

The Regional Municipality of York

Regional Council
February 28, 2019

Report of the Regional Chairman

Terms of Reference for a Governance Task Force

1. Recommendation

1. Council approve the attached draft terms of reference for a Governance Task Force.

2. Summary

At the December 13, 2018 Council meeting, Council requested that staff report in March 2019 regarding the establishment of a Governance Task Force.

Key Points:

- Municipal Act requires council to review its composition within 2 years of the October 2018 municipal election and every second election thereafter
- On January 15, 2019 the Provincial Government announced a review of regional governments across Ontario; this review is expected to be completed by Summer 2019
- Draft terms of reference for a Governance Task Force, reflecting the ongoing provincial review, are attached.

3. Background

On December 13, 2018, Council requested that staff provide terms of reference for a Regional Governance Task Force

At the Regional Council meeting held on December 13, 2018, Council requested staff prepare a report for council's consideration with terms of reference for a Governance Task Force.

Council representation has been considered several times during the history of York Region

Since York Region was formed in 1970, Regional Council has considered governance issues on a number of occasions, mostly with respect to council composition and the appropriate number of members for each local municipality based on representation by population.

Originally, York Region's Council comprised 17 members including the Regional Chair. An additional member for Markham was added in 1979. Additional members, one each for Markham and Vaughan, were added in 1988, and a further member for Vaughan was added in 2003. This reflects York Region's current composition of 21 members including the Regional Chair.

On [February 18, 2016](#) a report titled Terms of Reference for a Review of Regional Governance was received by Council. On May 26, 2016 York Region Council held an Education Session on Regional Governance. On [November 17, 2016](#) Council deferred a report titled Review of Regional Council Governance to January 2017 to coincide with the enactment of Bill 68, Modernizing Ontario's Municipal Legislation Act, 2016.

In 2018, the Municipal Act was updated requiring Council to review its composition

In 2018, the Municipal Act was amended to require regional municipalities to review the number of members of its council that represent the lower-tier municipalities. This amendment requires Council to either (i) change council composition, or (ii) pass a resolution affirming the current number of members. This review must be done by December 31, 2020 and then after every second regular municipal election. Failure to do so may result in a Minister's regulation changing the composition of Council.

In January 2019 the Province of Ontario announced a separate review of regional governments

On January 15, 2019 the Ontario government announced a review of regional governments. The province tasked two experts to conduct the review. The review includes York Region along with Durham Region, Halton Region, Muskoka District, Niagara Region, Oxford County, Peel Region, Waterloo Region, and their lower-tier municipalities and also includes the County of Simcoe and its lower tier municipalities.

The review will look into how well the regional and municipal governments are working to ensure they are effective and efficient, and continue to provide vital services to the communities they serve.

The Ontario government has a defined [mandate](#) for the review of regional governments:

The mandate of the advisory body is to provide expert advice to the Minister of Municipal Affairs and Housing and to make recommendations to the government about opportunities to improve regional governance and service delivery.

The Province expects to complete its review in early Summer 2019

Based on the Ontario government's announcement, the deliverables and timelines for the regional government review are provided in Table 1.

Table 1
Timelines for Advisory Body

Activity	Timeline
Work to begin	December 20, 2018
Develop work plan to outline proposed approach for delivering review to Ministry for approval	January 18, 2019
Develop detailed consultation plan and submit to Ministry for approval	January 31, 2019
Submit recommendations to the Minister for the purpose of improving governance, decision-making and service delivery, and actionable options for implementation	Summer 2019
Special advisors retained to assist with additional advice to Minister	September 30, 2019

4. Analysis

Regional Government Review focuses on specific questions

The mandate for the Province's Regional Government Review focuses on a series of questions. These questions are:

Questions on municipal governance and decision-making;

- a. Is the decision-making (mechanisms and priorities) of upper- and lower-tier municipalities efficiently aligned?*
- b. Does the existing model support the capacity of the municipalities to make decisions efficiently?*

- c. *Are two-tier structures appropriate for all of these municipalities?*
- d. *Does the distribution of councillors represent the residents well?*
- e. *Do the ways that regional councillors/heads of council get elected/appointed to serve on regional council help to align lower- and upper-tier priorities?*

Questions on municipal service delivery;

- f. *Is there opportunity for more efficient allocation of various service responsibilities?*
- g. *Is there duplication of activities?*
- h. *Are there opportunities for cost savings?*
- i. *Are there barriers to making effective and responsive infrastructure and service delivery decisions?*

Proposed terms of reference for the Governance Task Force are intended to support the Regional Government Review

The terms of reference for the Governance Task Force are set out to provide task force members with background information, research findings and supporting documentation to inform responses to the Regional Government Review and allow for some coordination of responses and advocacy efforts. It may also provide a forum for external experts to share information and provide key insights into regional governance. This would support task force members in responding to the Regional Government Review questions and any additional inquiries.

5. Financial

There are no financial implications associated with this report. However, external expertise may be considered to assist with the Governance Task Force.

6. Local Impact

There are no immediate local municipal impacts associated with this report. However, the outcome of the Ontario government review may result in changes to local and/or regional councils.

7. Conclusion

On December 13, 2018 staff was asked for a report detailing terms of reference for a Governance Task Force by March 2019. In January 2019, the Ontario government announced a Regional Government Review which is expected to conclude in Summer 2019.

In support of the provincial initiative, the attached draft terms of reference for a Governance Task Force reflect support of members in responding to the review and will also help inform any positions brought to Regional Council for approval.

For more information on this report, please contact Bruce Macgregor at 1-877-464-9675 ext. 71200. Accessible formats or communication supports are available upon request.

Approved for Submission: **Wayne Emmerson**
Chairman and CEO

February 28, 2019
Attachments (1)

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