

Stapells that, as recommended by the City Planning Committee:

1. a date be set for a Public Hearing regarding the Zoning to C-3 Industrial of a portion of former Merkel Street situated between Kempt Road and the Robie Street approach road to the A. Murray McKay Bridge, as shown on Plan No. P200/5326 of Case No. 2722.
2. persons in the area affected by the Zoning be notified of the date of the Public Hearing.

Motion passed.

The Acting City Clerk advised that it is expected the Public Hearing will be held on September 6, 1972.

Watchkeeping Services - Historic Waterfront Buildings

This matter was referred to Council from the City Planning Committee without recommendation and with a request for a further Staff Report.

A Staff Report was submitted relating to the above mentioned matter.

The report states in part:

"With respect to the matter of security, the developer has offered to erect a fence and gate at the principal entrance to the property, i.e., between the Pickford & Black and Keddy buildings; to fence off the accesses at the seaward sides of the property; and to floodlight the north side, the south side being blank wall. In addition the developer anticipates that the premises will be partly occupied during the daytime hours by staff and architects involved with preliminary work relative to the restoration."

MOVED by Alderman Hogan, seconded by Alderman Connolly that if further security service is required in addition to that to be provided by the developer, the service be provided by the City Police at half-hourly intervals during evening and nighttime hours and like coverage, if necessary, during daytime hours. Motion passed.

The City Manager was asked to report back to Council if any problems develop with respect to the surveillance of these buildings.

MOTIONS

Motion - Alderman Hogan - Amendments to Ordinance No. 112 - The Encroachment Ordinance - First Reading

It was agreed that this matter should be referred to the next meeting of the Committee of the Whole Council.

MISCELLANEOUS BUSINESS

Appointments to a Metropolitan Committee to deal with a
Feasibility Study establishing a Metropolitan Tourist
Bureau Prior to the Miller's Lake Turn-off

A letter was submitted from the City of Dartmouth requesting Council to appoint two representatives to the above mentioned Committee.

The Chairman advised that on the Mayor's copy of this letter, two Aldermen's names were written - Aldermen Stapells and Sullivan - and he presumed that these are His Worship's nominations.

MOVED by Alderman Hogan, seconded by Alderman
Connolly that Aldermen Stapells and Sullivan be appointed
to a Metropolitan Committee to deal with a Feasibility
Study establishing a Metropolitan Tourist Bureau Prior
to the Miller's Lake Turn-off and that the City of Dartmouth
be notified accordingly. Motion passed.

Letter - Mr. Bob Switzer - Pan-handling in the City of
Halifax

A letter was submitted from Mr. Bob Switzer complaining of the increase in pan-handling in the City of Halifax in recent weeks.

MOVED by Alderman Hogan, seconded by Alderman
Meagher that the letter be referred to the Safety Committee
when the matter can be discussed with the Chief of Police.
Motion passed.

Appeal Against Decision of Development Officer -
5642 Cabot Street

A letter was submitted from a Jessie E. Mann appealing the decision of the Development Officer on the grounds that the minor variance granted will be detrimental to the value of her property.

A Staff Report was submitted setting out the reasons why the Development Officer granted the variance and recommending that Council confirm his decision.

MOVED by Alderman Connolly, seconded by Alderman
Hogan that the decision of the Development Officer in
approving a minor variance of the front yard requirement
to permit the conversion of a duplex dwelling into a four-
unit apartment building at Civic No. 5642 Cabot Street
be confirmed. Motion passed.

Purchase of Vehicles - Police and Fire Departments

Tabulations of Tenders were submitted relating to the purchase of vehicles for the Police and Fire Departments.

After some discussion on the matter, it was MOVED by Alderman Hogan, seconded by Alderman Stapells that authority be granted to purchase the following vehicles at the lowest tender price in each case:

1-Sedan (Fire Dept.)	Wood Motors	\$3681.50
1-Stationwagon (Fire Dept.)	Wood Motors	4212.29
2-Patrol Cars (Police Dept.)	Tanner Chrysler Ply.	7230.00
1-Traffic Car (Police Dept.)	Tanner Chrysler Ply.	3585.00
5-General Duty Cars (Police Dept.)	Tanner Chrysler Ply.	17925.00
1-Van (Police Department)	Hfx. Chrysler Dodge	4200.00

Motion passed.

MOVED by Alderman Hogan, seconded by Alderman Stapells that the purchase of 1 Radar Car for the Police Department be referred back to Staff for further study.
Motion passed.

Purchase of Clothing - Fire and Police Departments

Tabulations of Tenders were submitted relating to the purchase of clothing for the Police and Fire Departments.

After some discussion, it was MOVED by Alderman Hogan, seconded by Alderman Bell that authority be granted to purchase clothing listed below at the lowest tender price meeting specifications in each case:

Police	3 pc. constables uniforms	Tony the Tailor	\$10,969.50
Police	3 pc. corporals uniforms	Tony the Tailor	624.64
Police	3 pc. sergeants uniforms	Tony the Tailor	943.80
Police	3 pc. officers uniforms	Tony the Tailor	638.08
Police	2 pc. uniforms	Tony the Tailor	2,496.00
Fire	3 pc. officers uniforms	Tony the Tailor	3,009.60
Fire	3 pc. fire fighters uniforms	G. B. Isnor Ltd.	5,768.40
Fire & Police	shirts	Yamaska Shirt Ltd.	8,075.00

Motion passed.

QUESTIONS

Question Alderman Connolly Re: Noise Ordinance

Alderman Connolly asked the following questions

of the City Solicitor:

1. Have we been able to do anything under the Noise Ordinance with respect to heavy traffic between the hours of 11 p.m. and 7 a.m.?
2. How much effect has our Noise Ordinance and can we apply it to anything so that we can do something about some of the noise in the City?

The City Solicitor said that if the Alderman was referring to the C.N.R. traffic on MacLean Street, one of the Solicitors in his Department is presently in written communication with the C.N.R. on this matter. He said that all cities have the same difficulties with their noise ordinances although the City has had successful prosecutions. He said that the difficulties arise in the measurement of noise.

Alderman Connolly referred to the problems that the residents of Ogilvie Towers have with refrigeration trucks parked alongside the building for periods of up to 48 hours with continuous noise and he asked if anything could be done about this.

The City Solicitor said he would check into the matter and report back to the Alderman.

Question Alderman Hogan Re: Central Victualling Depot -
Pile of Fill

Alderman Hogan asked for a report to be prepared with respect to the future of the so called "Dodge's Mountain" on the Central Victualling Depot property and he asked how much it is costing the City to leave it there.

Question Alderman Stapells Re: Centennial Pool

Alderman Stapells asked for a comprehensive report as to why the bottom of the Centennial Pool is starting to peel already, after a large expenditure on painting this last March.

The Director of Finance advised that the matter is currently under review by the Paint Company and members of City Staff and he said that it might go to legal settlement.

NOTICES OF MOTION

Notice of Motion - Amendments to Ordinance Number 105 -
Establishment of Recreation Committee

Alderman Stapells gave notice that, at the next regular meeting of the City Council to be held on August 31, 1972, he will introduce an amendment to Ordinance Number 105, the Committee Ordinance. The purpose of the amendment is to establish a Board to be known as the Recreation Committee, and to set out its composition and duties in the Ordinance.

Notice of Motion - Introduction of Truck Routes Ordinance

Alderman Stanbury gave notice that, at the next regular meeting of City Council to be held on August 31, 1972, she will introduce Ordinance Number 155, Respecting the Establishment of Truck Routes for Certain Trucking Motor Vehicles within the City of Halifax; The Ordinance is made under the provisions of Section 175(4) of the Motor Vehicle Act of the Province of Nova Scotia, and the purpose of the Ordinance is to designate certain streets in the City as truck routes and providing penalties for violating the provisions of the Ordinance.

The Chairman suggested that a Public Hearing to discuss the proposed Truck Routes and the Ordinance should be held on Wednesday, August 30th, 1972 at 2:30 p.m.

It was felt by several members of Council that the Public Hearing should be held during an evening when more people would be able to attend.

It was agreed that a Public Hearing to discuss Truck Routes and the proposed Ordinance should be held on Tuesday, August 29, 1972 at 7:30 p.m. and notices should be sent to Trucking Associations and other interested groups as well as an advertisement in the local press.

ADDED ITEMS

Salt Purchases

A Confidential Report was submitted from Staff relating to the above matter.

MOVED by Alderman Hogan, seconded by Alderman Stapells that authority be granted to purchase highway salt from the Canadian Salt Company Limited on the terms and conditions outlined in the Confidential Staff Report dated August 17, 1972. Motion passed.

Tenders - Fencing & Tennis Court - Bridgeview Playgrounds

A report was submitted from Staff relating to the above matter.

Some discussion took place as to whether or not the fence to be erected is of sufficient strength to withstand the weather in the winter.

MOVED by Alderman Hogan, seconded by Alderman Connolly that Eastern Fence Erectors Ltd. be awarded a contract for the supply of fencing for Bridgeview Playground in the amount of \$7,000 and that Standard Paving Maritime Ltd. be awarded a contract for construction of the tennis court for \$3,618 and that they be asked to commence construction immediately. Motion passed.

Rezoning of Lot 8, College Street from Park and Institutional
to R-3 Residential Zone

The City Solicitor advised, at this time, that sufficient members of Council are present to deal with this matter and it can proceed.

MOVED by Alderman Connolly, seconded by Alderman Hogan that the application to rezone Lot 8, College Street from Park and Institutional Zone to R-3 Residential Zone be approved. Motion passed. Alderman Stapells was unable to vote since he was absent from the Public Hearing on the matter.

10:30 p.m. Council adjourned.

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DEPUTY MAYOR L. E. MOIR
CHAIRMAN

JOY P. LAMB
ACTING CITY CLERK

Council Chamber,
City Hall,
Halifax, N.S.
August 23, 1972
8:00 P.M.

A Special meeting of City Council was held on the above date.

After the meeting was called to order, the members of Council attending, led by the Clerk, joined in reciting the Lord's Prayer.

Present: His Worship the Mayor, Chairman; and Aldermen Connolly, Hogan, Meagher, Moir, Stanbury, Stapells, Sullivan, and Wentzell.

Also present: City Manager, City Solicitor, and other staff members.

The Clerk advised that the special Council was being held to conduct Public Hearings RE:

1. Closure of Kempt Road Diversion
2. Alteration of Official Street Lines, Kempt Road; also Laying Down Street Lines of Commission Street

Since the two items were part of an overall project it was agreed that persons attending to speak for or against the same could speak on both matters at the same time, although Council would make a separate decision on each item.

PUBLIC HEARING RE:

- (1) Closure of Kempt Road Diversion; and
- (2) Alteration of Official Street Lines, Kempt Road; also Laying Down Street Lines of Commission Street

Mr. R.G. Chaboyer outlined for the benefit of Council members what was involved in the proposals, stating they were dealing with a piece of roadway which had many deficiencies and the proposed project was to eliminate these deficiencies as well as take care of another problem at the same time. He said with the opening of the Robie Street approach to the MacKay Bridge, Kempt Road no longer constituted a main traffic artery, which now made a level railway crossing acceptable. Mr. Chaboyer said that the City expected to realize a net credit of between \$162,000 and \$213,000 due to land which would become available for sale. The final amount, he said, would depend on the amount of Provincial participation in the project. The recommendation, he said, was for a 50% sharing. The net credit of \$162,000, he said, took into account expenditures for property acquisition. The property acquisition was required for the extension of Commission Street to Kempt Road.

Alderman Sullivan suggested that the Provincial Government should be approached to bear the full cost of the project since it was connected with approach routes to the MacKay Bridge.

His Worship the Mayor then asked if there was any person present who wished to speak in favour of the two proposals.

Mr. E.C.Harris said he was appearing on behalf of Nova Scotia Tractors & Equipment Ltd., 3575 Kempt Road. Mr. Harris said his client supported the proposal as outlined by staff because of the improvement in traffic movement which would result. He said the present railway overpass slowed down traffic at all times, and was especially bad under rain or snow conditions. Besides the traffic improvements which were very important for the area, he felt the proposal would vastly improve the appearance of the neighbourhood, and he suggested this up-grading could lead to establishment of new industries in the area.

In reply to a question put by Alderman Sullivan, Mr. Harris said he could not speak with regard to long range plans his client might have about relocating but could say that the proposed changes would only make the present location a more satisfactory site than it was now.

A Mr. Edward Danielson spoke next on behalf of Canadian Pacific Express which operated through Smith Transport Limited, 3461 Kempt Road. Mr. Danielson said his client supported the proposed changes to Kempt Road and particularly the extension of Commission Street through to Kempt, which would obviously supply his client with better access to and from their warehouse and terminal, but were concerned about maintaining access during the period of construction and should, for any reason, the Commission Street extension not be carried out. Mr. Danielson said that at the present time his client gained access from Kempt Road through the property of Atlantic Concrete Ltd. by agreement with that Company, and they wanted assurance that no barrier would be created by the subject proposal between Kempt Road and their terminal. Otherwise, he continued, his client very much favoured the proposal since it would give them direct access to a City street rather than have to depend on an arrangement with another property owner.

His Worship the Mayor said that Mr. Danielson's client could be assured that the City would do nothing which would cut off their access completely from and to their terminal and warehouse, but that some means would always be available.

The City Manager said that staff would assure that in the interim period of construction Mr. Danielson's client would be no worse off with regards to access than they are at present, inasmuch as they did not now enjoy direct access to a City street.

There being no further persons wishing to speak either in favour of, or against, the proposed diversion, alteration, and laying down of street lines for Kempt Road and Commission Street, His Worship the Mayor declared the Public Hearing to be over and the matter before the Council.

MOVED by Alderman Connolly, seconded by Alderman Stapells, that the matter of the Closure of Kempt Road Diversion be referred to the next regular meeting of City Council without recommendation. Motion passed.

MOVED by Alderman Connolly, seconded by Alderman Stapells, that the proposed Alteration of the Official Street Lines of Kempt Road and the Laying Down of Street Lines of Commission Street, be referred to the next regular meeting of City Council without recommendation. Motion passed.

8:45 P.M. - Meeting adjourned.

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WALTER R. FITZGERALD
MAYOR AND CHAIRMAN

J. LAMB
ACTING CITY CLERK

SPECIAL CITY COUNCIL MEETING
MINUTES

Council Chamber
City Hall
Halifax, N. S.
August 29, 1972
7:35 P. M.

A Special meeting of City Council was held on the above date.

After the meeting was called to Order, the members of Council attending, led by the Acting City Clerk, joined in reciting the Lord's Prayer.

Present: His Worship the Mayor, Chairman; and Aldermen Stanbury, Stapells, Connolly, Sullivan, Meagher, Wentzell, and Deputy Mayor Moir.

Also present: City Manager, Acting City Solicitor, Traffic Engineer, Acting City Clerk, and other staff members.

The Acting City Clerk advised that the special Council was called as a Public Hearing on the proposed Truck Routes Ordinance.

TRUCK ROUTES

His Worship the Mayor advised that Mr. Chaboyer would first put forth the proposal to be followed by persons wishing to speak on the matter.

It was also advised that as there is no legal requirement to hold a Public Hearing on the matter of Truck Routes, but is for the interest of citizens only, that the Aldermen who are not present at the Hearing will be permitted to vote on the matter at Council.

Mr. Chaboyer, Traffic Engineer, then addressed the meeting saying that the proposal has been changed from the original version as a result of the last Public Hearing on the matter. He said that there are two truck route systems, one being on a 24 hour basis, and the other being a day time system having routes which trucks are only permitted to use between the hours of 7:00 a.m. and 9:00 p.m. Mr. Chaboyer also advised that since the last meeting when the matter was dealt with only by maps, a proposed Ordinance has been prepared which deals with the subject in legal terms.

Mr. Chaboyer with the aid of maps, then went on to explain the day time and night time routes, as well as the changes which have been made to the system since the last meeting.

Mr. Chaboyer also submitted an Addenda dated August 28, 1972, to proposed Ordinance No. 155 which was read by the Acting City Clerk. A copy of the proposed Ordinance and the Addenda are attached to the official copy of the Minutes.

Alderman Sullivan asked if he could be supplied with the number of streets in Halifax proper which are presently restricted to one-half ton trucks.

His Worship the Mayor then asked if there were persons wishing to speak on the proposed Truck Routes.

Mr. Reg Prest representing the Halifax Board of Trade spoke on the matter and complimented Council and City Staff on the proposed routes saying that they are almost entirely workable and will allow service in the City without increasing costs unduly.

A submission was circulated to Council containing requests from the Board of Trade with respect to incorporating improvements in the proposed system which were explained by Mr. Prest.

1. We request that North Street be extended as a day time route from Windsor Street to Chebucto Road.
2. We request that Cornwallis Street be established as a day time route from North Park Street to Water Street.
3. We would ask the members of Council to give special consideration to the problem at the intersection of Bayers Road and Connaught Avenue.
4. We are also concerned with respect to pick up routes where trucks make regular calls to warehouses, etc., but freight is not always obtained.
5. We would also ask for clarification as to what is acceptable to Traffic Authorities as proof that a truck must be in a given area.
6. We would also appreciate it if the City would supply truck route maps to all transporters, even if there is a slight charge for them.
7. Further, we would ask that appropriate signs be erected at the City boundaries advising all drivers that a specific truck route system is in effect in the City, so that they should travel in accordance with the signs designating this route.

Mr. Prest said that another point not contained in the submission was the matter of changing from one route to another and gave the following examples:

1. When proceeding to the Angus L. MacDonald bridge in the evening, it is necessary to turn up Gottingen Street, turn left on Black Street, and turn left on North Street in order to proceed on the bridge.
2. In referring to the intersection of Connaught Avenue and Bayers Road, Mr. Prest suggested that trucks should be able to proceed through the intersection, turn left on Young Street and left on Connolly Street back to Bayers Road.

After being questioned on various points by members of Council, His Worship the Mayor thanked Mr. Prest for appearing on behalf of the Board of Trade.

Special Council
August 29, 1972

Mr. Walter Ploute a resident of Gottingen Street, spoke on behalf of the citizens of the area and said that he was basically in favour of most of the proposal. He referred to areas such as the Uniacke Square re-development and Mulgrave Park, and felt that as Barrington Street is to be a high density residential area, it should not be used as a 24 hour truck route.

Mr. Ploute suggested extending Water Street further north to North Street saying that there is presently a dirt road running from Cornwallis Street which could be paved and used for truck traffic. He said that trucks could then travel along Upper Water Street, proceed west on North Street, and then continue on Barrington Street which would avoid the Uniacke Square re-development area.

Alderman Connolly noted that by using this route, trucks would still have to travel past the Mulgrave Park housing development.

His Worship the Mayor advised that when Harbour Drive is completed, the street will be located as close to the tracks as possible and that the route suggested by Mr. Ploute will, in effect, be utilized. His Worship noted that when this is completed, there will be more room for various types of housing development, and there will be no reason to cross Harbour Drive (Barrington Street) as far as the community is concerned, as it will be all industrial and commercial on the east side.

Mr. Ploute suggested that this should be written into the Ordinance because at the moment, it refers to Barrington Street which runs through a residential area.

Mr. W. D. Fowlie of 6 Shady Lane and President of the West Armdale Home Owners Association spoke on the matter and said he was pleased to see that Connaught Avenue would not be a 24 hour truck route.

Mr. Fowlie referred to the St. Margaret's Bay Road from the Rotary to the top of the hill saying that there is a severe gradient, dangerous curves and no sidewalks on the north side. He also noted that the houses are close to the road and there is a school crossing on this stretch of the road and requested that this portion of the St. Margaret's Bay Road be closed to heavy trucks both by day and by night.

Mr. Fowlie also noted that cars parked on Quinpool Road reduce traffic flow to two lanes and said he was pleased to hear that the City intends in the future, to take trucks off the Quinpool Road entrance to the City.

Mr. Joe Parker of 3510 Connaught Avenue then spoke on the matter and said that he lives on the corner of Connaught Avenue and Chisholm Avenue. He said that many of the trucks which come from the Railway Station do stop properly and go up the hill which are not too disturbing, but said that others do not. Mr. Parker referred to the bridge approaches, the Bedford Highway, Dutch Village Road and Howe Avenue, and suggested that with the exception of a few hundred feet, these roads could be linked together eliminating the need for trucks to use Connaught Avenue at all.

August 29, 1972

Mr. Parker also referred to the matter of routing trucks through residential areas, and felt that this practice should cease.

Mrs. Eileen Metherall of 990 MacLean Street said that there are three apartment buildings on MacLean St. with the rest being residential. She said that people can not sleep at night or watch T.V. etc., and suggested that it would be possible for trucks to go down Bland Street to Inglis Street rather than using MacLean Street. She said that the people have been told for the past four years that the C.N.R. is going to move their depot located in the area, but that no action has yet been taken.

Mr. Chaboyer advised that discussions have taken place with C.N.R. on the matter but that no solutions have yet been reached, but said that staff will continue discussions.

Mr. Mike Murphy of 3514 Connaught Avenue spoke on the problem of truck traffic on Connaught Avenue from Windsor Street to Chisholm Avenue area saying that by stopping the traffic at night, it will not help their problem that much as it will increase the flow during the day.

Mr. Murphy said that Chisholm Avenue is bothered by trucks all day long waiting to get on Windsor Street or Bayers Road and suggested that the problem could be eliminated if a proper entrance to and from the loading zone could be constructed. Mr. Murphy suggested this could be done in two ways, one being to build a bridge over the C.N.R. tracks and have the trucks leave and return by Howe Avenue which is to be a truck route. Mr. Murphy's other suggestion was to expropriate a part of the old Fariview Cemetery and construct roads over and under Kempt Road to have traffic flowing to and from the loading zone to Kempt Road, and a road constructed along the tracks from the loading zone to the outlets on Kempt Road.

Alderman Meagher said that he recalled that in 1967 the C.N.R. promised the City that they would provide an exit from the loading zone to Kempt Road rather than come up to Connaught Avenue and felt they should be approached to see if they would live up to their proposal made at that time.

Mr. Peter Green representing Smith Transport Company Limited, Canadian Pacific Express Company, and Mahar's Transfer Express Limited referred to Section 4 (1) with respect to local delivery which makes provision for trucks serving streets which are not on the truck route can proceed by the most direct route between the truck route and the delivery point and return this way. Mr. Green felt it was important to understand the meaning of this, whether a truck must turn around on a street or whether it can proceed on a street by the most direct route.

Mr. Green also referred to Section 5, saying that there is no reference to trucking companies using terminals which are located off the truck route, and said that the Ordinance does not say that vehicles are permitted to move from a point on the truck route to the terminal by the most direct route, and suggested this should be contained in the Ordinance.

It was reported by staff that the comments of Mr. Green would be noted.

Alderman Stapells referred to large trucks and graders entering the rotary between the hours of 4 and 6 p.m., and said that these vehicles are routed up Quinpool Road by the Police when in fact, they do not wish to go in that direction. Alderman Stapells felt that more discretion should be used on the part of the Police force in this regard and felt the matter should be considered by the Traffic Authority, Safety Committee, and the Police Department.

Alderman Sullivan at this time, asked if Council could be supplied with an up-to-date count of the number of trucks using City Streets during a certain period, say one week, and asked if this information could be presented within ten days.

Mr. Peter O'Brien of 2815 Connaught Avenue spoke on the matter and congratulated city staff on the truck route system. Mr. O'Brien said that the City must progress and the citizens must accept some of the problems which include heavy truck traffic between the hours of 7:00 a.m. and 9:00 p.m., and felt that the compromise by staff is as good as can be had.

There being no further persons wishing to speak in regard to the proposed Truck Route Ordinance, His Worship the Mayor declared the Public Hearing to be over and the matter before the Council.

It was MOVED by Deputy Mayor Moir, seconded by Alderman Stanbury that the matter of the proposed Ordinance dealing with Truck Routes within the City of Halifax be referred to City Council without recommendation.

Motion passed.

9:00 P. M. - Meeting adjourned.

HEADLINES

Truck Routes

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MAYOR WALTER R. FITZGERALD
CHAIRMAN

J. P. LAMB
ACTING CITY CLERK

ORDINANCE 155 - ADDENDA - August 28, 1972

Schedule "A" "B"

SCHEDULE "A"

19. Connaught Avenue = Correct Bayers Rd. to read Windsor St.
- 53A. Spring Garden Road = Beginning at the intersection of South Park Street and Spring Garden Road. Proceeding westward on Spring Garden Road to and not exceeding the intersection of Robie Street and Spring Garden Road.
59. Young Street = Correct Robie Street to read Windsor St.

SCHEDULE "B"

- 40c) Windsor Street = Beginning at the intersection of Young Street and Windsor Street proceeding northward on Windsor St. to and not exceeding the intersection of Bayers Road and Windsor Street.
41. Young Street = Beginning at the intersection of Robie Street and Young Street proceeding westward on Young Street to and not exceeding the Intersection of Windsor Street and Young Street.
- 12A. Connaught Avenue = Beginning at the intersection of Bayers Road and Connaught Avenue proceeding northward on Connaught Avenue to and not exceeding the intersection of Windsor Street and Connaught Avenue.

Respectfully submitted,

Donald F. Murphy
City Solicitor

TO: His Worship the Mayor and Members of the Committee of
the Whole Council
FROM: Donald F. Murphy, City Solicitor
DATE: September 6, 1972
SUBJECT: Ordinance No. 155, the "Truck Routes Ordinance".

It will be noted there is a difference in substance between the draft of the Ordinance at First Reading (Draft No. 3) and that presented to you today (Draft No. 4). The changes were necessitated by Section 175 (4) of the Motor Vehicle Act. That is the Section which authorizes a municipality to establish truck routes.

Section 175 (4) provides

" (4) A local authority may by by-law limit the operation of trucks or other commercial vehicles to certain designated highways and prohibit the operation of trucks or other commercial vehicles upon any highway not so designated except for purposes specified in the by-law, and shall cause appropriate signs to be placed on the designated highways."

It will be noted the Section does not provide for the classification of trucks or for exemptions from the operation of the by-law. Draft No. 3 of the by-law attempted to exclude public utility and City of Halifax vehicles from its operation. If these vehicles were excluded, a trucking organization covered by the ordinance would have the right to say the ordinance is discriminatory in that it operates against them but excludes others from its operation. This would also be a valid defence against any prosecution under the by-law and the by-law would be held invalid.

Consideration was also given to excluding vehicles under one ton capacity. This would enable small panel-type or pick-up trucks and the popular Volkswagen van-type truck often used by painters, plumbers or delivery men to be used for their personal as well as business use, and, perhaps as important, sometimes used by sportsmen and housewives as family transportation. For the same reason affecting public utility vehicles, this is not possible. All trucks must be regulated by the by-law.

Respectfully submitted,

Donald F. Murphy
Donald F. Murphy
City Solicitor

DFM:F

ORDINANCE NUMBER 155
Respecting
THE ESTABLISHMENT OF TRUCK ROUTES FOR CERTAIN
TRUCKING MOTOR VEHICLES WITHIN THE CITY OF HALIFAX

BE IT ENACTED by the City Council of the City of Halifax, under the authority of Section 175 (4) of the Motor Vehicle Act, being Chapter 191 of the Revised Statutes of Nova Scotia, 1967, as follows:

- Short Title 1 This Ordinance shall be known as Ordinance Number 155, and may be cited as the "Truck Routes Ordinance".
- Definitions 2 In this Ordinance
- (a) "City" means the City of Halifax;
 - (b) "Highway" means a public highway, street, lane, road, alley, park, or place, and includes the bridges thereon;
 - (c) "Truck" includes
 - (i) a road tractor vehicle, designed and used for drawing other vehicles, and not so constructed and used as to carry any load thereon independently or any part of the weight of the vehicle or load so drawn;
 - (ii) a semi-trailer vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle;
 - (iii) a trailer vehicle without motor power, designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle;
 - (iv) a motor vehicle designed to be used or maintained primarily for the transportation of goods, materials or property;
 - (v) a truck tractor motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn;

(d) "Truck route" or "route" means a highway in the City designed for the passage of trucks.

Trucks
limited to
routes

3 (1) Subject to Sections 4 and 5 hereof, a person shall not operate a truck on a highway in the City between the hours of seven o'clock in the forenoon and nine o'clock in the afternoon of the same day, except on a route established in Schedule "A" hereto annexed.

(2) Subject to Sections 4 and 5 hereof, a person shall not operate a truck on a highway in the City between the hours of nine o'clock in the afternoon and seven o'clock in the forenoon of the following day, except on a route established in Schedule "B" hereto annexed.

Local
deliveries

4 (1) A person may, for the purpose of making a delivery or collection of goods or supplying a service at a location off a truck route, drive the truck on a highway or highways forming the most direct accessible connection between the truck route and the delivery point, collection point or service point for merchandise or material, as the case may be, and shall also return to a truck route by highways forming the most direct accessible connection between the truck route and the delivery point, collection point, or service point of merchandise or material.

(2) Where the person has a subsequent delivery or collection to make, or subsequent service to provide, in the same area, he may proceed to make the subsequent delivery or collection or service before proceeding by the most direct accessible connection to the nearest truck route.

Trucks stored
If truck
routes

5 If any truck is stored at a location off the truck route, a person may drive the truck to and from the place where it is stored, and in so doing shall drive it on the highway or highways forming the most direct accessible connection between the location where the truck is stored and a truck route.

Truck routes
to be signed

6 The City shall erect appropriate signs to be placed on the truck routes listed in Schedule "A" and Schedule "B" hereto, to indicate to drivers of trucks the highways permitted to be used as truck routes.

Penalty

7 Every person who violates or fails to comply with any of the provisions of this Ordinance shall be liable,

For the first offence to a penalty of not more than Twenty-five Dollars (\$25.00) and in default of payment, to imprisonment for a term of not more than thirty days;

For the second offence to a penalty of not less than Twenty-five Dollars (\$25.00) nor more than Fifty Dollars (\$50.00) and in default of payment to imprisonment for a term of not less than thirty days nor more than sixty days;

For the third or any subsequent offence to a penalty of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) or to imprisonment for not less than thirty days nor more than sixty days or to both.

Notice of Motion to Introduce: August 17, 1972
First Reading: August 31, 1972
Committee of the Whole Council: September 6, 1972
Second Reading:
Approval of the Minister of Highways:
Approval of the Minister of Municipal Affairs:

6. Bayers Road - Beginning at the intersection of ... and Bayers Road proceeding westward on Bayers Road to and not exceeding the intersection of ... and Bayers Road.

7. Sedford Highway - Beginning at the ... proceeding northward on the Sedford Highway to and not exceeding the City Limits of the City of Halifax.

Schedule "A"

1. Agricola Street - Beginning at the intersection of Cunard Street and Agricola Street proceeding northward on Agricola Street to and not exceeding the intersection of Young Street and Agricola Street.
2. Ahern Avenue - Beginning at the intersection of Cogswell Street and Ahern Avenue proceeding southward on Ahern Avenue to and not exceeding the intersection of Bell Road and Ahern Avenue.
3. Alma Crescent - Beginning at the intersection of Dutch Village Road and Alma Crescent proceeding westward on Alma Crescent to and not exceeding the intersection of Titus Street and Alma Crescent.
4. Almon Street - Beginning at the intersection of Windsor Street and Almon Street proceeding eastward on Almon Street to and not exceeding the intersection of Gottingen Street and Almon Street.
5. Barrington Street -
 - (a) Beginning at the intersection of Morris Street and Barrington Street proceeding southward on Barrington Street to and not exceeding the intersection of Hollis Street Extension and Barrington Street;
and
 - (b) Beginning at the MacKay Bridge Road Complex, proceeding southward on Barrington Street to and not exceeding the intersection of Proctor Street and Barrington Street;
and
 - (c) Beginning at the intersection of Barrington Street and Hollis Street Extension proceeding southward on Barrington Street to and not exceeding the intersection of Barrington Street and Inglis Street.
6. Bayers Road - Beginning at the intersection of Windsor Street and Bayers Road proceeding westward on Bayers Road to and not exceeding the intersection of Dutch Village Road and Bayers Road.
7. Bedford Highway - Beginning at the Fairview Overpass proceeding northward on the Bedford Highway to and not exceeding the City Limits of the City of Halifax.

8. Bell Road - Beginning at the intersection of Sackville Street and Bell Road proceeding northeastward on Bell Road to and not exceeding the intersection of Robie Street and Bell Road.
9. Bicentennial Highway - All that portion which is contained within the City Limits of the City of Halifax.
10. Bishop Street - Beginning at the intersection of Bishop Street and Hollis Street proceeding eastward on Bishop Street to and not exceeding the intersection of Lower Water Street and Bishop Street.
11. Brunswick Street -
 - (a) Beginning at the intersection of Cogswell Street and Brunswick Street proceeding southward to and not exceeding the intersection of Prince Street and Brunswick Street; and
 - (b) Beginning at the intersection of Brunswick Street and Prince Street proceeding southward on Brunswick Street to and not exceeding the intersection of Brunswick Street and Sackville Street; and
 - (c) Beginning at the intersection of Brunswick Street and Proctor Street proceeding southward on Brunswick Street to and not exceeding the intersection of Brunswick Street and Cogswell Street.
12. Chebucto Road - Beginning at the intersection of Windsor Street and Chebucto Road proceeding westward on Chebucto Road to and not exceeding the intersection of Armdale Rotary and Chebucto Road.
13. Coburg Road - Beginning at the intersection of Robie Street and Coburg Road, proceeding westward on Coburg Road to and not exceeding the intersection of Oxford Street and Coburg Road.
14. Cogswell Street - Beginning at the intersection of Robie Street and Cogswell Street proceeding eastward on Cogswell Street to and not exceeding the intersection of Brunswick Street at the Cogswell Street Interchange.

18. Cogswell Street Interchange Road Complex - (INCLUDING its roadways, ramps and approaches) to Barrington Street at Proctor Street on the north, to Lower Water Street, Barrington Street and Hollis Street on the south, to Cogswell Street at Brunswick Street on the west.
19. Connaught Avenue - Beginning at the intersection of Bayers Road and Connaught Avenue, proceeding southward on Connaught Avenue to and not exceeding the intersection of Quinpool Road and Connaught Avenue.
20. Cunard Street - Beginning at the intersection of Windsor Street and Cunard Street proceeding eastward on Cunard Street to and not exceeding the intersection of North Park Street and Cunard Street.
21. Devonshire Avenue - Beginning at the intersection of Gottingen Street and Devonshire Avenue proceeding southeastward on Devonshire Avenue to and not exceeding the intersection of Barrington Street and Devonshire Avenue.
22. Duffus Street - Beginning at the intersection of Gottingen Street and Duffus Street proceeding westward on Duffus Street to and not exceeding the intersection of Agricola Street and Duffus Street.
23. Duke Street - Beginning at the intersection of Duke Street and Hollis Street proceeding eastward on Duke Street to and not exceeding the intersection of Lower Water Street and Duke Street.
24. Dutch Village Road -
 - (a) Beginning at the intersection of Howe Avenue and Dutch Village Road proceeding southward on Dutch Village Road to and not exceeding the intersection of the Armdale Rotary and Dutch Village Road;
 - and
 - (b) Beginning at the intersection of Bayers Road proceeding southward to and not exceeding the Bicentennial Highway.
25. Fairview Overpass - (INCLUDING its ramps and approaches) to the Bedford Highway on the north, to Kempt Road on the east, to the intersection of Dutch Village Road with Howe Avenue on the south.

26. George Street - Beginning at the intersection of George Street and Hollis Street proceeding eastward on George Street to and not exceeding the intersection of Lower Water Street and George Street.
27. Gottingen Street - Beginning at the intersection of North Street and Gottingen Street proceeding northward on Gottingen Street to and not exceeding the intersection of Young Street and Gottingen Street.
28. Herring Cove Road - Beginning at the intersection of Armdale Rotary and Herring Cove Road proceeding southward on Herring Cove Road to and not exceeding the City Limits of the City of Halifax.
29. Hollis Street - Beginning at the intersection of the Cogswell Street Interchange and Hollis Street proceeding southward to and not exceeding the intersection of Terminal Road and Hollis Street.
30. Hollis Street Extension - Beginning at Terminal Road and Hollis Street Extension proceeding southward on Hollis Street Extension to and not exceeding the intersection of Barrington Street and Hollis Street Extension.
31. Howe Avenue - Beginning at the Fairview Overpass and Howe Avenue proceeding southward on Howe Avenue to and not exceeding the intersection of Dutch Village Road and Howe Avenue.
32. Inglis Street - Beginning at the intersection of Robie Street and Inglis Street proceeding eastward on Inglis Street to and not exceeding the intersection of Barrington Street and Inglis Street.
33. Kaye Street - Beginning at the intersection of Isleville Street and Kaye Street proceeding eastward on Kaye Street to and not exceeding the intersection of Gottingen Street and Kaye Street.
34. Kempt Road - Beginning at the intersection of Robie Street and Kempt Road proceeding northwestward on Kempt Road to and not exceeding the Fairview Overpass.
35. Lacewood Drive - Beginning at the intersection of Titus Street, Vimy Avenue and Lacewood Drive proceeding northwestward on Lacewood Drive to and not exceeding the intersection of Briarwood Crescent and Lacewood Drive.

36. Lady Hammond Road - Beginning at the intersection of Agricola Street and Lady Hammond Road proceeding westward on Lady Hammond Road to and not exceeding the intersection of Kempt Road and Lady Hammond Road.
37. MacKay Bridge Road Complex - (INCLUDING its roadways, ramps and approaches) to Robie Street, Lady Hammond Road and Windsor Street on the south, to Kempt Road on the west, to Barrington Street on the east.
38. Main Avenue - Beginning at the intersection of Titus Street and Main Avenue proceeding westward on Main Avenue to and not exceeding the intersection of Dunbrack Street and Main Avenue.
39. Morris Street -
 - (a) Beginning at the intersection of Hollis Street and Morris Street proceeding westward on Morris Street to and not exceeding the intersection of South Park Street and Morris Street;
 - and
 - (b) Beginning at the intersection of Morris Street and Hollis Street proceeding eastward on Morris Street to and not exceeding the intersection of Lower Water Street and Morris Street.
40. North Street - Beginning at the intersection of Windsor Street and North Street proceeding eastward on North Street to and not exceeding the intersection of Barrington Street and North Street.
41. North Park Street - Beginning at the intersection of Agricola Street and North Park Street proceeding southward on North Park Street to and not exceeding the intersection of Cogswell Street and North Park Street.
42. Old Sambro Road - Beginning at the intersection of Herring Cove Road and Old Sambro Road proceeding southward on Old Sambro Road to and not exceeding the City Limits of the City of Halifax.
43. Oxford Street - Beginning at the intersection of Coburg Road and Oxford Street proceeding northward on Oxford Street to and not exceeding the intersection of Quinpool Road and Oxford Street.