



Staff received concerns from the public on a desired voting location, ballot questions, returned ballots, and online voting.

The overall cost of the 2025 Referendum was \$496,705.

## **PURPOSE**

The purpose of this report is to present lessons learned from the 2025 Crystal Pool Referendum, outline proposed improvements for future elections, by-elections, and referendums, and provide Council with an opportunity to offer feedback.

## **BACKGROUND**

### Legislative Framework

General local elections, by-elections, and referenda are regulated under the *Local Government Act* and the *Local Elections Campaign Financing Act* with certain discretion to local procedures established by bylaw and policy.

The *Election Procedures Bylaw* (Appendix 1) regulates the conduct of City elections in Victoria, including automated voting machines and mail ballots. It outlines procedures for nominations, voter identification, voting opportunities, and post-election steps. Additionally, it includes regulations for election signage and special voting provisions for hospitals and residential care facilities.

The referendum was the first voting opportunity since Council adopted the *Election Policy Guidelines* (Appendix 2) on October 19, 2023. The guidelines provide a comprehensive framework to support the Chief Election Officer for planning and conducting elections and voting opportunities, including: a minimum number of voting locations, special voting curbside voting, considerations for selecting voting locations with geographic proximity to electors, areas of population density, and multiple transportation options.

### 2025 Crystal Pool Referendum

Victoria voted on whether the City may borrow up to \$168.9 million to replace the Crystal Pool and to select a preferred site option: Central Park North or Central Park South. General voting was held February 8, 2025, and voter turnout was 21.18%. A total of 15,547 of 73,409 eligible voters cast ballots. The total number of ballots cast during advance voting was 1,188. Voter turnout was consistent with historical levels for by-elections and referendums.

The City had ten voting locations for general voting day (Appendix 3) and three advance voting opportunities were at Crystal Garden. Voting locations were chosen following the Election Policy Guidelines.

Special voting took place at four care facilities, each with 50 or more units, where a total of 68 ballots were cast. This is fewer than 2018 with 403 ballots at 14 facilities, and 2022 with 306 ballots at 13 facilities. Staff contacted every eligible facility and four facilities decided to participate.

The City first offered mail ballot voting to all eligible voters in the 2020 by-election. The City's *Election Procedures Bylaw* permits mail ballot voting and outlines the procedures. 1,212 mail ballots were cast

in the referendum. Mail ballot voting has gradually decreased since first offered, consistent with post-pandemic trends to return to in-person voting. 60 mail ballots were received after the legislated deadline of 8:00 p.m. on general voting day and were therefore not counted, in accordance with provincial legislation.

The table below shows ballots cast at each voting location or opportunity:

<b>Voting Location</b>	<b>Votes Cast</b>	<b>%Turnout</b>
Crystal Garden – Advance Voting	2,367	3.22%
Special Voting	68	0.093%
Mail Ballots	1,212	1.65%
Crystal Garden – General Voting Day	1,030	1.40%
Central Middle School	1,430	1.95%
George Jay Elementary School	1,614	2.20%
Glenlyon Norfolk School	628	0.86%
James Bay Elementary School	1,446	1.97%
Margaret Jenkins Elementary School	797	1.09%
Oaklands Elementary School	1,351	1.84%
Quadra Elementary School	1,101	1.50%
<b>Total</b>	<b>15,547</b>	<b>21.18%</b>

## **ISSUES & ANALYSIS**

### **Voting Opportunities**

#### General Voting Locations and Technology

Ten general voting locations were selected in accordance with the *Election Policy Guidelines*. All voting locations were spacious and allowed voters to wait inside, which was a key consideration due to the timing of the referendum in February. While some voting locations had lines during peak hours, each voting location had sufficient staff levels, and the City did not receive any complaints about lines or wait times.

Staff were satisfied with the voting locations for the Referendum and will continue to utilize the *Election Policy Guidelines* to assess options for 2026.

Each voting location had a minimum of two ballot tabulators, with a third ballot tabulator available if needed. Electronic voter check-in, first introduced in 2014, providing several benefits including automatically updating the voter list, increased confidentiality, audit functions, and access to demographic information. It also facilitated a “vote anywhere” model, as opposed to designated voting locations that can be a barrier for voters.

## Advance Voting

The Election Policy Guidelines set a minimum of at least two advance voting locations with four advance voting days. A second location and for a fourth advance voting day was planned for the Referendum, however emergent circumstances resulted in the cancellation of this voting opportunity without sufficient time to plan, book, and staff a new opportunity.

## Special Voting

Voter turnout at participating care facilities was lower than expected. Most care facility administrators expressed a preference for mail ballot voting due to administrative challenges and health and safety concerns.

## Mail Ballot Voting

Mail ballot voting continues to be effective in supporting voter accessibility and participation, particularly for individuals unable to attend in-person voting opportunities due to health, mobility, or scheduling challenges.

The City's *Election Procedures Bylaw* outlines the process for requesting, issuing, and receiving mail ballots ahead of general voting day. Following the 2020 by-election—the first-time mail ballot voting was offered to all eligible voters after a provincial legislative change—staff implemented procedural and bylaw changes to enhance efficiency. Lessons learned from the high mail ballot volume in 2020 informed improvements ahead of the 2022 General Local Election, including changes to expedite the counting process and enable earlier release of preliminary results.

The 2025 Referendum was the second election utilizing these updated procedures, and mail ballots were successfully counted in a timely manner on election night.

In response to operational challenges experienced during the 2022 General Local Election—when voters could request mail ballots until 8:00 p.m. on the final voting day—staff implemented procedural changes for the 2025 Referendum. These changes included:

- A deadline for mail ballot requests one week before general voting day; and,
- Earlier issuance of mail ballots, enabled by the absence of candidate nominations.

These adjustments allowed staff to better support voting place operations during the critical final days of voting. The deadline date was widely communicated in all referendum-related materials, and staff did not receive much feedback indicating this resulted in challenges for voters.

Two complaints were received from voters with medical concerns who missed the mail ballot request deadline. Staff are not aware if those voters attended a voting location instead. For greater certainty, staff recommend Council amend the *Election Procedures Bylaw* to permit the CEO, or designate, to issue mail ballots beyond the stated cut-off in extraordinary circumstances. This would accommodate voters facing sudden medical or personal emergencies.

Although the Canada Post labour disruption had concluded prior to the issuance of mail ballots, delivery delays persisted due to ongoing service backlogs. In anticipation of this, staff proactively communicated with voters that they could opt to pick up mail ballot packages directly from City Hall, thereby mitigating potential impacts on ballot return timelines.

## **Election Administration**

### Referendum Ballot

The 2025 Referendum was the City's third referendum in twenty-five years. While referenda follow the same procedures as local elections under the *Local Government Act*, there are specific requirements for a referendum including the separation of ballot questions. To comply with the legal requirements, the ballots were designed to have one question on the front and one question on the back and the voting tabulators were calibrated with a safeguard to prevent accidental casting of an incomplete ballot. Staff received questions and concerns from voters about the ability to respond to one question and the privacy of their vote. Staff have documented the concerns raised by voters and will ensure the concerns are addressed in the future referenda.

### Online Voting

Staff received complaints and inquiries about lack of online voting. The *Local Government Act* prohibits online voting. There have been UBCM resolutions in 2011, 2015, 2019, and 2024 supporting online voting, the Province has not made the legislative changes to permit it.

## **Recommended Improvements**

### Public Access to Nomination Documents

The *Local Government Act* requires in-person public access to nomination documents and it allows for the provision of online public access only to these documents when specified in an election procedures bylaw. The City's Election Procedures Bylaw provisions for online availability of nomination documents has made personal information broadly available and staff received privacy concerns from candidates and nominators.

Following Council's previous direction on the lessons learned from the 2022 General Election, staff will recommend changes to the *Election Procedures Bylaw* to balance candidate and nominator privacy concerns with online availability of nomination documents.

### Election Signage

Staff identified gaps in the City's current regulations regarding the placement of election signage during Provincial and Federal elections. While the *Election Procedures Bylaw* regulates signage related to general local elections, by-elections, and referenda, it does not explicitly extend to other voting opportunities. Staff recommend updates to City regulations to ensure signage rules apply consistently across all elections, as well as review opportunities to improve signage regulations.

## Mail Ballot Voting

Staff experienced two situations where a voter missed the mail ballot request deadline due to unusual or urgent medical-related circumstances. Staff recommend Council amend the *Election Procedures Bylaw* to permit the CEO, or designate, to issue mail ballots beyond the request deadline in extraordinary circumstances to accommodate voters facing sudden medical or personal emergencies.

### **OPTIONS & IMPACTS**

#### ***Option 1 – Approve staff’s recommendations in this report.***

That Council direct staff to prepare the necessary bylaw amendments to:

1. Authorize the Chief Election Officer to provide exceptions to deadline for mail ballot voting to account for extraordinary circumstances.
2. Review signage regulations and expand regulations governing election signage to apply to all voting opportunities, including Provincial and Federal elections.

Implications:

- Improves accessibility if unable to attend a voting location due to extraordinary circumstances.
- Regulation of election signage for all voting opportunities establishes clear and consistent guidelines to protect public safety and public amenities.

#### ***Option 2 – That Council provide alternate direction to staff.***

This option would require Council to provide direction to staff.

Implications:

- Potential for improvements based on lessons learned would not be implemented.

#### ***Accessibility Impact Statement***

Provisions in legislation permit assistance to be offered to voters who may have difficulty voting without assistance or entering the voting place where curbside voting is an option. In addition, mail ballot and curbside voting is an opportunity available to anyone.

#### ***Impacts to Financial Plan***

The budget for referendum was \$600,000, which is consistent with the 2022 general election. However, unlike a general local election, the school district does not contribute to 1/3 costs of a municipal referendum. The overall cost of the 2025 Referendum was \$496,705.

### **CONCLUSIONS**

The 2025 Crystal Pool Referendum allowed staff to apply new guidelines and try out ideas before the next general local election. Staff recommend that Council amend bylaws to allow exceptions to the

mail ballot voting deadline and expand election signage regulations. These proposed changes would enhance mail voting accessibility and clarify election signage rules.

Respectfully submitted,

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**Report accepted and recommended by the City Manager**

**List of Attachments**

Appendix 1: Election Procedures Bylaw

Appendix 2: Election Policy Guidelines

Appendix 3: 2025 Voting Locations