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September 7, 2022

via email

Hon. Doug Ford, Premier
Legislative Building
Queen's Park
Toronto

Dear Hon. Doug Ford,

Re: Bill 3 – Strong Mayors, Building Homes Act

At its regular September 7, 2022 Council meeting, the Council for the Township of Severn passed the following motion regarding the Bill 3 – Strong Mayors, Building Homes Act.

Motion C2022-055

BE IT RESOLVED THAT Council receive the letter dated August 10, 2022 from the Ministry of Municipal Affairs and Housing pertaining to Strong Mayors, Building Homes Act, for information;

AND THAT Severn Council supports the need for action on the housing crisis and more specifically the affordable housing crisis, but feels strongly that the Strong Mayor powers will not assist in building homes faster but rather will undermine the democratic process and inappropriately blur the lines between professional Municipal staff advice and political considerations.

AND FURTHER THAT a letter be sent to the Premier of Ontario, the Minister of Municipal Affairs and Housing, AMO and County of Simcoe municipalities outlining these proposed powers are not appropriate for Toronto, Ottawa or any other municipality under consideration and can not be directly linked to building homes faster.

AND FINALLY THAT Bill 3 should not be passed into law until full public consultation with all Ontario municipalities be undertaken.

A copy of Chief Administrative Officer Report No. CAO-2022-03 has been attached for your information.

If you have any questions, please feel free to reach me at agray@severn.ca or 705-325-2315 x 232.

Regards,

Alison Gray

Alison Gray, BAH, CMO, AOMC
Clerk

Encl.

Cc Hon. Steve Clark, Minister of Municipal Affairs & Housing
Association of Municipalities of Ontario
County of Simcoe Municipalities

Staff Report

CAO - 2022 -03



To: Mayor and Members of Council
From: Laurie Kennard, Chief Administrative Officer
Date: 07 Sep 2022
Subject: Strong Mayors, Building Better Homes Act

Report Highlights

- Province planning to enact Strong Mayors, Building Home Acts to give Toronto and Ottawa Mayor's more powers prior to the next term of office
- The Premier announced at AMO that it could expand to other urban centres
- significant concerns from both Council and staff on impacts on Council decision making

Recommendation

BE IT RESOLVED THAT Council receive the letter dated August 10, 2022 from the Ministry of Municipal Affairs and Housing pertaining to Strong Mayors, Building Homes Act, for information,

AND THAT Severn Council supports the need for action on the housing crisis and more specifically the affordable housing crisis, but feels strongly that the Strong Mayor powers will not assist in building homes faster but rather will undermine the democratic process and inappropriately blur the lines between professional Municipal staff advice and political considerations.

AND FURTHER THAT a letter be sent to the Premier of Ontario and the Minister of Municipal Affairs and Housing outlining these proposed powers are not appropriate for Toronto, Ottawa or any other municipality under consideration and can not be directly linked to building homes faster.

AND FINALLY THAT Bill 3 should not be passed into law until full public consultation with all Ontario municipalities be undertaken.

Background

On August 10, the Minister of Municipal Affairs and Housing wrote to all Heads of Councils indicating that their government introduce a proposed Strong Mayors, Building Homes Act that would empower mayors in the City of Toronto and Ottawa "to deliver on shared provincial-municipal priorities and **get more homes built faster**". If passed, these changes are to take effect November 15, 2022, prior to new Councils taking office. At the AMO conference, the Premier indicated to the audience that these new powers could be expanded to other 'urban centres' in the future. There has been no mention to

date of it eventually being expanded to all municipalities, however, it is logical to assume that it could be expanded to all municipalities at some point.

At the date of writing this report, the new Bill has passed first and second reading and is in Committee hearings. The powers proposed for a "Strong Mayor" are paraphrased as follows:

- direct staff to research and carry out the Mayor's decisions
- appoint a Chief Administrative officer who would perform duties assigned by the Mayor
- change the organizational structure of the municipality
- hire and fire department heads (except for legislated positions such as Clerk or Chief Building Official)
- appoint the chairs and vice-chairs of local boards
- establish or dissolve committees, appoint the chairs and vice-chairs and assign functions to committees
- put items on agendas that advance a prescribed provincial priority, without regard to the Procedural by-law.
- have veto powers over any matter the Mayor considers could interfere with a prescribe provincial priority (2/3rds majority of Council needed to overturn veto, or 5 members in Severn's case)

All of these powers are to be used to achieve provincial priorities, which are to be prescribed by regulation. The regulations are not yet available and regulations are not subject to public input.

Analysis

When this letter was before Severn Council, Council indicated strong concern. A Mayor with a veto power undermines the democratic principles under which Councils operate. It is unclear how these Strong Mayor powers will "get homes built faster". Severn's Council as a whole, is generally supportive of new housing development and has rarely turned an application down if it is supported by good planning and sound environmental policies.

Planning applications can take a significant amount of time from first submission to shovels in the ground, but that is related to the due diligence staff must take in ensuring that the plan meets the objectives of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the County of Simcoe Official Plan, and Severn's Official plan. Applications are iterative in nature as changes are made through the requirements of supporting environmental, engineering, traffic, archaeological, hydrogeological and other required studies that ensure developments are suitable and appropriate for where they are being placed. Those are all positive and necessary steps that need to happen for every new development application. Once those steps are taken, and the required public consultation has been undertaken and concerns adequately addressed, there have been few to no instances where Severn's Council as a whole has turned down an application, so there is no need for a Mayor to have veto power.

It is also quite common that outside agencies are slow to respond to applications. Often agencies such as the Ministry of Environment, the Trent Severn Waterways, Ministry of Transportation are required to comment on applications before it can be brought forward to Council for approval. There is no mention in either Bill 3 or Bill 109 (changes to the Planning Act) of ways to hold those agencies more accountable for meeting timelines, all the onus is being downloaded to Municipalities, including items outside of their control. It is unclear how a Strong Mayor system would improve those delays.

Council, as a whole, makes balanced decisions based on staff's professional advice. A Strong Mayor, with direct power over professional staff, blurs the line between political and administrative roles. Staff provide non-partisan, professional advice based on their education, training, evidence and data. A Strong Mayor, who has the ability to hire and fire the Chief Administrative Officer, Department heads, reorganize department structures and to set their own budget would make it much more difficult for staff to provide non-partisan, professional advice as their livelihoods would depend on the Mayor's support and the Mayor's support alone. That is likely to make it exceedingly more difficult to hire and retain professional staff. Most professional staff have professional designations (CPA, RPP, PEng, etc) which have ethical frameworks that require staff to provide advice in an unbiased manner and they could be put in untenable positions.

A Strong Mayor system could also be a detriment to building homes faster if the Mayor themselves does not support development in their municipality. The 2/3rds majority to override a Mayor veto would be very difficult to achieve. In Severn, with a 7 member Council, and the Mayor allowed to vote in the 2/3rds, that would require 5 votes.

A careful review of the debates in the House of Commons on this bill has shown that the issue that the Province appears to be trying to solve in building housing faster is circumstances where applications meet all the appropriate criteria, but due to resident push back, Council votes against it, the developer appeals to the Ontario Land Tribunal and wins, hence slowing down development that could have been started earlier. A Strong Mayor may not assist in that regard, the Mayor is elected by the same residents that elect Council members and may be pressured in the same ways. If that is in fact the goal, there are other ways to achieve it besides Strong Mayor. For example the Planning Act could be changed to lessen the impact of public comment that aren't specifically related to planning criteria and Council's could be legislated to approve any development that meets all established criteria.

Steps towards providing more housing, and in particular affordable housing are needed and should be supported by Council. However, it is not clear the the Strong Mayor approach would have an impact in that regard. This Act was not contemplated during the Provincial Election and is being rushed through the House without proper consultation or concern for unintended consequences.

Financial Considerations

No financial considerations.

Report Supported By

Strategic Plan:

- | | | | |
|--------------------------|-------------------------------|-------------------------------------|--------------------------------|
| <input type="checkbox"/> | Level of Service | <input type="checkbox"/> | Communications |
| <input type="checkbox"/> | Asset Management | <input checked="" type="checkbox"/> | Does Not Impact Strategic Plan |
| <input type="checkbox"/> | Community Safety & Well-Being | | |

Attachments

Strong Mayor Building Homes Act Quick Facts

Reviewed By

Andrew Plunkett, Director of
Finance/Treasurer

Status:

Approved - 30 Aug 2022

Ontario Empowering Mayors to Build Housing Faster

New measures will help deliver on shared provincial-municipal priorities

August 10, 2022

[Municipal Affairs and Housing](#)

TORONTO — The Ontario government introduced legislation that would give the mayors of Toronto and Ottawa more responsibility to deliver on shared provincial-municipal priorities, including building 1.5 million new homes over the next 10 years.

If passed, the *Strong Mayors, Building Homes Act*, would give the mayors of Toronto and Ottawa the ability to move priority projects forward and get more homes built faster. Proposed changes include:

- hiring the Chief Administrative Officer and municipal department heads, and create and re-organize departments
- appointing chairs/vice-chairs for identified committees and local boards, and establish new identified committees
- bringing matters for council consideration related to provincial priorities
- vetoing bylaws approved by council if they relate to matters of provincial priority
- proposing the municipal budget

This legislation is an important tool to get more homes built faster, and is one of a number of initiatives being taken by the Ontario government to address the housing shortage.

“The reality is over one third of Ontario’s growth over the next decade is expected to happen in Toronto and Ottawa, and too many families are already struggling with housing and the rising cost of living. We need to support efficient local decision-making to help cut through red tape and speed up development timelines,” said Steve Clark, Minister of Municipal Affairs and Housing. “While there is no silver bullet to addressing the housing crisis, the *Strong Mayors, Building Homes Act* is another step in the right direction to provide more tools to municipal leaders

to deliver on their platform commitments to constituents. The province is actively deepening our cooperation on all fronts across all municipalities to get 1.5 million homes built over the next 10 years.”

These proposed measures would allow council to have the ability to propose amendments to the municipal budget. Council would also be able to override the mayor’s veto of any budget amendments and by-laws related to provincial priorities with a two-thirds majority vote.

If passed, the proposed changes are intended to take effect on November 15, 2022 — the start of the new municipal council term.

To help communities across Ontario build more attainable homes, Ontario is also launching the Housing Supply Action Plan Implementation Team (HSAPIT). HSAPIT will provide advice on market housing initiatives, including building on the vision from the [Housing Affordability Task Force](#), [More Homes for Everyone](#) and other government consultations. The government intends to appoint Drew Dilkens, Mayor of the City of Windsor, as Chair and Cheryl Fort, Mayor of the Township of Hornepayne, as the Vice Chair. The other Team members will be selected in the coming weeks, with the first meeting scheduled for early fall.

Ontario is committed to supporting municipalities and remains focused on improving planning policies and cutting red tape to get homes built faster. The government is leading by example, and encourages other government partners to join us by taking concrete steps to help all Ontarians find a home that meets their needs.

Quick Facts

- Mayoral powers to veto by-laws approved by council and bring items for council consideration would only apply for matters relating to provincial priorities, which will be set out in regulations. For example, building 1.5 million new residential units by 2033, or the construction and maintenance of infrastructure that supports new housing, including transit, roads, and utilities.
- Thirty-five per cent of Ontario’s projected growth to 2031 is expected to happen in Toronto and Ottawa. Addressing housing supply issues in these communities is critical.
- After the success of [More Homes, More Choice](#) and [More Homes for Everyone](#), Ontario has committed to creating a housing supply action plan every year over four years, starting in 2022-23.

- [Strong Mayors, Building Homes Act](#)
 - [Ontario's More Homes for Everyone Plan](#)
 - [Ontario's Housing Supply Progress](#)
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Related Topics

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