



Regular Council Meeting

To:	Mayor and Council
Date:	September 8, 2020
From:	Elana Arthurs, Clerk
Report Number:	Corporate Services 2020-18
Subject:	Ward Boundary Review

Recommendation:

That Council direct Staff to request a formal proposal from Watson and Associates Economists Ltd., in association with Dr. Robert J. Williams, to conduct a Ward Boundary Review for the Township of Cavan Monaghan in preparation of the 2022 Municipal Election.

Overview:

In 1998, the former Townships of Cavan, North Monaghan and the Village of Millbrook were amalgamated to create what is now the Township of Cavan Monaghan. The Township of Cavan Monaghan boundaries were established at that time and have not been modified since.

In 2015, Staff conducted a number of public information sessions to gather input on the appetite for a ward boundary review and at the time, although there was little uptake in attendance, the feedback from those that attended indicated that they were content with the current structure.

Since then a significant amount of development has occurred off County Road 10 and although many assume these homes are in the Millbrook Ward, in actual fact, they are located in the Cavan Ward which is already the largest ward in the Township by size and population.

In Ontario, the Municipal Act, 2001 provides the framework within which municipalities may conduct ward boundary reviews. Section 222 of the Act provides Council with the power to divide or re-divide the municipality into wards, or dissolve any wards which may already exist within the municipality, provided such actions are completed by by-law.

On a broad level, three factors normally trigger a ward boundary review:

- 1) If the population of the municipality has changed by more than ten percent since the present ward boundaries were set, it is time to review them.
- 2) If the present ward boundaries were set as part of an amalgamation, it is time to examine their continuing relevance as the new municipality matures.

- 3) If the population of at least one of the wards varies by more than twenty-five percent from the average population of all wards, it is time to review the present ward boundaries.

Based on the information from the 2018 Municipal Elections the distribution of electors was as follows:

Cavan Ward – 5046
Millbrook Ward – 1220
North Monaghan Ward – 1012

The Township of Cavan Monaghan wards are disproportionate and with the development happening in the Cavan Ward, the imbalance will only increase.

It is clear changes are going to be required prior to the 2022 Municipal Election.

The following process is mandated by the Municipal Act and must be completed before the changes may come into effect:

- Within 15 days of the passage of a by-law, the municipality must give notice to the public of the passing of the by-law and the manner in which the by-law may be appealed, including the last day for filing a notice of appeal;
- The notice must provide 45 days after the passage of the by-law for an individual to file a notice of appeal with the Municipal Clerk;
- Any appeals received must be delivered to the Local Planning Appeal Tribunal (LPAT) within 15 days after the last day available for filing a notice of appeal;
- The LPAT shall hear any appeals received and may make an order affirming, amending or repealing the by-law;
- Once the by-law is passed, the new ward boundaries come into force during the next regular election, if:
 - no appeals are lodged;
 - the appeals are withdrawn prior to January 1st in the year of an election, or;
 - the appeals are heard by the Board and an order is issued to affirm or amend the by-law before January 1st in the year of an election;
- Or after the second regular election in all other situations, unless the by-law is repealed by the Board.

Considering the following factors, Staff are recommending that the most appropriate way to move forward with a Ward Boundary Review would be to engage the services of an external consultant:

- The unique field of knowledge and expertise required;
- The value of previous expertise conducting reviews, particularly when responding to inquiries from Council, staff and members of the public;

- The limited staff resources available to conduct such an in-depth review;
- A consultant can ensure that specific issues surrounding specific principles (i.e. communities of interest) are fully explored and addressed in the final recommendations;
- The potential for an appeal to the LPAT and the expertise that the consultant can provide to support the Township's position; and
- The importance of an independent review and unbiased process.

Staff have had preliminary discussions with Watson and Associates along with Dr. Robert J. Williams who has provided a document with some information about the importance of a ward boundary review, some of which is included in this report.

The initial cost estimate they provided was between \$40,000 - \$50,000 although they were hoping we might see some savings as travel is unlikely.

Staff is still recommending that a formal proposal be requested to ensure there sufficient time for the consultant to provide a final report and recommendation in early 2021 and for Council to make a decision and adopt the required by-law. This timeline will allow time for any appeals and for the process to be completed by December 31, 2021 in preparation for the 2022 Municipal Election.

Attachment:

A Ward Boundary Review – Dr. Robert J. Williams

Respectfully submitted by,

Reviewed by,

Elana Arthurs
Clerk

Yvette Hurley
Chief Administrative Officer