



**CITY OF ORILLIA
COMMITTEE OF ADJUSTMENT MINUTES**

HEARING MINUTES
COMMITTEE OF ADJUSTMENT
HEARING OF
May 20, 2026

The May hearing of the City of Orillia Committee of Adjustment was held on May 20, 2026 by virtual meeting with the following in attendance:

Kelly Smith (Chair)
Pete Bowen, Committee Member
Ian Gordon, Committee Member
Jill Lewis, Senior Planner
Susan Votour, Intermediate Planner
Lorrie Jackson, Secretary-Treasurer
Sue McCormick, Acting Secretary-Treasurer

- 1. Introduction by the Secretary-Treasurer**
- 2. Opening of Hearing:**

The hearing was called to order at 9:15 a.m.

- 3. Approval of Amendment to Agenda:**

017-26 Moved by: Ian Gordon
Seconded by: Pete Bowen

That the Agenda for the May 20, 2026, be approved with an amendment to deal with Application B04-26 – 16 First Street first on the Agenda and to remove the following statement from the Agenda:

It has been determined that the holding of virtual Committee of Adjustment hearings do not cause any significant prejudice.

Carried

018-27 Moved by: Pete Bowen
Seconded by: Ian Gorodon

That the Agenda for the May 20, 2026, be approved with an amendment.

Carried

- 4. Confirmation of Minutes of the April 15, 2026 Hearing:**

019-26 Moved by: Ian Gordon
Seconded by: Pete Bowen

That the Minutes of April 15, 2026 be approved.

Carried

5. Notification of Pecuniary Interest:

None

6. Manner in which Notice was provided:

The Secretary-Treasurer described the Committee of Adjustment procedures for the Hearing.

7. Applications:

7.1 B04-26 - 16 First Street

Following circulation of the Notice of Hearing for Application B04-26, the Committee received a request to hold the hearing for Application B04-26 as in-person hearing instead of an electronic hearing.

The Planner provided a presentation in connection with the Statutory Powers Procedure Act

The form of Notice of Hearing for Committee of Adjustment applications that has been in use since the City first started holding electronic Committee of Adjustment hearings in 2020 during the COVID pandemic, contains the following statement:

“Any person or agency who believes an electronic hearing would cause them significant prejudice must submit their concerns in writing to the Secretary-Treasurer by noon seven calendar days prior to the virtual hearing after which the Committee may reschedule the matter as an oral hearing if satisfied of the prejudice.”

The reason that this statement is included in the Notice of Hearing is that Section 5.2(2) of the *Statutory Powers Procedure Act* (which defines the Committee of Adjustment as a “tribunal”) stipulates that “the tribunal shall not hold an electronic hearing if a party satisfies the tribunal that holding an electronic rather than an oral hearing is likely to cause the party significant prejudice”. Note that “oral hearing” is defined in the SPPA as “a hearing at which the parties or their representatives attend before the tribunal in person”.

It is therefore clearly up to the Committee to determine if it is satisfied that significant prejudice would be caused, by holding an electronic hearing, to those parties who have made the request for an in-person hearing.

As a quasi-judicial Committee, in order to make this determination, the Committee should review all available evidence including written and oral submissions.

I would note that staff are supportive of moving the hearing for Application B04-26 to an in-person format in the interest of procedural fairness.

Comments from the Public:

Anne Waggoner, addressed the Committee and advised there are new people at 8 First Street who did not received notice of the hearing. There have also been a couple of other individuals on the street as well and the sign on the property does not help.

Ms. Waggoner also indicated that the meeting should be in the evening as some people work during the day and she feels this is unfair.

A Committee member mentioned that should someone not be able to attend the hearing then they are welcome to submit written comments that are shared with everyone.

Owner/Applicant's Comments:

The applicant, A.J. Thiara, advised that he is okay for an in-person meeting as it allows more public to attend to ensure a full public process

Committee Comments:

A Committee member noted he had no problem with an in-person meeting and feels it is a good idea. He did note that it is inappropriate for persons to contact the Committee outside of the Hearing and suggested if one person could put all of the concerns together in advance, that would be helpful.

020-26 Moved by: Ian Gordon
Seconded by: Pete Bowen

That Application B04-26 – 16 First Street be deferred until June 17th, 2026 in order for the Committee of Adjustment to hold an in-person meeting commencing at 9:00 a.m.

Carried

7.2 B03-26 - 21 Diana Drive

In attendance: None

The Secretary-Treasurer read all correspondence received relative to the application.

Proposal:

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 Motor Vehicle Washing Establishment.

Comments from the Public:

None

Comments from Departments/Agencies:

The Engineering Division has no comments or conditions.

Staff Report:

Planning Division recommends approval of the application with a condition.

Owner/Applicant's Comments:

None

Public Comments (at hearing):

None

Committee Comments

None

**021-26 Moved by: Pete Bowen
 Seconded by: Ian Gordon**

That Application B03-26 – 21 Diana Drive be approved with conditions, as per the Decision.

Carried

7.3 A04-26 - 86 Cedar Street

Proposal:

Staff are requesting a clarification of the decision made on April 15, 2026 by the Committee regarding a minor variance. Staff were reviewing the applicant's site plan and because the property is a corner lot, technically, the north lot line is the rear yard not the interior yard as defined. Nothing further on the site plan has changed. Staff are requesting a clarification to the approved minor variance referencing the variance to be from the Rear Yard, not the Interior Side Yard, and the amount of the variance is 1.8 metres not 0.3 metres.

The satisfaction of the 4 tests remains the same and this is to ensure the accuracy and protect the owners.

A Committee asked if the public are aware. Staff advised this a technical change and not requiring a public hearing.

022-26 **Moved by: Pete Bowen**
Seconded by: Ian Gordon

That a Clarification to Application A04-26 – 86 Cedar Street be approved.

Carried

8. Correspondence/Other Business:

None

9. Adjournment:

023-26 **Moved by: Pete Bowen**
Seconded by: Ian Gordon

We now adjourn at 9:44 a.m.

Carried

The Committee will reconvene at 9:15 a.m. on June 17, 2026.

K. Smith

Kelly Smith, Chair

H Jackson

Lorrie Jackson, Secretary-Treasurer