

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 22, 2008

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Purpose

The purpose of this report is to present for Council's consideration the Terms of Reference for a ward boundary review and a proposed public consultation process.

Background - Analysis and Options

Current Situation:

City of Vaughan Council currently is comprised of 5 local Councillors elected by ward, three Regional and Local Councillors elected at large, and one Mayor.

Responding to a need to address perceived growing population inequalities between the various wards, prior to the 2003 municipal election Council directed that a ward boundary review be conducted for implementation in the 2006 municipal election. Staff reported on the matter to a Committee of the Whole (Working Session) meeting on March 22, 2005, at which time, amongst other things, direction was given for a report to be brought forward addressing 5, 6 and 7 local ward configurations. This report was considered at a Special Committee of the Whole (Working Session) in April of 2005. In considering the necessity to equalize the ward populations, Council considered in detail a number of 5, 6 and 7 ward configurations for local representation and also reviewed the matter of regional representation. In examining various options, Council was mindful of the cost of increasing the size of Council and the possibility that Council may eventually expand should the City of Vaughan gain an additional representative on Regional Council as a result of a then anticipated review of regional representation by the Council of The Regional Municipality of York. Council ultimately adopted a recommendation "That a five ward option that addresses the current inequality in ward population be considered as an interim measure for the 2006 election and that a review be undertaken prior to the 2009 election".

At the conclusion of the last ward boundary review the boundaries of the wards were adjusted in an attempt to equalize population across the five wards. The review was guided by principles such as respect for existing communities, ratepayer association territories and easily recognizable boundaries, such as arterial roads and major highways.

Since the last adjustment of the ward boundaries the City has continued to grow, predominantly in the new urban areas established in OPA #600. This has resulted in some wards growing in population disproportionately to other wards. In 2006, based on census data, Ward 1 had a population of approximately 58,000 people, while the smallest ward, Ward 5, had a population of approximately 36,700. This resulted in a variation of population from the average ward size of 22% more, and 23% less, respectively. Chart #1, below, and Attachment #2 (existing Ward Boundary Map) provide greater detail.

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CHART #1

(The following table illustrates the population, in 2006, across the existing 5 local wards and the resulting ratios of Councillors to the total population and eligible voters)

Ward	Population (2006 Census)	Eligible Voters (2006 Election)	Councillor Ratio (Total Population) rounded to nearest '00	Councillor Ratio (Eligible Voters) rounded to nearest '00	% Difference from Average Ward Population	Ratio of Eligible Voters to Total Population
1	58,008	36,643	1:58,000	1:36,600	22	0.63
2	50,374	35,348	1:50,400	1:35,300	6	0.70
3	43,849	30,549	1:43,900	1:30,500	-8	0.70
4	49,500	31,243	1:49,500	1:31,200	4	0.63
5	36,736	26,544	1:36,700	1:26,500	-23	0.72
Total Population	238,467	160,327	1:47,000	1:32,000		

NOTE: 2006 Census populations have been adjusted for undercount

Population Forecasts

With the assistance of Planning Department staff, population projections (Chart #2) have been applied to the exiting 5 ward system for the next 3 elections. The results of the analysis show that the inequalities of the population distribution amongst the wards continues to grow. By 2018, if not reconfigured, Ward 1 is expected to have a population of approximately 117,200 people (85% above the average ward size in 2018), and Ward 5 will have a population of approximately 37,900 (40% below the average ward size in 2018). This analysis supports the need for evaluating new ward boundary options.

CHART #2

EFFECT OF POPULATION INCREASE ON EXISTING 5 WARDS							
Ward	2010		2014		2018		
	Population	Variation from Average Ward Population (%)	Population	Variation from Average Ward Population (%)	Population	Variation from Average Ward Population (%)	
1	79,013	47	103,081	70	117,245	85	
2	51,939	-3	51,939	-14	51,939	-18	
3	47,257	-12	55,217	-9	55,217	-13	
4	52,993	-2	54,744	-10	54,744	-14	
5	37,873	-30	37,873	-37	37,873	-40	
Total Population	269,075		302,854		317,018		
Average Population per Ward	53,815		60,571		63,404		
*Average Deviation from Ward Avg. Population	10,079	19	17,004	28	21,537	34	

*Average Deviation reflects how effective a particular ward option is at balancing the population amongst the proposed wards. The lower this deviation number, the more closely the population of each ward is to the average ward population in that option. This figure allows a direct comparison between ward options with respect to population distribution.

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Members of Vaughan Council represent considerably more residents per Council member than those of comparable municipalities. When comparing the number of residents per local councillor Vaughan local councillors represent approximately the same number residents on average (see Chart #3) as councillors in comparable municipalities. It is noted that Council size has increased over the years by one regional councillor to reflect Vaughan's increasing population and size relative to other York Region municipalities.

CHART #3

(The following chart reflects how the current City of Vaughan five-ward configuration compares to other neighbouring councils, as of the 2006 census.)

	POP. (2006 CENSUS)*	NO. OF WARDS	COUNCIL SIZE	NO. LOCAL	NO. REGIONAL	RATIO/ LOCAL	RATIO/ REGIONAL
Vaughan	238,467	5	9	5	3	1:47,6931	1:79,489
Richmond Hill	167,747	6	9	6	2	1:27,957	1:83,873
Markham	269,681	8	13	8	4	1:33,710	1:67,420
Brampton	447,253	10	11	5	5	1:89,450	1:89,450
Mississauga	689,274	11	12	11	-	1:62,661	-
Oakville	170,747	6	13	6	6	1:28,457	1:48,457
					AVERAGE:	1:48,321	1:59,338

*Note: Brampton has since converted one local councillor to a regional councillor

Ward Boundary Review Methodology

Staff have prepared preliminary ward boundary options for 5, 6 and 7 ward configurations, though it is recommended that only the configurations for 5 and 6 wards be presented for public consultation, it being highly unlikely that a seven ward configuration will be seen as appropriate. Population based on the 2006 census has been analyzed at the census dissemination level (roughly equivalent to the neighbourhood level except in sparsely populated areas) and then adjusted to project estimated populations for the next three elections. The proposed ward boundary options were created using the following criteria:

- The maintenance of distinct communities
- Acknowledgement of natural or built boundaries between communities
- Use of easily identifiable boundaries
- No population variances greater than 15% based on the average populations between the wards as of the date of the 2018 census.
- Accommodation of future growth

These criteria have been used in previous ward boundary reviews for the City of Vaughan. They are reasonable and logical criteria to apply when balancing the population within wards while maintaining important community boundaries.

Population Projection

Population projections were used to determine population distribution among the proposed wards at each of the next three municipal elections – 2010, 2014 and 2018. Base data for the population was taken from the 2006 Census. Statistics Canada advises that on census day a small percentage of the population is not included in the count. For 2001, the undercount was determined to be 3.1%, and as the undercount for the 2006 census has not yet been established, a 3.1% correction has been applied to the 2006 census population to establish a base population that resembles Vaughan's actual population as closely as possible. Since the undercount is considered to be the same regardless of location, not knowing the actual undercount percentage does not invalidate the analysis.

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OPA #600 is the City's guide for development until 2026, and it established a number of new urban areas within the City, including the Vellore and Carville Urban Villages. It is within these new urban areas where the majority of growth within the City is expected to occur. Using the population projections in OPA #600 for these new urban areas, in consultation with the Policy Planning Department and Engineering Department, population projections were developed for the city at each of the next 3 elections. These projections were applied to specific areas of the City where development is proposed so that growth within each ward could be estimated. This approach allows an evaluation of population distribution amongst the wards at each election year, which is a valuable tool in determining how the ward populations change over time.

The population estimates for the new urban areas for OPA #600 have been found to be very reliable. The new urban areas in OPA #600 that have already developed, such as the Woodbridge Expansion Area, have census populations that are very close to the population estimates in OPA #600. This allows for a high level of confidence in using the population estimates in OPA #600.

While the OPA #600 new urban areas are the source of the majority of growth in the City, they are not the only source. The Growth Plan for the Greater Golden Horseshoe requires that 40% of residential development shall occur within existing built areas by 2015. This, however, is a Region-wide requirement which means the actual target for Vaughan may be different than the 40% in the Growth Plan. The Region of York has not yet established the target for Vaughan's intensification and as result it cannot be accounted for in our population projections in this exercise. We have assumed that intensification will occur on a roughly equal basis across the City.

The population projections also only take into account major areas for development outlined in OPA #600. There will be some development outside of the OPA #600 new urban areas, such as the Kleinburg Golf Club redevelopment or individual condominium developments. These types of developments will have only a small impact on the population projections when looked at on a City-wide basis. Including these types of developments would lead to a level of detail in population forecasting that is not necessary for the purposes of determining ward boundaries. Each potential ward will see some of this type of development, whether it be new low-density subdivisions or high-density buildings, and it is assumed that this will be generally equally spread across the City and affecting no one ward more so than another.

While the City is undertaking an Official Plan review, any new development areas that may be established will not be substantially developed until after the 2018 election. OPA #600 has a planning horizon of 2026, which is well beyond the election in 2018. There will be some impact on population projections as early as 2015, however no significant impact as a result of the OP review are anticipated for the next three elections.

It is important to understand that the population projections that are being completed are not intended to give detailed populations for a ward at an election date, but rather are to be used as a tool to evaluate the equitable distribution of population amongst the proposed wards as the City's population grows.

Various ward boundary options have been prepared, each having regard to the criteria that have been previously identified. These options are to be presented at the September 9th Committee of the Whole (Working Session) meeting.

Public Consultation Process

Though the only statutory notice requirement of a ward boundary review is to give notice of the adoption of the implementing by-law, it is proposed that a public consultation process spanning in excess of six weeks be undertaken. The highlights of this public consultation process include:

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- notices placed in local newspapers and on the City Page advising residents of the review and inviting comments at a public meeting, or through mail, e-mail, or by fax; (See Attachment #1)
- direct mailing of information packages to school boards, registered rate-payer associations, and to individuals who request them;
- a dedicated web presence, linked off of the City's main internet site;
- a questionnaire which may be completed on-line, or returned by mail, e-mail or fax;
- a public meeting on the evening of October 23, 2008, at City Hall.

The results of the public consultations will be summarized and reported to the Committee of the Whole (Working Session) meeting of November 25, 2008.

Once Council passes a by-law, within 15 days, notice of passage must be published including the last day for filing a notice of appeal. There is a 45 day appeal period during which any person or agency may appeal to the Ontario Municipal Board. At the expiry of the appeal period, or at the conclusion of the appeal process, if applicable, the new ward structure would come into effect for the 2010 municipal election.

It is proposed that the following timetable, including approximately six weeks for public consultation, be adopted:

September 9, 2008	Committee of the Whole (Working Session) to consider review methodology and proposed public consultations
September 22, 2008	Council approval or review methodology and public consultations
September 22-26 2008	Preliminary options posted on web site and input sought (see Attachment 1 for sample questionnaire)
October 23, 2008	Public meeting (City Hall)
November 25, 2008	Committee of the Whole (Working Session) to consider results of public consultation and recommend preferred options.
December 8, 2008	Consideration of Committee Recommendation, earliest opportunity for adoption of new ward boundaries for 2010 general municipal election
December 15, 2008	Earliest opportunity to publish notice of by-law adoption
January 23, 2009	Expiration of Appeal period.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

If it is proposed at the conclusion of the review that additional Regional Councillor(s) are desired or the method of election of Regional Councillors in Vaughan be changed, the Regional Municipality of York will be required to give its approval on a triple majority basis. Should Regional Council agree to the election of Regional Councillors on a ward basis, the City of Vaughan will be the first municipality in York Region to do so.

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On November 26, 2004 the City of Vaughan adopted the following resolution: "That the City of Vaughan ask the Region of York if it would approve, in principle, the creation of regional wards in the city of Vaughan for the purpose of electing Regional Councillors from the City of Vaughan to sit on Regional Council". The resolution was received by the Region and no further action was taken.

Conclusion

The preliminary ward boundary review sets the foundation of public consultations with a final report scheduled to be considered by Council in December. Though population projection by their nature carry some degree of uncertainty, this report is based on the best available information and provides for the evaluation of equitable population distributions as wards grow over time.

Attachments

Attachment #1 Draft Survey
Attachment #2 Existing Ward Boundary Map

Report prepared by:

Joseph Chiarelli, Manager, Special Projects, Licensing and Permits - Insurance Risk Management
Todd Coles, Manager, Development Services and, Secretary-Treasurer to Committee of Adjustment

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

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Item 2, Report No. 43, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on September 22, 2008.

2 ELECTION PROCESSES AND PROCEDURES PRELIMINARY REPORT

The Committee of the Whole (Working Session) recommends approval of the recommendation contained in the following report of the City Clerk, dated September 9, 2008:

Recommendation

The City Clerk in consultation with the Commissioner of Legal and Administrative Services and City Solicitor recommends:

- 1) That Council authorize the issuance of an RFP for the provision of Vote Tabulating Equipment and other associated devices and services for use in conducting the 2010 general municipal election.

Economic Impact

It is estimated that the total cost of the 2010 general municipal election will be in the order of \$850,000 to \$1,000,000, to be funded by contributions to the Election Reserve Account. It is anticipated that approximately \$1.2 million will be available in the Reserve by November 2010.

Communications Plan

A communications plan will be developed to better inform voters of voting requirements and other details, and to support a high level of confidence in the election process and result.

Purpose

The purpose of this report is to advise Council of the work being undertaken in respect of planning for the 2010 general municipal election, and to seek authority for the issuance of an RFP for the acquisition of Vote Tabulating Equipment and associated devices and services.

Background - Analysis and Options

Pursuant to the *Municipal Elections Act, 1996*, as amended, municipal general elections are to occur every four years on the second Monday in November.

The next general municipal election will take place on November 8, 2010. Given the magnitude of running a successful election, and the scrutiny under which the City of Vaughan has been subjected regarding the 2006 municipal general election, planning for the election has already commenced.

This report seeks to advise Council of the major elements of election planning, and also seeks authorization to issue an RFP for the use of vote tabulating equipment. A companion report is being submitted on the carrying out of a ward boundary review.

Vote Tabulating Equipment

Since 1991 Vaughan has utilized vote tabulating equipment in running municipal elections.

It is recommended that Vote Tabulating Equipment ("VTE"s) again be employed for the purpose of tabulating ballots.

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The use of VTEs at each poll location is recommended because of their reliability and ability to count votes efficiently while protecting the enfranchisement of the greatest number of voters. Care will of course be taken to take into account the criticisms associated with the manner in which tabulators were programmed during the 2006 municipal general election. In particular, the VTEs will be programmed to alert voters of under- and over-votes. Anticipated delays associated with any resulting remarking of ballots (especially at busy polls) will be minimized by:

Careful physical layout of the polls

- o Providing separate areas for the remarking of ballots at some locations
- o Providing additional VTEs at some locations
- o Redesign of the ballot to minimize voter error
- o Advance advertising of proper voting procedures
- o Extensive training of voting day staff

If authorized, the City Clerk we will be issuing a Request for Proposals for the rental of Vote Tabulating Equipment and associated devices (such as equipment to read memory media and convey compiled information to independent computer and broadcast systems) and related services. A key element of evaluation of RFP responses will be the speed and accuracy of the recommended counting process in order to be able to present reliable results on election night within a reasonable period of time.

The RFP will also request proponents to provide recommended approaches on the marking of ballots. It is anticipated that a redesigned ballot will make use of a 'filled in arrow' or similar object in lieu of the traditional 'X', to optimize the capability of the vote counting technology:



At this time, and subject to whatever advice may be received through the process of RFP issuance and evaluation, the City Clerk will base the election count on the following points of verification:

- i) Direct oral and/or electronic secure communication from poll officials at each poll location;
- ii) Examination of the physical output generated by the vote counting equipment (such as result tapes);
- iii) Downloaded data from the secure memory media installed in each tabulator.

In addition, other forms of technology may be indentified to support speedy and reliable counting of votes at advanced polls, or for the purpose of specialized voting (i.e. within, for example, long term care facilities).

A further report will be issued at the time of the award of the contract for the provision of the vote counting equipment, detailing the types of technology to be acquired for use at the 2010 election. That report will seek authority for any necessary by-laws to be adopted by Council.

Communications

Given the extensive media coverage concerning the 2006 general municipal election, the resulting court applications and the recounts, it is important that public confidence in the conduct of the 2010 municipal election be assured. The City Clerk will customize pre-election advertising

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to take this need into account. City Clerk's staff will engage stakeholders, including the Task Force on Democratic Participation and Renewal and the Corporate Communications Department, for input.

Regulation of Election Signs

The regulation of election signs is typically one of the most administratively difficult tasks of conducting an election. The City Clerks Department is responsible for administering the election sign deposit provisions of the sign by-law. In addition, the literature provided to registered candidates contains information regarding election signs. The three week time restriction for sign placement has been quashed by the courts and so it will be necessary for the by-law to be reviewed. A separate report on election sign regulation, dealing with such things as permitted location, permitted time periods, and deposit issues, will be submitted for Council's consideration in due course.

Accessibility

Every poll location will be accessible to persons with disabilities. In addition, election information will be prepared on non-glossy paper with simple high-contrast formatting, to accommodate persons who are visually impaired or who may have a low literacy level. Processes will be put in place to accommodate persons with disabilities at each poll location.

Staffing

An enhanced supervisory element will be introduced for the 2010 general municipal election. Though staff planning has not yet been finalized, it is anticipated that additional 'Ward Captains' will be introduced. Ward Captains will be responsible for overseeing the persons in charge at each poll location (MDROs or DROs), troubleshooting in the field, and distributing ballots and supplies as required. One of their most important functions will be to monitor the polls and, throughout the day, remind MDROs and DROs of their election process and record keeping requirements, and checking for satisfactory implementation and completion. Ward Captains will also allow for better communication and consistent application of election rules throughout the City. The number of Ward Captains will depend on ward configuration and travel distances, and the success of this element of election management will depend on assigning an optimum number of poll locations to each of them

Consideration will also be given to having additional staff available to assist with the checking of identification, a point of dissatisfaction with some voters in 2006.

The hiring of a large population of workers for one day's work is an increasing challenge for municipal clerks responsible for the running of elections. It is hoped that City operations for Election Day can be modified in order to free up as many staff as possible. Discussions will be had with the City's Senior Management Team to explore this possibility. Consideration is also being given to approaching the school boards to see if senior students can be made available.

Record Keeping/Reconciliation

Rigorous records will be kept of ballots (issued, spoiled, blank, completed) and election day events to enable reconciliation. Throughout Election Day, MDROs and DROs will be reminded of their record keeping obligations by the Ward Captains, and offered assistance as necessary.

Election Results

Though it is the City Clerk's objective to return election results as quickly as reasonably possible

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on election night, this will not be done at the sacrifice of proper election processes. The speedy return of vote counts, in particular from advance voting, and compilation into an election reporting system, will be a major focus of the VTE RFP.

Compliance Committee

Should Council request it, a report can be prepared on the implementation of a compliance audit committee to oversee requests for compliance audits arising out of 2010 municipal election campaigns.

Voting Hours

Extending the hours of voting on Election Day at each poll location would have significant staffing implications. Staffing on a shift basis is not a viable alternative because it would interfere with the continuity of oversight at the polls.

The holding of advance polls, however, does give rise to an opportunity to schedule polls early in the day and later into the evening. The City Clerk will be exploring opportunities for alternative hours at advance votes and will be reporting back accordingly.

Ward Boundaries

A companion report on ward boundaries is being submitted for the consideration of Committee of the Whole (Working Session) and Council. Decisions arising from the ward boundary review will impact the delivery of the 2010 general municipal election, but at this point are unascertained.

Candidate Information Guides

Candidate information guides will be reviewed and made available at the time of candidate registration.

Election Web Presence

The internet provides an enormous opportunity for information sharing and collection. The election web presence on the City's web site will be reviewed for new opportunities for the sharing of information, including the provision of links to the candidate's own web sites.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

There are no Regional implications associated with this report, in that the conduct of municipal elections is entirely the responsibility of clerks of lower tier municipalities.

Conclusion

City Clerk's staff have reviewed the events of the 2006 general municipal election and have applied the lessons learned in planning for the 2010 election. Though a significant source of criticism in 2006, the use of vote tabulating equipment can support a fair, efficient and transparent election, if employed in accordance with the processes described in this report.

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Attachments

N/A

Report prepared by:

Jeffrey A. Abrams, City Clerk