

The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Corporate Services
Division: Clerk's Division
Report Number: 2020-331-Corporate Services
Prepared By: Manon Levesque, City Clerk
Meeting Date: September 1, 2020
Subject: Electoral System Review - Survey Results

Purpose

To present the results of the Electoral System Review and outline the process of introducing a ward system, changing Council composition, and placing a question on the ballot.

Recommendation

That Council provide Administration with direction.

Background / Discussion

On January 14, 2019, Council endorsed Resolution 2019-01 directing Administration to prepare a report on the Ward System including options on Council composition.

On November 25, 2019, Council was presented with the requested Report and directed Administration to engage in public consultation on introducing wards and changing Council size and directed Administration to prepare a report on costing and timelines of the consultation.

On January 13, 2020, Council was presented with the requested Report and directed Administration to proceed with the public consultation on the Ward System and Council Composition.

The Survey was published in the Cornwall Seaway News on April 22, April 29, and May 6 and in the Cornwall Standard-Freeholder on April 25, May 2, and May 9. A total of 2,000 Surveys were mailed to randomized City of Cornwall addresses with pre-paid return envelopes. The online Survey was open from April 20 to June 22 with advertising on the City's Facebook page several times during that period.

Due to the COVID-19 pandemic and health-related protection orders, the plan to hold an in-person open house engagement session, at the Cornwall Chamber of Commerce's Spring Home & Leisure Show did not occur.

The target was to receive a total of 2,500 responses which represented approximately 20% of the 12,488 registered voters who cast their ballots in the 2018. A total of 554 paper responses (both newspaper and mailed out Surveys) were received and another 1,210 online responses were received for a total of 1,764 Surveys (14 in the French language and 1,750 in the English language).

The questions were answered as follows:

1. How many Councillors, not counting the Mayor, should sit on Council?
 - 315 or 20.59% of the responses were in favour of 10 Councillors
 - 668 or 43.66% of the responses were in favour of 8 Councillors
 - 547 or 35.75% of the responses were in favour of 6 Councillors
2. Are you in favour of a ward system?
 - 787 or 51.44% of the responses were in favour of a ward system
 - 743 or 48.56% of the responses were not in favour of a ward system
3. If you have any questions or comments about the composition of Cornwall City Council, please note them.
 - The Survey results have been attached for your review and perusal.

Local History with Wards

The City of Cornwall had previously operated under a ward system of six (6) wards with two elected officials per ward, for a Council size of twelve (12) aldermen and one (1) mayor.

This system of representation was in place until 1974, when the question of changing from that system to election at large was put on a ballot. The citizens of Cornwall voted for a change to the election at large system, with the first election of this kind taking in place in 1975.

In 1985, Council reviewed the question of Council size and whether it should be reduced from twelve (12) to ten (10) Councillors with one (1) mayor. This question was placed on an electoral ballot with the citizens of Cornwall voting in favour of a smaller Council. The new structure of ten (10) Councillors and one (1) mayor was put in place in 1988.

Formal Process to Introduce a Ward System

The Municipal Act provides the framework and authority by which Councils may split their territory into voting subdivisions (wards). This is done by adopting a By-law.

Once the By-law is passed, the new ward boundaries come into force during the next regular election.

The process to implement and review new ward boundaries could take six months or more and would include the following five steps:

1. Passing of a By-law to establish a municipality into wards
2. Giving notice of the Passing of the By-law allowing for appeals to be filed
3. Appeal period
4. Appeals to be filed with Ontario Municipal Board
5. Hearing of appeals by the Ontario Municipal Board and issue of an order affirming, amending, or repealing the By-law

While the Municipal Act does not provide any criteria to guide an electoral system review process, there are legal precedents and decisions that have established a set of guiding principles that are generally adhered to. These guiding principles include:

- 1) Effective Representation
- 2) Representation by Population
- 3) Protection of Communities of Interest and Neighborhoods
- 4) Future Population Trends
- 5) Physical Features and Natural Boundaries

The Municipal Act also provides the option for Council to combine both at-large and ward systems should Council wish to utilize both structures.

It should be noted that, if the municipality has wards, a candidate can run in any ward, that candidate does not have to live in a particular ward in order to be its Councillor. However, if that candidate runs in a ward where he/she does not live, he/she will not be able to vote for himself/herself. Having a campaign office or a business in a ward where the candidate would not otherwise be eligible to vote does not make him/her eligible to vote in that ward.

Process of Changing Council Composition

Under the Municipal Act, municipalities are authorized to change the composition of its Council. This is done by adopting a By-law.

There must be a minimum of five Council members, one of whom shall be the head of Council.

The Municipal Act does not provide criteria to guide or assist the decision-making process nor does it provide for an appeal mechanism for objections to a By-law altering the composition of Council.

If a By-law were to be in place prior to the end of 2021, a revised Council structure would be in effect in time for the 2022 municipal election. If a By-law were to be in place in 2022, in the year of a regular election, before voting day, a revised Council structure would be in effect after the second regular election following the passing of the By-law (municipal election of 2026).

Report Approval Details

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| Document Title: | Electoral System Review - Survey Results - 2020-331-Corporate Services.docx |
| Attachments: | - Electoral Review Summary of Results_Redacted.pdf |
| Final Approval Date: | Sep 23, 2020 |

This report and all of its attachments were approved and signed as outlined below:

Geoffrey Clarke - Sep 23, 2020 - 2:34 PM

Maureen Adams - Sep 23, 2020 - 2:40 PM