



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:
Shawn Postma, Manager of Community Planning
planning@thebluemountains.ca
519-599-3131 extension 248

Report Approval Details

Document Title:	PBS.25.055 Request for extension for Part Lot Control By-Law (Windfall GP Inc.).docx
Attachments:	- 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

Windfall Phase 6 – Removal From Part Lot Control

The Corporation of the Town of The Blue Mountains

By-Law Number 2023 – 54

Being a By-law to remove Lots 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 23, 24, 26, 27, 30, 31, 32, 35, 36, 37, 38, 39, 44, 45, 46, 47, 48, 51, 52, 53, 54, 55, 56, 60, 61, 62, 63, 64, 65, 66, 67, 68, 86, 87, 88, 89, 90, 91, 92, 93, 94, 98, 99, 102, 103, 104, 105, 106, and 107 of Registered Plan 16M-94, from Part-Lot Control for a temporary period of two (2) years.

Whereas pursuant to Subsection 50 (7) of the *Planning Act* the council of a local municipality may by by-law provide that part-lot control does not apply to lands within a registered plan of subdivision or parts of them as are designated in the by-law;

And Whereas Windfall Limited Partnership has requested that Council of The Corporation of The Town of The Blue Mountains enact a by-law so as to remove Lots 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 23, 24, 26, 27, 30, 31, 32, 35, 36, 37, 38, 39, 44, 45, 46, 47, 48, 51, 52, 53, 54, 55, 56, 60, 61, 62, 63, 64, 65, 66, 67, 68, 86, 87, 88, 89, 90, 91, 92, 93, 94, 98, 99, 102, 103, 104, 105, 106, and 107 of Registered Plan 16M-94, from part-lot control for a temporary period of time so as to register conveyable real estate entities therewith;

And Whereas the request meets the criteria of the Council of The Corporation of The Town of The Blue Mountains for the consideration of the enactment of a part-lot control by-law

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

1. Subsection 50 (5) of the *Planning Act* does not apply to Lots 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 23, 24, 26, 27, 30, 31, 32, 35, 36, 37, 38, 39, 44, 45, 46, 47, 48, 51, 52, 53, 54, 55, 56, 60, 61, 62, 63, 64, 65, 66, 67, 68, 86, 87, 88, 89, 90, 91, 92, 93, 94, 98, 99, 102, 103, 104, 105, 106, and 107 of Registered Plan 16M-94;
2. Pursuant to Subsection 50 (7.3) of the *Planning Act*, this By-law shall expire two (2) years from the date of enactment unless it shall have prior to that date been repealed or extended by the Council of the Corporation of The Town of The Blue Mountains.
3. This By-law shall not become effective until a certified copy or duplicate of the By-law has been registered in the proper Land Registry Office.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this 28th day of August, 2023



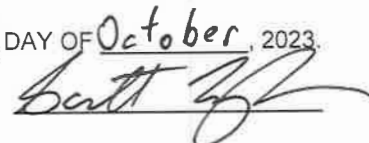
Andrea Matrosovs, Mayor

THE COUNTY OF GREY UNDER THE AUTHORITY
DELEGATED TO IT BY THE MINISTER OF MUNICIPAL
AFFAIRS AND HOUSING, HEREBY APPROVES BY-LAW
2023-54 OF THE CORPORATION OF THE TOWN OF
THE BLUE MOUNTAINS



Corrina Giles, Clerk

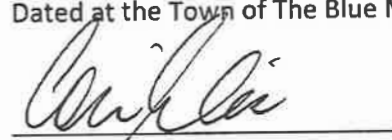
DATED THIS 2nd DAY OF October, 2023



SCOTT TAYLOR, MCIP, RPP
DIRECTOR OF PLANNING & DEVELOPMENT
COUNTY OF GREY

I hereby certify that the foregoing is a true copy of By-law No. 2023-54 as enacted by the Council of The Corporation of the Town of The Blue Mountains on the 28th day of August, 2023.

Dated at the Town of The Blue Mountains, this 28th day of August, 2023.

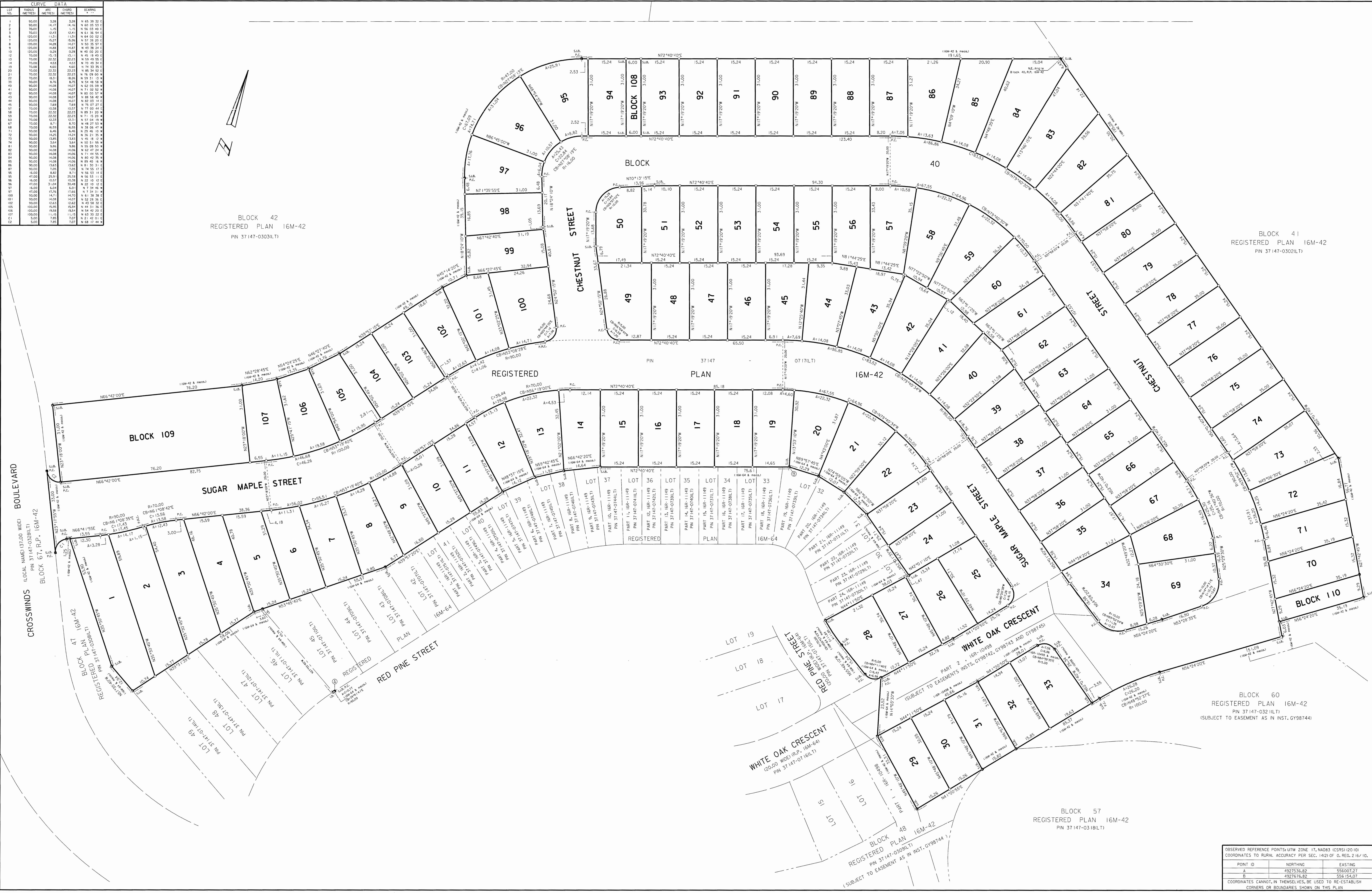


Corrina Giles, Clerk

**CERTIFIED TO BE A
TRUE COPY**


CORRINA GILES, TOWN CLERK

CURVE DATA				
LOT	RADIUS	ARC	CHORD	ELONG
	IN	IN	IN	IN
1	95.00	12.38	3.28	45 59 39 32.1
2	95.00	14.17	4.16	60 05 59 32.1
3	95.00	16.00	5.00	75 00 00 00 00.0
4	70.00	12.42	12.41	61 36 36 54.4
5	70.00	14.13	14.12	76 36 36 54.4
6	70.00	15.87	15.86	91 36 36 54.4
7	120.00	14.22	14.21	45 59 39 32.1
8	120.00	16.00	16.00	60 05 59 32.1
9	120.00	17.83	17.82	75 00 00 00 00.0
10	120.00	19.67	19.66	90 00 00 00 00.0
11	120.00	21.50	21.49	105 00 00 00 00.0
12	70.00	13.15	13.11	45 59 39 32.1
13	70.00	14.98	14.94	60 05 59 32.1
14	70.00	16.83	16.78	75 00 00 00 00.0
15	70.00	18.67	18.61	90 00 00 00 00.0
16	70.00	20.52	20.45	105 00 00 00 00.0
17	70.00	22.37	22.29	120 00 00 00 00.0
18	70.00	24.22	24.13	135 00 00 00 00.0
19	70.00	26.07	25.97	150 00 00 00 00.0
20	70.00	27.92	27.81	165 00 00 00 00.0
21	70.00	29.77	29.65	180 00 00 00 00.0
22	70.00	31.62	31.49	195 00 00 00 00.0
23	70.00	33.47	33.34	210 00 00 00 00.0
24	70.00	35.32	35.18	225 00 00 00 00.0
25	70.00	37.17	37.03	240 00 00 00 00.0
26	70.00	39.02	38.87	255 00 00 00 00.0
27	70.00	40.87	40.72	270 00 00 00 00.0
28	70.00	42.72	42.57	285 00 00 00 00.0
29	70.00	44.57	44.42	300 00 00 00 00.0
30	70.00	46.42	46.27	315 00 00 00 00.0
31	70.00	48.27	48.12	330 00 00 00 00.0
32	70.00	50.12	50.00	345 00 00 00 00.0
33	70.00	51.97	51.85	360 00 00 00 00.0
34	70.00	53.82	53.69	375 00 00 00 00.0
35	70.00	55.67	55.54	390 00 00 00 00.0
36	70.00	57.52	57.39	405 00 00 00 00.0
37	70.00	59.37	59.24	420 00 00 00 00.0
38	70.00	61.22	61.09	435 00 00 00 00.0
39	70.00	63.07	62.94	450 00 00 00 00.0
40	70.00	64.92	64.79	465 00 00 00 00.0
41	70.00	66.77	66.64	480 00 00 00 00.0
42	70.00	68.62	68.49	495 00 00 00 00.0
43	70.00	70.47	70.34	510 00 00 00 00.0
44	70.00	72.32	72.19	525 00 00 00 00.0
45	70.00	74.17	74.04	540 00 00 00 00.0
46	70.00	76.02	75.89	555 00 00 00 00.0
47	70.00	77.87	77.74	570 00 00 00 00.0
48	70.00	79.72	79.59	585 00 00 00 00.0
49	70.00	81.57	81.44	600 00 00 00 00.0
50	70.00	83.42	83.29	615 00 00 00 00.0
51	70.00	85.27	85.14	630 00 00 00 00.0
52	70.00	87.12	86.99	645 00 00 00 00.0
53	70.00	88.97	88.84	660 00 00 00 00.0
54	70.00	90.82	90.69	675 00 00 00 00.0
55	70.00	92.67	92.54	690 00 00 00 00.0
56	70.00	94.52	94.39	705 00 00 00 00.0
57	70.00	96.37	96.24	720 00 00 00 00.0
58	70.00	98.22	98.09	735 00 00 00 00.0
59	70.00	100.07	99.94	750 00 00 00 00.0
60	70.00	101.92	101.79	765 00 00 00 00.0
61	70.00	103.77	103.64	780 00 00 00 00.0
62	70.00	105.62	105.49	795 00 00 00 00.0
63	70.00	107.47	107.34	810 00



PLAN 16M- 94

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY
FOR THE LAND TITLES DIVISION OF GREY, INC. (6)
AT 15:00 O'CLOCK ON THE 18th DAY OF July 2023
AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER
37147-0717 AND THE REQUIRED CONSENTS ARE REGISTERED AS PLAN
DOCUMENT NO. 91295609

[Signature]
REPRESENTATIVE FOR LAND REGISTRAR

PLAN OF SUBDIVISION OF
PART OF BLOCK 40
REGISTERED PLAN 16M-42
(FORMERLY TOWNSHIP OF COLLINGWOOD)
TOWN OF THE BLUE MOUNTAINS
COUNTY OF GREY

NOTES:

DISTANCES AND COORDINATES ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARINGS HEREON ARE UTM GRID, ZONE 17, NAD 83 (ICRS) 2010 AND ARE REFERRED TO THE BEARING OF THE NORTHERLY LIMIT OF BLOCK 19 BEING N72°40'50"E IN ACCORDANCE WITH REGISTERED PLAN 16M-42.

DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999611.

- | | |
|---|--|
| • | DENOTES SET |
| • | DENOTES FOUND |
| • | DENOTES STANDARD IRON BAR |
| • | DENOTES IRON BAR |
| • | DENOTES SHORT STANDARD IRON BAR |
| • | DENOTES CUT CROSS |
| • | DENOTES CONCRETE PIER |
| • | DENOTES PLASTIC BAR |
| • | DENOTES WITNESS |
| • | DENOTES MEASURE |
| • | DENOTES POINT OF CURVATURE |
| • | DENOTES POINT OF REVERSE CURVATURE |
| • | DENOTES REGISTERED PLAN |
| • | DENOTES NORTH, SOUTH, EAST, WEST |
| • | DENOTES NON TANGENTIAL |
| • | UNLESS OTHERWISE INDICATED ALL SET BARS ARE UB. |
| • | UNLESS OTHERWISE INDICATED ALL SET BARS MARKED P.C. |
| • | OR E ARE SLID |
| • | UNLESS OTHERWISE NOTED ALL FOUND BARS ARE MARKED ZUA |

SURVEYOR'S CERTIFICATE

CERTIFY THAT:
THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE
LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 11TH DAY OF APRIL 2023

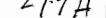
APRIL 17, 2023


PAUL R. THOMSEN
ONTARIO LAND SURVEYOR
COLLINGWOOD

O.L.S.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION
FORM NUMBER 2204192

OWNER'S CERTIFICATE

I WANTS TO CERTIFY THAT:
 1. IOTS 1 TO 107 (BOTH INCLUSIVE), BLOCKS 108, 109, 110 AND THE
 SUGARHILL CREST SUBDIVISION, SUGARHILL CREST, CHESTNUT STREET AND WHITE
 OAK CREST HAVE BEEN LAID OUT IN ACCORDANCE WITH MY
 INSTRUCTIONS.
 2. THE STREETS NAMELY SUGAR MAPLE STREET, CHESTNUT STREET AND
 WHITE OAK CREST ARE HEREBY DEDICATED TO THE CORPORATION
 OF THE TOWN OF THE BLUE MOUNTAINS AS PUBLIC HIGHWAY.
 DATED THIS 14TH DAY OF MAY 2023.
 WINNIFALL OP INC., 
 DAVID BUNSTON (PRESIDENT)
 I HAVE THE AUTHORITY TO BIND THE CORPORATION
 AS A GENERAL PARTNER
 THE REGISTRATION OF THIS PLAN IS FOR A PARTNERSHIP
 PURPOSE WITHIN THE MEANING OF THE LIMITED PARTNERSHIP ACT.
 THE FIRM NAME OF THE LIMITED PARTNERSHIP IS:
 WINNIFALL LIMITED PARTNERSHIP

THIS FINAL PLAN OF SUBDIVISION IS APPROVED BY THE
COUNTY OF GREY UNDER SECTION 51(58) OF THE PLANNING
ACT, CHAPTER P13, R.S.O. 1990 AS AMENDED.

THIS 15th DAY OF June 2023.
Scott Taylor
SCOTT TAYLOR
DIRECTOR OF PLANNING

LUBEK, EMO PATTEN & THOMSEN LIMITED	ONTARIO LAND SURVEYOR 200 MOUNTAIN ROAD UNIT 4 COLLINGWOOD, ONTARIO L9Y 4V5 PHONE: (705) 445-4910
JOB No. 2014-04-18	SURVEY FOR: WINDFALL GP INC.

The Corporation of the Town of The Blue Mountains

By-Law Number 2025 –

Being a By-law to amend By-law 2023-54 which removes Lots 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 23, 24, 26, 27, 30, 31, 32, 35, 36, 37, 38, 39, 44, 45, 46, 47, 48, 51, 52, 53, 54, 55, 56, 60, 61, 62, 63, 64, 65, 66, 67, 68, 86, 87, 88, 89, 90, 91, 92, 93, 94, 98, 99, 102, 103, 104, 105, 106, and 107 of Registered Plan 16M-94, from Part-Lot Control for a temporary period of two (2) years for an additional 2 years.

Whereas Part Lot Control By-law 2023-54 was enacted by Council on August 28, 2023 and approved by the County of Grey on October 2, 2023;

And Whereas pursuant to Subsection 50 (7) of the *Planning Act* the council of a local municipality may by by-law provide that part-lot control does not apply to lands within a registered plan of subdivision or parts of them as are designated in the by-law;

And Whereas pursuant to Subsection 50(7.3) of the *Planning Act* the Council of a local municipality may provide an extension to a Part Lot Control By-law;

And Whereas Windfall Limited Partnership has requested that Council of The Corporation of The Town of The Blue Mountains enact a by-law so as to remove Lots 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 23, 24, 26, 27, 30, 31, 32, 35, 36, 37, 38, 39, 44, 45, 46, 47, 48, 51, 52, 53, 54, 55, 56, 60, 61, 62, 63, 64, 65, 66, 67, 68, 86, 87, 88, 89, 90, 91, 92, 93, 94, 98, 99, 102, 103, 104, 105, 106, and 107 of Registered Plan 16M-94, from part-lot control for a temporary period of time so as to register conveyable real estate entities therewith;

And Whereas the request meets the criteria of the Council of The Corporation of The Town of The Blue Mountains for the consideration of the enactment of a part-lot control by-law

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

1. Bylaw No.2023-54 being a By-law to remove Lots 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 23, 24, 26, 27, 30, 31, 32, 35, 36, 37, 38, 39, 44, 45, 46, 47, 48, 51, 52, 53, 54, 55, 56, 60, 61, 62, 63, 64, 65, 66, 67, 68, 86, 87, 88, 89, 90, 91, 92, 93, 94, 98, 99, 102, 103, 104, 105, 106, and 107 of Registered Plan 16M-94, from Part-Lot Control and passed on August 28, 2023 is hereby amended to be extended for an additional two (2) years with a revised expiry date of August 28, 2027.

2. This By-law shall not become effective until a certified copy or duplicate of the By-law has been registered in the proper Land Registry Office.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this 11th day of August, 2025

Andrea Matrosovs, Mayor

Corrina Giles, Clerk