

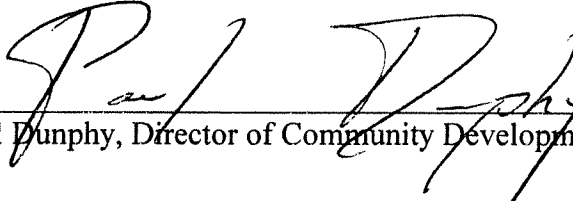


PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Halifax Regional Council**  
**January 9, 2007**

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

**SUBMITTED BY:**

  
Paul Dunphy, Director of Community Development

**DATE:** December 20, 2006

**SUBJECT:** Polling District Review Process

### INFORMATION REPORT

#### ORIGIN

1. Requirement in *Municipal Government Act* that Halifax Regional Municipality review the polling districts and boundaries for the 2008 election.
2. June 21, 2004: Adjournment by the Nova Scotia Utilities and Review Board of an application by the Boundary Action Reversal Committee concerning Cherry Brook/Lake Loon, pending the HRM polling boundary review for the 2008 election.
3. August 1, 2006: Regional Council motion approving the recommendation in a July 20, 2006 staff report, concerning principles and a process for polling boundary review for the 2008 election, including a parallel process for Cherry Brook/Lake Loon.
4. November 28, 2006 Information Report to Regional Council session of December 5, 2006 providing revised time frame for Polling District Review Process.
5. December 13, 2006: Letter from Nova Scotia Utilities and Review Board outlining the results of a prehearing conference held on December 11, 2006, including a finalized time line.

**BACKGROUND**

An Information Report dated November 28, 2006 to the Regional Council session of December 5, 2006 provided a tentative time frame for the Polling District Review Process for the 2008 municipal election, referring to principles and a process which were approved by Regional Council on August 1, 2006.

Accordingly, this Polling District Review will not consider the size of Council, will only consider boundary adjustments if the target population variance exceeds 10 percent per district without adequate justification, and will consider minor boundary adjustments where the community of interest is better served.

As directed by the Nova Scotia Utilities and Review Board, this Review will also consider the boundary between Districts 3 and 4, further to an adjourned application by the Cherry Brook/Lake Loon Boundary Action Reversal Committee.

**DISCUSSION**

At a pre-hearing conference convened on December 11, 2006 by the Nova Scotia Utilities and Review Board, the Boundary Action Reversal Committee requested that the schedule for the Polling District Review be amended to accommodate Black History Month, which takes place in February.

The Chair concurred, and approved a time line which extends the process by approximately one month, as set forth in Attachment A.

The advertisement for the first two public meetings is provided as Attachment B. A letter from the Board, dated December 13, 2006, is provided as Attachment C.

**BUDGET IMPLICATIONS**

Some staff overtime may be necessary to meet the proposed timeframe. This will be paid from existing Business Unit operating budget allocations.

**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**

None.

**ATTACHMENTS**

Attachment A: Finalized HRM Polling District Review Process for 2008 Municipal Election

Attachment B: Advertisement for first two Public Meetings

Attachment C: Letter from Nova Scotia Utility and Review Board dated December 13, 2006

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.

Report Prepared by :            Marcus Garnet, Senior Planner, 490-4481

Report Approved by:         Roger Wells, Acting Manager, Planning Services, 490-4373

**Attachment A  
Finalized HRM Polling District Review Process for 2008 Municipal Election**

Jan. 13, 2007	Publication of advertisement for first two public meetings
Jan. 22, 2007	Public meeting in metro area
Jan. 25, 2007	Public meeting in Cherry Brook
Feb. 17, 2007	Publication of advertisement for second two public meetings
March 5-8, 2007	Second two public meetings, one in metro and one in Cherry Brook
March 27, 2007	Report to Regional Council recommending boundary adjustments
April 5, 2007	Filing of HRM's application with Utility and Review Board (UARB)
April 10-11, 2007	Proposed publication of hearing notices by UARB
April 20, 2007	Filing of evidence with UARB by Boundary Action Reversal Committee; Deadline for requests by groups or individuals requesting formal standing
April 27, 2007	Filing of evidence by groups or individuals seeking formal standing
May 4, 2007	Filing of rebuttal evidence by HRM, if applicable
May 11, 2007	Filing of witness lists by all parties
May 30, 2007	Begin UARB Hearing (may continue through May 31 and June 1, 2007 if necessary)

**Attachment B  
Advertisement for first two Public Meetings**

**PUBLIC MEETINGS**

**REVIEW OF POLLING DISTRICT BOUNDARIES**

Halifax Regional Municipality is reviewing the boundaries of polling districts in the Municipality in anticipation of the 2008 municipal election, as required by the Municipal Government Act.

The Municipality is interested in receiving suggestions from the general public before drafting recommendations for any possible adjustments.

Two phases of public meetings will be held. The first phase (see schedule below) will provide background information on existing Polling Districts and receive suggestions for adjusting boundaries. The second phase (to be advertised later) will present draft proposals for boundary adjustments, for further public comment.

Following these two phases of public meetings, staff will recommend boundary adjustments to Regional Council, which will then submit an application to the Nova Scotia Public Utilities and Review Board. Following this, the Board will hold a public hearing before finalizing the Polling District boundaries for the 2008 municipal election.

**Phase 1 Public Meetings: Background Information and Suggestions**

<b>MEETING DATE</b>	<b>LOCATION</b>	<b>ADDRESS</b>
Monday, January 22, 2007 at 7:00 pm	Halifax Regional School Board Chamber	90 Alderney Drive, Dartmouth, NS (across the plaza from the Dartmouth Ferry Terminal)
Thursday, January 25, 2007 at 7:00 pm	Black Cultural Centre	1149 Main Street, Dartmouth, NS

Should you be unable to attend one of the above Public Meetings, the Municipality invites interested citizens to submit their opinions in writing. Submissions in writing should be directed to:

Municipal Clerk's Office, P.O. Box 1749, Halifax, N.S. B3J 3A5. Attention: Julia Horncastle, Legislative Assistant. Or by e-mail to: [horncaj@halifax.ca](mailto:horncaj@halifax.ca) Or by Fax to: 902-490-4208  
Attention: Julia Horncastle

Submissions should be marked clearly with the title: District Boundary Review. The submissions should indicate the name and address of the citizen making the submission and the present polling district in which the citizen making the submission resides.

Comments should be submitted by **January 31, 2007**.

For background information, the existing Polling Districts can be viewed at <http://www.halifax.ca/municipalclerk/districtboundaries.html> or at HRM Customer Service Centres:

- Scotia Square Mall, Lower Level, 5201 Duke Street, Halifax, NS
- West End Mall, 6960 Mumford Road, Halifax, NS
- Alderney Gate, 40 Alderney Drive, 2<sup>nd</sup> Floor, Dartmouth, NS
- Cole Harbour Place, 51 Forest Hills Parkway, Dartmouth, NS
- Acadia School, 636 Sackville Drive, Lower Sackville, NS
- Musquodoboit Harbour, Hwy 107 at Petpeswick Road, Musquodoboit Harbour, NS

**Attachment C**

**Attachment C: Letter from Nova Scotia Utility and Review Board dated December 13, 2006**



**Nova Scotia Utility and Review Board**

*Mailing address*  
PO Box 1692, Unit "M"  
Halifax, Nova Scotia  
B3J 3S3  
usrb.board@gov.ns.ca  
Web: www.usurb.ca

*Office*  
3rd Floor  
1601 Lower Water Street  
Halifax, Nova Scotia B3J 3P6  
902 424-4418 t  
902 424-9919 f

December 13, 2006

**Fax: 490-4232**  
Ms. M. E. Donovan  
Director, Legal Services  
Halifax Regional Municipality  
3<sup>rd</sup> Floor, 5251 Duke Street  
Halifax, NS B3J 3A5

**Via Courier**  
Ms. Alma Johnston, Chair  
Boundary Action Reversal Committee  
28 Serpentine Avenue  
Dartmouth, NS B2W 3X1

Dear Parties:

**HRM - s. 369 of the Municipal Government Act - MB-06-ADM**

This letter outlines the results of the prehearing conference held at the Board offices on December 11, 2006. Halifax Regional Municipality was represented by its legal counsel, M.E. Donovan, who was accompanied by Sarah Knight of HRM's Legal Services Division and Marcus Garnet, of HRM's Planning Division. The Boundary Action Reversal Committee was represented by its Chair, Alma Johnston, and by Stewart Sparks, a member of the Committee.

The Board canvassed the following issues at the prehearing conference:

1. The Boundary Action Reversal Committee confirmed that it does not intend to be represented by legal counsel at the hearing.
2. The Boundary Action Reversal Committee confirmed that the application and materials which it filed in April - June 2004 comprises its preliminary evidence. I provided a copy of these materials to Ms. Donovan at the conclusion of the prehearing conference. The Committee asserted at the hearing that the Cherry Brook region has a greater community of interest with Cole Harbour than with the present configuration of its polling district. Further, the Board directed that the parties try to resolve between themselves, to the extent possible, any discrepancy relating to the number of eligible electors in Cherry Brook. The Committee asserts that 700 electors is an inflated figure.

3. The Board reviewed with the parties the proposed timeline of proceedings submitted by HRM, leading to the filing of its application. At the request of Ms. Johnston, HRM agreed to defer the second round of public consultation meetings to early March 2007, in order to avoid conflicting dates with events scheduled for Black History Month in February. The timeline of proceedings will now lead to the filing of HRM's application by April 5, 2007.
4. With the consent of the parties, the following timeline was established for the upcoming hearing:

April 5, 2007	Filing of HRM's application (including written and visual evidence, experts' reports and qualification statements)
April 10 & 11, 2007	Proposed publication of hearing notices by the Board in the Chronicle Herald and Daily News
April 20, 2007	Filing of evidence by the Boundary Action Reversal Committee (including written and visual evidence, experts' reports and qualification statements)
April 20, 2007	Deadline for requests by groups or individuals requesting formal standing
April 27, 2007	Filing of evidence by groups or individuals seeking formal standing (including written and visual evidence, experts' reports and qualification statements)
May 4, 2007	Filing of rebuttal evidence by HRM, if any
May 11, 2007	Filing of witness lists by all parties
May 30, 31 & June 1	Hearing

In the above, "written evidence" includes any reports, such as experts' reports, documents, letters, hard copies of overhead projection sheets, and other data. "Visual evidence" includes any photographs, maps, audio tapes, videos, charts, models, overlays, and computer generated images. Anyone wishing to qualify a witness as an expert at the hearing shall provide either a full expert's report (or a complete summary of the opinions to be expressed by the expert, including the factual basis for such opinions), a curriculum vitae, and a qualification statement outlining the area or areas of expertise for which the witness is sought to be qualified ("qualification statement"). A party shall be deemed to have accepted the qualifications of an expert, unless the party gives notice to the contrary to the other parties and to the Board within ten (10) working days of having received the qualification statement. Such acceptance does not preclude the party from asserting at the hearing that a reduced, or even no, weight should be given to the evidence of the expert.



While the hearing will be held at the Board offices commencing at 9:30 a.m. daily, the Board directed, with the consent of the parties, that one evening session be scheduled at the Black Cultural Centre for Nova Scotia. I will confirm the availability of that venue for the evening of May 30<sup>th</sup> or 31<sup>st</sup>.

Should either party have any questions respecting the above-noted, please do not hesitate to contact the undersigned.

Yours very truly,

A handwritten signature in cursive script that reads "Elaine Wagner".

Elaine Wagner  
Clerk of the Board

cc: The Honourable Jamie Muir  
Minister of Service Nova Scotia and Municipal Relations