Town of Essex
Council and Ward Structure
Review

Final Report

In association with:

Dr. Robert J. Williams

August 30, 2017
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1. Introduction

1.1 Terms of Reference

Watson & Associates Economists Ltd. (Watson), in association with Dr. Robert J. Williams, hereafter referred to as the Consultant Team, was retained by the Town of Essex to conduct a comprehensive Council and Ward Structure Review.

The terms of reference required a range of issues related to municipal representation to be addressed resulting in four “layers” of decisions for Town Council to make:

1. Confirm the method of election for the position of Deputy Mayor;
2. Agree on the size of Council beginning in 2018 (what the Municipal Act calls the “composition” of Council);
3. Decide whether to retain a ward system or to dissolve the wards in favour of electing all members of Council at-large;
   - If wards are to be used, to determine the number of wards; and
4. If wards are to be used, to initiate a review of the boundaries to ensure that the wards constitute an effective and equitable electoral arrangement.

1.2 Study Structure

The Council and Ward Structure Review was undertaken in two phases:

- Phase 1 - Council Composition and Electoral Review; and
- Phase 2 – Ward Boundary Review.

The first phase of the Review (completed in May, 2017) addressed:

- How to fill the position of Deputy Mayor;
- The composition of Council; and
- How to elect members of Council (i.e. ward-based or at-large).

Phase 2 of the study, which is presented herein, will be referred to as a Ward Boundary Review (W.B.R.). It explores alternative ward boundary options in the search for effective and equitable electoral arrangements for the Town of Essex, based on the Guiding Criteria found in the terms of reference for the overall study, in accordance with the decisions made by Town Council as a conclusion to Phase 1.
1.3 Study Process

The Review commenced in December, 2016 and is expected to be completed in September, 2017. The tasks involved in the Review are illustrated in Figure 1.

Figure 1 – Town of Essex Council and Ward Structure Review Study Process

Work completed to date includes:

- Research and data compilation;
- Interviews with Councillors, the Mayor and municipal staff;
- Population and growth forecasting and data modelling to 2026;
- Preparation of Background Paper, dated March 27, 2017;
- Public Consultation – Round 1 (consultation period from March to April, 2017);
- Preparation of Interim Report, dated May 4, 2017;
- Presentation to Town Council seeking direction on election of Deputy Mayor, Council Composition and Electoral System;
- Development of Preliminary Ward Options, in accordance with direction given by Town Council through Phase 1;
- Public Consultation – Round 2 (consultation period from July 10 to 31, 2017);
- Development of final options and recommendations, and preparation of the W.B.R. study report (this document constitutes the study report);
- In collaboration with Town staff:
  - A project web page was set up through the Town website;
  - Study documentation and presentation materials were posted on the project web page; and
  - The Review was extensively advertised in local newspapers and radio advertisements and promoted through news releases and social media.
The Municipal Act, 2001 stipulates that municipal elections be conducted under provisions in place on January 1 of an election year. Since 2018 is the next municipal election year in Ontario, any changes to the Town of Essex’s ward boundaries must ideally have been agreed upon by mid-year 2017 to allow time for an Ontario Municipal Board hearing, should any decision to revise the ward boundaries be appealed.

1.4 Context

The Town of Essex is an amalgamation of the former Towns of Essex and Harrow and the Townships of Colchester North and Colchester South, which was implemented by a Ministerial Order dated November 19, 1997 and took effect on January 1, 1999. The Town Council is comprised of seven members, including the Mayor and six Town Councillors elected in four wards that follow the boundaries of the four pre-amalgamation municipalities. One of the Town Councillors also serves as Deputy Mayor.

Wards One and Three (formerly Essex and Colchester South) each elect two members of Council and Wards Two and Four (formerly Colchester North and Harrow) each elect one member of Council. The current ward structure in Essex is presented in Figure 2. The Ministerial Order also directs that a “deputy head of council, to be known as the deputy mayor shall be elected at the first meeting of council by the other members of council from among the members of council” elected in the four wards.
1.5 Council Composition Decisions

The Municipal Act, 2001 217 (1) (4) provides that “other than the head of council, members shall be elected by general vote or wards or by any combination of general vote and wards.” This Review was undertaken “to explore options with respect to
changing the current process [for electing the Deputy Mayor] and making the position elected by the electorate at large.”¹

As part of Phase 1 of the study, a Background Paper (released in March, 2017) explained the purpose of the Council and Ward Structure Review,² the public consultation component of the study and the terms of reference for the study. It included some discussion of the initial choices before Council and examined some of the considerations that would be relevant to the initial choices. These issues were addressed in public consultation in March, 2017 and the results of that consultation were shared with Council in an Interim Report presented to Council on May 15, 2017. The Interim Report requested that Council:

1. Confirm the method of election for the position of Deputy Mayor;
2. Agree on the size of Council beginning in 2018 (what the Municipal Act calls the “composition” of Council); and
3. Decide whether to retain a ward system or to dissolve the wards in favour of electing all members of Council at-large.

Town Council made decisions on these three matters on May 15, 2017, as follows:

1. The position of Deputy Mayor will in future be determined in a general vote of all electors in the Town;
2. Council will continue to be composed of seven members: a Mayor and Deputy Mayor and five Town Councillors; and
3. Town Councillors will continue to be elected in wards.

The decision to continue to elect Town Councillors in wards triggered the need to undertake Phase 2 of the study (Ward Boundary Review).

¹ Clerk’s Report 2016-009 (October 17, 2016).
² The Background Paper and Interim Report are accessible through http://www.essex.ca/en/townhall/council-and-ward-structure-review.asp
2. **Town of Essex Ward Boundary Review Framework**

The basic requirement for any electoral system in a representative democracy is to establish measures to determine the people who will constitute the governmental body that makes decisions on behalf of electors. Representation in Canada is organized around geographic areas, units referred to as constituencies in the federal and provincial parliaments and typically as wards at the municipal level, as is the case in the Town of Essex.

A ward boundary review is a task designed to develop units of representation that reflect the distribution of the inhabitants of a municipality for electoral purposes. Since municipalities experience demographic shifts as a result of new residential development and changes in the composition of their population, electoral arrangements need to be reviewed periodically to ensure that representation remains fair and that electors have an opportunity to elect candidates they feel can truly represent them and their neighbours.

The primary purpose of the W.B.R. is to prepare Essex Town Council to make decisions about the ward boundary structure and configuration that will be used to elect all Councillors, resulting from the conclusions from Phase 1 of the Review. Phase 2 of the Review has a number of key objectives in accordance with the project terms of reference, as follows:

- Develop a clear understanding of the present electoral system, including its origins and operations as a system of representation;
- Evaluate the strengths and weaknesses of the present ward system on the basis of the identified principles;
- Conduct an appropriate consultation process to ensure community support for the Review and its outcome;
- Identify plausible modifications to the present ward structure to accommodate the changes in the number of Councillors to be elected in wards, as determined through Phase 1 of the Review; and
- Deliver a report that will set out recommended alternative ward boundaries to ensure effective and equitable electoral arrangements for the Town of Essex, based on the principles identified.
The W.B.R. is premised on the legitimate democratic expectation that municipal representation in Essex will be effective, equitable and an accurate reflection of the contemporary distribution of communities and people across the Town.

2.1 Why the Need for a Ward Boundary Review?

As previously discussed, municipalities should review their ward structure periodically. The existing ward boundary structure dates from the time of amalgamation in 1999 – 18 years ago. Since 1999, the permanent population in the Town of Essex has increased by 3%, from an estimated 19,800 to 20,425 in 2016. Population growth over the past two decades has been concentrated in the Essex Urban Centre and that part of the Town is expected to absorb the majority of the forecast population growth over the next decade, as discussed in detail in section 4.

Based on the population trends and the length of time the current ward structure has been in place, a ward boundary review is considered timely in Essex. However, the results of the May 15, 2017 decision by Town Council to reduce the number of ward Councillors from six to five confirmed the need to review the current ward configuration.

2.2 Considerations for a Ward Boundary Review

The Municipal Act, 2001, s. 222 (1) authorizes a municipality “to divide or redivide the municipality into wards or to dissolve the existing wards” through a by-law. As a result of Council’s decision to retain wards in Essex, two related decisions follow: the number of wards and the boundaries of the wards.

In the interests of a comprehensive review and in the absence of specific ward designs at that point in the process, Council did not pre-determine the number of wards at the conclusion of Phase 1 of the Review. As well, public feedback collected during the first round of consultation identified no clear preference for one ward model over another.

To ensure that the wards constitute an effective and equitable electoral arrangement, the second phase of the study will develop such units of representation.

As noted, s.222 (1) permits a municipal council to pass a by-law setting out electoral arrangements, but the review of electoral boundaries is not subject to a stipulated schedule, to a standardized process or to established criteria. Furthermore, despite a

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1 1999 population is an interpolated estimate derived from Statistics Canada 1996 and 2001 Census population data and 2016 population is as per the 2016 Statistics Canada Census.
statement in the *Municipal Act, 2001* that the Minister “may prescribe criteria,” none actually exists.

Therefore, it is up to each municipal council to determine when a review should occur, to set the terms of reference for its review, including the process to be followed, and to establish criteria or guiding principles to evaluate the municipality’s electoral system. Since Council’s May 15, 2017 decision confirmed that in the 2018 municipal election there will be five Town Councillors and that they will be elected in wards, a process for a ward boundary review that had been included in the original terms of reference was undertaken.¹

### 2.3 Guiding Criteria

A set of Guiding Criteria (principles) was adopted in October, 2016 (Clerk’s Report 2016-009) for the purposes of this Review, as follows:

- Representation by Population;
- Population and Electoral Trends;
- Means of Communication and Accessibility;
- Geographic and Topographical Features; and
- Community or Diversity of Interests.

Subject to the overriding principle of "Effective Representation," each resident will have comparable access to their elected representative and each Ward Councillor should speak in governmental deliberations on behalf of the same number of residents.

These Guiding Criteria embody criteria similar to those adopted in recent ward boundary reviews across Ontario and reflect those cited in relevant Ontario Municipal Board decisions with respect to appeals of ward boundary by-laws. The Guiding Criteria are discussed in further detail in section 3.

### 2.4 Public Consultation

The Essex W.B.R. incorporated a public consultation component which included two public open houses which were held on Monday, July 10, 2017 at the Harrow and Colchester South Community Centre and Tuesday, July 11, 2017 at the Essex Centre Sports Complex.

¹ See Clerk’s Report 2016-009 (October 17, 2016), Schedule "A."
The purpose of the public open houses was to:

- Inform residents of the Town of Essex about the reason for the W.B.R. and the key factors that were considered in the Review; and
- Engage the residents in a manner that provides valuable input to the evaluation of the existing ward structure and development of alternative ward configurations.

At the open houses, the public was provided with information and context with respect to the evaluation of the existing ward structure and the preliminary ward boundary alternatives. This was completed through a series of display boards and a presentation by members of the Consultant Team who were in attendance to respond to questions from attendees.

The presentation by the Consultant Team included:

- An explanation of the Terms of Reference and Objectives for the W.B.R.;
- An outline of the format and timeline for the project;
- The context and background for the W.B.R;
- A detailed discussion and explanation of the Guiding Criteria that frame the study; and
- Preliminary Alternative Ward Options developed by the Consultant Team.

The display boards presented at the Open Houses were also exhibited for public viewing at the Town Hall through the end of July, 2017.

Through the public consultation open houses, the project display at Town Hall and the project website’s online comment/feedback form, participants were invited to provide their input/opinions with respect to the following:1

- **Existing Ward Structure** – Strengths and weaknesses of the current ward structure;
- **Councillors per Ward** – Should the Town continue to use wards that elect different numbers of Town Councillors per ward or change to a format that elects one Councillor per ward?
- **Guiding Criteria** – Which Guiding Criteria should be given the highest priority in the development of ward boundaries?

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1 29 submissions (21 online and 8 hard copy) were received using the feedback/comment form.
• **Preliminary Ward Options** – What are the preferences with respect to the various Preliminary Ward Options presented?

The W.B.R. public consultation process saw a moderate level of public participation. The feedback and comments received through the public consultation process are reflected in the analysis presented herein and have helped inform the findings and recommendations. While public input from consultation provides valuable insight into the Review, it is not relied on exclusively. The Consultant Team utilized the public input in conjunction with its professional expertise and experience in ward boundary reviews along with best practices to develop the recommended options presented herein.

3. **Guiding Criteria**

3.1 **Overview of Guiding Criteria**

The terms of reference for the Council and Ward Structure Review direct that the Review “will have regard to the following guiding criteria, subject to the overriding principle of ‘effective representation’ as set out by the Supreme Court of Canada in Reference re Provincial Electoral Boundaries.” Specifically, the Guiding Criteria (the text from Schedule “A” is presented in the boxes below) are as follows:

- **Representation by Population:** wards should have relatively equal population totals. A degree of variation is acceptable, however, given differences in geography and population densities as well as the Town’s characteristics.

One of the basic premises of representative democracy in Canada is the belief that the geographic areas used to elect a representative should be reasonably balanced with one another in terms of population. In an ideal ward system, every Councillor will represent generally the same number of constituents.⁴ This figure will be referred to as the “optimal” size for a ward and will be used to evaluate how well individual wards provide “parity” in representation. The variance from that optimal size will be indicated by a calculation that demonstrates the population of the ward in relation to the population of an optimal ward where an optimal ward is 1.0 and the actual ward is above or below that mark (for example at 1.03 or 0.84).

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⁴ This expectation will need to be modified in Essex since not all present wards elect the same number of representatives.
In the most significant judicial ruling on electoral representation in Canada (to be discussed below), the majority of the Supreme Court concluded that some degree of variation from parity would be acceptable and, at times, even necessary to achieve effective representation (a concept that will be discussed below). In other words, representation should at least be equitable (that is, fair) when it cannot be mathematically equal.

In the absence of guidance on this question in the Municipal Act, population variations of up to 25% above or below the optimal size will be considered acceptable, a range based on long-standing parameters for the federal redistribution process.

The Representation by Population criterion is a fundamental aspiration in this Review but will not be the single priority in the design of wards.

- **Population and Electoral Trends**: consider anticipated population increases/decreases so that ward sizes will be balanced for up to three terms of Council.

The implementation of changes to ward boundaries in Essex in 2018 will see proposals for new electoral units based on some empirical certainty about population changes that have occurred since 1999. This second criterion seeks to have ward designs that do not merely “catch up” with such changes but address the municipality’s future by giving some weight to projected population growth within the Town.

Specifically, the wards adopted in 2017 will seek to accommodate anticipated changes in the size and distribution of the population over at least the next three elections in 2018, 2022 and 2026. In other words, this criterion encourages the design of wards that will not be out-of-date the day after they are adopted.

- **Means of Communication and Accessibility**: group existing neighbourhoods into wards that reflect current transportation and communication patterns.

Municipalities are built on a network of human-created transportation and communications systems that both connect and partition its territory. This principle anticipates that boundaries used to design units of political representation pay attention to permanent features of the built environment or conventional means of interaction that have already been created and are widely understood by residents.

Since neighbourhoods and settlements are invariably identified by infrastructure like road patterns, ward boundaries should rely on these kinds of “markers” rather than inventing new and unfamiliar lines.
• **Geographic and Topographical Features:** use geographical and topographical features to delineate ward boundaries while keeping wards compact and easy to understand.

Where possible, ward boundaries should make use of permanent features of the natural environment rather than create new, perhaps artificial, lines that may not be easily identified or widely understood by residents.

Also, given the size of the geographic area that the Town covers, wards should be as compact as possible to contribute to effective representation.

• **Community or Diversity of Interests:** as far as possible, ward boundaries should be drawn around recognized settlement areas, traditional neighbourhoods and community groupings – not through them.

If the representation by population criterion (and others in this list) places emphasis on the equitable representation of people, this principle encourages an equitable representation of place. It recognizes that present day Essex is composed of a number of identifiable communities or settlement areas and that political representation must be sensitive to them. Thus, the criterion must balance two related themes into the design of wards: what should be divided and what should be joined together.

As much as possible, ward boundaries should not divide traditional settlement areas and communities of interest within Essex and should aim to keep each existing settlement area within one ward. At the same time, another important question in the application of this principle cannot be ignored: after 18 years as an amalgamated municipality, to what extent do the four pre-amalgamation municipalities still constitute meaningful communities of interest for electoral purposes?

Finally, rural businesses represent a major economic community of interest within the Town and must be given consideration in the design of a ward system.

• **Effective Representation:** the Guiding Criteria will be subject to the overriding principle of Effective Representation as set out by the Supreme Court of Canada in Reference re Provincial Electoral Boundaries.

The concept of Effective Representation has become an integral part of the evaluation of electoral systems in Canada, dating from a reference taken to the Supreme Court of
Canada in 1991, widely known as the Carter decision. The Court was asked to determine whether the variance in the size of voter populations permitted in legislation for certain types of provincial constituencies in Saskatchewan (in urban, rural and northern areas) infringed on the democratic right found in section 3 of the Canadian Charter of Rights and Freedoms ("Every citizen of Canada has the right to vote in an election of members of the House of Commons or of a legislative assembly and to be qualified for membership therein").

The majority opinion concluded that the "purpose of the right to vote enshrined in s.3 of the Charter is not equality of voting power per se but the right to ‘effective representation.’" It went on to state that since the purpose of a vote is to be represented in government (and not just to be able to cast a ballot on election day), “to insist on voter parity might deprive citizens with distinct interests of an effective voice in the legislative process as well as of effective assistance from their representatives in their ‘ombudsman’ role.”

As such, deviations from “voter parity” for this reason and others may sometimes be necessary in the interests of achieving Effective Representation – a concept that is premised on the conventional working relationship between voters and their elected representative. At a more abstract level, the Carter decision is essentially saying that the purpose of the right to vote is not limited to a guarantee that the voter is “counted” on Election Day but that her or his vote is intended to provide meaningful on-going representation after the election. Such representation must be as “effective” as possible within the limits imposed by the social and natural environment of the jurisdiction.

In the Essex Ward Boundary Review, effective representation will serve as a kind of summary evaluation of wards (and the ward system itself) built around the five more-specific criteria. For example, are the individual wards proposed for Essex plausible and coherent units of representation? Do they provide equitable access to councillors for all residents of the municipality? Are the proposed wards of a size, scale and shape that a representative can serve her or his constituents successfully? In sum, do the wards constitute a system that can be judged to deliver effective representation even if some of the specific criteria are only partially successful?

In this sense, the Effective Representation criterion may override the rigid application of particular criteria. A municipal electoral system that is judged on balance to meet these expectations can be said to provide effective representation. In the absence of any

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1 Reference Re Provincial Electoral Boundaries (Sask.), [1991] 2 S.C.R. 158
direction from the Province through the Municipal Act or any other legislation or regulation, the ruling of the Supreme Court of Canada will be considered paramount.

3.2 Relative Weighting of Guiding Criteria

No ward system design can uniformly meet all the Guiding Criteria since some criteria may work at cross-purposes to one another. As well, the priority attached to certain principles makes some designs more desirable in the eyes of different observers.

The public consultation was designed to better understand the priorities attached to the five Guiding Criteria among the residents of Essex. As part of the consultation process, residents were asked which criteria should be given the highest priority in the design of the wards.

While it is important to consider all the Guiding Criteria in the evaluation process, feedback received from the public consultation suggests that the highest priority principle is Representation by Population followed by Community or Diversity of Interest, as illustrated in Figure 3. Geographic and Topographical Features, Means of Communication and Accessibility and Population and Electoral Trends ranked lower amongst respondents with respect to priority.

**Figure 3 – Prioritization of Guiding Criteria based on Public Consultation**

Based on feedback received from the Town of Essex Ward Structure Review public consultation feedback survey form
Ultimately, the ward design adopted by Essex Town Council should be the one that best fulfills as many of the five Guiding Criteria as possible, but it should have regard for the input received from the public through the consultation process.

4. **Town of Essex Population and Growth Trends**

As previously discussed, one of the basic premises of representative democracy in Canada is the belief that the geographic areas used to elect a representative should be reasonably balanced with one another in terms of population. In order to evaluate the existing ward structure and subsequent alternatives in terms of representation by population in the existing year (2016), a detailed population estimate for the Town and its respective wards and communities was prepared. This analysis reflects both the Town’s permanent and seasonal population.

The Town of Essex is forecast to experience moderate population growth and population shifts over the next decade. For this reason, it is important that this study assess the representation by population for both existing and future year populations. In accordance with the study terms of reference, the analysis considered representation of population over the next three municipal elections through 2026. As such, a population and housing forecast for the Town of Essex and its communities for the 2016 to 2026 period was generated. The results of this analysis are discussed below.

4.1 **Existing (2016) Population and Structure**

The Town of Essex’s permanent 2016 population is approximately 20,425.\(^1\) The Town’s seasonal population is estimated at approximately 1,675 and is also factored into the total population.\(^2\) The Consultant Team estimates the Town of Essex’s 2016 population, reflecting both permanent residents and seasonal residents, to total 22,100. Permanent residents account for approximately 92% of the population base, while seasonal residents account for 8%, as presented in Figure 4. The majority of seasonal residents are located along the shoreline of Lake Erie.

\(^1\) Reflects 2016 Statistics Canada Census population.
\(^2\) The Town’s seasonal population was estimated using 2016 Census housing data and MPAC property information and applying an average persons per unit (i.e. occupancy) of 3.66.
The Town’s 2016 population by community is presented in Figure 5. As shown, about one-third (population of 7,445) is located in the Essex Urban Centre. This is compared to 12% (2,710) in the Harrow Urban Centre, 11% (2,350) in the Lakeshore Residential District, 6% (1,320) in the Colchester Hamlet Centre, 6% (1,310) in the McGregor Hamlet Centre, and less than 1% (25) in the Gesto Hamlet Centre. About 31% of the Town’s population (6,945) is located in the rural area.

### Figure 5 – Town of Essex 2016 Population by Community

<table>
<thead>
<tr>
<th>Community</th>
<th>2016 Population</th>
<th>% Share</th>
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<tbody>
<tr>
<td>Colchester Hamlet Centre</td>
<td>1,320</td>
<td>6%</td>
</tr>
<tr>
<td>Essex Urban Centre</td>
<td>7,445</td>
<td>34%</td>
</tr>
<tr>
<td>Gesto Hamlet Centre</td>
<td>25</td>
<td>&lt;1%</td>
</tr>
<tr>
<td>Harrow Urban Centre</td>
<td>2,710</td>
<td>12%</td>
</tr>
<tr>
<td>Lakeshore Residential District</td>
<td>2,350</td>
<td>11%</td>
</tr>
<tr>
<td>McGregor Hamlet Centre</td>
<td>1,310</td>
<td>6%</td>
</tr>
<tr>
<td>Rural</td>
<td>6,945</td>
<td>31%</td>
</tr>
<tr>
<td><strong>Town of Essex</strong></td>
<td><strong>22,100</strong></td>
<td><strong>100%</strong></td>
</tr>
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1. Includes permanent and seasonal population.

### 4.2 Forecast Population Growth, 2016 to 2026

Forecast Town-wide population growth over the 2016 to 2026 period was guided by the Town of Essex 2014 Development Charge Background Study.  

Community level growth allocations were guided by a comprehensive review of opportunities to accommodate future residential growth through plans of subdivision (registered unbuilt,
draft approved and proposed), site plan applications and discussions with Town planning staff.

The Town is expected to experience moderate population growth and shifts over the next decade. By 2026, the Town of Essex’s population is expected to reach approximately 23,475, an increase of 6% (approximately 1,375 people).\(^1\) The majority of forecast population growth is expected to be accommodated within the Essex Urban Centre and Harrow Urban Centre, with population growth of 990 and 360, respectively, over the forecast period, as illustrated in Figure 6.

**Table 1 – Town of Essex 2016 to 2026 Population Growth by Community**

<table>
<thead>
<tr>
<th>Community</th>
<th>2016 Population</th>
<th>2026 Population</th>
<th>Population Growth, 2016-2026</th>
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<tbody>
<tr>
<td>Colchester Hamlet Centre</td>
<td>1,320</td>
<td>1,325</td>
<td>5</td>
</tr>
<tr>
<td>Essex Urban Centre</td>
<td>7,445</td>
<td>8,435</td>
<td>990</td>
</tr>
<tr>
<td>Gesto Hamlet Centre</td>
<td>25</td>
<td>25</td>
<td>0</td>
</tr>
<tr>
<td>Harrow Urban Centre</td>
<td>2,710</td>
<td>3,070</td>
<td>360</td>
</tr>
<tr>
<td>Lakeshore Residential District</td>
<td>2,350</td>
<td>2,400</td>
<td>50</td>
</tr>
<tr>
<td>McGregor Hamlet Centre</td>
<td>1,310</td>
<td>1,360</td>
<td>50</td>
</tr>
<tr>
<td>Rural</td>
<td>6,945</td>
<td>6,865</td>
<td>-80</td>
</tr>
<tr>
<td><strong>Town of Essex</strong></td>
<td><strong>22,100</strong></td>
<td><strong>23,475</strong></td>
<td><strong>1,375</strong></td>
</tr>
</tbody>
</table>


1. Includes permanent and seasonal population.

5. **Assessment of Existing Ward Structure**

The existing four wards are used to elect six Councillors. Moreover, the system is not “symmetrical” (that is, the wards are not used to elect the same number of Councillors); hence, the fundamental questions for this ward boundary review must first address “How many wards?” and “How will the Councillors be distributed among them?” This will then be followed by a determination of how those ward boundaries will be configured.

Adjusting representation to elect five Councillors in four wards without considering the continued appropriateness of the existing four wards themselves would not be a palatable option since, inevitably, some part of the Town would feel that it is simply

\(^1\) Reflects permanent and seasonal population.
being “shortchanged” of a representative. A ward boundary review often results in the redistribution of representation and political influence because of changing demographics, but it is about seeking an arrangement that is premised on addressing the interests of the whole municipality.

The following considers the present ward configuration both to illustrate the application of the Guiding Criteria and to help assess the continuing viability of the status quo. The evaluation is discussed below and summarized in Figure 9.

**Representation by Population**

The Town of Essex ward system does not include units that are directly comparable to one another since two wards elect two Councillors each and two wards elect one Councillor each. This specific arrangement was deliberately implemented to preserve the pre-amalgamation municipalities as wards but also to compensate for the imbalance in the population of the pre-amalgamation municipalities by assigning different levels of representation to the wards.

This approach has been understood as delivering “proportional equality.” That is, wards with the same number of Council members should have approximately the same population and any larger ward should have a proportionate number of representatives. Ideally, a two-member ward would have approximately twice the population of a single-member ward; a three-member ward would have approximately three times the population of a single-member ward, and so forth. The Ministerial Order established that only Wards 1 and 3 were assigned the additional representative and by inference the population of those wards should be approximately double that of a single-member ward.

Based on the growth analysis presented in section 4, the population of the Town of Essex was estimated at 22,100 in 2016. If the four wards were each electing the same number of Councillors, the optimal size of each of the four wards would have been 5,525 with a generous range of variation between 4,144 and 6,906 (that is 25% above or below optimal) to take account of population density and clustering.

Optimal size, itself, can be understood as a mid-point on a scale where the term “optimal” (O) describes a ward with a population within 5% on either side of the calculated optimal size. The classification “below/above optimal” (O+ or O-) is applied to a ward with a population between 6% and 25% on either side of the optimal size. A ward that is labelled “outside the range” (OR+ or OR-) indicates that its population is
greater than 25% above or below the optimal ward size. The adoption of a 25% maximum variation is based on federal redistribution legislation.

In Figure 7 below, the third column shows the variance for each present ward under the previous configuration, where six councillors are elected in wards (two each in Wards 1 and 3 and one each in Wards 2 and 4). The data confirms that distribution of population across all the wards is imbalanced but there is parity between two two-member wards at present, while the one-member wards are significantly different from one another. It also confirms that Ward 4 (based on the former Town of Harrow) fails to meet the Representation by Population criterion by a significant extent.

The suggestion that Essex could adjust the number of Councillors from six to five and simply keep the existing four wards was raised during the public consultations. Such an arrangement would mean that either the existing Ward 1 or the existing Ward 3 would continue to elect two Councillors while the other two-member ward would in future elect one Councillor. Figure 7 includes the variance in population for these two scenarios and demonstrates that retaining either the existing Wards 1 or 3 electing one Councillor would result in significant population imbalances.

This evidence suggests that the present wards would not meet the Representation by Population Guiding Criterion.

Figure 7 – Representation by Ward 2016

<table>
<thead>
<tr>
<th>Ward</th>
<th>Population</th>
<th>Variance¹ from Optimal (6 Councillors Elected in Wards)</th>
<th>Variance¹ from Optimal (5 Councillors Elected in Wards)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Wards One and Three Elect Two Councillors</td>
<td>Ward One Elects Two Councillors*</td>
</tr>
<tr>
<td>One</td>
<td>7,445</td>
<td>1.01</td>
<td>O</td>
</tr>
<tr>
<td>Two</td>
<td>4,425</td>
<td>1.20</td>
<td>O+</td>
</tr>
<tr>
<td>Three</td>
<td>7,525</td>
<td>1.02</td>
<td>O</td>
</tr>
<tr>
<td>Four</td>
<td>2,710</td>
<td>0.74</td>
<td>OR-</td>
</tr>
<tr>
<td>Total Population</td>
<td>22,100</td>
<td>Optimal Population</td>
<td>3,683 (one-Councillor wards)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Optimal Population</td>
<td>4,420 (one-Councillor wards)</td>
</tr>
</tbody>
</table>

* All other wards elect one Councillor each

¹ Variance from optimal ward size. “Optimal” (O) describes a ward with a population within 5% on either side of the calculated optimal size. The classification “below/above optimal” (O+ or O-) is applied to a ward with a population between 6% and 25% on either side of the optimal size. A ward that is labelled “outside the range” (OR+ or OR-) indicates that its population is greater than 25% above or below the optimal ward size.
Population and Electoral Trends

In Figure 8, the third column shows the variance for each present ward under the previous configuration, where six Councillors are elected in wards (two each in Wards 1 and 3 and one each in Wards 2 and 4). As illustrated, the current imbalance in population in the present wards is expected to become more pronounced over the forecast period. Growth is concentrated primarily in the Essex Urban Centre (specifically in the present Ward 1) with some growth in the Harrow Urban Centre (the present Ward 4). In contrast to the 2016 population distribution, the relative parity between the two-member wards would diminish while the other imbalances would remain.

With five Councillors to be elected in wards, retaining either the existing Wards 1 or 3 electing one Councillor would result in significant population imbalances in 2026, similar to that in 2016. The present wards will not achieve a system of representation delivering “proportional equality” – let alone parity – if no changes are made.

This evidence suggests that the present wards would not meet the Population and Electoral Trends Guiding Criterion.

Figure 8 – Representation by Ward 2026

<table>
<thead>
<tr>
<th>Ward</th>
<th>Population</th>
<th>Variance(^1) from Optimal (6 Councillors Elected in Wards)</th>
<th>Variance(^1) from Optimal (5 Councillors Elected in Wards)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Wards One and Three Elect Two Councillors</td>
<td>Ward One Elects Two Councillors*</td>
</tr>
<tr>
<td>One</td>
<td>8,430</td>
<td>1.08 O+</td>
<td>0.90 O-</td>
</tr>
<tr>
<td>Two</td>
<td>4,440</td>
<td>1.13 O+</td>
<td>0.95 O</td>
</tr>
<tr>
<td>Three</td>
<td>7,545</td>
<td>0.96 O</td>
<td>1.61 OR+</td>
</tr>
<tr>
<td>Four</td>
<td>3,070</td>
<td>0.78 O-</td>
<td>0.65 OR-</td>
</tr>
<tr>
<td>Total Population</td>
<td>23,475</td>
<td>Optimal Population 3,913 (one-Councillor wards)</td>
<td>Optimal Population 4,695 (one-Councillor wards)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>7,825 (two-Councillor wards)</td>
<td>9,390 (two-Councillor wards)</td>
</tr>
</tbody>
</table>

* All other wards elect one Councillor each
\(^1\) Variance from optimal ward size. “Optimal” (O) describes a ward with a population within 5% on either side of the calculated optimal size. The classification “below/above optimal” (O+ or O-) is applied to a ward with a population between 6% and 25% on either side of the optimal size. A ward that is labelled “outside the range” (OR+ or OR-) indicates that its population is greater than 25% above or below the optimal ward size.
Means of Communication and Accessibility

Since the existing wards replicate collections of settlements and communities that have had long associations, the wards capture many underlying connections (economic, social, recreational, religious, etc.) within these geographic areas of the Town.

The present wards meet the Communication and Accessibility Guiding Criterion.

Geographic and Topographical Features

The boundaries of three of the existing wards follow readily identifiable “markers” (Highway 3 and County Road 18). The exception is Ward 4 that is demarcated by the pre-amalgamation boundaries of the former Town of Harrow, many of which are “notional” in that they appear to be based in part on land parcels rather than on visible topographical features or infrastructure.

The present wards are largely successful at meeting the Geographical and Topographical Guiding Criterion.

Community or Diversity of Interests

The existing wards tend to be coherent collections of settlements and communities that are similar to one another. Wards 1 and 4 are largely “urban” in the sense that the area is compact, residential density is fairly high and properties are serviced. Wards 2 and 3 are largely rural with scattered settlement areas. Ward 3, though, is more diverse than the other wards with several communities of interest including agriculture and viticulture, some estate housing and lakefront communities.

The present wards are largely successful at meeting the Community or Diversity of Interests Guiding Criterion.

Effective Representation

The existing wards in Essex are familiar and are acceptable to many residents for that reason. They are reflective of the component parts of the Town of Essex that were reluctantly fused into one municipality in 1999 and each ward has a rationale derived from its individual historical origins. It is now 2017, however, and the continuing validity of the 1999 arrangement cannot just be taken for granted as the only way to elect members of Essex Town Council.
The existing ward system was not created with reference to a set of guiding criteria such as those adopted for this Review. The closest attribute related to the present Guiding Criteria was the token recognition of the population differences among the pre-amalgamation municipalities that resulted in the allocation of an additional seat to two of the wards (the “proportional equality” arrangement).

The preceding assessment of the existing wards reveals that the wards constitute an acceptable system in terms of three of the Guiding Criteria (Means of Communication and Accessibility, Geographic and Topographical Features and Community or Diversity of Interests), but an inherent inequity in the distribution of the Town’s population across the wards in 2016, and over the next three municipal elections, is evident. The net effect falls far short of contributing to Effective Representation because of the inequitable access to Councillors for residents (2,710 residents per Councillor in Ward 4 versus 7,525 residents per Councillor in Ward 3). Conversely, the vote of a resident of Ward 4 has nearly three times the impact of the vote of a resident of Ward 3 every time there is a vote at Town Council.

The present wards are only partially successful at meeting the Effective Representation Guiding Criterion.

The decision to change the number of Councillors elected in wards from six to five exacerbates the deficiencies in the current configuration and make it unworkable moving forward.
### Figure 9 – Town of Essex Existing Ward Boundary Configuration Evaluation Summary

<table>
<thead>
<tr>
<th>Criterion</th>
<th>Does the Current Ward Structure Meet the Respective Criterion?</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representation by Population</td>
<td>No</td>
<td>Some notable population imbalances under the 6-Councillor configuration. Using the current ward structure under the new 5-Councillor configuration would result in significant population imbalances.</td>
</tr>
<tr>
<td>Population and Electoral Trends</td>
<td>No</td>
<td>Some notable population imbalances under the 6-Councillor configuration. Using the current ward structure under the new 5-Councillor configuration would result in significant population imbalances.</td>
</tr>
<tr>
<td>Means of Communication and Accessibility</td>
<td>Yes</td>
<td>Wards capture many underlying connections within geographic areas of the Town.</td>
</tr>
<tr>
<td>Geographic and Topographical Features</td>
<td>Largely successful</td>
<td>Boundaries of three of the wards follow readily identifiable “markers.” One ward defined by “notional” rather than visible markers.</td>
</tr>
<tr>
<td>Community or Diversity of Interests</td>
<td>Largely successful</td>
<td>Three wards coherent collections of settlements and communities that are similar to one another. One ward more diverse.</td>
</tr>
<tr>
<td>Effective Representation</td>
<td>Partially successful</td>
<td>Wards meet three of the Guiding Criteria but fall well short of two others that directly undermine Effective Representation.</td>
</tr>
</tbody>
</table>

### 6. Preliminary Options

Over the course of the study, a number of possible electoral structure alternatives were explored for the community to consider. Six Preliminary Options were selected from a larger number of draft concepts to take to the community for evaluation. Public feedback on these Preliminary Options was solicited through the public consultation process. These helped frame the Final Options presented in this report that will be discussed in section 7.

The Preliminary Options are discussed below.
6.1 Models of Representation

Based on its professional judgment, the Consultant Team has determined that representation in the Town of Essex would be best served either in a four-ward system (where one ward elects two Councillors and three wards elect one Councillor each) or in a five-ward system (each ward elects one Councillor). Given the geographic size of the Town of Essex, anything less (i.e. two wards or three wards) would likely result in one or more rural wards of an area that would be difficult to represent equitably and effectively.

The Consultant Team has framed the ward boundary structure for Essex around two models of representation to elect five Town Councillors: a four-ward system and a five-ward system. Three preliminary four-ward options (labelled Preliminary Options 4A, 4B and 4C) and three preliminary five-ward options (labelled Preliminary Options 5A, 5B and 5C) were developed to address the goal of supporting Effective Representation in Essex under the terms of the Guiding Criteria.

Each model has advantages and disadvantages, as illustrated in Figure 10.

![Figure 10](image)

Based on public feedback received from Round 2 of public consultation, there was no clear preference on whether to continue to elect varying numbers of Councillors per ward, as presented in the four-ward model or to move to a system where each ward...
elects one Councillor, as presented in the five-ward model. Of responses received, 54% indicated a preference to continue to use wards that elect a different number of Town Councillors compared to 46% who indicated a preference for wards that elect one Councillor each, as summarized in Figure 11.

**Figure 11**

6.2 Preliminary Options – Four-Ward Model

The basic element of the four-ward Preliminary Options is that one of the wards will elect two Councillors and that the population of that ward should be “proportionately” larger than the other three wards. The Guiding Criteria point to priorities and constraints: it is more consistent with designing wards that are as compact as possible (to contribute to effective representation) that the two-member ward be drawn where population is concentrated rather than dispersed and, in turn, this means the two-member ward should contain the Essex Urban Centre. As well, new boundary lines should not be drawn in such a way as to divide the existing hamlets or residential districts.
6.2.1 Preliminary Option 4A

Preliminary Option 4A and its respective ward boundaries and population by ward are presented in Figure 12. Key features of the design are as follows:

- Ward 1 (ward electing two Councillors) mirrors the existing urban boundary of the Essex Urban Centre, bound to the south-west by Highway 3;
- Ward 2 extends from the northern municipal boundary (excluding the Essex Urban Centre) south to Concession Road 6 and includes the McGregor Hamlet Centre and the Gesto Hamlet Centre;
- Ward 3 is bound by Concession Road 6 in the north and by County Road 20, Gore Road and Ferris Road to the south and includes the Harrow Urban Centre;
- Ward 4 is bound by County Road 20, Gore Road and Ferris Road to the north and extends south to the Lake Erie shoreline, and includes the Colchester Hamlet Centre and the Lakeshore Residential District;
- Wards 2, 3 and 4 all include extensive rural areas; and
- The proposed ward configuration achieves a favourable population balance in 2016 and in 2026.
Figure 12 – Preliminary Ward Option 4A

---

<table>
<thead>
<tr>
<th>Ward</th>
<th>Population</th>
<th># of Councillors</th>
<th>Population Per Councillor</th>
<th>Variance</th>
<th>Population</th>
<th># of Councillors</th>
<th>Population Per Councillor</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward 1</td>
<td>7,446</td>
<td>2</td>
<td>3,723 (0.94)</td>
<td>D</td>
<td>6,435</td>
<td>2</td>
<td>3,218 (0.99)</td>
<td>D</td>
</tr>
<tr>
<td>Ward 2</td>
<td>4,715</td>
<td>1</td>
<td>4,715 (1.07)</td>
<td>O</td>
<td>4,720</td>
<td>1</td>
<td>4,720 (1.01)</td>
<td>O</td>
</tr>
<tr>
<td>Ward 3</td>
<td>4,555</td>
<td>1</td>
<td>4,555 (1.03)</td>
<td>D</td>
<td>4,560</td>
<td>1</td>
<td>4,560 (1.02)</td>
<td>D</td>
</tr>
<tr>
<td>Ward 4</td>
<td>5,390</td>
<td>1</td>
<td>5,390 (1.12)</td>
<td>O</td>
<td>5,420</td>
<td>1</td>
<td>5,420 (1.15)</td>
<td>O</td>
</tr>
</tbody>
</table>

Optimal Population per Councillor: 4,430

Total: 23,200

Total Population: 23,475

*Includes permanent and seasonal population.
6.2.2 Preliminary Option 4B

Preliminary Option 4B and its respective ward boundaries and population by ward are presented in Figure 13. Key features of the design are as follows:

- Ward 1 (electing two Councillors) includes the Essex Urban Centre and includes considerable rural areas extending west to County Road 15 and south to South Malden Road, and includes the Gesto Hamlet Centre;
- Ward 2 is bound to the north by the municipal boundary west of County Road 15 and South Malden Road east of County Road 15 and extends south to Concession Road 5, and includes the McGregor Hamlet Centre;
- Ward 3 extends from Concession Road 5 to the north to Gore Road, Ridge Road and County Road 20 to the south, and includes the Harrow Urban Centre;
- Ward 4 extends from Gore Road, Ridge Road and County Road 20 to the north to the Lake Erie shoreline to the south, and includes the Colchester Hamlet Centre and the Lakeshore Residential District;
- All proposed wards include a mix of urban/hamlet and rural areas; and
- The proposed ward configuration achieves a favourable population balance in 2016 and in 2026.
Figure 13 – Preliminary Ward Option 4B

<table>
<thead>
<tr>
<th>Ward</th>
<th>Population</th>
<th># of Councillors</th>
<th>Population Per Councillor</th>
<th>Violation</th>
<th>Population</th>
<th># of Councillors</th>
<th>Population Per Councillor</th>
<th>Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward 1</td>
<td>8,350</td>
<td>2</td>
<td>4,175</td>
<td>0.84</td>
<td>9,345</td>
<td>2</td>
<td>4,669</td>
<td>0.89</td>
</tr>
<tr>
<td>Ward 2</td>
<td>3,245</td>
<td>1</td>
<td>3,245</td>
<td>0.89</td>
<td>3,905</td>
<td>1</td>
<td>3,905</td>
<td>0.84</td>
</tr>
<tr>
<td>Ward 3</td>
<td>4,525</td>
<td>1</td>
<td>4,525</td>
<td>1.03</td>
<td>4,960</td>
<td>1</td>
<td>4,960</td>
<td>1.04</td>
</tr>
<tr>
<td>Ward 4</td>
<td>5,200</td>
<td>1</td>
<td>5,200</td>
<td>1.09</td>
<td>5,320</td>
<td>1</td>
<td>5,320</td>
<td>1.13</td>
</tr>
</tbody>
</table>

Optimal Population per Councillor: 4,425

Total: 22,500

*Includes permanent and seasonal population.
6.2.3 Preliminary Option 4C

Preliminary Option 4C and its respective ward boundaries and population by ward are presented in Figure 14. Key features of the design are as follows:

- Ward 1 (electing two Councillors) includes the Essex Urban Centre and includes some rural areas extending west and south to Hyland Sideroad, North Malden Road, Mole Road and south to South Malden Road;
- Ward 2 is bound to the north and east by the municipal boundary, Hyland Sideroad, North Malden Road, Mole Road and South Malden Road and extends south to Concession Road 5, and includes the McGregor Hamlet Centre and the Gesto Hamlet Centre;
- Ward 3 extends from Concession Road 5 to the north to the DaimlerChrysler Canada Greenway, the Harrow Urban Centre western settlement area boundary and County Road 13 to the east, and the Lake Erie shoreline to the south. Ward 3 includes the Colchester Hamlet Centre and the Lakeshore Residential District;
- Ward 4 extends from Concession Road 5 to the north and the DaimlerChrysler Canada Greenway, the Harrow Urban Centre western settlement area boundary and County Road 13 to the west, and the Lake Erie shoreline to the south. The proposed ward includes the Harrow Urban Centre;
- All proposed wards include a mix of urban/hamlet and rural areas; and
- The proposed ward configuration achieves a favourable population balance in 2016 and in 2026.
Figure 14 – Preliminary Ward Option 4C

<table>
<thead>
<tr>
<th>Ward</th>
<th>Population</th>
<th># of Councillors</th>
<th>Population Per Councillor</th>
<th>Variance</th>
<th>Population</th>
<th># of Councillors</th>
<th>Population Per Councillor</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward 1</td>
<td>4,550</td>
<td>1</td>
<td>4,550</td>
<td>1.00</td>
<td>4,550</td>
<td>1</td>
<td>4,550</td>
<td>1.00</td>
</tr>
<tr>
<td>Ward 2</td>
<td>4,520</td>
<td>1</td>
<td>4,520</td>
<td>1.00</td>
<td>4,520</td>
<td>1</td>
<td>4,520</td>
<td>1.00</td>
</tr>
<tr>
<td>Ward 3</td>
<td>5,220</td>
<td>1</td>
<td>5,220</td>
<td>1.06</td>
<td>5,220</td>
<td>1</td>
<td>5,220</td>
<td>1.06</td>
</tr>
</tbody>
</table>

Optimal Population per Councillor: 4,600

Total: 23,390

*Includes permanent and seasonal population.
6.2.4 Observations

The three four-ward Preliminary Options differed in the way the Guiding Criteria were applied. Key characteristics of the designs include:

- Varying the geographic area of the two-member ward from an exclusively urban ward (Preliminary Option 4A) to one delineated by the Hyland and Mole Sideroads to one that extends as far west as County Road 15 (and includes the Gesto Hamlet Centre);
- A rural northern ward that extends as far south as Concession Road 6 (Preliminary Option 4A) or Concession Road 5 (Preliminary Options 4B and 4C) with more or less territory included in the proposed two-member ward depending on the boundary of the two-member ward;
- A ward that includes the Harrow Urban Centre and adjoining rural areas to the east and west (as illustrated in Preliminary Ward Options 4A and 4B) with the lakeshore areas (including Colchester Hamlet Centre) and rural areas south of County Road 20 in another;
- Preliminary Option 4C divides the south of Concession Road 5 into an eastern and western ward along a former railway line corridor west of County Road 11, the western side of the Harrow Urban Centre and along County Road 13 to Lake Erie. The design splits the Colchester Hamlet Centre and the lakefront settlements along County Road 50 into the two wards;
- The designs achieve an acceptable population range across all wards in 2016 and 2026; and
- The designs rely primarily on the use of roadways as ward boundaries (excepting a portion of Preliminary Ward Option 4C around the Harrow Urban Centre).

6.3 Preliminary Options – Five Ward Model

In this model, each of the wards will be equivalent in terms of representation (electing one Councillor each) and the Guiding Criteria envisage that the population should be as close to parity as possible. There are important constraints in making this work: Guiding Criteria also direct that boundary lines should not be drawn in such a way as to divide the existing hamlets or residential districts. The concentration of population in the Essex Urban Centre (close to one third of the total population), however, is too large for one of the five wards and not in itself large enough for two. Therefore, in a five-ward model, the Essex Urban Centre community of interest must be divided. This is compounded by the fact that its layout includes no “natural boundaries.” The net effect is that one of the wards is consistently below the optimal population range.
6.3.1 Preliminary Option 5A

Preliminary Option 5A and its respective ward boundaries and population by ward are presented in Figure 15. Key features of the design are as follows:

• Ward 1 includes the northern portion of the Essex Urban Centre and neighbouring rural area bound to the north by the municipal boundary, to the east and south by Arthur Avenue, Laird Avenue and North Malden Road and west to Hyland Road;
• Ward 2 includes the southern portion of Essex Urban Centre bound to the north by Arthur Avenue, Laird Avenue and North Malden Road, bound to the east by the municipal boundary, and bound by South Malden Road to the south and Mole Road to the west;
• Ward 3 is bound by the municipal boundary to the west and north, bound by Hyland Road, North Malden Road, Mole Road and South Malden Road to the northeast and the municipal boundary to the east, and Concession Road 4 to the south; Ward 3 includes the McGregor Hamlet Centre and the Gesto Hamlet Centre;
• Ward 4 extends from Concession Road 4 to the north and County Road 20, Gore Road, Ridge Road, Huffman Road, and Iller Road to the south, and includes the Harrow Urban Centre; and
• Ward 5 extends from County Road 20, Gore Road, Ridge Road, Huffman Road, and Iller Road to the north and the Lake Erie shoreline to the south, and includes the Colchester Hamlet Centre and the Lakeshore Residential District;
• All proposed wards include a mix of urban/hamlet and rural areas; and
• The proposed ward configuration achieves a favourable population balance in 2016 and in 2026 within Wards 2 through 5, however, Ward 1’s population is marginally below the desired threshold.
Figure 15 – Preliminary Ward Option 5A
6.3.2 Preliminary Option 5B

Preliminary Option 5B and its respective ward boundaries and population by ward are presented in Figure 16. Key features of the design are as follows:

- Ward 1 includes the northern portion of the Essex Urban Centre and the neighbouring rural area bound to the north by the municipal boundary, to the east and south by Arthur Avenue, Laird Avenue and North Malden Road and west to County Road 15;
- Ward 2 includes the southern portion of the Essex Urban Centre bound to the north by Arthur Avenue, Laird Avenue and North Malden Road, bound to the east by the municipal boundary, and bound by County Road 12 to the south and Baton Sideroad to the west;
- Ward 3 is bound to the north and east by the municipal boundary, County Road 15, North Malden Road, Baton Sideroad and County Road 12, and bound to the south by Concession Road 5; Ward 3 includes the McGregor Hamlet Centre and the Gesto Hamlet Centre;
- Ward 4 extends from Concession Road 5 to the north, Ferris Road and Wright Road to the east, Gore Road and the Lake Erie shoreline to the south. The ward includes the Harrow Urban Centre and Lakeshore Residential District.
- Ward 5 extends from Concession Road 5 and Gore Road to the north, Ferris Road and Wright Road to the west and the Lake Erie shoreline to the south, and includes the Colchester Hamlet Centre;
- All proposed wards include a mix of urban/hamlet and rural areas; and
- The proposed ward configuration achieves an unfavourable population balance in 2016 and in 2026.
Figure 16 – Preliminary Ward Option 5B

<table>
<thead>
<tr>
<th>Ward</th>
<th>Population</th>
<th>% of Councilors</th>
<th>Population Per Councilor</th>
<th>Vacancy</th>
<th>Population</th>
<th>% of Councilors</th>
<th>Population Per Councilor</th>
<th>Vacancy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward 1</td>
<td>0.234</td>
<td>1</td>
<td>0.234</td>
<td>0.74</td>
<td>0.940</td>
<td>1</td>
<td>0.940</td>
<td>0.75</td>
</tr>
<tr>
<td>Ward 2</td>
<td>4.483</td>
<td>1</td>
<td>4.483</td>
<td>1.01</td>
<td>4.483</td>
<td>1</td>
<td>4.483</td>
<td>1.01</td>
</tr>
<tr>
<td>Ward 3</td>
<td>5.555</td>
<td>1</td>
<td>5.555</td>
<td>1.03</td>
<td>5.555</td>
<td>1</td>
<td>5.555</td>
<td>1.03</td>
</tr>
<tr>
<td>Ward 4</td>
<td>5.845</td>
<td>1</td>
<td>5.845</td>
<td>1.32</td>
<td>5.845</td>
<td>1</td>
<td>5.845</td>
<td>1.32</td>
</tr>
<tr>
<td>Ward 5</td>
<td>3.963</td>
<td>1</td>
<td>3.963</td>
<td>0.96</td>
<td>3.963</td>
<td>1</td>
<td>3.963</td>
<td>0.96</td>
</tr>
</tbody>
</table>

Optimal Population per Councilor: 4,483
Total: 23,473

*Includes permanent and seasonal population.
6.3.3 Preliminary Option 5C

Preliminary Option 5C and its respective ward boundaries and population by ward are presented in Figure 17. Key features of the design are as follows:

- Ward 1 includes the northern portion of the Essex Urban Centre bound to the north by the municipal boundary, to the east and south by Arthur Avenue and Laird Avenue, and southwest to Highway 3;
- Ward 2 includes the southern portion of the Essex Urban Centre bound to the north by Arthur Avenue and Laird Avenue, bound to the east by the municipal boundary, and bound to the southwest by Highway 3;
- Ward 3 extends north to the municipal boundary (excluding the Essex Urban Centre) and south to County Road 11 and County Road 18, and includes the Gesto Hamlet Centre and the McGregor Hamlet Centre;
- Ward 4 extends north to County Road 11, east to the DaimlerChrysler Canada Greenway, the Harrow Urban Centre western settlement area boundary and County Road 13 and the Lake Erie shoreline to the south. The proposed ward includes the Lakeshore Residential District and the Colchester Hamlet Centre;
- Ward 5 is bound by County Road 18 to the north, the DaimlerChrysler Canada Greenway, the Harrow Urban Centre western settlement area boundary and County Road 13 to the west, and the Lake Erie shoreline to the south. The proposed ward includes the Harrow Urban Centre;
- All proposed wards include a mix of urban/hamlet and rural areas; and
- The proposed ward configuration is close to achieving a population balance in 2016 and in 2026.
Figure 17 – Preliminary Ward Option 5C

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3,600</td>
<td>3,000</td>
<td>3,600</td>
<td>3,000</td>
<td>0.68</td>
<td>0.70</td>
</tr>
<tr>
<td>2</td>
<td>4,440</td>
<td>4,440</td>
<td>5,170</td>
<td>5,170</td>
<td>1.00</td>
<td>1.06</td>
</tr>
<tr>
<td>3</td>
<td>4,450</td>
<td>4,450</td>
<td>4,436</td>
<td>4,436</td>
<td>1.00</td>
<td>0.91</td>
</tr>
<tr>
<td>4</td>
<td>4,690</td>
<td>4,690</td>
<td>4,720</td>
<td>4,720</td>
<td>1.00</td>
<td>1.05</td>
</tr>
<tr>
<td>5</td>
<td>5,090</td>
<td>5,090</td>
<td>5,080</td>
<td>5,080</td>
<td>1.35</td>
<td>1.35</td>
</tr>
</tbody>
</table>

Optimal Population per Councillor: 4,440

Total: 22,490

*Includes permanent and seasonal population.
6.4 Public Response to Preliminary Ward Options

As previously discussed, input on the Preliminary Options was solicited through public consultation. Respondents were asked to rank their preferred ward boundary configuration based on the six Preliminary Options. The results are presented in Figure 18. Based on the respondents’ 1st and 2nd choices, Preliminary Option 4A received the highest level of support. Preliminary Option 4B and 5A also received notable support. There was limited support for Preliminary Option 4C, 5B and 5C.

Figure 18 – Ward Options and Preference of Respondents Based on Ranking

<table>
<thead>
<tr>
<th>Share of Responses</th>
<th>Preliminary Option 4A</th>
<th>Preliminary Option 4B</th>
<th>Preliminary Option 4C</th>
<th>Preliminary Option 5A</th>
<th>Preliminary Option 5B</th>
<th>Preliminary Option 5C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rank 1</td>
<td>31%</td>
<td>26%</td>
<td>17%</td>
<td>27%</td>
<td>8%</td>
<td>15%</td>
</tr>
<tr>
<td>Rank 2</td>
<td>17%</td>
<td>35%</td>
<td>17%</td>
<td>35%</td>
<td>40%</td>
<td>50%</td>
</tr>
<tr>
<td>Rank 3</td>
<td>9%</td>
<td>9%</td>
<td>8%</td>
<td>16%</td>
<td>12%</td>
<td>4%</td>
</tr>
<tr>
<td>Rank 4</td>
<td>8%</td>
<td>17%</td>
<td>8%</td>
<td>35%</td>
<td>8%</td>
<td>12%</td>
</tr>
<tr>
<td>Rank 5</td>
<td>31%</td>
<td>30%</td>
<td>31%</td>
<td>17%</td>
<td>35%</td>
<td>17%</td>
</tr>
<tr>
<td>Rank 6</td>
<td>17%</td>
<td>17%</td>
<td>17%</td>
<td>8%</td>
<td>12%</td>
<td>4%</td>
</tr>
</tbody>
</table>

6.5 Evaluation

The major additional test of the suitability of the various Preliminary Options is the application of the Guiding Criteria. A summary of the evaluation measuring the relative success of the Preliminary Options against the Guiding Criteria is provided in Figure 19. As shown, Preliminary Option 4A ranks relatively high with respect to meeting the Guiding Criteria, followed closely by Preliminary Options 4C and 5A. Preliminary Options 4B, 5B and 5C rank moderately lower in favourability, while the existing ward structure ranks relatively low overall.
7. Final Options

Based on the feedback received through public consultation, technical analysis and further refinement, two potential final ward boundary configurations (Options 1 and 2) were developed and are presented herein. These are:

- **Final Option 1** – a reconfiguration of the Preliminary Options 4A and 4C; and
- **Final Option 2** – a reconfiguration of the Preliminary Options 5A and 5B.

The goal of this Review is to design a system of effective representation that seeks relative parity in the population of the wards, with some degree of variation acceptable in light of population densities and demographic realities across the Town. The population figures for each of Preliminary Options 5A, 5B and 5C included one of the five wards that fell outside the defined range of variation. The three Preliminary Options were thus all considered unsuccessful at meeting the Representation by Population and Population and Electoral Trends criteria. Typically, an Option that fails to meet the population criteria would be excluded from further consideration.
As noted in section 6.3, however, designing five wards to achieve parity requires flexibility in the way the criteria are applied. The population of the Essex Urban Centre is too large to constitute one of the five wards so the community was divided into two wards, but its geographic layout includes no “natural boundaries” that would create two balanced wards. In other words, one of the wards has, of necessity, fallen slightly short of the defined range of population variation. The design of suitable ward alternatives, however, is not dependent only on relative parity since it involves applying all the criteria established for this Review. On that basis, we have concluded that a ward system that meets the remaining criteria while also addressing shortcomings in the existing ward system is defensible.

The extent to which the two Final Options meet the Guiding Criteria adopted for this Review and offer the Town of Essex an effective and equitable system to electing members of Council, is discussed below.

**Final Option 1: A Four-Ward Model**

Final Option 1 is presented in Figure 20 along with the population by proposed ward illustrated in Figure 21. Key characteristics of this design include the following:

- Ward 1 (electing two Councillors) includes the Essex Urban Centre and includes some rural areas extending west and south to Hyland Sideroad, North Malden Road, Mole Road and south to South Malden Road;
- Ward 2 is bound to the north and east by the municipal boundary, Hyland Sideroad, North Malden Road, Mole Road and South Malden Road and extends south to Concession Road 5, and includes the McGregor Hamlet Centre and the Gesto Hamlet Centre;
- Ward 3 is bound by Concession Road 5 in the north and by County Road 20, Gore Road and Ferris Road to the south, and includes the Harrow Urban Centre;
- Ward 4 is bound by County Road 20, Gore Road and Ferris Road to the north and extends south to the Lake Erie shoreline, and includes the Colchester Hamlet Centre and the Lakeshore Residential District;
- Wards 2, 3 and 4 all include extensive rural areas; and
- The proposed ward configuration achieves a favourable population balance in 2016 and an even better balance in 2026.
Figure 20 – Final Option 1
The overall evaluation of Final Option 1 is summarized in Figure 22. The assignment of “largely successful” on the representation by population criterion (rather than “Yes”) is in part the result of the complications around incorporating a two-member ward and one-member wards in the same system. In terms of the other criteria, the wards are successful. Final Option 1 is a more equitable and effective system than the present configuration.
Figure 22 – Evaluation Summary of Final Option 1

<table>
<thead>
<tr>
<th>Criterion</th>
<th>Does the Proposed Ward Structure Meet the Respective Criterion?</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representation by Population</td>
<td>Largely successful</td>
<td>Two wards optimal, one larger than optimal. Two-member ward below “proportional equality.”</td>
</tr>
<tr>
<td>Population and Electoral Trends</td>
<td>Largely successful</td>
<td>Two wards optimal, one larger than optimal. Two-member ward below “proportional equality.”</td>
</tr>
<tr>
<td>Means of Communication and Accessibility</td>
<td>Largely successful</td>
<td>Wards capture many underlying connections within geographic areas of the Town.</td>
</tr>
<tr>
<td>Geographic and Topographical Features</td>
<td>Largely successful</td>
<td>Boundaries a mix of major arteries and some secondary roadways.</td>
</tr>
<tr>
<td>Community or Diversity of Interests</td>
<td>Largely successful</td>
<td>No settlement areas divided. Rural community of interest represented in all wards.</td>
</tr>
<tr>
<td>Effective Representation</td>
<td>Largely successful</td>
<td>Wards meet all of the Guiding Criteria but large geographic area hampers Effective Representation for Ward 2 residents.</td>
</tr>
</tbody>
</table>

Final Option 2: A Five-Ward Model

Final Option 2 is presented in Figure 23 with population by proposed ward summarized in Figure 24. Key characteristics of this design include the following:

- Ward 1 includes the northern portion of the Essex Urban Centre and the neighbouring rural area bound to the north by the municipal boundary, to the east and south by Arthur Avenue, Laird Avenue and North Malden Road and west to County Road 15;
- Ward 2 includes the southern portion of the Essex Urban Centre bound to the north by Arthur Avenue, Laird Avenue and North Malden Road, bound to the east by the municipal boundary, by South Malden Road to the south and Mole Road to the west;
- Ward 3 is bound by the municipal boundary to the west and north, bound by County Road 15, North Malden Road, Mole Road and South Malden Road to the north-east and the municipal boundary to the east, and Concession Road 4 to the south; Ward 3 includes the McGregor Hamlet Centre and the Gesto Hamlet Centre;
Figure 23 – Final Option 2
- Ward 4 extends from Concession Road 4 to the north and County Road 20, Gore Road, Ridge Road, Huffman Road, and Iller Road to the south, and includes the Harrow Urban Centre;
- Ward 5 extends from County Road 20, Gore Road, Ridge Road, Huffman Road, and Iller Road to the north and the Lake Erie shoreline to the south, and includes the Colchester Hamlet Centre and the Lakeshore Residential District;
- All proposed wards include a mix of urban/hamlet and rural areas;
- The proposed boundary between Wards 4 and 5 is an irregular line; and
- The Ward 1 population is marginally below the desired threshold in 2016, but the population of the other proposed wards and the entire ward configuration are well within the accepted range of variation in 2016 and in 2026.

**Figure 24**

**Representation by Ward 2016 Option 2**

<table>
<thead>
<tr>
<th>Ward</th>
<th>Population</th>
<th>Variance¹ from Optimal</th>
</tr>
</thead>
<tbody>
<tr>
<td>One</td>
<td>3,285</td>
<td>0.74</td>
</tr>
<tr>
<td>Two</td>
<td>4,640</td>
<td>1.05</td>
</tr>
<tr>
<td>Three</td>
<td>4,740</td>
<td>1.07</td>
</tr>
<tr>
<td>Four</td>
<td>4,275</td>
<td>0.97</td>
</tr>
<tr>
<td>Five</td>
<td>5,160</td>
<td>1.17</td>
</tr>
<tr>
<td>Total Population</td>
<td>22,100</td>
<td>Optimal Population 4,420</td>
</tr>
</tbody>
</table>

**Representation by Ward 2026 Option 2**

<table>
<thead>
<tr>
<th>Ward</th>
<th>Population</th>
<th>Variance¹ from Optimal</th>
</tr>
</thead>
<tbody>
<tr>
<td>One</td>
<td>3,540</td>
<td>0.75</td>
</tr>
<tr>
<td>Two</td>
<td>5,365</td>
<td>1.14</td>
</tr>
<tr>
<td>Three</td>
<td>4,755</td>
<td>1.01</td>
</tr>
<tr>
<td>Four</td>
<td>4,620</td>
<td>0.98</td>
</tr>
<tr>
<td>Five</td>
<td>5,195</td>
<td>1.11</td>
</tr>
<tr>
<td>Total Population</td>
<td>23,475</td>
<td>Optimal Population 4,695</td>
</tr>
</tbody>
</table>

* Elects two Councillors

¹ Variance from optimal ward size. “Optimal” (O) describes a ward with a population within 5% on either side of the calculated optimal size. The classification “below/above optimal” (O+ or O-) is applied to a ward with a population between 6% and 25% on either side of the optimal size. A ward that is labelled “outside the range” (OR+ or OR-) indicates that its population is greater than 25% above or below the optimal ward size.
The overall evaluation of Final Option 2 is summarized in Figure 25. The assignment of “largely successful” on the representation by population criterion (rather than “Yes”) is in part the result of the complications around creating two balanced wards to include the Essex urban area (discussed above), but the gap is miniscule. In terms of the other criteria, the wards are successful. Final Option 2 is an equitable and effective system of representation.

**Figure 25 – Evaluation Summary of Final Option 2**

<table>
<thead>
<tr>
<th>Criterion</th>
<th>Does the Proposed Ward Structure Meet the Respective Criterion?</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representation by Population</td>
<td>Largely successful</td>
<td>One ward just below the defined range of variation, three wards at or very near optimal.</td>
</tr>
<tr>
<td>Population and Electoral Trends</td>
<td>Yes</td>
<td>Two wards optimal, three well within the defined range of variation.</td>
</tr>
<tr>
<td>Means of Communication and Accessibility</td>
<td>Largely successful</td>
<td>Wards capture many underlying connections within geographic areas of the Town.</td>
</tr>
<tr>
<td>Geographic and Topographical Features</td>
<td>Largely successful</td>
<td>Boundaries a mix of major arteries and some secondary roadways.</td>
</tr>
<tr>
<td>Community or Diversity of Interests</td>
<td>Largely successful</td>
<td>Essex Urban Centre divided; all other settlement areas completely within a ward. Rural community of interest represented in all wards.</td>
</tr>
<tr>
<td>Effective Representation</td>
<td>Largely successful</td>
<td>Wards largely successful at meeting the Guiding Criteria but large geographic area may hamper Effective Representation for Ward 2 residents.</td>
</tr>
</tbody>
</table>

**8. Recommendations**

The two Options (Final Options 1 and 2) presented herein were designed to elect five Town Councillors in wards that are reasonably balanced in population now and over the next three elections and that reflect the community of interests across the Town. As noted in section 6.3, designing wards to achieve parity requires flexibility in the way the criteria are applied.
In our assessment, the Final Options can each offer effective representation despite being based on different formats for representation.

If Council places a greater priority on maintaining the familiar four-ward structure with wards that do not divide settlement areas (in particular the Essex Urban Centre), Option 1 would be the better choice. One drawback to Option 1 is that the electors in the proposed Ward 1 would get to select two of the five Councillors, while everyone else only selects one Councillor. The Ward 1 Councillors would each have many more constituents to serve.

If Council places a greater priority on giving each resident the same influence in the election of Council, Option 2 would be the better choice. One drawback is that a five-ward model requires splitting the Essex Urban Centre into two wards of unequal size because of the geographic layout of that settlement area.

Either choice would be defensible, though, in the event of an appeal to the Ontario Municipal Board.