


Item No. 10.1.3
Halifax Regional Council
December 13, 2011

TO: Mayor Kelly and Members of Halifax Regional Council

Original signed by 

SUBMITTED BY: _____

Richard Butts, Chief Administrative Officer

Original Signed by 

Mike Labrecque, Deputy Chief Administrative Officer

DATE: November 28 2011

SUBJECT: **North End Business Improvement District Boundary Clarification.**

SUPPLEMENTARY REPORT

ORIGIN

June 13, 2011 – Peninsula Community Council recommendation to Regional Council to approve the creation of a new Business Improvement District (BID) located within North End Halifax.

July 5, 2011 – Regional Council’s motion, moved by Councillor Sloane, seconded by Councillor Watts, to “*Endorse the establishment of a Business Improvement District for the Agricola and Gottingen area, with a corresponding amendment to the boundary contained in Attachment 1 of the May 18, 2011 staff report to remove the Hydrostone area*”.

RECOMMENDATION

1. It is recommended that Halifax Regional Council provide clarity in regards to the motion of July 5, 2011 to “remove the Hydrostone area” from the Business Improvement District for the Agricola and Gottingen Street area by specifically excluding the following sixteen (16) properties, such exclusion to be effective April 1, 2011:

- 5509/5509B/5511/5513 Young Back Lane, Halifax (PID#00126656) / (ANN#00194786)
- 5515/5517 Young Street, Halifax (PID# 00126649) / (ANN#03440745)
- 5519/5521 Young Street, Halifax (PID#41214685) / (ANN#09887075)
- 5523/5525/5527 Young Street, Halifax (PID#41214693) / (ANN#09887083)
- 5529 Young Street, Halifax (PID#41214701) / (ANN#09887091)

‘Recommendations Continued’

- 5531/5533 Young Street, Halifax (PID#41214719) / (ANN#09887105)
 - 5535/5537/5539 Young Street, Halifax (PID#41214727) / (ANN#09887113)
 - 5541/5543 Young Street, Halifax (PID#41214735) / (ANN#09887121)
 - 5545/5547 Young Street, Halifax (PID#41214743) / (ANN#09887148)
 - 5555 Young Street, Halifax (PID# 00126631) / (ANN#01835092)
 - 5528/5530 Kaye Street, Halifax (PID#00127126) / (ANN#04208641)
 - 5536 Kaye Street, Halifax (PID#00127118) / (ANN#01235745)
 - 5540 Kaye Street, Halifax (PID#00127100) / (ANN#01991167)
 - 5548 Kaye Street, Halifax (PID#00127092) / (ANN#04734955)
 - 5651 Kaye Street, Halifax (PID#00131805) / (ANN#04243994)
 - 3089 Gottingen, Halifax (PID#00105973) / (ANN#01876759)
2. It is recommended that Halifax Regional Council approve the revised North End Business Improvement District boundary, as shown in Attachment 4 to this report.

BACKGROUND

At their meeting of July 5, 2011, Regional Council approved Community Council's recommendation to create a new Business Improvement District (BID) located within North End Halifax. The following amendment was approved:

Moved by Councilor Blumenthal, seconded by Councilor Rankin, that the motion be amended to remove the Hydrostone area from the Business Improvement District”.

The amended motion approved by Regional Council then read as follows:

“1. Endorse the establishment of a Business Improvement District for the Agricola and Gottingen area, with a corresponding amendment to the boundary contained in Attachment 1 of the May 18, 2011 staff report and to remove the Hydrostone area”.

Through the Municipal Clerk, Mr. Bernard Smith, on behalf of the Board of the newly created North End BID, subsequently requested that HRM clarify which properties are to be excluded from the BID's catchment area.

DISCUSSION

Clarification is necessary to (1) ensure that HRM applies the approved BID levy to the correct properties, and (2) gauge the financial impact of Council's decision on the proposed budget of the newly created BID.

Properties to be Considered for Exclusion

The map attached to the staff report dated May 18, 2011, shows the catchment area within which ballots were cast in a vote to gauge the support of property owners assessed as Commercial for establishing a BID (**Attachment 1**).

The motion to "...remove the Hydrostone area" lacked sufficient clarity as to the properties Council intended to exclude. During debate, staff clarified that three properties were located within what staff then understood to be the "Hydrostone area".

The three properties specifically identified in the course of the Regional Council meeting as being located within the "Hydrostone area" were as follows:

- 5555 Young Street, Halifax (PID# 00126631) / (ANN#01835092)
- 5515/5517 Young Street, Halifax (PID# 00126649) / (ANN#03440745)
- 5509/5509B/5511/5513 Young Back Lane, Halifax (PID#00126656) / (ANN#00194786)

The property identified as 5515/5517 Young Street, Halifax (PID# 00126649) / (ANN#03440745) has a number of associated "infant parcels"¹ assessed, on an income basis, under the "parent parcel". The following commercial properties are "infant parcels" under (PID# 00126649) / (ANN#03440745):

- 5519/5521 Young Street, Halifax (PID#41214685) / (ANN#09887075)
- 5523/5525/5527 Young Street, Halifax (PID#41214693) / (ANN#09887083)
- 5529 Young Street, Halifax (PID#41214701) / (ANN#09887091)
- 5531/5533 Young Street, Halifax (PID#41214719) / (ANN#09887105)
- 5535/5537/5539 Young Street, Halifax (PID#41214727) / (ANN#09887113)
- 5541/5543 Young Street, Halifax (PID#41214735) / (ANN#09887121)
- 5545/5547 Young Street, Halifax (PID#41214743) / (ANN#09887148)

Given the possibility of sale of one or more "infant parcels", at some future date, these parcels are listed separately to ensure clarity.

Subsequent to Regional Council's motion, a number of additional commercial property owners approached the local Councilor to indicate that they considered themselves to be part of the "Hydrostone area" and did not wish to be included in the proposed North End BID.

HRM Legal Services has advised that Regional Council has the authority to amend BID boundaries after a BID-formation vote. In light of Legal Services' position, and the expressed desires of the local property owners, staff sought to identify an objective and appropriate definition of the "Hydrostone Area" to comply with Council's motion.

¹ Two or more "infant parcels" are created when a parcel of land is subdivided. The original parcel of land, which is referred to as a "parent parcel", retains its original ANN and PID numbering. New ANN and PID numbers are assigned to the subdivided "infant parcels" at the time of subdivision.

Defining “Hydrostone Area”

Staff conducted research into the Hydrostone area’s boundaries. Colloquial descriptors of a neighbourhood can vary significantly, however the Hydrostone district is officially designated as a national historic site. The Historic Sites and Monuments Board of Canada defines the Hydrostone as follows:

“The Hydrostone District was designated a national historic site in 1993 and consists of 82 buildings and their associated treed courts. Completed in 1920 according to a plan by Thomas Adams, it consists of land bounded by Isleville, Duffus, Novalea, Kaye and Gottingen streets in Halifax. The Minutes of the Board’s June 1993 meeting do not define the boundaries of the site. The Committee determined that the designated place for the Hydrostone District is a single polygon consisting of the land bounded, as shown in Figure 2, p. 778, Submission Report 2004-22, by the following streets:

On the south, by Kaye Street; on the west, by Isleville Street; on the north by Duffus Street; and on the east primarily by Novalea Street. Gottingen Street forms the eastern boundary of the district for one city block, between Kaye Street and Young Street.

The boundary of the designated place at the edge of these streets is defined by the curb, with the boundary streets themselves excluded from the designated place. Interior streets and courts are included, as is the triangle of land, now the site of the HSMBC plaque, at the southern extremity of the district and bounded by Young, Kaye & Gottingen streets.”

Staff has produced a map of the Hydrostone, as defined by Historic Sites and Monuments Board of Canada (**Attachment 2**).

The following properties abut, or are located in close proximity to, the Hydrostone area, as identified by the Historic Sites and Monuments Board of Canada and have requested, in writing, exclusion from the newly formed North End BID:

- 5509/5509B/5511/5513 Young Back Lane, Halifax (PID#00126656) / (ANN#00194786)
- 5515/5517 Young Street, Halifax (PID# 00126649) / (ANN#03440745)
- 5519/5521 Young Street, Halifax (PID#41214685) / (ANN#09887075)
- 5523/5525/5527 Young Street, Halifax (PID#41214693) / (ANN#09887083)
- 5529 Young Street, Halifax (PID#41214701) / (ANN#09887091)
- 5531/5533 Young Street, Halifax (PID#41214719) / (ANN#09887105)
- 5535/5537/5539 Young Street, Halifax (PID#41214727) / (ANN#09887113)
- 5541/5543 Young Street, Halifax (PID#41214735) / (ANN#09887121)
- 5545/5547 Young Street, Halifax (PID#41214743) / (ANN#09887148)
- 5555 Young Street, Halifax (PID# 00126631) / (ANN#01835092)
- 5528/5530 Kaye Street, Halifax (PID#00127126) / (ANN#04208641)
- 5536 Kaye Street, Halifax (PID#00127118) / (ANN#01235745)
- 5540 Kaye Street, Halifax (PID#00127100) / (ANN#01991167)
- 5548 Kaye Street, Halifax (PID#00127092) / (ANN#04734955)

- 5651 Kaye Street, Halifax (PID#00131805) / (ANN#04243994).
- 3089 Gottingen, Halifax (PID#00105973) / (ANN#01876759)

These property owners, and their respective business tenants assert a “community of interest” by virtue of their proximity to one another and to the “Hydrostone area”. They were self-organizing and engaged in collective, collaborative activities prior to the process undertaken to form the North End BID.

This group has informally operated under the name “Hydrostone District Business Association (HDBA)”. In a June 2011 communication addressed to HRM’s Special Events Task Force, through which they sought approval for a Summer Festival series, the collective described themselves as follows:

“HDBA is a group of people operating a business or organization in the geographical area known as the Hydrostone and loosely bordered by Isleville, Kane, Gottingen/Novalea and Russel Streets.”

The Hydrostone group has underwritten the costs of launching common marketing initiatives and mounting community-directed programming, including free music and refreshment in nearby pocket-parks. These activities have been undertaken with the intent of building community and attracting commerce to the “Hydrostone”. As such, these property owners and business tenants are of the opinion that membership in the North End BID is neither desirable nor necessary.

Staff has produced a map showing the commercial properties requesting exclusion from the North End BID (**Attachment 3**). This staff report also provides a revised map of the North End BID, reflecting the removal of sixteen (16) “Hydrostone area” properties, from the original BID catchment area (**Attachment 4**).

Should Council wish to consider alternatives to those proposed in Attachments 3 and 4, Staff have outlined two other options in the Alternatives section of this report.

BUDGET IMPLICATIONS

The exclusion of the commercial “Hydrostone area” properties identified in this report reduces the tax levy for the new BID by \$9,616 from \$113,117 to \$103,501 for the 2011-12 fiscal year. This is based on a levy rate of \$0.18 per \$100 of taxable commercial assessment with a minimum charge of \$50 and a maximum charge of \$2,500, as approved by Council on July 5, 2011. At the discretion of the BID, this budget adjustment could, in future years, be addressed by adjusting the BID’s area rate, minimums and maximums.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

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

COMMUNITY ENGAGEMENT

Not applicable.

ALTERNATIVES

1. Council could restrict the commercial property exclusions to the three (3) commercial properties originally identified during the Council debate of July 5, 2011, namely:

- 5555 Young Street, Halifax (PID# 00126631) / (ANN#01835092)
- 5515/5517 Young Street, Halifax (PID# 00126649) / (ANN#03440745)
- 5509/5509B/5511/5513 Young Back Lane, Halifax (PID#00126656) / (ANN#00194786)

Infant Parcels under (PID# 00126649) / (ANN#03440745) as follows:

- 5519/5521 Young Street, Halifax (PID#41214685) / (ANN#09887075)
- 5523/5525/5527 Young Street, Halifax (PID#41214693) / (ANN#09887083)
- 5529 Young Street, Halifax (PID#41214701) / (ANN#09887091)
- 5531/5533 Young Street, Halifax (PID#41214719) / (ANN#09887105)
- 5535/5537/5539 Young Street, Halifax (PID#41214727) / (ANN#09887113)
- 5541/5543 Young Street, Halifax (PID#41214735) / (ANN#09887121)
- 5545/5547 Young Street, Halifax (PID#41214743) / (ANN#09887148)

If only the three (3) properties originally identified at the July 5 meeting were removed, the tax levy would be reduced by \$4,375 from \$113,117 to \$108,742. This would be in keeping with the removal of only those properties which are within the Hydrostone, as defined by the Historic Sites and Monuments Board of Canada.

2. Council could choose to rescind its motion to exclude the “Hydrostone area” and instead include all commercial properties within the original BID catchment area as defined by the BID formation steering committee and polled in the original vote. If the original catchment area was endorsed by Council, the area rate levy collected would be \$113,117.

ATTACHMENTS

1. Map of the Proposed BID area (May 18, 2011) used for BID area rate levy vote.
2. Map of the Hydrostone (as defined by Historic Sites and Monuments Board of Canada).
3. Map of commercial properties to be excluded from North End Business Improvement District.
4. Revised map of the North End Business Improvement District, reflecting the removal of the “Hydrostone area” from the original BID catchment area.

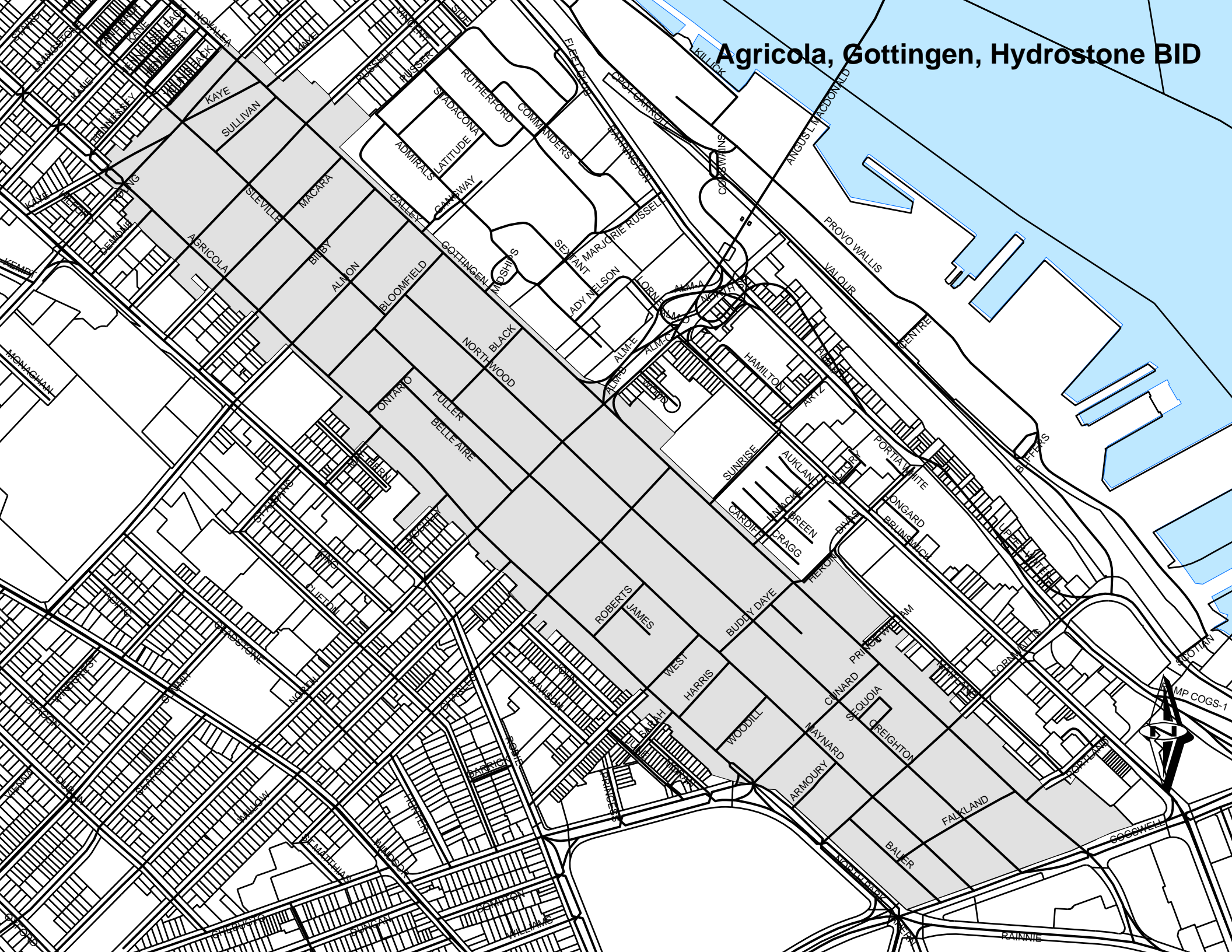
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Scott Sheffield, Community Developer HRM Community Development 490-3941.
Peta-Jane Temple, Team Lead, Grants and Contributions.

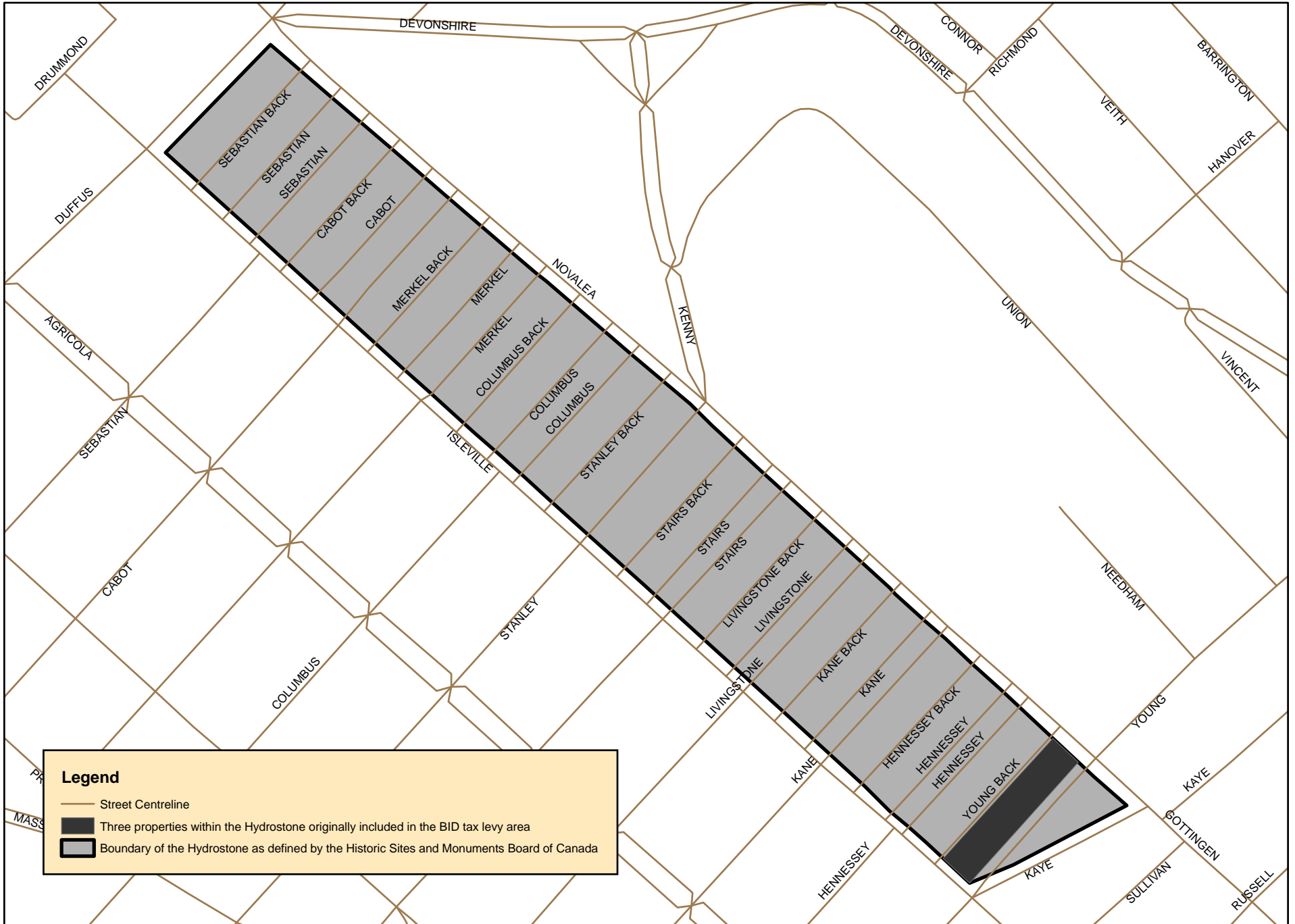
Report Approved by: _____
Jennifer Church, Managing Director, External and Corporate Affairs 490-3677

Financial Approval by: _____
James Cooke, Director of Finance, 490-6308

Agricola, Gottingen, Hydrostone BID



MAP OF HYDROSTONE



ATTACHEMENT 4: MAP OF PROPERTIES TO BE EXCLUDED FROM NORTH END BUSINESS IMPROVEMENT DST

