



Staff Report

Planning & Building Services – Planning Division

Report To: COW - Operations, Planning and Building Services
Meeting Date: Meeting Date
Report Number: PBS.26.031
Title: 139 Brophy's Lane Extension of Draft Plan Approval
File Nos. 42T2008-10B & 42CDM-2008-10-A
Prepared by: Adam Farr, Senior Planner

A. Recommendations

THAT Council receive Staff Report PBS.26.031, entitled 139 Brophy's Lane Extension of Draft Plan Approval for information;

B. Overview

This report provides Council with an update on approval by the Ontario Land Tribunal of a two-month extension of the conditions of draft plan of subdivision and condominium approval for 139 Brophy's Lane. The applicant required a short extension to register the M-Plan (the plan of subdivision) and to address matters related to the draft plan of condominium.

C. Background

The subject property, 139 Brophy's Lane, is located north of Hwy 26 in Craigeith, west of Longpoint Road, on the east side of Brophy's Lane (Figure 1: Air Photo).

Conditions of approval for a draft plan of subdivision and draft plan of condominium for this 16 lot residential development (Figure 2 Lotting Plan) were originally approved by the Ontario Municipal Board (OMB) in 2008 and, as a result, matters related to that approval fall within the jurisdiction of the Ontario Land Tribunal (OLT). Most recently, at the request of the owner, the draft plan conditions were recognized and extended by the OLT to March 31, 2026.

The applicant requested from the OLT a short extension of their draft plan conditions from March 31 to May 31, 2026 in order to allow time for the registration of the draft plan of subdivision and related agreement on the subject lands and to address matters related to the draft plan of condominium.

The Town's practice, where a draft plan of subdivision is more than 10 years old is to require that Council, rather than staff, provide a recommendation on any extension of draft plan

conditions, to the County, which is the subdivision approval authority in Grey County, regarding any draft plan extension.

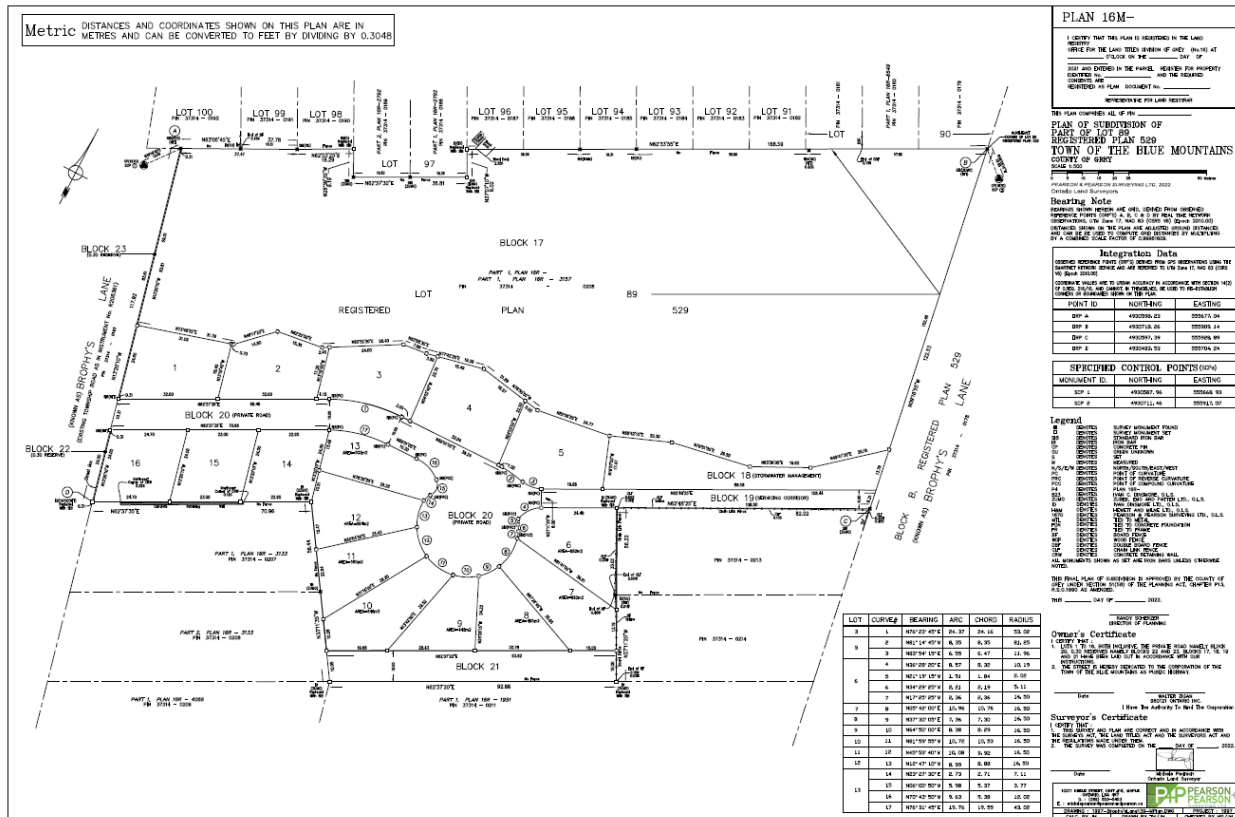
In this instance, the applicant applied for a review by the Town and County of the draft plan extension at the same time as seeking the extension from the OLT. The County advised of its support subject to comment from the Town. The Town initiated a review and the OLT, as the approval authority, issued the extension as requested before Council had an opportunity to comment.

The Town has previously supported the extension of draft plan conditions for this development.

Figure 1: Air photo



Figure 2: Lotting Plan



D. Analysis

The applicant stated that they required additional time to register the subdivision M plan in order to support their draft plan of condominium and requested a two-month extension of the conditions of approval. Staff support the extension.

The OLT has already granted the extension.

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 adverse environmental impacts associated with the recommendations contained in this report.

G. Financial Impacts

There are no adverse financial impacts associated with the preparation of this report or its recommendations. The registration of this subdivision will allow the developer to seek approval to lift the Holding provision and apply for building permits at their discretion.

H. In Consultation With

Shawn Postma, Manager of Community Planning

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 Adam Farr, planning@thebluemountains.ca

J. Attached

1. Attachment 1 –MAR-30-2026 OLT Order File OLT-23-000297

Respectfully submitted,

Adam Farr
Senior Planner

For more information, please contact:
Adam Farr
planning@thebluemountains.ca
519-599-3131 extension 283

Report Approval Details

Document Title:	PBS.26.031 139 Brophy's Lane Extension of Draft Plan Approval.docx
Attachments:	- Attachment 1 - MAR-30-2026 OLT Order File OLT-23-000297.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 - 1:01 PM

Tim Murawsky - Apr 15, 2026 - 2:05 PM

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: March 30, 2026

CASE NO.: OLT-23-000297

PROCEEDING COMMENCED UNDER subsection 51(43) of the *Planning Act*,
R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: L & W Properties Ltd.
Subject: Plan of Subdivision – Appeal of Conditions of Draft
Plan Approval
Reference Number: 42T2008-10B 42-CDM-2008-10A
Property Address/Description: 139 Brophy's Lane
Municipality: The Blue Mountains
Reference No.: UHOPA-22-006
OLT Case No.: OLT-23-000297
OLT Lead Case No.: OLT-23-000297
Legacy Case No.: PL110635
OLT Case Name: L & W Properties Ltd. v The Blue Mountains (Town)

BEFORE:

JEAN-PIERRE BLAIS) Monday, the 30th
VICE-CHAIR) day of March, 2026

THIS MATTER having come before the Tribunal and the Tribunal having issued an Order on February 15, 2024;

AND THE TRIBUNAL having approved an extension for a draft plan approval until March 31, 2026 at the request of the appellant;

AND THE TRIBUNAL having received a further request for an extension to draft plan

approval until May 31, 2026;

THE TRIBUNAL ORDERS that a further extension until May 31, 2026 has been approved.

“Matthew D.J. Bryan”

MATTHEW D.J. BRYAN
REGISTRAR

Ontario Land Tribunal

Website: olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.