

HALIFAX

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

Item No. 15.1.6
Halifax Regional Council
August 13, 2019

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed by 

SUBMITTED BY: _____
Jacques Dubé, Chief Administrative Officer

DATE: July 5, 2019

SUBJECT: **Porters Lake Business Improvement District Formation**

ORIGIN

Letter, dated February 20, 2019, advising that a Steering Committee, formed pursuant to By-Law B-700, had expressed its desire to form a Business Improvement District (BID) in Porters Lake.

May 2, 2019 – **MOVED** by Harbour East Marine Drive Community Council:

- 1) Approve, for the purposes of conducting an area rate vote and public meeting pursuant to By-law B-700, the proposed Porters Lake Business Improvement District area rate, minimum levy, and maximum levy; and
- 2) Approve, for the purposes of conducting an area rate vote and public meeting pursuant to By-law B-700, the proposed Porters Lake Business Improvement District boundaries,

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, S.N.S. 2008. c. 39, including section 70.

By-law B-700, Respecting the Regulation of Business Improvement Districts.

Administrative Order Number 47, the Business Improvement District Administrative Order

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Approve the establishment of a new Business Improvement District for the Porters Lake area, reflecting the boundary set out in Attachment L, and adopt the amendments to Administrative Order 47, the Business Improvement Districts Administrative Order as set out in Attachment N to establish the Porters Lake Business Improvement District.

Recommendation continued on next page

2. Approve the proposed area rate levy of \$0.10 per \$100.00 of assessed value for commercial assessment to be applied within the Porters Lake Business Improvement District effective in the 2019-20 fiscal year with a minimum of \$300 and a maximum of \$3,000 per property.
3. Direct the CAO to amend the Business Improvement District Service Agreement as adopted by Regional Council on August 9, 2012 to reflect the two-tiered approach to year-end financial reporting as set out in Table 1 of the Discussion section of this report and adopt this as the standard agreement for new Business Improvement District Service Agreements.
4. Authorize the Mayor and Municipal Clerk to execute amended Business Improvement Districts Service Agreements with all Districts currently listed in Administrative Order Number 47.
5. Authorize the Mayor and Municipal Clerk to execute the amended Business Improvement District Service Agreement with the Porters Lake Business Improvement District.
6. Defer the Porters Lake Business Improvement District's eligibility to apply to the *BID Contributions Fund* until the 2020-2021 fiscal year.

If Regional Council approves, the formation of the BID will be effective upon receipt of proof of registration of a non-profit organization, pursuant to the Nova Scotia Registry of Joint Stock Companies' business registration requirements.

BACKGROUND

By-law B-700, Respecting the Regulation of Business Improvement Districts

By-law B-700 governs the formation, expansion, contraction and dissolution of Business Improvement Districts within HRM. ¹ The By-law employs an Administrative Order mechanism to form a new Business Improvement District, amalgamate two or more Business Improvement Districts, or change the boundaries of an existing Business Improvement District.

Further to By-law B-700, BID formation must be: (1) initiated by a Steering Committee; (2) communicated to commercial property owners and business owners within the district's proposed boundary area; (3) approved, for the purposes of an BID formation vote, by one or more Community Councils; (4) voted on by commercial property owners and business owners within the proposed BID boundary area; and (5) approved by Regional Council (see Attachment A for a flow chart of the BID formation process under By-law B-700).

Community Council Review of Area Rate, Minimum/Maximum Levy and Boundary

On April 15, 2019 a Steering Committee, formed pursuant to By-law B-700, wrote to the CAO expressing its desire to form a Business Improvement District (BID) in Porters Lake (see Attachment B). On May 2, 2019, Harbour East Marine Drive Community Council reviewed the proposed area rate, minimum levy, and maximum levy (based on the budget and activity plan provided) and proposed boundary. Harbour East Marine Drive Community Council, for the purposes of conducting an area rate vote and public meeting, approved the proposed expanded boundary, area rate, minimum levy, and maximum levy.

DISCUSSION

Notice of Public Meeting and Area Rate Vote

¹ A copy of By-law B-700 is available online at the following URL
<https://www.halifax.ca/sites/default/files/documents/city-hall/legislation-by-laws/By-lawB-700.pdf>

Pursuant to by-law B-700, HRM staff placed a notice in a local newspaper seven (7) calendar days prior to the date the Porters Lake BID formation public meeting was to be held and fourteen (14) calendar days prior to the return date specified on the area rate levy ballot (see Attachment I).²

HRM Staff Led Public Meeting

Pursuant to by-law B-700, HRM Staff hosted a public meeting on Wednesday, June 12, 2019, from 6:30 - 7:30 p.m. at the Lake and Shore Community Recreation Centre, 40 Inspiration Drive, Porters Lake. The Porters Lake BID formation public meeting was attended by a mix of commercial property owners and commercial tenants. Rhonda Frank and Chris Atwood (Porters Lake Business Improvement District Steering Committee members) spoke at the public meeting.

Ballot Mail-Out

Pursuant to by-law B-700 staff mailed area rate ballot packages to commercial tenants and commercial property owners in the proposed Business Improvement District. A total of 52 ballots were sent out (14 commercial property owners and 38 commercial tenants). Samples of the letters mailed are reproduced below (see Attachments J and K).

Ballot Count Results (13 in favour | 6 not in favour)

The response to the ballot mail-out was limited with 19 out of the 52 ballots returned, representing an overall response rate of 39.6%. A majority of the ballots returned were marked in favour of establishing an area rate levy within the proposed Porters Lake BID boundary area. Of the 19 responses received, 13 voters (68.4%) supported the levy and 6 voters (31.6%) did not support the levy. No ballots (0.0%) were spoilt. The resulting 68.4% in favour of the proposed BID levy, meets with the 50% + 1 voting threshold to trigger Regional Council consideration of the matter.

Go-Forward Options Open to Regional Council

Pursuant to By-law B-700, if a majority of the area rate ballots returned are marked in favour of establishing an area rate levy, Regional Council may either (a) approve the establishment of a new Business Improvement District or (b) reject the establishment of a new Business Improvement District.³ If Regional Council approves the establishment of a new Business Improvement District, it must set the boundaries, area rate, minimum levy and maximum levy.

Proposed BID Area Rate Levy

Subject to Council's approval, an area rate of \$0.10 per \$100 of assessed value would be applied to all commercial accounts in the BID area. This levy rate is comparable to other BID area rates within the Municipality. The minimum annual charge for any commercial property account within the Porters Lake Business Improvement District would be \$300, and the maximum annual charge would be \$3,000. Based on the most current assessment role, it is expected that the 14 commercial accounts, within the catchment area of the newly formed Porters Lake Business Improvement District would generate approximately \$10,455, in fiscal 2019-20. If approved, the Porters Lake Business District would be the smallest BID in HRM in terms of membership and budget.

Because the BID Levy for Porters Lake is being passed late in the year, the printing cycle for tax bills has been missed. As there are only 14 accounts involved, staff intend to prepare and send manual tax bills to the commercial properties within the catchment area for the Porters Lake BID.

Proposed Boundary

Subject to Council's approval, the boundary for the newly formed Porters Lake Business Improvement District would include commercial properties within the area bounded by Highway 7 (from Alps Road to

² The Area Rate Vote Notice was placed in the Eastern Shore Cooperator on May 29, 2019.

³ See section 17(3) of By-law B-700 Respecting the Regulation of Business Improvement Districts.

the west end of Stella Drive), Stella Drive and Porters Lake Station Road (from Highway 7 to Meadowview Drive). Assessment Account Numbers (AANs), Parcel Identification Numbers (PIDs) and civic addresses for commercial properties within the proposed boundary area are set out in Attachment F. A map of the proposed Porters Lake Business Improvement District boundary area has been reproduced below (see Attachment L).

Area Rate Levies and Financial Accountability

All business improvement districts operate through non-profits. These non-profits receive and manage area rate levy funds on behalf of their respective business improvement districts. Given the fiduciary responsibilities involved, these non-profits are required to sign Service Agreements.⁴ Historically, two accounting-related conditions have been imposed through the Agreement to help ensure financial accountability and transparency:

- HRM has the right (at its own expense, and with reasonable notice) to audit/examine the books of account and records maintained by a Business Improvement Association. (Section 3.05)
- The non-profit operating the BID is required to provide annual audited financial statements (Section 3.06).

All BIDs, regardless of their gross annual revenues, are currently required to conduct an audit.

Go-Forward Approach

The accounting industry has three common year-end financial statement and review types for organizations:

1. **Compilation and Notice to Reader** which involves the preparation of financial statements by a Chartered Professional Accountant (CPA) that are unaudited;
2. **Review**, a somewhat more rigorous review engagement by a CPA to provide a low level of assurance that the financial statements are, in all material respects, in accordance with accepted accounting standards; and,
3. **Audit**, the most thorough and costly of the three, which includes a CPA's in-depth examination of materials (e.g. invoices and purchase orders) and accounting procedures.

Accounting firm KPMG estimates that, in Canada, a compilation and notice of reader can cost \$1,000, a review can cost \$3,000 and an audit can cost \$6,000 (see Attachment N for detailed definitions of financial statement and review types).

Staff have consulted with KPMG (the Municipality's Auditors) regarding BID end-of-year financial reporting. Based on the advice received, staff are recommending that BID financial reporting requirements be tied to gross annual revenues (not only the annual revenues generated by the area rate). Table 1 (see below) presents a two-tiered approach to end-of-year financial reviews.

Table 1: Year-End Financial Reporting Requirements (Proposed and Current)

Total Gross Annual Revenues	Proposed Engagement	Current Engagement
< \$250,000	Review ⁵	Audit
> \$250,000	Audit	Audit

* At HRM's discretion, an audit may be required if the review engagement identifies issues warranting an in-depth examination of materials and/or accounting procedures.

⁴ BID area-rate-levies are collected using the municipality's commercial taxation powers.

⁵ BIDs could choose to undertake an audit but would not be required to do so.

This approach is also informed by the reporting standards applicable to 'soliciting corporations' under the Canada Not-for-profit Corporations Act (CNCA).⁶ A corporation is considered 'soliciting' when it has received more than \$10,000 in income from public sources in a single financial year. Public sources include gifts or donations from non-members, grants from government (provincial/federal/municipal) and funds from another corporation that also received income from public sources.⁷ Federally imposed CNCA financial reporting requirements are as set out in Table 2 (see below).

Table 2: Canada Not-for-profit Corporations Act | Soliciting Corporations⁸

Total Gross Annual Revenues	Engagement Requirements
< \$50,000	Default is review engagement; audit or no review possible
\$50,001 - \$249,999	Default is audit; review engagement possible
> \$250,000	Must have an audit

Assuming a two-tiered approach reflected in Table 1 is adopted (\$250K threshold), the anticipated impact on existing/proposed BIDs is as outlined in Table 3 (see below).

Table 3: Anticipated impact of two-tiered approach to end-of-year financial reporting

BID	Engagement	Comments
Downtown Halifax	Audit	Area rate levy exceeds \$250K
Downtown Dartmouth	Audit	Area rate levy exceeds \$250K
Spring Garden	Audit	Area rate levy exceeds \$250K
Sackville	Audit or Review	Gross annual revenue may exceed \$250K*
North End	Audit or Review	Gross annual revenue may exceed \$250K*
Spryfield	Review	Gross annual revenue unlikely to exceed \$250K
Quinpool Road	Review	Gross annual revenue unlikely to exceed \$250K
Main Street Dartmouth	Review	Gross annual revenue unlikely to exceed \$250K
Porters Lake	Review	Gross annual revenue unlikely to exceed \$250K

* BID gross annual revenues include both municipal and non-municipal revenue sources that may fluctuate from year to year. These may push the BID over the \$250K gross annual revenues threshold in a given year

Staff recommend that the BID Service Agreement be amended to reflect the two-tiered approach to year-end financial reporting as set out in Table 1 (see above). To ensure consistency, staff recommend that each of the existing Service Agreements be amended.

⁶ Staff acknowledge that the governing legislation that Halifax's BID non-profits fall under include [Societies Act of Nova Scotia](#), [Corporations Registrations Act](#) and [Companies Act of Nova Scotia](#). None of these have audit requirements (unless as a reporting or issuing company in the case of Companies Act).

⁷ See [Canada Not-for-profit Corporations Act](#) (s.5(1)).

⁸ See [Requirements for soliciting corporations under the Canada Not-for-profit Corporations Act \(NFP Act\)](#).

Contribution Funding

Currently, there are eight (8) Business Improvement Districts that are eligible to apply for funding from the *BID Contributions Fund*. The value of award is determined on an annual basis as a proportional share (%) of the combined value of the current year's BID levies, excluding any grant-in-lieu of taxes paid by the provincial or federal government. Funding is project-specific and matched by the BIDs. BID contribution funding has historically targeted beautification, place-making and promotion, maintenance, and public safety.⁹

The *BID Contribution Fund* sets out eligibility criteria. Section 4.1 of the policy reads as follows:¹⁰

Initial Year: The BID association shall have been recognized by Regional Council, at least one (1) year prior to the date of application to the BID Contributions Fund. Delayed eligibility affords Regional Council time to consider any increase in the Fund if a new business district is formed during the course of the fiscal year. The aim is to prevent dilution of the Fund's impact as a consequence of growth in the number of BIDs.

A one-year requirement provides reviewers with some indication of the financial status of the applicant and their ability to match funds and/or deliver a program or service. The deferred eligibility also affords the applicant sufficient time to gauge the needs of their district and develop an application that addresses those needs in accordance with the Fund's objectives.

Staff, therefore, recommend that Porters Lake Business Improvement District's eligibility to apply to the *BID Contributions Fund* be deferred until the 2020-2021 fiscal year.

FINANCIAL IMPLICATIONS

Funding for the proposed BID would come entirely from area rates and therefore has no impact on the net 2019-20 Municipal Operating Budget. Upon approval, a new cost centre would be required.

COMMUNITY ENGAGEMENT

To satisfy By-law B-700's consultation requirements, the proponents have consulted with stakeholders in the proposed BID boundary area. The proponents mailed and emailed invitations to commercial property owners and commercial tenants within the expansion area inviting them to attend information meetings. The proponents created a brand identity and logo for the prospective Business Improvement District and launched a Porters Lake Business Improvement District Facebook page (see Attachment D) to support communications efforts. A public meeting and a boundary expansion plebiscite vote were conducted by HRM staff, pursuant to By-law B-700 (see Discussion for details).

ATTACHMENTS

- Attachment A: BID Formation Flow Chart (per By-law B-700 requirements).
- Attachment B: Letter addressed to Chief Administrative Officer and Municipal Clerk from the Steering Committee for the proposed Porters Lake BID
- Attachment C: Porters Lake Business District Proposed Boundaries
- Attachment D: Evidence of stakeholder engagement conducted by the Porters Lake BID Steering Committee.
- Attachment E: List of commercial tenants within the proposed Porters Lake Business Improvement District boundary.

⁹ See [Item No.1 Grants Committee November 6, 2017](#).

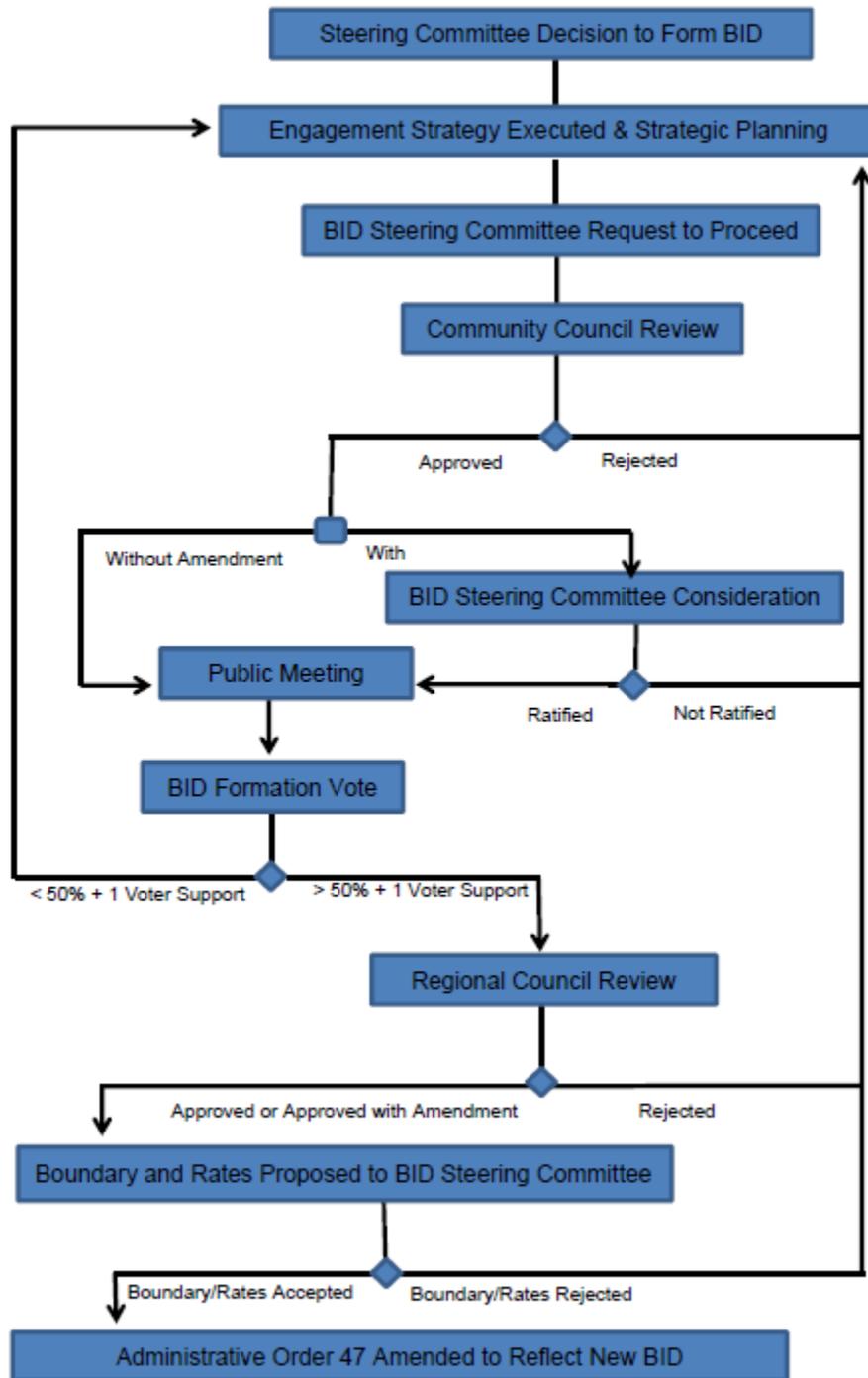
¹⁰ The Bid Contribution Fund policy was originally approved by Regional Council on October 4, 2001 and was last amended by regional Council on January 14, 2014.

- Attachment F: List of commercial properties within the proposed Porters Lake Business Improvement District boundary.
- Attachment G: Activity Plan (2019-2020) for the proposed Porters Lake Business Improvement District (assumes boundary, area rate levy, minimums and maximums as proposed).
- Attachment H: Budget (2019-2020) for the proposed Porters Lake Business Improvement District (assumes boundary, area rate levy, minimums and maximums as proposed).
- Attachment I: Notice of Public Meeting and Area Rate Levy Vote
- Attachment J: Ballot letter mailed by HRM to commercial property owners
- Attachment K: Ballot letter mailed by HRM to commercial tenants
- Attachment L: Porters Lake Business Improvement District boundary map.
- Attachment M: End-of-Year Engagements
- Attachment N: Amending Administrative Order
- Attachment O: Administrative Order Number 47 Respecting the Creation of the Business Improvement Districts – Showing Proposed Amendments

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Scott Sheffield, Government Relations and External Affairs 902.490.3941

Attachment A
BID Formation Process Diagram



ATTACHMENT B

Letter addressed to Chief Administrative Officer and
Municipal Clerk from the Steering Committee
for the proposed Porters Lake BID



5019 Highway 7, Unit 4
Porters Lake, Nova Scotia B3E 1J3
902.222.5227
PortersLake.ca
facebook.com/PortersLakeBID

04/15/19

Chief Administrative Office, HALIFAX Municipality Municipal Clerk, HALIFAX Municipality City Hall 1841
Argyle Street, Main Floor PO Box 1749 Halifax, Nova Scotia B3J 3A5

Jacques Dubé: Re: Porters Lake Business Improvement District

We are writing to advise you that the steering committee for the proposed Porters Lake Business Improvement District has voted to create a new Business Improvement District in Porters Lake.

A map outlining the proposed boundaries for the Porters Lake BID are included as "Attachment A". The proposed boundaries include: Highway #7 in Porters Lake from the intersection of Alps Road to the west end of Stella Drive, Stella Drive and the Porters Lake Station Road from Highway #7 intersection to Meadowview Drive. These properties are highlighted on the attached map.

We have develop and implemented a strategy to consult with and to communicate, to Commercial Property Owners and Tenants within the proposed district. We have compiled a comprehensive list of all commercial property owners and commercial tenants within this proposed district, which we have included here as "Attachment B". We have also created an online communication portal to keep our members apprised. As well, we are in the process of creating an online website and plan to register as a not-for-profit entity with the Registry of Joint Stock.

We have held several meetings for the business community in Porters Lake to inform them of our intent on creating a Business Improvement District within our region.

We hosted an introductory meeting for all business and property owners within the proposed district on Monday September 24th, 2018 at Ecole des Beaux Marais. We hosted a second meeting also at Ecole des Beaux Marais on November 5th, 2018. We held a meeting on at Seven Lakes Office on December 10th, 2018 at which time we conducted a brief survey of business and property owners within the proposed district. Our latest general meeting for all business and property owners was held on February 20th, 2019. The majority of the commercial property owners and commercial tenants have shown interest in creating a Business Improvement District in Porters Lake.

We are proposing that the area rate be set at \$0.10 per every \$100 of assessment, with a minimum levy of \$300 and a maximum levy of \$3000. Please see included proposed budget as "Attachment C". Our goal as a Business Improvement District is to provide much needed support for our growing location. Please find included a proposed Activity Plan as "Attachment D".

We respectfully request that you hold a Business Improvement District area rate vote and a public meeting, and that council approve a new Business Improvement District for Porters Lake.

If you should have any questions or concerns, please feel free to contact Rhonda Frank at 902.222.5227 or by email at RhondaFrank@ArtsyFartsy.ca.

Thank you for your time and consideration.

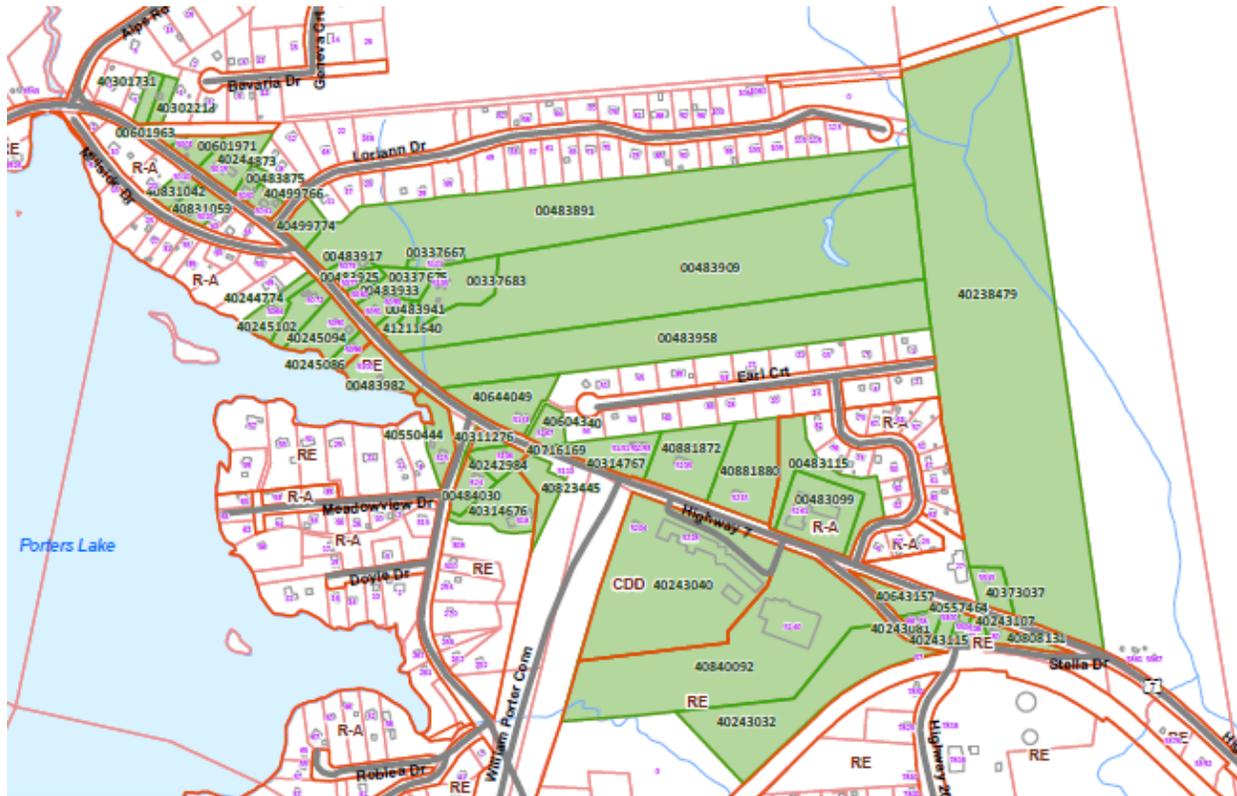
Cheers,

Rhonda M. Frank, Artsy Fartsy
Owen Dominix, Atlantic Superstore
Chris Atwood, CBDC Bluewater
Angela Bonang, Porters Lake Dental Clinic
Rod Barton, Porters Lake Pub
Honourable Kevin Murphy, MLA
Councilor David Hendsbee [Original Signed]

[Original Signed]

ATTACHMENT C

Porters Lake Business District Proposed Boundaries



ATTACHMENT D

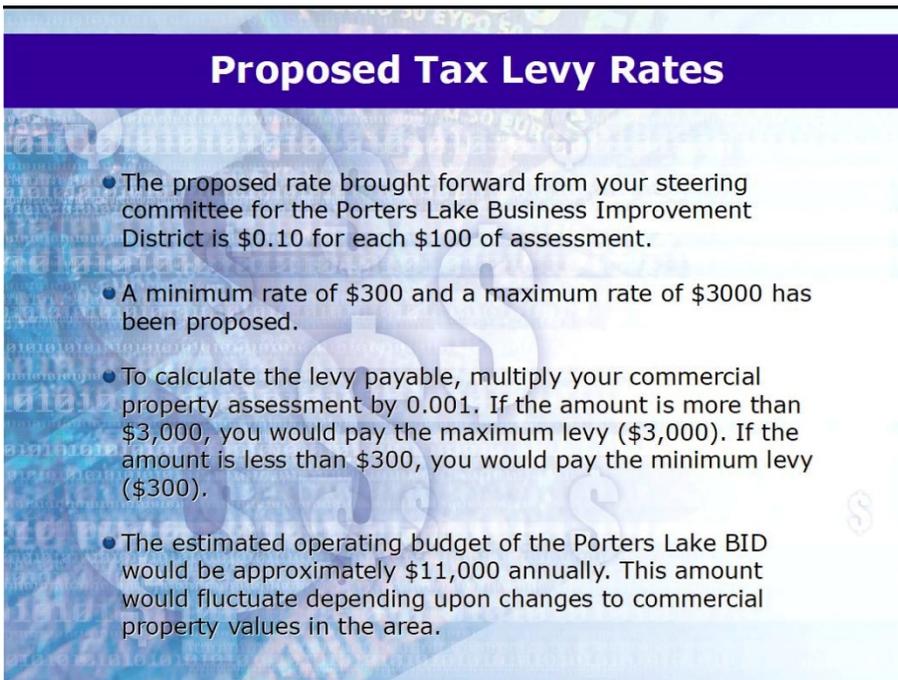
Evidence of stakeholder engagement conducted
by the Porters Lake BID Steering Committee

Sample Facebook page materials (see facebook.com/PortersLakeBID)



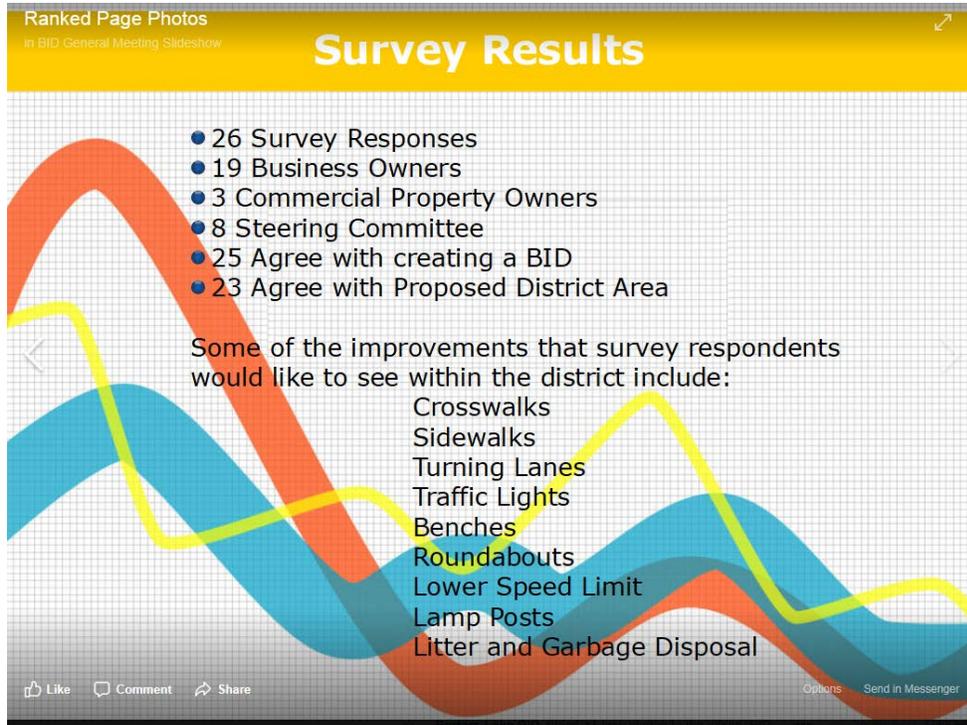
Benefits of a BID

- Gives businesses a voice
- Your money stays in the community
- Produces economic growth in our town
- Allows for integrated marketing and promotions
- Increased cleaning and greening – additional litter pick-up, floral displays, lighting, benches, signage and other beautification projects
- Provides sustainable investment for ongoing capital projects/services.
- Provides a platform for businesses to voice opinions and concerns to government entities in pursuit of town improvements such as crosswalks, sidewalks, stop lights and other necessary improvements.



Proposed Tax Levy Rates

- The proposed rate brought forward from your steering committee for the Porters Lake Business Improvement District is \$0.10 for each \$100 of assessment.
- A minimum rate of \$300 and a maximum rate of \$3000 has been proposed.
- To calculate the levy payable, multiply your commercial property assessment by 0.001. If the amount is more than \$3,000, you would pay the maximum levy (\$3,000). If the amount is less than \$300, you would pay the minimum levy (\$300).
- The estimated operating budget of the Porters Lake BID would be approximately \$11,000 annually. This amount would fluctuate depending upon changes to commercial property values in the area.



BID Approval

- The decision to set up a BID is a democratic process, where a poll is taken by the Municipality to see if the majority of business and property owners within a defined commercial area are in favor of a BID.
- If the majority (50%+1) of businesses and property owners agree, all property owners within the BID boundary will be deemed to be a BID member.
- In accordance with By-Law B-700, each property owner and each commercial tenant, within the proposed BID boundary area, is entitled to one ballot and one vote.
- The municipality will conduct a vote of all business and property owners within the proposed district. You will receive a letter, along with an Area Rate Levy Ballot, from the Office of the Municipal Clerk which will include a ballot. You must sign and date the ballot. The ballot can be mailed, delivered in person, or submitted at the public meeting.
- The public meeting will be hosted by Municipal staff and will be attended by representatives from the Porters Lake BID's Steering Committee. Commercial property owners and commercial tenants in the proposed Porters Lake BID formation area will be invited to attend the public meeting.

What is a BID? Why do we need one?

- A business improvement district (BID) is a not-for-profit special improvement district where business people join together to promote and improve the economic vitality of a geographically-defined commercial area.
- A BID would help to better promote our town and its key assets, special events in the area, as well as encouraging business attraction and business retention within our community.
- A BID helps to create a vibrant, dynamic community that people want to visit, do business in, and to live and raise a family.
- A BID can help to promote much needed changes to the infrastructure of our growing area.

Who is included in a BID?

- All commercial property owners and business owners leasing or renting commercial space within the BID boundaries are automatically members of the association.
- Once formed, members within the BID catchment area do not have the choice to opt out.
- The BID will continue in perpetuity unless the BID is dissolved.
- In general, BIDs are managed by a non-profit organization, overseen by a Board of Directors.

Attachment EList of commercial tenants within the proposed
Porters Lake Business
Improvement District boundary

Greenleaf Recycling	30 Stella Drive, Porters Lake
Stat Manufacturing Ltd	318 Porters Lake Station Road, Porters Lake
Fancy Chopsticks	324 Porters Lake Station Road, Porters Lake
Big Wedge	5019 Highway 7, Unit 1
Riad Habib (Leo)	5019 Highway 7, Porters Lake
Pretty Nails	5019 Highway 7, Porters Lake
Bennett's Barber Shop	5019 Highway 7, Porters Lake
Artsy Fartsy	5019 Highway 7, Porters Lake
Best Burner	5031 Highway 7, Porters Lake
Dr. Robert Merritt	5081 Highway 7, Porters Lake
PhysioLink	5100 Highway 7 Porters Lake
Porters Lake Dental	5141 Highway 7, Porters Lake
East Coast Window Fashions and Decor	5191 Highway # 7, Porters Lake
Eastern Shore Optical	5191 Highway # 7, Porters Lake
Seven Lakes	5193 Highway 7, Porters Lake
McKays Family Restaurant	5197 Highway 7, Porters Lake
Shell & Needs	5203 Highway 7, Porters Lake
Irving	5204 Highway 7, Porters Lake
Tim Hortons	5215 Highway 7, Porters Lake
Artistic Hair Workx	5228 Highway 7, Porters Lake
Buck and Near	5228 Highway 7, Porters Lake
CBCD Blue Water	5228 Highway 7, Porters Lake
Choice Properties	5228 Highway 7, Porters Lake
Eastern Shore Family Resource Association	5228 Highway 7, Porters Lake
Heptagon Learning Support Center	5228 Highway 7, Porters Lake
Kevin Murphy, MLA Hon.	5228 Highway 7, Porters Lake
Knackered	5228 Highway 7, Porters Lake
Lawtons	5228 Highway 7, Porters Lake
Payzant's Home Hardware Porters Lake	5228 Highway 7, Porters Lake
Pet Focus Eastern Shore Vet	5228 Highway 7, Porters Lake
Piper and Max	5228 Highway 7, Porters Lake
Porters Lake Pub & Grill	5228 Highway 7, Porters Lake
RBC	5228 Highway 7, Porters Lake
Subway	5228 Highway 7, Porters Lake
Through the Looking Glass	5228 Highway 7, Porters Lake
PT Health	5228 Highway 7, Porters Lake
Choice Properties	5240 Highway 7, Porters Lake

Atlantic Superstore

5240 Highway 7, Porters Lake

Radical Concepts

5800 Highway 7, Porters Lake

Attachment F

List of commercial properties within the
proposed Porters Lake Business
Improvement District boundary

PID	ANN	Civic No.	Street Name
40244873	04764617	5019	Highway 7
00483875	00050881	5031	Highway 7
00483933	03887014	5081	Highway 7
00483982	05364477	5100	Highway 7
40242984	02657228	5106	Highway 7
40644049	08722013	5141	Highway 7
40314767	08942919	5191	Highway 7
40881872	01530488	5203	Highway 7
40243040	02414694	5204	Highway 7
40881880	09281703	5215	Highway 7
40840092	09191755	5240	Highway 7
40314676	05011922	318	Porters Lake Station Road
00484030	00535176	324	Porters Lake Station Road
40808131	08994552	30	Stella Drive

¹ Assessment Account Number (ANN)

² Parcel Identification Number (PID)

ATTACHMENT G

Activity Plan (2019-2020) for the proposed Porters Lake Business Improvement District

SUMMARY

The objectives of the Porters Lake Business Improvement District are to:

1. Retain current businesses by supporting business growth
2. Integrate marketing and promotional strategies
3. Support economic growth in our town
4. Streetscaping and beautification
5. Advocacy for improvements in our area

DETAILS

- 1.1 The Porters Lake BID will encourage residents from our district, and other areas, to shop locally at our businesses. We plan to do this using marketing initiatives and local events.
- 2.1 The Porters Lake Business Improvement District will work with local businesses to create a marketing strategy and co-sponsorship opportunities for marketing.
- 2.2 We are planning on erecting aesthetic signage within our district to better promote our town.
- 2.3 As a united group of businesses, we will support our local community groups for events in our area, including the Lake and Shore Days.
- 3.1 The Porters Lake BID will support economic growth within our district by revitalizing our community and in turn attracting other businesses to our district.
- 3.2 We will create a website that will promote businesses to start up or expand into our district.
- 4.1 The PLBID will work towards integrating beautification elements within our district, such as flower baskets, benches and lamp posts.
- 4.2 The Porters Lake Business Improvement District will organize and promote litter clean-up efforts within our community.
- 5.1 One of our main goals is to advocate for improvements to the infrastructure of our town. We are hoping to stimulate improvements such as sidewalks, crosswalks and traffic lights within our district.

ATTACHMENT H

Budget (2019-2020) for the proposed Porters
Lake Business Improvement District

LEVY RATES	
Levy Rate:	\$0.10 per every \$100 of assessment
Minimum Levy:	\$300.00
Maximum Levy:	\$3,000.00

REVENUE	
Porters Lake BID Levy	\$10,455.00
Government Grants	-----
Event Sponsorship	-----
Councillor Discretionary Fund	-----
TOTAL REVENUE	\$10,455.00

EXPENSES	
Start-up Costs	\$500.00
Online Advertising (Website)	\$2,500.00
Operating Costs & Discretionary	\$955.00
Events	\$1,000.00
Organized Litter Pick-Up	\$500.00
Advertising	\$3,000.00
Beautification	\$2,000.00
TOTAL EXPENSES	\$10,455.00

**Attachment I
Notice of Public Meeting and Are Rate Vote**

Notice of Public Meeting and Area Rate Vote

A steering committee of Porters Lake-based businesses is proposing to establish a Business Improvement District (BID) that would include properties within the area bounded by Stella Drive, Porters Lake Station Road (from Highway 7 to Meadowview Drive) and Highway 7 (from Alps Road to the west end of Stella Drive). The Halifax Regional Municipality is hosting a public meeting to discuss the proposed BID on Wednesday, June 12, 2019, from 6:30–7:30 p.m. at Lake and Shore Community Recreation Centre, 40 Inspiration Drive, Porters Lake.

The BID proponents' Facebook page is <https://www.facebook.com/PortersLakeBID>.

In accordance with By-Law B-700, commercial property owners and commercial tenants within the proposed BID boundary area are entitled to vote on whether a Porters Lake BID should be formed. If a majority of the area rate ballots returned are marked in favour of establishing a BID, the proposal will be considered by Halifax Regional Council.

Owners and tenants should receive ballot packages by mail. The deadline for the Halifax Regional Municipality to receive completed ballots is 4 p.m., June 21, 2019.

If you believe that you are entitled to a ballot, but have not received one, please contact Scott Sheffield at 902.490.3941.

HALIFAX MUNICIPAL GOVERNMENT NOTICES

FOR MORE INFORMATION ON HRM MEETINGS & EVENTS
VISIT WWW.HALIFAX.CA/CALENDAR
BOX 1749, HALIFAX, NOVA SCOTIA B3J 3A5

ATTACHMENT J**Letter Mailed by HRM
to Commercial Property Owners**

May 20, 2019

«AddressBlock»

Re: Public Meeting and Area Rate Ballot

Dear Property Owner:

Further to By-Law B-700, a community-led Steering Committee has proposed the formation of a Porters Lake Business Improvement District (BID). The BID boundary would include commercial properties on Stella Drive, Highway #7 and Porters Lake Station Road. You are receiving this letter because you own commercial property within this proposed boundary.

A BID is a special area rate district where commercial property owners and commercial tenants cooperate to create a clean, safe and attractive environment that benefits businesses and enhances property values. Each BID is managed by the Board of a non-profit entity that is accountable to, and elected by, commercial property owners and commercial tenants within the business district. There are thousands of BIDs worldwide and eight BIDs in Halifax that promote commercial vitality.

The annual budget for the proposed Porters Lake BID would be raised through an area rate levy applied to commercial properties within the district. The budget and area rate would be proposed by the BID's Board and approved annually by Halifax Regional Council. Once the BID is formed, area rate levies are mandatory (no opting out) and will continue in perpetuity (unless the BID is dissolved). The Steering Committee for the proposed Porters Lake BID is proposing the following initial levy:

- Area Rate: 10¢ (per \$100 of assessed commercial property value);
- Minimum Levy: \$300;
- Maximum Levy: \$3,000.

To calculate the levy payable, multiply your commercial property assessment by 0.001. If the amount is more than \$3,000, you would pay the maximum levy (\$3,000). If the amount is less than \$300, you would pay the minimum levy (\$300). The BID levy would appear on your annual commercial property tax bill. All area rate funds would be remitted to the Porters Lake BID; no BID area rate levy money would be retained by the municipality.

A municipal staff report regarding the proposed Porters Lake BID's formation can be found here:

<https://www.halifax.ca/sites/default/files/documents/city-hall/community-councils/190502hemdcc1312.pdf>

The staff report includes:

- list of commercial properties in the proposed Porters Lake BID (Attachment F);
- proposed activity plan (Attachment G); and
- proposed budget (Attachment H).

A public meeting will take place on June 12th from 6:30 pm until 7:30 pm. The meeting will be hosted at Lake and Shore Community Recreation Centre (902.827.2700). The public meeting will be hosted by municipal staff and will be attended by representatives from the Porters Lake BID's Steering Committee. Commercial property owners and commercial tenants in the proposed Porters Lake BID formation area are invited to attend the public meeting.

In accordance with By-Law B-700, each property owner and each commercial tenant, within the proposed BID boundary area, is entitled to one ballot and one vote. Commercial property owners that also occupy a property, as commercial tenants, are only entitled to one ballot and one vote. Legal entities (including individuals) that own multiple commercial properties within the proposed BID expansion area are entitled to one ballot, and one vote, for each separately assessed commercial property on the assessment roll.

Enclosed you will find a boundary-map for the proposed Porters Lake Business District and an area rate ballot. You may mark the ballot either for or against the area rate levy. Voting for the area rate levy signals your support for forming a Porters Lake Business Improvement District. Please either

- mail the ballot in the enclosed self-addressed envelope;
- scan and email the ballot to: sheffis@halifax.ca; or
- drop off the ballot at the public meeting (see above for date, time and location).

Please sign and date the ballot. Unsigned/undated ballots will not be counted. Ballots returned to the Municipality by **4:00 pm** on **June 21, 2019** will be counted. Ballots returned to the Municipality after 4:00 pm on June 21, 2019 will not be counted.

If a majority of the BID area rate levy ballots returned are marked against establishing a BID area rate levy, then no Porters Lake BID will be formed. If a simple majority (50%+1) of the BID area rate ballots that are returned are marked in favour of establishing an area rate levy, then the matter will go before Regional Council. Note, however, that meeting the simple majority threshold (50%+1 in favour) only triggers Regional Council review. Under By-law B-700, Regional Council retains the discretion to approve or reject the proposed Business Improvement District.

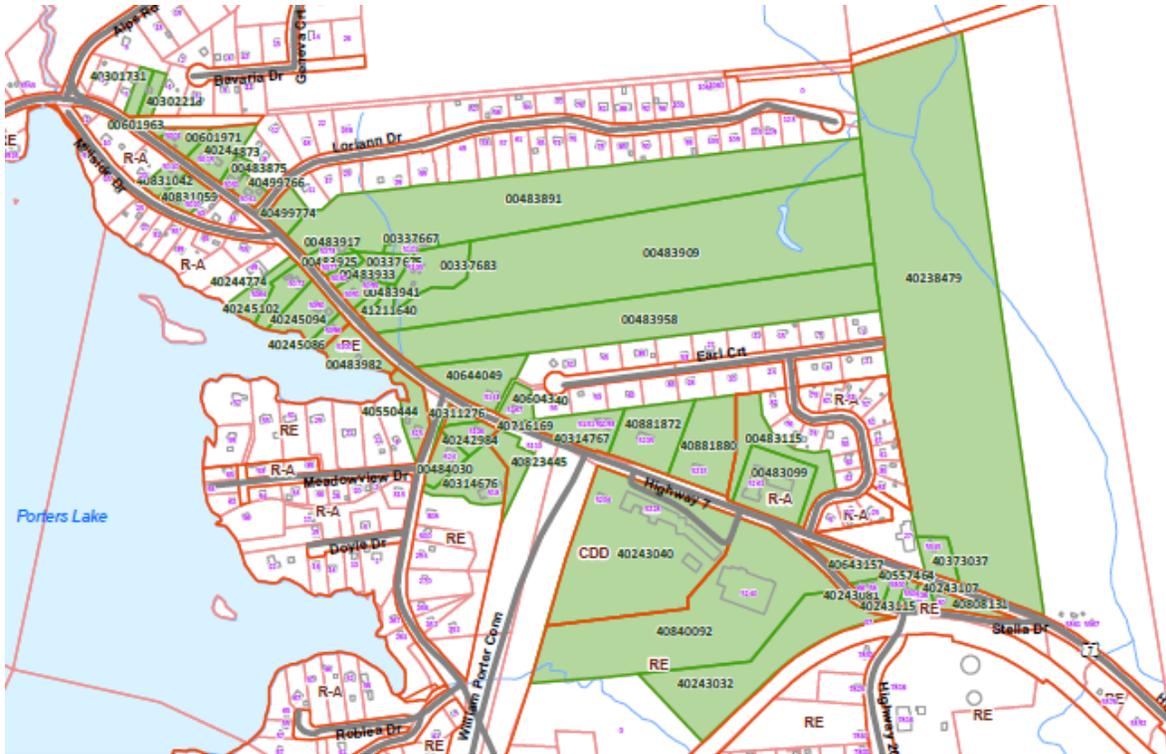
For questions regarding the proposed Porters Lake Business Improvement District (BID), please contact Rhonda Frank at RhondaFrank@ArtsyFartsy.ca. The proposed Porters Lake BID's Facebook Page can be viewed here: <https://www.facebook.com/PortersLakeBID>.

If you lose your enclosed area rate ballot, or have any questions regarding the BID formation process, please contact Scott Sheffield at 902.490.3941 or sheffis@halifax.ca.

Sincerely,

Paul Johnston
Acting Managing Director
Government Relations and External Affairs
Halifax Regional Municipality
Tel 902.490.6616

Boundary Map for Proposed Porters Lake Business District



Porters Lake Business Improvement District
Commercial Property Owner
Area Rate Levy Ballot

Assessment Number: «ANN»

As the owner of a commercial property within the proposed Porters Lake Business Improvement District above, you are entitled to one vote.

Ballots must be received by **4:00 pm** on **June 21, 2019**. Ballots received after 4:00 pm on June 21, 2018 will not be counted. If you are mailing your ballot, please allow adequate time for delivery.

I understand that BID area rate levies:

- are mandatory (no opting out);
- will continue in perpetuity unless the BID is dissolved;
- are set annually (and are, therefore, subject to change); and
- are calculated as a percentage of assessed property value (subject to a minimum levy and maximum levy).

I further understand that the proposed initial BID area rate levy is as follows:

- BID Area Rate: 10¢ (per \$100 of assessed commercial property value);
- Minimum Levy: \$300;
- Maximum Levy: \$3,000.

YES, I am in favour of an annual BID area rate levy to fund the proposed Porters Lake Business Improvement District.

NO, I am not in favour of an annual BID area rate levy to fund the proposed Porters Lake Business Improvement District

Name of Commercial Property Owner (please print): _____

Name of Signing Authority (please print): _____

Signature of Signing Authority: _____

Date: _____

*** Unsigned/undated ballots will not be counted**

ATTACHMENT K**Letter Mailed by HRM
to Commercial Tenants**

May 20, 2019

«AddressBlock»

Re: Public Meeting and Area Rate Ballot

Dear Commercial Tenant:

Further to By-Law B-700, a community-led Steering Committee has proposed the formation of a Porters Lake Business Improvement District (BID). The BID boundary would include commercial properties on Stella Drive, Highway 7 and Porters Lake Station Road. You are receiving this letter because you are a tenant occupying a commercial property within this proposed boundary.

A BID is a special area rate district where commercial property owners and commercial tenants cooperate to create a clean, safe and attractive environment that benefits businesses and enhances property values. Each BID is managed by the Board of a non-profit entity that is accountable to, and elected by, commercial property owners and commercial tenants within the business district. There are thousands of BIDs worldwide and eight BIDs in Halifax that promote commercial vitality.

The annual budget for the proposed Porters Lake BID would be raised through an area rate levy applied to commercial properties within the district. The budget and area rate would be proposed by the BID's Board and approved annually by Halifax Regional Council. Once the BID is formed, area rate levies are mandatory (no opting out) and will continue in perpetuity (unless the BID is dissolved). The Steering Committee for the proposed Porters Lake BID is proposing the following initial levy:

- Area Rate: 10¢ (per \$100 of assessed commercial property value);
- Minimum Levy: \$300;
- Maximum Levy: \$3,000.

To calculate the levy payable, multiply your commercial landlord's property assessment by 0.001. If the amount is more than \$3,000, your commercial landlord would pay the maximum levy (\$3,000). If the amount is less than \$300, your commercial landlord would pay the minimum levy (\$300). The BID levy would appear on your commercial landlord's annual commercial property tax bill. Area rate levies payable by your commercial landlord may be passed on to you, depending on the terms and conditions set out in your commercial lease. All area rate funds would be remitted to the Porters Lake BID; no BID area rate levy money would be retained by the municipality.

A municipal staff report regarding the proposed Porters Lake BID's formation can be found here:
<https://www.halifax.ca/sites/default/files/documents/city-hall/community-councils/190502hemdcc1312.pdf>

The staff report includes:

- list of commercial properties in the proposed Porters Lake BID (Attachment F);
- proposed activity plan (Attachment G); and
- proposed budget (Attachment H).

A public meeting will take place on June 12th from 6:30 pm until 7:30 pm. The meeting will be hosted at Lake and Shore Community Recreation Centre (902.827.2700). The public meeting will be hosted by municipal staff and will be attended by representatives from the Porters Lake BID's Steering Committee. Commercial property owners and commercial tenants in the proposed Porters Lake BID formation area are invited to attend the public meeting.

In accordance with By-Law B-700, each property owner and each commercial tenant, within the proposed BID boundary area, is entitled to one ballot and one vote. Commercial property owners that also occupy a property, as commercial tenants, are only entitled to one ballot and one vote. Legal entities (including individuals) that own multiple commercial properties within the proposed BID expansion area are entitled to one ballot, and one vote, for each separately assessed commercial property on the assessment roll.

Enclosed you will find a boundary-map for the proposed Porters Lake Business District and an area rate ballot. You may mark the ballot either for or against the area rate levy. Voting for the area rate levy signals your support for forming a Porters Lake Business Improvement District. Please either

- mail the ballot in the enclosed self-addressed envelope;
- scan and email the ballot to: sheffis@halifax.ca; or
- drop off the ballot at the public meeting (see above for date, time and location).

Please sign and date the ballot. Unsigned/undated ballots will not be counted. Ballots returned to the Municipality by **4:00 pm** on **June 21, 2019** will be counted. Ballots returned to the Municipality after 4:00 pm on June 21, 2019 will not be counted.

If a majority of the BID area rate levy ballots returned are marked against establishing a BID area rate levy, then no Porters Lake BID will be formed. If a simple majority (50%+1) of the BID area rate ballots that are returned are marked in favour of establishing an area rate levy, then the matter will go before Regional Council. Note, however, that meeting the simple majority threshold (50%+1 in favour) only triggers Regional Council review. Under By-law B-700, Regional Council retains the discretion to approve or reject the proposed Business Improvement District.

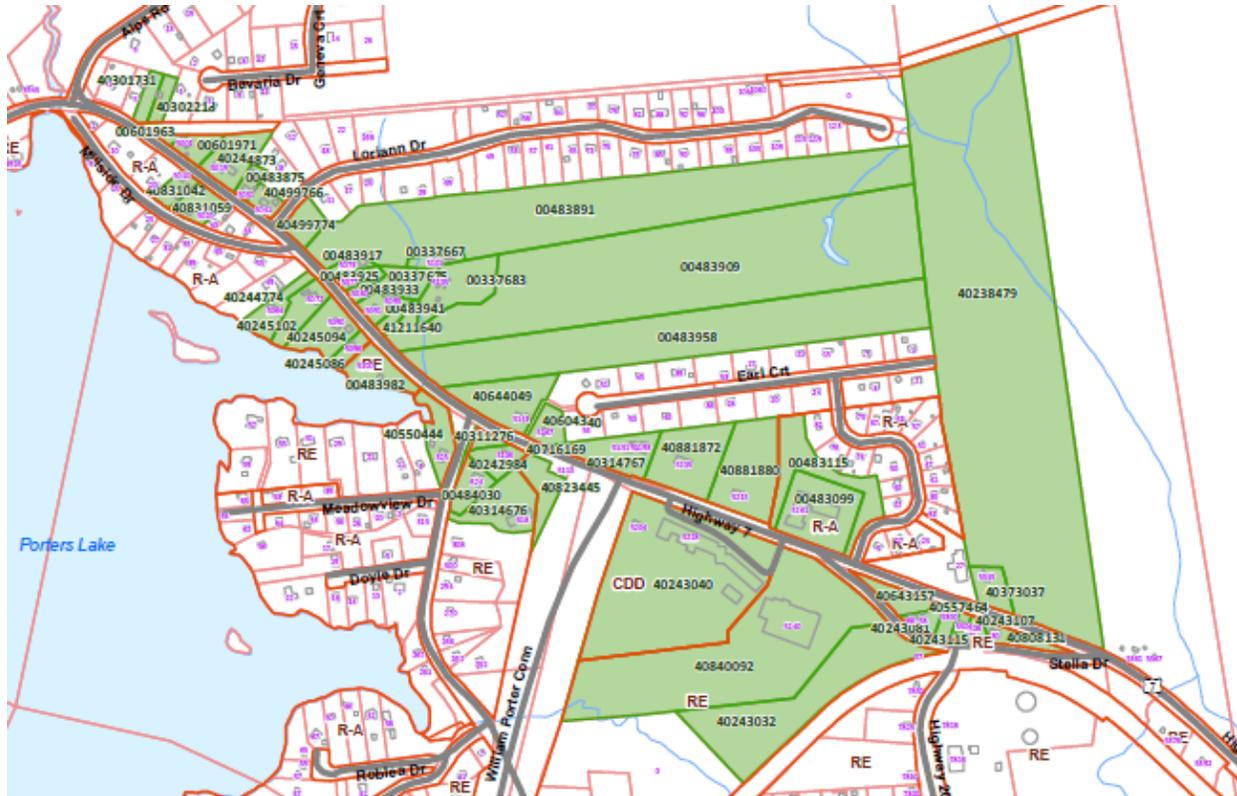
For questions regarding the proposed Porters Lake Business Improvement District (BID), please contact Rhonda Frank at RhondaFrank@ArtsyFartsy.ca. The proposed Porters Lake BID's Facebook Page can be viewed here: <https://www.facebook.com/PortersLakeBID>.

If you lose your enclosed area rate ballot, or have any questions regarding the BID formation process, please contact Scott Sheffield at 902.490.3941 or sheffis@halifax.ca.

Sincerely,

Paul Johnston
Acting Managing Director
Government Relations and External Affairs
Halifax Regional Municipality
Tel 902.490.6616

Boundary Map for Proposed Porters Lake Business District



**Porters Lake Business Improvement District
Commercial Tenant
Area Rate Levy Ballot**

Business Name: «Business»

Civic Address: «AddressBlock»

As a commercial tenant occupying a commercial property within the proposed Porters Lake Business Improvement District, you are entitled to one vote.

Ballots must be received by **4:00 pm** on **June 21, 2019**. Ballots received after 4:00 pm on June 22, 2019 will not be counted. If you are mailing your ballot, please allow adequate time for delivery

I understand that BID area rate levies:

- are mandatory (no opting out);
- will continue in perpetuity unless the BID is dissolved;
- are set annually (and are, therefore, subject to change); and
- are calculated as a percentage of assessed property value (subject to a minimum levy and maximum levy).

I further understand that the proposed initial BID area rate levy is as follows:

- BID Area Rate: 10¢ (per \$100 of assessed commercial property value);
- Minimum Levy: \$300;
- Maximum Levy: \$3,000.

YES, I am in favour of an annual BID area rate levy to fund the proposed Porters Lake Business Improvement District.

NO, I am not in favour of an annual BID area rate levy to fund the proposed Porters Lake Business Improvement District

Name of Commercial Tenant (please print): _____

Name of Signing Authority (please print): _____

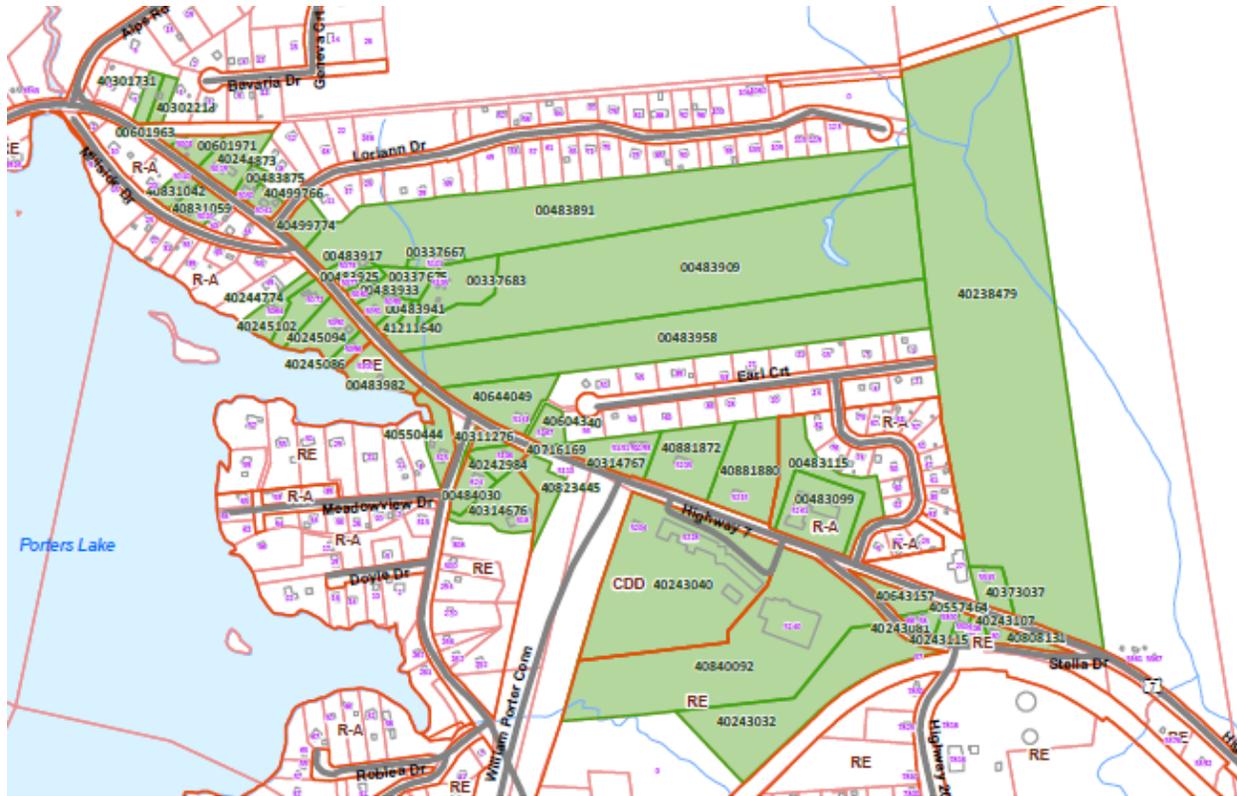
Signature of Signing Authority: _____

Date: _____

*** Unsigned/undated ballots will not be counted.**

ATTACHMENT L

Boundary Map for Proposed Porters Lake Business District



ATTACHMENT M

End-of-Year Accounting Engagements

Table 4: End-of-Year Accounting Engagements

Engagement	Assurance	Work Effort ¹¹	Estimated Cost*
Compilation (Notice to Reader)	None	This type of engagement involves the preparation of financial statements by a CPA. Included with the financial statements that are prepared is a report that is called a "Notice to Reader" stating that the financial statements are unaudited, and that there is no assurance provided by the CPA that the amounts are free from materially misstatements. The CPA simply compiles the financial statements with information provided by the client, or the client's bookkeeper.	\$1K
Review	Limited	<p>A review engagement provides a low level of assurance from the CPA. The accountant will perform various analytical procedures, as well as discussions with the client, to ensure that the financial statement information is plausible. Should the CPA find that the amounts in the financial statements are plausible, a review engagement report is issued.</p> <p>A review provides what is called negative assurance. This is a low level of assurance, meaning that nothing has come to the attention of the accountant that would leave them to believe that the financial statements are not, in all material respects, in accordance with accepted accounting standards.</p>	\$3K
Audit	Reasonable	<p>An audit engagement builds upon the procedures performed in a review engagement. In addition to the analytical and discussion procedures, the CPA will perform what is referred to as substantive procedures. Substantive procedures are more in-depth examination of the materials that back-up the amounts that make up the financial statements, i.e. physically examining invoices and purchase orders, physically observing that inventory exists, etc.</p> <p>In addition to the substantive procedures, the accountant must obtain an understanding of the company's internal controls and evaluate them for any significant deficiencies.</p> <p>The CPA, or Auditor, will provide an audit report once the engagement is complete. The level of assurance is much higher than a review engagement, that the company's financial statements are free of material misstatement.</p> <p>Also included with an audit engagement is a Management Letter. This is a letter that is provided to management, along with the Audit Report, that provides an evaluation of the company's internal controls, any recommendations to improve controls, and any other significant findings</p>	\$6k

* Cost estimates are based on KPMG rates. Smaller accounting firms are likely to charge less.

¹¹ See [The Difference Between Audit, Review and Compilation? \(Robey CPA\)](#).

**ATTACHMENT N
(Amending Administrative Order)**

**HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER 47
RESPECTING THE CREATION OF THE BUSINESS IMPROVEMENT DISTRICTS**

BE IT RESOLVED as an Administrative Order of the Council of the Halifax Regional Municipality that Administrative Order 47, the Business Improvement District Administrative Order is amended as follows:

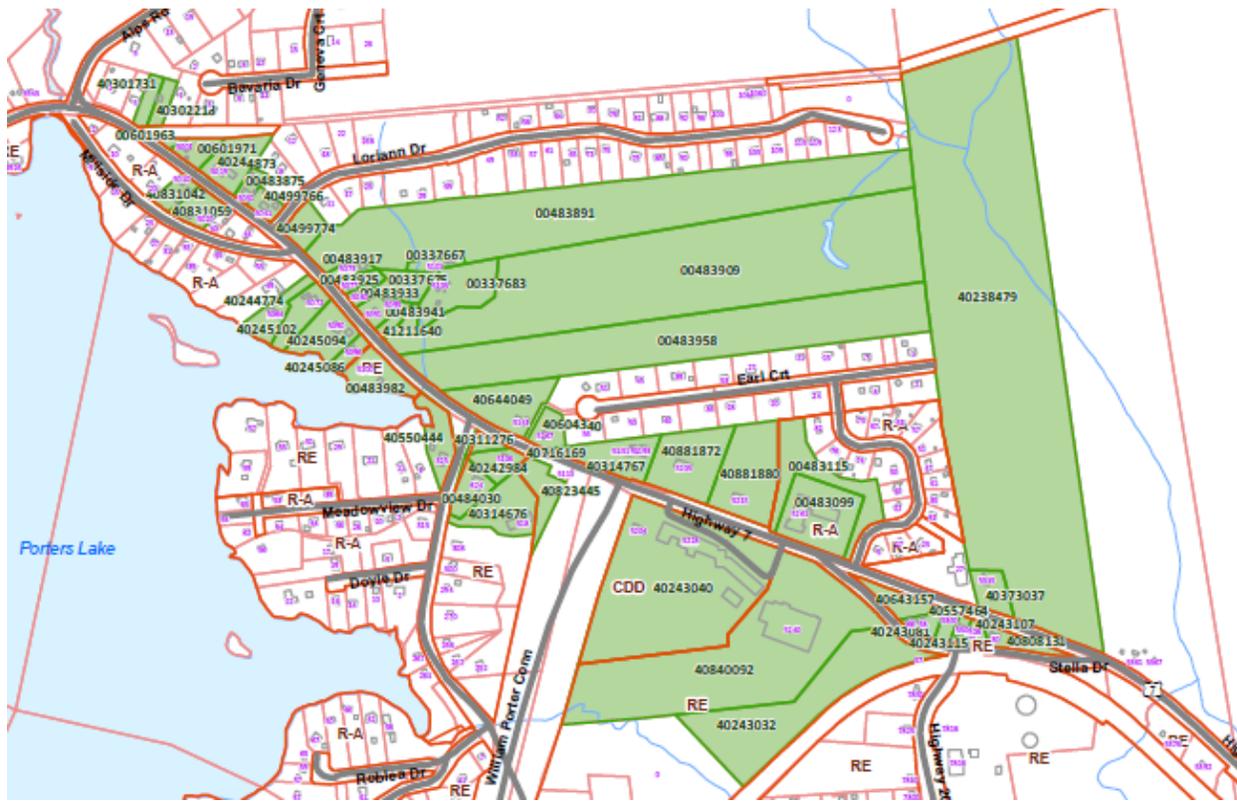
1. Section 2 is amended by:
 - (a) striking out the word “and” after the semi-colon at the end of subsection (7);
 - (b) striking out the period at the end of subsection (8) and adding a semi-colon at the end of subsection (8); and
 - (c) adding subsection (9) immediately following subsection (8) as follows:
 - (9) the Porters Lake Business Improvement District.
2. Schedule 1 is amended to add the Porters Lake BID map attached as Schedule A to this amending Administrative Order.
3. These amendments are to come into force upon receipt by the Chief Administrative Officer of the proof of registration of a society for the Porters Lake Business Improvement District.

Done and passed in Council this day of A.D. 2019

Mayor

Municipal Clerk

Schedule A



ATTACHMENT O

HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER 47
RESPECTING THE CREATION OF THE BUSINESS IMPROVEMENT DISTRICTS

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality as follows:

Short Title

1. This Administrative Order may be cited as Administrative Order Number 47, the Business Improvement District Administrative Order.

Establishment of District

2. Regional Council hereby establishes the following Business Improvement Districts:
 - (1) the Downtown Dartmouth Business Improvement District;
 - (2) the Main Street Dartmouth Business Improvement District;
 - (3) the Spring Garden Road Business Improvement District;
 - (4) the Downtown Halifax Business Improvement District;
 - (5) the Quinpool Road Business Improvement District;
 - (6) the North End Business Improvement District;
 - (7) the Spryfield Business Improvement District; and
 - (8) the Sackville Business Improvement District; and
 - (9) the Porters Lake Business Improvement District.
3. A business improvement district contains that portion of the municipality outlined in black on a plan attached as a Schedule to this Administrative Order.

Area Rate

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*.

Schedules

6. Any schedule referenced in this Administrative Order forms part of this Administrative Order.

Effective Date

7. This Administrative Order shall come into effect on the date of adoption by Regional Council.

Done and passed in Council this 2nd day of October, A.D. 2012.

MAYOR

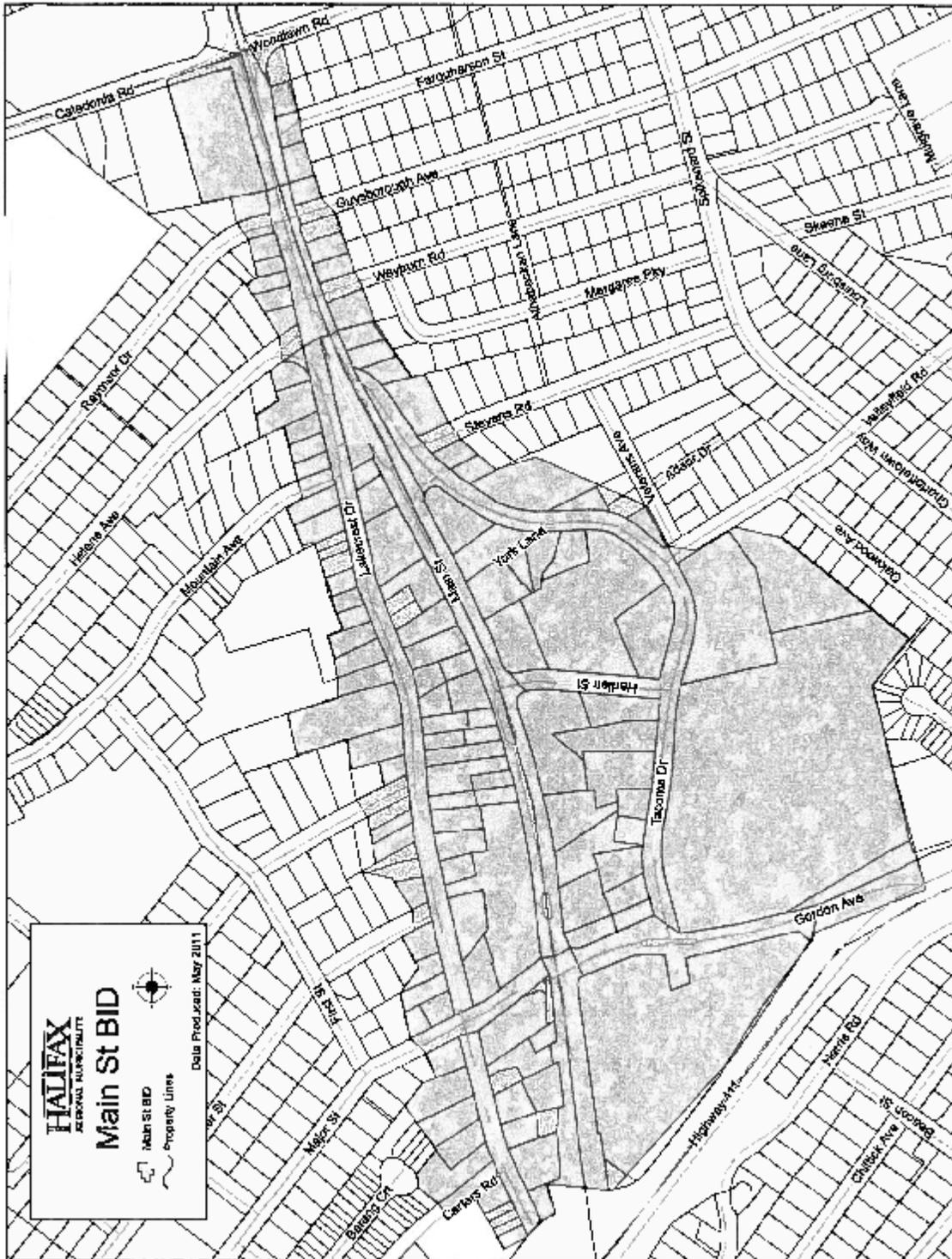
MUNICIPAL CLERK

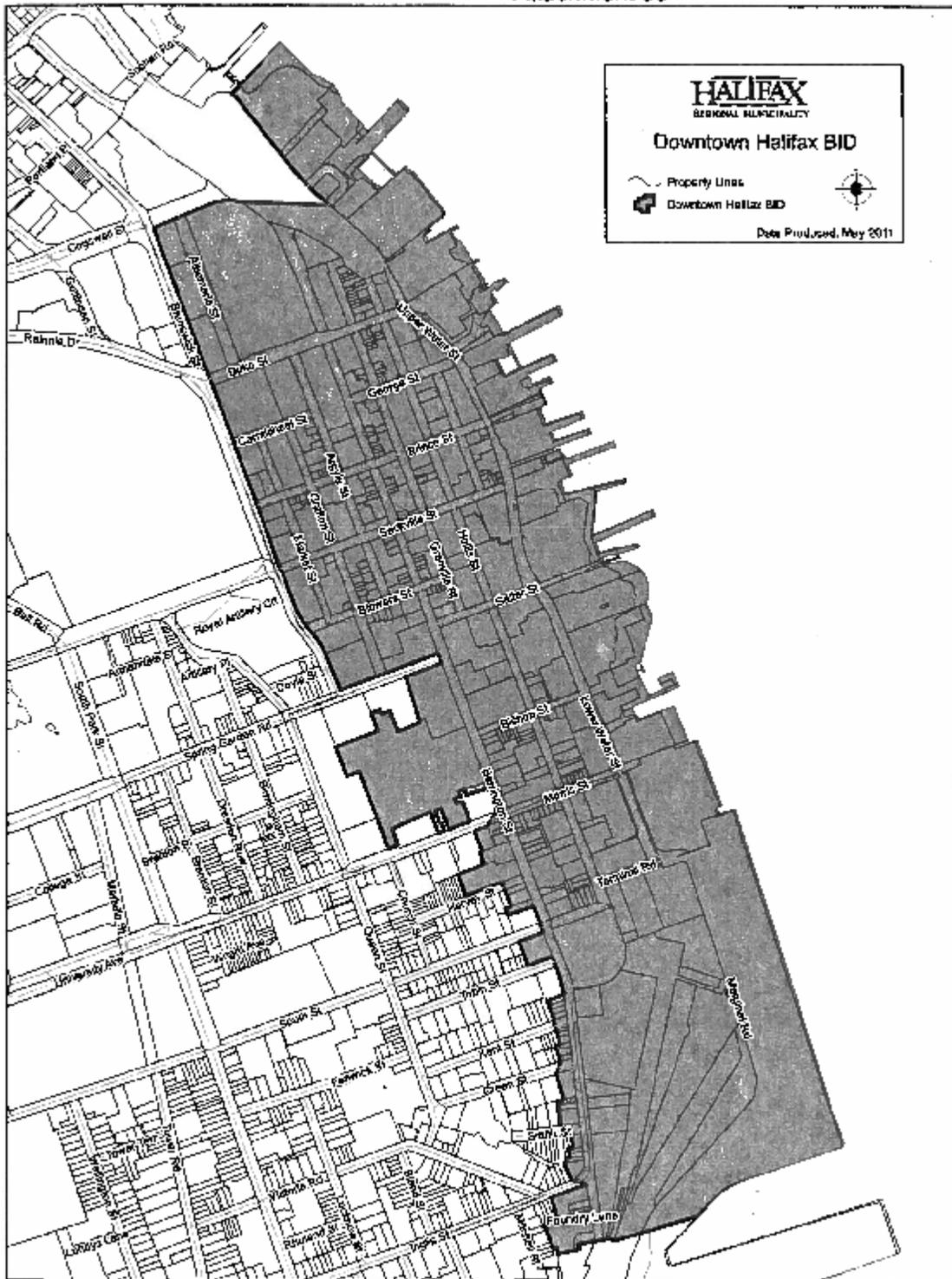
I, Cathy Mellett, Municipal Clerk of Halifax Regional Municipality, hereby certify that the above-noted Administrative Order was passed at a meeting of Halifax Regional Council on October 2, 2012.

Cathy Mellett, Municipal Clerk

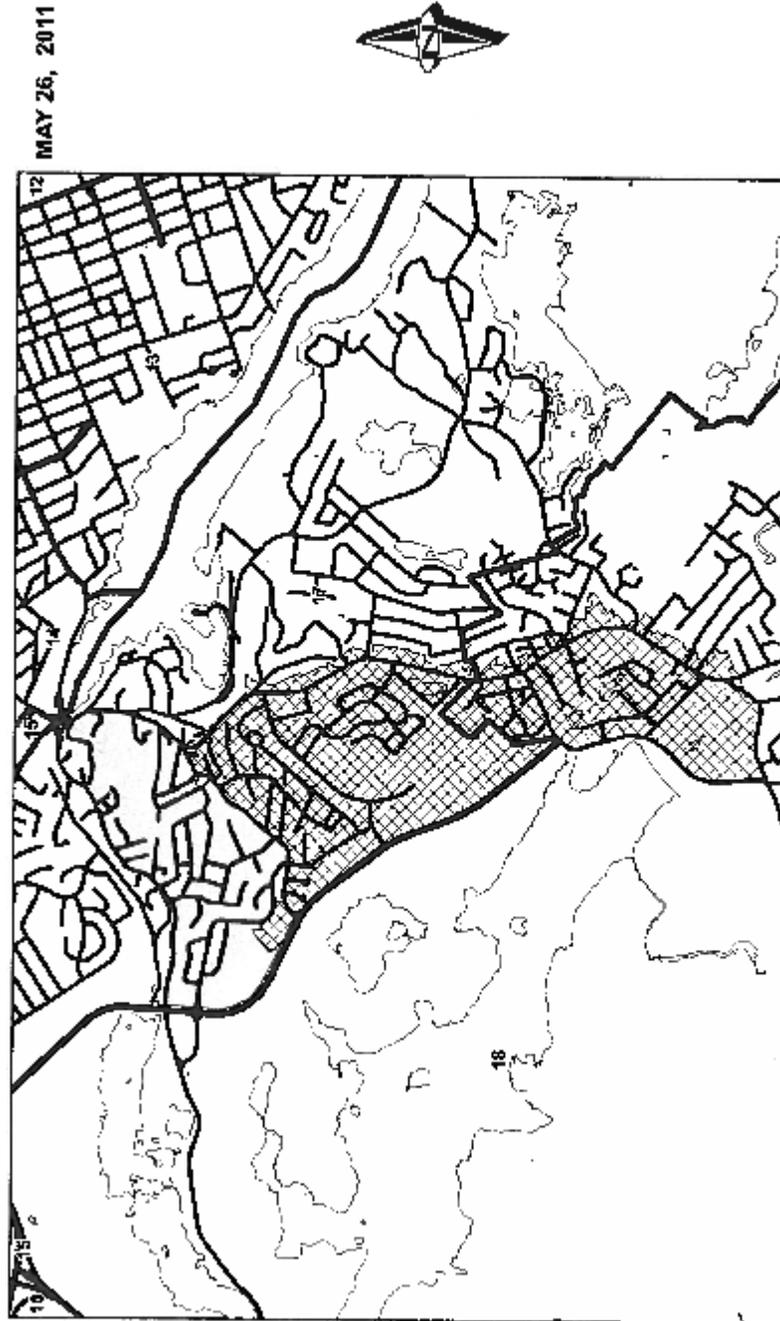
SCHEDULE 1 TO ADMINISTRATIVE ORDER 47



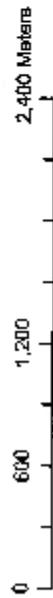




May 26, 2011 Cris Cross New Area for Spryfield Bid
Gray Area Properties Being Removed

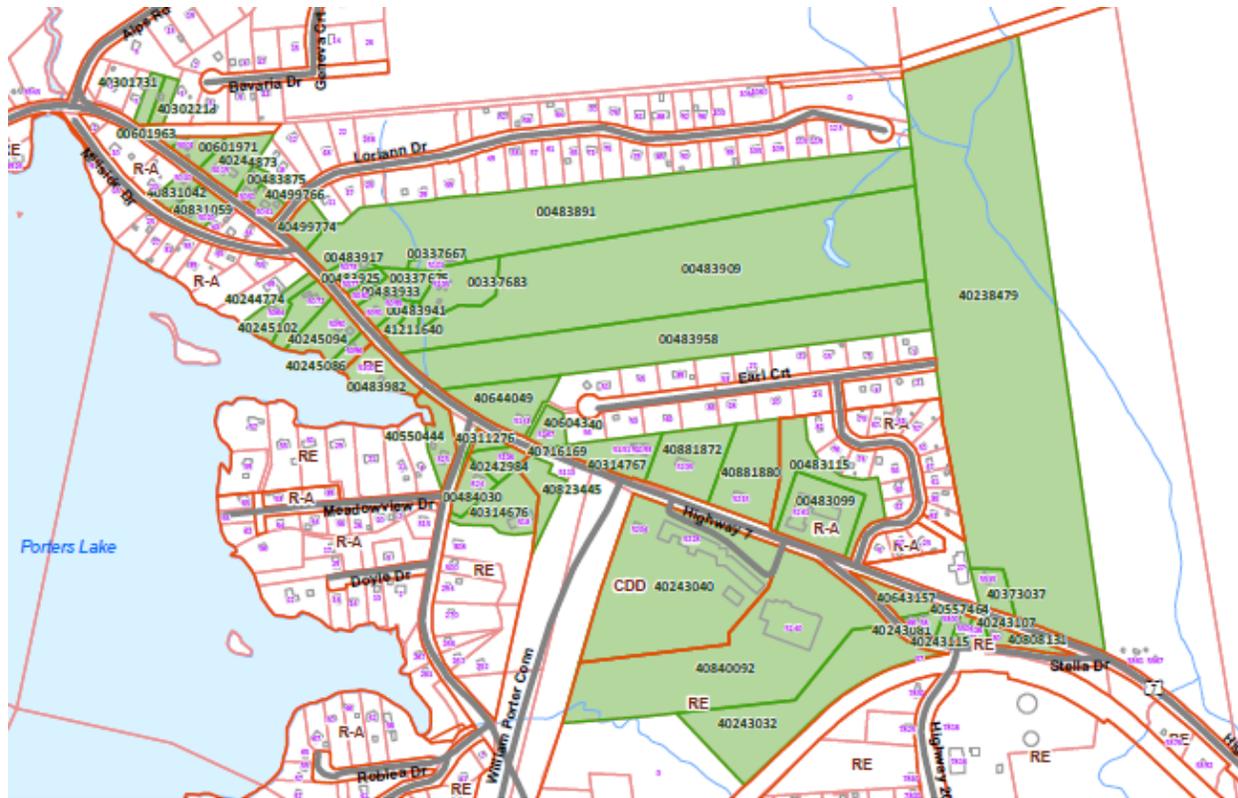


- Legend**
- Street Centerlines
 - cris_cross_area_may_20_2011
 - SPRYFIELD BID REVISED MAY 20 2011 properties removed
 - Electoral District: 2008
 - Lakes
 - PROVINCE
 - ATLANTIC OCEAN





Porters Lake Business Improvement District



Notice of Motion:
Approved:

August 14, 2012
October 2, 2012