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PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

Halifax Regional Council  
July 13, 2004

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

**SUBMITTED BY:**

  
\_\_\_\_\_  
Dan English, Acting Chief Administrative Officer

**DATE:** July 8, 2004

**SUBJECT:** Additional Area Rates for 2004-2005

**ORIGIN**

On June 8, 2004, Council approved the majority of the area rates for the 2004-05 fiscal year, but deferred approval of:

- the area rate for the Spryfield and District Business Commission, and
- the Minesville Community Association area rate pending confirmation of the boundaries.

**RECOMMENDATION**

It is recommended that :

1. That the Spryfield and District Business Improvement District be amended to exclude businesses on St. Margaret's Bay Road, Purcell's Cove Road, and feeder streets from those two roadways.
2. Area rates of \$0.0859 to the commercial assessment, and \$0.1718 to the business occupancy assessment be applied within the Spryfield and District Business Improvement District effective for the 2004-05 fiscal year with a minimum levy of \$50.00 per account, and a maximum levy of \$1,000.00 per account per fiscal year.
3. That the Minesville Community Association area rate of \$20.00 per household be applied against the properties within the mapped area depicted in a staff report dated May 15, 2002.

## **BACKGROUND**

### **Spryfield & District**

The Spryfield and District Business Commission is one of six business improvement districts (BIDs) within HRM. The initial area rate for this BID was approved by Council on July 15, 2003. Subsequently, businesses along St. Margaret's Bay Road and Purcell's Cove Road have expressed concern as to the benefits they would receive from the new BID.

### **Minesville**

The Minesville Community Association was formed in November 1999 with the purpose of "protecting and developing community parkland, building community pride and spirit, and working with government representatives on behalf of the community." Since its formation, the Association has been very active in the community of Minesville fund raising and planning for recreational amenities and activities for the residents. The area rate approved by Council on May 21, 2002 has enabled the Association to increase and develop parkland and other recreational amenities within the community.

## **DISCUSSION**

### **Spryfield & District**

The creation of the initial area rate to support the BID was contingent on less than 51% of the commercial and business occupancy accounts voting against it. This was consistent with the manner in which Council's BID area rates had been developed, prior to 2003. However, current practice is now the same as that used for other types of areas rates: community meeting(s) followed by a vote, typically a mail-in vote. This new process was recently used (to determine whether) to develop a BID in Burnside and Sackville.

At its meeting on May 10, 2004, the Spryfield and District Business Commission (SDBC) Board of Directors agreed to exclude businesses along St. Margaret's Bay Road from the Armdale Rotary to Northwest Arm Drive. A copy of the letter from Kevin Umlah, President of the BID, to HRM Financial Services to confirm this decision is attached to this report as Appendix "A". The SDBC Board of Directors has not agreed to exclude businesses along Purcell's Cove Road.

On June 24, 2004, HRM Financial Services received a petition signed by six businesses on St. Margaret's Bay Road and twelve businesses along Purcell's Cove Road requesting they be exempted from the tax levy collected for the BID. The eleven of those twelve businesses are actually on Purcell's Cove Road, this represents more than 80% of the commercial property and business owners on Purcell's Cove Road.

A copy of the petition is included as Appendix "B" to this report. Councillor Mosher, District 17, supports the petition of the Purcell's Cove (and St. Margaret's Bay Road) businesses. Although BIDs have the ability to self-define their own business area boundaries, Council has the authority to approve or amend those boundaries.

Based on the reasonable claim by Purcells Cove businesses that their businesses are in a zone distinctly separate from the main Spryfield business area and the percentage of Purcell's Cove businesses signed onto the petition, staff is recommending that the affected businesses in the St. Margaret's Bay Road and Purcell's Cove Road areas be excluded from the area rate for the BID.

Council may wish to opt for either of the two Alternatives provided.

### Minesville

The Minesville Community Association area rate was approved by Council on May 21, 2002. Its purpose was to increase and develop parkland and other recreational amenities within the community of Minesville. The area rate approved was \$20.00 per household to be applied against the properties within the mapped area depicted in a staff report dated May 15, 2002. The area rate was established in accordance with the Interim Area Rate Guidelines.

On June 8, 2004, Council requested that the catchment area be reviewed by staff to determine if any properties had either been erroneously included or excluded from the mapped area depicted in the staff report. Staff can find no error in the way that the mapped area has been applied. There are four properties included within the mapped area that abut or are accessed by Route 207 also known as Lawrencetown Road. These properties were included in the initial map and without a broader review of the policy implications of changing boundaries on area rates, staff are not presently prepared to recommend their removal from the area rate. There are also seven properties that are currently outside the catchment area which staff were requested to consider for inclusion. These properties can only be accessed from Candy Mountain Road which is within the Minesville community. However, in accordance with the Area Rate Guidelines, it would be necessary to allow the owners of those properties the opportunity to vote on being included in the catchment area for the Minesville Community Association area rate. It would be necessary to reopen a consultation process with the community. This cannot be completed before the final tax bills are issued but could be completed for 2005-06.

## **BUDGET IMPLICATIONS**

### Spryfield & District

For the 2004-05 fiscal year, the exclusion of these businesses from the area rate will result in a reduction in projected revenue of \$5,280 for the BID. This includes \$2,940 from the businesses on St. Margaret's Bay Road, and \$2,340 from the businesses along Purcell's Cove Road. This would result in projected revenue from the area rate of \$31,100. Expenditures would also total \$31,100.

For Alternative 1, excluding businesses along St. Margaret's Bay Road only, the total projected revenue from the area rate would be \$34,040. For Alternative 2, not altering the BID boundaries, the total projected revenue from the area rate would be \$36,380.

Because all of the funding is provided through the area rate (there are no transfers from the general tax rate), there is no impact on the general operating budget.

Minesville

The Minesville Area Rate raises \$8,880. Expenditures are also equal to \$8,880. There is no impact on the general tax rate.

**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**

Council could consider other boundary options including:


1. Excluding the businesses along St. Margaret's Bay Road, but including those along Purcell's Cove Road. This option is favoured by the Spryfield and District Business Commission.
2. Maintaining the current Spryfield and District boundaries.

**ATTACHMENTS**

- Appendix A: Letter from Kevin Umlah, President, Spryfield and District Business Commission  
Appendix B: Petition signed by businesses on St. Margaret's Bay Road and Purcell's Cove Road

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Bruce Fisher, Manager of Financial Planning, 490-4493  
Andre MacNeil, Financial Consultant, 490-6241

Report Approved by:   
Dale MacLennan, Director, Financial Services 490-6308

# Appendix A

## Spryfield & District Business Commission



PO Box 20010 RPO Spryfield  
Halifax, NS B3R 2K9

Mr. John Marsh  
Financial Services  
Halifax Regional Municipality  
PO Box 1749  
Halifax, NS  
B3J 3A5

Dear Mr. Marsh,

As a result of discussion at its meeting of May 10, 2004, the Board of Directors of the Spryfield & District Business Commission unanimously passed the following motion:

"Moved that the Board direct its President to write a letter to appropriate Halifax Regional Municipality staff to re-align the boundary of the area from which the Spryfield & District Business Commission draws its funding. The new boundary would start at the Arndale rotary and continue south along the Herring Cove Road to the intersection of the Herring Cove Road and Osborne Avenue, then continue west along Osborne Street to Northwest Arm Drive where it would rejoin the existing boundary."

The specific intent of this motion is to remove from the area rate which funds the Spryfield & District Business Commission, those businesses along the St. Margaret's Bay Road from the rotary to Northwest Arm Drive which the Business Commission did not intend to include within their catchment area and which do not wish to be a part of the Spryfield & District Business Commission. However it is also our intention to continue to include all businesses along the Herring Cove Road and Osborne Street and indeed any business within the boundaries of the Spryfield area. If you feel that there is a better method of realignment to accomplish this goal, please inform us.

Sincerely,

A handwritten signature in black ink that reads "Kevin Umlah".


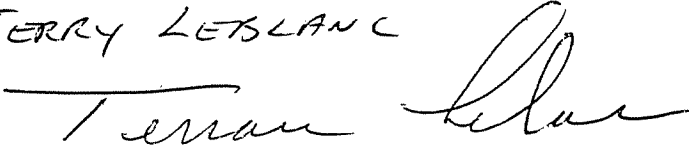
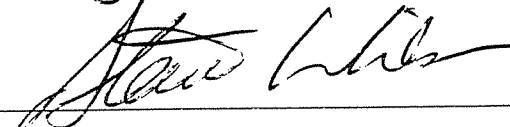
Kevin Umlah  
President

May 5, 2004

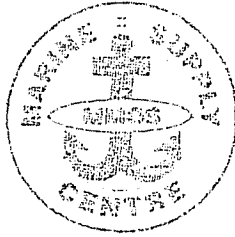
# Appendix B

The Spryfield/District 18 Business Commission will be implementing a tax levy on all businesses along St. Margaret's Bay Road and Purcell's Cove Road. These extra tax dollars will be spent along Herring Cove Road for improvements benefiting only Spryfield Businesses.

Businesses who wish to voice their objection to be excluded and/or exempt from this tax grab should provide the following information and signature:

Company Name:	
Company Address:	Himmelman Contractors Ltd. 134 St. Margarets Bay Road P.O. Box 8475, Stn. A.
Phone Number:	Halifax, N.S. B3K 5M2      479-3266
Owner's Name:	Kirk Himmelman
Signature:	
Company Name:	THE GLASS AND MIRROR SHOP
Company Address:	55 ST. MARGARETS BAY RD.
Phone Number:	477-1177
Owner's Name:	TERRY LETSLANC
Signature:	
Company Name:	
Company Address:	MEINEKE CAR CARE CENTRE 40 ST MARGARETS BAY RD HALIFAX, NS B3N 1J9
Phone Number:	477-5595
Owner's Name:	Steve Wilson
Signature:	

Company Name:



M.M.O.S.

Company Address:

32 St. Margarets Bay Rd.

Phone Number:

Halifax, NS B3N 1J7

(902) 479-3595

Owner's Name:

Tony Moore

Signature:

Company Name:

Geo. L. MITCHELL - ELECTRONIC LTD

Company Address:

32 "B" ST. MARGARETS BAY RD.

Phone Number:

477-2717

Owner's Name:

ROBERT M. DEJANNEY

Signature:

Company Name:

C & G Tsulukhas

Company Address:

30 St Margarets Bay Rd

Phone Number:

455-8719

Owner's Name:

Same Partnership

Signature:

Company Name:

NEED

Company Address:

28 St. Margarets Bay Rd

Phone Number:

902-479-0940

Owner's Name:

Kelly SHEPHARD

Signature:

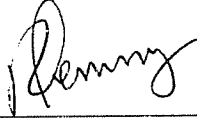
Company Name:

Company Address: THE PINNACLE YACHTING EQUIPMENT & ACCESSORIES LTD.

Phone Number: 423-6464

Owner's Name: CHRIS SHAW / ROBERT DEMPSEY

Signature:

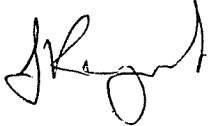
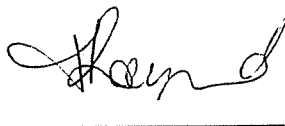
 

Company Name: 3rd Circle City Shell

Company Address: 19 Purcells Cove Rd

Phone Number: 477-9950

Owner's Name: Jacques + TARA Raymond

Signature:  + 

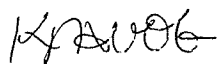
Company Name: Armdale Yacht Club

Company Address: 40 Purcells Cove Rd.

Phone Number: 902-477-4617

Owner's Name: Kristine Jage (General Manager)

Signature:




Company Name: Sweetapple Catering

Company Address: 40 Purcells Cove Rd

Phone Number: 902 477-7650

Owner's Name: S LLOYD

Signature: 



Company Name: KJULLS PROPERTIES

Company Address: 55-59 1/2 ST. MARGARET'S BAY RD.

Phone Number: 477-6800

Owner's Name: (CHARLES) KYRIAKOS, JAMES, CHEF & AUTHOR DOUMAKIS

Signature: 

Company Name: ARMDALE PIZZA LTD.

Company Address: 59 ST. MARGARET'S BAY RD.

Phone Number: 477-6800

Owner's Name: JAMES DOUMAKIS

Signature: 

Company Name: EUROPEAN AUTO SERVICES

Company Address: 53 ST MARG BAY RD

Phone Number: 477-7596

Owner's Name: G. Broca

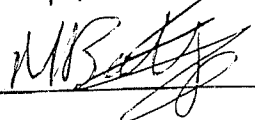
Signature: 

Company Name: NEEDS ~~B~~

Company Address: Purcell's Cove

Phone Number: 477-8403

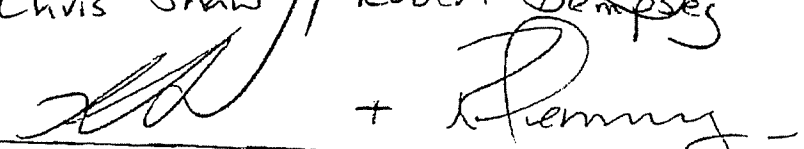
Owner's Name: Mitchel Bally

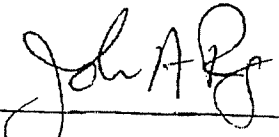
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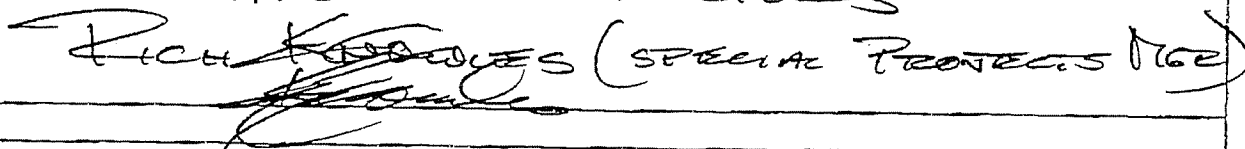
June, 2004

The Spryfield/District 18 Business Commission will be implementing a tax levy on all businesses along St. Margaret's Bay Road and Purcell's Cove Road. These extra tax dollars will be spent along Herring Cove Road for improvements benefiting only Spryfield Businesses.

Businesses who wish to voice their objection to be excluded and/or exempt from this tax grab should provide the following information and signature:

Company Name: The Binnacle  
 Company Address: 15 Purcell's Cove Rd  
 Phone Number: 423-6464  
 Owner's Name: Chris Shaw / Robert Dempsey  
 Signature: 

Company Name: ~~THE~~ Ocean Yacht Sales Limited  
 Company Address: 15 Purcell's Cove Rd.  
 Phone Number: 455-5565  
 Owner's Name: JOHN ROY  
 Signature: 

Company Name: THEATRE ARTS COILD  
 Company Address: 6 PARKHILL RD  
 Phone Number: 477-2154  
 Owner's Name: BOARD OF DIRECTORS  
 Signature:  RICH KNOWLES (SPECIAL PROJECTS MGR)

June, 2004

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Businesses who wish to voice their objection to be excluded and/or exempt from this tax grab should provide the following information and signature:

Company Name:	Phil's Fish & Chips
Company Address:	91 Purcell's Cove Rd
Phone Number:	(902) 477-4761
Owner's Name:	Phil Pappin
Signature:	<i>Phil Pappin</i> (General Manager) as per
Company Name:	Royal Nova Scotia Yacht Squadron
Company Address:	376 Purcell's Cove Road
Phone Number:	477-5653
Owner's Name:	Commodore on behalf of board of management
Signature:	<i>William B. Roberts</i>
Company Name:	The Pace Group
Company Address:	15 Purcell's Cove Road
Phone Number:	455-8055
Owner's Name:	David Pace
Signature:	<i>David Pace</i>

June, 2004

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Businesses who wish to voice their objection to be excluded and/or exempt from this tax grab should provide the following information and signature:

Company Name:	PURCELLS COVE SOCIAL CLUB
Company Address:	505 PURCELLS COVE ROAD
Phone Number:	477 6671
Owner's Name:	PRESIDENT ON BEHALF OF THE EXECUTIVE
Signature:	Ronny Murphy
Company Name:	Rosborough Boats
Company Address:	55 Purcell's Cove Rd -
Phone Number:	Hfx, NS B3P 1B3 902-450-3262 / 477-1415
Owner's Name:	Bob Rosborough
Signature:	Maxim Rosborough PER.
Company Name:	
Company Address:	
Phone Number:	
Owner's Name:	
Signature:	