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**Halifax Regional Council  
November 16, 2004**

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

**SUBMITTED BY:**

A handwritten signature in black ink, appearing to read "Rick Paynter", written over a horizontal line.

Rick Paynter, P.Eng., Capital Transportation

**DATE:** November 10, 2004

**SUBJECT:** Capital Transportation Authority Status Report

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## INFORMATION REPORT

### ORIGIN

Earlier staff presentations to Halifax Regional Council relating to several areas of common interest between the Halifax Regional Municipality and the Province of Nova Scotia on transportation issues and opportunities such as the development of a Capital Transportation Authority.

### BACKGROUND

The concept of establishing a Capital Transportation Authority for the Halifax Regional Municipality has been under active review over the past year. Bill 64, **An Act to Establish a Transportation Authority for the Capital Region** was tabled by the Honourable Ronald Russell, Minister of Transportation & Public Works, during the Fall Sitting of the Provincial Legislature. This will be touched on further in this report.

This Information Report is intended to bring Halifax Regional Council up to date on the status of the establishment of this Capital Transportation Authority.

## DISCUSSION

In recent years, the business community and members of the general public have been expressing dissatisfaction over what they perceive as a lack of a clear and strategic vision regarding regional transportation issues within the Halifax Regional Municipality. This perceived situation was highlighted in a Discussion Paper prepared earlier this year by the Halifax Chamber of Commerce entitled "Creating a Regional Transportation Authority." This public perception is understandable where there are indeed different jurisdictions involved in the various components of transportation and which at times, there appears to be no coordinated planning associated with those various elements. The present Regional Planning exercise, now well underway, has regional transportation as one of its primary focuses. However, the organizational structure under which regional transportation services are delivered is not part of the Regional Planning process.

To that end, HRM submitted a proposal to the Province in the fall of 2003 outlining the concept of a Capital Transportation Authority. Part of HRM's proposal involved the transfer of ownership and operational control of the Halifax harbour bridges. HRM was subsequently invited to appear before the Provincial Standing Committee on Economic Development on February 10, 2004. Following that presentation, discussions with the Province took a major step forward when the Province agreed that the transfer of the Bridge Commission would be added to the list of items to be discussed around the establishment of such a Capital Transportation Authority.

**Asset Transfer:** Separate from the legislation designed to establish a Capital Transportation Authority, discussions continue between HRM and the Province around such areas of mutual interest as the ownership and operation of the Halifax-Dartmouth Bridge Commission as indicated above and a further transfer of road assets from the Province to HRM. Depending on the outcome of those discussions, the existing urban core boundary could be expanded as depicted in the attachment to this report.

It should be noted that two previous road transfer proposals between HRM and the Province are encompassed within these asset transfer discussions - they being roads in the Hammonds Plains Road area (White Hills & Haliburton Heights - proposal to the Province dated May 23, 2004) and Burnside Drive.

Staff of HRM are presently reviewing the cost implications of such an asset transfer proposal, including the financial operations of the Bridge Commission, to ensure that there is economic justification for moving forward.

**Halifax Gateway Council:** In July 2004, several local transportation service agencies such as the Halifax Port Authority, The Halifax International Airport Authority, CN, Canjet, Air Canada Jazz and the Greater Halifax Partnership formed the Halifax Gateway Council for the purposes of providing improved local coordination between governments and stakeholders with respect to transportation planning. The Council provides a forum where stakeholders can express their views, identify issues of concern and collectively initiate action to resolve local and/or regional

transportation issues. Representatives from these transportation service agencies will be the voting members of the Council. Both the Halifax Regional Municipality and the Nova Scotia Transportation & Public Works are represented on the Gateway Council as non-voting resource agencies. The Council's two primary objectives are to:

- 1) Improve the competitiveness and efficiency of transportation of goods and people through the Halifax Gateway and
- 2) to promote awareness of all modes of transportation as an important facet in the local, provincial and national economies.

Regarding the Capital Transportation Authority and how it would relate to and interface with the Halifax Gateway Council, both organizations will have similar goals/objectives relating to regional transportation issues with a representative member sitting on each organization for continuity of discussion and planning.

With the Gateway Council now formulated and to provide management and coordination of the activities of the Gateway Council, the Council has recently advertised for a part-time Executive Director.

**Status of Bill 64 and the Capital Transportation Authority:** Bill 64, the above-referenced Act to establish a Transportation Authority for the capital region, has not yet received the required 2<sup>nd</sup> Reading in the Legislature. This Bill will be re-tabled for the Spring Sitting of the Legislature. While awaiting approval of Bill 64, discussions continue between HRM, the Province and other regional area transportation stakeholders around the establishment of this Authority, including the creation of a transportation planning interim body that would transition into the Capital Transportation Authority once Bill 64 is approved. Staff are presently developing the "Terms of Reference" for this interim joint Planning Committee and further details on that will be presented to Regional Council in due course.

### **BUDGET IMPLICATIONS**

There are no budget implications at this time.

### **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

There are no recommended alternatives

## ATTACHMENTS

Copy of Proposed Bill 64.

Map showing possible change to existing core boundary.

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: Rick Paynter, P.Eng., Capital Transportation

# An Act to Establish a **Transporation** Authority for the Capital Region

Typo error

Be it enacted by the Governor and Assembly as follows:

**1** This Act may be cited as the *Capital Region Transportation Authority Act*.

**2** The purpose of this Act is to enable strategic transportation planning that will co-ordinate the transportation responsibilities of the Province and Halifax Regional Municipality through the establishment of a transportation authority for the capital region.

**3** In this Act,

(a) "Authority" means the Capital Region Transportation Authority established by this Act;

(b) "Board" means the board of directors of the Authority;

(c) "Municipality" means the Halifax Regional Municipality.

**4 (1)** There is hereby established a body corporate to be known as the Capital Region Transportation Authority to carry out the purpose of this Act.

**(2)** The affairs of the Authority shall be governed, controlled and administered by a board of directors, the composition of which, including the selection of a chair, shall be determined in accordance with the regulations.

**(3)** A vacancy on the Board does not impair the right of the remaining members to act or the corporate capacity of the Authority.

**5** The Municipality may by by-law exempt the property of the Authority from taxation to the extent determined by the Council of the Municipality.

**6** Nothing in this Act means or shall be construed to mean that

(a) the Authority is a Crown corporation or an agent of Her Majesty in right of the Province; or

(b) any property, right, privilege or obligation of the Authority is the property, right, privilege or obligation of Her Majesty in right of the Province.

7 (1) The Governor in Council may, after consultation with the Municipality, make regulations

(a) respecting the composition of the Board, including the selection of a chair;

(b) respecting the powers, duties and functions of the Board;

(c) respecting reports that are to be provided by the Authority;

(d) respecting the fiscal year of the Authority;

(e) further determining the role and power of the Authority;

(f) defining any word or expression used but not defined in this Act;

(g) respecting any matter or thing the Governor in Council considers necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) The exercise by the Governor in Council of the authority contained in subsection (1) is regulations within the meaning of the *Regulations Act*.

8 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

