

March 1, 2024

Mr. Todd Coles  
City Clerk  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

**VIA E-MAIL**

Dear Mr. Coles:

**RE: Municipal Servicing By-Law  
(Notice of Public Meeting, Committee of the Whole- March 5, 2024)**

Liberty Development Corp. (“Liberty”) acts as a development manager for certain landholders in the City of Vaughan. Liberty continues to be involved with many of the City’s processes when it comes to facilitating continuous improvements within the municipality.

This letter is being submitted in reference to the Public Meeting that will be held by the Committee of the Whole on March 5, 2024, with respect to a report dealing with the “Municipal Servicing By-law” (“MSB”) update. Please accept this submission as a preliminary set of hi-level comments in respect of this matter.

**Background:**

The purpose of the MSB, as identified on the Notice of Public Meeting is:

“The City of Vaughan is proposing a City-wide Municipal Servicing By-law pursuant to Section 34(5) of the *Planning Act* to ensure that municipal servicing is in place prior to building permits being issued.”

As noted in the staff report, the City’s previous subdivision and development agreement templates contained conditions prohibiting an owner / developer from applying for building permits, and the City would not issue building permits until such time as the City was satisfied adequate road access, potable municipal water supply, sanitary sewers and storm drainage facilities were available to service the lands. City staff recently completed a modernization project of Development Agreement Templates (within the purview of the Development Engineering Department), and as a result, the City’s Building Division identified the need for a municipal servicing by-law pursuant to section 34(5) of the *Planning Act* to ensure building permits may be granted only when municipal services are in place to serve the proposed construction. More specifically, the proposed by-law would ensure municipal servicing is in place before building permits are issued with the intent being to protect the public by guaranteeing essential municipal services are provided prior to building permit issuance.

**Comments:**

The current practice, as noted in the Background of this letter, for issuing building permits does not require servicing to be in place prior to the issuance of a building permit by the Chief Building Official (“CBO”), which we think is a good practice. From our perspective this provides for a more flexible

approach in moving development along towards construction to maintain affordability for future tax payers of Vaughan.

The proposal by staff seeks to introduce, via an amendment under the *Planning Act*, a requirement to include the need for servicing to be in place before the CBO can issue a building permit. Staff cite the intent is “to protect the public by guaranteeing essential municipal services can be provided before the building permit issuance”. We as a high-rise development manager cannot deliver dwelling units to purchasers without having servicing in place. The typical process from the beginning of a project to occupancy can take between 7 to 10 years, which also includes various approvals required from the City. This timeline includes 4 years between permit and occupancy, which is a lot of time for the City to sort out servicing. As such, we are not clear on why this is being suggested as a rationale for the MSB.

Our concern is the new process being proposed appears to backend permit approvals, which would prevent an earlier start for construction projects, thus delaying our ability to bring dwelling units into the marketplace without additional cost risks on consumers. Given the timelines noted above, we require certainty that building permits will be issued in a timely manner and that they will not be delayed due to additional processes.

Overall, we believe the introduction of a MSB has the potential to add administrative and financial barriers towards moving building permit approvals forward, contrary to recent provincial initiatives directing municipalities to expedite the construction of housing for Ontarians.

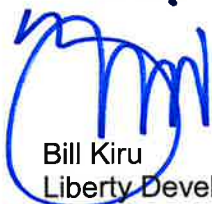
It is our understanding that under the Ontario Building Code (“OBC”) there are a number of requirements that need to be satisfied prior to the issuance of a building permit by the CBO. More specifically under applicable law, the CBO requires Zoning and Site Plan approval to be in place. We are not sure how this requirement for servicing, if approved and adopted, would fit within the OBC given the servicing requirement is being introduced under the *Planning Act*. This leads to the question of- are there other potential barriers to permit issuance that may result from this exercise?

**Our Request:**

In light of the Province’s various initiatives to build more housing, we would like to meet with staff to discuss other potential options towards building permit issuance in the absence of servicing being provided, before any final report proposing material policy changes is presented to Council for approval. We reserve the right to provide further comments as the Municipal Servicing By-law update progresses.

Should you have any questions related to this letter, please feel free to contact me directly at (905) 910-1578 or [bkiru@libertydevelopment.ca](mailto:bkiru@libertydevelopment.ca).

Yours truly,



Bill Kiru  
Liberty Development

cc. Marco Filice, SVP, Liberty Development  
Frank Suppa, City of Vaughan