

Table of Contents

Preamble.....

Part I: Notice of Sittings for the Hearing of Representations

Part II: Rules

Part III: Proposed Boundaries and Names of Electoral Districts.....

Part IV: Reasons for Recommendations and Decision

Map.....

**FEDERAL ELECTORAL BOUNDARIES
COMMISSION FOR PRINCE EDWARD ISLAND**

ELECTORAL BOUNDARIES READJUSTMENT ACT

Preamble

The decennial census of the population of the Province of Prince Edward Island was taken in 2001, and pursuant to the provisions of the *Electoral Boundaries Readjustment Act*, R.S.C. 1985, c. E-3, the Chief Statistician of Canada reported the population was then fixed at 135,294. The province is presently divided into four (4) electoral districts, designated as Cardigan, Egmont, Hillsborough and Malpeque.

The Act provides that the population of each electoral district shall correspond as nearly as may be to the electoral quota, which for Prince Edward Island stands at 33,824 inhabitants per electoral district. It is, however, necessary to take into consideration certain factors stated in section 15 of the Act. That section of the Act provides that the population in any given electoral district may not exceed or be less than twenty-five percent below the above-mentioned electoral quota, except in circumstances viewed by the Commission as being extraordinary. The electoral quota of 33,824 is determined by dividing by four the 2001 population of Prince Edward Island, which was 135,294.

PART I

Notice of Sittings for the Hearing of Representations

The Federal Electoral Boundaries Commission for the Province of Prince Edward Island, pursuant to the *Electoral Boundaries Readjustment Act*, R.S.C. 1985, c. E-3, scheduled sittings for the hearing of representations on the matter of the proposed electoral districts for the province, at the following times and places:

- (1) WOODSTOCK, Mill River Resort, The Hunter Room, Route 136, Tuesday, October 15, 2002, at 2 p.m.
- (2) SUMMERSIDE, The Loyalist Inn, Empire One Room, 195 Harbour Drive, Tuesday, October 15, 2002, at 7 p.m.
- (3) CHARLOTTETOWN, Confederation Centre, The Lecture Theatre, 145 Richmond Street, Wednesday, October 16, 2002, at 2 p.m.
- (4) STANLEY BRIDGE, Stanley Bridge Country Resort, The MacKay Room, Wednesday, October 16, 2002, at 7 p.m.
- (5) MONTAGUE, Rodd Marina Inn, The Empress Room, 115 Sackville Street, Thursday, October 17, 2002, at 2 p.m.
- (6) STRATFORD, Glen Stewart School, The Gymnasium, 34 Glen Stewart Drive, Thursday, October 17, 2002, at 7 p.m.

In the course of events, a number of the public hearings were cancelled and one was rescheduled to be heard at the same location one week later. In accordance with section 18 of the Act, the Commission made rules governing sittings for the hearing of representations, and those were set out in the notice of sittings.

In accordance with subsection 19(3) of the Act, a map was prepared showing the proposed division of the province into electoral districts and indicating the representation and names proposed to be given to each electoral district, together with the proposed boundaries of each electoral district, all of which was appended to the notice.

PART II

RULES

Hearing of Representations

Under and by virtue of the powers conferred by the *Electoral Boundaries Readjustment Act*, R.S.C. 1985, c. E-3, and of all other powers enabling it in this behalf, the Federal Electoral Boundaries Commission for the Province of Prince Edward Island made ten rules, the first eight of which are provided below.

1. These rules may be cited as the “Federal Electoral Boundaries Commission for the Province of Prince Edward Island (Hearing of Representations) Rules 2004”.
2. In these rules:
 - (a) “Act” means the *Electoral Boundaries Readjustment Act*, R.S.C. 1985, c. E-3;
 - (b) “advertisement” means the advertisement published in accordance with subsection 19(2) of the Act giving notice of the times and places of sittings to be held for the hearing of representations;
 - (c) “Chairman” includes the deputy chairman;
 - (d) “Commission” means the Federal Electoral Boundaries Commission for the Province of Prince Edward Island as established by proclamation on April 16, 2002;
 - (e) “map” means the map published with the advertisement showing the proposed division of the province into electoral districts;
 - (f) “representation” means a representation made in accordance with section 19 of the Act by an interested person as to the division of the province into electoral districts and the name proposed to be given to each electoral district;
 - (g) “secretary” means the secretary of the Commission; and
 - (h) “sitting” means a sitting held for the hearing of a representation in accordance with section 19 of the Act.
3. Sittings shall be held and representations shall be made in a manner established by the Commission from time to time.

4. (1) All persons wishing to make a representation to the Commission at any sitting should notify the secretary of the Commission in writing within fifty-three (53) days from the date of the publication of the last advertisement, stating:
 - (a) the name and address of the person by whom the representation is sought, and
 - (b) the concise statement of the nature of the representation and of the interest of such person.(2) The person signing the notice shall also state at which one of the places named in the advertisement he or she wishes his or her representation to be heard.
5. If, when the notice in writing of a representation is received by the secretary, the person signing the notice has not stated the place at which he or she wishes his or her representation to be heard, the secretary shall, in writing, ask that person at which one of the places set out in the advertisement he or she wishes to be heard.
6. (1) Two members of the Commission shall constitute a quorum for the holding of a sitting to hear representations.
 - (2) If it appears to the Chairman of the Commission that a quorum cannot be present at a sitting at any place named in the advertisement, or for any other valid reason, the Chairman may postpone that sitting to a later date and the secretary shall advise any person who has given notice of his or her intention to make representations to the Commission that the Commission will hear his or her representation at the later date named.
7. If the hearing of a representation cannot be completed within the time allowed, the Chairman may adjourn the sitting to a later date.
8. The Commission shall have the power to waive any requirement that it deems necessary in the public interest.

PART III

Proposed Boundaries and Names of Electoral Districts

There shall be in the Province of Prince Edward Island four (4) electoral districts, named and described as follows, each of which shall return one member.

In the following descriptions:

- (a) all cities, towns, communities, islands and Indian reserves lying within the perimeter of the electoral district are included unless otherwise described;
- (b) wherever a word or expression is used to denote a territorial division, such word or expression shall indicate the territorial division as it existed or was bounded on March 1, 2002; and
- (c) lot numbers and boundaries are taken from *Meacham's 1880 Atlas*.

The population figure of each proposed electoral district is derived from the 2001 decennial census.

1. CARDIGAN

(Population: 34,777)

Consisting of:

(a) the County of Kings;

(b) that part of the County of Queens comprised of: the lots 35, 36, 37, 48, 49, 50, 57, 58, 60 and 62; the Town of Stratford; and

(c) Governors Island and all other islands adjacent to the County of Kings and to the above-mentioned lots.

2. CHARLOTTETOWN

(Population: 32,245)

Consisting of the City of Charlottetown.

3. EGMONT

(Population: 35,208)

Consisting of:

(a) that part of the County of Prince comprised of: the lots 1 to 17 inclusive; the Community of Sherbrooke; the City of Summerside; Lennox Island Indian Reserve No. 1; and

(b) the islands of Hog, Bird, Holman and all other islands adjacent to the above-mentioned lots.

4. MALPEQUE

(Population: 33,064)

Consisting of:

- (a) that part of the County of Queens comprised of: the lots 20 to 24 inclusive, 29, 30, 31, 33, 34, 65 and 67; the Town of Cornwall; the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico; the communities of Brackley, Miltonvale Park, Union Road, Warren Grove and Winsloe South; Rocky Point Indian Reserve No. 3;
- (b) that part of the County of Prince comprised of: the lots 18, 19, 25 to 28 inclusive, excepting the Community of Sherbrooke and the City of Summerside; and
- (c) the islands of St. Peters, Courtin, Little Courtin, Ram and all other islands adjacent to the above-mentioned lots.

PART IV

Reasons for Recommendations and Decision

Mandate

Section 15 of the *Electoral Boundaries Readjustment Act* defines the mandate of the Commission in reviewing the existing electoral boundaries in the Province of Prince Edward Island:

15. (1) In preparing its report, each commission for a province shall, subject to subsection (2), be governed by the following rules:

- (a) the division of the province into electoral districts and the description of the boundaries thereof shall proceed on the basis that the population of each electoral district in the province as a result thereof shall, as close as reasonably possible, correspond to the electoral quota for the province, that is to say, the quotient obtained by dividing the population of the province as ascertained by the census by the number of members of the House of Commons to be assigned to the province as calculated by the Chief Electoral Officer under subsection 14(1); and
- (b) the commission shall consider the following in determining reasonable electoral district boundaries:
 - (i) the community of interest or community of identity in or the historical pattern of an electoral district in the province, and

- (ii) a manageable geographic size for districts in sparsely populated, rural or northern regions of the province.

Factors for Consideration

The Commission has interpreted the above-noted section as requiring electoral districts to be established as close as reasonably possible to the electoral quota for the province. This is the Commission's primary goal, while also taking into account community of interest, community of identity, and the historical pattern of the electoral districts in the province. While geographic size is one of the legislated considerations, the Commission has determined that given the province's size, it is not a factor.

1. Population

The 2001 decennial census population of Prince Edward Island is 135,294. This produces an electoral quota of 33,824. While the existing electoral districts reflected the purposes established in the Act, some adjustments are to be considered to better achieve the objectives. Population shifts over the past two decades have been considered in order to continue to reflect the purposes of the Act. For example, the population of the electoral district of Cardigan has remained substantially constant; however, in relative terms, it has fallen to -10.01 percent from the electoral quota.

Under subsection 15(2) of the Act, the Commission may depart from the application of the general rule in subsection 15(1) regarding community of interest or maintaining a manageable geographic size. The Commission finds it unnecessary to rely on this provision. Geographic size is not a serious factor. The proposed boundaries will more effectively address community of interest and identity within reduced variants from the electoral quota.

2. Community of Interest/Identity

Community of interest and community of identity are reflected by three different means:

- (i) the recognition of municipal boundaries;
- (ii) the natural geography of the rivers which divide Cardigan, Malpeque and Hillsborough; and
- (iii) the desirability of having one of the province's largest communities in each of the four electoral districts.

The boundaries of the four electoral districts, as prescribed by the 1994 redistribution process, require adjustment in order to give community of interest its fullest impact. While the current electoral districts conform to the historical pattern of the electoral districts, municipal amalgamations have occurred during the 1990s resulting in communities being divided between two electoral districts. Recognition of municipal boundaries is a key consideration in this redistribution. They are determined to be a significant indicator of community of interest and community of identity.

The natural geography of the river system provides a secondary indicator of community of interest. Although less relevant in 2002 than 1902, given road and highway systems in the province, the rivers offer natural boundaries that coincide with existing municipal boundaries.

Finally, the redistribution being proposed results in each of the four electoral districts containing one of the province's largest communities. While this is not a determining factor, it does provide a sense of a balance to each electoral district.

Proposed Changes

The Commission proposed two substantive changes to the electoral districts:

- (1) inclusion of all of the City of Charlottetown into the new electoral district of Charlottetown; and
- (2) inclusion of all of the Town of Stratford into the electoral district of Cardigan.

Charlottetown

Municipal reform took place in Prince Edward Island in the mid-1990s. The province enacted legislation, the *Charlottetown Area Municipalities Act*, 1994, c. 6, which enabled the amalgamation of several smaller communities into larger entities. The electoral district of Hillsborough included eight distinct municipalities located north of the Charlottetown Harbour and between the Hillsborough and Yorke rivers. The new City of Charlottetown amalgamated those communities, plus the former Community of Winsloe. The electoral district of Hillsborough includes most, but not all, of the amalgamated city. The former Community of Winsloe is in the Malpeque electoral district. Leaving this small portion of the city in a different electoral district does not achieve the objective of the redistribution legislation.

The decennial census population of Charlottetown is 32,245, which is very close to the electoral quota. This provides an opportunity to create an electoral district which replicates the boundaries of the City of Charlottetown. In addition to being the capital of the province, Charlottetown is also considered the birthplace of the nation. Thus, having a strong community of interest and identity, the City of Charlottetown forms an electoral district that fully reflects the intent of the legislation.

The Commission considered the names of the electoral districts, particularly that of Hillsborough. The electoral district names of Egmont, Malpeque, Hillsborough and Cardigan were established in 1966. At that time county lines as boundaries and the two-member electoral district of Queens were abandoned. In addition, the number of electoral districts was increased from three to four. It is the Commission's understanding that the electoral districts were named for the major bays in the Province of Prince Edward Island.

The electoral boundaries of the new electoral district of Charlottetown are no longer adjacent to Hillsborough Bay. The electoral district is bounded by Charlottetown Harbour and the Hillsborough and Yorke rivers. The Commission is unaware of any significant historical

impediments to changing the name from Hillsborough. The electoral district is comprised of the City of Charlottetown only, which is the capital of the province and the birthplace of Confederation. This provides ample foundation for the name of the new electoral district. The Commission believes that the electoral district of Charlottetown will achieve recognition at the provincial and national levels. Therefore, the Commission proposes that the electoral district be named “Charlottetown”.

Stratford

Since the last redistribution exercise in 1994, the Town of Stratford was created. The amalgamation of the communities of Bunbury, Southport, Cross Roads and Keppoch-Kinlock occurred pursuant to the *Charlottetown Area Municipalities Act*, and has resulted in the formation of the Town of Stratford. The town demonstrates a community of interest/identity through a municipal government that is focused on establishing the necessary infrastructure for a town of its size. Currently, the boundaries split the Town of Stratford between the electoral districts of Hillsborough and Cardigan.

The Cardigan electoral district has a variance from the electoral quota of over 10 percent. The Commission examined various options and ultimately determined that the Town of Stratford should not be split between two electoral districts and that the community of interest and community of identity is more effectively served by consolidating that town’s electoral representation within the electoral district of Cardigan.

Some consideration was given to attaching the Town of Stratford to the Charlottetown electoral district. However, this option is considered unworkable and would have resulted in four anomalies:

- (1) The population of Charlottetown would then greatly exceed the electoral quota by over 14 percent.
- (2) Cardigan would fall below the electoral quota by 15.8 percent unless Cardigan was expanded west to attach a large section of Malpeque.
- (3) Stratford is separated from the rest of Charlottetown by a natural boundary of the Hillsborough River.
- (4) Two of the three largest communities in the province would be in the same electoral district, and none would be in the Cardigan electoral district.

Stratford is sufficiently distinct to maintain its separation from Charlottetown. In addition to having the Town of Stratford in the Cardigan electoral district, each of the four electoral districts will have a significant community within its boundaries – the Town of Stratford in Cardigan, the City of Charlottetown in the electoral district of Charlottetown, the Town of Cornwall and its surrounding suburban area in Malpeque, and the City of Summerside in Egmont. There is symmetry in having each of the four electoral districts anchored with a strong municipal presence.

Ancillary Considerations

The Commission entertained the possibility of smoothing the electoral boundaries to make cleaner lines from a geographical perspective; however, this would have resulted in splitting suburban and rural communities without achieving corresponding benefits. The Commission ultimately determined that the legislation and its respect for community of interest is reflected through the observance of municipal and rural community boundaries.

The proposed electoral boundaries provide for a negative variance from the electoral quota of -4.67 percent and -2.25 percent in the electoral districts of Charlottetown and Malpeque respectively. These electoral districts continue to show the most population growth and the Commission anticipates that those negative variances will diminish even further over the next decade.

Federal Electoral District	Population 2001	Variance
Cardigan	34,777	2.82%
Charlottetown	32,245	-4.67%
Egmont	35,208	4.09%
Malpeque	33,064	-2.25%

Public Contributions Invited

The Commission recognizes that the Proposals comprise significant readjustments to the electoral boundaries. The proposed redistribution reflects the realities of the changes which have occurred within the province. The Commission intends that these recommendations represent the natural and logical evolution of the redistribution process. Public input to the deliberations of the Commission was welcomed.

Public Contributions Received

The Commission received seven notices of representation. Two of the scheduled public hearings were held to entertain those representations, and the other hearings were cancelled. The hearing in Stanley Bridge was held as originally scheduled and the public hearing in Stratford took place on Thursday, October 24, 2002.

Elections Prince Edward Island appeared before the Commission and indicated support for the proposed alignment of the federal electoral districts with municipal boundaries. One of their key interests was to preserve the existing polling divisions which provide consistency for electors. It is believed that consistency assures better voter turnout. Currently the federal and provincial electoral districts share the same polling divisions and the proposal of the Commission respects those polls.

In Stratford, the Commission received input that is very supportive of the proposed changes. The Town of Stratford passed a resolution that endorses the Commission's recommendations. The focus of the presentation made by the town's Mayor urges the Commission to consolidate Stratford's community of interest into one electoral district, and to do what it could to ensure that future commissions would preserve the town's community of interest within one federal electoral district.

Regarding the realignment of Winsloe from Malpeque into the new electoral district of Charlottetown, the Commission received input from six residents from the Malpeque electoral district who objected to this change. The Commission appreciates this feedback; however, it is not considered sufficiently persuasive to motivate amending our proposal. All submissions centred on the argument that residents of the former Community of Winsloe, which since amalgamation is now part of the City of Charlottetown, have a stronger community of interest with the rural character of Malpeque than with the urban nature of Charlottetown. While some areas of Winsloe remain in agriculture or have a pastoral quality, there is significant and increasing suburban density in Winsloe, and it is now part of the City of Charlottetown. It is notable that the Community of Winsloe integrated into Charlottetown in 1994 as a willing partner. The 1994 Provincial Government report entitled "New Cities ... New Towns – A discussion paper outlining Government's position with respect to municipal reform in the Charlottetown and Summerside regions" states:

"With regard to 'Winsloe', given its current urban characteristics and servicing requirements coupled with its potential urban characteristics and service requirements, the government is of the view that Winsloe is better served being part of the city rather than being left in the 'buffer zone'. Based on consultation and recent public statements, the Winsloe Council is in agreement with this position."

Recognizing that a community council decision may not reflect the view of every community resident, the Commission also determined that no resident of Winsloe made any representation against the proposal.

Commission Decision

The Commission confirms its Proposals, including the two substantive changes to the electoral districts:

- (1) inclusion of all of the City of Charlottetown into the new electoral district of Charlottetown; and
- (2) inclusion of all of the Town of Stratford into the electoral district of Cardigan.

Dated at Charlottetown, Prince Edward Island, this 6th day of January,
2003.

Honourable Justice David H. Jenkins
Chairman

John W. MacDonald
Member

Zita Roberts
Member

CERTIFIED copy of the Report of the Federal Electoral Boundaries
Commission for Prince Edward Island.

Michele Dorsey
Commission Secretary