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Bill 100

An Act to amend the Municipal Act, 2001 and the Municipal Elections Act, 1996

The Hon. R. Flack

Minister of Municipal Affairs and Housing

Government Bill

1st Reading April 2, 2026

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

SCHEDULE 1 MUNICIPAL ACT, 2001

The Schedule amends the *Municipal Act, 2001*. Here are some highlights:

1. Amendments are made with respect to the timing of the requirement for regional municipalities to review, for each of their lower-tier municipalities, the number of members of their council that represent each lower-tier municipality. See the amendments to subsection 218 (6) and new subsection 218 (6.1).
2. New section 218.0.1 authorizes the Minister to make regulations governing the votes of the members of councils of upper-tier municipalities. The regulations would apply only after the 2026 regular election.
3. Section 218.1 is re-enacted to provide rules governing the appointment of the head of council of certain municipalities, beginning after the regular election in 2026. Related regulation making authority is provided.
4. New section 218.2 sets out the composition of the council of the County of Simcoe beginning after the regular election in 2026. Related regulation making authority is provided.
5. New section 218.2.1 sets out the composition of the council of The Regional Municipality of Niagara beginning after the regular election in 2026. Related regulation making authority is provided.
6. Sections 218.3 and 218.6 apply with respect to the term of office beginning in 2022 for certain municipalities. The sections are repealed.

SCHEDULE 2 MUNICIPAL ELECTIONS ACT, 1996

The *Municipal Elections Act, 1996* is amended to re-enact section 10.1 to deem nominations filed in the 2026 regular election to have been withdrawn in respect of the office of head of council of a municipality referred to in subsection 218.1 (2) of the *Municipal Act, 2001* as well as any other office on the council of The Regional Municipality of Niagara. Regulation-making authority with respect to carrying out the 2026 regular election in these municipalities is provided. The section applies only if the Bill receives Royal Assent on or after May 1, 2026.

An Act to amend the Municipal Act, 2001 and the Municipal Elections Act, 1996**CONTENTS**

Preamble	
1.	Contents of this Act
2.	Commencement
3.	Short title
Schedule 1	Municipal Act, 2001
Schedule 2	Municipal Elections Act, 1996

Preamble

The Government of Ontario is committed to improving regional governance by:

Supporting more efficient and effective regional councils.

Improving alignment of provincial-municipal priorities.

Streamlining and accelerating decision-making in local government

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Contents of this Act

1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.

Commencement

2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any of its provisions are to come into force on a day to be named by order of the Lieutenant Governor in Council, an order may apply to one or more of those provisions, and orders may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *Better Regional Governance Act, 2026*.

**SCHEDULE 1
MUNICIPAL ACT, 2001**

1 (1) Subsection 218 (6) of the *Municipal Act, 2001* is amended by,

- (a) striking out “2018” and substituting “2026”; and**
- (b) striking out “a regional municipality shall” and substituting “every regional municipality, other than The Regional Municipality of Niagara, shall”.**

(2) Section 218 of the Act is amended by adding the following subsection:

Same, The Regional Municipality of Niagara

(6.1) Following the regular election in 2034 and following every second regular election after that, The Regional Municipality of Niagara shall review, for each of its lower-tier municipalities, the number of members of its council that represent the lower-tier municipality.

(3) Subsection 218 (7) of the Act is amended by striking out “subsection (6) and ends” and substituting “subsection (6) or (6.1), as the case may be, and ends” in the portion before clause (a).

(4) Subsection 218 (8) of the Act is amended by adding “or (6.1)” at the end.

(5) Subsection 218 (11) of the Act is repealed.

2 The Act is amended by adding the following section:

Number of votes, upper-tier municipalities

218.0.1 (1) The Minister may make regulations governing the votes of the members of council of an upper-tier municipality, including,

- (a) prescribing the number of votes given to each member, provided that each member has at least one vote;
- (b) prescribing rules for when the number of votes given to any member is more than one vote;
- (c) prescribing matters or questions for which the number of votes given to any member is more than one vote;
- (d) prescribing periods of time for which the regulations made under this section apply.

Limitation

(2) A regulation made under subsection (1) shall not apply in respect of a term of office before the regular election in 2026.

3 Section 218.1 of the Act is repealed and the following substituted:

Head of council, certain municipalities

218.1 (1) The head of council of each of the municipalities set out in subsection (2) shall be appointed in accordance with the following rules:

1. The Minister may, by order, appoint a head of council following the regular election in 2026 and every subsequent regular election.
2. At the first meeting of a new council of a municipality following the regular election in 2026 and every subsequent regular election, the head of the council shall be appointed by the members of the council, unless the Minister has appointed a head of council under paragraph 1.
3. The Minister may, by order, remove a head of council appointed by the Minister or by the council and, if the Minister does so, may, by order, appoint a new head of council.
4. The following rules apply if a vacancy in the head of council position occurs:
 - i. The Minister may, by order, appoint a head of council to fill the vacancy.
 - ii. A head of council shall be appointed by the members of council within 60 days after the day a declaration of vacancy is made with respect to the vacancy under section 262, unless the Minister has appointed a head of council under subparagraph i.
 - iii. For clarity, if the Minister appoints a head of council under subparagraph i before the council declares the head of council’s seat vacant under section 262, the council is not required to declare the head of council’s seat vacant under that section.

Municipalities

(2) For the purposes of subsection (1), the municipalities are as follows:

1. The Regional Municipality of Durham.

2. The Regional Municipality of Halton.
3. The District Municipality of Muskoka.
4. The Regional Municipality of Niagara.
5. The Regional Municipality of Peel.
6. The County of Simcoe.
7. The Regional Municipality of Waterloo.
8. The Regional Municipality of York.

Effect of order

(3) An order made by the Minister under subsection (1) takes effect on the date and at the time specified in the order.

Notice of order

(4) If the Minister makes an order under subsection (1), the Minister shall,

- (a) publish the order in *The Ontario Gazette*; and
- (b) as soon as possible after the order is made, provide a copy of the order to the municipality to which it relates.

Deemed to be member of council

(5) A person appointed by the Minister or by members of council under subsection (1) to be the head of council is deemed to also be a member of council.

Conduct of 2026 regular election

(6) The regular election in 2026 shall be conducted as if the method of selecting the head of council described in this section were already in effect.

Regulations

(7) The Minister may make regulations that, in the opinion of the Minister, are necessary or desirable for implementing the purposes of this section and, without restricting the generality of the foregoing, the Minister may make regulations,

- (a) governing the appointment of a head of council under subsection (1), including,
 - (i) prescribing rules to facilitate the transition of the head of council appointed under subsection (1),
 - (ii) prescribing powers and duties of the head of council appointed under subsection (1);
- (b) providing for modifications to this Act, any other Act or the regulations made under any Act.

Retroactivity

(8) A regulation made under subsection (7) is, if it so provides, effective with reference to a period before it was filed.

Conflict

(9) In the event of a conflict between a regulation made under subsection (7) and a provision of this Act or of any other Act or regulation, the regulation made under subsection (7) prevails.

4 Section 218.2 of the Act is repealed and the following substituted:

Council composition, County of Simcoe

218.2 (1) Beginning with the term of office following the regular election in 2026, the council for the County of Simcoe shall be composed of,

- (a) the head of council appointed under section 218.1; and
- (b) sixteen other members, consisting of the head of council of each lower-tier municipality in the County of Simcoe.

Power to change council composition

(2) Nothing in this section limits the power of the County of Simcoe to change its council composition under section 218 for any regular election after 2026.

Conduct of 2026 regular election

(3) The regular election in 2026 shall be conducted as if the composition of the council of the County of Simcoe, as described in subsection (1), were already in effect.

Regulations

(4) The Minister may make regulations that, in the opinion of the Minister, are necessary or desirable for implementing the purposes of this section, and without restricting the generality of the foregoing, the Minister may make regulations,

- (a) governing the composition of the council of the County of Simcoe for the purposes of this section, including prescribing rules to facilitate the transition to the new council composition;
- (b) providing for modifications to this Act, the *Municipal Elections Act, 1996* or the regulations made under those Acts.

Retroactivity

(5) A regulation made under subsection (4) is, if it so provides, effective with reference to a period before it was filed.

Conflicts

(6) In the event of a conflict between a regulation under subsection (4) and a provision of this Act or another Act or regulation, the regulation made under subsection (4) prevails.

Council composition, The Regional Municipality of Niagara

218.2.1 (1) Beginning with the term of office following the regular election in 2026, the council for The Regional Municipality of Niagara shall be composed of,

- (a) the head of council appointed under section 218.1; and
- (b) twelve other members, consisting of the head of council of each lower-tier municipality in The Regional Municipality of Niagara.

Power to change council composition

(2) Nothing in this section limits the power of The Regional Municipality of Niagara to change its council composition under section 218 for any regular election after 2026.

Conduct of 2026 regular election

(3) The regular election in 2026 shall be conducted as if the composition of the council of The Regional Municipality of Niagara, as described in subsection (1), were already in effect.

Regulations

(4) The Minister may make regulations that, in the opinion of the Minister, are necessary or desirable for implementing the purposes of this section, and without restricting the generality of the foregoing, the Minister may make regulations,

- (a) governing the composition of the council of The Regional Municipality of Niagara for the purposes of this section, including prescribing rules to facilitate the transition to the new council composition;
- (b) providing for modifications to this Act, the *Municipal Elections Act, 1996* or the regulations made under those Acts.

Retroactivity

(5) A regulation made under subsection (4) is, if it so provides, effective with reference to a period before it was filed.

Conflicts

(6) In the event of a conflict between a regulation under subsection (4) and a provision of this Act or another Act or regulation, the regulation made under subsection (4) prevails.

5 Sections 218.3 and 218.4 of the Act are repealed.

6 (1) Clause 218.5 (1) (b) of the Act is amended by striking out “necessary” and substituting “necessary or desirable”.

(2) Section 218.5 of the Act, as amended by subsection (1), is repealed.

7 Section 218.6 of the Act is repealed.

8 (1) Subsection 221 (1) of the Act is amended by striking out “217, 218, 218.1, 218.3 or 220” and substituting “217, 218, 218.1, 218.2, 218.2.1, 218.3 or 220”.

(2) Subsection 221 (1) of the Act, as amended by subsection (1), is amended by striking out “217, 218, 218.1, 218.2, 218.2.1, 218.3 or 220” and substituting “217, 218, 218.1, 218.2, 218.2.1 or 220”.

(3) Subsection 221 (2) of the Act is amended by striking out “subsection 218 (7)” wherever it appears and substituting in each case “subsection 218 (7) or 218.0.1 (1)”.

9 Subsection 259 (1) of the Act is amended by striking out “or” at the end of clause (g), adding “or” at the end of clause (h) and by adding the following clause:

- (i) is removed from their office by the Minister under paragraph 3 of subsection 218.1 (1).

10 Subsection 284.12 (1) of the Act is amended by adding “of a municipality other than a municipality set out in subsection 218.1 (2)” after “of the head of council”.

Commencement

11 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Better Regional Governance Act, 2026* receives Royal Assent.

(2) Section 5, subsection 6 (2), section 7, subsection 8 (2) and sections 9 and 10 come into force on November 15, 2026.

SCHEDULE 2
MUNICIPAL ELECTIONS ACT, 1996

1 Sections 10.1 and 10.2 of the *Municipal Elections Act, 1996* are repealed.

2 (1) The Act is amended by adding the following section:

2026 regular election, certain municipalities

Deemed withdrawal of nominations

10.1 (1) A person who, on or before the day the *Better Regional Governance Act, 2026* received Royal Assent, has filed a nomination in the 2026 regular election for any of the following is deemed to have withdrawn their nomination under section 36 of this Act on the day the *Better Regional Governance Act, 2026* received Royal Assent:

1. The office of head of council of a municipality referred to in subsection 218.1 (2) of the *Municipal Act, 2001*.
2. Any office on the council of The Regional Municipality of Niagara, other than the office of head of council mentioned in paragraph 1.

Regulations

(2) The Minister may make regulations that, in the opinion of the Minister, are advisable or necessary for the purposes of carrying out the 2026 regular election for the municipalities referred to in subsection 218.1 (2) of the *Municipal Act, 2001* and, without restricting the generality of the foregoing, the Minister may make regulations,

- (a) varying the operation of any of the provisions of this Act for those purposes;
- (b) governing transitional matters that arise under this Act as a result of the implementation of sections 218.1, 218.2 or 218.2.1 of the *Municipal Act, 2001*.

Same

(3) A regulation made under subsection (2) may limit the circumstances in which an order under subsection 83 (1) may be made in relation to the conduct of the 2026 regular election for the municipalities referred to in subsection 218.1 (2) of the *Municipal Act, 2001*.

Retroactivity

(4) A regulation made under subsection (2) is, if it so provides, effective with reference to a period before it was filed.

Conflict

(5) In the event of a conflict between a regulation made under subsection (2) and a provision of this Act or of any other Act or regulation, the regulation made under subsection (2) prevails.

(2) Subsection (1) only applies if the *Better Regional Governance Act, 2026* receives Royal Assent on or after May 1, 2026.

Commencement

3 This Schedule comes into force on the day the *Better Regional Governance Act, 2026* receives Royal Assent.