



LINDBROOK
DEVELOPMENTS
INC.

December 10, 2018

The Mayor and Members of Council
City of Kawartha Lakes

RE: Kent Street Village, 449 Kent Street West, Lindsay, Ontario
Private Cannabis Stores

Lindbrook Developments Inc. is the owner of the retail plaza located at 449 Kent Street West, operating as Kent Street Village (a.k.a. – the LCBO Plaza).

We just read with interest the presentation material on recreational cannabis outlets contained in the Agenda Package for the upcoming council meeting on December 11, 2018. From the information presented in the “Municipal Authority” section, it was stated that there will be no specific zoning created for cannabis stores and that they will be permitted **“where retail stores are permitted”**.

Based on that statement we are of the understanding that the “cannabis use” will be permitted under all sub sets of “retail” as defined in the Lindsay zoning by-laws as; “Retail Establishment”, “Retail Establishment, Convenience”, and “Convenience Retail Establishment”. Those definitions are attached for your reference.

We strongly discourage determining that cannabis stores be permitted in only properties that contain the “retail establishment” designation since doing so would only permit cannabis stores to operate in the Central Commercial District (ie. Downtown), Lindsay Square Mall and Whitney Town Centre.

Furthermore, the incoming Lindsay Secondary Plan proposes that all properties along the Kent Street West corridor (from Angeline Street as the eastern boundary to Highway 35 as the western boundary), currently zoned General Commercial, Local Commercial, Neighbourhood Commercial, Shopping Centre Commercial and Special Purpose Commercial shall be re-designated as a single designation of “Commercial”.

Kent Street Village currently has a General Commercial designation under the existing Official Plan, which permits a variety of specialized retail uses including “Convenience Retail Establishments”, a liquor store and a beer store.

We currently have a signed commitment from a substantial cannabis operator (from Western Canada) to operate a store from premises in our property which commitment is conditional upon the following:

Suite 201, 50 McIntosh Drive, Markham, Ontario, L3R 9T3
Tel. 416.907.7554 Fax. 416.907.7488 E-mail. urciastko@powersproperty.com

1. The City of Kawartha Lakes “opting in” to the retail sale of cannabis products by private retail operators;
2. The Operator securing an operating license from the Alcohol and Gaming Commission of Ontario; and,
3. The sale of cannabis products being a permitted “use” under the Kent Street Village current zoning.

Based on the foregoing, we strongly urge Planning Staff and Council permit cannabis stores to operate in all properties containing all the sub sets of retail as set out in the existing Lindsay zoning by-laws

Sincerely,



Wally Ciastko

President
LindBrook Developments Inc.

In place Lindsay Zoning By-Law

4.31 CONVENIENCE RETAIL ESTABLISHMENT a retail establishment which deals primarily with food and other goods required by residents of the area to meet their day to day household needs.

4.78 GARDEN AND NURSERY SALES AND SUPPLY ESTABLISHMENT means a building or part of a building, and land adjacent thereto for growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees, or similar vegetation which is sold to the public at retail, and shall also include the sale of such goods, products and equipment as are normally associated with gardening or landscaping.

4.160 RETAIL ESTABLISHMENT means a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public.

4.161 RETAIL ESTABLISHMENT, CONVENIENCE means a small scale retail establishment which deals primarily in a variety of perishable and non-perishable goods of a convenience nature required to meet the day-to-day needs of the local inhabitants of surrounding residential area.

Lindsay Secondary Plan

31.2.3.2.4. Commercial

31.2.3.2.4.1. Areas identified as Commercial in Schedule "F-1" represent service commercial areas, retail stores, and shopping centres outside of the Downtown area. The predominant use of land permitted in the Commercial land use designation shall include retail establishments and commercial uses such as convenience retail, retail stores, food stores, professional offices, personal and professional services, service commercial, automobile service stations, vehicles sales and service, public garages, motels, hotels, eating establishments, home furnishing establishments, automated teller/banking machines, building supply centres, and other similar uses.