



Staff Report

Planning & Building Services – Planning Division

Report To: COW - Operations, Planning and Building Services
Meeting Date: April 28, 2026
Report Number: PBS.26.027
Title: Report in Response to January 13, 2026 deputation of Richard Lamperstorfer - Land Swap
Prepared by: Diksha Marwaha, Senior Planner

A. Recommendations

THAT Council receive Staff Report PBS.26.027, entitled “Report in Response to January 13, 2026 deputation of Richard Lamperstorfer - Land Swap”.

AND THAT Council direct staff to proceed with Option 2b, being to initiate the process to declare the Napier Street West Road Allowance surplus to the needs of the Municipality, and to undertake steps to stop up and close the road allowance and pursue a land exchange with the applicant.

B. Overview

The purpose of this report is to provide a follow-up to the January 13, 2026 deputation by Mr. Richard Lamperstorfer, who requested that Council consider a potential land exchange involving the unopened Napier Street West Road allowance and a portion of lands owned by Mr. Lamperstorfer at the corner of 10th Line and Beaver Street South.

Planning staff have examined a number of options for the road allowance lands, including:

1. Retain the lands as an unopened road allowance for potential future use.
2. Stop up and close the road allowance and:
 - a. exchange the road allowance based on appraisals; or
 - b. exchange on a straight land-for-land basis.

C. Background

The applicant has also submitted an application for the proposed land exchange, which remains under review and is being processed through the Town’s standard procedures. The applicant’s property, highlighted in red in Figure 1, is located at the northwest corner of 10th Line and Beaver Street South, extending north to Alfred Street West. The unopened portion of the

Napier Street West Road allowance runs through the property, separating the applicant's triangular parcel, located south of the road allowance, from the larger portion to the north. The triangular parcel has an approximate area of 0.04 ha (402.48 m²). The applicant has requested to exchange this triangular parcel with the Napier Street West Road allowance and indicated that the requested land exchange would assist in preparing the site plan required for Minor Variance A20-2025.



Figure 1: Subject Property (in red) and Unopened Road Allowance (in blue hatch)

The Napier Street West Road allowance has a standard width of 66 feet and an approximate area of 0.12 ha (1,178.73 m²). The Town has held ownership of the road allowance since the original land survey for the former Town of Thornbury. Road allowances of this nature were typically established through original Crown surveys in an organized grid pattern to provide for future road access.

These road allowances are generally intended to support future growth and development when additional lands are required. While some have been opened and developed as municipal roads, others remain unopened. The Town typically retains road allowance lands for long-term consideration, as they may support future road infrastructure, trails, or utility corridors.

The process to consider the transfer of a Town owned road allowance is guided by Town Policy POL.COR.07.02, being the Sale and Other Disposition of Land. This policy outlines the required process for considering the sale of Town owned lands. The first step is to obtain a resolution of Council in support of proceeding through the Sale and Disposition of Lands process which then includes requirements for public notice, a public meeting, staff report and then a decision of Council.

D. Analysis

The triangular corner parcel is zoned Open Space (OS) and designated Future Secondary Plan. The larger parcel to the north of the road allowance is zoned Hazard (H) and Development (D), with a Holding Provision (h4a) applying to lands within Source Water Protection Areas and is also designated Future Secondary Plan.

The Development (D) zone does not permit new development and recognizes only existing uses. Future Secondary Plan (FSP) areas are lands identified in the Official Plan for long term development and require more detailed planning and comprehensive review prior to any future development occurring.



Zoning: OS, D, H, H4a



Official Plan Designation: FSP, H

The applicant's property is subject to Minor Variance A20-2025, which has been approved with conditions. One of these conditions requires that a site plan sketch, illustrating the location of the proposed dwelling and its associated driveway access to Beaver Street South, be submitted with a future building permit application, to the satisfaction of the Town of The Blue Mountains Building Services Division. The minor variance application is not related to the proposed transfer of the road allowance to the applicant.

Staff have considered following options regarding the applicant's request for a land exchange:

Option 1: Retain the Napier Street West Road Allowance as an Unopened Road Allowance

Retaining the Road Allowance in municipal ownership maintains flexibility for potential future uses, including road construction, trails, or utility corridors.

At this time, there are no identified immediate development or operational needs that require the use or transfer of the road allowance. Retaining the road allowance keeps the lands under Town ownership while preserving flexibility for future planning decisions, including potential land disposition or swap at a later stage if warranted.

Option 2: Initiate Process to Stop Up and Close Road Allowance and Pursue Land Exchange

Closing the road allowance would remove its status as a public highway and enable the Town to consider its disposition. This option would allow the Town to pursue a land exchange with the applicant to secure the triangular portion of land located at the corner of 10th Line and Beaver Street South.

As identified by the Town's Roads and Operations Division, the 10th line and beaver street intersection may provide benefit for future intersection improvements, including accommodating larger vehicle turning movements and potential intersection widening as the intersection forms part of a truck route serving agricultural operations in the area.

While no immediate improvements are planned, proceeding with a land exchange at this time provides an opportunity for the Town to secure a strategically located parcel that may support long-term operational needs. The land exchange would enable the Town to obtain lands that may be more beneficial for future use, rather than depending on future purchase or negotiation.

To stop up and close the road allowance there are further two sub-options:

a. Exchange the Road Allowance Based on Appraisal Values

Under this option, the Town would stop up and close the road allowance and proceed with an exchange of lands based on appraisal values. The applicant would be responsible for obtaining independent appraisals for both the road allowance and the triangular parcel to determine their respective market values, to the satisfaction of the Town.

Any difference in appraised values would be addressed through financial compensation to ensure the exchange reflects fair market value.

b. Exchange the Road Allowance on a Straight Land for Land Basis

This option would involve a direct exchange of lands for the triangular portion of the applicant's property without monetary compensation. The proposed exchange is considered to provide a reasonable public benefit to the Town by securing a parcel that may support future intersection improvements. The Town's Sale and Other Disposition of Land Policy permits Council discretion to waive the requirement for an appraisal where closed highway lands are conveyed to an abutting property owner, which may be applicable following the closure of the road allowance. This approach may simplify the process and reduce costs associated with obtaining appraisals and represents a more straightforward means of implementing the land exchange.

Conclusion:

Based on the analysis of the options outlined above, Planning Staff recommend that Council proceed with Option 2b., to stop up and close the Napier Street West Road Allowance and pursue a land exchange with the applicant.

The proposed exchange provides an opportunity for the Town to secure a strategically located parcel that may support future intersection improvements at 10th Line and Beaver Street South. While there are no immediate operational requirements, acquiring the triangular portion of land at this time supports long-term planning considerations and may improve the Town's ability to address future transportation needs.

If Council supports Option 2b, the following steps would be undertaken:

- A by-law would be brought forward to declare the Napier Street West Road Allowance surplus to the needs of the Municipality;
- Council would be requested to authorize the initiation of the road closure process, including the stopping up and closing of the road allowance;
- Public notice of the proposed road closure and potential disposition would be provided in accordance with the Town's Sale and Other Disposition of Land Policy;
- A reference plan (survey) would be provided to the Town by the applicant to legally define the lands to be exchanged, to the satisfaction of the Town;
- Following completion of the closure process, staff would finalize the terms of the land exchange agreement, including allocation of costs, with the applicant typically responsible for all associated expenses (e.g., survey, legal, registration);
- A subsequent report and by-law would be brought forward for Council's consideration to authorize the land exchange and conveyance of lands;
- Upon Council approval, the transaction would be completed and registered on title.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders.

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

There are no anticipated Environmental Impacts related to this Staff Report.

G. Financial Impacts

There are no adverse financial impacts anticipated from the observations contained within this report.

H. In Consultation With

Municipal staff through the Town's standard internal circulation process as part of the review of the application.

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Diksha Marwaha, planning@thebluemountains.ca

J. Attached

1. Attachment 1: Richard Lamperstorfer Deputation: Land Swap Request

Respectfully submitted,

Diksha Marwaha
Senior Planner

For more information, please contact:
Diksha Marwaha
planning@thebluemountains.ca
519-599-3131 extension 262

Report Approval Details

Document Title:	PBS.26.027 Report in Response to January 13, 2026 deputation of Richard Lamperstorfer - Land Swap.docx
Attachments:	- Attachment 1 Richard Lamperstorfer Deputation Land Swap Request.pdf
Final Approval Date:	Apr 15, 2026

This report and all of its attachments were approved and signed as outlined below:

Shawn Postma - Apr 15, 2026 - 1:06 PM

Tim Murawsky - Apr 15, 2026 - 2:08 PM

Carrie Fairley

Subject: RE: Request to swap 10th Line & Beaver St S corner lot for Napier St W town-owned road allowance, Deputation COW Jan 13/26, Planning section

Clerk, Council,

Further to my Committee of Adjustment approval A20-2025 I would like the Town to consider swapping the end of Napier St W for my corner lot at 10th Line and Beaver St S, (named CORNER)

The CORNER would allow best future use to the Town for the existing Truck Route turning radius and allow a future sidewalk or bike path pedestrian use for walking or rolling to Tomahawk Rec Centre, or to future 25 Peel St S Rec or Campus lands.

The other option the Town presently has for widening the existing Truck Route is to expropriate my CORNER and/or the property currently with an EFL sign, along a short stretch of 10th Line.

My 'conditional approval' A20-2025 as drawn is a legal entrance from 10th Line. I cannot prepare a required site plan with any level of comfort without status. (of entrance)

This site plan I cannot prepare with any comfort level without knowing where Council stands on the legal and permanent use of the proposed 10th Line entrance.

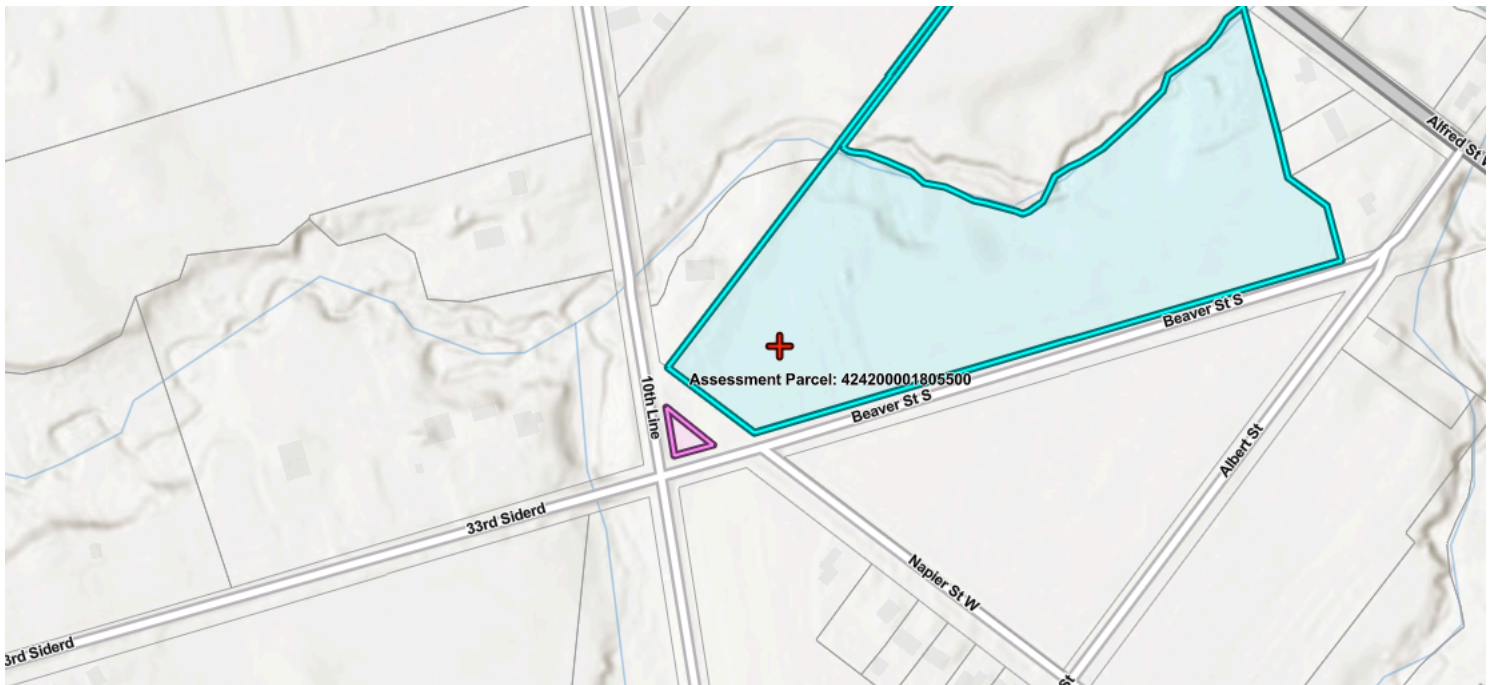
Further, based on my previous attempts brought to councils I just don't want to waste my two year CoA aka "peoples' approval" which expires October 2027, just to hear a firm Council "NO", or "we'll have to check with the Napier St tree huggers & the public- "small-town look and feel" BM Residents' associated Director ship. (dictator ship)

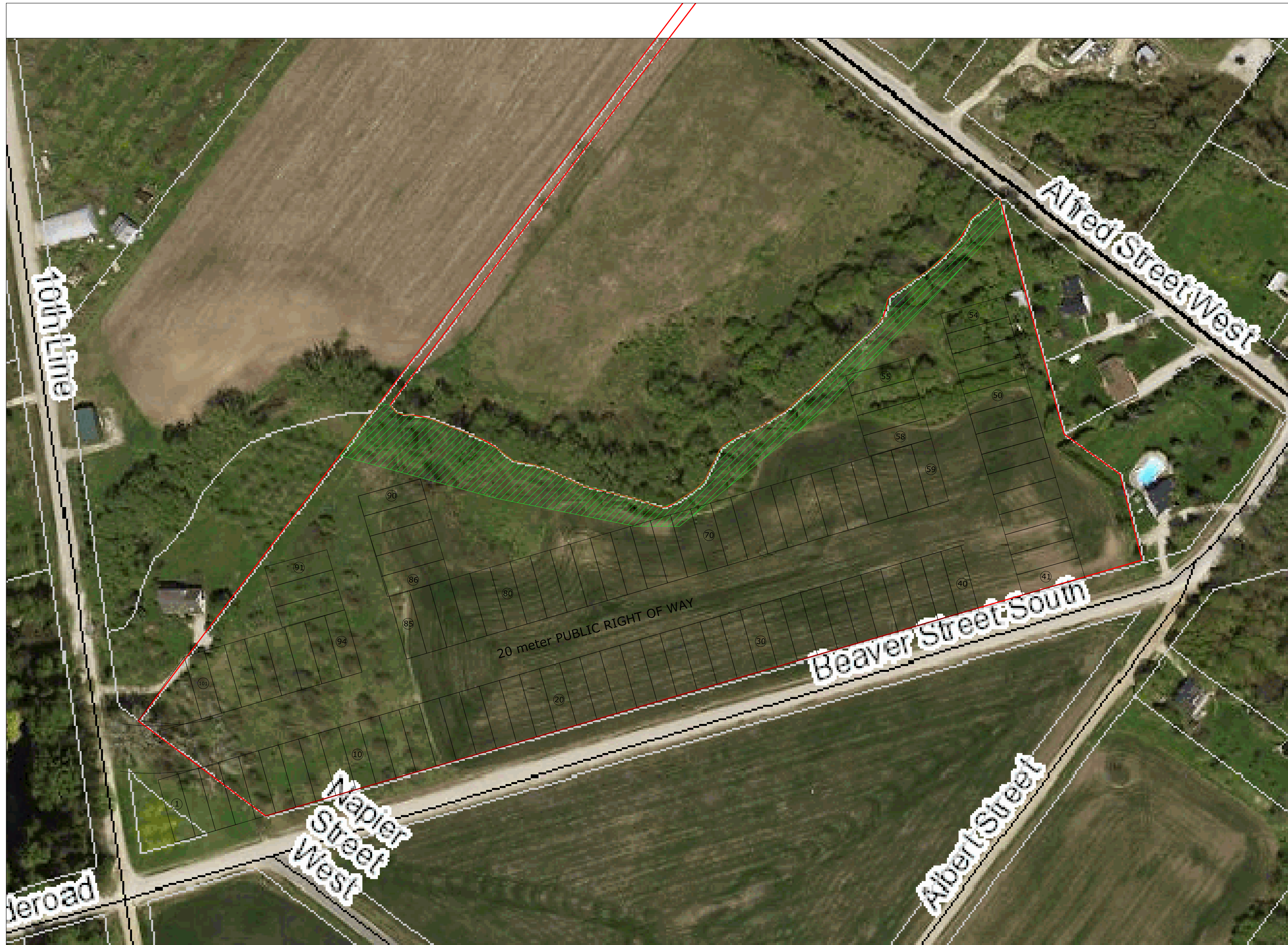
attachments; for my verbal presentation

Thank you,

Richard Lamperstorfer
Thornbury







Key Map
Scale: NTS

CONCEPT PLAN

Area 4.87 ha
12 acres

 EXISTING HAZARD (H) ZONE

101 lots - Townhouses

Lot Frontage minimum - 9 m
Depth 28 m (90 feet)

Lot Area minimum - 250 m²

101 lots on 4.4 ha = 22.9 units/ha

METRIC
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY
DIVIDING BY 0.3048
PROJECT: 891-17 DRAWN: AP DATE: DECEMBER 22 2017

DWG: 851-15-DP1

DCS D.C. Slade Consultants inc.
Planning & Development
243 Hurontario Street, Collingwood, ON Phone: 705.4441830



Notice of Decision and Right to Appeal

This is a notice about the decisions from the October 22nd, 2025, Committee of Adjustment Meeting.

A certified copy of the Committee of Adjustment's decision is attached to this notice.

If you disagree with this decision, you may file an appeal with the Ontario Land Tribunal (OLT). An appeal must include the required Appellant Form and the required Fees made out to the Minister of Finance. The Appellant Form must also set out the objection to the decision and the reasons in support of the objection. Please note, only the applicant, public bodies with an interest in the matter, the Minister of Municipal Affairs and Housing, and 'specified persons', as defined by the Planning Act, are permitted to appeal decisions related to minor variance applications. These are recent changes that have been made to the Planning Act by the province.

The Appellant Form and fees must be delivered in person or by registered mail to the Secretary-Treasurer of the Committee of Adjustment:

Secretary-Treasurer
Committee of Adjustment
Town of The Blue Mountains
32 Mill Street, P.O. Box 310
Thornbury, ON, N0H 2P0

The last date for filing an appeal is November 11, 2025, by 4:30 pm.

More information about how to file an appeal, including the forms and fees, is available on the Ontario Land Tribunal website at <https://olt.gov.on.ca/>.

If there is an appeal to the Ontario Land Tribunal, except where all appeals are withdrawn, a hearing will be held and notice will be given to the Applicant, the Appellant, the Secretary-Treasurer of the Committee, and to anyone else as determined by the Ontario Land Tribunal.

If no appeal on this decision is received within twenty days of the decision, the decision of the Committee is final and binding. The Secretary-Treasurer will notify the Applicant and file a certified copy of the decision with the Clerk of the Town of The Blue Mountains.



Town of The Blue Mountains
Committee of Adjustment
Decision

In the matter of application for File No. A20 - 2025 to consider a variance to the Town of Thornbury Zoning By-law 10-77, as amended.

Date of Hearing: October 22, 2025
Property Location: Part Lot 13-15 Alfred Street and Part Lot 15 Napier Street
Owner/ Applicant: Lamperstorfer
Purpose of Application:

The effect of this application is to request a minor variance from Sections 6.3 (a), 6.20, 6.20 (b) (iii), 6.20 (b) (vi) and 6.20 (b)(vii) of the Zoning by-law:

- 1. Increase the maximum permitted height of the primary dwelling to 11 m, whereas Section 6.3(a) permits a maximum of 10.5 m;
2. Permit two (2) detached accessory apartments, whereas Section 6.20 permits a maximum of one (1) in the Development 'D' zone;
3. Increase the maximum number of bedrooms per accessory apartment to three (3), whereas Section 6.20(b)(iii) permits a maximum of two (2) bedrooms;
4. Permit the accessory apartments to be located a maximum of 90 metres from the primary dwelling, whereas Section 6.20(b)(vi) permits a maximum distance of 50 m; and
5. Increase the maximum permitted height of the accessory apartments to 5.5 m, whereas Section 6.20(b)(vii) permits a maximum of 4.5 m.

DECISION:

THAT the Committee of Adjustment GRANT Application A20 - 2025 so as to permit the construction of a 1,600 m² single detached dwelling, with a proposed height of 11 m to accommodate an indoor tennis court as part of the residence. In addition, two (2) detached accessory apartments, up to a maximum of 120 m² in size, 5.5 m in height, and three (3) bedrooms shall be permitted with one accessory apartment located a maximum of 50 metres from the primary dwelling and the second accessory apartment located a maximum of 90 metres from the primary dwelling.

Conditions and Reasons For Decision:

See Attached Schedule "A"

[Redacted signatures]
Robert B. Waing Jim Oliver Chairman Michael Martin Jan Pratt Duncan McKinlay Vice Chairman

Date of Decision: October 22, 2025

The last date for filing an appeal to the decision is November 11, 2025

CERTIFICATION

Planning Act, R.S.O. 1990, c.P13, Sec 45(10)

I, Carrie Fairley, Secretary-Treasurer of the Town of The Blue Mountains Committee of Adjustment, certify that the above is a true copy of the decision of the committee with respect to the application recorded therein.

[Redacted signature]
Carrie Fairley, Secretary-Treasurer

Town of The Blue Mountains Committee of Adjustment
32 Mill Street, Thornbury, Ont., N0H 2P0

Dated: October 22, 2025

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER PART II OF THE REGISTRY ACT
DATE: OCTOBER 25, 1974

D. M. Foreht
D. M. Foreht, O.L.S.

RECEIVED AND DEPOSITED AS
PLAN 16R-503
DATE: November 19, 1974

Lois Ward
Deputy LAND REGISTRAR FOR THE REGISTRY DIVISION OF GREY NORTH (Nº 16)

CAUTION
This plan is not a plan of subdivision within the meaning of section 29, 32 or 33 of The Planning Act

INDEX OF PART OF
LOTS 13, 14 & 15 SOUTHWEST OF ALFRED STREET,
K LOT 15 NORTHEAST OF NAPIER STREET
ON THE PLAN OF THE TOWN OF THORNBURY
CITY OF COLLINGWOOD · COUNTY OF GREY
LAXTON LIMITED - 1974 -

SURVEYOR'S CERTIFICATE

- I HEREBY CERTIFY THAT
1. This survey and plan are correct and in accordance with The Surveys Act and The Registry Act and the regulations made thereunder
 2. The survey was completed on the 25th day of October, 1974

Date: October 25, 1974

D. M. Foreht
D. M. Foreht, Ontario Land Surveyor

NOTES :

Bearings shown hereon are astronomic and are referred to the N52° 49' 00" W of the southwesterly limit of Alfred Street according to Ministry of Transportation and Communication plan Nº P-1671-1 registered on plan Nº 701

STREET

52° 49' 00" W 293.00 540.84 (Meas.) 539.88 (Plan 16R-353) 100.00 125.84 66.00

FRAME DWELLING

PART 1
0.757 AC.

PART 2
0.517 AC.

15° 17' 40" W

369.42

N37° 11' 00" E 225.00

N37° 11' 00" E 225.00

N52° 49' 00" W
100.00

N37° 07' 00" E 234.00

191.89 (Mackey, O.L.S.)
190.09 (Meas.)

Fd. (M.T.C.)

LINE

PARK LOT 13

STREET)

Fd (1063)

PLAN OF SUBDIVISION
PARK LOT 13
AND PARK LOT 14
AS SHOWN ON
TOWNSHIP

WILLIAM J. PLANN
SCALE: 1" = 100'

LOT

1364.20

ALBERT STREET

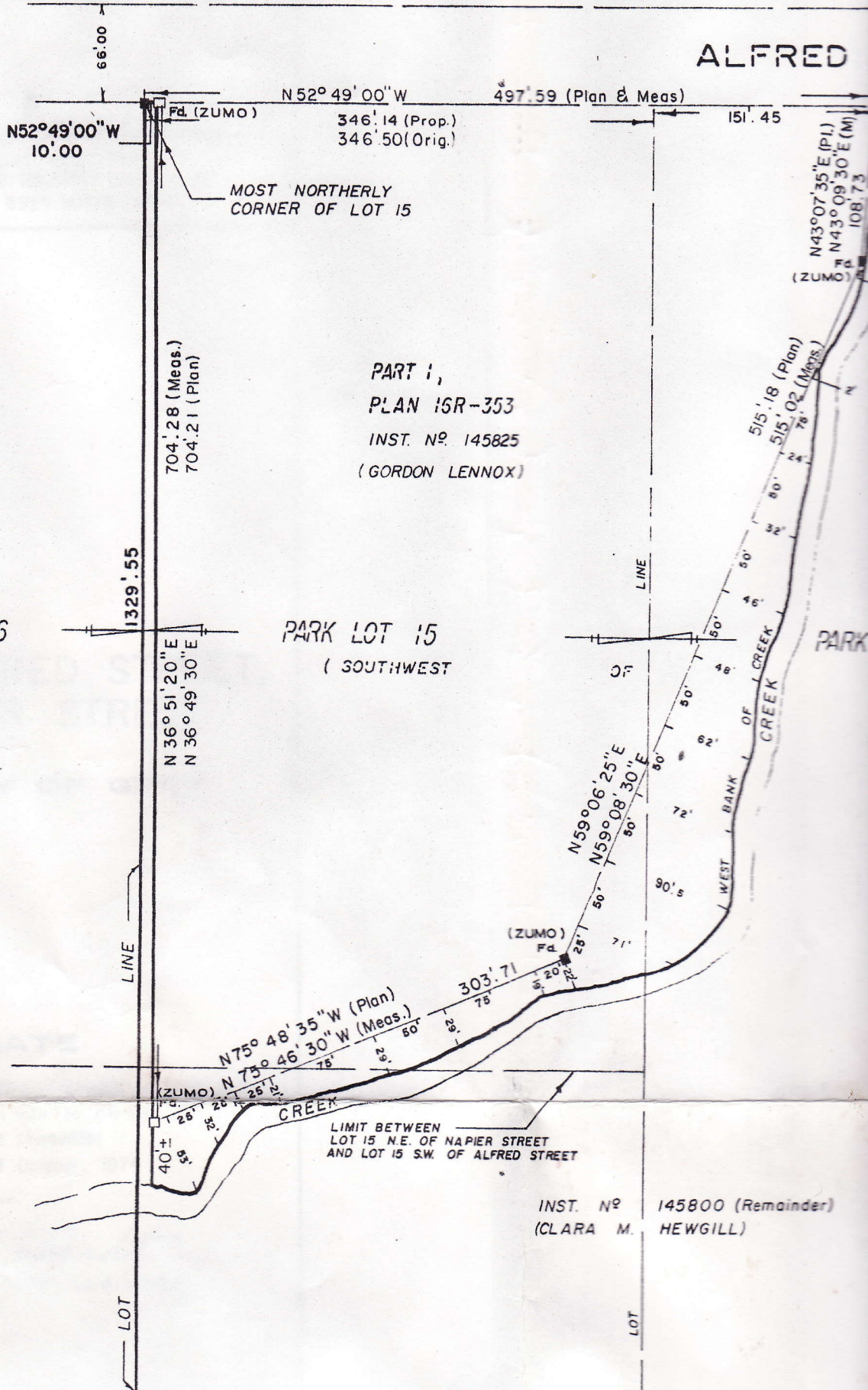
STREET

66.00

Wjt
(15' W)
15.00

66.00

ALFRED



PART I,
 PLAN ISR-353
 INST. NO. 145825
 (GORDON LENNOX)

PARK LOT 16

PARK LOT 15
 (SOUTHWEST)

INST. NO. 97478
 (CHARLES C. BROWN)

INST. NO. 145800 (Remainder)
 (CLARA M. HEWGILL)

LOT

LOT

AS TO
WILL
SCAL

PART 3
13.66 AC. ±

LOT

1364'.20

BEAVER STREET
LINE
STREET

ALBERT STREET

PARK LOT 14
(NORTHEAST

OF

PARK LOT 13
(NAPIER STREET)

INST. N^o 145801
(FRANK ZAHNT)

STREET

66'.00 Fd. (1161)

66'.00

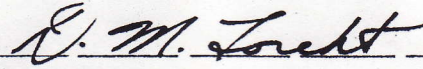
WILLIAM J. PLAXTON LIMITED - 1974 -
SCALE: 1" = 100'

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT

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2. The survey was completed on the 25th day of October, 1974

Date: October 25, 1974

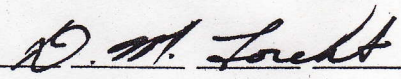

D. M. Foreht, Ontario Land Surveyor

NOTES :

Bearings shown hereon are astronomic and are referred to the N52° 49' 00" W of the southwesterly limit of Alfred Street according to Ministry of Transportation and Communication plan N^o. P-1671-1, registered as plan N^o. 321

- Denotes Set standard iron bar (1" sq. x 48" long) unless otherwise shown
- " Set iron bar (5/8" sq. x 24" long) " " "
- FD. " Found
- MEAS, M " Measured
- PROP. " Proportioned
- PL. " Plan
- WIT. " Witness
- M.T.C. " Ministry of Transportation and Communication
- ZUMO " Zubec & Emo, O.L.S.

All hanging lines shown on this plan have been verified

WILLIAM J. PLAXTON LIMITED	
ONTARIO LAND SURVEYORS	
3259 YONGE STREET TORONTO, ONTARIO M4N 2L5 416-483-0550	
 Ontario Land Surveyor	
DATE: OCT. 25, 1974	
FOR: Mr. Allen Blott (Hewgill)	JOB N ^o . 74-168