



COUNCIL POLICY

Policy Title: Ward Boundary Determination and Review

Policy Number: CC017

Report Number: N/A Amended by C2013-0182

Approved by: Council

Effective Date: 1993 May 3

Business Unit: City Clerk's Office

BACKGROUND

Section 148 of the Municipal Government Act (MGA) governs the establishment and use of a Ward system in The City of Calgary. A plebiscite, held and passed by the electorate in 1960 October 19, re-established a ward system in The City of Calgary pursuant to a 1913 plebiscite abolishing the ward system. A second plebiscite vote, held on the same day in 1960, determined the wards should be "block shaped" not "pie shaped".

Under Sections 214a and 214b of the City Act, which was replaced by the Municipal Government Act, six wards were established. Bylaw Number 66/77, passed by Council on 1977 January 24, increased the number of wards to 14.

The current Ward Boundaries Bylaw is Bylaw 19M91, as amended. The boundaries have the potential to be amended, prior to every general election with the effective date for amended boundaries being the date of the general election, Section 149 of the MGA.

PURPOSE

The purpose of this policy is:

1. To establish a Ward Boundary Commission (hereinafter called the "Commission"), appointed by Council, to undertake major revisions to ward boundaries and provide recommendations to Council;
2. To establish the membership, terms of reference and appointment process for the Commission;
3. To establish the criteria to be considered by the Commission for major reviews and by the Returning Officer for minor revisions in developing proposals for Ward Boundary changes;
4. To provide a method for Members of Council to provide representation to the Commission and the Returning Officer;

5. To establish a process and timing for major ward boundary reviews;
6. To establish a process for minor revisions; and
7. To provide authorization to the Returning Officer to determine minor adjustments to ward boundaries arising from new developments and annexations.

POLICY

CRITERIA

The criteria used by the Commission and the Returning Officer for developing ward boundary recommendations are as follows:

1. **Total Population/Total Electors** – all calculations will be based on the total population from the most recent civic census. The total population is to be relatively equal between the wards. It is also desirable to maintain a relative equality in the number of electors in each ward. The number of electors found at the most recent enumeration conducted by The City of Calgary will be used as the reference;
2. **Deviation** –at a major review, the allowable deviation from the mean population per ward is +/- 10 to 15%. This is consistent with current court decisions. The maximum allowed deviation +/- 25%. A minor review will be conducted only when the maximum deviation is, or will be at the next election, exceeded and a major review is not scheduled;
3. **Future Growth** – the potential for growth in each ward over the next 10 years is a factor to be considered;
4. **Community Boundaries** – wherever possible, the ward boundaries and The City developed Community District Boundaries should coincide. Community Association boundaries are also given consideration but it must be noted that these boundaries are not controlled by The City and change at the decision of the communities involved;
5. **Easily Identifiable Boundaries** – wherever possible, the ward boundaries shall be readily identifiable to the public by utilizing major streets, significant topography, etc.;
6. **Block Shaped Wards** – in accordance with the 1960 October 19 plebiscite, wards are to be relatively “block” shaped and not “pie” shaped with the downtown being the centre of the pie;
7. **Environmental Mix** – efforts will be made to equalize, wherever possible, the distribution of commercial, rural, industrial, institutional and green space areas between the wards;
8. **Historical Ward Boundaries** – consideration of the historical ward boundaries in an area of the city will be given, however it is not mandatory that these boundaries be used; and

Philosophy of Approach – the general philosophy to be used by the Commission in developing recommendations for Ward Boundary changes is twofold; (a) to develop changes which should not require major adjustments for a span of three general elections; and (b) to have the higher population in the more population stable city wards and the lower population in the growth area wards.

PROCEDURE

Major revisions shall be undertaken by the Commission and minor reviews by the Returning Officer.

Third Reading of a bylaw amending the ward boundaries which results from a revision or review is to be given by Council no later than September in the year prior to a general election to ensure sufficient implementation time prior to the enumeration of electors.

Major Revisions

Major revisions are revisions that examine The City as a whole as if no current boundaries existed. Major revisions are conducted by the Commission and address all established criteria. Major revisions are planned for every second general election commencing in January 2015.

Minor Reviews

Minor reviews are those that address issues arising from population deviation only. The recommended changes to Council are the minimum number required to correct population imbalances, in accordance with criteria number 1 in September/October two years following a general election. Recommendations for minor reviews are prepared by the Returning Officer.

An additional criteria used for a minor review is the least number of changes. To reduce confusion to the electorate and implementation costs, proposals developed should involve the fewest changes possible to accomplish the required adjustments to the population.

Adjustments

Adjustments are those changes made by the Returning Officer as a result of annexation or as a result of development of a community that causes new homes or streets to be split by the ward boundary in an inappropriate way. Most annexations do not require changes to the Bylaw, but if amendments are required to the bylaw, the Returning Officer shall submit an amending bylaw to Council with a report.

WARD BOUNDARY COMMISSION

Membership

The Commission shall consist of four members as follows:

1. A person who understands The City from a political and organization perspective, such as a former member of Calgary City Council who has not sought election in the most recent election and is not involved in lobbying The City;

2. Two (2) electors, with an interest and expertise in political science, public policy, or urban issues and who is not involved in lobbying The City; and
3. The City of Calgary Returning Officer.

Appointment

Applications and nominations to be a Member of the Commission will be submitted to and processed by City Clerks. The appointments to the Commission will be made at the second Organizational Meeting of Council following every third general election.

Commission Chair

The Chair shall be selected by the Commission members at the first meeting of the Commission from amongst the Council appointed members.

Remuneration

Members of the Commission, other than the Returning Officer, shall receive a flat rate sum for remuneration for the work involved in the Commission. The Chair shall receive an additional sum for the work of the Chair and writing the report.

Out of pocket expenses for items such as parking shall be reimbursed.

Ad Hoc Commission

Council may direct that an ad hoc major revision occur at times other than scheduled by this Policy. In the case of an ad hoc revision, the same process will apply except that the appointment may be made at a Council meeting other than the Organizational Meeting.

Input Members of Council/School Boards

The Commission shall interview each Member of Council, within the first two months of appointment of the Commission, to obtain the input of these persons. Members of Council not wishing to be interviewed may submit input in writing or by email to the Returning Officer.

As both school boards, The Calgary Board of Education and the Calgary Catholic Board are impacted by The City's ward boundaries, through a joint election agreement under the Local Authorities Election Act, the Commission shall provide for the Boards to give such input as they desire near the start of the process.

Public Consultation

The Commission shall hold at least four sessions, one in each quadrant, for public consultation on ward boundaries. These sessions may be held at any point in time during the process at the discretion of the Commission.

Report Deadlines

- The Commission shall report to Council with recommendations no later than 18 months before the general election or within one year of appointment of an ad hoc Commission.

Minor Review Steps

1. In September of the year following a general election, a projection of the ward populations for the next election and deviation shall be prepared to identify potential ward boundary adjustments required before the next election and shall be sent to Council;
2. The Returning Officer shall identify the potential areas that do not fall within the established Criteria 1 and 2, and the potential changes that address these issues with consideration of other established criteria. The potential changes presented to Council will be the smallest number possible to bring population deviation in line with Criteria 2. For a minor review, this information shall be provided to Members of Council, representing the affected wards, for input prior to the report going to Council;
3. The Returning Officer shall prepare an amending bylaw for Council, following Council direction received from the Council report;
4. The Returning Officer is authorized to adjust ward boundaries as a result of annexation within the existing bylaw; and
5. The Returning Officer shall report to Council with an amending bylaw on minor adjustments for Ward Boundaries, resulting from annexation, when the existing Ward Boundary extensions are insufficient or when new community developments will be bisected by existing boundaries.

Advertised Bylaw

The ward boundary bylaw is a statutorily advertised bylaw under Section 606 of the Municipal Government Act. The bylaw must be advertized at least twice in two different weeks. In the 60 days following the last advertisement, the public has the right to submit a petition under the MGA, Section 219, either for or against the bylaw.

After advertising and before second reading of the bylaw, Council may introduce amendments. However; substantive changes to the boundaries will result in a requirement to re-advertise and allow for a petition.

Responsibilities

City Council:

1. To inform the Commission and/or Returning Officer, of suggestions, changes, recommendations, etc. which are desired;
2. To provide direction to the Returning Officer on minor revision of the ward boundaries;
3. To provide direction to the City Clerk and the Returning Officer on the desire to conduct an ad hoc major revision of ward boundaries outside of the schedule established in this policy;
4. To provide input and direction into the proposals and recommendations submitted to Council; and
5. To determine and adopt the changes to the boundaries and subsequently give three readings to the required bylaw.

Commission:

1. To provide Council with recommendations for major revisions to ward boundaries taking into consideration the timing, input and criteria provided for in this Policy;
2. To obtain public input on the criteria used to determine ward boundaries and validate or negate criteria found in this policy; and
3. To review this policy at the conclusion of the revision and submit recommendations for change to Council in a final report.

Returning Officer:

1. To monitor and report to Council, in September following a general election when a Commission is not mandated, on the projected ward populations at the next general election;
2. To identify potential changes required for a minor review in the September report to Council;
3. To provide necessary resources for major revisions, e.g. computing, training, reference material, etc. to the Commission;
4. To prepare the bylaws required to implement Council decisions;
5. To implement the changes to the ward boundaries, ensuring the boundaries do not come into effect before Election Day in accordance with the MGA; and
6. To report to Council, prior to appointment of a Commission, with recommendations on remuneration of Commission members.

AMENDMENTS

2013 March 18
1993 May 03
1991 May 06
1977 January 24
1960 October 19