Meeting of Property Owners)

Notice of the meeting shall also be made not less than fourteen (14) days prior to the date of the meeting to all property owners that will be affected by the area rate through prepaid mail to their tax assessment addresses. The notice of the public meeting shall set out the date and time and place of the meeting, the name(s) of the applicant, describe the area to be subject to the application and the nature of the road maintenance proposed, the requested method of area flat rate determination (in conformity with this policy), the road maintenance plan and amount of the area flat rate to be requested in the application, and advise that rate payers will be entitled to vote and the method of voting.

The meeting notice was developed by staff and included all the information required above as per the Private Road Maintenance Costs Recovery Policy. Notice of the special meeting was mailed and/or emailed (at the request of the individual), to all property owners impacted by the rate reclassification. Included in the notice was a briefing from the Association as to the analysis and reasoning into the proposed new rates (Appendix B), a letter notifying property owners of the meeting time and place, what their current rate is and the proposed revised rate for their individual property, a description of the voting process and ballot (Appendix C), and a proxy form (Appendix D) if they were unable to attend the meeting.

The purpose of the ballot and proxy was to determine whether enough property owners representing a majority (50% + 1) of the properties voting were in favour of amending the rates starting in 2017-2018. There was one vote per property, with a ballot to be submitted to staff during the meeting. A second option allowed property owners to vote by proxy. The proxy form needed to be fully completed and signed, and put forward at the meeting by either the Chairman or a substitute. If by a substitute, that person must be named on the form and be present at the meeting.

The special meeting of the affected property owners was held on Tuesday, December 6, 2016 at 7p.m. at the Grand Lake Oakfield Fire Hall, 22 Lakeside Drive, Grand Lake. Two HRM staff were present at the meeting to supervise the proceedings, answer any questions with respect to the Private Road Maintenance Costs Recovery Policy and to tally the votes. A short presentation was made by the President of the Association to explain the rationale used to develop the revised budget and fee schedule, after which attendees had an opportunity to ask questions.

During the meeting HRM staff tabulated all the ballots and proxies received, and provided the Chairman with the results prior to the meetings end. The Chairman was able to advise the attendees that the final vote was 62% of those in attendance or voting by proxy were in favour of the amended fees and increased budget. The vote count was 49 in favour and 30 opposed.

FINANCIAL IMPLICATIONS

The revised uniform charges would take effect in the 2017-18 fiscal year. As all funding is from the uniform charges (i.e. no transfers from the general tax rate), there would be no impact on the HRM General Operating Budget at any time in the future. The Association would receive an additional \$7,655 in funding annually as a result of these changes, for a total of \$41,400. A copy of the Association's budget is included on page 5 of Appendix B.

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, a special meeting was held on December 6, 2016 for all property owners impacted by the fee adjustment and budget increase.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with the Recommendation in this report.

ALTERNATIVES

Council could decide not to approve the requested changes to Schedule 4 of Administrative Order 45. This is not recommended because a majority of the property owners who voted, voted in favour of the changes.

ATTACHMENTS

Appendix A: Amending Administrative Order 45
Appendix B: Overview & Rational of Fee Proposal
Appendix C: Notification Letter and Ballot
Appendix D: Voting Proxy

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: Barb Wilson, Senior Financial Consultant, 902.490.4280

Report Approved by: _____
Bruce Fisher, Manager, Financial Policy and Planning 902.490.4493

Financial Approval by: _____
Amanda Whitewood, Director of Finance and Information Technology/CFO, 902.490.6308

REVISED

Appendix A (Amending Administrative Order)

HALIFAX REGIONAL MUNICIPALITY ADMINISTRATIVE ORDER NUMBER 45 RESPECTING PRIVATE ROAD MAINTENANCE

BE IT ENACTED by the Council of the Halifax Regional Municipality that Administrative Order 45, Respecting Private Road Maintenance, is further amended as follows:

1. Schedule 4 is repealed.
2. Schedule 4A is added after the newly repealed Schedule 4 and before Schedule 5, as follows:

Schedule 4A

1. Area Rate charges for properties located on Kings Road, Wellington, or located on private roads in Wellington accessed from Kings Road, shall be as identified in the following areas:

Area 1. A Flat Area Rate Charge of no more than \$200.00 annually shall be applied to the following properties in Area 2 which must be accessed by Kings Road, Wellington: PID numbers 00503680, 40551178, 40377228, 40455123, 503755, 40621807, 41266974, 41293994, 40480063, 568766, 40766347, 41026956, 41026964, 40813438, 41266966, 569103, 40621815, 40574394, 41435967, 41394347, and 41397696.

Area 2. A Flat Area Rate Charge of no more than \$300.00 annually shall be applied to the following properties in Area 3 which must be accessed by Kings Road, Wellington: PID numbers 503524, 503664, 503631, 503573, 503771, 40383630, 40383648, 40392656, 40392649, 40392631, 40392623, 40852089, 40695603, 40607269, 569194, 503581, 40784795, 40304289, 40766370, 40304297, 40852071, 503656, 503706, 40589178, 40068348, 40068355, 40068371, 40255150, 40704165, and 40585523.

Area 3. A Flat Area Rate Charge of no more than \$450.00 annually shall be applied to the following properties in Area 4 which must be accessed by Kings Road, Wellington: PID numbers 503565, 503599, 503722, 503607, 503615, 503698, 503797, 503805, 503847, 503870, 568790, 568865, 568931, 569087, 40301434, 40800625, 40304321, 40784787, 40304271, 40885337, 40742785, 41211491, 40304305, 40304313, 40151334, 40301251, 40695553, 40455115, 40455156, 40455149, 40533275, 40576001, 40608523, 40620296, 40688285, 40705089, 40761421, 40800088, 40885345, 41037052, 40068389, 40607277, 41078205, 40872046, 41078213, 40695132, 40669798 and 41211509.

Area 4. A Flat Area Rate Charge of no more than \$600.00 annually shall be applied to the following properties in Area 5 which must be accessed by Kings Road, Wellington: PID numbers 569251, 40480055, 40574386, 40364028, 40068363, 40068413, 40068405, 40068397, 568410, 40480071, and 41294000.

2. The Area and therefore the Flat Area Rate Charge applicable to a property will be determined in accordance with the following criteria:

(a) if the property is vacant and the owner owns another property in any of the other Areas, or if the property is otherwise legally exempt from a Flat Area Rate Charge, then the property will not be subject to a Flat Area Rate Charge; or

(b) if the property does not contain a dwelling unit, then it will be included in Area 1 and the applicable Flat Area Rate Charge will be no more than \$200.00 annually; or

(c) if the property is located on Kings Road, and

(i) the property is used year round and has civic number 54 or has a civic number between 54 and up to and including civic number 106, then it will be included in Area 2 and the applicable Flat Area Rate Charge will be no more than \$300.00 annually, or

(ii) the property has civic number 112 or a civic number between 112 and up to and including civic number 429, then it will be included in Area 3 and the applicable Flat Area Rate Charge will be no more than \$450.00 annually, or

(iii) the property has a civic number greater than 429, then it will be included in Area 4 and the applicable Flat Area Rate Charge will be no more than \$600.00 annually; or

(d) if the property is located on Canal Cays Drive, it will be included in Area 2 and the applicable Flat Area Rate Charge will be no more than \$300.00 annually; or

(e) if the property is located on Alben Lane, then it will be included in Area 3 and the applicable Flat Area Rate Charge will be no more than \$450.00 annually; or

(f) if the property is used on a seasonal basis, it will be included in Area 2 and the applicable Flat Area Rate Charge will be no more than \$300.00 annually.

3. (1) The criteria pursuant to section 2 of this Schedule, will apply to any existing and new properties which become subject to a Flat Area Rate Charge under this Schedule.

(2) If the criteria applicable to a property changes such that another Area is indicated for the property other than the Area it is included in, then that property will become part of the Area for which it meets the criteria, and the appropriate Flat Area Rate Charge will apply.

4. The Charges collected under this By-Law shall be used by the South West Grand Lake Property Owners Association for the maintenance of the following private roads located within Wellington: Kings Road, Alben Lane, Twilight Lane, Sleepy Cove Road, and Turtle Cove Road, and shall include culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

3. This Administrative Order has effect on and after April 1, 2017.

Done and passed in Council this day of , 2017.

Mayor

Municipal Clerk

SWGLPOA

Overview of Fee Proposal

Why are we considering fee changes?

- Fees have not changed for eleven years.
- Prices for the work we have done have gone up annually.
- Each year we put off or reduce the work we believe necessary to ensure that we have enough money to do the basics.
- Most years that leaves us with a little extra at the end because we were conservative on our work until the snow season is over.
- There is work that needs to be done and the current budget just won't allow it.

How to increase the fees?

- The board felt that the current fee structure is far too complicated with 12 different rates, does not recognize the basic reasons for its existence and is unfair related to that purpose (some home owners pay 6 times as much as others and the residents beyond 429 Kings Rd. pay 42% of the total fees but use only 27% (Lots 54-295 Kings including Canal cays, Alben and Keegan pay 23% of fees and use 30%, lot 296-429 pay 35% of fees and use 43%).

Therefore, we struck a committee to review the fee structure from top to bottom. The first step was to look at the

BASIC FACTS

- Kings road and associated branch roads are not owned by the SWGLPOA but their use and the Association controls maintenance.
- Each property has been deeded the right of way to use these roads forever. This was done by the property owners of the time so they could sell lots along the road.
- The property owners who use the road(s) are responsible for any and all upgrades to the roads and their maintenance.
- **Such road(s) upgrades and maintenance contribute to the maintenance and increases in property values (land, cottages and homes). The condition of the road has a significant impact on all property values.**

- The SWGLPOA was formed and is recognized by law under the Societies Act, and is recognized by the HRM Private Road Cost Recovery Program as the body responsible for any of the roadwork noted above.
- A SWGLPOA board is elected annually to oversee the budgeting, cost allocations and arrange for the required work.
- Ultimately the required roadwork may be done by the property owners (i.e. pothole filling, etc....) or contracted out to third parties (snow plowing, grading, etc....).
- **To the extent that the board contracts out work that attracts payments to third parties, these costs need to be allocated to and recovered from the property owners on a fair and equitable basis.**
- Recovery of funds is done through HRM tax collection system based on amounts approved by SWGLPOA in the past.

COMMITTEE OBJECTIVES

- To review the current method of allocating costs to property owners to determine if it is fair and equitable.
- To review the cost sharing approach of other private roads that have been set up with their municipality in Nova Scotia in the same way we have.
- To establish the way costs are incurred along the road that will assist in determining the way they should be shared.
- To review alternate cost sharing alternatives that would offer a fairer and more equitable allocation of costs to the property owners.
- To estimate the future annual costs for road upgrading and maintenance.
- To propose to the board one new cost sharing approach and new rates per property owner that represent the most equitable approach to cost sharing.

RESULTS OF WORK DONE

- The current cost sharing program has been reviewed by the committee and determined to be too complicated as well as inequitable by the committee (It could cost up to \$300 to have your driveway plowed for the year without considering gravel, grading and other work. No one should pay less than this when some are paying over \$1,000). Following is the current cost sharing system:

Annual Fee	Criteria
\$1.00	Vacant land where the owner is paying a fee on another property under this fee schedule, or has a legal exemption.
\$125.00	Vacant or seasonal use property from and including 54 Kings Rd up to but not including 112 Kings Rd., or vacant land on Alben Lane or Canal Cays Drive.
\$150.00	Year round use property on Canal Cays Drive, or from and including 54 Kings Rd up to but not including 112 Kings Rd., with the exception of the property located at 81 Kings Rd (this property is a two unit apartment building).
\$175.00	Vacant or seasonal use property located on Keegan Lane, or from and including 112 Kings Rd up to but not including 515 Kings Rd .
\$285.00	Property located at 515 or 521 Kings Rd which is used seasonally with winter access, or vacant land located beyond 521 Kings Rd to the end of Kings Rd, or on Sleepy Cove Road, Turtle Cove Road, or Twilight Lane.
\$300.00	Year round use property located on Keegan Lane, 81 Kings Rd (this property is a two unit apartment building), or from and including 112 Kings Rd up to but not including 515 Kings Rd.
\$325.00	Seasonal use property located on Alben Lane.
\$375.00	Seasonal use property with winter access located on Alben Lane.
\$395.00	Seasonal use property located beyond 521 Kings Rd to the end of Kings Rd, or on Sleepy Cove Road, Turtle Cove Road, or Twilight Lane.
\$400.00	Year round use property on Alben Lane.
\$895.00	Seasonal use property with winter access located beyond 521 Kings Rd to the end of Kings Rd, or on Sleepy Cove Road, Turtle Cove Road, or Twilight Lane.
\$1,020.00	Year round use property located beyond 521 Kings Rd to the end of Kings Rd, or on Sleepy Cove Road, Turtle Cove Road, or Twilight Lane.

- **Twelve other private road associations that use a cost sharing system that is administered by their municipality have been reviewed with the following conclusions**
 - 1. These associations have 3 rates or less,**
 - 2. None of these associations have rates based on distance.**
 - 3. The longest roads have only 1 rate, that being equal sharing.**
- Based on the costs incurred over the past years, the following conclusion has been drawn regarding the way costs are incurred.
 1. Annual Maintenance Costs are incurred across the full distance of the road relatively equally.
 2. That is to say that it costs relatively the same amount to maintain any 100-meter section along the road from the beginning to the end. Any concerns associated with this issue and snow plowing have been removed by a recent tendering of snow removal. Costs with the new contract will be the same for the whole road,

our costs are by the hour and the conditions for plowing with their equipment was considered by the experienced contractor to be relatively good and the same along the full length of the road (hills a non-issue).

CONCLUSIONS AND RECOMMENDATIONS

- Although there is good reason to consider a single rate system, we have chosen to reduce the number of rates from 12 to 5, that being 3 home rates and separate single rates for land and summer cottages.

#	Rate Classification	Rate
1	Homes on Kings Road from lot 54 up to and including lot 104 & 106, Canal Cays and Commercial	\$300
2	Homes on Alben Lane and Kings Road from lot 112 to 429 & Commercial	\$450
3	Homes beyond 429 Kings Road and Commercial	\$600
4	Summer cottages	\$300
5	Land	\$200

- Homes will be defined as a property that is an insulated building that has been used during the winter from time to time and could be occupied the year around.
- Summer cottages will be defined, as a property that has an uninsulated building that could not be occupied year around.
- Land will be defined as a property that has no livable structure.
- Commercial property is defined by the zoning regulations for our area.
- Where property designation is in question, the BOD and the property owner will together determine its proper status.
- All properties will be assessed according to the rate classification including multiple properties owned by the same person, which had previously been assessed at \$0.00.
- There will be one budget and one financial statement representing all the roads covered by the SWGLPOA and maintenance on all these roads will be done to the same standard (that does not mean that the same work will be done, but that the roads will be maintained as required to reach the same condition and standard of maintenance).
- The current annual fee budget is \$33,745. The proposed 2017/2018-fee budget is \$41,400. This represents a 24% increase over 14 years (as this budget will be in effect until the 2020/2021 year) or a 1.6 % per year increase since the last rate change. Following is a copy of the detailed budget.

SOUTH WEST GRAND LAKE
PROPERTY OWNERS ASSOCIATION
ROAD MAINTENANCE BUDGET 2017-2018

REVENUE	BUDGET
HRM (Road fees)	\$41,400
Other income	\$0
Misc.	\$0
TOTAL	\$41,400
Surplus from 2015-2016	
TOTAL + SURPLUS	\$41,400

EXPENSES	BUDGET
snow plowing	\$9,964
sanding	\$9,222
gravel	\$12,720
grading	\$3,392
potholes	\$1,060
dust control	\$2,756
ditching and road repairs	\$0
office expenses	\$424
contingency fund	\$60
Insurance	\$1,802
other	\$0
TOTAL EXPENSES	\$41,400
SURPLUS	\$0

- We propose a rate review every 3 years in the future where required.
- All future increases will be done equally as they were 11 years ago. The total increase will be divided by the total number of properties (homes, cottages and land), and each property's fees will increase by the same dollar amount. This ensures that the differences between the rates will never increase.
- Major upgrades and rebuilds of bridges will fall outside the responsibility of the Cost Recovery Program.

FINAL COMMENTS

There has been a great deal of time and energy put into this work.

The recommendations represent a lot of give and take and compromise on the part of both the committee and the board.

The result is the unanimous recommendation of the Board of Directors.

There is no right or perfect answer to this issue, but we believe that this recommendation represents the best attempt at simplicity and fairness to all owners that we can bring forward and we certainly hope you will give it your support.

Appendix C

BALLOT FOR PRIVATE ROAD MAINTENANCE TAX

November 14, 2016

OWNER1
OWNER2
MAILINGADDRESS
CITYPROV PC

Assessment # **AAN#**
LEGAL DESCRIPTION

Dear Property Owner:

The Halifax Regional Municipality has been notified by the South West Grand Lake Property Owners Association (SWGLPOA) about a proposed change to their private road maintenance fee schedule. You are being notified as the owner of the above referenced property as it would be affected by this proposed change. The fee is collected on the property tax bills for properties which are accessed by Kings Road in Wellington.

Following is the proposed new fee schedule. Enclosed with this letter is an explanation from the SWGLPOA as to why the new fee schedule is being proposed along with the 2017 road maintenance budget it would fund.

Proposed Road Maintenance Fee Schedule:

#	Rate Classification	Rate
1	Homes and commercial properties on Kings Road from lot 54 up to and including lot 104 & 106, and Canal Cays	\$300
2	Homes and commercial properties on Alben Lane and Kings Road from lot 112 to 429	\$450
3	Homes and commercial properties beyond 429 Kings Road	\$600
4	Summer cottages	\$300
5	Land	\$200

For the above referenced property, the current annual road maintenance fee is *OLD FEE*. Under the proposed new fee schedule, the annual road maintenance fee for this property would be *NEW FEE*.



Halifax Regional Municipality
PO Box 1749, Halifax, Nova Scotia
Canada B3J 3A5

halifax.ca

As required by HRM's Private Road Maintenance Costs Recovery Policy, a meeting of the owners of property accessed by Kings Road will be held to provide additional information, give property owners an opportunity to ask questions or raise concerns, and to vote on the proposal. The meeting will be held:

Tuesday December 6 @ 7:00 p.m.

Grand Lake/Oakfield Fire Hall

22 Lakeside Drive, Grand Lake

If you plan on attending the meeting, please bring the ballot at the bottom of this page with you to vote at the meeting as it uniquely identifies your property by assessment number. Also please bring photo ID with you in case we need to confirm your identify.

If you cannot attend the meeting to vote, you may still vote by proxy. The enclosed proxy form must be fully completed and signed, and must be put forward at the meeting by either the Chairman or a substitute. If your proxy is submitted by a substitute, that person must be *named on the form and be present at the meeting*.

Please note that only one vote will be counted for each property, regardless of whether or not the property is owned by one or more persons.

If at least a simple majority (50%+ 1) of property owners voting either in-person or by proxy at the meeting is in favour of the new road maintenance fee schedule, then it will go into effect starting in 2017 for all properties which are accessed via Kings Road. The charges collected will be turned over to SWGLPOA which is responsible for maintaining the private roads.

Completed ballots and proxy forms will be counted at the above meeting, with the results communicated at the meeting. If you have any questions regarding the process, please contact Barb Wilson at 902-490-4280 or wilsonba@halifax.ca. For other questions, including the maintenance services provided and how the rate classification was determined, please contact your chairman Peter Lewis at 902-861-1541, Mike Barclay at 902-860-0904, John Woodroffe at 902-222-2671 or Jill Hurley at 902-209-9322.

Please note that the voting procedure outlined above is the only means to vote. Ballots and proxy forms must be submitted at the meeting and cannot be submitted by any other means.

-
- YES**, I am in favour of implementing the revised fee schedule for private road maintenance and paying the annual area tax rate for my property.

 - NO**, I am not in favour of revising the current fee schedule and area tax rates for private road maintenance.

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.

Appendix D

South West Grand Lake Property Owners' Association (SWGLPOA)

PROXY NOTICE

I/We, Name & Mailing Address:

Name: _____

Address: _____

AAN No: _____

"Owner" as noted above, being a member of the above-named Association and owner of the property located at address noted above, hereby appoint:

(Name and address of substitute – Please Print)

as my proxy to vote in my name and on my behalf at the special general meeting of this Association to be held on 6 December 2016 at the Grand Lake/Oakfield Fire Hall, Grand Lake NS at 7:00 PM and at any adjournment thereof. If I do not specify a substitute name as my proxy, the Chairman of the meeting is authorized to vote in my name and on my behalf.

This form is to be used in respect of the question noted below:

YES, I am in favour of implementing the revised fee schedule for private road maintenance and paying the annual area tax rate for my property.

NO, I am not in favour of revising the current fee schedule and area tax rates for private road maintenance.

** Please mark an **X** in the appropriate Vote box above to indicate if, and how, you wish your proxy to vote on the resolution. Please note that unless otherwise instructed, the proxy may vote as he or she thinks fit or abstain from voting. Only one vote will be counted for each property, regardless of whether or not the property is owned by one or more persons.

Signed _____ this ____ day of _____ 2016

For this proxy form to be valid, it must be signed by the owner of the property specified on this form. If the property is owned by more than one person, the signature of at least one owner is required.