

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, JUNE 4, 2025
(To follow Committee of the Whole)**

AGENDA

Members of the public wishing to attend can do so by attending in person to the Council Chambers located in the Administration Centre at 5786 County Road 21, Utopia.

- 1. OPENING OF MEETING BY THE MAYOR**
- 2. DISCLOSURE OF PECUNIARY INTEREST**
- 3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS**

- p. 1 Recommendation: ***BE IT RESOLVED THAT*** the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and ***THAT*** the minutes of the Committee of the Whole, and Regular Council meetings held on the 21st day of May, 2025 be adopted as circulated.

- 4. CONSENT AGENDA**

Recommendation: ***BE IT RESOLVED THAT*** the items listed in the Consent Agenda dated June 4, 2025, be received for information.

- 5. COMMITTEE REPORTS**
- 6. PETITIONS**
- 7. MOTIONS AND NOTICES OF MOTIONS**

- a. Proclamation – World Elder Abuse Awareness Day – June 15, 2025.**

Recommendation: ***WHEREAS*** the Township of Essa's older adults deserve to be treated with respect and dignity and valued as contributing members of society, imparting a wealth of experience and wisdom in our communities; and ***WHEREAS*** the International Network for the Prevention of Elder Abuse, in support of the United Nations International Plan of Action, proclaimed this day to recognize the significance of elder abuse as a public health and human rights issue; and ***WHEREAS*** the Township of Essa recognizes the importance of taking action to invest in creating social change, to prioritize the prevention of elder abuse and raise awareness to foster a better understanding of abuse and neglect of older adults and their rights; and ***WHEREAS*** elder abuse has a significant impact on the lives of older adults and families and is not limited to race, gender, culture, or circumstance, regardless of whether the abuse is physical, emotional, sexual, financial or neglect; and ***WHEREAS*** ageism and social isolation are major causes of elder abuse in Ontario; and ***WHEREAS*** it is recognized that it is up to all of us, as citizens, organizations, communities, and governments, to work collectively to prevent violence and abuse of older adults in their homes and communities; and

WHEREAS preventing abuse of older adults through improving and maintaining social and health services and systems such as housing, income security, and safety will improve their quality of life and allow them to live independently and contribute to the vibrancy of Ontario; and

WHEREAS there is respect for human rights, equality, and justice there can be no abuse; therefore, all the Township of Essa residents are urged to join this global movement to promote the Rights of Older Adults and Stop Abuse and Restore Respect; **NOW THEREFORE BE IT RESOLVED THAT** Council of the Corporation of the Township of Essa hereby proclaims June 15, 2025, as World Elder Abuse Awareness Day, and encourages all residents to recognize and celebrate seniors and their ongoing contributions to the success and vitality of our province.

b. Proclamation – Hope Air Day – June 6, 2025.

Recommendation: **Whereas**, access to healthcare is a fundamental right for all citizens, regardless of their geographic location; and

Whereas, Hope Air, a charitable organization, has been tirelessly dedicated to providing access to healthcare by facilitating free flights and other services for patients living in rural and under-served communities in Ontario, ensuring they can receive vital medical treatment regardless of distance or financial means; and

Whereas, Hope Air has been instrumental in bridging the gap between smaller communities and hospitals far from home, reducing the barriers that often prevent individuals from reaching medical care; and

Whereas, the impact of Hope Air extends beyond the individual patients served, positively affecting families, communities, and the healthcare system as a whole by promoting wellness and reducing the burden of untreated medical conditions; and

Whereas, the compassion, dedication, and commitment demonstrated by Hope Air and its volunteers embody the spirit of community and the belief in the inherent value of every individual's well-being; and

NOW THEREFORE BE IT RESOLVED THAT by the Council of the Township of Essa that June 6th, 2025, shall be known as "Hope Air Day" in recognition of the invaluable contributions made by Hope Air to the health and well-being of individuals in Ontario's remote and rural communities.

AND FURTHER, we urge all citizens to join us in celebrating Hope Air Day and to reflect on the significance of ensuring equitable access to healthcare for all members of our society. Let us reaffirm our commitment to supporting initiatives that promote health equity and extend our gratitude to Hope Air for their unwavering dedication to serving those in need.

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c. Motion - Consider Consent of County of Simcoe By-law 7119-25 to Change the Composition of County Council

Recommendation: **THAT** the Council of the Township of Essa consents to County of Simcoe By-law 7119-25, being a By-law to Change the Composition of Council of the Corporation of the County of Simcoe; and

THAT a copy of this resolution be sent to the County Clerk.

8. UNFINISHED BUSINESS

9. BY-LAWS

10. QUESTIONS

11. CLOSED SESSION

ITEM
ADDED Recommendation: **BE IT RESOLVED THAT** Council proceed to a Closed Session in order to address matters pertaining to:

- a. **Confidential Verbal Update from the Chief Administrative Officer
re: Staffing Matters.**
- *Personal Matters About an Identifiable Individual [s.239(2)(b)]*

Motion to Rise and Report from Closed Session Meeting of June 4, 2025.

Recommendation: **BE IT RESOLVED** that Council rise and report from the Closed Session Meeting at _____ p.m.

12. CONFIRMATION BY-LAW

p. 21 **By-law 2025-33**

Recommendation: **BE IT RESOLVED THAT** leave be granted to introduce By-law 2025-33, that being a By-law to confirm the proceedings of the Committee of the Whole, Closed Session, and Council meetings held on this 4th day of June, 2025; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

13. ADJOURNMENT

Recommendation: **BE IT RESOLVED THAT** this meeting of Council of the Township of Essa adjourn at _____ p.m. to meet again on the 18th day of June, 2025 at 6:00 p.m.

**THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, MAY 21, 2025
6:00 p.m.**

MINUTES

A Committee of the Whole meeting was held in person on Wednesday May 21, 2025, in the Council Chambers at the Administration Centre located at 5786 County Road 21, Utopia.

In attendance: Mayor Sandie Macdonald
Councillor Pieter Kiezebrink
Councillor Henry Sander
Councillor Liana Maltby
Deputy Mayor Michael Smith

Staff in attendance: M. Mikael, Chief Administrative Officer
C. Rankin, Manager of Parks and Recreation
S. Haniff, Manager of Planning
D. Dollmaier, Manager of Finance
L. Lehr, Manager of Automated Speed Enforcement
S. Corbett, Acting Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

The Township of Essa acknowledges that we are situated on land within the area of Treaty 18, also known as the Lake Simcoe-Nottawasaga Treaty, signed on October 17, 1818 between the Government of Upper Canada and the Anishinaabe Indigenous peoples. The Anishinaabe include the Ojibwe, Odawa and Pottawatomi Nations collectively known as the Three Fires Confederacy. We are dedicated to honouring Indigenous history and culture and committed to moving forward in the spirit of reconciliation and respect with all First Nation, Metis and Inuit People.

2. DISCLOSURE OF PECUNIARY INTEREST

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

STAFF REPORTS

4. PLANNING AND DEVELOPMENT / BUILDING

5. PARKS AND RECREATION / COMMUNITY SERVICES

- a. Staff Report PR010-25 submitted by the Manager of Parks and Recreation, re: Proposal for Multi Shade Structures on the Trans Canada Trail (TCT).

Motion Amended.

Resolution No: CW041-2025 Moved by: Kiezebrink Seconded by: Sander

BE IT RESOLVED THAT Staff Report PR010-25 be received; and
That Council authorize staff to proceed with the installation of shade structures along the Trans Canada Trail (TCT), with funding provided through the County of Simcoe's Trails Connecting Communities Program (TCCP) and \$20,000 matching fund (Essa's contribution) to be drawn from the Parks Reserve.

---Carried---

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

8. FINANCE

9. CLERKS / BY-LAW ENFORCEMENT / IT

10. CHIEF ADMINISTRATIVE OFFICER (C.A.O.)

11. OTHER BUSINESS

- Essa Historical Society is celebrating their 46th anniversary on Saturday May 24, 2025.
- Council thanked the Parks and Recreation department for their assistance at the tree planting at Bob Gettes Park and in Thornton.
- The Essa Golf Tournament has had great success so far for sponsorship

12. ADJOURNMENT

Resolution No: CW042-2025 Moved by: Smith Seconded by: Maltby

BE IT RESOLVED THAT this meeting of Committee of the Whole of the Township of Essa adjourn at 6:07 p.m., to meet again on the 4th day of June, 2025 at 6:00 p.m.

Sandie Macdonald
Mayor

Sarah Corbett
Acting Clerk

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, MAY 21, 2025
(To follow Committee of the Whole)**

AGENDA

A Council meeting was held in person on Wednesday May 21, 2025, in the Council Chambers at the Administration Centre located at 5786 County Road 21, Utopia.

In attendance: Mayor Sandie Macdonald
Councillor Pieter Kiezebrink
Councillor Henry Sander
Councillor Liana Maltby
Deputy Mayor Michael Smith

Staff in attendance: M. Mikael, Chief Administrative Officer
C. Rankin, Manager of Parks and Recreation
J. Kolb, Manager of Public Works
D. Dollmaier, Manager of Finance
L. Lehr, Manager of Automated Speed Enforcement
S. Corbett, Acting Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR
2. DISCLOSURE OF PECUNIARY INTEREST
3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: CR062-2025 Moved by: Sander Seconded by: Maltby

***BE IT RESOLVED THAT** the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and
THAT the minutes of the Committee of the Whole, Closed Session and Regular Council meetings held on the 7th day of May, 2025 be adopted as circulated.*

---Carried---

4. CONSENT AGENDA

Resolution No: CR063-2025 Moved by: Smith Seconded by: Sander

***BE IT RESOLVED THAT** the items listed in the Consent Agenda dated May 21st 2025, be received for information.*

---Carried---

5. COMMITTEE REPORTS
6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

- a. Proclamation – May 25 to May 31, 2025 – National AccessAbility Week
Flag Raising – 5:45 p.m. on May 21, 2025.

Resolution No: CR064-2025 Moved by: Kiezebrink Seconded by: Smith

WHEREAS the Accessible Canada Act came into force July 2019, and determined that National AccessAbility Week take place every year beginning on the last Sunday in May; and

WHEREAS National AccessAbility Week brings together all Canadians in recognizing the valuable contributions of Canadians with disabilities and strengthening the collaborative effort needed to create a country that is fully accessible and inclusive; and

WHEREAS each year, we look at the gains we have made in removing barriers and improving access for all who live, work and play in the Township of Essa, and look forward to the work that still needs to be done;

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby proclaims the week of May 25 to May 31, 2025 as “National AccessAbility Week” and encourages all residents to support equality of access and opportunity for persons with disabilities.

---Carried---

- b. Proclamation – Seniors Month – June 2025.

Resolution No: CR065-2025 Moved by: Sander Seconded by: Maltby

WHEREAS Seniors Month is an annual province-wide celebration; and

WHEREAS Seniors have contributed to and continue to contribute immensely to the life and vibrancy of this municipality; and

WHEREAS Seniors continue to serve as leaders, mentors, volunteers, and important and active members of the community; and

WHEREAS contributions from seniors past and present warrant appreciation and recognition, and their stories deserve to be told; and

WHEREAS the health and well-being of seniors is in the interest of all, and further adds to the health and well-being of the community; and

WHEREAS the knowledge and experience seniors pass on to others continues to benefit us all;

NOW THEREFORE BE IT RESOLVED that Council of the Corporation of the Township of Essa hereby proclaims the month of June as “Seniors Month” and encourages all citizens to recognize and celebrate the accomplishments of our seniors.

---Carried---

8. UNFINISHED BUSINESS

9. BY-LAWS

- a. By-law 2025-28 – A By-law to adopt the 2025 Tax Rates.

- b. By-law 2025-29 – A By-law to adopt the 2025 Tax Rate for the Business Improvement Area.
- c. By-law 2025-30 – A By-law to amend By-law 2023-33 (Community Safety Zones).
- d. By-law 2025-31 -A By-law to amend By-law 98-10 (Rate of Speed).

Resolution No: CR066-2025 Moved by: Kiezebrink Seconded by: Smith

BE IT RESOLVED THAT By-law 2025-28, By-law 2025-29, By-law 2025-30 and By-law 2025-31 be read a first, and taken as read a second and third time and finally passed.

---Carried---

10. QUESTIONS

11. CLOSED SESSION

12. CONFIRMATION BY-LAW

By-law 2025-32

Resolution No: CR067-2025 Moved by: Smith Seconded by: Sander

BE IT RESOLVED THAT leave be granted to introduce By-law 2025-32, that being a By-law to confirm the proceedings of the Committee of the Whole, Closed Session, and Council meetings held on this 21st day of May, 2025; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

---Carried---

13. ADJOURNMENT

Resolution No: CR068-2025 Moved by: Smith Seconded by: Maltby

Recommendation: ***BE IT RESOLVED THAT*** this meeting of Council of the Township of Essa adjourn at 6:11 p.m. to meet again on the 4th day of June, 2025 at 6:00 p.m.

---Carried---

Sandie Macdonald
Mayor

Sarah Corbett
Acting Clerk



County of Simcoe
Clerk's Department
1110 Highway 26,
Midhurst, Ontario L9X 1N6

Main Line (705) 726-9300
Toll Free (866) 893-9300
Fax (705) 725-1285
simcoe.ca



April 24, 2025

Sent VIA EMAIL: scorbett@essatownship.on.ca

Sarah Corbett, Acting Manager of Legislative Services/Municipal Clerk
Township of Essa
5786 Simcoe County Road 21
Utopia, ON L0M 1T0

RE: Request to Consider Consent of County of Simcoe By-law 7119-25 to Change the Composition of County Council

Ms. Corbett,

Please be advised at its meeting held April 22, 2025, Council of the County of Simcoe enacted By-law 7119-25, being a By-law to change the composition of the Council of the Corporation of the County of Simcoe, pursuant to Section 218 of the *Municipal Act, 2001*. A copy of the By-law is attached to this correspondence.

Currently, County Council is comprised of 32 Members including the Mayors and Deputy Mayors of each of the County's lower-tier municipalities. The By-law will reduce the size of County Council to a 17-member Council that would include only the Mayors of the 16 lower-tier municipalities and a Head of Council. The Head of Council is currently appointed from among Members of Council and therefore serves both on County Council and a lower-tier Council. The By-law will establish a Head of Council that serves exclusively on County Council for a four-year term. The position will be appointed by County Council from among eligible electors who put their name forward. The By-law also includes required updates to the existing weighted vote system, which allocates the existing number of votes for each municipality to the one representative.

The passing of the By-law by County Council on April 22, 2025, fulfills the first step in the "triple majority" process outlined in Section 219 of the *Municipal Act, 2001*, which is that a majority of votes on County Council be cast in favour. A By-law to change the composition of an upper-tier Council is not valid until it achieves "triple majority" which is prescribed as:

1. a majority of votes on County Council in favour; and
2. a majority of lower-tier Councils passing resolutions consenting to the By-law; and
3. the lower-tier Councils consenting to the By-law represent a majority of all electors in the upper-tier municipality.

To fulfill the remaining steps, the Council of each lower-tier member municipality is requested to consider passing a resolution to consent to County By-law 7119-25. **A response from the Council of the Township of Essa is requested by June 30, 2025.** Wording for Councils wishing to consent is included below.

7c

Motion Wording to Consent:

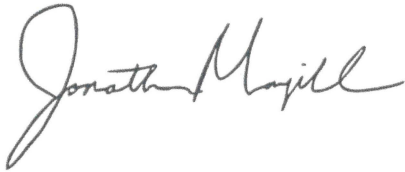
That the Council of the Township of Essa consents to County of Simcoe By-law 7119-25, being a By-law to Change the Composition of Council of the Corporation of the County of Simcoe; and

That a copy of this resolution be sent to the County Clerk.

Members of the lower-tier Council are encouraged to review additional background information, reports, and a frequently asked questions (FAQ) document on this subject located at www.simcoe.ca/notices.

As the County's portion of the process has completed, the decision regarding consent rests solely with each lower-tier Council independent of the County. The Mayors and Deputy Mayors of each lower-tier Council were privy to the deliberations at County Council and may be able to provide additional context to your deliberations. Should you or members of your Council have any questions regarding this correspondence, procedure, or the attached By-law, please contact the County of Simcoe Clerk's Department at ext. 1246 or via email at clerks@simcoe.ca.

Sincerely,



Jonathan Magill
County Clerk, Director of Statutory Services and Archives
County of Simcoe

Encl. By-law 7119-25

BY-LAW NO. 7119-25

OF

THE CORPORATION OF THE COUNTY OF SIMCOE

A By-law to Change the Composition of Council of the Corporation of the County of Simcoe.

Whereas section 218(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the "*Municipal Act, 2001*") outlines the parameters regarding the composition of an upper-tier Council including that the Head of Council shall be elected by general vote or appointed by the members of Council; and

Whereas section 218(2)(a) of the *Municipal Act, 2001* authorizes an upper-tier Council to change the number of members of its Council that represent one or more of its lower-tier municipalities; and

Whereas section 218(3) of the *Municipal Act, 2001* authorizes a municipality to change the number of votes given to any member of Council but each member must have one vote; and

Whereas section 218(4) of the *Municipal Act, 2001* authorizes an upper-tier municipality to change the term of office of an appointed Head of Council so long as the term does not extend beyond the term of Council; and

Whereas Council passed a resolution at its January 14, 2025 meeting directing staff to bring forward a By-law to reduce the size of Council of the Corporation of the County of Simcoe to sixteen members in addition to a dedicated Warden comprising a seventeen member Council; and

Whereas section 219(1) of the *Municipal Act, 2001* requires that a municipality shall give notice of its intention to pass a by-law changing the composition of Council and shall hold at least one public meeting to consider the matter; and

Whereas section 219(2) of the *Municipal Act, 2001* establishes the validity requirements of any changes to Council composition; and

Whereas notice of Council's intention to pass a by-law to change the composition of County Council was provided on February 6, 2025 and a public meeting was held on March 11, 2025 in accordance with section 219(1) of the *Municipal Act, 2001*; and

Whereas Council deems it expedient to enact a By-law to change the composition of Council and to provide for the number of votes given to members of County Council;

Now therefore the Council of the Corporation of the County of Simcoe enacts as follows:

1.0 Definitions

“Eligible Elector” means an individual meeting the qualifications to be an elector at an election held in a member municipality in the County of Simcoe under section 17(2) of the *Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched.*

“Member Municipality” means a municipality that forms part of the County of Simcoe for municipal purposes and is not separated therefrom.

“Municipal Elector” means a person whose name appears on the voters’ list, as amended up until the close of voting on voting day, for the most recent regular municipal election.

“Procedure By-law” means By-law No. 6703, as amended – A By-law to Govern the Calling, Place and Proceedings of the Meetings of Council and Committees, or any successor by-law.

“Warden” means the Head of Council of the County of Simcoe.

2.0 Composition of County Council

2.1 That County Council be composed of the Mayors of each member municipality.

2.2 That the Warden shall be an additional member of County Council appointed by members of County Council in accordance with the Procedure By-law.

3.0 Warden (Head of Council)

3.1 That the Warden shall be an eligible elector of a member municipality of the County of Simcoe.

3.2 That, if the Warden is appointed from among the existing members of the Council of the Corporation of the County of Simcoe, the member is no longer entitled to hold office on the council of a member municipality.

3.3 That, if the individual appointed Warden be an active employee of the County of Simcoe or any member municipality or local board, upon accepting the position of Warden they shall be deemed to have resigned from their employment immediately before making the declaration of office for the position of Warden.

4.0 Warden Term of Office

4.1 That the term of office for the Warden shall be concurrent with the term of Council and continue until the new Council is organized following the next regular election.

5.0 Weighted Vote

- 5.1 Voting will continue to be carried out in accordance with the Procedure By-law.
- 5.2 Where the Procedure By-law permits weighted voting, votes shall be allocated as follows:
- a) That each representative of a member municipality shall be entitled to a minimum of three (3) votes.
 - b) Where a member municipality has more than 5,000 municipal electors, the representative of the member municipality shall be entitled to one (1) additional vote for every 2,000 municipal electors over 5,000.
 - c) That the weighted vote for the Warden shall be equal to the member with the lowest number of weighted votes.
- 5.3 The Clerk of each local municipality shall, before the 1st day of December in the year of a regular municipal election, certify in writing to the Clerk of the County of Simcoe the total number of municipal electors for the member municipality.

6.0 Repeal

- 6.1 That By-law No. 4789 – A By-law to Provide for the Number of Votes Given to County Council Members be repealed in its entirety.

7.0 Coming into Force

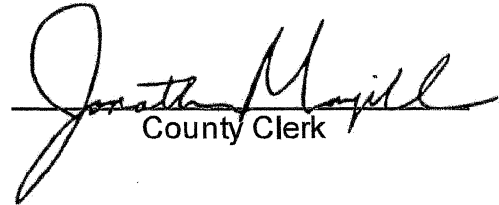
- 7.1 This By-law shall be valid when each of the following conditions have been met:
- a) a majority of all votes on County Council are cast in favour of this By-law;
 - b) a majority of the councils of all lower-tier municipalities forming part of the County of Simcoe have passed resolutions consenting to this By-law; and
 - c) the total number of electors in the lower-tier municipalities that have passed resolutions consenting to this By-law form a majority of all the electors in the County of Simcoe.
- 7.2 This By-law shall begin to apply the day the new Council is organized following the first regular election following the passing of this By-law.

- 7.3 Notwithstanding section 7.2 of this By-law, the regular election held immediately prior to the coming into force of this By-law shall be conducted as if this By-law were already in force.
- 7.4 If the conditions necessary to consider this By-law valid in accordance with section 7.1 are not met by January 1, 2026, this By-law shall be repealed in its entirety on that date.

By-law enacted this 22nd day of April, 2025.


Warden




County Clerk



To: **Governance Committee**

Agenda Section: Matters for Consideration
Division: CAO, Warden, Clerk's and Archives
Department: Clerk's Department

Item Number: **GOV - 2025-158**

Meeting Date: May 20, 2025

Subject: **Circumstances for Use of a Weighted Vote in the Procedure By-law**

Recommendation

That Item GOV 2025-158, dated May 20, 2025, regarding Circumstances for Use of a Weighted Vote in the Procedure By-law, be received; and

That direction be provided regarding preferred options relating to amendments to Council's Procedure By-law around circumstances for use of a weighted vote.

Executive Summary

This Item is a follow-up to County Council direction to further investigate the use of the weighted vote in Council's Procedure By-law. County Council requested Governance Committee make recommendations about the circumstances in which a weighted vote could be used going forward. Governance Committee requested this on an expedited timeline separate from an already planned review of the Procedure By-law in its entirety.

This report details the practices of other upper-tier municipalities that utilize a weighted vote and presents options for the Governance Committee to consider recommending to Council. These options pertain to amendments that can be made to the existing Procedure By-law regarding the circumstances under which a weighted vote is used.

Background/Analysis/Options

County Council, at its April 22, 2025 meeting passed the following resolution:

That Governance Committee be tasked to consider and make recommendations regarding circumstances for use of the weighted vote outlined in Council's Procedure By-law.

County Council, at its May 13, 2025 meeting passed the following resolution based on the recommendation made by Governance Committee at its April 29, 2025 meeting:

That staff report back with the results of a jurisdictional scan and considerations for options regarding circumstances for use of the weighted vote.

This report provides some introductory background information regarding fundamental principles of parliamentary law and the concept of upholding effective representation. Following this, a jurisdictional scan related to the use of a weighted vote in other upper-tier municipalities is provided. Further, the report provides Governance Committee with some considerations and options around the use of the weighted vote as it relates specifically to the County of Simcoe context and Council's current Procedure By-law.

The existing Weighted Vote By-law determines the formula for the number of votes allocated to a member when weighted voting is required or permitted. A By-law to change the composition of Council, which maintained the existing formula but updated the allocation of votes to accommodate for the change in composition, is currently pending consent from a majority of the lower-tier municipalities. Whether or not the weighted vote formula is to change, voting is carried out in accordance with Council's Procedure By-law, which outlines when and under what circumstances a weighted vote is permitted or when one vote per member is used. This report only focuses on the Procedure By-law and when a weighted vote can be used, as the formula has been dealt with separately by Council and is subject to triple majority and other requirements.

The current Procedure By-law 6703, as amended (see Schedule 1), notes weighted voting is only permissible in a meeting of Council and upon the request of a recorded vote. There are other sections in the Procedure By-law where it is noted that either a weighted vote shall not apply or that members only have one vote, such as an appeal of the Chair's ruling and in voting for the Head of Council (as required under the *Municipal Act*) and in voting for the Deputy Warden and Business Section Chairs and Vice-Chairs.

Any potential changes that may be considered by Governance Committee should consider the goal of effective representation and ensure that fundamental principles of parliamentary law are upheld. This includes considering the impacts to the voting rights of members, protecting the interests of the minority and considering any rules outlined in the *Municipal Act* that cannot be superseded or amended.

7c

The goal in considering changes to the Procedure By-law regarding the use of a weighted vote should be to facilitate the effective order and transaction of County business. The effectiveness of implementing rules around when a weighted vote is triggered is dependent on the understanding and commitment of its members that they are representing regional perspectives and delivering regional services in the best interest of the entire County.

Jurisdictional Scan

To better understand trends and best practices across the Province regarding weighted voting, staff completed a comprehensive analysis of upper-tier municipalities including both Regions and Counties. A review of Procedure By-laws for numerous upper-tier municipalities across the Province was conducted to consider if each had a system of weighted voting including a formula similar to the County of Simcoe's or other rules regarding such voting. While Regional Municipalities do not appear to have weighted voting (as many utilize regional Councillor models for representation), several Counties across the Province have such systems with unique formulas for determining how weighted votes are allocated and used.

Six regional municipalities in Ontario were reviewed as part of this scan including Halton, Peel, York, Durham, Waterloo and Niagara. As noted above, none of the Regions use a system of weighted voting similar to the County of Simcoe, in which individual members of Council are provided additional votes based on the number of electors in the community they represent. Instead, the composition of the regional municipal Councils are designed to approximately account for the varying populations of their lower-tiers by adding more members as Regional Councillors. For example, Waterloo Regional Council has a total of 16 members. The largest community, the City of Kitchener, has five members of Council. Small municipalities, such as Wilmot and Woolwich, each only have one. Similarly, Durham Regional Council is comprised of 29 members. The larger communities of Whitby and Oshawa have five and six representatives respectively. The Township of Uxbridge, being a smaller community, only has two representatives. As weighting based on population is built directly into the composition of regional Councils, their By-laws commonly include provisions to specifically note that each member shall have only one vote on any question.

In addition to regional municipalities, staff reviewed Procedure By-laws for Counties in Ontario and found several diverse systems of weighted voting. For example, the Counties of Bruce, Haliburton, Grey, Dufferin, Perth, Lanark, Peterborough and the United Counties of Prescott and Russell each have versions of weighted voting which appear to be uniquely customized based on historical and structural differences. The Procedure By-laws of several other Counties which do not use weighted voting were also reviewed.

The County's weighted vote system was initially set out in the *County of Simcoe Act* in 1994 and then replaced by the Weighted Vote By-law 4789 in 2002. The formula for calculating weighted votes has remained the same, whereby each municipality is entitled to a minimum of three (3) votes plus one vote for each additional 2000 electors above

5000. Similarly, several Counties have weighted vote systems which include a formula to allocate votes based on the number of electors. For example, the County of Grey has a weighted vote system, established in 1993 through Provincial legislation, which allocates one vote to members for every 1,000 municipal electors. Similarly, the County of Dufferin has a weighted vote derived from the *County of Dufferin Act, 1994*. In this case, it is prescribed that each local municipality has a minimum of two votes with the number of votes being calculated by dividing the number of municipal electors in the local municipality by 1,500, rounded to the nearest whole number. Bruce County allocates each County Councillor one vote for every 3,500 qualified electors. In contrast, Perth County and Haliburton County each have systems in which the number of weighted votes is directly prescribed. For example, the Procedure By-law for Perth County cites a restructuring order from the Province, effective in 1998, directly setting the weighted vote totals for the four lower-tier municipalities rather than calculating them from a formula which considers a constantly changing number of electors. Although there are several municipalities with weighted vote systems established through legislation, the calculation or prescription of weighted votes appears to be unique and customized to each case.

The jurisdictional scan of Counties further demonstrated diverse approaches to applying or restricting the use of weighted voting. For example, in selecting the position of the Warden, Bruce County restricts the use of the weighted vote so that each Councillors only has one vote. In contrast, in Dufferin County the weighted vote is required to be used when selecting Portfolio Chairs, which are members of Council who serve as facilitators for assigned departments similar to a Business Section Chair. The use of weighted voting for election purposes varies between these municipalities. Similar to the County of Simcoe, Grey County currently has its recorded and weighted vote combined, but restricts the use so that a weighted vote cannot be applied to any two-thirds vote. The County of Haliburton has a significantly different and unique approach from others, restricting the use of the weighted vote to decisions involving financial matters which are defined to include the adoption of the annual budget, borrowing, acquisition and disposition of property and the execution of collective agreements. Finally, it is important to note that several Counties, including Lanark, Grey and Perth, each restrict the use of their weighted votes to only apply at Council meetings, similar to the County of Simcoe's current practice.

Based on this review, few consistent best practices emerge in how Counties calculate and apply their weighted voting. The calculation and use of weighted voting are unique and customized to each community, often originating as a result of legislation from the Province.

Options for Amendments to the Procedure By-law Regarding Use of a Weighted Vote

The options below are based on practices adopted by other upper-tier municipalities with a weighted vote system, as well as actionable ideas previously discussed by members at County Council and Governance Committee on this topic. While some options may conflict with or impact others, there is potential to combine multiple options into a comprehensive package. Given the Procedure By-law details how Council governs its proceedings, staff

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remain impartial regarding which options Council chooses to adopt and will assist with implementing Council's direction.

Option 1 - Separate Recorded and Weighted Votes

Supporting this option would involve distinguishing between recorded votes and weighted votes, allowing a recorded vote to be called without automatically triggering a weighted vote. Currently, all recorded votes are weighted.

To implement this, the definitions and voting sections of the Procedure By-law would be revised to clearly differentiate between a 'recorded vote' and a 'recorded weighted vote.' A recorded vote would continue to be defined as a written record of the name and vote of every Member present, voting on any matter or question. Under this option, a recorded vote could be conducted without the vote being weighted. On the other hand, a 'recorded weighted vote' would follow the current method where the vote is both recorded and weighted.

If this option is supported, it can be written into the Procedure By-law that the Chair or Clerk would seek clarification from the member requesting the vote to determine whether they desire a recorded vote or a recorded weighted vote.

This option aims to eliminate confusion and provide members with greater flexibility. It allows for a written record of the names and votes of members on a matter without necessarily invoking the weighted vote.

Staff believe supporting Option 1 is necessary to implement any other options included in this report given the interactions between options and sections already in the Procedure By-law. Members have a right protected in Section 246 of the *Municipal Act* to request immediately before or after taking of the vote that the vote be recorded. As the Procedure By-law is written, recorded and weighted votes are currently combined. Staff had suggested in recent report GOV 2025-106 that this option would be a suggested housekeeping update as part of the ongoing Procedure By-law review.

Option 2 - Weighted Vote to be Called Only Immediately Prior to a Vote

Supporting this option would mean that a weighted vote could only be requested immediately prior to a vote. Currently, a recorded vote, which is weighted as the Procedure By-law currently reads, can be called as soon as a question has been put, or after the vote has been taken and the vote announced, but before another motion is presented. Some members have expressed frustration with the current process, where a show of hands vote (one vote per member) can yield a certain result, only to have a weighted vote called afterward, potentially altering the outcome. Support of this option would necessitate changes to the voting section of the Procedure By-law.

Supporting this option requires the support of Option 1 above to separate recorded and weighted votes. If Option 2 is not supported, a recorded weighted vote would continue

to be available to be requested, where applicable, after the vote has been taken. Members have a right protected in Section 246 of the *Municipal Act* to request immediately before or after taking of the vote that the vote be recorded.

Option 3 - One Vote Per Member on Votes Regarding Appointments

Supporting this option would mean that a weighted vote would not be permitted on decisions regarding appointments of members of County Council or citizens to various Committees and Boards of Council. Appointments are typically decided following the Inaugural Meeting of Council each term and as may be required throughout the term. As noted in their Terms of Reference, Governance Committee is currently responsible for recommending these appointments to Council.

Currently, Council can call a weighted vote on such appointments. If this option is supported, the Procedure By-law would be amended to specify that each member has one vote on these matters. This would not impact where the Procedure By-law already speaks to other elections and appointments including for Warden, Deputy Warden, Business Section Chairs and Vice-Chairs, etc.

Option 4 - One Vote Per Member on Votes Regarding Amendments and Changes to the Procedure By-law

Supporting this option would mean that a weighted vote would not be permitted on any amendments or changes to the Procedure By-law.

As the Procedure By-law largely governs how Council conducts its own meetings and debates, there may be some merit to Council considering limiting the use of the weighted vote on amendments or changes to the By-law. Doing so may be seen to protect minority interests of the Council and to prevent the weighted vote from being used to change the rules of debate.

Option 5 - One Vote Per Member on Votes Where the Procedure By-law Requires a Two-thirds Majority

Supporting this option would mean that a weighted vote would not be permitted for any decisions where the Procedure By-law requires a two-thirds vote, which primarily relates to procedural matters.

Currently, the definition of a two-thirds majority vote indicates that weighted voting shall not apply to a two-thirds vote, unless a recorded vote has been called. Supporting this option would clarify that votes on these matters have one vote per member.

Section 19.12 of the Procedure By-law currently requires a two-thirds majority vote for the following motions:

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- Suspending the rules of the By-law;
- Considering a matter previously deferred indefinitely or deferred to a time or eventuality that has not been reached or occurred under Section 22 of the By-law;
- Reconsidering a question decided within the previous year under Section 23 of the By-law;
- Waiving notice in respect of a notice of motion;
- Considering a substantive (new) matter not appearing on the Agenda for the meeting;
- Suspending the provisions of this By-law pursuant to Section 2 of the By-law.

The County of Grey has a similar provision where a weighted vote is not permitted on motions that require a two-thirds vote.

Option 6 - One Vote Per Member on a By-law to Change Council Composition

Section 218 of the *Municipal Act* grants upper-tier municipalities the authority to make changes to the composition of their Council. This includes changing the number of members of its Council representing one or more of its lower-tier municipalities, the method of selecting Council members, having a member represent more than one lower-tier municipality or changing the number of votes given to any member. For such a By-law to be valid, it must meet the 'triple majority' requirement outlined in Section 219 of the *Municipal Act*, which involves:

1. a majority of all votes on County Council in favour of the by-law; and
2. a majority of lower-tier councils passing resolutions consenting to the by-law; and
3. the lower-tier councils consenting to the by-law represent a majority of all electors in the upper-tier municipality.

Supporting this option would mean that each member would have one vote on the final decision regarding a By-law to change the composition of County Council under Sections 218 and 219 of the *Municipal Act*. This would effectively apply to step 1 of the triple majority process. As the *Municipal Act* does not specifically speak to a weighted vote, noting this in the Procedure By-law is not expressly permitted or prohibited and municipalities generally have flexibility to revise their practices to best meet local circumstances.

Option 7A - One Vote Per Member on Votes Regarding Yearly Budget Approval

Under this option, staff table the draft budget at Committee of the Whole and Council meetings on an annual basis, as is typical. The tabling of the annual budget begins in October of each non-election year and shortly into the year following an election.

The proposed changes to the Procedure By-law with this option would specify that each member has one vote on all amendments and directions to staff following the tabling of the budget, leading up to and including the final approval vote.

Option 7B - One Vote Per Member on All Votes Except Those Regarding Yearly Budget Approval

Supporting this option would mean that weighted votes would be permitted solely to the approval of the yearly budget. This option would render Options 3 through 6 in this report moot, as it limits the use of weighted voting to items specifically related to the annual budget consideration, typically beginning in October of each non-election year and shortly into the year following an election. As weighted voting would be limited to budget approval, it would remove the ability to apply weighted voting on all other matters.

Haliburton County is the only other jurisdiction known to staff that has a similar mechanism in their Procedure By-law. Haliburton County's Procedure By-law indicates that their County Council shall only use weighted votes for decisions involving financial matters and defines financial matters to include the adoption of the annual operating and capital budgets, temporary and long-term borrowing, the acquisition of real property, the disposal of real property and the execution of collective agreements.

If the County of Simcoe were to adopt a similar approach, staff believe defining and interpreting financial matters would be challenging and potentially create confusion on a more regular basis at meetings. Therefore, limiting weighted voting only to the approval of the yearly budget is considered the most practical option to be narrowly targeted for ease and simplicity. However, it is important to note that this option has the greatest potential to impact the voting rights of members as it encompasses and goes above and beyond Options 3 through 6.

Next Steps

Section 2.5 of the existing Procedure By-law requires that notice of proposed amendments or repeal of the Procedure By-law be given at a previous meeting of Council prior to the amendments or repeal occurring.

It is understood that Council desires to debate and reach some clarity on the circumstances for use of the weighted vote in the Procedure By-law as the separate process regarding consideration of consent to County By-law 7119-25 to change Council Composition is currently being considered by the lower-tier Councils.

Staff will require adequate time to draft and incorporate any approved changes resulting from this report into the Procedure By-law. Additionally, as previously mentioned, public notice is a prerequisite before any amendments can be enacted. Therefore, it is recommended that any proposed changes approved from this report be integrated by staff into the ongoing Procedure By-law review. These changes should not take effect until the completion of the review, at which point a fully updated By-law, inclusive of other changes from the review, will be presented. This approach aims to mitigate the risk of unintended consequences that may arise from altering one part of the By-law without considering its entirety, given its complexity and the interdependence of its sections.

Financial and Resource Implications

There are no financial or resource implications associated with this Item.

Relationship to Corporate Strategic Plan

Responsive and Effective Governance: Address the structural and procedural challenges of a County spanning a divergent group of 16 municipalities.

Reference Documents

- GOV 2025-106 (April 29, 2025) Procedure By-law Proposed Review Process

Attachments

Schedule 1 – Council's Current Procedure By-law 6703, as amended

Prepared By Jonathan Magill, County Clerk
Patrick Trafford, Deputy Clerk

Approvals

Trevor Wilcox, General Manager, Corporate Performance
Mark Aitken, Chief Administrative Officer

Date

May 15, 2025
May 15, 2025

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2025 - 33

**Being a By-law to confirm the proceedings of the Council
meeting held on the 21st day of May, 2025.**

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESSA
HEREBY ENACTS AS FOLLOWS:

THAT the action of the Council at its meeting held on the 4th day of June, 2025 and, in respect of each recommendation contained in the Regular Council meeting held on the 18th day of May, 2025, and the Minutes of the Committee of the Whole meeting held on the 18th day of May, 2025, and, in respect of each motion, resolution and other action passed and taken by Council at the said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

THAT the Mayor and the proper officials of the Township of Essa are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required, and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix the Corporate Seal to all such documents.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND
FINALLY PASSED on this the 4th day of June, 2025.

Sandie Macdonald, Mayor

Sarah Corbett, Acting Clerk