



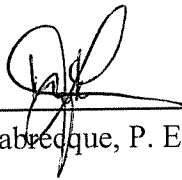
PO Box 1749  
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10.1.1

**Chebucto Community Council**  
**April 2, 2007**

**TO:** Chair and Members of Chebucto Community Council

**SUBMITTED BY:**

  
\_\_\_\_\_  
Mike Labrecque, P. Eng., Director, Transportation and Public Works

**DATE:** March 20, 2007

**SUBJECT:** Non-Truck Routes - Mumford Road

### **INFORMATION REPORT**

#### **ORIGIN**

Item 12.2 raised at the November 6, 2006 meeting of Chebucto Community Council.

#### **BACKGROUND**

MOVED by Deputy Mayor Walker, seconded by Councillor Mosher that staff be requested to erect signs which state that all trucks, except local trucks, are prohibited on Mumford Road, between Olivet Street and Joseph Howe Drive. MOTION PUT AND PASSED.

## **DISCUSSION**

By-law T-400 referred to as “The Truck Route By-law” was approved by Regional Council; and it specifies that permissive sign messages shall be used to designate certain roadways in the core service area of HRM as truck routes. The by-law does not provide for the use of a restrictive sign message for economic and practical reasons. Also, the by-law states very clearly that all truck traffic is to stay on designated truck routes, except that trucks may leave a truck route to complete a local delivery or collection, but only after remaining on the truck route until the truck is as close as possible to the particular destination.

Mumford Road is not a truck route, however, it does intersect with Joseph Howe Drive and Chebucto Road, both of which are designated full time truck routes. Appropriate regulatory truck route signs, as specified for use under the by-law, are posted at either of these intersections. Two previous reports to Chebucto Community Council (see attached) from Engineering and Police, including input from Legal Services, indicated that trucks servicing the various businesses along Mumford Road could do so via either Joseph Howe Drive or Chebucto Road depending on the distance of the particular business from either truck route.

The truck route by-law has been in existence for over thirty years having first been introduced in former Halifax in the early 1970's. There is no evidence during that time to support the need for additional or more elaborate truck route signs to effect enforcement or prevent non-intentional violations by drivers. The existing truck route signs satisfy enforcement requirements because they are clearly visible, easily understood, and direct non-local truck traffic away from Mumford Road. The existing truck route signs are practical because they minimize the number and size of signs required to designate our truck route system.

The installation of restrictive regulatory truck route sign messages is not provided for in the by-law because of the sheer number of signs required and the cost to produce and maintain them on all of the non-truck routes in the Municipality. Further they are reactionary as they can only be placed on the non-truck route. This means that a truck driver can only read it after being in violation and is most likely at a location where turning around to return to the truck route is very difficult, if not impossible. The permissive truck route signs with appropriate directional arrows and time of day information are pro-active in that they can be located along truck routes at all major intersections and decision making points to guide the driver to his destination.

The installation of supplementary non-regulatory information truck route sign messages designed to restrict truck traffic from an area is neither required nor is it recommended. These signs would add nothing of value to the network of existing official truck route signs, would be precedent setting, would generate numerous similar requests for other locations in the belief that the signs were effective, and would add clutter and become lost in an already too rich sign environment.

Members of Council may be familiar with the practice of the Nova Scotia Department of Transportation and Public Works which does post some restrictive truck route signs. For NS TPW this is more practical because almost all roads in TPW jurisdiction are truck routes by default and only a relative few are designated to be restricted to local truck service only. This contrasts with the core service area of HRM where almost all streets are not truck routes.

**BUDGET IMPLICATIONS**

There are no budget implications.

**FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

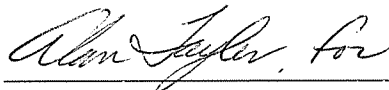
This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

**ATTACHMENTS**

Item 4.1.7, Report to April 4, 2005 meeting of Chebucto Community Council, dated March 18, 2005  
Item 4.1.7, Report to April 4, 2005 meeting of Chebucto Community Council, dated March 29, 2005

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.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: Kevin McEachern, Traffic Analyst, 490-6133



Report Approved by: Ken Reashor, P.Eng., Manager, Traffic & Right of Way, 490-6637


4.1.7



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**Chebucto Community Council**  
**April 4, 2005**

**TO:** Chebucto Community Council

**SUBMITTED BY:**   
Frank A. Beazley, O.O.M., Chief of Police

**DATE:** March 18, 2005

**SUBJECT:** Non- Truck Routes - Mumford Road

**INFORMATION REPORT**

**ORIGIN**

At the Community Council meeting on February 7, 2005 during discussion of the above item, Halifax Regional Police was requested to provide information on the following:

1. How often this area is monitored
2. How many stops have been made in the last two years and how many violations have been issued.

**Non-Truck Routes - Mumford Road**

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**BACKGROUND**

The Mumford Road truck route complaint has been ongoing for several years. During this time, Halifax Regional Police has undertaken a proactive problem solving approach to this issue.

Letters have been faxed to all trucking companies making deliveries to businesses to ensure they are aware of the issues. These notices included a copy of the bylaw and the streets in question.

Letters have been drafted outlining issues surrounding deliveries and truck routes and were delivered to the managers of Walmart, Sobeys and Mall Management.

Police met with residents individually and spoke about this issue at a community meeting. The HRM Traffic Authority had truck signs reviewed and several were moved or replaced.

The reactive component of this complaint has been addressed by both special checks and identified as a problem area to patrol members. Trucks have been stopped resulting in violations and warnings being issued.

Area specifically monitored for truck routes 2003 - 2004.	Total number	40
• Vehicle stops 2003 and 2004.	Total number	5
• Violations issued 2003 - 2004	Total number	5
• Warnings issued	Total number	2

**DISCUSSION**

During a review of all available documentation and after meetings with individuals who have been involved with this issue over several years, it became clear that there was varying opinions about enforcement of the Mumford Road Truck Route and a need to seek additional clarification.

Three issues were identified as requiring additional clarification: the distance between truck route entry points onto Mumford Road to access points to the Halifax Shopping Centre Annex property, accessibility by trucks and safety issues.

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HRM GPS Services was then tasked with measuring the distance of the truck route and determined the following:

- Total length of Mumford Road - 1303.3 meters
- Joseph Howe Drive to Romans Avenue intersection (Sears Lane)- 666.2 meters
- Chebucto Road to the Romans Avenue intersection (Sears Lane) - 640.1 meters.
  
- Difference - 26.1 meters.

The Registry of Motor Vehicle Compliance Branch was contacted and visited the Truck Route site. After examining the Mumford Road Truck Route and surrounding possible access routes to the Halifax Shopping Centre Annex, it was determined that the most accessible connection for large trucks to the Halifax Shopping Centre Annex is the entrance across from Romans Avenue, off Mumford Road, referred to in this report as Sears Lane. This access would require truck traffic to enter from the Joseph Howe Drive intersection. Safety issues relating to large trucks having to pass in front of St. Agnes School through a designated school zone, the number of Metro Transit buses using the Mumford Road Transit Depot and heavy pedestrian traffic in that area were also considered.

The HRM Legal Services was contacted regarding the Mumford Road truck route issue. A site visit was made and the following opinion provided.

Trucks on their way to the West End Mall exit the Bicentennial Highway and enter Joseph Howe Drive. Joseph Howe Drive is a truck route. From Joseph Howe Drive they turn left onto Mumford Road and continue until Romans Avenue, at which point they turn right into the Mall parking area. Mumford Road is not a truck route.

An alternate route would be Joseph Howe Drive/Dutch Village Road down to the Armdale Rotary. From the Armdale Rotary they would proceed up Chebucto Road and turn left at Mumford Road/MacDonald Street. After proceeding down Mumford Road they would not be able to turn left into the Mall at Leppert Street. This is due to the configuration of the street and the parking lot. It would also be difficult to turn left onto Halifax Shopping Centre Blvd without obstructing traffic. It is my understanding that the most reasonably accessible route is to turn left at Romans Avenue. The Armdale Rotary does not allow traffic to go onto Chebucto Road from 4:00 - 5:30 pm, Monday to Friday.

A third option would be to take Joseph Howe Drive/Dutch Village Road down to the Armdale Rotary. From the Armdale Rotary they would proceed up Chebucto Road and turn left into the driveway that runs behind the Mall (behind The Bay). This is assuming that the entire Mall area is owned by the same company. Any truck making a delivery at the Mall should have a right to access this driveway. If, on the other hand, the Mall area is owned by different companies (Walmart owns their space, Sobeys owns their space, The Bay owns their space, etc.) then we cannot expect the truck

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to drive over someone else's property.

The By-Law states:

*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 and while using truck routes until unable to continue to do so, drive the truck on those highways forming the most direct accessible connection between the nearest truck route and the delivery point, collection point or service point for merchandise or materials, and shall also return to the truck route by those highways forming the most direct accessible connection.*

The first route discussed above involves driving off a truck route for 666 meters and is the route preferred by the truck drivers.

The second route involves being off a truck route for 640 meters but would involve going through the Armdale Rotary and passing by a school and an area with heavy pedestrian traffic.

The third route would not involve being off a truck route but does take the truck through the Armdale Rotary.

Overall, if a truck can get to the Mall without leaving a truck route, it should do so. Even though having trucks go through the Armdale Rotary is perhaps not the best idea, the Rotary is a truck route, so trucks should be using it. At times when trucks cannot use the Rotary because access to Chebucto Road is blocked, they can use the first route and turn onto Mumford Road from Joseph Howe Drive.

If parts of the Mall are owned by different companies, then drivers can choose between routes one and two. It is felt that a court would not consider the distance difference of 26 meters as significant, especially when the longer distance involves passing by a school and an area of high pedestrian traffic.

HRM Legal Services also indicated that, if truck traffic cannot be forced to use the Sears Lane entrance to the Halifax Shopping Centre Annex property off Chebucto Road, then the likelihood of a successful prosecution for trucks entering from Joseph Howe Drive would prove unsuccessful in Court.

Halifax Regional Police will continue to pursue open dialogue with businesses located on Halifax Shopping Centre properties in an effort to promote the use of Sears Lane for all trucking, especially during late night and early morning hours. Truck traffic between 4:00 pm and 5:30 pm will not be included as the Armdale Rotary is closed at that time.

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**BUDGET IMPLICATIONS**

**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**

**ATTACHMENTS**

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:

Greg Mosher, Staff Sergeant

Division Commander - West Division

490-5200

4.1.7




PO Box 1749  
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**Chebucto Community Council**  
**April 4, 2005**

**TO:** Members of Chebucto Community Council

**SUBMITTED BY:**

  
Ken Reashor, P.Eng., Manager, Traffic & Right of Way

**DATE:** March 29, 2005

**SUBJECT:** Non-Truck Routes - Mumford Road

**INFORMATION REPORT**

**ORIGIN**

At the February 7, 2005 meeting, Councillor Walker, seconded by Councillor Hum, moved that Chebucto Community Council request HRM's Traffic Authority to provide a staff report indicating:

1. What is a non-truck route.
2. Where are trucks permitted to go for local traffic on Mumford Road and Chebucto Road.
3. The procedure to change local traffic from the railway cut each way so that local traffic could only go from the railway cut to Joseph Howe and the railway cut to Chebucto Road.

**BACKGROUND**

The HRM Truck Route By-Law, By-Law t-400 was made under the authority of Section 194(4) of the Nova Scotia Motor Vehicle Act.

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**DISCUSSION****What is a truck for the purposes of the Truck Route By-Law?**

Under the By-Law a truck generally includes motor vehicles designed to carry freight and weighing more than 3,000 kilograms (6,614 pounds). Typically, such vehicles have four or more tires at the rear and are fairly large. Cube vans and other small commercial delivery vehicles typically do not weight over 3000 kilograms and are not affected by the Truck Route By-Law. The 3,000 kilogram limit is one set by Regional Council. The Motor Vehicle Act does not require a lower limit on weight be used.

**What is a non-truck route?**

Under the HRM Truck Route By-Law, certain roads are designated to be truck routes. Truck route means a highway in the Municipality approved for the passage of trucks. Therefore, all other public highways under the jurisdiction of HRM are "non-truck routes" although this term is not used. Mumford Road is not a designated truck route.

**Where are trucks permitted to go for local traffic on Mumford Road and Chebucto Road?**

The Truck Route By-Law, section 4 (3) describes how trucks may use roads that are not designated as truck routes:

*(i) 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 and while using truck routes until unable to continue to do so, drive the truck on those highways forming the most direct accessible connection between the nearest truck route and the delivery point, collection point or service point for merchandise or materials, and shall also return to the truck route by those highways forming the most direct accessible connection.*

*(ii) 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.*

*(iii) 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 those highways forming the most direct, accessible connection between the storage location and a truck route.*

Vehicles under subsection (iii) are fairly rare in occurrence in the Mumford Road area. This subsection allows for the operators of trucks to travel to and from the place where the vehicle is legally stored overnight even if a pickup or delivery is not being made.

Vehicles under subsections (i) and (ii) are common in the Mumford Road area. These are trucks making deliveries or pickups from the businesses along Mumford Road.

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Trucks making deliveries to Halifax Shopping Centre are required under the By-Law to arrive and depart via Bayers Road because Bayers Road is a 24-hour truck route while Mumford and Romans (which also have driveways to Halifax Shopping Centre) are not truck routes.

Trucks making deliveries to the Bay store are required under the By-Law to arrive via Chebucto Road because Chebucto Road is a 24-hour truck route and the Bay store has a driveway to the loading docks from Chebucto Road.

Trucks making deliveries to the rest of the Halifax Shopping Centre Annex (former West End Mall), including Sobeys and Walmart, are required under the By-Law to arrive via Mumford Road (not Romans Avenue) because Mumford Road is the "most direct accessible connection to the nearest truck route." HRM cannot force truckers to use the Chebucto driveway (known as Simpsons Lane) to access the Halifax Shopping Centre Annex because the portion of Simpsons Lane adjacent to the Bay store is owned by the Bay and not by the owners of the Annex. Whether or not there is any agreement between the Bay store and other nearby owners, official or unofficial use of such an access is beyond the power of HRM to enforce. Similarly, HRM cannot under the By-Law force truckers to use Bayers Road and travel through the Halifax Shopping Centre lands because the Halifax Shopping Centre roads are private property not public highways.

Trucks making deliveries to the businesses at 7037 Mumford Road, such as MEDichair, should approach along Mumford from Joseph Howe because Joseph Howe is the closest truck route to that location.

Trucks making deliveries to businesses on the south side of the railway overpass and using the driveway opposite Romans Avenue or the driveway next to the MacDonalds Restaurant can approach along Mumford Road from either Joseph Howe Drive or Chebucto Road because the difference in distance from either end of Mumford is too small to be fairly enforceable. (We have to give the truck drivers a fair chance to choose a route. When two routes are so close in length that careful measurement is needed to tell which is longer then it is unfair to expect truck drivers to be able to distinguish between the routes.)

**The procedure to change local traffic from the railway cut each way so that local traffic could only go from the railway cut to Joseph Howe and the railway cut to Chebucto Road.**

The Nova Scotia Motor Vehicle Act, section 194 (4) says:

*Local authorities may by by-law limit the operation of trucks or other commercial vehicles, by class, weight or otherwise, to certain designated highways at all times or between specified hours and may prohibit or regulate the operation of these trucks or other commercial vehicles upon any highway and at any time not so designated except for purposes specified in the by-law.*

It is therefore possible for HRM Council to amend the Truck Route By-Law to prohibit operation of trucks over 3,000 kilograms on Mumford Road between, say, Olivet Street and the driveway of 7020 Mumford Road (a small office building now occupied (at least in part) by an office of Canadian Union of Postal Workers). Basically this would be the same as prohibiting trucks crossing the bridge

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over the railway tracks. (Legally, this would be distinct from posting a permanent weight restriction.) It would be necessary to post notices of such a restriction at each end of Mumford Road and at driveways from commercial properties on Mumford to inform truck drivers of the prohibition. (Actually the notices would need to be posted where drivers could see them **before** turning onto Mumford Road.)

The By-Law would need language to exempt any particular trucks that Council wanted exempted, such as fire apparatus, HRM and HRM-contracted snow ploughs, HRM-contracted garbage and recycling trucks, and HRM and HRM-contracted municipal service vehicles. Buses would not need be exempted as they are already not defined as "trucks."

A difficulty with enforcement of such a prohibition would be that there is no legal location immediately adjacent the prohibition for truck drivers to turn their vehicles around, although the intent of the posted signs is to notify the drivers not to come along Mumford if they are not delivering on the nearside of the bridge.

**BUDGET IMPLICATIONS**

There would be a minor cost in the existing operating budget for new notice signs if Council chooses to pursue that approach.

**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.

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:



Alan Taylor, P.Eng., Transportation Planner, 490-6680