

Ward Boundary Review 2012 - Process & Terms of Reference

Presentation to General Committee

Stephen Huycke,

Public Services & Records Coordinator

June 11, 2012

Purpose

- **To provide an overview of the 2012 Ward Boundary Review process**
- **To obtain approval of proposed Terms of Reference**
- **To obtain approval to retain Dr. Robert Williams to lead the review**

Background

- **Markham's last Ward Boundary Review was in 2005**
- **Council resolved to maintain the existing 8 Ward System with certain realignments**
- **Council also directed ward boundaries be reviewed prior to 2014 Municipal Election**

Background (Cont'd)

- Results of 2005 realignment



Markham's Population

- 2005 Population estimates vs. actual 2012 population :

| | 2012 Population | | Variance estimate vs. actual | Variance estimate vs. actual (%) |
|---------------|----------------------|--------------------|------------------------------|----------------------------------|
| | <u>2005 Estimate</u> | <u>2012 Actual</u> | | |
| Ward 1 | 27,400 | 28,298 | 898 | 3.28% |
| Ward 2 | 27,300 | 26,608 | -692 | -2.53% |
| Ward 3 | 32,261 | 35,296 | 3,035 | 9.41% |
| Ward 4 | 47,649 | 49,410 | 1,761 | 3.70% |
| Ward 5 | 42,575 | 50,273 | 7,698 | 18.08% |
| Ward 6 | 33,737 | 41,444 | 7,707 | 22.84% |
| Ward 7 | 33,298 | 38,054 | 4,756 | 14.28% |
| Ward 8 | 29,139 | 30,704 | 1,565 | 5.37% |
| TOTAL | <u>273,359</u> | <u>300,087</u> | <u>26,728</u> | <u>9.78%</u> |

Markham's Population (Cont'd)

- There is a significant difference in the population of Ward 2 (smallest population) & Wards 3,4,5,6 & 7

| | <u>Population</u> | <u>% of Total Population</u> | <u>Diff from Ward 2</u> | <u>% Diference</u> |
|---------------|-----------------------|------------------------------|-------------------------|--------------------|
| Ward 1 | 28,298 | 9.43% | 1,690 | 6.35% |
| Ward 2 | 26,608 | 8.87% | 0 | 0.00% |
| Ward 3 | 35,296 | 11.76% | 8,688 | 32.65% |
| Ward 4 | 49,410 | 16.47% | 22,802 | 85.70% |
| Ward 5 | 50,273 | 16.75% | 23,665 | 88.94% |
| Ward 6 | 41,444 | 13.81% | 14,836 | 55.76% |
| Ward 7 | 38,054 | 12.68% | 11,446 | 43.02% |
| <u>Ward 8</u> | <u>30,704</u> | <u>10.23%</u> | <u>4,096</u> | <u>15.39%</u> |
| TOTAL | <u>300,087</u> | <u>100.00%</u> | | |

Voters Per Ward (2006 & 2010)

- There was a significant difference in the number of eligible voters in the 2010 Election

| | Voters | | Diff 2006 & 2010 | % Change | Diff from Ward 1 (2010) | % Diff |
|--------------|----------------|----------------|---------------------|--------------|-------------------------------|--------|
| | 2006 | 2010 | | | | |
| Ward 1 | 18,412 | 16,582 | -1,830 | -9.94% | 0 | 0.00% |
| Ward 2 | 18,185 | 17,493 | -692 | -3.81% | 911 | 5.49% |
| Ward 3 | 22,544 | 22,121 | -423 | -1.88% | 5,539 | 33.40% |
| Ward 4 | 27,296 | 28,595 | 1,299 | 4.76% | 12,013 | 72.45% |
| Ward 5 | 25,190 | 27,669 | 2,479 | 9.84% | 11,087 | 66.86% |
| Ward 6 | 21,230 | 23,589 | 2,359 | 11.11% | 7,007 | 42.26% |
| Ward 7 | 21,608 | 26,426 | 4,818 | 22.30% | 9,844 | 59.37% |
| Ward 8 | 24,774 | 24,092 | -682 | -2.75% | 7,510 | 45.29% |
| TOTAL | 181,245 | 186,567 | 7,328 | 4.04% | | |

2012 Ward Boundary Review - Process Highlights

- The process of conducting a ward boundary review in Ontario is provided for under Municipal Act
- The review will involve extensive consultation of:
 - Residents
 - Members of Council
 - Community Groups (e.g. ratepayer associations)
 - School Boards

2012 Ward Boundary Review - Process Highlights (Cont'd)

- The review will examine population, growth projections, & historical developments in the municipality
- The review will generate several possible ward boundary options for Council consideration

2012 Ward Boundary Review – Terms of Reference

Guiding Principles

The review to be guided by following principles:

1) Representation by population:

Wards should have relatively equal population totals

2) Protecting of communities of interest & neighbourhoods:

It is desirable to avoid fragmenting traditional neighbourhoods or communities of interest; Historic & new communities should be contained within same ward.

2012 Ward Boundary Review – Terms of Reference (Cont'd)

3) Present & future population trends:

Any proposed ward designs should have equitable populations for three (3) terms of Council

4) Consideration of physical features as natural boundaries:

Arterial roads, highways, railway lines, rivers & creeks should define ward boundaries

2012 Ward Boundary Review – Terms of Reference (Cont'd)

5) The overriding principle of “effective representation”:

All the previous principles are subject to the overriding principle of “effective representation” as defined by the Supreme Court of Canada

2012 Ward Boundary Review – Terms of Reference (Cont'd)

Process & Timing

- PHASE 1 – Initial Public Consultation (including community meetings arranged in each of the 8 wards)

- PHASE 2 – Formulation of initial report & draft options for revised ward boundaries
 - General Committee to be asked to provide direction on which options will be considered in Phase 3 & 4

2012 Ward Boundary Review – Terms of Reference (Cont'd)

Process & Timing

- PHASE 3 – Second Public Consultation on draft options selected by General Committee

- PHASE 4 – Final report & options prepared & presented to General Committee & Council

2012 Ward Boundary Review – Terms of Reference (Cont'd)

Process & Timing (Cont'd)

- **Council will be asked to pass a By-law to amend ward boundaries**
- **Within 15 days of the passage of the by-law the municipality shall give notice of the passing of the by-law**
- **Within 45 days after the by-law is passed it may be appealed to Ontario Municipal Board**
 - Appeals can be filed by the Minister, any person or agency

2012 Ward Boundary Review – Terms of Reference (Cont'd)

Process & Timing (Cont'd)

- **If the By-law & all OMB appeals are settled by Dec. 31, 2013, the new ward boundaries will come into effect for the 2014-2018 Council Term**
 - the 2014 Municipal Election will be run as if it is already in effect)
- **Staff's goal is to have the by-law passed (& any appeals settled) by September 2013**

2012 Ward Boundary Review – Dr. Robert Williams

- **Staff are recommending the selection of Dr. Robert Williams, as a preferred source supplier, to lead the ward boundary review**
- **Dr. Williams is a Professor Emeritus of Political Science, University of Waterloo**
- **He has led successful ward boundary reviews in numerous municipalities, such as:**
 - Oakville (2011-212)
 - Gravenhurst (2009-2010)
 - Whitchurch-Stouffville (2009)
 - Halifax (2011)
 - Windsor (2009)
 - Milton (2009)

2012 Ward Boundary Review – Dr. Robert Williams (Cont'd)

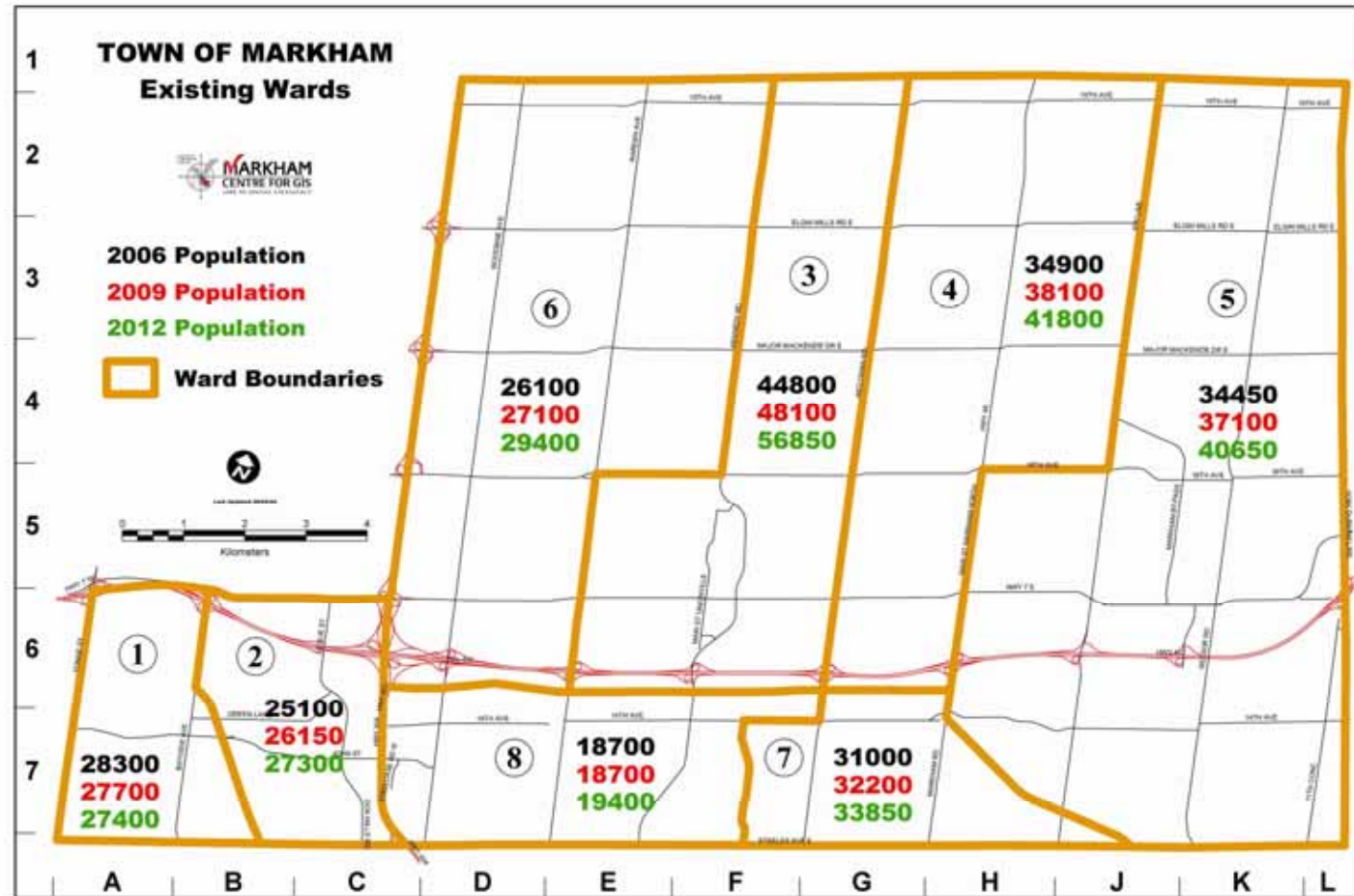
- **Dr. Williams has served as an expert witness at numerous OMB hearings on electoral systems & ward boundaries, including as recently as 2010**

2012 Ward Boundary Review – Financial Considerations

- **Council approved a budget of \$40,700 for this project during 2012 Budget Process**
- **Dr. Williams professional fees will be capped at \$27,000 (+ HST), & will include a mileage allowance at Markham's current rate (\$0.52/Km)**
- **Balance of approved budget will be used to support printing, advertising, consultation & other aspects of the project**

QUESTIONS ?

Ward Boundaries – Pre 2006 Realignment



Legislative Requirements

- **Establishment of Wards**
 - Section 222 (1) of the Municipal Act, 2001 authorizes municipalities to divide or re-divide the municipality into wards or to dissolve existing wards
- **Notice**
 - Within 15 days after a by-law is passed to re-divide the wards the municipality shall give notice of the passing of the by-law to the public specifying the last date for filing a notice of appeal
- **Appeal**
 - Within 45 days after the by-law is passed, the Minister or any other person or agency may appeal to the Ontario Municipal Board by filing a notice of appeal with the municipality setting out the objections to the by-law & the reasons in support of the objections

Legislative Requirements Cont'd

- **Coming into Force of By-law**
 - By-law comes into force on the day the new council of the municipality is organized following the first general election if the by-law is passed prior to **January ,1 2014** &:
 - o No notices of appeal are filed;
 - o Notices of appeal are filed & are all withdrawn before January 1, 2014; or
 - o Notices of appeal are filed & the Board issues an order to affirm or amend the by-law before January 1, 2014

Background – 1996 Ward Boundary Review

- **Markham's 8 Ward system was first established in 1997 as a result of a Ward Boundary Review Process conducted in 1996.**
- **Staff's proposal was to increase wards from 6 to 8.**
- **There was an appeal to the OMB & the OMB decision reflected an 8 Ward System**

2005 Ward Boundary Population Growth Estimates vs. Current Population

- The 2005 review estimated the 2012 total population of Markham would be **275,000**
- As of May 31, 2011, the Region estimates Markham's population is already at **310,000**
- The difference between the 2005 estimate for 2012 & the 2011 population is **35,000** or **13%**
- As a result of this growth there is now a notable variance in the current population of each of Markham's 8 Wards

Background (Cont'd)

- 2012 population estimated in 2005:

