

Staff Report

Municipality of

Trent Hills

Meeting Date: 17 Mar 2020
To: Mayor and Members of Council
From: Doug Irwin, Director of Legislative Services/Clerk
Report No./Subject: CLK-2020-03 re: Ward Boundary and Council Composition Review - Interim Report

Staff Recommendation: Receive for Information Action Required

Be it resolved that Staff Report CLK-2020-03, Doug Irwin, Director of Legislative Services/Clerk re: Ward Boundary and Council Composition Review - Interim Report be received for information.

Ward system versus At-large (by general vote) system

Either

That commencing with the Municipal Election in 2022, the Municipality of Trent Hills continues to elect Councillors in a ward system.

Or

That commencing with the Municipal Election in 2022, the Municipality of Trent Hills dissolves the wards and elects Councillors at-large (by general vote).

Size (composition) of Council

Either

Be it resolved that commencing with the Municipal Election in 2022, the size (composition) of Council be maintained at 7 members, including the Mayor.

Or

Be it resolved that commencing with the Municipal Election in 2022, the size (composition) of Council be reduced to _____ members, including the Mayor.

Or

Be it resolved that commencing with the Municipal Election in 2022, the size (composition) of Council be increased to _____ members, including the Mayor.

Method of selection for position of Deputy Mayor

Either

Be it resolved that commencing with the Municipal Election in 2022, the position of Deputy Mayor be elected at-large (by general vote).

Or

Be it resolved that commencing with the Municipal Election in 2020, the position of Deputy Mayor continue to be selected by Council, from amongst the Councillors elected.

Allocation of Councillors by Ward

Either

Be it resolved that commencing with the Municipal Election in 2022, the wards each elect an equal number of Councillors.

Or

Be it resolved that commencing with the Municipal Election in 2022, the wards continue to elect a different number of Councillors.

Number of Wards

Be it resolved that the Consultant Team prepare ward boundary options for the May 12, 2020 Public Information Session based on a _____ ward system.

Background:

At its meeting of May 21, 2019, Council received Staff Report CLK-2019-17 and directed that a Request for Proposal be issued for a Ward Boundary and Council Composition Review.

Staff Report CLK-2019-17 recommended that in conjunction with a Ward Boundary review, that the composition of Council be reviewed to ensure appropriate representation based on any changes in ward boundaries, and consideration of altering the selection process for the Deputy Mayor position to be elected rather than appointed.

At its meeting of September 17, 2019, Council received Staff Report CLK-2019-19 and accepted the proposal submitted by Watson & Associates Economists Ltd. for the Ward Boundary and Council Composition Review.

On January 7, 2020 the Municipal website was updated to include a webpage dedicated to the Ward Boundary & Council Composition Review. A news notice was posted to our website on the same day and emailed to Subscribers. The webpage and news notice included information about the Public Information Session being held on January 27, 2020.

The Public Information Session was also advertised in the Trent Hills Communicator in the Community Press on January 16 & 23, 2020. In addition, posts were included on the Municipality's Facebook and Twitter Social Media accounts.

Analysis/Options:

On January 27, 2020, following the Public Information Session, the webpage was updated to include the information presented, being a Discussion Paper and PowerPoint presentation.

As well, a Public Feedback Questionnaire was launched to provide individuals an opportunity to provide feedback. Completed Public Feedback Questionnaires were received until 4:00 pm on February 18, 2020.

There were a total of 116 Questionnaires submitted electronically, and 5 paper Questionnaires submitted.

Watson & Associates and Dr. Robert Williams, the Consultant Team, have reviewed the Feedback received and prepared the Interim Report attached.

Council needs to provide direction on the Phase 1 issues, being:

- The method of selection for the position of Deputy Mayor
- Size of Council (composition) beginning in 2022 with the next term of Council
- Whether to retain a ward system or to dissolve the wards in favour of an at-large system
 - if a ward system is retain, whether the wards will elect an equal number of Councillors of a different number of Councillors
 - if a ward system is retain, the number of wards that the Consultant Team should prepare ward boundary options for, for the next Public Information Session

Should Council choose to retain a ward system, Phase 2 of the project will commence and a further Public Information Session has been scheduled for May 12, 2020, to present possible ward configurations.

The feedback received supports:

- maintaining a 7 member Council
- continuing to elect Councillors in wards
- changing to wards that each elect an equal number of Councillors
- reducing the number of Councillors to 5 to maintain a 7 member Council, if the Deputy Mayor is elected at-large

Assuming that a ward system is maintained and the wards are changed so that each ward elects an equal number of Councillors, the following options are possible based on Council's decisions:

- If Council maintains a 7 member Council, and chooses to elect the Deputy Mayor at-large, a 5 ward system would be possible, where each ward would elect 1 Councillor.
 - This option would allow electors to cast votes for 3 of the 7 members of Council.
- If Council maintains a 7 member Council, and continues to select the Deputy Mayor from among the Councillors, either a 2 ward or 3 ward or 6 ward system would be possible. In a 2 ward system, each ward would elect 3 Councillors. In a 3 ward system, each ward would elect 2 Councillors. In a 6 ward system, each ward would elect 1 Councillor.
 - This option would either allow electors to cast votes for:
 - 2 of the 7 members of Council (6 ward option)
 - 3 of the 7 members of Council (3 ward option)
 - 4 of the 7 members of Council (2 ward option)

Financial Impact:

Funds have been allocated in the approved 2020 budget for the completion of the Ward Boundary and Council Composition Review.

Legislative/Risk Considerations:

The following are excerpts from the Municipal Act, 2001.

Composition of council of local municipality

217 (1) Without limiting sections 9, 10 and 11, those sections authorize a local municipality to change the composition of its council subject to the following rules:

1. There shall be a minimum of five members, one of whom shall be the head of council.
2. The members of council shall be elected in accordance with the Municipal Elections Act, 1996.
3. The head of council shall be elected by general vote.
4. The members, other than the head of council, shall be elected by general vote or wards or by any combination of general vote and wards.
5. The representation of a local municipality on the council of an upper-tier municipality shall not be affected by the by-law of the local municipality under this section. 2001, c. 25, s. 217 (1); 2006, c. 32, Sched. A, s. 92 (1).

(2) Repealed: 2006, c. 32, Sched. A, s. 92 (2).

Coming into force

(3) A by-law described in this section does not come into force until the day the new council is organized,

(a) after the first regular election following the passing of the by-law; or

(b) if the by-law is passed in the year of a regular election before voting day, after the second regular election following the passing of the by-law. 2001, c. 25, s. 217 (3); 2006, c. 32, Sched. A, s. 92 (3).

Election

(4) The regular election held immediately before the coming into force of a by-law described in this section shall be conducted as if the by-law was already in force. 2001, c. 25, s. 217 (4); 2006, c. 32, Sched. A, s. 92 (4).

Term unaffected

(5) Nothing in this section authorizes a change in the term of office of a member of council. 2001, c. 25, s. 217 (5).

Establishment of wards

222 (1) Without limiting sections 9, 10 and 11, those sections authorize a municipality to divide or redivide the municipality into wards or to dissolve the existing wards. 2006, c. 32, Sched. A, s. 96 (1).

Conflict

(2) In the event of a conflict between a by-law described in subsection (1) and any provision of this Act, other than this section or section 223, any provision of any other Act or a regulation made under any other Act, the by-law prevails. 2006, c. 32, Sched. A, s. 96 (1).

Notice

(3) Within 15 days after a by-law described in subsection (1) is passed, 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 under subsection (4). 2006, c. 32, Sched. A, s. 96 (1).

Appeal

(4) Within 45 days after a by-law described in subsection (1) is passed, the Minister or any other person or agency may appeal to the Local Planning Appeal Tribunal by filing a notice of appeal with the municipality setting out the objections to the by-law and the reasons in support of the objections. 2006, c. 32, Sched. A, s. 96 (1); 2017, c. 23, Sched. 5, s. 49 (1).

Notices forwarded to Board

(5) Within 15 days after the last day for filing a notice of appeal under subsection (4), the municipality shall forward any notices of appeal to the Tribunal. 2001, c. 25, s. 222 (5); 2017, c. 23, Sched. 5, s. 49 (2).

Other material

(6) The municipality shall provide any other information or material that the Tribunal requires in connection with the appeal. 2001, c. 25, s. 222 (6); 2017, c. 23, Sched. 5, s. 49 (3).

Tribunal decision

(7) The Tribunal shall hear the appeal and may, despite any Act, make an order affirming, amending or repealing the by-law. 2001, c. 25, s. 222 (7); 2017, c. 23, Sched. 5, s. 49 (4).

Coming into force of by-law

(8) A by-law of a municipality described in this section comes into force on the day the new council of the municipality is organized following,

- (a) the first regular election after the by-law is passed if the by-law is passed before January 1 in the year of the regular election and,
 - (i) no notices of appeal are filed,
 - (ii) notices of appeal are filed and are all withdrawn before January 1 in the year of the election, or
 - (iii) notices of appeal are filed and the Tribunal issues an order to affirm or amend the by-law before January 1 in the year of the election; or
- (b) the second regular election after the by-law is passed, in all other cases except where the by-law is repealed by the Tribunal. 2001, c. 25, s. 222 (8); 2006, c. 32, Sched. A, s. 96 (2); 2017, c. 23, Sched. 5, s. 49 (5).

Election

(9) Despite subsection (8), where a by-law comes into force on the day the new council of a municipality is organized following a regular election, that election shall be conducted as if the by-law was already in force. 2001, c. 25, s. 222 (9).

Notice to assessment corporation

(9.1) When a by-law described in this section is passed, the clerk of the municipality shall notify the assessment corporation,

- (a) before January 1 in the year of the first regular election after the by-law is passed, if clause (8) (a) applies;
 - (b) before January 1 in the year of the second regular election after the by-law is passed, if clause (8) (b) applies. 2009, c. 33, Sched. 21, s. 6 (10).
- (10) Repealed: 2017, c. 10, Sched. 1, s. 17.

Attachments:

[Trent Hills WBR Interim Report - March 2020](#)

Strategic Plan:

- Communications Strategy

Reviewed By:

Lynn Phillips, Chief Administrative Officer