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Halifax Regional Council
October 31, 2006
November 28, 2006

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Julia Haincastle
for Deputy Mayor Russell Walker, Chair, HRM Grants Committee

DATE: October 26, 2006

SUBJECT: **By-law T-218 Respecting Tax Exemption for Non-Profit Organizations: 2006-2007**

ORIGIN

This report originates with staff of the HRM Financial Services and the HRM Grants Committee. The report makes recommendations for the approval of Regional Council regarding renewals, new applications, deletions, and changes to By-law T-200. This report was approved by the Grants Committee October 2nd, 2006.

Note: Applications from non-profit cooperatives, affordable housing, and special care facilities have been deferred for further review and will be addressed in a separate report.

RECOMMENDATION

It is recommended that Regional Council:

1. Set a date for a public hearing to approve the recommended exemptions or partial exemptions set out in Attachment 2 of this report (Schedule 26 and Schedule 29); the removal of accounts as set out in Attachment 3; and records management changes as detailed in Attachment 4, effective April 1, 2006, unless otherwise noted.
2. The tax exemption or partial exemptions provided under By-law T-200 for the fiscal year 2005-2006 shall also apply for the fiscal year 2006-2007.

BACKGROUND

The Municipal Government Act (1998), Section 71, permits municipalities, at their discretion, to provide partial or full tax exemption to non-profit organizations and charities who provide a service that might otherwise be a responsibility of Council. HRM has implemented such a program under By-law T-200. Legislation requires a public hearing.

Renewals:

Unless noted to the contrary in this report, the 169 organizations currently listed on the by-law for a total of 340 properties shall be renewed for fiscal year 2006-2007. The cost of these existing tax subsidies is \$1,802,650; 97% of budget capacity. The cost of existing subsidies increased \$98,255 over last year due to changes in assessment values. A complete listing of properties on By-law T-200 is posted on the HRM web site.

New Applications:

This year's program received 41 on-time applications for a total of 292 properties. Thirty-five (35) applications were from organizations new to the program and seven (7) from groups already on the by-law seeking an increase in subsidy level or the addition of a property. Staff have recommended five (5) additions, eight (8) be declined, and twenty-nine (29) applicants be deferred. Under records management a total of ten (10) properties are to be removed from the program.

Throughout this report all figures are rounded to the nearest dollar.

DISCUSSION

Affordable Housing

This year's program received an unprecedented number of applications from the affordable housing sector, notably twenty-two (22) non-profit housing cooperatives for a total of 258 properties. Twenty (20) of these applicants, and a further four (4) housing/residential facilities have been deferred pending confirmation of reporting requirements for provincial or federal subsidies. Presently, By-law T-200 includes various forms of supportive and affordable housing including emergency shelters, residential addictions treatment, supportive housing for persons with special needs (disabled, mental health consumers), post-incarceration, and independent affordable housing. The program does not recognize nursing homes, Small Options homes, or sub-leases in government subsidized public housing. The HRM Grants Committee have determined that more detailed consideration of the implications of such municipal subsidies is warranted.

Harbour City Homes

Harbour City Homes tax appeal will be addressed in a separate report as part of HRM's proposed settlement negotiations. The applicant has been notified in writing.

Program Evaluation

In the opinion of staff, the *Tax Exemption for Non-Profit Organizations Program* warrants a comprehensive evaluation. Specifically, the efficacy and fairness of the present program relative to the stated aims of the legislation ("...the organization provides a service that might be a responsibility of Council") and HRM's

strategic goals and financial capacity. It is recommended, however, that such a review, including development of detailed criteria, be postponed pending the findings of the Tax Reform Project scheduled to commence in 2006, or, approval of proposed amendments to the Municipal Government Act authorizing the introduction of a non-profit municipal tax rate. In the interim, staff of Financial Services are developing simplified guidelines for staff regarding the tax status of HRM-owned property and the implications re: facility management agreements and leasing .

Amendments

The report circulated October 24, 2006, has been amended to reflect Regional Council's decision to defer two (2) applications back to the HRM Grants Committee for further discussion. Specifically, the Ecology Action Centre, Halifax, and Westmoor 57 Cooperative Limited, Halifax. The balance of the report has been re-numbered, budget implications, and Schedule 29 adjusted accordingly.

BUDGET IMPLICATIONS

The *Tax Exemption for Non-Profit Organizations Program* budget for 2006-2007 is \$1,846,800, an increase of \$166,000 over the prior year. The additional funds are intended to off-set the phased elimination of the business occupancy tax and any increased assessment value for those presently on the by-law.

Renewals: Presently, there are 169 organizations (340 properties) on the by-law, excluding nine (9) pre-commitments not on the 2006-07 tax roll, whose renewal accounts for \$1,802,650 of capacity; an increase of \$103,979 over the prior year. This leaves a balance of \$44,185 for 2006-2007.

Additions: If approved, the addition of four (4) properties is estimated to cost \$47,060.

Removal: If approved, the removal of 10 properties from the by-law will create \$62,846 in capacity for a total of \$106,996 (\$44,150 + \$62,846) less the value of awards (\$47,060) for a balance of \$59,936 for (a) appeals, (b) new applications deferred, or (c) any approved settlement agreement with Harbour City Homes.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

1. Regional Council could overturn a recommendation of the HRM Grants Committee.
2. Regional Council could amend a recommendation of the HRM Grants Committee.

Under By-law T-213, October, 2004, Regional Council approved an appeal process whereby disputed awards

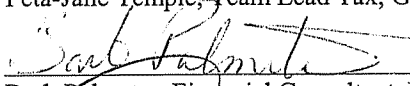
are referred to the HRM Grants Committee to review additional information or for further investigation by staff. The Councillor making such an appeal is required to appear before the HRM Grants Committee to provide details of the reason for the appeal. The committee reports on appeals to Regional Council through a Supplementary Report and, if required, a public hearing.

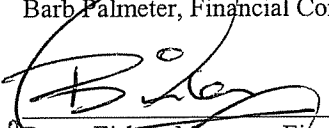
ATTACHMENTS

- 1. By-law T-200: Levels of Exemption 2006-2007.
- 2. Applications Recommended for Approval
- 3. Applications Recommended be Declined
- 4. Applications Recommend be Deferred
- 5. Records Management
- 6. By-Law T-218: An amendment to By- Law T-200.

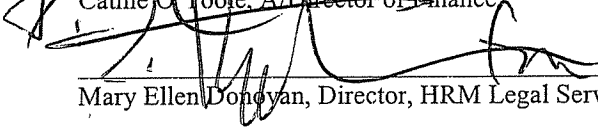
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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Attachment 1

By-law T-200 Levels of Tax Exemption: 2006-2007			
Category	Description	Subsidy Level	Schedule
Conversion*	Property assessed as Commercial and converted to the Residential rate.	Organization pays full tax at the Residential rate	Schedule 29
Partial Exemption*	Property assessed as Commercial and converted to the Residential rate; then a portion of the Residential tax is paid by HRM. Property assessed as Residential and portion of the Residential tax is paid by HRM.	25% Exempt Organization pays 75% of the Residential tax rate. Excludes Commercial portion of building.	Schedule 30
		50% Exempt Organization pays 50% of the Residential tax rate. Excludes Commercial portion of building.	Schedule 28
		75% Exempt Organization pays 25% of the Residential tax rate. Excludes Commercial portion of building.	Schedule 27
Tax Exempt*	Full exemption from payment of property tax. HRM pays the full amount.	100% Exempt Organization pays no property tax.	Schedule 26
Fire Protection Tax	Organizations on By-law T-200 also receive the equivalent level of annual exemption from fire protection tax.		

* Excludes commercial activity, business occupancy, local improvement charges, false alarm charges, fees or fines.

Attachment 2

RECOMMENDED FOR APPROVAL ENVIRONMENTAL PROTECTION

1. Nova Scotia Nature Trust, Lot 4, 87 Brans Way, Williamswood - Environment

The Nova Scotia Nature Trust is a federally registered charity whose mandate is to conserve ecologically significant lands throughout the province. The Trust receives property donations and bequests, acquires property through purchase or exchange, and manages conservation easements to protect woodland, wetlands, coastal plains, islands, waterways, and wildlife. In December, 2005, title to the land was transferred from a private citizen to the Nature Trust. The site is a rare example of undisturbed freshwater lakeshore in an area where natural habitat has diminished due to development. The property is assessed at the Residential rate (\$200). Application has been made for full tax exemption.

Staff recommend full tax exemption (Schedule 26). The estimated annual cost is \$200. Staff will ask for a confirmation of assessment category from Assessment Services.

RECREATION FACILITIES

2. Sackville Heights Community Centre Association, 45 Connolly Road, Sackville - Recreation

The property located at 45 Connolly Road, Sackville is owned by HRM and operated by a registered non-profit organization and an on-site contractual staff person. The property is assessed at the Commercial tax rate (\$37,284). The operations of the facility are funded primarily through an area rate and supplemented through leases, non-recurring rentals, and society fundraising. The lease agreements hold tenants responsible for a proportional share of property tax. Application has been made for full tax exemption.

Staff recommend 100% exempt for the balance of the existing lease agreements (ie. to March 31st, 2008). A continuation of subsidy level shall be reviewed as part of the lease renewal negotiation process. The estimated annual cost is \$37,284.

Staff recommend that HRM appeal the current assessment value to reflect general public access to specific on-site amenities such as gymnasium, meeting room, and HRM office.

3. Halifax Junior Bengal Lancers, Paddock, Bell Road, Halifax - Recreation

In 2006, the construction of the Citadel High School necessitated renegotiating the lease agreement between the club and the Province of Nova Scotia for access to land to replace the riding paddock. A temporary site has been secured between the Bell Road Stables (owned by HRM and leased to the club) and the Museum of Natural History (owned and operated by the Province of Nova Scotia). The Province intends to transfer title to a small portion of the museum site at a nominal price to HRM. Subject to Regional Council's approval, HRM will lease the land to the club. A survey will be required for the new lot and submitted to the Registry of Deeds to create a new property identification number and associated tax assessment value.

Staff recommend 100% tax exemption (Schedule 26) on the lot abutting the Bell Road Stables, located on

Bell Road, Halifax, effective as of date of lease agreement with HRM. The estimated annual cost to the program is pending a new assessment classification and value as determined by Assessment Services.

SOCIAL SUPPORTS

4. Provincial Autism Centre Association, 1456 Brenton Street, Halifax - Medical/Mental Health

The Craig Foundation made application in 2005-06 but was declined because the property title was held by a numbered business (3090726 Nova Scotia Limited). The company holds the property in trust for the sole benefit of The Craig Foundation, a federally registered Canadian charity; a declaration of trust was filed October 14, 2004. The property is leased by the Craig Foundation to the Provincial Autism Centre, also a federally registered Canadian charity. The Autism Centre provides information to persons with autism and their caregivers, health care providers, and researchers. The lease agreement holds the tenant liable for full payment of property tax and the lease was registered at the Registry of Deeds on September 30th, 2005, (documents #83150905/83150970). This registration is to effect billing in the name of the charity. The property is assessed at the Commercial tax rate (\$15,492). Application has been made for a Conversion to the Residential Rate.

Staff recommend a Conversion from the Commercial to the Residential rate (Schedule 29). The estimated annual cost is \$9,576.

Attachment 3

APPLICATIONS RECOMMENDED BE DECLINED

5. Sierra Club Of Canada: Atlantic Canada Chapter, Suite 507/508-1657 Barrington Street, Halifax - Environment

The Sierra Club of Canada is a federally registered Canadian charity and rents office space in a property operated by Landmark Properties. The tenant has been assessed a business occupancy account and tax is \$300 a year.

Staff have referred the applicant to the Provincial Assessment Services Office to appeal the business occupancy billing.

6. Duncan MacMillan Nursing Home Society, 22639 Highway #7, Sheet Harbour - Medical/Health

The Duncan MacMillan Nursing Home Society is a registered non-profit and a federally registered Canadian charity. The property is assessed at the Residential rate (\$8,353). Application has been made for partial exemption at 50% of the Residential rate.

Staff recommend decline in accordance with the previous decision of Regional Council (Minutes, April 10, 2001) which upheld a policy established by Council in 1999 whereby all nursing homes and long-term care facilities in HRM were to be taxed at 100% of the Residential rate. Further, at the request of Regional Council, Mayor Kelly wrote to the Minister of Health asking that property taxes be included in per diem rates as per other regular operating costs.

7. Nova Scotia Construction Safety Association, 35 MacDonald Avenue, Dartmouth - Industry

The Nova Scotia Construction Safety Association is a registered non-profit organization founded by and responsible to the construction industry. The Board of Directors comprises representatives from the Nova Scotia Road Builders Association, Building & Construction Trades Council, Nova Scotia Home Builders Association, Construction Association of Nova Scotia, Nova Scotia Power Inc, and related local business operators. The organization's aim is to reduce the incidence of workplace accidents. The property is assessed at the Commercial rate (\$33,419). A partial exemption has been requested.

Staff recommend decline. The organization primarily serves business and industry.

Note: applications from similar organizations whose membership and aims are professional or affiliated with business or commerce have been declined (eg. tourism, engineers, architects, denturists).

8. Silver Seas Social Club, 1618 Ketch Harbour Road, Sambro - Social Support

The Silver Seas Social Club is a registered non-profit organization who use a portion of the property located at 1618 Ketch Harbour Road, Sambro, for the purpose of a social club. The property is owned by a private interest (3050192 Nova Scotia Limited/Dock N' Dory Inc.) and assessed for Residential (\$304) and Commercial (\$4,621) taxes. Application has been made by the Silver Seas Social Club for full tax exemption.

Staff recommend tax exemption be declined due to ownership by a business entity. Further, there is no lease agreement between the owner and occupant.

9. Habitat for Humanity, Westphal - Affordable Housing

In 2005-06, Habitat for Humanity constructed five (5) single family dwellings in Westphal. Typically, the *Tax Exemption for Non-Profit Organizations Program* provides 100% tax exemption during the holding and construction phase of development and reverts to full Residential tax upon sale. The program cannot make retroactive awards or provide a subsidy to an individual owner.

200 Broom Road, Westphal

The property is a single family dwelling taxed at the Residential rate (\$2,049). This property was sold to a private owner in October, 2001.

204 Broom Road, Westphal

The property is a single family dwelling taxed at the Residential rate (\$2,049). This property was sold in October, 2005.

Staff recommend decline. An award cannot be made retroactively. If a private owner meets the eligibility criteria, application could be made for tax assistance under the Residential Tax Exemption Program (Administrative Order 10).

10. Capeland Housing Co-Operative Limited, Halifax - Affordable Housing

An application for partial tax exemption from Capeland Housing Co-Operative Limited has been withdrawn.

Withdrawal of application does not compromise future consideration but a new application will be required.

11. W. William Non-Profit Housing Association (Alice Housing), 82-84 Ochterloney Street, Dartmouth - Supportive Housing

Alice Housing provides transitional accommodations for women and children leaving domestic violence. The property located at 82-84 Ochterloney Street, Dartmouth, contains administration offices and meeting rooms for on-site programming to clients of the housing association. The property is assessed at the Residential tax rate (\$2,397).

Staff recommend application for a tax subsidy be declined: although the property is assessed at the Residential tax rate the premises do not serve as a permanent place of residence. This case has been referred to HRM revenue staff for a confirmation of assessment classification.

Attachment 4

APPLICATIONS RECOMMENDED BE DEFERRED

12. Nova Scotia Safety Village Society, Lot G-3, 100 Duke Street, Bedford - Public Safety

The Nova Scotia Children's Safety Village Society formed in 2005. The society intends to lease land from St. Paul's Home for the development of a "safety village": a learning environment for children aged 6-12. The society made application for full exemption from property tax. The property owned by St. Paul's Home has been exempt from tax pursuant to provincial legislation: the Act to Incorporate St. Paul's Home (1887). Hence, to date only fire tax has been collected by HRM (\$168).

HRM Legal Services have confirmed that the tax exempt status of the property will remain in effect under a lease agreement between St. Paul's Home and the Children's Safety Village Society. This interpretation cites clause 2 of the Act to Incorporate St. Paul's Home regarding the "...education and instruction of children and young adults" and clause 6 that permits St. Paul's Home to "...purchase, take and hold real estate, and may sell, lease, mortgage and dispose of the same". As such, the legal authority of the Province of Nova Scotia subsumes that of HRM's interests.

13. Rocky Lake Development Association, Lot G-3, 100 Duke Street, Bedford - Recreation

The Rocky Lake Development Association formed in 2002 as a registered non-profit organization for the purpose of developing community facilities on lands located in Bedford. The Association intends to purchase 75 acres of land from St. Paul's Home for the development of recreational amenities and a long-term care facility. To date, the property has been exempt from taxation pursuant an act of the Nova Scotia Legislature; Section 7 of the Act to Incorporate St. Paul's Alms House for Girls (1887). Hence, to date only fire tax has been levied by the municipality (\$168 a year). The Association has requested 100% tax exempt status.

Staff recommend a decision be deferred until the Agreement of Purchase and Sale is executed and a tax account created in the in the name of the Rocky Lake Development Association. Further detail is required regarding (a) property ownership and sub-leasing, (b) potential on-site commercial activity, and (c) any change in tax status of the property.

14. Chinese Benevolent Society of Nova Scotia - Ethnocultural

The Chinese Benevolent Association of Nova Scotia is registered non-profit organization serving the local community. Working in close cooperation with the Chinese Society of Nova Scotia, the association are hoping to develop a chinese cultural centre to be located in HRM. If Bill C-333 (Chinese Recognition and Redress Act) is approved by the federal government, both groups will make application for capital funding. Typically, such a project would be assisted by HRM through 100% tax exemption through the construction phase and then a Conversion from the Commercial to Residential tax rate.

Staff recommend defer tax exemption pending confirmation of funding and land acquisition.

15. Citadel Amateur Boxing Club - Sport/Recreation

The Citadel Amateur Boxing Club was incorporated as a registered non-profit organization in 1971. The club occupied space in the Commons Building, Bloomfield Recreation Centre, Halifax, for approximately 20 years. This facility closed in 2005. The club provides boxing instruction, coaching and competition for youth and adult.

Staff recommend a decision be deferred until the club locates a property and a tax account has been opened in the name of the organization (Citadel Amateur Boxing Club).

16. Feed Nova Scotia , 213-217 Bedford Highway, Halifax - Emergency Assistance

The property located at 213-217 Bedford Highway, Halifax, is owned by HRM and leased to Feed Nova Scotia under a lease-to-buy arrangement. The premises serve as a food bank, storage, and administrative centre and should be taxed at the Commercial rate (estimated to be ~\$15,247). The property was added to By-law T-200 at amalgamation (Schedule 9) at 50% exempt at the Residential rate. The organization has requested an increase in exemption level to 100% exempt.

Staff recommend a decision be deferred for 2006-07 on the basis that no tax has been paid to date (at 50% of the Residential rate the organization would pay an estimated \$2,798/year).

HRM Real Estate staff have been asked to create a tax account for the 2007-2008 fiscal year.

17. Supportive Housing for Young Mothers, 341 Pleasant Street, Dartmouth - Supportive Housing

In January, 2006, title to the property located at 341 Pleasant Street, Dartmouth, was transferred from HRM to Supportive Housing for Young Mothers conditional upon development approval for a multi-unit residence. Due to the timing of the transfer, the property will not appear on the 2006-2007 tax roll.

Staff recommend a decision be deferred until the development agreement has been confirmed and the Agreement of Purchase and Sale closed. Given the timing of the sale, the property is not on the 2006-2007 tax roll.

18. Adsum Association for Women & Children, 101 Albro Lake Road, Dartmouth - Supportive Housing

Adsum Association for Women & Children provides emergency shelter and transitional housing for women and children leaving domestic abuse. In 2005, HRM transferred title to a parcel of vacant land located at 101 Albro Lake Road for expansion of an existing housing project (Report to Regional Council, August 9th, 2005). A condition of sale was that the lot be consolidated with the abutting property owned by the association located at 103 Albro Lake Road, Dartmouth.

Staff advise that, as per the conditions of the Agreement of Purchase and Sale, the consolidation of the two (2) properties will extend the rate tax subsidy already provided under By-law T-200, at 75% exempt at the Residential rate, to include 101 Albro Lake Road, Dartmouth. The increase in cost to the existing exemption is estimated to be an additional \$285.

19. Quest: Society for Adult Support and Rehabilitation - Supportive Housing

Quest is a non-profit organization which began operation in July, 2002, as a successor to the Halifax

County Rehabilitation Centre, including a transfer of the centre's employees. The society's funding is almost exclusively (approximately 95%) through Nova Scotia Community Services. The organization provides accommodation for developmentally handicapped persons in two (2) Small Options homes and a portion of a seniors public housing apartment building.

The society currently has one (1) recreational property on By-law T-200 - a summer camp in Musquodoboit Harbour. The society has requested the addition of three properties they lease from the Province of Nova Scotia.

2406 Gottingen Street (Sunrise Manor), Halifax

The property is a seniors apartment building owned by Nova Scotia Housing Development Corporation and managed by the Metropolitan Housing Authority. Quest leases a portion of the premises. The property is taxed at the Residential rate. The taxes are \$79,113 for the entire building and there is no separate tax account for the portion leased to Quest.

1 Albyn Avenue, Dartmouth

The property is owned by Nova Scotia Housing Development Corporation and managed by the Metropolitan Housing Authority. Quest leases the premises for a Small Options program. The property is taxed at the Residential rate (\$2,010).

Lot A4, 5 Roywell Drive, Lawrencetown

The property is owned by Nova Scotia Housing Development Corporation and operated by the Metropolitan Housing Authority. Quest leases the premises for a Small Options program. The property is taxed at the Residential rate (\$1,738).

Staff recommend a decision be deferred. The facilities are owned and managed by the Province of Nova Scotia. It should be noted in relation to 2406 Gottingen Street, Halifax, that HRM currently has an agreement whereby the municipality pays for 25% of the Housing Authority's annual operating deficit (\$2,000,000 in 2005-06).

See: Information Report. Regional Council, October 28th, 2002, re: Tax Assessment of Small Options Housing. Such facilities are part of a continuum of care administered under the auspices Nova Scotia Department of Community Services and include non-profit and private operators subsidized through a per diem rate.

Housing Cooperatives:

Staff recommend a decision be deferred pending confirmation of reporting by applicants in receipt of core operating subsidies from provincial and federal government agencies¹. The Grants Committee have asked staff to confirm if the applicant's submission for a provincial subsidy is based on the full value of property tax billed or the actual taxes paid after any municipal subsidy has been deducted. The aim is to determine if municipal property taxes are recognized as a recurring core operating cost and thereby a core recurring operating cost eligible for subsidy (part of the per diem subsidy). Note: this same question applies to other forms of housing who receive a provincial core operating subsidy or per diem subsidy.

¹ For example, Nova Scotia Community Services, Nova Scotia Department of Health, Corrections Canada etc.

20. ABC Housing Co-Operative Limited, Dartmouth - Affordable Housing

The ABC Housing Co-Operative was established in 1983 and merged with the Harbourview Continuing Housing Co-Operative Limited in 2001. The cooperative now owns and operates a combined portfolio of 15 units of affordable housing in Dartmouth (5) and Cole Harbour (1). The properties are assessed at the Residential tax rate (\$12,964) and application has been made for partial tax exemption for an estimated combined annual cost of \$3,241.

21. Armdale and District Housing Co-Operative Limited, Halifax - Affordable Housing

The Armdale and District Co-Operative incorporated in 1979 and owns and operates 11 units of housing in Halifax (9), Harrietsfield (1), and Dartmouth(1). The properties are assessed at the Residential tax rate (\$13,562) and application has been made for partial tax exemption on 11 properties for an estimated combined annual cost of \$3,390.

22. Atlantic Housing Co-Operative Limited, Cole Harbour - Affordable Housing

The Atlantic Housing Co-Operative Limited incorporated in 1977 and owns and operates 14 units of housing in Cole Harbour (9), Eastern Passage (1), and Sackville (1). The properties are assessed at the Residential tax rate (\$18,623) and application has been made for partial exemption on 14 properties for an estimated combined annual cost of \$4,656.

23. Central Dartmouth Housing Co-Operative Limited, Dartmouth - Affordable Housing

The Central Dartmouth Housing Co-Operative incorporated in 1977 and owns and operates 13 duplex's in central Dartmouth assessed at the Residential tax rate (\$21,284). Application has been made for partial tax exemption for an estimated combined annual cost of \$5,321.

24. Cliffside Housing Co-Operative Limited, Halifax - Affordable Housing

Cliffside Housing Co-Operative incorporated in 1977 and owns and operates 24 units of housing (duplex's) in Halifax. The properties are assessed at the Residential tax rate (\$27,244) and application for partial exemption has been made for 12 properties at an estimated combined cost of \$6,811.

25. Cranberry Lake Housing Co-Operative Limited, 1-47 Cedarwood Drive/1-15 Pioneer Court, Dartmouth - Affordable Housing

Cranberry Lake Housing Co-Operative incorporated in 1982 and owns and operates a 60-unit apartment building assessed at the Residential rate (\$36,940). Because the complex is located on a corner lot with two entrances there are two civic addresses but only one property account. The estimated annual cost of partial tax exemption is estimated to be \$9,766.

26. Dunbrack Housing Co-Operative Limited, Halifax - Affordable Housing

The Dunbrack Housing Co-Operative incorporated in 1977 and owns and operates 30 units of housing in Halifax. The properties are assessed at the Residential tax rate (\$36,299). Application has been made for partial exemption for an estimated combined annual cost of \$9,075.

27. Flip Flop Housing Co-Operative Limited, Cole Harbour - Affordable Housing

Flip Flop Housing Co-Operative incorporated in 1984 and owns and operates 12 single family dwellings located in Cole Harbour assessed at the Residential rate (\$16,604). Application has been made for partial exemption on 12 properties for an estimated combined annual cost of \$4,151.

28. Harbour West Housing Co-Operative Limited, Halifax - Affordable Housing

Harbour West Housing Co-Operative incorporated in 1979 and owns and operates 4 properties in Halifax assessed at the Residential rate (\$4,226). Application has been made for partial exemption for an estimated combined annual cost of \$1,056.

29. Highfield Park Housing Co-Operative Limited, 35A-45J Joseph Young Drive, Dartmouth - Affordable Housing

The Highfield Park Housing Cooperative incorporated in 1977 and owns a 60-unit complex with townhouses (34) and apartments (26) assessed at the Residential rate (\$30,946). Application has been made for partial exemption for an estimated combined annual cost of \$3,739.

30. James MacDonald Housing Co-Operative Limited, 2475 Brunswick Street, Halifax - Affordable Housing

The James MacDonald Housing Co-Operative incorporated in 1977 and owns a 30-unit townhouse complex assessed at the Residential rate (\$17,126). Application has been made for partial exemption for an estimated combined cost of \$4,282.

31. Kabuki Housing Co-Operative Limited, 2467-2481 Brunswick Street, Halifax - Affordable Housing

Incorporated in 1982, the Kabuki Housing Co-Operative owns and operates 4 multi-unit apartment buildings (located on one lot) in Halifax and assessed at the Residential tax rate (\$4,366). Application has been made for partial tax exemption for an estimated combined annual cost of \$1,092.

32. McIntosh Run Housing Co-Operative Limited, Halifax - Affordable Housing

McIntosh Run Housing Co-Operative incorporated in 19977 and owns and operates 54 units of affordable housing in 27 properties, all assessed at the Residential tax rate (\$51,619). Application has been made for partial tax exemption for an estimated combined annual cost of \$12,905.

33. Nudondin Housing Co-Operative Limited, Halifax - Affordable Housing

Nudondin Housing Co-Operative incorporated in 1983, owns and operated 12 units of affordable housing in 8 properties. All assessed at the Residential tax rate (\$10,830). Application has been made for partial tax exemption for an estimated combined annual cost of \$2,707.

34. Rogers Drive Housing Co-Operative Limited, Lower Sackville - Affordable Housing

Roger Drive Housing Co-Operative incorporated in 1981 and owns and operates 22 units of affordable housing (duplexes) assessed at the Residential tax rate (\$20,162). Application has been made for partial tax exemption for an estimated combined annual cost of \$5,040.

35. Rooftops Housing Co-Operative Limited, Dartmouth - Affordable Housing

Incorporated in 1982, Rooftops Housing Co-Operative owns and operates 13 single family dwellings in Dartmouth all assessed at the Residential tax rate (\$15,368). Application has been made for partial tax exemption for an estimated combined annual cost of \$3,842.

36. Saduke Housing Co-Operative Limited, Sackville - Affordable Housing

Saduke Housing Co-Operative incorporated in 1984 and owns and operates 20-units of affordable housing (duplexes) assessed at the Residential tax rate (\$24,794). Application has been made for partial tax exemption for an estimated combined annual cost of \$6,198.

37. Seaview Housing Co-Operative Limited, 2390-2422 Barrington Street, Halifax - Affordable Housing

Seaview Housing Co-Operative was incorporated in 1984 and owns and operates a 24-unit complex in Halifax comprising 21 townhouses and 4 apartments. The property is assessed at the Residential tax rate (\$13,635) and application has been made for partial tax exemption for an estimated combined annual cost of \$3,409.

38. Spryview Housing Co-Operative Limited, Halifax ,

Spryview Housing Co-Operative incorporated in 1981 owns and operates 9 single family dwellings in Halifax. The properties are assessed at the Residential tax rate (\$11,662) and application has been made for partial exemption at an estimated combined annual cost of \$2,916.

39. Tri-Sack Housing Co-Operative Limited, Sackville - Affordable Housing

Fairmount Housing Co-Operative Limited (1981) and Spry-Sack Housing Co-Operative Limited (1982) merged in 2005 and now operate under the name Tri-Sack Housing Co-Operative. The cooperative owns and operates 19 single family dwellings in Sackville (17) and Halifax (2). The properties are assessed at the Residential tax rate (\$27,276) and application has been made for partial tax exemption at an estimated combined annual cost of \$6,819.

40. True North Housing Co-Operative Limited, 21 True North Crescent, Dartmouth - Affordable Housing

Incorporated in 1992, the True North Co-Operative owns a 12-unit apartment building. The property is assessed at the Residential tax rate (\$7,786) and application has been made for partial tax exemption at an estimated annual cost of \$1,947.

RECORDS MANAGEMENT

Removal from By-law T-200

41. Dartmouth Family Centre, 47 Wentworth Street, Dartmouth - Social Supports

The property located at 47 Wentworth Street, Dartmouth, is a registered heritage property owned by HRM. The premises were leased to the Dartmouth Family Centre and was added to By-law T-200 in 2004 at 100% exempt on the basis of the property's heritage status (By-law T-213). In 2005, the organization terminated its' lease agreement and moved to an alternate location. Presently, the property is operated by HRM Real Estate and therefore assessed as Exempt Commercial.

Staff recommend removal of the Dartmouth Family Centre from Schedule 26 of By-law T-200. The estimated annual cost saving to the program is \$0 (a tax account was never created or billed).

42. Alexandra Children's Centre, Suite 201, 1600 Young Street, Halifax - Social Supports

In 2005, the Alexandra Children's Centre was added to By-law T-200 at a Conversion from the Commercial to the Residential rate conditional upon the applicant securing a separate property tax billing in their name. The centre was unable to secure such agreement with the landlord in time to effect a reduction in property taxes. The organization has since acquired land on Devonshire Avenue, Halifax, and will construct a new facility in 2006-07.

Staff recommend removal of Alexandra Children's Centre from Schedule 29 of By-law T-200. The annual cost saving to the program is estimated to be \$0.

43. Eastern Star Lodge #51, 70-72 Ochterloney Street, Dartmouth - Service Club

The property is presently on By-law T-200, Schedule 29 at a Conversion to the Residential tax rate. The association sold the property September 5, 2005.

Staff recommend removal of the Eastern Star Lodge #51 from schedule 29 of By-law T-200, effective as of date of closing for the Purchase and Sale Agreement. The annual cost saving to the program is estimated to be \$4,779.

44. Homes for Independent Living, 26 Lyons Avenue, Spryfield - Supportive Housing

The property located at 26 Lyons Avenue, Spryfield, is owned by HRM and leased to Homes for Independent Living, a registered non-profit organization that supports persons with physical disabilities. In 1998, the property was added to By-law T-200 at exempt 75% of the Residential rate. In 2005, the tenant advised HRM of their desire to terminate their lease. The Nova Scotia Department of Community Services have assumed operation of the property on an interim basis while their request to HRM to transfer title to the property is under review.

Staff recommend removal of the property located at 26 Lyons Avenue, Homes for Independent Living, from Schedule 27 of By-law T-200, effective as of the date of assignment of the lease to the Province of Nova Scotia. The annual cost saving to the program is estimated to be \$1,733.

45. Eastern Shore Wildlife Association, Lot WA - 2 West Side East River Road, Sheet Harbour - Environment

This organization has two properties on By-law T-200. The property located at Lot WA-2 West Side East River Road, Sheet Harbour, is assessed as Residential not Commercial rate; therefore, this property does not need to be on Schedule 29 at a Conversion from Commercial to the Residential rate. Another property owned by the Association located on East River Road, Sheet Harbour, remains on Schedule 26 at 100% tax exempt.

Staff recommend removal of Lot WA-2 West Side East River Road(AAN# 05473535) from Schedule 29 of By-law T-200. The annual cost savings to the program is \$0.

46. Taiso Gymnastics Training Centre, 133 First Lake Drive, Sackville - Recreation

The Taiso Gymnastics Training Centre owns and operates a building located on land leased from the Lake District Recreation Association. When By-law T-200 was developed (1997) both Taiso Gymnastics Training Centre and the Lake District Recreation Association were placed on Schedule 26 at 100% tax exempt. However, the Lake District Recreation Association was removed in 2005 under By-law T-216 because HRM received notification from Assessment Services that the organization was exempt property tax under an Act of the Nova Scotia Legislature (1975). Grants Program staff have confirmed with HRM Legal Services that the land lease to Taiso Gymnastics is also tax exempt because the nature of the club's activities fall within the objects of the Lake District Recreation Association ie. the provision of recreational programs and services. As such, the legislation applies to the property leased to the gymnastics club.

Recommend removal of Taiso Gymnastics Training Centre from Schedule 26 of By-law T-200. The annual cost saving to the program is \$0.

47. Waegwoltic Club, 6549 Coburg Road, Halifax - Recreation

In 2002, the Waegwoltic Club purchased a former residence located at 6549 Coburg Road, Halifax, with the intent of demolishing the building and expanding the club's grounds. The property was added to By-law T-200 at a Conversion to Residential rate, conditional upon consolidation of the lot with the club's existing property located at 6541 Coburg Road, Halifax. As a consequence, the tax account number associated with the former residence has been retired and one tax bill is issued (6541 Coburg Road, Halifax).

Recommend removal of AAN # 03862941 from Schedule 29 of By-law T-200. The annual cost saving to the program is \$0.

48. Halifax Junior Bengal Lancers, Paddock, Bell Road, Halifax - Recreation

The construction of the new Citadel High School has resulted in the relocation of the riding paddock from lands formerly leased from the Province of Nova Scotia. In the interim, the former property tax account needs to be removed from By-law T-200.

Recommend removal of AAN # 01850954 from Schedule 26 of By-law T-200. The estimated annual cost saving to the program is \$12,354.

49. Spryfield Lions Arena, 25 Drysdale Road, Halifax - Recreation

In 2005-06, the Spryfield Lions Arena was removed from Schedule 29 of By-law T-200 in anticipation of a transfer of title to HRM. The sale did not close in 2005 but was completed in 2006; the property is now owned by HRM and assessed as Exempt Commercial.

Recommend removal from Schedule 26 of By-law T-200. The estimated annual cost saving of removal is \$43,980.

Grants Program staff will request a review of occupancy to determine any exclusive use through a lease agreement or on-site commercial activity.

50. Emmanuel Baptist Church, 633 Pockwock Road, Upper Hammonds Plains

The property owned by the Emmanuel Baptist Church located at 633 Pockwock Road, Upper Hammonds Plains, is exempt under the Assessment Act (1998) as a place of worship and therefore does not need to be on By-law T-200. However, two other properties owned by the church are taxable and will remain on By-law T-200 at 100% exempt. Specifically, Lot E, Pockwock Road (ballfield) and the community centre located at 711 Pockwock Road (the land is owned by the church but the building is owned by HRM and leased to a local non-profit association).

Recommend removal of 633 Pockwock Road, Upper Hammonds Plains, from Schedule 26 of By-law T-200. The estimated annual cost saving to the program is \$0.

Name Change

Name Change from Society for the Rehabilitation of Alcoholics to the Society for the Rehabilitation of Addicted Persons, 1374 Robie Street, Halifax - Supportive Housing

The Society for the Rehabilitation of Alcoholics operate the facility known as “Alcare Place”, a short-term residential addictions recovery facility. In 2005, the society changed it’s name with the Nova Scotia Registry of Joint Stocks to the Society for the Rehabilitation of Addicted Persons. The property located at 1374 Robie Street, Halifax, is on By-law T-200 at exempt 50% of the Residential rate.

Staff recommend Schedule 28 of the by-law be amended to replace the Society for the Rehabilitation of Alcoholics with the name of the Society for the Rehabilitation of Addicted Persons. There are no cost implications to the program.

Name Change from the Metro Food Bank Society to Feed Nova Scotia, 213-217 Bedford Highway, Halifax - Emergency Assistance

The Metro Food Bank Society is a registered non-profit society. In 2005, the society changed it’s name with the Nova Scotia Registry of Joint Stocks to Feed Nova Scotia. The property located at 213-217 Bedford Highway, Halifax, is on By-law T-200 at exempt 50% of the Residential rate.

Staff recommend Schedule 28 of By-law T-200 be amended to replace the name of the Metro Food Bank Society with Feed Nova Scotia. There are no cost implications to the program.

Corrections to Assessment Account Numbers on By-Law T-200

Nova Scotia Nature Trust, Porcupine Hill, Schedule 26, change from ANN#0198613 to ANN#01986813.

Sackville Lions Club, lot 2 Old Beaver Bank Road, Lower Sackville, Schedule 26, change from ANN#07669925 to ANN#09423117.

Cunard Children's Development Centre, 5557 Cunard Street, Halifax, Schedule 27, change from ANN#0772224 to ANN#00737321.

Metro Turning Point, building Barrington Street, Halifax, Schedule 27, change from ANN#00771317 to ANN#00771252.

Sport Nova Scotia, Spring Garden Road, Halifax, Schedule 29 change from ANN#04394595 to ANN#04394585.

Dartmouth Non-Profit Housing Association, 17 Collins Avenue, Schedule 30, change from ANN#06309626 to ANN#06039626.

Account Arrears

There is no formal authority to provide a tax deferral to a non-profit organization. However, under extenuating circumstances, and in accordance with Administrative Order 18, a payment plan can be negotiated with HRM. Compliance with payment plan agreements are monitored by staff; default could result in tax sale proceedings.

- Spencer House Seniors Centre, 5594-96 Morris Street, Halifax. Arrears paid in full in 2005-06.
- South End Day Care, 5594-96 Morris Street, Halifax. Arrears paid in full in 2005-06.
- Khyber Arts Society, 1588 Barrington Street, Halifax. Tax arrears paid in full on commercial account in 2005-06. Compliance with payment plan in effect.

Pre-Commitments

The following properties have been approved for property tax assistance under By-law T-200 but do not appear on the municipal tax roll. A listing of such cases is necessary for budget purposes.

Affirmative Industries Association of Nova Scotia, 66 Lakecrest Drive, Dartmouth - Affordable Housing

In 2004, HRM sold the property located at 66 Lakecrest Drive, Dartmouth, at less than market value to the Affirmative Industries Association for the development of affordable housing for mental health consumers. In February, 2004, the association was added to By-law T-200, Schedule 26, at 100% tax exempt, effective as of the closing date for the Agreement of Purchase and Sale. This level of exemption is in effect only during the holding and construction stage of development; once complete the property will be taxed at the Residential tax rate and the owner must make application for an adjusted level of tax assistance. Because the property was formerly owned by HRM the tax account for the property was assessed at the Exempt Commercial rate.

The estimated value of the award is \$5,392.

Alexandra Children's Centre, 3405 Devonshire Avenue, Halifax - Social Services

In 2003-04, HRM sold a portion of the property located at 3395 Devonshire Avenue, Halifax, for the development of a child care centre. In February, 2004, Alexandra Children's Centre was added to the by-law at 100% exempt, effective as of the closing date for the Agreement of Purchase and Sale. This level of exemption is in effect only during the holding and construction stage of development; once complete the property will be taxed at the Commercial tax rate and the owner must make application for an adjusted level of tax assistance. Because the property was formerly owned by HRM the property is assessed as Exempt Commercial. The subdivision of 3395 Devonshire Avenue, Halifax, is complete and the new lot should be included on the 2007-2008 tax roll.

The estimated value of the award is \$12,681.

Beaver Bank Community Centre Association, 1583A Beaver Bank Road, Beaver Bank - Recreation

The Beaver Bank Community Centre is owned by HRM but operated under a facility management agreement by the Beaver Bank Community Centre Association. In 2005, the association was added under By-law T-216 at 100% exemption for that portion of the property managed by the association as a recreation facility (excluding any commercial activity). Because the property is owned by HRM the property is assessed at the Exempt Commercial rate.

The estimated value of the award is \$35,438. The tax status of HRM-owned properties operated under a facility management agreement is under review.

Grants Program staff will request a review of occupancy to determine any exclusive use through a lease agreement or on-site commercial activity.

Dartmouth Non-Profit Housing Society, 53-55 Ochterloney Street, Dartmouth - Heritage

In March, 1988, HRM transferred title to the property located at 53-55 Ochterloney Street, Dartmouth, to Dartmouth Non-Profit Housing Society. The first floor accommodates the society's administration offices and the second floor is leased. In 2004, the association was added under By-law T-213 at 100% exempt, effective as of the closing date for the Agreement of Purchase and Sale. This level of exemption is based on the registered heritage status of the property. Because the property was formerly owned by HRM the tax account for the property was assessed as Exempt Commercial.

The estimated value of the award is \$7,772.

Grants Program staff will request a review of occupancy to determine any exclusive use through a lease agreement or on-site commercial activity.

Eastern Shore Recreation Commission, 67 Park Road, Musquodoboit Harbour - Recreation

The property located at 67 Park Road, Musquodoboit Harbour, is owned by HRM but operated under a facility management agreement by the Eastern Shore Recreation Commission. In 2004, the association was added under By-law T-212 at 100% exemption for that portion of the property managed by the association as a recreation facility (excluding any commercial activity). Because the property is owned by HRM it is assessed as Exempt Commercial.

The estimated value of the award is \$51,672.

Grants Program staff will request a review of occupancy to determine any exclusive use through a lease agreement or on-site commercial activity.

Frances Margaret Pet Sanctuary, 3215 Highway # 7, Lake Echo - Benevolence

The Francis Margaret Pet Sanctuary was established as a registered non-profit society in June, 2002. The organization will receive three (3) properties for their use through property donations by a private citizen. In 2004, the organization was added on By-law T-212 at 50% exempt, effective as of the date of closing the Agreement of Purchase and Sale or transfer of title through an estate settlement or bequest.

The estimated value of the award for all three properties is \$864.

Head of St. Margaret's Bay/Boutlier's Point Recreation Association, 11 Station Road, Head of St. Margarets Bay - Recreation

The property located at 11 Station Road, Head of St. Margaret's Bay, is owned by HRM and leased by the Head of St. Margaret's Bay/Boutilier's Point Recreation Association. In 2002, the property was added to By-law T-200 at 100% tax exempt for that portion of the property used as a recreation centre (By-law T-209). Because the property is owned by HRM the tax account for the property is assessed at the Exempt Commercial rate.

The estimated value of the award is \$6,372.

Grants Program staff will request a review of occupancy to determine any exclusive use through a lease agreement or on-site commercial activity.

North Star Rowing Club, 88A Chrichton Avenue, Dartmouth - Heritage

The property located at 88A Chrichton Avenue, Dartmouth, is owned by HRM and leased to the North Star Rowing Club. In 2001, the property was added to By-law T-200 at 100% tax exempt on the basis of municipal heritage registration (By-law T-206). Because the property is owned by HRM the tax account for the property is assessed as Exempt Commercial.

The estimated annual cost is \$39,924.

Grants Program staff will request a review of occupancy to determine any exclusive use through a lease agreement or on-site commercial activity.

Attachment 6

HALIFAX REGIONAL MUNICIPALITY

BY-LAW NUMBER T-218

BY-LAW RESPECTING TAX EXEMPTIONS

Be it enacted by the Council of the Halifax Regional Municipality, under the authority of Section 71, of the Municipal Government Act, Chapter 18, R.S.N.S 1989, is amended as follows:

1. By-law T-200 is amended by:

Replacing the referenced legislation citation "Section 5 (1) of the Assessment Act, Chapter 23, R.S.N.S 1989" with "Section 71, of the Municipal Government Act, Chapter 18, R.S.N.S 1989".

2. Schedule 26 of By-law T-201 is amended by:

- a) Add AAN# 03421775, Nova Scotia Nature Trust, 87 Brans Way, Williamswood, Halifax
- b) Add AAN # 03376702, Sackville Heights Community Centre Association, 45 Connolly Road, Sackville
- c) Add, Halifax Bengal Lancers, Riding Paddock, Summer Street and Bell Road, Halifax
- d) Delete AAN # 00852082, Dartmouth Family Center, 47 Wentworth Street, Dartmouth
- e) Delete AAN # 07648456, Taiso Gymnastics Training Center, 133 First Lake Drive, Sackville
- f) Delete AAN # 01850954, Halifax Junior Bengal Lancers, Riding Ring - Bell Road, Halifax
- g) Delete AAN # 02565099, Lions Club of Spryfield, 25 Drysdale Road, Halifax
- h) Delete AAN # 01409085, Emmanuel Baptist Church, 633 Pockwock Road, Hammonds Plains
- i) Update AAN # 0198613, Nova Scotia Nature Trust to correct AAN # of 01986813
- j) Update AAN # 0766992, Sackville Lions Club to correct AAN # of 09423117

1. Schedule 27 of By-law T-201 is amended by:

- a) Delete AAN # 00775495, Homes for Independent Living, 26 Lyons Avenue, Halifax
- b) Update AAN # 0772224, Cunard Children's Development Centre to correct AAN # of 00737321

- c) Update AAN # 00771317, Metro Turning Point to correct AAN # of 00771252

2. Schedule 28 of By-law T-201 is amended by:

- a) Name Change from Society for the Rehabilitation of Alcoholics to Society for the Rehabilitation of Addicted Persons
- b) Name Change from Metro Food Bank Society to Feed Nova Scotia

3. Schedule 29 of By-law T-201 is amended by:

- a) Add AAN # 03628698, Provincial Autism Centre Association, 1456 Brenton Street, Halifax
- b) Delete AAN # 03715701, Alexandra Children's Centre, Suite 201, 6100 Young Street, Halifax
- c) Delete AAN # 01363085, Eastern Star Lodge #51, 70-72 Ochterloney Street, Dartmouth
- d) Delete AAN # 05473535, Eastern Shore Wildlife Association, Lot WA-2 West Side East River Road, Sheet Harbour
- e) Delete AAN # 03862941, Waegwoltic Club, 6541 Coburg Road, Halifax
- f) Update AAN # 04394595, Sport Nova Scotia to correct AAN # of 04394585

4. Schedule 30 of By-law T-201 is amended by:

- a) Update AAN # 06309626, Dartmouth Non-Profit Housing Association to correct AAN # of 06039626