

## **HALIFAX REGIONAL SCHOOL BOARD**

### **Application to the Nova Scotia Utility and Review Electoral Boundary Report**

**PURPOSE:** To receive approval from the Board to file an application with the Nova Scotia Utility and Review Board regarding Halifax Regional School Board Electoral District Boundary revisions.

**BACKGROUND:** On September 23, 2015, during an In-camera session, John MacPherson, counsel from McInnes Cooper presented the Governing Board members with information regarding an electoral boundary review hearing at the Nova Scotia Utility and Review Board. He explained that section 43 of the *Education Act* requires a school board to apply to the Nova Scotia Utility and Review Board to confirm or change the number and boundaries of the electoral districts in the school district or region every 8 years.

He then went on to discuss the two last applications filed with the NSUARB. The first occurred in 2008 at which time, the Board applied to the NSUARB to reduce the number of electoral districts and school board members from 12 to 8. This Application was granted by the NSUARB. The eight electoral districts were comprised of combinations of the existing HRM municipal electoral districts.

The second application, in 2011, resulted in the need for the HRSB to file an application to adjust its boundaries to match those of HRM as a result of the number of Halifax Regional Municipality electoral districts being reduced from 23 to 16.

It is important for HRSB to have boundaries which follow those of HRM for a number of reasons. One of the most significant is the cost of running elections which is minimized by having boundaries that are similar to those of HRM. A second major reason is to avoid confusion in the electorate as to the region represented by the elected board members.

An extensive review and consultation process was undertaken in 2012. A number of options were considered by the elected Board and ultimately the current electoral district boundaries were proposed to the NSUARB. The NSUARB approved those boundaries.

Lastly, Mr. MacPherson explained that earlier this year, HRM applied to the NSUARB for minor revisions to its electoral boundaries. The Decision of the NSUARB dated June 8, 2015 describing the changes, was explained to the Governing Board and attached to the September 23, 2015 report (Appendix 1). This report put forth two recommendations.

1. The Board approve, putting forward for public input, the electoral changes to boundaries based on the HRM boundary proposal.

2. The Board consider aligning HRSB district names with HRM district names.

The following motion was passed:

*It was moved and seconded (Linders/Littlefair) that the Governing Board approve putting forward for public input, the changes to electoral boundaries based on the HRM boundary proposal and consider aligning HRSB district names with HRM district names and consider the possibility of using an alphabetical system to name the HRSB Districts.*

**CONTENT:**

As a result of this motion, the following steps were taken by HRSB staff to facilitate the electoral boundary review process:

- October 9, 2015 a posting was made to the HRSB website describing the proposed boundary changes and inviting the public to send their comments/questions to the Corporate Secretary
- October 29, 2015 a Tweet was sent reminding the public of the on-going consultation with regards to the electoral boundary review
- November 6 and 13, an advertisement was placed in the Halifax Metro announcing a public meeting to give input on the proposed boundary modifications
- November 7 and 14, an advertisement was placed in the Halifax Herald announcing a public meeting to give input on the proposed boundary modifications
- November 13, 2015 a Tweet was sent reminding the public of the meetings taking place during the upcoming week
- November 17, 2015 a Tweet was sent reminding the public of the meetings taking place at Central Spryfield that night
- November 17, 2015, a public consultation was held at Central Spryfield Elementary school
- November 19, 2015 a Tweet was sent reminding the public of the meeting taking place at Kingwood that night
- November 19, 2015 a public consultation was held at Kingswood Elementary

The following are the Halifax Regional Municipality electoral boundary changes which were the subject of HRSB consultations:

**1. District 13 Hammonds Plains – St. Margarets and District 14 Middle/Upper Sackville – Beaver Bank – Lucasville**

Move approximately 34 votes along Hammonds Plains Road from the Lucasville Road to the Kearney Lake Road from District 14 to District 13, at the request of residents, as issues related to access, traffic and development along the Hammonds Plains Road are shared by residents on both sides of the road.

**2. District 9 Halifax West Armdale and District 11 Spryfield – Sambro Loop – Prospect Road**

Two changes are proposed:

- 1) Move the new development at Long Lake Village, expected to be approximately 200 voters by the 2016 municipal elections and approximately 700 voters at build out, from District 9 to District 11, which has a lower number of voters and results in more rational alignment of the district boundaries in this area.
- 2) Move approximately 8 voters and the property owned by the Royal Yacht Squadron along the Purcell's Cove Road from District 11 to District 9."

Maps outlining the current electoral boundaries and proposed changes were provided to the public.

Public was also consulted with regards to District names. The following four options were suggested:

- a) Maintain the status quo.
- b) Remove all descriptors – i.e. “Electoral District 1”.
- c) Use different descriptors – District “A” as opposed to “Electoral District 1”.
- d) Use different descriptors which follow the full description of the HRM electoral districts of which the HRSB districts are comprised. For example, Electoral District 1 would be described as “Waverley/Fall River/Musquodoboit Valley/Preston/Porter’s Lake/Eastern Shore.

HRSB’s public consultation concluded on November 20, 2015 with no comments received by the Corporate Secretary. No members of the public attended the public meetings, therefore, only staff recommendations are included in this report.

**COST:** N/A

**FUNDING:** N/A

**TIMELINE:** December: Board approval of the application for filing before December 31, 2015.

**APPENDICES:** Appendix 1 - Report No. 2015-09-32 – Nova Scotia Utility and Review Electoral Boundary Report

Appendix 2 - Application to the Nova Scotia Utility and Review Board (without appendices)



## HALIFAX REGIONAL SCHOOL BOARD Nova Scotia Utility and Review Electoral Boundary Report

**PURPOSE:** To provide the Board with information regarding the upcoming electoral boundary hearing at the Nova Scotia Utility and Review Board.

**BACKGROUND:** On June 8, 2015, the Nova Scotia Utility and Review Board (NSUARB) released its decision approving the number of councilors and altering the boundaries of polling districts for the Halifax Regional Municipality (“HRM”). As a result of the NSUARB decision in the HRM Application, HRSB boundaries are no longer aligned with HRMs.

It is the practice of “pairing up” the HRM polling districts to form the HRSB electoral districts. HRSB has found that this methodology provides for an efficient electoral process which may be less costly for HRSB than alternatives which did not coordinate with HRM boundaries.

HRSB is of the view that any departure from a “pairing” of HRM polling districts would have the potential to create confusion among the voters in the school board election.

Section 43 of the Education Act requires:

*... in the year 1999 and every eighth year thereafter, every school board shall apply to the Utility and Review Board to confirm or change the number and boundaries of the electoral districts in the school district or school region.*

1995-96, c.1, s. 43; 1998, c.18, s. 555.

In 2011, the NSUARB rendered a decision which reduced the numbers of HRM electoral districts from 23 to 16. As a result, HRSB decided in 2012 to file an application to the NSUARB to change its electoral boundaries for the following reasons:

- In accordance with section 44 of the Education Act, the UARB considers the boundaries of municipal polling districts and wards when it determines the electoral boundaries for school board districts;
- School board elections are held at the same time as municipal elections and HRSB is responsible for incidental election costs related to the election of its members and with different electoral districts the cost could be significant;
- Closely aligned electoral boundaries between HRM and HRSB will lessen voter confusion.

In 2012, HRSB engaged in extensive boundary review process which was undertaken as a result of a reduction in the number of HRM electoral districts.

HRM in its recent application to review electoral districts proposed four minor changes which were accepted by the NSUARB. Because of the current configuration of the HRSB electoral districts, each of those four changes will also have an impact, although minor, on HRM's current electoral districts.

Given the approach adopted in 2012, HRSB feels that the status quo should remain in place and there is no pressing need for changes other than minor changes to mirror the amendments made to HRM's boundaries.

**CONTENT:**

HRM's public consultation concluded on October 20, 2014 with a staff report and recommendation being tabled with regional Council on December, 2014. Based on public comments and staff recommendation, the following motion was put and passed:

*MOVED by Councillor Rankin, seconded by Councillor Hendsbee, that Halifax Regional Council:*

*1) Confirm for the 2014 polling district review that the number of polling districts and therefore number of Councilors 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:*

*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 the November 7, 2014 staff 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 the November 7, 2014 staff 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 the November 7, 2014 staff report.*

HRM's application outlined the following reasons in support of altering the boundaries of the polling districts in three areas.

**District 13 Hammonds Plains – St. Margarets and District 14 Middle/Upper Sackville – Beaver Bank - Lucasville**

**Appendix A**

Move approximately 34 voters along Hammonds Plains Road from the Lucasville Road to the Kearney Lake Road from District 14 to District 13, at the request of residents, as issues related to access, traffic and development along the Hammonds Plains Road are shared by residents on both sides of the road.

**District 9 Halifax West Armdale and District 11 Spryfield - Sambro Loop -Prospect Road**

Two changes are proposed:

i) Move the new development at Long Lake Village, expected to be approximately 200 voters by the 2016 municipal elections and approximately 700 voters at build out, from District 9 to District 11, which has a lower number of voters and results in more rational alignment of the district boundaries in this area.

ii) Move approximately 8 voters and the property owned by the Royal Yacht Squadron along the Purcell's Cove Road from District 11 to District 9.

A second issue to consider is district names. Currently HRM and HRSB names are not aligned (see Appendix 4). Aligning electoral boundaries may also be an opportunity to align names.

**COST:** N/A

**FUNDING:** N/A

**TIMELINE:** September: Approval by the board of the proposed boundaries.  
October: Advertisements in newspaper concerning the proposed boundaries, webpage creation and public meetings.  
November: Completion of the formal application.  
December: Board approval of the application for filing before December 31.

**APPENDICES:** Appendix 1 - NSUARB HRM decision dated June 8, 2015  
Appendix 2 - HALIFAX REGIONAL COUNCIL MINUTES December 2, 2014  
Appendix 3 - NSUARB HRSB decision dated March 7, 2012  
Appendix 4 - HRM and HRSB district names

**RECOMMENDATIONS:** The Board approve, putting forward for public input, the electoral changes to boundaries based on the HRM boundary proposal.

The Board consider aligning HRSB district names with HRM district names.

**COMMUNICATIONS:** N/A

**From:**

For further information please contact:

Natascha Joncas, acting corporate secretary at 464-2000 ext. 2324 or at email address [njoncas@hrsbn.ca](mailto:njoncas@hrsbn.ca)

**To:**

Senior Staff  
Halifax Regional School Board

September 22, 2015  
September 23, 2015

**NOVA SCOTIA UTILITY AND REVIEW BOARD**

**IN THE MATTER OF:** An application pursuant to the **EDUCATION ACT**

The Halifax Regional School Board makes application to the Nova Scotia Utility and Review Board to:

- ( ) confirm the number and boundaries of the electoral districts.
  - (x) change the number and boundaries of the electoral districts.
1. There are at present 8 electoral districts. The Halifax Regional School Board (“HRSB”) proposes to maintain the current number of districts but slightly modify the boundaries of several of those districts.
  2. The principal language of instruction of the school board is English and the language of the school population in areas of the district is English.
  3. The following is a brief outline of each electoral district, currently including the names of the larger communities, the geographic size, any relevant geographic features, and any factors which establish a particular community of interest in the electoral district:

**Electoral District 1**

Eastern Shore/Fall River (HRM Districts 1 and 2 – Waverley – Fall River – Musquodoboit Valley and Preston – Porters Lake – Eastern Shore)

This district is comprised of HRM Districts 1 and 2. This district is made up of all four of the schools in the Musquodoboit Rural High family of schools, all four of the schools in the Duncan MacMillan High family of schools, all five of the schools in the Eastern Shore District High family of schools, five of the nine schools in the Lockview High families of schools that are located in the Beaver Bank areas, two of the twelve schools in the Cole Harbour District High family of schools that are located in the Preston, Mineville and Lawrencetown areas, and one of nine schools in the Auburn family of schools that is located in the Lake Echo area. This district maintains an electoral boundary with a rural representation and largely maintains families of schools boundaries. The Eastern Shore Fall River Electoral District is generally similar to the current District 1, Eastern Shore Musquodoboit Valley and Preston – Lawrencetown – Chezzetcook.

**Electoral District 2**

Cole Harbour/Dartmouth East (HRM Districts 3 and 4 – Woodside – Dartmouth South – Eastern Passage and Cole Harbour – Westphal)

This district is comprised of HRM Districts 3 and 4. This district is made up of ten of twelve schools in the Cole Harbour District High family of schools, eight of nine schools in the Auburn Drive High family of schools, three of twelve schools in the Prince Andrew High family of schools that are located in the Portland Estates and Mount Edward Road area, and one of eleven schools in the Dartmouth High family of schools that is located

in the Woodside area. This district is comprised of the Eastern Suburban area of Dartmouth and is made up of largely mixed residential communities which share a community of interest.

### **Electoral District 3**

Dartmouth Centre/Dartmouth North (HRM Districts 5 and 6 – Dartmouth Centre and Harbourview – Burnside – Dartmouth East)

This district is comprised of HRM Districts 5 and 6. This district is made up of ten of eleven schools in the Dartmouth High family of schools and nine of twelve of the schools in the Prince Andrew High family of schools. This district includes the Dartmouth Central area and is made up of a mix of businesses and mixed residential areas. This district encompasses much of the “old” City of Dartmouth and, as such, shares a community of interest.

### **Electoral District 4**

Peninsula South/Peninsula West (HRM Districts 7 and 9 – Peninsula South – Downtown and Peninsula West – Armdale)

This district is comprised of HRM Districts 7 and 9. This district is made up of ten of sixteen schools in the Citadel High family of schools and three of eleven schools in the J.L. Ilsley High family of schools that are located in the Herring Cove Road and Williams Lake Road areas. This district includes the downtown business district of Halifax and the residential area of the South End of Halifax, West End Halifax and Spryfield. This pairing of the HRM districts allows for two elected representatives for the major portion of the peninsula of Halifax (Districts 7 and District 8) while encompassing most of the family of schools for Citadel High.

### **Electoral District 5**

Peninsula North/Fairview (HRM Districts 8 and 10 – Peninsula North and Birch Cove – Rockingham – Fairview)

This district is comprised of HRM Districts 8 and 10. This district is made up of six of sixteen schools in the Citadel High family of schools that are located in the North Peninsula and Fairview areas and seven of twelve of the Halifax West High family of schools that are located in the area east of Dunbrack Street. This district is comprised of largely of mixed residential communities. This pairing of the HRM districts allows for two elected representatives for the major portion of the peninsula of Halifax (District 7 and District 8) while encompassing areas which generally share a community of interest.

### **Electoral District 6**

Clayton Park West/Spryfield (HRM Districts 11 and 12 – Spryfield – Sambro – Prospect Road and Timberlea – Beechville – Clayton Park West)

This district is comprised of HRM Districts 11 and 12. This district is made up on eight of eleven schools in the J.L. Ilsley High family of schools that are located in the Spryfield, Harrietsfield, Herring Cove and Sambro catchment areas, two of eight schools in the Sir

John A. Macdonald High family of schools that are located in Prospect, Hatchet Lake and Timberlea catchment areas, five of twelve of the schools in the Halifax West High family of schools that are located in Beechville and Dunbrack catchment areas, and one of eight schools in the C.P. Allen family of schools that is located in the Hammonds Plains area. The district is largely a rural community with some suburban communities in the Beechville, Timberlea and Dunbrack Street areas. This district encompasses a large portion of the current District 6.

#### **Electoral District 7**

South Shore/Bedford (HRM Districts 13 and 16 – Hammonds Plains – St Margarets and Bedford – Wentworth)

This district is comprised of HRM Districts 13 and 16. This district is made up of six of eight of the schools in the Sir John A. Macdonald High family of schools, seven of eight schools in the C.P. Allen High family of schools, and one of the schools in the Sackville High family of schools that is located in the Lower Sackville area. This district is comprised of the mixed business and residential areas of Bedford, suburban areas of Tantallon, Pockwock and Kingswood and rural areas of the Hubbards and French Village communities. This district encompasses a large portion of the current District 7.

#### **Electoral District 8**

Lower Sackville/Upper Sackville (HRM Districts 14 and 15 – Upper/Middle Sackville – Beaver Bank and Lower Sackville)

This district is comprised of HRM Districts 14 and 15. This district is made up of nine of the schools in the Sackville High family of schools, all five of the schools in the Millwood High family of schools, and four of nine schools in the Lockview High family of schools that are located in the Beaver Bank area. The district is made up of the suburban areas of Sackville and rural areas of Upper Sackville and Beaver Bank which share a community of interest.

4. The following table shows the latest population and elector statistics.

District	HRM Districts	Population	School Age Population	Electors	% of Total Electors	Variance from Average	
						%	Number
1	1	48,724	8,270	16,954	11.73	(-6.01)	(2,517)
	2			21,817			
				38,771			
2	3	51,750	7,047	22,575	13.11	+4.93	2,038
	4			20,751			
				43,326			
3	5	51,471	5,678	23,321	13.39	+7.13	2,947
	6			20,914			
				44,235			
4	7	51,115	4,588	22,686	13.77	+10.1	4,197
	9			22,799			
				45,485			
5	8	50,722	4,737	23,073	13.54	+8.33	3,443
	10			21,658			
				44,731			
6	11	50,023	6,966	20,127	12.53	+0.20	116
	12			21,277			
				41,404			
7	13	48,194	8,475	19,045	11.50	(-7.63)	(3,151)
	16			19,092			
				38,137			
8	14	41,595	6,095	16,373	10.35	(-17.1)	(7,075)
	15			17,840			
				34,213			

Total Electors: 330,302  
Average Electors Per District: 41,288

The above noted figures reflect the number of electors etc. following the changes occasioned by the amendments requested in this Application. The number of electors is taken from the decision of the NSUARB in regard to the boundary application by the Halifax Regional Municipality, dated June 8, 2015 (2015 NSUARB 148/M06101) at page 4.

5. (a) The following changes to the number and boundaries of the electoral districts are proposed:

HRSB does not propose any change in the number of electoral districts. It does propose minor changes in the boundaries of several of its districts to mirror the changes approved for the HRM municipal electoral districts in the Board's decision of June 8, 2015 referenced above.

- (b) The reasons for these proposed changes are as follows:

#### **2008 NSUARB Decision**

In 2008, the HRSB applied to the NSUARB to reduce the number of electoral districts and elected school board members from 12 to 8. (These are the members elected from specific districts and do not take into consideration the African Nova Scotian Board Member or the Mi'kmaq Board Member).

The application was granted by the NSUARB in its decision of March 4, 2008 (2008 NSUARB 20). The electoral districts were comprised of combinations of the then existing HRM municipal electoral districts.

#### **2012 NSUARB Decision**

In 2011, the NSUARB reduced the number of HRM electoral districts from 23 to 16. This resulted in the need for the HRSB to file an application to adjust its boundaries to match those of HRM.

It is important for HRSB to have boundaries which follow those of HRM for a number of reasons. One of the most significant is the cost of running elections which is minimized by having boundaries which mirror those of HRM. A second major reason is to avoid confusion in the electorate as to the region represented by the elected school board member.

An extensive review and consultation process was undertaken by the HRSB in 2012. A number of options were considered by the elected Board and ultimately the current electoral district boundaries were proposed to the NSUARB. The NSUARB approved those boundaries as described above.

#### **2015 HRM Application**

Earlier this year, HRM applied to the NSUARB for minor revisions to its electoral boundaries. The Decision of the NSUARB, dated June 8, 2015, describes these changes as follows at page 4, paragraph 8:

"The following reasons were outlined in the application in support of altering boundaries of the polling districts in three areas:

**District 13 Hammonds Plains – St. Margarets and District 14 Middle/Upper Sackville – Beaver Bank – Lucasville**

Move approximately 34 voters along Hammonds Plains Road from the Lucasville Road to the Kearney Lake Road from District 14 to District 13, at the request of residents, as issues related to access, traffic and development along the Hammonds Plains Road are shared by residents on both sides of the road.

**District 9 Halifax West Armdale and District 11 Spryfield – Sambro Loop – Prospect Road**

Two changes are proposed:

- 1) Move the new development at Long Lake Village, expected to be approximately 200 voters by the 2016 municipal elections and approximately 700 voters at build out, from District 9 to District 11, which has a lower number of voters and results in more rational alignment of the district boundaries in this area.
- 2) Move approximately 8 voters and the property owned by the Royal Yacht Squadron along the Purcell's Cove Road from District 11 to District 9."

The NSUARB approved these revisions and issued an Order, dated June 24, 2015 which described the revised districts.

**HRSB Proposal**

HRSB proposes the following in respect of this Application:

**1. Maintain the current number of elected board members at 8**

In 2008, HRSB applied to the NSUARB to reduce the number elected district school board members from 12 to 8. This was approved by the NSUARB. In the nine years since the reduction of the number of board members it has been the experience of HRSB that an elected board comprised of eight elected board members, together with the African Nova Scotia Board Member and the Mi'kmaq Board member, has worked well from a governance perspective.

**2. Electoral Boundaries**

HRSB proposes to maintain the current configuration of electoral districts which reflect combinations of HRM electoral districts. In order to avoid voter confusion and to reduce cost of elections, HRSB requests that the NSUARB approve the minor amendments which were made to the HRM boundaries.

Although the changes in the HRM boundaries were minor, they did affect several HRSB electoral districts. The changes in HRM Districts 13 and District 14 impacted both HRSB District 7 and 8. The changes in HRM Districts 9 and 11 impacted both HRSB District 4 and 6.

### **Public Consultation**

At a meeting of the elected Board of HRSB held on September 25, 2015, HRSB passed the following motion:

"It was moved and seconded (Linders/Littlefair) that the Governing Board approve putting forward for public input, the changes to electoral boundaries based on the HRM boundary proposal and consider aligning HRSB district names with HRM district names and consider the possibility of using an alphabetical system to name the HRSB districts."

As a result of this motion, HRSB staff undertook the following steps to facilitate public consultation:

- On October 9, 2015, a posting was made to the HRSB website describing the proposed boundary changes and inviting the public to send their comments/questions to the Corporate Secretary. A copy of the materials posted to the website are attached to this application as Appendix "A".
- On October 29, 2015, a Tweet was sent reminding the public of the ongoing consultation with regards to electoral boundary review.
- On November 6 and 13, 2015, an advertisement was placed in the Halifax Metro announcing a meeting to give the public an opportunity to provide input on proposed boundary modifications. A copy of this advertisement is attached as Appendix "B".
- On November 7 and 14, 2015, an advertisement was placed in the Halifax Herald announcing a meeting to provide the public with an opportunity to provide input on proposed boundary changes. This advertisement is attached to this application as Appendix "C".
- On November 13, 2015, a Tweet was sent reminding the public of the meetings taking place during the upcoming week.
- On November 17, 2015, a Tweet was sent reminding the public of the meetings taking place at Central Spryfield that night.
- On November 17, 2015, a public consultation was held at Central Spryfield Elementary School.
- On November 19, 2015 a Tweet was sent reminding the public of the meeting taking place at Kingswood Elementary that night.

On November 19, 2015, a public consultation was held at Kingswood Elementary.

Copies of the Tweets sent by HRSB are attached as Appendix "D".

A copy of the material available to the public at the public meetings is attached as Appendix "E".

No members of the public attended the two public meetings. The Corporate Secretary did not receive any communication from the public in regard to the proposed changes.

On December 16, 2015 the Governing Board of the HRSB passed a motion directing legal counsel to file an application with the NSUARB for the changes outlined above. The resolution will be provided to the NSUARB when the minutes of this meeting are approved at the first meeting of the HRSB in January, 2016.

Maps are attached showing the current boundaries of the electoral districts as Appendix "F".

Maps showing the specific changes in electoral districts are attached as Appendix "G".

Maps showing the configuration of the proposed electoral districts are attached as Appendix "H".

A detailed description of the proposed districts is attached as Appendix "I".

HRSB requests the approval of these changes as set forth in this Application.

**DATED** at Dartmouth, County of Halifax, Nova Scotia, this     day of December, 2015.

\_\_\_\_\_  
CHAIR

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SUPERINTENDENT