

## **Petition for Ward Boundary Changes**

**Date:** November 1, 2016

**To:** City Council

**From:** City Clerk and City Solicitor

**Wards:** All

### **SUMMARY**

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This report responds to a petition requesting ward boundary changes and outlines the legislative requirements and the status of the petition.

The petition in Appendix A was received by the City Clerk on October 20, 2016 under section 129 of the City of Toronto Act, 2006 and states:

" We ELECTORS of Toronto hereby PETITION Toronto City Council to pass a BY-LAW within 90 days to revise the Ward Boundaries, in accordance with Section 129 of the City of Toronto Act, 2006. We intend to file an appeal with the OMB if an acceptable By-law is not passed.

We oppose "Option 2" with 44 wards, which would split The Beach neighbourhood into 2 Wards, with one extending into Scarborough.

We support the passage of "Option 1" with 47 wards, which would maintain the existing boundaries of Ward 32 Beaches-East York."

The City Clerk has reviewed the petition and in consultation with the City Solicitor has determined it to be insufficient.

This means that petitioners lack the right to apply to the OMB should Council refuse to adopt their preferred ward boundary option within 90 days of the date the petition was filed. This, however, does not affect the right of any person to appeal a ward boundary decision made by Council.

### **RECOMMENDATIONS**

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The City Clerk and City Solicitor recommend that:

1. Council receive this report for information.

## FINANCIAL IMPACT

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There are no financial impacts from this report.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## DECISION HISTORY

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At its meeting of November 8 and 9, 2016, City Council will be considering the recommendations from the Executive Committee on the Toronto Ward Boundary Review.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX18.2>

## COMMENTS

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### City of Toronto Act Provisions

The ward boundary sections of the City of Toronto Act, 2006 are set out in Appendix B. Section 129 of the City of Toronto Act allows electors in the City to present a petition asking Council to pass a by-law dividing or re-dividing the City into wards or dissolving the existing wards. A petition requires the signatures of 500 electors in the City. Subsection 129(3) defines an elector as a person whose name appears on the voters' list, as amended, up until the close of voting on voting day, for the last regular election preceding a petition being presented to Council.

### Sufficiency of Petition:

The City Clerk has reviewed the petition and determined it to be insufficient, as it does not meet the statutory requirement of 500 electors whose names appeared on the voters' list, as amended, for the last regular election in 2014.

The petition filed contained 629 entries. In accordance with statutory requirements of the City of Toronto Act and the City Clerk's established policies and procedures, staff conducted a detailed entry-by-entry review of the petition.

In addition, staff contacted 150 of the petitioners to verify their eligibility, in instances where the information contained on the petition was illegible or incomplete. The following chart outlines the outcome of those phone calls or emails.

<b>Classification of phone calls made to petitioners</b>	<b>No. of calls made</b>
Petitioner confirmed to be on the voters' list	37
Petitioner confirmed not to be on voters' list	60
Petitioner called, but no contact was made (i.e. unreturned voicemail)	22

Other – no contact was made with the petitioner (i.e. incorrect phone number listed, no voicemail option, and/or no telephone number provided on the petition) 31

Based on the results of the review it was determined that 371 valid electors as defined under subsection 129(3) of City of Toronto Act signed the petition. The following chart provides the results of the review:

<b>Original Number of Entries on the Petition</b>	<b>629</b>
<b>Number of petitioners excluded and reason:</b>	
Petitioner did not appear on voters' list at the address provided	210
Name and/or address of petitioner incomplete or illegible	42
Petitioner entry was a duplicate of another entry	1
No petitioner signature	5
<b>Total Number Excluded</b>	<b>258</b>
<b>Number of Valid Petitioners (electors)</b>	<b>371</b>

## Conclusion

This report responds to the October 20, 2016 petition requesting ward boundary changes. The petition has been determined to be insufficient as it did not meet the statutory requirement of 500 electors whose names appeared on the voters' list, as amended, for the last regular election. This means that petitioners lack the right to apply to the OMB should Council refuse to adopt their preferred ward boundary within 90 days of the date the petition was filed. This, however, does not affect the right of any person to appeal a ward boundary decision made by Council.

## CONTACT

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## SIGNATURE

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Ulli S. Watkiss  
City Clerk

Brian Haley  
Interim City Solicitor

## ATTACHMENTS

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Appendix A – Petition

Appendix B – Ward Boundary Provisions, City of Toronto Act, 2006, s. 128 and 129