


Item No. 10.1.6
Halifax Regional Council
March 27, 2012

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: February 27, 2012

SUBJECT: **Amendments to Administrative Order Number 37 - Respecting
Commerce and Vending on Municipal Lands (Site Locations)**

ORIGIN

HRM staff.

RECOMMENDATION

It is recommended that Halifax Regional Council **approve** the amendments to Administrative Order Number 37, as described in Schedule "A" attached to this report.

BACKGROUND

Street vending in HRM is governed by By-Law C-500, Respecting Commerce and Vending on Municipal Lands. Vending, by artisans and craftspeople, food vendors, or newspaper boxes, is only permitted on designated sites which are listed in Administrative Order Number 37.

The By-Law allows for new sites to be identified by vendors, reviewed by staff and then presented to Council for potential addition to the Administrative Order. Approved locations may also become less desirable over time, therefore staff or the license holders may request that some sites be removed from the approved list. At this time, staff has identified some areas of the Administrative Order which should be addressed.

DISCUSSION

The owners of the newspaper boxes proposed seven (7) potential new locations in 2011. Staff reviewed the locations and are recommending approval of seven (7) new sites. HRM staff is proposing to relocate an existing approved site to make room for a seasonal café. As a housekeeping item, staff is also recommending that one location be removed from the approved list as the previously approved location is no longer HRM land. Proposed changes to the approved Newspaper Box sites are summarized below:

New Site	Barrington Street, East Side, South of George Street	The site is on Barrington Street opposite Grande Parade. The location was requested by the box owners and staff believe the location is appropriate.
New Site	Pleasant Street, West Side, North of Mawioni Place	The site is near a very busy bus stop near the NSCC Waterfront Campus. The location was requested by the box owners and staff believe the location is appropriate.
New Site	5620 South Street, South Side, West of Queen Street	The site is in front of a new apartment building. The location was requested by the box owners and staff believe the location is appropriate.
New Site	6085 Coburg Road, North Side, West of Henry Street	The site is in front of a popular coffee shop. The location was requested by the box owners and staff believe the location is appropriate.
New Site	3220 Isleville Street, West Side, South of Stairs Street	The site is in front of a busy convenience store. The location was requested by the box owners and staff believe the location is appropriate.
New Site	1115 Mic Mac Boulevard (Park and Ride lot)	The site is near the bus stop at the park and ride lot. The location was requested by the box owners and staff believe the location is appropriate. Final box location is at the discretion of Metro Transit staff.
New Site	49 Falls Run (new transit terminal in Fall River)	The site is at the new Fall River Transit Terminal (currently under construction). The location was requested by the box owners and staff believe the location is appropriate once the terminal is operational. Final box location is at the discretion of Metro Transit staff.
Site Relocation	46 Portland Street, South Side, 27 metres East of Prince Street	Relocated from 55 Portland Street to make room for a new seasonal café on the sidewalk.
Remove Site	University Avenue, North Side, 24 metres West of LeMarchant Street	This section of Street Right of Way on University Avenue was closed by Council in September 2011. The boxes are now located on Dalhousie University property. The boxes may remain on University property, subject to the permission of the University and any applicable licencing requirements under By-Law A-200.

A mobile canteen vendor has also proposed a new vending site on Municipal Lands. Staff has reviewed this site and has no objection to having the new site added to the list of approved locations. In accordance to Section 29.2 of By-Law C-500, should this site be added to the Administrative Order, it will be offered to the identifying vendor for first right of refusal. The proposed new site is near 111 Wright Avenue, Dartmouth in the Burnside Industrial Park.

BUDGET IMPLICATIONS

The changes to the list of approved sites for newspaper boxes result in a potential gain in revenue. Each newspaper box at an approved site is subject to a license fee of \$55/year. Actual revenues will depend on the number of newspaper publishers that purchase a license at the new sites. Licenses for mobile canteen sites are issued by tender. By adding a new mobile canteen site to the list of approved locations, there is also a potential gain in revenue.

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

Community engagement was not deemed to be necessary in this process for newspaper box locations. As for the proposed new vending site on Wright Avenue, the vendor has been in touch with the adjacent property owner and they have not expressed any objection.

ALTERNATIVES

1. Should Council choose to remove one or more location from the proposed list of new sites, a shorter list of sites may be adopted.
2. As a minimum, staff recommends that Council approve the removal of the site at University Avenue and the relocation of the site on Portland Street.

ATTACHMENT

Schedule A - Amendments to Administrative Order 37

**Amendments to Admin Order # 37 - Respecting Commerce and Vending
on Municipal Lands (Site Locations) - 4 -
Council Report**

March 27, 2012

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.

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Schedule A

Halifax Regional Municipality Amendment to Administrative Order Number 37

BE IT ENACTED by the Council of the Halifax Regional Municipality Administrative Order Number 37 be amended as follows:

The following item is added to the list in Part A:

7. Wright Avenue, North Side, 105 metres West of Joseph Zatzman Drive

The following item is added to the “Downtown Halifax” list in Part D:

18. Barrington Street, East Side, 23 metres South of George Street *

Item number 1 on the “Dartmouth” list in Part D is deleted and the following substituted therefor:

1. 46 Portland Street, South Side, 27 metres East of Prince Street

The following item is added to the “Dartmouth” list in Part D:

7. Pleasant Street, West Side, 55 metres North of Mawiomi Place **

The following item is deleted from the “Halifax Peninsula” list in Part D:

12. University Avenue, North Side, 24 metres West of LeMarchant Street **

Items on the “Halifax Peninsula” list in Part D numbered 13 to 18 are re-numbered 12 to 17.

The following items are added to the “Halifax Peninsula” list in Part D:

18. 5620 South Street, South Side, 145 metres West of Queen Street **
19. 6085 Coburg Road, North Side, 19.5 metres West of Henry Street **
20. 3220 Isleville Street, West Side, 29 metres South of Stairs Street **

The following items are added to the “Metro Transit Terminals” list in Part D:

Mic Mac Boulevard Park and Ride
Fall River