



March 12, 2024

Mr. Allan Parsons, MCIP, RPP.  
Director of Development Services & Design  
City of Brampton  
2 Wellington St W.  
Brampton, ON  
L6Y 4R2

Sent via email to [Allan.Parsons@brampton.ca](mailto:Allan.Parsons@brampton.ca)

RE: **City of Brampton**  
**BILD Preliminary Feedback on the City-Initiated By-Law: Right of Entry for Maintenance**

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BILD acknowledges that the City is consulting on a Right of Entry for Maintenance By-Law, and we have circulated this information to the members of the BILD Peel Forum accordingly. As outlined in the staff presentation, this proposed change aims to grant a reasonable Right of Entry onto adjacent properties for maintenance purposes. The intention is to establish a new City-wide by-law, thereby eliminating the need for costly (\$3,051 per application) and time-consuming (approximately 6 weeks) maintenance easements for routine actions for both landowners and residents.

We also understand that you are collecting comments in preparation for your final report to Council. Our membership has expressed support for this change in the interest of service efficiency and effectiveness. Since the City is in the draft proposal stage, we look forward to seeing the final recommendations and reserve the opportunity to submit further comments to Council.

Thank you for allowing us to review this information with our members, and please reach out to BILD if there are changes to this draft proposal that our members should be aware of. Additionally, we would like to take this opportunity to request confirmation on the timeline for Council approval.

Kind regards,

A handwritten signature in black ink, appearing to read "Victoria Mortelliti".

Victoria Mortelliti, MCIP, RPP.  
Senior Manager, Policy & Advocacy

CC: BILD Members  
Noel Cubacub, City of Brampton

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*The Building Industry and Land Development Association is an advocacy and educational group representing the building, land development and professional renovation industry in the Greater Toronto Area. BILD is the largest home builders' association in Canada, and is*

*affiliated with the Ontario Home Builders' Association and the Canadian Home Builders' Association. It's 1,300 member companies consists not only of direct industry participants but also of supporting companies such as financial and professional service organizations, trade contractors, as well as manufacturers and suppliers of home-related products.*

March 1, 2024

City of Brampton  
2 Wellington St W.  
Brampton, ON  
L6Y 4R2

Attention: Mr. Noel Cubacub  
Development Planner III, Planning, Building and Growth Management

Dear Mr. Cubacub;

RE: **Information Report**  
**City Initiated By-law – Right of Entry for Maintenance**  
**February 12, 2024**

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**We have reviewed the Staff Information Report regarding the City Initiated ‘Right of Entry for Maintenance By-law’ and would like to show strong support for the development of a Right of Entry By-law.**

Paradise Developments has long advocated for a ‘friendly neighbours’ style by-law that allows access to adjoining land for the purpose of making repairs or alterations to a building, fence or other structure. We believe that the process to create and approve Part Lot Control Exemption (PLCE) by-laws for the purpose of creating maintenance and encroachment easements (M&EE) has reached a point where the applicant's cost of preparing and filing multiple PLCE applications over the life of a project (for most registered plans in Brampton), and the City's cost of processing and approving them, far outweighs the perceived benefits of the easements.

From the City’s perspective, a Planner must be assigned to receive, circulate, and guide the application through to Council approval. The Finance Dept is involved to ensure property taxes and any other municipal fees/charges have been paid, and then the Legal Dept is involved in preparing the draft by-law, which will be brought to Council for adoption. This process typically takes 2- 3 months from start to finish based on recent experience.

From the applicant’s perspective the workload is equal. R-Plans must be prepared by surveyors to cover all applicable lots, which requires extensive field survey and office time to permit their depositing in the Registry Office. The plans are then compiled and filed in support of the application. Lawyers are retained to ensure the PLCE by-law is accurate prior to its registration on title, and they continue to track the matter until all of the subject lots are closed, as a failure to register a M&EE results in a delayed closing. At closing, Purchaser’s lawyers become involved from time to time, who are often confused about what the easement is intended to do and why it is encumbering the property.

This Right of Entry for Maintenance By-law will prevent all of this from occurring. These by-laws have been in place for many years in several other Greater Toronto Area municipalities and have been proven to be successful. It is for all of the reasons above that we support the City in the creation of this by-law.

Sincerely,  
Mitchell Talieski



Director Land Development

CC: David Vanderberg, Manager, Development Services & Design  
Allan Parsons, Director of Development Services & Design  
Steve Ganesh, Commissioner of Development Services & Design  
Mark Jepp, Vice President of Development