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October 14, 2025

Our File No.: 252816

Township of Springwater Council
Administration Centre
2231 Nursery Road
Minesing, ON L9X 1A8

Dear Sirs/Mesdames:

Re: City of Barrie and Township of Springwater – Proposed Boundary Adjustment Potential Use of Strong Mayor Powers

We have been retained by Lonybra Developments Inc. to review matters related to the City of Barrie's (the "**City**") proposed boundary adjustment (the "**Proposed Boundary Adjustment**") between the City and the Township of Springwater (the "**Township**"). We understand that the Proposed Boundary Adjustment is intended, among other matters, to facilitate new housing and new employment development, as well as infrastructure construction to support such development.

In particular, we have reviewed the potential for the Mayor of the Township (the "**Mayor**") to use the Special Powers and Duties of the Head of Council found in Part IV.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the "**Act**"), as amended (the "**Strong Mayor Powers**"), in respect of the Proposed Boundary Adjustment. We understand that the Proposed Boundary Adjustment would transfer to the City approximately 1,216 hectares of land currently within the boundaries of the Township to enable the City to meet its growth needs for residential and employment purposes. We also understand that the Proposed Boundary Adjustment would include the City's agreement to provide inter-municipal servicing that would facilitate development, including residential development, on lands within the Township.

Summary Conclusion

The Mayor can direct Township employees to conduct research and/or provide advice regarding the Proposed Boundary Adjustment. Further, given the broad nature of the prescribed provincial priorities, the Mayor can use the Strong Mayor Powers in respect of the Proposed Boundary Adjustment because the Proposed Boundary Adjustment would advance prescribed provincial priorities related to building new housing before December 31, 2031, as well as constructing and maintaining infrastructure to support housing.

The Strong Mayor Powers

The Strong Mayor Powers include:

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1. the ability to direct municipal employees, in writing, to undertake research and provide advice on policies and programs of the Township or of the Mayor as they relate to the Strong Mayor Powers;

2. the ability to direct municipal employees, in writing, to carry out duties related to the exercise of the power or performance of the duty, including implementing any decisions made by the Mayor;

3. the authority to require Township Council to consider vetoing a municipal by-law under the Act, as well as the *Planning Act* and its regulations, and any other prescribed Act and/or regulation; and,

4. the authority to require Township Council to consider a matter at a meeting and vote on a proposed municipal by-law under the Act, as well as the *Planning Act* and its regulations, and any other prescribed Act and/or regulation.

The Strong Mayor Powers are available to municipalities designated in a regulation. The Township is included in Schedule 1 of Ontario Regulation 530/22, meaning that the Strong Mayor Powers are available for use by the Mayor.

The Strong Mayor Powers described Paragraphs 3 and 4 above are limited to matters that "could potentially interfere with a prescribed provincial priority" or that "could potentially advance a prescribed provincial priority", respectively. Ontario Regulation 580/22 (the "**Regulation**") prescribes general provincial priorities:

- Building 1.5 million new residential units by December 31, 2031;

- Constructing and maintaining infrastructure to support housing, including, transit, roads, utilities, and servicing.

Please note that the Strong Mayor Powers described in Paragraphs 1 and 2 are not restricted to the prescribed provincial priorities in the Regulation.

Interpretation of the Strong Mayor Powers

We are not aware of any decisions that interpret these provisions of the Act or the Regulation and therefore serve to limit the scope of the Strong Mayor Powers.

As note above, the Regulation prescribes general provincial priorities with little guidance regarding interpretation. In our opinion, any approach to interpreting the Strong Mayor Powers should reflect the general nature of the prescribed provincial priorities and the intent of these Strong Mayor Powers. The appropriate approach to statutory interpretation requires the words of the Act and the Regulation to be read in their entire context and in a manner harmoniously with the scheme of the Act, the object of the Act, and the intent of the legislator.

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We are aware of an opinion provided to the Township dated October 6, 2025 (the "**Letter**"). While we agree with numerous aspects of the Letter, including the general nature of the prescribed provincial priorities and that the Regulation enables the Strong Mayor Powers to be used to advance new residences, the Letter reads the prescribed provincial priorities in the Regulation very narrowly. In particular:

- The Letter suggests that the Strong Mayor Powers can only be exercised if a matter is exclusively related to residential uses.

- The Letter suggests that the Strong Mayor Powers can only be exercised if a matter results in more homes being built in the Township.

- The Letter suggests that any housing facilitated by the Strong Mayor Powers must be completed by 2031.

We disagree with the Letter's narrow interpretation of the Strong Mayor Powers. None of the underlined phrases are contained in the Regulation but would have to be read-into the Regulation to justify the opinion provided in the Letter.

In particular:

- Our understanding is that the Proposed Boundary Adjustment includes significant lands that would be used residential and employment purposes. The Regulation does not require the Strong Mayor Powers to be used in respect of a proposal that only involves residential uses. The inclusion of employment lands as part of the Proposed Boundary Adjustment would not preclude the Mayor's use of the Strong Mayor Powers in respect of the Proposed Boundary Adjustment.

- The Regulation does not require new housing to be constructed within the Township for the Mayor to use the Strong Mayor Powers. Instead, as noted above, the Regulation identifies the provincial priorities of building 1.5 million new residential units generally, as well as constructing and maintaining infrastructure to support housing. If the Proposed Boundary Adjustment could facilitate new housing generally in the Province, including within the City, or constructing and maintaining new infrastructure to support housing, the Proposed Boundary Adjustment would clearly be categorized as a prescribed provincial priority.

- The projection of residential land needs to 2051 does not preclude use of the Strong Mayor Powers. Put another way, the Regulation does not require the Strong Mayor Powers to be exercised in respect of housing that is only built before December 31, 2031. While the Proposed Boundary Adjustment may result in new housing built over a longer planning horizon, the Proposed Boundary Adjustment would facilitate new housing before December 31, 2031. In particular, our understanding is that the Proposed Boundary

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Adjustment would facilitate new housing being built along the Bayfield Street corridor before December 31, 2031. This means that the Proposed Boundary Adjustment would achieve a prescribed provincial priority.

- Our understanding is that the Proposed Boundary Adjustment would facilitate constructing new infrastructure to support new housing and employment development in the City and I the Township. This is a separate prescribed provincial priority that was not independently considered in the Letter.

Given our review above, and given that the Act relies on the opinion of the Mayor as to whether the matter could potentially advance a prescribed provincial priority, it is reasonable and permissible for the Mayor to use the Strong Mayor Powers in respect of the Proposed Boundary Adjustment.

Please let me know if you have any additional questions.

Yours truly,

Goodmans LLP



David Bronskill
DJB/

1403-1551-1321