

# Town of Whitby

## Staff Report

[whitby.ca/CouncilCalendar](http://whitby.ca/CouncilCalendar)



---

### Report Title: Method of Election for Regional Councillors

---

**Report to:** Council

**Date of meeting:** May 26, 2025

**Report Number:** CLK 06-25

**Department(s) Responsible:**

Office of the Town Clerk

**Submitted by:**

C. Harris, Director of Legislative  
Services/Town Clerk

**Acknowledged by M. Gaskell,  
Chief Administrative Officer**

**For additional information, contact:**

C. Harris, Director of Legislative  
Services/Town Clerk

---

### 1. Recommendation:

1. That Report CLK 06-25 be received for information.

### 2. Highlights:

- Deciding whether to elect Regional Councillors at-large or by ward is not about choosing the 'right' over the 'wrong' method, it is about understanding what works given Whitby's specific circumstances.
- Subsection 217(1) of the Municipal Act, 2001 indicates that a local municipality is authorized to change the composition of council, and any change made prior to December 31, 2025 would be in effect for the 2026 election and the next term of Council commencing November 15, 2026.

### 3. Background:

Council adopted Resolution #88-25 at the [April 28, 2025 Regular Council Meeting](#) (refer to Item 12.1) directing Staff to report to Council before summer recess with considerations and information on electing Whitby's four Regional Councillors by ward versus the current at-large method. The report was requested to include an environmental scan of other municipalities, the pros and cons of each structure, and considerations regarding making a potential change to Council's composition in accordance with the Municipal Act prior to the 2026 municipal election.

### 3.1 – By Ward and At-Large Defined

Under a ward system, an elector is entitled to only vote for candidates running in their ward. In an at-large system, all electors in the municipality vote for candidates in a race. Under the Municipal Act and Municipal Elections Act, a candidate running in a ward election needs to be an eligible elector in the municipality but does not have to live in a particular ward to be its councillor.

### 3.2 – A Brief History of Whitby's Council Composition

On January 1, 1968 the Town of Whitby and the Township of Whitby amalgamated into one town under the name of the Town of Whitby. At that time, it was resolved that there would be a total of four wards in the municipality. A history of the Town's ward boundaries can be found in the appendices to the [Ward Boundary Review Guidelines Policy G060](#).

The year 1974 saw the implementation of regional government for the new Regional Municipality of Durham. In accordance with the recommendations of the Town, the Regional Municipality of Durham Act provided for a seven member Whitby Town Council consisting of a mayor elected at large, two members elected at large as members of both Whitby and Regional Council, and four members elected by wards as members of Whitby Council.

The Regional Municipalities Amendment Act, 1986, provided for an eight member Whitby Town Council commencing December 1, 1988, consisting of a mayor elected at large, three members elected at large as members of both Whitby and Regional Council and four members elected by wards as members of Whitby Council.

In 2016, the Minister of Municipal Affairs and Housing authorized changes to Regional Council through Ontario Regulation 293/16, which subsequently received a triple majority approval through:

- a majority of all votes on upper-tier council
- a majority of all the lower-tier councils having passed resolutions consenting to the changes
- the total number of electors in the lower-tier municipalities that have passed resolutions consenting to the changes forming a majority of the electors in the upper-tier municipality

The changes to Regional Council resulted in a reduction of the representation from Oshawa by 2 members and an increase in the representation from Whitby and Ajax by 1 member each.

In response to these changes to Regional Council, Whitby Council decided to increase the number of Regional Councillors from 3 to 4, maintain the at-large election of

regional councillors, and adopted a new Council Composition By-law # 7219-17. This By-law sets out the following Council composition:

- A mayor elected at-large
- 4 regional councillors elected at-large
- 4 ward councillors, one elected from each of the Town's four wards

### **3.3 – Election of Regional Councillors in Durham Region**

As has been the case historically in Durham Region, the election of regional councillors today is managed through a double direct system. In a double direct system, candidates choose to run for seats that have been identified as serving on both the upper and lower tier councils. Every mayor in Durham Region serves on Regional Council by virtue of being elected as mayor of their local municipality, with the remaining seats on Regional Council being populated by regional councillors. Durham Region Council has 29 members that include the mayors and regional councillors from the 8 local municipalities in addition to the Regional Chair.

### **3.4 – Authority to Change Council Composition**

Subsection 217(1) of the Municipal Act, 2001 indicates that a local municipality is authorized to change the composition of council, provided the following conditions are met:

- There are at least 5 members, one of whom shall be the head of council.
- The members of council shall be elected in accordance with the Municipal Elections Act, 1996.
- The head of council shall be elected by general vote.
- Members, other than the head of council, shall be elected by general vote or wards or any combination of general vote and wards.
- The representation of a local municipality on the council of an upper-tier municipality shall not be affected by the by-law of a local municipality under this section.

In order to authorize the change to Council's composition, Council would need to replace/amend Council Composition By-law # 7219-17. In accordance with subsection 217(3) of the Municipal Act, such a by-law does not come into force until the day the new council is organized until after the first regular election following the passing of the by-law or, if the by-law is passed in the year of a regular election before voting day, after the second regular election following the passing of the by-law. Therefore, in order for any revisions to Council composition to apply for the 2026 municipal election and the 2026 to 2030 Term of Council, revisions to the Council Composition By-law would need to be enacted before December 31, 2025. If the By-law were repealed/amended after December 31, 2025, the revised Council composition would apply for the 2030 election and the 2030 to 2034 Term of Council.

There is no mandated public consultation process in the Municipal Act that Council must follow when considering changes to its composition. Unlike changes to ward

boundaries which are subject to the right of appeal to the Ontario Land Tribunal, changes to council composition have no such right of appeal and Council's decision in adopting a Council Composition By-law is final and binding.

### **3.5 – Oshawa Council Composition Changes in 2018**

At the April 28, 2025 Council Meeting, it was requested that Staff review the reasons why the City of Oshawa changed the election of its regional councillors from at large to by ward in 2018. Prior to 2018, Oshawa Council was comprised of eleven members who were all elected at-large, including the Mayor, seven regional councillors, and three city councillors. In a referendum held on October 27, 2014, 19,013 residents in the City of Oshawa voted in favour of moving back to the ward system which was the system in place until 2010. Based on this public support, a notice of motion was presented and carried to move forward with implementing a ward system for the 2018 to 2022 council term. Following the decision to change the composition of Regional Council which reduced the number of Oshawa Regional Councillors from 7 to 5, Oshawa ended up with a 5 ward structure that had one regional and one local councillor elected to represent each ward.

### **3.6 – Ward Teams**

At the start of this Term of Council, the Mayor and Council organized into ward teams with the Mayor selecting a regional councillor to partner with each ward councillor on constituent inquiries, events, and other matters. Reference to the ward teams and how they operate has found its way into several governance policies adopted this Term, including the [Council Expense Policy G050](#), the [Ward Town Hall Meetings Policy G110](#), and the [Council Participation and Attendance at Community Events Protocol and Attendance Guidelines G120](#).

### **3.7 – Constituent Inquiry Protocol**

In October 2024, Staff developed and shared with Council the Mayor and Councillors' Office Constituent Inquiry Protocol appended to this Report as Attachment 2. The purpose of the protocol is to provide guidance to Council and the Mayor and Councillors' Office Staff on the handling of constituent inquiries made through Members of Council and routed through the Office. The Protocol recognizes that it is often the case that constituents send their inquiries to multiple Members of Council at the same time. With nine Members of Council, five of which were elected at large and four by ward, the protocol recognized and sought to implement a process to acknowledge overlapping representative responsibilities.

When an inquiry is related to a specific ward and sent to multiple Members of Council, the handling of the issue is assigned to the Ward Councillor and the paired Regional Councillor for that ward through a service request ticket. For matters regarding a Regional service, the Mayor or the Regional Councillor who sits on the relevant Regional Committee is associated with the service request. In all instances, if a

Member of Council was included or carbon copied on the original inquiry, they continue to be associated with the service request and receive updates from the constituent and Staff on the file.

### **3.8 – Previous Council Decisions Regarding the Election of Regional Councillors**

Staff reviewed Council and committee agendas and minutes from the last 15 years, and located the following decisions of Council regarding the election of Regional Councillors:

- At the [March 29, 2010 Regular Council Meeting](#) (refer to Item 6(i)), Council considered a motion to place a question regarding election of Regional Councillors by ward or at-large on the ballot in the 2010 election. This motion was defeated on a recorded vote.
- Following consideration of Report CLK 17-16 that responded to changes to Regional Council composition, Council adopted Resolution #412-16 at the [September 19, 2016 Regular Council Meeting](#) (refer to Item 6.3) which confirmed that Regional Councillors would continue to be elected at-large.
- A motion directing Staff to report back on the process and considerations associated with changing the election of Regional Councillors from at-large to by ward at the [October 28, 2019 Council Meeting](#) (refer to Item 7.15) was defeated on a recorded vote.
- At the [December 14, 2020 Regular Council Meeting](#) (refer to Item 8.3), a motion to bring forward a by-law to change the election of Regional Councillors from at-large to by ward was defeated on a recorded vote.

## **4. Discussion:**

### **4.1 – Considerations for Electing Regional Councillors At-Large or by Ward**

Deciding whether to elect Regional Councillors at-large or by ward is not about choosing the ‘right’ over the ‘wrong’ method, it is about understanding what works given a municipality’s specific circumstances. The size of a council, municipal geography, communities of interest, and history all play a role in making such a determination. The considerations below were compiled to assist Council with deciding whether regional councillors should be elected at-large or by ward. What follows should not be construed as an attempt to argue one side or the other, nor is it necessarily a total or complete list of considerations.

#### **Considerations for Electing Regional Councillors At-Large:**

##### **a) Decision-Making:**

- Electing a majority of Council at-large (4 Regional Councillors and the Mayor on Whitby’s 9 member Council) could help ensure that Council remains focused on the broader needs of the entire community.

- At-large councillors may be less likely to face pressure to vote against something that is perceived as not being good for a ward, if it is good for the Town overall.
- Councillors elected at-large may not be as familiar with area-specific issues.

**b) Flexibility with Future Council Composition:**

- At present time, the number of Regional Councillors (4) aligns with the number of wards (4). If a future Council decided to reduce or increase the number of local councillors and wards, then there may no longer be the same ratio of regional councillors to wards (1:1).
- Maintaining an at-large system can provide flexibility if/when the Region makes changes to Regional Council composition, as was the case in 2018 when Whitby went from 3 to 4 regional councillors without having to consider changes to its ward structure. The Region of Durham is mandated to complete a review of Regional Council composition per Section 218(6) of the Municipal Act during the next Term of Council and it is possible that Whitby's allocation of seats on Regional Council could change.

**c) Efficiency in Representation:**

- Having more people on Council that residents can vote for is beneficial, as it allows for broader representation and provides the opportunity for residents to approach more councillors they elected with their concerns.
- On the flip side, some residents may find it confusing who on Council they should contact when there is a Mayor, four at-large Regional Councillors, and a ward councillor representing them.
- It can create confusion in the organization when residents choose to contact the four Regional Councillors in addition to their Ward Councillor to help resolve an issue, and when all or most of those Members in turn separately contact Staff to assist with resolving the issue. However, in most instances such confusion and duplication of efforts can be avoided when Council and Staff follow the Mayor and Councillors' Office Constituent Inquiries Protocol (see Attachment 2).

**d) Campaign Dynamics:**

- Candidates must obtain support from across the municipality to be elected at-large, which can lead to a more comprehensive understanding of Town-wide issues.
- Running a Town-wide election campaign means higher spending limits compared to ward campaigns. While campaign spending does not necessarily equate to electoral success, the perceived need to spend can be a barrier to entering a race. This may create a greater advantage for incumbents due to barriers to entry.
- Voters may have more difficulty selecting candidates from a larger list, a factor that may contribute to electors voting for fewer candidates than positions. From the last two elections for the regional councillor race, electors on average voted for 3.14 positions out of 4 in 2018 and 3.04 positions out of 4 in 2022. However, it is not considered abnormal for

electors to vote for fewer candidates than positions available or skip voting for certain races on a composite ballot.

- In the last two elections, the ratio of candidates to positions has been lower for the regional councillor position than for ward councillors (see Table 1 below).

Table 1:

Election Year	Regional Councillor Candidates (electors can vote for up to 4 candidates)	Average Number of Ward Councillor Candidates (electors can vote for 1 candidate)
2018	10 (2.5 candidates per position)	4.5 (4.5 candidates per position)
2022	8 (2.0 candidates per position)	3 (3.0 candidates per position)

### Considerations for Electing Regional Councillors by Ward:

#### a) Accessibility and Accountability:

- As the Town grows and population increases, citizens may find it easier to access councillors based on who represents their geographic area instead of picking from a list of councillors who represent the entire municipality.
- Voters may be more likely to know their local ward councillors due to the ward councillor's profile in the local neighbourhood before running for office and, after elected, because the councillor spends more time attending events and getting to know constituents in their ward.
- As population growth areas in the Town fluctuate, the number of electors in each ward can become imbalanced with changes to ward boundaries often lagging until the imbalance exceeds a threshold. This can result in unequal representation between geographic areas of the Town. However, representation by population imbalances between the wards can be mitigated through regular ward boundary reviews.

#### b) Focused Representation:

- Elected officials who are directly responsible to a section of the municipality and population can concentrate efforts on their constituents and specific local issues, leading to increased accountability.
- Electing regional councillors by ward can reduce the array of choices facing voters on the ballot by limiting the selection of candidates to those running in that ward.
- Particular neighbourhoods may have common interests associated with their geographic location, and representation by ward may allow for such electors to obtain representation of their special interests.
- Research indicates that ward systems can increase the representation of racial and ethnic minorities, particularly when these groups are geographically concentrated.

#### c) By-Election Costs:

- In the event a Member of Council resigns or otherwise vacates their seat during a Term of Council and Council opts to fill the vacancy through a by-election, it is less costly to run a by-election for a ward compared to for all electors in the Town.
- d) **Perception of Roles:**
  - Having a ward and regional councillor representing one ward could cause the ward councillor to be perceived as the junior councillor and the regional councillor as the senior councillor.
  - Shared political views and compatibility of personalities are factors that may impact the ability of a ward and regional councillor to work together to effectively represent a ward.
- e) **Handling Constituent Inquiries:**
  - Regional councillors elected by ward may be more knowledgeable about specific ward issues, with the caveat that the Municipal Act does not require candidates to run in the ward where they live.
- f) **Campaign Costs:**
  - Candidates have to raise and spend less money to run ward campaigns than a campaign across the entire municipality.
  - The lower number of electors that candidates need to connect with at a ward scale compared to Town-wide will result in a less complex campaign.
  - In the 2022 Election, the maximum campaign expenses for candidates running for the position of regional councillor was \$91,511.30, whereas the maximum campaign expenses for candidates running for ward councillor ranged from \$21,672.75 and \$31,732.50 based on the number of electors in each ward, with the average across the four wards being \$26,627.83.
  - In 2022 for the position of regional councillor, incumbents (4 candidates) spent on average \$79,738.32 compared to \$10,135.42 for non incumbents (4 candidates). In 2018, incumbents (5 candidates) spent on average \$45,278.05 compared to \$11,352.40 for non incumbents (5 candidates). Note: Expenses are based on those shown on the Form 4 Financial Statement that are subject to spending limits. Incumbents are defined as an individual seeking a consecutive re-election to Council, but not necessarily to the same office.

These considerations were developed to provide a balanced view of the potential benefits and drawbacks of each election method, helping to inform the decision-making process for determining the appropriate method of election for Whitby's Regional Councillors.

#### 4.2 – Environmental Scan of Local Council Composition in the GTA

Staff undertook a scan of council composition for local municipalities that operate within the regional government structure found in the Greater Toronto Area (GTA). The scan was limited to this area as GTA municipalities operate within a similar regional structure across the four regions of Halton, Peel, York, and Durham and many municipalities in



this area are high growth, urban, densely populated, and dealing with similar challenges as the Town of Whitby.

Of the 24 lower tier municipalities across the four GTA regions:

- Aurora, East Gwillimbury, Whitchurch-Stouffville, and King only have their respective mayor serve on York Region Council;
- Brock, Scugog, Uxbridge, Georgina, and Newmarket have 1 regional councillor in addition to the mayor on their respective regional council, with all electing the 1 regional councillor at large; and,
- When removing the above noted municipalities from consideration, of the 15 remaining including Whitby, 4 elect regional councillors at-large and 11 elect regional councillors by ward.

#### **4.3 – Election Administration**

Should Council decide to change the election of regional councillors from at-large to by ward, the Office of the Town Clerk in partnership with Communications & Creative Services would develop a strategy as part of the comprehensive municipal election communications plan to advise electors of the change. A change would not materially impact to the cost of the election, nor would it greatly alter the election's administration. Electors would still be able to vote anywhere and the number of ballot faces required would remain the same at 20 (5 per ward, being four for each type of school support and one for electors that are not entitled to vote in a school board race).

#### **5. Financial Considerations:**

There are no financial considerations associated with Council's consideration of this matter.

#### **6. Communication and Public Engagement:**

As noted earlier in this Report, the Municipal Act does not require a public engagement or consultation process when considering changes to Council composition.

While not mandated, Council may wish to consider public consultation and education on the matter to ensure transparency and public understanding.

#### **7. Input from Departments/Sources:**

In developing this report, Staff undertook the following research:

- reviewing past Council agendas and minutes to understand historical factors impacting past Council decisions
- reviewing previous Staff reports on the topic
- finding and reviewing academic research on ward versus at-large election methods in addition to research on campaign finances and its impact on incumbency
- an environmental scan of GTA lower tier municipalities to understand the compositions of their councils

- speaking to staff in municipalities that have regional councillors elected by ward and municipalities that have at-large elections
- examining past election trends including candidates, voting patterns, and campaign expenses

**8. Strategic Priorities:**

A review of how Regional Councillors are elected in Whitby aligns with the Community Strategic Plan, specifically Objective 4.3, by ensuring that the method of election for this office on Council is one that best engages the community.

**9. Attachments:**

Attachment 1 – GTA Council Composition Environmental Scan

Attachment 2 – Mayor and Councillors' Office Constituent Inquiry Protocol