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Item No. 11.3.1 (i)
Halifax Regional Council
August 5, 2014

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed by 

SUBMITTED BY:

Mike Labrecque, Acting Chief Administrative Officer

DATE: July 21, 2014

SUBJECT: S. 369 of the Municipal Government Act – 2014 Municipal Boundary Review

INFORMATION REPORT

ORIGIN

Report and motion of the Executive Standing Committee in regard to the requirement to conduct a 2014 Municipal Boundary Review

LEGISLATIVE AUTHORITY

S. 364 of the *Halifax Regional Charter* which states:

Part XVI of the *Municipal Government Act* applies to the Municipality. 2008, c.39, s.364

Part XVI at S. 369 of the *Municipal Government Act* provides:

369 (1) In the year 1999, and in the year 2006 and every eight years thereafter the council shall conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of councillors.

(2) After the study is completed and before the end of the year in which the study was conducted the council shall apply to the Board to confirm or to alter the number and boundaries of polling districts and the number of councilors.

BACKGROUND

Under the Municipal Government Act and the Nova Scotia Utility Board Act the Nova Scotia Utility and Review Board (NSUARB) retains the authority to determine matters related to the number and boundaries of municipal polling districts in Nova Scotia.

As advised in the report before Executive Committee dated May 30, 2014, Part XVI section 369 requires the municipality to conduct Municipal Boundary Reviews in the years 1999, 2006 and every eight years following. In addition to these required reviews the Halifax Regional Municipality was ordered by the NSUARB to conduct further reviews in both 2003 and 2010-2011 in regard to both the number of polling districts (and councillors) and the boundaries of those polling districts.

The review conducted in 2010-2011 was an extensive eighteen (18) month two-stage review process and included two hearings before the NSUARB which resulted in an order to reduce the number of polling district (and councillors) from twenty-three (23) to sixteen (16) and established the new polling district boundaries across the region.

The 2012 Municipal and School Board elections were conducted based on the revised number and polling district boundaries and the current Council reflects those changes.

DISCUSSION

The Municipal Boundary Review directed by the NSUARB and conducted in 2010-2011, just prior to the 2012 Municipal Election, was an extensive process that examined in detail both the question of the number of polling district boundaries and the boundaries themselves. Extensive research and consultation was undertaken by the municipality and the resulting decisions of the NSUARB, was to reduce the number of polling districts (and councillors) to sixteen (16) and to reset the polling district boundaries.

The resulting boundary changes have been in place since October 2012 and the municipality and residents are only now having the opportunity to review and reflect on the impact of the 2011 decision of the NSUARB.

The 2011 census data was not available for the review conducted in 2010-2011 and estimates prepared in partnership between the municipality and Environics Analytics were used in the analysis of voters per district. The 2011 census data is now available, and has confirmed that the estimates used in the preparation of polling district boundaries were accurate and reflect the results of from the census.

Staff have completed a review of the number of voters and over/under average deviation of the existing sixteen (16) polling districts and have determined that the variations continue to fall within the acceptable range to ensure voter equity between polling districts. The only variances are those specifically created by the order of the NSUARB and therefore are acceptable and required deviations. The summary table of the review is attached as Appendix A of this report.

In summary, upon review;

- Staff can determine no practical reason to conduct an extensive review of the number of polling districts or polling district boundaries given the extent of the review conducted in 2010-2011 and that the decision of the NSUARB, reducing the number of polling district boundaries and setting the district boundaries, was made just prior to last municipal election.
- Given that a review in 2014 has been confirmed as legislatively required (according to the MGA) staff have recommended to the Executive Standing Committee and Council that the review be carried out in as simple and expedient as way as possible to meet the requirements set out in the report dated May 30, 2014.
- Pending any matters coming from the consultation process or Council the position of staff is that the existing number and boundaries of polling districts meet the requirements as outlined in the MGA and the 2011 order of the NSUARB and do not require alteration.

FINANCIAL IMPLICATIONS

The financial implications of undertaking a simplified boundary review process in 2014 are outlined in the staff report from the Director of Legal Services to the Executive Committee dated May 30, 2014.

Any engagement activities beyond those outlined in the recommendation from the Executive Standing Committee to Council would require Council to direct staff to increase the unbudgeted item and identify a further funding source in fiscal 2014-2015.

COMMUNITY ENGAGEMENT

The recommended engagement process to satisfy the legislative requirement to conduct the review is outlined in the staff report dated May 30, 2014 and the motion of the Executive Standing Committee

ATTACHMENTS

Appendix A - Updated Summary of Voters by district based on the 2011 census figures.

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> 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, 490-6456

APPENDIX A - Table of Estimated Voters per Polling District and Percentage Deviations from Average based on 2011 Census Data

2012 Districts	District	Estimated Voters 2014	Percentage deviation from average
	1	16,954	-17.9%
	2	21,817	5.7%
	3	22,575	9.4%
	4	20,751	0.5%
	5	23,321	13.0%
	6	20,914	1.3%
	7	22,686	9.9%
	8	23,073	11.8%
	9	22,981	11.3%
	10	21,658	4.9%
	11	19,935	-3.4%
	12	21,277	3.1%
	13	19,010	-7.9%
	14	16,418	-20.5%
	15	17,840	-13.6%
	16	19,092	-7.5%

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Total Voters	330,302
Districts	16
Voters/Dist	20,644
Above 10%	22,708
Below 10%	18,579

Voters and percentage deviation from average
based on 2011 actual census data
Produced by GIS Services