Do municipalities have legal authority to fight strong mayor powers? Not according to experts

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As reported in the May 2 edition of the Stratford Times, at the April 28 Stratford city council meeting Coun. Mark Hunter asserted that from his reading of Canada's Constitution local governments do not have the legal authority to push back on provincial mandates – even controversial legislation such as the strong mayor powers recently disseminated to 169 Ontario municipalities including the City of Stratford.

Hunter, according to a few experts at Western University's Local Government Program, is exactly right.

Zack Taylor, a professor at the program and editor-in-chief of the Territory, Politics, and Governance journal, told the Times that under the constitution municipalities fall entirely under provincial jurisdiction and "the province can legislate whatever it likes and there is nothing a municipal council can do about it."

Martin Horak, another professor with the program, agreed in part. He explained that municipalities don't have any legal authority to push back on strong mayor powers and indeed are just creatures of the province. As an example, he cited the 2018 court case between the City of Toronto and the Province of Ontario where the Supreme Court of Canada ruled that the province was able to reduce the size of city council without consulting with said council.

That being said, local councils do have some options.

"It's not like provinces can just kind of do anything they want willy nilly with no consequences, because at the very least there are political consequences," Horak said. "When Ford cut the council, drawn council in half, there was a huge uproar. It had implications for his popularity in Toronto and so on. So legally, the province can do anything it wants. Politically? Not always. So this means that I think if a whole bunch of mayors and councils and a whole bunch of smaller municipalities that got strong mayor powers right now organized … maybe the province will reconsider."

During the 2025 budget deliberations last year, councillors expressed concern with the current system and the increasing download of responsibilities onto local governments. Many thought that the province wasn't doing its part in funding its responsibilities.

During the deliberations Mayor Martin Ritsma indicated that at a recent Association of Municipalities of Ontario (AMO) meeting, that was a sentiment shared by representatives across Ontario. There was talk at the meeting of needing a new relationship which captures modern needs and doesn't unfairly burden local government.

When asked how likely a new relationship is if municipalities don't have legal authority, Horak said it comes down to political leverage.

"In order to get leverage, they need to be politically smart about it and work together with each other, be it through AMO or in smaller groups and municipalities, and make really strong arguments in the public sphere and in the media about … 'This is what we need and this is why we need it and this is how we want this relationship to be different,'" Horak said. "Because then, from a political perspective, maybe the province will pay attention. But really, it's about collective action and it's about effective messaging from the municipal level."

Another issue discussed by Stratford council in relation to the powers was the politicization of funding streams. There was a worry that if council publicly opposes the province's actions, that the city's chances of securing vital capital funding from the province would drop in the future.

Horak said that he was unaware of any data-driven evidence of the politicization of grants and that such a thing would be difficult to track statistically.

"I'm not saying it's never happened, but I don't see that as a kind of prominent practice," he said.

What is an issue, Horak indicated, was the "Pandora's box" consequences down the line. The powers were not expressly instituted to advance housing starts, but to advance "provincial priorities." While housing is a priority today, it may not always be. Horak warned that if the strong mayor powers were to stay in place as they are now – and that is likely since institutional changes like these are difficult to reverse – then a future government could come to power and implement a provincial priority which emboldens the powers.

"The strong mayor powers haven't been particularly effective at meeting the province's goal of getting more housing built, but they've had all kinds of other implications," Horak said. "So it's kind of a case of a lot of unintended consequences and not many of the intended ones. It does make me wonder retrospectively … was the provincial government over optimistic?"

When asked to discuss the powers and some of the concerns raised by local councillors in Stratford and abroad, Rob Flack, Minister of Municipal Affairs and Housing, declined an interview.

Hospital foundation surpasses $30 million fundraising goal

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After 10 years of quiet and public fundraising, the Stratford General Hospital Foundation's ambitious $30 million capital goal has been not only met but exceeded.

The foundation announced the success of the In Our Hands Capital Campaign on May 6, and that a grand total of $31,428,674.40 was raised in cash and pledges.

Launched in the quiet phase in 2015 and publicly announced in 2022, the milestone marks a transformative moment in local health care, with funds raised supporting a wide range of critical priorities – from the creation of a new cancer and medical care clinic with a co-located pharmacy, to the purchase of essential medical equipment, and investments in staff training.

"The foundation launched this campaign with a vision to build a healthier future – one where the latest tools, technologies, and spaces are available right here at home," said Cheryl Hunt, executive director of the Stratford General Hospital Foundation, in a media release. "Surpassing our $30 million goal is a testament to what our community can achieve together."

The same release notes that the Stratford General Hospital site of the Huron Perth Healthcare Alliance (HPHA) is fortunate to receive strong operational support from the Province of Ontario. However, provincial funding does not cover the cost of new and replacement medical equipment, vital infrastructure upgrades, or many of the innovations that enhance patient care.

That's where community support becomes essential.

The In Our Hands Capital Campaign was launched to bridge this funding gap, ensuring that care teams have the tools, spaces, and training they need to continue delivering exceptional care. Campaign investment priorities include the aforementioned cancer and medical care clinic with co-located pharmacy, new and replacement medical equipment, laboratory improvements, transformation initiatives for mental health and dementia care, and staff training.

"These investments are already making a tangible difference for patients and care teams across the hospital," said Andrew Williams, president and CEO of the HPHA. "From state-of-the-art equipment to thoughtfully designed spaces, this campaign has enhanced access and helped us continue to deliver safe, efficient, and compassionate care."

Thousands of individuals, families, businesses, service clubs, HPHA team members, and local municipalities stepped forward to give. In total, more than 27,000 gifts were made by over 7,500 donors. Among the many highlights of the campaign were two transformational gifts of $5 million – the largest of the campaign – from the Van Nes family, in memory of Jack and Teresa Van Nes, and from the City of Stratford. These extraordinary contributions reflect a shared commitment to strengthening local healthcare for the benefit of the entire community.

"This campaign was about more than just hitting a target – it was about investing in our future," said Rick Orr, campaign co-chair. "We're incredibly grateful to everyone who donated, shared their story, or encouraged others to support our hospital."

With construction of the new cancer and medical care clinic complete, and improvements underway across multiple departments, patients are already feeling the lasting impact of this historic campaign.

While the $30 million goal has been exceeded, the foundation emphasizes that continued community support will always be essential as health care needs evolve.

"We are celebrating today – but we're also looking forward," added Paul Roulston, campaign co-chair. "Because of this community's generosity, we've built something incredible together. And with your continued support, we'll keep moving healthcare forward."

To learn more or find out how you can continue to support local healthcare, please visit www.sghfoundation.org

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