

June 12, 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: **Staff Recommendation Report,
City Initiated By-law – Right of Entry for Maintenance
Planning and Development Committee, June 17, 2024**

This follow up letter is intended to show strong support to Staff, who have initiated a ‘Right of Entry for Maintenance By-law’, which is a by-law we have long advocated for. We believe this type of by-law makes progress in simplifying and streamlining the planning and development process in Brampton, and is in-line with what other municipalities (like Markham) have adopted and had great success with.

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 Taleski

A handwritten signature in black ink, appearing to read 'M. Taleski', written over a horizontal line.

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