



Staff Report

Planning & Building Services – Planning Division

Report To: COW - Operations, Planning and Building Services
Meeting Date: November 18, 2025
Report Number: PBS.25.107
Title: 139 Brophy's Lane Request for Draft Plan Extension:
OLT-23-0000297 County Files 42T-2008-10B & 42-CDM-2008-10A
Prepared by: Adam Farr, Senior Planner

A. Recommendations

THAT Council receive Staff Report PBS.25.107, entitled "139 Brophy's Lane Request for Draft Plan Extension: OLT-23-000297 County Files: 42T-2008-10B & 42-CDM-2008-10A";

AND THAT Council support a request by the Owner of 139 Brophy's Lane in the Town of The Blue Mountains to the Ontario Land Tribunal (OLT file: OLT-23-0000297) to recognize lapsed draft plan of subdivision (42T-20087-10B) and draft plan of condominium (42T-2008-10A) conditions and extend approval for up to 6 months.

B. Overview

The subject conditions of Draft Plan of Subdivision and Condominium expired on September 30 2025 and the Owner is seeking a 3 month extension to enable them to finalize registration. The Owner has otherwise fulfilled all of the related conditions. The Planning Act allows for approval authorities to recognize lapsed subdivisions and provide related extensions. This file is in the jurisdiction of the Ontario Land Tribunal. The Owner will need to seek approval from the OLT. Staff are supportive of a 6 month extension of the existing previously approved conditions from the date of the OLT decision.

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 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 extended by the OLT to September 30, 2025.

To date, the applicant has fulfilled all of the conditions of draft plan approval except for registration of the draft plan of subdivision.

The owner has requested a three month extension in order to finalize registration of the development. Although the lapsing date has passed, the Planning Act includes provisions that allows approval authorities to recognize draft plan approvals that have lapsed.

This matter is before Council for consideration in accordance with Town policy which requires that extensions for draft plan approvals older than 10 years be issued by way of Council approval.

Figure 1: Airphoto



D. Analysis

Staff are supportive of the applicant request to the OLT to recognize the lapsed draft plan conditions and are recommending that the conditions be extended for 6 months from the date of decision by the Ontario Land Tribunal.

The agreement for this development has been executed. Once registration is complete the owner will be in a position to seek removal of the Holding provision and issuance of building permits at their discretion.

E. Strategic Priorities

This report fulfills the following strategic priorities:

1. Communication and Engagement

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

F. Environmental Impacts

There are no environmental impacts associated with the preparation of this report or its recommendations.

G. Financial Impacts

There are no financial impacts associated with the preparation of this report. 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

Tim Murawsky, Director of Planning and Building Services

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 - PBS.25.107 - OLT-23-000297-OCT-10-2024 Draft Plan Extension
2. Attachment 2: PBS.25.107 - Brophy's Lane OMB Decision, Order and Draft Plan Conditions

Respectfully submitted,

Adam Farr
Senior Planner

For more information, please contact:
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Report Approval Details

Document Title:	PBS.25.107 139 Brophys Lane Request for Draft Plan Extension OLT-23-000297 County Files 42T-2008-10B and 42-CDM-2008-10A.docx
Attachments:	- PBS-25-107-Attachment-1.pdf - PBS-25-107-Attachment-2.pdf
Final Approval Date:	Oct 29, 2025

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

Shawn Postma - Oct 28, 2025 - 11:02 AM

Tim Murawsky - Oct 29, 2025 - 9:26 AM