

DATE: June 19, 2023

TO: Mayor and Members of Council

FROM: Nick Spensieri, City Manager

RE: **COMMUNICATION – Special Committee of the Whole, June 20, 2023
Agenda Item #1 – Regional Government Analysis**

Recommendation

That this communication be received for information.

Background

On June 16, 2023, the Province announced that as of July 1, 2023, strong mayor's powers will be extended to heads of council in 26 large and fast-growing municipalities who have submitted a housing pledge. This includes the City of Vaughan.

In 2022, legislation was passed providing the Mayors of Toronto and Ottawa with additional powers beyond those previously provided under the *Municipal Act, 2001*. The intention was to provide greater powers to heads of council to speed up the delivery of provincial priorities, which are prescribed in Regulation 580/22 as:

- Building 1.5 million new residential units by December 31, 2031;
- Constructing and maintaining infrastructure to support housing, including:
 - Transit;
 - Roads;
 - Utilities; and
 - Servicing.

At the time, the Province had also indicated that they were looking to extend those powers to other municipalities, but details were not announced. On June 16, 2023, the Province made the announcement that the legislation will be amended to include the City of Vaughan, amongst other municipalities, as one of the prescribed municipalities with strong mayor's powers.

Analysis

A high-level summary of Bill 3 (*Strong Mayors, Building Homes Act, 2022*) and Bill 39 (*Better Municipal Governance Act, 2022*), which together (with applicable regulations) provide the "strong mayor's power", is provided below.

Staff and Administration

Under the new legislation, the Mayor may appoint and delegate duties to the chief administrative officer (CAO), as well as the power to determine the City's organizational structure, and to hire, dismiss, or exercise any prescribed employment powers (no others yet prescribed) with respect to the head of any division or any other part of the organizational structure. This power does not extend to prescribed statutory officers, such as:

- Clerk or Deputy Clerk;
- Treasurer or Deputy Treasurer;
- Integrity Commissioner;
- Lobbyist Registrar;
- Chief Building Official;
- Fire Chief.

The Mayor may also direct staff to undertake research and provide advice to the Mayor and the municipality on policies and programs and to carry out other duties as assigned in accordance with these new powers and obligations.

Regulatory Powers

If the 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 of intent to veto the by-law. A process is prescribed that provides for a council override with a $\frac{2}{3}$ majority vote.

At the same time, the Mayor may introduce by-laws and bring forward matters for Council consideration to advance a prescribed provincial priority. Such by-laws may be passed if more than $\frac{1}{3}$ of the members of council vote in favour.

These powers apply to by-laws made under the *Municipal Act*, the *Planning Act*, and under prescribed legislation (the *Development Charges Act*), with some limited exceptions (budget, procedure by-laws or by-laws related to the filling of Council vacancy).

Council, Committees and Boards

The legislation prescribes a number of new powers in relation to Council, Committees and Boards.

- The power to establish or dissolve prescribed committees, which are currently committees established under the *Municipal Act* that consist solely of Members of Council;
- The power to appoint chairs and vice-chairs of these committees;
- The power to assign functions to these committees.

The power to appoint chairs and vice chairs of prescribed local boards has also been transferred to the Mayor, however, as of the writing of this communication, no local boards have been prescribed by regulation.

Budget Powers

Under the legislation, before February 1 each year, the Mayor must prepare the Budget and provide the proposed Budget to each member of Council and the Clerk. It shall also be made available to the public. A process is then prescribed in the legislation which permits Council to pass resolutions making amendments, that are then subject to mayoral veto and council override process.

Transition Provisions

The persons in the following positions shall continue in their positions, unless they are dismissed, or their appointment is revoked by the Mayor:

- The Chief Administrative Officer;
- Chair or Vice-Chair of a local board;
- Chair or Vice-Chair of a committee.

Also, any organizational structure in place shall continue unless changed by the Mayor, and any head of division or other part of the organizational structure shall continue in that position unless they are dismissed by the Mayor.

For more information, contact Louise Vrebosch, Deputy City Solicitor, Litigation & Municipal Law, x. 8969.

Respectfully submitted by



Nick Spensieri
City Manager