

MOVING TOWARD VOTER EQUALITY

MOWAT CENTRE REPORT ON THE PROPOSED FEDERAL ELECTORAL BOUNDARIES FOR ONTARIO

Michael Pal & Melissa Molson





Ontario's voice
on public policy

ABOUT THE MOWAT CENTRE

The Mowat Centre is an independent public policy research centre located at the School of Public Policy & Governance at the University of Toronto.

The Mowat Centre is Ontario's non-partisan, evidence-based voice on public policy. It undertakes collaborative applied policy research, proposes innovative research-driven recommendations, and engages in public dialogue on Canada's most important national issues.

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EXECUTIVE SUMMARY

The Mowat Centre and its researchers have documented in a series of reports the trend away from the principle of voter equality in the allocation of Federal Electoral Districts (FEDs) to provinces and the drawing of electoral boundaries within provinces.¹ These papers demonstrated the significant and growing under-representation of new Canadians, Canadians living in Ontario, and suburban Canadians in our three fastest growing provinces. Canada is increasingly an outlier when compared to other federations and is remarkably out-of-step with our own historical commitment to representation by population.

The *Fair Representation Act*,² passed by the federal government in 2011, responded to many of our suggestions for a more balanced legislative framework and created conditions that would allow Canada to move closer to voter equality. However, how well independent boundary commissions draw the electoral maps in each province determines whether Canada achieves voter equality.

This Report evaluates the map proposed by the Federal Electoral Boundary Commission for Ontario as part of the 2012 Redistribution of FEDs.³ While the proposed map makes progress overall, it deviates unnecessarily from the central principle of voter equality to the continued detriment of many Canadians living in Ontario.

This Report draws five key conclusions.

- First, Ontario's proposed map deviates much more from voter equality than proposed maps in comparable provinces. Like Ontario, Alberta and British Columbia have fast-growing cities and suburbs in combination with geographically expansive rural and remote regions. Alberta and British Columbia, however, have adhered more closely to voter equality.
- Second, the Commission focused on allocating FEDs fairly among artificial regions, as opposed to ensuring fair representation for residents of each FED itself. While the majority of regions are represented fairly, many voters *within* regions are significantly under- or over-represented.
- Third, the Commission's emphasis on preserving FEDs within existing municipal boundaries has led to unnecessary deviations from voter equality. Municipal boundaries are potentially relevant factors to consider under community of interest, but where they lead to widely varying constituency populations, the principle of voter equality should take precedence.
- Fourth, not all ridings defined as "Northern" by the Commission are truly remote nor raise the issue of unmanageable geographic size. Accommodations need to be made for extremely large, remote ridings such as Kenora, as the Commission has done. Ridings of manageable geographic size, however, should adhere closely to representation by population.

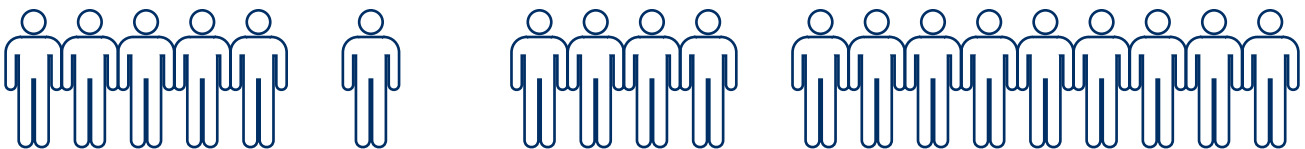
- Fifth, the proposed map does not correct the chronic under-representation of rapidly growing parts of the province. Many cities and suburbs became increasingly under-represented as their populations expanded after the 2003 Redistribution. While some of these areas have been allocated additional FEDs to account for an increase in population, many continue to be under-represented under the proposed map. Their under-representation is likely to grow over the coming decade. The fairness of the map over the 10-year redistribution cycle should be taken into account.

This Report will first consider the fundamental value of voter equality and then move on to discuss each of these points in turn.

In November 2012, the Federal Electoral Boundaries Commission for Ontario announced that as a result of public feedback, it would revise its proposed new boundaries for the districts in the following regions and sub-regions:

- Northern Ontario (Sault Ste. Marie and Algoma—Manitoulin—Killarney)
- Kitchener, Waterloo, Cambridge and Brantford
- Burlington, Oakville and Halton
- Hamilton and Niagara

Updated data on the population of these revised districts was not available at the time of publication. This submission uses population data from the original proposal put forward by the Commission.



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THE VALUE OF VOTER EQUALITY

Voter equality means that every Canadian's vote should have the same value. In practice, this means that electoral districts should all have about the same population. This principle is enshrined in the Canadian Constitution and is also referred to as "representation by population."

Representation by population stands as the most important legal principle to apply when designing electoral boundaries in Canada. The *Electoral Boundaries Readjustment Act (EBRA)* requires that ridings should be "as close as reasonably possible" to representation by population within each province.⁴ Commissions may deviate from representation by population for specific factors, such as community of interest, but ensuring FEDs of roughly equal population remains the primary goal. Voter equality is also a fundamental constitutional principle.⁵ The principle ensures that all Canadians are treated as equals and taken into account by their political representatives.

The relatively weak commitment to the principle of voter equality present in the proposed Ontario map is at odds with the federal government's stated rationale for having passed the *Fair Representation Act (the Act)* in December 2011. In this Redistribution, voters in Ontario will gain 15 new FEDs to remedy their under-representation in the House of Commons. The unfair treatment of voters in Ontario, Alberta, and British Columbia was a key factor in the passage of the *Act*. The Hon. Tim Uppal, Minister of State for Democratic Reform, stated on several occasions the importance of voter equality:

If left with the status quo, the representation gap experienced by Canadians living in fast growing provinces and constituencies will grow even more striking. If left to grow worse, this gap could seriously threaten the legitimacy of our claim to being a representative democracy.⁶

Canadians in [Ontario, British Columbia and Alberta] have long been seriously under-represented... This is not acceptable and it is not fair.⁷

In his remarks, Minister Uppal made explicit reference to under-representation at the provincial and constituency level. Moving toward representation by population was the major rationale for allocating new seats to Ontario, British Columbia, Alberta, and Quebec through the *Act*.

The deviations from voter equality in the proposed map also conflict with the approval of the principle by all parties in the Ontario Legislature. Strong pressure exerted by the Ontario government played an important role in convincing the federal government to withdraw an earlier version of the *Act*⁸ that brought Alberta and British Columbia to voter equality, but failed to add sufficient seats to Ontario. All parties in the Ontario Legislature endorsed representation by population for Ontarians in the House of Commons through a unanimous motion on December 10, 2007.⁹

By moving away from voter equality within the province, the proposed map for Ontario undermines the very argument that allowed Ontarians to secure more seats in the House of Commons in the first place.

THE PROPOSED MAP FOR ONTARIO

1. ONTARIO'S PROPOSED MAP AS AN OUTLIER: MUCH LARGER DEVIATIONS THAN IN COMPARABLE PROVINCES

The proposed map for Ontario does not fare well in comparison with the draft boundaries in similar provinces. The four most populous provinces – British Columbia, Alberta, Ontario, and Quebec – will all gain new seats in the redistribution. All of these provinces have population growth concentrated in fast-expanding cities and suburbs, along with sparsely populated remote and rural regions.

Unfortunately, Ontario displays the weakest commitment to voter equality among these provinces. In the four provinces that gained seats, 25 of 29 ridings that deviate by more than ten per cent from representation by population are in Ontario. When ridings located in rural, remote, or Northern regions are excluded, all 15 ridings among these provinces that deviate by more than ten per cent are located in Ontario.

Only about half of Ontario's 121 ridings are within five per cent of the provincial quota. Twenty-seven per cent (33 ridings) vary by between 5.00 and 9.99%. Twenty per cent (24 ridings) deviate by between 10.00 and 24.99%, with one riding classified as an exceptional circumstance deviating by more than 25.00%.

TABLE 1 DISTRICTS DEVIATING FROM PROVINCIAL QUOTA, BY PERCENT (NUMBER)
Canada: Current Redistribution Proposals

DEVIATION FROM PROVINCIAL QUOTA	BC	AB	SK	MB	ON	QC	NB	NS*	PE	NL
+/- 0% - 4.99% number of ridings	69% 29	100% 34	86% 12	79% 11	52% 63	74% 58	20% 2	45% 5	100% 4	14% 1
+/- 5.00% - 9.99% number of ridings	29% 12	0% 0	14% 2	21% 3	27% 33	22% 17	30% 3	27% 3	0% 0	29% 2
+/- 10.00% - 24.99% number of ridings	2% 1	0% 0	0% 0	0% 0	20% 24	4% 3	40% 4	27% 3	0% 0	43% 3
+/- 25.00% or more number of ridings	0% 0	0% 0	0% 0	0% 0	1% 1	0% 0	10% 1	0% 0	0% 0	14% 1
Total Districts	42	34	14	14	121	78	10	11	4	7
Provincial Quota	104,763	107,213	73,813	86,305	106,213	96,500	75,117	83,793	35,051	73,505 (81,301)**

*Percentages do not add up to 100 due to rounding.

**To account for the maintenance of Labrador as a separate electoral district, the Commission calculated a second electoral quota to be used as a reference for the remaining six electoral districts (referred to as "the reference quota").

In contrast, the proposed map for Alberta has no ridings that deviate by more than five per cent. British Columbia's proposed map has only one remote riding that deviates by more than ten per cent from the provin-

cial average. Quebec's FEDs show less adherence to representation by population than Alberta and British Columbia, but with only three out of 78 ridings deviating by more than ten per cent, they adhere much more closely to that principle than Ontario. All ridings within Saskatchewan and Manitoba are within the ten per cent variance threshold, even though they have remote geographic areas. Ontario is very much an outlier, even in comparison to other provinces with significant remote, rural, and Northern regions.

Ontario should follow the example set by B.C. and Alberta. The *Electoral Boundaries Readjustment Act* permits commissions to deviate from voter equality by as much as 25% from the provincial quota, or more in extraordinary circumstances.¹⁰ While the statute permits large deviations, the emerging norm is for many commissions to set much lower variances. Commissions have informally adopted five or ten per cent deviation targets,¹¹ which is more in keeping with other democracies such as the United States¹² and the United Kingdom¹³, as well as provincial commissions.¹⁴

RECOMMENDATION #1: Permit deviations from voter equality no greater than five per cent in Southern Ontario.

2. DEVIATION FROM VOTER EQUALITY WITHIN REGIONS

The Commission's approach, as indicated in its Report, divides the province into 11 regions. Some of these regions are further divided into sub-regions:

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Northern Ontario 2. Southwestern Ontario <ul style="list-style-type: none"> • Windsor and Chatham-Kent • Sarnia • London, Oxford, Elgin and Middlesex 3. Central South Ontario <ul style="list-style-type: none"> • Kitchener, Waterloo, Cambridge and Brantford • Haldimand and Norfolk • Guelph and Wellington 4. Halton, Hamilton and Niagara <ul style="list-style-type: none"> • Burlington, Oakville and Halton • Hamilton and Niagara 5. Georgian Bay, Barrie and Simcoe 6. Brampton and Mississauga <ul style="list-style-type: none"> • Brampton • Mississauga | <ol style="list-style-type: none"> 7. Newmarket, York and Vaughan 8. City of Toronto <ul style="list-style-type: none"> • Etobicoke • Scarborough • Don Valley and York (Above Highway No. 401) • Central Toronto 9. Durham, Port Hope and Cobourg 10. Haliburton, Peterborough and Quinte West 11. Eastern Ontario <ul style="list-style-type: none"> • Ottawa • Eastern Ontario Outside of Ottawa |
|---|---|

Regions appear to have been used by the Commission in order to assess whether a sub-division of the province needed to be assigned one or more of the additional 15 electoral districts. While this is a laudable goal, the use of regions in general and the boundaries defining the particular regions are somewhat arbitrary and have problematic consequences. In many cases, groups of districts the Commission considered to be a region or sub-region are not widely accepted as such, as with "Hamilton and Niagara."

The Commission's focus on allocating a fair number of seats across regions appears to have detracted from the goal of ensuring voter equality between ridings *within* a region.

For example, the Ottawa region as a whole has been accorded a fair number of seats (8), with a regional population 2.6% above what voter equality requires. Yet within the region, the adjacent ridings of Nepean—

Carleton (population 91,550 or 13.8% below the quota) and Ottawa South (population 121,894 or 14.8% above the quota) have a disparity of over 30,000 people or 28.6%. This is an excessive deviation between two neighbouring ridings. Voters on one side of the line dividing the ridings have substantially more voting power and influence than those on the other. Neither riding is remote, rural, or Northern, which are the traditional justifications for deviating from representation by population. Community of interest concerns cannot justify such significant deviations within the Ottawa region.

TABLE 2 POPULATION AND DEVIATION OF PROPOSED DISTRICTS IN OTTAWA REGION

DISTRICT NAME (proposed)	POPULATION (2011)	DEVIATION* BY DISTRICT (proposed)	DEVIATION* BY REGION (proposed)
Carleton—Kanata	100,118	-5.7%	2.6%
Nepean	104,775	-1.4%	
Nepean—Carleton	91,550	-13.8%	
Ottawa Centre	113,619	7.0%	
Ottawa South	121,894	14.8%	
Ottawa West—Nepean	111,881	5.3%	
Ottawa—Orléans	116,903	10.1%	
Ottawa—Vanier	110,999	4.5%	

*Figures in black deviate from the provincial quota by less than +/-5%. Deviations greater than +5% are highlighted in red—these districts are significantly under-represented. Deviations greater than -5% are highlighted in green—these districts are significantly over-represented.

In the Hamilton and Niagara region, there is a similar story of fair treatment overall but excessive deviations among ridings. The region possesses a very small deviation from representation by population as a whole. Niagara West (population 115,563, or 8.8% above the quota) and Waterdown—Glanbrook (population 97,081 or 8.6% below the quota), however, vary by over 18,000 people or 17.4%.

TABLE 3 POPULATION AND DEVIATION OF PROPOSED DISTRICTS IN HAMILTON AND NIAGARA REGION

DISTRICT NAME (proposed)	POPULATION (2011)	DEVIATION* BY DISTRICT (proposed)	DEVIATION* BY REGION (proposed)
Ancaster	104,815	-1.3%	-0.5%
Hamilton Centre	101,932	-4.0%	
Hamilton East—Stoney Creek	107,786	1.5%	
Hamilton Mountain	108,335	2.0%	
Niagara Falls	98,397	-7.4%	
Niagara West	115,563	8.8%	
St. Catharines	112,015	5.5%	
Welland—Fort Erie	105,371	-0.8%	
Waterdown—Glanbrook	97,081	-8.6%	

*Figures in black deviate from the provincial quota by less than +/-5%. Deviations greater than +5% are highlighted in red—these districts are significantly under-represented. Deviations greater than -5% are highlighted in green—these districts are significantly over-represented.

The proposed map provides the Toronto region with representation that approaches the principle of voter equality, though some ridings in different pockets of the city have widely varying populations. For example, Etobicoke North (population 117,601 or 10.7% above the quota) and Toronto North (population 95,278 or 10.3% below the quota) differ by over 22,000 people or 21.0%.

TABLE 4 POPULATION AND DEVIATION OF PROPOSED DISTRICTS IN THE GREATER TORONTO AREA (GTA)

DISTRICT NAME (proposed)	POPULATION (2011)	DEVIATION* BY DISTRICT (proposed)	DEVIATION* BY REGION (proposed)
Ajax	109,600	3.2%	1%
Aurora—Richmond Hill	106,253	0.0%	
Beaches—East York	107,084	0.8%	
Brampton Centre	109,158	2.8%	
Brampton North	106,519	0.3%	
Brampton South	114,434	7.7%	
Brampton West	115,391	8.6%	
Brampton—Gore	108,614	2.3%	
Burlington	119,615	12.6%	
Davenport	101,857	-4.1%	
Don Valley East	99,788	-6.1%	
Don Valley North	103,073	-3.0%	
Dufferin—Caledon	112,950	6.3%	
Eglinton—Lawrence	104,346	-1.8%	
Etobicoke Centre	114,910	8.2%	
Etobicoke North	117,601	10.7%	
Etobicoke—Lakeshore	115,437	8.7%	
Haliburton—Uxbridge	108,458	2.1%	
Halton	106,958	0.7%	
Markham	109,559	3.2%	
Markham—Stouffville	105,500	-0.7%	
Markham—Unionville	106,084	-0.1%	
Milton	109,440	3.0%	
Mississauga Centre	116,619	9.8%	
Mississauga East—Cooksville	116,478	9.7%	
Mississauga North	112,061	5.5%	
Mississauga South	112,583	6.0%	
Mississauga West—Streetsville	110,004	3.6%	
Mississauga—Erin Mills	115,493	8.7%	
Mount Pleasant	99,695	-6.1%	
Newmarket—Aurora	109,457	3.1%	
Oak Ridges	109,235	2.9%	
Oakville	106,648	0.4%	
Oshawa—Bowmanville	107,674	1.4%	
Oshawa—Durham	110,247	3.8%	
Parkdale—High Park	105,103	-1.1%	
Pickering—Brooklin	109,363	3.0%	
Richmond Hill	104,020	-2.1%	
Scarborough Centre	108,826	2.5%	
Scarborough East	102,646	-3.4%	
Scarborough North	101,080	-4.8%	

*Figures in black deviate from the provincial quota by less than +/-5%. Deviations greater than +5% are highlighted in red—these districts are significantly under-represented. Deviations greater than -5% are highlighted in green—these districts are significantly over-represented.

TABLE 4 (Continued)

DISTRICT NAME (proposed)	POPULATION (2011)	DEVIATION* BY DISTRICT (proposed)	DEVIATION* BY REGION (proposed)
Scarborough Southwest	106,733	0.5%	1%
Scarborough—Agincourt	104,499	-1.6%	
Scarborough—Guildwood	101,914	-4.1%	
St. Paul's	99,382	-6.4%	
Toronto Centre	99,860	-6.0%	
Toronto North	95,278	-10.3%	
Toronto—Danforth	104,017	-2.1%	
Trinity—Spadina	102,057	-3.9%	
Vaughan—Thornhill	110,427	4.0%	
Vaughan—Woodbridge	105,450	-0.7%	
Wellington—Halton Hills	115,880	9.1%	
Whitby	101,380	-4.6%	
Willowdale	109,680	3.3%	
York Centre	100,277	-5.6%	
York South—Weston	101,719	-4.2%	
York West	108,198	1.9%	
York—Simcoe	98,578	-7.2%	

*Figures in black deviate from the provincial quota by less than +/-5%. Deviations greater than +5% are highlighted in red—these districts are significantly under-represented. Deviations greater than -5% are highlighted in green—these districts are significantly over-represented.

The Commission should also remedy the problem of unequal representation for sub-regions. Etobicoke (9.2%), Guelph and Wellington (7.5%), London, Oxford, Elgin and Middlesex (6.4%), Mississauga (7.2%), and Windsor and Chatham-Kent (9.9%) are all significantly under-represented under the draft map.

RECOMMENDATION #2: Ensure voter equality within regions, as well as between regions.

3. THE MAP'S EMPHASIS ON MUNICIPAL BOUNDARIES DETRACTS FROM VOTER EQUALITY

In designing Ontario's map, the Commission placed great emphasis on preserving FEDs within existing municipal boundaries. The Commission's Report states (all emphases added):¹⁵

- "Population shifts and increases, **efforts to honour existing municipal boundaries whenever possible**, and the establishment of 15 new electoral districts have required substantial adjustment to Ontario's electoral map.";
- "**The Commission endeavoured to respect existing municipal boundaries whenever possible**. However, in some instances, the location and density of population growth required the Commission to establish electoral districts that crossed municipal boundaries.";
- "It is virtually impossible to establish an electoral map for 121 electoral districts of equal population **that reflects existing municipal boundaries**, that recognizes the distinctions between urban, rural and remote communities, and that takes into account community of interest or identity, and historical attachment.";

- Referring to the City of Toronto: “The Commission proposes to **honour city boundaries and, as far as possible, the boundaries of former constituent municipalities**”.

Respecting municipal boundaries appears at times to have taken precedence over creating boundaries that reflect voter equality. Yet the *EBRA* does not specifically list municipal boundaries as a criterion relevant to redistricting. Such administrative lines may be considered as aspects of community of interest, which is a criterion under the *EBRA*, but in many cases, the Commission has privileged municipal boundaries at the expense of voter equality.

As a result of this preference, there are deviations that are much larger than necessary between many neighbouring or proximate districts. Peterborough, for instance, is 12.0% over the population quota, while neighbouring Haliburton-Uxbridge has only 2.1% deviation and Prince Edward Quinte West a -1.1% deviation.

The emphasis on municipal boundaries means several ridings in mid-size cities that did not previously suffer from vote dilution are now disadvantaged. Voters in Kingston and the Islands are under-represented by 17.9%, while voters in adjacent Leeds-Grenville are over-represented by 6.5%. Cambridge (19.3% above the quota) and Guelph (14.6% above) are also under-represented. The Commission did divide mid-size municipalities into multiple ridings in several regions, which is the preferable approach when under-representation would otherwise result. Ridings in Barrie, Durham, Vaughan, Windsor, and Kitchener, among others, all cross municipal boundaries.

Where preserving municipal boundaries intact for federal ridings would result in the under-representation of voters, the fundamental value of voter equality should win out over community of interest concerns raised by municipal lines. This approach would be more consistent with the intent of the legislation.

RECOMMENDATION #3: The boundaries of FEDs should be permitted to cross municipal boundaries where necessary to ensure voter equality.

4. NORTHERN REPRESENTATION

The Commission has preserved the 10 ridings in the North. Kenora is an exceptional circumstance deviating by more than 25% from the provincial quota. The North is the only region of the province to be significantly over-represented.

It is legitimate to deviate from representation by population for constituencies that are of unmanageable geographic size, like Kenora. Kenora is properly classified as an exceptional circumstance. The proposed district of Timmins—Cochrane—James Bay also has legitimate claims on significant deviations from voter equality, though not beyond the 25% variance.

Beyond these two instances, however, the Commission proposes significant over-representation for residents of ridings that are not of unmanageable geographic size. The boundaries of the region extend all the way to the Southern end of Parry Sound—Muskoka, which cannot be considered a remote community. The region also includes the significant urban area of Greater Sudbury. Greater Sudbury is currently the 10th largest city in the province and the 24th in the country with a population of over 160,000.¹⁶ It qualifies as a Census Metropolitan Area (CMA) for the purposes of Statistics Canada. Thunder Bay is also a CMA with a population over 121,000.¹⁷ Even excepting Kenora and Timmins—Cochrane—James Bay, voters in many districts throughout the North, including in these urban areas, are over-represented, with no principled justification or rationale.

The Federal Electoral Boundary Commission for the Province of Alberta recognized that technology is making representation easier in remote areas.¹⁸ Representatives have new ways to communicate with voters that are cost effective and enable contact with Members of Parliament. The Alberta Commission also took note, in adhering closely to voter equality, that Schedule 3 of the *Canada Elections Act* provides significant additional funds to assist MPs in remote ridings.¹⁹ Better technology and increased funding are preferable than the blunt tool of over-representing some voters at the cost of under-representing others, excepting the few ridings that are truly of unmanageable geographic size.

RECOMMENDATION #4: Deviations from voter equality of more than five per cent should be allowed only when based on clearly articulated principles, such as sparse population over vast geography.

5. ANTICIPATED POPULATION GROWTH REQUIRES CONSIDERATION

Voters in high-growth areas are at a serious disadvantage over the 10 years between redistributions, as their riding populations increase and their individual voting power decreases. By 2011, the riding of Oak Ridges—Markham, for example, had a population of over 228,997, more than double the size of the Ontario provincial quota. If anticipated population growth is not taken into account, high population growth areas such as these are at risk of being chronically under-represented.

Population growth has occurred unevenly across the province, with rapid increases concentrated in Southern Ontario's cities and suburbs. Between 2001 and 2011, Ontario's population grew by 11.2% from 11,410,046 to 12,851,821.²⁰ Of Ontario's current 106 FEDs, 37 had a higher than average population growth. All of these are in Southern Ontario, with 24 located in the Greater Toronto Area (GTA) and two in downtown Toronto.²¹ Many of the growing suburban GTA districts are among the most diverse in the province, with high levels of visible minorities and recent immigrants. If population growth rates hold, then the populations of some ridings will be significantly higher by the next redistribution beginning in 2021. Voters in these FEDs will therefore be badly under-represented in the coming years.

For example, in the ten years since the last Redistribution, Brampton's population grew by 55.7%. By the 2011 Census, the riding of Brampton West alone contained a population of 204,146. The Brampton region as a whole deviated from representation by population by almost 50%, meaning *the vote of a Canadian living in Brampton was worth roughly half of the Canadian average.*

The Commission has allocated two additional FEDs to Brampton, resulting in a deviation within the acceptable plus/minus five per cent deviation range of 4.3%, but this is a temporary fix. If the extremely high population growth in the region continues, as appears likely, Canadians in Brampton will again become seriously under-represented compared to other parts of Ontario and the country.

TABLE 5 REPRESENTATION OF ONTARIO FEDERAL ELECTORAL DISTRICTS, CURRENT AND PROPOSED (2001-2011)

Current Districts			Proposed Districts		
DISTRICT NAME	POPULATION CHANGE BY REGION (2001-2011)	DEVIATION* BY REGION (2001)	DEVIATION* BY REGION (2011)	DISTRICT NAME	DEVIATION* BY REGION (proposed)
Brampton					
Bramalea—Gore—Malton				Brampton—Gore	
Brampton West				Brampton Centre	
Brampton—Springdale	55.7%	8.5	49.9	Brampton North	4.34
				Brampton South	
				Brampton West	

*Figures in black deviate from the provincial quota by less than +/-5%. Deviations greater than +5% are highlighted in red—these districts are significantly under-represented. Deviations greater than -5% are highlighted in green—these districts are significantly over-represented.

Other regions in Ontario have also been consistently under-represented. Districts in Burlington, Oakville, Halton, Durham region (particularly Ajax, Pickering, Oshawa, and Whitby), Mississauga, Newmarket, York region, and Vaughan have also experienced significant population growth over the past ten years and are all at risk of being chronically under-represented. Complete data for the entire province are in the Appendix.

The Commission's final electoral map should aim for fairness across the ten-year redistribution cycle. Population growth is not an explicitly listed criterion in the *EBRA*. The command in the *EBRA* to create districts "as close as reasonably possible" to voter equality, however, implies that population growth could be taken into account. The Federal Electoral Boundary Commission for the Province of Alberta took anticipated population growth into account in deciding to award an additional riding to Fort McMurray and in setting the boundaries there.²² The Federal Electoral Boundary Commission for the Province of British Columbia also took into account anticipated population growth in assigning two additional FEDs to the area between Delta and Chilliwack, south of the Fraser River.²³ Ontario is again out of step with other commissions that were more conscious of their obligation to ensure voter equality, not just today but over the ten-year cycle.

There should be minimal deviations from representation by population in high growth areas under the reasonable expectation that they have likely gained significant population since even the 2011 Census was taken. At a minimum, residents in regions with high population growth should not be under-represented under the initial maps.

RECOMMENDATION #5: The electoral map should ensure effective representation for voters in high-growth districts across the 10-year redistribution cycle.

CONCLUSION

The addition of 15 new seats represents a unique opportunity to alter Ontario's electoral map for the better. Existing ridings are usually the starting point for future redistributions. The FEDs put in place in 2013 will heavily influence how voters in Ontario are represented in the House of Commons for the indefinite future.

The current proposed FEDs do not sufficiently respect the principle of voter equality, in contrast to comparable provinces and the commitment expressed in the *Fair Representation Act*. We propose five recommendations so that voters across the whole province will be treated equally:

RECOMMENDATION #1: Permit deviations from voter equality no greater than five per cent in Southern Ontario.

RECOMMENDATION #2: Ensure voter equality within regions, as well as between regions.

RECOMMENDATION #3: The boundaries of FEDs should be permitted to cross municipal boundaries where necessary to ensure voter equality.

RECOMMENDATION #4: Deviations from voter equality of more than five per cent should be allowed only when based on clearly articulated principles, such as sparse population over vast geography.

RECOMMENDATION #5: The electoral map should ensure effective representation for voters in high-growth districts across the 10-year redistribution cycle.

In adopting the *Fair Representation Act*, the federal government took significant steps in advancing the principle of voter equality. The *Act* responded to significant pressure from Canadians in B.C., Alberta, and Ontario, as well as the Ontario government. The boundary commissions in B.C. and Alberta, as well as Quebec and other western provinces, have taken the principle of voter equality to heart and have proposed electoral boundaries that advance the principle. The proposed map from the Ontario Commission improves somewhat upon the current boundaries, but unfortunately diverges from the new Canadian norm of adherence to voter equality.



APPENDIX

TABLE 5 REPRESENTATION OF ONTARIO FEDERAL ELECTORAL DISTRICTS, CURRENT AND PROPOSED (2001-2011)

Current Districts				Proposed Districts	
DISTRICT NAME	POPULATION CHANGE BY REGION (2001-2011)	DEVIATION* BY REGION (2001)	DEVIATION* BY REGION (2011)	DISTRICT NAME	DEVIATION* BY REGION (proposed)
Brampton					
Bramalea—Gore—Malton Brampton West Brampton—Springdale	55.7%	8.5	49.9	Brampton—Gore Brampton Centre Brampton North Brampton South Brampton West	4.34
Burlington, Oakville and Halton					
Burlington Halton Oakville	35.4%	1.0	16.3	Burlington Halton Oakville Milton	1.24
Central Toronto					
Beaches—East York Davenport Don Valley East Don Valley West Eglinton—Lawrence Parkdale—High Park St. Paul's Toronto Centre Toronto—Danforth Trinity—Spadina York South—Weston	4.6%	2.9	-4.4	Beaches—East York Davenport Don Valley East Toronto North Eglinton—Lawrence Parkdale—High Park St. Paul's Toronto Centre Toronto—Danforth Trinity—Spadina York South—Weston Mount Pleasant	-4.27
Don Valley and York					
Willowdale York Centre York West	10.5%	2.9	0.9	Willowdale York Centre York West Don Valley North	1.69

*Figures in black deviate from the provincial quota by less than +/-5%. Deviations greater than +5% are highlighted in red—these districts are significantly under-represented. Deviations greater than -5% are highlighted in green—these districts are significantly over-represented.

TABLE 5 (Continued)

Current Districts				Proposed Districts	
DISTRICT NAME	POPULATION CHANGE BY REGION (2001-2011)	DEVIATION* BY REGION (2001)	DEVIATION* BY REGION (2011)	DISTRICT NAME	DEVIATION* BY REGION (proposed)
Durham, Port Hope, Cobourg					
Ajax—Pickering Durham Northumberland—Quinte West Oshawa Whitby—Oshawa	19.5%	2.8	9.0	Ajax Oshawa—Durham Kawartha Lakes—Port Hope—Cobourg Oshawa—Bowmanville Whitby Pickering—Brooklin	1.58
Eastern Ontario Outside of Ottawa					
Glengarry—Prescott—Russell Kingston and the Islands Lanark—Frontenac—Lennox and Addington Leeds—Grenville Renfrew—Nipissing—Pembroke Stormont—Dundas—South Glengarry	6.6%	-4.2	-9.3	Glengarry—Prescott—Russell Kingston and the Islands Lanark—Frontenac—Hastings Leeds—Grenville Renfrew—Pembroke Stormont—Dundas—South Glengarry Belleville—Napanee—Frontenac	2.10
Etobicoke					
Etobicoke Centre Etobicoke North Etobicoke—Lakeshore	2.9%	4.7	-4.3	Etobicoke Centre Etobicoke North Etobicoke—Lakeshore	9.20
Georgian Bay, Barrie, Simcoe					
Barrie Bruce—Grey—Owen Sound Dufferin—Caledon Simcoe North Simcoe—Grey York—Simcoe	14.5%	0.5	2.1	Barrie North Bruce—Grey—Owen Sound Dufferin—Caledon Simcoe North Simcoe—Grey York—Simcoe Barrie South	0.32
Guelph and Wellington					
Guelph Perth—Wellington Wellington—Halton Hills	10.8%	-4.3	-5.8	Guelph Perth—Wellington Wellington—Halton Hills	7.48
Haldimand and Norfolk					
Haldimand—Norfolk		N/A		Haldimand—Norfolk	N/A

*Figures in black deviate from the provincial quota by less than +/-5%. Deviations greater than +5% are highlighted in red—these districts are significantly under-represented. Deviations greater than -5% are highlighted in green—these districts are significantly over-represented.

TABLE 5 (Continued)

Current Districts			Proposed Districts		
DISTRICT NAME	POPULATION CHANGE BY REGION (2001-2011)	DEVIATION* BY REGION (2001)	DEVIATION* BY REGION (2011)	DISTRICT NAME	DEVIATION* BY REGION (proposed)
Haliburton, Peterborough, Quinte West					
Haliburton—Kawartha Lakes—Brock	6.6%	2.7	-2.8	Haliburton—Uxbridge	4.33
Peterborough				Peterborough	
Prince Edward—Hastings				Prince Edward—Quinte West	
Hamilton and Niagara					
Ancaster—Dundas—Flam- borough—Westdale	5.6%	4.6	-1.9	Ancaster	-0.48
Hamilton Centre				Hamilton Centre	
Hamilton East—Stoney Creek				Hamilton East—Stoney Creek	
Hamilton Mountain				Hamilton Mountain	
Niagara Falls				Niagara Falls	
Niagara West—Glanbrook				Niagara West	
St. Catharines				St. Catharines	
Welland				Welland—Fort Erie Waterdown—Glanbrook	
Kitchener, Waterloo, Cambridge and Brantford					
Brant	15.6%	3.5	6.3	Brant	1.09
Cambridge				Cambridge	
Kitchener Centre				Kitchener Centre	
Kitchener—Conestoga				Kitchener—Conestoga	
Kitchener—Waterloo				Waterloo Kitchener South—North Dumfries—Brant	
London, Oxford, Elgin and Middlesex					
Elgin—Middlesex—London	6.9%	-1.7	-6.6	Elgin—Middlesex—London	6.43
Lambton—Kent—Middle- sex				Lambton—Kent—Middle- sex	
London North Centre				London North Centre	
London West				London West	
London—Fanshawe				London—Fanshawe	
Oxford	Oxford				

*Figures in black deviate from the provincial quota by less than +/-5%. Deviations greater than +5% are highlighted in red—these districts are significantly under-represented. Deviations greater than -5% are highlighted in green—these districts are significantly over-represented.

TABLE 5 (Continued)

Current Districts				Proposed Districts	
DISTRICT NAME	POPULATION CHANGE BY REGION (2001-2011)	DEVIATION* BY REGION (2001)	DEVIATION* BY REGION (2011)	DISTRICT NAME	DEVIATION* BY REGION (proposed)
Mississauga					
Mississauga East—Cooksville	17.7%	9.3	14.2	Mississauga East—Cooksville	7.21
Mississauga South				Mississauga South	
Mississauga—Brampton South				Mississauga North	
Mississauga—Erindale				Mississauga—Erin Mills	
Mississauga—Streetsville				Mississauga West—Streetsville	
				Mississauga Centre	
Newmarket, York, Vaughan					
Markham—Unionville	44.5%	3.4	36.2	Markham—Unionville	1.05
Newmarket—Aurora				Newmarket—Aurora	
Oak Ridges—Markham				Oak Ridges	
Richmond Hill				Richmond Hill	
Thornhill				Vaughan—Thornhill	
Vaughan				Vaughan—Woodbridge	
				Markham	
				Markham—Stouffville	
				Aurora—Richmond Hill	
Northern Ontario					
Algoma—Manitoulin—Kawaskasing	-0.7%	-22.1	-31.4	Algoma—Manitoulin—Killarney	-21.67
Kenora				Kenora	
Nickel Belt				Nickel Belt—Timiskaming	
Nipissing—Timiskaming				Nipissing	
Parry Sound—Muskoka				Parry Sound—Muskoka	
Sault Ste. Marie				Sault Ste. Marie	
Sudbury				Sudbury	
Thunder Bay—Rainy River				Thunder Bay—Rainy River	
Thunder Bay—Superior North				Thunder Bay—Superior North	
Timmins—James Bay				Timmins—Cochrane—James Bay	

*Figures in black deviate from the provincial quota by less than +/-5%. Deviations greater than +5% are highlighted in red—these districts are significantly under-represented. Deviations greater than -5% are highlighted in green—these districts are significantly over-represented.

TABLE 5 (Continued)

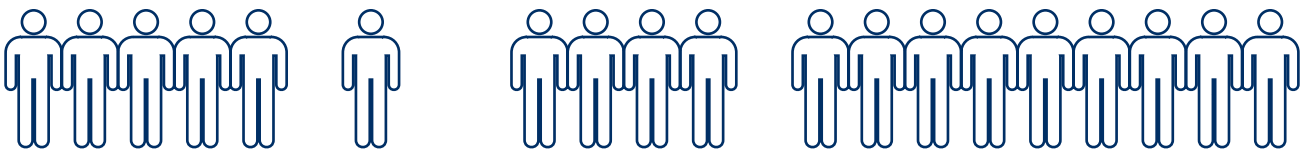
Current Districts				Proposed Districts	
DISTRICT NAME	POPULATION CHANGE BY REGION (2001-2011)	DEVIATION* BY REGION (2001)	DEVIATION* BY REGION (2011)	DISTRICT NAME	DEVIATION* BY REGION (proposed)
Ottawa					
Carleton—Mississippi Mills	13.5%	2.8	3.6	Carleton—Kanata	2.59
Nepean—Carleton				Nepean—Carleton	
Ottawa Centre				Ottawa Centre	
Ottawa South				Ottawa South	
Ottawa West—Nepean				Ottawa West—Nepean	
Ottawa—Orléans				Ottawa—Orléans	
Ottawa—Vanier				Ottawa—Vanier	
				Nepean	
Sarnia					
Huron—Bruce	1.2%	-3.1	-12.9	Huron—Bruce	-0.61
Sarnia—Lambton				Sarnia—Lambton	
Scarborough					
Pickering—Scarborough East	5.1%	7.2	-33.5	Scarborough East	-1.82
Scarborough Centre				Scarborough Centre	
Scarborough Southwest				Scarborough Southwest	
Scarborough—Agincourt				Scarborough—Agincourt	
Scarborough—Guildwood				Scarborough—Guildwood	
Scarborough—Rouge River				Scarborough North	
Windsor and Chatham-Kent					
Chatham-Kent—Essex	2.6%	5.4	-3.9	Chatham-Kent	9.88
Essex				Essex	
Windsor West				Windsor West	
Windsor—Tecumseh				Windsor—Tecumseh	

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ENDNOTES

1. Michael Pal and Sujit Choudhry, “Is Every Ballot Equal? Visible Minority Vote Dilution in Canada” (2007)13(1) IRPP Choices; Andrew Sancton, “The Principle of Representation by Population in Canadian Federal Politics” March 2010, Mowat Centre for Policy Innovation: <http://www.mowatcentre.ca/pdfs/mowatResearch/11.pdf>; Matthew Mendelsohn, “Some Are More Equal Than Others: Canadian Political Representation in Comparative Context” March 2010, Mowat Note: <http://www.mowatcentre.ca/pdfs/mowatResearch/10.pdf>; Matthew Mendelsohn and Sujit Choudhry, “Voter Equality and Other Canadian Values: Finding the Right Balance” October 2011, Mowat Note: <http://www.mowatcentre.ca/research-topic-mowat.php?mowatResearchID=37>.
2. SC 2011, c. 26.
3. Federal Electoral Boundaries Commission for the Province of Ontario, *Proposal for the Province of Ontario* (2012): http://www.redecoupage-federal-redistribution.ca/on/now/proposals/on_proposal_e.pdf.
4. RSC, 1985, c. E-3, s. 15(1) (a).
5. *Reference re Provincial Electoral Boundaries (Saskatchewan)*, [1991] 2 SCR 158; see Pal and Choudhry, *supra* note 1.
6. *House of Commons Debates*, 41st Parl, 1st Sess, No 42 (Nov 2, 2011):<http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=5225821&Language=E&Mode=1>.
7. *House of Commons Debates*, 41st Parl, 1st Sess, No 61 (Dec. 6, 2011): <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=5309973&Language=E&Mode=1>.
8. *Bill C-22, An Act to Amend the Constitution Act, 1867 (Democratic Representation)*, 39th Parl, 2nd Sess, (2007): <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=3102279&file=4>; see a critique in Mendelsohn and Choudhry, *supra* note 1 at 9.
9. Ontario, Legislative Assembly, *Official Report of Debates (Hansard)*, 39th Parl, 1st Sess, (Dec 10, 2007) at 1550. The motion stated: “[T]he Legislative Assembly of Ontario recognizes that despite the federal government’s efforts to improve the representation of growing provinces in the House of Commons, the proposed formula is unfair to Ontario, and calls on the federal government to amend Bill C-22 to provide Ontarians with their fair share of seats in the House of Commons while maintaining the constitutionally protected seat guarantees of smaller provinces.” The participants in the debate did acknowledge the need for fair representation for Northern Ontario.
10. *EBRA*, *supra* note 4, s. 15 (2).
11. The Federal Electoral Boundary Commission for the Province of Manitoba, *Report of the Federal Electoral Boundary Commission for the Province of Manitoba* (2002-2003) applied a +/-5% variance target for example: http://www.elections.ca/scripts/fedrep/manitoba/report/46000report_e.pdf.
12. See for example *Reynolds v Sims*, 377 US 533 (1964).
13. United Kingdom, *Parliamentary Voting System and Constituencies Act 2011* c. 1, s. 11.
14. For example, the Manitoba provincial *Electoral Divisions Act* CCSM, c. E40 s. 11(3) establishes a maximum deviation in districts south of the 53rd parallel at 10% and north of it at 25%; *The Constituency Boundaries Act, 1993* c. C-27.1 in Saskatchewan sets a 5% variance for southern districts in s. 14(3).

15. The first four quotes are from Federal Electoral Boundaries Commission for the Province of Ontario, *supra* note 3 at 9. The final quote is at 22.
16. Statistics Canada, 2011 Census: <http://www12.statcan.gc.ca/census-recensement/2011/as-sa/fogs-spg/Facts-cma-eng.cfm?Lang=Eng&TAB=1&GK=CMA&GC=580>.
17. *Ibid*: <http://www12.statcan.gc.ca/census-recensement/2011/as-sa/fogs-spg/Facts-cma-eng.cfm?Lang=Eng&TAB=1&GK=CMA&GC=595>.
18. Federal Electoral Boundaries Commission for the Province of Alberta, *Proposal for the Province of Alberta* (2012) at 7: http://www.redecoupage-federal-redistribution.ca/ab/now/proposals/ab_proposal_e.pdf.
19. *Ibid* at 8; Canada Elections Act, SC 2000 c. 9, Schedule 3 and s. 539.
20. Federal Electoral Boundary Commission for the Province of Ontario, *supra* note 1 at 3.
21. 2011 population data: Statistics Canada, <http://www12.statcan.gc.ca/census-recensement/2011/dp-pd/hlt-fst/pd-pl/Table-Tableau.cfm?LANG=Eng&T=502&PR=35&S=51&O=A&RPP=25>; 2001 population data: Statistics Canada, <http://www12.statcan.ca/English/census06/data/popdwell/Table.cfm?T=502&PR=35&S=1&O=A&RPP=25>.
22. Federal Electoral Boundary Commission for the Province of Alberta (2012), *supra* note 16 at 8.
23. Federal Electoral Boundary Commission for the Province of British Columbia (2012), *Proposal for the Province of British Columbia* at 5: http://www.redecoupage-federal-redistribution.ca/bc/now/proposals/bc_proposal_e.pdf.



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