

CC37.2.4

PO Box 27502 Yorkdale Mall
Toronto, ON
M6A 3B8



**Toronto
Taxpayers
Coalition**

RE: CC37.2 Petition To Redivide Ward Boundaries

July 18th, 2013

To the Mayor and Members of Council:

Ward Boundaries - Why They Will Be Different In 2014

Today, City Council will debate a petition calling for a cutting council in half. The item was placed on the agenda when Toronto Taxpayers Coalition submitted a petition under Section 129 of the City of Toronto Act (COTA) on June 27th, 2013. This initiated a 90 day process in which City Council has to implement our request or we can appeal to the Ontario Municipal Board (OMB).

Our petition asks that the ward boundaries mirror the newly redrawn federal riding boundaries as set out by the 2012 Federal Electoral Boundaries Commission. This arms-length body of the federal government has spent considerable time, taxpayer money, and effort studying the matter, conducting public consultations, and drawing the boundaries. The result of this process is fair and transparent. It is free from gerrymandering of particular party or politician. It adheres to the principle of representation by population. It saves us the cost of the \$750,000 consultant fees and other staff costs approved by council in June. It also maintains the principle of the current system. Our current ward boundaries are based on the soon to be phased out old federal/provincial riding boundaries.

City Staff wrote a report on the matter. Following the instructions set out in the petition, staff drafted a by-law to redivide the city into new wards. This would have the effect of reducing the number of councillors from 44 to 25. This by-law is exactly what we had asked for. We urge City Council to vote in favour of this modest proposal.

As odd as this process may seem, it is not the first time taxpayers have petitioned for and won the right to alter municipal ward boundaries. The staff report being considered Thursday omits to mention the precedent set in London back in 2006.

In the London case, the petitioners appealed the inaction by City Council to the OMB. The taxpayers prevailed when the OMB redrew ward boundaries. The City then sought leave to appeal the OMB decision at the Divisional Court. The Court refused to grant leave to the appeal, and the taxpayers were successful in having the ward map redrawn in London.

It's worth noting that this Superior Court decision was made February 28th, 2006 – well after the nomination period opened for the municipal election later that year. Even more interesting – The City of London made many of the same arguments the City of Toronto is likely to make at the OMB. The cases are very similar. Some would argue they are exactly the same.

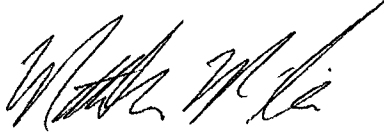
This decision is helpful because it clearly spells out the authority under which the OMB can alter ward boundaries and change the composition of council.

It is the hope of Toronto Taxpayers Coalition that City Council will vote to approve the by-law that has been drafted by City Staff. Failing to do so would be tantamount to rejecting the tools of the democratic process. Should Council turn down this by-law, Toronto Taxpayers Coalition will take the case to the OMB where, based on precedent, we fully expect to win.

Pfo →

City Councillors have two choices ahead of them as they vote on this item today. They can either embrace the tools provided to taxpayers by the democratic process, or they can spend \$1 million on an OMB fight and ward boundary consultation contract that won't bring value to taxpayers. The likelihood of victory for city council is low. The opportunity for a successful citizen based initiative is very high. Council should choose to be on the right side of history.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew McGuire', written in a cursive style.

Matthew McGuire
President, Toronto Taxpayers Coalition
E: matthew@torontotaxpayer.ca
W: www.torontotaxpayer.ca