

ONTARIO SUPERIOR COURT OF JUSTICE

B E T W E E N:

**FAIR VOTING BC and
SPRINGTIDE COLLECTIVE FOR DEMOCRACY SOCIETY**

Applicants

- and -

ATTORNEY GENERAL OF CANADA

Respondent

AFFIDAVIT OF STEVE DYCK

I, Steve Dyck, of the City of Guelph, in the Province of Ontario, MAKE OATH AND
SWEAR:

1. I have personal knowledge of the matters deposed herein. Where I have relied on the information of others, I believe it to be true.
2. I ran unsuccessfully as the Green Party's candidate for the Guelph riding in the 2019 federal election. The Liberal candidate for Guelph won with 40.4% of the vote. I came second with 25.5% of the vote (19,238 Guelph voters), the Conservative candidate obtained 19.3% of the vote, the NDP candidate obtained 12.3% of the vote, and the People's Party of Canada candidate obtained 1.4% of the vote.¹

¹ [https://en.wikipedia.org/wiki/Guelph_\(electoral_district\)](https://en.wikipedia.org/wiki/Guelph_(electoral_district)).

3. Guelph is a place where the Speed and Eramosa rivers meet. The joining of rivers has been a marker where people of diverse communities meet to trade and learn from each other. Yet, since the creation of the Guelph EDA in 1979, and despite close and competitive elections, the Guelph federal riding has only ever been represented by Liberal or Conservative MPs. These Liberal or Conservative MPs have never received a majority of the vote in the riding.² The NDP almost always performs well, obtaining between 12.0% and 22.0% of the vote from 2004 to 2019. And the Green Party has also garnered considerable support in the last two decades: 7.4% in 2004, 8.7% in 2006, 21.2% in 2008, 6.3% in 2011, 11.3% in 2015, 25.5% in 2019.
4. I have been involved with the Green Party since 2006. I first heard Green candidates Ben Polley and then Mike Nagy present innovative and fully costed solutions to the difficult problems than Canadian's face. This has included fully costed solutions to the climate emergency, which the Green Party began advocating far before the climate emergency became a publicly recognized and full-blown crisis. These were not issues that the traditional parties were properly addressing. These innovative and honest solutions inspired me as a Green volunteer, and I began reaching out to fellow Guelph citizens and voters to motivate them into being part of a change. I have knocked on doors, and put up signs in every federal and provincial election since 2006. I have organized community events on the diverse topics such as of electoral reform, climate change, and the humanitarian response to the Syrian refugee crisis.
5. The Green Party of Canada has inspired me with hope. Hope that Canada will lead in addressing the climate emergency. Hope that Canada will treat mental health needs as

² The Liberal Frank Valeriote won with as little as 32.2% of the vote in 2008.

medical needs. Hope that Canada will ensure everyone has access to a Basic Livable Income. Hope that Canada, like almost all other economically developed countries, will implement some form of proportional representation (PR) to leverage the diverse wisdom of our citizens. The Greens understand there is no social justice without climate justice, but we also have a fully articulated political platform and in no way could be considered a single-issue party. Rather, we consider ourselves a full-fledged political party with national scope and ambition, and seek both to be present in Parliament and to participate in governing the country.

6. While I ran specifically for the Guelph riding, the broader Kitchener-Waterloo-Cambridge-Guelph region has a very enthusiastic and active group of Green voters. The table below³ contains the 2019 election results in the Kitchener-Waterloo-Cambridge-Guelph region for all candidates (winning candidates in bold):

Electoral District	Candidates					
	Liberal	Conservative	NDP	Green	PPC	Other
Cambridge	Bryan May 22,903 39.5%	Sunny Attwal 17,409 30.1%	Scott Hamilton 11,177 19.3%	Michele Braniff 4,343 7.5%	David Haskell 1,872 3.2%	Manuel Couto (M-L) 76 0.1% George McMorrow (VCP) 162 0.3%
Guelph	Lloyd Longfield 30,497 40.4%	Ashish Sachan 14,568 19.3%	Aisha Jahangir 9,297 12.3%	Steve Dyck 19,236 25.5%	Mark Paralovos 1,087 1.4%	Juanita Burnett (Comm.) 166 0.2% Kornelis Klevering (Ind.) 86

³ https://en.wikipedia.org/wiki/Results_of_the_2019_Canadian_federal_election_by_riding.

						<i>0.1%</i> Gordon Truscott (CHP) 498 <i>0.7%</i> Michael Wassilyn (Ind.) 133 <i>0.2%</i>
Kitchener Centre	Raj Saini 20,316 36.7%	Stephen Woodworth 13,191 23.8%	Andrew Moraga 6,238 11.3%	Mike Morrice 14,394 26.0%	Patrick Bernier 1,033 1.9%	Ellen Papenburg (Animal) 202 0.4%
Kitchener-Conestoga	Tim Louis 20,480 39.7%	Harold Albrecht 20,115 39.0%	Riani De Wet 5,204 10.1%	Stephanie Goertz 4,946 9.6%	Koltyn Wallar 790 1.5%	
Kitchener South-Hespeler	Marwan Tabbara 20,986 40.2%	Alan Keeso 17,480 33.5%	Wasai Rahimi 6,945 13.3%	David Weber 5,671 10.9%	Joseph Todd 1,005 1.9%	Elaine Baetz (M-L) 56 0.1% Matthew Correia (VCP) 90 0.2%
Waterloo	Bardish Chagger 31,085 48.8%	Jerry Zhang 15,615 24.5%	Lori Campbell 9,710 15.2%	Kirsten Wright 6,184 9.7%	Erika Traub 1,112 1.8%	
Wellington-Halton Hills	Lesley Barron 19,777 28.4%	Michael Chong 33,044 47.4%	Andrew Bascombe 6,499 9.3%	Ralph Martin 8,851 12.7%	Syl Carle 1,509 2.2%	

7. The Green Party performed well in the entire Kitchener-Waterloo-Cambridge-Guelph region, receiving between 7.5% and 26.0% of the vote in each of these ridings.

Overall, when the 7 ridings are considered together, the Liberal Party received 166,044 of the 426,038 votes in the region (ie, 39.0% of the votes), the Conservative Party received 131,422 votes (30.9% of the votes), the Green Party received 63,625 votes (14.9% of the votes), the NDP received 55,070 votes (12.9% of the votes), the

People's Party of Canada received 8,408 votes (2.0% of the votes), and other candidates received 1,469 votes (0.3% of the votes).

8. Yet despite these results, the Green Party failed to win any seat in the election in the region: the Liberal Party won six seats (85.7%) and the Conservative Party won a single seat (14.3%). Thus, the Green Party's 63,625 voters in the region are left without representation from their party of choice.
9. In fact, in the election, the Green Party failed to elect any MP from Ontario. Despite receiving 6.55% of the vote nationally, the Green Party also only elected three MPs in the country (out of 338 total MPs): one in New Brunswick⁴ and two in British Columbia.⁵ These were contests that Green voters in the Kitchener-Waterloo-Cambridge-Guelph region had no influence on.
10. I feel that our current voting system has effectively silenced me and the other Guelph voters, Kitchener-Waterloo-Cambridge-Guelph voters, and Ontario voters who are inspired by the Green Party's vision of progress. The failure of the Green Party to obtain any MPs in the area has a marked impact on my representation as a Green voter. For example, I believe it is critical that Ontario's auto sector transition to a low carbon model; not having a Green MP from Ontario to advocate for Ontario's auto sector puts this industry at risk of becoming further out of date and out of step with the economy of the future.
11. There are other examples. Prior to the 2015 election, the Liberal leader recognized that

⁴ Jenica Atwin, who was elected in Fredericton with 16,640 votes – less than the number of Green voters who voted for me.

⁵ Paul Manly, who was elected in Nanaimo-Ladysmith with 24,844 votes and Elizabeth May, who was elected in Saanich-Gulf Islands with 33,454 votes.

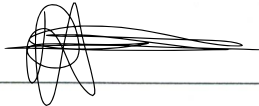
most Canadians understand that our voting system is not fair, and promised 2015 would be the last first-past-the-post (FPTP) election. I was part of a citizen's group that commissioned Strategic Directions to complete a random public opinion survey. The survey results, dated 26 January 2017, indicated about 66% of Guelph voters want a proportional voting system. Attached to this affidavit as **Exhibit "A"** is a copy of the Strategic Directions survey results. Our Liberal MP voted in Parliament to retain FPTP, exactly the opposite of what people wanted.

12. Green voters in my riding (such as myself) are also concerned that Canada's further development of the Alberta Oil Sands is morally bankrupt given the climate science. Our Liberal MP has continued to support a government that is funding and leading the construction of the Trans Mountain Pipeline, which will triple the current pipeline. It is particularly distressing for Guelph Green voters such as myself to have an MP who supports the investing of public money into climate devastation, making us shareholders in this project.

13. While knocking on doors and speaking with voters during my campaign for election, many Guelph voters told me that they would not to participate in the 2019 election and not cast a ballot, which is understandable when the Green Party vote has traditionally been ineffective. Some citizens told me they felt their vote would be ignored; others told me they would vote strategically to prevent the traditional party that they disliked most (Conservative or Liberal) from winning the riding. I observed that economically and socially marginalized individuals were especially likely to tell me that they would not risk voting for the Greens and would instead vote strategically.

14. During the door knocking in the election campaign, I also observed many voters who weren't as informed about our platform as those of the traditional parties. I found that the media provided less attention to the Green Party leader and candidates than to the traditional parties. This made it more difficult for my campaign to reach voters in significant ways.
15. If there existed no better way to ensure that citizens' votes were equally effective, I would be able to live with this. But there exist many voting systems that ensure that large non-plurality blocs of voters (such as the Green Party voters in my riding, in the broader region, and more generally in the province) are able to obtain representation from an MP of their choice, an MP who shares and voices their aspirations and ideals and who advocates for them in Parliament.
16. I care deeply for Canada. Our growing diversity is key to what we have to offer the world, and key to our future prosperity. We have a political system that effectively silences the voice of Green Party voters (and other smaller party voters) in the House of Commons, and I believe this threatens our peace and prosperity. I believe that all Canadians, regardless of where they live, their economic status, or their social status, have the right to have their votes be equally effective.

SWORN BEFORE ME, by videoconference,
from the City of Guelph, in the Province of
Ontario, to the City of Toronto, in the Province of
Ontario, on the 21st day of April,
2021.



Commissioner of Oaths, etc.

Nicolas M. Rouleau (LSO #54515D)
Nicolas M. Rouleau Professional Corporation
41 Burnside Dr.
Toronto ON M6G 2M9

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Steve Dyck

EXHIBIT "A"

**This is Exhibit "A" to the affidavit of Steve Dyck, sworn by
videoconference on the 21st day of April, 2021.**

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above a horizontal line.

Nicolas M. Rouleau (54515D)
A Commissioner, etc.

| STRATEGIC DIRECTIONS |

Interactive Voter Communications

Fair Vote Guelph IVR Report

January 26, 2017

Web: www.mystrategicdirections.com
Email: info@mystrategicdirections.com
Phone: 1-888-398-5246

Poll Summary:

Between January 23 and 24, Strategic Directions conducted a survey of 1,530 randomly selected residents of Guelph to study public awareness and opinions regarding electoral reform and proportional representation.

Results:

Results show that, among decided voters, 77.8% are concerned with our current, first-past-the-post electoral system. The majority (61%) answered ‘Yes’ when asked if we should adopt a more proportional representation model to replace first-past-the-post.

80.2% of decided respondents support a system of Proportional Representation, in which the number of seats a Party wins in Parliament has a closer link to the percentage of the vote the Parties receive. The majority (82.6%) of respondents support maintaining a connection between citizens and a local MP while increasing proportionality

When asked if the Liberal Government should keep their election promise to end the first-past-the-post system, 69.1% of decided respondents answered “Yes”.

Unsure responses ranged from 20.8% to 32.9% across the survey. This high range of unsure responses is similar to the 28.7% of Guelph voters who did not vote in the 2015 federal election and may indicate a general level of confusion or disengagement within the population regarding elections.

Results can be considered to be accurate within $\pm 3.0\%$, 19 times out of 20.

About Us:

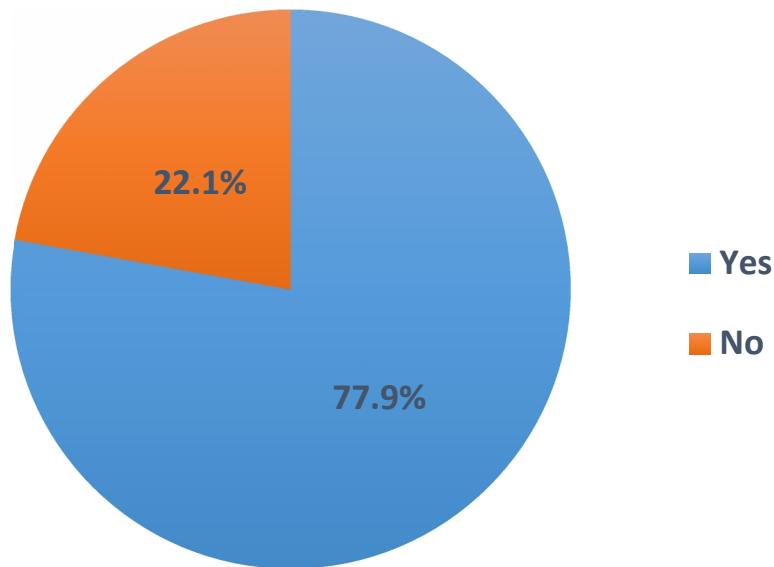
Direct Pulse is the research and polling division of Strategic Directions.

¹ – <http://www.elections.ca/res/rep/off/ovr2015app/41/10013e.html>

Question 1

In our current First-Past-the-Post electoral system, a single party can get 100% of the power with only 39% of the vote - a false majority government. Does this concern you?

1. Yes
2. No
3. Unsure

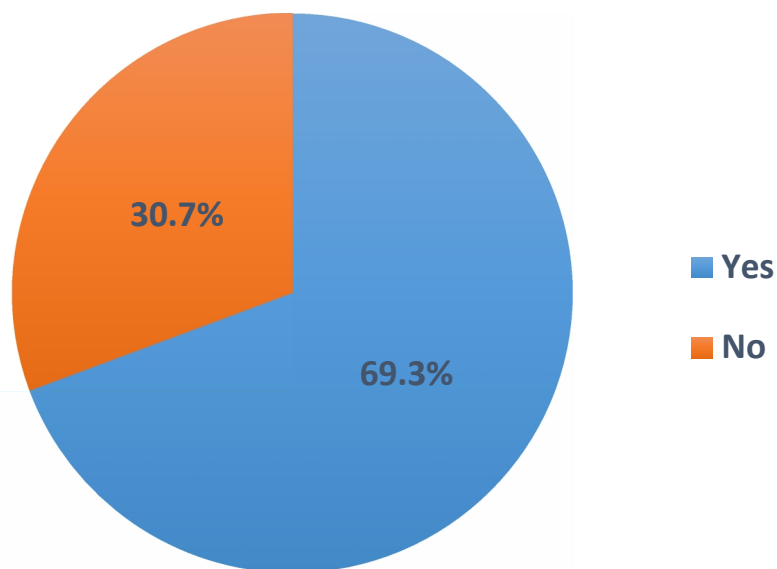


	Count	Percent
Yes	943	61.6%
No	268	17.5%
Unsure	319	20.8%
Total	1530	

Question 2

Justin Trudeau promised 2015 would be the last First-Past-the-Post election. Is this a promise you believe the Liberal government should keep?

1. Yes
2. No
3. Unsure

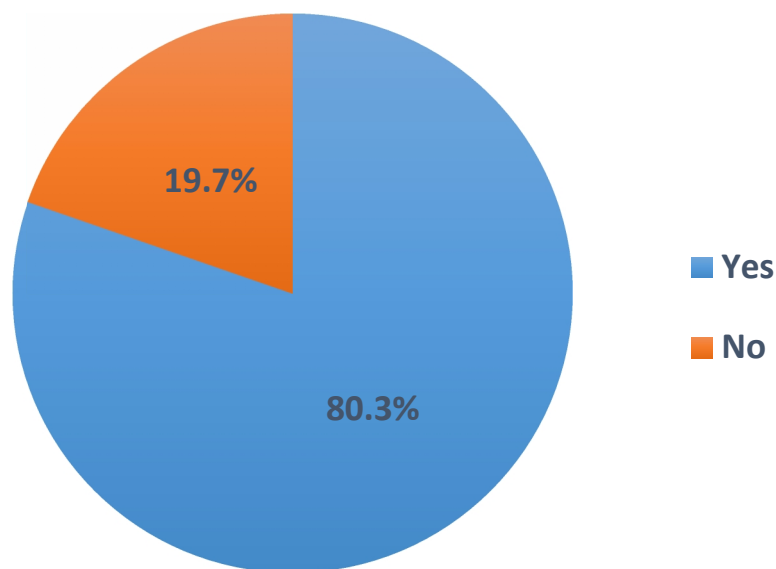


	Count	Percent
Yes	703	50.4%
No	311	22.3%
Unsure	381	27.3%
Total	1395	

Question 3

Do you think we should adopt a system of proportional representation, in which the number of seats a Party wins in Parliament has a closer link to the percentage of the vote they receive?

1. Yes
2. No
3. Unsure

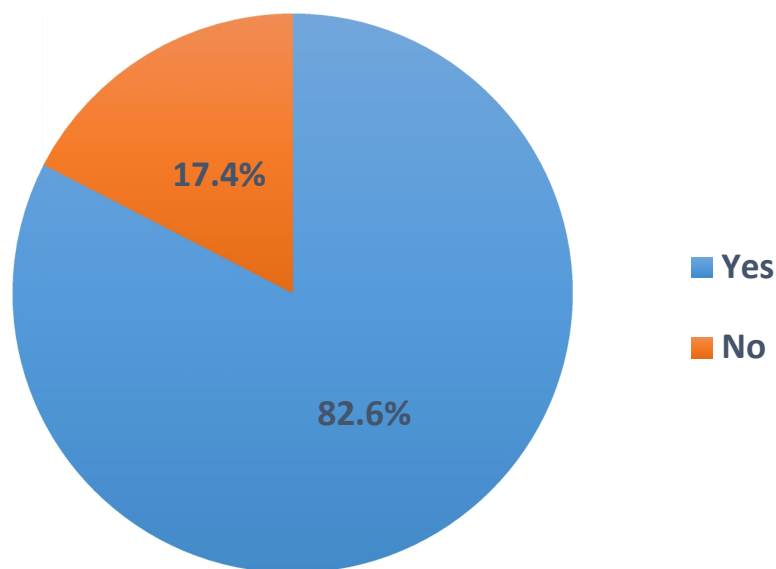


	Count	Percent
Yes	820	61.0%
No	201	14.9%
Unsure	324	24.1%
Total	1345	

Question 4

The Electoral Reform parliamentary committee recommended adopting a system which maintains the connection between citizens and a local MP while increasing proportionality. Do you agree with this recommendation?

1. Yes
2. No
3. Unsure



	Count	Percent
Yes	727	55.4%
No	153	11.7%
Unsure	432	32.9%
Total	1312	