



STRONG MAYOR POWERS

A New Municipal Regime

May 26, 2025

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History of Strong Mayor Powers

- “Special Powers and Duties of the Head of Council” were established in 2022 through the *Strong Mayors, Building Homes Act, 2022*
- Amended the *Municipal Act, 2001* to add a new Part (VI.1)
- Originally applied only to the Cities of Toronto and Ottawa
- Extended in 2023 to add 27 other larger municipalities, that number was later increased to 46
- Latest expansion (to 169 more municipalities) brings the total number of municipalities with strong mayor powers to 215 as of May 1, 2025

Purpose for Strong Mayor Powers

- The Province's stated reason for strong mayor powers has been to promote prescribed "Provincial Priorities" as set out in regulations
- These priorities currently are to:
 - ▶ Support and encourage the approval of new housing
 - ▶ Support the construction and maintenance of infrastructure to support housing
- The exercise of strong mayor powers is generally linked to the above stated reasons for creating the powers

Three Broad Categories of Powers

- **Organizational Powers**

- appoint or dismiss CAO and heads of organizational units (certain exempt positions)
- determine organizational structure
- establish/dissolve Council Committees and appoint Chairs/Vice-Chairs

- **Legislative Powers**

- require Council to consider a matter at a Council meeting
- require Council to vote on a by-law at a Council meeting
- power to veto by-laws adopted by Council (subject to override)

- **Budget Powers**

- prepare and present annual budget by February 1 (otherwise reverts to Council)
- power to veto Council amendments to annual budget (2/3 Council vote to overturn veto)
- present in-year budget amendments if supplementary levy is required

Powers Must be Exercised in Writing

- The exercise of powers must be done in writing and in accordance with regulations
- Mayor shall, by next business day, provide written document exercising powers to each Member of Council and the Clerk
- Record must also be made available to public (subject to MFIPPA) – see <https://www.wilmot.ca/en/township-office/mayoral-decisions.aspx>
- Mayor “steps into shoes” of Council and has the same authority as Council would have had for the designated power

Organizational Powers

- The powers of the municipality with respect to determining the organizational structure of the municipality are assigned to the Mayor
- Includes the power to hire, dismiss or exercise any other prescribed employment powers with respect to the CAO or the head of any division or the head of any other part of the organizational structure (subject to exemptions on next slide)
- Includes power to direct staff (in writing) to undertake research and provide advice on policies/programs related to strong mayor powers (written notice of exercise of this power must be provided in writing to the Clerk and CAO by next business day)

Exemptions from Organizational Powers

- Mayor does not have authority to hire, dismiss or exercise any other employment powers with respect to the following persons:
 - 1. The clerk or deputy clerk.
 - 2. The treasurer or deputy treasurer.
 - 3. An Integrity Commissioner.
 - 4. An Ombudsman.
 - 5. An Auditor General or registrar for lobbying matters.
 - 6. A chief building official, as defined in the *Building Code Act, 1992*.
 - 8. A chief of police, as defined in the *Police Services Act*.
 - 9. A fire chief, as defined in the *Fire Protection and Prevention Act, 1997*.
 - 10. A medical officer of health, as defined in the *Health Protection and Promotion Act*.
 - 11. Other officers or heads of divisions required to be appointed under any Act.

Legislative Powers

- If Mayor is of the opinion that considering a particular matter could potentially advance a prescribed provincial priority, Mayor may require Council to consider the matter at a meeting
- If Mayor is of the opinion that all or part of a by-law could potentially interfere with a prescribed provincial priority, the Mayor may provide written notice to Council of intent to consider vetoing the by-law
- Notice of intent to consider veto must be provided to Council within two (2) days of by-law passage
- Opinion is in sole discretion of Mayor but must be formed in good faith

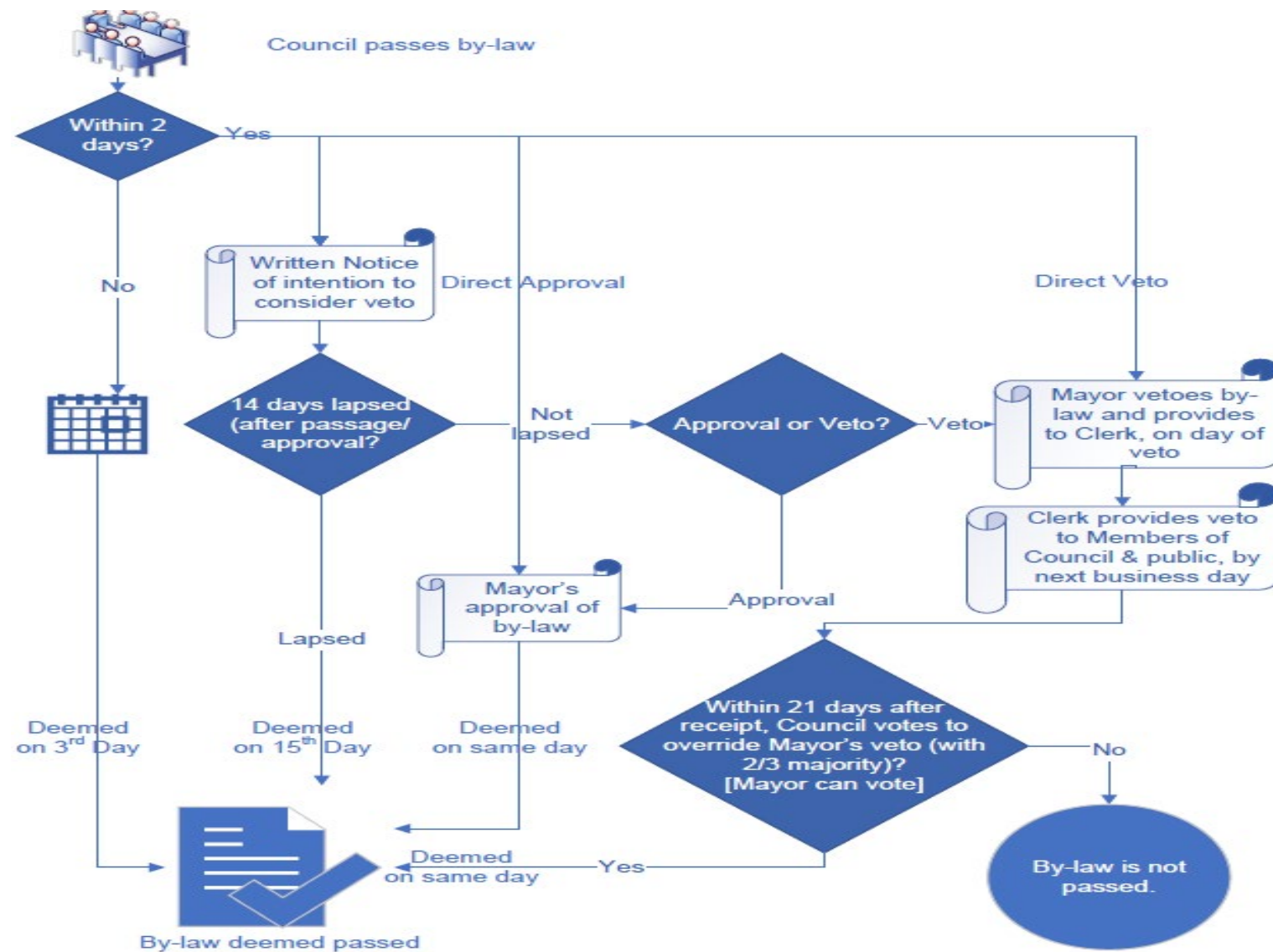
Veto Provisions

- Within 14 days of by-law passage (following written notice of intent to consider vetoing provided within 2 days), Mayor must determine whether or not by-law will be vetoed
- If by-law not vetoed, it comes into effect on the earlier of:
 - 14 days after by-law passage; or
 - day of written approval by Mayor
- Recommended practice is for Mayor to issue written approval on date of passage of by-laws if veto is not being considered

Time Frames for Veto and Override

- If the Mayor vetoes a by-law, the Clerk shall:
 - By no later than the next business day after receiving the written veto document, provide each Member of Council a copy of the document
 - Make the written veto record available to the public
- Within 21 days of notice to members of Council, Council may override the Mayor's veto by a two-thirds (2/3) vote (4 of 6 Members)
- Mayor may vote as member of Council in an override vote
- If Council overrides the veto, the by-law is deemed to have passed on the day of the override vote (no requirement for Mayor's written approval of overridden by-law)

Veto Powers Flowchart*



Legislative Powers – Passing By-laws

- If the Mayor is of the opinion that a by-law could potentially advance a prescribed provincial priority, the Mayor may propose the by-law to Council and require Council to consider and vote on the proposed by-law at a meeting
- Mayor must provide in advance copy of by-law and reasons for proposal
- Power subject to normal requirements (e.g. *Planning Act* by-laws require advance public notice, etc.)
- A vote of *more than* 1/3 sufficient to pass by-law (3 of 6 Members)

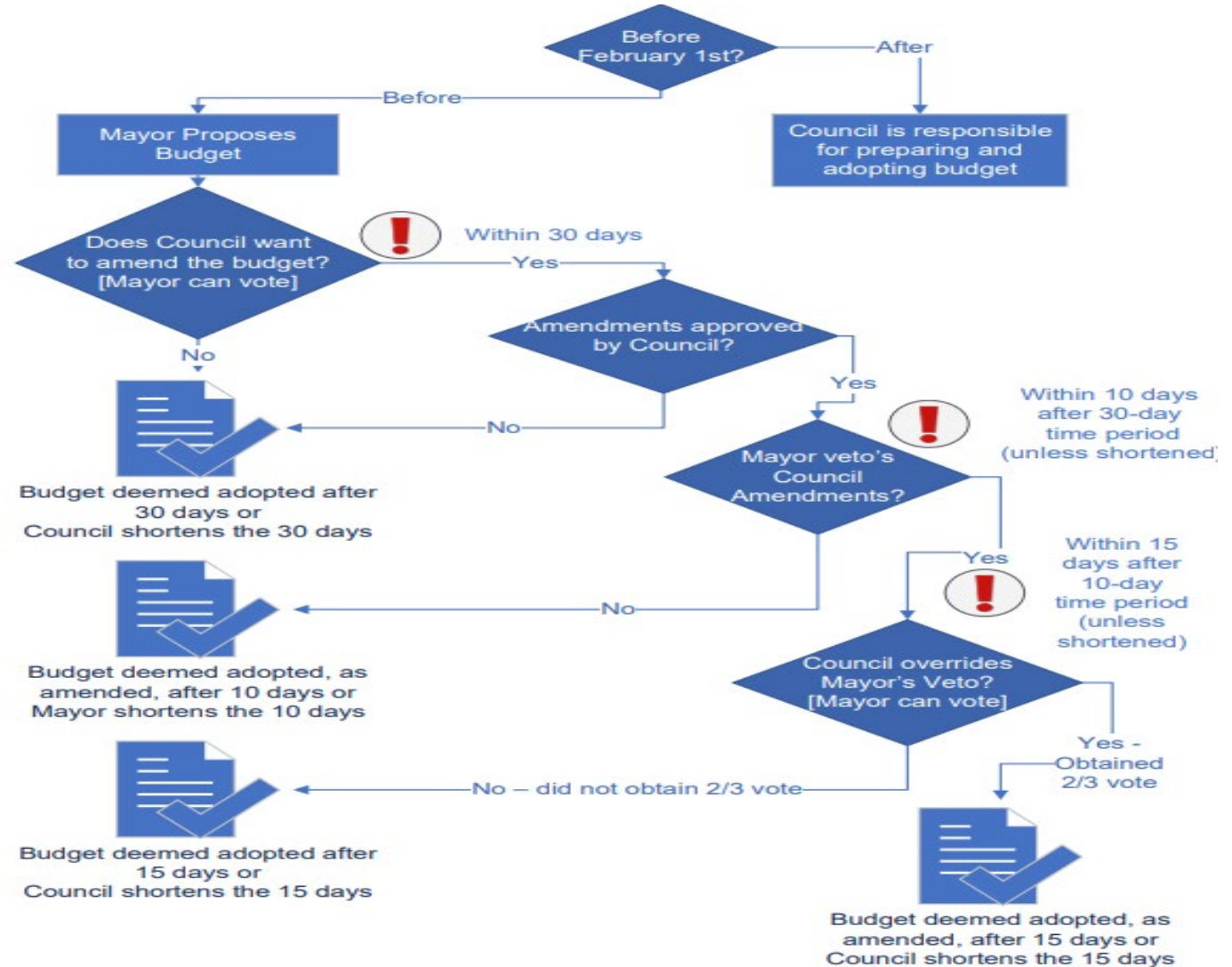
Budget Authority

- The powers and duties of a municipality with respect to proposing and adopting a budget are assigned to the Mayor
- The Mayor must prepare a proposed budget for the municipality and provide it to Council for consideration by **February 1** of each year
- Council has 30 days to pass a resolution proposing amendments to budget. If no amendments, budget takes effect on **March 3** (30 days after budget deadline date)
- Mayor may veto proposed amendments. 2/3 vote of Council required to override veto
- If Mayor does not present budget by February 1, authority reverts to Council

Budget – In-year Amendments

- Mayor may propose mid-year special levies
- Council must within **21 days** approve or propose amendments
- If no resolution after **21 days**, amendment deemed to be approved
- Mayor may veto amendments within **26 days** of first proposal date
- Veto subject to standard 2/3 vote override within **36 days**

Budget Powers Flowchart*



Delegation of Authority

- Mayor may delegate some of the strong mayor powers in Mayor's sole discretion
- Organizational Powers may be delegated to Council or CAO (depends on power)
- Legislative and Budget Powers may only be delegated to Council
- Delegations of strong mayor powers may be rescinded in Mayor's discretion

Summary

- Strong Mayor Powers represent a significant shift in how municipalities operate in Ontario
- New powers are extensive but not unlimited, and in many cases directed at Provincial priorities
- Powers must be exercised in writing, which must then be provided to designated persons and the public within prescribed time frames

Questions?