Katja Awender

From: Jennifer Marshall
Sent: July 2, 2025 3:15 PM
To: John Mascarin
Subject: RE: Mayor's veto powers

Hi John,

Thanks for getting back to me so quickly and that makes sense to me!

Cheers,

Jennifer Marshall, AMP (She/Her)
Clerk
Township of Springwater
2231 Nursery Road
Minesing, ON L9X 1A8
P. 705-728-4784 Ext. 2042

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From: John Mascarin <jmascarin@airdberlis.com>
Sent: Wednesday, July 2, 2025 2:09 PM
To: Jennifer Marshall <jennifer.marshall@springwater.ca>
Subject: RE: Mayor's veto powers

EXTERNAL EMAIL. Please check sender.

Hi Jennifer,

We have provided an oral opinion to a municipality that a mayor can veto part of the confirmatory by-law under s. 284.11 of the *Municipal Act, 2001*.

A confirmatory by-law is a legitimate by-law. Subsection 284.11(2) provides that "if the head of council is of the opinion that all or **part of a by-law** that is subject to this section could potentially interfere with a prescribed provincial priority, the head of council may provide written notice to the council of the intent to consider vetoing the by-law."

Assuming that you are treating the confirmatory by-law as a by-law enacted under the *Municipal Act, 2001* so that it fits within the scope of s. 284.11(1)(a) as a by-law capable of being vetoed.

John

John Mascarin
Partner
Certified Specialist (Municipal Law: Local Government & Land Use Planning and Development)

T 416.865.7721
E jmascarin@airdberlis.com

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From: Jennifer Marshall <jennifer.marshall@springwater.ca>
Sent: July 2, 2025 1:58 PM
To: John Mascarin <jmascarin@airdberlis.com>
Subject: Mayor's veto powers

Hi John,

I have a Strong Mayor question that I am hoping you can help with. I know the Mayor has veto powers over by-laws only, not resolutions. We have a Notice of Motion from a Council member on our agenda tonight regarding revoking MZO support for two projects. This fits the definition of provincial priorities, so my question is, if this motion passes tonight and the mayor wishes to veto it, can she veto the confirmatory by-law with reference to that resolution only?

I have not heard of a municipality doing this before however it has been a hot topic with Clerk's as of late. We did add this wording to our confirmatory by-law which was suggested by another Simcoe Clerk.

> 9. For the purposes of the exercise of the authority of the head of council to veto a by-law in accordance with section 284.11 of the Municipal Act, 2001, as amended, the Confirming By-law shall be deemed to be separate Confirming Bylaws for each item listed on the meeting agenda.

Thanks in advance.

Jennifer Marshall, AMP (She/Her)
Clerk
Township of Springwater
2231 Nursery Road
Minesing, ON L9X 1A8

P. 705-728-4784 Ext. 2042

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