

Municipality of Lakeshore – Report to Council

Legal and Legislative Services

Legislative Services



To: Mayor and Members of Council

From: Brianna Coughlin, Division Leader – Legislative Services

Date: April 9, 2025

Subject: Strong Mayor Powers under the *Municipal Act, 2001*

Recommendation

This report is presented for information only at the April 29, 2025 Council meeting.

Strategic Objectives

This report does not directly align with a Strategic Objective; however, it is being brought forward due to the expansion of strong mayor powers to the Municipality of Lakeshore, as legislated by the Province of Ontario through the *Municipal Act, 2001*.

Background

Part VI.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25 grants special powers and duties (strong mayor powers) to the head of council of designated municipalities listed in Ontario Regulation 530/22, *Strong Mayors, Building Homes Act, 2022*, and *Better Municipal Governance Act, 2022*. Currently, there are 47 Ontario municipalities where the head of council has strong mayor powers and duties.

The Ministry of Municipal Affairs and Housing is proposing amendments to [Ontario Regulation 530/22](#) under the *Municipal Act, 2001* to expand the list of municipalities where the head of council has strong mayor powers and duties, to include certain single-tier and lower-tier municipalities with a council composition size of six members or more, to help these municipalities move forward on shared provincial-municipal priorities.

It is proposed that amendments to Ontario Regulation 530/22 would come into effect on May 1, 2025.

The Municipality of Lakeshore received notice of the proposed changes from the Minister of Municipal Affairs and Housing on April 9, 2025.

This report outlines new powers and duties of the mayor if and when these powers come into force in the Municipality of Lakeshore.

Comments

Under Part V1.1 of the [Municipal Act, 2001](#), the mayor has the following special powers and duties as the head of Council:

- Appointing and dismissing the Chief Administrative Officer*
- Hiring and dismissing certain municipal department heads, and establishing and reorganizing departments*
 - Exclusions to this power include the Clerk or deputy, Treasurer or deputy, Chief Building Official, Fire Chief, Integrity Commissioner or other employee listed by legislation.
- Creating committees of Council that consist solely of members of Council, assigning their functions and appointing the chairs and vice-chairs*
- Proposing the municipal annual budget, which would be subject to Council amendments, a mayoral veto and a Council override process
- Vetoing certain by-laws if the mayor is of the opinion that all or part of the by-law could potentially interfere with a provincial priority
- Bringing forward matters for Council consideration, despite the requirements of the Procedure By-law, if the mayor is of the opinion that considering the matter could potentially advance a provincial priority
- Directing municipal staff in writing to undertake research, provide advice, or carry out duties related to the mayoral special powers.

*The mayor may choose to delegate these specific powers and duties.

The mayor is required to exercise these powers in writing, give notice to the Clerk and Council, and make decisions and directives available to the public, subject to the *Municipal Freedom of Information and Protection of Privacy Act*.

Provincial priorities are set out in [Ontario Regulation 580/22](#) and include the following:

1. Building 1.5 million new residential units by December 31, 2031.
2. Constructing and maintaining infrastructure to support housing, including, transit, roads, utilities, and servicing.

As these provincial priorities are set by regulation, the provincial government may change priorities at any time, at its own discretion, without consulting municipalities.

The Ministry of Municipal Affairs and Housing has updated the [Councillors Guide](#) with respect to strong mayor powers in order to provide information to the public and elected members.

Immunity Provision

Mayoral decisions that exercise strong mayor powers (including vetoes) are protected by an immunity provision under Part VI.1 of the *Municipal Act, 2001*. Where exercised “legally” and “in good faith”, such decisions of the mayor shall not be quashed or open to review by any court due to the unreasonableness or supposed unreasonableness of the decision or exercise of veto or other power.

Impact on Administrative Processes

Administration will have to undertake significant work to transition the municipality to strong mayor powers, such as:

- creating an online repository to post mayoral decisions and directions
- creating templates for decisions, notice, vetos and overrides
- making amendments to numerous municipal by-laws and policies, such as the Procedure By-law, Chief Administrative Officer By-law, Council/Staff Relations Policy, hiring and termination policies and procedures, etc.
- increasing communications and providing education on these changes will be required for the public to best understand how decisions are being made by their municipal council or their strong mayor
- timelines will need to be adjusted to allow for potential delays with matters that are subject to mayoral veto and Council override
- significant Changes will need to be made to the municipal budgeting process which will affect timelines for budget preparation.

Administration is working to review best practices, establish templates and review matters that have been decided via strong mayor powers to best inform the Mayor and Council.

Appended to this report as Attachment A is a chart with Strong Mayor Powers and Duties. This is being provided as an information document to assist Administration with a higher level of understanding on how these powers will affect the municipality in different forms.

Financial Impacts

At this time, any financial impacts are unknown.

There may be additional cost for staffing to support the Mayor as a result of increased requests, or as a result of establishing or reorganizing departments.

Should the Mayor dismiss or remove any members of Administration without cause, there may be a financial impact to the Municipality.

Attachments

Appendix A – Strong Mayor Powers and Duties chart

Report Approval Details

Document Title:	Strong Mayor Powers under the Municipal Act, 2001.docx
Attachments:	- Appendix A - Strong Mayor Powers and Duties - Chart.pdf
Final Approval Date:	Apr 22, 2025

This report and all of its attachments were approved and signed as outlined below:

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Approved by the Corporate Leadership Team