



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

**Item No. 13.1.2**  
**Harbour East Marine Drive Community Council**  
**May 2, 2019**

**TO:** Chair and Members of Harbour East Marine Drive Community Council

Original Signed

**SUBMITTED BY:**

\_\_\_\_\_  
John Traves Q.C., Director-Legal, Insurance and Risk Management Services

Original Signed

\_\_\_\_\_  
Jacques Dubé, Chief Administrative Officer

**DATE:** April 12, 2019

**SUBJECT:** Porters Lake Business Improvement District

**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.

**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 the 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.
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.

## **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.<sup>1</sup> 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).

## **DISCUSSION**

### **Part I – BID Boundary Formation Process**

#### **Steering Committee and Notice of Intent to Create BID**

By-law B-700 stipulates that a request to form a Business Improvement District must originate with a Steering Committee. For the purposes of a newly forming BID, a Steering Committee must include five or more members and must include commercial property owners and commercial tenants. Pursuant to By-law B-700, the Porters Lake Steering Committee wrote to notify HRM's Chief Administrative Officer (CAO) and the Municipal Clerk of that committee's intention to proceed with the creation of a new Business Improvement District in Porters Lake (see Attachment B).

#### **Community Council Role – Authority to Review**

By-law B-700 mandates that, prior to a public hearing being held or a BID formation vote being conducted, any proposed BID be reviewed by the Community Council(s) responsible for the District(s) containing the proposed Business Improvement District. In this case, the proposed business district lies entirely within the Harbour East Marine Drive Community Council's jurisdiction.

#### **Community Council Role – Review of Area Rate, Minimum/Maximum Levy**

Where a Steering Committee, formed pursuant to By-Law B-700, has requested that a new Business Improvement District be formed, Community Council must review the proposed area rate, minimum levy, and maximum levy (based on the budget and activity plan provided). Community Council may, for the purposes of conducting an area rate vote and public meeting, approve, approve with amendment, or reject the proposed area rate, minimum levy, and maximum levy.

#### **Community Council Role – Review of Boundary**

Where a Steering Committee, formed pursuant to By-Law B-700, has requested that a new Business Improvement District be formed, Community Council is also required to consider the proposed geographic boundary. Community Council may, for the purposes of conducting an area rate vote and public meeting approve, approve with amendment, or reject the proposed Business Improvement District boundaries.

---

<sup>1</sup> 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>

## **Part II – Proposed Business District Boundary and Levy**

### **Proposed Boundary**

As required by By-law B-700, the Steering Committee for the proposed Porters Lake BID has defined a geographic boundary for the business district (see Attachment C). The proposed boundaries would include commercial properties within the area bounded by Highway 7 (from Alps Road to 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 Table 1 (see Attachment F).

As required by By-law B-700, the proponents have generated a list of commercial tenants currently occupying commercial properties located within the proposed business district boundary. Business names and civic addresses for the impacted commercial tenants are as reflected in Table 2 (see Attachment E).

### **Proposed Area Rate, Minimum Levy and Maximum Levy**

The Steering Committee has, for purposes of the desired business district formation, proposed an area rate, minimum levy and maximum levy. The proposed area rate, minimum levy and maximum levy are as follows:

Area Rate:	0.10¢ per \$100 of assessed commercial property value
Minimum Levy:	\$300
Maximum Levy:	\$3,000

### **Anticipated Levy Generated by Boundary Area**

Creation of a new Porters Lake business district will entail applying a Business Improvement District (BID) levy on all commercial properties within the proposed boundary area. The amount levied will be subject to Council's approval. Levies may change on an annual basis, such changes being subject to Council's discretion. All revenue accruing to HRM, through the collection of a BID levy, is disbursed to the BID (per the terms and conditions of a Business Improvement District Service Agreement). As such, the proposed BID formation would have no impact on HRM's operating budget.

A total of 14 commercial properties are currently located within the proposed business district area. Applying the proposed area rate, minimum levy and maximum levy to the properties within the proposed business district area would generate a BID levy of \$10,455.00 per year. In compliance with By-law B-700, the Steering Committee for the proposed Porters Lake BID has provided a provisional budget and activity plan based on the proposed BID boundary area, area rate, minimum levy and maximum levy (see Attachments G and H).

### **BID-Led Consultation with Commercial Property Owners and Business Owners**

To satisfy By-law B-700's consultation requirements, the proponents have consulted with stakeholders in the proposed BID boundary area and have found support for the business district's formation. They invited commercial property owners and commercial tenants within the boundary area to attend multiple information meetings held in the Winter of 2018. The proponents also developed a logo, conducted a survey and created a Porters Lake Business Improvement District Facebook Page <https://www.facebook.com/PortersLakeBID> (see Attachment D).

**Part III – Next Steps (If Boundary and Levy Rate are Approved by HEMDCC)**

**HRM Staff Led Public Meeting**

By-law B-700 specifies that, where Community Council gives its authorization to proceed with the BID formation process, a public meeting must be held. The public meeting is conducted by HRM staff to give affected parties a chance to ask questions about the proposed business district formation and the voting process. Meeting attendees can publicly express either support for, or opposition to, the proposed BID.

**HRM Conducted BID Formation Vote**

By-law B-700 specifies that, where Community Council gives its authorization to proceed with the BID creation process, a business district formation vote must be conducted. Area rate ballot packages would go out to all commercial tenants and commercial property owners in the proposed Business Improvement District. Further to By-law B-700, the area rate ballot package must include an explanatory letter advising stakeholders of the implications of the prospective BID formation, an area rate ballot; and a map defining the proposed boundaries of the Business Improvement District.

**Ballot Count Results and Role of Council**

If a majority of the area rate ballots returned are marked in favour of forming a new BID in Porters Lake, the proposed BID is then reviewed by Regional Council. Further to By-law B-700, Regional Council may approve, approve with amendment, or reject the proposed Porters Lake Business Improvement District boundary. If a majority of the ballots returned are marked against forming the BID, no Council review occurs.

If Regional Council approves the proposed Porters Lake Business Improvement District formation, an amendment to Administrative Order 47 will be required to add the newly formed Porters Lake Business Improvement District to Schedule 1 of the AO.

**FINANCIAL IMPLICATIONS**

Pursuant to By-law B-700, the Municipality must provide notice of a BID-formation-related public meeting in a local newspaper at least seven (7) calendar days prior to the date the meeting shall be held. The Municipality must also provide notice of a BID-formation vote in a local newspaper at least fourteen (14) days prior to the return date specified on the ballot. Costs are anticipated to be in the \$600-\$900 range, per newspaper insertion. Insertion costs can be absorbed in the approved 2019-20 operating budget for E400 Intergovernmental Relations.

If approved, all BID funding would be from the levy (i.e. no transfers from the general tax rate), so there would be no impact on the HRM General Operating Budget at any time in the future.

**RISK CONSIDERATION**

**Recommendation: Approve, for the purposes of conducting an area rate vote and public meeting the proposed district boundary, area rate, minimum levy, and maximum levy.**

Risk	Likelihood (1-5)	Impact (1-5)	Risk Level (I/L/M/H/VH)	Mitigation
Financial	–	–	–	N/A
Environmental	–	–	–	N/A
Service Delivery	–	–	–	N/A
People	–	–	–	N/A
Reputation	1	1	L	N/A

Legal and Compliance	1	1	L	N/A
----------------------	---	---	---	-----

**Alternative 1: Approve with amendment, or reject the proposed area rate, minimum levy, and maximum levy**

Risk	Likelihood (1-5)	Impact (1-5)	Risk Level (I/L/M/H/VH)	Mitigation
Financial	–	–	–	N/A
Environmental	–	–	–	N/A
Service Delivery	–	–	–	N/A
People	–	–	–	N/A
Reputation	1	1	L	N/A
Legal and Compliance	1	1	L	N/A

**Alternative 2: Approve with amendment, or reject the proposed Business Improvement District boundaries.**

Risk	Likelihood (1-5)	Impact (1-5)	Risk Level (I/L/M/H/VH)	Mitigation
Financial	–	–	–	N/A
Environmental	–	–	–	N/A
Service Delivery	–	–	–	N/A
People	–	–	–	N/A
Reputation	1	1	L	N/A
Legal and Compliance	1	1	L	N/A

**COMMUNITY ENGAGEMENT**

Commercial property owners/business owners were engaged by the proponents to gauge support for forming a Business Improvement District in Porters Lake (see discussion section above for particulars). If Harbour East Marine Drive Community Council gives its approval to proceed, a public meeting and a BID formation plebiscite vote will be conducted by HRM staff, pursuant to By-law B-700

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications.

**ALTERNATIVES**

1. Harbour East Marine Drive Community Council could approve with amendment, or reject the proposed area rate, minimum levy, and maximum levy.
2. Harbour East Marine Drive Community Council could approve with amendment, or reject the proposed Business Improvement District boundaries.

If Harbour East Marine Drive Community Council approves, with amendment, the proposed area rate, minimum levy, maximum levy or boundary, the amendments will be referred back to the Steering

Committee for its consideration. Steering Committee ratification is necessary since amendment may impact the viability of the proposed BID's budget and operational plans. If the Steering Committee ratifies Community Council's amendments, staff will hold a public meeting and conduct an area rate vote reflecting the boundaries, area rate, minimum levy and maximum levy, as amended by Community Council, and ratified by the Steering Committee (see Attachment A).

### **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.

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).

---

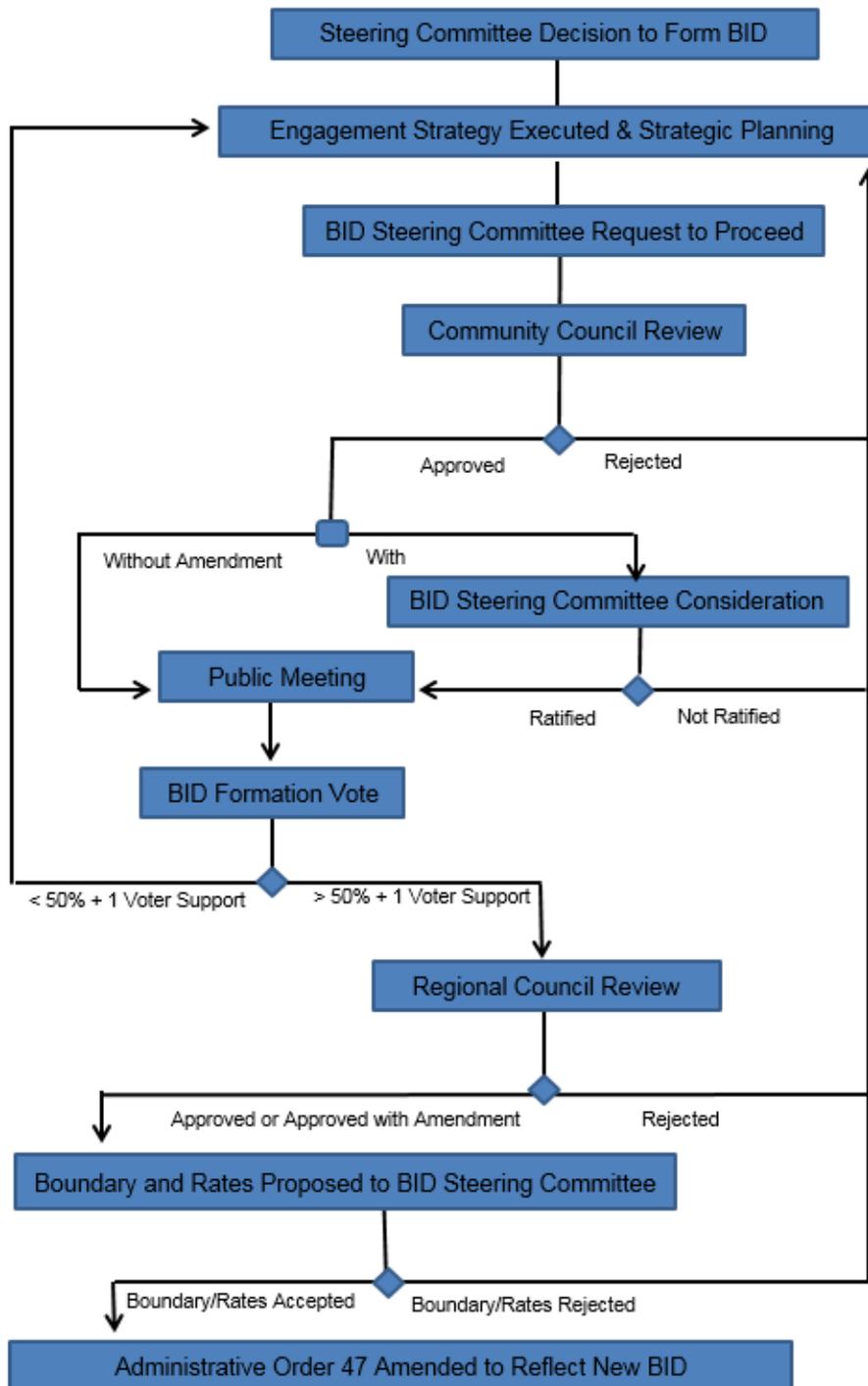
A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Scott Sheffield, Government Relations & External Affairs, 490-3941

---

ATTACHMENT A

BID Formation Flow Chart





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

Attachment B

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 commerical 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 aprised. 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 Distict within our region.

We hosted an introductory meeting for all business and property owners within the proposed district on Monday September 24<sup>th</sup>, 2018 at Ecole des Beaux Marais. We hosted a second meeting also at Ecole des Beaux Marais on November 5<sup>th</sup>, 2018. We held a meeting on at Seven Lakes Office on December 10<sup>th</sup>, 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 20<sup>th</sup>, 2019. The majority of the commercial property owners and commerical 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.

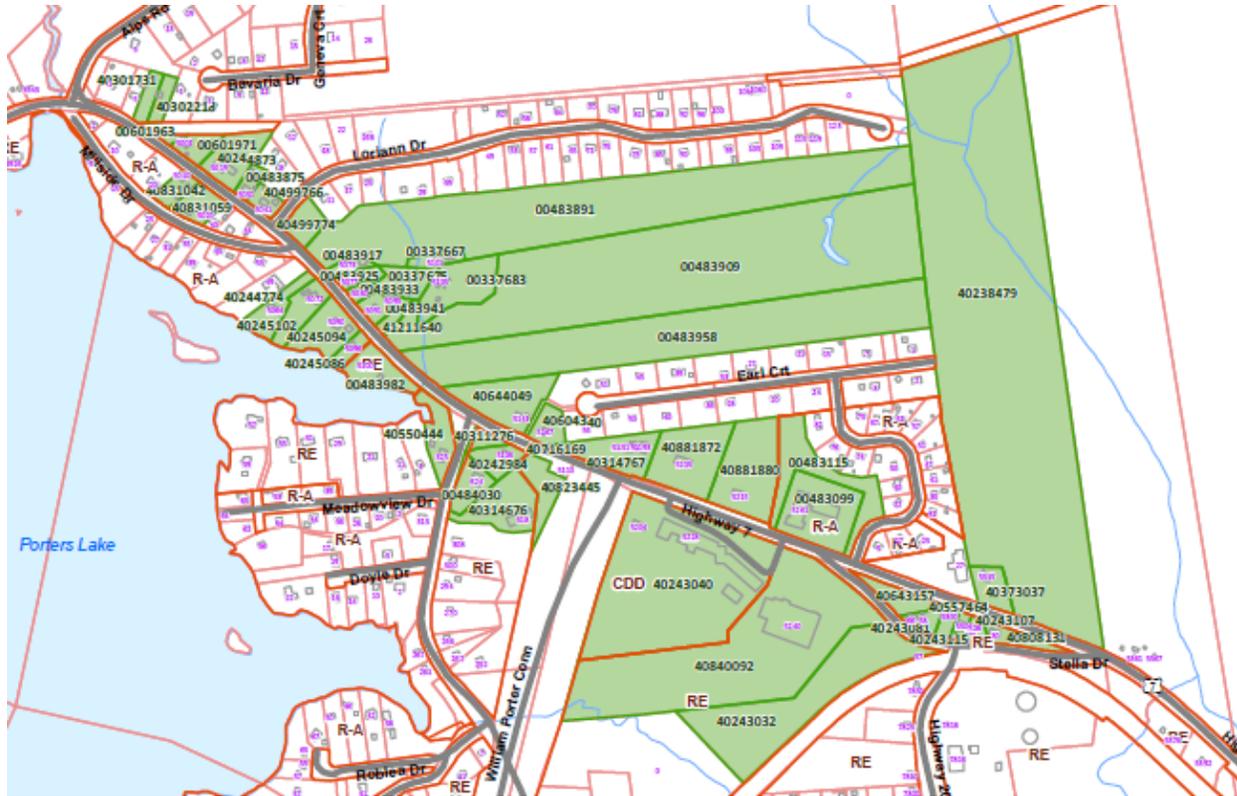
Cheers,

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  
Councillor David Hendsbee

**[Original Signed]**

ATTACHMENT C

Porters Lake Business District Proposed Boundaries



## ATTACHMENT D

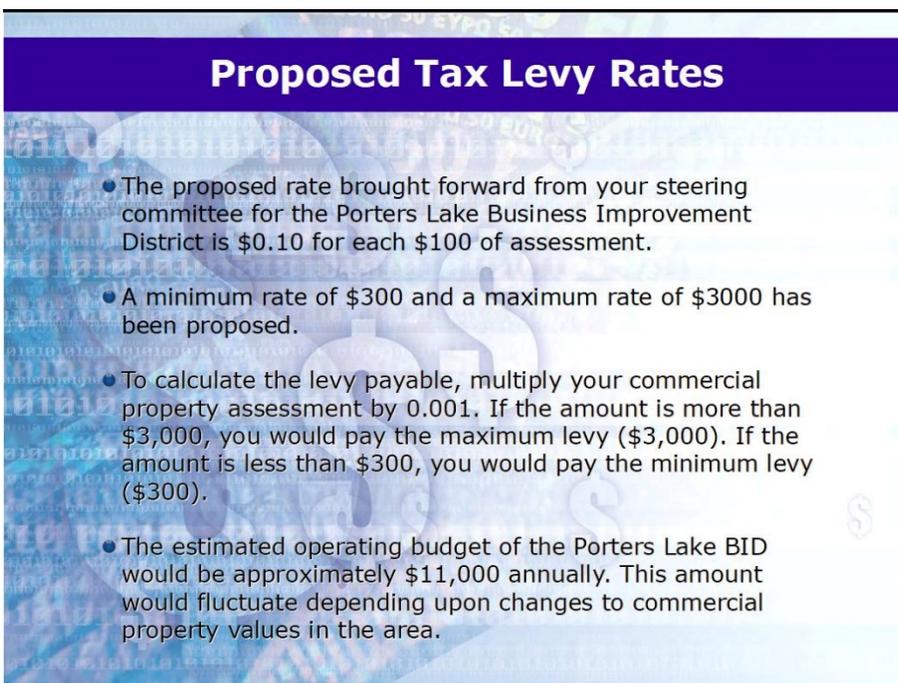
Evidence of stakeholder engagement conducted  
by the Porters Lake BID Steering Committee

Sample Facebook page materials (see [facebook.com/PortersLakeBID](https://facebook.com/PortersLakeBID))



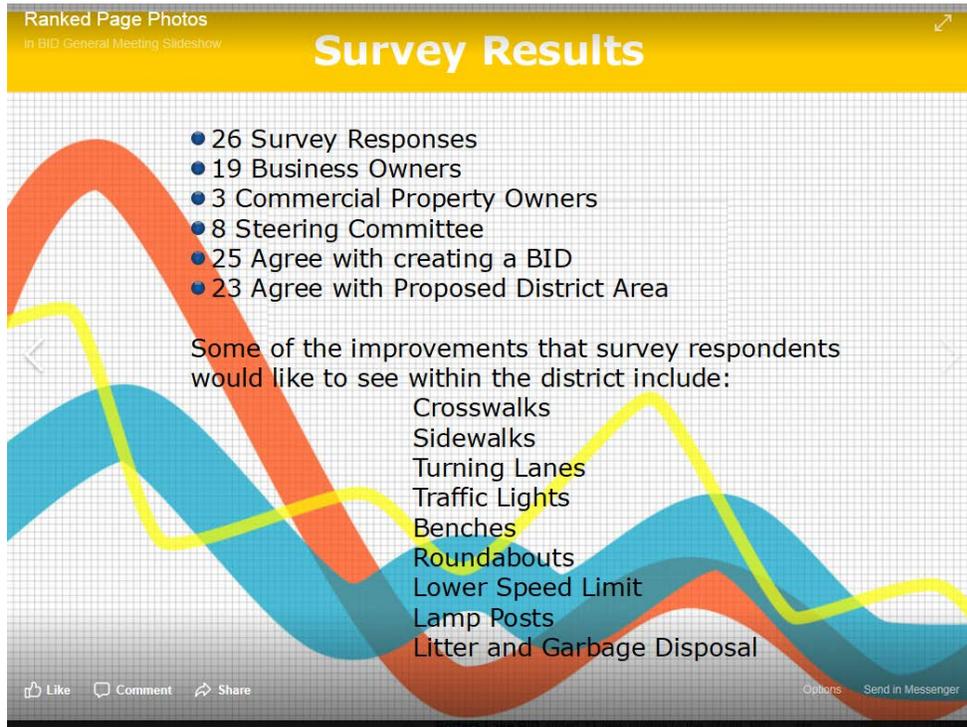
### Benefits of a BID

- 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 E**

List 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

<b>PID</b>	<b>ANN</b>	<b>Civic No.</b>	<b>Street Name</b>
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

<sup>1</sup> Assessment Account Number (ANN)  
<sup>2</sup> 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**

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

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

<b>EXPENSES</b>	
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
<b>TOTAL EXPENSES</b>	<b>\$10,455.00</b>