

What happens when a mayor does not have council's support?

Richard Gilbert

October 4, 2010

As mayor, Rob Ford would find himself virtually powerless without a working majority of city councillors to support his initiatives

Throughout his 10 years on Toronto City Council, Rob Ford, today the clear front-runner in Toronto's mayoralty race, has been at odds with most of the other 44 members of council.

As mayor, he may have more support from other councillors, but there seems a real possibility that he would not be able to put together a majority of votes on matters that concern him. What could happen?

In December 2006, Toronto's municipal government moved from being a weak-mayor system to being a slightly stronger-mayor system. The new powers of the mayor were chiefly the ability to appoint and remove the deputy mayor and the chairs of council's committees.

City council could take away these powers. This would require two-thirds of the councillors present at the time voting to do so. It would also require waiting until the second regular meeting of the new council, in February 2011.

By then, the new mayor will likely have made his appointments. These could be annulled by the council, causing considerable administrative chaos and much media comment about a dysfunction council.



Mayor David Miller and Councillor Rob Ford rarely agreed. Should Ford become mayor, he may well face a council majority that opposes him.

If the new mayor could muster more than a third of the council's votes but not more than half, he would retain his powers of appointment but be unable to get his way on other matters on which he disagreed with a majority of the council.

The basic fact about local government in Ontario is that the council is supreme, and the mayor is but one vote on council. The mayor has some responsibilities but almost no powers except as may be delegated by council. It is council that is charged with exercising the authority of the municipal government.

Normally, the mayor leads council in the exercise of its powers. Indeed, providing this leadership is one of the mayor's statutory responsibilities. However, if the mayor is regularly of one mind and the majority of council is regularly of another, the mayor will have considerable difficulty being the leader.

One result of such a situation could be the emergence of another leader on council, one who could more often summon a majority than the mayor. Conflict between the two — the statutory leader and the de facto leader — could provide a rich source of material for media comment, depending on how the two individuals behaved.

The mayor could argue that he is the representative of all the people and thus should have his way. The council, through its leader, could argue that it is the legitimate representative and proceed to exercise its statutory authority.

The mayor, for example, may want to tear up existing streetcar tracks, claiming it was part of his platform and therefore the tracks should go. The majority of council may want to keep the streetcars, and its position would prevail. The majority may support an operating budget that would raise property taxes by the inflation rate. The mayor may disagree, again citing his platform, but this would be of little consequence.

With a de facto leader, the business of the city could proceed smoothly, but with all participants on their toes because of the unusual dynamics of the council.

The greater risk could be that no alternative leader of council emerges, or there are several competing leaders. Then, much council and committee time could be consumed by unproductive infighting.

Whether the administration of the city's services would suffer as a result of discord or anarchy at its top could depend critically on how the city's senior managers conduct themselves. They report directly or through their bosses to the council, but have become used to reporting to the mayor. Maintaining both the dignity of the mayor's office and their jobs could require very delicate diplomacy.

Of course, Toronto may have a mayor and a council majority who are more or less aligned, as has usually been the case. Ford's coattails could help elect many like-minded councillors.

Or, better understanding of the limits of the mayor's powers will dampen the enthusiasm of enough of his supporters to give a rival a chance.

However, the result of the Oct. 25 election could well be a mayor and council in frequent conflict.

At best, we will learn a lot about how municipal government works in Toronto and how we might want it to be changed.

At worst, Toronto's city government will work less well than now and we will all suffer deteriorating service and poorer preparation for an increasingly uncertain future.

Richard Gilbert was a Toronto councillor from 1976 to 1991.