Minutes of the Meetings of the Governance & Boundary Review Committee of Council for

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Phase 2 Polling District Boundary Review

HALIFAX REGIONAL COUNCIL

GOVERNANCE AND DISTRICT BOUNDARY ADVISORY COMMITTEE MINUTES

September 22, 2010

- PRESENT:
 Mayor Peter Kelly, Chair

 Councillors:
 Jerry Blumenthal

 Barry Dalrymple
 Peter Lund

 Linda Mosher
 Reg Rankin

 Bill Karsten (on behalf of Councillor McCluskey)
- **REGRETS**:Councillor Gloria McCluskey
Wayne Anstey, Deputy Chief Administrative Officer
- STAFF: Ms. Cathy Mellett, Municipal Clerk Mr. Ken Lenihan, GIS Technician Ms. Alva Robinson, Data Analyst Ms. Sara Knight, Solicitor Ms. Sherryll Murphy, Deputy Clerk
- ALSO PRESENT: Councillor Lorelei Nicoll Councillor Jennifer Watts

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1. CALL TO ORDER

The meeting was called to order at 10:35 a.m.

2. APPROVAL OF MINUTES

MOVED by Councillor Rankin, seconded by Councillor Blumenthal that the minutes of the June 10, 2010 meeting of the Governance and District Boundaries Committee, as distributed, be approved. MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

MOVED by Councillor Karsten, seconded by Councillor Blumenthal that the agenda, as distributed, be approved. MOTION PUT AND PASSED.

- 4. CONSIDERATION OF DEFERRED BUSINESS None
- 5. CORRESPONDENCE, PETITIONS & DELEGATIONS
 - 5.1 September 13, 2010 Correspondence to NSUARB re Decision of Council re Number of Districts/September 17, 2010 response from the NSUARB

MOVED by Councillor Mosher, seconded by Councillor Lund that the September 13, 2010 Correspondence to the Nova Scotia Utility and Review Board and the September 17, 2010 response from the Nova Scotia Utility and Review Board (NSUARB) be accepted. MOTION PUT AND PASSED.

6. **REPORTS**

A presentation entitled Phase 2 – Boundary Review, September 22, 2010 was before the Committee. A document entitled For Halifax Regional Municipality- Table 1: Population and Voter Counts was also before the Committee.

Ms. Mellett introduced Phase 2 of the Boundary Review noting that it was based upon Council's decision to remain at 23 Districts/Councillors. She reviewed with the Committee its mandate in this Phase as set out in the original Council motion.

6.1 Phase 2 Public Consultation Plan

i) Strategy

ii) Meeting Dates and Location

iii) Alternative forms of Input

Ms. Mellett noted that the timelines for Phase 2 were extremely tight with the application having to be submitted to the NSUARB by December 31, 2010. She indicated that in order to meet this deadline the matter should be considered by Council no later than November 30, 2010. Staff is proposing that public consultation take place the last week of October and the first week of November and that the meetings be staff led allowing Councillors an opportunity to give their feedback.

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MOVED by Councillor Mosher, seconded by Councillor Karsten that the public consultation meetings for Phase 2 of the Boundary review be staff led. MOTION PASSED.

Councillor Karsten noted that the Fall UNSM Conference would be happening the last week of October.

Ms. Mellett noted that staff was proposing that public consultation meetings be set for each Community Council area and that in areas of larger change more meetings be held. She went on to note that residents will also have the opportunity to provide written submission. Ms. Mellett advised that all information pertaining to Phase 2 will be available at www.halifax.ca.

6.2 Review of Draft Boundaries for Public Consultation

Ms. Mellett advised that boundary changes will be required as 12 of the 23 Districts are either over or under the +/-10% average population direction set by the UARB. The average population under the proposed boundaries is 14,244 per District. The proposed boundaries anticipate where growth will happen to 2012. Staff recognizes that voters have experienced significant change since amalgamation and are hopeful that these boundaries will be maintained for two or three elections.

Ms. Mellett went on to outline the principles used to propose the new boundaries, as follows:

- Take growth into account
- Previous decision of the UARB to be considered
- Would the change make sense to the voters
- Where possible use identifiable dividing lines (main roads, highways, community boundaries)
- Meet the UARB mandate of +/- 10% average voters (14,244 average)
- Address specific community requests if possible
- Be prepared to make arguments in defence of variances where required.

Ms. Mellett explained the approach taken by staff in developing the boundaries which included:

• utilizing the Environics 2012 voter projections at the District Boundary level

- reviewing previous UARB decisions
- mapped boundary changes since 2000 over top of each other as well as plan areas, bylaw areas, service areas, community boundaries, etc

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- reviewed options for boundary adjustments based on UARB criteria
- reviewed boundaries with civic addressing, finance and planning

Ms. Mellett and Mr. Lenihan, using a map illustrating both current and proposed boundaries, reviewed with the Committee the proposed boundary changes for the 23 Districts and responded to a variety of questions.

Members of the Committee provided suggestions for changes they believed would be more appropriate, recognized communities of interest and would be more acceptable to voters.

Ms. Mellett indicated that staff would come back to the Committee with revised boundaries based on the Committee's input.

7. ADDED ITEMS

8. NEXT MEETING DATE

The Committee agreed to meet on September 30, 2010 at 2:30 p.m. to

9. ADJOURNMENT

The meeting adjourned at approximately 12:25 p.m.

Sherryll Murphy Deputy Clerk



PO Box 1749 Halifax, Nova Scotia B3J 3A5 Canada

September 13, 2010

Ms. Elaine Wagner Chief Clerk of the Board Nova Scotia Utility and Review Board PO Box 1692, Unit "M" Halifax NS B3J 3S3

Dear Ms. Wagner;

Re: Halifax Regional Municipality- 2010 Review of the number and boundaries of polling districts - MB-09-ADM

I would like to advise the Board that Regional Council duly considered the recommendation of Phase 1 of the boundary review process, regarding the governance model and number of polling districts, at the Regional Council meeting of August 3, 2010.

8.1 <u>Phase 1 Recommendations - District Boundary Review</u>

The recommendations of the Governance and District Boundary Review Committee were before Regional Council. Following debate and discussion Halifax Regional Council adopted the following motion.

Moved by Councillor Walker, seconded by Deputy Mayor Johns that Halifax Regional Municipality recommend that the status quo of 23 Councillors plus the Mayor be maintained.

Recommendations regarding governance, including the role and powers of community councils, were further debated by Regional Council during the session. The full report, recommendations and minutes of the Regional Council session can be found on the HRM web site at <u>http://www.halifax.ca/council/agendasc/100803rcAgenda.html.</u>

Based on the direction provided by Region Council the Governance and Boundary Review Committee, supported by staff, have commenced the drafting of proposed polling district boundaries with the intention of taking the proposed boundaries out for public consultation in late October and/or early November.

At this time we do not anticipate any delay in being able to provide HRM's submission to the Board by December 31, 2010. Should there be any delays we will advise the Board immediately.

Sincerely;

HALIFAX REGIONAL MUNICIPALITY

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Cathy J. Mellett Municipal Clerk

cc. Mayor Peter Kelly & members of the Governance & District Boundary Review Committee Sara Knight, HRM Legal Services Wayne Anstey, Acting CAO

OFFICE OF THE MUNICIPAL CLERK

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Nova Scotia Utility and Review Board

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September 17, 2010

By Electronic Mail

Cathy J. Mellett Municipal Clerk Halifax Regional Municipality PO Box 1749 Halifax, NS B3J 3A5

Dear Ms. Mellett:

Halifax Regional Municipality - 2010 Review of the Number and Boundaries of Polling Districts - MB-10-ADM

Receipt is acknowledged of your letter dated and received by email on September 13, 2010, and hard copy on September 14, 2010, advising the Board that Regional Council duly considered the Phase 1 Recommendation of the boundary review process at the Regional Council meeting of August 3, 2010. Regional Council adopted the motion that Halifax Regional Municipality maintain the status quo of 23 Councillors plus the Mayor.

You also advise that you not anticipate any delay in providing HRM's submission to the Board by December 31, 2010.

Thank you for updating the Board on HRM's review process. We await receipt of the application.

Yours very truly,

Elaine Wagner Chief Clerk of the Board

September 22, 2010



Background

- Committee will be working with 23 Districts Based on the motion of Council the æ.
 - Committee Mandate for Phase 2 (from original Council Motion) A
- and supported by appropriate staff resources and expertise. The Committee will: approved by Regional Council, be undertaken by the same Committee of Council For phase 2, the setting of specific district boundaries based on the direction പ്
- ndertake the public consultation deemed necessary to ensure appropriate and Review Board (NSUARB) and legislative requirements to be considered communities of interest, planning areas, and meeting the population/voter ensure the boundaries are set in accordance with the Nova Scotia Utility equity between districts "plus or minus 10%" - or defended otherwise; in the setting of district boundaries including but not exclusive to =
 - ublic input and consultation on the boundaries including Councillors. bring forward a recommendation for ratification (for or against) on the takeholders and the broader public; and Ē
 - District Boundaries to Regional Council on or before September 28, 2010.

Agenda

- Timelines
- Proposed Public Consultation process & timeliness
- Background to revision of boundaries
- Principles for decision making & proposed boundaries
- Review proposed boundaries
- Seek approval to move to public consultation with the proposed boundaries

Timelines

- Tight
- Application needs to be to the UARB by end of December 2010
- Therefore needs to be before Council no later than November 30th meeting
- With time for preparation & ads public consultation - last week of October/1st week of November
- As with Phase 1- provide an information report to Council with revised time lines and approach to public consultation











н. 1 The challenge is in areas those areas where growth is occurring or where the districts have not kept pace with growth (or household size is smaller)





Principles used to propose new boundaries

- Take growth into account -boundaries to hold for 2012 and 2016 and even ideally to 2020.
- Previous decisions of UARB to be considered
- Would the change make sense to the voters in that community?
- Where possible use boundary dividing lines that are identifiable to voters (main roads, highways, community boundaries)
- Address specific community request if possible
- Meet the UARB mandate of +/- 10% of average (14,244 voters)
- Take into consideration the specific aspects allowed by the UARB and be prepared to make arguments in defense of variances where required

Approach to date

- Taken the Environics 2012 voter projections down to the DB level (where chunks of population can be adjusted)
- Reviewed the previous UARB decisions/arguments
- Mapped the 2000, 2004 and 2008 boundaries over
- top of each other as well as plan areas, bylaw areas, service areas, community boundaries etc.
- Reviewed options for boundary adjustments based on UARB criteria
- Reviewed by civic addressing, finance & planning staff for input
- There are no perfect solutions
- Now before the Committee









Distributed Sept 22/2010 G+DBR Meeting

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FOR HALIFAX REGIONAL MUNICIPALITY TABLE 1: POPULATION & VOTER COUNTS

EAG Version 2; April 26

		Census 2006	9		2006 Estimates			2009 Estimates			2012 Projections	
2Aug			Possible			Possible			Possible			Possible
District ID	Households	Population	Voters**	Households	Population	Voters**	Households	Population	Voters**	Households	Population	Voters**
	5.748	13.836	10,869	5,908	14,271	NOT DONE OR AVAILABLE	6,102	14,457	11,806	6,195	14,404	11,905
2	6,691	19,088	3 13,819	6,888	19,697	1	7,527	21,162	15,953	7,861	21,754	16,704
÷	6,772		-	6,971	18,996	8	1,309	19,565	15,193	7,509	19,762	15,553
4				7,253	20,900	8	7,394	20,991	16,087	7,462	20,841	16,292
5	5 7,350	15,054	12,221	7,565	15,536	1	7,628	15,348	12,681	7,921	15,563	
9	6,456	3 16,576	12,621	6,647	17,139	1	6,728	17,050	13,364	6,793	16,982	13,552
	7 6,495	5 17,375	5 13,113	6,694	17,907		7,513	19,598	15,293	7,905	20,504	16,204
	8 6,767	7 17,346	5 12,600	6,966	17,920	ł	7,343	18,561	14,353	7,642		
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	9 7,998		11,965	5 8,235	5 16,183	1	8,115	15,749	12,814	8,329	15,850	12,887
10	0 7,178	8 15,403	3 11,973	3 7,389	15,911		8,074	16,927	13,589	8,888	18,095	
11	1 6,881	1 14,825	5 11,775	7,085	15,258	;	7,292	15,391	12,738		15,278	
12	2 8,345	5 14,461	11,321	1 8,592	2 14,914	1	9,217	15,724	13,406	9,569	15,890	13,599
13	3 6,933	3 14,817	7 11,761	1 7,137	15,207	1	7,405	15,459	12,521	7,454	15,240	12,518
14	4 6,504		5 11,502	2 6,696	5 14,380	1	7,067	14,782	12,406	5 7,103	14,547	12,204
15		1 13,601	1 11,032	2 6,857	7 13,981		7,083	14,078	11,689	9 8,349	15,772	13,239
16	6 6,121	1 13,514	4 11,035	5 6,299	9 13,969	-	6,941	15,064	12,292	2 8,950	19,337	
17	7 6,141	1 13,959			0 14,426	+	6,580	14,731	11,937	6,932	15,345	12,501
18	8 6,564	4 16,034	4 12,138	6,759	9 16,556	1	6,971	16,785	13,098	3 7,485	17,832	14,074
19	9 5,974	4 16,788	12,261	1 6,150	0 17,308	;	6,411	17,741	13,343	3 6,985		
20	0 5,883	3 16,019	9 12,352	2 6,057	7 16,573		6,194	16,620	13,168	3 6,248	16,532	13,327
21	1 6,515	5 16,638	8 12,515	6,707	7 17,153	1	7,039	17,689	13,662	2 7,490	18,502	14,482
22	2 7,191	1 19,648	8 14,621	1 7,401	1 20,281	1	7,782	20,935	16,009	9 8,140	21,581	
23	3 6,938	8 19,638	8 14,123	3 7,141	1 20,296	1	707,7	21,588	15,747	7 7,985	22,147	7 16,276
Grand Total	al 155,138	8 372,858	8 285,110	0 159,716	6 384,760	1	167,420	395,994	313,151	1 176,578	410,032	2 327,615

** For possible voters 2006 - these are census-based Canadian citizens aged 18+ - as an approximation for possible voters

HALIFAX REGIONAL MUNICIPALITY

GOVERNANCE AND DISTRICT BOUNDARY ADVISORY REVIEW COMMITTEE MINUTES

September 30, 2010

PRESENT:

Mayor Peter Kelly, Chair Councillors: Jerry Blumenthal Barry Dalrymple Peter Lund Linda Mosher Reg Rankin Bill Karsten (on behalf of Councillor McCluskey)

REGRETS: Councillor Gloria McCluskey Wayne Anstey, Deputy Chief Administrative Officer

STAFF: Ms. Cathy Mellett, Municipal Clerk Ms. Sara Knight, Solicitor Mr. Ken Lenihan, GIS Technician Ms. Alva Robinson, Data Analyst Ms. Sherryll Murphy, Deputy Clerk

ALSO PRESENT: Councillor Steven Adams Councillor Darren Fisher Councillor Tim Outhit

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7.	ADDED ITEMS	
8.	NEXT MEETING DATE	
9.	ADJOURNMENT	. 5

1. CALL TO ORDER

Councillor Blumenthal called the meeting to order at 2:42 p.m. noting that the Mayor would be joining the meeting in progress.

2. APPROVAL OF MINUTES – None

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

<u>Addition</u>

7.1 Retention of Consultant by Nova Scotia Utility and Review Board (NSUARB)

MOVED by Councillor Mosher, seconded by Councillor Dalrymple that the agenda, as amended, be approved. MOTION PUT AND PASSED.

- 4. CONSIDERATION OF DEFERRED BUSINESS None
- 5. CORRESPONDENCE, PETITIONS & DELEGATIONS None

6. **REPORTS**

6.1 Continuation – Review of Draft Boundaries for Public Consultation

A revised table of projected voters for 2012 by District was before the Committee.

Ms. Mellett noted that concern has been expressed regarding the number of changes to the boundaries and the impact on voter engagement. In response, staff has adopted a principle that where a boundary does not need to be changed, it not be changed. Ms. Mellett noted that change is required given that $\frac{1}{2}$ of the 23 districts are either above or below the +/-10% average voters per District required by the NSUARB. Ms. Mellett indicated that staff has drawn the boundaries based upon the need for change with the least amount of change in mind.

Ms. Mellett indicated that the Committee had provided good feedback at the previous meeting and the changes made by staff reflect the direction received. She noted that a community perspective was required rather than a street approach. Ms. Mellett went on to advise that the revised boundaries reflected the existing boundaries, community boundaries and the direction of the NSUARB relative to the +/10% of the average voters per district.

3:00 p.m. Mayor Kelly and Councillor Karsten joined the meeting.

Councillor Karsten advised that he had consulted with Councillor McCluskey with regard to the proposed boundaries. He indicated that by in large the Harbour East Community Council members concurred with the boundaries with some minor tweaks. He noted that Councillor Nicoll had grave concerns regarding changes to the Cole Harbour boundary noting that the Bissett Road change and the Lake Loon and Cherrybrook boundary change would cause concern in the community.

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3:05 p.m. Mayor Kelly assumes the Chair.

MOVED by Councillor Mosher, seconded by Councillor Karsten that Councillor Blumenthal be appointed Vice Chair of the Governance and District Boundary Review Advisory Committee. MOTION PUT AND PASSED.

Following a further review of the boundaries, the Committee agreed that staff take the boundaries as presented to the public for their input.

A information report is to be prepared regarding the public consultation for submission to the next meeting of Council.

7. ADDED ITEMS

7.1 Retention of Consultant by Nova Scotia Utility and Review Board (NSUARB)

Councillor Mosher expressed concern that the UARB is seeking an expert consultant to assist them in the upcoming hearing relative to municipal boundaries. She noted that this was an unusual approach and asked if HRM had been made aware of this by the UARB.

Ms. Knight indicated that HRM had not received any correspondence/notification from the UARB. She went on to advise that in 2003/04 the Board did have an expert who was retained by legal counsel for the Board. Ms. Knight pointed out that under legislation the UARB has the right to obtain such expertise.

Councillor Mosher commented that municipal boundaries should be considered in the context of the entire Province and not just Cape Breton Regional Municipality and HRM. She pointed out that there are more that 400 elected officials across Nova Scotia. HRM Councillors make up 5-6% of that number yet represent 40% of the population.

8. NEXT MEETING DATE

A meeting date will be set following the public consultation process.

9. ADJOURNMENT

The meeting was adjourned at 3:30 p.m.

Sherryll Murphy Deputy Clerk

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HALIFAX REGIONAL MUNICIPALITY

NOT APPROVED

GOVERNANCE AND DISTRICT BOUNDARY ADVISORY COMMITTEE

November 18, 2010

PRESENT:

Councillor Jerry Blumenthal, Vice Chair Councillors: Barry Dalrymple Gloria McCluskey Peter Lund Reg Rankin Linda Mosher

REGRETS:

Mayor Peter Kelly

STAFF:

Ms. Cathy Mellett, Municipal Clerk Ms. Sara Knight, Solicitor Mr. Paul Morgan, Senior Planner Ms. Alva Robinson, Data Analyst Ms. Sherryll Murphy, Deputy Clerk

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9.	NEXT MEETING DATE – To be determined	
10.	ADJOURNMENT	. 5

1. CALL TO ORDER

The Vice Chair called the meeting to order at 9:40 p.m.

2. APPROVAL OF MINUTES – September 22 and 30, 2010

The Deputy Clerk noted that Councillors Nicoll and Barkhouse should appear on the front cover of the September 22, 2010 meeting as Guests.

The Deputy Clerk also noted that Councillors Adams, Outhit and Fisher should appear on the front cover of the September 30, 2010 minutes as Guests.

Ms. Knight clarified her statement found on page 4, Item 7.1, 2nd paragraph as follows:

She went on to advise that in 2003/04 the Board did have an expert who was retained by legal counsel for the Board.

Councillor Mosher indicated that in the last paragraph, last sentence of the same page, '7-8% of that number yet represent 70% of the population' should read '5-6% of that number yet represent 40% of the population.'

MOVED by Councillor Rankin, seconded by Councillor Lund the minutes of the September 22 and 30, 2010 meetings of the Governance and District Boundary Review Committee, as amended, be approved.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

MOVED by Councillor McCluskey, seconded by Councillor Mosher that the agenda, as distributed, be approved. MOTION PUT AND PASSED.

- 4. CONSIDERATION OF DEFERRED BUSINESS None
- 5. CORRESPONDENCE, PETITIONS & DELEGATIONS
- 5.1 Correspondence
- 5.1.1 E-mails Received in Response to Phase II

E-mails relating to Phase II of the Governance and Boundary Review were received from the following:

Tracey Whyte	Valerie Bradshaw	Jim and Ruth Bower
Margaret Moody	Val Conrad	Martin Wilson
Kelly Greenwood	Belinda Parker	Alan Frost

Correspondence from Alma Johnston was circulated at the meeting.

MOVED by Councillor Rankin, seconded by Councillor Hum that the correspondence be received as circulated. MOTION PUT AND PASSED.

6. REPORTS 6.1 Review of Public Consultation – Report and Recommendation

A report dated November 15, 2010 was before the Committee.

Ms. Mellett noted that although the public did not attend in great numbers, the feedback received was very useful.

Ms. Mellett went on to review with the Committee the changes, as contained in the November 15, 2010 report, staff were proposing to the proposed district polling boundaries considered at the public consultation sessions as contained in the staff report.

A discussion regarding the Bissett Road and Lake Loon/Cherry Brook changes ensued with it Ms. Mellett pointing out that the historical and community significance of the Cole Harbour Heritage Park to the community provided justification for retaining that area in District 4.

Note was made that the Horizon Court Towers are very closely associated with District 5 and that association should be retained. District 9 includes a large business park and this fact should be taken into consideration by the UARB.

MOVED by Councillor Rankin, seconded by Councillor McCluskey the Governance and District Boundary Review Committee recommend to Halifax Regional Council that the proposed polling district boundary shared by District 5 and 9 be revised to retain the Horizon Court Towers in District 5 due to the strong relationship/linkage with the district. MOTION PUT AND PASSED.

MOVED by Councillor Rankin, seconded by Councillor Mosher that the District 4 polling district boundary be reestablished at the previous location on Bissett Road which is justifiable based on strong community identification and feedback. MOTION PUT AND PASSED.

MOVED by Councillor Rankin, seconded by Councillor Lund that the area around Rosebank Drive, Dorothy Drive and Irene Avenue be placed back in District 20, following the previous district boundary, which is justifiable based on community identification and the overall stability of District 20. MOTION PUT AND PASSED.

MOVED by Councillor Mosher, seconded by Councillor Rankin that the proposed polling district boundary between District 10 and 17 be revised to place the small

apartment building located in District 10 in District 17, which is justifiable due to its geographic relationship with District 17 (opposite side of Armdale Roundabout from District 10). MOTION PUT AND PASSED.

Following a further brief discussion, it was MOVED by Councillor Rankin, seconded by Councillor Lund the Governance that the three (3) or four (4) households along the upper side of the Beechville Road proposed to be located in District 10 be retained in District 22. MOTION PUT AND PASSED.

MOVED by Councillor Dalrymple, seconded by Councillor Mosher the Governance and District Boundary Review Committee recommend to Halifax Regional Council that the proposed polling district boundaries, as amended, be adopted. MOTION PUT AND PASSED.

Discussion followed regarding the original motion of Council of August 4, 2009 - that the committee "bring forward a recommendation for ratification (for or against) the district boundaries to Regional Council". Note was made that it is important that Council be fully briefed on the impacts and implications of making any changes to the proposed boundaries including but not exclusive to the interrelationship between districts and "domino" effect of changes, that any proposed revisions will require analysis and review, the impact on the HRM submission to the UARB including meeting the December 31st submission date, and the requirement to strike a new committee to undertake any further revisions and/or consultations.

Ms. Mellett advised that the report from the Committee is scheduled for the November 30th Regional Council agenda. She thanked members of the Committee for their commitment and work noting that the discussion and debate had been useful and productive.

9. NEXT MEETING DATE

The Clerk will establish a meeting if required.

10. ADJOURNMENT

The meeting was adjourned at 11:10 p.m.

Sherryll Murphy Deputy Clerk

6.1

Item No. Governance & Boundary Review Committee November 19, 2010

ТО:	Mayor Kelly and Members of the Governance & Boundary Review Committee
SUBMITTED BY:	Concentration Clerk Cathy J. Mellett, Municipal Clerk
DATE:	November 15, 2010
SUBJECT:	Phase 2 Public Consultation – Polling District Boundaries

<u>ORIGIN</u>

Commencing October 25, 2010 public input was sought regarding the proposed polling district boundary revisions for the 2012 Municipal Elections in accordance with the guidelines of the Nova Scotia Utility and Review Board. This report presents the feedback received.

RECOMMENDATION

That the Governance and District Boundary Review Committee adopt the following three (3) minor revisions to the proposed boundary changes in response to the Phase 2 public consultation:

- 1) Reestablish the District 4 polling district boundary at the previous location on Bissett Road, and that be the only change adopted to the proposed District 4 boundary. This change will place District 4 slightly above the +/-10% polling district average at 13.7% but is justifiable based on strong community identification and feedback.
- 2) To replace the estimated 400 voters resulting from retaining Bissett Road in District 8 the proposed boundary for District 8 be moved to include a portion of the Russell Lake commercial and residential development off of Highway 111 in the Baker Drive, Freshwater Trail, Basswood Run area. This boundary change would serve to better balance the voter distribution between District 7 and District 8 and has better association with the interests of the rest of District 8 regarding future development and transportation corridors around the Shearwater lands. (NOTE: this change has not been done and the percentage deviations attached to this report DO NOT include this change)
- The area around Rosebank Dr., Dorothy Dr. & Irene Avenue be placed back in District 20, following the previous district boundary in that area. This will result in District 20 being slightly above the +/-10% polling district average at 12.2% but is justifiable based on community identification and the overall stability of the District 20 District.

And that these three (3) changes be the only revisions to the proposed District Boundaries to be recommended to Regional Council for submission to the 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 UARB 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 as the form of governance and representation most acceptable to the residents and elected Council of HRM.

In future applications the Board considers that municipal councils should, prior to any consideration of setting boundaries or variances from voter parity, first determine the number of councilors which is appropriate. The decision as to the number of councilors is an especially important one, and should be made by a municipal council only after extensive public consultation, as well as consultation with others, such as senior staff or consultants... In the second step of the process Council should determine the boundaries for polling districts – once again only after extensive public consultation.....Section 121 NSUARB decision on the HRM application [2004]

Phase 2, the Review of polling district boundaries based on the decision of Regional Council began immediately.

Staff were directed by the Committee to begin to draft proposed boundary revisions based on the demographic data provided through Environics Analytics, voter and household data provided by NS Elections and HRM data on permit activity and growth within HRM. A cross department team of HRM staff used direction provided from the NSUARB, 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 requirements of equity (+/- 10% of average) or as closely as possible ø

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 in to street level was provided on the web site. Feedback was encouraged and provided to residents through emailing, faxing or writing in their comments directly to the Office of the Municipal Clerk.

A total of ten (10) written submissions were made to the Clerks office, up to Monday November 15, 2010, during Phase 2 of the Public Consultation on specific polling district boundaries.

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.

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

Notification

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

- An easy to access icon on the front page of the HRM web site
- 16 notices published in two (2) local and eight (8) community newspapers
- 44 30 second advertisements on C100 and C104 radio stations
- 3 public service announcements 0
- Handouts at public meetings
- Columns placed by the Mayor and Councillors in newsletters & community papers 0

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 and for voters.

Eastern HRM

At the Cole Harbour meeting over 60 residents attended to express their disagreement and concern regarding having a portion of Bissett Road that contains the Cole Harbour trail and views and the lands of the former Nova Scotia Rehabilitation Centre removed from District 4. The primary concern expressed by the community in regard to the proposed boundary changes is the retention of the Bissett Lake 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.

Two (2) presenters also spoke to a desire to keep the Cherry Brook, Lake Loon in District 4, and adding the Westphal communities to District 4 rather than in District 6. Having extensively reviewed the 2007 UARB decision a representation from the Westphal and Cherry Brook communities was expected. There was one (1) speaker from Cherry Brook and one (1) from Westphal. Taken together the Cherry Brook, Lake Loon and Westphal area represents almost 2000 voters. It is not possible to retain the communities proposed by the two residents all within District 4 and retain any voter parity for the district. During community consultations undertaken by HRM in 2010 there was no one opinion expressed by residents of the area regarding drawing community boundaries. The community expressed as much of an association with the Westphal area already in District 6.. What was expressed is a stronger identity as independent communities within the larger Dartmouth/Cole Harbour community rather than an association specifically with Cole Harbour. On balance the proposed boundary, along Main Street and Highway 7, serves to acknowledge and recognize the significance of the Cherry Brook, Humber Park, Lake Loon Westphal as communities while ensuring their voting association remains together in a community to which they also have a long standing association.

The Dartmouth High meeting was attended by four (4) residents and three (3) Councillors. The concern expressed by three (3) residents, including the building owner representative, was the removal of the Horizon Court High towers from District 5. There is a requirement to move a number of voters from District 5 into District 9 as District 5 is the only direction from which voters can be added to District 9 because of the barrier created by DND lands around Magazine Hill. District 9 needs to increase by at least 500 voters to comply with the increased voter average per district. 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). Alternatively the boundary could be adjusted to bring voters along all of Windmill Road into District 9. However, that community has an even longer standing association with District 5 and downtown Dartmouth.

Through correspondence one 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

The meeting at the Gordon Snow Community Centre in Fall River was the second largest 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 relationship between Lakeview, Windsor Junction and Fall River, in sharing a Fire Station and Community Hall.

At the Basinview Drive meeting there were four (4) residents and one (1) Councillor. Support was expressed for retaining 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

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.

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, and add the additional voters required in District 17 to meet the district average. The only other option available would be to extend District 17 along the Purcell's cove Road to capture all the coastal communities up to and including Herring Cove, which was not deemed to be a desirable approach.

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. While not disagreeing that there were common and growing shared interests between the communities one (1) resident from White Hills also 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) councilors aware of their interests and concerns, and that their wider community would be represented by both councilors 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.

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

The Committee would advance the proposed boundaries unchanged to Council for adoption as HRM's submission to the NSUARB. This is not the recommended option as the proposed minor revisions reflect what staff understand to be the achievable adjustments resulting from the public consultation and serve to strengthen and improve HRMs submission to the NSUARB.

The Committee could propose other revisions based on the Phase 2 public consultation. This is not the recommended options as beyond minor revisions the balance of +/-10% district voter averages need to be maintained.

- 6 -

ATTACHMENTS

 East, Central and Western HRM maps showing revisions proposed based on Phase 2 public consultation (to be circulated)
 Minutes of Public Meetings (to be circulated)
 Revised district vote projections and percentage deviations

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: Cathy J. Mellett, Municipal Clerk & Ken Lenihan, GIS Services

- 7 -

ATTACHMENT 3

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Nov. 15, 2010 version

Notes

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Distributed Nov. 18/2010 GEDBR Meeting

Name	2012 Voters	Dwellings
Beaver Bank	5,465	2,546
Beechville Estates	829	428
BISSETT	441	203
Caldwell Road	1,469	492
Cherry Brook	135	65
Colby Provincial	5,192	2,078
Dist19 20	493	238
Dist5 8	1,557	1,094
Fairbanks	462	314
Ferguson's Cove	230	98
Gaetz Brook	443	214
Gaston Area	188	125
Gaston Road	766	547
Glen Margaret	243	122
Goodwood	145	70
Hacketts Cove	435	222
Herring Cove Rd	1,182	542
Indian Harbour	262	139
Kingswood	2,697	1,269
Lake Loon	918	. 419
Lower East Chezzetcook	309	159
Lucasville/HP	70	31
Maplehurst	449	347
Parkland	69	35
Russell Lake	1,451	707
Three Brooks	743	336
Towers	582	- 361
Upper Hammonds Plains	286	
Waverley	220	
Westphal Mobile Park	231	111
White Hills	2,420	1,121
Woodland	197	97

Distributed Nov 18/2010 G+DRC Meeting

Summary of 2007 UARB Decision re: Cherry Brook

Prepared by Sara Knight, Legal Services

[21] Councillor Harry McInroy testified in support of HRM's application, specifically with respect to retaining the status quo between Polling Districts #3 and #4. He has been a councillor in the area for 26 years.

[22] In his view, the status quo should be maintained until the comprehensive review in 2010. At that time, he hopes that the elector variances might be such so as to allow the inclusion into Polling District #4 (Cole Harbour) of areas currently outside that polling district, but historically considered part of the Cole Harbour. He noted as examples the area containing the historic view of the waters of Cole Harbour as seen from Long Hill (presently in Polling District #3), as well as the Flying Cloud Drive area currently in Polling District #7. He added that the latter area also contains such important historic landmarks as the Cole Harbour Heritage Farm Museum. He stated that the possibility of recapturing some of these areas during the 2010 review might be constrained by transferring the Cherry Brook area into Polling District #4.

[23] Councillor McInroy testified that maintaining the present boundary between Polling Districts #3 and #4 would not impact the delivery of municipal services to the Cherry Brook area.

[24] Laura Lee Nicoll and Jill Hogg reside in Cole Harbour and have volunteered in many community activities, including school advisory committees, the Board of Cole Harbour Place and the Cole Harbour Rural Heritage Society. They reiterated the comments of Councillor McInroy with respect to potentially recapturing, during the 2010 review, areas historically associated with Cole Harbour.

[25] Councillor David Hendsbee represents Polling District #3. While he presently resides in the Lake Major Road area, he has lived near Cherry Brook since his childhood. He urged the Board to maintain the status quo between Polling Districts #3 and #4 until HRM's review in 2010.

[26] He testified that Highway #7 should be used as the boundary between the two polling districts, stating that the orientation of the community of interest in Cole Harbour is East/West rather than North/South.

[27] Alma Johnston testified in support of the Boundary Action Reversal Committee. She described the historic connection between the predominantly Black community of Cherry Brook and Cole Harbour, along with the intervening communities of Lake Loon, Humber Park, Montague Road and Montague Estates.

[28] Ms. Johnston stated that the Cherry Brook/Lake Loon area has contributed significantly to the growth of Cole Harbour, such as when the men from Cherry Brook worked as farmers in Cole Harbour in the early years. She pointed out that residents of Cherry Brook had given up, voluntarily or otherwise, some of their lands to accommodate watershed, highway and power infrastructure that all facilitated the growth of Cole Harbour. She noted that this resulted in many residents of Cherry Brook, including herself, being forced to move and build homes in the surrounding communities of Humber Park, Montague Road and Cole Harbour.

[29] She testified that members of the Cherry Brook/Lake Loon community had also contributed, through the payment of taxes and volunteering effort, to the development of Cole Harbour Place, a large recreational and community centre.

[30] Due to the above history of contribution to the development of Cole Harbour, the residents of Cherry Brook feel a strong affinity to Cole Harbour, which she described as being stronger now than at any time in the last 40 years.

[31] John Harlow also testified in support of the Boundary Action Reversal Committee. He has resided in Humber Park since 1968. He echoed the comments of Ms. Johnston that there is a strong community of interest between Humber Park, Montague Road, Lake Loon and Cherry Brook and that this sub-area also has a strong community of interest with Cole Harbour, noting that community leaders and volunteers in his area have expended countless hours on the growth of Cole Harbour and its infrastructure, including the fire station and Cole Harbour Place.

....

. . .

[43] From the Board's review of the evidence currently before it in this proceeding, it concludes that two factors contribute to significantly better percentage variances in the present hearing. First, HRM staff, in consultation with the Boundary Action Reversal Committee, have been able to identify the appropriate boundaries of the Cherry Brook/Lake Loon area under review. Once this area was identified, the analysis of the 2006 Census data provided a more accurate representation of the actual number of electors affected by the transfer.

[44] Second, the proposed transfer will potentially accommodate future growth in Polling District #3, which appears to be the location where more growth is expected to occur relative to Polling District #4. According to evidence filed by HRM at the request of the Board, greater growth is anticipated in the Preston-Lawrencetown-Chezzetcook district than in the existing district of Cole Harbour. In this regard, the Board is comforted by the data which confirmed that more development is projected for Polling District #3 than for Polling District #4. At the request of the Board, HRM filed an undertaking showing the number of new units anticipated for each polling district. A total of 550 new units are anticipated in the next few years in Preston-Lawrencetown-Chezzetcook, while only 260 new units are expected in next few years in Polling District #4 (Cole Harbour).

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

[47] The Board concludes that, for the purposes of the 2008 municipal election, the Cherry Brook/Lake Loon area should be incorporated into Polling District #4 (Cole Harbour). In this respect, the Board finds that the area depicted as the Cherry Brook/Lake Loon area on Map 5 attached to the staff report dated April 11, 2007 (including the area containing the Nova Scotia Home for Coloured Children) shall be transferred to Polling District #4. This proposed configuration for Polling District #4 (Cole Harbour) was developed by staff and the Boundary Action Reversal Committee at HRM's public meeting held on March 22, 2007. At the Board hearing, Ms. Johnston confirmed that Map 5 was supported by the Committee.



PO Box 1749 Halifax, Nova Scotia B3J 3A5 Canada

November 19, 2010

Ms. Elaine Wagner Chief Clerk of the Board Nova Scotia Utility and Review Board PO Box 1692, Unit "M" Halifax NS B3J 3S3

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Dear Ms. Wagner:

Re: Halifax Regional Municipality 2010 Review of the number of boundaries and polling districts MB-09-ADM

I am writing to the Board on behalf of the Halifax Regional Municipality in regard to HRM's submission MB-09-ADM, 2010 Review of the number of boundaries and polling districts.

The Halifax Regional Municipality, and the Governance and Boundary Review Committee are pleased to make available to the Board's consultant any and all of the background information and data it has compiled through the boundary review process. The Committee believes it is important that the Board's consultant be aware of the extent of the research, analysis and consultation that the Committee has undertaken. The background surveys, reports and data for Phases 1 & 2 of the boundary review process are already publically available on the HRM web site at www.halifax.ca/boundaryreview.

There was, however, considerable effort made by the Committee and its consultant, Environics Analytics, to develop population and growth analysis and projections, the details of which were not all included in the Council report. It is anticipated that this information will form the basis for much of the analysis and ultimately the drafting of the boundaries proposed in HRM's submission. In addition to the reports and presentations that can be provided, the Board's consultant may wish to have a briefing from Environics (for which there may be a consultant fee).

As the Municipal Clerk/HRM Returning Officer I also have an interest and possible concern regarding the Board's anticipated timeline for its review of HRM's application. According to the RFP, the consultant's work is scheduled to be complete by March 31, 2011 with hearings

appearing to commence later in the year and a decision not expected until early 2012. The Nova Scotia *Municipal Elections Act* requires that on or before March 31, 2012 the Returning Officer divide the polling districts into polling divisions.

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The work of preparing for an election in a municipality the size of HRM realistically will begin in January 2011. If the Board were to consider more substantive changes than those proposed by Council, a decision by summer 2011 would be of assistance to election officials: the sooner the decision on the number of councillors is made, the better HRM can prepare for the fall 2012 election. In 2003/04 the Board's decision was not issued until February 13, 2004, which caused difficulties for election officials in preparing for the fall 2004 municipal election.

Any information we may have in regard to the Board's proposed time lines would be very much appreciated.

The Halifax Regional Municipality looks forward to a thorough and thoughtful review of HRM's submission to the Board in regard to the governance and polling district boundaries of HRM for the 2012 Municipal Elections. Should you have any questions or concerns, please feel free to contact me.

Sincerely

Cathy J. Mellett Municipal Clerk Halifax Regional Municipality

cc. Mayor Kelly and Members of the Governance & Boundary Review Committee Sara Knight, HRM Legal Services File

OFFICE OF THE MUNICIPAL CLERK

Tel: (902) 490-6456 Fax: (902) 490-4208 E-mail: melletc@halifax.ca Web Site: www.halifax.ca



Nova Scotia Utility and Review Board

Mailing address PO Box 1692, Unit "M" Halifax, Nova Scotia B3J 3S3 uarb.board@gov.ns.ca Web www.nsuarb.ca Office 3rd Floor 1601 Lower Water Street Halifax, Nova Scotia B3J 3P6 902 424-4448 t 902 424-3919 f

November 23, 2010

By Electronic Mail

Cathy J. Mellett Municipal Clerk Halifax Regional Municipality PO Box 1749 Halifax, NS B3J 3A5 HALIFAX REGION MUNICIPALITY NOV 2 3 2010 MUNICIPAL CLERK

Dear Ms. Mellett:

Halifax Regional Municipality - 2010 Review of the Number of Boundaries and Polling Districts - MB-ADM

Receipt is acknowledged of your letter dated November 19, 2010, and received by the Board on November 22, 2010, regarding Halifax Regional Municipality's 2010 review of the number of boundaries and polling districts, and seeking information with regard to the Board's proposed time lines for this review.

A copy of your letter has been directed to the Board.

Yours very truly,

Elaine Wagner Chief Clerk of the Board

cc: Sara Knight