



Staff Report

Planning & Building Services – Planning Division

Report To: Special Meeting of Council
Meeting Date: August 11, 2025
Report Number: PBS.25.055
Title: Request for extension for Part Lot Control By-Law (Windfall GP Inc.)
Prepared by: Shawn Postma, Manager of Community Planning

A. Recommendations

THAT Council receive Staff Report PBS.25.055, entitled “Request for extension for Part Lot Control By-Law (Windfall GP Inc.)”;

AND THAT Council amend By-law 2023-54 to extend the time period of a Part Lot Control By-law for an additional two years for those lands known as Windfall Phase 6 and described as Part Block 40. Plan 16M-42.

B. Overview

This report provides a recommendation for approval of an exemption from Part Lot Control by By-law for the subject lands, being Windfall Phase 6. In August 2023, Council received staff report PDS.23.074 and adopted By-law 2023-54 authorizing exemption from part lot control for that part of these lands including semi-detached dwellings for a period of 2 years. The By-law was sent to Grey County for Final Approval which was received on October 2, 2023.

Exemption from Part Lot Control allows for division of blocks of lands within a registered plan of subdivision so that units can be sold and title conveyed to the new owner. This form of land division applies only to the future semi-detached dwellings to be constructed under Phase 6.

The applicant has requested an extension of the exemption period for an additional 2 years during which the owner will continue marketing and building out the remaining units of the development. This extension requires a new By-law.

C. Background

Windfall Phase 6 is the final phase of the Master Planned community known as Windfall. Phases 1, 2, 3, 4 and 5 are now built out or in the final stages. Phase 6 entered into a Subdivision Agreement with the Town in May 2023 and the Subdivision Plan was registered as Plan 16M-94 legally creating the lots.

Windfall Phase 6 contains a number of semi-detached residential dwellings that are to be constructed on a lot and then subdivided in half with the new property line to be located along the shared wall between units. For those semi-detached units Planning Services has received an application to remove lots 4, 5, 6, 7, 8, 13, 14, 37, 38, 39, and 40, Registered Plan 16M-94 from part-lot control to allow for the future land division.

Exemption from part-lot control is commonly used for semi-detached and townhouse developments, as individual semi-detached or townhouse lots are not normally indicated on a registered plan of subdivision. This approach is used because of the difficulty a builder would have in constructing the common centre wall between two dwelling units exactly on the mutual property line. In removing specific lots from the scope of part lot control, the mutual property boundary may be established by way of survey through the common centre wall of the as-built structures.

Section 50(5) of the Planning Act provides that part of a lot within a registered plan of subdivision cannot be subdivided or transferred without the approval of the Municipality. Part-lot control has the effect of preventing the further division of land in a registered plan of subdivision without municipal approval. Section 50(7) of the Planning Act authorizes municipalities to enact a By-law in order to remove lands within a registered plan of subdivision from part-lot control.

Section 50(7.4) of the Planning Act permits Council to grant an extension to a Part Lot Control By-law, provided the current Part Lot Control By-law has not expired. Should Council grant the extension, the existing Part Lot Control By-law will remain in effect and does not require final approval from the County of Grey.

The use of a Part Lot Control By-law for the lot creation of semi-detached dwellings has been utilized for all phases of the Windfall development that contains this dwelling type.

D. Analysis

A Subdivision Agreement for the subject was and executed in May 2023. All Draft Plan Conditions related to Phase 6 are completed. The County of Grey is the approval authority for the Plan of Subdivision and registered the Subdivision Plan as Plan 16M-94.

The proposed part-lot control By-law allows for implementation (sales, construction and ultimately transfer of title) of the approved use of the lands for semi-detached dwellings. Development is already recognized in the Plan of Subdivision and Subdivision Agreement.

Planning Staff have no objections to the proposed part-lot control By-law, specifically with respect to the extension of the expiry date to allow for an additional two (2) years from the date of registration. The extension to allow an additional two (2) year timeframe is required to address the need for additional time to allow for home sales, construction and transfer of title of the semi-detached building type, which would allow lot creation and registration with the registry office.

If passed by Town Council, a copy of this By-law will be forwarded to the County of Grey for their records only. As the approval authority for plans of subdivision and condominium, the County is also responsible for approval of part-lot control applications and associated By-laws.

Planning Staff are satisfied that the extension of Part Lot Control for an additional two (2) years is appropriate.

E. Strategic Priorities

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 anticipated as a result of this application.

G. Financial Impacts

There are no adverse financial impacts anticipated as a result of this application.

H. In Consultation With

Adam Farr, Senior Planner
Tim Murawsky, Acting Director of Planning and Development 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 Shawn Postma at planning@thebluemountains.ca

J. Attached

1. Original Part Lot Control By-law 2023-54
2. R-Plan (survey) for Semi-Detached lots within Phase 6
3. Draft Amending Part Lot Control By-law

Respectfully submitted,

Shawn Postma
Manager of Community Planning

For more information, please contact:
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Report Approval Details

Document Title:	PBS.25.055 Request for extension for Part Lot Control By-Law (Windfall GP Inc.).docx
Attachments:	<ul style="list-style-type: none">- PBS-25-055-Attachment-2.pdf- Windfall Phase 6 PLC BYLAW 2025- Attachment 1.docx- PBS-25-055-Attachment-1 .pdf- ATT 1 Windfall Part Lot Control By-law 2023-54.pdf
Final Approval Date:	Jul 29, 2025

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

Shawn Postma - Jul 29, 2025 - 3:53 PM

No Signature - Task assigned to Adam Smith was completed by delegate Tim Murawsky

Adam Smith - Jul 29, 2025 - 4:22 PM