

Report

Date May 7, 2025
Subject 2025 By-Election Results

File: 4200-40

PURPOSE

To receive the election results report and summary of ballot accounts from the Chief Election Officer (CEO).

BACKGROUND

Section 158 of the *Local Government Act* (LGA) states the CEO must submit a report of the election results to the local government (Council), including a compilation of the information on the ballot accounts for the election, within 30 days after the declaration of the official election results (April 16, 2025).

On October 31, 2024, Debra Toporowski announced her resignation following her recent election to the provincial legislature. In accordance with section 54 of the LGA, a by-election was held on April 12, 2025, to fill the vacancy.

The following voting opportunities were provided:

- (1) Mail Ballot Voting
- (2) Advanced Voting on April 2, 2025, at Municipal Hall from 8:00 am to 8:00 pm
- (3) Advanced Voting on April 8, 2025, at Municipal Hall from 8:00 am to 8:00 pm
- (4) General Voting Day on April 12, 2025, from 8:00 am to 8:00 pm at:
 - Municipal Hall, 7030 Trans-Canada Highway, North Cowichan
 - Chemainus Fire Hall, 9901 Chemainus Road, Chemainus
 - Crofton Fire Hall, 1681 Robert Street, Crofton
 - Maple Bay Fire Hall, 1230 Maple Bay Road, North Cowichan
 - Cowichan Community Centre – Multi-Purpose Hall, 2687 James Street, North Cowichan

At the 2022 general local election, a Special Voting Opportunity was provided at Vancouver Island University, with a low success rate of seven voters. Considering this, the CEO decided not to provide a special voting opportunity at this location or any other location for the by-election.

DISCUSSION

Vote counting machines were used to tabulate the results quickly and provide electors with the opportunity to correct any errors they had made to ensure that every valid vote (i.e., where only one candidate was selected for the race) that was submitted was counted.

Staffing of Election Officials

Recruitment for election officials included social media posts on December 23, 2024, January 21, 2025 and January 23, 2025, a boosted Facebook post on January 24, 2025, and newspaper ads that ran on January 1, 2025, in the Citizen and January 2, 2025, in the Chemainus Courier. By the cut-off date of January 31, 2025, we had received 105 applications. Of the 73 people who were hired, 30 were North Cowichan staff, and the remaining 43 were members of the community (mainly North Cowichan residents).

We offered the choice of one of three separate 1.5-hour training sessions for the election officials and two 1.5-hour training sessions for the Presiding and Alternate Presiding Election Officials.

Overall, the election officials performed very well, and we have a good group of people to draw from when hiring for the general local election in October 2026.

Complaints, Offences and Other Issues

The following complaints were received from residents and candidates by email or phone and electors while at a voting place (this list is not exhaustive):

- (1) Some voters in Chemainus complained because they went to the Legion to vote, as they had heard that the voting was taking place there. With the permission of Legion staff, North Cowichan staff posted signs on the front door of the Legion, redirecting voters to the Crofton Fire Hall.
- (2) A few people complained that they did not know there was an election and stated that the advertising was done poorly.
- (3) A couple people complained that the ovals on the ballots were too small and asked whether it was possible to bold them in the future.
- (4) A few individuals complained that the 'How to Mark a Ballot' instructions displayed inside the voting booth appeared to favour the fifth candidate.
- (5) A resident from the Sahtlam area, just outside the North Cowichan boundary, complained that candidates had election signs at their community mailbox, so they were adamant they should be able to vote.
- (6) A Cowichan Bay resident said candidates had campaigned at their door (likely a federal candidate, but they were certain it was for the by-election).
- (7) A pPhone call from a resident who voted at Cowichan Community Centre and complained that we could see their vote when the ballot went into the machine. They had placed their ballot face up and weren't happy it could be read. They were concerned that we were counting votes and that their ballot wasn't read as it went in face up and not face down.
- (8) A few complaints from voters who were concerned because they weren't asked for identification.
 - For clarity, under section 72(2) of the LGA, a person must produce at least two documents that provide evidence of their identity and place of residence to register to vote. However, section 76(1) of the LGA stipulates that if the local government uses the Provincial list of voters for preparing the register of resident electors, then any person who, on the basis of the Provincial list of voters, meets the qualifications to be registered as an elector are deemed to be registered. Therefore, the requirement under section 72(2) to provide identification to register does not apply as they are *not registering* to vote because they are already registered.

- Further, under the '[Provincial voters list](#)' heading on the province's webpage, it states:
A local government may, by bylaw, use the most current available Provincial Voters List prepared by Elections BC rather than maintaining its own register of resident electors (aka Voters List). If so, resident electors whose names appear on the Provincial Voters List are automatically registered and are not required to show identification in order to receive a ballot and vote in local elections.

The following offences, including the section of the LGA where the offence is defined, occurred during this election:

- (1) Four people voted who were not entitled to do so [LGA section 163(2)(a)]
 - These four people lived in the Cowichan Valley Regional District; they were not on the voters list but were registered by an election official in error at one of the advanced voting opportunities. This error was discovered shortly after the second advanced voting opportunity during the CEO's audit of the list of new registrations.
 - Immediate steps were taken to address and mitigate this situation: the election official responsible for the registration error was identified, relieved of their future duties (they were also scheduled to work on election day), and replaced by someone else. The Presiding Election Officials (PEO) were advised to remind their election officials that they *must* double check the North Cowichan Road Index and Map *before* registering anyone.
 - The CEO performed an audit of the list of new registrations from all the voting opportunities after general voting day and found no instances of anyone else being registered incorrectly.
 - The actions taken by the CEO were prompt and appropriate, and fortunately, with the vote disparity between the top two candidates being 67, the election results were not impacted.
 - The CEO believes there was no malicious intent on the part of the election official, who made an honest mistake, or the four individuals who voted. The jurisdictional boundaries are highly confusing, leading many others from outside North Cowichan to attempt voting, though all were turned away.
- (2) Three campaign signs within 100 metres of a voting place [LGA section 163(4)(c)].
 - All three campaign signs were removed by the PEO.
- (3) One scrutineer interfered with an election official in the exercise or performance of their duties [LGA section 163(5)(e)]. They repeatedly left their designated space, followed the PEO around while asking numerous questions, had to be told not to use their cell phone and laptop in the voting location, and on one occasion disrupted voting at the voting machine [LGA section 163(3)(e)].
 - The scrutineer eventually did settle down and remained in their designated space at the polling location for approximately four hours.
- (4) A few instances of electors who wore pins, and one who wore a t-shirt inside a voting location, that were in support of a particular candidate [LGA section 163(4)(d)].
 - They were requested to remove the pins and put them in their pockets until they left the voting location, and the person with the t-shirt was asked to zip up their jacket until they left the voting location. Everyone complied.
- (5) Two electors had attended one of the polling locations to vote, but it was noted in the Voters Book that they had been mailed two mail ballots on March 25, 2025. The couple indicated that they received their mail ballot packages on April 4, 2025, and didn't think there was enough time to mail them back, so they threw them in the garbage [LGA section 163(3)(f)].

- The CEO reviewed the mail ballot register and confirmed that the ballots had not been returned. The couple were asked to fill out a declaration stating that they had not voted yet, and were each given another ballot and cast their vote.
- (6) One election sign was placed on the roof of a building, which is in contravention of section 10(1) of the [Sign Bylaw](#).
- The candidate was asked to remove the sign and complied with the request immediately.

In addition to responding to complaints and investigating and/or dealing with election offences, either the CEO or voting place PEO had to deal with the following other issues:

- (1) A voter fell off the curb outside the Crofton Fire Hall voting location. Facilities on-call staff were dispatched to address the issue and promptly cordoned off the area after determining that the curb posed a tripping hazard.
- (2) One voter's name was spelled incorrectly (two letters transposed) in the voter's book, but they refused to fill out the 200M Form to have it fixed in the provincial register. The PEO provided the voter with a ballot because everything else on their ID matched.
- (3) One voter registered (they were in the voter's book) but then left without voting because they didn't know who to vote for. The PEO held onto their ballot until the voter returned several hours later to cast their vote.

Some positive comments received from the public about the election and feedback from the CEO and PEO's included:

- (1) Many families turned out to vote together, with older generations encouraging and guiding first-time voters.
- (2) The election officials were well-trained and super knowledgeable.
- (3) The Crofton, Maple Bay and Chemainus Fire Halls were excellent voting locations with good accessibility and plenty of space for voters.
- (4) Council Chambers was a much better location to hold the advanced polls than the Large Committee Room.

Voter Turnout

- The total number of electors who voted was 4,866.
- The estimated number of eligible voters was 27,037, which included those on the Voters' List (26,924) plus the new Registrations (113)
- The estimated voter turnout was 18.00%

The preliminary voter turnout value did not include the number of new registrations, bringing the total from the Voters List (26,924) to 27,037 (see Table 1). This decreased the final voter turnout from 18.07% to 18.00%. Figure 1 illustrates the number of electors who voted compared to those who could have voted.

Figure 1 - Voter Turnout

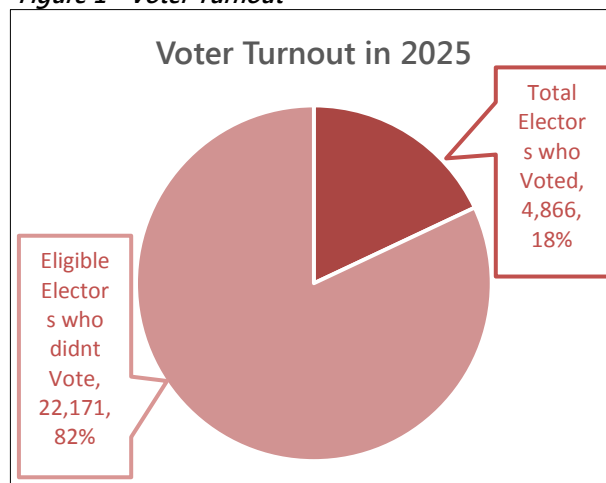


Table 1 - Estimated Eligible Electors

Voting Opportunity	# of New Resident Electors	# of New NRPEs	TOTAL New Electors
Number of Electors on the Voters List	26,891	33	26,924
New Registrations			
Mail Ballot	2	0	2
1 st Advance Voting Opportunity (April 2)	5	2	7
2 nd Advance Voting Opportunity (April 8)	21	1	22
Chemainus Fire Hall	11	0	11
Crofton Fire Hall	4	0	4
Maple Bay Fire Hall	16	0	16
Cowichan Community Centre	31	3	34
Municipal Hall	15	2	17
SUBTOTAL New Registrations	105	8	113
TOTAL Eligible Electors	26,996	41	27,037

Figure 2 illustrates the voter turnout during the 2025 by-election by voting opportunity, and Figure 3 represents voter turnout since 1999.

Figure 2 - Voter Turnout by Voting Opportunity

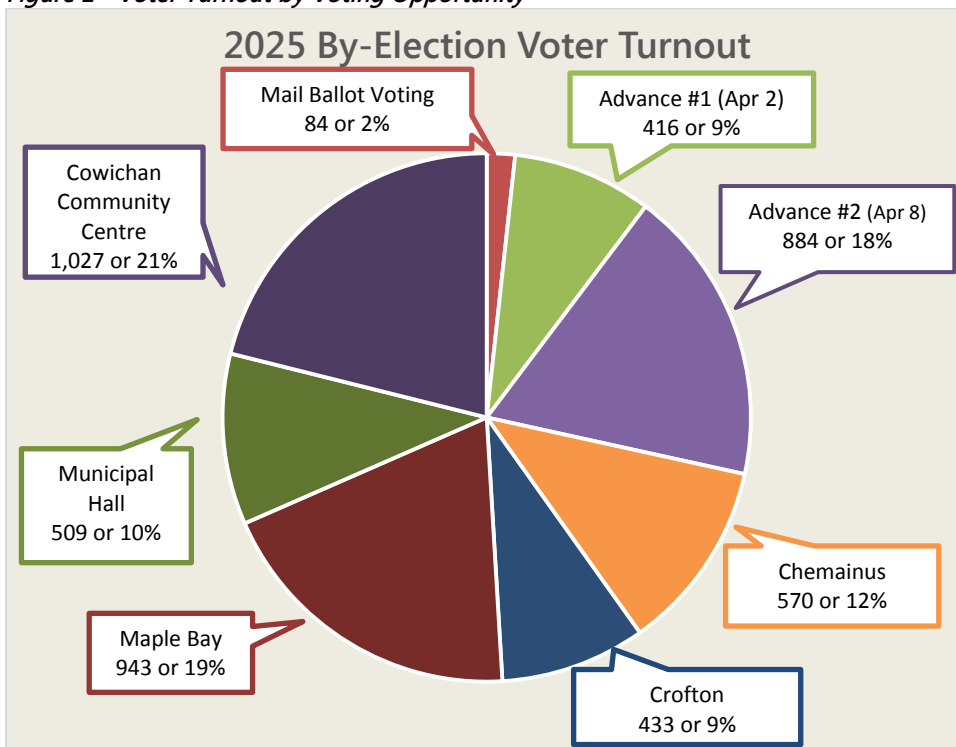
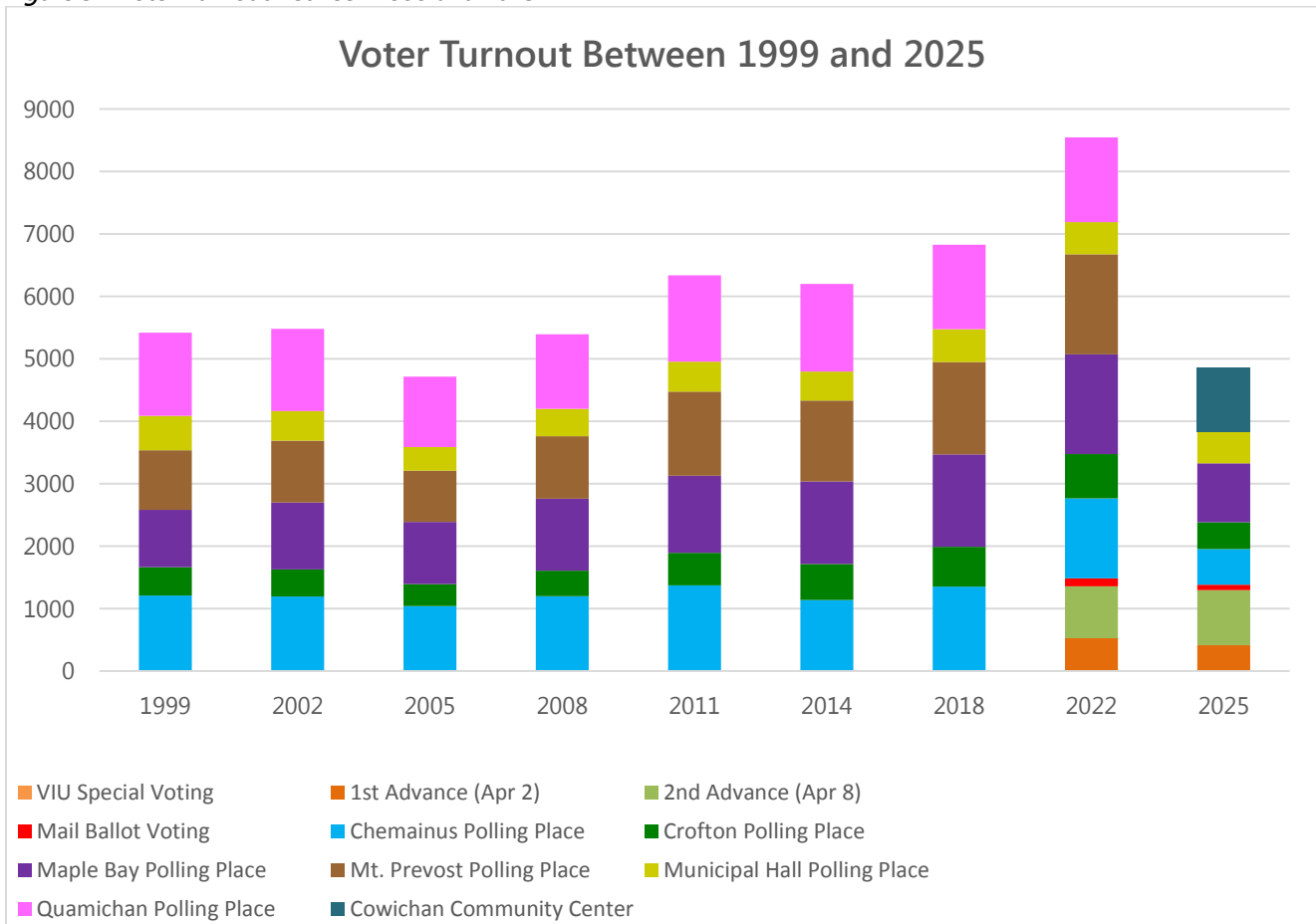


Figure 3 - Voter Turnout Between 1999 and 2025



Mail Ballots

120 Mail Ballot Packages were prepared for pick-up or mail out, and 76 Certification Envelopes were opened on April 10, 2025, in the presence of the CEO, the Deputy CEO and an election official. One ballot was rejected because the Certification Envelope was not filled out or signed by the elector. Nine Certification Envelopes were opened on general voting day and processed through the vote counting machine for a total of 84 certified and accepted as valid Mail Ballots.

Of the 120 Mail Ballot Packages prepared:

- 84 ballots were processed as valid (the ballot that was rejected was not processed);
- 2 were never picked up;
- 1 was received in the mail on April 16, after the close of voting and was not counted;
- 2 were spoiled when the ballots were intentionally thrown in the garbage by the electors (married couple) because they didn't receive the ballots in the mail until April 4, 2025, and didn't trust that Canada Post would return them to North Cowichan on time. They instead opted to come to one of the Advanced Polls and requested two new ballots. The CEO reviewed the Mail Ballot Register and determined that their ballots had not been returned yet so opted to provide them each with a new ballot and flagged the register. To date, the two mail ballots have not been returned;

- 2 voters opted to come to a polling location on general voting day to vote instead of submitting their mail ballots. The CEO reviewed the Mail Ballot Register and determined that their ballots had not been returned so opted to provide them both with a new ballot and flagged the register. To date, the two mail ballots have not been returned; and,
- 33 have not been returned (as of the time that this report was written).

Preliminary Results

Preliminary results were tabulated from the five voting places (Chemainus, Crofton, Maple Bay, Cowichan Community Centre, and Municipal Hall) and from the mail ballots, and advanced voting opportunities (April 2nd and April 8th). [Preliminary results](#) from all voting places/opportunities were posted to North Cowichan's [website](#), social media, the notice board at Municipal Hall, on the front doors of Municipal Hall, and a [media release](#) was sent out shortly after 9:00 pm on Saturday, April 12, 2025.

Official Results

The declaration of official results for Councillor (Attachment 1) and the determination of election results (Attachment 2) were declared on April 16, 2025. The number of votes for each candidate running for Councillor in the 2025 by-election is as follows:

- **HOGG, Becky** 2,029
- LORD, Joanna 1,962
- BELLIS, David 447
- KEMMLER, Johanne 387
- FARMERE, Raymon 41

Ballot Account

One ballot type was used for the by-election where voters were able to vote for one Councillor. Table 2 identifies the number of ballots rejected and spoiled.

Table 2 – Issued Ballots

	Ballot Type (Councillor)
Total Electors who Voted	4,866
Rejected Ballots	1 (Mail Ballot)
Spoiled Ballots	11

RECOMMENDATION

THAT Council accepts the report from the Chief Election Officer on the 2025 by-election results, dated May 7, 2025, for information.

Report prepared by:



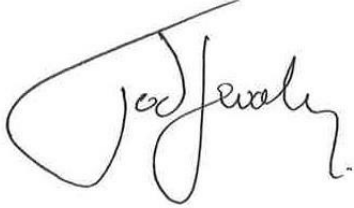
Report reviewed by:



Tricia Mayea
Chief Election Officer

Bill Corsan
General Manager, Corporate Services and
Community
Relations

Approved to be forwarded to Council:



Ted Swabey
Chief Administrative Officer

Attachments:

- (1) Declaration of official election results for Councillor
- (2) Determination of election results

DISTRICT OF NORTH COWICHAN
2025 BY-ELECTION
DECLARATION OF OFFICIAL ELECTION RESULTS
(Form No. 14-3)
LGA s.146(2)(a)

COUNCILLOR

I, Tricia Mayea, Chief Election Officer, do hereby declare elected Becky Hogg, who received the highest number of valid votes for the office of Councillor.

Dated at North Cowichan, BC
this 16th day of April 2025.



Tricia Mayea, Chief Election Officer



DISTRICT OF NORTH COWICHAN
 2025 BY-ELECTION
DETERMINATION OF ELECTION RESULTS

(Form No. 14-1)
 LGA s.145(8)

COUNCILLOR	April 2 Advance Voting	April 8 Advance Voting	Mail Ballot Voting	Chemainus Firehall	Crofton Firehall	Maple Bay Firehall	Cowichan Community Centre	Municipal Hall	TOTAL Votes Cast
BELLIS, David	20	65	12	74	39	95	110	32	447
FARMERE, Raymon	0	3	0	16	5	4	11	2	41
HOGG, Becky	194	410	25	142	196	363	412	287	2,029
KEMMLER, Johanne	17	40	9	85	73	34	80	49	387
LORD, Joanna	185	366	38	253	120	447	414	139	1,962

This determination of official election results was made by the Chief Election Officer on April 16, 2025, at 2:00 p.m. and is based on ballot accounts as amended or prepared by the Chief Election Officer.

Tricia Mayea, Chief Election Officer