



Staff Report

Report To: Council Meeting
From: Terri Towstiuc, Clerk
Date: 2025-02-13
Subject: Electoral Ward System

Recommendation:

That West Elgin Council hereby receives the report from Terri Towstiuc, Clerk Re: Electoral Ward System; And

Option 1: That Council approve proposal to proceed with dissolving the electoral three-ward system, directing staff to begin necessary steps in accordance with legislation.

Option 2: That Council deny the petition, as presented on January 23, 2025.

Purpose:

To provide information pertaining to a possible change in the ward system to an at-large (general) voting system, ahead of the 2026 municipal election, as a result of a delegation received January 23, 2025, proposing to dissolve the ward system.

Background:

At the regular meeting of council, January 23, 2025, West Elgin Council received a delegation, requesting that council dissolve the current three-ward system ahead of the 2026 Municipal Election. The delegate's request is to proceed with an at-large system, with a council consisting of a Mayor and four Councillors; with the Councillor receiving the highest number of votes to assume the role of Deputy-Mayor's chair. The municipality currently utilizes the ward systems to elect three ward councillors, with an at-large system to elect mayor and deputy mayor positions.

The delegate provided statistics from previous elections, rationale for the request and a petition, with 178 signatures, to dissolve the current three-ward system, pursuant to section 223(1) of the *Municipal Act*.

The Municipality of West Elgin has been operating under a three-ward system despite previous meetings regarding dissolution of the ward-system, beginning prior to the 2018 Municipal Election. A public meeting was held on October 17, 2017, and a decision was made on October 26, 2017 (regular meeting) to remain status quo for the 2018 election. While the minutes did not indicate the reason for Council's decision to remain status quo, the timing of the requested could be speculated. The decision to dissolve a ward-system must be finalized prior to the end of the year prior to an election year, however there is a 45-day appeal period that must be considered. For the 2026 Election, the dissolution by-law would be required to be passed prior to the regular meeting, November 13, 2025, to meet the December 31 deadline, including the 45-day appeal period.

The *Municipal Act* and the *Municipal Elections Act* do not provide significant direction to municipalities regarding the conditions to be met or considered for changing from one system to the other, and there are no standard circumstances to favour one method over the other. Subsequently, there is no “one system over the other” that is mandatory for particular types or sizes of municipalities.

Council Authority

The *Municipal Act* S. 217 provides authority to municipalities to determine the composition of Council, subject to certain legislative parameters, as follows:

1. There shall be a minimum of five members, one of whom shall be the head of council.
2. The members of council shall be elected in accordance with the *Municipal Elections Act*, 1996.
3. The head of council shall be elected by general vote.
4. The members, exclusive of head of council, shall be elected by general vote or wards (or combination thereof).
5. The representation of a local municipal on the council of an upper-tier municipality shall not be affected by the by-law of a local municipality under this section.
6. A by-law does not come into force until the day the new Council is organized.

The *Municipal Act* S. 222(1) provides municipalities with the authorization to pass a by-law to create, redivide or abolish wards. The general parameters to proceed are as follows:

1. Council must pass a by-law to divide, redivide or abolish wards within a municipality.
2. The municipality must provide notice of passing of said by-law to the public within 15 days of passage by municipal council
3. Any person may appeal the by-law to the Ontario Land Tribunal (OLT) within 45 days of the passage of the by-law.
4. OLT has the power to make an order affirming, amending or repealing the by-law.

Elector Authority

The *Municipal Act* S. 222 provides electors with the ability to submit a petition to Council, requesting council to pass a by-law dividing, redividing or dissolving the existing ward system. The petition must have signatures of 1% of the electors in the municipality, or a minimum of 50 signatures. West Elgin eligible voter population 4,401 (AMO 2022 Elections reporting) for the purpose of this report, with 1% being 44 signatures. The petition received on January 23, 2025, included 178 elector signatures.

If Council does not pass a by-law in accordance with this petition within 90 days (April 23, 2025), any elector(s) who signed the petition may appeal to the Ontario Land Tribunal (previous OMB and LPAT), as which the Tribunal, despite any Act, may make an order dividing or dissolving existing wards. **See [Ontario Municipal Board decision \(2009, Town of Kearney\), forcing dissolution of wards.](#)**

Pros and Cons of At-Large versus Ward Elections

Many municipalities that have provided reports to Council on this same subject had consultations with Dr. Robert William, University of Waterloo professor, which have been made public. Below highlights are taken from the Town of Aurora report published in 2020, which continues to be used by municipalities and consultants provide general guidelines when considering at-large versus ward systems for municipal elections.

Implications of a Ward System of Representation

Advantages	Disadvantages
<ul style="list-style-type: none"> • Councillors are more likely to be truly local representatives, tied to specific geographies of the municipality, more easily accessible to residents and aware of local issues. • significant communities of interest are more likely to be represented. • it is less likely that one point of view or sectional interest will dominate the Council. • simplifies the election process for electors. • voters can hold their representatives directly accountable for their decisions or performance while in office. • lower campaign costs may encourage greater competition. 	<ul style="list-style-type: none"> • Councillors may be elected on minor or narrow-minded issues and may lack a perspective of what is to the benefit of the municipality as a whole. • voters may have a restricted choice of candidates in elections for individual wards. • there is a greater likelihood of acclamation. • population changes can lead to unequal workloads for councillors until ward boundaries are reviewed. • a general vote system may discourage new candidates if an incumbent is generally popular or if an incumbent who is popular with a dominant community of interest is running. • representatives may be narrowly focused on their own wards, rather than municipal-wide priorities.

Implications of an At-Large System of Representation

Advantages	Disadvantages
<ul style="list-style-type: none"> • electors have greater choice and flexibility in elections (each voter can consider every candidate in the council election). • electors can select the candidates they think will do the best job, rather than having to make a choice among candidates who happen to run in their ward. • residents will have a larger number of councillors to approach with their concerns. • the system promotes the concept of a municipal-wide focus, with councillors being elected by, and concerned for, the municipality as a whole, rather than placing priority on more narrow-minded interests. • the likelihood of acclamations is reduced. 	<ul style="list-style-type: none"> • there would be no designated voices for particular communities. Those elected could come from a single neighbourhood and lack familiarity with other parts of the community • at-large elections can lead to smaller or even significant communities of interest and points of view being underrepresented (or not represented at all). • The system can lead to councillors being relatively inaccessible for residents of some parts of the municipality. • candidates who appeal to areas where voter turnout is highest tend to be elected disproportionately. • large numbers of candidates on the ballot can be confusing for voters or can reduce voter turnout. • The resources needed to run a competitive campaign would be substantially more than a ward election, potentially dissuading some from running. • The format can lead to confusion of responsibilities and duplication of effort on the

part of councillors (everybody on Council represents everybody in the municipality) but constituency workload may fall disproportionately on a few councillors.

Association of Municipalities of Ontario
2022 Ontario Municipal Elections
Ontario Votes

Municipality of West Elgin

Municipality Contact
Municipality of West Elgin
(519) 785-0560
jnethercott@westelgin.net

4,401 ELIGIBLE VOTERS
477 NUMBER OF VOTERS
10.84% VOTER TURNOUT

VOTE METHODS
Touch Screen
Vote by internet
Vote by phone

Upper Tier
COUNTY OF ELGIN
Tier
LOWER
Geographic Area
SOUTH WESTERN

Head of Council

Elected	Candidate	Votes	Percent	Incumbent
★	Duncan McPhail	Acclaimed		Yes

Council

Elected	Position	Candidate	Votes	Incumbent
★	Councillor, Ward 3	Michelle Navackas	Acclaimed	No
★	Councillor, Ward 2	Bill Denning	Acclaimed	No
★	Councillor, Ward 1	Taraesa Teller	238	Yes
★	Deputy Mayor	Richard Leatham	Acclaimed	Yes
	Councillor, Ward 1	Rosemary Sealey	106	No

WARD AND/OR AT LARGE
Ward
2,966 HOUSEHOLDS
5,060 POPULATION

Legend: Pending (grey), Results Posted (green), Head of Council Acclaimed (purple)

Duncan McPhail has been acclaimed Mayor

FULL RESULTS

It was noted in the delegation that all positions from the 2022 Municipal Election were acclaimed with the exception of Ward 1 Councillor. While the numbers provided by the Association of Municipalities of Ontario (AMO) 2022 Elections report vary from that of the delegation, it is still important to note this, along with the actual voting percentage of eligible electors. The number of electors captured on September 14, 2022 (VoterView) indicates that 1,683 eligible voters registered to vote in Ward 1, with 477 votes cast (AMO), for a voter turnout of 28.34%.

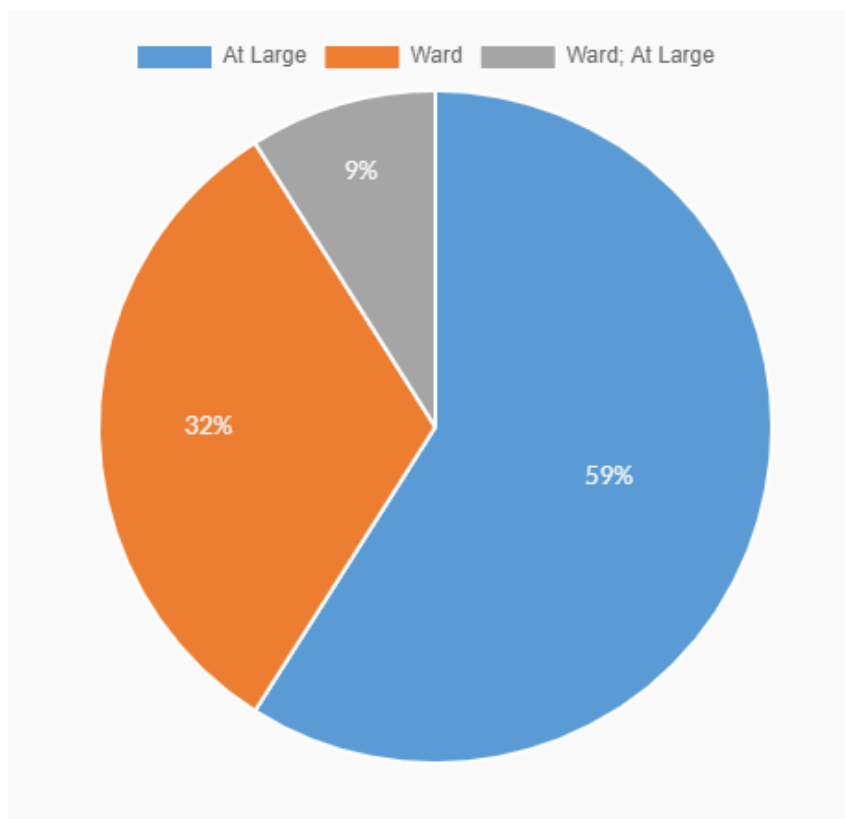
When positions such as Ward Councillor, Mayor or Deputy Mayor are acclaimed, it reduces the voting power in a municipality and likely discourages many residents from getting involved in the election process. At-large elections would provide a higher chance of a municipal-wide election, that is, unless all positions are acclaimed.

Additional items of Consideration

Below is a chart, indicating all Elgin County lower-tier ward vs at large election systems, voter turnout and notes pertaining to the election details. While West Elgin voter turn-out was lower than our neighbouring municipalities, most are still utilizing a ward voting system.

Municipality/Township	Turnout	Ward/ At-Large	Notes
West Elgin	10.84%	Ward	Majority of Position Acclaimed (one position by vote), 50% incumbents
Malahide	20.93%	Ward	Mayor, Deputy Mayor one Council position acclaimed, Low Candidacy, majority incumbents/ returning to council
Bayham	24.79%	Ward	Deputy Mayor Acclaimed, Low Candidacy, majority incumbents
Dutton/Dunwich	28.33%	Ward	Deputy Mayor Acclaimed, Low Candidacy, Majority incumbents
Alymer	31.18%	At Large	Council positions acclaimed, Mayor and Deputy Mayor position elected
Central Elgin	34.83%	Ward	No Acclamations – 100% new council
Southwold	37.34	At-Large	Deputy Mayor acclaimed, Low Candidacy, 50% incumbents/ returning to council

Further analysis from the Association of Municipalities of Ontario indicates that 59% of Ontario municipalities proceeded with at-large elections in 2022. Additional AMO statistics can be found here: [2022 Municipal Election - Context | AMO](#).



If Council wishes to proceed with a formal study, costs estimates have been provided to other municipalities (2023 & 2024), which provided a very extensive report, presentation to Council and public meetings. However, this approach is primarily used for redividing or realigning ward proposals, not for dissolution. The cost was estimated to be between \$25,000-50,000 depending on the size of the municipality.

However, if Council wishes to proceed with dissolution of wards, no formal study or public meeting is required.

Financial Implications:

Currently, there are no financial implications.

Policies/Legislation:

Municipal Act

Municipal Election Act

By-law 2007-13

Alignment with Strategic Priorities:

Infrastructure Improvement	Recreation	Economic Development	Community Engagement
<input type="checkbox"/> To improve West Elgin's infrastructure to support long-term growth.	<input type="checkbox"/> To provide recreation and leisure activities to attract and retain residents.	<input type="checkbox"/> To ensure a strong economy that supports growth and maintains a lower cost of living.	<input checked="" type="checkbox"/> To enhance communication with residents.

Respectfully submitted by,

Terri Towstiac
Municipal Clerk

Establishment of wards

222 (1) Without limiting sections 9, 10 and 11, those sections authorize a municipality to divide or redivide the municipality into wards or to **dissolve the existing wards**. 2006, c. 32, Sched. A, s. 96 (1).

Conflict

(2) In the event of a conflict between a by-law described in subsection (1) and any provision of this Act, other than this section or section 223, any provision of any other Act or a regulation made under any other Act, the by-law prevails. 2006, c. 32, Sched. A, s. 96 (1).

Notice

(3) **Within 15 days after a by-law described in subsection (1) is passed, the municipality shall give notice of the passing of the by-law to the public specifying the last date for filing a notice of appeal under subsection (4).** 2006, c. 32, Sched. A, s. 96 (1). **Additional requirements:** By-law 2001-13 Notice of intention to pass a by-law published once in the Chronicle at least seven (7) days prior to the meeting when the by-law is to be considered, as well the Municipal website.

Appeal

(4) **Within 45 days after a by-law described in subsection (1) is passed, the Minister or any other person or agency may appeal to the Ontario Land Tribunal** by filing a notice of appeal with the municipality setting out the objections to the by-law and the reasons in support of the objections. 2006, c. 32, Sched. A, s. 96 (1); 2017, c. 23, Sched. 5, s. 49 (1); 2021, c. 4, Sched. 6, s. 64 (1).

Notices forwarded to Board

(5) Within 15 days after the last day for filing a notice of appeal under subsection (4), the municipality shall forward any notices of appeal to the Tribunal. 2001, c. 25, s. 222 (5); 2017, c. 23, Sched. 5, s. 49 (2).

Other material

(6) The municipality shall provide any other information or material that the Tribunal requires in connection with the appeal. 2001, c. 25, s. 222 (6); 2017, c. 23, Sched. 5, s. 49 (3).

Tribunal decision

(7) The Tribunal shall hear the appeal and may, despite any Act, make an order affirming, amending or repealing the by-law. 2001, c. 25, s. 222 (7); 2017, c. 23, Sched. 5, s. 49 (4).

Coming into force of by-law

(8) A by-law of a municipality described in this section comes into force on the day the new council of the municipality is organized following,

(a) the first regular election after the by-law is passed if the by-law is passed before January 1 in the year of the regular election and,

(i) no notices of appeal are filed,

(ii) notices of appeal are filed and are all withdrawn before January 1 in the year of the election, or

(iii) notices of appeal are filed and the Tribunal issues an order to affirm or amend the by-law before January 1 in the year of the election; or

(b) the second regular election after the by-law is passed, in all other cases except where the by-law is repealed by the Tribunal. 2001, c. 25, s. 222 (8); 2006, c. 32, Sched. A, s. 96 (2); 2017, c. 23, Sched. 5, s. 49 (5).

Election

(9) Despite subsection (8), where a by-law comes into force on the day the new council of a municipality is organized following a regular election, that election shall be conducted as if the by-law was already in force. 2001, c. 25, s. 222 (9).

Notice to assessment corporation

(9.1) When a by-law described in this section is passed, the clerk of the municipality shall notify the assessment corporation and the Chief Electoral Officer,

(a) before January 1 in the year of the first regular election after the by-law is passed, if clause (8) (a) applies; 1 04

(b) before January 1 in the year of the second regular election after the by-law is passed, if clause (8) (b) applies. 2009, c. 33, Sched. 21, s. 6 (10); 2020, c. 23, Sched. 4, s. 16.

(10) REPEALED: 2017, c. 10, Sched. 1, s. 17.

Petition re: wards

223 (1) Electors in a municipality may present a petition to the council asking the council to pass a by-law dividing or redividing the municipality into wards or dissolving the existing wards. 2001, c. 25, s. 223 (1); 2006, c. 32, Sched. A, s. 97 (1). *Received January 23, 2025*

Number of electors required

(2) The petition requires the signatures of 1 per cent of the electors in the municipality or 500 of the electors in the municipality, whichever is less, but, in any event, a minimum of 50 signatures of the electors in the municipality is required. 2001, c. 25, s. 223 (2). *5,060 Electors. 1% = 50.6. Petition received with 178 signatures.*

Definition

(3) In this section,

“elector” means 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 under subsection (1). 2001, c. 25, s. 223 (3).

Failure to act

(4) If the council does not pass a by-law in accordance with the petition within 90 days after receiving the petition, any of the electors who signed the petition may apply to the Ontario Land Tribunal to have the municipality divided or redivided into wards or to have the existing wards dissolved. 2001, c. 25, s. 223 (4); 2006, c. 32, Sched. A, s. 97 (2); 2017, c. 23, Sched. 5, s. 50 (1); 2021, c. 4, Sched. 6, s. 64 (1).

Order

(5) The Tribunal shall hear the application and may, despite any Act, make an order dividing or redividing the municipality into wards or dissolving the existing wards and subsection 222 (6) applies with necessary modifications in respect to the hearing. 2001, c. 25, s. 223 (5); 2017, c. 23, Sched. 5, s. 50 (2).

Coming into force

(6) An order of the Tribunal under this section comes into force on the day the new council of the municipality is organized following,

- (a) the first regular election after the order is made, if the order is made before January 1 in the year of the regular election; or
- (b) the second regular election after the order is made, if the order is made on or after January 1 in the year of a regular election but before voting day. 2001, c. 25, s. 223 (6); 2017, c. 23, Sched. 5, s. 50 (3).

Election

(7) Despite subsection (6), if an order comes into force on the day the new council of a municipality is organized following a regular election, that election shall be conducted as if the order was already in force. 2001, c. 25, s. 223 (7).

Deemed by-law

(8) Once an order of the Tribunal is in force, the order shall be deemed to be a by-law of the municipality and may be amended or repealed by the municipality by by-law described in section 222. 2001, c. 25, s. 223 (8); 2006, c. 32, Sched. A, s. 97 (3); 2017, c. 23, Sched. 5, s. 50 (4).

Section Amendments with date in force (d/m/y)

2006, c. 32, Sched. A, s. 97 (1-3) - 01/01/2007 1 05

Report Approval Details

Document Title:	Municipal Ward System Dissolution - 2025-02-Community ServicesClerks.docx
Attachments:	- Councilor at large letter.docx - westelgin ward map.pdf
Final Approval Date:	Feb 5, 2025

This report and all of its attachments were approved and signed as outlined below:

Robin Greenall