

## **Briefing Note: Strong Mayor Legislation Association of Municipal Administrators of Nova Scotia**

**July 2025**

### **Overview:**

The Mayor as a leader among equals and having a single vote at council, remains as the form of local government in place across Canada, with the only exception now being in Ontario. Although Strong Mayor Powers (SMP) in Ontario focus on three main elements (Administrative, Provincial Priorities, Municipal Budgets), the Association of Municipal Administrators (AMANS) takes a position on only Administrative and Budgeting powers. Provincial Priority powers, as legislated in Ontario, deal with the power balance of Council and Committees, which is a political matter.

Based on Ontario's Housing Supply Tracker<sup>1</sup>, there is no evidence that SMP in Ontario is helping to build housing. Of the 46 municipalities who have had SMPs, only 37% were at a rate of pace of 80% or more to achieve their 10-year housing targets and 24% were on track or exceeded (80 per cent or more starts) in 2024.<sup>2</sup>

As advocates of excellence in local government, management and leadership, in consideration of the implementation of SMP in Nova Scotia, AMANS offers the following:

### **Administrative Powers**

- The politicization of the CAO and senior management roles will set Nova Scotia municipalities back decades. The independence of municipal administrators, such as the CAO, is vital for non-partisan, expert-driven decision-making. Removing or weakening this independence risks politicizing municipal administration.
- Local government needs functional foundations, administrations with consistent and stable leadership, proper succession planning and proactive long-term planning of infrastructure and building communities.
- The CAO and leadership team manage these complex organizations with multimillion-dollar budgets, infrastructure systems, regulatory frameworks, legal compliance, economic development, and public safety.
- Running the day-to-day operations of a municipality is a difficult role, one that must balance the needs of the community, the execution of Council's strategic plans and keeping the public safe from harm. Disruption in this balance, created through execution of Administrative SMP, will be detrimental to Nova Scotians.
- Council as a whole body should maintain the ability to hire, and fire, the CAO. The CAO should remain the only employee of Council.
  - When a Council decision is made, which under the Ontario SMP could be through a veto used by the Mayor, Council provides instructions to the CAO, their

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• <sup>1</sup> Alana Del Grego, AMP, OCT, Dipl.M.A. "Strong Mayor Powers" Municipal Monitor, Q2 2025, pp. 15-19. Reference to <https://www.ontario.ca/page/tracking-housing-supply-progress>

<sup>2</sup> Alana Del Grego, AMP, OCT, Dipl.M.A.. "Strong Mayor Powers" Municipal Monitor, Q2 2025, pp. 15-19.

one employee. Council expects that he or she will carry out its instructions as the CAO's job is to ensure that the public service carries out the will of Council. The CAO is the accountability link between council and the public service.

- The CAO must remain accountable to Council and not be beholden to a Strong Mayor.
  - Administrative SMP will result in a significant cultural shift in how municipalities operate – resulting from structural changes, staffing changes, loss of institutional knowledge and leadership.
  - If a Mayor's actions trigger politically embarrassing severance packages or human rights challenges, administrative SMP could result in significant legal and financial costs for Municipalities as well as reputational harm.
    - Council will have no say into or control over these expenses or the impact these decisions have on qualified individuals applying for jobs with the Municipality.
  - The public sector needs strong management professionals. Municipal culture will erode, as it is in Ontario, to where people will not step forward to take the volatile roles of CAO or that of a senior leader.
- The CAO's role as a neutral, professional administrator is vital for effective governance, transparency, and accountability. Maintaining the integrity of the CAO's position is essential to uphold public trust and ethical standards.

## Budget Powers

- The Municipal Budget is a complex tool that takes into consideration complex capital and operational planning, debt policies and formulas, long term reserve planning and tax burdens for local citizens, businesses and developers.
- Any legislation that shifts the powers and responsibilities for the preparation and presentation of the municipal budget to one person, a Strong Mayor, is not taking into consideration the legal or financial framework under which Municipal budgets are prepared.
- In the current system, a mayor who runs on a mandate to keep the tax rates flat must work with their Council to adjust the level of service delivery to keep rates flat. Unless the CAO is given this as a mandate of Council, the budget is prepared based on business planning, Council policy and service level standards. The Council then has a choice to cut projects or services based on their priorities. A strong mayor would make those cuts before the budget gets to Council, potentially altering capital planning, service level standards, long-term planning, etc.
- Often, the professional advice of a CAO, Director of Finance or Municipal Engineer is overridden by a Council, voting in favour of one direction over another. This is part of the public process and record. The ability to give this objective advice without fear or favour maintains the professional integrity of staff preparing recommendations to Council. Advice that consistently contradicts the will of Council becomes a performance issue between Council and the CAO.
- 'Strong mayor' powers risk compromising administrative neutrality. In areas like budgeting and land-use planning advice, recommendations to council that are filtered

through or developed by the mayor's office make it more difficult to rely upon the information that council receives and for council to perform its oversight and policymaking functions.<sup>3</sup>

In Ontario, of the 46 municipalities granted strong mayor powers, about 76% of mayors directed staff to prepare the budget. For 13%, the Mayor or Mayor's Office prepared the budget, 4% directed their Budget Committee to prepare the budget, and the remainder are unclear. Where staff or the Budget Committee prepared the draft budget, about 17% of mayors outlined content, policy or outcome specifics as to how staff should develop the budget. 2% (or one municipality) experienced the mayor using the budget veto.<sup>4</sup>

## Delegation of Authority

Although the powers in Ontario can be delegated to the CAO or Council, or both, this delegation is only good for so long as the Mayor maintains it. The delegation of powers rests solely with the Mayor and can be withdrawn. The delegation does not transfer to the next Mayor.

## The Ontario Legislation

AMANS understands that Nova Scotia is not considering a cut and paste of the Ontario model, it is the only Canadian model that currently exists and it is not, by most accounts, meeting the objectives of the *Strong Mayors, Building Homes Act, 2022*.

### Key Changes Introduced by the Legislation:

The 'strong mayor' legislation enacted in Ontario can be summarized as follows<sup>5</sup>:

- The mayor's ability to initiate or stop municipal activity has been formally enhanced by giving the mayor control over committee structure and committee leadership appointments, as well as more control over the 'municipal purse';
- The ultimate responsibility for preparing and presenting the city's annual operating and capital budgets and for proposing annual tax rates has been transferred from the city manager and treasurer to the mayor. The ability of the council to change the mayor's budget proposals has also been cut back, as it now requires a 2/3rd vote to approve any amendment;
- Although the CAO position may be maintained, the staff organization now effectively reports to the mayor, rather than to the council through the CAO. The mayor has direct hire/fire/direct authority over the city manager and a range of senior officials (chief

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<sup>3</sup> The Role and Significance of the Chief Administrative Officer Position in Canadian Municipal Government: A CAMA "White Paper" on Ontario's Strong Mayor Legislation and the Pivotal Role of the CAO in Providing Good Governance, p.14

<sup>4</sup> Strong Mayor Authorities Scan: How Mayors are Using their Powers; October 2024, AMCTO

<sup>5</sup> The Role and Significance of the Chief Administrative Officer Position in Canadian Municipal Government: A CAMA "White Paper" on Ontario's Strong Mayor Legislation and the Pivotal Role of the CAO in Providing Good Governance, p.8

planner, city engineer, heads of human resources, IT, parks and recreation, etc.), although with some key exceptions (clerk, treasurer, chief building official, police chief, fire chief, municipal integrity commissioner or ombudsman, etc.). (For a large municipality such as Toronto, the mayor's personnel authority descends well into the professional civil service.)

- Most controversially, for designated 'provincial priorities' (as the mayor interprets them locally), the mayor can veto council measures - subject to a 2/3rd override by council. More remarkably, the mayor can force through a legislative proposal related to provincial priorities, provided it enjoys the minimum support of 1/3rd of council.

## Summary

In summary, adopting "Strong Mayor" legislation in Nova Scotia or elsewhere threatens to undermine the foundational democratic principles that ensure accountable, transparent, and effective municipal governance. It risks politicizing local government, weakening the role of the municipal senior management and members of Council, and reducing public confidence in municipal institutions, all of which are crucial for healthy democracy.