

FEDERAL ELECTORAL BOUNDARIES COMMISSION
FOR ONTARIO
2003

DISPOSITION BY THE COMMISSION
PURSUANT TO SUBSECTION 23(1) OF
THE *ELECTORAL BOUNDARIES READJUSTMENT ACT*
OF
OBJECTIONS FILED BY MEMBERS OF THE
HOUSE OF COMMONS WITH RESPECT TO THE COMMISSION'S
REPORT DATED MARCH 14, 2003

AMENDMENTS TO THE *REPORT OF THE FEDERAL ELECTORAL BOUNDARIES COMMISSION FOR ONTARIO*

Introduction

The *Report of the Federal Electoral Boundaries Commission for Ontario* (the “Report”) was tabled in the House of Commons on March 26, 2003.

On July 19, 2003, Elections Canada transmitted to the Commission the minutes of the proceedings and evidence of the Subcommittee on Electoral Boundaries Readjustment (the “Subcommittee”) of the Standing Committee on Procedure and House Affairs (the “Committee”). The Commission has reconsidered the boundaries as objected to, having received a copy of the objections, minutes of the proceedings of the Subcommittee and the Forty-second Report of the Committee.

The Commission received objections from 28 members of Parliament as presented to the Subcommittee, and has reordered the objections from the Committee’s Forty-second Report to place them in geographic regions, in the following order:

1. Northern Ontario
2. Eastern Ontario and City of Ottawa
3. Southwestern Ontario
4. Niagara Region and City of Hamilton
5. Waterloo Region
6. Halton, Peel, York and Dufferin Regions
7. Durham Region and City of Toronto

Northern Ontario

Mr. Brian Masse, Member of Parliament for Windsor West, objects to the Commission’s decision to allocate 10 rather than 11 electoral districts to Northern Ontario.

CONSIDERATION BY THE COMMISSION

Mr. Masse advances arguments to support his objection that are very similar to many presentations that were made at the Commission’s public hearings in Thunder Bay, Sault Ste. Marie, Timmins and Greater Sudbury. The Commission has explained its response to such arguments on pages 4 and 5 of its Report. An additional complication at this stage in the process is that, if the Commission were to accept Mr. Masse’s objection, there would have to be significant changes to federal electoral boundaries in both Northern and Southern Ontario and no one, including members of Parliament, would have any opportunity to respond.

DISPOSITION

The Commission rejects Mr. Masse’s objection concerning the number of electoral districts allocated to Northern Ontario.

NIPISSING—TIMISKAMING AND NICKEL BELT

Mr. Bob Wood, Member of Parliament for Nipissing, objects to the Commission's decision to extend the current electoral district of Nipissing northward to include the Tri-Town area rather than westward to include the Town of West Nipissing.

CONSIDERATION BY THE COMMISSION

Mr. Wood did not submit any proposal specifying exactly where he thought the northern boundary of a reconfigured electoral district of Nipissing should be, nor in the text of his official objection did he specify in which electoral district the Tri-Town area should be located. He is clear, however, that the Tri-Town area (Haileybury, New Liskeard and Cobalt) should not be linked with North Bay. During the hearings of the Subcommittee, Mr. Wood appeared to agree with a proposal to link the Tri-Town area with the electoral district of NICKEL BELT: NIPISSING—TIMISKAMING would gain the Town of West Nipissing from NICKEL BELT, which in exchange would gain the Tri-Town area from the proposed electoral district of NIPISSING—TIMISKAMING. Since the populations of the two areas in question are approximately equal at about 14,000 each, this is a possibility that merits consideration.

The main point of Mr. Wood's objection is that the Tri-Town area does not share a strong community of interest with North Bay. The Commission has not been given any reason to believe that the Tri-Town area has a stronger affinity for Greater Sudbury. No support was expressed during the public hearings for including the Tri-Town area in a Greater Sudbury-based electoral district, as the Commission initially proposed in August 2002. In fact, during our public hearing in Greater Sudbury, the Commission was advised in one submission that the orientation for the Tri-Town area is towards North Bay and Nipissing. Moreover, the road network between the Tri-Town area and North Bay is significantly more direct than between the Tri-Town area and Greater Sudbury.

DISPOSITION

The Commission rejects Mr. Wood's objection to the Commission's decision to extend the current electoral district of Nipissing northward to include the Tri-Town area rather than westward to include the Town of West Nipissing.

THE CURRENT ELECTORAL DISTRICT OF TIMISKAMING—COCHRANE

Mr. Benoît Serré, Member of Parliament for Timiskaming—Cochrane, objects to what he describes as "the elimination of the riding of Timiskaming—Cochrane."

CONSIDERATION BY THE COMMISSION

In one sense, Mr. Serré's objection is similar to that of Mr. Masse: he wants Northern Ontario to maintain its current 11 electoral districts. In this regard, the Commission's response to Mr. Serré is the same as to Mr. Masse.

In his official objection, Mr. Serré did not propose alternative boundaries; nor did he do so during his testimony at the Subcommittee. However, the following statement is found at paragraph 167 of the Forty-second Report of the Committee:

Should northern Ontario lose an electoral district as proposed, Mr. Serré would prefer an adjustment of the boundaries between the electoral districts of Nickel Belt, Nipissing-Timiskaming and Timmins—James Bay. Mr. Serré, in conjunction with Mr. Wood and Mr. Réginald Bélair, Member of Parliament for Timmins—James Bay, came back to the Subcommittee with the suggestion to place West Nipissing and Earleton (Armstrong Township) into Nipissing-Timiskaming. These three Members stated that these changes would go a long way to mitigate the community-of-interest concerns raised by all involved.

This proposal was not put forward during a public meeting of the Subcommittee, where there is evidence from the transcripts of the session that are publicly available, as they are with the presentations of other members of Parliament. The *Minutes of Proceedings* of the Subcommittee (which are public documents and are required to be communicated to the Commission according to subsection 22(1) of the *Electoral Boundaries Readjustment Act* [the “Act”]) make no reference to any appearance by Mr. Serré or Mr. Wood after their respective public testimonies on May 26 and no reference at all to any appearance by Mr. Bélair. Evidence of an apparent agreement between Mr. Serré, Mr. Bélair and Mr. Wood takes the form of a letter submitted by Mr. Serré to the Subcommittee, dated June 11, after his appearance before the Subcommittee. This letter does not provide any details or maps about how these electoral districts should be configured. Nor does it provide indication that Mr. Raymond Bonin, Member of Parliament for Nickel Belt, approves of the proposed changes discussed above. Moreover, it appears that this proposal would result in a reconfiguration of the electoral district of NICKEL BELT in such a manner that it would have a population that is more than 29 per cent below the provincial quotient. The Commission is not willing to treat NICKEL BELT, whose territory is not especially large by the standards of the rest of Northern Ontario, as an extraordinary circumstance.

DISPOSITION

The Commission rejects Mr. Serré’s objection.

NIPISSING—TIMISKAMING, NICKEL BELT AND TIMMINS—JAMES BAY

The Committee recommends that “some work is still to be done” with respect to several Northern Ontario electoral districts, including NICKEL BELT, NIPISSING—TIMISKAMING and TIMMINS—JAMES BAY. The implication of this statement is that the Commission should go back to the drawing board and design electoral boundaries for these electoral districts that are substantively different from those in its Report. The Commission finds a serious inconsistency between this recommendation and the stated concern of the Committee about perceived problems with the legislation that governs the process for establishing federal electoral boundaries (the Act). The Committee has expressed concern that the process for determining federal electoral

boundaries does not permit the public to register complaints directly to the Commission about recommended boundaries, particularly where these differ significantly from those contained in the Commission's *Proposals for the Province of Ontario* (the "Proposals"), tabled in the House of Commons on August 17, 2002. Although the legislation permits members of Parliament to raise objections and propose alternatives, this comes at the final stage of the decision-making process and, given the absence of a second round of public hearings, makes it difficult for any federal electoral boundaries commission to make significant changes from those in its Proposals because of the cumulative effects a boundary change may have for other electoral districts.

Yet, despite this concern, the Committee is recommending that the Commission devise new electoral boundaries in multiple Northern Ontario electoral districts, at a stage in the process when these decisions will be final and not subject to any public consultation or process for soliciting objections or proposals from members of Parliament. As well, this recommendation is made in the absence of providing to the Commission useful guidance or maps for possible changes.

DISPOSITION

The Commission rejects the Committee's recommendation that it revise the electoral districts of NICKEL BELT, NIPISSING—TIMISKAMING and TIMMINS—JAMES BAY, in the absence of more specific guidance and given the lack of expressed support from Member of Parliament for Nickel Belt, whose electoral district would be affected by changes to the other two electoral districts.

KENORA AND THUNDER BAY—RAINY RIVER

The Honourable Robert Nault, Member of Parliament for Kenora—Rainy River, objects to the boundary between the electoral districts of KENORA and THUNDER BAY—RAINY RIVER and proposes two alternatives. Both alternatives would require changes to the names of the electoral districts that were proposed in the Commission's Report.

CONSIDERATION BY THE COMMISSION

The implication of Mr. Masse's objection (see above) and many of the presentations made at the Commission's public hearings in Northern Ontario was that the Commission should not hesitate to make use of a provision in subsection 15(2) of the Act which allows the Commission "in circumstances viewed by the commission as being extraordinary" to establish electoral districts having populations that are outside the range of "twenty-five per cent more or twenty-five per cent less of the electoral quota for the province." This provision has never before been invoked in a report of a federal electoral boundaries commission for Ontario, although it has been invoked and implemented by federal electoral boundaries commissions in Quebec and Newfoundland and Labrador.

As explained in this Commission's Report, the Commission is not prepared to re-establish the current electoral boundaries in Northern Ontario, in large measure because even the territorially

small, urban-based current electoral districts of Sault Ste. Marie and Sudbury have populations that are 30.7 per cent and 26.3 per cent below the provincial quotient. The Commission does not accept that small, urban-based electoral districts should be treated as having “extraordinary circumstances”. Therefore, maintaining 11 electoral districts for Northern Ontario would require: 1) that some current electoral districts whose populations are not consistent with the allowable variance from the provincial quotient have their populations and territories significantly increased; and 2) that at least one of the larger, geographical electoral districts be deemed to have “extraordinary circumstances”.

As explained on pages 5 and 6 of its Report, the Commission decided to establish an electoral district based on the Territorial District of Kenora (without Rainy River) that was to be considered as an extraordinary circumstance under subsection 15(2) of the Act. It did so on the basis of the immense size of the area involved and the absence of any urban area having a sizable population, the most populous municipality being Kenora itself at 15,838. The Report explains that taking such a step enabled the Commission to solve a great many apparent problems elsewhere in Northern Ontario, problems that were vividly highlighted at the public hearings.

Mr. Nault did not appear before the Commission at its public hearings. The Commission did not have the benefit when drawing the electoral boundaries of the statement he provided the Subcommittee on June 5, 2003: “The only point that’s been made about exceptional circumstances is that it’s too large for the member of Parliament to service it. I take exception to that, of course. I’ve been its member for 15 years, and I think we do a pretty good job of managing our way around the riding.” Similarly, the Commission did not hear from him at the public hearings that he was quite content for Kenora—Rainy River to be expanded. Such a line of argument contradicts almost every presentation the Commission heard in Northern Ontario, as well as the objection of Mr. Masse referred to above.

If the Commission had known that Mr. Nault, the member of Parliament for the largest electoral district in Ontario, would “take exception” to the claim that the territory of this electoral district is too large, then it could well have been more aggressive in questioning those who argued that proposed electoral districts that were much smaller in territory than Kenora—Rainy River were really too large for effective representation. If Mr. Nault can effectively represent and serve the residents living in the huge area of Kenora—Rainy River, then presumably other members could do an equally effective job in other electoral districts in Northern Ontario having territories of similar or smaller size. Moreover, had we known when revising the federal electoral boundaries that Mr. Nault has no particular difficulty representing and servicing an electoral district the size of Kenora—Rainy River, the Commission might have taken less seriously than it did the arguments made at the public hearings that some of the electoral districts the Commission originally proposed were simply far too large for a member to serve and represent. In short, Mr. Nault is effectively arguing that it is *not* the case that Northern Ontario merits extra parliamentary representation based solely on the immense distances within its territory.

The easiest way for the Commission to respond to Mr. Nault’s objection would be to revert to the proposals for Northern Ontario that it originally made in its August 2002 Proposals. Reverting back to these would mean, among other things, the establishment of an electoral district stretching from Thunder Bay to Sault Ste. Marie. Nevertheless, after careful consideration, the

Commission has decided that responding to Mr. Nault's objection by returning to its original proposals would be irresponsible. While satisfying Mr. Nault, it would presumably infuriate many other members of Parliament and residents of Northern Ontario who prefer the boundaries advanced in the Commission's Report to those it originally proposed in August 2002. The Commission notes that no other member of Parliament from Northern Ontario signed Mr. Nault's objection. Reverting back to the original proposal would also be against the wishes of the Mayor of Atikokan, who at the public hearing in Thunder Bay expressed the view that the Atikokan area should not be attached to Kenora—Rainy River.

But this presents the Commission with an obvious dilemma. If it rejects Mr. Nault's objection, it is recognizing that an electoral district warrants "extraordinary circumstances" when the incumbent member explicitly states that this is not the case. If it accepts Mr. Nault's objection, it must accept that the circumstances of the electoral district of Thunder Bay—Atikokan would be even more "extraordinary" than those of Kenora—Rainy River. The population of Thunder Bay—Atikokan would be 67,589, Kenora—Rainy River would be 78,758 and THUNDER BAY—SUPERIOR NORTH would remain (as proposed in the Commission's Report) at 83,657. Even if the populations of the two electoral districts based in Thunder Bay were equalized, the resulting number for both electoral districts would still be lower than that of Kenora—Rainy River and all three would then have to be considered as having "extraordinary circumstances".

Notwithstanding Mr. Nault's important claim that it is desirable for the electoral district of Kenora—Rainy River to be left as it is, the Commission believes that it would be abusing its discretionary authority if, by accepting Mr. Nault's objection, it attempted to justify the establishment of one or both of the Thunder Bay-based electoral districts with populations below that of Kenora—Rainy River and more than 25 per cent below the provincial quotient. The Commission believes that, if it makes use of its discretionary authority to establish certain electoral districts with populations more than 25 per cent below the provincial quotient, it must do so solely in circumstances that are demonstrably extraordinary.

The Commission recognizes the highly unusual circumstances of establishing an electoral district that requires "extraordinary circumstances" when the member of Parliament for that electoral district has stated to the Subcommittee that such a determination is not required. But it is important to point out that Mr. Nault does not reject the idea of extraordinary circumstances applying to this electoral district. His alternative recommendation to the Subcommittee, should the Commission decide against reverting to its August 2002 Proposals, is to maintain the electoral boundaries as they currently exist. This position depends upon having the electoral district declared as having "extraordinary circumstances", albeit with a population that is 26.8 per cent below the existing provincial quotient, whereas our recommendation establishes a population at 43.7 per cent below the provincial quotient.

DISPOSITION

The Commission rejects Mr. Nault's objection and maintains its decision with respect to the boundary between the electoral districts of KENORA and THUNDER BAY—RAINY RIVER.

Eastern Ontario and City of Ottawa

CARLETON—LANARK, LANARK—FRONTENAC—LENNOX AND ADDINGTON, LEEDS—GRENVILLE, AND NEPEAN—CARLETON

Mr. Scott Reid, Member of Parliament for Lanark—Carleton, objects to the Commission's decision to include the Town of Mississippi Mills within the proposed electoral district of CARLETON—LANARK. He wants to keep all the municipalities of Lanark County (including Mississippi Mills) within the same electoral district. In order to do so, while maintaining appropriate population numbers, he proposes that part of the former Rideau Township (now within the City of Ottawa) be moved from the proposed electoral district of NEPEAN—CARLETON to the proposed CARLETON—LANARK (which would need a new name if it did not include any portion of Lanark County) and that the Township of South Frontenac be moved from the proposed electoral district of LANARK—FRONTENAC—LENNOX AND ADDINGTON to that of LEEDS—GRENVILLE.

CONSIDERATION BY THE COMMISSION

Mr. Reid has been very helpful to the Commission by proposing a plan to ensure that, even if the changes he wants were implemented, the populations of the affected electoral districts would be within an appropriate range. Indeed, Mr. Reid deserves credit for devising a plan in which his proposed electoral districts are more equal in population than the plan proposed by the Commission. Mr. Reid has also been helpful to the Commission by constantly understanding that the current electoral district of Lanark—Carleton, with a population of 138,398, cannot remain as it is.

But his case for change is not supported, as his presentation to the Subcommittee would otherwise suggest, by emphasizing that in the Commission's public hearings in Ottawa, Mayor Ron Pettem of Mississippi Mills indicated a preference that Lanark not be split up.

Despite Mayor Pettem indicating a desire for Lanark County to be kept in a single electoral district, he also indicated a desire for Mississippi Mills to be linked with a Kanata-based electoral district. Mayor Pettem effectively stated that his first choice is the status quo; a choice that Mr. Reid himself understands is not viable. This is why, at the public hearing, the Commission pressed the mayor to choose between keeping Lanark County together and keeping the Town of Mississippi Mills in the same electoral district as the Kanata area within the amalgamated City of Ottawa. As Mr. Reid acknowledges, when faced with this choice, Mayor Pettem chose to be connected with Ottawa. It is true that others emphasized the paramount importance of keeping Lanark County together. This was a message the Commission heard throughout Eastern Ontario with respect to almost all the counties. What is especially notable about Mayor Pettem's comments to the Commission is that he was the only municipal spokesperson east of Peterborough to suggest that it might be more desirable for a particular municipality to be linked with other municipalities outside its own county rather than with those within its county.

In its Report, the Commission accommodated Mayor Pettem's request to be linked with the Kanata area, while simultaneously correcting many of the problems associated with its initial

proposals for Eastern Ontario, problems that were repeatedly pointed out at the Commission's public hearings in Whitby, Belleville, Kingston and Ottawa. Mr. Reid subsequently informed the Subcommittee that the Mississippi Mills Town Council has adopted a motion approving that the municipality remain in an electoral district with the remainder of Lanark County, a decision that contradicts Mayor Pettem's position. Unfortunately, satisfying Lanark County's objective would prevent the Commission from remedying a problem raised during the hearings, which arises with respect to the territory governed by the Frontenac Management Board. Part of this territory includes the Township of South Frontenac, which Mr. Reid wants to include within the electoral district of LEEDS—GRENVILLE. Mr. Reid claims that such a move is less disruptive than it would be if Frontenac were still a county "because the administrative apparatus of Frontenac County was largely dismantled in 1997 as a result of a unique amalgamation experiment in which the county's many townships were merged into four large townships, which took over the most important county functions, notably roads," as stated before the Subcommittee on June 5, 2003. The first point to note is that there were no presentations at the public hearings supporting the Commission's original proposal to link the Township of South Frontenac with LEEDS—GRENVILLE. In fact, there was considerable opposition. Perhaps the most significant presentation in this regard was made at the Commission's public hearing in Kingston by Ms. Elizabeth Fulton, CAO Clerk-Treasurer of the Frontenac Management Board. She pointed out the importance of the Frontenac identity, noting that all the merged townships maintained the name "Frontenac". She (and others) argued that "there is not an acknowledged affiliation, a recognized community of interest between South Frontenac and the Leeds-Grenville area." Finally, Ms. Fulton noted that, in its Proposals, the Commission had allocated the four Frontenac townships to three separate electoral districts. She urged that this be reduced to two, acknowledging that the Township of Frontenac Islands needed to be linked with the City of Kingston rather than with the other Frontenac townships. What Mr. Reid is proposing is that, in order for Lanark County to be kept within one electoral district, the area governed by the Frontenac Management Board should be redivided among three electoral districts in a way that was specifically objected to by its official spokesperson (Ms. Fulton) at the Commission's public hearing.

With respect to the area of the former Rideau Township (excluding Manotick), Mr. Reid states: "In recommending the re-establishment of a link between the former Rideau Township and the former Goulbourn Township -- both of which are now wards of the City of Ottawa -- I'm supporting a proposal made by David Pratt, who is the MP for Nepean-Carleton, at the boundary Commission hearings last November." Mr. Reid is certainly correct in claiming that Mr. Pratt's preference was to keep the Goulbourn and Rideau areas together. However, it is notable that Mr. Pratt also made this comment at the public hearing: "Frankly, the Township of Rideau, I suppose you could say it's kind of a wild card; it could float back and forth between these two ridings." In any event, the area of the former Rideau Township is currently within the electoral district of Nepean—Carleton. In its Report the Commission decided to keep it within the reconfigured electoral district of NEPEAN—CARLETON; the Member of Parliament currently representing this area (Mr. Pratt) has not filed an objection, nor is there any evidence at this stage in the process that he supports Mr. Reid's objection.

During the Subcommittee's deliberations, Mr. Rick Borotsik, Member of Parliament for Brandon—Souris, made the following comment: "All right. So the members this touches upon are all in agreement [with Mr. Reid]." As noted above, the evidence with respect to Mr. Pratt is not entirely clear. More importantly, none of the members of the Subcommittee referred to Mr. Larry McCormick, Member of Parliament for Hastings—Frontenac—Lennox and Addington, who currently represents the Township of South Frontenac. The Subcommittee did not appear at all concerned about what his position might be with respect to the allocation of South Frontenac. In his presentation at the public hearing in Belleville, Mr. McCormick opposed the linking of South Frontenac with an electoral district based on the United Counties of Leeds and Grenville and urged the Commission to maintain the north-south orientation represented by the counties of Hastings and Lennox and Addington and by the Frontenac Management Board. The Commission considers that one of its responsibilities in a situation such as this is to be concerned with the interests of people in places who are affected by changes proposed by members, but whose representatives are not part of an apparent parliamentary consensus.

DISPOSITION

The Commission rejects Mr. Reid's proposal with respect to the allocation of the Town of Mississippi Mills and the concomitant changes affecting neighbouring electoral districts.

OTTAWA SOUTH AND NEPEAN—CARLETON

The Honourable John Manley, Member of Parliament for Ottawa South, objects to the Commission's decision to move from the current electoral district of Ottawa South to NEPEAN—CARLETON, the area that is west of the Canadian Pacific Railway and the Airport Parkway and south of Hunt Club Road.

CONSIDERATION BY THE COMMISSION

The population of the area in question is 3,485. Although the change advocated by Mr. Manley means that OTTAWA SOUTH becomes 10.4 per cent above the provincial quotient, the Commission is willing to accept a variation of this magnitude.

DISPOSITION

The Commission accepts Mr. Manley's proposal that the area within the current electoral district of Ottawa South that is west of the Canadian Pacific Railway and the Airport Parkway and south of Hunt Club Road should remain in OTTAWA SOUTH rather than be moved to NEPEAN—CARLETON.

GLENGARRY—PRESCOTT—RUSSELL AND STORMONT—DUNDAS— SOUTH GLENGARRY

The Honourable Don Boudria, Member of Parliament for Glengarry—Prescott—Russell, objects to the Commission's decision to include all of the Township of South Glengarry within the electoral district of STORMONT—DUNDAS—SOUTH GLENGARRY. He wishes to maintain the current boundary between the two electoral districts.

CONSIDERATION

The population of the area in question is 4,666. The main issue here is the splitting of the recently amalgamated Township of South Glengarry between two electoral districts. At no time throughout this process has the Commission proposed that the township be split. Mr. Boudria is proposing it now, but without any evidence that the mayor and council (or anybody else) supports his position.

DISPOSITION

The Commission rejects Mr. Boudria's objection and retains the boundaries of the electoral district as proposed in its Report.

PETERBOROUGH AND HALIBURTON—KAWARTHA LAKES—BROCK

Mr. Peter Adams, Member of Parliament for Peterborough, objects to the inclusion of the Township of Cavan-Millbrook-North Monaghan within the electoral district of HALIBURTON—KAWARTHA LAKES—BROCK. He proposes that it be part of the electoral district of PETERBOROUGH.

CONSIDERATION BY THE COMMISSION

The 2001 population of the township in question is 8,453. To move it as Mr. Adams suggests would mean that the electoral district of PETERBOROUGH would be 10.9 per cent above the provincial quotient while HALIBURTON—KAWARTHA LAKES—BROCK would be 4.4 per cent below. More importantly, the reeve and council of the Township of Cavan-Millbrook-North Monaghan declared to the Commission at the time of its public hearings, in a letter dated October 31, 2002, that they wish their township to be in the electoral district of HALIBURTON—KAWARTHA LAKES—BROCK. Mr. Adams presented no evidence to suggest that this position has changed.

DISPOSITION

The Commission rejects Mr. Adams' proposal to include the Township of Cavan-Millbrook-North Monaghan within the electoral district of PETERBOROUGH.

Southwestern Ontario

GREY—BRUCE—OWEN SOUND AND HURON—BRUCE

Mr. Ovid Jackson, Member of Parliament for Bruce—Grey—Owen Sound, objects to the Commission's decision to allocate the municipality of Brockton to the electoral district of HURON—BRUCE. He provides a number of alternatives, which include either allocating the municipality of Brockton to GREY—BRUCE—OWEN SOUND or splitting the municipality between two electoral districts.

CONSIDERATION BY THE COMMISSION

Accepting Mr. Jackson's proposal to allocate Brockton to GREY—BRUCE—OWEN SOUND would mean that this electoral district would be 12.3 per cent below the provincial quotient and HURON—BRUCE would be 4.2 per cent above. The Commission sees no reason to accept such variation in populations between two adjoining, mainly rural electoral districts, both of which already contain parts of Bruce County, the county in which Brockton is located. The Commission is also not prepared to split the municipality of Brockton, so that part of the municipality, the community known as Walkerton, remains in its current electoral district. It is no doubt true that Mr. Jackson has worked very hard on behalf of residents of Brockton (especially Walkerton), but this is not a factor that the Commission is authorized to take into account when it is deciding on federal electoral boundaries.

DISPOSITION

The Commission rejects Mr. Jackson's proposal to alter the boundary between HURON—BRUCE and GREY—BRUCE—OWEN SOUND.

ESSEX AND WINDSOR—TECUMSEH

The Honourable Susan Whelan, Member of Parliament for Essex, objects to the Commission's decision to include all of the Town of Tecumseh within WINDSOR—TECUMSEH. She wishes to maintain the existing boundary between Windsor—St. Clair (the current name of the electoral district) and Essex.

CONSIDERATION BY THE COMMISSION

This is an exceptionally complicated issue. Ms. Whelan's position is that the boundaries of the electoral district of Essex should remain exactly as they are, notwithstanding three crucial facts: 1) the population of the current electoral district of Essex according to the 2001 census is 121,750; 2) the Town of Tecumseh (population 25,105), the product of a municipal amalgamation that occurred since the last redistribution, now straddles the boundary between the two electoral districts; and 3) since the current redistribution process started in 2002, the municipal boundary between the City of Windsor and the Town of Tecumseh has changed such

that the current electoral district of Essex now contains approximately 1,100 people who live in the City of Windsor.

Ms. Whelan's declared objectives are to maintain Essex as a primarily agricultural electoral district and to ensure that important agricultural territories are not included within electoral districts that are primarily urban. In her testimony at the hearings of the Subcommittee on May 27, 2003, she stated: "When you look at the current riding redistribution, – 61% of it is rural polls." While most spokespeople for agricultural areas argue the populations for electoral districts in agricultural areas should be below the provincial quotient, Ms. Whelan is arguing that it is quite acceptable for ESSEX to be the second most populous electoral district in the province. At the hearings of the Subcommittee, Mr. Scott Reid, Member of Parliament for Lanark—Carleton, asked her if she could suggest an area of the electoral district that could be added to a Windsor-based electoral district. She could not.

Contrary to what Ms. Whelan stated at the hearing of the Subcommittee, it is not the case that "the population in Essex has traditionally been larger than the two city ridings." The redistribution following the 1991 census established Essex with a population of 99,263, Windsor—St. Clair with 103,124 and Windsor West with 102,282. The population of Essex has grown dramatically since 1991. It is unlikely that all the new residents are farmers. In her evidence to the Subcommittee, Ms. Whelan stated that there were 105 farms in that part of the Town of Tecumseh that the Commission is proposing to move from the electoral district of Essex to the electoral district of WINDSOR—TECUMSEH. Since the total population of this area is 7,420, it is obvious that most of the people in this area do *not* live on farms. Ms. Whelan acknowledged this point herself when she claimed that "In Sandwich South [the area in question], there's a strong automotive parts manufacturing sector that employs a large number of people" from other parts of the electoral district of Essex. Presumably, a similarly large number of these employees also come from the City of Windsor and the Town of Tecumseh.

Ms. Whelan's position before the Subcommittee was that the part of the current electoral district of Essex now contained within the boundaries of the City of Windsor should stay within ESSEX, even though it contains the Windsor airport, industrial land, "and people who go into the city of Windsor." As Ms. Whelan's stated objective is to maintain the rural character of the electoral district of Essex, it seems surprising that she wants even this area to be maintained within its borders. Moreover, to accommodate this would mean that the City of Windsor would be situated in three different electoral districts.

The most persuasive part of Ms. Whelan's case is that the 105 farms now contained within the Town of Tecumseh should not be included within an electoral district that is otherwise completely urban. The Commission heard similar arguments at its public hearings in Ottawa concerning farms located in the eastern portion of what is now the City of Ottawa. But rather than arguing for boundaries to remain unchanged, people appearing before us in Ottawa on this issue showed us where to draw the boundary to keep the farms in a rural electoral district and new suburban development in a more urban-based electoral district. The Commission adopted the proposed boundary and there have been no objections on this matter from the two members of Parliament who were affected.

Ms. Whelan and her supporters, which include the mayor and council of Tecumseh, did not propose alternatives. They simply want to keep things as they are – and to maintain a “rural” electoral district containing many non-rural areas that would be the second most populous electoral district in the province, significantly more populous than the two adjoining Windsor-based electoral districts. To maintain the rural focus of the electoral district of Essex, it would have been helpful had Ms. Whelan proposed some boundary changes that would have reduced the population of Essex while advancing this objective.

DISPOSITION

The Commission rejects Ms. Whelan’s proposal to maintain the existing boundary between Windsor—St. Clair (the current name of the electoral district) and Essex.

MIDDLESEX—KENT—LAMBTON AND SARNIA—LAMBTON

Mrs. Rose-Marie Ur, Member of Parliament for Lambton—Kent—Middlesex, objects to the Commission’s decision to include the municipalities of Plympton-Wyoming, Enniskillen, Petrolia and Oil Springs within the electoral district of SARNIA—LAMBTON. These municipalities are currently part of the existing electoral district of Lambton—Kent—Middlesex. She acknowledges that the existing electoral district of Sarnia—Lambton requires additional population. However, she proposes that the additional population come from “Wallaceburg, Dover Township and Walpole Island,” all areas currently within Lambton—Kent—Middlesex, as stated before the Subcommittee on May 15, 2003.

Mrs. Ur also objected to the name of MIDDLESEX—KENT—LAMBTON, proposing instead that the existing name be maintained, regardless of what the Commission decides with respect to the boundary.

CONSIDERATION BY THE COMMISSION

The changes proposed by Mrs. Ur would have only a minor impact on the total populations for each of the two electoral districts. In other words, the populations of the two areas that are proposed to be traded are close enough so as not to cause any concern to the Commission.

The problem is with the area that Mrs. Ur refers to as “Wallaceburg, Dover Township and Walpole Island.” Wallaceburg and Dover Township are no longer municipalities with legally defined boundaries; they are part of the City of Chatham-Kent. At the public hearing in London and in its Report (page 26), the Commission pointed out that the City of Chatham-Kent (population 107,341) is already split by an electoral boundary, with part of the municipality in CHATHAM-KENT—ESSEX and part in MIDDLESEX—KENT—LAMBTON. Mrs. Ur is proposing that it be split again, such that its territory be divided among three electoral districts. She has presented no evidence to suggest that the City of Chatham-Kent, or any of its residents, would support such action.

Walpole Island is an Indian reserve. Mrs. Ur is proposing to move it from one electoral district to another without presenting any evidence that any resident of the reserve supports her position.

With respect to the name, Mrs. Ur's claim is that, in order to save public funds, the name should not be changed until "the time comes for a change in member representation." In the Commission's view, such a position is inconsistent with the provisions of the Act.

DISPOSITION

The Commission rejects Mrs. Ur's proposal to alter its decision concerning the boundary between MIDDLESEX—KENT—LAMBTON and SARNIA—LAMBTON and the proposal to change the name of MIDDLESEX—KENT—LAMBTON.

Niagara Region and City of Hamilton

WELLAND AND NIAGARA WEST—GLANBROOK

Mr. Tony Tirabassi, Member of Parliament for Niagara Centre, objects to the Commission's decision to include the Town of Pelham in the electoral district of NIAGARA WEST—GLANBROOK. He proposes instead that it be in the electoral district of WELLAND.

Furthermore, Mr. Tirabassi objects to the name of Welland. He proposes instead that it be Niagara Centre.

Mr. John Maloney, Member of Parliament for Erie—Lincoln, also objects to the name of Welland. He proposes that it be changed to Niagara South.

CONSIDERATION BY THE COMMISSION

The 2001 population of the Town of Pelham is 15,272. Mr. Tirabassi himself acknowledges that simply moving Pelham from one electoral district to the other creates a population imbalance that is unlikely to be accepted. He suggests that the Commission "go back and find how the population shift would work," as stated before the Subcommittee on May 15, 2003. At least two distinct alternatives were discussed by the Subcommittee, but Mr. Tirabassi did not commit himself to any particular one. The alternative that he appeared to favour involved the neighbouring electoral district of HALDIMAND—NORFOLK and required splitting the County of Haldimand.

With respect to Mr. Tirabassi's desire to maintain the name of Niagara Centre, the Commission notes that the existing electoral district is in the centre of the Regional Municipality of Niagara. It is surrounded on all sides by other parts of the region. The electoral district of WELLAND, as defined by the Commission, contains two municipalities, Port Colborne and Wainfleet, whose southern boundaries are Lake Erie. Wainfleet's western boundary is the County of Haldimand. It is therefore geographically inaccurate to refer to the area as Niagara Centre.

Mr. Maloney's desire to adopt the name of Niagara South, a position supported by the Committee, is also geographically inaccurate. Residents of the City of St. Catharines, who are included within the electoral district, would likely be confused if told that they were to be part of an electoral district called Niagara South.

DISPOSITION

For population reasons acknowledged by Mr. Tirabassi, the Commission cannot simply move the Town of Pelham from one electoral district to another. No other alternatives were advanced in any consistent or coherent way. The Commission therefore rejects the proposal to alter any of the boundaries in this area.

Because the two members of Parliament currently representing the area that the Commission has described as WELLAND cannot agree on an alternative name, the Commission rejects both alternatives and maintains its decision to establish an electoral district known as WELLAND.

HAMILTON CENTRE

Mr. Stan Keyes, Member of Parliament for Hamilton West, objects to the proposed boundaries for HAMILTON CENTRE. He objects to the separation of the Westdale community from the current electoral district of Hamilton West.

CONSIDERATION BY THE COMMISSION

In his testimony before the Subcommittee, Mr. Keyes admitted that accommodating his desired outcome would require making changes to many electoral districts to the east of HAMILTON CENTRE. The Commission does not believe it is appropriate at this stage to embark on a boundary change that would produce radical alterations to other electoral districts, particularly when there is no agreement from the members affected.

DISPOSITION

The Commission rejects Mr. Keyes' objection to change the boundaries of HAMILTON CENTRE.

HAMILTON EAST—STONEY CREEK

Mr. Tony Valeri, Member of Parliament for Stoney Creek, objects to the name HAMILTON EAST—STONEY CREEK and proposes instead that the electoral district be called Hamilton—Stoney Creek.

CONSIDERATION BY THE COMMISSION

In its original Proposals, the Commission used the name “Hamilton East” to describe the proposed electoral district that has exactly the same boundaries as HAMILTON EAST—STONEY CREEK. The Commission added the name “Stoney Creek” as a result of Mr. Valeri’s intervention at the public hearing. Until Mr. Valeri’s objection, no one had suggested to the Commission that the name “Hamilton East” not be used. In the absence of evidence that anyone associated with the current electoral district of Hamilton East, including its Member of Parliament, agrees to drop the name, the Commission sees no justification in doing so.

DISPOSITION

The Commission rejects the proposal from Mr. Valeri to change the name of the electoral district of HAMILTON EAST—STONEY CREEK to Hamilton—Stoney Creek.

Waterloo Region

CAMBRIDGE AND KITCHENER—CONESTOGA

Mr. Janko Peric, Member of Parliament for Cambridge, objects to the Commission’s decision to allocate the Township of North Dumfries to the electoral district of KITCHENER—CONESTOGA. He proposes instead that it be in CAMBRIDGE.

CONSIDERATION BY THE COMMISSION

The Commission reconfigured the current electoral district of Waterloo—Wellington such that it became KITCHENER—CONESTOGA, in response to objections from Wellington County that the Commission had originally proposed that the county be divided among five different electoral districts. Without any part of Wellington County, the remaining part of the electoral district was short of population. Cambridge, including North Dumfries, was well above the provincial quotient. Given that North Dumfries is part of the Regional Municipality of Waterloo, like all the other proposed components of KITCHENER—CONESTOGA, it seemed to make sense to allocate North Dumfries to KITCHENER—CONESTOGA. However, the Commission now has the benefit of Mr. Peric’s views on this matter, as well as those of the North Dumfries municipal council. Following their recommendations would mean that CAMBRIDGE would be 10.7 per cent above the provincial quotient and KITCHENER—CONESTOGA would be 10.2 per cent below.

DISPOSITION

The Commission accepts Mr. Peric’s proposal that the Township of North Dumfries be included in the electoral district of CAMBRIDGE rather than in KITCHENER—CONESTOGA. The name of this electoral district remains Cambridge.

Halton, Peel, York and Dufferin Regions

THE REGIONAL MUNICIPALITY OF HALTON

Mr. Julian Reed, Member of Parliament for Halton, proposes that there be four electoral districts contained entirely within the Regional Municipality of Halton.

CONSIDERATION BY THE COMMISSION

The Commission addressed this issue on page 33 of its Report. It is not willing to accept that there be four electoral districts within the Regional Municipality of Halton having an average population of 93,807.

DISPOSITION

The Commission rejects Mr. Reed's proposal that there be four electoral districts contained entirely within the Regional Municipality of Halton.

HALTON AND BURLINGTON

Mr. Julian Reed, Member of Parliament for Halton, objects to the way in which the Commission drew the boundary between the electoral districts of HALTON and BURLINGTON. In particular, he proposes that an area within the City of Burlington known as the "Palmer community", bounded by Upper Middle Road, Walkers Line, the Queen Elizabeth Way and Guelph Line, be included in the electoral district of BURLINGTON, rather than in HALTON as the Commission proposed in its Report.

CONSIDERATION BY THE COMMISSION

At the May 26, 2003, hearing of the Subcommittee, Mr. Reed stated that the Palmer community "was moved to the riding of Halton by the Commission even though this was never proposed and no one at the public hearings requested that it be included in Halton." Mr. Reed then goes on to quote from the Commission's Report (page 34) where the following statement is made: "The only other change to this electoral district is to follow a suggestion made at the hearing that Guelph Line be the north-south boundary between Dundas Street and Upper Middle Road rather than Highway No. 407."

Mr. Reed is correct that no one at the public hearings proposed that the Palmer community be moved from Burlington to Halton. The Commission made the change as a result of accepting the proposal made at the public hearing in Hamilton by Councillor Mike Wallace of the City of Burlington (speaking for himself) that Guelph Line be the north-south boundary between Dundas Street and Upper Middle Road rather than Highway No. 407. Accepting this proposal then caused the Commission to believe that the populations of the two electoral districts could be made more equal by extending the new north-south boundary (Guelph Line) south to the Queen Elizabeth Way, thereby moving the Palmer community (population 7,671) from BURLINGTON

to HALTON. The Commission regrets that it did not explain this reasoning in its Report. Mr. Reed has suggested that this area identifies with the City of Burlington and does not have ties to rural Milton. For this reason it should remain in the electoral district of BURLINGTON.

DISPOSITION

The Commission finds that Mr. Reed's argument about the Palmer community is persuasive and accepts his proposal to allocate the area within the City of Burlington bounded by Upper Middle Road, Walkers Line, the Queen Elizabeth Way and Guelph Line to the electoral district of BURLINGTON rather than HALTON.

OAK RIDGES—MARKHAM AND YORK—SIMCOE

The Honourable Maurizio Bevilacqua, Member of Parliament for Vaughan—King—Aurora, objects to the division of the Township of King between two electoral districts and to the name of the electoral district of OAK RIDGES—MARKHAM because it contains no reference to the Township of King.

CONSIDERATION BY THE COMMISSION

Mr. Bevilacqua presented the recommendation of the Township of King Council that the entire Township of King be placed in the DUFFERIN—CALEDON electoral district or, alternatively, that the entire Township of King be placed in the electoral district of YORK—SIMCOE.

Both of the recommendations Mr. Bevilacqua proposes have problems. Moving the Township of King into the electoral district of DUFFERIN—CALEDON would reduce the size of the electoral district of OAK RIDGES—MARKHAM, leaving it at 13.8 per cent below the provincial quotient. This change would also sever the transportation link within the electoral district of YORK—SIMCOE for communities around Cook's Bay. Alternatively, if all of the Township of King were placed in the electoral district of YORK—SIMCOE, this would result in this electoral district becoming too large and, at 20.3 per cent above the provincial quotient, would become the most under-represented electoral district in the province.

As for his objection to the name of the electoral district of OAK RIDGES—MARKHAM, all or parts of four different municipalities are contained in OAK RIDGES—MARKHAM: King, Richmond Hill, Whitchurch-Stouffville and Markham. The first three of these municipalities are all closely associated with the Oak Ridges moraine. The name "Oak Ridges" has been in use since the last redistribution and the Commission sees no reason not to use it in the future.

DISPOSITION

The Commission rejects Mr. Bevilacqua's objections with respect to the Township of King and to the name of OAK RIDGES—MARKHAM.

BRAMALEA—GORE—MALTON AND BRAMPTON—SPRINGDALE

Mr. Gurbax Malhi, Member of Parliament for Bramalea—Gore—Malton—Springdale, objects to the Commission's decision to allocate the area within the City of Brampton bounded by Dixie Road, Bovaird Drive, Torbram Road and Brampton's northern city limits to the electoral district of BRAMPTON—SPRINGDALE and proposes that the area within the cities of Brampton and Mississauga bounded by Bovaird Drive, Bramalea Road, Derry Drive East and Dixie Road be allocated to BRAMPTON—SPRINGDALE.

CONSIDERATION BY THE COMMISSION

The population of the area that Mr. Malhi proposes to remove from BRAMPTON—SPRINGDALE is 24,818. The population that he proposes to add is 34,855. This would mean that, if his recommendation were accepted, this electoral district would have a population of 126,812, the highest in the province by almost 5,000 people and it would be 17.8 per cent above the provincial quotient. Such a variance would require highly unusual circumstances. Mr. Malhi does not make the case that such a variance is justified.

There was discussion in the Subcommittee about using a road to the south of Bovaird Drive as a boundary to reduce this variance. Nevertheless, Mr. Malhi gives no convincing reason for using Bramalea Road as a north-south boundary rather than Dixie Road. The Commission notes that, in her presentation at the public hearings, Mayor Susan Fennell of Brampton proposed a plan in which Dixie Road was one of two major north-south boundaries. Mr. Malhi is the only person to have suggested to the Commission that Bramalea Road is a superior boundary.

DISPOSITION

The Commission rejects Mr. Malhi's proposal concerning the boundary between BRAMALEA—GORE—MALTON and BRAMPTON—SPRINGDALE.

MISSISSAUGA—COOKSVILLE, MISSISSAUGA SOUTH AND PEEL CENTRE

Ms. Albina Guarnieri, Member of Parliament for Mississauga East, objects to the exclusion from Mississauga—Cooksville of two different portions of the City of Mississauga. In its Report, the Commission allocated one of these areas to the electoral district of Peel Centre and the other to the electoral district of MISSISSAUGA SOUTH.

She also objects to the name Mississauga—Cooksville and proposes that it be changed to Mississauga East.

CONSIDERATION BY THE COMMISSION

Ms. Guarnieri proposes that the area bounded by Central Parkway East, Burnhamthorpe Road East, Cawthra Road and Highway No. 403 be included within Mississauga—Cooksville rather than within Peel Centre. The population of this area is 5,289. Her arguments about the

community of interest of this area with the area east of Central Parkway East are quite convincing. However, the problem for the Commission is that Mississauga—Cooksville happens to be the most populous of all the electoral districts the Commission has proposed for Ontario. Ms. Guarnieri's proposal makes it even more overpopulated, 18.8 per cent above the provincial quotient. She makes no proposal about an area that could be removed from Mississauga—Cooksville, despite suggestions at the Subcommittee that she do so.

The other area about which she is concerned (the Coram Crescent area) is bounded by Dundas Street East, Cawthra Road, Queensway East and the Etobicoke Creek (Mississauga's boundary with the City of Toronto). Its population is only 374. At the public hearing in Mississauga, various alternative boundaries were outlined to the Commission by Ms. Mary Ellen Bench, City Solicitor for Mississauga and by the Honourable Steve Mahoney, Member of Parliament for Mississauga West. In Ms. Bench's Scenario 2 and in Mr. Mahoney's scenarios 1, 5 and 6, the area in question was separated from the area to the north of Dundas Street East in the same way that the Commission ended up drawing the boundary separating Mississauga—Cooksville from MISSISSAUGA SOUTH. At the public hearing, the Commission did not have the benefit of Ms. Guarnieri's advice and consequently in its subsequent deliberations it relied on the proposals that had been presented. Nevertheless, at this stage in the process the Commission welcomes Ms. Guarnieri's intervention and is pleased to benefit from her superior knowledge of the area. Fortunately, the population in question is very small and Ms. Guarnieri's request can be accommodated, even if it means that the most populous electoral district in the province gains an additional 374 people.

Ms. Guarnieri suggested that the name of Mississauga East is superior to that of Mississauga—Cooksville. The Commission wishes to point out, however, that this electoral district is not aligned so as to occupy the eastern portion of the City of Mississauga. As it crosses westward past Hurontario Street, it enters an area in which major east–west streets (Burnhamthorpe, Dundas and Queensway) have the descriptor “West” attached to them rather than “East”. It would be confusing for residents living in this area to be part of an electoral district called Mississauga East. Contrary to what Ms. Guarnieri stated in her testimony to the Subcommittee, the Cooksville GO (Transit) station *is* within the borders of this electoral district.

DISPOSITION

The Commission rejects Ms. Guarnieri's proposal concerning the boundaries of Mississauga—Cooksville and Peel Centre.

The Commission accepts Ms. Guarnieri's proposal concerning the boundary between Mississauga—Cooksville and MISSISSAUGA SOUTH, thereby increasing the population of Mississauga—Cooksville to 122,566. The revised southern boundary of Mississauga—Cooksville with MISSISSAUGA SOUTH is the Queensway West and Queensway East, starting at Mavis Road and proceeding eastward right to the border of the City of Toronto.

The Commission is not willing to drop the word “Cooksville” from the name of the electoral district. However, it acknowledges that this name is not appropriate to describe the eastern

portion. A compromise seems obvious: MISSISSAUGA EAST—COOKSVILLE is the revised name for this electoral district.

MISSISSAUGA—ERINDALE AND MISSISSAUGA SOUTH

Mrs. Carolyn Parrish, Member of Parliament for Mississauga Centre, and the Honourable Steve Mahoney, Member of Parliament for Mississauga West, both object to using Dundas Street West as the boundary between MISSISSAUGA—ERINDALE and MISSISSAUGA SOUTH on the grounds that it bisects the historical community of Erindale. However, each proposes a different solution to the problem.

Mr. Mahoney objects to the name MISSISSAUGA—ERINDALE and proposes instead that it be Mississauga—Erin Mills—Erindale.

CONSIDERATION BY THE COMMISSION

The Commission had no intention of splitting the historic village of Erindale. In drawing the boundary as it did, the Commission was following the advice given to it by Mr. Mahoney (in his Scenario 1) at the public hearing in Mississauga. Mr. Mahoney is now objecting to the fact that the Commission acted as he had proposed in respect to this particular boundary.

Mrs. Parrish proposes to remedy the problem by moving to MISSISSAUGA—ERINDALE the area bounded by Dundas Street West, Mavis Road, Queensway West (and its extension westward to the Credit River) and the Credit River. The population of this area is 6,284.

Mr. Mahoney proposes a more modest change, aimed only at keeping all of the historic village of Erindale together in MISSISSAUGA—ERINDALE. The population of this area is approximately 1,200. The problem in determining the exact population indicates the problem with the proposal. In his testimony at the Subcommittee Mr. Mahoney indicated that he thought Old Carriage Road would be an appropriate eastern boundary for the area of the historic village. But residents on the western side of this road (including those in various courts and crescents) are separated from the historic village by the Credit Valley Golf and Country Club. The problem with Mr. Mahoney's proposal is that he has not presented a viable eastern boundary for the historic village and, for the purposes of legal descriptions appropriate for electoral boundaries, none appears to exist.

Mr. Mahoney wants to add Erin Mills to the name of MISSISSAUGA—ERINDALE on the grounds that this area includes a large portion of the population of the electoral district and that it is quite distinct from Erindale.

DISPOSITION

The Commission accepts Mrs. Parrish's proposal concerning the boundary between MISSISSAUGA—ERINDALE and MISSISSAUGA SOUTH, thereby increasing the population of MISSISSAUGA—ERINDALE to 120,354. Such acceptance accomplishes Mr. Mahoney's

original objective, but takes more population from MISSISSAUGA SOUTH than he deemed desirable. The revised population of MISSISSAUGA SOUTH (also taking into account the change described above in relation to MISSISSAUGA EAST—COOKSVILLE) is 113,003. The revised southern boundary of MISSISSAUGA—ERINDALE with MISSISSAUGA SOUTH is now Queensway West (and its westward extension to the Credit River) and the Credit River.

The Commission rejects Mr. Mahoney's proposal regarding the name of this electoral district and is persuaded by the Committee's concern that the electoral district's name should be understandable to all of the residents within the district. It is retaining the name, as proposed in its Report, MISSISSAUGA—ERINDALE.

MISSISSAUGA—STREETSVILLE

Mr. Mahoney objects to the name of the electoral district of MISSISSAUGA—STREETSVILLE and proposes that the name be Mississauga—Streetsville—Meadowvale.

CONSIDERATION BY THE COMMISSION

Mr. Mahoney proposes that the name be changed to Mississauga—Streetsville—Meadowvale on the grounds that many of the residents of this electoral district live in the area known as Meadowvale.

The problem with this proposal is that the area known as Meadowvale Village is not included with this electoral district, nor is the Meadowvale Conservation Park. If Meadowvale were included in the name of MISSISSAUGA—STREETSVILLE, there is a distinct possibility that residents of Meadowvale Village would mistakenly believe that they were included within this electoral district.

DISPOSITION

The Commission rejects Mr. Mahoney's proposal concerning the name of MISSISSAUGA—STREETSVILLE.

PEEL CENTRE

Both Mr. Mahoney and Mrs. Parrish object to the name of the electoral district of Peel Centre and propose that the electoral district be called Mississauga Centre—Brampton South.

CONSIDERATION BY THE COMMISSION

Both Mr. Mahoney and Mrs. Parrish claim that Mississauga City Hall is included in this electoral district. This is not correct. It is included within the electoral district of MISSISSAUGA EAST—COOKSVILLE. The area around Mississauga City Hall and the adjoining Square One Shopping

Centre is quite properly seen as the centre of Mississauga. It would be misleading to use the name Mississauga Centre to describe an area that does not include the centre of Mississauga.

DISPOSITION

The Commission rejects Mr. Mahoney's and Mrs. Parrish's proposal concerning the name of the electoral district of Peel Centre, but accepts the Committee's recommendation that the name of this electoral district be **MISSISSAUGA—BRAMPTON SOUTH**.

Durham Region and City of Toronto

OSHAWA AND WHITBY—OSHAWA

Mrs. Judi Longfield, Member of Parliament for Whitby—Ajax, objects to the boundary within the City of Oshawa between the electoral districts of OSHAWA and WHITBY—OSHAWA. Rather than following Taunton Road West eastward to Ritson Road North, south on Ritson to Rossland Road East, and then eastward to Oshawa's city limits, Mrs. Longfield proposes that the boundary go eastward on King Street West to the Oshawa Creek, north along the creek to Rossland Road West, east on Rossland Road West to Simcoe Street North, north on Simcoe Street North to Winchester Road East, and east on Winchester Road East to the city limits. Her concern is that the community's sense of identity will be undermined by separating newer sections of the city from older parts.

CONSIDERATION BY THE COMMISSION

The effects of such a proposed change on the population of the two electoral districts is minimal. Mrs. Longfield claims that the changes she suggests are supported by the Oshawa City Council and by Mr. Ivan Grose, Member of Parliament for Oshawa.

Mrs. Longfield is correct in her testimony that the Commission did not explain why it changed the boundary in question from its August 2002 Proposals to its March 2003 Report. The Commission regrets this omission. In fact, there were three presentations (from Mr. John Kettle, Ms. Deanna Wiley and the Honourable Jerry Ouellette, Member of the Provincial Parliament for Oshawa) at the Commission's public hearing in Whitby that specifically argued for the inclusion of the Oshawa airport within the OSHAWA electoral district. Notwithstanding the suggestion by Councillor Clare Aker on behalf of the City of Oshawa that the airport was of little relevance to the drawing of federal electoral districts and the claim from Councillor Mark Holland of the City of Pickering that the Oshawa airport would be closed down by 2012, the Commission was convinced by the arguments at the public hearing that it made sense to include the airport within the OSHAWA electoral district.

Councillor Aker's presentation at the public hearing is especially relevant to the case that Mrs. Longfield is making in this objection. Councillor Aker was arguing for a different boundary related to another proposal for Durham Region as a whole, a proposal the Commission was unable to accept. But Councillor Aker did allude to the desire of the City of Oshawa not to

perpetuate splits between the “old Oshawa” and the “new Oshawa” and to have within the OSHAWA electoral district the campus of the new University of Ontario Institute of Technology. The Commission considers these to be important considerations that it should take into account when deciding on Mrs. Longfield’s proposal.

DISPOSITION

The Commission accepts Mrs. Longfield’s proposal that the boundary between the electoral districts of OSHAWA and WHITBY—OSHAWA start at the east on King Street West at the boundary between the City of Oshawa and the Town of Whitby eastward on King Street West to the Oshawa Creek, north along the creek to Rossland Road West, east on Rossland Road West to Simcoe Street North, north on Simcoe Street North to Winchester Road East, and east on Winchester Road East to the city limits. The population of the revised electoral district of OSHAWA is 113,662 and that of the revised electoral district of WHITBY—OSHAWA is 112,802.

PICKERING—SCARBOROUGH EAST

Mr. John McKay, Member of Parliament for Scarborough East, objects to the decision of the Commission to establish the electoral district of PICKERING—SCARBOROUGH EAST.

CONSIDERATION BY THE COMMISSION

If the Commission were to accept this objection, it would be required to redraw a number of electoral districts within the Scarborough area of the City of Toronto and within the Regional Municipality of Durham, and yet members of these electoral districts have not submitted objections to the Commission’s Report. Mr. McKay points out that members of Parliament from the Scarborough area were generally content with the Commission’s Proposals and therefore did not make representations at the Commission’s public hearings. However, in its Report, the Commission did not consider it possible to maintain its Proposals with respect to Scarborough for two principal reasons: 1) there was great dissatisfaction with the Commission’s Proposals from almost all areas of Ontario east of Scarborough; and 2) there was an official presentation from the City of Toronto at the public hearings pointing out that, on an overall basis, the City was under-represented with respect to other parts of Ontario, and that the Scarborough area was especially under-represented. The Commission was persuaded that it had to act with respect to both these concerns. Fortunately for the Commission, the two concerns complemented each other, especially in light of the fact that the City of Toronto, unlike many municipalities, had no objection to the establishment of electoral districts that crossed its borders. Contrary to what Mr. McKay suggested to the Subcommittee, the brief presented by two Toronto city councillors did represent the City’s official position.

DISPOSITION

The Commission rejects Mr. McKay’s objection to the boundaries of the electoral district of PICKERING—SCARBOROUGH EAST.

City of Toronto

BEACHES—RIVERDALE AND EAST YORK

Mr. Dennis Mills, Member of Parliament for Toronto—Danforth, and the Honourable Maria Minna, Member of Parliament for Beaches—East York, object to the Commission's decision to use Danforth Avenue to divide the area covered by these two electoral districts. They urge that the Commission revert to its general plan advanced in its original Proposals, i.e. that Coxwell Avenue be used to separate the two electoral districts.

CONSIDERATION BY THE COMMISSION

During its public hearings, the Commission heard very little about the electoral districts of Toronto—Danforth and Beaches—East York. Neither Mr. Mills nor Ms. Minna appeared before the Commission, nor did they communicate in writing prior to the public hearings such that their views could become known at the hearings and therefore be considered by the Commission as it formulated its Report. We can only assume that both Mr. Mills and Ms. Minna were content with the August 2002 Proposals.

At the public hearings, the Commission did hear one persuasive presentation from Councillor Michael Tziretas that the boundaries should be reconfigured. The Commission deliberated carefully about whether it should act on the basis of one presentation. Apart from the substantive merits of his case, three other important factors were considered by the Commission:

- 1) Councillor Tziretas, as a member of the Toronto City Council, had to be considered as a legitimate spokesperson for his community; as a councillor, he himself is accountable to his electorate;
- 2) The proposal he advanced was self-contained; it affected no other electoral districts other than the two he was concerned about; and
- 3) The members of Parliament affected by the proposal would have an opportunity to respond at a later stage in the process.

We are now at that later stage and the members of Parliament have responded. Only since July 19, 2003, has the Commission had the benefit of being able to consider two sets of opposing arguments. Ms. Minna provided to the Subcommittee a substantial and well-researched document outlining a number of problems associated with using Danforth Avenue to divide the two electoral districts. The Commission has carefully considered both options and now concludes that the arguments advanced by Mr. Mills and Ms. Minna are more persuasive than those originally advanced by Councillor Tziretas.

The Commission wishes to note that the Act provides for only two mechanisms by which the Commission may be advised: 1) public hearings; and 2) objections from members of Parliament after the tabling of the Report. Some of the reactions to the Commission's Report, as revealed in the records of the Subcommittee and Committee, would suggest that people are surprised that the

Commission would accept recommendations for major change made at the public hearings by a presenter who does not have the prior agreement of the relevant members of Parliament. Others seem surprised that the Commission did not engage in consultations before revising the boundaries. The Commission's mandate at all times is to act in accordance with the provisions of the Act, which do not allow for public consultations outside the public hearings.

DISPOSITION

The Commission accepts the objection from Mr. Mills and Ms. Minna with respect to the use of Danforth Avenue as a boundary, and agrees to replace Danforth Avenue with Coxwell Avenue to divide the electoral districts of BEACHES—EAST YORK and TORONTO—DANFORTH.

TORONTO CENTRE

The Honourable Bill Graham, Member of Parliament for Toronto Centre—Rosedale, objects to the Commission's proposal to remove the reference to "Rosedale" from the electoral district's name, because the area known as Rosedale is integral to the historical heritage of the downtown area. He proposes that the existing name be retained.

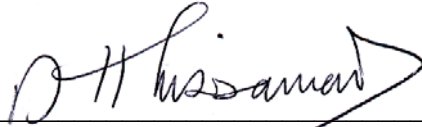
CONSIDERATION BY THE COMMISSION

The Commission is sensitive to the historical significance of the name "Rosedale". Nevertheless it is concerned that the retention of Rosedale in the name of the electoral district is not appropriate since less than 10 per cent of the residents live in the geographical area known as Rosedale and because this electoral district contains other identifiable or historic communities, including Cabbagetown, Yorkville and Regent Park.

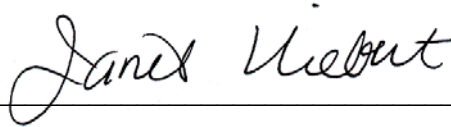
DISPOSITION

The Commission stands by the reasons contained in its Report and therefore cannot accept Mr. Graham's proposal concerning the name of the electoral district of TORONTO CENTRE.

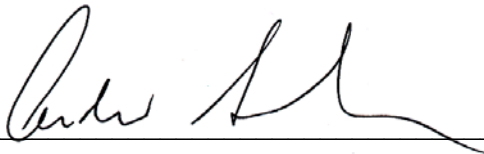
Dated at Toronto, Ontario, this 11th day of August, 2003.



Honourable Mr. Justice Douglas Lissaman
Chairperson



Janet Hiebert
Member



Andrew Sancton
Member

CERTIFIED copy of the disposition of objections to the Report of the Federal Electoral Boundaries Commission for Ontario.



Will Fripp
Commission Secretary