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Report 2025-118

Report Title: The Impact of Strong Mayor Powers on an Upper-Tier Municipality with Planning Approval Authority

Committee Name: Corporate Support

Committee Meeting Date: June 3, 2025

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Approved by: Jennifer Moore, CAO

Council Meeting Date: June 18, 2025

Strategic Plan Priorities: ☒ Innovate for Service Excellence
☐ Ignite Economic Opportunity
☐ Foster a Thriving Community
☐ Propel Sustainable Growth
☐ Champion a Vibrant Future

Information Report

“That the Corporate Support Committee receive Report 2025-118 ‘The Impact of Strong Mayor Powers on an Upper-Tier Municipality with Planning Approval Authority’ for information; and

Further That the Committee recommend that County Council receive this report for information.”

Purpose

To determine whether there is any impact of strong mayor powers on an upper-tier municipality with planning authority, specifically as it relates to the new veto powers or by-law powers.

Background

Part VI.1 of the *Municipal Act, 2001* (the *Act*) sets out special powers and duties of the Head of Council (HOC) for municipalities designated by regulation, which are often referred to as “strong mayor powers”. Strong mayor powers allow the HOC of designated municipalities, which are generally local municipalities with Councils of 6 members or more, to support shared provincial-municipal priorities as directed under Ontario Regulation 580/22: Provincial Priorities, which currently include building 1.5 million new homes by 31 Dec/31, and constructing and maintaining infrastructure to support housing,

The HOC can propose certain municipal by-laws, except with respect to by-laws under ss 238, 289, and 290 of the *Act*, and by-laws with respect to the filling of vacancies under s 263 of the *Act*, if they believe the proposed by-law could potentially advance a prescribed provincial priority. However, HOC can only propose by-laws made under the *Act*, the *Planning Act*, and section 2 of the *Development Charges Act, 1997* and must consider the rules related to notice and public consultation applicable to the exercise of a particular municipal authority.

The HOC can also veto certain by-laws if they believe that all or part of the by-law could potentially interfere with a provincial priority. Only by-laws approved by Council made under the Acts listed above may be vetoed by HOC. However, if HOC uses their veto power, Council can then override the veto. Council may override the veto if two-thirds of all Council members vote to override the veto. During this process, HOC remains as a member of Council for Council decision-making with one vote.

As of May 1, 2025 the Minister has designated an additional 169 municipalities for the purposes of section VI.1 of the *Act*, including the Town of Cobourg, the Municipality of Brighton, the Municipality of Port Hope, and the Municipality of Trent Hills.

Consultations

N/A

Legislative Authority / Risk Considerations

The *Municipal Act, 2001*, S.O. 2001, c. 25, Part VI.1, ss. 284.2 – 284.17 (the *Act*)

Ontario Regulation 530/22: Part VI.1 of the *Act*

Ontario Regulation 580/22: Provincial Priorities

Bill 3, Strong Mayors, Building Homes Act, 2022

Bill 39, Better Municipal Governance Act, 2022

The Planning Act, R.S.O. 1990, c. P. 13

Greenbelt Act, 2005, S.O. 2005, c. 1

Provincial Planning Statement, 2024 (PPS 2024)

Discussion / Options

The expansion of strong mayor powers do not include the head of Council for Northumberland County, and to date no upper-tier municipality has been designated for the purposes of section VI.1 of the *Act*. Although County Council is composed of the heads of Council of the County's

constituent local municipalities, strong mayor powers may only be exercised at the designated local municipal level.

Northumberland County and its member municipalities are required to draft Official Plans in accordance with the provincial legislation. Northumberland County's Official Plan establishes land use categories such as Urban Areas, Rural Areas, Rural Settlement Areas, Agricultural Areas, Oak Ridges Moraine, and Environmental Protection Areas, as well as policies to manage growth and protect resources within the County until the year 2034. The policies describe the County's goals for these categories and the types of information required to evaluate land use changes. These land use categories are further detailed through the official plans of each of the seven member municipalities that form the County.

The County is the decision-making authority pursuant to the Planning Act for the following:

- Subdivision and Condominium plans (including Part Lot Control) for the local municipalities of the Township of Alnwick/Haldimand, the Township of Cramahe, and Hamilton Township;
- Member Municipal (Local) Official Plan Amendments for the Township of Alnwick/Haldimand, the Municipality of Brighton, the Township of Cramahe, and Hamilton Township.
- Member Municipal Official Plan Updates for all seven local municipalities.

Strong mayor powers will not have any impact on the current decision-making authority maintained by the upper-tier municipality. Rather, the strong mayor powers are relevant to the local municipalities and the by-law drafting powers and related veto powers of by-law authority at the local level. Further, the implementation of strong mayor powers to the local municipalities does not provide a mechanism for the local municipalities to amend their local official plans in a manner that is contrary to Northumberland County's Official Plan without following the appropriate channels for approval of such amendments.

Financial Impact

N/A

Member Municipality Impacts

Four local municipalities within Northumberland County have been granted strong mayor powers including the Municipality of Brighton, the Town of Cobourg, the Municipality of Port Hope, and the Municipality of Trent Hills.

Conclusion / Outcomes

The strong mayor powers granted to the Municipality of Brighton, the Town of Cobourg, the Municipality of Port Hope, and the Municipality of Trent Hills will have no impact on the upper-tier municipality with respect to planning approval authority.

Attachments

N/A