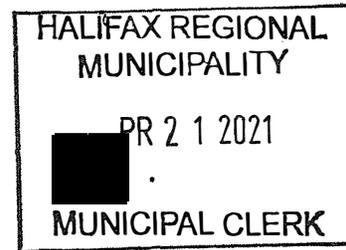


**Item 10.3.2**  
**Transportation Standing Committee**  
**April 29, 2021**



April 20, 2021

Waye Mason, Chair, and  
Members of the Transportation Standing Committee  
1841 Argyle St, Halifax,  
Nova Scotia, B3J 3A5

1. Bayers Road Widening, Closure of George Dauphinee Avenue and Westmount Subdivision;
2. Official request to make a presentation

Chair Mason and Committee Members

We along with residents of Westmount Subdivision are appealing to your committee to support a temporary alternative to the design elements of the Bayers Road widening that directly and physically result in the closure of George Dauphinee Avenue as an entrance to Westmount. This alternative will not delay or stop this important project nor negatively impact on the goals of the Region's transportation strategy. We are simply seeking fair and equitable recognition of the traffic and safety issues faced by Westmount residents, the schools and other stakeholders and visitors, through the exploration of more creative design solutions.

We have new, revealing and rather shocking information for you to consider in our new request for action. There has been a significant failure to properly consult with the neighbourhood and stakeholders. As just one example of many, we recently have been advised by the school administration that the Westmount Elementary School on George Dauphinee Avenue had not been consulted on, nor even informed, of the closure, and the Design Team used inaccurate accounts of the number of school buses that use this entrance!

The warning Roddy MacIntyre, Senior Traffic Engineer/ Traffic Authority as stated in an email dated January 2, 2019 to Dylan Haynes design leader and Tanya Davis and others were not taken seriously or acted upon properly. The email is as follows:

*"As for the access restriction at George Dauphinee, what are the traffic volumes making right-hand turns into the Westmount neighbourhood? I have some concerns that allowing exit only at this location will have negative and unpopular impacts on residents and the school. This proposal will leave access to the neighbourhood via Almon and William Hunt only. More information needs to be provided regarding the overall impact and benefits/draw backs to this proposal."*

And further, Mike Connors, Transportation Engineer stated in a memorandum of February 23, 2021 that:

*"As a result of the proposed changes at George Dauphinee Avenue, the intersection of Chebucto Road and William Hunt Avenue will be the only intersection that permits full access to the neighborhood all the time. Although it is recognized that the Westmount subdivision does have relatively limited access, municipal access requirements for the area will continue to be met with the proposed turn restriction at George Dauphinee Avenue."*

All residents of Westmount know, and surely your engineers and planners also know, that William Hunt as a full access, "all the time" is a contradiction in terms and an offensive insult to the community and others who must access its schools and facilities. All of this and our attached investigations and analysis demonstrates a complete lack of in-depth analysis by the designers and managers of the Bayers Road widening in their focus of completing a capital project. There has not been any overall and in depth acknowledgement of the severe restrictions and safety issues represented by Westmount being enclosed by three principle streets and a shopping centre. All actions by staff, since the community started investigating and asking questions, have been a rationalization of an unfortunate design decision made with inadequate understanding of the consequences to the physical and functional characteristics of Westmount's streets and access limitations.

This letter is also formally asking your Committee and the Municipal Clerk, for permission to make a presentation on at your upcoming April 29, 2021 meeting. The subject of the presentation will be the request for the temporary alternative outlined above and for the reasons presented in this letter and attached documentation. The timing is important because the second phase of the construction, which includes the permanent closure of George Dauphinee Avenue, will understand be starting in May.

**Municipal Clerks Office**  
**Date Distributed:** April 21, 2021  
**TSC, STAFF, SOLICITOR**  
**Other:**

**In requesting this temporary alternative and the presentation**, we represent a significant proportion of Westmount residents who desire a change to the approved closure of George Dauphinee Avenue as an entrance to Westmount. In addition to extensive feedback from residents, we have had the assistance of our consultant, Bill Campbell. He has an accomplished and respected professional career of over 20 years of senior municipal planning experience in the Halifax region, including with HRM, as well as 11 years in senior executive positions at the Waterfront Development Corporation, a provincial crown corporation. For the past 12 years he has been providing private consulting services in planning, economic development and public policy in Halifax and elsewhere.

Since our last communication with your committee we have been advocating with your staff to have our concerns brought to the forefront. We have undertaken the following new initiatives:

- i. Acquiring and analyzing over **1300 pages of FOIPOP material** related to the project;
- ii. Meeting with the management of the Halifax Shopping Centre;
- iii. Talking with the administration of Westmount Elementary School;
- iv. Examining other traffic management solutions put in place by HRM in other locations;
- v. Completing our own traffic counts;
- vi. Distributing two newsletters to the whole of the Westmount residents;
- vii. Having a virtual and public meeting with concerned residents; and
- viii. Engaging in numerous virtual meetings and telephone calls with HRM staff and senior management and consultants.

**The overwhelming case for action** is to ensure, beyond a reasonable doubt, the safety of the public and the children in Westmount! We have compelling evidence from our detailed examination of the facts, that in the haste to meet deadlines to finalize the widening project, there is unmistakable documentation proving that insufficient oversight was given to the impacts of the closure.

We encourage you to examine the attached analysis detailing failures on Charter provisions for street closures, 2017 Integrated Mobility Plan adopted by Council regarding consultation, Administrative Order # 2016-002-OP respecting implementation of local street bikeways, as well as many other technical grounds, and finally specific references to statements from documents and meetings, all of which support our position and request. These were largely uncovered in the over **1300 pages of FOIPOP material** we acquired in October of 2020, and in recent virtual meetings with staff. All well after the petition which was submitted to Council in February 2019.

**To be clear, we are not advocating the stopping of the widening of Bayers Road, nor suggesting dedicated bus lanes be eliminated, or that the Local Bikeway approved for Westmount be removed.** We support all of these important initiatives which are needed to allow our Region to grow and respond to future challenges. We are aware that the Bayers Road widening is a major capital project. And in particular this section of it is perhaps one of the most complex and challenging interchanges in the Region, which we see as all the more reason to consider our request!

**We are appealing to you with a temporary alternative.** One that will not delay or stop this important project nor negatively impact on the goals of the Region's Transportation Strategy. **We simply seek fair and equitable recognition of the traffic and safety issues faced by Westmount residents, the schools and other stakeholders and visitors, in the form of more creative design solutions.** This temporary alternative entails, for a trial period, retaining George Dauphinee Avenue as an entrance to the neighbourhood through using restrictive and proper signage, or such other mechanisms determined by the engineers and designers to ensure the safety of all. This temporary action will provide the needed time to properly analyze just how the new widening will function relative to the safety impacts on Westmount, the schools and how transit buses and bicycles and emergency vehicles react to the dedicated bus lane. We believe that this will lead to more creative and informed design options which will not infringe on either the safety of Westmount residents, those accessing the schools and recreation facilities in the neighbourhood, those in vehicles traversing this complex interchange and the bicyclist using the new Multi-Use Trail and Local Bikeway. We think this is all possible if we take a breath and reconsider the serious and long-term consequences of moving forward with the permanent solution of closing George Dauphinee Avenue.

Respectfully submitted,

- Original Signed -

Eric Thomson and Ted Vaughan  
on behalf of Westmount Residents

cc Mayor Michael Savage

**A Submission to all members of the Transportation Standing Committee regarding the Bayers Road Widening project and subsequent designs to close George Dauphinee Avenue as an access to Westmount**

**Table of Contents:**

- I. History
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## **I. History and Brief Chronology**

The residents of Westmount who have opposed this closure, and there are many, have been accused of being concerned with convenience and opposed to HRM's plans to provide better transit and bicycle paths and routes. We wish to make it absolutely clear that is not correct. We have not opposed regional efforts to improve transit and establish bikeway systems! We have only sought fair and equitable recognition of the traffic and safety issues faced by Westmount residents and visitors and more creative and mutually acceptable design solutions.

Since we last approached your committee in early 2020 on the future closure of George Dauphine Avenue we have been very engaged in examining the complete technical and process history of how things got to this point of closing George Dauphinee Avenue. All of this work and research has led us to the unquestionable conclusion that there, most importantly, has been a significant failure to properly assess the impacts of changing traffic patterns on the safety within Westmount, and as well an almost complete failure in proper and respectful engagement and consultation with the neighbourhood and stakeholders on the specific design and closure decision.

Our main activities and initiatives have included:

- i. Acquiring and analyzing over 1300 pages of FOIPOP material related to the project;
- ii. Meeting with the management of the Halifax Shopping Centre;
- iii. Talking with the administration of Westmount Elementary School;
- iv. Examining other traffic management solutions put in place by HRM in other locations;
- v. Completing our own traffic counts;
- vi. Distributing two newsletters to the whole of the Westmount residents;
- vii. Having a virtual and public meeting with concerned residents; and
- viii. Engaging in numerous virtual meetings and telephone calls with HRM staff and senior management and consultants.

## II. What We Are Asking of the Transportation Standing Committee and Why

We are appealing to you, on behalf of residents of Westmount, school children, and other stakeholders, that you initiate a temporary halt to the design elements that will permanently close George Dauphinee Avenue as an entrance to the neighbourhood. This temporary delay will provide the necessary time to properly analyze the safety impacts on Westmount, observe impacts through installation of temporary controls of George Dauphinee Avenue and consider more creative design options. And, in the words of the Bayers Road Widening Design team leader, stated some time ago to officials of the Anglican Church of the Apostle's at the corner of Bayers and George Dauphinee Avenue, delaying construction of a permanent closure would not impede the overall construction and timelines of the widening and fast transit lanes associated with widening of Bayers Road.

We are not seeking a permanent solution at this stage, but rather a period of time to properly evaluate our safety concerns. Our sole concern is for the safety of Westmount residents, school children and those that come to our neighbourhood to use the recreation facilities located in the neighbourhood by HRM over the years.. To that end, **we are asking you to take action to temporarily halt only** the permanent closure elements of the construction so that proper analysis and consultations, of the type that were afforded the Halifax Shopping Centre during the design process over a period of four to five months, can take place.

Our strong belief, supported by clear evidence provided in this submission to you, is that the Westmount residential neighbourhood has been over the decades systematically restricted in its access to the point of compromising resident's and visitor's safety. We are not aware of, nor has staff advised us, of any other situations in the whole of the municipality which compare to Westmount's treatment and situation.

### III. Issues and Evidence Supporting the Need for Action

Through analysis of over 1300 pages of FOIPOP material, discussions with staff over the last many months and review of the analysis's completed by staff we have identified numerous matters that demonstrate a deficient design process, lack of consultation, and incomplete traffic analysis, all of which strongly support our request for a temporary stay. These include:

- 1. The municipality has not recognized, or analyzed, the severity of the safety issues caused by the very limited access to Westmount resulting from continuous and piecemeal decisions over many years, and even decades.**  
These decisions in aggregate have gradually diminished the safety to a critical level in terms of general access and traffic flow within the neighbourhood, access to an elementary school with more than 400 students, access to the regional sports facilities including specialized facilities for handicapped children. The more recent ones being the traffic signalization at Almon Street and Connaught Avenue intersection; and, the widening of Chebucto Road, the latter making William Hunt access even more severely compromised as an entrance and exit especially during peak hours. Until now George Dauphinee Avenue at Bayers Road was a reasonable safe alternative during peak hours. How many further restrictions, we ask, can be put in place without someone getting injured?
- 2. Residents of Westmount, and HRM residents who use and manage public facilities within the neighbourhood, were not properly informed** of the inclusion and implications of inserting a Multi-Use Trail connection to the approved Local Bikeway on George Dauphinee Avenue requiring the permanent closure of George Dauphinee to right turns from Bayers Road. Most recently we find it almost incredulous to have been advised by the administration of the Westmount Elementary School, that they have not been consulted, informed or contacted by HRM on the closure of George Dauphinee Avenue which severely impacts on access to the school by hundreds of parents, students and teachers, multiple times a day. We have learned from FOIPOP materials that the permanent closure was agreed to as far back at December 2018. It is clear that the designers and consultants were focused on the Bayers Road corridor and the safety of bicyclist on the multi-use pathway rather than those accessing and traveling within Westmount. And it was not until though happenstance that the community found out 11 months after that this design decision was made. The lack of engagement except at a very high conceptual level is a shocking situation. This situation in terms of lack of communication and consultation is not unlike that of the Provincial government's failure, covered in recent media stories, that HRM faced in the planning of the new hospital and with which councillors and HRM were so surprised and taken off guard.
- 3. Administrative Order 20016-002-OP for the planning of Local Bikeways and in particular has not been followed.** And we quote: "The purposes of this Administrative Order are to establish the processes to designate Local Street Bikeways, which include: (b) route analysis and design of features". HRM Bikeway

planners have reported to us in writing that the portion of the Multi-Use trail causing George Dauphinee Avenue to be closed, was not part of their process under this administrative order, but rather part of the Bayers Road widen design process. This stance, in our opinion, is a not very well disguised attempt to separate the process in order to meet policy and process for administering Local Bikeways. **We believe the lack of information and consultation on the closure, regardless of whose project it was, is a serious breach of this Administrative Order.**

4. **The approved Halifax Integrated Mobility Plan 2017 requires the impacts of changes to the street systems**, in this case the closure of George Dauphinee Avenue and widening of Bayers Road, to be communicated to the community affected and resolutions attained. We assert HRM has not done this. And what has been done only occurred after the community inadvertently found out about the plans to close George Dauphinee Avenue and in an uncoordinated and confusing manner as detailed more thoroughly below.
5. **The HRM Charter, Section 325** has specific standards for the permanent closure of public streets. These we feel have not been met in law, but especially in spirit and administrative process.
6. **Municipality's Subdivision Regulations require two public street accesses to a subdivision**. Staff's most recent analysis states that Westmount meets "municipal requirements" in the subdivision regulations. However, in reaching that conclusion staff have stated that "the intersection of Chebucto Road and William Hunt Avenue will be the only intersection that permits full access to the neighbourhood all the time". This is an intersection that both staff and all residents know is severely compromised and challenging and seldom able to be safely and dependably used, especially during peak traffic hours. Staff also confirmed at a meeting that they did not include William Hunt traffic counts as a factor in their analysis which bears out the limited utility of that access point. And finally, the question of Westmount meeting municipal requirements was not analyzed until after the community started asking questions and raising objections in December 2019, after the design was pretty well finalized internally.
7. **We can find no approval by Council or a Community Council of the closure**. We have been advised many times by our Councillor and others that HRM has approved of this closure many times throughout the conceptual planning process and strategy development. We have not been able to find in any documentation to Council or Community Councils reference to the closure but more importantly a motion approving this specific closure of George Dauphinee Avenue. Concepts have been approved, ideas have been approved, and strategies have been approved. However we would like to have provided to us, the specific documents and motions of approval for the closure, and if they do not exist the authority under which an administrator can effectively permanently restrict use of a public street without specific notice or consultation or approval by Council or a Community Council.

8. In terms of consultation, the FOIPOP records and later discussions with staff clearly show that a deliberate and focused consultation on the closure was not contemplated or carried out. In particular:
- i. Involvement of the community of Westmount by HRM was **only attempted when the community inadvertently found** out of the closure plans in the late Fall of 2019, eleven months after the designs were internally approved by staff and the consultants!
  - ii. **Staff appear to be now relying on “silos” to justify the lack of proper consultation.** We have recent correspondence from the Local Bikeway planners which seemingly and disingenuously explains that the closure was not part of the Local Bikeway planning, from which a consultation process which is required by your Administrative Order 20016-002-OP to secure input on Bikeways. And this even with the Local Bikeway planning and Bayers Road design being completed within the same department. It is our understanding that Local Bikeways are not to be intrusive to neighbourhoods, however the one approved for George Dauphinee certainly is with the inclusion of the Multi-Use trail into the subdivision.
  - iii. **At the public “pop-up” and open house meetings that were held in November 2019 on the bikeway plans, there was inadequate, confusing and misleading information provided and displayed. Even if it was presented, to which there is of some disagreement on whether it was done properly or at all.** The display boards being referenced as being a primary communication tool was both confusing and misleading.
  - iv. **The only written piece of material as a meeting notice was sent to the community via Canada Post on or around October 21, 2019. It was perhaps the most important and direct means of providing residents with information. But it importantly and regrettably does not provide even hint of the closure and restriction to vehicles entering Westmount via George Dauphinee.** It does however go into considerable detail on other aspects of the Bikeway outside of Westmount. At the time this notice was drafted and sent, it had been known in HRM, and especially by WSP, for a period of 10 to 11 months that the partial closure of George Dauphinee Avenue was an important common element in doing both design exercises. It would seem logical that at the very least traffic safety issues and emergency access issues required under your Local Bikeway Administrative Order would have demanded that the residents, school and stakeholders be informed of the issues related to safety alone, especially with an elementary school and major regional recreation facility being impacted, let alone the residents! And especially with during the design process so much effort and concern was expressed internally about emergency vehicle access

- v. **And importantly WSP was and we believe still is, providing consulting and design advice to both the Bayers Road project and the Bikeway initiative. This is seen by residents as to be a clear and serious conflict of interest in providing professional advice to the design process and the public.**
  - vi. **We most recently have been advised by school administration that the Westmount Elementary School on George Dauphinee Avenue was not engaged in, nor at this late date, been informed of the closure.** As one example, examination of the FOIPOP material clearly shows that the Design Team relied on incorrect information on how many school buses use the George Dauphinee Avenue entrance. The material shows that the designers were working on the assumption that just one school bus uses the Avenue, but there are three. If one counts pickups for French Immersion there are at least four. This clearly demonstrates and supports our own conclusions that a holistic and accurate analysis of the conditions and impacts of the closure have not been done properly and comprehensively.
9. The Almon Street and Connaught Avenue intersection is to be redesigned in the near future however this, in our view, is not a solution but only confirms that **Westmount is being piece-mealed with incremental traffic management decisions** without any holistic analysis. A situation which jeopardizes our safety, and that of our children.
10. **Staff is basing it's conclusions on traffic counts taken in just one twenty-four period in November 2019 and some dating from 2015.** And the staff analysis was only done 11 months after the decision of the design was made in late 2018 and early 2019. Additionally, the traffic data was acquired after the temporary September 2019 change to the signalization at Almon St. and Connaught Avenue which we believe could have compounded the very shortcutting that HRM has used as the primary benefit of closing off George Dauphinee Avenue. The benefits of the closure are solely for the Bayers Road widening and the Multi-Use trail and Local Bikeway, which in our opinion is short sighted regardless of the regional benefits;
11. WSP's and HRM's design decision to include the no-right-turn from Bayers Road to George Dauphinee Avenue was done without sufficient analysis of the impacts on Westmount. The design consultant, WSP Engineering, confirmed to us, in a recent meeting, that the implications for Westmount were not part of their terms of reference so they did not look at them. It has been learned through the FOIPOP material that **WSP and HRM, both confirmed in December 2018 through internal memos that the design solutions for the Multi-Use Trail connection to George Dauphinee Avenue was based on the overall goal of dedicated bus lanes, a new bus stop and bicyclist safety for connection to the Local Bikeway. At the time of decision the impacts on the residents and children of Westmount and those who attend the elementary school and use the many facilities or those students that traverse Westmount to attend St. Agnes Junior High School were not analyzed in the design process, nor in the placement**

of the Local Bikeway, and Multi-Use trail connection. And to repeat, the empirical data provided in staff reports to the community was only obtained 11 months after the decision was made which puts into question whether the assessment was a rationalization after the fact.

12. **HRM's analysis of traffic was done after the design solution was largely finalized** making the internal analysis, completed in November of 2019, and a more recent one in February 2021 to be largely rationalization exercises to support the design.
13. **HRM staff acknowledged in meetings with us that the design process was not perfect** and if they did it over again they might do it differently and also acknowledged that they were rushed due to the number of other projects they were administering;
14. In the face of all of these weaknesses, and the many traffic restrictions put in place over the years, **staff has only offered that: "if, after it is all constructed and George Dauphinee Avenue is closed as an access, and it does not work, they will fix it"**. "Not working" means people will be hurt before something is changed!

#### **IV. Direct references from HRM Project Team minutes, memos, reports and recent meetings in chronological order**

##### **1. Roddy McIntrye, HRM Senior Traffic Operations Engineer and Traffic Authority, January 2, 2019, to Design Team Leader Dylan Hayne, H. Morrison, M. Connors, D. Espeth, T. Davis, E. Blay and G. O'Brien, in relation to proposed closure design:**

*“As for the access restriction at George Dauphinee, what are the traffic volumes making right-hand turns into the Westmount neighbourhood? I have some concerns that allowing exit only at this location will have negative and unpopular impacts on residents and the school. This proposal will leave access to the neighbourhood via Almon and William Hunt only. More information need to be provided regarding the overall impact and benefits/draw backs to this proposal.”*

Comment: This was the first time that anyone on the Design Team raised a professional safety concerns with Westmount and the Westmount Elementary School and the already restricted traffic situation and safety issues. This comment was made within a few weeks of the decision to restrict access to George Dauphinee but It was not until 11 months later that the matter was reported on by staff, and then no information or analysis was provided on safety, and the school was not engaged nor has been to date.

##### **2. WSP Consulting at internal HRM Project Team meeting January 23, 2019:**

*“It would become operationally difficult and reduce safety for a vehicle to turn right on GD due to the addition of the transit lane and the proximity fo the intersection to the traffic signals for the HSC. Since this the end of the new multi-use trail and the modification also provides and improved transition to the planned local street bikeway on GD”.*

HRM staff statement, which is incorrect information, given at internal Project Team meeting, February 20,2019:

*“HRM confirmed that there is currently only one school bus completing the right turn movement to GD to access the Westmount School and rerouting to Almon Street not a big concern.”*

Comment: Demonstrates the link between the closure and the focus on the bicycle connection and safety, as well the conflict of interest of WSP in working on both HRM bikeways and the widening project.

##### **3. WSP March 2019 Design Report to HRM:**

*“The additional curb space could be advantageous to relocating the existing bus stop from the northbound exit from the Halifax Shopping Centre around the corner onto Bayers Road. This relocated bus stop would have more space for passengers to wait and would provide a combined transit stop location for both the routes exiting Halifax Shopping Centre as well as routes travelling east on Bayers Road.*

*The additional curb space and reduced vehicle conflict also provides great improvement to the multi-use trail. The trail ends at George Dauphinee which is a planned local street bikeway connecting further into the AT network. With the proposed turn restrictions, the multi use trail does not just end at the intersection since the bike lane portion can turn toward George Dauphinee with no vehicle conflict. For example, an east bound cyclist along Bayers Road would turn right and be in the proper driving position on George Dauphinee. A north bound cyclist on George Dauphinee would be able to take the lane onto approach to Bayers Road and then enter the bike lane portion of the multi-use trail without crossing the opposing traffic. In addition, since George Dauphinee is a planned local street bikeway, vehicle and speed reactions along this block of the street by shifting traffic to Connaught Avenue/Almon Street would be an enhancement to this connection to the Bayers Road multi-use trail.*

*We see safety and operational improvements to the network for pedestrians cyclists, transit vehicle and vehicular traffic by eliminating the conflicting right turn movement to George Dauphinee Avenue from Bayers Road”.*

Comment: Emphasizing the concern of the safety of bicyclist, moving a transit stop to Bayers Road without any mention or consideration of traffic flow and safety within Westmount

**4. Mike Connors, Transportation Engineer HRM, to Dylan Hayne in a Traffic Assessment Report, November 26,2019:**

*“ Though the data appear to be symptomatic of shortcutting on George Dauphinee Avenue, there is also a high probability that many of these movements represent students being dropped off to Westmount Elementary. The data available do not provide the information necessary to determine the nature of these trips.”*

Comment: Short cutting was emphasized by staff in the logic of assuming community acceptance of the closure. This confirms that the data supporting short cutting was not definitive or perhaps even useable.

**5. Bayers Road Project Team leader Dylan Hayne to Chuck Bezanson, Fire and Emergency Services, January 21, 2020 providing a computerized modelling, after repeated request for a “live field test” of the capability to turn right into Westmount as a result of the turn restriction:**

*“Hoping this satisfies as a field test takes significant resources and time to Implement”*

Comment: Demonstrating that the Design Teams primary concern was with time constraints and cost rather than the safety of Westmount residents, as expressed by Fire and Emergency Services.

**6. Bayers Road Project Team leader Dylan Hayne to Chuck Bezanson, Fire and Emergency Services, February 3, 2020:**

*“We are running out of time for a field test(testing would be similar to turn templates anyway) but still want to try to alleviate Fire’s concern before finalizing the design plans. As*

*suggested in your email we may need guidance from senior managers for process forward on sign off as it's difficult to address some changes at the project level"*

Comment: Demonstrates the Design Team's challenges with Fire and Emergency Services insisting for a live test of the design through the need for a resolution my senior management of the issue, rather than profession staff.

#### **7. Project Team Minutes, February 3, 2020:**

*"Dylan provided information and feedback from the Open House, he was unsure of how to address some of the concerns/questions. All agreed that Dylan should hold off on responding until he got and answer back from the Halifax Fire and how they plan on addressing the George Dauphinee right turn restrictions".*

Comment: Demonstrates how Fire and Emergency Services requests regarding emergency vehicle access was affecting time lines and design budgeting, in light of the concerns of the public.

#### **8. Mike Connors, Transportation Engineer stated in a memorandum of February 23, 2021 to Peter Duncan, Manager of Infrastructure Planning that:**

*"As a result of the proposed changes at George Dauphinee Avenue, the intersection of Chebucto Road and William Hunt Avenue will be the only intersection that permits full access to the neighborhood all the time. Although it is recognized that the Westmount subdivision does have relatively limited access, municipal access requirements for the area will continue to be met with the proposed turn restriction at George Dauphinee Avenue."*

Comment: All residents of Westmount know, and surely your engineers and planners also know, that William Hunt as a "full access" is a contradiction in terms and the suggestion is an insult and offensive to the community and others who must access its schools and facilities.

#### **9. Virtual meetings with HRM's Peter Duncan, Tanya Davis, Mike Connor and WSP's Greg O'Brien, March 1, 8, and 9, 2021:**

Paraphrase of Peter Duncan, in relation to a request to temporarily reconsider the design at the intersection:

*"...if, after it is all constructed and George Dauphinee Avenue is closed as an access, and it does not work, they will fix it...."*

Paraphrase of Tanya Davis in relation to the challenges of the design process:

*"...That if they did it over again they might do it differently and that they were rushed due to a number of other projects on the go...."*

Comment: Demonstrates an underlying admission to the lack of consultation and analysis of the safety issues associated with closing George Dauphinee Avenue.

**10. Dylan Hayne and Mike Conners in a response to HRM Directors D. Reage, B. Anguish, Kelly Denty from Project Team dated April 8, 2020, with copies to among others, Councillor Cleary:**

*“Mr. Campbell’s letter has requested that several items be provided to them including traffic data/analysis, project documentation, and design decision rationale/time lines. Most of the information has been provided to the public already as part of public consultation materials and letter correspondences with the community. While staff can provide this information, this is an abnormal request and will require additional staff time, further increasing the significant amount of time and resources that has been dedicated to date on this matter”*

Comment: Based on information from the FIOPOP materials this represents at best an oversimplification of the process, and perhaps even inaccurate assessment of what information was analyzed and what was available to the public.

**11. From Siobhan Witherbee, March 29,2021 to Bill Campbell in relation to question of why the staff reports on Bikeways did not contain information related to the intersection of George Dauphinee and Bayers Road:**

*“The two Council reports in July and September 2020 related to the ‘Implementation of North End ‘AAA ‘Bikeway Phase One and West End ‘AAA ‘Bikeway (NEWEB) ‘do not contain information about the Bayers Road multi-use pathway, short transition onto George Dauphinee, or any related access changes at this intersection. The bikeway report was not seeking Council approval for this specific treatment as it was being considered as part of a separate project (Bayers Road Transit and Active Transportation Improvements). The two local street bikeway corridors discussed would proceed independently of what happened in the Bayers Road process.”*

Comment: What appears to be clear attempt to disassociate the planning and impacts of the Local Bikeway on George Dauphinee Avenue resulting in the extension of the Multi-Use Trail onto and closing George Dauphinee Avenue. This even though the two projects were being managed in the same HRM Department and both projects being designed by the same consultant, WSP.

**V. Detailed Analysis of more than 1300 pages of FOIPOP material on the Design process associated with the Widening of Bayers Road and Closure of George Dauphinee Avenue**

<b>Date of Correspondence or Activity (y/m/d)</b>	<b>Authors and Recipients</b>	<b>Description</b>	<b>Page #</b>
17/09/25	WSP to David Espereth, HRM	A plan dated 17/09/25 with no bump out on GD attached to memo of 18/11/14	18-012
18/07/18	WSP meeting minutes	Detailed discussion on HSC to Connaught saying next steps are for HRM to meet with HSC	347-019
18/09/07	WSP to Hayne	Concept of Active Greenway on Bayers Road up to George Dauphinee only	3-012
18/09/27	WSP to Hayne	Beginning of analysis of HSC intersection with five detailed memos ending in January 14/19. No clear reference to the impact of any changes at HSC to GD. At this stage from the drawings there are no detailed changes to GD or the intersection.	565-012
18/09/27	WSP to Hayne	First memo detailing analysis of HSC intersection: Notes approval of Active Greenway on Bayers Rd to GD	565-012
18/10/12	WSP to Hayne	Second memo detailing analysis of HSC intersection:notes additional left turn bus lane to Shopping Centre and that the intersection should operate similar to current situation. No mention of other changes needed i.e.GD.	568-012
18/10/18	WSP to Hayne	Third memo detailing analysis of HSC intersection:about internal movements to HSC	571-012
18/10/23	HRM and WSP 148 page report on North and West End bikeways	Open houses held at the Halifax Forum and elsewhere. Report contains details of public discussion including results of on line surveys. Notes that 139 surveys responses received. Says there was generally positive response to bikeways but no comments on one through Westmount. Mention of traffic calming but no mention of intersection restriction. Only general concepts shown of traffic calming. Mentions curb bump outs as a tool. (Refers to guidelines of Adm Order 2016-0020P)	From HRM website
18/10/24	Conners to HSC	Notes meeting of Oct 12 to review widening of Bayers Rd. Apparent beginning of engagement with HSC. Provides detailed plans	79-019

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18/10/25	WSP to Hayne	Analysis of HSC. Refers to the "Transportation Greenway" on GD, but no mention of restrictions.	88-019
18/11/14	WSP to Hayne	Fourth memo detailing analysis of HSC intersection: No mention of GD	574-012
18/11/14	WSP meeting minutes	Mentions cancellation of planned open house on Nov 26/18 and moving it to Jan/19. HSC memo discussed	91-019
18/11/15	Halifax Shopping Centre (HSC) to Mike Connors	Demonstrates in depth discussions and meetings with HSC about intersection design	70-012
18/11/15	Connors to HSC	Notes meeting of Nov 1, and details supplementary analysis	105-019
18/11/22	HSC consultants (BA Group) to HSC	Evaluates HRM proposal for HSC intersection	117-019
18/11/23	HSC to Hayne	Sending their consultant's report. Among many things states that "Given the tightly spaced network of intersections vehicle progression will be paramount"	120-019
18/11/27	WSP to Hayne	Response to HSC's consultant	125-019
18/12/18	WSP to Haynes	Detailed memo explaining design issues and benefits of no right turn to the bicycle way	62-012
18/12/18	Hayne to R. McIntyre, Morrison	Sends "first preliminary design plan for review", prior to detailed design and land needed.	154-019
18/12/19	Minutes Team Meeting	States: "Meeting discussion focused the area of HSC. Concept for changes recommended at GD intersection, as well as the western intersection to HSC". Action: "WSP to provide sketch and recommendations for GD intersection" and "WSP to provide sketch and recommendation for access to HSD western intersection"	595-012
18/12/19	WSP meeting minutes	Meeting discussed area around HSC intersection. Note that two actions one for HSC and one for GD in same meeting item. States: "Concept for changes recommended at GD as well as for the western intersection to HSC"	351-019

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18/12/24	WSP to Haynes	Analysis and recommendation on restricting GD access	96-012
18/12/24	WSP to Hayne	Provides two options for GD, one with trail connector one without. Hence on with partial closure one without	186-019
18/12/24	Hayne to McIntyre	Advising that WSP has proposed option for restricting access to GD. Ask for comment.	261-019
19/01/02	Roddy McIntyre to Haynes	Memo criticizing the no right turn design on GD for "reliance of paint" asking for more analysis of impacts on residents, school, neighbourhood regarding overall impacts and benefits/drawbacks for neighbourhood"	98-012
19/01/14	WSP to Hayne	Fifth memo detailing analysis of HSC Intersection: No mention of GD	578-012
19/01/15	R. McIntyre to Hayne	Agrees that Option one should be pursued, not the one with the connector	190-019
19/01/17	Hayne to Espeseth and McIntyre	Asked for answer on options by Jan 23/19	190-019
19/01/17	Espeseth to Hayne	Asks for more time to review	190-019
19/01/19	Hayne to McIntyre	Says that "Option One (without the connector to the trail) can be pursued but may need to reconsider going with the functional option if we cannot acquire the land". Possibly implies that they were going to acquire land for the connector or meant get approval to use the partial closure of GD?	190-019
19/01/23	Minutes Team Meeting	WSP provided two options for GD intersection, one leaving as is the other with no right turn. Stated the change "it would become operationally difficult and reduce safety for a vehicle to turn right on GD due to the addition of the transit lane and the proximity fo the intersection to the traffic signals for the HSC. Since this the end of the new multi-use trail and the modification also provides and improved transition to the planned local street bikeway on GD". No plan showing design. Also emphasis on shortcutting through Westmount as rationale for restriction. Also mention of reducing Bike trail going by HSC to reduce property impacts.	597-012

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19/01/24	Hayne to Bugbee of HRM	Asking if they have traffic counts for GD intersection	200-019
19/01/25	Bugbee to Hayne	Sending traffic data for GD which had already been forwarded to WSP	200-019
19/02/20	Minutes Team Meeting	Stated that "HRM confirmed that there is currently only one school bus completing the right turn movement to GD to access the Westmount School and rerouting to Almon Street not a big concern." Also mentions it would be better to make changes to Bayers Road then internal to HSC.	600-012
19/03/01	WSP Design Report Bayers Road widening to HRM	Detailed Design Report of about 66 pages with information on design rationale and minutes of meetings with project team up to March 2018. <b>NB:</b> <i>Even though this report has the date March 2018, there are references and material in dating much further into the future</i>	540-012
19/03/01	WSP Design Report to HRM	Discussion of GD intersection with Bayers Road staying reviewed two options: one to retain right turn onto GD and one to restrict it. Advising that no right turns operationally best due to improved transition to the new bicycle way, prevents short cutting through the neighbourhood, and that other entrances to Westmount available. Will incorporate design changes for emergency vehicles. <b>NB:</b> <i>(Unlike with HSC and Bayers Rd intersection there were no meetings or communications with property owners in Westmount of the rationale for the no right turn nor empirical analysis of impacts on neighbourhood other than general observations)</i>	597-012
19/03/01	WSP Design Report to HRM. Note that report is dated just March 2019.	Details of meetings with HSC and traffic analysis of intersection with Bayers Road. Including: 1. Analysis of the Alternate Access Concept, Sept 27/18 2. Revised Analysis with 2018 Traffic Volumes, Oct 12/18 3. Added analysis HSC internal all way stop, Oct 25, 18 4. Added analysis of Saturday Peak, Nov 14/18 5. Right turn Lane Options Comparison, Jan 14/19	544-012
19/03/01	WSP Design Report to HRM	Discusses HSC to Connaught recommends Option 2A which is medium cost, which is the no right turn	298-019

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19/03/01	WSP Design Report to HRM	Detailed discussion of GD: (1) says primary reason for no right turn is to reduce conflicts with buses;(2) Allows moving bus stop from internal to HSC to Bayers Road;(3) Also provides "a great improvement to the multi use trail "and discusses in detail why this is good;(4)says restricting movement was approved by project team with request provisions for emergency vehicles to turn right	300-019
19/03/29	WSP to Hayne	Pre Tender Review documents	223-012
19/10/02	Morrison of HRM to Hayne	Sends traffic counts including those for GD	199-019
19/10/21	Siobhan to Westmount Neighbourhood	A mail out to residents of Westmount and others giving details of drop in sessions and details of bikeways for sessions. Discussion about feed back received to date on bikeways at Fall 2018 Public open houses. Example pictures no mention of detailed design or need for traffic movement restrictions	6-017
19/10/25	Siobhan to Cleary	Send information and maps on the process for the bikeway	2-017
19/10/26	Cleary to Staff	Asking for a meeting on upcoming bicycle way neighbourhood sessions	1-017
19/11/05	Drop in Session	Siobhan's letter notes dates of public drop in session at Westmount School	2-017
19/11/26	From Hayne's 20/04/08 internal memorandum	Traffic Assessment memorandum of Proposed access restrictions at GD	58-017
19/11/26	Connors to Hayne	Detailed review and analysis of Westmount traffic	245-019
19/12/03	HRM release to public	Mentions no right turn at GD and meeting planned for Dec 12/19 at church and Jan 29/20 Open house at Forum	92-019
19/12/10	WSP to Haynes	Memo saying original bump out on GD first proposed December 2018 and revised for Emergency Vehicles	56-012
19/12/10	Bezanson to Haynes	Saying received proposal for bump out and states ("opposed in entirety" to design for no right turn onto GD)	57-012
19/12/10	Hayne to McIntrye	Advising of meeting time with Fire to discuss GD turning movements	339-012

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19/12/12	From Hayne's 20/04/08 internal memorandum	States that "HRM staff held community meeting with Westmount Residents	58-012
19/12/17	Meeting notes	Notes that discuss took place on a "recent" open house held by HRM relating to the modified GD access.	274-012
19/12/18	Eric Thomson to Deanna Wilmshurst	Asking if access and egress to Westmount meets current subdivision standards	289-019
20/01/10	WSP to Hayne	Argues against the need for a "real world test" of the design being asked for by Emergency Services	281-012
20/01/10	Hayne to WSP	Advises WSP that Emergency Services wants real world test of the design for emergency vehicle	281-012
20/01/10	Hayne to WSP	Advises the Emergency and Fire request a test of the turning radius as per attached drawing.	296-012
20/01/13	Hayne to Bezanson	Sending graphics of turning model asking if real world test needed.	284-012
20/01/13	Hayne to WSP	Saying traffic impacts of needed for Emergency Services	286-012
20/01/13	Hayne to Bezanson	Discusses results of meeting in December between them and includes diagram of how emergency vehicle can make the turn and opinions that the bus only lane will provide "vacant street space for turning movement.	339-012
20/01/14	Hayne to WSP	Advises that HRM still needs live test for Emergency Services	288-012
20/01/14	Hayne to Bezanson	Advising that they are going ahead with pylons and markings for test on MicMac intersection which is also under contention	338-012
20/01/14	From Hayne's 20/04/08 internal memorandum	States that petition submitted to Regional Council objecting to GD restrictions	58-012
20/01/16	Hayne to Bezanson	Agreeing to marking up the MicMac intersection	338-012

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20/01/17	From Hayne's 20/04/08 internal memorandum	States that HRM project update letter sent to Westmount, summary of feedback of Dec 12 meeting with residents	58-017
20/01/17	HRM release to public	Giving information and advising of Open House at Forum on Jan 29/20	370-019
20/01/17	HRM to Community	Responds to questions from December meeting at the church. Mentions Open House on Jan 29/20	370-019
20/01/20	Meeting minutes	Notes request of Fire and Emergency for live test and discussion of topics and materials for Open House to be held on January 29/20	302-012
20/01/21	WSP to Hayne	Shows a "revised vehicle path for GD intersection based on the March 2019 design	295-012
20/01/21	Hayne to Bezanson	Describing why the radius turning works for GD and includes a mail from WSP which in part states that the modelling on paper shows that the turning radius will work based on the March 2019 design. No mention of the concern of Emergency related to swinging into lanes.	337-012
20/01/21	Hayne to Bezanson	Sends PDF of design modelling of turns. Says "Hoping this satisfies as a field test takes significant resources and time to implement".	337-012
20/01/21	WSP to Hayne	A mail which was sent also Bezanson saying as the diagrams show it is expected that it will work without overhanging the curb by the vehicle	337-012
20/01/23	Meeting minutes	Extensive notes on access to Westmount, HRM to provide "emergency vehicle model to WSP, WSP to proceed with design of right turn only for emergency	58-012
20/01/27	Crystal Cumming to Hayne	Answers question of subdivision regulations and access point requirements as if they applied to Westmount.	286-019
20/01/28	Connors to Hayne	Details and visuals of presentation boards for Open house, over ten pages	302-012
20/01/29	From Hayne's 20/04/08 internal memorandum	States that HRM held a public meeting for general public ( this is the one at the forum) where 300 residents attended.	58-017

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20/02/03	Hayne to Bezanson	Asking Fire to review the design again, saying they are running out of time for the field test due to deadline for Tendering. Confirms that if the issue is not resolved may have to go to Senior Management for a direction.	334-012
20/02/03	Bezanson to Hayne	States that "I really must insist on a simulation, if I go striking by the turn radius I must say we opposite plan in its entirety. The modelling requires us to cut 3 lanes of traffic to make a turn and that is not safe nor is it within the realm of possible during peak traffic hours"	333-012
20/02/03	WSP meeting minutes Final	Discussed the open house that community suggested that no right turns might be time controlled. Advised that Fire had not as yet approved the GD design. Hayne advised meeting that he did not know how to respond to some of the issues from the Open House. Was suggested not to respond until Fire responds to design. Sentence added from draft minutes that "switching to peak hour restrictions would impact the multi-use pathway/walking and cycling objectives negatively."	342-012
20/02/03	WSP meeting minutes (draft)	Notes Fire and Emergency has problems with the turn restriction on GD.	
20/02/11	WSP to Hayne	Sending Pretender Review Documents	344-012
20/02/11	Mike Connor to Andrea Hart	In commencing on minutes of internal team meeting states that "not sure the discussion around reconsidering the potential for limiting the turn restrictions at GD to peak periods is fully captured in the minutes. I think the key take away from the meeting was that WSP will further consider the implications for operations/safety and impacts to the design fo the corner curb and AT connections, and that commentary on issues will be submitted for Traffic Authority's consideration". And that the design was endorsed the by the project management team subject to design accommodation for Emergency Vehicles and this has to be included in the design.	380-012
20/02/11	Hart to Connor	Agreed to amending minutes	380-012
20/02/14	WSP to Hayne	Revised Pretender Documents	382-012
20/02/18	Hayne to All	Sent out copies of Tender Documents	422-012

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20/02/18	HRM internal meeting notes	Details request by Fire and Emergency where F and E requested additional curb clearance, notes that WSP provided another metre. Notes that waiting for WSP comments with respect to "corner and AT connection". Notes that Traffic Authority waiting for WSP comments mentions that a "brief note to management may be needed for approval" on this matter	280-019
20/02/19	Bezanson to Hayne	A three line memo saying that the most recent collaboration "will lessen any Fire response concerns and allow us to remain efficient in our response to calls"	422-012
20/02/27	From Hayne's 20/04/08 internal memorandum	States that Eric Thomson and Bill Campbell attended Transportation Standing Committee opposing the traffic restriction at GD	58-017
20/03/02	WSP to Hayne	Saying that recent meeting with Fire was had and further modifications asked for and that "some concern was expressed". Diagram attached appears to show a diminution of the bump out.	433-012
20/03/02	From Hayne's 20/04/08 internal memorandum	States that letter received by the Transportation Standing Committee from Bill Campbell opposing GD restrictions	58-017
20/03/02	WSP to Hayne	Details on changes to GD curb bump to further reducing its prominence to allow emergency vehicles turning without having to swing into left hand lanes on Bayers Road	433-012
20/03/02	Roddy McIntyre to Tanya Davis	Sending WSP memo of 20/3/2 of changes to GD to accommodate emergency vehicles	433-012
20/03/02	WSP meeting minutes	WSP presented overview of turn restriction on GD. "Dylan stated that WSP should add to the commentary for Traffic Authority consideration, why the restrictions proposed. Connors suggested to address in the letter that we looked at a phased approach and we recognized the concerns of the community". Says "WSP to provide summation"	284-019

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20/03/04	WSP to Hayne	Provides response to Open House issues and recommends against any changes to the no right turn to GD. Notes that 30 vehicles per hour use the right turn and these will enter somewhere else and that the new slipway onto Connaught Avenue will make it easier for those that would have made the right turn. to find alternate access to Westmount	437-012
20/03/09	HRM public release draft	Draft of release mentioning moving forward and no right onto GD	351-019
20/03/16	From Hayne's 20/04/08 internal memorandum	States that an update was sent from HRM to residents of Westmount advising of rationale for restricting GD	58-017
20/03/16	HRM release to public	Giving public notice that project was proceeding as planned with restrictions at GD	374-019
20/03/20	Hayne to Church and community members	A detailed memo explaining the trade offs that had to made and explains the IMP model and matrix that is used to help make trade off decisions. Details the trade offs made but no mention of one of the most contentious issues in the internal correspondence which was the access by emergency vehicles. And informs HRM is proceeding with no right turn on GD.	52-017
20/03/20	From Hayne's 20/04/08 internal memorandum	States that email sent to Bill Campbell and clients from Church with update and responses to specific questions	58-017
20/03/20	Hayne to internal HRM	Overview of public meeting saying they reviewed and could find no alternatives for GD. Says they expect further attempts by community to intervene and that Clearly was informed.	368-019
20/03/25	Internal HRM memo	Keeping team informed of progress, specifically mentions GD restriction maintained	368-019
20/04/06	Highlighted Bill Campbell Letter to Transportation Standing Committee	Copy of letter of Bill Campbell to Transportation Standing Committee	37-017

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20/04/06	From Hayne's 20/04/08 internal memorandum	States that letter received by Transportation Standing Committee from Bill Campbell responding to Hayne's correspondence.	58-017
20/04/08	Hayne to all Internal including Councillor	Referred to as a "Response to Directors" from the project team responding to letter from Bill Campbell dated April 6/20. He disparages Bill Campbell's responsibility and relationship to his clients by inferring that he is engaged by a small vocal faction of Westmount. He repudiates all the concerns in Mr. Campbell's letter and implies that HRM has been transparent with the community, however there is no mention of the Emergency Vehicle concerns to the Director's nor the fact that this issue was not communicated to the Community. C concludes by advising that he, Dylan, will not provide the detailed information requested by Mr. Campbell due to cost of doing so.	58-017