

2009 WARD BOUNDARY REVIEW: FINAL REPORT

Report Prepared by: Town Clerk

RECOMMENDATIONS

- 1) THAT the ward boundary configuration Option 1 as recommended by Dr. Robert Williams in his report entitled "2009 Ward Boundary Review, Final Report May 2009" be adopted as the ward boundaries for Wards 1, 2 and 3 for the Town of Whitchurch-Stouffville to come into effect on January 1st, 2010;
- 2) AND THAT the ward boundary configuration Option 3B as recommended by Dr. Robert Williams in his report entitled "2009 Ward Boundary Review, Final Report May 2009" be adopted as the ward boundaries for Wards 4, 5 and 6 for the Town of Whitchurch-Stouffville to come into effect on January 1st, 2010;
- 3) AND THAT staff be directed to prepare a by-law for the June 23rd, 2009 Council meeting to enact the adopted ward boundaries in accordance with the *Municipal Act, 2001 S.O. 2001, c. 25.*;
- 4) AND THAT staff be directed to prepare a ward boundary review policy for presentation to Council for the June 23rd, 2009 Council meeting.

1. PURPOSE

The purpose of this report is to present Dr. Robert Williams' Final Report regarding the ward boundary review for the Town of Whitchurch-Stouffville for Council's consideration.

2. BACKGROUND

The Town's current ward boundaries have been in place since 1971 and have served the Town well for 38 years. In May of 2002 and again in March of 2005, Council considered the possibility of amending the Ward Boundary structure. On both occasions Council decided that a review was premature and chose to wait until the growth within the urban boundaries was underway.

On November 18th, 2008, Council passed the following resolution:

- 1) THAT staff be directed to conduct a ward boundary review for Whitchurch-Stouffville which would come into effect January 1st, 2010;

- 2) AND THAT the Terms of Reference for the ward boundary review, be approved;
- 3) AND THAT sole source approval be given to retain Dr. Robert J. Williams to lead a public consultation process, develop options and make final recommendations to Council for consideration;
- 4) AND THAT the Director of Finance/Treasurer is given pre-budget approval to fund the project, for the total amount of \$19,000, in the fiscal year of 2009 out of the growth related development charges;
- 5) AND FURTHER THAT the Mayor and Clerk be authorized to execute a contract between the Town and Dr. Robert J. Williams.

As a result, a public review was undertaken by an independent third party. Dr. Williams is an experienced consultant who took early retirement from the Department of Political Science at the University of Waterloo in 2006. During his 35-year career, Dr. Williams' research and teaching have included municipal government and electoral systems. He has also served as an expert witness in eight OMB hearings on ward applications including hearings involving the cities of Guelph, Belleville and Vaughan and the towns of Aurora, and Newmarket.

During the months of January and February, Dr. Williams conducted consultations with the public and Members of Council. Letters were sent to residents who had expressed interest in ward boundary review discussions in the past to advise them of the process and to seek their input. In addition, residents were encouraged to provide input to the process through the Town's website. Two public consultation meetings were held on April 14th and 22nd, 2009 where Dr. Williams presented his Discussion Paper and received further feedback. Dr. Williams has now completed his review and his Final Report containing his recommendations is attached.

3. ANALYSIS & OPTIONS

The *Municipal Act, 2001 S.O. 2001, c. 25* establishes the authority for a municipal Council to review the composition of Council, the means whereby Members of Council are elected and to divide, re-divide or dissolve existing wards. Council exercises that authority by passing a by-law.

In particular, Section 217 of the *Municipal Act* provides the authority for Council to change the composition of Council, provided that there be a minimum of 5 members on Council, one of which is the head of Council, and to determine the means for electing Members of Council either by general vote (at-large); by ward; or by a combination of general vote and wards.

Section 222 of the *Municipal Act* authorizes the municipality to divide, re-divide or dissolve existing wards. This Section of the Act requires that the municipality must provide notice and hold a minimum of at least one public meeting. During the ward boundary review process the Town held a number of public meetings both in Stouffville and Ballantrae. Notice was provided by publishing information about the public meetings on the Town page of the local newspaper.

Similar notice is also required to advise of the passage of the by-law to adopt the ward boundary changes. If a by-law is passed, within 15 days a notice will be placed in the local newspaper advising the public that an appeal may be submitted within the 45-day appeal period from the passage of the by-law.

If no appeal is submitted during the appeal period, the by-law will come into force and effect for the conduct of the 2010 municipal election.

When considering Dr. Williams' report, Council has the following options:

- 1 Accept the recommendations as presented;
- 2 Accept the recommendations with minor changes;
 - Minor changes are changes which maintain the integrity of the new ward boundaries in the context of the guiding principles established by Council.
- 3 Accept the recommendations with major changes;
 - Major changes are changes which significantly alter the boundary configuration and are not in keeping with the guiding principles established by Council. This option is contrary to the original intent of the ward boundary review whereby an independent expert was retained to make recommendations in an arms length capacity. Should major changes be made to the recommendations, Council would be opening itself to criticism of gerrymandering.
- 4 Not accept the recommendations and retain the status quo
 - Staff would therefore not bring forward a by-law and as a result there would not be an appeal process.

Options 1 to 3 would be subject to a potential appeal to the OMB. Should Council choose option 3 and the by-law is appealed to the OMB, Dr. Williams could not be retained to defend the decisions.

Staff recommend that Council choose Option 1 noted above. In preparing his recommendations, Dr. Williams gave regard to the unique characteristics of the municipality; the guiding principles set out by Council; and the comments/feedback received during the public consultation process. In

accordance with the *Municipal Act*, the process followed during the ward boundary review was open and public. This Option is based upon defensible principles.

3.1 Ward Boundary Review Policy

It would not make sense to do a ward boundary realignment that was effective for only one election. There is a considerable amount of staff time involved on the part of both the Town and the Municipal Property Assessment Corporation in order to capture the changes and reflect those changes on a Voter's List. In addition, electors may be shifted to a new ward that could change again if the ward boundary realignment is not planned to last for a number of elections. Any change to the ward boundaries requires an education process to ensure that the residents understand that their ward boundaries have changed. Continual change will only increase confusion. However, it would be advisable to establish a policy which outlines a time period when the next ward boundary review would take place. Staff recommend that such a policy be prepared and presented to Council for consideration.

4. FINANCIAL IMPLICATIONS

The ward boundary review process has a budget of \$19,000. In 2008 when Council resolved to hire Dr. Williams, Council chose not to include in the budget an allowance for the defence of a potential OMB appeal.

5. ALIGNMENT WITH STRATEGIC PLAN

The review of the Town's ward boundaries is aligned with the goal to "ensure relevant organizational structure" and to "enhance two-way communication with all stakeholders".

6. CONCLUSION

The ward boundary review process has complied with all relevant provisions of the *Municipal Act*.

Staff recommend that Dr. Williams' recommendations regarding the ward boundary review be adopted and that staff be directed to prepare a corresponding by-law for presentation to Council at the June 23rd, 2009 Council meeting. In addition, staff recommend that a policy regarding future ward

boundary reviews also be presented to Council at the June 23rd, 2009 Council meeting.

For further information regarding this report, please contact Michele Kennedy, Town Clerk, (905) 640-1910, ext. 224.

2009 Ward Boundary Review

Final Report

MAY 2009

Prepared By

**Dr. Robert J. Williams
Waterloo, Ontario**

Recommendations

1. That Council adopt Option 1 to establish ward boundaries for the rural portion of the Town of Whitchurch-Stouffville for the 2010 municipal election.
2. That Council adopt Option 3a or Option 3b to establish ward boundaries for the Stouffville portion of the Town of Whitchurch-Stouffville for the 2010 municipal election.
3. That Council adopt a policy that provides for a review of ward boundaries on some pre-determined cycle according to an agreed upon process. Such a policy would also provide the criteria and guiding principles to be considered when reviewing ward boundaries.

Introduction

This report is intended to provide the Town of Whitchurch-Stouffville's Council with choices for an electoral system for the 2010 municipal election and beyond. The report assumes that several matters addressed in the April 2009 *Discussion Paper* will be familiar to readers, although comments and questions during the public consultation phase of the Ward Boundary Review have made it necessary to re-visit a number of points made in that Report to make as clear as possible the foundations that underpin the alternatives set out here.

It is important to emphasize that there is no single prescription for an effective electoral system in Whitchurch-Stouffville; there are advantages and shortfalls that are inherent in each option set out here. The task before Council is to weigh these pluses and minuses to determine the arrangements that will provide the community with effective and equitable representation.

For practical assistance in this Review, I would like to acknowledge and thank Gillian Angus-Trail, Alan Drozd and Randy Harris. More importantly, I am appreciative of the time, insights and patience provided to me by Michele Kennedy.

Robert J. Williams

Consultant

2009 Town of Whitchurch-Stouffville Ward Boundary Review

Background

The Discussion Paper prepared for the Ward Boundary Review in April 2009 reviewed the origins of the electoral arrangements when the Town of Whitchurch-Stouffville was created in 1970 as part of the municipal reorganization that transformed the County of York into the Regional Municipality of York. A six-ward plan - with the mayor elected at large - was implemented in the amalgamated municipality at that time and those wards are still in place. See Map 1 (page 3).

At amalgamation, the population of the new municipality was estimated at about 11,000 people, with approximately one thousand in the portion formerly part of Markham, four thousand in the Stouffville urban area and six thousand in the Whitchurch rural area. The goal was to establish the wards “comparable in size” to one another, although there was a range of about 1000 people between the largest and smallest wards.

In the original design of the Town’s wards, some key assumptions were used. One important provision was to divide the urban population of the Village of Stouffville into three wards, each of which included rural areas to the north, south and west of the Village.

Implicit in the original ward design was also a distinction between wards that include Stouffville and those that did not; there were, at the outset, three of each. That is, Whitchurch-Stouffville’s electoral configuration has historically been understood to consist of three rural wards (1, 2 and 3) and three urban wards (4, 5 and 6), although the latter should more correctly be understood as “mixed” wards in which councillors would represent residents from both the rural and urban communities.

That arrangement meant that the former Village of Stouffville would not form a single “block” on Town Council. The converse is that for more than thirty-five years the most urbanized area of Whitchurch-Stouffville has been divided up into three somewhat arbitrary parts.

However, from the outset, population growth has been concentrated in the extreme southeast corner of the municipality, a pattern that appears to be entrenched for the foreseeable future by the fact that

- the Oak Ridges Moraine covers approximately 75% of Whitchurch-Stouffville and provincial restrictions on development relating to the Moraine, as well as those associated with the Greenbelt and Places to Grow legislation, mean that future growth cannot realistically occur outside the Town's designated expansion area (that is, Stouffville); and
- the logistics and cost of delivering access to water and sewage services to most rural areas in Whitchurch-Stouffville dictate that residential growth in the remainder of the Town will only occur in restricted areas.

One significant exception to this pattern has been the development of a large-scale adult lifestyle community at Ballantrae where a private development delivers many traditional municipal services to residents instead of the municipality. The community will be home to approximately 6000 people when it is fully completed; the development has already transformed the makeup of that portion of the Town.

The large geographic size of the Town, its topography and its settlement patterns add to the unique problems of "community" in Whitchurch-Stouffville. The reality is that Whitchurch-Stouffville is not a classic community where growth spins out in concentric rings from a core settlement. For many residents, their retail or recreational needs are not met in Stouffville but in Markham, Richmond Hill, Aurora, Newmarket or perhaps Uxbridge. Those who reside outside the urban boundary pay municipal taxes yet receive minimal services. Large areas are without cable and high speed internet or have difficulty with cell phone reception. Mail is delivered to some residents from centres outside the Town; a call to the Town offices may incur long distance charges.

The net result is a unique, complex and changing municipality where political information and engagement are not uniformly distributed. It is also a municipality in which tradition has had a firm grip. Developing an effective system of representation that responds to those dynamics is a challenge.

The 2009 Ward Boundary Review in Whitchurch-Stouffville

In agreeing to establish the 2009 Ward Boundary Review (WBR) in response to the Clerk's Report, Whitchurch-Stouffville Council directed that a number of factors be observed in this process.¹

The general directive is that the WBR must be mindful of "the overriding principle of 'effective representation', as set out in the Carter decision." The Supreme Court of Canada ruled that to achieve "effective representation", some degree of "deviation from absolute voter parity" (the phrase used by the Court) would be acceptable since factors like "geography, community history, community interests and minority representation may need to be taken into account to ensure that our legislative assemblies effectively represent the diversity of our social mosaic." In the municipal context, therefore, the principle of parity will not be the single – or necessarily even the most important – priority in the design of wards.

In addition, the *Carter* decision can also be understood as placing emphasis on the process of representation (something that happens between elections) rather than the act of voting itself that takes place on one day, now every four years in Ontario. The WBR will implicitly take account of the potential responsibilities to these residents by those who serve on Council. The number of electors in proposed wards will therefore be considered only as a secondary criterion to the overall population in those wards.

More specifically, Whitchurch-Stouffville Council determined that attention to four guiding principles is required:

Principle a: Consideration of communities of interest and neighbourhoods.

In the context of Whitchurch-Stouffville, this principle embodies two key

¹ The full text of the terms of reference is found in Appendix 1. A more extensive interpretation of these points is found in the Discussion Paper (pages 6 – 8).

components:

- Ward boundaries should not fragment traditional neighbourhoods and communities of interest within the Town. Proposed wards should aim to keep existing communities together and to create wards that share common concerns.
- Rural interests represent one of the communities of interest within the Town and must be given proper consideration. Given that “rural interests” have had their own wards since 1970, this practice should continue.

The concept of “community of interest,” however, is open to a variety of interpretations and applications in Canadian electoral practice. One perspective is that the concept “captures a citizen’s identification with a ‘place’ where individuals who live in the same vicinity share a similar interest.” As a consequence, it is reasonable “to want to extend that sense of being part of a community to try to ensure that the community remains intact when the larger electoral district is constructed.”² The challenge is to determine – on a case-by-case basis – what the concept means in Whitchurch-Stouffville and the appropriate balance between these inherently localized interests and the overall pattern of representation in the municipality. In addition, defining a community of interest in urban areas – where there is a greater degree of diversity on a number of levels - is often more problematic than in rural areas. At the same time, it is also important to bear in mind that the establishment of a particular set of boundaries may actually *create* a community of interest - especially when boundaries have been in place for some time.³

Principle b: Consideration of present and future population trends

² John C. Courtney, “Community of Interest in Electoral Boundary Readjustments,” *Electoral Insight* (October 2002), p. 10.

³ See the discussion of this point in Réjean Pelletier, “Community of Interest and Electoral Quota,” *Electoral Insight* (October 2002), p. 23.

An appropriate ward system for Whitchurch-Stouffville will include wards that are able to absorb increases in population without undermining the equilibrium in ward populations over the next two or more elections.

Given that ward boundaries in Whitchurch-Stouffville have not been examined for 38 years and that growth is expected to continue over the next decade, the WBR is also expected to include a recommended timetable for a regular review of the viability of the proposed wards.

Principle c: Consideration of physical features as natural boundaries

To assist residents in recognizing the Town's electoral geography, wards will

- use boundaries that are straightforward and easily recognizable for all residents, especially physical features such as watercourses, railway corridors and major roadways.
- be coherent and contiguous in shape.

Principle d: Consideration of representation by population

The ward configuration in Whitchurch-Stouffville will attempt to rectify the present population imbalance in the wards by seeking electoral divisions that are

- reasonably balanced in population in 2009.
- sensitive to the geography of the Town and varying population densities across the Town (that is, it will weigh the tradeoffs between the already sizeable geographic area of the present rural wards and the need to address population imbalances between the wards).

The Status Quo

Despite the dramatic increase in the population of Whitchurch -Stouffville over the last number of years, and the growing imbalance in the population of the six wards, the ward boundaries created in 1970 are still in place. In truth, until the arrival of "the Big Pipe", residential development was modest and the electoral

arrangements were acceptable. By 2008, some blemishes had appeared in the status quo; for example, in the 2006 election, the range of eligible electors between the largest and smallest wards was 1800 voters. The original understanding that wards could be understood to be “rural” or “urban” is less clear-cut with the construction of estate housing in rural areas and the pending development of large-scale industrial and commercial development in the Gormley area. It was in this context that Council agreed to authorize a review of ward boundaries.

Two perspectives cast some doubt on the validity of such a review, however.

Having taken that step and having established a process to conduct the review, many people were dismayed when the level of public engagement in the WBR was minimal. The reality is that Whitchurch–Stouffville’s experience in this regard is – unfortunately – typical of what happens in most Ontario municipalities. Electoral rules are not viewed as germane to the daily life of most residents and so a review of this kind attracts very little public attention. That aside, electoral rules are a critical component of democracy at the municipal level and an assessment of their appropriateness should not be contingent on widespread popular agreement.

There is also the frequently asked question: “can this not wait until . . .?” Should a review occur when the anticipated growth has actually happened? Should a review be delayed in the present economic climate? Experience suggests that delaying until “the time is communities right” does not make a flawed system whole again. Most of the problems or inequities that have crept into the present arrangements will not correct themselves if left alone.

The basic initial question, then, must be “can the status quo provide the community with effective and equitable representation?”

1. “effective representation”:

It must be noted that this principle is not a comment on how the incumbents perform their roles as representatives, but is an evaluation of the system itself.

In contemporary Whitchurch–Stouffville, elected representatives are subject to widely varied demands on their time. The existing rural wards are large and complex; the urban wards are growing rapidly. Elected officials participate in a myriad of organizations with residents, businesses and organized interests as well as with counterparts from other municipalities. Some of this is a matter of personal choice and availability; however, a council of six members (seven including the mayor) is getting stretched to perform all of these tasks on behalf of residents and the corporation.

“Effective representation” is possible in the current configuration, but whether it will remain sustainable – especially in the face of issues related to growth – is debatable.

2. Principle a: Consideration of communities of interest and neighbourhoods.

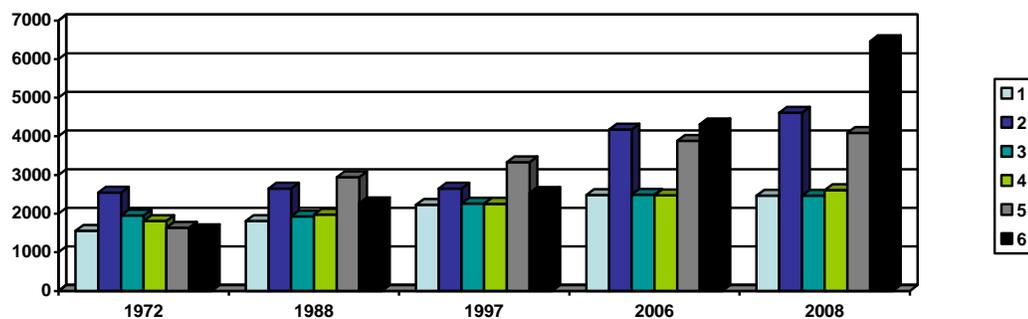
- Ward boundaries should not fragment traditional neighbourhoods and communities of interest within the Town.
 - The existing boundary between Wards Four and Five splits Bloomington.
 - The existing boundaries divide Stouffville along Main Street (the traditional central business district).
- Proposed wards should aim to keep existing communities together and to create wards that share common concerns.
 - Wards Four, Five and Six, from the outset, have not encompassed “common concerns”: some residents of these “mixed wards” have access to the full range of municipal services, while others do not. However, incumbent councillors and others value the opportunity to become familiar with both rural and urban issues that come before Council.

- Ward Two especially is not characterized today by “common concerns”. The ward is home to a mix of agricultural operations and higher end residential dwellings, as well as a variety of other communities of interest that have diverging priorities and perspectives.
- Rural interests represent one of the communities of interest within the Town and must be given proper consideration.
 - In 1970, rural interests were primarily (but not exclusively) understood to be agricultural. The population of the Town who could be considered rural in that sense forms a permanent electoral minority within the Town and within one of the “rural” wards.
 - Rural interests were assigned three council seats in 1970; today rural residents form a permanent – and shrinking - electoral minority within the Town yet elect one half of the Council seats.

3. *Principle b: Consideration of present and future population trends*

Information provided to Council by the Clerk in November 2008, demonstrates that Whitchurch-Stouffville’s wards have varied in population size from the outset of the amalgamated municipality.

Figure 1 – Variations in Ward Populations 1972 – 2008⁴



⁴ Clerk’s Report November 18, 2008, page 2.

To understand the extent to which ward boundaries “deviate from absolute voter parity”, it is helpful to evaluate them by adopting a simple descriptive scale to assess this degree of variation from the optimal size. The mid-point is determined by dividing the population of the municipality by the number of ward representatives to be elected.

| | |
|--------------------|--------------------------------|
| outside the range | greater than 25% above optimal |
| well above optimal | 16 – 25% above optimal |
| above optimal | 6 – 15% above optimal |
| optimal | 5% above or below mid-point |
| below optimal | 6 – 15% below optimal |
| well below optimal | 16 – 25% below optimal |
| outside the range | greater than 25% above optimal |

The third column in the tables that accompany each of the ward configurations shows the relationship between each ward population and that optimal value. The categories just described are applied in the fourth column.

A report prepared in December 2008 by MPAC (the Municipal Property Assessment Corporation, the agency responsible for providing the list of electors to the municipality) provides a breakdown of the resident population of Whitchurch-Stouffville by ward and poll. All calculations for the Options that follow assume a total population for Whitchurch-Stouffville of 26,050.⁵ The optimal size for a ward in 2009 is therefore 4342. The present ward system therefore looks like this:

| Ward | Number of Residents | Relationship to Optimal | Descriptor |
|------|---------------------|-------------------------|---------------|
| One | 2758 | 0.63 | outside range |
| Two | 4911 | 1.13 | above optimal |

⁵ Aggregate population estimates provided to the Town by Watson and Associates in March 2009 for the development charges review are in the range of 32,000. Those data were not available in a form that would permit developing alternative ward boundaries so cannot be used here. See also page 9 of the Discussion Paper.

| | | | |
|-------|------|------|---------------|
| Three | 3202 | 0.74 | outside range |
| Four | 2764 | 0.64 | outside range |
| Five | 4970 | 1.14 | above optimal |
| Six | 7445 | 1.71 | outside range |

It is possible to estimate future population trends within the existing wards from data compiled for the Town in relation to the development charges review (see note 5). By 2019, the Town is projected to grow by approximately 15,000 people, of which all but about 1,000 will be in Wards Four, Five and Six and the bulk of the remainder in Ward Two. In other words, the population will skyrocket in wards that are already above the optimal size in 2009. Calculations based on residential development data from an alternative source suggest that the present Ward Four will also rise above the optimal size over the next decade. (For further details see Appendix 2).

4. Principle c: Consideration of physical features as natural boundaries

On the whole, the present ward boundaries follow major roadways that can be seen as meaningful to most residents. The exception to this is the Ward Four - Ward Five boundary between Ninth Line and the CNR that essentially follows a lot line between Bramble Crescent and Bartsview Circle/Pondmede Crescent.

5. Principle d: Consideration of representation by population

As has been demonstrated, the distribution of population in the existing wards is not balanced. The existing Wards Four, Five and Six combine the areas of highest population density in the Town with sizeable geographic areas. In terms of the language of this principle, those wards have not “traded off” high density and a sizeable geographic area but have combined them.

Overall Assessment: Status Quo

| | |
|---|-------|
| “effective representation” | yes |
| Principle a: communities of interest | no |
| Principle b: population trends | no |
| Principle c: natural boundaries | mixed |
| Principle d: representation by population | no |

It is my assessment that, after 38 years, the status quo can now no longer fulfill the expectations associated with the guiding principles for this WBR, let alone in 2014 or 2018. As the writer Somerset Maugham once wrote, “tradition is a guide not a jailer.” While the traditional ward boundaries were appropriate for the first twenty – or even thirty – years of the Town’s life, new conditions suggest that alternatives be explored.

Alternatives

In the Discussion Paper, four Options for the rural portion of the Town of Whitchurch-Stouffville were presented and discussed in public meetings in April. These have been narrowed down to two: what was labeled Option 1a (which will now be labeled Option 1) and a modified version of Option 2a (which will now be labeled Option 2).

Three Options for the Stouffville corner of the Town were presented in the Discussion Paper: two Options are presented here (a new Option 3a and the previous Option 3b).

The Options are organized around some key assumptions beyond the four guiding principles set out earlier.

1. While there are many who still endorse the value of the rural-urban “mix” in the three Stouffville area wards, two factors weaken the wisdom of continuing this practice. The placement of population from the northern parts of the present Wards 4 and 5 or the western portion of Ward 6 in the three “urban” wards leaves the population of the remaining rural area too small to sustain two rural wards. In other words, the larger the population attached to Stouffville by stretching wards out as far as Bloomington Road

or beyond, the weaker the “rural” voice becomes in the context of the full Council. As it is, the 2009 figures used in these scenarios assume a population of 11,442 in the three non-Stouffville wards and 14,608 in the three wards based in Stouffville.

As observed in the Discussion Paper, there are now formal and informal “urban boundaries” surrounding Stouffville that are less expansive than the present Ward 4 and 5 boundaries and that demarcate real differences in the lives of residents in those areas. A tighter definition of “urban Whitchurch-Stouffville” will therefore be used as the basis for all of the options developed here.

The acknowledged risk is that these designs may be seen as recreating the pre-amalgamation “village block” that was a concern in 1970.

2. As noted earlier, Stouffville was divided for electoral purposes in 1970 so that its population could be “shared” among three “mixed” wards. As just noted, the continuation of “mixed” wards is no longer viewed as a viable option. The question raised in public consultations was whether the Stouffville urban area is well served by maintaining three different wards or whether the reality today is that it is “one place” that should be represented as a coherent single entity that elects three councillors.

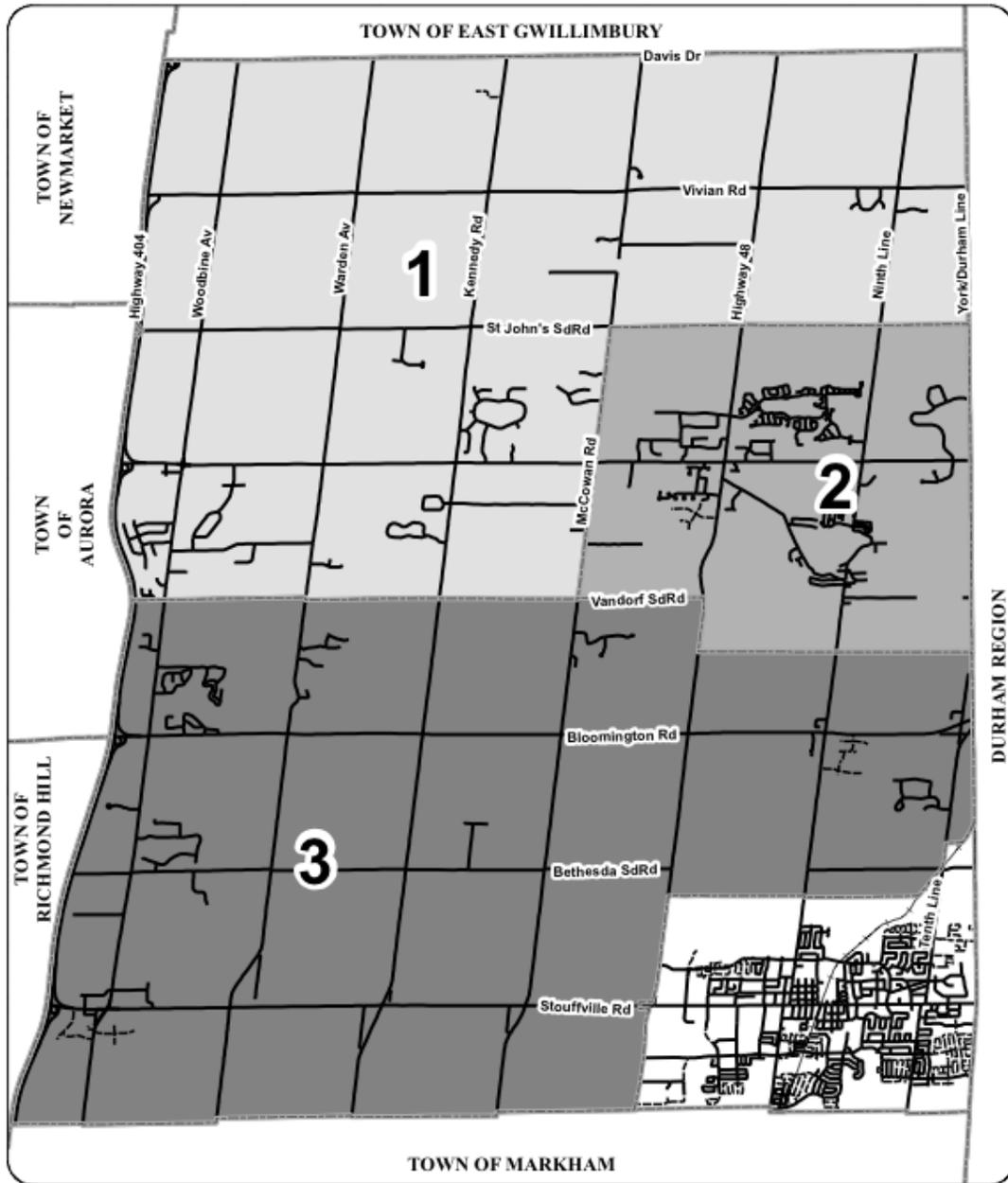
Despite some issues surrounding “communities of interest”, the two Options that follow continue the three-ward arrangement for Stouffville.

3. The second major growth area in Whitchurch-Stouffville is in the present Ward 2, primarily centred on the Ballantrae Golf and Country Club but also at Musselman’s Lake and a couple of other areas. These communities are beginning to dominate the electoral dynamics of Ward 2 and, by extension, the entire political landscape of Whitchurch-Stouffville north of Vandorf Sideroad and east of McCowan Road. Because of the divergent communities of interest between the agricultural and the estate residential

areas, the former should be separated from the later to the extent possible in the design of any new ward system.

It is fair to say that the way the estate residential areas are represented is critical to the design of the entire non-urban segment of the Witchurch-Stouffville ward system. As a result, the two Options for the Town are largely built around one key choice: should Ballantrae Golf and Country Club and Musselman's Lake be grouped into one ward or assigned to two separate wards?

Option 1



 Town of Whitchurch-Stouffville



Key features:

- Ballantrae G&CC and Musselman’s Lake are located in the same ward.
- population:

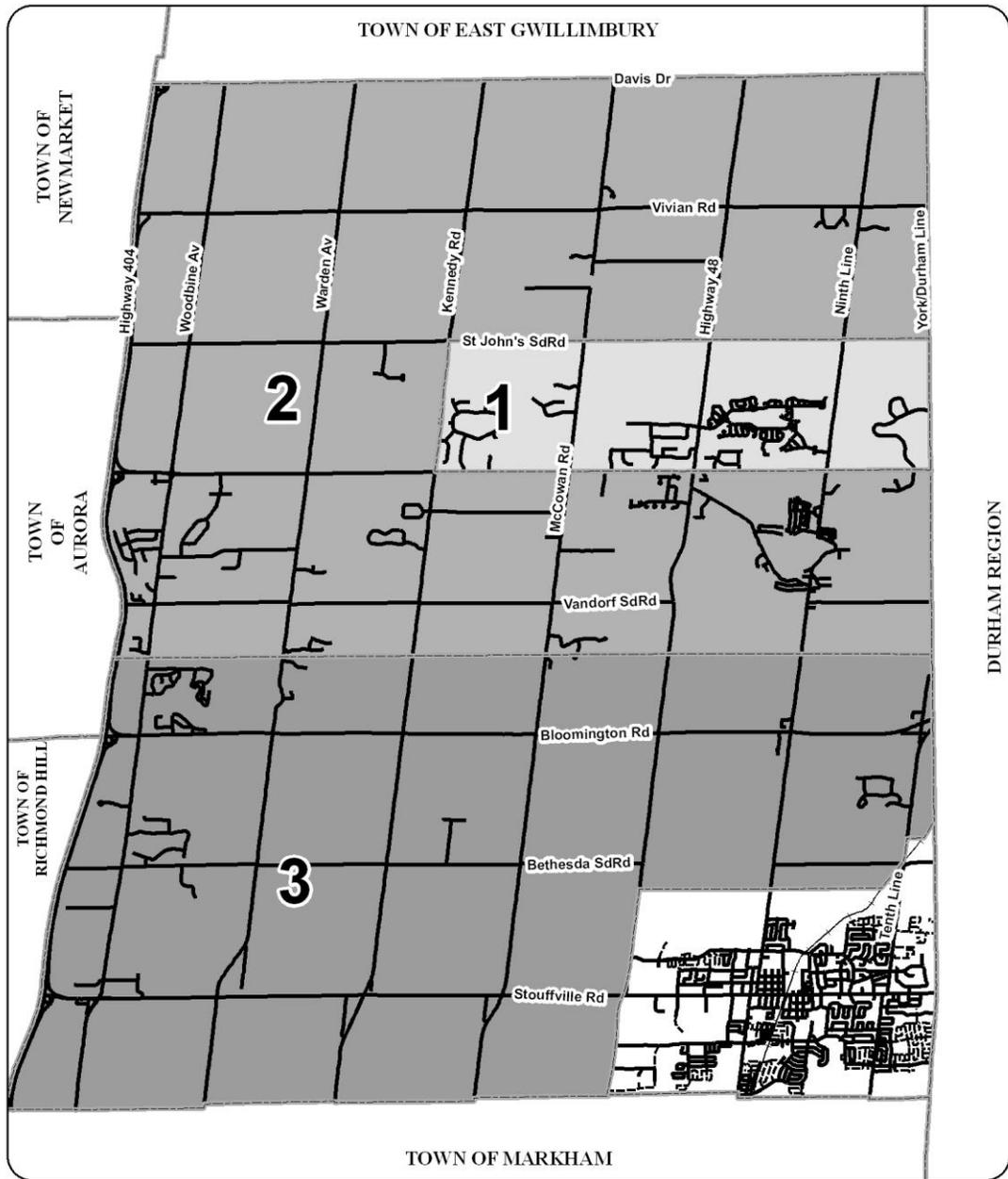
| | | | |
|------------|------|-----|--------------------|
| Ward One | 3557 | .82 | well below optimal |
| Ward Two | 4112 | .95 | optimal |
| Ward Three | 3773 | .87 | below optimal |

- The proposed Ward Two was designed to group Ballantrae G&CC, Musselman’s Lake and other major residential development in the central-east part of the Town in a single “non-urban” ward.
- The present population of the proposed Ward Two is at an acceptable level in 2009 but will grow above the optimal size when the major residential developments have been built out. Even at that point, the ward would be within the acceptable range of the 2009 optimal size.
- The population of the two rural wards is balanced but both are below the optimal size. The Option reduces the geographic area covered by the northern rural ward although it increases the size of the southern rural ward. These “trade offs” contribute to achieving principle d.

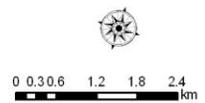
Overall Assessment: Option 1

| | |
|---|-----|
| “effective representation” | yes |
| Principle a: communities of interest | yes |
| Principle b: population trends | yes |
| Principle c: natural boundaries | yes |
| Principle d: representation by population | yes |

Option 2



 Town of Whitchurch-Stouffville



Key features:

- Ballantrae G&CC and Musselman’s Lake are located in separate wards.
- population:

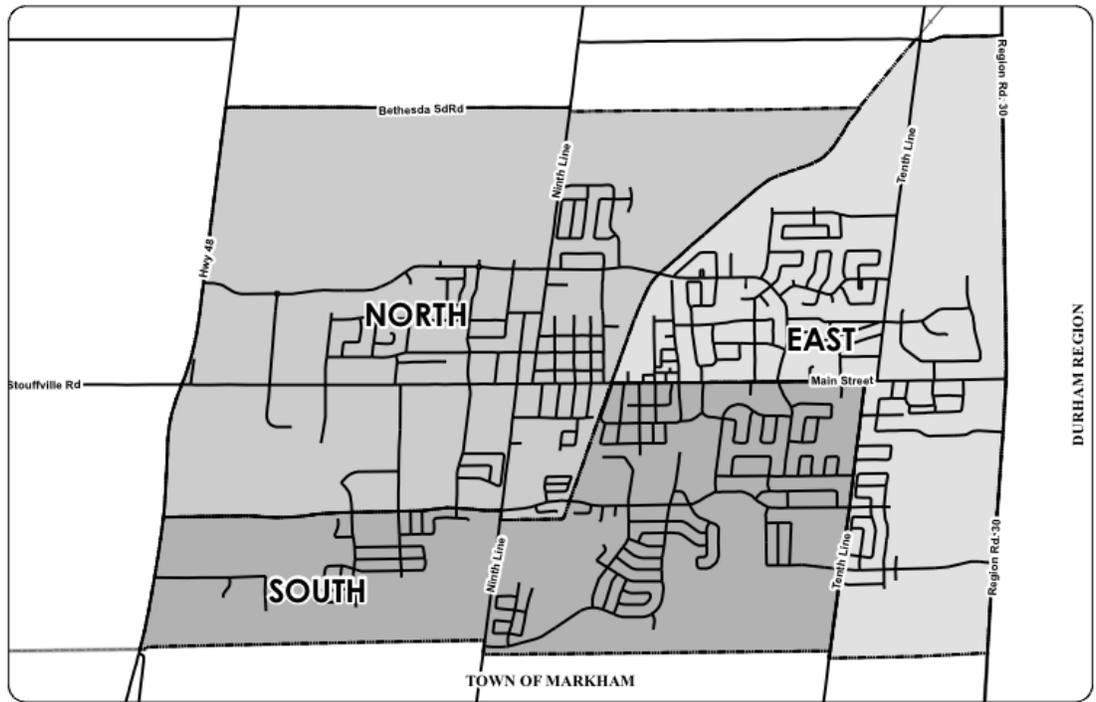
| | | | |
|------------|------|------|--------------------|
| Ward One | 3272 | .75 | well below optimal |
| Ward Two | 4756 | 1.10 | above optimal |
| Ward Three | 3414 | .79 | well below optimal |

- The Option essentially creates two east-west “rural” wards, although the Musselman’s Lake development means Ward Two contains a significant non-urban component.
- Ward Two includes significant agricultural interests as well as concentrated residential settlements. Combines moderate density with a sizeable geographic area (falls short of attributes associated with principle d).
- The boundary between Ward One and Ward Two divides Ballantrae.
- Ward Three is the only “dedicated” rural ward.
- Option does not use obvious boundary between Wards Two and Three.
- Ward One is below the optimal population level but the population will continue to increase towards the 2009 optimal size as the Ballantrae development is completed.
- There is modest growth forecast in Ward Two; Ward Three will likely be the smallest ward in terms of population.

Overall Assessment: Option 2

| | |
|---|-------|
| “effective representation” | yes |
| Principle a: communities of interest | no |
| Principle b: population trends | yes |
| Principle c: natural boundaries | mixed |
| Principle d: representation by population | mixed |

Option 3a



 Town of Whitchurch-Stouffville
OPTION 3a



0 0.125 0.25 0.5 0.75 1 km

Key features:

- The Option divides Stouffville into three parts by using the CNR line as the north-south boundary basically from Bethesda Road to Hoover Park Drive. It retains Main Street as a boundary from the CNR to Tenth Line and follows Tenth Line to the southern Town boundary.
- population:

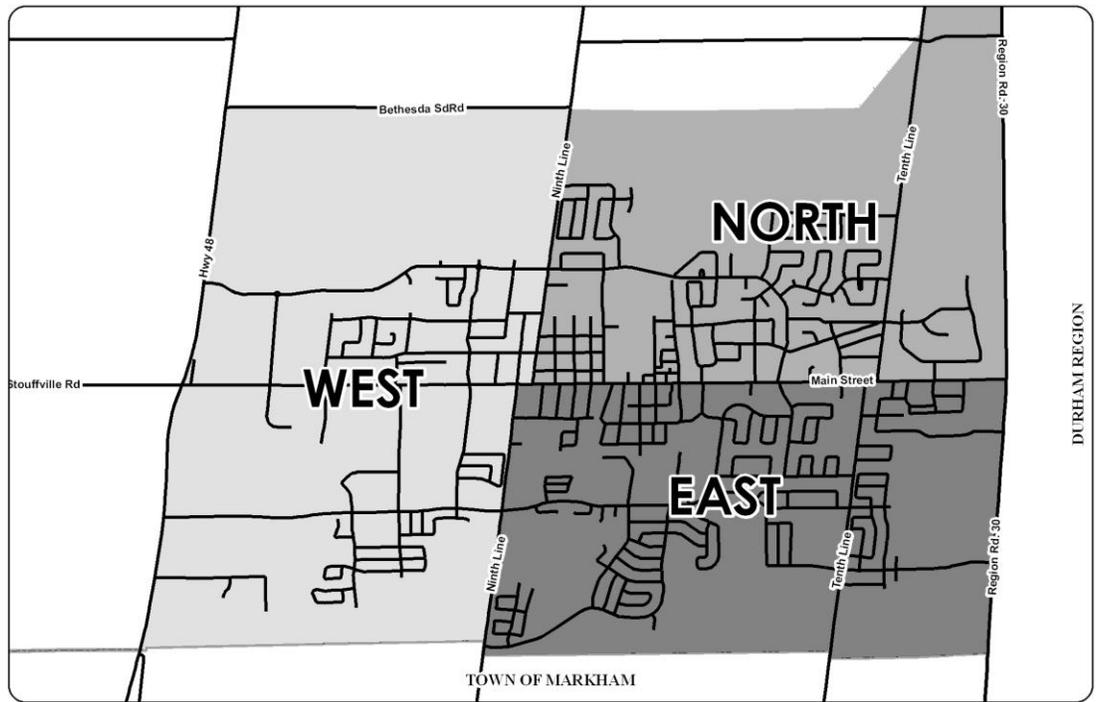
| | | | |
|------------|------|------|--------------------|
| North Ward | 4542 | 1.05 | optimal |
| East Ward | 4648 | 1.07 | above optimal |
| South Ward | 5418 | 1.25 | well above optimal |

- The boundaries are easy to understand.
- The proposed South Ward is the largest ward by population in 2009 and will ultimately add as many residential units as the other two wards combined.
- Each ward will contain a mix of old and new neighbourhoods.

Overall Assessment: Option 3a

| | |
|---|-----|
| “effective representation” | yes |
| Principle a: communities of interest | no |
| Principle b: population trends | no |
| Principle c: natural boundaries | yes |
| Principle d: representation by population | yes |

Option 3b



 **Town of Whitchurch-Stouffville**
OPTION 3b



Key features:

- The Option proposes using only Ninth Line and Main Street as boundaries.
- population:

| | | | |
|------------|------|------|--------------------|
| West Ward | 3686 | .85 | well below optimal |
| North Ward | 5198 | 1.20 | well above optimal |
| East Ward | 5724 | 1.32 | outside range |

- The boundaries are very simple and easy to understand.
- The proposed East Ward is already too large: it is outside optimal population range and will ultimately add more residential units than the other two wards combined.
- The Main Street boundary divides the central business district.
- Each ward will contain a mix of old and new neighbourhoods.

Overall Assessment: Option 3b

| | |
|---|-------|
| “effective representation” | yes |
| Principle a: communities of interest | mixed |
| Principle b: population trends | no |
| Principle c: natural boundaries | yes |
| Principle d: representation by population | yes |

A Ward Boundary Review Policy for Whitchurch-Stouffville

Up until about 2000, Whitchurch-Stouffville's ward arrangements worked. Once growth began in earnest, some flaws started to appear in the ward configuration. Depending on the depth and duration of the present economic downturn, growth will no doubt resume in the Town and will have a bearing on the ward boundaries that emerge from this review. At the very least, the appropriateness of ward populations should be monitored over the next two or three elections.

Since at the present time Ontario legislation does not mandate a review of ward boundaries on any regular cycle, it would be desirable if Council establishes a policy that would see the Town's municipal electoral arrangements examined on a regular basis. Note, however, that the operative phrase in this context is "examined on a regular basis", not "changed on a regular basis."

I recommend that Whitchurch-Stouffville consider adopting a policy that ward boundaries be reviewed on some pre-determined calendar; the federal boundary adjustment process is linked to the Census, but the municipal electoral cycle is probably more relevant. Given the Town's anticipated growth over the next twenty years, the policy might call for a more frequent evaluation (say, after every two elections); later the reviews could become less frequent.

This policy might also be tied to questions of the council size and other representational issues since it is only a matter of time before the load of responsibilities carried by six ward councillors become an issue. In addition, some consideration should be given to an increase in the size of council to better capture the population growth in Stouffville and perhaps elsewhere in the Town.

Conclusion

There is no single "right answer" in the selection of ward boundaries for the Town of Whitchurch-Stouffville. Several possibilities have been proposed here.

The guiding principles approved by Council itself in November 2008 should be the major influence on the selection of a particular Option. There is a straightforward checklist: which Option most successfully provides

- consideration of communities of interest and neighbourhoods?
and
- consideration of present and future population trends?
and
- consideration of physical features as natural boundaries?
and
- consideration of representation by population?

Note, however, that “demonstrated popular support” or “the partiality of sitting Councillors” are not on the list.

The implication is that expressions of public opinion (or even their absence) through petitions, public meetings or private submissions may be helpful in understanding the nature of community perspectives, but they do not independently override the application of the guiding principles for effective representation across the larger community.

Similarly, members of Council themselves must be prepared to set aside their own political interests in evaluating a ward boundary recommendation. As an elected official in another Ontario municipality remarked to the consultant, “How would we decide if none of us were going to run again?”

The answer to that question is that the terms of reference for this WBR should be the measure against which Council assesses this ward boundary recommendation.

No ward system design can successfully meet all of the guiding principles set out by this, or any other, Council. The challenge is to minimize the divergence from the ideals. In the end, the ward design ultimately adopted by Whitchurch-Stouffville Council should be the one that best fulfills the guiding principles accepted by that same Council.

Appendix 1

TERMS OF REFERENCE WARD BOUNDARY REVIEW

Objective:

To conduct a comprehensive review of the municipal ward boundaries within the Town of Whitchurch-Stouffville.

Guiding Principles:

Subject to the overriding principle of “effective representation”, as set out in the Carter decision, the following criteria will be referred to for guidance in the conduct of the review.

- Consideration of communities of Interest and neighbourhoods including the unique rural/urban nature of the municipality: It is desirable to avoid fragmenting the traditional neighbourhoods and communities of interest within the Town. The rural interests represent one of the communities of interest within the Town and must be given proper consideration.
- Consideration of present and future population trends: The impact of the present population trends need to be offset by the anticipated growth included in the future population trends in order to strike a balance. A date should be established as to when the next ward boundary review should take place.
- Consideration of physical features as natural boundaries: The ward boundaries should be coherent and contiguous in shape. The natural features used for boundary delineation should be straightforward and easily recognizable.
- Consideration of representation by population: To the extent possible, given the geography and varying population densities, consideration should be given to representation by population.

Approved by Council November 18, 2008

Appendix 2

RESIDENTIAL DEVELOPMENT DATA STOUFFVILLE

The Development Status List for the Community of Stouffville (updated June 2008) provides a breakdown of residential units approved and in draft. The standard person per unit multiplier for Stouffville is 3.2.

In terms of the existing wards, these dwellings would account for projected growth as follows:

| Ward | Residential Units: Approved | Residential Units: In Process | Estimated Additional Population |
|------|--------------------------------|----------------------------------|---------------------------------------|
| Four | 1,001 | 0 | 3,203 |
| Five | 626 | 606 | 3,942 |
| Six | 3,904 | 422 | 12,493 |