



VIA EMAIL

Legislative & Planning Services
Department
Office of the Regional Clerk
1151 Bronte Road
Oakville ON L6M 3L1

September 14, 2016

City of Burlington, Angela Morgan
Town of Halton Hills, Suzanne Jones
Town of Milton, Troy McHarg
Town of Oakville, Vicki Tytaneck

Please be advised that at its meeting held Wednesday, September 14, 2016, the Council of the Regional Municipality of Halton adopted the following resolution:

RESOLUTION: LPS98-16 – By-law to Change the Size and Composition of Halton Regional Council

1. THAT, following approval of By-law No. 69-16, being a by-law to change the size and composition of Halton Regional Council, the Regional Clerk forward a copy of Report No. LPS98-16 and the aforesaid by-law to the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville and that each municipality be requested to consent to this by-law, as evidenced by a resolution passed by their respective Councils.
2. THAT the Regional Clerk forward a copy of Report No. LPS98-16 to the Ministry of Municipal Affairs and the Ministry of Housing for their information.

Please provide me with a copy of any resolutions passed by your respective Councils regarding By-law No. 69-16.

Sincerely

A handwritten signature in black ink, appearing to read "Karyn Bennett", written in a cursive style.

Karyn Bennett
Regional Clerk and Director of
Council Services
karyn.bennett@halton.ca

Encl. Staff Report No. LPS98-16
By-law No. 69-16

Regional Municipality of Halton

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Report To:	Regional Chair and Members of Regional Council
From:	Mark G. Meneray, Commissioner, Legislative & Planning Services and Corporate Counsel
Date:	September 14, 2016
Report No. - Re:	LPS98-16 - By-law to Change the Size and Composition of Halton Regional Council

RECOMMENDATION

1. THAT, following approval of By-law No. 69-16, being a by-law to change the size and composition of Halton Regional Council, the Regional Clerk forward a copy of Report No. LPS98-16 and the aforesaid by-law to the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville and that each municipality be requested to consent to this by-law, as evidenced by a resolution passed by their respective Councils.
2. THAT the Regional Clerk forward a copy of Report No. LPS98-16 to the Ministry of Municipal Affairs and the Ministry of Housing for their information.

REPORT

Executive Summary

- Changes to the size and composition of Regional Council must be made by by-law. By-law No. 69-16, being a by-law to change the size and composition of Halton Regional Council is included in the September 14, 2016 Regional Council agenda for consideration.
- Upon approval of Report No. LPS98-16 and By-law No. 69-16 on September 14, 2016, the By-law will be forwarded to the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville for consent, as required by Section 219 (2) of the Municipal Act.

Background

On June 13, 2016 Ontario Regulation 196/16 was enacted by the Minister of Municipal Affairs and Housing to permit the Region to increase the size and composition of Regional Council by adding two councillors from the Town of Milton and one councillor

from the Town of Oakville; thereby increasing the size of Regional Council to 24 members, inclusive of the Regional Chair.

As required by Subsection 219(1) of the Municipal Act, a public meeting was held on September 7, 2016 to consider a by-law to change the size and composition of Regional Council. Staff received no submissions or comments regarding the by-law.

Discussion

Changes to the size and composition of Regional Council must be made by by-law. By-law No. 69-16 for this purpose is included in the September 14, 2016 Regional Council agenda. Upon approval of Report No. LPS98-16 and By-law No. 69-16, the By-law will be forwarded to each of the local municipalities for consent.

The By-law will be subject to the “triple majority” rule, meaning that a by-law changing the size and composition of Regional Council is not valid until the following conditions have been met:

- a majority of all votes on Regional Council must be cast in its favour;
- a majority (three in the case of Halton) of the Local Municipal Councils must 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 of the electors in the Region.

If By-law No. 69-16 is approved by a majority of votes on Regional Council, it will have met the first condition of triple majority. The Local Municipal Councils will then be asked to each pass a resolution consenting to the By-law. Only when the requisite consent has been received from a majority of the Local Municipal Councils and the plurality of the electors residing within these Local Municipalities has been determined to form a majority of the total electors in the Region, will By-law No. 69-16 become valid.

In order to make changes to Regional representation in time for the 2018 municipal election and the 2018-2022 term of Regional Council, the entire process must be completed (i.e. the by-law must be passed and validated), prior to December 31, 2017.

FINANCIAL/PROGRAM IMPLICATIONS

There are no financial or program implications resulting from this Report.

Respectfully submitted,



Karyn Bennett
Regional Clerk and Director, Council
Services



Mark G. Meneray
Commissioner, Legislative & Planning
Services and Corporate Counsel

Approved by



Jane MacCaskill
Chief Administrative Officer

If you have any questions on the content of this report,
please contact:

Karyn Bennett

Tel. # 7254

Attachments: None

THE REGIONAL MUNICIPALITY OF HALTON

BY-LAW NO. 69-16

A BY LAW TO CHANGE THE SIZE AND COMPOSITION OF HALTON REGIONAL COUNCIL.

WHEREAS Section 218 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (hereinafter the *Municipal Act*), states that an upper-tier municipality may, by by-law, change the size and composition of its council;

AND WHEREAS Subsection 218(5) of the *Municipal Act* requires that an upper-tier municipality shall not pass a by-law to change the composition of its council until the Minister has, by regulation, authorized the upper-tier municipality to exercise the powers described in Section 218;

AND WHEREAS Ontario Regulation 196/16 was issued on June 13, 2016, authorizing The Regional Municipality of Halton (hereinafter the *Region*) to exercise the powers described in Section 218 of the *Municipal Act*;

AND WHEREAS in accordance with Subsection 219(1) of the *Municipal Act*, notice was provided to the public on July 21, 2016 and August 11, 2016 of Regional Council's intention to pass a by-law to change the size and composition of Regional Council, and a public meeting was held on September 7, 2016 to consider the matter.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HALTON HEREBY ENACTS AS FOLLOWS:

1. THAT the size and composition of Halton Regional Council be increased by the addition of two (2) members for the Town of Milton and one (1) member for the Town of Oakville; thereby increasing the size of Regional Council to 24 members, inclusive of the Regional Chair.
2. THAT this By-law becomes valid on the day:
 - a majority of all votes on Regional Council are cast in its favour;
 - a majority of the Local Municipal 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 the electors in the Region.

3. THAT on the day the by-law becomes valid as set out in Section 2 of this By-law and pursuant to Subsection 219(4) of the Municipal Act, the 2018 municipal election shall be conducted as if this By-law is already in force.
4. THAT where the provisions of any other by-laws of the Region are inconsistent with the provisions of this By-law, the provisions of this By-law shall prevail.
5. THAT this By-law comes into force on the day of the Inaugural Meeting of the 2018 Regional Council.

READ and PASSED this 14th day of September, 2016.



REGIONAL CHAIR

REGIONAL CLERK

Report No. LPS82-16