



**Regulatory Submission to 26-MMAH026
Strong Mayor Regulation Update and 26-MMAH010 Proposed
amendments to the Municipal Act, 2001, and Municipal
Elections Act, 1996 to strengthen upper-tier municipal
governance**

May 2026

May 1, 2026

sent via email

Hon. Rob Flack
Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M7A 2J3
minister.mah@ontario.ca

Dear Minister Flack,

The [Association of Municipal Managers, Clerks and Treasurers of Ontario \(AMCTO\)](#) thanks you for the opportunity to comment on proposed regulatory changes to *O. Reg. 530/22* to Update Strong Mayor Designation, Election Year Rules, and Support Regional Governance Changes and proposed regulations regarding weighted voting.

We are commenting on both in one submission because of the intersecting considerations and impacts proposed changes could have on administration, operations, and governance.

We appreciate that the timeline for consultation is longer than those previously posted. This provides the sector, and AMCTO in particular, with more time to respond to proposals with thoughtful and informed engagement with affected municipal staff.

We also appreciate that the proposed regulation appears responsive to AMCTO's advocacy on behalf of the municipal professionals in the 216 municipalities currently under strong mayor powers who have been asking the Province to clarify in legislation or regulations restricted act provisions and how these apply to strong mayors. It also responds to our inquiries about moving from councils of six or more members to five and whether that removes a municipality from the regulation.

We offer 5 overarching recommendations dealing with different matters and considerations:

1. Ensure language related to restricted acts is clear and avoids ambiguity; ensure language covers "strong chairs".
2. Ensure the process for removal of municipalities who reduce council composition to 5 in the future is clear
3. Remove the authority of strong mayors from administrative and employment matters including the hiring and removal of municipal leaders and staff, and forgo extending these to regional chairs.
4. Review and update Part VI.1 Special Powers and Duties of the Head of Council in collaboration with AMCTO to remove grey areas.
5. Consider technical modifications to support implementation in a two-tier structure (including weighted voting)



We remain concerned about the continued expansion of the powers as they relate to organizational structure and employment matters including the hiring and removal of the CAO and other municipal staff to regional chairs. Especially those without a local democratic mandate which was the original rationale for providing these powers to elected mayors. AMCTO reiterates our call to remove these powers from the strong mayor framework and is opposed to the extension of these powers to regional chairs.

AMCTO is further concerned about the potential instability provincial appointments of chairs/warrens could bring to the municipal organizations. Such changes can impact service efficiency, slow down decision-making and impact organizational culture.

A division between political oversight and the non-partisan, impartial and professionalized administration is essential to the efficient and effective delivery of programs and services to local residents in a way that ensures adherence to legislated rules and responsibilities, professional practices and is future-focussed rather than term focussed.

We would also reiterate our call to revisit the legislation itself, in collaboration with the municipal sector and associations like AMCTO, so that the grey areas of the legislation that hamper effective implementation are removed.

We are cautiously optimistic that proposed changes to regulations will bring clarity to restricted acts and application of strong mayor powers to those municipalities who reduce council composition while avoiding additional uncertainty. While the proposed language in the regulation is not available, AMCTO would be happy to be engaged by officials in your office or by the Public Service on the wording of the regulation, to ensure that the sections in the regulation work for municipalities.

Sincerely,

[original signed by]

Kyle Pratt, MPA, CMIII, CHRL, CMO, Dipl.M.A.
Vice President, AMCTO

CC: Martha Greenberg, Deputy Minister, Ministry of Municipal Affairs and Housing
Robert Dodd, Chief of Staff, Minister's Office, Ministry of Municipal Affairs and Housing
Laurie Miller, Assistant Deputy Minister, Local Government Division, Ministry of Municipal Affairs and Housing
Robin Jones, AMO President

Introduction

AMCTO thanks the ministry for the opportunity to comment on the proposed regulations and appreciates that the timeline for consultation is longer than those previously posted. This provides the sector, and AMCTO in particular, with more time to respond to proposals with thoughtful and informed engagement with affected municipal staff.

We also appreciate that the proposed regulation appears responsive to AMCTO's advocacy on behalf of the municipal professionals in the 216 municipalities currently under strong mayor powers. They have been asking the Province to clarify in legislation or regulations restricted act provisions and how these apply to strong mayors as well as to our inquiries about moving from councils of six or more members to five and whether that removes a municipality from the regulation.

The majority of AMCTO's members have spent the last four years working through implementation of Part VI.1 Special Powers and Duties of the Head of Council and the accompanying regulations, *O Reg. 530/22* and *O. Reg 580/22*. There remains several areas within the legislation which would benefit from clarity.

Two areas that AMCTO has flagged are proposed to be addressed within the regulation: restricted acts and removal of those councils whose composition have reduced to five members. Restricted acts has become a focal point in 2026 as municipal clerks, CAOs and other municipal staff prepare for the 2026 municipal and school board elections. AMCTO had flagged concerns when the legislation was first introduced in 2022 the issues with restricted acts in its current form. We are pleased that the Province is responding.

We offer 5 overarching recommendations with a number of considerations for implementation including identifying potential issues related to conflicts, decision-making, budgeting, and appointment process:

1. Ensure language related to restricted acts is clear and avoids ambiguity; ensure language covers "strong chairs".
2. Ensure process for removal of municipalities who reduce council composition to 5 in the future is clear.
3. Remove the authority of strong mayors from administrative and employment matters including the hiring and removal of municipal leaders and staff, and forgo extending these to regional chairs.
4. Review and update Part VI.1 Special Powers and Duties of the Head of Council in collaboration with AMCTO to remove grey areas.
5. Consider technical modifications to support implementation in a two-tier structure (including weighted voting).

Recommendations and Advice

Recommendation 1: Ensure language related to restricted acts is clear and avoids ambiguity; ensure language covers "strong chairs"

We are supportive of clarifying that restricted acts (also known as lame duck provisions) apply to the mayor. AMCTO has been calling for this clarity since the powers were introduced.

However, knowing the details of the specific wording will be important. Especially with the proposed extension of these powers to Regional Chairs. The provisions will have to be clear that these will also apply to “strong chairs” as there must be limitations placed on them given that the effective check on their authority comes from their councils. If their councils are captured in restricted acts, then so too must the chairs and the mayors. Acting on this now reduces risk to the municipality and its councils and we applaud the intent to do so.

AMCTO would be happy to be engaged by ministry officials on the wording of the regulation, to ensure that the sections in the regulation work for municipalities.

We would again ask that the Province consider for the future, as part of an eventual review of the *Municipal Act* or perhaps in a comprehensive review of the *Municipal Elections Act*, as [AMCTO has requested](#), that the ministry look at other options to restrict certain actions that provide more guidelines for “caretaking” during the nomination and transition periods. Certainly, we will all be monitoring the actions of strong mayors during the election period (and if approved, strong chairs), and inevitably there will be areas to improve upon.

Recommendation 2: Ensure the process for removal of municipalities who reduce council composition to 5 in the future is clear.

The protocols to affect the removal of strong mayor powers from a council who reduced its composition to 5 members going forward are unclear. As it stands, there is nothing in the legislation or regulations that dictates this, only ministry practice.

If it is the intent of the Government to provide strong mayor powers to any council with 6 or more members, then this should be written into the legislation or regulation. Further, write into the legislation or regulation that the powers automatically apply to a council that meets the member requirement and if the membership changes so too does the applicability of the powers.

Embedding this into legislation or regulations provides certainty about process through which the ministry would remove a municipality from the regulation. Without this, there are several questions raised for members of council making decisions respecting composition and for the municipal staff who are meant to implement decisions of council.

Otherwise, clarity on the process for making these changes is needed. For instance, is it the responsibility of the municipality to write to the ministry advising of composition change and requesting the removal? The sector would appreciate guidance on these questions and while AMCTO would prefer that this be written into the legislation itself, we are supportive of outlining these rules in the regulation.

Recommendation 3: Remove the authority of strong mayors from administrative and employment matters including the hiring and removal of municipal leaders and staff and forgo extending these to regional chairs.

AMCTO remains strongly opposed to strong mayor powers as they relate to staff. In our recent analysis, 20% of heads of council have removed their CAO under strong mayor authority. Moreover, some heads of council are taking advantage of hiring and removal of staff unrelated to the stated intent of the legislation, streamlining of housing project approvals. A chair of a board or CEO does not get into the day-to-day hiring of departmental operational staff. In our recent analysis, at least 35% of mayors who retained power over hiring and removal of staff removed directors, managers, supervisors/team leads and others. That is a significant shift in municipal leadership and disruption to an organization which ultimately impacts service delivery and increases costs to the municipality.

Extending this power to the Regional Chairs means that Consolidated Municipal Service Managers, Public Health employees, paramedics, Provincial Offence Court managers and others would be subject to the decisions of the regional chair/warden and would risk politicization of more public services.

We continue to call for the removal of these powers from employment matters including organizational structure and the hiring and removal of staff.

Recommendation 4: Review and update Part VI.1 Special Powers and Duties of the Head of Council in collaboration with AMCTO to remove grey areas.

AMCTO has requested updates to legislation to remove areas that were written too broadly or did not adequately consider gaps or processes for implementation. We have [written about these elsewhere](#) and would refer you to these. However, we believe it pertinent that the ministry clarify the following within the legislation as soon as possible:

- **Mayoral directives:** In the interest of transparency and consistency, specify that mayoral directions/directives should be posted publicly just as mayoral decisions are. There are varying interpretations by heads of council and others which mean that the ways in which directives are made available differs municipality to municipality.
- **Tax ratios/levies/user fees:** We are aware of situations where councils consider not passing ratios, user fee or levy bylaws to prevent certain budgetary proposals put forward by the mayor from passing because members of council were not supportive of them for one reason or another.

Often these are considered before the mayor's budget process, though some municipalities pass these after. While council retains authority over these bylaws, the mayor's budget cannot move forward without the necessary levies. Legislative or regulatory updates which clarifies intent as outlined in MMAH's response to AMCTO in 2024 would be beneficial since members of council look to the legislation for direction.

- **Budget approvals outside of the budget process:** clarify whether a council can pre-approve budget projects or approve mid-year projects that do not affect the tax levy (possibly because reserves are used as the funding source).

These will be particularly necessary to clear up as the Government plans to extend these powers to regional chairs.

Recommendation 5: Consider technical modifications to support implementation in a two-tier structure (including weighted voting)

In addition to the above, in speaking with our members, AMCTO has identified the following challenges that the ministry will need to address before extending powers to regional chairs:

Changes to the Municipal Elections Act

Under the proposed bill, the ministry would amend the *Municipal Elections Act, 1996* to provide that any nominations that had already been filed for council positions that are no longer being elected would be deemed withdrawn.

Our members have indicated that withdrawal may pose additional administrative and operational challenges as those candidates will still have a defined campaign period that requires a financial statement submission in 2027. Therefore these candidates would still require a Compliance Audit Committee to address any requests for audits filed against that financial statement given that these individuals could fundraise or incur expenses between May 1st and whenever Bill 100 receives royal assent, if passed.

Instead, we would suggest amending the bill to state that nominations filed for those officers are *deemed not to have been filed* to avoid unnecessary administrative requirements.

Appointment Processes for Regional Chairs/Wardens

AMCTO has been clear that we are concerned about the impact frequent changes to municipal operations and governance has on service delivery, financial resilience and organizational culture.

Frequent turnover is not only costly, but it also results in instability that affects outputs and outcomes. AMCTO is similarly concerned that the Provincial appointment model will create further instability because of either the existing government who is unsatisfied with the performance of a chair or a new provincial government removes regional chairs/wardens at their leisure. Such changes have administrative and operational impacts to municipalities.

A clear pathway for the appointment process, including when the Province will make the appointment of chair, is necessary to ensure the smooth operation of upper tier councils post-election.

Moreover, the proposed legislation says the minister may appoint a chair, and if they do not, the local municipality must. The ministry must provide clear timelines as to when the minister will make an appointment. Otherwise, the municipality will need to initiate their own processes which take time and resources which could include submission and evaluation of applications or expressions of interest, conversations, consultations and the final appointment process.

Eligibility criteria for ministerial appointment will be critical to define for operational and administrative considerations. For instance, will the minister allow “two-hatter” appointment of a local mayor as Chair while retaining they retain their lower-tier seat as is permitted in legislation? If so, then when developing regulations with respect to weighted voting (see below), clear rules for the weighting of a local mayors vote in representing a local area municipality and the upper tier will need to be provided.

There could be a perception or a real scenario in which a strong chair seeks to allocate all regional resources to their local municipality in support of “provincial priorities” which would only require more than a one-third majority to get this done. The ministry should consider the potential or perceived conflict of interest that this could raise and a mechanism to ensure these matters are dealt with in an accountable and transparent manner.

Alternatively, would the minister appoint an individual who was just duly elected local mayor or councillor in 2026 be appointed as chair and must resign their mayoralty or council seat to take on the position, leaving a vacancy at the local level? If so, that would require the local municipality to take steps to fill their position. If that individual is a strong mayor, that will automatically require a by-election just months after having run a full election meaning more costs to the local ratepayer.

Therefore, timelines for appointments will need to be clear and the parameters of qualifications and process will need to be tightened to avoid unnecessary burden on municipal administration, and delays or complications to local decision-making or costs borne by the ratepayer.

Council Dynamics Impacting Decision Making (incl weighted voting)

That said, in Simcoe County and Niagara Region, there are a mix of strong mayors and traditional so-called weak mayors. In Simcoe County there are also separated cities for which the County provides services. It is unclear how this dynamic will play out in the new upper tier composition and structure, especially with respect to the budget. The Government must consider the variety of scenarios that could play out when drafting the regulations.

In addition to what was mentioned in the previous section, with the proposed weighted voting regulations in Regulatory Registry posting 26-MMAH010, additional clarity is needed on how the Government intends to set up a weighted voting framework to account for:

- What data is being used to determine weight count: population, electors, or votes received? For the Government’s consideration:

- Utilizing data based on electors rather than population is easily tracked every four years.
- If population data is used, specific guidance on what sources of population data and frequency at which this should be updated will need to be provided.
- Consideration should be given also to safeguarding adequate rural representation to temper differences in voting powers between rural and urban municipalities.
- How many votes will the chair/warden receive, the determination of which would inevitably impact the weight of votes of the mayors.
- What types of issues, matters or votes will weighted voting apply. For instance, would it apply to veto override votes and for votes on bylaws that require more than 1/3rd of council or will this decision be left to the municipality to determine.
- Should a mechanism exist to ensure the enfranchisement of smaller municipalities such as a multi-municipality requirement like current upper tier quorum requirements that requires a majority of members and a majority of municipalities to be present.
- What is the procedure where a mayor declares a conflict of interest and what does that mean for the vote where the mayor is the only representative from that municipality on council.
- What is the procedure for situations where the chair/warden declares a conflict.

A mechanism will be required to manage various scenarios where conflicts between a strong regional chair and a strong lower-tier or separated city mayor could arise. The mayor is directly elected and has accountabilities to their residents, whereas the chair would likely be provincially appointed without a democratic mandate. What is the remedy for a scenario in which the strong chair/warden brings forward an issue or matter and it has an impact to lower tier budgets or operations or conflicts with actions taken by the lower-tier strong mayor?

Upper Tier Budgets

Local Boards

Clarifying how agencies, boards and commissions and local board budgets are managed and integrated into mayor or regional chair budgets. We would note that in 2024 AMCTO's Board of Directors passed a resolution approving the following policy statement:

The Province should review and provide clarity to the definition of local boards within the Municipal Act, 2001, while ensuring consistent usage in consequential legislation and regulations, to provide municipalities and local boards...with more certainty on which sections of the Municipal Act and other acts apply to local boards.

This is a long-standing issue that requires resolution in collaboration with the sector, including AMCTO. There are inconsistent approaches to managing the budget of local boards and other agencies across municipalities as mayors have directed staff to address these in different ways. It remains unclear as well what local boards are within the scope of strong mayor powers.

Police Service Boards

We appreciated that Minister Flack and the Solicitor General wrote to municipalities with the Province's interpretation of strong mayor budget prerogatives related to Police Service Boards. However, this is another area where legislative amendment is needed.

Municipalities, including staff and members of council, rely on the text of statutes for their operations. The Part of the legislation itself is not clear on the relationship between municipal approvals of budgets and estimates and a Police Service Boards role in providing those estimates as a non-elected body. The Province's interpretation requires approval without the ability to control the content of these budgets and estimates. This leaves a procedural tension in this process due to competing roles of these councils and boards that puts municipal professionals in the middle of managing.

If it was not the Province's intention to authorize mayors to manage municipal costs as it relates to police services, then that should be made clear in the legislation. Clarity from the Province on exactly what elements of a police board's budget request are within council or a strong chair's ability to modify in the municipality's budget is needed. Unfortunately, the letter has only brought more confusion and the arbitration process set out in the *Community Safety and Well-Being Act* adds more red tape and administrative burden.

AMCTO would nevertheless point to the increasing costs of such services that are paid by the local rate payer as a significant budgetary pressure for municipalities. As others have already noted, these increasing costs are not sustainable.

Planning Authority

Until such a time that measures in Bill 185, Cutting Red Tape to Build More Homes Act, 2024 are proclaimed, Simcoe County retains planning approval authority over the lower tiers. The ministry may wish to speak with local planners and clerks about specific considerations and potential conflicts extending strong mayor powers to regional chairs could have with respect to planning approvals.

Conclusion

Once again, AMCTO thanks you for the opportunity to provide feedback into this consultation. We look forward to being engaged by the ministry on regulation development and implementation.