

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 15, 2016**

Item 20, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 15, 2016.

**20**

**REVIEW OF REGIONAL COUNCIL GOVERNANCE**

This item was forwarded to the Special Council meeting of November 1, 2016, for adoption. Refer to Minute No. 162.

## **COMMITTEE OF THE WHOLE – NOVEMBER 1, 2016**

### **REVIEW OF REGIONAL COUNCIL GOVERNANCE**

#### **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 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.



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

<b>Table 2</b> <b>2018 – Representation by Population on Regional Council</b> <b>(With additional Vaughan Member)</b>						
	# 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
Vaughan (additional member)	5	335,788	67,158	27%	24%	Under
<b>Total</b>	<b>21</b>	<b>1,223,741</b>	<b>58,273</b>	<b>100%</b>	<b>100%</b>	

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.

<b>Table 3</b> <b>2018 – Representation by Population on Regional Council</b> <b>(Weighted Voting Scenario)</b>							
	# 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
<b>Total</b>	<b>20</b>	<b>1,223,741</b>	<b>100%</b>	<b>100</b>	<b>100%</b>		

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;
- 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.

**Attachments**

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

**Report prepared by:**

Barbara A. McEwan, Deputy City Clerk

Respectfully submitted,

Daniel Kostopoulos  
City Manager

The Regional Municipality of York

Committee of the Whole  
Finance and Administration  
October 13, 2016

Report of the  
Regional Chair

Review of Regional Council Governance

1. Recommendations

It is recommended that Council receive this report for information.

2. Purpose

This report responds to Council's direction on February 18, 2016 that staff undertake a review of Regional governance, including (a) the method of electing the Regional Chair, (b) direct vs double direct election of Members, (c) weighted voting, and (d) Council composition.

3. Background and Previous Council Direction

Regional Council now has 21 members

In 1970, Council comprised 17 Members. Since then two Members were added to each of Markham and Vaughan to bring Council's size to 21 including the Regional Chair. Nine of these members are the Mayors from the local municipalities. There are four additional members from Markham, three from Vaughan, two from Richmond Hill and one from each of Georgina and Newmarket. This leaves four municipalities – Aurora, East Gwillimbury, King and Whitchurch-Stouffville – with only one member. In each case the member is the Mayor of the municipality.



Regional Council representation and governance have been considered several times in recent years

The matter of representation on Regional Council was considered during the previous term of Council. This resulted in a motion in 2013 to increase the size of Council to add an extra member from Vaughan and then further motions to add an additional member from each of Aurora, East Gwillimbury, King and Whitchurch-Stouffville. The motion relating to Vaughan's additional member carried while the motions relating to the other four municipalities lost.

Regulation 279/13, to permit an additional member for Vaughan, did not meet "triple majority" requirements

At Council's request, the Minister of Municipal Affairs enacted a Regulation 279/13 permitting York Region to add an additional member from Vaughan. However, the associated draft bylaw failed to achieve support from the majority of local Councils as required by the "triple majority" provisions of the *Municipal Act, 2001* ("the Act"). This meant that the size of Council remained at 21, including the Regional Chair. The Regulation is still in effect.

Council implemented the Committee of the Whole system in 2013

In 2013, Council implemented the Committee of the Whole system on a pilot basis, in part to address the concern that the sole members of Council from Aurora, East Gwillimbury, King and Whitchurch-Stouffville, were challenged to prepare for and attend all of the various Standing Committee meetings. The new structure was fully adopted in 2014.

Council has also recently considered the method of electing the Regional Chair

On February 18, 2016 Council considered a motion in support of Private Member's Bill 42, *Municipal Amendment Act (Election of Chair of York Region), 2014*. The Bill sought to amend the *Municipal Act* by requiring the York Region Chair to be directly elected. This motion lost on a 14-5 recorded vote.

Any further consideration of Council's decision within twelve months would require a two-thirds majority vote as per the Region's Procedure Bylaw. Such a motion would also need to be brought forward by a member who voted with the majority on the previous decision.

Bill 42 received Second Reading and was referred to the Province's Standing Committee on the Legislative Assembly on December 4, 2014. The Committee held public hearings on February 24 and March 2, 2016. The Bill was not carried

forward when the last session of the Legislature was prorogued on September 12, 2016.

#### 4. Analysis and Implications

##### Election of the Regional Chair

Three regional municipalities elect their Regional Chairs at their inaugural meetings

The Regions of Niagara, Peel and York elect their Regional Chairs at their inaugural meetings and each has recently voted to continue in this manner. On June 23, 2016, Peel Regional Council voted to continue to elect its Regional Chair at its inaugural meeting. Peel's decision follows a similar decision by Niagara Regional Council in October 2015 to continue electing its Regional Chair at its inaugural meeting.

Table 1 shows a summary of how the Chairs are elected in each regional municipality.

**Table 1**  
**Summary of how Regional Chairs are elected**

Chair elected by Council	Chair elected at-large
Niagara	Durham
Peel	Halton
York	Waterloo

##### Direct versus double-direct elections

There are alternative methods for electing Regional Council members

York Region has always had a "double direct" electoral system which allows elected Regional Councillors to serve simultaneously at both the regional and local levels of government. Durham, Halton and Peel Regions also use the "double direct" system.

A “direct” electoral system would have Regional Councillors serving only at the regional level and not the local level. Currently Niagara and Waterloo use this approach.

The *Municipal Act* provides the option of having Regional Councillors shared between two or more municipalities. “Shared representatives” would be directly elected and only sit at the regional level.

Within York Region, the current Federal/Provincial electoral boundaries, that lend themselves to shared and direct election, do not align with municipal boundaries. Attachment 1 outlines the electoral systems used in York and other Regions.

There is no compelling reason to change the “double-direct” manner of electing Regional Council members at this time.

### Council composition

The Province uses representation by population as a general principle for regional councils

In 1970, as the Province was creating York Region, the Minister of Municipal Affairs indicated that, as a general principle, representation on regional councils should be based on the relative size of the population of each local municipality. The Province has consistently cited this principle in subsequent decisions relating to York Region and other Regions. This principle is well-rooted in democratic systems and is often referred to as ‘representation by population’.

There is no formula for calculating the optimal size of Councils

York Region’s Council has 20 elected members plus the Regional Chair. This is less than three other Regions – Peel (24), Durham (28) and Niagara (30) and tied with Halton. It is also far less than the neighbouring municipalities of Simcoe County (32) and Toronto (44, excluding the Mayor).

Table 2 shows a comparison of the number of elected members (not including the Regional Chair), population and population per elected member for the six Regions, Simcoe County and the City of Toronto, based on projected growth figures to 2018, the date of the next municipal election.

**Table 2**  
**Population and Representation for Regional Municipalities, Simcoe and Toronto 2018**

Region/County	# of elected members	Population	Population per elected member
Simcoe	32	328,237*	10,257
Niagara	30	456,991	15,233
Durham	28	687,562	24,556
Halton	20	593,824	29,691
Waterloo	15	597,835	39,856
<b>York</b>	20	<b>1,223,741</b>	<b>61,187</b>
Peel	24	1,522,107	63,421
Toronto	44	2,954,942	67,158

\* Estimated – does not include Barrie and Orillia which are governed separately

York Region's 2018 population per elected member, at 61,187, ranks as the second highest of the regional municipalities. It would become the highest by a significant margin if Peel Regional Council's decision of June 23, 2016 to increase its size to 32 members comes into effect in 2018. York Region's population per elected member is also significantly higher than Simcoe County's, whose population per elected member is around 10,000, but lower than Toronto's which is over 67,000.

The local municipal population represented by each Council member varies in York Region and in other regional municipalities

Table 3 shows York Region's existing Council structure with the projected 2018 populations of each local municipality, the population per elected member, the percentage of the Region's population and the percentage of representation on Regional Council.

**Table 3**  
**Council representation by population - 2018**

Municipality	# of elected members	Population	Population per elected member	Percentage population	Percentage representation
Aurora	1	61,110	61,110	5%	5%
East Gwillimbury	1	31,147	31,147	3%	5%
Georgina	2	49,251	24,626	4%	10%
King	1	27,214	27,214	2%	5%
Markham	5	366,319	73,264	30%	25%
Newmarket	2	88,781	44,390	7%	10%
Richmond Hill	3	215,919	71,973	18%	15%
Vaughan	4	335,788	83,947	27%	20%
Whitchurch- Stouffville	1	48,212	48,212	4%	5%
<b>Totals</b>	<b>20</b>	<b>1,223,741</b>	<b>61,187*</b>	<b>100%</b>	<b>100%</b>

\*Total population of the Region divided by the number of elected members

The Region's population is expected to be about 1,223,741 by the next municipal election in 2018. This means that each member would represent, on average, a population of 61,187. The population represented by each member would range from a low of 24,626 in Georgina to a high of 83,947 in Vaughan.

The other Regions have similar variances in the population represented by each member. Table 4 shows the approximate ranges of local municipal population per member in each of the Regions in 2015.

**Table 4**  
**Range of local municipal representation per Council member in regional municipalities - 2015**

Municipality	Range of local municipal representation
Durham	6,000 to 40,000 (6,000 to 30,000 if proposed changes are enacted in 2018)
Halton	19,000 to 30,000
Niagara	7,000 to 21,000
Peel	13,000 to 87,000 (13,000 to 56,000 if proposed changes are enacted in 2018)
Waterloo	10,000 to 48,000
York	25,000 to 84,000

Generally, the rural local municipalities in the regions have a lower population per elected representative ratio and the urban municipalities have a higher ratio. It is clear that none of the Regions has achieved statistical equality in representation by population.

Retaining Council's current composition is an option

Each of the regional municipalities has a different number of members and a different range of local municipal representation per member. There is no standard for applying the representation by population principle. Hence, retaining the status quo in York Region is a viable option.

### Optional Council Representation - Alternates

Local councils may appoint one member as an alternate to an upper-tier council when a member is unable to act for an extended period

Section 267(1) of the *Act* provides that a local municipality may appoint one of its members as an alternate member of regional council if a regional council member from the local municipality is unable to act as a member of the regional council for more than one month. This section provides some relief to all nine local municipalities, including the local municipalities with just one member, but can only be invoked if the absence is for more than one month. It does not allow for representation when a member is unable, particularly on short notice, to

attend a particular meeting. Consequently it does not adequately address the concerns of the Mayors of Aurora, East Gwillimbury, King and Whitchurch-Stouffville about their inability to represent their municipalities if they are unavailable to attend on a meeting-by-meeting basis.

The ability to appoint an alternate who can represent a municipality on an ad hoc basis requires an amendment to the *Municipal Act*

The *Municipal Act* does not permit the appointment of alternate members who could sit as a member of regional council except in the circumstances detailed above. There would need to be an amendment to the *Act* or specific legislation pertaining to York Region to allow local municipalities to appoint alternates who could represent the elected member on Regional Council whenever the member is unable to attend. Section 200 of The *Local Government Act* in British Columbia is one example where alternate members are permitted to be appointed in advance and serve in the absence of any member of the regional district.

### Weighted voting

Weighted voting can address inequities in representation by population without changing Council's composition

A weighted voting approach is based on the concept that members from local municipalities would collectively have a vote that matches their municipality's proportion of the total Regional population. That municipality's collective vote is then allocated to its members.

Simcoe County currently uses weighted voting based on each local municipal population's share of the county as a whole. Each municipality's weighted share is determined on the basis of its population at the beginning of each Council term. Simcoe County uses weighted voting for recorded votes only.

In Peel Region, a 2004 provincial facilitator's report on governance (the Adams Report) recommended a weighted voting approach to address representation by population inequities. Peel Council did not adopt this recommendation.

Weighted voting is not currently used in the Regions of Durham, Halton, Niagara, Peel or Waterloo to address statistical inequities in representation by population.

Weighted voting can provide Council members with the number of votes that most closely reflects their local municipal share of the population

Attachment 2 shows one example of how weighted voting could be used to achieve a more balanced percentage of vote by local municipality in York Region. It sets out a weighted voting scenario with the adjusted number of regional votes for each local municipality at regional council using its current composition, with no additional members, based on 2018 population projections.

In this example the total weighted votes per municipality would correspond to each municipality's share of overall regional population. Numbers have been rounded, where applicable, to provide for an equal number of "weighted" votes per member from each local municipality. In this scenario it is possible for a minority of Council to achieve a majority of the weighted vote .

Regardless of the number of members per municipality, each municipality would always receive the number of votes that closely represents its share of the population. The actual number of weighted votes per local municipality can be set shortly after the 2018 election and subsequent elections based on the most current population numbers.

Council has many options to consider if choosing to establish a weighted voting approach

The *Municipal Act, 2001* allows for a municipality to establish a weighted voting approach, although it does not prescribe its application. A weighted voting approach requires consideration of a number of options and factors, including:

- The number of weighted votes given to Mayors and Regional Councillors
- Whether weighted voting applies solely 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
- 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



## Council composition – impact of additional members

Four local municipalities have only one representative on Regional Council

As detailed in Table 3, four of York Region's municipalities – Aurora, East Gwillimbury, King and Whitchurch-Stouffville – only have one representative on Regional Council. The representative is the Mayor in each case. It has been submitted that:

- this places an additional burden on each of these Mayors to prepare and attend to the heavy workload at Regional Council and Committees as well as the formal and ceremonial duties of being the Mayor and Chief Executive Officer of a local municipality
- these local municipalities are unrepresented in case of a Mayor's absence from Regional Council or Committee of the Whole

Attachment 1 shows that the Regions of Niagara and Waterloo also have local municipalities with only one member.

Council has previously considered increasing its size

Regional Council has previously considered adding one member from Vaughan, as well as one member from each of Aurora, East Gwillimbury, King and Whitchurch-Stouffville.

An additional member for Vaughan increases Council's size to 21 excluding the Regional Chair

Vaughan currently has the largest disparity (7%) between its percentage of population and percentage of representation. Attachment 3 shows how adding an additional member from Vaughan would affect each municipality's share of population and representation in 2018. It brings Vaughan four percentage points closer to achieving an equal percentage of representation and population while taking Markham and Richmond Hill one percentage point further away. This scenario would increase Regional Council from 20 to 21 members, not including the Regional Chair.

An additional member for Vaughan, Aurora, East Gwillimbury, King and Whitchurch-Stouffville increases Council's size to 25 excluding the Regional Chair

Providing for an extra member from Aurora, East Gwillimbury, King and Whitchurch-Stouffville would address those municipalities' concerns about having

only one member. Attachment 4 sets out how adding an additional member from each of Vaughan, Aurora, East Gwillimbury, King and Whitchurch-Stouffville would affect each municipality's share of population and representation in 2018. It shows that Aurora, East Gwillimbury, King and Whitchurch-Stouffville gain a higher percentage of representation than population. Georgina will receive slightly less representation than it has now, although still greater than its percentage of population. Newmarket would just about have an equal percentage of representation and population. Compared to the previous scenario, Vaughan would move four percentage points further away from achieving an equal percentage of representation and population and Markham and Richmond Hill would also move five and three percentage points further away than under the current membership. This scenario would increase Regional Council from 20 to 25 members, not including the Regional Chair.

An additional member for Vaughan, Aurora, East Gwillimbury, King, Whitchurch-Stouffville and Markham increases Council's size to 26 excluding the Regional Chair

Attachment 5 sets out how adding an additional member from each of Vaughan, Aurora, East Gwillimbury, King, Whitchurch-Stouffville and Markham would affect each municipality's share of population and representation in 2018. It has the same impact on Aurora, East Gwillimbury, Georgina, King, Newmarket and Whitchurch-Stouffville as in the previous scenario. However, although Markham moves three percentage points closer to achieving an equal percentage of representation and population, Vaughan moves an additional percentage point further away. Richmond Hill is unchanged from the previous scenario. This scenario would increase Regional Council from 20 to 26 members, not including the Regional Chair.

An additional member for Vaughan, Aurora, East Gwillimbury, King, Whitchurch-Stouffville, Markham and Richmond Hill increases Council's size to 27 excluding the Regional Chair

Attachment 6 sets out how adding an additional member from each of Vaughan, Aurora, East Gwillimbury, King, Whitchurch-Stouffville, Markham and Richmond Hill would affect each municipality's share of population and representation in 2018. Aurora, East Gwillimbury, Georgina, King and Whitchurch-Stouffville move one percentage point closer to achieving an equal percentage of representation and population than the previous scenario while Newmarket has about the same share of representation and population. Markham moves one percentage point further away from achieving an equal percentage of representation and population and Vaughan remains unchanged. Richmond Hill's share of representation increases by three percentage points compared to the previous scenario, which takes it to the same as its share of representation. This scenario

would increase Regional Council from 20 to 27 members, not including the Regional Chair.

### Summary Table

Attachment 7 summarizes these scenarios and the impact of additional Council members on representation by population.

### Process and timing for any potential governance changes

The *Municipal Act, 2001* sets out basic rules for the composition of Regional Council

The *Act* contains provisions about changing the composition of Council. Regional Council is considered an upper-tier council for the purposes of the *Act*. Under section 218(1), any change to the composition of an upper-tier council is subject to the following rules:

- the upper-tier council must have a minimum of five members including the head of council
- each lower-tier municipality must be represented on the upper-tier council
- Council members are elected to the upper-tier or lower-tier council in accordance with the *Municipal Elections Act*
- Council members elected to the upper-tier or lower-tier council may be elected by general vote, wards or combination of both

The *Act* gives Council the authority to change its composition or introduce weighted voting subject to certain rules

Under section 218(2) of the *Act*, Council's power to change its composition includes:

- changing the size of Council
- changing the methods by which members are selected
- allowing a Council member to represent more than one lower-tier municipality

Section 218(3) of the *Act* authorizes Council to change the number of votes given to any member, provided that each member has at least one vote. A weighted voting approach is consistent with this section.

To make any such changes, Council must request and receive a Minister's regulation and achieve the "triple majority" set out in section 219(2) of the *Act* and as described below.

Council must pass a resolution requesting the Minister of Municipal Affairs to make a regulation authorizing Council to change its composition and/or introduce weighted voting

Section 218(5) of the *Act* provides that a regional municipality must not pass a bylaw authorizing a change in the composition of Council or introduce weighted voting until the Minister of Municipal Affairs has made a regulation authorizing it to do so. Section 218(7) of the *Act* provides that the Minister shall not make a regulation until the Minister has received a resolution from the regional municipality requesting the regulation.

Thus Council must first pass a resolution requesting the Minister to make a regulation authorizing Council to change its composition and/or exercise weighted voting, submit the resolution to the Minister and await the Minister's response.

If the Minister makes the regulation, then a bylaw would be developed to authorize the proposed change.

Council must also achieve a "triple majority" before it can enact a bylaw to change its composition or introduce weighted voting

After receiving the Minister's regulation, Council must give public notice of its intention to pass a bylaw changing the composition of Council and/or to introduce weighted voting. Then it must hold at least one public meeting to consider the matter.

Section 219(2) of the *Act* provides that before a bylaw changing the composition of Council and/or introducing weighted voting comes into force, a "triple majority" must be attained as follows:

- a majority of all votes on Regional Council must be cast in its favour
- a majority of Councils from the nine local municipalities must pass resolutions consenting to the bylaw
- the total number of electors, (i.e. eligible voters from the last municipal election), in the local municipalities that have passed resolutions consenting to the bylaw must form a majority of all electors in York Region

A change in Council's composition, or the introduction of weighted voting, must be implemented before December 31, 2017 to be in place for the 2018 election

Any bylaw changing the composition of Council or introducing weighted voting would come into effect on the day a new council is organized. The *Act* requires the requisite steps to be completed by December 31, 2017 to be in effect for the next newly-elected council of December 1, 2018.

It would be prudent for Council to decide on changes by December 2016 in order to allow sufficient time to obtain a Ministerial Regulation, engage in the process relating to the "triple majority" and allow time for any related changes to the membership of local councils prior to December 31, 2017.

Table 5 shows a summary of the key dates for the 2018 municipal elections.

**Table 5**  
**Key 2018 municipal election dates**

Event	Date
Candidate nomination period begins	May 1, 2018
Candidate nomination period ends	July 27, 2018
Voting day	October 22, 2018

## 5. Financial Implications

Each additional member of Council would be entitled to the same salary and benefit package as exists for the other member of Council. This is currently \$54,337 per member of Regional Council plus an average benefit cost of 18.5% of base salary. The package totals \$64,389 per member. Members of Regional Council are also entitled to mileage and other expenses related to the exercise of their duties. This averaged \$1,922 per member in 2015.

If the size of Council was to increase, the Council Chambers will need modification to accommodate the additional members. Two additional members could be accommodated at no cost while reconfiguring the Chambers to accommodate up to four additional members will cost in the region of \$200,000 for the required millwork, cabling and equipment costs. Increasing the size of Council by more than four members will likely require reconstruction of the existing horseshoe configuration. Preliminary estimates suggest a cost in the order of \$500,000 for this change.

## 6. Local Municipal Impact

Any attempt to change Council's composition or the number of votes for each member will require a level of support from local municipal councils as set out in the *Municipal Act*.

Additionally, increasing the size of Regional Council could mean corresponding adjustments to the numerical and geographical representation on one or more local councils.

## 7. Conclusion

Council has previously considered Regional governance and the composition of Council on several occasions in the past.

It has previously voted not to support Bill 42 which sought to require the Regional Chair to be directly elected. That Bill is no longer on the table following the proroguing of the Legislature's last session.

Regional Council Members have always been elected through the double-direct method of election which results in the sitting on both Regional and local Councils. While there are alternative ways to elect members the double-direct method currently works well for the Region. Consequently there is no need to investigate re-drawing electoral boundaries to facilitate shared or directly elected members.

The *Municipal Act* provides that a local municipality may appoint one of its members as an alternate member of regional council if a regional council member from the local municipality is unable to act as a member of the regional council for more than one month. There needs to be a legislative change in order for local councils to appoint alternates on a more ad hoc basis.

Weighted voting is another option for potentially aligning municipalities' percentage of representation with their percentage of population but also requires further clarification.

Adding another member for Vaughan would address the fact it has the largest disparity between its percentage of population and percentage of representation.

The four municipalities with only one member – Aurora, East Gwillimbury, King and Whitchurch-Stouffville – could benefit from having an extra member each because they would have greater certainty of always having a representative at every Regional meeting.

However, adding an extra Member for each of those municipalities will negatively impact other municipalities' share of representation as it compares to their population. This is most true for Vaughan, as stated above, Markham and Richmond Hill. The surest way to keep those municipalities' percentage of representation as close as possible to their current state is to add an additional Member for each of them. This would result in a Council of 27 Members, plus the Regional Chair.

Any change to Council's composition or voting method requires a Ministerial Regulation and successful completion of the triple majority process. For any such change to be in place for the next term of Council the process must be completed by December 31, 2017. There is already a Ministerial Regulation in effect permitting Council to add an extra member for Vaughan.

Approved for Submission:

Wayne Emmerson  
Regional Chair

October 5, 2016

Attachments (7)

#6769110

Accessible formats or communication supports are available upon request

## Regional Council Electoral Systems, 2016

Regional Government	Directly-Elected Members	Double-Directly Elected Members	Number of Representatives for the Least Populous Municipality	Regional Wards within Constituent Municipalities
<b>Durham</b>	No	20 (+8 Mayors + Chair)	2	<u>Ajax, Whitby &amp; Pickering</u> : Yes, Regional Councillors represent groups of local wards. No for other municipalities, including Oshawa, where Local Councillors are elected at large
<b>Halton</b>	No	16 (+4 Mayors + Chair)	3	Yes <u>Burlington</u> : All 6 City Councillors also sit on Regional Council <u>Oakville</u> : Each of 6 wards elects both a Regional Councillor and a Town Councillor <u>Milton &amp; Halton Hills</u> : Groups of local wards
<b>Niagara</b>	18 (+12 Mayors + Chair)	No	1	No
<b>Peel</b>	No	21 (+3 Mayors + Chair)	5	<u>Mississauga</u> : All 10 City Councillors sit on Regional Council <u>Brampton</u> : 2 Local Wards= 1 Regional Ward <u>Caledon</u> : 4 Regional Councillors from 5 wards (wards 3 & 4 jointly elect 1 Regional Councillor)
<b>Waterloo</b>	8 (+7 Mayors + Chair)	No	1	No
<b>York</b>	No	11 (+9 Mayors + Chair)	1	No

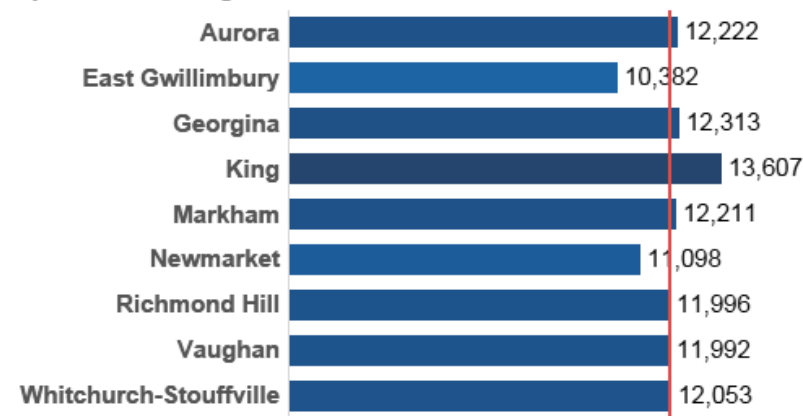


A Potential Weighted Voting Scenario

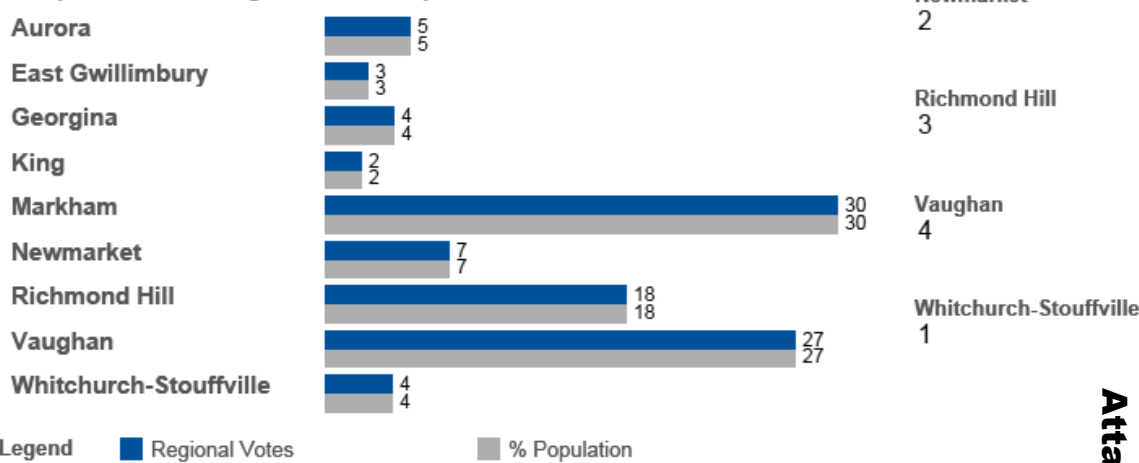
Structure of Regional Council - Weighted Voting Scenario - Population Year 2018

Municipality	# of Elected Members	Population	% Population	Estimated # of Regional Votes	# of Votes per Elected Member	Adjusted # of Regional Votes	Population Per Regional Vote	Year 2018
Aurora	1	61,110	5%	5	5	5	12,222	Aurora 1
East Gwillimbury	1	31,147	3%	3	3	3	10,382	East Gwillimbury 1
Georgina	2	49,251	4%	4	2	4	12,313	Georgina 2
King	1	27,214	2%	2	2	2	13,607	King 1
Markham	5	366,319	30%	30	6	30	12,211	Markham 5
Newmarket	2	88,781	7%	7	4	8	11,098	Newmarket 2
Richmond Hill	3	215,919	18%	18	6	18	11,996	Richmond Hill 3
Vaughan	4	335,788	27%	27	7	28	11,992	Vaughan 4
Whitchurch-Stouffville	1	48,212	4%	4	4	4	12,053	Whitchurch-Stouffville 1
Total	20	1,223,741	100%	100				

Population Per Regional Vote



% Population and Regional Vote Representation

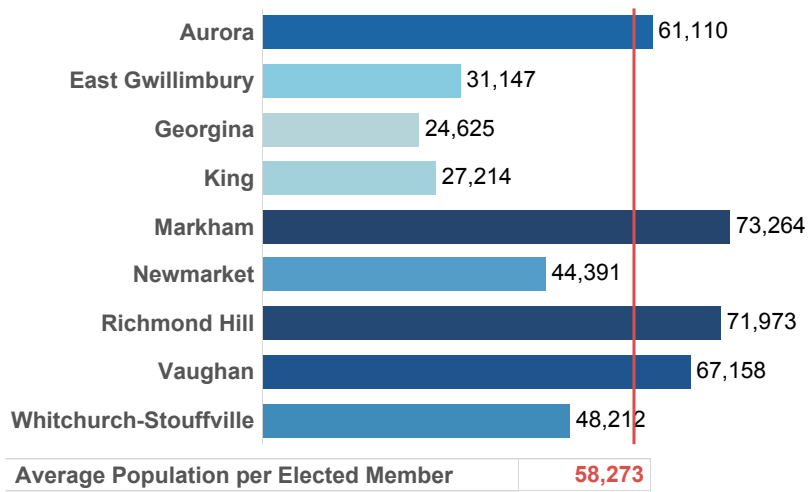


Structure of Regional Council with an additional member for Vaughan in 2018

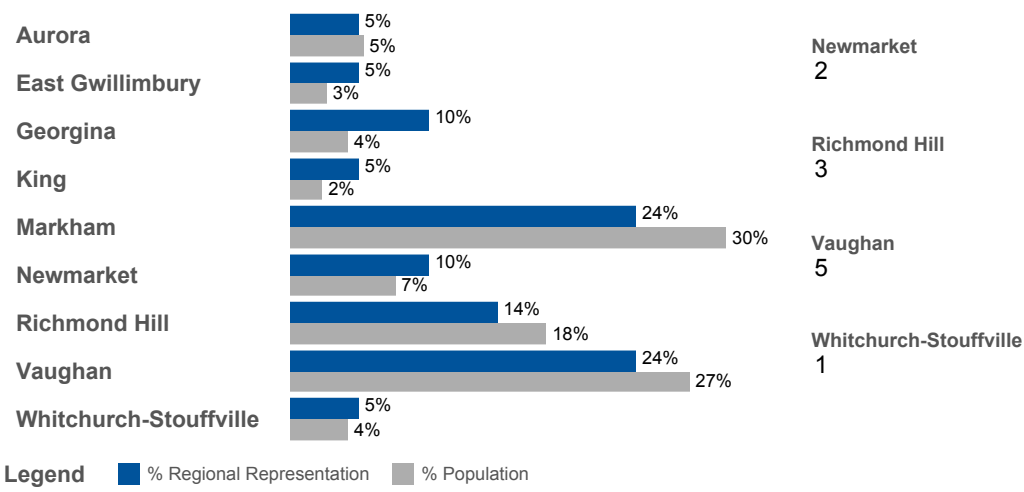
Structure of Regional Council - Representation by Population - Population Year 2018

Municipality	# of Elected Members	Population	Population per Elected Member	% Population	% Representation	Year 2018
Aurora	1	61,110	61,110	5%	5%	Aurora 1
East Gwillimbury	1	31,147	31,147	3%	5%	East Gwillimbury 1
Georgina	2	49,251	24,625	4%	10%	
King	1	27,214	27,214	2%	5%	Georgina 2
Markham	5	366,319	73,264	30%	24%	
Newmarket	2	88,781	44,391	7%	10%	King 1
Richmond Hill	3	215,919	71,973	18%	14%	
Vaughan	5	335,788	67,158	27%	24%	Markham 5
Whitchurch-Stouffville	1	48,212	48,212	4%	5%	
Total	21	1,223,741	58,273	100%	100%	

Population Per Elected Member



% Population and % Regional Representation



# Structure of Regional Council with additional members for Vaughan, Aurora, East Gwillimbury, King and Whitchurch-Stouffville in 2018

Structure of Regional Council - Representation by Population - Population Year 2018						Year 2018
Municipality	# of Elected Members	Population	Population per Elected Member	% Population	% Representation	
Aurora	2	61,110	30,555	5%	8%	Aurora 2
East Gwillimbury	2	31,147	15,574	3%	8%	
Georgina	2	49,251	24,625	4%	8%	East Gwillimbury 2
King	2	27,214	13,607	2%	8%	
Markham	5	366,319	73,264	30%	20%	
Newmarket	2	88,781	44,391	7%	8%	Georgina 2
Richmond Hill	3	215,919	71,973	18%	12%	
Vaughan	5	335,788	67,158	27%	20%	King 2
Whitchurch-Stouffville	2	48,212	24,106	4%	8%	
Total	25	1,223,741	48,950	100%	100%	

Population Per Elected Member

Municipality	Population per Elected Member
Aurora	30,555
East Gwillimbury	15,574
Georgina	24,625
King	13,607
Markham	73,264
Newmarket	44,391
Richmond Hill	71,973
Vaughan	67,158
Whitchurch-Stouffville	24,106

Average Population per Elected Member

48,950

% Population and % Regional Representation

Municipality	% Population	% Regional Representation
Aurora	5%	8%
East Gwillimbury	3%	8%
Georgina	4%	8%
King	2%	8%
Markham	30%	20%
Newmarket	7%	8%
Richmond Hill	18%	12%
Vaughan	27%	20%
Whitchurch-Stouffville	4%	8%

Legend

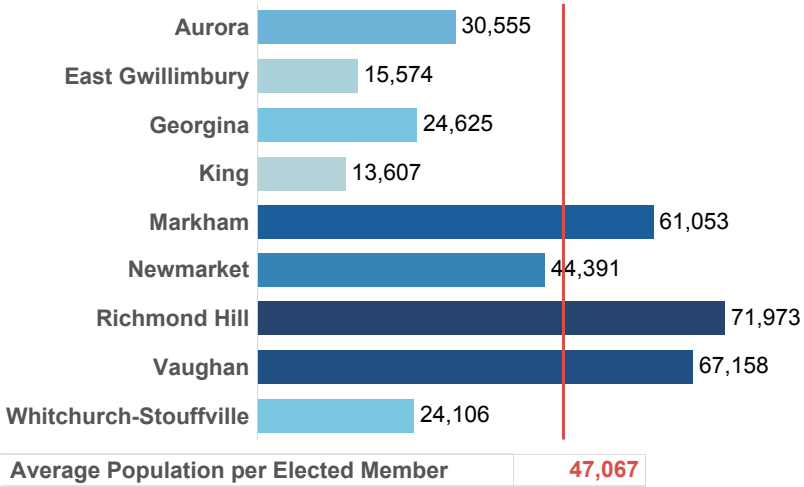
% Regional Representation

% Population

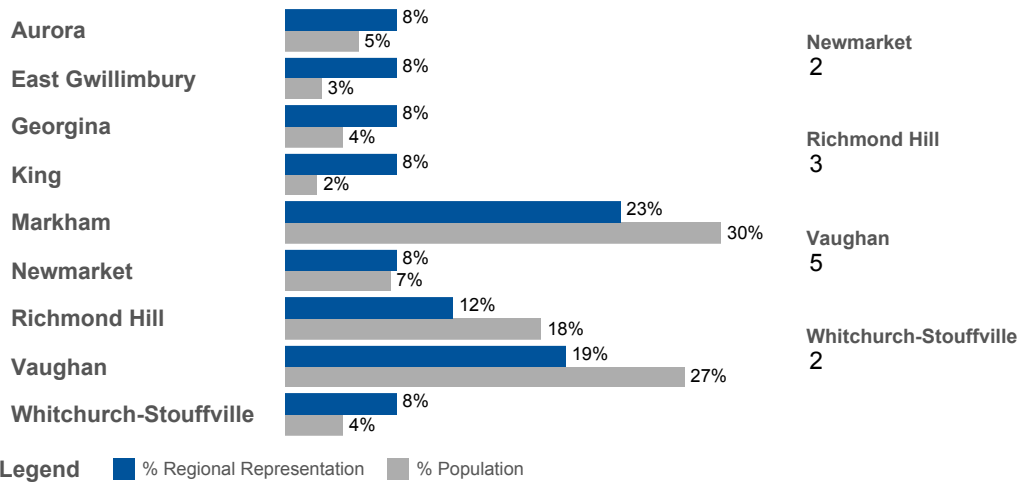
# Structure of Regional Council with additional members for Vaughan, Aurora, East Gwillimbury, King, Whitchurch-Stouffville and Markham in 2018

Structure of Regional Council - Representation by Population - Population Year 2018						Year 2018
Municipality	# of Elected Members	Population	Population per Elected Member	% Population	% Representation	
Aurora	2	61,110	30,555	5%	8%	Aurora 2
East Gwillimbury	2	31,147	15,574	3%	8%	East Gwillimbury 2
Georgina	2	49,251	24,625	4%	8%	
King	2	27,214	13,607	2%	8%	Georgina 2
Markham	6	366,319	61,053	30%	23%	
Newmarket	2	88,781	44,391	7%	8%	King 2
Richmond Hill	3	215,919	71,973	18%	12%	
Vaughan	5	335,788	67,158	27%	19%	Markham 6
Whitchurch-Stouffville	2	48,212	24,106	4%	8%	
Total	26	1,223,741	47,067	100%	100%	

Population Per Elected Member



% Population and % Regional Representation

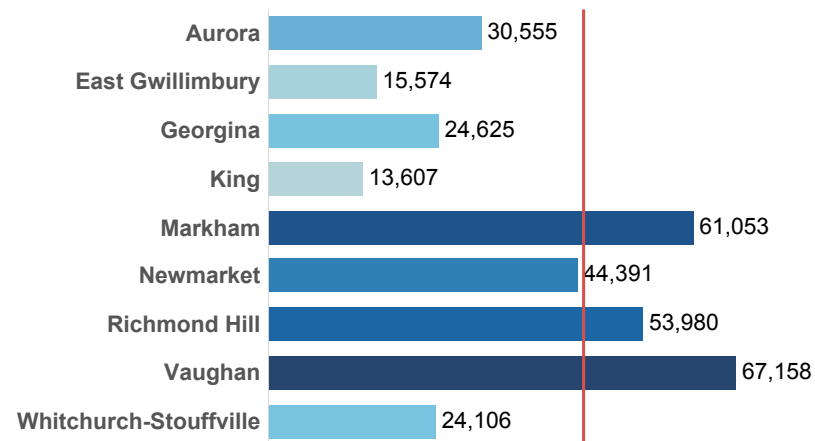


## Structure of Regional Council with additional members for Vaughan, Aurora, East Gwillimbury, King, Whitchurch-Stouffville, Markham and Richmond Hill in 2018

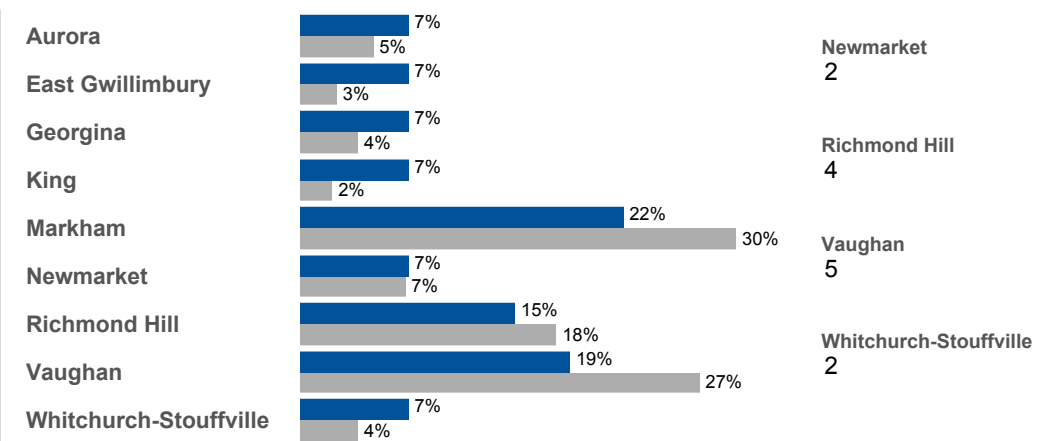
Structure of Regional Council - Representation by Population - Population Year 2018

Municipality	# of Elected Members	Population	Population per Elected Member	% Population	% Representation	Year 2018
Aurora	2	61,110	30,555	5%	7%	Aurora 2
East Gwillimbury	2	31,147	15,574	3%	7%	
Georgina	2	49,251	24,625	4%	7%	East Gwillimbury 2
King	2	27,214	13,607	2%	7%	
Markham	6	366,319	61,053	30%	22%	Georgina 2
Newmarket	2	88,781	44,391	7%	7%	
Richmond Hill	4	215,919	53,980	18%	15%	
Vaughan	5	335,788	67,158	27%	19%	King 2
Whitchurch-Stouffville	2	48,212	24,106	4%	7%	
<b>Total</b>	<b>27</b>	<b>1,223,741</b>	<b>45,324</b>	<b>100%</b>	<b>100%</b>	

Population Per Elected Member



% Population and % Regional Representation



Legend    ■ % Regional Representation    ■ % Population

Average Population per Elected Member    **45,324**

## Population and Representation Scenarios

Municipality	# of elected members (20)	Population 2018	Population per elected member	Percentage population	Representation by Population				
					Status Quo (20) Table 3	1 extra member for Vaughan (21) Attachment 3	1 extra member for: Vaughan, Aurora, East Gwillumbury, King & Whitchurch-Stouffville (25) Attachment 4	1 extra member for: Vaughan, Aurora, East Gwillumbury, King, Whitchurch-Stouffville & Markham (26) Attachment 5	1 extra member for: Vaughan, Aurora, East Gwillumbury, King, Whitchurch-Stouffville, Markham & Richmond Hill (27) Attachment 6
Aurora	1	61,110	61,110	5%	5%	5%	8%	8%	7%
East Gwillumbury	1	31,147	31,147	3%	5%	5%	8%	8%	7%
Georgina	2	49,251	24,626	4%	10%	10%	8%	8%	7%
King	1	27,214	27,214	2%	5%	5%	8%	8%	7%
Markham	5	366,319	73,264	30%	25%	24%	20%	23%	22%
Newmarket	2	88,781	44,390	7%	10%	10%	8%	8%	7%
Richmond Hill	3	215,919	71,973	18%	15%	14%	12%	12%	15%
Vaughan	4	355,788	83,947	27%	20%	24%	20%	19%	19%
Whitchurch-Stouffville	1	48,212	48,212	4%	5%	5%	8%	8%	7%
<b>Totals</b>	<b>20</b>	<b>1,223,741</b>	<b>61,187</b>	<b>100%</b>	<b>100%</b>	<b>102%</b>	<b>100%</b>	<b>102%</b>	<b>98%</b>