



Report
Staff Report
 The Corporation of the City of Brampton
 4/30/2025

Date: 2025-04-25

Subject: **Designated Enhanced Voting Member During Certain Vacancies on Regional Council**

Contact: Genevieve Scharback, City Clerk, Legislative Services

Report number: Legislative Services-2025-371

RECOMMENDATIONS:

1. That the report from Genevieve Scharback, City Clerk, Legislative Services to the City Council Meeting of April 30, 2025 re: Designated Enhanced Voting Member During Certain Vacancies on Regional Council, be received;
2. That the Council of the City of Brampton hereby consents to Region of Peel By-law 18-2025, to designate members entitled to cast additional votes during certain vacancies on Regional Council; and
3. That a copy of this resolution be sent to the Region of Peel.

OVERVIEW:

- This report shall provide further information regarding Regional By-law 18-2025, being a by-law to designate members entitled to cast additional votes.
- The Regional by-law permits a local municipality with a vacant seat on Regional Council to appoint a member of its local council to act as a Designated Enhanced Voting Member entitled to cast two votes at Regional Council meetings during the period of the vacancy, provided certain circumstances exist.
- The by-law does not have an impact on the City of Brampton's current right to appoint an alternate or the right to appoint a proxy.
- The by-law may benefit the City of Brampton in the future if all members of Brampton City Council also become members of the Regional Council.
- The recommendations in this report shall confirm the City of Brampton's consent or non-consent to the by-law.
- A majority of the local municipal Councils must consent to the by-law as the second step in achieving triple majority approval of the by-law.
- There is no financial impact resulting from the adoption of the recommendations in this report.

BACKGROUND:

Peel Region By-law

Regional Council, at its meeting held on April 10, 2025, passed By-law 18-2025, under Section 218 (3) of the *Municipal Act, 2001*, as amended, to designate members entitled to cast additional votes during certain vacancies on Regional Council.

A triple majority is required in order for the by-law to be valid. The passing of the by-law by Regional Council fulfills the first requirement of a triple majority. Each of the three requirements set out below must be met:

- There must be a majority of all votes on Regional Council cast in its favour;
- A majority of the 3 local municipal Councils must pass resolutions consenting to the By-law;
- 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.

The by-law permits a local municipality with a vacant seat on Regional Council to appoint a member of its local council to act as a Designated Enhanced Voting Member entitled to cast two votes at Regional Council meetings during the period of the vacancy, provided certain circumstances exist.

All the following circumstances must exist before a Designated Enhanced Voting Member can be appointed:

- (i) the offices of a person who is a member of council of both The Regional Municipality of Peel ("Region of Peel") and the local municipality become vacant and the vacancies will not be filled for a period exceeding one month; and,
- (ii) the local municipal council to which the vacancy relates is unable to appoint one of its members as an alternate member of Regional Council under s. 267(2) of the Act until the vacancies are filled permanently because all members of the local municipal council are already members of Regional Council; and,
- (iii) there are no other provisions of the Act that may be utilized by the local municipality to fill the vacancy temporarily or maintain its voting weight on Regional Council during the period of the vacancy.

The Designated Enhanced Voting Member would have the ability to cast two votes at Regional Council meetings, their own vote and one additional vote, until the vacancy is filled. The designation would only apply to Regional Council meetings and not to Regional Council Committee meetings. The additional vote is not required at Committee

meetings as another member from the local municipality may be appointed to serve on the committee in the place of the member whose seat has been vacated.

Where the Designated Enhanced Voting Member is absent from a Regional Council meeting at which they are entitled to cast two votes under the by-law, they may appoint a proxy under the provisions of the Region of Peel Procedure By-law. A proxy that is properly appointed shall be entitled to cast a vote for themselves and two votes for the Designated Enhanced Voting Member for whom they are exercising the proxy.

The Designated Enhanced Voting Member would be counted as one member for the purpose of quorum and shall not receive additional remuneration from the Region of Peel.

CURRENT SITUATION:

Representation at Peel Regional Council

The current composition of the councils of Brampton and Caledon permit both municipalities to maintain their voting weight on Regional Council during certain vacancies on their respective councils under the authority of section 267(2) of the Act. Section 267(2) of the Act authorizes local municipalities to fill vacancies on their upper tier council that will not be filled for a period exceeding one month by appointing an alternate from their local council until the vacancy is filled.

The current composition of council of the City of Mississauga does not permit it to appoint an alternate under section 267(2) of the Act as all members of the City of Mississauga council are members of Regional Council and the City does not have any additional members to appoint as an alternate member.

Alternate Member of Regional Council

The *Municipal Act, 2001*, as amended, permits the council of a lower-tier municipality to appoint one of its members as an alternate member of the upper-tier council, to act in place of a person who is a member of the councils of both the lower-tier municipality and its upper-tier municipality. The City of Brampton Council appointed City Councillor (Deputy Mayor) Harkirat Singh as its alternate member for the 2022-2026 term of Council.

Proxies

Members of Council may appoint another member of Council as a proxy to act in their place when they are absent, subject to the rules set out in section 243.1 of the *Municipal Act, 2001, as amended*, and set out in the Peel Procedure By-law. There are no provisions in the Peel Procedure By-law that require the prioritization of an alternate member over a proxy.

Proxies can still be appointed for members of Brampton Council who will be absent from Region of Peel Council meetings. A proxy may not be appointed for a Brampton Regional Council seat that is vacant. Currently a Brampton Regional Councillor may appoint City Councillor Power as a proxy, or City Councillor Singh (Deputy Mayor), if he is not serving as an alternate at that time.

Designated Enhanced Voting Member By-law

The by-law to designate members entitled to cast additional votes during certain vacancies on Regional Council would only become applicable under very specific circumstances. There would have to be a vacant Brampton Regional Council seat that would not be filled for a period exceeding one month and Brampton Council is unable to appoint one of its members as an alternate under section 267(2) of the Municipal Act. The By-law would be applicable to Brampton if in the future all Brampton Councillors are Regional Councillors.

CORPORATE IMPLICATIONS:

Financial Implications:

There is no financial impact resulting from the adoption of the recommendations in this report.

Legal Implications:

No legal implications noted.

STRATEGIC FOCUS AREA:

This report aligns with and supports the strategic focus area:

- **Government & Leadership:** Focusing on service excellence with equity, innovation, efficiency, effectiveness, accountability, and transparency

CONCLUSION:

The enactment of a Designated Enhanced Voting Member by-law would enable all local municipalities to maintain their collective voting weight on Regional Council during periods of certain Council vacancies.

The by-law does not impede the City of Brampton's current appointment of an alternate member to Regional Council, or the ability to appoint a proxy. It may benefit the City of Brampton in the future if at any time all members of Brampton City Council also become members of the Regional Council.

The by-law would not come into effect until the new Council is organized following the next regular election.

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Attachments:

- Attachment 1 – Correspondence from Region of Peel and Regional By-law 18-2025 - Designated Enhanced Voting Member