Special Council Meeting
AGENDA

Tuesday, May 9, 2017, 5:00 pm
Tecumseh Town Hall
www.tecumseh.ca

Pages

1. CALL TO ORDER

2. ROLL CALL

3. DISCLOSURE OF PECUNIARY INTEREST

4. INTRODUCTION AND PURPOSE OF MEETING

   The purpose of the meeting is to review the Ward Boundary and Council Structure for The Corporation of the Town of Tecumseh.

5. DELEGATIONS

   a. John Matheson, StrategyCorp

      Re: Ward Boundary and Council Structure Review

6. COMMUNICATIONS

   a. Chief Administrative Officer, Report No. 05/17 — 2

      Re: Ward Boundary and Council Structure Review

      1. StrategyCorp Report — 6

         Re: Ward Boundary Review - Supplementary Report

7. ADJOURNMENT

THE CORPORATION OF THE
TOWN OF TECUMSEH

Chief Administrative Officer
Report No. 05/17

TO: Mayor and Members of Council

FROM: Chief Administrative Officer

DATE OF REPORT: April 28, 2017

DATE TO COUNCIL: May 9, 2017

SUBJECT: Ward Boundary and Council Structure Review

RECOMMENDATIONS

It is recommended that Report 05/17, Ward Boundary and Council Structure Review, dated April 28, 2017 from the Chief Administrative Officer **be received**.

BACKGROUND

On April 11, 2017 a Special Council Meeting (SCM) was held on the topic of the Ward Boundary and Council Structure Review. Project Consultant John Matheson was available via teleconference to address questions. In addition, Administrative Report No. 06/17 from the Director Corporate Services & Clerk was on the April 11, 2017 Regular Council Meeting (RCM) Agenda for Council's consideration following the SCM discussions.

At the RCM, Council discussed several issues, possible scenarios and option amendments with regard to Option 3B** as accepted by Council at their meeting of March 28, 2017.

As a result of the discussion, Council Resolution RCM-117/17 states:

> THAT Corporate Services Report No. 06/17 regarding Ward Boundary Changes & Alteration of the Composition of Council dated April 11, 2017, be deferred to the May 9, 2017 meeting of Council.

At the meeting, Council was asked to provide their specific information on 'tweaking' to the proposed Ward Boundary changes by Friday, April 14, 2017.

COMMENTS

A review of the comments and suggestions provided by members of Council to alter Option 3B** was conducted by Administration and the Project Consultant.

Ensuring a clear understanding of the information provided by Council members was a first step prior to analysis and calculations performed. In addition, a review of the Terms of Reference was undertaken to ensure no scope changes were being made in the analysis and in any subsequent recommendations.

A letter from StrategyCorp dated April 23, 2017 containing specific analysis and commentary is attached as Appendix 1. In particular, a detailed analysis was conducted on what is referred to as "Option 123-1", "Option 123-2" and "Option 123-3", in summary referred to as "Options 123 1-3". These options consider a number of boundary shifts or "tweaks" between Wards 1, 2 and 3.

The focus of the suggested revisions appears to relate to the balance of "representation by population" in the new Wards 1, 2 and 3, and the interjection of a new criteria of reducing the "*percentage increases in the resident/councillor ratio."*

This was not a criteria provided in the adopted Terms of Reference, nor was it raised at any stage during the process.

In particular, we note the Project Consultant's comment on this matter as follows:

*"In our opinion, the "Effective Representation" test set out in the Carter decision puts its main focus on achieving the outcome of "effective representation," **not on mitigating the pace or scope of change**.* [emphasis added]

We do agree, however, that in a general way, the proposed measurement may provide some insight into the overall acceptability of change, and this is a useful consideration to add to the overall mix. Indeed, in our view, insights into the scope of change may have already appropriately informed Council's rejection of some of the other options.

We think, however, that the change in "resident councillor ratio" is only one factor to consider and should not be held out as some sort of quantitative "trump card," over other factors. In particular, it has not been accorded the importance as the imperative of achieving relative parity in representation by population among residents in wards."

Although all the suggestions offered may somewhat improve the status quo [current Wards 1-4], they do not significantly or materially improve Option 3B**, particularly having regard to the principles of this review or of the effective representation test set out in the Carter decision.

Conclusion

Having regard to all of the suggestions, issues and analysis, Administration supports the conclusions reached by the Project Consultant as outlined in the StrategyCorp letter of April 23, 2017, which is:

"In our view, each of Options 123 1-3 would:

- *satisfy the Effective Representation test, and*
- *be a reasonable compromise, having regard to key stated goals of the process, and the inherent limitations posed by Tecumseh's unique geography, and anticipated growth.*

*This is not surprising, as they are incremental adjustments from Option 3B**.*

In our view, each would be an improvement over the status quo in terms of the ability to deliver on the evaluative criteria and the elements of the Effective Representation Test.

It is not obvious that they are better than OPTION 3B** in terms of representation by population. In our view, representation by population has been sanctioned by case law as a more important factor than mitigating the rate of change in the population to councillor ratio. [emphasis added]

As noted throughout this process, the acceptable variance of +/-25% is clearly permissible. Variances of up to 33% may be permissible where they advance a legitimate purpose associated with achieving effective representation. These new options come closer to that 33% line, in more wards. This could put greater stress on the representation by population model, particularly if the growth comes in an uneven fashion."

CONSULTATIONS

Planning & Building Services
Corporate Services & Clerk

FINANCIAL IMPLICATIONS

There are no financial implications on this matter at this time.

LINK TO STRATEGIC PRIORITIES

No.	2017-18 Strategic Priorities	Applicable
1.	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.	✓
2.	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.	✓
3.	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.	✓
4.	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.	✓
5.	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.	✓

COMMUNICATIONS

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by senior Administration as indicated below and recommended for submission by the CAO.

Reviewed by:

Brian Hillman, MA, MCIP, RPP
Director, Planning and Building Services

Reviewed by:

Laura Moy, Dipl. M.M., CMM III HR Professional
Director Corporate Services & Clerk

Recommended by:

Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

Attachment(s): 1. Letter of April 23, 2017 from StrategyCorp

TH/ep

April 23, 2017

Mr. Tony Haddad
Chief Administrative Officer
Town of Tecumseh
917 Lesperance Rd.
Tecumseh, ON N8N 1W9

Dear Mr. Haddad

RE: Ward Boundary Review – Supplementary Report

Introduction

At its meeting of March 24, 2017, Council voted in support of "OPTION 3B**," subject to the preparation of final maps by staff.

At its meeting of April 11, some members of Council expressed concern that when they developed the compromise "OPTION 3B**," they did not have before them full material detailing the number in this option. As a result, some suggested that further analysis be undertaken to ensure that Council had optimized as many complex variables as possible, for the full benefit of the community.

We were provided with and asked to review three additional options, which were presented in an effort to 'best optimize' the delineation of new ward boundaries.

In the analysis that follows we:

1. Describe these three options
2. Apply the "Effective Representation" Test as in previous reports in this process

1. Description of the Options

A spreadsheet (attached) describes the new options.

	Summary of population changes in the Three options		
Ward/Option	**Option 123 -1**	**Option 123 - 2**	**Option 123 -3**
Ward 1	• increase by 555	• increase by 721	• shrink by 721
Ward 2	• shrink by 962	• shrink by 1079	• increase by 721
Ward 3	• increase by 407	• increase by 358	• no Change

Each of the new options seeks to shrink the population of new Ward 2 by "tweaking" the borders along new Wards 1, 2 and 3. The changes are focused in the study areas delineated on Maps 1 and 2. They contain approximately 2460 residents.

OPTION 3B** - current approved option

	Immediately after Ward Change				10 Year Growth Pattern					
WARD#	Resident per Councillor	Variance from Avg	Resident/Councillor Increase	increase resident per councillor	10Y Growth	10Y Pop'n	Resident per Councillor	Variance from Avg	increase resident per councillor	Resident/Councillor percentage increase
1	5368	16.0%	-1050	-16.4%	82	5450	5450	0.3%	-968	-15.1%
2	5680	22.8%	2051	**56.5%**	496	6176	6176	13.7%	2547	**70.2%**
3	5419	17.1%	-999	-15.6%	462	5881	5881	8.3%	-537	-8.4%
4	3068	**-33.7%**	-981	-24.2%	2917	5985	5985	10.2%	1936	**47.8%**
5	3600	-22.2%	980	**37.4%**	63	3663	3663	**-32.6%**	1043	**39.8%**
total	4627	22.4%	1212	**30.0%**	4020	27155	5431	13.0%	1406	**36.3%**

ALTERNATIVE OPTION 123-1

	Immediately after Ward Change				10 Year Growth Pattern					
WARD#	Resident per Councillor	Variance from Avg	Resident/Councillor Increase	increase resident per councillor	10Y Growth	10Y Pop'n	Resident per Councillor	Variance from Avg	increase resident per councillor	Resident/Councillor percentage increase
1	5923	28.0%	-495	-7.7%	82	6005	6005	10.6%	-413	-6.4%
2	4718	2.0%	1089	**30.0%**	496	5214	5214	-4.0%	1585	**43.7%**
3	5826	25.9%	-592	-9.2%	462	6288	6288	15.8%	-130	-2.0%
4	3068	**-33.7%**	-981	-24.2%	2917	5985	5985	10.2%	1936	**47.8%**
5	3600	-22.2%	980	**37.4%**	63	3663	3663	**-32.6%**	1043	**39.8%**
total	4627	22.4%	827	21.7%	4020	27155	5431	14.6%	1021	28.0%

ALTERNATIVE OPTION 123-2

	Immediately after Ward Change				10 Year Growth Pattern					
WARD#	Resident per Councillor	Variance from Avg	Resident/Councillor Increase	increase resident per councillor	10Y Growth	10Y Pop'n	Resident per Councillor	Variance from Avg	increase resident per councillor	Resident/Councillor percentage increase
1	6089	**31.6%**	-329	-5.1%	82	6171	6171	13.6%	-247	-3.8%
2	4601	-0.6%	972	26.8%	496	5097	5097	-6.1%	1468	**40.5%**
3	5777	24.9%	-641	-10.0%	462	6239	6239	14.9%	-179	-2.8%
4	3068	**-33.7%**	-981	-24.2%	2917	5985	5985	10.2%	1936	**47.8%**
5	3600	-22.2%	980	**37.4%**	63	3663	3663	**-32.6%**	1043	**39.8%**
total	4627	22.6%	781	20.7%	4020	27155	5431	15.5%	975	26.9%

Alternative Option 123 - 3

	Immediately after Ward Change				10 Year Growth Pattern					
WARD#	Resident per Councillor	Variance from Avg	Resident/Councillor Increase	increase resident per councillor	10Y Growth	10Y Pop'n	Resident per Councillor	Variance from Avg	increase resident per councillor	Resident/Councillor percentage increase
1	6089	**31.6%**	-329	-5.1%	82	6171	6171	13.6%	-247	-3.8%
2	4959	7.2%	1330	**36.6%**	496	5455	5455	0.4%	1826	**50.3%**
3	5419	17.1%	-999	-15.6%	462	5881	5881	8.3%	-537	-8.4%
4	3068	**-33.7%**	-981	-24.2%	2917	5985	5985	10.2%	1936	**47.8%**
5	3600	-22.2%	980	**37.4%**	63	3663	3663	**-32.6%**	1043	**39.8%**
	4627	22.4%	924	23.8%	4020	27155	5431	13.0%	1118	30.0%
	(average)	erage absolute valu	average absolute values	verage absolute value	(Total)	(Total)	(average)	ge absolute v	verage absolute valu	(average absolute values)

The Issue: **Under** OPTION 3B**, Ward 2 would grow by maintaining the all of the territory of old Ward 2, and adding the area shown on Map 1, on its western border. As we understand it, some expressed concern that under this option, new Ward 2 would:

- be too large
- have new residents in it
- no longer have its historic boundary.

We note that to some extent, change is inevitable. Going back to the problems of the status quo, it was observed that existing Ward 2 was too small (meaning that the residents of these wards are over represented relative to the residents of other wards). Based on the mathematics arising from the geography of Tecumseh, to bring Ward 2 "into line" with the other wards requires adding new residents, which in turn requires an adjustment to its historic boundaries. Thus, these options each explore whether a proper Option can be created without adding as many new residents to new Ward 2.

Measuring "too much change": The percentage change in the ratio of population to councillor in each ward has been suggested as a "good quantitative metric" for assessing the degree of change, and therefore the degree to which the new boundaries respect the history and character of the existing wards. When this measurement is applied, Ward 2 would grow from 3629 to 5680 residents, an increase of 56.5%. As can be seen from the table, this is the highest rate of change of any of the wards.

Is it appropriate to consider the percentage increases in the resident/councillor? Reducing the "percentage increases in the resident/councillor ratio" was not a criterion or evaluative "lens" that was referred to us in the Terms of Reference.

Neither was it mentioned to us explicitly by any stakeholder prior to decision of Council in respect of OPTION 3B**.

In our opinion, the "Effective Representation" test set out in the Carter decision puts its main focus on achieving the outcome of "effective representation," not on mitigating the pace or scope of change.

We do agree, however, that in a general way, the proposed measurement may provide some insight into the overall acceptability of change, and this is a useful consideration to add to the overall mix. Indeed, in our view, insights into the scope of change may have already appropriately informed Council's rejection of some of the other options.

We think, however, that the change in "resident councillor ratio" is only one factor to consider and should not be held out as some sort of quantitative "trump card," over other factors. In particular, it has not been accorded the importance as the imperative of achieving relative parity in representation by population among residents in wards.

Analysis

Option 123 1-3 : Five Ward Structure, Major Boundary Adjustments	
Council Size	7 (Mayor, Deputy Mayor, 5 Councillors)
Method of Election	Wards
Number of Councillors	5
Number of Wards	5

How the Proposed Alternative Options are meant to improve OPTION 3B:** Each of the new options mitigates the amount on change on new Ward 2, by "providing reduced percentage increases in the resident/councillor ratio, thus generating a more tolerable change in the boundaries for the existing residents."

It is said that these options "present minor variations in the boundaries of the approved OPTION 3B**, yet, mitigate any significant change in the percentage increase to the resident/councillor ratio."

Analysis

These options deliver better outcomes than the status quo from the perspective of representation by population. Readers will recall that a target of +/-25 percent is the acceptable range, although variances of up to 33% may be tolerated where there is a legitimate purpose related to effective representation is achieved.

- In the immediate term, the three proposed options are not as good as OPTION 3B** with respect to representation by population, but they do fall within the acceptable range.
- There is no difference between the 3 proposed options and OPTION 3B** with respect to the 10 year horizon.

OPTIONS 123-1-3: Meet Test of Effective Representation? YES	
Key factors	**Analysis**
1. Representation by Population	• Four of the five wards would begin at or just above the +/-25% range (and less than 33%). • Four of five would be inside the range by 2026. • Variations are proposed to accommodate rapid growth forecast over the next ten years and to ensure adequate rural representation.
2. Communities of Interest	• Pre-amalgamation boundaries are largely redrawn, but these proposed Options would mitigate the effect on Ward 2 by reducing it by almost 1000 residents. • New wards 1 and 3 would be slightly larger than contemplated by OPTION 3B**. • OPTION 3B** had succeeded in being based on backyard boundaries the study area of Map 1 to better reflect actual communities of interest. These options would use mid-street boundaries, which are somewhat less desirable.
3. Geography	• No significant geographic issues are presented by the Option •
4. Quality of Representation	• While new Ward 2 will have a lower population to serve. New Wards 1 and 3 will have correspondingly larger populations. • Allocating only one councillor per ward ratio may foster more direct relationship with residents (compared to two councillors per ward in old ward one.)

Conclusion

In our view, each of Options 123 1-3 would:

- satisfy the Effective Representation test, and
- be a reasonable compromise, having regard to key stated goals of the process, and the inherent limitations posed by Tecumseh's unique geography, and anticipated growth.

This is not surprising, as they are incremental adjustments from Option 3B**.

In our view, each would be an improvement over the status quo in terms of the ability to deliver on the evaluative criteria and the elements of the Effective Representation Test.

It is not obvious that they are better than OPTION 3B** in terms of representation by population. In our view, representation by population has been sanctioned by case law as a more important factor than mitigating the rate of change in the population to councillor ratio.

As noted throughout this process, the acceptable variance of +/-25% is clearly permissible. Variances of up to 33% may be permissible where they advance a legitimate purpose associated with achieving effective representation. These new options come closer to that 33% line, in more wards. This could put greater stress on the representation by population model, particularly if the growth comes in an uneven fashion.