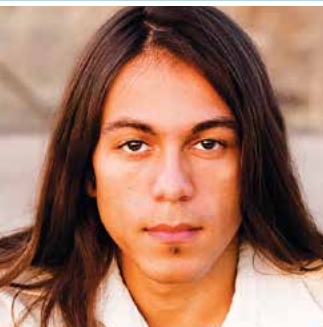


Preliminary Report



MARCH 26, 2015

March 26, 2015

Honourable Linda Reid
Speaker of the Legislative Assembly
Province of British Columbia
Parliament Buildings
Victoria, British Columbia
V8V 1X4

Dear Madame Speaker:

We have the pleasure to submit our Preliminary Report in accordance with section 10(1) of the *Electoral Boundaries Commission Act*.

Respectfully,



The Hon. Mr. Justice Thomas J. Melnick
Commission Chair



Beverley Busson, O.B.C.
Commissioner



Keith Archer, Ph.D.
Chief Electoral Officer
Commissioner

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Executive summary

Executive summary

All British Columbians are represented in the Legislative Assembly by a Member of the Legislative Assembly (MLA). There are currently 85 MLAs to represent the constituents of the 85 provincial electoral districts. In theory, in accordance with the principle of representation by population, each MLA should, to the degree possible, represent a similar number of constituents.

Recognizing that population growth is not uniform throughout the province, periodic reviews of the boundaries ensure that the representation of constituents by MLAs remains equitable and effective in all areas of the province. As prescribed by the *Electoral Boundaries Commission Act*, a new electoral boundaries commission must be established after every second general election to propose changes to the area, boundaries and names of the electoral districts of British Columbia.

Our commission was appointed on May 9, 2014. We are:

- Mr. Justice Thomas Melnick, Justice of the Supreme Court of British Columbia (Chair)
- Beverley Busson, O.B.C., former Commissioner of the Royal Canadian Mounted Police
- Keith Archer, Ph.D., Chief Electoral Officer for the province of British Columbia

We began our duties by educating ourselves about the nature and process of assessing and setting electoral boundaries, and the history of electoral boundaries commissions in the province. It was important not to form early opinions about what any of the electoral district boundaries should be. We wanted to keep an open mind and first hear from British Columbians about their opinions of the current electoral districts, and what changes, if any, they would suggest.

Between September and November 2014 we travelled the province, visiting 29 communities and hearing from 128 presenters. We received an additional 295 written submissions, largely through our website, during this same period. All of this input has been very helpful in understanding how British Columbians interact with their elected representatives and how the electoral boundaries affect and enable these interactions and effective representation.

In making our proposals we are guided first and foremost by the *Electoral Boundaries Commission Act* and the *Canadian Charter of Rights and Freedoms*. We have considered all of the input received from British Columbians about the existing boundaries and where they feel change is warranted. Reflecting upon their input, we developed additional guidelines flowing from the legislation that would assist our decision-making within this framework.

Amendments to the *Electoral Boundaries Commission Act* in May 2014 defined three regions of the province (the North Region, the Cariboo-Thompson Region, and the Columbia-Kootenay Region) in which the number of electoral districts cannot be reduced from their current number. This has, of course, influenced in large measure our ability to propose electoral districts that are equal in population. It has also influenced our decision to propose 87 electoral districts, an increase of two from the current number, and the maximum allowable by the *Electoral Boundaries Commission Act*.

Further to these two additional electoral districts, we propose changes to 49 of the current 85 districts. Most of the changes are relatively minor. Substantial changes are proposed in the Lower Mainland, particularly in Richmond and Surrey where we added a district to each community.

The substantial changes are summarized below. More detail about all the changes, along with maps of our proposed electoral districts are contained in the Proposals section of this report. An interactive map of current and proposed electoral districts will be available on the commission website.

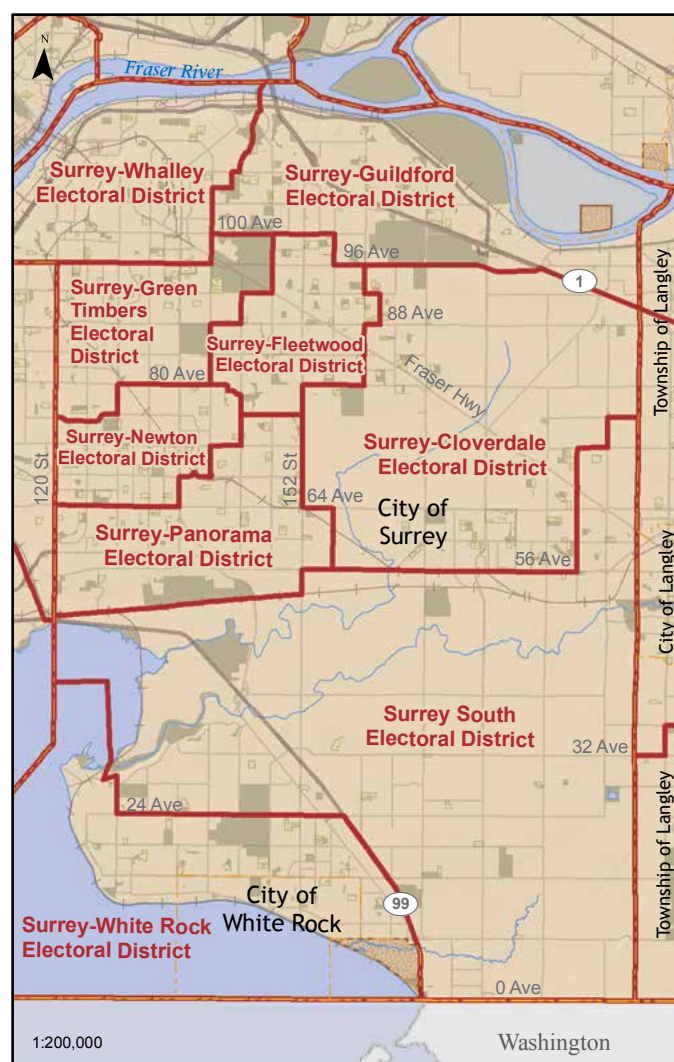
With the release of this Preliminary Report, we look again to British Columbians to present your opinions of our proposals. We encourage you to submit your

input to us online, by email or mail by 11:59 p.m. on May 26, 2015. We also will conduct public hearings in communities across British Columbia in April and May. We then will analyze this input over the summer before producing our final proposals. According to the *Electoral Boundaries Commission Act*, these final proposals must be submitted as recommendations to the Legislative Assembly by September 25, 2015 – six months after the submission of this report.

Substantial changes

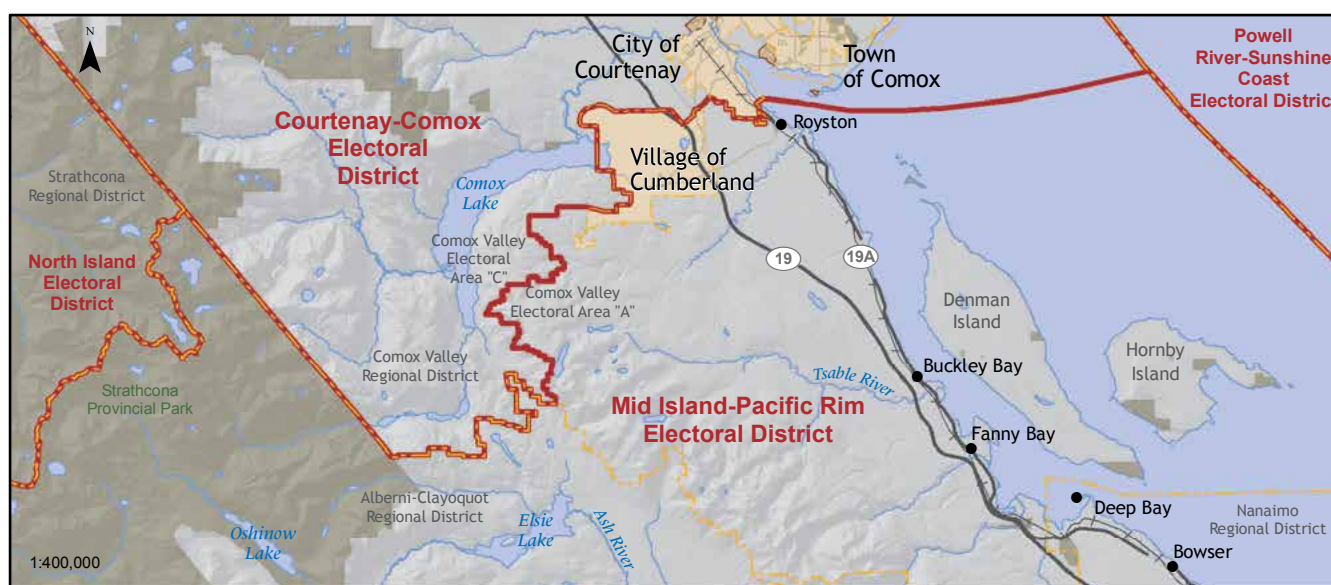
Surrey

- Current districts are well over the provincial average (two of eight more than 25% over) and this is also an area of high growth
- An electoral district is added to this area and boundaries are substantially altered to rebalance the population
- The Cloverdale community is too large for a single district and parts of the community are included in two electoral districts. Efforts were made to maintain the entire downtown core in one district
- We strived to maintain communities of interest to the extent possible



Comox Valley and mid-Vancouver Island

- The disparity between the neighbouring districts of Comox Valley (22% over the provincial average) and Alberni-Pacific Rim (18% under the provincial average) is too great
- Despite many submissions requesting no change to the Comox Valley we concluded that the relative disparity (both now and in the near future) is too great to ignore
- With the proposed changes, Cumberland, Royston and the southern Comox Valley are now part of our proposed Mid Island-Pacific Rim electoral district, bringing both districts much closer to the provincial average while ensuring strong communities of interest in both



Other communities in which changes are proposed are:

- Burnaby
- Capital Region
- Cranbrook area
- Kamloops area
- Nanaimo area
- North Shore
- Prince George
- Tri-Cities
- Vancouver
- Vernon/Swan Lake
- Williams Lake

The following tables show the population and deviation from the provincial average in each of our proposed electoral districts.

Table 1: North Region¹

Electoral district	Population	Deviation (%)
Stikine	20,616	-61.2
Peace River North	43,263	-18.6
Peace River South	28,104	-47.1
Prince George-Valemount	48,267	-9.1
Prince George-Mackenzie	46,894	-11.7
Nechako Lakes	27,692	-47.9
Skeena	30,240	-43.1
North Coast	22,382	-57.9

Table 2: Cariboo-Thompson Region

Electoral district	Population	Deviation (%)
Cariboo North	29,542	-44.4
Cariboo-Chilcotin	33,520	-36.9
Kamloops-North Thompson	54,014	1.7
Kamloops-South Thompson	56,410	6.2
Fraser-Nicola	33,980	-36.0

Table 3: Columbia-Kootenay Region

Electoral district	Population	Deviation (%)
Kootenay West	41,302	-22.2
Nelson-Creston	36,907	-30.5
Kootenay East	40,466	-23.8
Columbia River-Revelstoke	31,907	-39.9

Table 4: Okanagan/Shuswap

Electoral district	Population	Deviation (%)
Shuswap	59,572	12.1
Vernon-Monashee	58,886	10.9
Kelowna-Lake Country	61,113	15.0
Kelowna West	59,750	12.5
Kelowna-Mission	60,403	13.7
Penticton	56,722	6.8
Boundary-Similkameen	42,340	-20.3

Table 5: Lower Mainland – Greater Vancouver

Electoral district	Population	Deviation (%)
Vancouver-Point Grey	60,611	14.1
Vancouver-Quilchena	59,953	12.9
Vancouver-Fairview	59,701	12.4
Vancouver-Langara	60,041	13.0
Vancouver-Kensington	61,250	15.3
Vancouver-Fraserview	62,885	18.4
Vancouver-Kingsway	62,459	17.6
Vancouver-Hastings	59,491	12.0
Vancouver-Mount Pleasant	58,041	9.3
Vancouver-False Creek	57,261	7.8
Vancouver-West End	57,287	7.8
West Vancouver-Sea to Sky	54,894	3.3
West Vancouver-Capilano	57,173	7.6
North Vancouver-Lonsdale	57,431	8.1
North Vancouver-Seymour	58,120	9.4
Port Moody-Coquitlam	59,355	11.7
Coquitlam-Burke Mountain	59,029	11.1
Port Coquitlam	60,813	14.5
Coquitlam-Maillardville	58,351	9.8
Burnaby-Lougheed	59,797	12.6
Burnaby North	58,159	9.5
Burnaby-Deer Lake	58,195	9.6
Burnaby-Edmonds	60,439	13.8
New Westminster	61,422	15.6
Richmond-Queensborough	55,627	4.7

¹ All population figures in this report are as of May 10, 2014. All population deviations are based on a provincial population of 4,621,394, the proposed 87 electoral districts and an electoral quotient of 53,119.

Table 5: Lower Mainland – Greater Vancouver continued

Electoral district	Population	Deviation (%)
Richmond North Centre	49,157	-7.5
Richmond South Centre	50,101	-5.7
Richmond-Steveston	55,539	4.6
Delta South	47,577	-10.4
Delta North	55,011	3.6
Surrey-Whalley	58,668	10.4
Surrey-Guildford	58,037	9.3
Surrey-Cloverdale	61,060	14.9
Surrey-Fleetwood	59,066	11.2
Surrey-Green Timbers	58,816	10.7
Surrey-Newton	58,340	9.8
Surrey-Panorama	60,128	13.2
Surrey South	57,807	8.8
Surrey-White Rock	58,527	10.2

Table 6: Lower Mainland – Fraser Valley

Electoral district	Population	Deviation (%)
Langley	60,535	14.0
Fort Langley-Abbotsford	61,113	15.0
Aldergrove-Abbotsford	59,203	11.5
Abbotsford Centre	59,330	11.7
Abbotsford-Mission	60,962	14.8
Chilliwack-Sumas	52,632	-0.9
Chilliwack-Kent	51,310	-3.4
Maple Ridge-Pitt Meadows	58,287	9.7
Maple Ridge-Mission	58,697	10.5

Table 7: Vancouver Island and the Sunshine Coast

Electoral district	Population	Deviation (%)
Powell River-Sunshine Coast	50,039	-5.8
North Island	55,633	4.7
Courtenay-Comox	54,816	3.2
Mid Island-Pacific Rim	52,833	-0.5
Parksville-Qualicum	54,089	1.8
Nanaimo	55,998	5.4
Nanaimo-North Cowichan	53,424	0.6
Cowichan Valley	59,232	11.5
Saanich North and the Islands	56,492	6.3
Saanich South	51,661	-2.7
Victoria-Swan Lake	51,569	-2.9
Oak Bay-Gordon Head	55,689	4.8
Victoria-Beacon Hill	54,707	3.0
Esquimalt-Metchosin	51,450	-3.1
Langford-Juan de Fuca	51,782	-2.5

Mandate

Mandate

Commission

After every second provincial general election, a new electoral boundaries commission is appointed to propose changes to the provincial electoral boundaries.

Under the *Electoral Boundaries Commission Act*, the British Columbia Electoral Boundaries Commission must consist of:

- A judge or retired judge of the Supreme Court or the Court of Appeal who is nominated by the Lieutenant Governor in Council;
- A person who is not a member of the Legislative Assembly or an employee of the government and who is nominated by the Speaker of the Legislative Assembly, after consultation with the Premier and the Leader of the Official Opposition; and
- The Chief Electoral Officer appointed under the *Election Act*.

One of these individuals must be appointed as Chair.

On May 9, 2014, our three-person, independent, non-partisan electoral boundaries commission was appointed. Our commissioners are:

- Mr. Justice Thomas Melnick, Justice of the Supreme Court of British Columbia (Chair)
- Beverley Busson, O.B.C., former Commissioner of the Royal Canadian Mounted Police
- Keith Archer, Ph.D., Chief Electoral Officer for the province of British Columbia



Left to right: Keith Archer, Beverley Busson and Thomas Melnick (Chair).

Mandate

Our function is to make proposals to the Legislative Assembly as to the area, boundaries, and names of provincial electoral districts. If our deliberations dictate that the number of electoral districts should be increased, the *Electoral Boundaries Commission Act* allows us to make proposals for up to two additional electoral districts, to a maximum of 87. We cannot recommend fewer than 85 electoral districts. The Legislative Assembly is responsible for approving or amending our proposals before they are passed into law.

Electoral Boundaries Commission Act

In carrying out our mandate, we are guided by the requirements of the *Electoral Boundaries Commission Act* which sets out the process for reviewing the area, boundaries and names of electoral districts in British Columbia.

When developing our proposals, section 9(1) of the *Electoral Boundaries Commission Act* instructs us to be governed by the following:

- The principle of representation by population be achieved, recognizing the imperatives imposed by geographical and demographic realities, the legacy of our history and the need to balance the community interests of the people of British Columbia;
- To achieve that principle, the commission be permitted to deviate from the provincial electoral quotient by no more than plus or minus 25 percent; and,
- We may propose electoral districts with population deviations exceeding +/- 25% where we consider that very special circumstances exist.



Representation by population
Method of using population as the primary factor in determining electoral districts.



Electoral quotient (the provincial average)
The provincial population divided by the number of current electoral districts.



Deviation
Electoral district population above or below the electoral quotient.

As an exception to these principles, the *Act* defines three regions of the province in which, for the purpose of effective representation in the Legislative Assembly, the number of electoral districts may not be reduced from their current number. For this purpose we are permitted to exceed the +/- 25% population deviation rule.

Table 8: Defined regions

Defined region	Electoral districts within region
Cariboo-Thompson Region	Cariboo North Cariboo-Chilcotin Fraser-Nicola Kamloops-North Thompson Kamloops-South Thompson
Columbia-Kootenay Region	Columbia River-Revelstoke Kootenay East Kootenay West Nelson-Creston
North Region	Nechako Lakes North Coast Peace River North Peace River South Prince George-Mackenzie Prince George-Valemount Skeena Stikine

Section 9(2) of the *Electoral Boundaries Commission Act* requires us to take into account the following additional factors when making our proposals for all electoral districts:

- Geographic and demographic considerations, including the sparsity, density or rate of growth of the population of any part of British Columbia and the accessibility, size or physical configuration of any part of British Columbia; and,
- The availability of means of communication and transportation between various parts of British Columbia.

The right to vote and population equality

The Supreme Court of Canada's decision in the *Saskatchewan Reference*² in 1991 provides considerable guidance to electoral boundaries commissions as to the standard for relative equality of voting power among citizens. Section 3 of the Canadian Charter of Rights and Freedoms provides that all citizens have the right to vote in periodic elections, and the right to be a candidate for elective office. The question for the Court, in examining the implications of this right for electoral boundaries, was whether the right to vote meant that citizens had the right to vote in electoral districts that were comprised of populations equal in size or whether some variation from equality was permissible, and, if variation from equality was permissible, what was the limit of permissible variation.

It is notable that Courts in the United States have interpreted voting rights as requiring almost no deviation from population equality among electoral districts. In the words of Professor John Courtney, "the Supreme Court of Canada's sole decision on electoral boundary readjustments (i.e., the *Saskatchewan Reference* case) deliberately eschewed strict American notions of voter equality. In its place the court advanced the notions of 'relative equality of voting power,' 'better government,' and 'effective representation'" as the core principles used in boundary readjustment in Canada. (Courtney, *Commissioned Ridings*, 2001, pp. 151-2).

The meaning of the right to vote was discussed in considerable detail by the Supreme Court in the *Saskatchewan Reference*. Writing for the majority, Madam Justice McLachlin stated,

the purpose of the right to vote enshrined in s. 3 of the Charter is not equality of voting power per se, but the right to "effective representation". Ours is a representative democracy. Each citizen is entitled to be represented in government (p. 183).

The Court then went on to ask,

What are the conditions of effective representation? The first is relative parity of voting power. A system which dilutes one citizen's vote unduly as compared with another citizen's vote runs the risk of providing inadequate representation to the citizen whose vote is diluted.... The result will be uneven and unfair representation (pp. 183-4).

However, the Court continued, equality of voting power is not the only factor that affects effective representation. First, this is the case because strict equality of voting power is not achievable, since there is a continual change to the electorate. In addition,

factors like geography, community history, community interests and minority representation may need to be taken into account to ensure that our legislative assemblies effectively represent the diversity of our social mosaic (p. 184).

The Court did not directly take up the question in the *Saskatchewan Reference* of whether there are absolute limits on variations in electoral district populations when taking into account these other factors of representation, such as geography, community history and the like. However, the Court did review the limits as then outlined in the *Saskatchewan Electoral Boundaries Commission Act*. The Act provided for the creation of 66 electoral districts. Of these, 64 were urban and rural districts in the southern half of the province, and two were rural districts in the northern half of the province. The 64 southern districts were required to have a variation within +/- 25% of the provincial electoral quotient, and the two northern districts could be as much as 50% below the electoral quotient.

² Ref. re *Electoral Boundaries Commission Act* (Sask.) (1991), 81 D.L.R. (4th) 16 (S.C.C.).

Vancouver Island and the Sunshine Coast

Vancouver Island and the Sunshine Coast are a mix of urban, suburban and rural and remote communities. With a few notable exceptions they are not densely populated and share many of the accessibility challenges of other remote parts of British Columbia. Consistent with the message received elsewhere in the province, much of the input from residents of this area recommended little to no change. We were reminded of the transportation challenges faced by residents on the Sunshine Coast, the islands east and north of Vancouver Island, and the remote communities on the north and western coasts of Vancouver Island. They also emphasized the Malahat as a natural divide between districts in the south and the rest of Vancouver Island.

Most of the current electoral districts in this area are at or near the provincial average. The exceptions are the rapidly growing Comox Valley, which is currently more than 22% above the provincial average, and neighbouring Alberni-Pacific Rim at 18% below the provincial average. This created the necessity to rebalance the population in this area in order to provide more effective representation for both of these communities. We also propose changes in the Nanaimo and Greater Victoria areas to respond to public input, rebalance populations and provide more effective representation.

We propose no changes to the electoral districts of Powell River-Sunshine Coast, North Island, Cowichan Valley, Saanich North and the Islands, Saanich South, and Victoria-Swan Lake.

Comox Valley and mid-Vancouver Island

In recent years, the Comox Valley electoral district has shared the same boundaries as the Comox Valley Regional District in a manner similar to how the New Westminster electoral district boundaries perfectly aligned with the City of New Westminster municipal boundaries. However, like New Westminster, the population of Comox Valley has now outgrown a single electoral district. At 22% over the provincial average Comox Valley is just within the +/- 25% population range but is projected to exceed it by 2017. Therefore, we determined that we must address this issue now and propose boundaries that provide more effective representation by reducing the population within this district.

The current Alberni-Pacific Rim electoral district is by far the smallest electoral district on Vancouver Island by population. It is 18% under the provincial average and is projected to grow more slowly than the provincial average in the near future.

We conclude that to provide more effective representation for both communities the boundaries between the two districts should be altered to assign some of the population of Comox Valley to the other mid-island electoral district. While some of the public input from the Comox Valley requested we not make any changes to the current electoral district, it also emphasised that if we were to make changes, the communities of Courtenay and Comox would be best served in the same electoral district. We propose an electoral district that includes the communities of Courtenay and Comox, as well as the rest of the Comox Valley Regional District north-west of the Comox Valley Regional District Electoral Area A and Area C boundary. We propose this electoral district be named Courtenay-Comox.

The remainder of the Comox Valley Regional District, from Royston and Cumberland south, and including Hornby and Denman Islands, will be included in a new mid-Island electoral district that we propose be named Mid Island-Pacific Rim.

Nanaimo area

Nanaimo and the surrounding areas are experiencing moderate growth. The area includes Parksville, Qualicum, Nanaimo, and the Cowichan Valley. These areas share ties and, with the exception of the Nanaimo electoral district, combine various communities in one electoral district. The changes we propose address the growing population in this area and respond to requests to unite affiliated communities.

We propose a small change to the Parksville-Qualicum electoral district boundaries. We propose extending the northern boundary north-west to the Nanaimo Regional District Electoral Area G boundary north of Highway 19 in order to include the area of Dashwood on the north-west side of the Little Qualicum River in the Parksville-Qualicum electoral district.

We propose to include Vancouver Island University and the College Heights neighbourhood within the City of Nanaimo south of Jingle Pot Road and west of Highway 19 in the Nanaimo electoral district. This change will place Vancouver Island University in the same electoral district as the majority of its staff and students. To balance the increase in population to the Nanaimo electoral district, we propose moving the southern boundary between Nanaimo and Nanaimo-North Cowichan north from Fifth Street to Fourth Street.

Capital Region

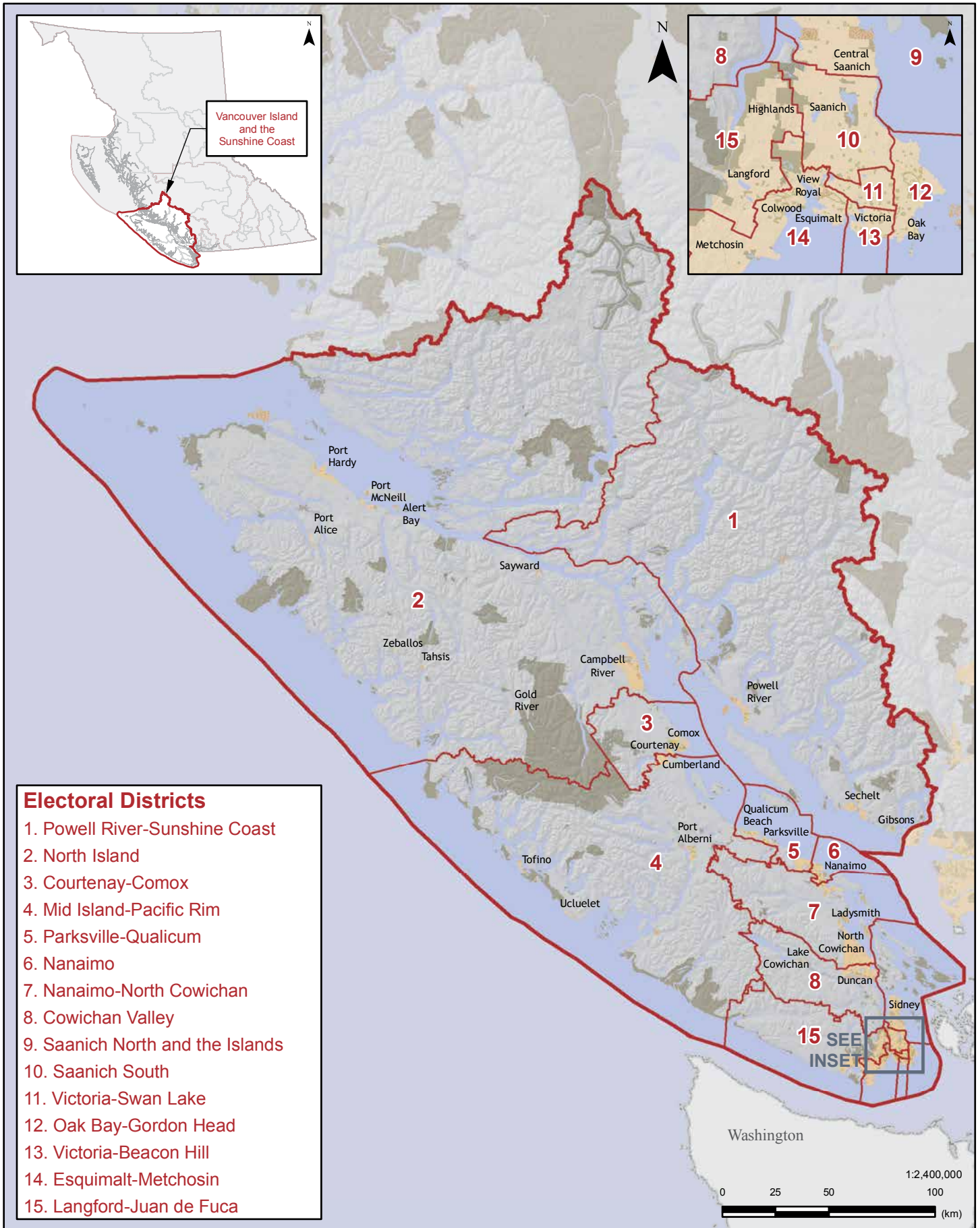
Vancouver Island south of the Malahat is made up of 13 municipalities and four unincorporated areas. The highest rates of growth in the Capital Region are in Langford and the West Shore in the suburbs of Greater Victoria. The populations of the existing electoral districts are relatively well balanced and we were not convinced of a need to propose more considerable changes to this area. We propose changes to the boundaries of the existing Victoria-Beacon Hill and Oak Bay-Gordon Head electoral districts to return the neighbourhood of Vic West to a Victoria electoral district and rebalance the population between these two districts. The western boundary of Victoria-Beacon Hill becomes the Victoria/Esquimalt border and the eastern boundary follows Richmond Avenue to Fairfield Road and along the east side of Ross Bay Cemetery to the ocean.

We also propose moving the District of Metchosin to an electoral district that includes Colwood, View Royal and Esquimalt and that this district be named Esquimalt-Metchosin. This change will balance the population across the area while providing room for continued growth in Langford. We propose the current Juan de Fuca electoral district be renamed Langford-Juan de Fuca.

**Table 15: Proposed electoral districts –
Vancouver Island and the Sunshine Coast**

Electoral district	Population	Deviation (%)	Area(sq km)
Powell River-Sunshine Coast	50,039	-5.8	21,007
North Island	55,633	4.7	45,034
Courtenay-Comox	54,816	3.2	1,584
Mid Island-Pacific Rim	52,833	-0.5	14,098
Parksville-Qualicum	54,089	1.8	978
Nanaimo	55,998	5.4	455
Nanaimo-North Cowichan	53,424	0.6	2,703
Cowichan Valley	59,232	11.5	1,685
Saanich North and the Islands	56,492	6.3	1,519
Saanich South	51,661	-2.7	91
Victoria-Swan Lake	51,569	-2.9	18
Oak Bay-Gordon Head	55,689	4.8	330
Victoria-Beacon Hill	54,707	3.0	90
Esquimalt-Metchosin	51,450	-3.1	378
Langford-Juan de Fuca	51,782	-2.5	2,447

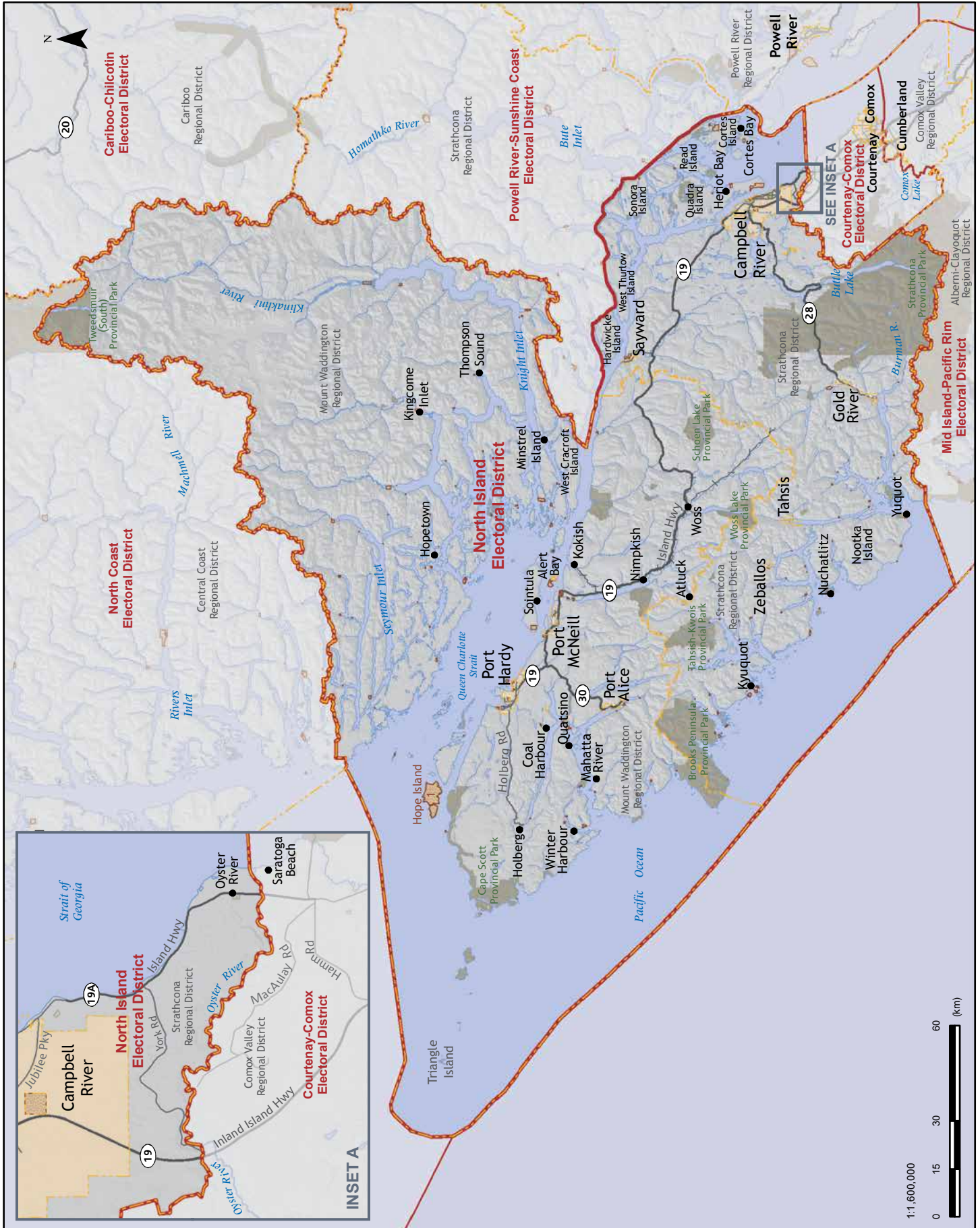
Vancouver Island and the Sunshine Coast



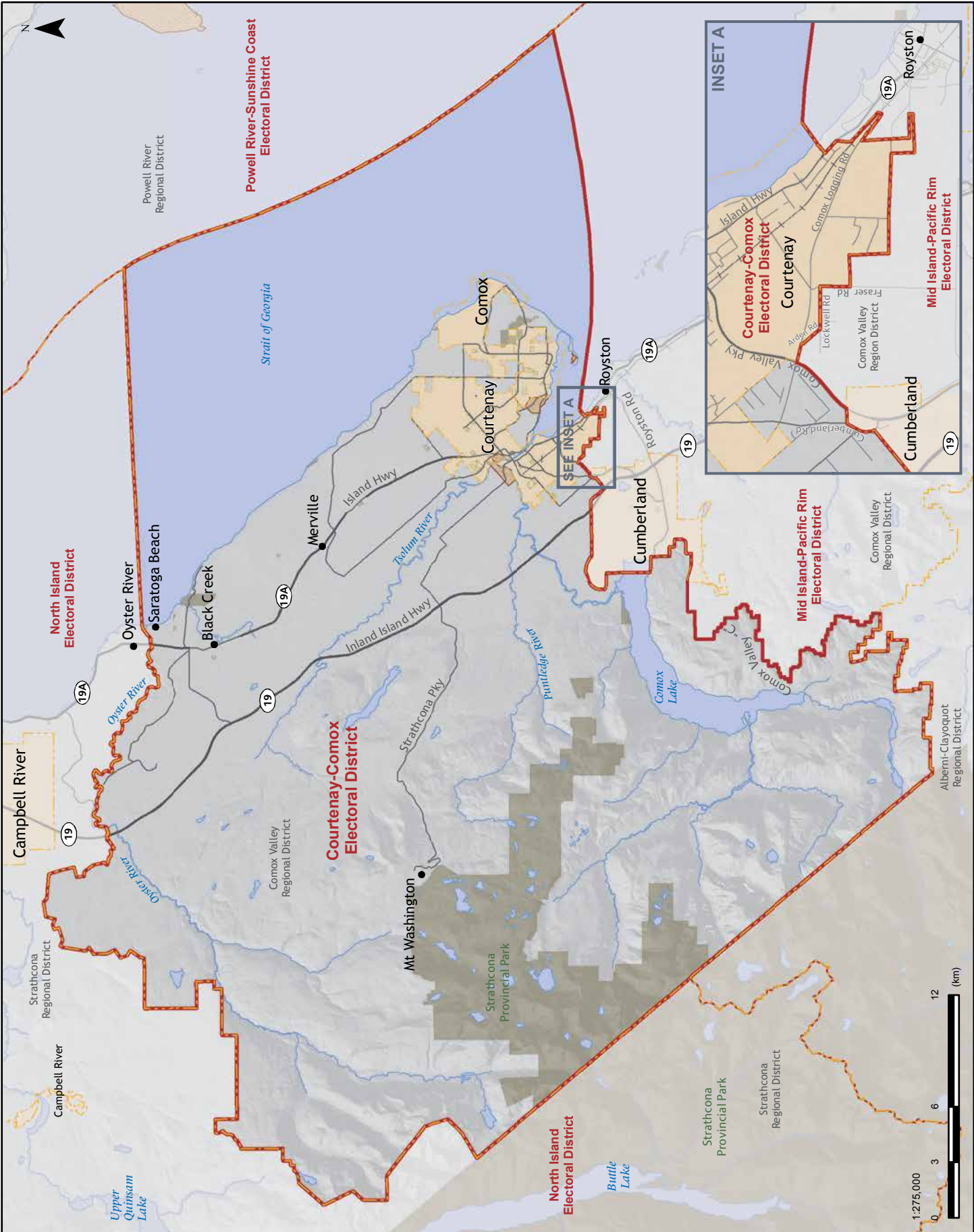
Proposals – Vancouver Island and the Sunshine Coast

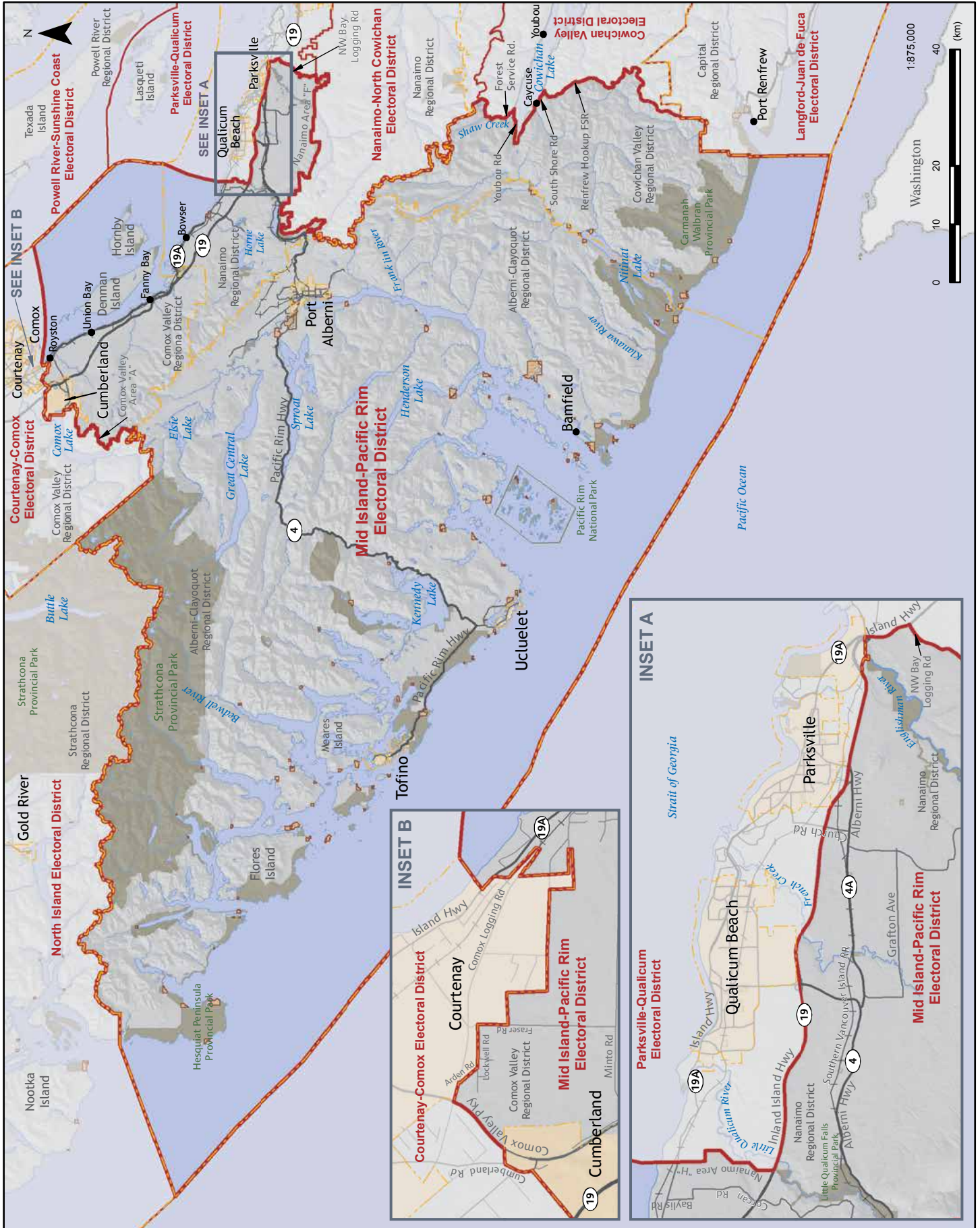
Powell River-Sunshine Coast



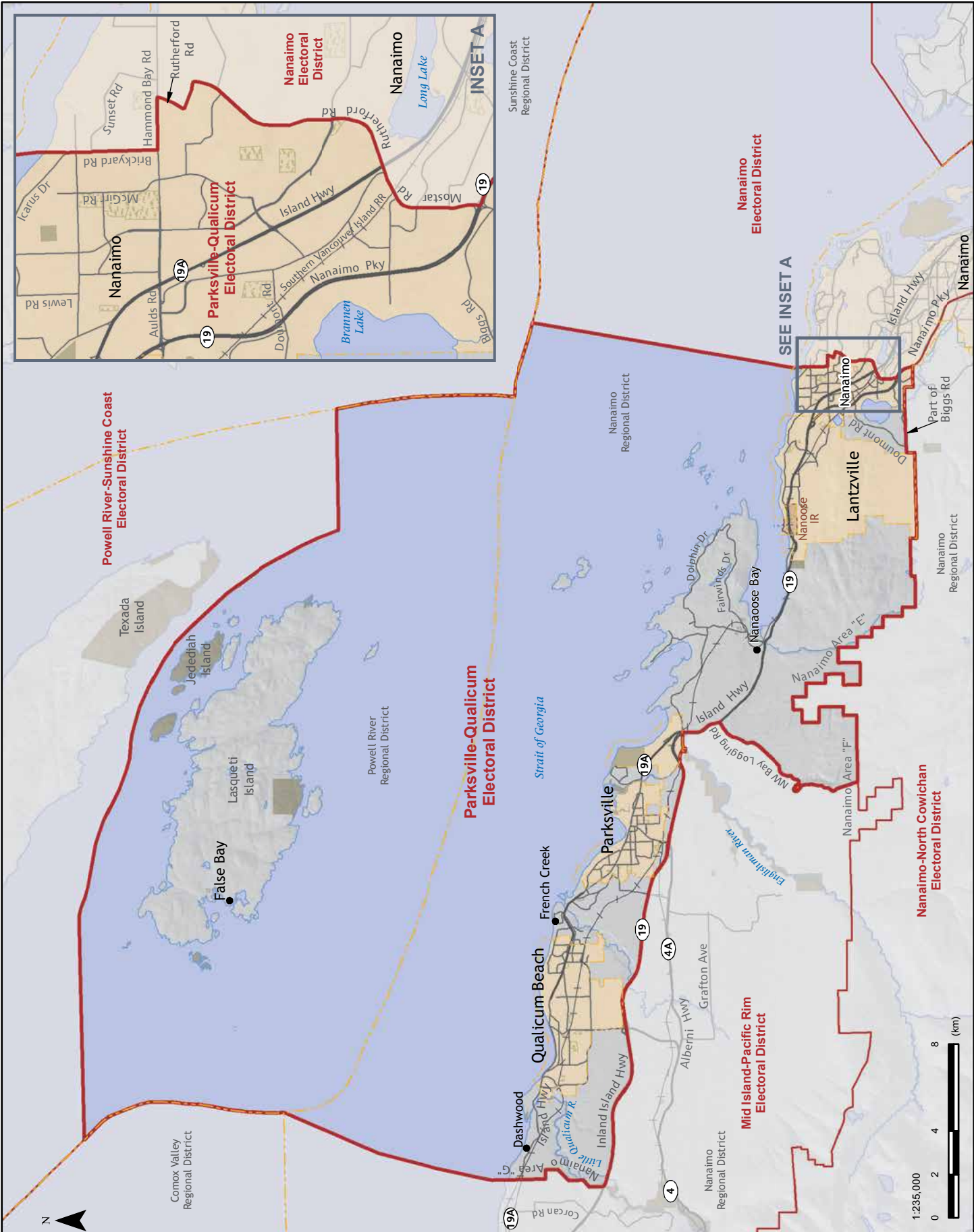


Courtenay-Comox





Parksville-Qualicum



Next steps

Next steps

We submit this report containing our preliminary proposals to the Speaker of the Legislative Assembly on March 26, 2015. We encourage British Columbians to review these proposals and to advise the commission about how these proposed electoral districts enable, or do not enable, effective representation within the province. There are four ways for you to provide this feedback.

Beginning in April we will hold public hearings to facilitate presentations by any person respecting our proposals. If you or your organization would like to make a presentation, you can register on a first-come, first-served basis at the hearings. Check our website (www.bc-ebc.ca) for the latest public hearings schedule and location details.

You may also express your views on our preliminary proposals in writing:

- through our website: www.bc-ebc.ca
- by email: info@bc-ebc.ca
- by mail
PO Box 9275
Stn Prov Govt
Victoria, BC V8W 9J6

Your input must be received by 11:59 p.m. on Wednesday, May 26, 2015 to be considered.

Following the public hearings and the close of the public input period, the *Electoral Boundaries Commission Act* requires us to give MLAs an opportunity to make submissions to us. This will take place on May 27 immediately after the close of the public input period. The public is welcome to attend to observe this hearing.

We will then consider all of the input received and produce a report of our final proposals. Our final report must be submitted to the Speaker of the Legislative Assembly within six months of the release of this report – by September 25, 2015.

The proposals contained in our final report are only recommendations. The final decision regarding adoption of our proposals lies with the Members of the Legislative Assembly. Once electoral boundaries are officially adopted by the Legislative Assembly they will come into force at the time of the next general election and will apply to the anticipated 2017 and 2021 provincial general elections.