



## The Corporation of the Township of King Report to Council

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**From:** Clerk's Division, Corporate Services

**Report Number:** COR-CLK-2025-003

**Date:** Monday, May 12, 2025

**Title:** **Strong Mayor Powers**

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### Recommendation

1. That Council receive Report COR-CLK-2025-003 for information.

### 1. Report Highlights

- The Township of King was granted Strong Mayor Powers effective May 1, 2025.
- Strong Mayor Powers include provisions designed to enable the Mayor to advance prescribed Provincial Priorities.
- Strong Mayor Powers are implemented and exercised through Mayoral decisions.

### 2. Purpose

The purpose of this report is to provide an overview of the provisions in Part VI.1 of the *Municipal Act*, and the associated prescribed Ontario Regulations.

### 3. Background

On April 9, 2025, the Township received a letter from the Honourable Rob Flack, Minister of Municipal Affairs and Housing (Minister Flack), advising that the Government of Ontario intended to extend Strong Mayor Powers to the Township of King effective May 1, 2025, to help deliver housing and other provincial priorities (Attachment 1).

On Thursday, May 1, 2025 the Township received a follow-up letter from Minister Flack, confirming that as of May 1, 2025, the Township of King was included with a total of 170 additional municipalities with Strong Mayor Powers (Attachment 2). This inclusion adds to the existing 47 municipalities which already had strong mayor powers. The [Municipal Act, section VI.1](#) details the special powers and duties of the Head of Council in addition to the regulations made under the *Municipal Act*: [O.Reg 580/22](#) and [O. Reg. 530/22](#). There is also a new chapter dealing with [Strong Mayor Powers in the Ontario Municipal Councillor's Guide](#).

### 4. Analysis

It is important to note that many of the Strong Mayor Powers are discretionary and can be exercised, not exercised, or delegated by the Mayor to either Council as a whole, or to the Chief Administrative Officer (CAO). Township staff have been reviewing and speaking with

other municipalities who have been granted Strong Mayor Powers to understand how practices and norms have evolved.

The following is an outline of the various powers that have been granted through the legislation:

## **1. Administrative Powers**

### **Committees**

The Mayor is granted power to establish or dissolve committees, appoint chairs and vice-chairs of committees and assign functions to committees. This power applies only to committees that are comprised solely of members of Council.

*In King: Council does not have any committees made solely of council members.*

### **Local Boards**

The Mayor may appoint the chairs and vice-chairs of prescribed local boards. To date, no local boards have been prescribed, and this power remains dormant. The Minister of Municipal Affairs and Housing, through a regulation update, may at anytime identify specific local boards to which this power applies.

### **Direction to Staff**

The Mayor may direct Township staff to undertake research, provide advice to the Mayor and Council on Township policies and programs, and direct implementation of Mayoral decisions related to the powers under Part VI.1 of the *Municipal Act*. Such direction must be provided in writing to the Clerk and CAO.

### **Organizational Structure**

The Mayor is given the power to determine the organizational structure of the municipality. This includes the authority to hire, dismiss or exercise any other prescribed employment powers with respect to the head of any division or the head of any other part of the organizational structure. Certain officials are excluded from the Mayor's powers to hire and dismiss, being primarily positions that are appointed and/or required by statute such as the Chief Building Official, Deputy Chief Building Official, Fire Chief, Clerk, Deputy Clerk, Treasurer and Deputy Treasurer. Officers under the accountability and transparency framework of the Act are also excluded, such as the Integrity Commissioner, Ombudsman, and Closed Meeting Investigator.

### ***Appointment of the Chief Administrative Officer***

The Mayor is assigned the powers of the municipality under section 229 of the Act, which permits the Mayor to appoint a Chief Administrative Officer (CAO). Once appointed, the CAO would then be responsible for the general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality.

*In King: Council has appointed and assigned the general duties, roles, and responsibilities of the current CAO through By-law 2019-030.*

### ***2. Provincial Priority Powers***

The Mayor has the ability to exercise specific powers related to “Provincial Priorities” defined in [O. Reg. 580/22](#). The Mayor can exercise these powers in order for Council to consider, advance and decide on matters that are in the opinion of the Mayor, related to the Provincial Priorities. As the date of this report, those priorities are described as:

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

### ***Agenda Setting***

The Mayor may add matters to the Council meeting agenda for consideration by Council, that in their opinion, could advance a Provincial Priority. There is no requirement for the Mayor to abide by the Procedure By-law in adding the matter to the agenda. Council is required to consider a matter put forward by the Mayor but is not required to vote on it. A regular majority is required to approve a matter put forward by the Mayor.

### ***Bringing Forward By-laws for Consideration***

The Mayor may bring forward a by-law for consideration by Council if the Mayor is of the opinion that the by-law advances a Provincial Priority. The Mayor may require Council to consider and vote on the proposed by-law at the meeting.

Under this authority, more than 1/3 of Council would be required to pass the by-law brought forward by the Mayor. However, this power does not allow the Mayor or Council to advance a by-law that requires specific procedural steps to be taken before passed by Council. For example, a zoning by-law that the Mayor brings for consideration at Council would still require a statutory public planning meeting and public notice prior to its passage.

This authority does not extend to the tax levy by-law required for the budget, or the procedure by-law.

### ***Veto Powers***

The Mayor may veto all or any part of a *Municipal Act*, *Planning Act*, or *Development Charge* by-law that, could interfere with a Provincial Priority. There are specific procedural requirements for the Mayor to exercise this veto authority:

- The Mayor must inform the Clerk in writing within two days of the passage of the by-law of the intent to consider vetoing the by-law.
- Following the notice of consideration, the Mayor has 14 days to decide whether to proceed with the veto.
- If the Mayor proceeds with the veto, the Mayor must provide the Clerk with a written veto and include the reasons for the veto.

Once the veto has been received, the Clerk must provide written notice of the veto to the rest of Council and make the veto document available to the public. Within 21 days of the Clerk's notice of the veto, Council may override the veto upon a 2/3 majority vote. The Mayor may vote in the Council decision to override the veto.

### **3. Budget Powers**

The Mayor is to prepare a proposed budget for the municipality and provide the proposed budget to Council for its consideration no later than February 1<sup>st</sup> of each year. Should the Mayor not prepare and present a budget by February 1st, the responsibility to prepare and adopt the budget for the Township shifts to Council. The authority to prepare and propose the municipal budget rests solely with the Mayor and cannot be delegated to Council or staff. The Mayor may, however, issue a Mayoral Direction to staff regarding the preparation of the budget.

Currently, budget preparation is led by the Finance Department with input and assistance from all other departments and involves considerable public consultation. The Township's budget is generally approved before year end except for during an election year.

#### ***Budget Process (Amendments, Mayor's Veto, Councils Override of Veto)***

After receiving the proposed budget, Council may pass resolutions amending the proposed budget within 30 days of receipt. *(Note: The 30 days for Council to approve resolutions to amend the budget proposed by the Mayor may be shortened via a Council resolution for that year).*

Following the 30 days (or less, as the case may be) within which Council may pass resolutions to amend the budget proposed by the Mayor, the Mayor may veto the resolutions within 10 days. *(Note: the 10 days for the Mayor to veto amendments to the Mayor-proposed budget may be shortened by the Mayor providing a Mayoral Decision identifying the shorter*

*period for that year*). The veto must be provided, in writing, to the Clerk and Members of Council and outline a reason for the veto.

An override of the Mayor's vetoes on resolutions to amend the proposed budget is possible with a 2/3 Council vote no later than 15 days following the period which the Mayor may make a veto. *(Note: The 15 days for Council to approve resolutions to override a Mayor's veto on the budget may be shortened via a Council resolution for that year)*. The proposed budget amendments stand if at least 5 Members of King Council support an override of the Mayor's veto of budget amendments.

### ***Budget Adoption***

Following the budget process described above, the budget is considered adopted. Even if there are no amendments, vetoes, or override votes, the statutory time periods for each of these must be adhered to before the Township's budget is considered to be adopted. To summarize the time periods are as follows:

- Not later than February 1 each year – Mayor's proposed budget is prepared and presented;
- Plus: 30 days – Council may approve resolutions to amend the budget proposed by the Mayor
- Plus: 10 days – Mayor may veto amendments
- Plus: 15 days – Council may approve resolutions to override

If there are no approved resolutions following the 30 days to amend the budget proposed by the Mayor, noted above, the Township's budget is deemed to be adopted. Further, unlike the current process, a final vote on the amended budget is not required. The budget is considered approved following any approved amendments, and any Mayor vetoes and any Council override of vetoes.

Despite the ability to prepare a budget, and that budget to be deemed adopted subject to the amendment and override provisions above, the Mayor must still obtain Council support and approval for a levy by-law under section 290 of the *Municipal Act* in order to fund the adopted budget through user fees and property taxes.

Staff will be engaging with the Mayor to confirm direction and timing related to the proposed 2026 budget. Further details about the budget process will be communicated to Council and the public upon confirmation.

### **Delegation**

The Mayor may delegate certain Strong Mayor Powers to Council. These include appointing the CAO, establishing, dissolving and assigning functions to committees, and appointing chairs of committees of Council.

The Mayor may also delegate Strong Mayor Powers to either Council or the CAO for the hiring of certain municipal division heads and changing the organizational structure of the municipality.

### **Immunity**

The Mayor has sole discretion in determining whether to exercise the powers under this part of the Act. As long as the decisions made by the Mayor or any powers exercised by the Mayor, including the veto power, are exercised legally and in good faith, the decision or power cannot be quashed or open to any review by a court, even if they may be considered unreasonable.

### **Next Steps**

Moving forward, staff will work with the Mayor to define the processes and circumstances under which these powers will be administered at the Township of King. Staff will also undertake a review to determine any required updates to the Procedure By-law, Council Code of Conduct, and other related policies. There is considerable opportunity to shape processes, practices, and norms for King.

## **5. Financial Considerations**

There are no financial considerations as part of this report.

## **6. Alignment to Strategic Plan**

The 2023-2026 Corporate Strategic Plan (CSP) was adopted by Council on June 12, 2023. The CSP reflects the priorities of utmost importance to the community and defines the obligations and commitments of the Township of King to its citizens and to the public. The CSP is aligned with the Townships long-term vision defined in the “Our King” Official Plan. The CSP also aims to ensure that staff initiatives focus on and work towards supporting King’s Vision, Mission and Values.

This report is in alignment with the CSP’s Priority Area(s), and/or associated Objective(s) and/or Key Results(s):

Priority Area: Service Excellence

Objective: Not Applicable.

Key Result: Not Applicable.

Although this Report is not directly aligned to specific CSP Objectives or Priorities, it supports the Priority Area of Service Excellence in that it responds to new provincial legislation to educate, ensure regulatory compliance and maintain effective governance for the Township.

## **7. Conclusion**

This report provides a comprehensive overview of the provisions, powers, and potential impacts of the new Strong Mayor Powers.

## 8. Attachments

1. Attachment 1 – Letter from Minister Rob Flack, April 9, 2025
2. Attachment 2 – Letter from Minister Rob Flack, May 1, 2025
3. [The Strong Mayor chapter of the Ontario Municipal Councillor's Guide](#)
4. [Part VI.1 of the Municipal Act, 2001 – Special Powers and Duties of the Head of Council](#)
5. Regulations made under the Municipal Act, 2001 that relate to the strong mayor powers and duties: [O. Reg 580/22](#); [O. Reg. 530/22](#)

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