



Council Report

Report Number:	PLAN2023-056
Meeting Date:	October 24, 2023
Title:	By-law to Deem Lots 7 and 8, Registered Plan 606, former Town of Lindsay
Description:	Deeming By-law
Author and Title:	Maryann Hunt, Supervisor of Development Planning

Recommendations:

That Report PLAN2023-056, **By-law to Deem Lots 7 and 8, Registered Plan 606, former Town of Lindsay**, be received;

That a Deeming By-law respecting Lots 7 and 8, Registered Plan 606, former Town of Lindsay, substantially in the form attached as Appendix B to Report PLAN2023-056, 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: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

Proposal:	To deem Lots 7 and 8, Registered Plan 606, not to be lots within a registered plan of subdivision to facilitate the consolidation of the two lots to allow them to function as one property.
Owner:	1429768 Ontario Ltd. and 1111611 Ontario Inc.
Applicant:	Murmar Construction Ltd.
Official Plan:	'Urban Settlement' on Schedule A-3 to the City of Kawartha Lakes Official Plan
Zone:	Prestige Employment Special Two "PE-S2" on Schedule A to the Town of Lindsay Zoning By-law 2000-75
Site Servicing:	Municipal water and wastewater
Existing Use:	Commercial business (Kawartha Bakery) (Lot 8); Vacant (Lot 7)
Adjacent Uses:	Industrial/Commercial

Rationale:

The subject lands are comprised of two separately conveyable lots on a registered plan of subdivision. The properties have two separate Property Identification Numbers, and separate Assessment Roll Numbers.

The owners of the bakery wish to construct an addition onto the existing building. Due to the location of the building, the addition is proposed to be constructed across the lot lines between Lots 7 and 8. A deeming by-law is required in order to facilitate the consolidation of the subject lands to allow for the proposed construction. It is noted that the proposal received an exemption from site plan approval from the Director of Development Services on September 20, 2023 but the construction cannot occur until the properties are merged. It is also noted that the properties appear to be in separate ownership at the time of the writing of this report. The properties must be placed into the same ownership by the applicant's solicitor in order for them to merge as a result of the lots being deemed not to be lots in a plan of subdivision.

The effect of the deeming by-law is that Lots 7 and 8 will consolidate and be merged into one larger property, which cannot be sold as two separate lots.

Other Alternatives Considered:

There are no other alternatives considered to be appropriate or represent good planning. The Deeming By-law is the appropriate method to legally consolidate the lands.

Alignment to Strategic Priorities

The proposed deeming by-law demonstrates the Vibrant and Growing Economy and Exceptional Quality of Life strategic goals within the 2020-2023 Kawartha Lakes Strategic Plan, as an existing business is undergoing an expansion to serve residents.

Financial/Operation Impacts:

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

Conclusion:

The consolidation of Lots 7 and 8, Plan 606 will create one larger lot to facilitate an addition onto an existing commercial building. Planning staff do not anticipate any negative impacts as a result of the consolidation.

Attachments:

Appendix A – Location Map



D30-2023-001-
Appendix A Key Map.

Appendix B – Draft Deeming By-law



PLAN2023-056
Appendix B Lots 7 and 8

Department Head email: rholy@kawarthalakes.ca

Department Head: Richard Holy, Director of Development Services

Department File: D30-2023-001