



Memorandum

TO: Regional Chair and Members of Council
FROM: Bruce Macgregor, Chief Administrative Officer
DATE: June 22, 2017
RE: **Regional Governance Update**

Following earlier consideration of Council's composition, a regulation was already in force to permit Regional Council to add an extra member from Vaughan

Before changing its composition a Regional Council must first request that the Minister enact a Regulation permitting Council to exercise its powers. Following consideration in the previous term of Council such a Regulation was requested and was granted. Regulation 279/13 permits Council to increase its size by adding an extra member from Vaughan.

Following further consideration in 2016, Regional Council started the process to add an extra member from Vaughan

On February 18, 2016 Council approved a comprehensive review of Regional governance to include the manner of electing the Regional Chair, Council composition, the method of electing the members and weighted voting.

This review resulted in a further report to Council in October 2016. This report was deferred on several occasions because of pending amendments to the *Municipal Act, 2001* which were finally enacted in the form of *Bill 68, Modernizing Ontario's Municipal Legislation Act, 2017*.

At its April 20, 2017 meeting, Council requested the consent of the local municipalities to a bylaw to increase the number of members from the City of Vaughan from four to five.

Council did not secure the "triple majority" that is required to make a change to its composition

Before enacting a bylaw to increase the number of members from the City of Vaughan, Regional Council first needed the consent of a majority of local Councils representing a majority of the electors in York Region. If this requirement was met, the Region would hold a public meeting and then vote on consideration of the bylaw – the final

requirement of the triple majority process. However, the bylaw did not receive consent from a majority of the local councils. Consequently, there was no public meeting and the bylaw will not be brought forward. The table below summarizes the local municipal responses.

Municipality	Response
Aurora	Did not consent
East Gwillimbury	Did not consent
Georgina	Did not consent
King	Did not consent
Markham	Consented
Newmarket	Did not consent
Richmond Hill	Did not consent
Vaughan	Consented
Whitchurch-Stouffville	Consented

Recent amendments to the *Municipal Act, 2001* will require Regional Council to further consider its composition by no later than 2020

Bill 68 requires a regional municipality to review the number of members of its council that represent each of its lower-tier municipalities. This requirement starts from the term following the 2018 Municipal Election and every two terms after that. The regional municipality must either pass a bylaw to change its composition or pass a resolution to affirm its current composition. If the regional municipality does neither of these things within the first two years of the term, then the Minister may pass a regulation to change the composition of that regional council having given regard to the principle of representation by population.

If Council desired to make any other change to its composition prior to 2018, a Ministerial Regulation is required

As noted earlier, the current Regulation applying to York Region only permits Council to add a member from the City of Vaughan. Any other change to Council's composition would require the Region to first request and obtain a Regulation permitting that change before the triple majority process could be triggered.

After January 1, 2018 there will no longer be a requirement to have a Ministerial Regulation. However, any changes to Council's composition after that date will not be in effect until the 2022 Municipal Election.

Bruce Macgregor

CJR

Attachments (9)

7687467



CANADA 150

May 2, 2017



*Electronic version
Delivered by E-mail to:
Christopher.raynor@york.ca

Mr. Christopher Raynor, Regional Clerk*
The Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Dear Mr. Raynor:

RE: REGIONAL GOVERNANCE

We acknowledge receipt of your communication dated April 21, 2017 regarding 'Regional Governance' wherein local municipalities are requested to provide their consent or lack of consent by May 31, 2017, to a by-law changing the composition and size of Regional Council by increasing the number of members from The Corporation of the City of Vaughan from four to five.

As per our previous communication to you, dated November 2, 2016, this is to confirm that at its Special Council Meeting of November 1, 2016, City of Vaughan Council adopted the following recommendation contained in Item 20, Report No. 38 of the Committee of the Whole:

1. That City Council consent to the adoption of a by-law by Regional Council changing the composition and size of Regional Council to increase the number of members from The Corporation of the City of Vaughan from four to five;
2. That in the event that the required triple majority approval is not achieved for the adoption of the by-law to provide for an additional City of Vaughan member, Council support a weighted voting system for all recorded votes at Regional Council using Regional Council's current composition, with no additional members, based on population distribution of member municipalities in each election year;
3. That a Special Meeting of Council be held immediately following Committee of the Whole to give effect to the foregoing, and that the City Clerk be requested to immediately forward Council's resolution in this matter to the Regional Clerk; and
4. That in the event the necessary consents are obtained and a by-law is passed by Regional Council to add an additional City of Vaughan member on Regional Council, that City Council enact a by-law to increase its size accordingly, and that the 2018-2022 Draft Operating Budget and Plan reflect the projected financial impact.

A copy of Minute No. 162 is attached.

Sincerely,

Barbara A. McEwan
City Clerk

Attachment: Minute No. 162

BAM/as

EXTRACT FROM SPECIAL COUNCIL MEETING MINUTES NOVEMBER 1, 2016

162. REVIEW OF REGIONAL COUNCIL GOVERNANCE

(Item 20, Report No. 38, Committee of the Whole, November 1, 2016)

MOVED by Councillor DeFrancesca

seconded by Councillor Iafrate

That the following recommendation of Item 20, Report No. 38, of the Committee of the Whole meeting of November 1, 2016, be approved:

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Manager, dated November 1, 2016:

CARRIED UPON A RECORDED VOTE

YEAS

Councillor Yeung Racco
Regional Councillor Rosati
Regional Councillor Di Biase
Mayor Bevilacqua
Regional Councillor Ferri
Councillor DeFrancesca
Councillor Iafrate

NAYS

Councillor Shefman
Councillor Carella

Report of the City Manager, dated November 1, 2016 (Item 20, Report No. 38, Committee of the Whole, November 1, 2016):

Recommendation

The City Manager recommends:

1. That City Council consent to the adoption of a by-law by Regional Council changing the composition and size of Regional Council to increase the number of members from The Corporation of the City of Vaughan from four to five;
2. That in the event that the required triple majority approval is not achieved for the adoption of the by-law to provide for an additional City of Vaughan member, Council support a weighted voting system for all recorded votes at Regional Council using Regional Council's current composition, with no additional members, based on population distribution of member municipalities in each election year;
3. That a Special Meeting of Council be held immediately following Committee of the Whole to give effect to the foregoing, and that the City Clerk be requested to immediately forward Council's resolution in this matter to the Regional Clerk; and
4. That in the event the necessary consents are obtained and a by-law is passed by Regional Council to add an additional City of Vaughan member on Regional Council, that City Council enact a by-law to increase its size accordingly, and that the 2018-2022 Draft Operating Budget and Plan reflect the projected financial impact

Contribution to Sustainability

Increasing the representativeness of Vaughan on Regional Council more fairly aligns the City's representation with population distribution and growth in York Region.

Economic Impact

Increasing Vaughan's representation on Regional Council will also increase the size of Vaughan Council by one member, commencing on December 1, 2018. The annual cost to the City of Vaughan for one Regional Councillor is approximately \$300,000 for salaries (Member and support staff), benefits and discretionary expenses. Only minor additional one-time costs will be required (ie. configuring the Council chamber system) since one vacant office is available on the Council floor. In addition, an adjustment to the Council Corporate budget in the amount of approximately \$3,000 would be required in future years for miscellaneous expenses such as office supplies.

Communications Plan

Should the necessary triple majority consent be received for the additional City of Vaughan member on Regional Council, the Region of York, prior to passing a by-law to effect the change, would be required to give notice of its intention to pass the by-law and hold at least one public meeting to consider the matter.

If a by-law is passed by Regional Council to add an additional City of Vaughan member on Regional Council, Vaughan City Council would be required to give notice of its intention to pass a by-law to change its composition. In accordance with By-law 394-2002, the notice requirement includes a public meeting to consider the proposed by-law at least twenty-one (21) days prior to the date the proposed by-law is to be considered, and listing the item on the printed public agenda.

If approved, the additional Council office will form part of the City Clerk's communication to the public in preparation for the 2018 general municipal and school board elections.

Purpose

The purpose of this report is to enable Council to consider providing consent to the adoption of a by-law by Regional Council changing the composition and size of Regional Council to increase the number of members from The Corporation of the City of Vaughan from four to five. Should the necessary consents be obtained by Regional Council and a by-law to change its composition enacted, this report also authorizes the enactment of a by-law by Vaughan City Council to increase its size for that purpose. Once Regional Council passes its by-law, a special meeting of City Council will be required to consider that by-law.

The focus of this report is on presenting options to achieve more equitable representation for Vaughan on Regional Council. This includes consideration of an additional City of Vaughan member on Regional Council or the implementation of a weighted voting system. Staff's report does not address other matters currently being reviewed as part of the Regional Governance Review, such as the method of electing the Regional Chair or direct vs double direct election of Members.

Background - Analysis and Options

The matter of Regional Council representation and governance was considered by Regional Council in 2013 at which time the by-law to permit an additional Regional Council member for Vaughan failed to achieve the required "triple majority" support.

In 2013, Regional Council considered the matter of regional representation and passed a motion to increase the size of Regional Council by adding an extra member from the City of Vaughan. Subsequently, at Regional Council's request, the Province of Ontario enacted Ontario Regulation

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279/13 to permit York Region to exercise its powers under section 218 of the *Municipal Act* to change the size of its Council by increasing the number of members from Vaughan from four to five. However, the associated draft by-law did not receive the required triple majority support to permit the additional member.

Section 219 of the Municipal Act states that a York Region by-law to change its composition is invalid unless it receives what is referred to as a triple majority;

- a majority of the votes on Regional Council are cast in its favour;
- a majority of the councils of the local municipalities in York Region pass resolutions consenting to the by-law; and
- the total number of electors in the local municipalities that have passed the consenting resolutions, form a majority of all the electors in the upper-tier municipality.

When the matter of increasing City of Vaughan representation on Regional Council was considered by Vaughan City Council on December 10, 2013 [Item 4, Report No. 6 of the Finance and Administration Committee], Council approved “that consideration of this matter be deferred until the next term of Council and that an opportunity be provided at that time for community input”.

Ontario Regulation 279/13 remains in effect which means that the addition of a Regional Council member for Vaughan is still an option that could be implemented, subject to achieving triple majority support. If the triple majority is achieved prior to December 31, 2017, the change will take effect for the 2018 general municipal election.

Regional Council is currently considering a report regarding ‘Review of Regional Governance’ and is requesting comments from local municipal councils prior to the November 10, 2016 meeting of the Region’s Committee of the Whole.

A copy of the Regional Chair’s report on this matter is included as Attachment ‘1’. In addition to the issue of Council composition (size and distribution of members), the report addresses the method of electing the Regional Chair, direct vs double direct election of Members and weighted voting. The Region has requested comments from local municipalities on this report which presents another opportunity for Vaughan City Council to consider its position on addressing the disparity of representation for Vaughan on Regional Council.

The current composition of Regional Council does not fairly represent Vaughan’s share of York Region’s population.

Regional Council is comprised of 21 members consisting of the Regional Chair and 20 members elected to York Region’s nine local municipalities. The Mayor of the City of Vaughan, and three Local and Regional Councillors, comprise Vaughan’s four current members on Regional Council.

The Regional Chair, in reporting to Regional Council on this matter (attachment 1), notes that by 2018, the regional structure is projected to be based on a distribution of members and population resulting in Vaughan having 20% of the total votes on Regional Council despite representing 27% of York Region’s population.

Table 1 below summarizes the distribution of votes by municipality on Regional Council as compared to the respective populations of York Region’s constituent local municipalities should the additional member for Vaughan not be approved (status quo). The Table shows those

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municipalities which are over represented (having a greater number of votes on Regional Council than percentage population), a well as those that are either neutrally affected or under-represented on the basis of that comparison. All figures are based on population projections for 2018 as calculated by Regional staff.

Table 1 2018 – Representation by Population on Regional Council (Status Quo)						
	# of elected members	Population	Population per elected member	Percentage population (rounded)	Percentage of represented members (rounded)	Representation: Over/Under
Aurora	1	61,110	61,110	5%	5%	Neutral
East Gwillimbury	1	31,147	31,147	3%	5%	Over
Georgina	2	49,251	24,626	4%	10%	Over
King	1	27,214	27,214	2%	5%	Over
Markham	5	366,319	73,264	30%	25%	Under
Newmarket	2	88,781	44,390	7%	10%	Over
Richmond Hill	3	215,919	71,973	18%	15%	Under
Whitchurch-Stouffville	1	48,212	48,212	4%	5%	Over
Vaughan (status quo)	4	335,788	83,947	27%	20%	Under
Total	20	1,223,741	61,187	100%	100%	

Source: Report of the Regional Chair [Region of York], dated October 5, 2016. .

Table 2 below summarizes the comparison were the additional member for Vaughan be in place for the 2018 municipal election.

Table 2 2018 – Representation by Population on Regional Council (With additional Vaughan Member)						
	# of elected members	Population	Population per elected member	Percentage population (rounded)	Percentage of represented members (rounded)	Representation: Over/Under
Aurora	1	61,110	61,110	5%	5%	Neutral
East Gwillimbury	1	31,147	31,147	3%	5%	Over
Georgina	2	49,251	24,625	4%	10%	Over
King	1	27,214	27,214	2%	5%	Over
Markham	5	366,319	73,264	30%	24%	Under
Newmarket	2	88,781	44,391	7%	10%	Over
Richmond Hill	3	215,919	71,973	18%	14%	Under

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Whitchurch-Stouffville	1	48,212	48,212	4%	5%	Over
Vaughan (additional member)	5	335,788	67,158	27%	24%	Under
Total	21	1,223,741	58,273	100%	100%	

Source: Report of the Regional Chair [Region of York], dated October 5, 2016.

Should the required Triple Majority approval not be achieved for an additional Regional Council member for the City of Vaughan, a weighted voting system could achieve a more balanced percentage of vote by local municipality.

As outlined in the report of the Regional Chair (attachment 1), *The Municipal Act (2001)* allows for a municipality to establish a weighted voting system. Such a system would provide each local municipality with a weighted share of the total vote based on the municipality's proportion of the total population. The actual number of weighted votes per local municipality could be set shortly after the 2018 municipal election and updated in subsequent elections based on the current population numbers. Table 3 shows how a weighted voting system could be established based on 2018 population figures.

**Table 3
2018 – Representation by Population on Regional Council
(Weighted Voting Scenario)**

	# of elected members	Population	Percentage population (rounded)	Estimated # of Regional Votes	# of Votes per Elected Member	Adjusted # of Regional Votes	Population per Regional Vote
Aurora	1	61,110	5%	5	5	5	12,222
East Gwillimbury	1	31,147	3%	3	3	3	10,382
Georgina	2	49,251	4%	4	2	4	12,313
King	1	27,214	2%	2	2	2	13,607
Markham	5	366,319	30%	30	6	30	12,211
Newmarket	2	88,781	7%	7	4	8	11,098
Richmond Hill	3	215,919	18%	18	6	18	11,996
Whitchurch-Stouffville	1	48,212	4%	4	4	4	12,053
Vaughan (additional member)	4	335,788	27%	27	7	28	11,992
Total	20	1,223,741	100%	100	100%		

Source: Report of the Regional Chair [Region of York], dated October 5, 2016.

The weighted voting distribution set out in Table 3 is one example of how such a system could work, although, as outlined in the report of the Regional Chair, there are other options and factors to consider including:

- Whether weighted voting applies only to recorded votes or also to key votes such as the budget and major planning issues;

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- Whether a motion must receive the votes of a majority of the members of Council as well as the majority of weighted votes to carry;
- The weighted vote to be assigned to the Regional Chair if this position is a) elected by the members at the Inaugural Meeting or b) elected by the electors by general vote.

This report recommends that should weighted voting be implemented, that for pragmatic purposes it only apply to recorded votes (any member of Council may request that a recorded vote be taken on any matter before Regional Council for decision). Without modification to the Region's procedure by-law, recorded votes are not taken at meetings of Regional committees. For consistency, should the option of weighted voting be authorized, a review of the Region's procedure by-law should be undertaken to ensure that Vaughan's representative authority is preserved at meetings of committees.

Should Regional Council pass a resolution to introduce weighted voting, a request would be forwarded to the Minister of Municipal Affairs for a regulation authorizing the change. After receiving the Minister's regulation, and before passing a by-law to authorize weighted voting, a triple majority would be required, similar to the process outlined for adding a member to Regional Council.

The City of Vaughan is currently undertaking a ward boundary review which is a separate process from the Region's review of Regional Council governance.

The City of Vaughan Ward boundary review that is currently underway will conclude in December, 2016 with a final report and recommended ward boundary alignment to be considered by Council in January, 2017. The ward boundary review is a separate process from the Region's process. The number of wards has no direct relationship to the number of regional councillors, though it will have an impact on the size of Vaughan council. The outcome of the Ward Boundary Review and Regional Governance Review are time sensitive, in order to prepare for the 2018 municipal elections.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report is consistent with the priorities set out in the Term of Council Service Excellence Strategy Map: continue to advance a culture of excellence in governance.

Regional Implications

Implementation of the proposed change in composition supports the reduction of a significant disparity in the representativeness of elected officials on York Region Council as compared to the population of their local municipalities.

Conclusion

This report responds to a request from York Region to consider a report on Review of Regional Council Governance. The City of Vaughan currently has the largest disparity (7%) between its percentage of population and percentage of representation on Regional Council. Vaughan City Council has an opportunity to address this disparity by consenting to the adoption of a by-law by Regional Council to increase the number of members from The Corporation of the City of Vaughan from four to five.

Should the required triple majority consent not be achieved to approve an additional member, consideration should be given to supporting a weighted voting system that provides a more balanced percentage of vote by municipality. Such a system should use the current composition of Regional Council, with no additional members, based on 2018 population projections.

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Attachments

Attachment 1: Report of the Regional Chairman [Region of York], dated October 5, 2016

Report prepared by:

Barbara A. McEwan, Deputy City Clerk

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

May 10, 2017



Chris Raynor, Regional Clerk
Regional Municipality of York
17250 Yonge Street
Newmarket, Ontario L3Y 6Z1

Dear Mr. Raynor,

Re: Regional Municipality of York Council Composition (City of Vaughan)

Richmond Hill Town Council, at its meeting held on May 8, 2017, adopted the following resolution:

That staff report SRCFS.17.013 regarding the Regional Municipality of York Council Composition (City of Vaughan), be received.

In accordance with Council's directive, please find attached a copy of the Council endorsed resolution. In addition, enclosed is a copy of staff report SRCFS.17.013, regarding the Regional Municipality of York Council Composition (City of Vaughan), for your information.

If you have any questions, please contact the Office of the Clerk, at 905-771-8800.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Stephen M.A. Huycke".

Stephen M.A. Huycke
Director of Council Support Services/Town Clerk

**Extract from Council Meeting
C#16-17 held May 8, 2017
Confirmatory By-law 50-17**

**2.0 Regional Municipality of York Council Composition (City of Vaughan) –
(Staff Report SRCFS.17.013)**

Moved by: Regional and Local Councillor Spatafora
Seconded by: Councillor Cilevitz

That staff report SRCFS.17.013 regarding the Regional Municipality of York Council Composition (City of Vaughan), be received.

Carried



Staff Report for Council Meeting

Date of Meeting: May 8, 2017
Report Number: SRCFS.17.013

Department: Corporate and Financial Services
Division: Office of the Clerk

Subject: Regional Municipality of York Council
Composition (City of Vaughan)

Purpose:

To seek direction in response to the request of the York Region that Richmond Hill Council consent or not to consent to the passing a by-law to change the composition and size of Regional Council by increasing the number of members from the City of Vaughan from four to five.

Recommendation(s):

- a) That staff report SRCFS.17.013 regarding the Regional Municipality of York Council Composition (City of Vaughan), be received;
- b) That Council provide direction in respect to the request to consent or not to consent to Regional Council passing a by-law to change the composition and size of Regional Council by increasing the number of members from the City of Vaughan from four to five;
- c) That the Clerk be directed to forward Council's resolution to the Regional Clerk prior to May 31, 2017.

Contact Person:

Stephen M.A. Huycke, Director, Council Support Services/Town Clerk, extension 2529

Submitted by:

"Signed version on file in the Office of the Clerk"

David Dexter
Acting Commissioner of Corporate and Financial Services

Approved by:

"Signed version on file in the Office of the Clerk"

Neil Garbe
Chief Administrative Officer

Background:

Regional Council is currently comprised on 20 members elected from the nine local municipalities and one appointed Regional Chair. Regional Council at its meeting on April 20, 2017, adopted the following resolution:

“The Regional Clerk forward a copy of Regulation 279/13 to the local municipalities with a request that they provide their consent or lack of consent, by May 31, 2017, to a bylaw changing the composition and size of Regional Council by increasing the number of members from The Corporation of the City of Vaughan from four to five.”

Richmond Hill Council last considered a request to consent to changing the composition and size of Regional Council by increasing the number of members from City of Vaughan from four to five at its meeting on December 9, 2013. At that meeting, Council neither consented nor did not consent to change.

Legislative Rules

Under Section 219(5) of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the “Municipal Act”), York Region can only exercise its power to change the size and composition of Regional Council after the Minister of Municipal Affairs has issued a regulation, authorizing the use of the authority. In 2013, the Province of Ontario enacted Regulation 279/13, authorizing York Region to increase the number of members from the City of Vaughan from four to five. Regulation 279/13 is still valid.

Section 219(2) of the Municipal Act requires that any changes to the composition and size of Regional Council be approved by a triple majority. To achieve a triple majority, all of the following three criteria must be met:

1. A majority of Regional Council, or 11 of 21 Regional Council Members, must approve the by-law;
2. A majority of the Councils of the local municipalities, or 5 of the 9 local Councils, must pass resolutions endorsing the by-law; and
3. The total number of electors in the local municipalities that have passed consenting resolutions must form a majority of the total number of electors in the Region.

Without Richmond Hill’s consent a triple majority is not likely to be achieved. Based on the 2016 Census, York Region has a total population of 1,109,909 and Richmond Hill has a population of 195,022 (or 17.6% of the total). Combined, Richmond Hill, Markham and Vaughan have a total population of 830,221 persons, or 74.8% of the region’s total population. Given the fact that Richmond Hill, Markham and Vaughan account for approximately three quarters of the population, it is reasonable to assume that combined these three local municipalities account for more than 50% of the electors. The Regional Clerk will be required to certify if the triple majority has been achieved.

Representation by Population

The request to change the size of Regional Council is based on the principle of representation by population. As set out in Table 1, the City of Vaughan is currently under represented on Regional Council compared to its percentage of the Region's total population. Based on the 2016 Census, Vaughan has 27.6% of the region's population, but only 20% of Regional Council's 20 elected seats, a difference of 7.6%. Richmond Hill is also under represented on Regional Council. Based on the 2016 Census, Richmond Hill has 17.6% of the Region's population, but only 15% of the Regional Council elected seats, a difference of 2.6%

Table 1 - Current Regional Council Representation by Population (2016 Census)

	Number of Members Elected	Percentage of 20 Elected Members	Percentage of Regions Population	Representation Over/Under
Aurora	1	5	5	neutral
East Gwillimbury	1	5	2.2	over
Georgina	2	10	4.1	over
King	1	5	2.3	over
Markham	5	25	29.6	under
Newmarket	2	10	7.6	over
Richmond Hill	3	15	17.6	under
Vaughan (Current)	4	20	27.6	under
Whitchurch-Stouffville	1	5	4.1	neutral

The proposal to increase the size of Regional Council to 21 elected Members plus one Regional Chair, by increasing the number of members elected from Vaughan from four to five will reduce the population to representation disparity for Vaughan. The proposed change will also affect Richmond Hill's overall representation, as demonstrated in Table 2.

Table 2 - Proposed Regional Council Representation by Population (2016 Census)

	Number of Members Elected	Percentage of 21 Elected Members	Percentage of Regions Population	Representation Over/Under
Aurora	1	4.8	5	neutral
East Gwillimbury	1	4.8	2.2	over
Georgina	2	9.5	4.1	over
King	1	4.8	2.3	over

Markham	5	23.8	29.6	under
Newmarket	2	9.5	7.6	over
Richmond Hill	3	14.3	17.6	under
Vaughan (revised)	5	23.8	27.6	under
Whitchurch-Stouffville	1	4.8	4.1	neutral

Option 1 – Consent to increase the size of Regional Council

If Council consents to the change in size of Regional Council, the following resolution should be adopted:

- a) That staff report SRCFS.17.013 be received.
- b) That Council for the Town of Richmond Hill consents to the Regional Municipality of York passing a by-law to change the composition and size of Regional Council by increasing the number of members from the City of Vaughan from four to five.
- c) That the Clerk be directed to forward Council’s resolution to the Regional Clerk prior to May 31, 2017.

Option 2 – Do not consent to any change in Regional Council

If Council does not consent to any change in composition and size of Regional Council, the following resolution should be adopted:

- a) That staff report SRCFS.17.013 be received.
- b) That Council for the Town of Richmond Hill does not consent to the Regional Municipality of York passing a by-law to change the composition and size of Regional Council by increasing the number of members from the City of Vaughan from four to five.
- c) That the Clerk be directed to forward Council’s resolution to the Regional Clerk prior to May 31, 2017.

Improve representation by population without increasing the size of Regional Council

Richmond Hill staff have considered other ways in which the disparity between representation and population can be addressed without increasing the size of Regional Council. As demonstrated in Table 1, Georgina is the most over represented municipality on Regional Council. Table 3 below demonstrates that if Georgina’s second member of Regional Council was redistributed to Vaughan, Georgina’s representation would move from over represented to neutral, and Vaughan’s under representation would be significantly reduced. In this scenario, both Richmond Hill and Vaughan would be under represented by less than four percentage points.

Regulation 279/13 does not, however, authorize a redistribution of the current elected seats. That regulation only permits Regional Council to pass a by-law to “...change the

size of its council by increasing the number of members....” York Region is responsible for exploring further options to address any under and over representation on Regional Council.

Table 3 – Redistribution of current 20 elected Regional Council Seats

	Number of Members Elected	Percentage of 20 Elected Members	Percentage of Regions Population	Representation Over/Under
Aurora	1	5	5	neutral
East Gwillimbury	1	5	2.2	over
Georgina (revised)	1	5	4.1	neutral
King	1	5	2.3	over
Markham	5	25	29.6	under
Newmarket	2	10	7.6	over
Richmond Hill	3	15	17.6	under
Vaughan (revised)	5	25	27.6	under
Whitchurch-Stouffville	1	5	4.1	neutral

Financial/Staffing/Other Implications:

There are no direct financial impacts on the Town as a result of any change to the composition and size of Regional Council by increasing the number of members from the City of Vaughan from four to five. Costs associated with any increase in the size of Vaughan’s regional representation will be borne by the City of Vaughan and York Region.

Relationship to the Strategic Plan:

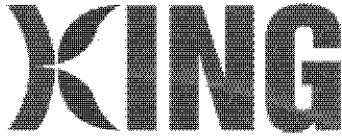
Consideration of representation on Regional Council relates to the Strategic Plan Goal of Stronger Connections in Richmond Hill by ensuring that the formal association Richmond Hill has to York Region through Regional Council is regularly reviewed.

Conclusion:

York Region has requested all nine local municipalities pass resolutions either consenting or not consenting to the passing of a by-law to change the composition and size of Regional Council by increasing the number of members from the City of Vaughan from four to five. Richmond Hill Council can choose to consent or not consent to the passage of the Regions By-law. If Council does not consent, it is very unlikely that the proposed regional by-law will receive the required triple majority for enactment.

Attachments:

- Attachment A – Letter of Regional Clerk dated April 21, 2017



King Township
2075 King Road
King City, Ontario
Canada L7B 1A1

Phone: 905.833.5321
Fax: 905.833.2300
Website: www.king.ca



May 15, 2017

Chris Raynor, Regional Clerk
Regional Municipality of York
17250 Yonge Street
NEWMARKET ON L3Y 6Z1

Dear Mr. Raynor,

**RE: Correspondence from the Regional Clerk
Regional Municipality of York -
Resolution – Change the Composition and Size of Regional Council by
Increasing the Number of Members from The Corporation of the City of
Vaughan from Four (4) to Five (5)**

At its meeting of May 8, 2017, Council received the correspondence from the Regional Municipality of York regarding the 'Resolution – Change the Composition and Size of Regional Council by Increasing the Number of Members from The Corporation of the City of Vaughan from Four (4) to Five (5)' and adopted the following recommendations as amended:

- (a) That Report Number CL-2017-08 be received as information;
- (b) That the Township of King does not consent to the Region of York's request to enact a by-law changing the composition and size of Regional Council by increasing the number of members from the Corporation of the City of Vaughan from four (4) to five (5); and
- (c) That the Township Clerk forward Council's position to the Regional Clerk and Clerks of York Region Municipalities.

Yours truly,

Kathryn Moyle
Director of Clerks/By-law Enforcement
Township Clerk

c.c. Lisa Lyons, Clerk, Town of Aurora
Fernando Lamanna, Clerk, Town of East Gwillimbury
Gillian Angus-Trail, Clerk, Town of Whitchurch-Stouffville
Jeffrey Abrams, Clerk, City of Vaughan
John Espinosa, Clerk, Town of Georgina
Andrew Brouwer, Clerk, Town of Newmarket
Kim Kitteringham, Clerk, City of Markham
Stephen Huycke, Clerk, Town of Richmond Hill

From: Samantha Kong [<mailto:samantha.kong@townofws.ca>]

Sent: May-18-17 9:09 AM

To: Raynor, Christopher

Cc: barbara.mcewan@vaughan.ca; Fernando Lamanna; Kathryn Moyle; Kimberley Kitteringham; llyons@town.newmarket.on.ca; clerks@richmondhill.ca; SYew@aurora.ca; Isabel Leung

Subject: Regional Governance - Town of WS Council Resolution

Re: Regional Governance

Please be advised that Council considered the above-noted matter at its meeting held on May 16, 2017, and the following resolution was passed:

That Council support York Region's bylaw regarding changing the composition and size of Regional Council by increasing the number of members from The Corporation of the City of Vaughan from four to five.

Kind regards,

Samantha Kong | Council Coordinator | Corporate Services

Town of Whitchurch-Stouffville, 111 Sandiford Drive, Stouffville, Ontario L4A 0Z8

905-640-1910 or 1-855-642-8697 (TOWS) Ext. 2222

www.townofws.ca



Town of
East Gwillimbury

Fernando Lamanna, B.A., Dipl. M. M., CMO

Municipal Clerk
Corporate Services
Tel: 905-478-3821 Fax: 905-478-2808
flamanna@eastgwillimbury.ca



Christopher Raynor, Regional Clerk
The Regional Municipality of York
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

May 24, 2017

Dear Mr. Raynor:

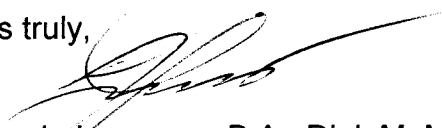
For your information and records, at its regular meeting held on May 16, 2017 the Council of the Town of East Gwillimbury enacted as follows:

BE IT RESOLVED THAT the correspondence from C. Raynor, Regional Clerk, The Regional Municipality of York, dated April 21, 2017, requesting that Council provide a consent or lack of consent for the purpose of changing the composition and size of Regional Council by increasing the number of members for The Corporation of the City of Vaughan from four to five, be received; and

THAT the Municipal Council of the Town of East Gwillimbury does not provide consent to change the composition and size of the Regional Council by increasing their Council Members of Vaughan from four to five.

If you have any further questions feel free to contact the undersigned.

Yours truly,


Fernando Lamanna, B.A., Dipl. M. M., CMO
Municipal Clerk



26557 Civic Centre Road
Keswick, Ontario L4P 3G1
905-476-4301

GEORGINA

May 25, 2017

Mr. Christopher Raynor, Clerk
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

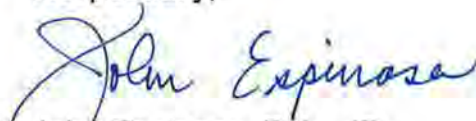
Re: Regional Council Governance

Dear Mr. Raynor:

Please be advised that the above referenced matter was considered at the meeting of Council on May 24, 2017. With respect to the request by the Region of York regarding Regional Council Governance, the Council of the Town of Georgina adopted the following motion:

1. That Council receive Report No. AD-2017-0024, prepared by the Clerk's Division, Administrative Services Department dated May 24, 2017, regarding a request from York Regional Council to start the process to change the size of Regional Council by increasing the number of members from Vaughan from four to five.
2. That Council consider the request from Regional Council.
3. That Council not consent to change the size of Regional Council by increasing the number of members from Vaughan from four to five.
4. That the Clerk be directed to notify the Regional Council and all York Region municipalities of Council's decision with respect to this issue prior to May 31, 2017.

Respectfully,


John Espinosa, B.A., JD
Town Clerk

cc: Michael de Rond, Clerk, Town of Aurora
Fernando Lamanna, Clerk, Town of East Gwillimbury
Gillian Angus-Traill Clerk, Town of Whitchurch-Stouffville
Barbara McEwan, Clerk, City of Vaughan
Lisa Lyons, Clerk, Town of Newmarket
Kimberley Kitteringham, Clerk, City of Markham
Stephen Huycke, Clerk, Town of Richmond Hill
Kathryn Moyle, Clerk, Township of King

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. AD-2017-0024

**FOR THE CONSIDERATION OF COUNCIL
MAY 24, 2017**

**SUBJECT: REGIONAL COUNCIL REQUEST TO INCREASE NUMBER OF
REGIONAL COUNCILLORS FROM THE CITY OF VAUGHAN FROM
FOUR TO FIVE.**

1. RECOMMENDATION:

- 1. That Council receive Report No. AD-2017-0024, prepared by the Clerk's Division, Administrative Services Department dated May 24, 2017, regarding a request from York Regional Council to start the process to change the size of Regional Council by increasing the number of members from Vaughan from four to five.**
- 2. That Council consider the request from Regional Council.**
- 3. That Council make resolution to do one of the following:**
 - a. Consent to change the size of Regional Council by increasing the number of members from Vaughan from four to five; or**
 - b. Not consent to change the size of Regional Council by increasing the number of members from Vaughan from four to five; or**
 - c. Not take a position on this subject and accept this Report.**
- 4. That the Clerk be directed to notify the Regional Council and all York Region municipalities of Council's decision with respect to this issue prior to May 31, 2017.**

2. PURPOSE:

The purpose of this report is to provide information to Council in order that it may make a determination of Regional Council's request to change the size of Regional Council by increasing the number of members from Vaughan from four to five.

3. BACKGROUND:

On April 21, 2017, York Regional Clerk's Office advised that Regional Council, at its April 20, 2017 meeting, adopted the following motion:

WHEREAS on October 18, 2013 the Minister of Municipal Affairs enacted Regulation 279/13 which permits York Region to exercise its powers under section 218 of the Municipal Act to change the size of its council by increasing the number of members from the Corporation of the City of Vaughan from four to five;

BE IT RESOLVED THAT:

1. The Regional Clerk forward a copy of Regulation 279/13 to the local municipalities with a request that they provide their consent or lack of consent by May 31, 2017, to a bylaw changing the composition and size of Regional Council by increasing the number of members from the Corporation of the City of Vaughan from four to five.
2. Regional Council schedule a public meeting at 9 a.m. on June 29, 2017 for the purpose of considering this bylaw in the event that a majority of local municipal councils representing a majority of the total number of electors, provide their consent for such a bylaw.
3. Staff publish notice of Council's intention to pass the bylaw if the public meeting is scheduled. Attachment 1.

On March 22, 2017, Georgina Town Council considered a "Review of Regional Council Governance" request from Regional Council (Report No. AD-2017-0014) dated October 26, 2016 and unanimously carried the following Resolution:

"Moved by Regional Councillor Davison, Seconded by Councillor Fellini

RESOLUTION NO. C-2017-0139

That Council receive Report No. AD-2017-0014, prepared by the Clerk's Division, Administrative Services Department dated March 22, 2017, regarding a review of Regional Council governance be received.

That the Town of Georgina supports consideration of increasing the size of Regional Council to accommodate additional members from other municipalities;

That the Town of Georgina supports the "double direct" electoral system;

That the Town of Georgina does not support "weighted voting";

That Council direct staff to forward this resolution to the Regional Clerk and to all York Region municipalities." Attachment 2.

Subsequent to the March 22, 2017 Council determination, the Town has received the following communications:

1. Email from Christopher Raynor, Regional Clerk, to John Espinosa, Town Clerk, and others providing information with respect to the number of electors per York Region municipality dated May 11, 2017. Attachment 3
2. Letter from Hon. Maurizio Bevilacqua, P.C., Mayor of the City of Vaughan to Her Worship Margaret Quirk dated May 12, 2017, requesting Mayor Quirk's support of the proposed increase to Regional Council. Attachment 4.

4. ANALYSIS:

The current composition of York Region consists of the following 21 members: The Chairman and CEO, nine mayors from each of the local municipalities, four additional members from Markham, three additional members from Vaughan, two additional members from Richmond Hill, one additional member from Georgina and Newmarket.

Triple majority

Pursuant to section 219 of the Municipal Act, prior to passing a by-law changing the structure of Regional Council by increasing the Vaughan representation from four to five, Regional Council must provide notice of intention to pass the by-law and hold at least one public meeting to consider the matter. In addition, section 219 (2) of the Municipal Act mandates the following:

1. Such a change must be endorsed by a majority of all votes on the Regional Council (11 of 21) ; and
2. a majority of the councils of all lower-tier municipalities forming part of the upper-tier municipality must pass resolutions consenting to the by-law (5 of 9); and
3. the total numbers of electors in the lower-tier municipalities that have passed resolutions for a majority of all electors in the upper-tier municipality.

Communications

Subsequent to the March 22, 2017 Council determination, the Town has received the following communications:

1. Email from Christopher Raynor, Regional Clerk, to John Espinosa, Town Clerk, and others providing information with respect to the number of electors per York Region municipality dated May 11, 2017. Attachment 3
2. Letter from Hon. Maurizio Bevilacqua, P.C., Mayor of the City of Vaughan to Her Worship Margaret Quirk dated May 12, 2017, requesting Mayor Quirk's support of the proposed increase to Regional Council. Attachment 4.

Determinations by other York Region Municipalities

On November 1, 2016, the Council of the City of Vaughan consented to a by-law by Regional Council changing the composition and size of Regional Council to increase the number of members from The Corporation of the City of Vaughan from four to five. Attachment 5

On May 8, 2017 the Council of the Town of Richmond Hill accepted the staff report with respect to Regional Council's request to change the size of Regional Council by increasing the number of members from Vaughan from four to five.

On May 8, 2017, the Council of the Township of King did not consent to the request to Regional Council's request to change the size of Regional Council by increasing the number of members from Vaughan from four to five.

On May 15, 2017, the Council of the Town of Newmarket deferred the issue until its May 29, 2017 meeting Committee of the Whole and will likely be taken up by the Council in a Special Meeting thereafter.

On May 15, 2017, the General Committee referred the issue to the Council of the City of Markham meeting May 29, 2017.

The remaining York Region municipal councils have scheduled this issue on the following dates:

Aurora- May 16, 2017

East Gwillimbury- May 16, 2017

Whitchurch-Stouffville- May 16, 2017

5. RELATIONSHIP TO STRATEGIC PLAN

This Report supports the following Strategic Goals:

GOAL 3: "Engage Our Community & Build Partnerships" – COMMUNICATION, ENGAGEMENT, COLLABORATION & PARTNERSHIPS.

6. FINANCIAL AND BUDGETARY IMPACT:

Should Council endorse the proposal to change the size of Regional Council, there are no direct financial and budgetary impacts associated with such action. Instead, the City of Vaughan and the Region of York would be directly impacted.

7. PUBLIC CONSULTATION AND NOTICE:

As noted above, public consultation and notice is the responsibility of York Region if and when consent to change the size of Regional Council is given. There are no public consultations or notice requirements applicable to the Corporation of the Town of Georgina.

8. CONCLUSION:

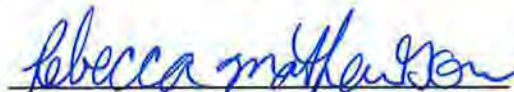
This Report seeks Council's response to the request by York Regional to change the size of Regional Council by increasing the number of members from Vaughan from four to five.

Prepared by:



John Espinosa, B.A, J.D.
Town Clerk

Recommended by:



Rebecca Mathewson, CPA, CGA
Director of Administrative Services/Treasurer

Approved by:



Winanne Grant, B.A, AMCT, CEMC
Chief Administrative Officer



Legislative Services
Michael de Rond
905-726-4771
mderond@aurora.ca

Town of Aurora
100 John West Way, Box 1000
Aurora, ON L4G 6J1

May 29, 2017

Christopher Raynor, Regional Clerk
The Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Delivered by email to:
regionalclerk@york.ca

Dear Mr. Raynor:

Re: Town of Aurora Council Resolution of May 23, 2017
Re: Item R3 – Correspondence from Regional Clerk dated April 21, 2017,
regarding Regional Governance

Please be advised that this matter was heard by Council at its Council meeting held on May 23, 2017, and in this regard Council **defeated** the following resolution:

- 1. That the Correspondence from Regional Clerk dated April 21, 2017, regarding Regional Governance be received; and**
- 2. That Council consent to the City of Vaughan receiving an additional member on The Regional Municipality of York Council.**

The above is for your information and any attention deemed necessary.

Yours truly,

Michael de Rond
Town Clerk
The Corporation of the Town of Aurora

MdR/lb



Lisa Lyons
Director of Legislative Services/ Town Clerk
Town of Newmarket
395 Mulock Drive
P.O. Box 328 Station Main
Newmarket, ON L3Y 4X7

llyons@newmarket.ca
tel.: 905-953-5300, Ext. 2211
fax: 905-953-5100

May 29, 2017

Mr. Christopher Raynor, Regional Clerk
The Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Sent via email: christopher.raynor@york.ca

Dear Mr. Raynor:

RE: Change in Regional Composition by Increasing Vaughan's Members from 4 to 5.

I am writing to advise that the above referenced matter was considered at the Committee of the Whole meeting held on May 29, 2017.

Council, at a special meeting held immediately following the Committee of the Whole meeting, adopted the following recommendations:

1. That the correspondence from York Region regarding Change in Regional Composition by increasing Vaughan's Members from 4 to 5 be received, and;
2. That the Town Clerk notifies the York Region area municipalities of this decision.

Yours sincerely,

Kiran Saini
Deputy Clerk

KS:lm

Copy: York Region Municipalities





May 30, 2017

Mr. Chris Raynor
Regional Clerk
The Regional Municipality of York
17250 Yonge St.
Newmarket, On L3Y 6Z1
Email: Christopher.raynor@york.ca

RE: YORK REGION GOVERNANCE (13.4)

Dear Mr. Raynor:

This will confirm that at a meeting held on May 29, 2017, Council of the City of Markham adopted the following resolution:

“Whereas Markham City Council on December 10, 2013 and November 1, 2016 supported the request to change the composition of Regional Council by increasing the number of City of Vaughan members from four (4) to five (5); and,

Whereas Section 219(2) of the Municipal Act provides that before a by-law changing the composition of Council comes into force, a “triple majority” must be attained; and,

Whereas a triple majority cannot be attained;

Now therefore be it resolved:

- 1) That the following correspondences be received:
 1. [Extract](#) dated November 1 and 2, 2016 from Markham Council minutes including the correspondence dated October 13, 2016 from York Region;
 2. [Minutes](#) dated January 26, 2017 from York Region Council;
 3. [Letter](#) dated April 21, 2017 from York Region;
 4. [Letter](#) dated May 12, 2017 from Mayor Maurizio Bevilacqua, City of Vaughan;
 5. [Letter](#) dated May 15, 2017 from Township of King;
 6. [Letter](#) dated May 25, 2017 from Town of Georgina;
 7. [Email](#) dated May 26, 2017 from Town of East Gwillimbury;
 8. [Email](#) dated May 18, 2017 from Town of Whitchurch-Stouffville;

9. [Memo](#) dated May 26,, 2017 from Markham City Clerk providing a summary of information regarding York Region Governance;
 10. [Letter](#) dated May 29, 2017 from Town of Aurora;
 11. [Letter](#) dated May 29, 2017 from Town of Newmarket; and,
- 2) That the City of Markham continues to support the City of Vaughan's request; and further,
 - 3) That a copy of this resolution be provided to the Regional Clerk and to the Clerks of all York Region municipalities prior to May 31, 2017.

Yours sincerely,



Kimberley Kitteringham
City Clerk

Copy to: S. Yew, Deputy Clerk, Town of Aurora
John Espinosa, Clerk, Town of Georgina
Stephen Huycke, Clerk, Town of Richmond Hill
Isabel Leung, Deputy Clerk, Town of Whitchurch Stouffville
Barbara McEwan, Clerk, City of Vaughan
Lisa Lyons, Clerk, Town of Newmarket
Kathryn Moyle, Clerk, Township of King
Fernando Lamanna, Clerk, Town of East Gwillimbury