Strong mayor powers and duties are widely expanded in Ontario

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On May 1, 2025, the province expanded “strong mayor” powers and duties to a further 169 municipalities in Ontario, identified as those single and lower-tier municipalities with councils of six members or more. This means that out of the 444 municipalities in Ontario, almost half of them will be subject to strong mayor powers.

Prior to the most recent amendments, a total of 46 municipalities in the province had permanently been granted strong mayor powers (note that the City of Orillia was temporarily granted strong mayor powers on April 3, 2025 to help the municipality respond to the ice storm that impacted the region at the end of March 2025; these provisions will be automatically repealed as of June 30, 2025).

The stated purpose of this expansion is to “streamline local governance” and to “reduce obstacles that can stand in the way of new housing and infrastructure development.” In support of the proposed amendments, the Minister of Municipal Affairs and Housing, explained: “"Heads of Council are key partners in our efforts to build homes and infrastructure across the province. By extending strong mayor powers to these additional municipalities, we are providing mayors every tool at our disposal to empower them to get homes and infrastructure built faster. Mayors know their municipalities best, and we support them in taking bold actions for their communities.”

Traditionally, “heads of council” in Ontario (be it a mayor, reeve or warden) were largely the figurehead of the municipal organization and would participate in council meetings with an equivalent vote to every other member of council. This system required consensus among Council members for a head of council (HOC) to advance their own priorities or action items for the municipality. In contrast, the introduction of the “special powers and duties of the head of council” grants the HOC additional responsibilities and discretionary powers that can substantially alter the focus of a municipality’s resources, if exercised. Certain strong HOC powers and duties are generally applicable, including:

- Proposing the municipal budget for Council’s consideration. Any amendments to the proposed budget can be vetoed by the HOC, which is in turn subject to override if two-thirds of the members of Council vote to override the veto.
- Assuming all of the powers of the Chief Administrative Officer, who is responsible for exercising general control and management of the affairs of the municipality.

- Hiring and dismissing municipal staff, including the Chief Administrative Officer and division heads. Certain statutory roles are excluded from this discretion, including the clerk, treasurer, chief building official, chief of police, fire chief and chief medical officer, among others.

Other strong HOC powers and duties granted must be tied to achieving "prescribed provincial priorities", which are broadly described as building 1.5 million new residential units by December 31, 2031, and constructing and maintaining infrastructure to support housing (such as transit, roads, utilities and servicing). Those strong HOC powers and duties include:

- Requiring Council to consider a particular matter if the HOC believes it "could potentially advance" a provincial priority, including proposing by-laws and requiring Council to vote on the by-law. Council can pass such a by-law if more than one-third vote in favour, which includes the HOC's vote, and despite the requirements of any procedural by-law passed by the municipality. This approach is highly unusual and received significant criticism as being undemocratic when introduced by the province in November 2022.
- Vetoing certain by-laws, if the HOC believes it "could potentially interfere" with a provincial priority. Council may override the HOC's veto if two-thirds of the members vote to override it, which includes the HOC's vote on the override.

Any decision made in the exercise of the special powers and duties under this part of the *Municipal Act, 2001* is generally immune from judicial oversight. Specifically, a decision cannot be quashed or open to review in whole or in part by any court because of the supposed unreasonableness of the decision (including the exercise of the veto power or other power).

The strong mayor powers were first introduced in Ontario in November 2022, and initially were only granted the mayors of Toronto and Ottawa. Since then, the list of municipalities has been expanded, first to add 26 new municipalities in July 2023 that were identified as "large and fast growing municipalities that have committed to a housing pledge", and to add a further 18 municipalities in October 2023 that were identified as "projected to have populations of 50,000 or larger by 2031".

The practical impact of these legislative changes on a municipality's operations is mainly dependent upon the HOC, as the special powers and duties are largely discretionary (other than the obligations with respect to the municipality's budget). It remains to be seen whether these changes will be effective at achieving the province's stated goal of building substantially more housing in Ontario by 2031.

If you have any questions about the strong mayor powers or its further expansion in Ontario, please reach out to any of the authors listed below.

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