

Municipality of North Perth Council Composition and Ward Boundary Review

Council Composition Background

The Municipality of North Perth is undertaking a Council Composition and Ward Boundary Review (C.C. & W.B.R.). The Municipality has retained Watson & Associates Economists Ltd., in association with Dr. Robert J. Williams, to conduct the Review. This document provides context to the Review, including the study objectives and process, leading to a series of Discussion Papers that set out questions and considerations that are intended to help guide the community and Council through the various phases of the C.C. & W.B.R.

Study Objectives

The project has a number of key tasks, as follows:

- Develop a clear understanding of the present electoral system in North Perth, including its origins as a decision-making body and as system of representation.
- Evaluate the strengths and weaknesses of the present ward system on the basis of guiding principles adopted for the study;
- Develop and conduct an appropriate consultation process in accordance with North Perth's public engagement practices to ensure community support for the Review and its outcome;
- Prepare population projections for the development and an evaluation of alternative electoral structures for the 2026, 2030 and 2034 municipal elections; and
- Write and deliver a report that will set out alternative electoral arrangements to ensure effective and equitable representation for the residents of North Perth, based on best practices followed in other municipalities and the principles identified.

Context

In 2021/2022, the Municipality engaged Watson & Associates Economists Ltd. (Watson), in association with Dr. Robert J. Williams, to conduct a C.C. & W.B.R. The Consultant team conducted preliminary research in 2022 but the main review activities are planned to take place in 2023.

In order to ensure that the Review is conducted in an independent and defensible manner and that Council can make its decision based on sound recommendations, the C.C. & W.B.R. Consultant team will manage the review at arm's-length from staff and elected officials. The team will work within the municipality's established consultation process to ensure that residents and elected officials are provided with the information needed to evaluate North Perth's present and future electoral system and with sufficient opportunities to provide their perspectives on the issues being considered in the Review. With one exception noted below related to the head of council, decisions about North Perth's electoral system are assigned to the Council.

Legislative Framework

In Ontario, members of a municipal council (other than the Mayor) "shall be elected by general vote or wards or by any combination of general vote and wards (*Municipal Act*, 2001 s. 217 (1) 4). The authority "to divide or

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redivide the municipality into wards or to dissolve the existing wards” rests with the municipal council (*Municipal Act*, 2001 s. 222 (1)), although a by-law adopted by council to implement this authority is subject to appeal to the Ontario Land Tribunal (OLT)¹ (s. 222 (4)).

The *Municipal Act*, 2001 s. 217 (1) also authorizes a local municipality “to change the composition of its council” subject to five enumerated rules, the most relevant of which is: “There shall be a minimum of five members, one of whom shall be the head of council.” A by-law adopted by Council to implement this authority is not open to appeal to the O.L.T.

There are, however, no standard practices, terms of reference, criteria or guiding principles either in provincial legislation or regulation that can be used to evaluate a municipality’s electoral system. Instead, municipalities look to relevant decisions made by the O.M.B. and the O.L.T., case law and best practices followed in other municipalities to establish an electoral system appropriate for the community.

North Perth’s Municipal Council

The Municipality of North Perth came into existence on January 1, 1998 as a result of a Ministerial Restructuring Order for the County of Perth dated June 26, 1997. The new municipality, originally called the Town of North Perth, is an amalgamation of the former Townships of Wallace and Elma and the former Town of Listowel. The Municipal Council consists of ten members: a Mayor and Deputy Mayor, each elected at-large (called a “general vote” system in the *Municipal Act*), and eight Councillors elected in three wards, two of which elect three Councillors each and one ward that elects two Councillors. The boundaries of the three wards basically follow the boundaries of the three pre-amalgamation municipalities and were adjusted slightly in 2009 to expand the Listowel ward.

North Perth is one of four lower-tier municipalities in Perth County (sometimes referred to as “local municipalities”) and is assigned three seats on Perth County Council: the individuals occupying the offices of Mayor and Deputy Mayor are designated members of Perth County Council by being elected to those offices. A third representative is appointed by Council from among the eight ward Councillors. Each of the three representatives is entitled to cast two votes at County Council under its weighted vote formula.






¹ The Ontario Land Tribunal (O.L.T.) has replaced the Ontario Municipal Board (O.M.B.).

Parameters for an Electoral Review in North Perth

There are four basic and inter-connected components of an electoral system that lower-tier municipalities in Ontario such as North Perth can address under existing provincial legislation and each of these features will be addressed in the C.C. & W.B.R.:

- the size of the council (referred to as “the composition of Council” in the *Municipal Act, 2001* s. 217 (1));
- the method of election for Councillors that may be “by general vote or wards or by any combination of general vote and wards” (*Municipal Act, 2001* s. 217 (1) 4);
- assuming that Council will be elected by wards, the actual ward configuration, including the number of wards and the number of Councillors to be elected in each ward (what may be termed the “ward magnitude”); and
- assuming that Council will be elected by wards, the boundaries of the wards (as implied in the *Municipal Act, 2001* s. 222 (1) that authorizes a municipality “to divide or redivide the municipality into wards or to dissolve the existing wards”).

The C.C. & W.B.R. Consultant Team proposes that the **Council Composition** component of the review be addressed through answering the following five questions:

	#1 What is the optimal size for North Perth Council? [The <i>Municipal Act, 2001</i> sets the minimum size for the council of a local municipality in Ontario as five, “one of whom shall be the head of council”]
	#2 How should the seats be distributed? [North Perth Council presently includes a Mayor and Deputy Mayor elected by general vote and eight Councillors, one of whom is selected by Council to serve as County Councillor]
	# 3 How should the Councillors be elected? [Under the <i>Municipal Act, 2001</i> Councillors may be elected “by general vote or wards or by any combination of general vote and wards”]
	# 4 What is the optimal number of wards in North Perth? [There are presently three wards in North Perth as established in the Ministerial Restructuring Order, 1997]
	#5 What is the appropriate ward magnitude in North Perth? [There is presently an asymmetrical distribution of seats as established in the Ministerial Restructuring Order, 1997 and adjusted by North Perth Council in 1999; that is, the wards do not elect the same number of Councillors]

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The Ward Boundary component of the Review, that is the actual development of boundaries for wards, is influenced by the decisions of (or perhaps directions from) Council emanating from the Council Composition phase of the review. This subject will be addressed in the Ward Boundary Review Backgrounder and Topical Discussion Papers F and G, to come at a later date.

What Follows

The C.C. & W.B.R. Consultant Team has prepared a series of Topical Discussion Papers to help residents and members of Council focus on the implications of the present electoral system and the possible consequences of adopting alternative arrangements. The goal is to contribute to an informed debate and decision so that the C.C. & W.B.R. will make a positive impact on electoral democracy in North Perth. The Discussion Papers will be released on the Town's website throughout the process.