

Amendments to Municipal Code Chapter 190, Polling and Notification including Lowering the Polling Age

Date: March 31, 2025
To: Executive Committee
From: City Clerk
Wards: All

SUMMARY

This report responds to Item [2024.DM23.1](#), which requests the City Clerk to report on an approach to reducing the minimum age to vote in a neighbourhood poll from 18 to 16.

In addition to lowering the minimum polling age, the City Clerk is proposing additional amendments to Municipal Code, Chapter 190, Polling and Notification to ease participation in the polling process and improve polling administration.

RECOMMENDATIONS

The City Clerk recommends that:

1. City Council amend Municipal Code Chapter 190, Polling and Notification as follows and as outlined in Attachment 1

- a. lower the minimum age to vote in a poll from 18 years of age to 16 years of age, with the exception of polls required under Municipal Code Chapter 19, Business Improvement Areas;
- b. replace the requirement in Subsection 190-4.C. for an affidavit to be added to the polling list with "proof of ownership or tenancy";
- c. add "Spoiled Ballot" to the list of definitions in Subsection 190-1, as drafted in Attachment 1 to this report;
- d. add "Family Day" and "Remembrance Day" to the list of observances in the definition of "Holiday";

- e. add Community Council approved policies to the Application of Polling Procedure in Subsection 190-2;
- f. remove the requirement in Subsections 190-5.A; 190-6; and 190-8, for the Clerk to "mail" ballots, and instead indicate that ballots will be "provided";
- g. amend Subsection 190-7, Accepted Ballots in accordance with the edits in Attachment 1 to this report;
- h. add a new subsection to Subsection 190-8, Minimum response rate and majority regarding spoiled ballots, as drafted in Attachment 1 to this report; and
- i. add "revisions to the polling list" to the confidentiality provisions in Subsection 190-10.

2. City Council direct that the amendments to Municipal Code Chapter 190, Polling and Notification in Recommendation 1, above, come into force on November 1, 2025.

3. City Council direct that any poll that is commenced prior to November 1, 2025 but completed after November 1, 2025 be conducted in accordance with the provisions of Municipal Code Chapter 190, Polling and Notification as it existed immediately prior to the amendments coming into force on November 1, 2025.

FINANCIAL IMPACT

There are no known financial impacts resulting from the adoption of the recommendation in this report.

Any financial implications will be absorbed through existing resources within the City Clerk's approved budget.

DECISION HISTORY

At its meeting on November 13 and 14, 2024, City Council requested the City Clerk to report to City Council on an approach to reducing the minimum age to vote in a neighbourhood poll from 18 to 16, such report to include the necessary changes required to implement the age reduction by the end of the first quarter of 2025.

<https://secure.toronto.ca/council/agenda-item.do?item=2024.DM23.1>

COMMENTS

The Clerk conducts polls in accordance with Municipal Code, Chapter 190, Polling and Notification.

The City conducts polls to determine the opinions of property owners, residents and businesses that could be affected by a change in their neighbourhood regarding off-street parking (front yard and commercial boulevard parking), permit parking and business improvement areas.

The proposed amendments will lower the voting age in a residential poll from 18 to 16.

As requested by Council in Item [2024.DM23.1](#), this report contains recommendations to amend Municipal Code, Chapter 190, Polling and Notification to lower the minimum polling age from 18 years of age to 16 years of age.

Polls conducted under Chapter 19, Business Improvement Areas should be exempt from the lowered voting age. 16- and 17-year-olds cannot own property or become non-residential tenants, which form the criteria for receiving a ballot for these types of polls.

The requirement to be added to a polling list should be replaced with a more accessible process.

The City Clerk's Office compiles a polling list using the assessment roll, City databases and information from the Municipal Property Assessment Corporation. Currently, eligible residents who did not receive a ballot complete an in-person affidavit to be added to the polling list.

To reduce volume and simplify the process if the voting age is lowered, the requirement to complete an in-person polling affidavit at the City Clerk's Office should be replaced with an alternate proof of eligibility, such as a declaration form submitted by e-mail.

Proposed additional amendments to Municipal Code, Chapter 190, Polling and Notification will improve the polling administration process.

In addition to the proposed amendments to lower the polling age, this report recommends other amendments to Chapter 190 to improve the polling process. Legal Services was consulted and agrees with these proposed amendments. These include updating the definition of "Holiday" to align with the current list of City observances. They also eliminate "mail" as the only method to issue a ballot, so that other methods, such as email can be used (as is the case for polls conducted under Chapter 19, Business Improvement Areas).

"Spoiled ballots" and "blank ballots" will count towards the minimum response rate, but not the minimum results rate.

Chapter 190 does not currently address improperly marked (spoiled) ballots or blank ballots. Staff convention has been to count these as a "negative" vote in response to the poll. Proposed amendments to Chapter 190 will exclude spoiled or blank ballots from being counted in the affirmative or negative for the purposes of determining the poll result. However, these ballots will count towards the minimum response rate for the poll.

This treatment of spoiled and blank ballots will not apply to polls conducted under Chapter 19, Business Improvement Areas, as Chapter 19 has its own requirements for accepting ballots.

A transition period is needed to make system changes and to ensure a clear delineation between old and new rules.

This report recommends all changes noted above become effective on November 1, 2025. This is required to allow the City Clerk's Office time to make other administrative changes, update the e-polling system used to administer the polling process, and to communicate the changes to impacted stakeholders.

As outlined in Recommendation 3, a transition provision is recommended for polls commenced prior to November 1, 2025 but completed after November 1, 2025.

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SIGNATURE

John D. Elvidge
City Clerk

ATTACHMENTS

Attachment 1: Amendments to Municipal Code Chapter 190, Polling and Notification