

City of Oshawa Ward Boundary Review

Special Meeting of City Council

September 19, 2016

Oshawa Ward Boundary Review - Overview

- ❑ February 2016 - Council approved Terms of Reference for a Ward Boundary Review (W.B.R.) (Report CORP-16-14)
- ❑ Watson & Associates Economists Ltd., in association with Dr. Robert J. Williams, was retained to conduct the Review in August 2016
- ❑ Consultant Team has extensive experience in conducting electoral/ward boundary reviews in Ontario – completed more than a dozen over the past decade
- ❑ Watson & Associates has extensive experience working for Oshawa on a range of municipal financial and growth-related assignments

Presentation Outline

- Context
- What is a Ward Boundary Review?
- Why a Ward Boundary Review Now?
- Study Objectives
- Study Framework and Guidelines
- Study Process
- Preliminary Considerations
- Roles and Duties
- Potential for Appeal

Context

- Present composition of Oshawa City Council:
 - Mayor
 - Seven Regional and City Councillors
 - Three City Councillors
 - Total = 11

- All elected at-large in separate ballots

- Oshawa has previously had a ward-based system – most recently from 1985 to 2006

Context

- ❑ Since 2006 – last time City had ward-based system – Oshawa has seen growth and shifts in its population
- ❑ Over the past decade, Oshawa's population has increased by approximately 11%
- ❑ It is important that the ward boundary structure reflects the changing nature of the City



Context (Cont'd)

□ *Municipal Act*

- Section 217 authorizes Council to establish the number of councillors and to determine whether they “shall be elected by general vote or wards or by any combination of general vote and wards.”
- Section 222 (1) authorizes a municipality “to divide or redivide the municipality into wards or to dissolve the existing wards.”

What is a Ward Boundary Review?

- What is a Ward Boundary Review?
 - a task designed to develop units of representation that reflect the distribution of the inhabitants of a municipality for electoral purposes

- Why are periodic W.B.R.s important?
 - electoral arrangements need to be reviewed regularly to ensure that representation remains consistent with democratic values

Why a Ward Boundary Review Now?

□ Two factors:

1. Request by Durham Regional Council (*Municipal Act*, s 218) to permit a reduction in the number of Oshawa Regional Councillors from 7 to 5
 - Process incomplete but change must be considered highly possible and addressed in a timely manner ahead of the 2018 municipal elections
2. Direction by Council to City staff to return to the election of all members of Council in wards, following the results of a question placed on the 2014 municipal election ballot (*Municipal Act*, s.222)

Study Objectives

- The 2016-17 Oshawa W.B.R. is premised on the legitimate democratic expectation that municipal representation in Oshawa will be:
 - effective
 - equitable
 - an accurate reflection of the contemporary distribution of communities and people across the City

Study Objectives (Cont'd)

- ❑ Develop and conduct an appropriate consultation process to ensure community support for the review and its outcome
- ❑ Review the existing Council composition and develop recommendations for an optimal configuration
- ❑ Identify plausible ward boundary options based on the results of the consultation process and the review of Council composition

Study Objectives (Cont'd)

- Prepare population projections for the development and evaluation of ward boundary options for the next three Municipal Elections
- Prepare reports that will set out alternative ward boundaries to ensure effective and equitable electoral arrangements, based on the principles identified

Study Framework and Guidelines

- Review will be completed in accordance with the Terms of Reference presented in Report CORP-16-14
- Study will recognize the importance of the *Carter* decision - *Reference re: Provincial Electoral Boundaries* (Saskatchewan) [1991]
- Apply lessons learned from previous appeals to the Ontario Municipal Board (based on appeals of Council decisions: *Municipal Act*, s.222)

Study Framework and Guidelines

(Cont'd)

- Terms of Reference include five guiding principles:
 - Effective representation (from *Carter* decision)
 - Protection of communities of interest
 - Representation by population
 - Future population trends
 - Physical features as natural boundaries

Preliminary Considerations

- Historical ward arrangements give insights into the way communities of interest were understood
- What would a ward system look like today in Oshawa?
- This depends in part on what principle(s) are used and which are given the highest priority → probably more than one way to divide Oshawa for electoral purposes

Preliminary Considerations (Cont'd)

Questions:

- ❑ To fulfill Council's direction and recognize the effects of the Region's review, should the consultants develop two sets of ward boundaries?
 - Would this be possible in the light of the principles for the review?
 - Would this be reasonable given the historical relationship between the number of Regional Councillors and wards?

Study Process

- Multi-phase assignment which will see work through fall 2016 and winter 2017

Tasks include:

- Undertake research:
 - obtain relevant documents and information pertaining to technical analysis, public communications and engagement
 - present and historical electoral arrangements in Oshawa, local and regional best practices and recent O.M.B. hearings, relevant academic and public policy research on representation

Study Process (Cont'd)

□ Interviews:

- Mayor and members of Council
 - to understand and evaluate the operation of the current electoral structure
 - to determine what directions might be considered in developing ward boundaries
- other stakeholders (e.g. officials from school boards) on implications of implementation of wards and considerations for design

Study Process (Cont'd)

- Population and Growth Trends:
 - Using latest development activity information and growth projections, utilize in-house growth models to represent existing 2016 population, forecast growth (2016-2026) and future year 2026 population in a spatial format

- Public Consultation – Round 1:
 - Host three community information sessions (November 2016) to inform the public on the W.B.R. process and the guiding principles
 - seek public perceptions of relative importance of the principles and identification of communities of interest in the development of alternatives

Study Process (Cont'd)

- The Consultant Team recognizes the importance and value of public consultation throughout the study process
- The community information sessions open to stakeholders and the public at-large



Study Process (Cont'd)

- Prepare an interim “What We Heard” report to Council (January 2017) that:
 - summarizes feedback
 - develops evaluation measures
 - maps preliminary alternatives
- Interim Report will be presented to Council in early 2017
- Use the Interim Report as the basis for the second round of public consultation (February-March 2017) on preliminary alternatives

Study Process (Cont'd)

- Conduct further analysis and evaluation of preliminary alternatives based on feedback → finalize alternatives
- Final Recommendations Report (April, 2017) which will be presented to Council in May, 2017 for implementation

Roles and Duties – Consultant Team

- Complete Review independently and comprehensively
- The Consultant Team will be responsible for all aspects of the assignment including research, technical analysis and outputs, public/stakeholder consultation, development of options and report preparation
- The Consultant Team will work with the City Clerk and the City's Ward Boundary Review Team to ensure that project objectives are met in accordance with City policies and Terms of Reference, and within the timelines identified

Roles and Duties – City Staff

- The Consultant Team will rely on City Staff (via City Clerk and the Ward Boundary Review Team) to:
 - provide background data to support technical work
 - Prepare a communications plan for the study
 - Maintain a webpage for the Review through the City's website
 - Utilize the City's toolbox of communications tools to advertise and disseminate information about the Study
 - Provide meeting space and make logistical arrangements for interviews and for public consultation

Roles and Duties - Council

- ❑ Council has the authority to pass a by-law to “establish” wards (*Municipal Act*, s. 222) but that by-law may be appealed to the O.M.B. (*Municipal Act*, s. 223)
- ❑ Consultant Team will interview all members of Council as part of “intelligence gathering” about the City, its neighbourhoods and the present political representation process in Oshawa
- ❑ Council will also have “the last word” (the by-law)
- ❑ Members of Council may attend the community information sessions as observers but will have no special status in those public consultations

Potential for O.M.B. Appeal

- ❑ In an appeal, the O.M.B. may consider the process followed by the municipality and would look for a strong and effective independent public consultation process; elected officials must therefore avoid getting too close to the process
- ❑ Note also a further risk: ignoring the guiding principles in making the choice of an alternative system would undoubtedly undermine the defense of Council's by-law before the O.M.B.

Conclusions

- ❑ Consultant Team will engage with Council at key points in the process
- ❑ Look for project updates as study progresses

- ❑ Questions/Comments?

Additional Information

- web: <http://www.oshawa.ca/owbr2016>