



**Committee of Adjustment
Summary of Comments for May 20, 2026
For Application B03-26
21 Diana Drive**

The below summary of comments provides information and any requested conditions of approval from circulated Departments and external agencies.

CITY OF ORILLIA

TO: Committee of Adjustment – Meeting of May 20, 2026
FROM: Planning Division
DATE: April 15, 2026
FILE NO: Application for Consent for a Lease B03-26
APPLICANT: The Orillia Harvie Partnership
AGENT: Louis Orsi
**SUBJECT
PROPERTY:** 21 Diana Drive – Proposed Lease with term exceeding 21 years

Recommendation:

THAT the Committee of Adjustment grants provisional approval to Application B03-26 subject to the recommended conditions attached as Schedule “C” to this report.

Purpose:

The purpose of the proposed consent for a portion of the lands municipally known as 21 Diana Drive is to facilitate a new land lease having a term in excess of 21 years between The Orillia Harvie Partnership as lessor and 717203 Ontario Limited as lessee for a proposed new car wash establishment.

Background and Key Facts:

- The subject property is:
 - Located within the “Employment Lands – Business Park Industrial” designation of the City of Orillia Official Plan.

- Located within an Ecologically Significant Groundwater Recharge Area as shown on Schedule F to the City's Official Plan.
- Zoned "Business Park Industrial Exception Seven" (M3-7) under Zoning By-law 2014-44, as amended.
- Subject to the Holding Twenty-Five (H25) Holding Zone in Zoning By-law 2014-44
- The subject property is currently vacant. The City has received a request for Stage 1 – Preconsultation (Site Plan Approval) from Charter Construction for a Drive-Thru Car Wash with an automatic wash bay with 440.2m² GFA and two industrial buildings with a total of 9 units (Building 1: 1212.4m² GFA and Building 2: 808.3m² GFA) with 50 proposed parking spaces of which 3 are Barrier Free and 1 loading space. Refer to the proposed Site Plan (Appendix "A").
- The car wash establishment is proposed to be subject to a lease with a term exceeding 21 years. The applicant has advised that this length of term is necessary for purposes of obtaining financing.
- Section 50(3) of the *Planning Act* indicates that no person shall "*enter into any agreement that has the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one years or more unless*" the land is a whole lot or block on a plan of subdivision, the person does not own any abutting land, the land is within a registered condominium or the land was previously conveyed with consent. In this case, none of the exceptions apply and therefore consent is required for the lease.

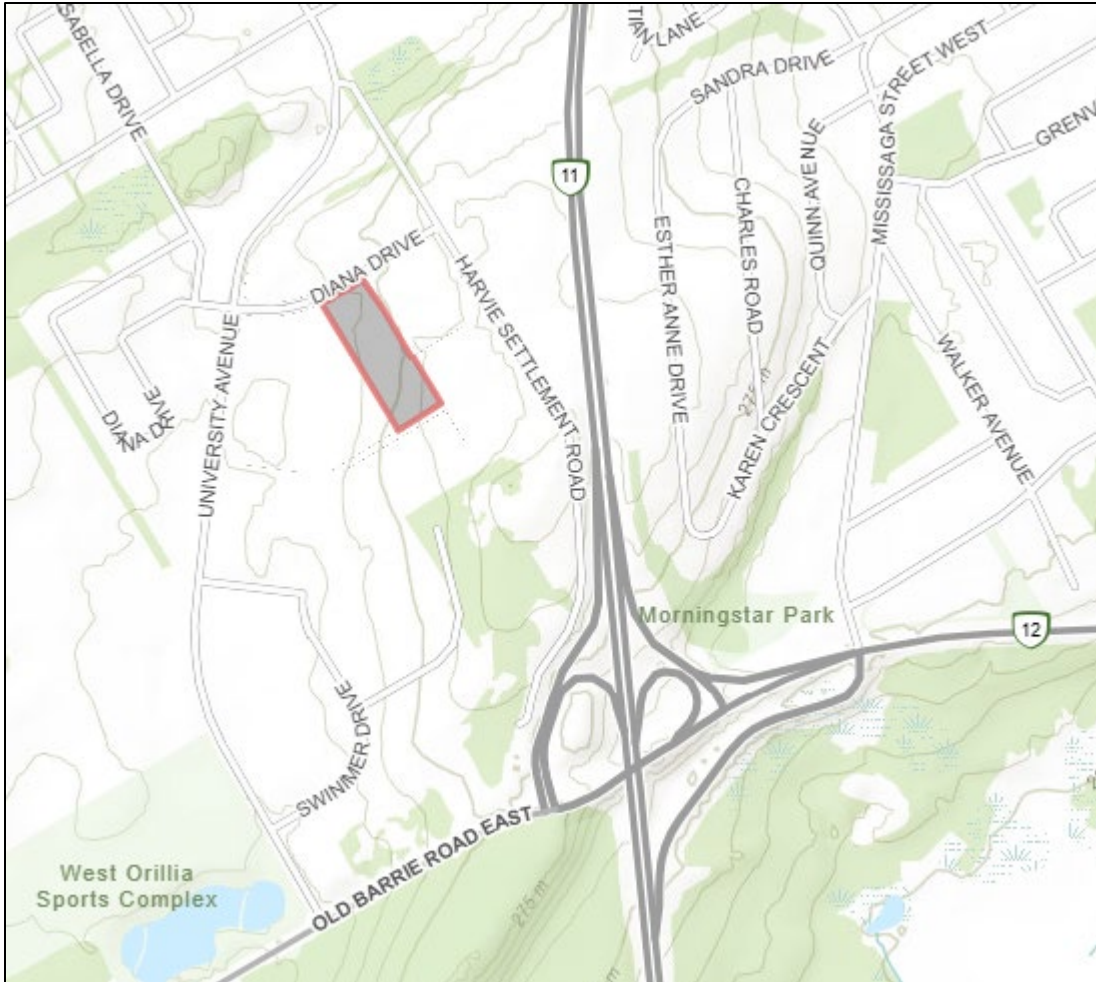


Figure 1: Location Map

ANALYSIS:

The requirement for consent for a lease with a term exceeding 21 years is strictly a technical matter. All Official Plan and Zoning requirements will be met through the Site Plan Approval process. The lease will not impact compliance with any City or Provincial planning documents provided consent is obtained pursuant to Section 50(3) of the *Planning Act*.

The leased premises will be described in the lease using the legal description of the parcel and by reference to the sketch shown on Appendix “B” to this report. For the purposes of this consent, this description is satisfactory since it is the lease that is receiving the consent, not the lands.

Staff would note that the recommended condition regarding zoning compliance arises from the fact that the lands were previously rezoned for another commercial building, however that development is not proceeding. During the recent Housekeeping Amendment to the Zoning By-law, it was noted that the permitted uses in the M3-7 Zone (created at the time of the previous rezoning) erroneously did not include all of the permitted uses in the previous M3-1

Zone (which included a Motor Vehicle Washing Establishment). The M3-7 Zone was updated in the Housekeeping Amendment, which was passed by Council on May 11, 2026. Since the appeal period of this amendment is active, approval of this application for a car wash lease must be subject to a condition regarding zoning compliance. Once the appeal period has expired for the Housekeeping Amendment, the condition will be considered satisfied.

CONCLUSION:

The proposed consent to enter into a land lease with a term greater than 21 years in application B03-26 has been reviewed and the opinion of Staff is that the application should be approved subject to the recommended conditions.

Prepared by:



Susan Votour
Intermediate Planner

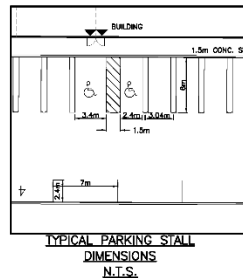
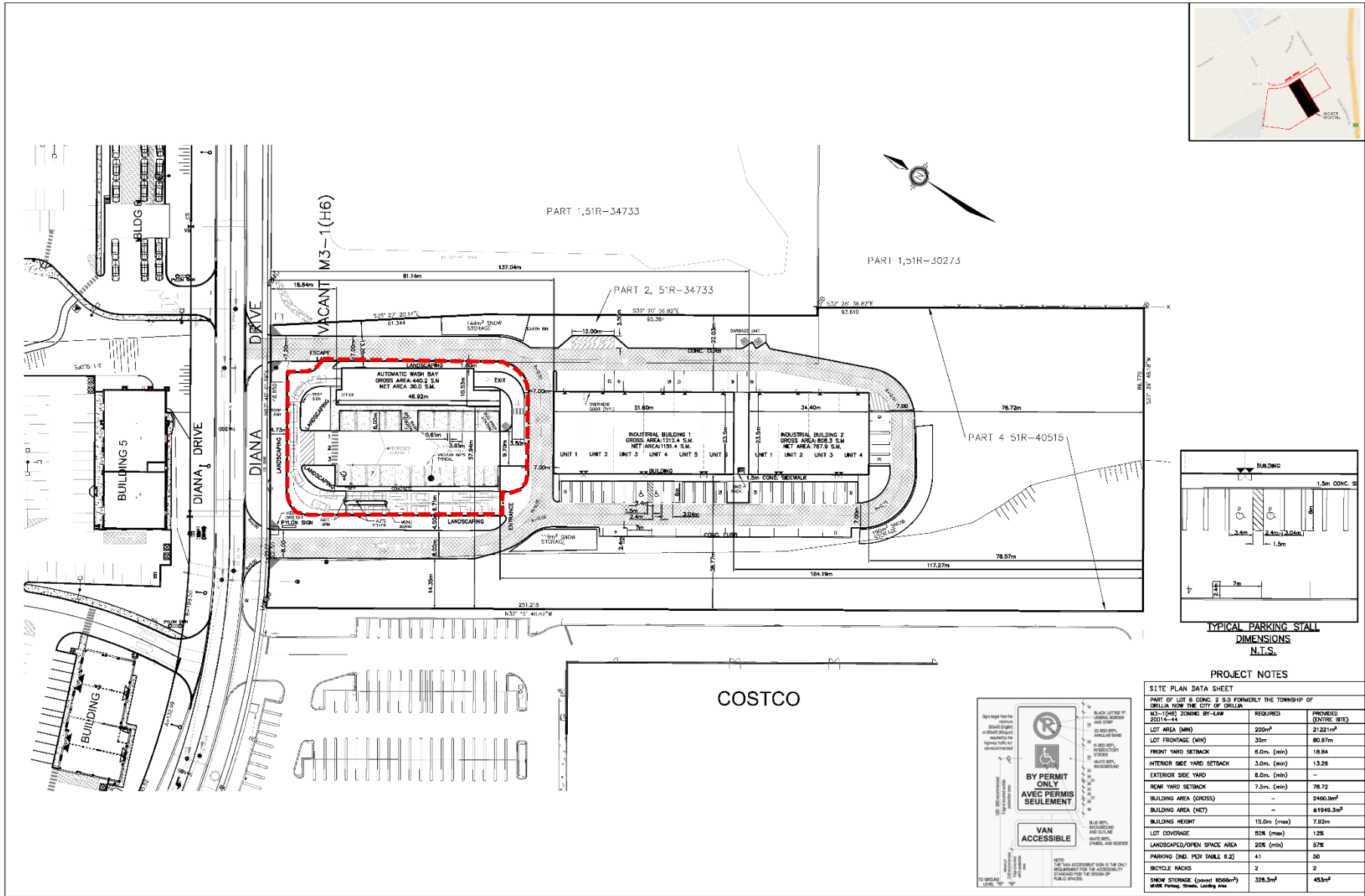
Approved by:



Jill Lewis, MCIP, RPP
Senior Planner

Attachments: Appendix "A" – Proposed Site Plan
 Appendix "B" - Sketch of Lands Subject to the Lease
 Appendix "C" – Proposed Conditions of Provisional Approval

Appendix "A" – Proposed Site Plan



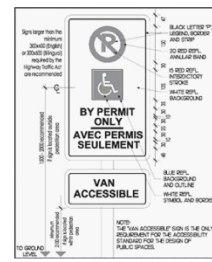
PROJECT NOTES

SITE PLAN DATA SHEET

PART OF LOT B CONC. 2 S.D. FORMERLY THE TOWNSHIP OF ORILLIA NOW THE CITY OF ORILLIA

REQ'D (BY-LAW 20014-14)	REQUIRED	PROPOSED (ENTIRE SITE)
LOT AREA (MIN)	200m ²	21221m ²
LOT FRONTAGE (MIN)	30m	80.97m
FRONT YARD SETBACK	6.0m. (min)	18.84
INTERIOR SIDE YARD SETBACK	3.0m. (min)	13.26
EXTERIOR SIDE YARD	6.0m. (min)	78.72
REAR YARD SETBACK	7.5m. (min)	2466.0m ²
BUILDING AREA (GROSS)	-	41949.3m ²
BUILDING AREA (NET)	-	7.53m
BUILDING HEIGHT	15.0m. (max)	125
LOT COVERAGE	50% (max)	578
LANDSCAPED/OPEN SPACE AREA	25% (min)	50
PARKING (IND. PER TABLE 6.2)	41	2
BIKE RACKS	2	45m ²
SNOW STORAGE (Covered 6566m ²)	328.5m ²	

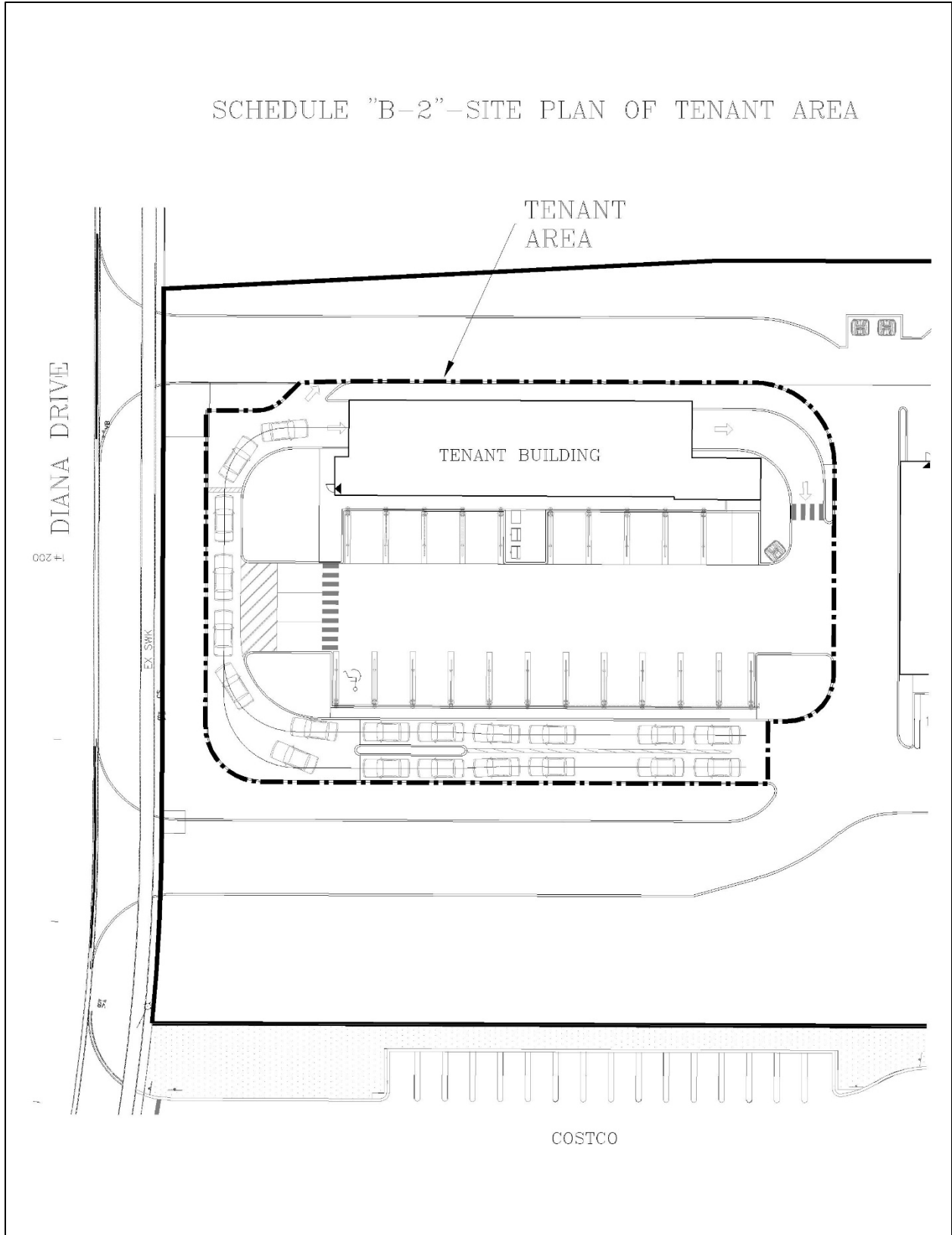
Other notes include: SNOW STORAGE (Covered 6566m²) and SNOW STORAGE (Covered 6566m²)



REF. OR MARK				Approved	Approved	WESTRIDGE XCHANGE III THE HARVE PARTNERSHIP 21 DIANA DRIVE, ORILLIA	 CHARTER CONSTRUCTION LIMITED
NO.				REVISIONS	DATE		
						GENERAL SITE PLAN	SCALE: 1:500 DESIGN PH/HG CHECKED HG DRAWN PH DATE FEB.17/28 DWG. NR S-1

Appendix "B" – Sketch of Lands Subject to Lease

SCHEDULE "B-2" – SITE PLAN OF TENANT AREA



Appendix "C" – Recommended Conditions of Provisional Approval

1. A "Motor Vehicle Washing Establishment" shall be a permitted use in the Zoning By-law for the lands subject to the lease.



MEMORANDUM TO COMMITTEE OF ADJUSTMENT

DATE:	May 13, 2026
FROM DEPARTMENT/DIVISION:	Engineering Division, DSE
FROM/CONTACT:	Tracy Blanchard, Development Coordinator
SUBJECT ADDRESS:	21 Diana Drive
SUBJECT FILE #:	B03-26

Comments to applicant/owner for information purposes (Comments help provide additional information regarding the development of the subject lands to the applicant. Comments are not conditions of approval, rather additional information regarding requested conditions of approval):

- No comments.

Condition of Approval (Conditions of Approval are specific enforceable conditions regarding the subject lands should the Committee of Adjustment approve the application. For example: The applicant/owner shall apply for a building permit for the construction of a new dwelling to the satisfaction of the Building Division).

- No conditions.

External Agency Comments

None.

Public Comments Received

None.