





P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 11.1.4
Halifax Regional Council
December 2, 2014

TO: Mayor Savage and Members of Halifax Regional Council
Original signed by 

SUBMITTED BY: Richard Butts, Chief Administrative Officer
Original Signed by 
Mike Labrecque, Deputy Chief Administrative Officer

DATE: November 7, 2014

SUBJECT: 2014 Municipal Polling District Boundary Review – Final Report

ORIGIN

Correspondence from the Nova Scotia Utility and Review Board dated February 13, 2014 outlining the requirement to conduct a review in 2014.

Halifax Regional Council Motion of August 5, 2014 regarding undertaking the required 2014 polling district boundary review.

LEGISLATIVE AUTHORITY

Section S. 364 of the *Halifax Regional Municipal Charter* which states:
Part XVI of the *Municipal Government Act* applies to the Municipality. 2008, c.39, s364

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 councillors.

RECOMMENDATION

That Halifax Regional Council;

- 1) Confirm for the 2014 polling district review that the number of polling districts and therefore number of Councillors within the Halifax Regional Municipality established by order of the Nova Scotia Utility and Review Board (the "Board") in December 2010/2011 be unchanged.
- 2) Generally confirm the fairness and reasonableness of the polling district boundaries within the municipality with consideration by the Board in the 2014 review with three (3) minor boundary adjustments:

Recommendation continued on pg. 2...

- a. In the event the municipality adjusts the community boundary of Westphal to include the subdivision east of Salmon River Drive prior to the 2016 municipal and school board elections, that the Board order that the boundaries of polling Districts 4 and 2 also be changed as outlined in Attachment 1 of this report upon notice of the change in community boundary.
 - b. The boundary between polling District 13 and District 14 along the Hammonds Plains Road from the Lucasville Road to the Kearney Lake Road be changed as outlined in Attachment 2 of this report.
 - c. The boundary between polling District 9 and District 11 be adjusted to include the new development of Long Lake Village in polling District 11, as outlined in Attachment 3 of this report.
- 3) And, that the Mayor and Municipal Clerk be authorized to execute the required application to the Nova Scotia Utility and Review Board in keeping with the direction provided by Regional Council.

BACKGROUND

The municipality received correspondence from the Board dated February 13, 2014 indicating that, in accordance with the Municipal Government Act, a polling district boundary review was required to be undertaken in 2014. In light of the review undertaken by the municipality in 2010/2011 discussions were held with the Board to determine if the requirement for a review could be waived. It was determined that the Board had no jurisdiction to waive the 2014 review.

Given the extensive nature of review conducted by the municipality in 2010/2011 the Board indicated the purpose of the review would be to determine, through opportunity for public input, if there were any matters related to the number of districts or district boundaries that needed to be addressed.

By motion of Halifax Regional Council August 5, 2014 Council adopted the recommendation of staff and the Executive Standing Committee that Regional Council would;

- receive written submissions in regard to the number of polling districts and their boundaries, and
- conduct three (3) public hearings, one at each Community Council, and
- receive a staff report in regard to any matters raised through those submissions, and
- consider recommendations regarding confirming or altering the number and/or boundaries of polling districts

DISCUSSION

During September 2014 advertisements regarding the 2014 Boundary Review were placed in regional, community and local papers and information was provided on the municipal website (halifax.ca). A presentation was made by staff and public hearings held in October at each of the three (3) Community Councils. Written submissions were received by the Office of the Municipal Clerk up to and including October 20, 2014.

In total eight (8) written submissions were received from the public in regard to minor boundary changes. One (1) letter was submitted expressing the view that the boundaries of District 9, 10, 11, 12, 13 and 16 should be altered and a 17th polling district added to allow Clayton Park to have its own polling district.

One (1) person spoke at Halifax and West Community Council, three (3) at North West Community Council and there were no speakers at the Harbour East Marine Drive Community Council.

Each submission was considered and evaluated in accordance with the decision of the 2010/2011 and

previous decisions and directions of the Board.

In reducing the number of polling districts from twenty-three (23) to sixteen (16) the Board was clear that the interests of a number of communities could be represented within a single polling district. A different opinion was expressed in one submission, however, there was no factual evidence presented to the contrary. Given the recent decision of the Board setting the number of polling districts at sixteen (16), the general lack of public response regarding the number of polling districts, and the analysis undertaken by staff in the information report dated July 21, 2014 (attached) staff recommend that Regional Council:

- Confirm for the 2014 polling district review that the number of polling districts and therefore number of Councillors within the Halifax Regional Municipality be unchanged.

Analysis was conducted regarding the three (3) proposed minor boundary changes as follows:

1) Salmon River Drive Subdivision – Boundary of Districts 4 and 2

The Board was clear in previous decisions that the polling district boundary for District 4 should include the communities of Cole Harbour, Westphal, Cherry Brook and Lake Loon.

The Municipality is currently conducting a review of the community boundary of East Preston and Westphal. Several neighbourhoods have received correspondence from the civic address division seeking their input into that boundary review. Recommendations are expected to be before Regional Council early in 2015.

Due to the interest generated by the community boundary review of the eight (8) of the nine (9) submissions received by the Clerk's Office were in support of moving the polling district boundary between Districts 2 and 4 to include the Salmon River Drive subdivision in polling District 4, as outlined in Attachment 1 of this report. The subdivision is primarily accessed by residents from Ross Road and a portion of the subdivision is currently in District 4.

This change would affect approximately 220 voters and would not substantially alter the percentage of voters in either District. Staff support the polling district boundary change provided it is consistent with any revision to the community boundary of Westphal.

2) Hammonds Plains Road (North side from Lucasville Rd to Kearney Lake Rd) – Boundary of Districts 13 and 14.

One (1) letter was received requesting a minor boundary change to include the north side of the Hammonds Plans Road from the Lucasville Rd to Kearney Lake Road in District 13 and this request was supported by one (1) other speaker at the public hearing at the North West Community Council.

The Hammonds Plains Road was used as the boundary between District 13 and 14 so that the boundary would be easily identifiable for voters. The 2010/2011 Utility and Review Board decision substantially reworked the boundaries of Sackville and Upper and Middle Sackville to create the current polling districts. Consideration was given by the Board to the location of the polling district boundaries in this area. District 14 has a substantially lower number of voters than other polling districts in HRM (-20.5%) and is outside of the usual +/- 10% of the average number of voters in each district based on the direction provided by the Board.

Given that the proposed boundary change affects only twenty-seven (27) voters and that the interest of residents on both side of the Hammonds Plains Road in regard to traffic and development are shared, staff support the boundary change provided it is limited to the area outlined in Attachment 2 of this report. Any substantial reduction in the number of voters in District 14 could not be supported.

3) New Development (Long Lake Village) – Boundary of Districts 9 and 11

New growth was, as much as possible, considered in establishing polling district boundaries. A minor boundary change in regard to new development at the boundary between Districts 9 and 11 was identified by members of Council and supported by staff.

Long Lake Village is a new development at the top of Cowie Hill Road and the North West Arm Drive, which is expected to have approximately two hundred (200) voters by 2016 and approximately seven hundred (700) voters at total build out (based on density approved in the Development Agreement). Total build out is expected within the next 3-5 years. Staff supports the change of the polling district boundary, as outlined in Attachment 3 of this report, to better align the actual boundary to be identifiable by voters and place the new development in District 11, which has a lower number of voters.

In summary, the three (3) proposed boundary changes can be supported by staff as they are minor in nature; do not represent any substantial change to the percentage deviation in any polling district; and represent alignment with communities of interest, transportation corridors and other considerations taken into account by the Board when determining polling district boundaries.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

COMMUNITY ENGAGEMENT

The request for written submissions in regard to the 2014 polling district boundary review was advertised across the municipality in three (3) regional and eleven (11) local and community newspapers during September 2014 and on the halifax.ca web site.

Public hearings were held at each of the three (3) Community Council meetings in October 2014.

ENVIRONMENTAL IMPLICATIONS

Not Applicable

ALTERNATIVES

Halifax Regional Council could determine not to support the recommendations outlined in this report.

Halifax Regional Council could request analysis and a report regarding other proposed changes to be considered by the Council, this is not recommended as no additional matters were brought forward during the consultation process.

ATTACHMENTS

- Attachment 1 – Proposed Boundary Changes – Salmon River Subdivision (District 4 & 2)
- Attachment 2 – Proposed Boundary Changes- Hammonds Plains Road (Districts 13 & 14)
- Attachment 3 – Proposed Boundary Changes – Long Lake Village (Districts 9 & 11)
- Attachment 4 – Table of number of voters/percentage deviations with proposed boundary adjustments
- Attachment 5 – Information Report dated July 21, 2014

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 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Cathy J. Mellett, Municipal Clerk 902.490-6456

Original Signed by Director

Report Approved by: John Traves, Q.C., Director-Legal , Insurance and Risk Management Services
902.490. 4219

HALIFAX

**Salmon River Rd
and Area**



Current Polling District



Proposed New Polling District



Date Prepared: October 2014

DISTRICT 2

DISTRICT 4

Little Salmon River

**Proposed New District Line Between
District 4 and District 2**

LAKE MAJOR RD

CRANET
BAINBRIDGE CRT

LORE DR

ROSS RD

SALMON RIVER DR

CHATEL DR

SHANNON DR

RICHARDSON DR



RYEDALE CRT

CHRIS EVAN DR

HIGHWAY-107

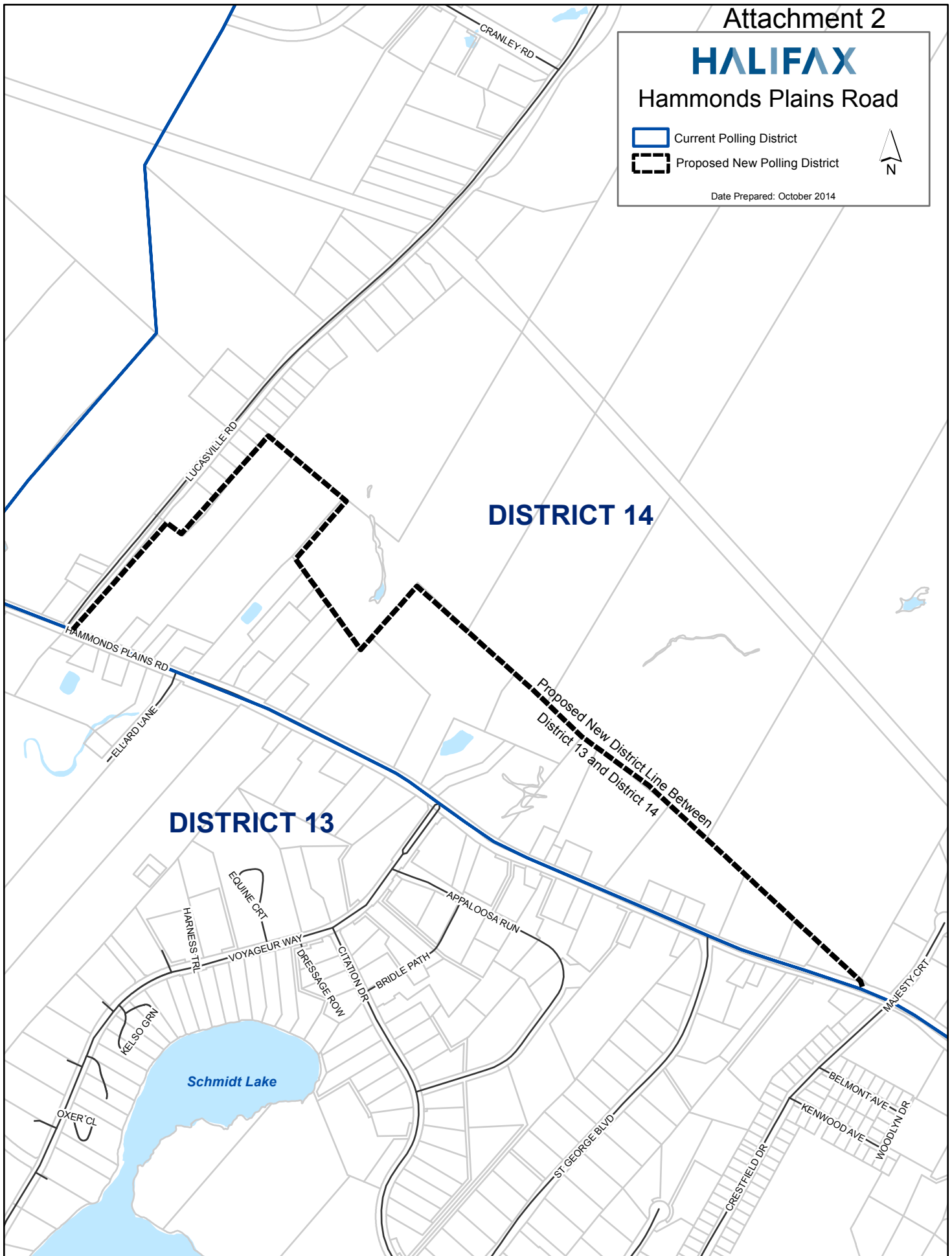
HALIFAX

Hammonds Plains Road

-  Current Polling District
-  Proposed New Polling District





Date Prepared: October 2014

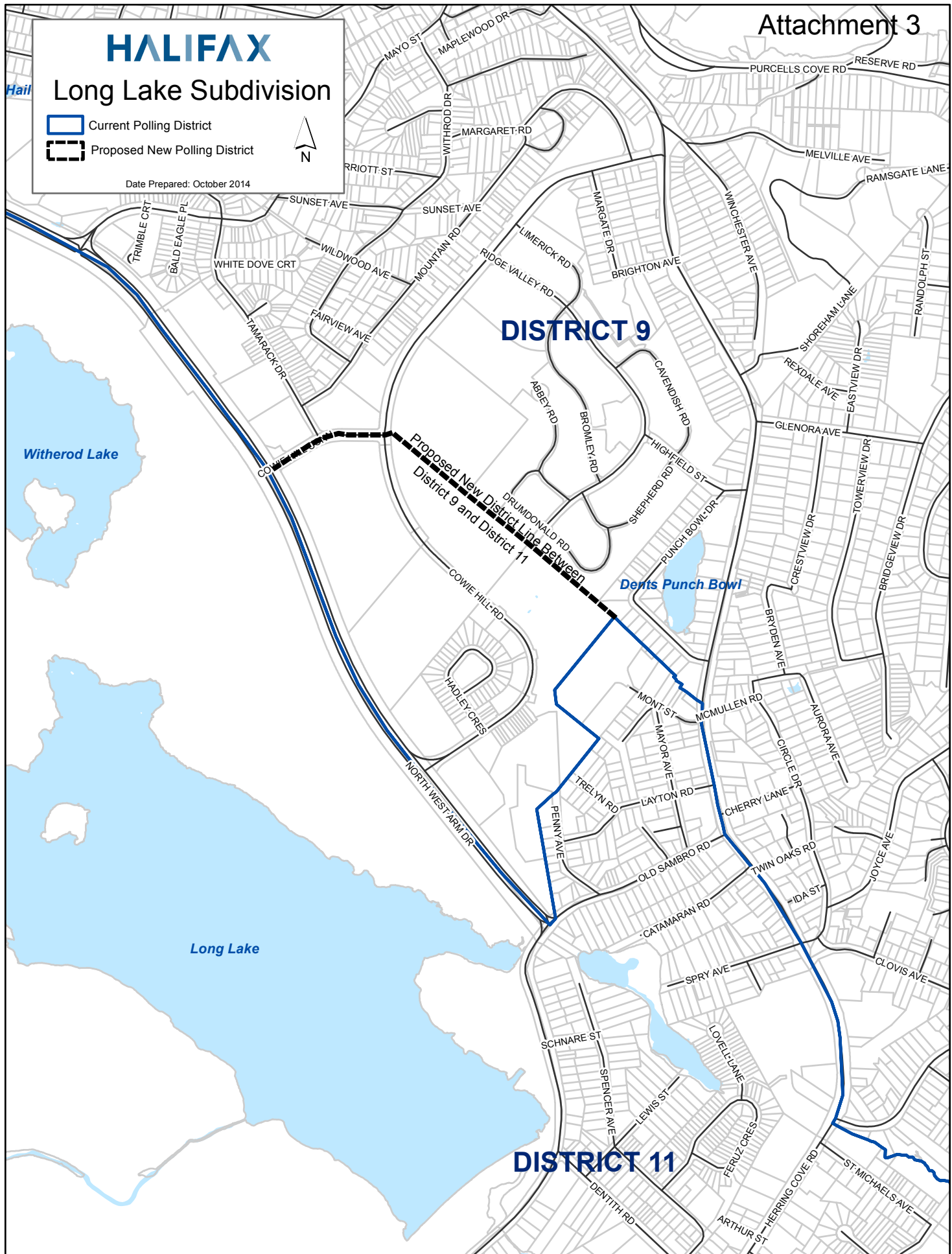


HALIFAX

Long Lake Subdivision

-  Current Polling District
-  Proposed New Polling District

Date Prepared: October 2014



DISTRICT 9

Proposed New District Line Between
District 9 and District 11

Dents Punch Bowl

DISTRICT 11

Long Lake

Witherod Lake

Attachment 4

2012 Districts	District	Estimated Voters	Percentage deviation from average
	1	16,954	-17.9%
	2	21,598	4.6%
	3	22,575	9.4%
	4	20,970	1.6%
	5	23,321	13.0%
	6	20,914	1.3%
	7	22,686	9.9%
	8	23,073	11.8%
****	9	22,791	10.4%
	10	21,658	4.9%
****	11	20,135	-2.5%
	12	21,277	3.1%
	13	19,037	-7.7%
	14	16,381	-20.7%
	15	17,840	-13.6%
	16	19,092	-7.5%

ATTACHMENT 4

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

Using the 2011 Census Data
provided by Stats Canada

**** The Long Lake Development which is currently in District 9 and we are proposing it move to District 11 is estimated to have 700 Voters at Build Out. The Build Out at this time is not yet determined. We are using for this analysis a Voter Count of 200 projected for next election

HALIFAX

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

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