

Memorandum

Date: July 13, 2021

To: Members of Council

From: Laura Hall, Director, Corporate Services / Town Clerk

Subject: Supplementary Information on the Ward Boundary Review – Appeal Process and Next Steps

The purpose of this memorandum is to provide supplementary information now that Council has selected and approved a new ward boundary system. In addition, this memorandum includes information for members of the public surrounding the appeal process and next steps.

Background Information

In 2020, staff retained a consultant to conduct a Ward Boundary Review in preparation for the 2022 Municipal Election. The last ward boundary review was completed in 1994. Over the last year, staff worked with Watson & Associates Economists Limited and carried out several stages of the project including research and data gathering as well as two rounds of public engagement and consultation.

Council Decision

On June 28, 2021, staff presented Council with two final options for a new ward system, including three modified versions of Final Option 1 as outlined in Staff Report 2021-0266. In addition, Council considered a new arrangement for Regional Representation due to a recent reduction to Caledon's participation at Regional Council. The final decision is as follows:

New Ward Boundary System:

That Option 1B outlined in Staff Report 2021-0266, be selected and approved as the Town's new Ward System Configuration to take effect for the 2022 Municipal Election;

That Option 1B be amended to include in its entirety the settlement area identified as Campbell's Cross as part of Ward 1;

That a by-law be enacted to reflect the changes to the Town's Ward System and be renumbered accordingly;

That a copy of this Staff Report and associated By-laws be circulated to the Region of Peel; and

That a Ward Boundary Review be conducted in preparation for the 2030 Municipal Election.

Regional Representation:

That Option 2 outlined in Staff Report 2021-0266, be selected and approved as the composition and representation of the Town's two (2) Regional Councillors; and

That a by-law be enacted to reflect the changes to the Regional composition and representation.

Ward Renumbering

During the decision making process, Council requested that the new ward system referenced in Option 1B of Staff Report 2021-0266, be renumbered to reflect the existing ward numbers and mitigate any confusion for members of the public. The renumbering of the new ward system will also be reflected in the wards to be represented by the two Regional Councillors. Table 1 identifies how the new ward system will be renumbered in the by-law based on Option 1B. Table 2 identifies the ward numbers that will be represented by the two Regional Councillors, once elected. Schedule A to this memo shows the new ward system map renumbered accordingly.

Table 1

Option 1B Ward #	New Ward #
Ward 1	Ward 1
Ward 2	Ward 4
Ward 3	Ward 2
Ward 4	Ward 3
Ward 5	Ward 5
Ward 6	Ward 6

Table 2

Regional Councillor	Ward Representation
Regional Councillor #1	1, 2, 3
Regional Councillor #2	4, 5, 6

Appeal Process

Based on the framework in the *Municipal Act, 2001* ("the Act") which gives a municipality the authority to change its composition of council and conduct electoral ward boundary reviews, subsection 222(3) provides that a municipality is required to give public notice that a ward boundary by-law has been passed within 15 days after the by-law is passed.

Subsection 222(4) of the Act states that within 45 days of the ward boundary by-law being passed, it may be appealed to the Ontario Land Tribunal (OLT) by "the Minister or any other person or agency". The appeal is made 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. The municipality is required to forward any notices of appeal to the OLT within 15 days after the last day for filing the notice.

For any ward boundary changes to be in effect for the 2022 Municipal Election, any by-law establishing new ward boundaries must be passed (and if appealed, all appeals resolved) before January 1, 2022. Included in the Council Meeting Agenda Package (for July 13) is the new Ward Boundary By-law. The

intention of this by-law is to supersede By-laws 87-249 and 97-31; and present a new ward system based on the decision referenced above (Option 1B). If the by-law establishing new ward boundaries is appealed to the OLT, the notices of appeal must be withdrawn, or the Tribunal must have issued an order to affirm or amend the by-law, before January 1, 2022.

The appeal process in the Act for a by-law that adjusts ward boundaries is broad as there is no distinction made between local or regional wards. Based on this, it should be anticipated that any arrangement of regional wards within a by-law is permitted to be appealed.

Notice

Should Council enact the by-law, the staff will provide notice through the local newspapers, the Town's e-newsletter (total distribution of approximately 2500 registered participants) and social media platforms, the Town's website (www.caledon.ca/wbr), via e-mail to those who participated in the public engagement consultations and/or requested to be notified of the project activities.

The notice will include information on the new ward system, the appeal process including the appeal deadline and any cost associated with filing an appeal. In addition, the notice will include the necessary contact for anyone seeking additional information or clarification on the new by-law and/or appeal process.

Next Steps

Following the enactment of the by-law, there will be a 45-day appeal period. The final date for the Town to receive an appeal to this by-law would be Monday, August 30, 2021 (adjusted as the final date of appeal falls on a Saturday). Once the 45-day appeal period is over, if no appeals are filed, the project will be considered complete and the new ward system will come into effect for the 2022 Municipal Election. Where an appeal is filed, staff will continue to provide information to Members of Council and the public as part of the appeal process. Moving forward, the Town will maintain the project webpage (www.caledon.ca/wbr) to ensure members of the public have access to the background and details about how the new ward system was established. A key aspect and priority while approaching the 2022 Municipal Election will be to communicate the new ward system to the public to avoid confusion to the electors.

Attachments

Schedule A: New Ward System Map