

Item No. 10.4.1
Halifax Regional Council
November 30, 2010

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original Signed
Mayor Kelly, Chair of the Governance & District Boundary Committee

DATE: November 22, 2010

SUBJECT: HRM's Submission to the Nova Scotia Utility and Review Board
Phase 2 – Review of Polling District Boundaries

ORIGIN

The motion of Regional Council of August 4, 2009:

For phase 2, the setting of specific district boundaries on the direction (as) approved by Regional Council, be undertaken by the same Committee of Council and supported by appropriate staff resources and expertise. The Committee will:

- i) ensure the boundaries are set in accordance with the Nova Scotia Utility and Review Board (NSUARB) and legislative requirements to be considered in the setting of the district boundaries including but not exclusive to communities of interest, planning areas, and meeting population/voter equity between districts "plus and minus 10% "- or defended otherwise;*
- ii) undertake the public consultation deemed necessary to ensure appropriate public input and consultation on the boundaries including councilors, stakeholders and the broader public; and*
- iii) bring forward a recommendation for ratification (for or against) on the District Boundaries to Regional Council...*

RECOMMENDATION

That Halifax Regional Council ratify the recommendations of the Governance and District Boundary review Committee regarding polling district boundaries, contained in Attachments 4 and 5 of this report, for submission by HRM to the Nova Scotia Utility and Review Board (NSUARB).

BACKGROUND

Through past decisions the NSUARB has provided direction on how the boundary review is to be conducted. It stated the first phase of the review should focus on the governance structure, and only following a decision on governance, including the role of Councillor and size of Regional Council, should a review of polling district boundaries be undertaken.

The Halifax Regional Council, following the guidance of the NSUARB undertook a two phased approach to the 2012 review of boundaries. Phase 1 was about governance and concluded August 3, 2010 when Regional Council voted to retain the status quo of twenty-three (23) districts and Councillors, and to encourage the strengthening of the Community Council responsibilities. Council saw this as the form of governance and representation most in keeping with the needs and expectations of the residents of HRM.

Phase 2, the review of polling district boundaries, began immediately following Regional Council's August 3, 2010 decision.

Staff were directed by the Committee to draft proposed boundary revisions based on the demographic data provided by Environics Analytics, voter and household data provided by NS Elections, and HRM data on permit activity and growth within HRM. A cross-departmental team of HRM staff including Planning Services, Development Services, Civic Addressing, GIS Services, Legal Services and the Office of the Municipal Clerk, used direction provided from previous NSUARB decisions, feedback from voters during the 2008 elections, as well as the specific language of the HRM Charter (MGA) to determine the most acceptable approach to the revision of polling districts boundaries required for the 2012 Municipal Elections.

Upon review of the initial boundary revisions the Governance and Boundary Review Committee provided the following principles for the preparation and adoption of the proposed polling district boundaries to be taken to the public for consultation:

- Taking growth into account – look out to 2012 and 2016
- Strive for parity between districts
- Minimize change to voters where possible
- Keep communities and areas of interest together within an electoral district where possible
- Use highly identifiable boundaries where possible
- ***Meet the NSUARB target voter variance of +/- 10% as closely as possible***

Based on those principles a number of boundary revisions were drafted and provided to the Committee. At the meeting of September 30, 2010 the Committee directed staff to take the proposed polling district boundaries out for consultation with the public.

COMMUNITY ENGAGEMENT

During Phase 2 of the Public Consultation on Polling District boundaries HRM made extensive use of the HRM web site www.halifax.ca/boundaryreview. A presentation and overview of the proposed changes along with detailed mapping that could be searched and zoomed into street level was provided on the web site. Residents were encouraged to provide feedback by emailing, faxing or writing their comments directly to the Office of the Municipal Clerk.

A total of twelve (12) written submissions were made to the Clerk's Office, prior to the close of the Phase 2 public consultation process on Monday November 22, 2010.

Public meetings

Seven (7) public meetings were held throughout the region primarily in those areas most directly affected by any proposed boundary changes. The meetings were held on the following dates:

| Date | Location |
|---|--|
| Wednesday, November 3, 2010 7:00 p.m. | Cole Harbour Place, Westphal Room 51 Forest Hills Parkway, Dartmouth |
| Wednesday, November 3, 2010 7:00 p.m. | Halifax West School Cafeteria 283 Thomas Raddall Drive, Halifax |
| Thursday, November 4, 2010 7:00 p.m. | St. Andrews Centre, Seniors Room 6955 Bayers Road, Halifax |
| Monday, November 8, 2010 7:00 p.m. | Basinview Drive Community School 273 Basinview Drive, Bedfords |
| Monday, November 8, 2010 7:00 p.m. | Dartmouth High School, Cafeteria 95 Victoria Road, Dartmouth |
| Wednesday, November 10, 2010 7:30 p.m. | St. Margaret's Centre, Multi-Purpose Room 12 Westwood Blvd, Upper Tantallon |
| Wednesday, November 10, 2010 7:00 p.m. | Gordon Snow Community Centre, Multi-Purpose Room 1359 Fall River Road, Fall River |

Notification

Notification of the meetings and other means of getting information on the proposed boundary changes, or participating in the process, was provided through:

- An easy to access icon on the front page of the HRM web site, including the public presentation and detailed maps of the proposed boundary changes
- 16 notices published in two (2) local and eight (8) community newspapers
- 44 – 30 second advertisements on C100 and Q104 radio stations
- 3 public service announcements
- Handouts at public meetings
- Columns placed by the Mayor and Councillors in newsletters & community papers

DISCUSSION

Generally, the public meetings were not well attended, except in two locations where local residents felt strongly (positively or negatively) regarding the proposed changes. While this can be construed in a number of ways, given the feedback received at the meetings and in the written submissions, it is staff's position that this generally reflects residents' satisfaction with the approach taken to the boundary review, which was to limit the change proposed to the district boundaries.

Eastern HRM

Cole Harbour Place

Over 60 residents attended the meeting at Cole Harbour Place to express their disagreement and concern regarding the proposal to remove a portion of Bissett Road that contains the Cole Harbour trail and the lands of the former Nova Scotia Rehabilitation Centre from District 4. The primary concern expressed by the community in regard to this proposed boundary change was the retention of the Bissett Road area in District 4. As the Bissett Road area represents less than 400 voters there is the opportunity to adjust the boundary around Bissett Road to address community concerns. That adjustment has been incorporated into the proposed recommendations. The boundary of District 4 aligns closely with HRM's community boundary for Cole Harbour, as defined by HRM Civic Addressing and the Community Directory.

Two (2) residents spoke to a desire to keep Cherry Brook and Lake Loon in District 4 rather than moving them to District 6 as proposed. In 2007, the Cherry Brook/Lake Loon community was successful in its application to have its community included in District 4 (Cole Harbour), based on communities of interest.

However, in 2007 the NSUARB stated:

[46] In the end, the transfer of Cherry Brook/Lake Loon are into Polling District #4 is appropriate under the present circumstances. However, this boundary, and others, will all be subject to further examination in 2010 when HRM conducts a comprehensive review of the number and boundaries of polling districts. At that time, any change in the number of councillors, emerging communities of interest or different population growth trends, or other factors, may impact on the location of boundaries. NSUARB decision on the HRM application [2007]

Taken together, the Cherry Brook and Lake Loon communities represent almost 1,300 voters. It is not possible to retain the communities proposed by the two residents within District 4 and also retain voter parity in District 4. District 4, as proposed, is at +13.7% over the average number of voter, one of four districts slightly above or below the +/-10% average directed by the NSUARB. To incorporate the Lake Loon & Cherry Brook communities back into District 4 would place the district at 22.8% above the average voters per district, which would not be in accordance with either the principles adopted by the Committee or with the NSUARB's expectation of a voter variance of +/- 10%.

In 2010, HRM's Civic Addressing Department undertook community consultations to help to determine the community boundaries for Cherry Brook and Lake Loon. During those consultations, businesses and residents of the area identified strongly with the communities of Cherry Brook and Lake Loon. However, the opinions expressed regarding the association of those communities with the larger Dartmouth and Cole Harbour communities were not unanimous.

On balance, the proposed boundary along Main Street and Highway 7 serves to acknowledge and recognize the significance of Cherry Brook and Lake Loon as autonomous communities, while ensuring HRM's compliance with the UARB directions on voter parity between districts.

Dartmouth High School

The Dartmouth High School meeting was attended by four (4) residents and three (3) Councillors. Three residents, including a representative of the Horizon Court towers, were concerned with the proposed move of the Horizon Court towers from District 5 to District 9. This move was proposed by the Committee in an effort to increase the voter population of District 9 to keep it within the +/- 10% variance. District 5 is the only district from which voters can be added to District 9, as the DND lands around Magazine Hill provide an identifiable and natural district boundary. The Horizon Court properties represented the opportunity to move a number of voters who represent an autonomous development and have an association with Dartmouth Crossing (District 9) as well as the surrounding neighbourhood of Mic Mac Boulevard (District 5). In response to the public feedback regarding this proposed move, the Governance & Boundary Review Committee felt that the Horizon Court towers should remain in District 5. The Committee noted that the variance for District 9 was only slight under (-10.6 %) and that while the Burnside Industrial Park does not have any voter representation, it nevertheless engages with the District 9 Councillor as required. Based on direction from the Governance & Boundary Review Committee the Horizon Court towers and properties along Woodland Avenue have been retained in District 5 and the proposed boundary has been adjusted accordingly.

The Committee also considered adjusting the boundary to bring voters from the Fairbanks neighborhood along Windmill Road into District 9. However, that community has an even longer standing association with District 5 and downtown Dartmouth and for that reason was left with District 5.

Through correspondence one (1) resident expressed their agreement with moving all of Newcastle Street back into District 5 and two (2) residents expressed agreement with the move of the Lakeshore Park Terrace area from District 6 to District 5.

Central HRM

Gordon Snow Community Centre

The meeting at the Gordon Snow Community Centre in Fall River was the second best attended meeting, with approximately 20 residents of the Lakeview community expressing their positive support for Lakeview continuing within District 2. They pointed to the strong association and

historical relationship between Lakeview, Windsor Junction and Fall River, represented by the sharing a Fire Station, Community Hall and other community amenities.

At the Basinview Drive meeting there were four (4) residents and one (1) Councillor. Support was expressed for the proposal to retain the Bedford boundary substantially unchanged from 2008. In the Sackville area support was expressed for keeping the neighbourhood around Dorothy Drive and Irene Avenue in District 20 as those neighbourhoods are closely associated with the rest of Lower Sackville and are currently in District 20. The argument was made that District 20 is a primarily stable district with limited growth so being slightly above the average number of voters but more closely aligned as a community, and with the provincial voting boundaries, would serve the community well.

Western HRM

St. Andrew's Centre

There were no residents in attendance at the meeting held on the peninsula at St. Andrew's Centre. The Clerk's Office received two (2) written submissions in support of adding the area around Mumford Road up to Joseph Howe Drive into District 14 on the Peninsula of Halifax.

Halifax West High School

At the meeting at Halifax West High School there were five (5) residents and four (4) Councillors in attendance. There was a concern expressed by one of the Councillors about Mount St. Vincent moving from District 16 to District 15. However, the Mount serves as an identifiable boundary for the newly redrawn district in keeping with the principles adopted for boundary changes.

One (1) resident expressed concern that the proposed boundary revision between District 17 and District 18 along the Herring Cove Road at Williams Lake Road might serve to divide the Spryfield Community. However, District 17 already has a substantial part of the new Spryfield community and over half of the Williams Lake Road neighbourhood. The boundary change is intended to consolidate those neighbourhoods in one (1) voting district while providing a much more identifiable District Boundary along the Herring Cove Road. The change also provides the additional voters required in District 17 to meet the district average. The other option considered was to extend District 17 along the Purcell's Cove Road to capture all the coastal communities up to and including Herring Cove; the Committee deemed this to be a less desirable approach.

St. Margaret's Bay Centre

The meeting at the St. Margaret's Bay Centre in Upper Tantallon was attended by five (5) residents and two (2) Councillors. A discussion was held on the rationale and pros and cons for moving the White Hills and Glen Arbour Communities into District 19 from District 23. The common development and growing transportation connections between the interests of the White Hills and Glen Arbour and Upper Sackville communities were discussed along with the requirement to move a substantial number of voters out of District 23 to comply with the polling

district averages. While not disagreeing that there were common and growing shared interests between the communities one (1) resident, representing the White Hills Residents' Association, noted the common interests with the wider Hammonds Plains Road communities. Two (2) residents from the same area stated they saw it as an advantage to have two (2) councillors aware of their interests and concerns, and that their wider community would be represented by both councillors within the same community council. Attendees agreed with the approach of ensuring all of Kingswood was within one district rather than being divided between two districts, as it is currently.

BUDGET IMPLICATIONS

There are no budget implications to this report.

There would be an estimated unbudgeted cost of \$10,000-\$15,000 from Account A121 (Municipal Clerk's Operating Account) should a further round of public consultation be required.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

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

ALTERNATIVES

1. Regional Council could propose further revisions based on the Phase 2 public consultation.

This is not the recommended option as the variance of +/-10% in voter parity needs to be maintained as closely as possible. In the 2004 boundary review, Council directed that HRM submit an application that did not comply with direction to maintain voter parity within +/-10% (or as closely as possible). HRM's application was rejected by the NSUARB and HRM staff were directed to submit district boundaries that more closely complied with the requirements for voter parity between polling districts.

In addition, if further boundary revisions were directed, HRM would not meet its December 31, 2010 deadline for submission of its application to the NSUARB owing to the necessity of holding further public consultation in those communities on which the changes would have an impact.

The NSUARB is required to conduct a public hearing on HRM's application, which will provide communities or individuals with another opportunity to submit their views on HRM's application directly to the NSUARB.

ATTACHMENTS

- 1) Background and Minutes of Public Consultation – Phase 2 Boundary Review
- 2) Minutes of the meetings of the Governance & District Boundary Committee of Council – Phase 2
- 3) Written Submissions -Phase 2 Consultation on HRM polling districts
- 4) Voter projections and percentage deviations based on the proposed polling district boundaries
- 5) Proposed Polling District boundary maps (23 districts)

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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