

Clause 16 in Report No. 7 of Committee of the Whole was adopted, as amended by the Council of The Regional Municipality of York at its meeting held on April 20, 2017.

16

## REGIONAL GOVERNANCE

Committee of the Whole recommends:

1. Receipt of the following communications:

- a) Joy Hulton, Regional Solicitor, dated April 13, 2017 regarding “Update on Bill 68 – Modernizing Ontario’s Municipal Legislation Act, 2017”.
- b) Peel Region Council Members regarding “Election of the Chair of The Regional Municipality of Peel”.
- c) John Espinosa, Town Clerk, Town of Georgina dated March 23, 2017 regarding “Review of Regional Council Governance”.
- d) Council extract from January 26, 2017 containing the previously deferred motion regarding an additional Member of Council for the City of Vaughan.

2. Adoption of 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.



Legal and Court Services

## Memorandum

TO: Members of Committee of the Whole  
FROM: Joy Hulton, Regional Solicitor  
DATE: April 13, 2017  
RE: **Update on Bill 68 – *Modernizing Ontario’s Municipal Legislation Act, 2017***

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Bill 68, *Modernizing Ontario’s Municipal Legislation Act, 2017* (Bill 68) was introduced in the legislature in November 2016 to amend the *Municipal Act, 2001*, the *Municipal Elections Act* and the *Municipal Conflict of Interest Act* in response to the changing needs of municipalities.

On March 23, 2017 the Provincial Legislature concluded the Second Reading debate and referred Bill 68 to the Standing Committee on Social Policy. The committee meeting has not yet been scheduled.

### **Several issues of concern were identified during Second Reading debate**

Members of the Legislature have requested a clause by clause review of Bill 68 as well as further consultation with municipalities. During the Second Reading debate, members identified several issues of concern, including the following:

- The legislation fails to provide new revenue tools for municipalities.
- Electronic participation in council meetings may discourage participation and accountability by members of council.
- Expanded use of administrative monetary penalties may be unfair as there is no appeal process
- The mandate of municipal Integrity Commissioners will be expanded but the level of oversight by the accountability officers is still determined by council so their scope of oversight may still be limited.

If the Province proceeds with further consultation on Bill 68, the legislation may not be passed before the summer recess.

**Bill 68 includes amendments to the provisions governing changes in composition of upper-tier councils**

Bill 68 introduces amendments to the process for changing the composition of an upper-tier council, including a change in the number of members of council that represent one or more of its local municipalities. Currently a regulation is required to permit a change in composition, and implementing a change requires “triple majority” approval of a bylaw enacted by the upper-tier council. Bill 68 proposes to eliminate the requirement for a regulation but all other requirements including triple majority approval of an upper-tier bylaw will still be required.

In 2013, the Minister of Municipal Affairs enacted a regulation to permit Regional Council to increase its composition by the addition of one member from the City of Vaughan. The implementing bylaw did not receive support from a majority of the local municipalities and the change did not proceed. The regulation is still valid under the existing legislation. It would become redundant if a change is implemented after Bill 68 is passed.

Any change to the composition of Regional Council whether under the existing legislation or the amendments in Bill 68 would have to be approved and enacted by bylaw prior to December 31, 2017 to take effect in the 2018 municipal election.

Staff will continue to monitor the progress of Bill 68 and seek direction from Council in the event of further consultation by the Province.

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Joy Hulton  
Regional Solicitor

/abs

#7441490

FEB 21 2017

R.M.Y.  
CLERK

February 9, 2017

Honourable Kathleen Wynne  
Premier of Ontario  
Legislative Building  
Queen's Park  
Toronto, Ontario  
M7A 1A1

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**RE: Election of the Chair of The Regional Municipality of Peel**

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Dear Premier:

We are writing to advise you that on Thursday, January 26, 2017, Peel Regional Council passed a motion to request the repeal of Bill 70 Schedule 15, which amends the Municipal Act, 2001 to communicate the head of Council must be elected commencing with the 2018 Municipal Election.

The amendment to the Act states, "On the day the new council of a regional municipality is organized following the regular election in 2018, the head of council of a regional municipality shall be elected by general vote in accordance with the *Municipal Elections Act, 1996*."

Upon further discussion at the last Regional Council meeting, held on January 26, 2017, Peel Council voted 22 in favour and 1 opposed to ask the Province to take immediate action on this matter and repeal the sections of the recently passed legislation relating to the election at large of the Regional Chair for Peel.

The right to self-determination is a fundamental tenet of democracy, and the collective will of Peel Regional Council is that you respect this fact and afford us this right as democratically elected officials. This perspective has been long held by Peel Regional Council and recently validated by the governing process undertaken last year. Therefore, Members of Regional Council respectfully request the repeal of the Province's decision to make the position of Regional Chair one elected by the citizens of the region, rather than one that is appointed by Council.

Your swift attention to this matter is appreciated.

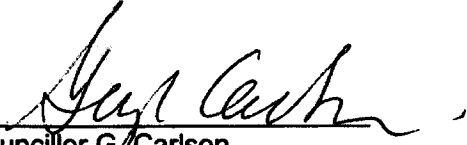
Best regards,


Region of Peel Council


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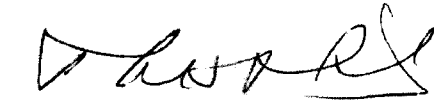
**The Regional Municipality of Peel**


**Signatures of Peel Regional Council Members:**


  
Councillor G. Carlson  
City of Mississauga, Ward 11


Town of Caledon, Wards 3 & 4  
  
Councillor J. Kovac  
City of Mississauga, Ward 4


  
Mayor B. Crombie  
City of Mississauga

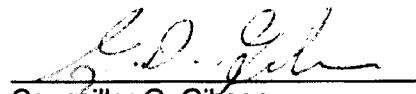
  
Councillor M. Mahoney  
City of Mississauga, Ward 8

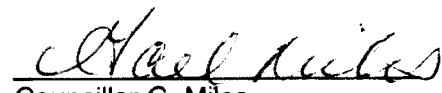
  
Councillor J. Downey  
Town of Caledon, Ward 2

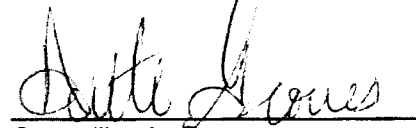
  
Councillor S. McFadden  
City of Mississauga, Ward 10

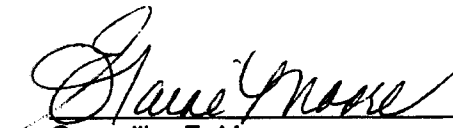
  
Councillor C. Fonseca  
City of Mississauga, Ward 3


  
Councillor M. Medeiros  
City of Brampton, Wards 3 & 4


  
Councillor G. Gibson  
City of Brampton, Wards 1 & 5

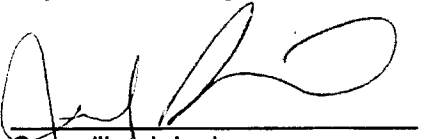
  
Councillor G. Miles  
City of Brampton, Wards 7 & 8

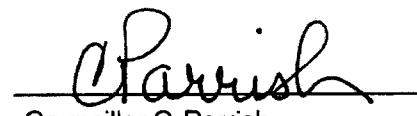
  
Councillor A. Groves  
Town of Caledon, Ward 5

  
Councillor E. Moore  
City of Brampton, Wards 1 & 5


  
Councillor N. Iannicca  
City of Mississauga, Ward 7


  
Councillor M. Palleschi  
City of Brampton, Wards 2 & 6


  
Councillor J. Innis  
Town of Caledon, Wards 3 & 4

  
Councillor C. Parrish  
City of Mississauga, Ward 5

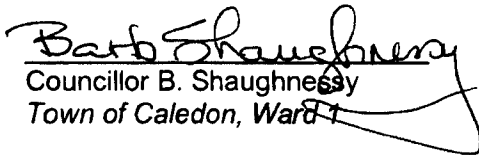
The Regional Municipality of Peel

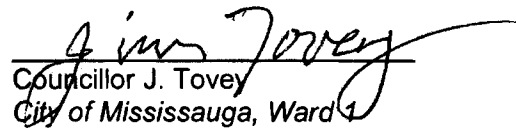
  
Councillor K. Ras  
City of Mississauga, Ward 2

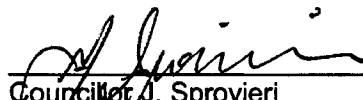
  
Councillor R. Starr  
City of Mississauga, Ward 6

  
Councillor P. Saito  
City of Mississauga, Ward 9

  
Mayor A. Thompson  
Town of Caledon

  
Councillor B. Shaughnessy  
Town of Caledon, Ward 1

  
Councillor J. Tovey  
City of Mississauga, Ward 4

  
Councillor J. Sprovieri  
City of Mississauga, Wards 9 & 10

cc: Honourable Bill Mauro, Minister of Municipal Affairs  
Dipika Damerla, MPP, Mississauga East - Cooksville  
Bob Delaney, MPP, Mississauga - Streetsville  
Vic Dhillon, MPP, Brampton West  
Sylvia Jones, MPP, Dufferin-Caledon  
Harinder Malhi, MPP, Brampton - Springdale  
Amrit Mangat, MPP, Mississauga - Brampton South  
Jagmeet Singh, MPP, Bramelea-Gore-Malton  
Charles Sousa, MPP, Mississauga South  
Harinder S. Takhar, MPP, Mississauga - Erindale  
Debi Wilcox, Regional Clerk, Durham Region  
Graham Milne, Deputy Clerk, Halton Region  
Ralph Walton, Regional Clerk, Niagara Region  
Kris (Kristine) Fletcher, Regional Clerk, Waterloo Region  
Dennis Kelly, Regional Clerk, York Region  
Peter Fay, City Clerk, City of Brampton  
Crystal Greer, City Clerk, City of Mississauga  
Carey deGorter, City Clerk, Town of Caledon

The Regional Municipality of Peel



# Resolution

Moved By: Councillor Crombie	Date: <b>January 26, 2017</b>
Seconded By: Councillor Saito	Item Number <b>12.1</b>

Whereas Bill 70 Schedule 15, requires general election of the Regional Chair commencing with the 2018 Municipal Election;

And whereas, Bill 70 Schedule 15, was introduced on First Reading on November 16, 2016, and received Royal Assent and came into force on December 8, 2016 without adequate consultation of the interests of the Region and its area municipalities, or adequate consideration of their stated preferences that the Regional Chair continue to be appointed by Regional Council;

Therefore be it resolved, that a letter protesting the enactment of the requirement and requesting its repeal be circulated by the Regional Clerk for signature by Members of Council and sent to the Premier of Ontario;

And further, that a copy of the letter be sent to the Minister of Municipal Affairs, Peel-area MPPs, the Clerks of other Regional Municipalities affected by the requirement and the local municipalities within the Region of Peel.

CARRIED	√	LOST	REFERRED
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Chair



**GEORGINA**

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

Communication #3



March 23, 2017

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

Re: Review of Regional Council Governance

Dear Mr. Raynor:

Please be advised that the above referenced matter was received by the Council of the Town of Georgina on October 26, 2016 and considered at the meeting of Council on March 22, 2017. With respect to the Review of Regional Council Governance, on March 22, 2017, the Council of the Town of Georgina unanimously adopted the following Resolution:

1. That the Town of Georgina supports the current composition of Regional Council;
2. That the Town of Georgina supports consideration of increasing the size of Regional Council to accommodate additional members from other municipalities;
3. That the Town of Georgina supports the "double direct" electoral system;
4. That the Town of Georgina does not support "weighted voting";
5. That Council direct staff to forward this resolution to the Regional Clerk and to all York Region municipalities.

Respectfully,

  
John Espinosa, B.A., JD  
Town Clerk

cc: Samantha Yew, Acting Clerk, Town of Aurora  
Fernando Lamanna, Clerk, Town of East Gwillimbury  
Isabel Leung, Deputy 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



**Council Extract Showing Part of Clause 25 in Report No. 1 of  
Committee of the Whole – January 19, 2017**

**Adopted by Regional Council on January 26, 2017**

**Regional Council, at its meeting held on January 26, 2017:**

Deferred consideration of a motion to change the size of Regional Council to have one additional member for the City of Vaughan as previously authorized by Ontario Regulation 279/13 to April 2017 to coincide with a report on the status of Bill 68, Modernizing Ontario's Municipal Legislation Act, 2016.