



November 2, 2016

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

Dear Mr. Kelly:

RE: REVIEW OF REGIONAL COUNCIL GOVERNANCE
(Item 20, Report No. 38, Committee of the Whole, November 1, 2016)

Attached for your information is **Minute No. 162**, regarding the above noted matter which was passed by the Council of the City of Vaughan at its meeting of November 1, 2016.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeffrey A. Abrams', written over a circular stamp or seal.

Jeffrey A. Abrams
City Clerk

Attachment:

Extract

Attachments are available in the City Clerk's Office and the City's website at www.vaughan.ca under City Council/Agendas, Minutes and Extracts

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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

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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.

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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 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

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member for Vaughan not be approved (status quo). The Table shows those 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
Whitchurch-Stouffville	1	48,212	48,212	4%	5%	Over

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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.

	# 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;
- 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;

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- 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.)