



Legislative Assembly of Alberta

Electoral Boundaries Commission
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Legislative Assembly of Alberta

Electoral Boundaries Commission

Judge Ernest J.M. Walter, Chairman

Dr. Keith Archer
Peter Dobbie, QC
Brian Evans, QC
Allyson Jeffs

Office of the Chief Electoral Officer

Chief Electoral Officer	Brian Fjeldheim
Deputy Chief Electoral Officer	Lori McKee-Jeske

Participants

Paul C. Breeze, Calgary-Shaw Progressive Conservative Constituency Association
Oscar Fech
Gerald Forseth, President, and Michelle Bodnar, Calgary-Currie Liberal Constituency Association
Alex Girvin, President, Calgary-Hays Progressive Conservative Constituency Association
Lynette Javaheri, Chaparral Community Association
Bob Montgomery, President, Calgary-Egmont Progressive Conservative Constituency Association

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[Judge Walter in the chair]

The Chair: Good afternoon. It's good to see that we're being recorded for one of the papers.

All right. My name is Ernie Walter, and I am the chair of the Alberta Electoral Boundaries Commission. I would like to introduce you to the other members of the commission here with me today: on my far right Dr. Keith Archer of Banff, next to him Peter Dobbie of Vegreville, on my immediate left Allyson Jeffs of Edmonton, and next to her Brian Evans of Calgary.

As you are aware, the five of us have spent the last seven months reviewing the electoral boundaries of our province, and I can tell you that we have examined every square inch of the map of Alberta. I know I speak for all of us when I say that the commission has found it both very interesting and challenging to weigh the concerns and relevant factors put before it during the preparation of the interim report. I would like to note also that we are pleased with the large amount of public feedback received. We have read and received over 470 submissions, and we're looking forward to additional feedback during the hearing. Once we've considered this feedback and the submissions, the commission will issue its final report by July of this year.

With that, I'm pleased to touch on a few of our findings and recommendations setting out the areas, boundaries, and names of the 87 electoral divisions we propose for Alberta together with our reasons for the proposals as outlined in the interim report you have hopefully all had a chance to read. The foundation for our decisions has been effective representation for all Albertans. In undertaking its work, the commission has been guided by the requirements of the Electoral Boundaries Commission Act, relevant decisions of the courts, advice received at the first round of public hearings, and written submissions as well as the latest census information available to us.

When I speak of census information, I am referring to the 2009 municipal census data for Alberta's cities, showing that there is a consistent pattern of growth since the 2001 census. Fifty-two per cent of Albertans currently reside in Edmonton and Calgary. Using the 2009 official population list, the total population being considered by the commission is 3,556,583. Given this pattern of growth this means the quotient, or provincial average population, has grown by 10,100 since the 1995-1996 commission and is now at 40,880. So, essentially, the act directs the commission to divide the province into 87 electoral divisions with a population within 25 per cent of this provincial average in a way that will ensure effective representation for Albertans.

Taking into account available population information and the factors affecting effective representation, the majority of the commission concluded that the redistribution of the 87 divisions should allow for the following increases: Calgary by two additional divisions, bringing it to 25; Edmonton by one, bringing it to 19; and the rest of Alberta by one, providing it with 43 divisions. This would ensure effective representation across the province.

Now, the commission is required by law to divide the existing Fort McMurray-Wood Buffalo division. Its population is more than 88 per cent higher than the quotient, and the law prohibits the commission from recommending a division that has a population more than 25 per cent above the quotient.

In our efforts to respect the requirement for effective representation as guaranteed by the Canadian Charter of Rights and Freedoms, the primary principles and factors which have guided the commission's recommendations are:

Population. The commission has attempted to limit the variation of the average population per division. The average population per electoral division from the quotient is from plus 4.3 per cent in Calgary, .7 per cent in Edmonton, and minus 2.8 per cent in the rest of Alberta.

Scarcity of population. The commission recognizes scarcity of population in the two proposed special divisions of Dunvegan-Central Peace and Lesser Slave Lake. Dunvegan-Central Peace meets all five of the criteria for a special division, and Lesser Slave Lake meets four of the five criteria.

Community interests. The commission has taken into consideration community interests of which it is aware.

Community boundaries. The commission has attempted, as requested by the municipalities, to respect community boundaries in Calgary, Edmonton, and other areas.

Municipal boundaries. The commission has made every attempt to respect municipal boundaries. This has not been possible in all cases, but the commission has attempted to reduce the fragmentation of municipal boundaries resulting from the existing divisions.

1:05

Geographical features. The commission has considered geographical features and also roads which provide natural barriers between communities of interest.

Understandable and clear boundaries. The commission has attempted to recommend boundaries which are clear and easy to understand for the residents of the areas. In addition, the commission is using digital mapping technology to describe boundaries rather than the extensive written legal descriptions previously used.

Distance and area. This is primarily an issue in the rest of Alberta. In recommending those boundaries, the commission has considered the area of the proposed electoral divisions and the travel distances involved both within the division and between the division and the Legislature. In addition, MLAs have to retain relations with more than one school board, more than one municipal council, and several community and business organizations.

Inner-city urban issues. The commission acknowledges the submissions stressing that inner-city urban ridings generally have their own challenges such as a large number of linguistic and cultural communities, a disproportionate number of people dependent on social programs, increasing numbers of new immigrants and aboriginal peoples, and other urban issues.

Calgary and Edmonton. The commission acknowledges that, while they may only have one council and two school authorities, maintaining relations with a number of community leagues or associations, business revitalization zones, and other identifiable organizations places demands on the time of the city MLA.

Now I have briefly reviewed our recommendations, and we want to hear your views. We believe that what we hear from you, the people who will be affected by these boundary changes, is critical to recommending a new electoral map that will ensure fair and effective representation for all Albertans. I will now call on our staff to call the first speaker. Each speaker will have 10 minutes to present and then 10 minutes for questions and answers with the commission.

The commission's public meetings are being recorded by *Alberta Hansard*, and the audio recording will be posted to the commission website; transcripts of these proceedings will be available online.

Ms Friesacher: Our first speaker is Mr. Gerald Forseth, president of the Calgary-Currie Liberal Constituency Association.

The Chair: Mr. Forseth, if you would like to have someone sitting with you, that's fine, too.

Mr. Forseth: No. That's fine. But I will introduce who I'm with.

The Chair: Just have a chair, sir.

Gerald Forseth and Michelle Bodnar, Calgary-Currie Liberal Constituency Association

Mr. Forseth: Thank you. I am Gerald Forseth. I'm the president of the Calgary-Currie Liberal Constituency Association. I come with Michelle Bodnar, who is a member of the board.

Members of the commission, ladies and gentlemen, members of the press, in our letter to the commission, submitted in March, we expressed our concerns for the proposed boundary changes, including our concern about the proposal to dismantle all but a small portion of Calgary-Currie, which, among other things, would automatically eliminate most of our board members, who mostly live in regions of the current riding that would be spun off; our concern about the change of name by eliminating Currie altogether as a constituency name; our concern about the isolation of the Calgary downtown core to only one constituency, therefore one voice in the Legislature, where it currently has two, Calgary-Buffalo and Calgary-Currie; our concern about the underrepresentation of Calgary, Edmonton, and key cities and the unfair unbalance of that representation urban to rural; and our concern about the expansion of constituencies, from 83 to 87, as a weak and expensive move.

In our letter we also made recommendations and suggestions. If you must change the number of MLAs, we recommended reducing them below 83 seats, perhaps using our provincial neighbour B.C. as the model. As you know, Alberta has a population less by 30 per cent than B.C., yet we have more MLAs representing a smaller population.

As a guiding principle we recommended that you reduce the population variance per riding, from 25 per cent each side of the average to 15. This would provide each MLA with constituencies of more equal numbers and fairer workloads. For the resultant large-in-area rural constituencies we recommended the use of and the support for the cost of advanced communication technologies, including conference calling, Internet meetings, and Skype-type systems to cut down on travel time.

Finally, for the Calgary-Currie constituency we recommended that only minor variances to boundaries occur and that the Currie name be retained in honour of its historic importance to Calgary.

Today is a day to be candid and a time to take off the gloves, so to speak. On behalf of the executive of the board of the Calgary Liberal Constituency Association I will be feisty because you have, after all, recommended the dismantling of our important urban constituency and eliminating our voice, that can speak with Calgary-Buffalo for the inner core of Calgary. We are proud of this constituency as it stands. Minor boundary changes are welcome; dismantling the constituency is not welcome.

At the same time, in what is more of a whisper I want to advise you of a commonly held belief, that your proposed boundary changes to Calgary-Currie are mainly because the constituency has elected an MLA from an opposition party for the past two elections. I hope on behalf of our fragile democracy that this whispered belief is unfounded. We publicly protest the smashing and dismantling of our constituency, Calgary-Currie. We publicly protest the proposal to remove another MLA voice that can speak for the inner core of Calgary. We publicly defend the historic Currie name as a constituency name with its symbolic importance to Calgary and as an essential part of Canada's military history.

Finally, we publicly recommend in strong words that you, the Electoral Boundaries Commission, recognize the real culprit in the

boundaries revisions, the culprit being the 25 per cent variance each way from the average, which, as you know, permits discrepancies of up to 50 per cent between two ridings, a variance that is far too generous and is always in favour of large numbers of sparsely populated rural ridings. Your real work should be to reduce the variance to, say, 15 per cent or lower. This would decrease the unhelpful and possible jiggery-pokery of boundary lines and would result in a more fair and just number of constituencies with MLAs representing ridings appropriate to the demographics.

I thank you for this opportunity to meet you face to face with our concerns and opinions. We hope that you will change your mind on the proposed boundary revisions with regard to Calgary-Currie and the inner core of Calgary.

Thank you.

The Chair: You recognize, of course, that we are operating under the law, which requires that we set out the boundaries and names for 87 ridings. We do not have any discretion in that respect.

Mr. Forseth: Yes. I understand that. We are taking this opportunity to publicly state that we are opposed to that as a guiding principle. We still believe that it must be publicly stated that the idea of increasing ridings and having more seats in Legislature to us is an overbloated idea.

The Chair: Recognizing that we initially can't do anything about that.

Mr. Forseth: You can't do anything about it. Yes.

The Chair: Now, Brian.

Mr. Evans: Thank you, Chairman, and thanks very much for your presentation. Lots of interesting comments that you've made. The chairman has spoken about the lack of ability for us to deal with any variance from the 87. There are a couple of other comments that I'd like to make about your presentation, Mr. Forseth. The one about trying to reduce the variances: we have been very conscious of that, and quite frankly I thought that was pretty clear from our interim report. We have been able to accomplish for the city of Calgary on average 4.3 per cent over the quotient of 40,880, for the city of Edmonton .7 per cent over, and for the rest of Alberta 2.8 per cent under. Believe me, we've been very conscious of trying to reduce those variances. We've recognized as well that the legislation allows us to have up to four constituencies, because of a number of factors that have to be met which are also in the legislation, that would have up to 25 per cent less than the quotient. In our interim report we've suggested that there should be two. These are very remote constituencies up in the north and west part of the province.

1:15

The Chair: Could I just interrupt, Brian? It's up to 50 per cent less in those.

Mr. Evans: Yes. Pardon me.

So we've stayed away from the 25 per cent as much as possible and only dealt with two of the constituencies that clearly fall within the criteria that are identified in the legislation that we are operating under.

Another thing that we often hear in . . .

Mr. Forseth: Can I respond to that, by the way?

Mr. Evans: Certainly.

Mr. Forseth: I appreciate that there has been some improvement. It does seem to sound from the way you say it that there is big improvement, but in actual fact when we've looked at the actual numbers of constituencies, the number of what we would call urban ridings appears to be 44, and the number of rural ridings appears to be 43. That sounds to me still like it doesn't meet the demographics of the province of Alberta, of which out of 3.2 million, or whatever the real number is, 66 per cent of them at least have to be sitting in Edmonton and Calgary alone.

Mr. Dobbie: Can I specifically respond to those numbers? You're being candid; I'd also like you to be accurate. Your submission is flagrantly inaccurate on page 2. You restate essentially what you've said here. Let's be clear. The populations of Calgary and Edmonton add up to 1,847,894, not the 2,300,000 that you state in your submission. I think what the confusion might be is this, that you have taken Edmonton, Calgary, and the municipalities over 10,000 to get to the 2.3 million figure, but you have not deducted from the 42 non-Edmonton and Calgary seats those seats which are in Red Deer, Grande Prairie, Lethbridge. Again, I think the numbers – well, I know the numbers that you have referred to in paragraph 1 of page 2 of your submission are factually wrong.

Mr. Forseth: Well, we're not trying to be exact mathematicians here.

Mr. Dobbie: I know you're not trying to mislead us here, but you are operating from an assumption that is fundamentally flawed. So let's be clear that if you are suggesting that two-thirds of the population live in urban centres and if we say that's municipalities over 10,000, it is not accurate to say that only 44 of the seats are allocated to those urban centres because you are only counting Edmonton and Calgary seats, but you are counting Red Deer, Lethbridge, Medicine Hat.

Mr. Forseth: Okay. So what number would you give it, just to challenge that?

Mr. Dobbie: If you look at pages 10 and 11 of our interim report, the numbers are broken down.

Again, I just can't let you stay on the record without being challenged on the two-thirds number. You can't have it both ways. You can't count all municipalities and not count the seats allocated to those what I would call smaller and medium-sized cities: Fort McMurray, Red Deer, Medicine Hat, Lethbridge, Grande Prairie. I mean, there are seats there that you are not taking into account. I just wanted to make sure that you were clear that whoever provided you with the numbers that you used on page 2 didn't count the seats accurately.

Mr. Evans: Thanks, Peter.

You also made comments about the use of technology. We recognize that wherever possible we should be using technology. The further afield we get from major urban centres, the more we hear that technology is not yet up to the kind of opportunities that exist in the cities. There are many dead zones for cell coverage. The whole concept of instantaneous communication just doesn't work when you get into the more rural and isolated parts of the province. That's not my commentary; that's the commentary from the people who live in those areas.

Mr. Forseth: Yes. I've seen the diagrams that show the coverage, and I know that there are blank spots.

Mr. Evans: Sure. The SuperNet is super, but it's not super everywhere in Alberta.

Mr. Forseth: But Alberta is probably one of the most covered of all of the provinces in Canada in terms of seeing the coloured area that says that it's covered.

Mr. Evans: I'm not a technology expert, so I couldn't make a comment on that.

In terms of the current population of Calgary-Currie, what is that, more or less?

Mr. Forseth: Calgary-Currie constituency? Forty thousand, Michelle thinks.

Mr. Evans: So your argument is: just leave it the way that it is, and you're close to the quotient.

Ms Jeffs: I'm sorry. I'm going to interrupt a bit here. I have my old map present, and this was on the old census data. We had you at 114 per cent, that Calgary-Currie was 14 per cent above, based on the census data before we added in the additional population. Is your number coming from the city of Calgary? That's a fairly wide discrepancy.

Ms Bodnar: So, then, could you tell us your numbers?

The Chair: Just a second, ma'am.

Ms Jeffs: Well, no. In fairness . . .

The Chair: Just a second. If you want to speak, please take a chair.

Mr. Forseth: Is that possible?

The Chair: Yes. We invited her there to start with.

Mr. Forseth: This is Michelle Bodnar.

Ms Jeffs: Hi, Michelle. I don't know what it was when we added it in. I'm just looking at my rough notes from when we started on the basis of the interim report. I think that based on the 2004 boundaries, based on the most recent census data, to which we added the more up-to-date population data, we had Calgary-Currie at 14 per cent above quotient.

Mr. Forseth: Do you have an actual number rather than a percentage?

Ms Jeffs: I don't have that with me, but I'd be willing to look at that. I don't know if our stats can provide it.

Mr. Forseth: That's what we're asking, that you really look at what you're doing.

Ms Jeffs: Yeah. You know, I have some other comments. I won't further interrupt Brian on this; I'll return to that later. But I just wondered if you had, you know, a city of Calgary number or something from that that was specific to that.

Ms Bodnar: It's very difficult to come up with these numbers because the electoral boundaries don't go by communities at all times. So we would actually hope that you would have that number.

Ms Jeffs: No. I'm just wondering because our number showed Calgary-Currie over quotient, which I think was part of what sort of drove the redistribution, and also the problem we had with Calgary-West, which was almost 50 per cent above quotient.

Mr. Evans: That's why I asked the question.

Ms Jeffs: I just jumped in. I'm out of turn here. We'll come back to that. I just wanted to check and see if you had something there that we could check our figures against.

Mr. Evans: Yeah. That's why I asked the question. I don't have it currently in front of me either, but certainly our view was that Calgary-Currie was well over the quotient number, and that would dictate that we would be making changes.

We haven't made changes just for the sake of making changes; we've made changes to deal with the growth patterns throughout the city. We've recognized as well that the city has said, just as Edmonton has said, that we should not be mixing urban and rural constituencies; we should make sure that our boundaries for our city of Calgary constituencies recognize the municipal boundary for the city of Calgary. So that's one of the criteria that we operated under.

In terms of retaining the name Currie, some of my colleagues may choose to correct me if I'm wrong on this, but looking at the constituency boundaries that we have proposed, most of Calgary-Currie to us looked like it was south of where we would have put the boundary. In other words, it would have been in Calgary-Elbow. So for clarity we didn't think it was appropriate with the realigned boundary to continue with the name Currie. There's nothing more sinister than that.

You talked about footprints, so perhaps you could just give us a better description of what you believe is the footprint of Calgary-Currie.

Mr. Forseth: Well, this has been an eroding process. In 2001 all of Currie that you're just naming was once in Calgary-Currie. Then by 2004 the boundary had changed. Now you're proposing that, of course, it doesn't make any sense, but it's been happening bit by bit over the last, I guess, two changes of the boundary, that the name Calgary-Currie that you're talking about, which is the specific area, has been removed from Calgary-Currie. But in the historic nature of the boundaries themselves for us it's been your predecessors who have actually removed Calgary-Currie slowly from Calgary-Currie.

That's not the reason that we were asking that it be retained. We think that the name Calgary-Currie should not be removed from the city of Calgary as a constituency but just as a name because it's a symbolic and loved piece.

1:25

Mr. Evans: And historical nature.

Mr. Forseth: Yes.

Mr. Evans: So in terms of confusion with that name, if the boundaries that we have suggested or something close to that were to be approved by the Legislature, would confusion be an issue? Or do you feel that notwithstanding confusion about where the old Currie barracks may have been . . .

Mr. Forseth: No. We're not talking about the zone; we're talking about the name.

Mr. Evans: The name. Okay. Thanks very much.

Mr. Forseth: However, we're not trying to rob somebody else of a name either.

Mr. Evans: Sure. Okay.

I've taken a lot of time here, so I'll pass to my other colleagues.

The Chair: Allyson.

Ms Jeffs: Yes. Thank you. There has not yet been a groundswell about Killarney, so you may be here in time on that.

Your issue with respect to the change in the boundaries and the fact that the downtown core would now be sort of really represented by one MLA where previously there were two: I see that as fitting into your issue with the urban-rural representation issues. Particularly, the commission has recognized that inner-city constituencies are different even than other constituencies in the city that may be more suburban in character. So I'm wondering: have you and the community that is Calgary-Buffalo sort of considered a more appropriate split for the boundaries for downtown to preserve the representation of the two MLAs? Do you have anything specific that you could offer us as a suggestion in the event that when we look at the population, we are able to tweak some of these boundaries?

Mr. Forseth: No. But I think that your concept has to be that one of the most important political and social and driving forces in Alberta comes from downtown Calgary. Not to take anything away from Calgary-Buffalo at all, but the more MLAs that can have a piece of the downtown portion – I'm sure this is true in Edmonton as well – the better because when you think of the issues, then you've got more MLAs dealing with similar issues, who are able to talk on a more equal level. You haven't isolated downtown to one MLA, who has to fight everybody else in the city who is now more suburban or exurban.

Ms Bodnar: I would say that geographically south of 17th Avenue has less need than north of 17th Avenue. So we would be happy as Calgary-Currie to take over some more of those areas.

Ms Jeffs: I'm sorry; I didn't quite catch the last part.

Ms Bodnar: We would be happy to take over some more of those areas.

Dr. Archer: North of 17th.

Ms Bodnar: North of 17th Avenue, yes, and east of 14th Street. Those would be the areas most deeply in need, I would say.

Ms Jeffs: And that would sort of fit with the community of interests and so on.

Ms Bodnar: Yes.

Ms Jeffs: I'm cognizant, Chair, that we're running a little over time, so I'm going to leave it there, but thank you very much for your presentation.

The Chair: Peter.

Mr. Dobbie: Thanks. Again, I'm just wanting to make sure that you also understand that the submission is using the wrong quotient as well. You have 42,000 in there. So, again, if you're looking at the averages, some of the data that you've been given from your researchers, or whoever helped you, might be throwing you off a bit. It would be helpful, and we would encourage you, if you have any contact with the adjacent constituencies, to come back to us with proposals. As you know, if we move one boundary, it tends to have a cascading effect. The more support that we can see for proposed changes to this interim report, that there's been some negotiation and discussion among the various constituencies, the more weight we can give to the proposal. So it would be helpful to hear further from you on your suggestions not just about the existing constituency but how you would see the other ones affected.

Mr. Forseth: Yes. You do remember that I did introduce myself as from the Calgary-Currie Liberal Constituency Association. Do you get the drift? It's not that easy to talk to these guys because they are of the other persuasion.

Mr. Dobbie: But there may be Liberal constituencies throughout Alberta, not just in your association. I'd encourage even that.

That being said, I defer to . . .

The Chair: Before you go any further, understand that if you are going to submit something further, we're out of time, but if you could get it to us within a couple of weeks, we'll take account of it.

Dr. Archer: First, just a couple of comments. Some of these issues have been discussed already. I just wanted to highlight how we've addressed the data on population size and number of constituencies. I don't know if you have a copy of our interim report with you, but I would direct you to look at pages 10 and 11. Page 10 suggests that based upon the data we're using, 52 per cent of Albertans live in Calgary or Edmonton – 52 per cent. Based upon our recommendations, we're recommending that 51 per cent of the seats go to Calgary and Edmonton. One can argue that there's a disparity there, but the disparity is 52 per cent versus 51 per cent.

You also raised the question of the amount of variation within constituencies and proposed that we use a maximum variation of plus or minus 15 percentage points. Of the 44 seats in Calgary and Edmonton, based upon our proposal 43 of those seats have a variation less than plus or minus 15 per cent.

Mr. Forseth: To each other?

Dr. Archer: To the provincial average. So 43 of the 44 seats fall within what you are recommending to us. One seat has a population of 16 per cent above the average rather than your recommended 15 per cent.

Just in terms of our responding to some of the concerns that you've articulated in your oral presentation and your written submission, I think that if you look at some of the data in the report, in fact your ideas are not inconsistent with some of the major recommendations of the commission.

Mr. Forseth: If I could ask a question.

Dr. Archer: Can I just raise a couple of other things? Then I'm happy to respond to your questions.

You also raised the question: what was the rationale for the

commission in proposing the changes in Calgary-Currie? The suggestion you brought forward is that there may have been an attempt to gerrymander, particularly looking at a constituency that was won by the opposition. I think that's a serious issue, so I'd like to take a moment to address that.

One of the issues that came up in our first round of public hearings was a question: what kind of boundaries do we use for constituencies? A number of people, particularly in the western part of Calgary, had suggested that having a constituency cross the Bow River was problematic. The old constituency of Calgary-Bow was on both sides of the river. Tying together the communities, for example, of Bowness and Montgomery, on the one hand, with communities on the south part of the Bow River was very difficult in the eyes of people who lived in those communities. One of our early decisions, taking into account that input, was to ensure that the constituency of Calgary-Bow resided either entirely on the south side of the river or entirely on the north side. We chose the south side. We kept that constituency together on the south side.

1:35

Given the considerable growth that's taking place in what I would call near west Calgary, the population demand led us to design a constituency that has its eastern boundary now the western boundary of Killarney. Working with the average population size that we are trying to accommodate and also keeping the constituencies all on the south side of the river, in the case of Killarney the Killarney constituency then simply moves eastward from Calgary-Bow and south, but not as far south as it used to go. The southern boundary now of Killarney excluded the old Currie barracks. So it led us to say: well, should we still have a constituency called Calgary-Currie when it doesn't include much of the old Calgary barracks? And we thought: that probably doesn't make sense, so let's come up with a renaming of it.

That was the kind of process that we used in order to come up with these recommendations. Maybe some of the lines are not where they best could be. For example, right now the dividing line between Calgary-Buffalo and Calgary-Killarney is 14th Street. It's just the north-south line. Maybe it makes some sense to have that line be both a north-south and also an east-west line to bring in parts of the area around 17th Avenue. You've made some suggestions to that effect. I'd be interested in learning more about that. If you could provide us with some more detailed information on that kind of proposal, I think the commission is very open to receiving that.

I hope that this brief extended discussion gives you a sense of some of the thinking that the commission used in the first go-round.

Ms Bodnar: Thank you.

Mr. Forseth: Happy to. Of course, we're not party to all of the other things you are doing around, which is how you just described the process. We're working in a vacuum as an inner group working outwards, and you're looking at all the issues. We appreciate that, of course.

The question I wanted to ask you earlier was: other than the two ridings, Dunvegan and the other one that have been given special status, if you took the variance from your smallest population size rural to any of these cities, what kind of variance have you got there? You were making a comparison of city to city ridings, which is wonderful, fair, sounds like a very fair set of numbers.

Dr. Archer: It's always difficult to make an urban-rural comparison with electoral boundaries because so many of the constituencies outside Calgary and Edmonton have some dimension of both an

urban area and a rural area. But if you take the two special constituencies out of the mix, then those – what would it be? I think there are 40. The remaining 40 constituencies are less than 1 per cent off the provincial average constituency size. Less than 1 per cent off.

Mr. Forseth: Between each rural? Or rural to urban?

Dr. Archer: Between that group of 40 constituencies.

Mr. Forseth: Yeah. Again, you're working within the same category. I'm trying to find out . . .

Ms Jeffs: It's an average.

Dr. Archer: But the range – there are only two that are 15 per cent or more, right? There are only two of the 40. One is at 15.04 per cent in the interim report; one is at 23 per cent. In answer to your question, 38 of the 40 non special consideration constituencies are under 15 per cent in a variance, 38 of 40.

Mr. Forseth: Right. This all sounds good. I'm in no way arguing with you.

Dr. Archer: Page 16.

Mr. Forseth: Yes. If that's how the numbers actually come out as a public forum, that's great. That's what we're actually asking for.

The Chair: That's how they came out in our report also, which is available to you.

Now, do you have . . .

Ms Jeffs: Just to close on that, I do thank you for bringing that to the public forum because I think it is one of the issues with dividing the province between Edmonton, Calgary, and the rest of Alberta. The rest of Alberta is not rural. It has a combination of rural, including special considerations, and it has some pretty high-growth cities in it. You know, with respect to my other colleagues on the commission, I think you've highlighted what is – it's hard to look at that and get a clear picture of what the urban-rural split is, again, because some of these are hybrid ridings and so on. It's certainly something that I've struggled with as we looked at this on the commission.

I think that's a point well taken, and thank you for bringing it.

The Chair: All right. Thank you.

Ms Friesacher: The next presenter is Mr. Oscar Fech.

The Chair: For the record, sir, would you be so kind as to identify yourself so that it can be recorded?

Oscar Fech
Private Citizen

Mr. Fech: Mr. Chair, board, my name is Oscar Fech. Judge Walter, I see you now and then in the courts, and I know most of you. I do speak out in different meetings, different functions about the honest truth, justice, and fairness, and the judges know me by that. Some say: Oscar, you should be a judge because you listen to so many court cases; you know more than we know.

I was here also in the last debate about the electoral boundary changes. My feeling is that we should have fewer MLAs, less government, not more. We have created a monster of a government.

It's almost like we've got to lead, mislead, divide, and conquer to rule. This is what happened before the Roman Empire collapsed, and we're heading in the same direction. We're probably not heading; we're into it.

What we must do is listen to the taxpayers. I go to so many of these meetings that the city of Calgary has issued a petty trespass against me, the mayor and aldermen. I can't even go to city hall anymore for a whole year because they didn't want to have my questions. I told them: "You must be accountable to the taxpayers. They're paying your bills; they're paying your wages." One time at one of the committee meetings I said: look, unless you smarten up, it's going to come to bite you. They kicked me out of city hall. They said it's a threat because I said: it's going to come to bite you. What is this, a dictatorship? That's the mayor and aldermen of Calgary.

I come from the Hapsburgs and the czar that ruled the world when you go back to the 1800s. My grandparents were shot in Russia; the whole czar family was shot. Maybe the divine God has given me strength, wisdom, and knowledge to speak out. If the Creator gives me enough strength and power, he can make me the world leader. I'm just being honest with you. I've been called the Antichrist, the second coming of Moses, the devil, and everything. I go to the synagogue, too. They slashed my tires at the synagogue. My grandmother was Jewish. She left Poland because she was afraid she might get killed.

We've got a handful of people that rule the world. Just like a ship must have a captain, the world organization must have a captain to rule the world. Otherwise, it wouldn't run. But the top banana is the Rothschilds from France. They rule the world: the Rockefellers, Reichmanns, Bronfmans, Henry Kissinger. I'm not being facetious or anything. It's just that that's the way the system is. That's why my grandparents got killed, the czar of Russia.

I have written these letters. I gave them to the mayor and the officials. The Premier and Danyluk have all these letters. They're trying to put a caveat against my property in Ponoka because they want to charge me \$245,000 for sewer and water. It's vacant land, and the Premier knows. Everybody knows. The minister knows. I've talked to all of them, almost. What I'm trying to say is that we must get back to good, commonsense ruling and accountability.

1:45

Also, I must say that Jonathan Denis put in a bill about being accountable, honesty, truth, justice, fairness. He put in the legislation that Oscar believes in: honesty, truth, accountability. It's right in the legislation. I went the last time when they had the Premier's prayer meeting, and they honoured me, and I stood up and said: "Oscar Fech is here. He believes in honesty, truth, and accountability." I appreciated that because they appreciated what I'm trying to do.

Between 1867 and 1967 we had the Magna Carta, common law. Since 1967 it's my feeling that we have no law. We've created rules and laws to fit the crime. We've created rules and laws to manipulate, destroy, and rebuild for a fee. I studied all this, Chair and board, and I'm very strong in believing in accountability and believing in the Divine because that's the only way you can get strength. Like, with religion and politics, I'm not sure which one is worse. Both don't tell the truth. Look at the Vatican. Look at the priests, what they're doing. This is what the world power has created. To rule, you must destroy and rebuild for a fee.

Technology and money run the world now. That's the bricks and mortar. With technology you can create any fiction. You can create accounts that are still owing or overpaid or underpaid or funnel monies. I was kicked out of that meeting, also, at city hall. I spoke:

“Look, what are you doing? You have no outside audit.” They got mad at me, and I said: “Now, just a minute. We need outside audits to run the city of Calgary. There’s no outside audit. You create your own audit within.” I said, “That’s illegal,” but they make it legal.

Panel, I’ve said so many things, and I hope you have listened. I think that what we need is revelation, revolution, or somebody that will stand up and speak the truth. That’s what I’m doing, and I’m not afraid. If we don’t, we’re heading like all empires that have come and gone. With the U.S. and Canada, Canada has been praised as the best country in the world. Canada is very corrupt from behind the scenes.

I’m not knocking anybody. I studied all this. Hitler was part of the system at that time, too. But I know you’re getting tired of me.

The Chair: No. It’s the time limit. The time limit is 10 minutes.

Mr. Fech: Okay. Panel, I went to the last one; I’m at this one. Every time I come, I come on a little stronger but in an honest way: unless we change governments. They must be accountable. It seems like there’s no government accountability anymore because they’ve been manipulated, through legislation and everything, to do as you’re told. That’s wrong.

The Chair: Thank you very much, sir.

Mr. Fech: May I give you a little bit of my – I ran as a mayoralty candidate.

The Chair: Certainly, you can leave it with our staff here. Give it to them, and they will file it with us.

Mr. Fech: Sure. And I’d like to give you my history.

The Chair: By all means.

Mr. Fech: How about the petty trespass against me, where city hall kicked me out?

The Chair: Certainly, we’ll take that, too.

Mr. Fech: Okay. How about the last letter from Ponoka that my lawyer wrote just in the last little while? I’ve been fighting with them for five years. I went to two appeals judges. You would not believe it. They laughed at me. They said: “Oscar, we can do whatever we want. We create all the rules and laws.” Why do you think I’m upset?

The Chair: Well, you can leave these with the staff.
At this point, Keith, do you have any questions?

Dr. Archer: No questions. Thanks.

The Chair: Peter?

Mr. Dobbie: No. Thank you. Your comments on the number of seats will form part of the record.

The Chair: Allyson?

Ms Jeffs: I don’t have any questions. Thank you, sir.

The Chair: Brian?

Mr. Evans: No. Thank you.
Thank you, Mr. Fech.

The Chair: Thank you so much, and if you would leave that with the staff over there.

Mr. Fech: Would you read them and then analyze what I’ve said and what we should do?

The Chair: We will. They’ll be part of the record.

Mr. Fech: Thank you.

The Chair: Thank you so much, sir.

Ms Friesacher: Our next presenters are Mr. Paul Breeze and Ms Lynette Javaheri with the Calgary-Shaw PC association.

The Chair: Since we’re being recorded, for the record would you please both identify yourselves.

Ms Javaheri: I’m Lynette Javaheri.

Mr. Breeze: My name is Paul Breeze. Thank you.

The Chair: Go ahead.

**Paul Breeze, Calgary-Shaw
Progressive Conservative Constituency Association**

**Lynette Javaheri
Chaparral Community Association**

Mr. Breeze: Thank you. Good afternoon, Mr. Chairman and ladies and gentlemen. The commission is in receipt of our written submission dated April 1, 2010, which was submitted following our study of your interim report.

In summary, it is our opinion that the recommendations contained in the interim report with respect to south Calgary can be improved by taking note of two major boundary conditions; namely, that like and contiguous communities should be kept within one electoral division and that clear natural boundaries, in our case the Bow River and Fish Creek, should be recognized as boundaries between electoral divisions.

Hence, with reference to our written submission dated April 1, we are proposing some boundary adjustments to ensure that the communities of Woodlands and Woodbine stay adjoined. Similarly, we propose that the communities of Sundance and Chaparral stay within Calgary-Shaw. To accommodate these proposals and to ensure that the two watercourses are recognized as strong natural boundaries, we are proposing that the commission accept our boundary recommendations as recently submitted. Our proposals respect the provincial quotient and the need to be within the plus or minus 25 per cent envelope. In addition, we have maintained the commission’s recommendations as to those divisions that are slightly under the quotient and those that are slightly over.

That concludes my presentation, but my colleague, Lynette, would like to say a few words on behalf of Chaparral.

The Chair: By all means.

Ms Javaheri: Thank you. Mr. Chairman, ladies and gentlemen, thank you for the opportunity to speak here today. My name is Lynette Javaheri, and I’m a 12-year resident of the community of

Lake Chaparral. I am married with two school-age boys, and I'm a very active member of my community. I currently sit as chair on parent council, I'm involved with the Chaparral Scouts, I serve as communications director of the Chaparral Residents Association, and I also hold a liaison position with the Chaparral Community Association.

I come to you here today as a result of my position with the Chaparral Community Association. I attended a town hall meeting by our MLA, Cindy Ady, on March 25 of this year. At the meeting I learned some of the details which your committee has been working on for some time. I was distressed to see the boundary change that would see the communities of Chaparral removed from Calgary-Shaw constituency. After discussion with the community association board of directors we realized that our voices need to be heard on this matter. As a result, the president of our association has asked me to come here today to address our concerns.

Chaparral is a young, vibrant community located just west of the Fish Creek provincial park divide. We consider ourselves to be part of what is informally referred to as the south Fish Creek area of the city. These areas include all the communities that find themselves on the north and west side of Fish Creek park. We share the same roadway infrastructure and headaches on Macleod Trail; we share the same shopping districts in Shawnessy and Millrise town centres; we share recreational infrastructure in south Fish Creek arenas, Shawnessy Calgary public library, and the YMCA facilities, just to name a few.

The most important thing that links us to Calgary-Shaw is our intricate relationship with the communities of Sundance and Midnapore. Our children attend schools located in these areas: Sundance elementary in Sundance, Mother Teresa elementary in Midnapore, Fish Creek elementary in Sundance, MidSun junior high in Sundance, Father James Whelihan junior high in Sundance, Centennial high school in Sundance, and Bishop O'Byrne high school in Shawnessy. Our children also play in the same hockey, soccer, and baseball associations. As you can see, we are not only linked as communities by geographical location but by deep community ties.

1:55

I strongly believe it would be a great disservice to the community of Chaparral to sever our ties to Calgary-Shaw. We need an MLA that understands and represents our infrastructure and educational needs. To use 22X as a boundary line would leave our community without an effective voice. We share little in common with the communities of Cranston, Auburn Bay, and Silverado other than we are all situated on the south side of 22X. I truly believe that Fish Creek park has always been the boundary line that ties our communities together, and I respectfully ask you here today to leave Chaparral in the constituency that will serve our needs best.

Thank you for your time.

The Chair: Thank you.
Keith.

Dr. Archer: Yeah. Thanks for that presentation and the written submissions as well. I think we looked at this at the time that we were drawing the maps, and the challenge that we had is the size of the Chaparral community. It's so large. According to the data that I have it's 10,537 people.

Ms Javaheri: That would be probably correct, yes.

Dr. Archer: Yeah. So moving that unit is such a big block of

individuals that it likely would put the community right over the limit. Let me just see. Calgary-Shaw, according to our interim report, is 44,000 individuals, so it's already 8 per cent over. To move another 10,000 people into the community would actually take us right over the upper limit that legislation prohibits us from exceeding. The only way that we can move Chaparral into Calgary-Shaw is to look at moving a fairly large community out of Calgary-Shaw. Now, I think part of the proposal had to do with moving – was it Woodbine into Calgary-Lougheed?

Ms Javaheri: I'll defer this to Paul.

Mr. Breeze: Not with respect to Calgary-Shaw. We were making the point that Woodbine and Woodlands up in Calgary-Lougheed territory are like communities. Similarly, Chaparral and Sundance are like communities. It was a speaking point, that we thought those communities should stay together.

We acknowledged that simply moving Chaparral from your recommendation in Calgary-Hays over to Calgary-Shaw would indeed cause a population issue. We tried to address that in our written submission of April 1. You know, we recognize that it's not an easy task. I mean, you move one community; you move another. We tried to address two significant issues; that is, that like communities should stay together, as Lynette and we have pointed out, and number two, that the interim report had a lot of electoral divisions crossing Fish Creek park and the Bow River. We looked at the guidelines, the commission's own guidelines, and tried to modify the boundaries such that they fell within the guidelines of the commission's mandate.

Dr. Archer: Okay. Again, could you just summarize the major proposed changes so that we don't lose this as part of our discussions later on? You're looking at moving Chaparral from Calgary-Hays into Calgary-Shaw.

Mr. Breeze: Yes. Well, first of all, we're suggesting that Millrise and Shawnee Slopes stay with Calgary-Lougheed. They've been with Lougheed since 2003. Prior to that they were with Calgary-Shaw. We thought it was a bit of a disservice to keep moving Millrise and Shawnee Slopes from one MLA to another, then back to another MLA, so we moved Millrise and Shawnee Slopes, presently in Calgary-Shaw, back to Calgary-Lougheed. We moved Woodbine from Calgary-Lougheed to Calgary-Fish Creek. We moved Silverado, Chaparral, Walden, and Legacy from Calgary-Hays to Calgary-Shaw. We moved Riverbend into Calgary-McKenzie and moved McKenzie Towne to Calgary-Hays. That was summarized in our spreadsheet that was on page 5 of our submission, which balanced the populations and also kept the boundaries of Fish Creek and the Bow River as boundaries of the electoral divisions.

Dr. Archer: Okay. Thanks. I have no further questions.

The Chair: Peter.

Mr. Dobbie: Thank you. No questions, just a comment. I appreciate the clarity of the presentation and thank you for reading the interim report and answering the request by contemplating your proposed changes on adjacent ridings. It certainly is helpful to hear from people within the community as to where we make the balance between competing priorities, so this is very helpful information. Thank you for the detail.

Mr. Breeze: You're welcome.

The Chair: Allyson.

Ms Jeffs: Certainly. Thank you again for your presentation. I'm looking at your spreadsheet here. I'm looking at the way that the numbers fall. As you've proposed, the Calgary-Shaw riding would be 49,172 people, which would be at 20.3 per cent. One of our concerns has been that significant growth in the south. I'm wondering if that is going to overtake that and put your riding outside the legal limit of 25 per cent above the average in fairly short order. Maybe you can just speak to that. That's a concern. We've tried to avoid that and sort of at least have some consideration of future growth patterns. That's one reason why some of the ridings in the south – Calgary-Hays, I think, has been left below the quotient in anticipation of some growth there, but I don't think Calgary-Shaw is done with its growth yet either. Am I correct about that?

Mr. Breeze: Well, perhaps I can address that in a slightly different way. I certainly understand your comment that in our proposal Calgary-Shaw is 20 per cent above the provincial quotient. The two significant areas of growth are Walden and Legacy, which are presently rated at zero population, so in theory when you move Walden and Legacy around, it doesn't make any difference. However, if one is focusing on areas of growth, then perhaps it does matter where they go. Even though it breaks what I would call our guidelines, if Walden and Legacy stayed with Calgary-Hays, we would find that acceptable. So Walden and Legacy, presently zero, move back to Calgary-Hays. Then when you look at Calgary-Shaw, yes, there are some areas of growth, but the majority of the growth in south Calgary will be within Calgary-Hays, and the numbers would address that.

Ms Jeffs: Forgive me; I don't know the configuration of the communities out there. If we were moving Walden and Legacy back into Calgary-Hays, does that still leave us with a reasonably clear boundary?

Mr. Breeze: Walden and Legacy are on the west side of the Bow River.

Ms Jeffs: That helps. Thank you. Sorry; I didn't mean to interrupt. They're on the west side.

Ms Javaheri: Walden is a community that is directly adjacent to Chaparral. Legacy is many years away from being a community. Walden is directly south of Chaparral.

Ms Jeffs: Directly south of Chaparral. It's a little closer to becoming a community?

Ms Javaheri: Yeah. It's an active community at this point being built, with probably a hundred homes.

Ms Jeffs: Okay. That's actually in progress, but your sense was that Legacy is a little further out in terms of growth?

Ms Javaheri: And Chaparral, for intents and purposes, is finished.

Ms Jeffs: Okay. Thank you. Those are all of my questions.

The Chair: Brian.

Mr. Evans: Thanks, Chairman. Thanks very much to both of you for your presentations. I don't know whether you've had an opportunity to take a look at submission 344 from the Calgary-Hays PC association, but the second page identifies the problems that we always face when we have adjacent constituencies. Now, you've made a presentation about the importance of keeping Chaparral in Calgary-Shaw. On the other hand, Calgary-Hays is saying that while we recognize their desire to retain Chaparral: "Unfortunately to do this would seem to require significant realignment of . . . the surrounding constituencies. While we sympathize with their position we do not wish to be further carved up to meet their objective."

2:05

That's part of the issue that we face whenever we are looking at proposed changes to what we have created, again, the same kinds of issues that we faced when we were trying to do the best job that we could to set up the constituencies based on communities of interest and populations. Please take that into account. If you haven't had a chance to read it, again, it's submission 344. If you could come to some consensus with Calgary-Hays on this matter and send that in to us, that would be very much appreciated.

Mr. Breeze: Could I just make a comment on that, Mr. Evans?

Mr. Evans: Yes, of course.

Mr. Breeze: We did meet with Arthur Johnston and Alex Girvin, and I think the words that are in their submission are correct. We heard the same things, that they were sympathetic to our plight. However, they were not prepared to put any recommendations on the table on how it could be resolved.

We went ahead and produced the document that we submitted. We did submit the summary of our recommendations to the surrounding communities. There seemed to be some acknowledgement that Woodbine and Woodlands, which are not in Calgary-Shaw, should stay together, and we tried to keep them together in our submission and recognize that.

We tried to address Calgary-Hays's sympathy by – they were sympathetic to us retaining Chaparral. We have done that. Yes, there are some further adjustments, but with all due respect to the commission, the adjustments we're proposing do keep within the guidelines of the commission's mandate; that is, that clear natural boundaries should be respected. That's where we started with our report. We marked out the clear natural boundaries. Then the communities and the electoral divisions fell exactly where they fell in our recommendations.

We believe that it's a moderate improvement on the interim report. We certainly appreciate the difficulties that you've gone through. I'm sure that if you could put half an electoral division in south Calgary rather than one division, it would work out quite nicely, but I realize that's not within your mandate.

Mr. Evans: Thanks for that clarification. I appreciate it. I don't have any further questions, Mr. Chairman.

The Chair: Thank you both. I very much appreciate it. We'll proceed with our next submissions.

Mr. Breeze: Thank you.

Ms Javaheri: Thank you.

Ms Friesacher: The next presenter is Mr. Bob Montgomery, president of the Calgary-Egmont PC Constituency Association.

The Chair: Sir, could I get you to identify yourself on the record for *Hansard*?

**Bob Montgomery, Calgary-Egmont
Progressive Conservative Constituency Association**

Mr. Montgomery: Of course, Mr. Chairman. My name is Bob Montgomery, and I have the privilege of being the president of the Calgary-Egmont PC Constituency Association.

Justice Walter and commission members, further to our original submission, we understand and appreciate that the considered reassessment of electoral boundaries can be contentious. As we understand the mandate of the commission, our presence here today is intended to offer support and perhaps some further consideration to reinforce the primary objectives; namely, to ensure uninterrupted, effective representation and to retain important intercommunity dynamics and respect cultural integration with any proposed reassessment. This presentation will also include reference to some of the alternatives proposed by others.

Over the last 20 years there have been dramatic changes within the city of Calgary. Not the least has been a steady immigration of citizens from other parts of the country and around the world. The city initiative entitled Plan It Calgary was developed to create an integrated land-use and transportation plan that could manage the sustainable growth of an additional 1.3 million folks over the next 60 years, a sizable task indeed. It is our understanding that the commission is committed to similar goals as they relate to effective representation.

The Plan It Calgary process summarizes the effect of these and other changes and proposes a way forward that minimizes the potential adverse impact upon communities, allowing for more effective commuting around the city and into the core. It proposes an inner-core residential redevelopment promoting cultural and economic integration with the goal of balancing the often competing components of working, living, and playing in a manner that minimizes the footprint of an ever-expanding population density. Within this context we propose some thoughts for your consideration.

Many of the communities currently within the boundary of Calgary-Egmont are now classified as inner city, are mature and largely stable with marginal turnover and little opportunity for future growth. Most of these communities have been established and the residents have lived together for many years. With regard to functional boundaries the industrial sector in the north end of the boundary area creates a dynamic that has been considered in the commission's interim report. We congratulate the commission on that consideration. The recommendation for the community of Ramsay to be reassessed outside the boundary and for the community of Southwood to be reassessed inside the district represents this dynamic.

To the south and east, although separated by the Bow River, the completion of an enhanced entry-egress roadway system has helped the residents of the community of Riverbend grow roots deep into the fabric of adjacent communities that include Maple Ridge, Fairview, and Acadia. Many residents utilize a diverse array of educational, recreational, and religious activities in the facilities throughout the communities of Acadia, Fairview, and Maple Ridge. By way of an example, I live in Willow Ridge. I have many friends that live in Riverbend, and we all attend church in Fairview.

As the interim report suggests – and we concur – the mandate

appears fully and completely met with regard to the boundary of Calgary-Egmont proposed under the new name of Calgary-Acadia. In our opinion, the Bow River does not pose a natural boundary but, instead, a bond. It helps bind communities on both sides. In our opinion, the utilization of community services and infrastructure by residents of Riverbend predisposes a change from the current boundaries.

Looking forward, community leaders within Riverbend are working with the city and the province to build or expand existing or new recreational facilities that would enhance their access. We applaud the efforts made by these community leaders. Perhaps five or 10 years from now circumstances may suggest a different conclusion with regard to boundary reassessment. Revisiting the existing boundaries of any constituency must not be considered in isolation in order to balance the sometimes competing interests of vested parties with a larger mandate, as heretofore described.

To reiterate, consideration should be based upon the main objective; namely, to ensure the continual effective representation of the population, accounting for changes in the population that may otherwise result in an unacceptable dilution of representation. As referred to earlier, most of the communities within Calgary-Egmont have had very little change in population. However, the interim report wisely recognizes the impact that population change will have within some communities over the next five years, and we include some thoughts for your consideration.

There is little doubt that the boundaries of Calgary-Hays, Calgary-Shaw, and Calgary-Lougheed should be reassessed to ensure that appropriate representation remains. As expected, population growth occurs in these areas. For example, the Calgary-Lougheed submission to include the communities of both Woodbine and Woodlands within their boundary makes sense in that it respects the distinctive relationship that has developed between these communities. However, with respect to some of the other submissions received, carving up the communities of Calgary-Fish Creek like a Sunday roast to feed the appetites of others will not address the anticipated growth in the south, nor will it serve the representative interests of those living within the communities of Calgary-Fish Creek.

2:15

In contrast, the creation of a new Calgary-South electoral district does address the anticipated growth and, with respect to the representation made by Calgary-Shaw, does so with a minimum of disruption to surrounding communities, respecting the relationships that have been fostered between communities and the effective representative relationships currently in place like that enjoyed by residents of Calgary-Elbow.

In conclusion, we want to encourage the commission to stay the course towards finalizing a reassessment that respects people first here. A very important element. Mr. Chairman, much good work has been completed, and based upon a concerted effort to honour the mandate, we anticipate a final report that honours the residents of all communities within this great province.

Thank you for the opportunity to present this addendum to our written submission that we submitted earlier.

The Chair: Thank you.
Brian.

Mr. Evans: Thanks very much, Mr. Chairman, and thank you, Mr. Montgomery. Just a couple of comments. First of all, in your earlier presentation you had mentioned that albeit you were somewhat reluctant to lose the name Egmont, you recognized that the name Acadia did reflect and identify the location. It seemed to me by my

reading that you were okay with that change of name. Would that be an accurate description?

Mr. Montgomery: It is, Mr. Evans. The demographics of most of our communities within Calgary-Egmont are slightly higher than the median average in terms of age, and the honour, the history behind the name Egmont is a tough thing to let go. However, they recognize the difficulty with the name and confusion with other folks of a similar name, so Acadia is acceptable, yes.

Mr. Evans: Okay. Thank you very much.

Now, this may sound a little strange that I'm bringing up Calgary-Elbow, but we've had a presentation from Calgary-Elbow that suggested that the area on the northeast of Elbow that goes along the Elbow River be extended to the east to Macleod Trail. That would leave an area in that north industrial area that it would seem to me would make the most sense to include in Calgary-Acadia. In that reference we'd move the western boundary from Blackfoot Trail over to Macleod Trail. That seems to be consistent with what you've said before about the north end being industrial and your not having a problem with that. Would you see any problem with moving from Blackfoot Trail over to Macleod Trail? It seems to me that's a pretty similar type of landscape there, being light industrial.

Mr. Montgomery: It is very similar, and in general principle I don't think there's a difficulty. I appreciate the question because even though population is relatively sparse, those folks matter and deserve a say. I appreciate your question.

Mr. Evans: Okay. Well, maybe you could spend a little more time on that, and if you have any further comments after you discuss it with your colleagues, we'd be happy to hear from you.

Mr. Montgomery: Absolutely. Thank you.

Mr. Evans: Thanks very much. Those are my questions.

Ms Jeffs: Thank you very much, Mr. Montgomery. Actually, Brian asked the question I was concerned about, which was related to our presentation from Calgary-Elbow. If I'm hearing you correctly, your association is happy with what we've done. We like to hear that. Thank you so much for coming.

Mr. Montgomery: Well, I make the point if I might, Ms Jeffs, that we recognize the job of the commission is very difficult, and we recognize it's overdue, and we recognize that you've got many competing interests. We understand that. You're in a difficult spot. We appreciate the work that you've done to this point.

Ms Jeffs: Well, thank you very much. It reaffirms that if you're content with how we've redrawn that, we bear that in mind as we look at other potential tweaking within the city, too, and how that affects you. Other than that – that's more of a comment, really – I don't have any questions. Thanks again.

Mr. Montgomery: Thank you. You bet.

The Chair: Peter.

Mr. Dobbie: Thanks, Mr. Chairman, and thank you, Mr. Montgomery. You've spoken at length about the constituency that you're involved with, but you've also felt free to offer some comments on some of the southern constituencies. I'd like to, if I may, ask you a few questions about the previous presentation we heard.

The suggestion from Calgary-Shaw appears to be to essentially extend Calgary-Shaw south below Spruce Meadows Trail, which, according to my crude cartography, would just see Calgary-Hays continue where it is, but we would carve out a portion below Spruce Meadows Trail. Does that proposal offend the comments that you made? When I use "offend," I don't mean that you take personal offence to it as much as: is it inconsistent with what you've proposed?

Mr. Montgomery: Of course, Mr. Dobbie. I appreciate the opportunity to speak to that. I certainly, as you can well appreciate, don't speak for Calgary-Shaw. Calgary-Shaw is in a difficult spot in the sense that growth is going to occur south and to the east so, with the population that they sit at, are in a bit of a quandary as to how do they move forward. The difficulty that we have, I guess, is dialogue and discussion by all vested parties is the way forward to resolving it to the most amicable solution. We have not been part of that, so that makes it difficult for us to endorse that submission.

Mr. Dobbie: Thank you.

Dr. Archer: Thanks, Mr. Montgomery. I wanted to go back to the discussion that we had with the people from Calgary-Elbow because one of the other topics that came up in their presentation could have an impact on Calgary-Acadia, so if we could get your response to that, that would be great. Lori, if we could get the Calgary-Acadia map up again. Because I don't know the name of the community I'm going to be referring to, I'll just go up to the map and use the mike up there.

The suggestion that Brian Evans had made reference to was moving this northwest portion of the constituency over to Macleod Trail and coming down to Glenmore Trail. The other proposal we had was to use Glenmore Trail as the northern boundary of Calgary-Glenmore. One presentation suggests that this community right here bounded by Heritage Drive, Glenmore Trail – I can't read that – and Macleod Trail . . .

Mr. Montgomery: That's Elbow on the west side.

Dr. Archer: . . . Elbow, yeah, should move over to Calgary-Acadia as well. So the boundary for Calgary-Acadia would come right down Macleod Trail. Sorry. It would move from Calgary-Acadia over to Calgary-Glenmore.

Mr. Montgomery: Right.

Dr. Archer: I don't think we've had a chance yet – we just heard this proposal yesterday – to look at what the population shifts would be as a result of these two changes. The argument was that this community has a greater commonality of interests with the communities that are south of Glenmore Trail down in the Heritage area and west of Macleod Trail than they have with the people on the east side of Macleod Trail. Could you respond to that suggestion as well?

Mr. Montgomery: Absolutely, Dr. Archer. We appreciate, again, the opportunity to discuss that point. The area that you're speaking about is Kingsland and the community of Kingsland. I can tell you that some of our most dedicated volunteers within our association are from Kingsland, including our MLA, who lives in Kingsland. That aside, the infrastructure within Kingsland, which is relatively small, demands folks from Kingsland to move outside. The question, I guess, that I need to determine to give you a more clear

answer is: would those folks move more towards the Glenmore side or towards the Macleod side? I haven't got a clear answer for that, so I need to find that out for you.

2:25

Dr. Archer: Great. That was my only question. Thank you.

The Chair: Thank you very much, sir, for your presentation and being here today. We'll certainly be considering what you have given us.

Mr. Montgomery: Thank you, Judge Walter.

Ms Friesacher: The next presenter is Mr. Alex Girvin, president of the Calgary-Hays PC Party Constituency Association.

The Chair: Sir, could we have you put your name on the record for *Hansard*, that's recording this?

**Alex Girvin, Calgary-Hays
Progressive Conservative Constituency Association**

Mr. Girvin: Absolutely. Good afternoon. It's Alex Girvin, president of the Calgary-Hays PC association.

I just wanted to point out that in looking at the website and the list of correspondence that was submitted, mine was erroneously entered as having come from Mr. Montgomery. Perhaps that could get corrected on there.

The Chair: We'll certainly correct that.

Mr. Girvin: Thank you. It's in case somebody comes to me and says: I didn't see your name on that list; I thought you were putting something in.

We generally accept the commission's recommendation with respect to splitting Calgary-Hays and creating a new riding with a few provisos. I'd like to think that, compared to some of the people before me, our proposals are fairly simple and straightforward.

First of all, we feel that Douglasdale and McKenzie should retain the Calgary-Hays name as opposed to the proposal, which would have Calgary-Hays essentially shift to largely what is going to be the new constituency, and predominantly what is the existing constituency will adopt the name of Calgary-McKenzie. The reason we want to keep the Hays name with Douglasdale and McKenzie is that the communities are well established, with the majority of people being long-time residents who identify with the Hays name. On the other hand, the communities of New Brighton, Copperfield, Auburn Bay, et cetera, are relatively new and growing communities, and we feel they don't have the same attachment to that name.

Swapping the names is also somewhat confusing, and it kind of made it challenging to respond in written form to this proposal here. Am I talking about the existing Calgary-Hays or the new Calgary-Hays because it's switched over here? It has actually kind of made it complex to deal with this.

I think we're one of the few ridings which actually has split, effectively. As I said, we recognized that when the report first came out and we looked at the numbers. Using the 2006 census data, we thought we might be okay. Of course, once we looked at 2009 numbers, we knew we were way bloated and that something significant would have to be done. We recognize that, being in the southeast quadrant of the city, there's a tremendous amount of growth that is taking place there and will take place well into the foreseeable future.

We suggest that, as I say, the Calgary-Hays name be retained for the western portion of the new divisions, which would include

Douglas Glen, Douglasdale, and McKenzie, and the new division created to the east could be called Calgary-South East for now until such time as some other name comes up. It certainly is Calgary southeast.

The second point we'd like to make is that we feel the northern boundary is retained as it is currently drawn. I think it actually would be helpful if we got the map up there of the existing Calgary-Hays boundary. I think that would probably be most helpful at this point.

The Chair: We don't have those maps.

Mr. Girvin: You don't have the existing maps? All right. If you refer to the attachments in the handout you've got, option 1 is an overlay of the current boundary.

The Chair: We have maps at the back that would reflect that.

Mr. Girvin: There's a copy in your handout as well.

The Chair: Go ahead.

Mr. Girvin: We feel that the north boundary should be retained as is currently drawn. There is no discernible reason why this boundary has been moved south. This northeast area is currently part of Calgary-Hays, and we're opposed to including it in Calgary-Fort. Our constituency office is located in this area. It also includes the Douglas Square retail shops, numerous businesses, not the least of which is the Deerfoot Inn. Calgary-Hays has held our annual general meeting and numerous functions, including our Christmas social, at the Deerfoot Inn. We have worked hard to establish contact with the businesses in this area and have a strong desire to maintain these valued relationships.

There is no residential component in the area, so there is no impact to the electoral numbers of Calgary-Fort or Calgary-Hays. The exception that I might add to this is Shepard, which has 262 persons. Although that's important to their numbers there, in the bigger scheme of things that's a fairly small number and, really, inconsequential in our view.

The third point is that if we retain the existing north boundary of Calgary-Hays, then we must subdivide it along an east-west route to create the two new divisions. We would propose two options on that. The first option, as outlined in the attached map, is to extend the proposed 52nd Street boundary north to Glenmore Trail. Under the proposed revision to the new Calgary-Hays the northern boundary is 114th Avenue. If we retain the current northern boundary, that will shift right up to Glenmore Trail. Then how do we divide it further up between the east and west divisions? As I said, option 1 would be that we just continue the boundary already created on 52nd Street. Instead of it stopping on 114th Avenue, it just continues right up to Glenmore Trail. We think this is the best option. It creates a simple and easy-to-understand boundary between two divisions, and this area is totally encompassed as an industrial area, once again with the exception of the small community of Shepard.

The second option that we would propose would be that the 52nd Street boundary continue north to 114th Avenue, as in the proposal, and then continue west to Barlow Trail and then north on Barlow Trail to Glenmore Trail. I notice there's an error in option 2. It should be west to Barlow Trail and north to Glenmore Trail. This boundary is slightly more complicated than option 1, but again it totally encompasses an industrial area with the exception of Shepard. We don't see any obstacles to this being done, and as I said earlier,

we're really not sure why the boundary was dropped down from Glenmore Trail in the first place since it really doesn't incorporate a residential area.

Other options. Well, as you probably heard earlier, I suspect, we met with representatives of Calgary-Shaw, and they expressed their very strong desire to retain Lake Chaparral. You know, we're not opposed to this in principle, and we certainly agree that the Bow River is an excellent natural boundary. Unfortunately, the reality is that to do this will require significant realigning of all of the surrounding constituencies. Removing Chaparral and Silverado to retain them in Calgary-Shaw would reduce the proposed Calgary-Hays division to 23,691, which is 6,969 below the minimum allowable of 30,660. While above the special consideration electoral division population of 20,440, it doesn't meet the criteria. It actually only meets one of the points – it's more than 150 kilometres from the Legislature – but it doesn't meet the other three, so clearly that can't work.

2:35

Another part of the proposal was removing McKenzie Towne and adding it to Calgary-Hays. This would reduce the proposed Calgary-McKenzie division to 26,282, which is 4,378 below the minimum allowable of 30,660. The same thing applies. It's above the special electoral division, but of course it doesn't meet the criteria. Then what do you do? Well, then they propose to remove Riverbend from Calgary-Egmont and add it to the proposed Calgary-McKenzie division to bring the population numbers up in the proposed Calgary-McKenzie division.

I got here a little late, so I didn't hear Calgary-Egmont's submission, but I read the written one, and they clearly are very fond of Riverbend and probably would be reluctant to give it up, and I'm sure they've expressed that to you. Being here yesterday afternoon, I know that Dr. Archer commented on the fact that the commission is well aware of the difficulty of redrawing boundaries, trying to retain communities. In the case of Chaparral, you've got a community of 10,500 people, and that's the problem. They want to hold on to it. It's a huge chunk there, and you have to shift a lot of stuff around to try and make that work. We sympathize with Calgary-Shaw's position, but we don't want to be, you know, further carved up to meet their objective. Needless to say, this would create a lot of work for the commission and no doubt would further cause opposition in some of the affected areas.

The proposed Calgary-Hays division will see continued growth in the developing areas of New Brighton, Copperfield, Cranston, and Auburn Bay. The new areas of Mahogany and Seton will further add to this growth. There's no doubt in my mind that it's very conceivable that by the next time the boundary review is completed, Chaparral may well return to Calgary-Shaw at that time, and the Bow River will be adopted as the new boundary. We're not ready for that yet. I think, ultimately, that is a great natural boundary, but the city is growing south and east and will continue to do so. I think we may end up back at that down the road.

I'd like to thank the electoral commission for the opportunity to present before them today and to detail our views on the proposed Calgary-Hays, Calgary-McKenzie electoral boundaries. We acknowledge that the commission has specified the criteria they used to redraw the boundaries. However, I feel the interim report is lacking. It would have been very helpful if they had included their specific reasoning for creating the new boundaries. We hope that future reports will contain this information because we think that it can answer a lot of the questions, some of the reasoning people have, and it gives you a better overall picture.

You know, I look at the report, and right away I understand that

my boundaries may have changed. I'm not that familiar with the surrounding boundaries. It's a lot of work to sort of be flipping pages and looking at maps. Did this change? Did that change? If you read a summary that this was changed here and this was changed there, I think it would give the public a better understanding of exactly what took place. I know that this wasn't done willy-nilly, obviously. When you looked at these things, you had discussions. You had reasoning for drawing the lines the way that you did. I think that they should be included in any future reports just to better communicate the process to people.

Thanks very much.

Dr. Archer: Well, Mr. Girvin, thanks very much for the presentation. Firstly, I guess I'll just reiterate what I take to be a couple of the key points that you'd like us to take away. Calgary-McKenzie you'd like us to name Calgary-Hays, the proposed name Calgary-Hays, something geographical – Calgary-South East would seem to work for the time being – and some tweaking of the northern boundary, not necessarily to bring population in but to reflect some of the business relationships that exist in that area.

It seems to me that the key issue for the commission, after we leave Calgary and need to consider what we've heard, has to do with Lake Chaparral and where it goes. It has such a significant cascading effect elsewhere. Some of the information that we've received from some of the other communities indicates ways in which we can make this work. Unfortunately, they probably didn't take it far enough and talk about what happens to Calgary-Acadia if Riverbend is lost. It's going to be a real tough one for us to address.

I wonder if you could perhaps give us just a summary comment on your sense of whether one can ensure effective representation with what we've proposed as Calgary-Hays or Calgary-South East given the general configuration that is presented in our interim report, assuming we can do some tweaking on the north side. You know, it's clearly a constituency that has big gaps between communities. Some of those communities may be quite distinctive, but are they of sufficiently common character that an MLA reasonably could address the concerns of those communities?

Mr. Girvin: Yes, I think that they would be. As we said in the beginning, other than a few minor, I think easy-to-do adjustments, one of which involves just retaining the existing northern boundary – and then it's just a matter of: how do you subdivide between east and west? – it's fairly straightforward for us.

Definitely the elephant in the room, so to speak, is Lake Chaparral. I certainly sympathize with Calgary-Shaw on this issue, but the problem that really limits the commission is that you've got the plus or minus 25 per cent, and with a community that's got just over 10,000 people, unless you rejig the whole thing – then you're impacting a lot of people. I mean, we already cover currently Cranston anyway, so it's just a matter of going across the river to Lake Chaparral. Highway 22X is divided there. It's not a two-lane road like it used to be. You know, I don't think there's a big issue there. I don't think there's any problem as to whether there can be effective representation.

The issue really is that the current MLA for Calgary-Shaw has done a lot of work in that area and, you know, understandably is very reluctant to let that go. She feels she has a strong power base there, and it's totally understandable. However, the numbers work against her. I'm sure the commission knows that, and anyone who's looked at it sees that. We all would like something, and sometimes we can't always get what we want.

I would suggest that I really foresee that down the road, on the next go-round, it's going to come back there because Calgary-Hays

is going to expand, and that border is going to have to retreat back to the Bow River. It's unfortunate we can't make that happen now, but without throwing the whole thing out and redoing everything – like I said, if we could get the special exemption area, but the criteria are already established, and it only meets one of those. That would have been the nice thing. We could have done that and known that within five years everything would be hunky-dory. The city of Calgary is undergoing a 2009 census right now, as we speak, so that will bump the numbers up again. It will still be below the 25 per cent.

Dr. Archer: Right. Thanks very much.

The Chair: Peter.

Mr. Dobbie: Thanks, Mr. Girvin. Thanks, Mr. Chairman. A couple of points I wanted to make. Number one, never be afraid to give us a recommendation that means more work. We're happy to do more work. I don't want to have a chilling effect on tough recommendations, because the staff does most of the really heavy lifting.

I also wanted to clarify for you and others present that even if the legislation permits us to have a variation of up to 25 per cent, the case law from our Court of Appeal and the Supreme Court clearly indicates that there must be a principled basis for making that significant a variation or any variation at all. As part of our basic principles when we were determining how to look at electoral divisions generally, we were mindful of the direction that the courts have given us, so within Calgary and within Edmonton there must be a principled basis for having a constituency above or below the provincial quotient of 40,880.

Factors that we have considered in making our recommendations include an assessment of the demands placed on an MLA in an inner-city type of constituency. We would weight those as higher than in a suburban-urban constituency, so we can make a principled basis for a distinction there. It would not be possible for us to make a distinction based upon political considerations. The courts are very clear. Distinctions are certainly possible, but there must be a principled basis for those. Even if there was a wish that you were adjacent to a provincial border or might otherwise meet some of those criteria, being within Calgary certainly would not allow us to make that significant a change, and that informs part of our thought process.

In response to your suggestion that we have more basis for our reasons outlined in the report, the challenge that we have there is that we do have certain general principles we've adopted. The discussion process is somewhat organic because we are weighing in many cases competing priorities: is a river a natural boundary, if we're considering them, or is the road the more natural boundary?

2:45

The challenge that we looked at in terms of enumerating reasons is that if we limit the size of the report, we're editing the reasons and what you don't say appears to be discounted, as opposed to listing the entire discussion. That's the challenge we have. What one lists tends to be viewed as what you consider important, and it was better for us to state our general principles that we are attempting to apply to all constituencies, and then it's an organic process from there.

That's the difficulty we had, sir, in actually listing proposed changes.

Mr. Girvin: I understand that. I suppose the second part of that, though, is even just listing the changes. You know, somebody would have to stare at a map and flip back and forth between maps:

oh, what was the change here, there, or there? The reasoning, I certainly understand how you'd expand on that, but at least list what the changes are so that people could go to it and be directed to those changes.

Mr. Dobbie: That's a good suggestion. We could certainly consider that in the final report. I believe we spoke to what we viewed as major changes, but certainly it wouldn't be that hard to speak to the 87 districts and what the changes are in words without going into metes and bounds. As long as you don't stick us to that onerous task.

Those are my questions and comments. Thank you very much for your assistance with the general area in the south.

Mr. Girvin: You bet. Thank you.

The Chair: Allyson.

Ms. Jeffs: Thank you very much. Again, thank you for your presentation to us today. I just have a question regarding the issue with Douglasdale and McKenzie and retaining the Calgary-Hays name. As I understand it, what we have drafted as Calgary-McKenzie you think should have the name of Calgary-Hays, and then what is the revised Calgary-Hays, if I can use that, should have another geographical name. Do we know what Douglasdale and McKenzie feel about that? I only ask because I'm mindful that much of the current Calgary-Hays is in the redrafted version, and I'm just concerned about creating some confusion if we suddenly switch the name over and move it to a constituency a little further away. Is this a strong issue for the folks in these communities?

Mr. Girvin: I live in Douglasdale, and it's the older communities. I think the obvious thing would be that Douglasdale and Douglas Glen make up just slightly half of that population, so the one issue would be: well, you know, it's McKenzie, why not McKenzie-Douglas? That's an obvious thing.

I'm not quite sure I understand what you said about the numbers, but the numbers I have here indicate that the new Calgary-Hays is at minus 9.9 per cent, so actually smaller than the proposed Calgary-McKenzie at only minus 1.3 per cent. The bulk of the current voters will be retained in what is proposed to be Calgary-McKenzie.

Ms. Jeffs: Oh, okay. That's population. I was looking at territory but, in fact, populationwise.

Mr. Girvin: Populationwise, yeah. What we would like to see retained as the Calgary-Hays name has – let's see – about 4,000 more people than the Calgary-South East that we would propose.

Ms. Jeffs: Okay. So that's where the attachment is; it's actually the population. All right.

Thank you for your presentation with respect to that other boundary. Just to reiterate, the only real population difference we're seeing is the population of Shepard, which is 200 and some people?

Mr. Girvin: It's 262, and I don't think there's an expectation that that's going to grow. I don't know if you're familiar with Calgary. It's kind of a little hamlet by itself, and it's been encircled by industrial area. It's not like a new community. There are no show homes there or anything like that. As a matter of fact, the population went down by six people from the 2007 to the 2008 census.

Ms Jeffs: All right. Thank you, and thanks for the clarification. Those are my questions.

The Chair: Thank you.
Brian.

Mr. Evans: Thanks, Chairman. Thanks, Mr. Girvin, for your presentation. I just want to make a comment that I think might be helpful to you in terms of trying to identify why the northern boundary was moved from Glenmore Trail. We had a combined presentation from four constituencies—Calgary-Cross, Calgary-East, Calgary-Montrose, and Calgary-Fort—and we incorporated many of their suggestions into our interim report. I believe that it was the recommendation from Calgary-Fort to move down notwithstanding that there wasn't a great deal of population in that area. I would suggest that you might want to spend some time with Calgary-Fort just to try to identify and understand why they were suggesting the change in the northern boundary, and you might be able to come to a consensus on that with Calgary-South East, as you have proposed it, as well.

Mr. Girvin: Yeah. I wasn't aware until this point that that was suggested by somebody else. As I said, there are no population numbers in there, so it was kind of a mystery to me to this point.

Mr. Evans: Yes. Once again, thank you for your presentation. Those are all my comments.

The Chair: Thank you again for your attendance and your presentation. We'll certainly take it into account.

Mr. Girvin: Thank you very much.

The Chair: Now, is there anyone further that is here to make a presentation? If not, we are going to adjourn because we have to be in Red Deer for a hearing starting at 7.

We are now adjourned.

[The hearing adjourned at 2:51 p.m.]

