

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number PLAN2017-042**

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**Date:** July 11, 2017

**Time:** 2:00 p.m.

**Place:** Council Chambers

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**Ward Community Identifier:** Ward 11

**Subject:** A By-law to Deem Lot 14 and Lot 15, Registered Plan 606, former Town of Lindsay, being 3 and 7 Commerce Place (DDB Investment Group Limited - formerly 1236324 & 1236325 Ontario Ltd.)

**Author and Title:** Sherry L. Rea, Development Planning Supervisor  
Jonella Evangelista, Student Planning Assistant

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### **Recommendation(s):**

**RESOLVED THAT** Report PLAN2017-042, "DDB Investment Group Limited" – D30-16-009", be received;

**THAT** a Deeming By-law with respecting Lot 14 and Lot 15, Registered Plan 606, be substantially in the form attached as Appendix "D" to Report PLAN2017-042 be approved and adopted by Council; and

**THAT** the Mayor and Clerk be authorized to execute any documents required by the approval of this application.

**Department Head:**

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**Legal/Other:**

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**Chief Administrative Officer:**

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## Background:

Proposal:	To deem Lot 14 and Lot 15, Registered Plan 606, to not be lots within a registered plan of subdivision. See Appendices “A” and “B” attached.		
Owners:	DDB Investment Group Ltd. (formerly 1236324 Ontario Ltd. (Dave Holliday; Lot 14) and 1236325 Ontario Ltd. (Donald L. Brown; Lot 15))		
Applicant:	Robert M. Barrow		
Legal Description:	Lot 14, Registered Plan 606 and Lot 15, Registered Plan 606, former Town of Lindsay, now City of Kawartha Lakes		
Designation:	Prestige Employment on Schedule “A” of the Town of Lindsay Official Plan		
Zone:	Prestige Employment Special Two (PE-S2) Zone on Schedule “A”, of the Town of Lindsay Zoning By-law No. 2000-75		
Lot Area:	1,871.78 sq. m. each lot		
Site Servicing:	Municipal water and sanitary sewers and ditches/swales		
Existing Uses:	Vacant Lots		
Adjacent Uses:	North:	Commerce Road, Lindsay Square Mall	
	East:	Commerce Place, Kawartha Wholesale Bakery & Deli, E.T.F.O. Trillium Lakelands Elementary Teachers’ Local	
	South:	Mariposa Electric Ltd.	
	West:	Osso Electric Supplies Inc./Dr. Lane, Eye Surgeon	

## Rationale:

The applicant, on behalf of the owners, has requested that Council pass a Deeming By-law to effect the consolidation of firstly: Lot 14, Registered Plan 606; and secondly: Lot 15, Registered Plan 606. Both Lot 14 and Lot 15 are currently vacant. The PE-S2 Zone requires a minimum lot area of 1,858 sq. m. and a minimum lot frontage of 30.48 m. The applicant wishes to consolidate title with the respective abutting lot to increase the total area of the lots. The owner intends to construct a new 2-storey commercial building on the consolidated property. The land is subject to an application for site plan approval (File No. D19-16-009). Please see Appendices “A”, “B”, and “C”.

Adoption and subsequent registration of this Deeming By-law will consolidate Lot 14 and Lot 15, and fulfill one of the requirements of a site plan approval for the proposed development. The effect of the Deeming By-law is that Lot 14 and Lot 15 will consolidate into one larger lot, which cannot be sold as two separate lots. However, their legal descriptions will remain the same – Lot 14, Plan 606 and Lot 15, Plan 606.

### **Other Alternatives Considered:**

At this time, there are no other alternatives considered that are appropriate or represent good planning. The Deeming By-law is the appropriate method to legally consolidate the applicant's land.

### **Financial/Operation Impacts:**

The cost of registering the By-law is included in the application fee. There are no financial implications for the City.

### **Relationship of Recommendation(s) to the 2016-2019 Strategic Plan:**

The City's Strategic Plan outlines Council's vision for the municipality. The vision consists of three main Strategic Goals: that of a vibrant and growing economy, an exceptional quality of life, and a healthy environment.

This application aligns with the vibrant and growing economy priority by consolidating two lots to create a larger building envelope for the proposed development of a new 2-storey commercial building within the Prestige Employment zone.

### **Review of Accessibility Implications of Any Development or Policy:**

Accessibility will be reviewed at time of building application.

### **Servicing Comments:**

Servicing is currently being reviewed through the site plan application and will be confirmed at time of building application.

### **Conclusions:**

The consolidation of the two separate lots shall create one larger parcel. This will facilitate the issuance of a Site Plan Approval for a new commercial building. Planning staff do not anticipate any negative impacts as a result of the consolidation.

## **Additional Requirements:**

Pursuant to Sections 50(26) and 50(28) of the Planning Act, a certified copy or duplicate of the Deeming By-law shall be registered by the Clerk in the Registry Office.

Pursuant to Section 50(29) of the Planning Act, a Notice of Passing is required to be sent within thirty days to the owners. If the owners, within twenty days of the mailing of the notice of passing, give notice to the Clerk that they desire to make representations respecting an amendment to or repeal of the Deeming By-law, Council shall hear each person or agent.

## **Attachments:**

The following attached documents may include scanned images of appendixes, maps, and photographs. If you require an alternative format, please call Sherry L. Rea, Development Planning Supervisor, (705) 324-9411 ext. 1331.

### **Appendix “A” – Location Map**



Appendix 'A' -  
Location Map.pdf

### **Appendix “B” – Property Index Map**



Appendix 'B' -  
Property Index Map.pdf

### **Appendix “C” – Site Plan**



Appendix 'C' - Site  
Plan.pdf

### **Appendix “D” – Draft Deeming By-law**



Appendix 'D' - Draft  
Deeming By-Law.pdf

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**Department Head E-Mail:** [cmarshall@city.kawarthalakes.on.ca](mailto:cmarshall@city.kawarthalakes.on.ca)

**Department Head:** Chris Marshall

**Department File:** D30-16-009