



Staff Report

Planning & Building Services – Planning Division

Report To: COW - Operations, Planning and Building Services
Meeting Date: June 9, 2026
Report Number: PBS.26.042
Title: Recommendation Report 139 Brophy's Lane - Holding Removal
Prepared by: Adam Farr, Senior Planner

A. Recommendations

THAT Council receive Staff Report PBS.26.042, entitled Recommendation Report 139 Brophy's Lane – Holding Removal;

AND THAT Council approve the removal of the Holding provision from the subject lands in accordance with Schedule A to report PBS.26.042 thereby allowing the issuance of building permits pending registration of the plan of subdivision plan and related agreement.

B. Overview

This development is located in Craigleith and proposes a subdivision and common elements condominium comprised of 16 residential lots with a private condominium road, stormwater management pond and servicing and open space blocks. The zoning on the property is subject to a Holding (h7) provision that requires execution of an agreement and registration of the Plan of Condominium before permits to construct the approved single detached residential dwellings can be issued. In this instance, as a common elements condominium, the plan of subdivision that creates the lots and blocks is the primary instrument that forms the key threshold for removal of the Hold.

The owner, L&W properties, has executed an agreement with the Town and is in the midst of registering the required plans.

The proposed Holding removal by-law has been designed to come into effect and allow issuance of building permits for 16 single detached residential units immediately upon registration.

C. Background

The subject lands are located in Craigleith north of Highway 26, west of Long Point Road at the northern extent of Brophy's Lane (Figure 1: Airphoto). Surrounding lands are wetlands and

The lands are zoned Residential one -three exception holding zone R1-3-69-h7 which allows single detached residential subject to site specific setback provisions. The Holding 7 provision requires that Hold may be lifted upon the following:

- i. Execution of a Development Agreement
- ii. Granting of Site Plan Approval or the Registration of a Plan of Condominium.

The applicant entered into an agreement with the Town on September 22, 2025 and is in the midst of registering the Plan of Subdivision. Here, because the application is for a common elements condominium, the primary instrument to be registered is the Plan of Subdivision after which the condominium can be registered. In the interim lifting of the Hold would issuance of building permits.

The applicant requested and received approval from the Ontario Land Tribunal for 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 & condominium and agreement on the subject lands and to address matters related to the draft plan of subdivision.

D. Analysis

The applicant has entered into the required agreement and is in the process of registering the plan of subdivision and the agreement on the subject lands. The attached By-law is written to come into effect immediately upon registration of the subdivision plan. The resulting savings in time will enable issuance of building permits in a timely fashion.

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 – Draft Holding removal by-law

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.26.042 Recommendation Report 139 Brophy's Lane Holding Removal.docx
Attachments:	- PBS-26-042 -Attachment -1.pdf
Final Approval Date:	May 29, 2026

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

Shawn Postma - May 29, 2026 - 9:06 AM

Tim Murawsky - May 29, 2026 - 9:27 AM

The Corporation of the Town of The Blue Mountains

By-Law Number 2026 –

Being a By-law to amend Zoning By-law No. 2018-65 which may be cited as "The Blue Mountains Zoning By-law".

Whereas the Council of The Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 2018-65;

And Whereas pursuant to the provisions of Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c. P.13, the By-law may be amended by Council of the Municipality;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. That the Schedule 'A' to The Blue Mountains Zoning By-law 2018-65 is hereby amended by removing the Holding (h7) symbol from a portion of the lands known as PLAN 529 E PT LOT 89 RP 16R3157 PART 1, as indicated on the attached Schedule 'A-1'.
2. That Schedule 'A-1' affixed hereto is declared to form part of this By-law.

And Further that this By-law shall come into force and take effect on the day that the Plans of Subdivision and related Agreement has been registered on the title of the lands subject to this By-law and the enactment thereof. Enacted and passed this _____ day of _____, 2026



Mayor Andrea Matrosovs

Corrina Giles, Town Clerk

Town of The Blue Mountains Schedule

By-Law No. _____

Legend

-  Subject Lands Of This Amendment
-  Area to Remove (h7)

