

October 4, 2022

AMO Policy Update – Proposed Regulations Under The Strong Mayors, Building Homes Act, and Federal Cannabis Act Review

Proposed Regulations Under The Strong Mayors, Building Homes Act

The Ministry of Municipal Affairs and Housing has released regulatory proposals under the *Strong Mayors, Building Homes Act, 2022*. The legislation, given Royal Assent on September 8th, 2022, provides new authorities to the Mayors of Toronto and Ottawa, including the ability to appoint Council Committee Chairs and Vice Chairs, set Budgets, veto council bylaws if they conflict with designated provincial priorities, direct, hire and fire certain staff. Comments are due by October 13, 2022 and the regulations are proposed to be in effect by November 15, 2022.

The regulatory proposals released this week outlined the province's proposed areas of provincial priority and outline other requirements for exercising the new Head of Council powers included in the Act. The proposed [provincial priorities](#) are:

1. Building 1.5 million new residential units by 2031
2. The construction and maintenance of infrastructure to support accelerated supply and availability of housing including, but not limited to, transit, roads, utilities, and servicing

An accompanying [Minister's Regulation](#) proposal sets out many of the requirements for exercising the new Head of Council powers included in the Act. The proposed regulations require:

- that a Head of Council veto of a council decision and direction to staff must be provided in writing to the Clerk and CAO;
- that powers related to municipal organization and hiring and firing division heads can only be delegated to Council and the CAO;
- that the Head of Council propose a Budget by February 2 of each year,
 - allowing council 30 days to propose by-laws to amend the proposed Budget,

- after which the Head of Council would have 10 days from the Council review period to veto Council amendments, and
- Council would then have 15 days to overturn a veto with a 2/3 majority.

The Minister's Regulation proposal also extends the Head of Council's veto power to Council by-laws made under Section 2 of the *Development Charges Act*, 1997.

The AMO Board of Directors was unable to gauge support for nor evaluate the merits of the *Strong Mayors, Building Homes Act*, 2022 at its August 2022 board meeting, and has not taken a position on the new legislation. However, the Board did come to consensus in urging strong consultation with municipal political and professional organizations and the public before the powers in the legislation are extended to municipalities beyond the City of Toronto and the City of Ottawa.

AMO also urged the government to consider carefully the powers related to hiring and firing the CAO and to remove from the Bill the ability of a Head of Council to hire and fire department heads. You can read AMO's feedback on the legislation [here](#). AMO also notes that the decision to use any of the powers contained in the *Strong Mayors, Building Homes Act*, 2022 by the Head of Council is discretionary.

AMO members are encouraged to review the regulatory proposals on the [Ontario Regulatory Registry](#). AMO will review the regulatory proposals and AMO's Board will discuss any necessary actions related to the legislation and regulations.

Federal Cannabis Act Review

The federal government has [announced](#) a review of the Canadian *Cannabis Act*, as required by the legislation. An independent Expert Panel will provide advice to the federal Ministers of Health and Mental Health and Addictions on progress made towards achieving the Act's objectives and will help identify priority areas for improving the functioning of the legislation. The Panel's focus is broader than what is outlined in the Act and includes considerations of economic impacts and access to cannabis for medical purposes, among others.

As an initial step in the legislative review, an online engagement process has been launched. This includes a [discussion paper](#) and associated [questionnaire](#) for all Canadians, and a specific [discussion paper and feedback process](#) for First Nations, Inuit, and Métis peoples. Both consultations are open until November 21, 2022. AMO will continue our advocacy on cannabis throughout this 18-month process and will share further consultation opportunities with members as they arise.

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