

Resolution

Agenda Number: 22.1
Date: October 14, 2021

Moved by Councillor Parrish
Seconded by Councillor Brown

Whereas the Regional Chair is a member of Regional Council by operation of the *Regional Municipality of Peel Act, 2005*;

And whereas, by operation of the *Regional Municipality of Peel Act, 2005*, the Regional Chair is a “stand alone” member of Regional Council in that the Chair currently does not sit as a member of a local municipal Council;

And whereas, there are examples in the Region of Peel of Chairs who also sit as elected representatives of local wards in two school boards;

And whereas, the Regional Chair should be selected from amongst candidates who are experienced and well aware of the Regional issues of the day;

And whereas, the ability to enact a by-law to change the composition of Regional Council despite what was provided for in previous legislation, is expressly set out in section 3 of the *Regional Municipality of Peel Act, 2005* and under section 221 of the *Municipal Act, 2001* (the “Act”) as well as in section 218 of the Act, which provisions also authorized the already enacted by-law for the reallocation of two Regional Council seats from the Town of Caledon to the City of Brampton;

And whereas, section 218(2)(e) of the Act expressly provides that such a by-law may “require that if a member of council is appointed by council as the head of the upper tier council, the appointed member must hold office on the council of a lower tier municipality”;

And whereas, section 218(4) of the Act expressly authorizes an upper-tier municipality to change the term of office of an appointed head of council so long as the new term does not extend beyond the term of council;

And whereas, such a by-law would not require triple majority support because the provision requiring triple majority support (i.e. section 219(1) of the Act) does not require it for a by-law enacted under section 218(2)(e) or section 218(4);

And whereas, legislation does not require that the Office of the Chair be a full time position, and further, in authorizing that an appointee who is a member of council may be required to also maintain an office as a local Councillor, the Act is consistent with the Office of the Chair being exercised on a less than full time basis;

And whereas, the compensation for the position of Regional Chair should be commensurate with the compensation for other extra responsibilities assumed by Councillors who serve on outside boards and be reflective of the part-time nature of the appointment;

And whereas, in conjunction with the adoption of such a requirement, the selection of two Vice-Chairs who shall be from two different lower tier municipalities other than that of the Chair, should also be addressed;

And whereas, for the by-law enacting such changes to be effective immediately following the 2022 Municipal Election, it will, pursuant to section 219.1(1) of the Act, have to be enacted in the 2021 calendar year;

Therefore be it resolved, that notice be given pursuant to s. 219(1) of the *Municipal Act, 2001*, as amended, of Council's intention to adopt a by-law to require:

- i) that should any future Chair of the Regional Council be appointed from amongst the elected Regional Councillors, that appointee:
 - a) be required to continue to sit as, and to fulfill the office of, a member for the lower tier municipal ward to which that appointee was elected; and
 - b) be appointed to serve for a two-year term and until his or her successor is appointed, provided that council may re-appoint the same member or appoint a different member as Chair for the next ensuing two-year term, and provided further that the term shall not extend beyond the term of council;

- ii) that in the event that a member of Council has been appointed as Chair, two Vice-Chairs of Regional Council also be appointed from amongst the remaining Regional Councillors, and that such Vice-Chairs shall:
 - a) represent two different lower tier municipalities other than the municipality represented by the appointee as Chair and shall continue to sit as members for the lower tier municipal wards to which the appointees as Vice-Chairs have been elected;
 - b) have the role of assisting the Chair and acting from time to time in the place of the Chair at the request of the Chair and/or when the Chair is absent or refuses to act or the office of the Chair is vacant; and
 - c) be appointed for a two-year term and until their successors are appointed, provided that Council may re-appoint the same member or members or appoint different members as Vice-Chairs for the next ensuing two-year period, subject to the requirements of this provision, and provided further that the term shall not extend beyond the term of council.

And further, that staff be directed to organize a public meeting to be held to consider the matter of Council's intention to adopt the proposed by-law;

And further, that upon the adoption of the subject by-law, the issue of remuneration for the Chair and Vice-Chairs and other relevant details, including expense accounts, staffing, and such amendments to the Region of Peel's Procedure By-law as may be required to give effect to the subject by-law, be referred to the Regional Council Policies and Procedures Committee for discussion and recommendation to Council.

Regional Chair