



PO Box 1749  
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## Item No. 3

Halifax Regional Council  
December 4, 2007

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

**SUBMITTED BY:**

A handwritten signature in cursive script, appearing to read "M. Donovan".

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Mary .Ellen. Donovan, Director, Legal Services and Risk Management

**DATE:** November 28, 2007

**SUBJECT:** Polling District Boundaries

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### INFORMATION REPORT

#### ORIGIN

This report arises out of the Municipality's application before the Utility and Review Board (heard June 13, 2007) for amendments to the Polling District boundaries for the 2008 Municipal election.

#### BACKGROUND

Following the decision of the Utility and Review Board in February 2004 setting the Polling District boundaries for the 2004 Municipal election, a group of citizens from Cherry Brook/Lake Loon calling themselves the Boundary Action Reversal Committee filed an application seeking to have the boundaries modified to include the Cherry Brook/Lake Loon area included in District #4 (Cole Harbour). In a decision dated June 21, 2004 the Utility and Review Board adjourned the Boundary Action Reversal Committee's application, to be heard at the same time as the Municipality's next application, scheduled for 2006.

Because of the Utility and Review Board's 2004 decision adjourning the Boundary Action Reversal Committee's application, two applications were heard by the Utility and Review Board at the same hearing: the application submitted by Regional Council and the application submitted by the Boundary Action Reversal Committee.

Following a motion of Regional Council on April 17, 2007, the Municipality filed its application with the Utility and Review Board requesting the following amendments to the Polling District boundaries for the 2008 Municipal election:

- a. Bedford South area (Attachment A - Map #1): Adjust the boundary between District 16 (Rockingham - Wentworth) and District 21 (Bedford). The current boundary bisects several recently created and proposed lots at Rochdale Place and Worthington Place. The adjusted boundary would place all lots fronting on Rochdale Place and Worthington Place within District 21, as these two culs-de-sacs are only accessible from Vanier Way, which is already located in this District. The rest of the boundary would remain unchanged. This recommendation would have a negligible effect on the number of voters in each district. It is a housekeeping amendment designed to eliminate potential confusion.
- b. Hubley Lake area (Attachment A - Map #2): Adjust the boundary between District 22 (Timberlea - Prospect) and District 23 (Hammonds Plains - St. Margarets) to follow nearby lot lines. The rest of the boundary would remain unchanged. This recommendation would have a negligible effect on the number of voters in each district. This can be characterized as a housekeeping amendment.
- c. Middle & Upper Sackville - Lucasville (Attachment A - Map #3): Adjust the boundary between District 2 (Waverley - Fall River - Beaver Bank) and District 19 (Middle & Upper Sackville - Lucasville) so that the lands containing Barretts Lumber and homes owned by Mr. Barrett surrounding the business be placed in District 2. The rest of the boundary would remain unchanged. This recommendation would have a negligible effect on the number of voters in each district.

The Boundary Action Reversal Committee's application requested that the boundary between Polling District #3 (Preston-Lawrencetown-Chezzetcook) and Polling District #4 (Cole Harbour) be moved to accommodate the Cherry Brook/Lake Loon area in Polling District #4 (Attachment A - Map #4).

## **DISCUSSION**

The Utility and Review Board approved the Municipality's application, with an amendment to the boundary between Polling Districts #3 and #4 as per the Boundary Action Reversal Committee's application.

The criteria for the Utility and Review Board to consider is set out in section 368(4) of the *Municipal Government Act*:

In determining the number and boundaries of polling districts the Board shall consider number of electors, relative parity of voting power, population density, community of interest and geographic size.

The target variance for voter parity is +/- 10%, with variances permitted up to +/- 25% where it can be justified by a municipality.

The sole contentious issue in HRM's application was the location of the boundary between Districts #3 and #4. The Board accepted the evidence presented by the Boundary Action Reversal Committee that there is a strong community of interest between Cherry Brook/Lake Loon and Cole Harbour, as was evidenced by recreational issues, water and sewer services, fire protection service areas, traffic infrastructure and school districts. The effect on the variance for Polling District #3 would be a decrease from 14.1% to 9.1%, while the variance for Polling District #4 would increase from 8.9% to 13.9%.

In transferring Cherry Brook/Lake Loon to Polling District #4 from Polling District #3, the Utility and Review Board notes that "this boundary, and others, will be subject to further examination in 2010 when HRM conducts a comprehensive review of the number and boundaries of polling districts" (at paragraph 46).

### **BUDGET IMPLICATIONS**

None.

### **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

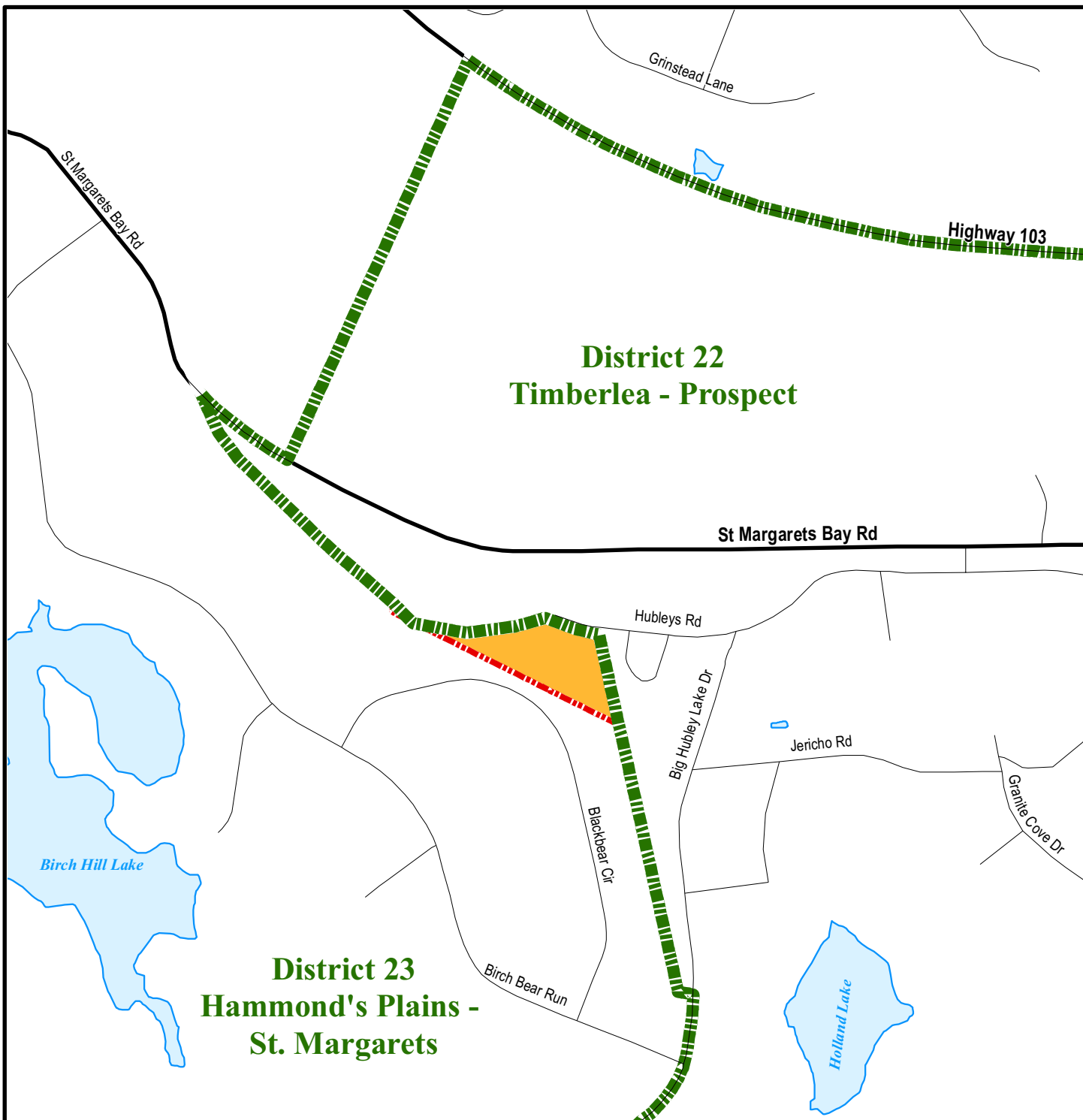
This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

### **ATTACHMENTS**




Attachment A: Maps reflecting changes to Polling District boundaries as approved by the Utility and Review Board, 2007 NSUARB 166

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 : Sara Knight, Solicitor, 490-4226



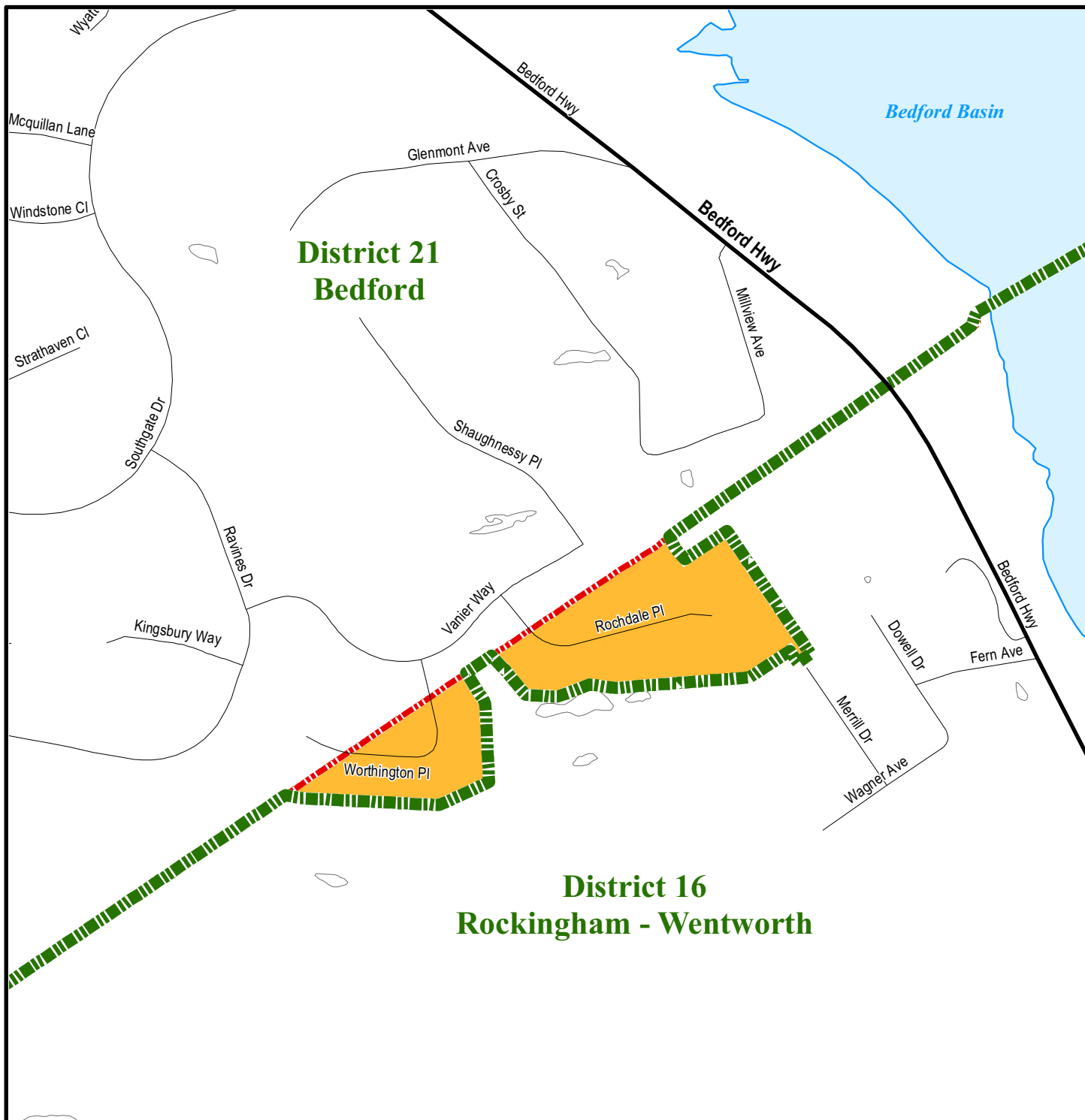
Map 1  
Hubley Lake Area

-  Approved district boundary
-  2004 district boundary (current)
-  Area allocated to District 23






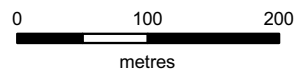
Decision of Nova Scotia  
Utility and Review Board  
November 22, 2007

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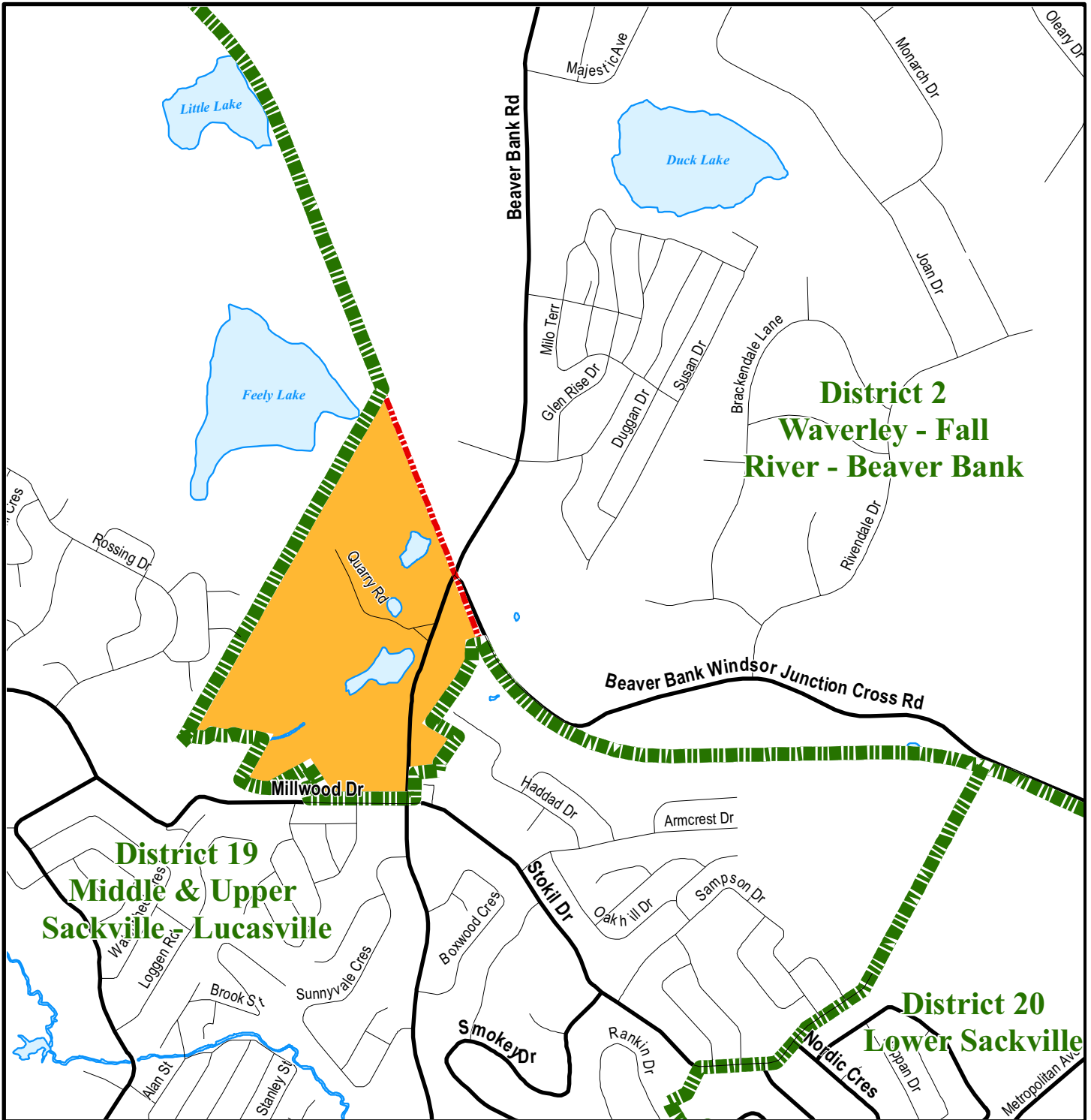
Map 2  
Bedford South Area

-  Approved district boundary
-  2004 district boundary (current)
-  Area allocated to District 21






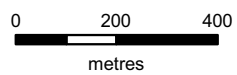
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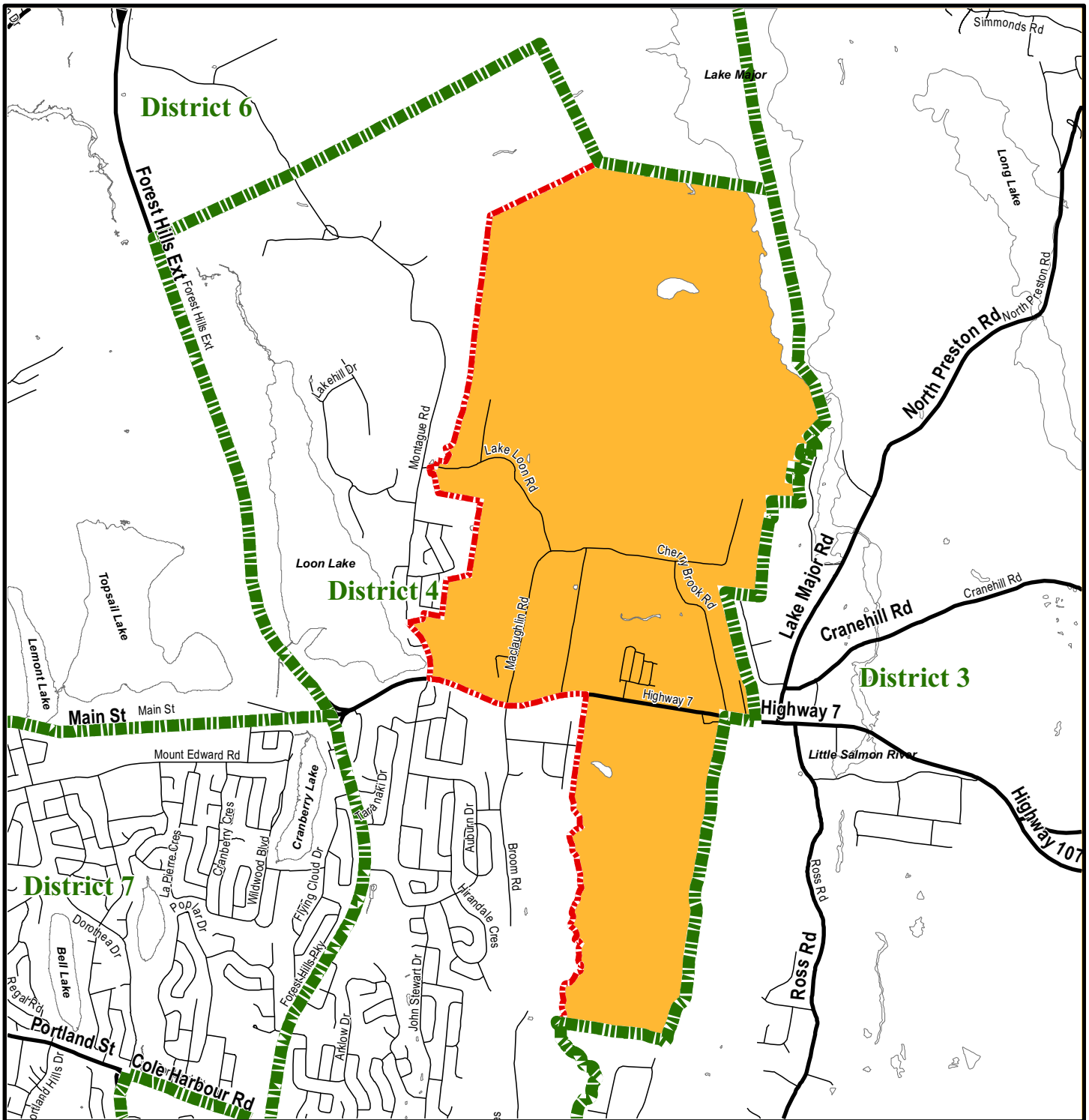
Map 3  
 Quarry Road area  
 Beaver Bank

-  Approved district boundary
-  2004 district boundary (current)
-  Area allocated to District 2






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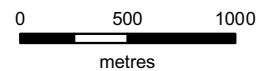
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Map 4  
Cherry Brook Area

-  Approved district boundary
-  2004 district boundary (current)
-  Area allocated to District 4

**HALIFAX**  
REGIONAL MUNICIPALITY  
COMMUNITY DEVELOPMENT  
PLANNING SERVICES



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