

Strong Mayor powers come into sharp focus at Committee level

Aurora's new 'Strong Mayor' powers dominated Council discussion at last week's General Committee meeting.

Last Tuesday, Mayor Tom Mrakas presented Aurora's 2024 Budget, a new duty that falls to the Head of Council after the Provincial Government granted nearly 30 municipalities, including Aurora, Strong Mayor powers at the end of October.

The Strong Mayor powers were granted to select municipalities where the Head of Council, in Aurora's case the Mayor, confirmed via letter to Queen's Park that their respective towns and cities would meet housing targets set by the Ontario Government.

The powers include the authority to reorganize municipal departments, including the hiring and firing of senior staff, additional authority over the budget process, and the ability to override Council decisions that might be seen as contrary to the Province's housing goals.

The wide-reaching powers of the new legislation were not only centred on the budget, but also a proposed new Procedural Bylaw governing how Council incorporates the new authority into its operations.

According to a report before lawmakers last week from Town Clerk Michael de Rond, the new Procedural Bylaw includes language that will offer 'clarity regarding the Mayor's ability to create and dissolve committees with only members of Council, and the Mayor's responsibility to appoint the Chair of these committees.'

It also clarifies 'the form and process for the Mayor's power to veto specific bylaws; the way in which the Mayor may introduce an agenda item for Council's consideration without the requirement of a mover and a seconder; and the way in which the Mayor may propose a bylaw if it could potentially advance a prescribed Provincial priority.'

Council delved into the Procedural Bylaw after both the introduction of the 2024 Budget 'one which could see the residential tax bill increase by 3.9 per cent next year' and a standalone report by Town Solicitor Patricia de Sario further fleshing out the impact of Strong Mayor powers.

In both discussions, however, opposition was voiced by Ward 1 Councillor Ron Weese, Ward 2 Councillor Rachel Gilliland, Ward 3 Councillor Wendy Gaertner, and Ward 5 Councillor John Gallo, who said that vesting further authority in the Mayor rather than with both Mayor and Council would be a blow to democracy.

'We are in a housing crisis and we need to move the housing targets along,' said Councillor Gilliland. 'However, there are a lot more powers given that aren't related [to housing] at all.'

A top-of-mind concern for her was the veto power which, she said, if they are exercised 'legally and in good faith' cannot be quashed or opened up to a review of court, even if they might be considered unreasonable.'

'I think this is a very slippery slope,' she continued. 'I stand by my comments that I do believe democracy is at risk utilizing this as a tool in more ways than is necessary. I really urge the public to voice their opinion and read this report for information to fully understand what's at stake.'

Similar concerns were voiced by Councillor Weese, particularly in the Mayor's new ability to give direction to staff 'to undertake research,' particularly in light of Mayor Mrakas' failed motion earlier this year to explore the possibility of selling the land currently occupied by Town Hall on John West Way for housing and move municipal offices back to Aurora's historic core on Yonge Street.

Councillor Gaertner was on the same track, expressing worries that the Head of Council would now be able to add items to the Council agenda unilaterally at the meeting itself 'where the public wouldn't have any notice.'

“Under veto powers, the Mayor may veto all or any part of the Municipal Act, Planning Act, or Development Charge bylaw. To me, that is scary and outrageous because these are laws that govern the Province and I think this is a very worrisome development,” said Councillor Gaertner.

Discussion covered many of the same themes during discussion over the Provincial Government itself.

While staff stressed that the Strong Mayor powers were handed down by the Provincial Government and were not something that the mayors of any municipalities were able to accept or not accept, Ward 4 Councillor Michael Thompson pointed out that approving a new Procedural Bylaw covering the new powers was a Council requirement.

“What is before us is not simply housekeeping,” he said. “It is ensuring we adhere to the legislation and the Municipal Act that has been amended and passed with regards to the Strong Mayor powers. Council can do what they wish, but by voting this down, you’re essentially disagreeing with the Municipal Act.”

Added Ward 6 Councillor Harold Kim: “I don’t think this is something our Mayor or any mayor necessarily asked for or wanted, it’s there and it is part of the Municipal Act. I do agree it seems kind of awkward we have to vote on this when we don’t really have much of a say in the matter, but it is part of the procedures. That being said, hopefully we have a benevolent mayor. I believe we do, and I think when we talk about whether one agrees or disagrees, one is assuming that some aspects of these powers have been used or will be used and that is yet to be determined. The bottom line is this is something that has been mandated down and we don’t seem to have much choice in the matter.”

Councillors in opposition to the issue nevertheless said that even if their position was in “disagreement” with the Municipal Act, they believed it was a matter of principle.

“I don’t agree with the Municipal Act and I don’t agree with what was done,” said Councillor Gallo, who chaired last week’s meeting, noting he would be bringing forward amendments at the November 27 Council meeting. “We should have the opportunity to have a full debate [on motions] at General Committee like any other issues that come before us.”

Added Councillor Gilliland: “For me it is the principle. I don’t agree with the Strong Mayor powers. So, for me, I don’t agree with the procedural bylaw change. If I am going against the Municipal Act, so be it. I just think this whole thing is a mistake and I will stand by what I feel and what I think and I will leave it at that.”

Mayor Mrakas was of a different viewpoint, noting, “Ultimately, we can have a Procedural Bylaw that is transparent to the public, allowing them to understand our procedures and what is allowed and not allowed, or we are going to have a Bylaw that is conflicting with the legislation and we have to follow the legislation regardless.”

By Brock Weir
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