

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

**SUBMITTED BY:**

Original Signed by 

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Jacques Dubé, Chief Administrative Officer

**DATE:** April 5, 2022

**SUBJECT:** 2022-23 Budget Area-rated Services and Amendments to 2018-003-ADM and 2019-005 ADM

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## **ORIGIN**

This is the staff report recommending tax rates to be approved for all area rated services for the fiscal year 2022-23. This includes Community Area Rates, Private Road Area Rates, and Business Improvement Districts (BIDS). This report also includes proposed amendments to Administrative Order 2018-003-ADM, *Respecting Private Road Maintenance*, and Administrative Order 2019-005-ADM, *Respecting the Establishment and Use of Community Area Rates in the Halifax Regional Municipality*.

September 28, 2021 Regional Council motion (item 15.1.5):

MOVED by Councillor Lovelace, seconded by Councillor Russell

THAT Halifax Regional Council direct the Chief Administrative Officer to draft an amendment to Schedule 6 of Administrative Order 2018-003-ADM to expand the rate to all properties fronting or abutting in whole or in part the private roads located in the St. Margaret's Village sub-division.

MOTION PUT AND PASSED.

## **LEGISLATIVE AUTHORITY**

*Halifax Regional Municipality Charter* (Charter), clauses 35(1)(b), and 79A (1)(a), and subsections 96 (1), (2), (3), and (5).

35 (1) The Chief Administrative Officer shall...  
(b) ensure that an annual budget is prepared and presented to the Council.

79A (1) Subject to subsections (2) to (4), the Municipality may only spend money for municipal purposes if

- (a) the expenditure is included in the Municipality's operating budget or capital budget or is otherwise authorized by the Municipality
- 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.
- (2) The Council may recover annually from the area the amount required or as much of that sum as the Council considers advisable to collect in any one fiscal year by an area rate of so much on the dollar on the assessed value of the taxable property or occupancy assessments in the area.
- (3) The Council may provide:
- (a) a subsidy for an area rate from the general rate in the amount proportion approved by the Council;
- (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.

*Private Road Maintenance Cost Recovery Administrative Order (2018-003-ADM) subsections 16 (1), and (2), as follows:*

16. (1) The requirement for a meeting of the property owners may be waived where, in the opinion of Council, a meeting is not in the best interest of the property owners affected, or a meeting is unreasonable in the circumstances.
- (2) Before Council determines whether to waive the public meeting, a staff report may be prepared listing the reasons for the request of the waiver.

*Business Improvement District Administrative Order, sections 4 and 5, as follows:*

4. The amount of money Regional Council, from time to time, provides to carry out those activities set out in section 70 of the *Halifax Regional Municipality Charter*, S.N.S. 2008, c. 39, as amended, will be recovered by means of an area rate.
5. The area rate will be set annually by resolution of the Regional Council pursuant to the *Halifax Regional Municipality Charter*.

## **RECOMMENDATION**

It is recommended that Halifax Regional Council:

1. Approve the attached Resolution to approve Area Rates and Uniform Charges for fiscal year 2022/2023, as well as the Schedules of Area Tax Rates and Budgeted Revenues as set out in Appendix A and Appendix C to this report.
2. Adopt the amendments to Administrative Order 2018-003-ADM, *Respecting Private Road Maintenance*, and Administrative Order 2019-005-ADM, *Respecting the Establishment and Use of Community Area Rates in the Halifax Regional Municipality*, as set out in Appendix H to this report.

## **BACKGROUND**

In addition to the general rates of taxation the Halifax Regional Municipality determines area tax rates and uniform charges for services provided outside the general tax rates. The Charter requires Council to formally set these rates.

## **DISCUSSION**

Staff have completed the necessary calculations to determine the area tax rates required to support the budgeted operating costs for services not included in the general rate. For ease of reference, Appendix C includes for each area rated service:

- a. the total proposed operating budget for 2022-23 with the 2021-22 budget for comparison,
- b. all sources of property tax revenue (residential, resource and commercial), and
- c. the proposed area rates with the prior year's rates for comparison

### **Area Rates for Community Facilities & Services and Private Infrastructure**

There are 37 area rates for which budgets are included in Appendix C and Appendix D of this report. Of the thirty-seven area rates, one rate pertains to sidewalks, three pertain to private infrastructure, fifteen area rates pertain to Community Facilities & Services, and eighteen area rates pertain to private roads.

### **Business Improvement Districts**

All nine Business Improvement Districts (BIDs) are proposing to maintain their current area rates for the 2022-23 fiscal year. The minimum charge per assessment account are also remaining the same for all BIDs. They are summarized in in Appendix E of this report.

A comprehensive summary of Community and Private Road Area Rates, as well as BIDs are included in this budget resolution as set out in Appendix C, D, and E of this report.

Staff are currently in the process of updating our website as it relates to area rates to provide additional detail, information, and documentation which can be publicly accessed at all times. Once completed, all 2022/23 business cases for active community area rates will be available through the new community area rate website through hyperlink at the following location: <https://www.halifax.ca/home-property/property-taxes>.

The annual funding for community area rate associations will not be released to the association and will remain on hold with HRM until such time that the association provide a copy of the prior year financial statements including a full accounting for the funds received and expended from the rate, the fully completed and approved business plan and budgets for the 2022/23 fiscal year approved by majority vote at an AGM, a copy of the minutes from the AGM where the approval was recorded, and updated contribution agreement with HRM if required. If a community area rate association is requesting capital work in their business plan, it will be remitted to Parks and Recreation for evaluation and final approval before the funding is committed.

### **Administrative Order Amendments**

The purpose of the proposed amendments to Administrative Order 2018-003-ADM, *Respecting Private Road Maintenance* are to increase the area rate of The Rutter Court Residents Association and The South West Grand Lake Property Owner's Association as approved by majority vote of membership, and to amend the catchment area of the St. Margaret's Village Community Association area rate.

The purpose of the proposed amendments to Administrative Order 2019-005-ADM, *Respecting the Establishment and Use of Community Area Rates in the Halifax Regional Municipality* is to allow for council approval of community area rates where not all finalized business plans have been received. This is designed to provide a higher level of customer service to community associations by allowing those associations that have provided the required reporting to access their funds once Council approves this report, as opposed to waiting until later in the year when all associations have finalized their business plans and then seeking Council approval. There are several associations that have not yet finalized their business plans due to a combination of COVID-19 restrictions and the subsequent lifting of the provincial state of emergency allowing for return to late spring in person AGM's. This change allows Council to approve the rates so staff can release funds to compliant organizations and to hold funding to the organizations that have not yet provided the required reporting. Funding will not be released to the association until all required documentation has been received, including financial statements, AGM minutes, and finalized business plan and itemized budget.

Staff began consulting with all associations in October 2021 and where associations indicated they would be requesting a rate change, staff worked with the association on the voting process. Accordingly, all anticipated rate changes are included in this report.

In prior years, the area rate and BID budgets were brought to Council for approval in June or July. This meant that associations had to wait until Council approved the report in June or July before their funds could be released to them. This created unnecessary hardship for certain organizations who had incurred expenses before the funds could be released. Beginning next fiscal year (2023/24), staff are proposing that the area rate and BID budgets be included with the main budget report that is approved by Council in April. This will permit associations that submit their required reporting to access their funds sooner. The proposed process is to change the timing to begin annual consultations with the Associations in September of each year. If the association anticipates a rate change staff will assist with required voting procedures with the intention of having the vote held and finalized by the following January so the revised rate can be included in the report approved by Council in April.

Finance and Parks and Recreation staff have engaged to review the timeline and process for community area rate business plans which contain capital project proposals and will be providing a staff report on this matter at a future date.

Please note, capital expenditures are not permitted under the private road area rate Administrative Order.

A full area rate year-over-year change summary, as well as a complete explanation of the purpose of the amendments to Administrative Order 2018-003-ADM, *Respecting Private Road Maintenance* and Administrative Order 2019-005-ADM, *Respecting the Establishment and Use of Community Area Rates in the Halifax Regional Municipality*, have been provided in detail within the attachment Appendix B and contained within the attachment Appendix H of this report respectively.

### **St. Margaret's Village**

On January 21, 2021, Regional Council requested a staff report to consider the proposed amendments to Schedule 6 (St. Margaret's Village) of Administrative Order 2018-003-ADM and apply the Uniform Charge to all properties in the sub-division as submitted by the St. Margaret's Village Community Association. This was a result of the association expressing concern that the number of reasonable and required projects required in the future has presented them with significant financial obligations.

At the September 28, 2021, Regional Council meeting, Council discussed and defeated the recommendation provided in the staff report unanimously. Council motioned to support alternative 2 as provided in the staff report which was passed unanimously. Alternative 2 states that Regional Council direct the Chief Administrative Officer to draft an amendment to Schedule 6 of Administrative Order 2018-003-ADM to expand the rate to all properties fronting or abutting in whole or in part of the private roads located

in the St. Margaret's Village sub-division. The amendment will add an additional 134 properties which will be subject to the uniform charge of no more than \$450 annually, increasing the area rate to 244 properties. This amendment to Administrative Order 2018-003-ADM, *Respecting Private Road Maintenance* is included within the attachment Appendix H of this report.

### **White Hills Residents Association**

The community area rate of the White Hills Residents Association was set to \$0 in fiscal year 2020 after the association requested that the rate be suspended, as the current board were all stepping down. The rate remained at \$0 in fiscal year 2021 as no contact was made with a new Board of Directors. In March 2022, staff were able to contact the Chair of the White Hills Residents Association, who confirmed in writing their desire to reinstate the area rate which had been previously established. Since then, the association has failed to meet numerous deadlines as communicated by staff to submit a preliminary business plan to justify reinstating the rate for fiscal 2022/23. To provide the association with sufficient time to re-establish their mandate and to formally provide instruction to re-instate the rate via an approved business plan, it is recommended the rate be set to zero for the 2022/23 fiscal year.

### **FINANCIAL IMPLICATIONS**

The area rates and uniform charges, as recommended, are sufficient to support the current level of service contained within the budgets of the respective area rated services. The total area rate revenue recommended for approval in this report for 2022-23 is \$4,336,940 including Payment in Lieu of Tax (PILT) for the Business Improvement Districts (PILT amounts shown in Appendix E of this report). The revised private road uniform charges as noted and summarized in Appendix C and D of this report, would take effect in the 2022-23 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.

### **RISK CONSIDERATION**

As with all property taxes, HRM may impose a lien on properties for which area rate or uniform charges are past due. Therefore, the risk of not being able to collect these taxes is minimized.

### **COMMUNITY ENGAGEMENT**

Where required, community consultation took place in accordance with Administrative Order 2018-003-ADM, *Respecting Private Road Maintenance*, and 2019-005-ADM, *Respecting the Establishment and Use of Community Area Rates in the Halifax Regional Municipality*.

### **ENVIRONMENTAL IMPLICATIONS**

No environmental implications were identified.

### **ALTERNATIVES**

THAT Halifax Regional Council:

1. Approve some area rates and uniform charges and defer other pending additional information.

2. Adopt the amending Administrative Order with modifications. This may require a subsequent report for Council's consideration depending on the extent of the changes Council directs.
3. Refuse the proposed amendments to Administrative Order 2018-003-ADM and Administrative Order 2019-005-ADM.

### **ATTACHMENTS**

Appendix A: Resolution to Approve Area Rates for Fiscal Year 2022-23

Appendix B: Area Rate Change Summary Report

Appendix C: Schedule of Area Tax Rates and Uniform Charges

Appendix D: Summary of Budgeted Expenditures & Revenues Area Rated Services 2022-23

Appendix E: Summary of Budgeted Business Improvement District Area Rates 2022-23

Appendix F: Showing Proposed Changes to 2018-003-ADM

Appendix G: Showing Proposed Changes to 2019-005-ADM

Appendix H: Amendments to Administrative Orders 2018-003-ADM and 2019-005-ADM

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Daniel Freeman, Senior Financial Consultant, Finance & Asset Management, 902.399.8397

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## **Appendix A**

### ***HALIFAX REGIONAL MUNICIPALITY***

### **Proposed 2022-23 Area Rates & Uniform Charges**

#### ***RESOLUTION to Approve Area Rates for Fiscal 2022/23***

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It is hereby resolved that:

- a) Area rates and uniform charges shall be set on taxable residential, resource, and commercial assessment, as per the attached **Schedule of Area Tax Rates**.

# **Appendix B**

## **Area Rate Change Summary Report**

### **Community Area Rate Business Plan and Administrative Order Change Summary**

The purpose of the proposed amendments to Administrative Order 2019-005-ADM, Respecting the Establishment and Use of Community Area Rates in the Halifax Regional Municipality is to allow for council approval of community area rates where not all finalized business plans have been received. This is designed to provide a higher level of customer service to community associations by allowing those associations that have provided the required reporting to access their funds once Council approve this report, as opposed to waiting until later in the year when all associations have finalized their business plans and then seeking Council approval. There are several associations that have not yet finalized their business plans due to a combination of COVID-19 restrictions and the subsequent lifting of the provincial state of emergency allowing for return to late springtime in person AGM's. This change allows Council to approve the rates so staff can release funds to compliant organizations, and hold funding to the organizations that have not yet provided the required reporting. Funding will not be released to the association until all required documentation has been received, including financial statements, AGM minutes, and finalized business plan and itemized budget.

In prior years, the area rate and BID budgets were brought to Council for approval in June or July. This meant that associations had to wait until Council approved the report in June or July before their funds could be released to them. This created unnecessary hardship for certain organizations who had incurred expenses before the funds could be released. Beginning next fiscal year (2023/24), staff are proposing that the area rate and BID budgets be included with the main budget report that is approved by Council in April. This will permit associations that submit their required reporting to access their funds sooner. The proposed process is to change the timing to begin annual consultations with the Associations in September of each year. If the association anticipates a rate change staff will assist with required voting procedures with the intention of having the vote held and finalized by the following January.

Finance and Parks and Recreation staff have engaged to review the timeline and process for community area rate business plans which contain capital project proposals, and will be providing a staff report on this matter at a future date.

Staff are currently in the process of updating our website as it relates to area rates to provide additional detail, information, and documentation which can be publicly accessed at all times. Once completed, all 2022/23 business cases for active community area rates will be available through the new community area rate website through hyperlink at the following location: <https://www.halifax.ca/home-property/property-taxes>.

The annual funding for community area rate associations will not be released to the association, and will remain on hold with HRM until such time that the association provide a copy of the prior year financial statements including a full accounting for the funds received and expended from the rate, the fully completed and approved business plan and budgets for the 2022/23 fiscal year approved by majority vote at an AGM, a copy of the minutes from the AGM where the approval was recorded, and updated



contribution agreement with HRM if required. If a community area rate association is requesting capital work in their business plan, it will be remitted to Parks and Recreation for evaluation and final approval before the funding is committed.

### **White Hills Residents Association**

The community area rate of the White Hills Residents Association was set to \$0 in fiscal year 2020 after the association requested that the rate be suspended, as the current board were all stepping down. The rate remained at \$0 in fiscal year 2021 as no contact was made with a new board of directors. In March 2022 staff were able to contact the chair of the White Hills Residents Association, who confirmed in writing their desire to reinstate the area rate which had been previously established. Since then, the association has failed to meet numerous deadlines as communicated by staff to submit a preliminary business plan to justify reinstating the rate for fiscal 2022/23. To provide the association with sufficient time to re-establish their mandate and to formally provide instruction to re-instate the rate via an approved business plan, it is recommended the rate be set to zero for the 2022/23 fiscal year.

### **Private Road Maintenance Rate and Administrative Order Change Summary**

1. On January 21, 2021, Regional Council requested a staff report to consider the proposed amendments to Schedule 6 (St. Margaret's Village) of Administrative Order 2018-003-ADM and apply the Uniform Charge to all properties in the sub-division as submitted by the St. Margaret's Village Community Association. This was as a result of the association expressing concern that the number of reasonable and required maintenance expenditures required have significant financial obligations. (Please note, none of the expenditures will be for capital. Private road area rates are not permitted to be used for capital projects). In the September 28, 2021 report to Regional Council, a recommendation and three alternatives were presented. Council motioned to support alternative 2 as provided in the staff report which was passed unanimously. Alternative 2 states that Regional Council direct the Chief Administrative Officer to draft an amendment to Schedule 6 of Administrative Order 2018-003-ADM to expand the rate to all properties fronting or abutting in whole or in part of the private roads located in the St. Margaret's Village sub-division. The amendment will add an additional 134 properties which will be subject to the uniform charge of no more than \$450 annually; increasing the area rate to 244 properties. Schedule 6, clause (1) of Administrative Order 2018-003-ADM, *Respecting Private Road Maintenance* will be amended to reflect the required change.
2. The Kelly Point Lot Owners Association requested to increase their uniform charge for their private road maintenance fee from \$600 per property to \$700 per property due to an increase in cost of road maintenance expenditures. A special AGM was held in August 2021 and the matter was presented and voted on. Since this increase is within the approved rate limit there is no vote required through HRM for the increase. This increase is within their approved maximum Uniform Charge of \$700 annually outlined in Schedule 15, clause (1) of Administrative Order 2018-003-ADM, *Respecting Private Road Maintenance*, therefore no amendments to the Administrative Order are required.
3. The Rutter Court Residents Association requested to increase their uniform charge for their private road maintenance fee from \$350 per property to \$450 per property due to an increase

in cost of road maintenance expenditures. This increase request was communicated via information letter with accompanied voting ballot by HRM to all rate paying members of the association. A public meeting was held on February 18 to communicate the proposal and take questions from residents. Voting ballots were accepted by HRM for up to 7 days following the public meeting. The result of the vote was 100% of ballots cast voting “yes” in favour of the proposal which successfully achieved the required majority approval. Schedule 7, clause (1) of Administrative Order 2018-003-ADM, *Respecting Private Road Maintenance* will be amended to reflect the required change.

4. The South West Grand Lake Property Owner's Association requested to increase their uniform charge fee schedule for their private road maintenance fee by \$150 per property due to an increase in cost of road maintenance expenditures. This increase request was communicated via information letter with accompanied voting ballot by HRM to all rate paying members of the association. A public meeting was held on February 15 to communicate the proposal and take questions from residents. Voting ballots were accepted by HRM for up to 7 days following the public meeting. The result of the vote was 62% of ballots cast voting “yes” in favour of the proposal which successfully achieved the required majority approval. Schedule 4A, clause (1, 2) of Administrative Order 2018-003-ADM, *Respecting Private Road Maintenance* will be amended to reflect the required change.

## Appendix C

HRM 2022-23

<b>Schedule of Area Tax Rates and Uniform Charges</b>	<b>Residential and Resource Rate</b>		<b>Commercial Rate</b>	
<b>Sidewalks</b>				
Sheet Hbr & Area Streetscape Program (per property; not applicable to Resource)	\$5/\$15/\$25	Tiered	\$5/\$15/\$25	Tiered
<b>Community Facilities &amp; Services</b>				
Frame Subdivision Homeowners' Association (flat fee per residential property)	\$45.00	Flat Fee		n/a
Glen Arbour Homeowners Association (flat fee per property)	\$65.00	Flat Fee	\$65.00	Flat Fee
Haliburton Highbury Homeowners		0.0230		n/a
Highland Park Ratepayers Association		0.0050		n/a
Kingswood Ratepayers Association (flat fee per property)	\$50.00	Flat Fee	\$50.00	Flat Fee
Maplewood Village Ratepayers Association (flat fee per property)	\$0.00	Flat Fee	\$0.00	Flat Fee
Mineville Community Association (flat fee per property)	\$20.00	Flat Fee	\$20.00	Flat Fee
Musquodoboit Harbour & Area Chamber of Commerce & Civic Affairs		0.0050		n/a
Prospect Road and Area Recreation Association		0.0120		n/a
Sackville Heights Community & Cultural Centre		0.0100		0.0100
Silversides Residents Association (flat fee per property)	\$100.00	Flat Fee	\$100.00	Flat Fee
St Margaret's Village at Fox Hollow Homeowners Association (flat fee per property)	\$60.00	Flat Fee	\$60.00	Flat Fee
Three Brooks Homeowners Association (flat fee per property)	\$60.00	Flat Fee		n/a
Westwood Hills Residents Association (flat fee per property)	\$50.00	Flat Fee	\$50.00	Flat Fee
White Hills Residents Association (flat fee per property)	\$0.00	Flat Fee	\$0.00	Flat Fee
<b>Private Infrastructure</b>				
Ketch Harbour Area Residents Association (flat fee per dwelling)	\$66.67	Flat Fee		n/a
Grand Lake Oakfield Community Centre		0.021		n/a
LWF Ratepayer's Association (Urban Core)		0.030		n/a
<b>Business Improvement Districts</b>				
Downtown Dartmouth Business Commission		n/a		0.3600
Downtown Halifax Business Commission		n/a		0.0910
Main Street Dartmouth & Area Business Improvement Assoc		n/a		0.1950
North End Business Association		n/a		0.1600
Quinpool Road Mainstreet District Associati		n/a		0.2200
Sackville Business Association		n/a		0.1500
Spring Garden Area Business Association		n/a		0.3400
Spryfield & District Business Commission		n/a		0.2900
Porters Lake		n/a		0.1000
<b>Private Road Maintenance Fees</b>				
Black's Subdivision Ratepayer's Association (flat fee per property)	Up to \$150	Flat Fee	Up to \$150	Flat Fee
BV Homeowners Society (flat fee per property)	Up to \$600	Flat Fee	Up to \$600	Flat Fee
Cambrian's Cove Homeowners' Association (flat fee per property)	Up to \$680	Flat Fee	Up to \$680	Flat Fee
Jenna Lane Home Owner's Association (flat fee per property)	\$625.00	Flat Fee	\$625.00	Flat Fee
Kelly Point Lot Owners Association (flat fee per property)	\$700.00	Flat Fee	\$700.00	Flat Fee
Mariner's Anchorage Resident's Association (flat fee per property)	\$300.00	Flat Fee	\$300.00	Flat Fee
Petpeswick Drive Improvement Society (flat fee per property)	\$300.00	Flat Fee	\$300.00	Flat Fee
Range Road Land Owner's Association (flat fee per property)	\$150.00	Flat Fee	\$150.00	Flat Fee
Redoubt Head Homeowner's Association (flat fee per property)	\$500.00	Flat Fee	\$500.00	Flat Fee
River Bend Rd & River Court Homeowner's Association (flat fee per property)	Up to \$350	Flat Fee	Up to \$350	Flat Fee
Rutter Court Residents Association (flat fee per property)	\$450.00	Flat Fee	\$450.00	Flat Fee
Sambro Head Lot Owner's Association: Bald Rock Rd (flat fee per property)	\$385.33	Flat Fee	\$385.33	Flat Fee
St. Margaret's Bay Heights Subdivision (flat fee per property)	\$280.00	Flat Fee	\$280.00	Flat Fee
St. Margaret's Village Community Association (flat fee per dwelling)	\$450.00	Flat Fee	\$450.00	Flat Fee
Shag End Lot Owner's Association (flat fee per property)	\$900.00	Flat Fee	\$900.00	Flat Fee
Shiloh and Karla Drive Road Association (flat fee per property)	\$700.00	Flat Fee	\$700.00	Flat Fee
South West Grand Lake Property Owner's Association (flat fee per property)	Flat Fee Schedule		Flat Fee Schedule	
Three Brooks Homeowner's Association (flat fee per property)	\$450.00	Flat Fee	\$450.00	Flat Fee

## Appendix D

### SUMMARY OF BUDGETED EXPENDITURES & REVENUES AREA RATED SERVICES FOR 2022-23 HALIFAX REGIONAL MUNICIPALITY

	2021-22 Approved Budget	% Change 2021-22 to 2022-23	2022-23 Proposed Budget	Total Area Rate Revenue	4201 Residential Area Rate Revenue	4206 Resource Area Rate Revenue	4202 Commercial Area Rate Revenue	2020-21 Approved Residential Area Rate	2021-22 Proposed Residential Area Rate	Increase or -Decrease in Area Rate
<b>Community Facilities &amp; Services</b>										
Frame Subdivision Homeowners' Association	3,700	2.2%	3,780	3,780	3,780	0	0	\$45.00 Flat Fee	\$45.00 Flat Fee	No Change
Glen Arbour Homeowners Association	21,500	0.4%	21,580	21,580	21,580	0	0	\$65.00 Flat Fee	\$65.00 Flat Fee	No Change*
Haliburton Highbury Homeowners	54,000	3.1%	55,700	55,700	55,700	0	0	0.023	0.023	No Change
Highland Park Ratepayers Association	10,400	2.9%	10,700	10,700	10,700	0	0	0.005	0.005	No Change
Kingswood Ratepayers Association	67,700	-0.2%	67,550	67,550	67,550	0	0	\$50.00 Flat Fee	\$50.00 Flat Fee	No Change
Maplewood Village Residents Association	0	N/A	0	0	0	0	0	\$0.00 Flat Fee	\$0.00 Flat Fee	Rate Suspended
Mineville Community Association	11,200	0.0%	11,200	11,200	11,200	0	0	\$20.00 Flat Fee	\$20.00 Flat Fee	No Change
Musquodoboit Harbour & Area Chamber of Commerce & Civic Affairs	11,800	4.2%	12,300	12,300	11,800	500	0	0.005	0.005	No Change*
Prospect Road and Area Recreation Association	98,500	5.3%	103,700	103,700	102,100	1,600	0	0.012	0.012	No Change*
Sackville Heights Community & Cultural Centre	289,300	5.7%	305,920	305,920	274,820	400	30,700	0.010	0.010	No Change*
Silversides Residents Association	16,300	0.0%	16,300	16,300	16,300	0	0	\$100.00 Flat Fee	\$100.00 Flat Fee	No Change
St Margaret's Village at Fox Hollow Homeowners Association	6,200	-0.3%	6,180	6,180	6,180	0	0	\$60.00 Flat Fee	\$60.00 Flat Fee	No Change
Three Brooks Homeowners Association	9,600	5.0%	10,080	10,080	10,080	0	0	\$60.00 Flat Fee	\$60.00 Flat Fee	No Change*
Westwood Hills Residents Association	35,500	1.0%	35,850	35,850	35,850	0	0	\$50.00 Flat Fee	\$50.00 Flat Fee	No Change*
White Hills Residents Association	0	N/A	0	0	0	0	0	\$0.00 Flat Fee	\$0.00 Flat Fee	Rate Suspended
<b>Private Infrastructure</b>										
Ketch Harbour Area Residents Association	10,900	-0.4%	10,860	10,860	10,860	0	0	\$66.67 Flat Fee	\$66.67 Flat Fee	No Change
Grand Lake Oakfield Community Centre	25,900	5.0%	27,200	27,200	27,000	200	0	0.021	0.021	No Change*
LWF Ratepayers Association	213,700	7.0%	228,600	228,600	228,300	300	0	0.030	0.030	No Change*
<b>Sidewalks</b>										
Sheet Harbour & Area Streetscape Program	43,000	0.6%	43,260	43,260	43,260	0	0	\$5/\$15/\$25 Tiered	\$5/\$15/\$25 Tiered	No Change*

## Appendix D

### SUMMARY OF BUDGETED EXPENDITURES & REVENUES AREA RATED SERVICES FOR 2022-23 HALIFAX REGIONAL MUNICIPALITY

	2021-22 Approved Budget	% Change 2021-22 to 2022-23	2022-23 Proposed Budget	Total Area Rate Revenue	4201 Residential Area Rate Revenue	4206 Resource Area Rate Revenue	4202 Commercial Area Rate Revenue	2020-21 Approved Residential Area Rate	2021-22 Proposed Residential Area Rate	Increase or -Decrease in Area Rate
<b>Business Improvement Districts</b>										
Downtown Dartmouth Business Commission	352,300	4.6%	368,400	368,400	0	0	368,400	0.360	0.360	No Change
Downtown Halifax Business Commission	1,320,900	-5.9%	1,243,100	1,243,100	0	0	1,243,100	0.091	0.091	No Change
Main Street Dartmouth & Area Business Improvement Assoc	138,000	2.8%	141,900	141,900	0	0	141,900	0.195	0.195	No Change
North End Business Association	217,600	7.9%	234,800	234,800	0	0	234,800	0.160	0.160	No Change
Quinpool Road Mainstreet District Association	198,500	-2.0%	194,600	194,600	0	0	194,600	0.220	0.220	No Change
Sackville Business Association	216,300	2.1%	220,800	220,800	0	0	220,800	0.150	0.150	No Change
Spring Garden Area Business Association	420,000	-7.4%	388,900	388,900	0	0	388,900	0.340	0.340	No Change
Spryfield & District Business Commission	102,600	5.4%	108,100	108,100	0	0	108,100	0.290	0.290	No Change
Porters Lake	10,500	-1.0%	10,400	10,400	0	0	10,400	0.100	0.100	No Change
<b>Private Road Maintenance Fees</b>										
Black's Subdivision Ratepayer's Association	4,275	3.4%	4,420	4,420	4,420	0	0	Up to \$150 Flat Fee	Up to \$150 Flat Fee	No Change*
BV Homeowners Society	7,800	7.7%	8,400	8,400	7,800	0	0	Up to \$600 Flat Fee	Up to \$600 Flat Fee	No Change*
Cambrian's Cove Homeowners' Association	38,800	1.6%	39,440	39,440	39,440	0	0	Up to \$680 Flat Fee	Up to \$680 Flat Fee	No Change*
Jenna Lane Home Owner's Association	5,000	0.0%	5,000	5,000	5,000	0	0	\$625.00 Flat Fee	\$625.00 Flat Fee	No Change
Kelly Point Lot Owners Association	40,800	18.4%	48,300	48,300	48,300	0	0	\$600.00 Flat Fee	\$700.00 Flat Fee	Increase \$100.00
Mariner's Anchorage Resident's Association	12,900	0.0%	12,900	12,900	12,900	0	0	\$300.00 Flat Fee	\$300.00 Flat Fee	No Change
Petpeswick Drive Improvement Society	5,400	0.0%	5,400	5,400	5,400	0	0	\$300.00 Flat Fee	\$300.00 Flat Fee	No Change
Range Road Land Owner's Association	3,750	0.0%	3,750	3,750	3,750	0	0	\$150.00 Flat Fee	\$150.00 Flat Fee	No Change
Redoubt Head Homeowner's Association	5,000	0.0%	5,000	5,000	5,000	0	0	\$500.00 Flat Fee	\$500.00 Flat Fee	No Change
River Bend Rd & River Court Homeowner's Association	8,400	0.0%	8,400	8,400	8,400	0	0	Up to \$350 Flat Fee	Up to \$350 Flat Fee	No Change
Rutter Court Residents Association	4,600	27.2%	5,850	5,850	5,850	0	0	\$350.00 Flat Fee	\$450.00 Flat Fee	Increase \$100.00
Sambro Head Lot Owner's Association: Bald Rock Rd	5,780	0.0%	5,780	5,780	5,780	0	0	\$385.33 Flat Fee	\$385.33 Flat Fee	No Change

## Appendix D

### SUMMARY OF BUDGETED EXPENDITURES & REVENUES AREA RATED SERVICES FOR 2022-23 HALIFAX REGIONAL MUNICIPALITY

	2021-22 Approved Budget	% Change 2021-22 to 2022-23	2022-23 Proposed Budget	Total Area Rate Revenue	4201		4202	2020-21	2021-22	Increase or -Decrease in Area Rate
					Residential Area Rate Revenue	4206 Resource Area Rate Revenue	Commercial Area Rate Revenue	Approved Residential Area Rate	Proposed Residential Area Rate	
St. Margaret's Bay Heights Subdivision	12,040	0.0%	12,040	12,040	12,040	0	0	\$280.00 Flat Fee	\$280.00 Flat Fee	No Change
St. Margaret's Village Community Association	49,500	121.8%	109,800	109,800	109,800	0	0	\$450.00 Flat Fee	\$450.00 Flat Fee	No Change*
Shag End Lot Owner's Association	65,700	0.0%	65,700	65,700	65,700	0	0	\$900.00 Flat Fee	\$900.00 Flat Fee	No Change
Shiloh and Karla Drive Road Association	11,200	0.0%	11,200	11,200	11,200	0	0	\$700.00 Flat Fee	\$700.00 Flat Fee	No Change
South West Grand Lake Property Owner's Association	41,800	41.7%	59,250	59,250	59,250	0	0	\$450.00 Schedule	\$450.00 Schedule	Increase
Three Brooks Homeowner's Association	44,550	0.0%	44,550	44,550	44,550	0	0	\$450.00 Flat Fee	\$450.00 Flat Fee	No Change

\* Additional properties included in 2022/23 proposed budget

## Appendix E

### Summary of Budgeted Business Improvement District Area Rates for 2022-23 \*

#### Halifax Regional Municipality

	Downtown Dart	Downtown Hfx	Dart Main St	North End Hfx	Quinpool	Sackville	Spring Grdn Rd	Spryfield	Porters Lake
4202 Area Rate Commercial	\$350,960	\$1,119,500	\$141,900	\$227,300	\$194,600	\$217,300	\$370,900	\$108,100	\$10,400
4601 Grants in Lieu - Federal	\$16,900	\$13,600	\$0	\$0	\$0	\$2,300	\$18,000	\$0	\$0
4602 Grants in Lieu - Provincial	\$540	\$65,900	\$0	\$7,500	\$0	\$1,200	\$0	\$0	\$0
4605 Grants in Lieu - Halifax Port	\$0	\$38,900	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4607 Grants in Lieu - Via Rail	\$0	\$5,200	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Area Rate Revenue*:</b>	<b>\$368,400</b>	<b>\$1,243,100</b>	<b>\$141,900</b>	<b>\$234,800</b>	<b>\$194,600</b>	<b>\$220,800</b>	<b>\$388,900</b>	<b>\$108,100</b>	<b>\$10,400</b>
<b>2021/22</b>									
Minimum per property	\$300	\$300	\$250	\$350	\$300	\$200	\$250	\$300	\$300
Maximum per property	No Cap	No Cap	No Cap	\$10,000	\$20,000	\$7,000	\$18,000	\$10,000	\$3,000
Commercial Rate	\$0.3600	\$0.0910	\$0.1950	\$0.1600	\$0.2200	\$0.1500	\$0.3400	\$0.2900	\$0.1000
<b>2022/23</b>									
Minimum per property	\$300	\$300	\$250	\$350	\$300	\$200	\$250	\$300	\$300
Maximum per property	No Cap	No Cap	No Cap	\$10,000	\$20,000	\$7,000	\$18,000	\$10,000	\$3,000
Commercial Rate	\$0.3600	\$0.0910	\$0.1950	\$0.1600	\$0.2200	\$0.1500	\$0.3400	\$0.2900	\$0.1000
<b>Increase / (Decrease)</b>									
Minimum per property	unchanged	unchanged	unchanged	unchanged	unchanged	unchanged	unchanged	unchanged	unchanged
Maximum per property	unchanged	unchanged	unchanged	unchanged	unchanged	unchanged	unchanged	unchanged	unchanged
Commercial Rate	unchanged	unchanged	unchanged	unchanged	unchanged	unchanged	unchanged	unchanged	unchanged

\* Detailed budgets are available upon request.

**HALIFAX REGIONAL MUNICIPALITY  
ADMINISTRATIVE ORDER 2018-003-ADM  
RESPECTING PRIVATE ROAD MAINTENANCE**

**BE IT RESOLVED** as an Administrative Order of the Council of the Halifax Regional Municipality, as follows:

**WHEREAS** the Municipality is committed to facilitating public streets access for residents of the Municipality whose principal residences are accessed from private roads which do not form part of the street system of the Municipality;

**AND WHEREAS** facilitating the maintenance of private roads is a service that provides for safety and long-term usability of private roads situated on privately owned land;

**AND WHEREAS**, pursuant to clause 79(1)(ab) of the HRM Charter, the Municipality may expend funds for work on private roads ;

**AND WHEREAS**, pursuant to section 104 of the HRM Charter, the Municipality may make by-laws imposing, fixing and providing methods of enforcement of charges for maintaining private roads, curbs, sidewalks, gutters, bridges, culverts and retaining walls that are associated with private roads where the cost is incurred by the Municipality or under an agreement between the Municipality and a person;

**AND WHEREAS** Council may levy an area rate or uniform charge pursuant to section 96 of the HRM Charter;

**Short Title**

1. This Administrative Order may be cited as the *Private Road Maintenance Cost Recovery Administrative Order*.

**Interpretation**

2. **In this Administrative Order;**

- (a) **“area rate” means an area rate set pursuant to subsection 96(2) of the HRM Charter;**
- (b) **“Association” means a Property Owner’s Association incorporated as a society pursuant to the *Societies Act*; 1989 R.S.N.S., c. 42, as amended;**
- (c) **“By-law” means By-law P-1100, the *Private Road Maintenance By-law*;**
- (d) **“Council” means the Council of the Municipality;**
- (e) **“Director” means the director of the department of the Municipality responsible for administering private roads, and includes a person acting under the supervision and direction of the Director;**
- (f) **“HRM Charter” means the *Halifax Regional Municipality Charter*, 2008 S.N.S. c. 39, as amended;**
- (g) **“Municipality” means the Halifax Regional Municipality;**
- (h) **“private road maintenance” means all work required to maintain a private road in a serviceable condition year-round, including work respecting**



(i) curbs, sidewalks, gutters, culverts, retaining walls, and signage that are associated with those private roads, and

(ii) snow removal, grading, ditch and culvert and bridge repair, brush clearing, and the creation of or repairs to street and traffic signage;

(i) "rate" means an area rate or uniform charge for private road maintenance; and

(j) "uniform charge" means a uniform charge levied pursuant to subsection 96(4) of the HRM Charter.

### **Purpose**

3. The purpose of this Administrative Order is to provide a financing procedure for the funding and repayment of private road maintenance.

### **General Provisions**

4. A rate under this Administrative Order shall only apply to costs associated with private road maintenance.

5. The Municipality will only administer the collection of the rate, and assist an applicant with the process for the establishment of the rate.

6. The Municipality will not provide to the Association:

(a) engineering, technical, or legal services;

(b) advice in respect of the private road maintenance; or

(c) private road maintenance.

7. In accordance with the By-law, this Administrative Order does not apply to construction of or capital improvements to private roads.

8. Unless otherwise stated, a uniform charge under this Administrative Order is levied on each taxable property assessment in the catchment area.

9. Nothing in this Administrative Order requires Council to pass a rate, pass a rate at a certain amount, or restricts Council's ability to impose, set, change, or terminate a rate.

### **PROCESS**

#### **Commencement by Petition**

10. Upon application by a person, the Municipality may consider the establishment of a rate under this Administrative Order.

11. To commence the application process, a petition must be presented to the Director.

12. The presented petition shall:

(a) be signed by property owners comprising at least two-thirds (66.7%) of the properties located within the proposed area that would be subject to the rate; and

(b) contain the following information:

- (i) the proposed area that would be subject to the rate,
- (ii) the proposed rate,
- (iii) the nature of the private road maintenance being proposed, and
- (iv) whether the proposed rate would be an area rate or uniform charge.

13. Upon acceptance of the petition by the Director, an employee of the Municipality will be assigned to assist the applicant with the process.

**Meeting of Property Owners**

14. Subject to section 16, after the Municipality has accepted the petition, the applicant shall call a public meeting of the subject property owners.

15. (1) The applicant shall provide notice of the public meeting by:

(a) posting a notice in three (3) conspicuous places in the proposed area that would be subject to the rate, and the notice shall:

- (i) contain the information required by subsection 15(2), and
- (ii) be posted not less than fourteen (14) days prior to the date of the meeting; and

(b) subject to subsection 15(3), mailing a notice to the tax assessment addresses of all the property owners located within the proposed area that would be subject to the rate, and the notice shall:

- (i) contain the information required by subsection 15(2),
- (ii) contain the ballot and proxy form required by subsection 15(5), and
- (iii) be mailed not less than fourteen (14) days prior to the date of the meeting.

(2) The notices of the public meeting shall contain the following information:

- (a) the date, time, and place of the meeting;
- (b) the name or names of the applicant;
- (c) a description of the area that would be subject to the proposed rate;
- (d) a description of the nature of the road maintenance proposed;
- (e) a description of the type of rate proposed;
- (f) a description of the road maintenance plan and budget;
- (g) the proposed rate amount;
- (h) that the property owners are entitled to vote on the establishment of the rate;

(i) the date of the vote, including only ballots received within 7 days of the meeting will be counted; and

(j) the method of voting, including that a proxy may vote on a property owner's behalf at the public meeting.

(3) If a property owner owns property located within the proposed area but resides at a location outside of the proposed area that would subject to the rate, such as residing in another province or country, the Director may approve emailing the notice of the public meeting to them rather than mailing it.

(4) An emailed notice shall

(a) contain the information required by subsection 15(2);

(b) contain the ballot and proxy form required by subsection 15(5); and

(c) be emailed not less than fourteen (14) days prior to the date of the public meeting.

(5) Any notice mailed or emailed shall contain proxy forms and ballots approved to form by the Director.

#### **Waiver of Public Meeting**

16. (1) The requirement for a meeting of the property owners may be waived where, in the opinion of Council, a meeting is not in the best interest of the property owners affected, or a meeting is unreasonable in the circumstances.

(2) Before Council determines whether to waive the public meeting, a staff report may be prepared listing the reasons for the request of the waiver.

(3) If the public meeting requirement is waived by Council, the applicant shall provide notice of the rate by

(a) posting a notice in three (3) conspicuous places in the proposed area that would be subject to the rate, and the notice shall:

(i) contain the information required by subsection 15(2), except for the information respecting proxy voting, and except for the information respecting the date, time and place of the meeting, and

(ii) be posted not less than fourteen (14) days prior to the date of the vote; and

(b) mailing a notice to the tax assessment addresses of all property owners that would be affected by the proposed rate, and the notice shall

(i) contain the information required by subsection 15(2), except for the information respecting proxy voting, and except for the information respecting the date, time and place of the meeting,

(ii) contain the ballot required by subsection 15(5), and

(iii) be mailed not less than fourteen (14) days prior to the date of the vote.

(4) If a property owner owns property located within the proposed area but resides at a location outside of the proposed area that would subject to the rate, such as residing in another province or country, the Director may approve emailing the notice of the public meeting to them rather than mailing it.

(5) An email notice shall

(a) contain the information required by subsection 15(2), except for the information respecting proxy voting, and except for the information respecting the date, time and place of the meeting;

(b) contain the ballot required by subsection 15(5); and

(c) be emailed not less than fourteen (14) days prior to the date of the vote.

### **Public Meeting**

17. (1) The public meeting shall be conducted by the applicant under the supervision of staff of the Municipality.

(2) At the public meeting, the applicant shall:

(a) have a register available in which those property owners attending the meeting may place their names and addresses; and

(b) make a presentation setting out the amount of the proposed rate and the proposed uses of the funds arising from that rate.

(3) After the presentation, a vote shall be conducted to determine if the property owners support the proposed rate.

(4) Proxy voting shall be allowed by property owners not in attendance at the public meeting.

### **Votes**

18. (1) Each property located within the proposed area that would be subject to the rate is entitled to one vote.

(2) A person who owns more than one property in the proposed area may vote once for each property that is owned.

### **Counting Votes**

19. (1) The votes cast at the public meeting, and the mailed and emailed ballots that are received by 4:30 pm on the seventh day after the date of the public meeting, will be counted to determine the level of support for the proposed rate.

(2) For a vote to be successful, owners representing at least two-thirds (66.7%) of the assessed properties that are located within the proposed area that would be subject to the rate must have voted in favor of the rate.

### **Request to Establish**

20. The applicant may only request a rate be established under this Administrative Order if the vote was successful.

21. (1) The request for the establishment of a rate shall include the following information:

(a) the area where the proposed rate would apply;

(b) whether the proposed rate is an area rate or uniform charge, and if a uniform charge is proposed, the request shall indicate whether the proposed uniform charge will apply to each taxable property assessment or each dwelling unit in the area;

(c) a detailed proposed maintenance budget to support the proposed rate;

(d) a declaration that the public notice requirements have been satisfied;

(e) unless the public meeting requirement was waived by Council, a declaration that the requirement for the public meeting was satisfied; and

(f) any additional information that, in the opinion of the Director, is necessary to process the application, bill the rate on the tax bills, and collect the funds arising from the rate.

(2) A request for the establishment of the rate may only proceed if the Director is of the opinion that the information provided pursuant to subsection 21(1) is sufficient to allow the Municipality to process the rate, bill the rate on the tax bills, and collect the funds arising from the rate.

(3) If the Director is of the opinion that the information provided pursuant to subsection 2(1) is insufficient to allow the Municipality to process the rate, bill the rate on the tax bills, and collect the funds arising from the rate, the Director may request additional information, and if the information is not received by the date indicated in such request, the Director may terminate the application process.

#### **Establishment of Rate**

22. Upon receipt of a complete request, Council may consider the establishment of a rate in accordance with the provisions of this Administrative Order, the By-law, and the HRM Charter.

23. Staff will prepare a report and recommendation for the consideration of Council respecting the establishment of a rate.

24. Upon receipt of the staff report, Council may consider the report and may establish

(a) an area rate based on so much on the dollar on the assessed value of the taxable property in the catchment area; or

(b) a uniform charge on each taxable property assessment, or dwelling unit, in the catchment area.

25. If a rate is established, Council will define the area that will be subject to the rate.

#### **Property Owner's Association**

26. If Council establishes a rate, the applicant shall incorporate a Property Owner's Association in the form of a society under the *Societies Act*.

27. (1) The Association shall be comprised of the owners of the subject properties and all subject property owners shall be eligible for membership in the Association.

(2) The Association must provide written consent from the owner(s) of the private road(s), in the form of a Private Road Maintenance Agreement; if the private road(s) are not owned by the Association.

28. (1) The Municipality will enter into an agreement with the Association under which the Association shall accept responsibility for the implementing and administration of the maintenance services on the private road.

(2) Council hereby authorizes the Mayor and Clerk to enter into and execute on behalf of the Municipality the Agreement, and any amendments thereto, with an Association, providing such Agreements is generally in the form of the Agreement that was most recently approved by Council.

29. After the Agreement is signed by all parties, the Municipality will provide the funds collected from the rate to the Association.

30. The Association shall:

(a) direct and control all work resulting from the funds arising from the rate that are provided by the Municipality; and

(b) be wholly responsible for the application of the funds arising from the rate that are provided by the Municipality.

### **Meetings of the Association**

31. (1) The Association shall have an annual general meeting prior to the end of each year at which meeting the majority of the quorum present shall review and approve the road maintenance plan and budget for the following year.

(2) The Municipality will review the plan and budget to ensure it complies with the purpose of the rate and that sufficient funding can be raised through the rate to fund it.

(3) Any changes to the amount of the rate requires majority approval at the annual general meeting, or at a special meeting of the Association that is called to determine the level of support for the rate increase.

(4) Notice of the special meeting or of the general meeting where a proposed rate increase will be considered shall comply with the public meeting notice requirements set out in section 15.

(5) All proposed rate increases are subject to Council approval.

(6) The Association may, by special meeting or at the general meeting, elect to request Council terminate the rate and, Council may consider such request.

### **Lien**

32. A rate imposed under this Administrative Order constitutes a lien on the subject properties and is collectable in the same manner as rates and taxes under the *Assessment Act*.

33. Interest accrues on charges outstanding from the date of billing forward at rate set out in the By-law.

### **Installments**

34. (1) In the first year a rate is established by Council, the amount payable from the rate will be invoiced entirely on the second regular tax bill.

(2) For any other year, the amount payable from the rate will be invoiced as installments in two billings on the regular property tax bills.

### **Administration**

35. A one-time administration fee of \$200 is set by the By-law, and shall form part of maintenance funding for the first year the rate is levied.

### **Schedules**

36. **The Schedules attached to this Administrative Order shall form part of this Administrative Order.**

**Reference**

37. A reference to the *Private Road Maintenance Cost Recovery Policy* and a reference to Administrative Order 45, *Respecting Private Road Maintenance*, shall be read as including a reference to the provisions of this Administrative Order relating to the same subject matter.

**Repeals**

38. The *Private Road Maintenance Cost Recovery Policy*, adopted by Council on January 16, 2007, and all amendments thereto, is repealed.

39. Administrative Order 45, *Respecting Private Road Maintenance*, adopted by Council on May 13, 2008, and all amendments thereto, is repealed.

## RATE SCHEDULES

1. Area Rates or Uniform Charges are hereby imposed in those areas described in the attached Schedules as is more particularly set out in the Schedules.

### Schedule 1

1. A Uniform Charge for properties fronting or abutting in whole or in part on Petpeswick Drive, Gaetz Brook as identified on the map dated July 18, 2007 attached hereto, shall be a Uniform Charge of no more than \$300.00 annually. If a property owner owns more than one property on Petpeswick Drive, the Uniform Charge shall apply only to one property.

2. The Charges collected under this Schedule shall be used by the Petpeswick Drive Improvement Society for the maintenance of Petpeswick Drive, including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the road. 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.

### Schedule 2

1. A Uniform Charge for properties fronting or abutting in whole or in part on the private streets located within the Three Brooks Sub-division, Hubley as identified on the map dated May 6, 2015 attached hereto, shall be a Uniform Charge of no more than \$750.00 annually.

2. The Charges collected under this Schedule shall be used by the Three Brooks Homeowner's Association for the maintenance of the private roads located within Three Brooks Subdivision, including 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.

### Schedule 3

1. A Uniform Charge for properties fronting or abutting in whole or in part on the private streets located within the Shag End Sub-division, Blind Bay as identified on the map dated November 29, 2017 attached hereto, shall be a Uniform Charge of no more than \$900.00 annually.

2. The Charges collected under this Schedule shall be used by the Shag End Lot Owner's Association for the maintenance of the private roads located within Shag End Sub-division, including 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.

### Schedule 4

Repealed Schedule

### Schedule 4A

1. Uniform 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~~ **\$350.00** annually shall be applied to the following properties in Area 1 which must be accessed by Kings Road, Wellington: PID numbers 00503680, 40551178, 40377228, 40455123, 503755, 40621807, 40695132, 41266974, 41293994, 40480063, 568766, 40766347, 41026956, 41026964, 40813438, 41266966, 569103, 40621815, 40574394, and 41397696.



**Area 2.** A Flat Area Rate Charge of no more than ~~\$300.00~~ \$450.00 annually shall be applied to the following properties in Area 2 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~~ \$600.00 annually shall be applied to the following properties in Area 3 which must be accessed by Kings Road, Wellington: PID numbers 503565, 503599, 503722, 503607, 503615, ~~503656~~, 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, 40607277, 41078205, 40872046, 41078213, 40669798, 41394347, 41435967, and 41211509.

**Area 4.** A Flat Area Rate Charge of no more than ~~\$600.00~~ \$750.00 annually shall be applied to the following properties in Area 4 which must be accessed by Kings Road, Wellington: PID numbers 569251, 40480055, 40574386, 40364028, 40068363, 40068389, 40068413, 40068405, 40068397, 568410, 40480071, and 41294000.

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

(a) if the property is otherwise legally exempt from a Uniform Charge, then the property will not be subject to a Uniform Charge; or

(b) if the property does not contain a dwelling unit, then it will be included in Area 1 and the applicable Uniform Charge will be no more than ~~\$200.00~~ \$350.00 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 Uniform Charge will be no more than ~~\$300.00~~ \$450.00 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 Uniform Rate Charge will be no more than ~~\$450.00~~ \$600.00 annually, or

(iii) the property has a civic number greater than 429, then it will be included in Area 4 and the applicable Uniform Charge will be no more than ~~\$600.00~~ \$750.00 annually; or

(d) if the property is located on Canal Cays Drive, it will be included in Area 2 and the applicable Uniform Charge will be no more than ~~\$300.00~~ \$450.00 annually; or

(e) if the property is located on Alben Lane, then it will be included in Area 3 and the applicable Uniform Charge will be no more than ~~\$450.00~~ \$600.00 annually; or

(f) if the property is used on a seasonal basis, it will be included in Area 2 and the applicable Uniform Charge will be no more than ~~\$300.00~~ \$450.00 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 Uniform 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 Uniform Charge will apply.

4. The Charges collected under this Schedule 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.

#### **Schedule 5**

1. A Uniform Charge for properties fronting or abutting in whole or in part on River Bend or River Court, private roads located in the community of Enfield as identified on the map dated January 15, 2010 attached hereto, shall be a Uniform Charge of no more than \$350.00 annually.

2. The Charges collected under this Schedule shall be used by the River Bend Road and River Court Home Owners Association for the maintenance of River Bend Road and River Court, including 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.

#### **Schedule 6**

1. A Uniform Charge for properties ~~with residential dwellings~~ fronting or abutting in whole or in part on any of the private roads located in the St Margaret's Village sub-division, in the community of Upper Tantallon as identified on the map dated October 12, 2011 attached hereto, shall be a Uniform Charge of no more than \$450.00 annually.

2. The Charges collected under this Schedule shall be used by the St. Margaret's Community Association for the maintenance of the private roads located in the St. Margaret's Village subdivision, including 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.

#### **Schedule 7**

1. A Uniform Charge for properties fronting or abutting in whole or in part on Rutter Court, a private road located in the community of Seaforth as identified on the map dated February 3, 2012 attached hereto, shall be a Uniform Charge of no more ~~that \$350.00~~ than \$450.00 annually.

2. The Charges collected under this Schedule shall be used by the Rutter Court Residents Association for the maintenance of Rutter Court, including 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.

#### **Schedule 8**

1. A Uniform Charge for properties fronting or abutting in whole or in part on the private portion of Bald Rock Road, a private road located in the community of Bald Rock as identified on the map dated March 28, 2012 attached hereto, shall be a Uniform Charge of no more than \$385.33 annually.

2. The Charges collected under this Schedule shall be used by the Sambro Head Lot Owners Association for the maintenance of the private portion of Bald Rock Road, including 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.

### **Schedule 9**

1. A Uniform Charge for properties fronting or abutting in whole or in part on Range Road, a private road located in the community of Grand Desert as identified on the map dated April 12, 2013 attached hereto, shall be a Uniform Charge of no more than \$150.00 annually.
2. The Charges collected under this Schedule shall be used by the Range Road Land Owner's Association for the maintenance of Range Road, including 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.

### **Schedule 10**

1. A Uniform Charge for properties fronting or abutting in whole or in part on Seafarers Lane or Pioneer Hill, private roads located in Black's Subdivision in the community of White's Lake as identified on the map dated September 19, 2013 attached hereto, shall be a Uniform Charge of no more than \$150.00 annually.
2. The Charges collected under this Schedule shall be used by the Black's Subdivision Ratepayers Association for the maintenance of Seafarers Lane and Pioneer Hill, including 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.

### **Schedule 11**

1. A Uniform Charge for properties fronting or abutting in whole or in part on Fortress Drive, a private road located in the community of Ferguson's Cove as identified on the map dated November 12, 2013 attached hereto, shall be a Uniform Charge of no more than \$750.00 annually.
2. The Uniform Charges collected under this Schedule shall be used by the Redoubt Head Homeowner's Association for the maintenance of Fortress Drive, including 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.

### **Schedule 12**

1. A Uniform Charge for properties fronting or abutting in whole or in part on any of the private roads located in the Mariner's Anchorage sub-division in the community of Glen Haven, as identified on the map dated August 22, 2012 attached hereto, shall be a Uniform Charge of no more than \$300.00 annually.
2. The Charges collected under this Schedule shall be used by the Mariners Anchorage Residents Association for the maintenance of the private roads located in the Mariner's Anchorage sub-division, including 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.

### **Schedule 13**

1. A Uniform Charge for properties fronting or abutting in whole or in part on any of the private roads located in the St. Margaret's Bay Heights sub-division in the community of Head of St. Margaret's Bay, as identified on the map dated November 19, 2013 attached hereto, shall be a Uniform Charge of no more

than \$280.00 annually.

2. The Charges collected under this Schedule be used by the St. Margaret's Bay Heights Subdivision Resident's Association for the maintenance of the private roads located in the St. Margaret's Bay Heights sub-division, including 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.

#### **Schedule 14**

1. A Uniform Charge for properties fronting or abutting in whole or in part on Shiloh Drive or Karla Lane, private roads located in the community of Hatchet Lake, as identified on the map dated February 3, 2016 attached hereto, shall be a Uniform Charge of no more than \$700.00 annually.

2. The Charges collected under this Schedule shall be used by the Shiloh and Karla Drive Road Association for the maintenance of Shiloh Drive and Karla Lane, including 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.

#### **Schedule 15**

1. A Uniform Charge for properties fronting or abutting in whole or in part on private roads located within the Kelly Point Sub-division, Prospect Peninsula as identified on the map dated November 16, 2017 attached hereto, shall be a Uniform Charge of no more than \$700.00 annually.

2. The Charges collected under this Schedule shall be used by the Kelly Point Lot Owners Association for the maintenance of private roads located within Kelly Point Sub-division including 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.

#### **Schedule 16**

(a) A Uniform Charge for properties fronting or abutting in whole or in part on the private road of Jenna Lane, Hammonds Plains as identified on the map dated April 17, 2018 attached hereto, shall be a flat charge of no more than \$1,275.00 annually.

(b) The Charges collected under this By-Law shall be used by the Jenna Lane Homeowner's Association for the maintenance of the private road of Jenna Lane including 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.

#### **Schedule 17**

(a) A Uniform Charge for properties fronting or abutting in whole or in part on the private road Bayview Drive located in the community of Head of St. Margaret's Bay as identified on the map dated July 24, 2018 attached hereto, shall be a uniform charge of no more than \$600.00 annually.

(b) The Charges collected under this Schedule shall be used by the BV Homeowners Society for the maintenance of the private road of Bayview Drive including 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.

**Schedule 18**

(a) An Area Rate Charge for properties fronting or abutting in whole or in part on the private roads located in the community of Cambrian's Cove as identified on the map dated March 5, 2019 attached hereto, shall be a flat area rate of no more than \$680.00 annually.

(b) The Charges collected under this By-Law shall be used by the Cambrian's Cove Homeowners' Association for the maintenance of the private roads of Cambren Drive, Five Island Road, Hawkins Drive and Kenley Road including 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.

Done and passed in Council this 30 day of October, 2018.

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Mayor

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Municipal Clerk

I, Kevin Arjoon, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of the Halifax Regional Council held on October 30, 2018.

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Kevin Arjoon, Municipal Clerk

Notice of Motion: September 11, 2018  
Approval: October 30, 2018  
Effective: November 10, 2018

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Amendment # 1 – addition of Schedule 17

Notice of Motion March 5, 2019  
Approval: March 26, 2019

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Amendment # 2 – amendment to Schedule 13

Notice of Motion March 5, 2019  
Approval: March 26, 2019

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Amendment # 3 – amendment to Section 27, addition of Schedule 18

Notice of Motion April 16, 2019  
Approval: April 30, 2019

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Amendment # 4 – amendments to Schedule 6 and Schedule 18

Notice of Motion July 21, 2020  
Approval August 18, 2020

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**ADMINISTRATIVE ORDER NUMBER 2019-005-ADM**  
**RESPECTING THE ESTABLISHMENT AND USE OF COMMUNITY AREA RATES IN**  
**THE HALIFAX REGIONAL MUNICIPALITY**

**WHEREAS** subsection 96(1) of the *Halifax Regional Municipality Charter* permits the Council of the Municipality 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;

**AND WHEREAS** subsection 96(2) of the *Halifax Regional Municipality Charter* permits the Council of the Municipality to recover annually from the area the amount required or as much of that sum as the Council considers advisable to collect in any one fiscal year by an area rate of so much on the dollar of the assessed value of the taxable property or occupancy assessments in the area;

**AND WHEREAS** subsection 96(4) of the *Halifax Regional Municipality Charter* permits the Council to levy a uniform charge on each taxable property assessment or each dwelling unit in the area, in lieu of levying an area rate;

**AND WHEREAS** Regional Council wishes to promote transparency, clear accountability between the public and community associations, and effective governance;

**BE IT RESOLVED AS AN ADMINISTRATIVE ORDER** of the Council of the Halifax Regional Municipality under the authority of the *Halifax Regional Municipality Charter*, as follows:

**Short Title**

1. This Administrative Order may be known as the *Community Area Rates Administrative Order*.

**Interpretation**

2. In this Administrative Order,
  - (a) “area rate” means an area rate set pursuant to subsection 96(2) of the HRM Charter;
  - (b) “community organization” means a community group incorporated as a society pursuant to the *Societies Act*, R.S.N.S. 1989, c. 42, as amended;
  - (c) “contribution agreement” means an agreement that outlines the amount, purpose, conditions, duration and any other terms for a transfer of funds or a grant;
  - (d) “Council” means the Council of the Halifax Regional Municipality;
  - (e) “HRM Charter” means the *Halifax Regional Municipality Charter*, S.N.S. 2008, c. 39, as amended;
  - (f) “Municipality” means the Halifax Regional Municipality;
  - (g) “rate” means an area rate or uniform charge for local community recreation or sidewalks;
  - (h) “staff” means staff of the Municipality’s Finance Department; and
  - (i) “uniform charge” means a uniform charge levied pursuant to subsection 96(4) of the HRM Charter.

**Purpose**

3. The purpose of this Administrative Order is to establish criteria for the creation of rates that support local community recreation activities or sidewalks and are requested by a community, and to establish a framework for the use of the monies raised by the rate.

**General Provisions**

4. Unless otherwise stated, a uniform charge under this Administrative Order is levied on each taxable property assessment in the catchment area.
5. Council delegates to the Chief Financial Officer the ability to create procedures to support the administration of rates under this Administrative Order and to enter into a Contribution Agreement in accordance with section 31.
6. Nothing in this Administrative Order requires Council to pass a rate, pass a rate at a certain amount, or restricts Council's ability to impose, set, charge, or terminate a rate.
7. For greater certainty, this Administrative Order does not apply to rates imposed by Council for private roads in accordance with Administrative Order 2018-003-ADM, Respecting Private Road Maintenance, or for business improvement districts in accordance with Administrative Order 47, the Business Improvement District Administrative Order.

### **Part I – Establishment of Community Rates**

#### **Establishment of Community Rates**

8. A community organization may submit a proposal to the Municipality for the establishment of a rate in its community during the Municipality's annual business plan process.
9. The proposal shall include:
  - (a) the purpose for which the rate is to be established;
  - (b) the anticipated duration of time during which the rate will be applied;
  - (c) the proposed amount of the rate;
  - (d) the method by which the rate is proposed to be levied, which shall be as a uniform charge by dwelling unit or by taxable property assessment in the catchment area;
  - (e) the proposed catchment area for the rate boundary and an explanation as to why that boundary is appropriate; and
  - (f) a proposed financial plan for the use of the funds, including:
    - (i) how the funds will be expended; and
    - (ii) any other sources of revenue to be combined with the funds.
10. Upon receiving a proposal for a rate from a community organization, staff shall:
  - (a) review the proposal for completeness;
  - (b) confirm that the proposal complies with this Administrative Order including, as applicable, sub-section 33(2);
  - (c) conduct public consultation in the area affected by the proposed rate; and
  - (d) prepare a report to Regional Council.

#### **Public Consultation**

11. Staff shall conduct public consultation prior to the:
  - (a) proposal for a rate being forwarded to Council; or
  - (b) where section 19 applies, prior to a change of the rate being forwarded to Council.
12. The Chief Financial Officer for the Municipality shall establish a procedure for conducting public consultation.



13. The report to Council shall include the process used for public consultation and the results thereof.

#### **Rate Imposed by Council**

14. Council may accept, decline, or modify the proposal for a rate, and may impose conditions on the expenditure thereof.

15. The area will be set annually by resolution of Council, at its sole discretion, pursuant to the *HRM Charter*.

16. Approval of a rate for a subsequent taxation year is at the discretion of the Council.

17. The rate set by Council shall be sufficient to meet the proposed budget.

#### **Part II – Renewal of Community Rates**

18. (1) The community organization shall submit to staff annually ~~for consideration by Council in accordance with the Municipality's annual business planning process:~~

- (a) an annual business plan; and
- (b) a detailed budget.

(2) Where Council has approved the rate for fiscal year in advance of the submission of the annual business plan and detailed budget, the CAO or their designate may withhold funds from the community organization until such time as they are submitted to staff.

(3) Where subsection 2 applies, Council may adjust the previously approved rate in accordance with the business plan and detailed budget.

19. Where a community organization proposes a change to items listed in clauses 9(a), (b), (d) or (e) or an increase to item 9(c), additional public consultation shall be required.

20. Once a rate has come to the end of its duration as set out in the community organization's proposal as required by section 9, the community organization may submit a new proposal and follow the process set out in this Administrative Order for the establishment of a community rate.

#### **Part III - Governance**

##### **Eligibility**

21. To be eligible to submit a proposal for a rate, the community organization shall be a non-profit organization, incorporated under the *Societies Act*, R.S.N.S. 1989, c. 435.

##### **Membership**

22. All owners of property subject to the rate shall be eligible for membership in the community organization.

23. All members of the community organization shall be entitled to vote.

##### **Meetings**

24. Meetings of the community organization that relate to the rate shall be open to any member of the public.

25. Minutes of meetings that relate to the rate shall be available to any member of the public.

26. The community organization shall hold an annual meeting, at which meeting the majority of the members present shall review and approve the annual budget plan and detailed budget for the rate for the following year.

27. Any changes to the amount of the rate requested by the community organization requires majority approval at the annual meeting, or at a special meeting of the community organization that is called to determine the level of support for the rate.

28. The community organization may, by special meeting or at the annual meeting, elect to request that Council terminate the rate, and Council may consider such request.

### **Reporting and Procedures**

29. The community organization shall provide to the Municipality annually its financial statements and an accounting for the funds expended from the rate.

30. The community organization shall comply with all required financial procedures as established for it by the Municipality.

### **Contribution Agreement**

31. (1) A contribution agreement may be negotiated and executed by the Chief Financial Officer on behalf of the Municipality.

(2) A contribution agreement shall include provisions respecting:

(a) the payment and the acceptable uses of funds by the community organization; and

(b) whether advance payment of funds may be made by the Municipality to the community organization after Council has adopted its budget.

## **Part IV– Expenditure of Funds**

### **Approved Uses of Rate Funds**

32. A rate administered under this Administrative Order shall be spent for the benefit of the area for which it is collected.

33. (1) Subject to section 32, rate funds may be used for:

(a) community events;

(b) community accessories, including signage, picnic tables, benches, and garbage cans;

(c) community beautification and clean-up;

(d) maintenance of recreation infrastructure, including local recreational infrastructure on municipal lands where the maintenance is procured directly by the Municipality;

(e) recreation and leisure costs, including programming and equipment;

(f) establishment and maintenance of seasonal recreation infrastructure such as outdoor skating rinks;

(g) operation of small, local community centres;

(h) grants where there is a contribution agreement in place between the community organization and a non-profit organization to provide for items (a) through (g), provided that such an agreement is approved by Council, unless:

(i) the amount of the grant to the non-profit organization is two thousand

dollars or less; and

(ii) the cumulative grants that have been provided to the non-profit organization in the current fiscal year is four thousand dollars or less,

in which case no contribution agreement is required;

(i) subject to subsection (2), construction or enhancement of

(i) local recreational infrastructure on municipal land including parks, trails, sport fields, play lawns, playgrounds, landscaping, paths and trails, and related accessories; or,

(ii) sidewalks outside of the Urban Area as established by Council; and

(j) administrative costs associated with items (a) to (i).

(2) Funds used for those items listed in subsection (1)(i) may only be used if the following conditions have been met:

(a) a needs assessment completed or approved by the appropriate business unit supports the proposed infrastructure;

(b) the proposed siting for such infrastructure is suitable;

(c) there is a maintenance plan, including identification of any annual funding;

(d) the proposed infrastructure is procured directly by the Municipality;

(e) Council has approved the project in the Municipality's capital budget; and

(f) the expenditure conforms to the Municipality's procedures for capital budget expenditures.

### **Covid-19**

33A. Notwithstanding the purpose and sections 33 and 34 of this Administrative Order, for the 2020-2021 fiscal year, grants may be provided by the community organization without a contribution agreement or approval of Council if:

(a) the cumulative amounts of the grants do not exceed \$5,000; and

(b) the recipient of each grant is either a non-profit organization registered with the Registry of Joint Stock Companies, or a registered Canadian charitable organization.

### **Prohibited Uses of Rate Funds**

34. Rate funds shall not be used for the following:

(a) the purchase of real property;

(b) infrastructure and activities that are generally not open or of benefit to the public;

(c) regional infrastructure, including community centres and other facilities that are

designed to attract individuals from outside the area rate's catchment area;

- (d) construction of indoor recreation facilities, including ice rinks and gymnasia;
- (e) political activity; and
- (f) grants to individuals and businesses.

**Disbursement of Rate Funds**

35. (1) Subject to subsection (2), funds collected by the Municipality shall be disbursed to the community organization by payment of invoices for expenses incurred by the community organization in accordance with this Administrative Order.

(2) Advance payment of funds may be made to the community organization if such payments are permitted in the Contribution Agreement.

**Use of Surplus upon Wind-up**

36. Notwithstanding section 33, if the rate applicable to the community organization rate is not renewed by Council and the organization has a surplus at the end of its last fiscal year, the organization may recommend Council use the surplus funds:

- (a) to contribute to a municipal service or capital project in the area;
- (b) to be used for future maintenance of any public asset it has been used to construct; or
- (c) any other expenditure that benefits the area for which the funds were collected.

**Transition and Repeal**

37. The Recreation Area Rate Policy adopted by Council on December 12, 2000, and the Interim Area Rate Guidelines adopted by Regional Council on January 11, 2000, and all amendments thereto, are repealed.

38. (1) Rates established under the Recreation Area Rate Policy and the Interim Area Rate Guidelines, or previously, continue in effect unless otherwise directed by Council.

(2) Subject to direction by resolution of Council, such rates are not required to follow the process to be established as set out in Part I of this Administrative Order.

(3) Such rates shall be required to comply with the remainder of this Administrative Order.

39. This Administrative Order shall come into force on September 1, 2019.

Done and passed in Council this 13<sup>th</sup> day of August, 2019.

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Mayor

\_\_\_\_\_  
Municipal Clerk

I, Kevin Arjoon, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above-noted Administrative Order was passed at a meeting of Halifax Regional Council held on August 13, 2019.

\_\_\_\_\_  
Kevin Arjoon, Municipal Clerk

Notice of Motion:	July 16, 2019
Approval:	August 13, 2019
Effective Date:	September 1, 2019

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Amendment #1 (add Section 33A)	
Notice of Motion:	September 1, 2020
Approval:	September 22, 2020

**HALIFAX REGIONAL MUNICIPALITY**

**ADMINISTRATIVE ORDER 2018-003-ADM  
RESPECTING PRIVATE ROAD MAINTENANCE**

**ADMINISTRATIVE ORDER NUMBER 2019-005-ADM  
RESPECTING THE ESTABLISHMENT AND USE OF COMMUNITY AREA RATES IN THE HALIFAX  
REGIONAL MUNICIPALITY**

**BE IT RESOLVED** by the Council of the Halifax Regional Municipality that Administrative Order 2018-003-ADM, the *Private Road Maintenance Cost Recovery Administrative Order*, and Administrative Order 2019-005-ADM, the *Community Area Rates Administrative Order*, are amended as follows:

1. Schedule 4A of the *Private Road Maintenance Administrative Order* is amended by:
  - (a) amending section 1 by striking out "\$200.00" after the words "Flat Area Rate Charge of no more than" and before the word "annually" and replacing it with "\$350.00" under the heading "Area 1";
  - (b) amending section 1 by striking out the numbers and comma "503656," after the numbers and comma "40852071," and before the numbers and comma "503706," under the heading "Area 2";
  - (c) amending section 1 by adding the numbers and comma "503656," after the numbers and comma "503615," and before the numbers and comma "530698," under the heading "Area 3";
  - (d) amending section 1 by striking out "\$300.00" after the words "Flat Area Rate Charge of no more than" and before the word "annually" and replacing it with "\$450.00" under the heading "Area 2";
  - (e) amending section 1 by striking out "\$450.00" after the words "Flat Area Rate Charge of no more than" and before the word "annually" and replacing it with "\$600.00" under the heading "Area 3";
  - (f) amending section 1 by striking out "\$600.00" after the words "Flat Area Rate Charge of no more than" and before the word "annually" and replacing it with "\$750.00" under the heading "Area 4";
  - (g) amending subsection 2(b) by striking out "\$200.00" after the words "Uniform Charge will be no more than" and before the word "annually", and replacing it with "\$350.00";
  - (h) amending clause 2(c)(i) by striking out "\$300.00" after the words "Uniform Charge will be no more than" and before the word "annually", and replacing it with "\$450.00";
  - (i) amending clause 2(c)(ii) by striking out "\$450.00" after the words "Uniform Charge will be no more than" and before the word "annually", and replacing it with "\$600.00";
  - (j) amending clause 2(c)(iii) by striking out "\$600.00" after the words "Uniform Charge will be no more than" and before the word "annually", and replacing it with "\$750.00";
  - (k) amending subsection 2(d) by striking out "\$300.00" after the words "Uniform Charge will be no more than" and before the word "annually", and replacing it with "\$450.00";

(l) amending subsection 2(e) by striking out “\$450.00” after the words “Uniform Charge will be no more than” and before the word “annually”, and replacing it with “\$600.00”; and

(m) amending subsection 2(f) by striking out “\$300.00” after the words “Uniform Charge will be no more than” and before the word “annually”, and replacing it with “\$450.00”.

2. Section 1 of Schedule 6 of the *Private Road Maintenance Administrative Order* is amended by striking out the words “with residential dwellings” after the word “properties” and before the word “fronting” in the first line.

3. Section 1 of Schedule 7 of the *Private Road Maintenance Administrative Order* is amended by striking out “that \$350.00” after the words “Uniform Charge of no more” and before the word “annually” and replacing it with “than \$450.00”.

4. Section 18 of the of the *Community Area Rates Administrative Order* is amended by:

(a) striking out the words “for consideration by Council in accordance with the Municipality’s annual business planning process” after the word “annually” and before the colon;

(b) lettering the words that start with “The community organization shall” as subsection (1);  
and

(c) adding the following subsections immediately after the newly created subsection (1):

(2) Where Council has approved the rate for the fiscal year in advance of the submission of the annual business plan and detailed budget, the CAO or their designate may withhold funds from the community organization until such time as they are submitted to staff.

(3) Where subsection 2 applies, Council may adjust the previously approved rate in accordance with the business plan and detailed budget.

Done and passed in Council this      day of                      , 2022.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MUNICIPAL CLERK