



LEGISLATIVE AND COURT
SERVICES DEPARTMENT
MEMORANDUM

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TO: MAYOR LEHMAN AND MEMBERS OF COUNCIL

FROM: W. COOKE, CITY CLERK/DIRECTOR OF LEGISLATIVE AND COURT SERVICES

NOTED: D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES

M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RE: ELECTION RELATED MATTERS

DATE: MARCH 11, 2021

The purpose of this Memorandum is to provide members of Council with an update concerning a number of election-related matters, including: ward boundary review, changes to the *Municipal Elections Act*, placing a question on the municipal election ballot, the Ward Three 2020 By-Election, and planning for the 2022 Municipal Election.

Ward Boundary Review

Council adopted the following motion at its meeting of June 24, 2013:

13-G-177 That the suitability of the 2014 Ward boundaries be considered following the 2018 Municipal Election, to determine their continued effectiveness in the context of actual population growth.

Section 222 of the *Municipal Act*, 2001 outlines the provisions for a municipality to undertake a ward boundary review, including: public notice, by-law requirements and that new ward boundaries must be in place by January 1 of an election year.

Ward boundaries are intended to provide an effective and equitable system of representation. The City's ward boundaries were last reviewed in 2013 and adjusted as part of the 2014 Municipal Election. Generally accepted principles that are regularly considered when defining or refining political boundaries include representation by population, population and electoral trends (growth/decline in population), means of communication and accessibility (arranging boundaries based on primary and secondary road patterns, postal codes, etc), use of geographic and topographical features (natural features as boundary lines), community or diversity of interests (recognizing traditional neighbourhoods and not fragmenting a community) and effective representation.

The chart below notes population change in the wards in the City between 2014 and 2020:

Ward	2014*	Variance between average ward population	2020**	Variance between average ward population
1	14,868	5%	16,112	3%
2	16,210	10%	17,345	10%
3	12,714	-14%	13,472	-15%
4	13,516	-8%	14,520	-7%
5	13,051	-9%	13,693	-14%
6	15,795	5%	17,687	12%



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7	15,793	10%	17,100	9%
8	16,127	14%	17,127	9%
9	11,449	-29%	12,394	-26%
10	14,863	2%	16,140	4%
Average	13,763		15,559	

City of Barrie Ward Boundary Review Report prepared by Watson & Associates Economists Ltd. in association with Dr. Robert Williams

**Barrie GIS – data enriched by Environics

As part of the generally accepted principles for the ward boundary reviews, under the representation by population criteria, an acceptable range of variation between the average population per ward and either the highest or lowest ward population was identified as (+/- 25%). Based on the data above, the variance between the average population per ward and the ward with the lowest population and the highest population has decreased slightly since 2014. In addition, there have been relatively similar increases to the population in each ward. As a result, the change in population does not support the necessity of a ward boundary review. The estimated cost to conduct a ward boundary review is \$75,000-\$100,000. This cost includes retaining a consultant and public consultation, but does not account for the staff resources required to assist with the review and support the work of the consultants. This cost has not been included in the 2021 budget.

Given that substantial growth is anticipated over the next few years and the overall cost of a review, staff are of the opinion that the current ward boundaries are suitable at this time. Staff in Legislative and Court Services Department will review and consider the necessity of a ward boundary review in advance of the 2026 Municipal Election, and report back to Council accordingly.

Recent Amendments to the *Municipal Elections Act*

The Province of Ontario's Bill 218, *Supporting the Ontario Recovery Act* to amend the *Municipal Elections Act*, received Royal Assent on November 20, 2020. Amendments to the *Municipal Elections Act* stemming from this Bill include:

- Removal of all provisions and regulations related to the ability to utilize ranked ballots;
- Change the final day to submit nominations from the third Friday in July to the fourth Friday in August;
- Change the timeline for passing a by-law authorizing the use of alternative voting equipment or method from May 1 in the year prior to an election to May 1 the year of an election; and
- Change the date that election procedures must be made available to the public from December 31 in the year prior to the election to June 1 in the year of the election.

Ranked Ballot Question

Council adopted the following motion at its meeting of June 15, 2020:

- 20-G-024
1. That Staff Report LCS002-20 concerning Ranked Ballots be received for information purposes.
 2. That in the Fall of 2021, the City Clerk undertake the steps provided for in Section 8.1 of the *Municipal Elections Act* to submit a question on the 2022 election ballot concerning the implementation of ranked ballots for the 2026 election.



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3. That should a by-law to include the question concerning ranked ballots on the 2022 election ballot be passed by Council, staff in the Legislative Services Branch and Access Barrie include a plan to educate voters on the question as part of the 2022 Municipal Election Communications Plan.

Section 8.1 of the *Municipal Elections Act* outlines the conditions to submit a question on an election ballot.

Section 8.1 (2) specifically addresses that a question authorized by By-law under clause 8(1)(b) shall comply with the following rules:

1. It shall concern a matter within the jurisdiction of the municipality.
2. Despite rule 1, it shall not concern a matter which has been prescribed by the Minister as a matter of provincial interest.
3. It shall be clear, concise and neutral.
4. It shall be capable of being answered in the affirmative or the negative and the only permitted answers to the question are "yes" or "no".

Amendments to the *Municipal Elections Act* through Bill 218 removed/revoked all provisions and regulations associated with a municipality's ability to conduct municipal elections using ranked ballots. As the matter is no longer within the jurisdiction of the municipality, Legal Services is of the view that it is no longer within the City's authority to include a question about the use of ranked ballots in Barrie on the 2022 election ballot.

Ward Three By-Election and 2022 Municipal Election

On November 4, 2019, Council passed By-law 2019-092 to authorize the use of internet/telephone voting for By-elections and any future Municipal Election. City staff executed the City of Barrie's first internet/telephone-based voting election for the Ward Three By-election in February 2020. The internet/telephone voting provided residents the flexibility and accessibility to vote anytime, anywhere and from any device. Individuals without access to internet or telephones or who needed assistance, were able to attend a Voter Assistance Centre and receive in-person support using the internet/telephone voting. Overall, staff received positive feedback on this method of voting.

Preparations for the 2022 Municipal Election are scheduled to begin in Q2 of 2021. Staff are planning to utilize internet/telephone voting for the 2022 Municipal Election. One of the first undertakings will be the start of the procurement process to secure an internet/telephone voting provider, and the determination of an external auditor as a third party to the election process. As in the Ward Three By-election, for those electors who require assistance, Voter Assistance Centres would be provided for in-person assistance for any elector who required it to cast their ballot using the internet/telephone voting.