



REPORT
Meeting Date: 2016-06-23
Regional Council

DATE: June 16, 2016

REPORT TITLE: **RECOMMENDATIONS ARISING FROM THE GOVERNANCE REVIEW TASK FORCE**

FROM: Frank Dale, Regional Chair

RECOMMENDATION

That the Governance Review Task Force present Regional Council with a list of four options to be considered for implementation by the 2018 election;

And further, that the Minister of Municipal Affairs and Housing (Minister) be requested to enact a regulation authorizing The Regional Municipality of Peel to exercise its powers under Section 218 of the *Municipal Act, 2001*, as amended, in order to change the composition of the Council of the Regional Municipality of Peel, to be effective for 2018;

And further, that subject to the Minister enacting the regulation, the Regional Solicitor draft a by-law pursuant to the provisions of the regulation and the rules set out in subsection 218(1) of the *Municipal Act, 2001*, as amended;

And further, that subject to the Minister enacting the regulation, the Regional Clerk shall report to Regional Council with a recommendation related to the date that the statutory public meeting of Regional Council will be held to consider the matter;

And further, that the method of appointing the Chair of the Regional Municipality of Peel be confirmed as appointment by the Members of Regional Council;

And further, that a report come to a future meeting of Regional Council with a review of the process for the appointment of the Regional Chair;

And further, that a copy of the subject report and this resolution be forwarded to the Cities of Brampton and Mississauga and the Town of Caledon, for their information.

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REPORT HIGHLIGHTS

- The Governance Review Task Force was established on January 22, 2015.
- A Governance Review Facilitator was appointed and there were several meetings of the Task Force together with one on one discussions with individual Councillors and presentations to local Council meetings.
- Based upon information, research, and Councillor input and discussions, the Governance Review Task Force has developed several options for the consideration of Regional Council.

DISCUSSION**1. Background****a) Regional Governance**

The Regional Municipality of Peel was incorporated in 1974 to provide a wide range of cost-effective programs and services over a larger geographical area that enhance our community's health and safety, social and cultural development, environment, infrastructure and transportation systems.

Until 2005, Peel Region was governed by the Regional Chair and 21 Members of Regional Council representing its member municipalities: the City of Mississauga was represented by ten members, the City of Brampton was represented by six members and the Town of Caledon was represented by five members.

In 2005, *The Regional Municipality of Peel Act, 2005*, was enacted and increased the composition of Regional Council to 25 members, including the Regional Chair. Brampton's representation increased from six to seven members. The City of Mississauga's representation increased from ten members to twelve members. The Town of Caledon remained constant at five members.

Peel Region is growing rapidly; over the next 20 years, the population gap between its two largest municipalities will continue to narrow, while growth in Caledon will begin to accelerate.

Currently, neither the *Municipal Act, 2001*, as amended, nor the *Regional Municipality of Peel Act, 2005*, sets out a formula for reviewing the size or composition of Regional Council. The Region may determine a solution for "effective representation" of the member municipalities.

Members of the Task Force recognized that Peel Region is a "hybrid" region with two highly urbanized peer municipalities and one rural municipality. Consequently, different factors, including representation-by-population, area, and history each have a place when determining their respective representation at Regional Council.

b) Governance Review Task Force

During the last term of Regional Council, issues related to the method of electing a Regional Chair and Brampton's representation on Regional Council were raised. A task force

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consisting of the Mayors of Caledon, Brampton and Mississauga, the Regional Chair, the Chief Administrative Officers (or their designate) of the Region of Peel, Cities of Brampton and Mississauga, the Town of Caledon and the Regional Clerk was established.

Regional Council considered the “Report of the 2013 Task Force on the Election of Regional Council and Brampton Representation” and passed a resolution directing staff to report to Regional Council in early 2015 to initiate a review of the governance of the Regional Municipality of Peel, including a review of the options for election of the Regional Chair and a review of the composition of Regional Council.

At its meeting held January 22, 2015, Regional Council established the Governance Review Task Force, consisting of the Mayors of Caledon, Brampton and Mississauga, the Regional Chair, the Chief Administrative Officers (or their designate) of the Region of Peel, Cities of Brampton and Mississauga and the Town of Caledon and the Regional Clerk, to develop and report back to Regional Council on terms of reference and approach for a review of the governance of the Region of Peel, options for selection of the Regional Chair; and, the composition of Regional Council (Resolution 2015-36).

At the September 24, 2015 Regional Council meeting, Regional Chair Dale advised that the Governance Review Task Force held a number of discussions and agreed to appoint a facilitator through a Request for Proposal. Regional Council passed a resolution directing that the Terms of Reference for the Governance Review Facilitator include the opportunity for all members of Regional Council to participate in the process either as a whole or through one on one consultation (Resolution 2015-719).

On March 31, 2016, Regional Council was advised by the Regional Clerk that a Facilitator had been retained by the Governance Review Task Force and that meetings with individual Councillors had been scheduled with the Facilitator. The Regional Clerk stated that the Task Force would be reporting to Regional Council with recommendations following those consultations. Regional Council passed resolution 2016-262 directing the Governance Review Task Force to keep Members of Council informed by providing Agendas, Minutes and Reports to meetings of Regional Council and confirming that all Members of Regional Council may attend Task Force meetings.

At the May 12, 2016 Regional Council meeting, Regional Council received the report of the Governance Review Task Force meeting held on April 28, 2016 which indicated that the Mayors and Chief Administrative Officers from each local municipality would provide the Facilitator's presentation to their respective Councils for feedback and direction and provide the outcomes from said meetings to the Facilitator on or before May 20, 2016. The presentation and outcomes from the local municipalities' meetings would form the basis for an extended facilitation session on May 27, 2016 with the Task Force.

2. Process

A change in Regional Council's composition or the method of selecting the Chair can be in place for the 2018 municipal elections only if changes are implemented before December 31, 2017.

Council may request the Minister of Municipal Affairs and Housing (Minister) to enact a regulation authorizing the Region of Peel to exercise its powers under section 218 of the

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Municipal Act, 2001, as amended, in order to change the method of selecting the Regional Chair and/or to change the composition of Regional Council, to be effective for 2018.

If the Minister enacts the requested regulation, a regional by-law would be drafted in accordance with the provisions of the regulation and the rules set out in the *Municipal Act, 2001*.

A statutory public meeting of Regional Council would be held and by-laws drafted to exercise the power to change the composition of Council or method of selecting the Regional Chair. Public Notice of Council's intention to adopt a by-law under section 218 of the *Municipal Act* would be given and the by-law would need to pass a triple majority to consent to the by-law. A triple majority requires that the majority of the three local municipalities' Councils pass resolutions consenting to the by-law and the total number of electors in the local municipalities that have passed resolutions consenting to the by-law must form a majority of all electors in the Region of Peel.

If a triple majority is achieved, the by-law would come into force on the day the new Council is organized following the first regular election after the passing of the by-law.

Prior to the start of the term of office, additional administrative work would be required such as amendments to the Procedure By-law and renovations to the Council Chamber to accommodate the increase in the number of Councillors.

3. Proposed Direction**a) Selection of the Regional Chair**

The Task Force came to consensus that the principal role of the Regional Chair is to facilitate effective discussion and debate among members of Regional Council, rather than to exercise an independent political mandate.

A minority of Councillors also expressed concern that the most recent election was confusing for new members who might have benefited from a clearer orientation process, as well as, an opportunity prior to the election to meet each candidate in a structured and transparent way.

The Members of the Task Force recommend that the position of Regional Chair should continue to be selected by Members of Regional Council. They also suggested that a report be brought to a future meeting of Regional Council to review of the process of appointing the Regional Chair.

b) Size and Composition of Regional Council

Members of the Task Force acknowledged that Brampton is under-represented at Regional Council and that any change to the size and composition of Regional Council should address this imbalance.

Members of the Task Force also acknowledged that Mississauga residents continue to make-up more than 50 per cent of the Region's population.

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Members of the Task Force also acknowledged that over the next 20 years, the population gap between the two largest municipalities will continue to narrow, while growth in Caledon will begin to accelerate. Different rates of growth among its three municipalities mean that Regional Council may adjust its size and allocation of seats for its members to ensure effective representation.

The Task Force reviewed extensive data concerning peer jurisdictions, projected population growth, as well as a series of eleven options for rebalancing the size and composition of Regional Council.

The Task Force considered 13 main options presented by the facilitator paying particular attention to four.

The Task Force also agreed that should Council approve an increase in the size of Regional Council, the Region would share the costs with local municipalities, of reasonable expenses for renovating local and regional chambers and office space to accommodate additional members.

The four options discussed by the Task Force were:

1. Increase the size of Regional Council at the time of the 2018 election to 28 seats. Brampton's representation would increase by four seats to 11 seats. Mississauga's representation would remain constant at 12 seats. Caledon's representation would remain constant at five seats.
2. Increase the size of Regional Council at the time of the 2018 election to 32 seats. Brampton's representation would increase by four seats to 11 seats. Mississauga's representation would increase by four seats to 16 seats. Caledon's representation would remain constant at five seats.
3. The size of Regional Council at the time of the 2018 election would remain at 24 seats. Brampton's representation would increase by two seats to nine seats. Mississauga's representation would remain constant at twelve seats. Caledon's representation would decrease by two seats to three seats.
4. Increase the size of Regional Council at the time of the 2018 election to 28 seats. Brampton's representation would increase by two seats to nine. Mississauga's representation would increase by two seats to 14. Caledon's representation would remain constant at five seats.

Municipality	Current	Option 1	Option 2	Option 3	Option 4
Brampton	7	11	11	9	9
Caledon	5	5	5	3	5
Mississauga	12	12	16	12	14
Total	24	28	32	24	28

Some of the options may be considered as "Phase I" with the Task Force suggesting that the option chosen can be further reviewed (Phase 2) by Regional Council prior to the 2022 and 2026 elections to consider any imbalance and growth and change in population. During

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the second phase, Regional Council could expand at the time of either the 2022 or 2026 election. At that time, Brampton could receive two additional seats, increasing its representation to eleven members. Caledon would continue to be represented by five Regional Councillors, while the size of Mississauga's representation would either increase or remain constant (subject to the decisions of future Councils).

FINANCIAL IMPLICATIONS

There may be financial implications as a result of Council's decision. Upon achieving a triple majority and the implementation of a new composition of Council, and if that implementation includes additional Councillors, the financial implications will include costs of offices, substantial chamber renovations and ward boundary review and re-alignment (one-time costs). The Region of Peel agrees to cost share 50 per cent of one-time costs to municipalities that are incurred as a result of composition changes due to representation.

CONCLUSION

The Governance Review Task Force has considered many factors and taken into consideration the input from all Councillors and each local municipality and population and the hybrid nature of the Region of Peel in making the recommendations contained herein.

The Governance Review Task force has completed its mandate and presents its four options and recommendations for the consideration of Regional Council.



Frank Dale, Regional Chair

For further information regarding this report, please contact Kathryn Lockyer, Regional Clerk and Director of Clerks at Kathryn.lockyer@peelregion.ca or 905.791.7800 ext. 4325.

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