

PASCUZZO PLANNING INC.

June 26, 2026

Township of Tiny
Attn: Sandra Mattson
130 Balm Beach Road West
Tiny, ON.
L0L 2J0

RE: Zoning Bylaw Amendment
Shoreline Residential (SR) to Shoreline Residential Exception 72 (SR-72)
Part 1-3, of Part Lot 9, Concession 20
Silver Birch Drive, Tiny

Dear Sandra:

Pascuzzo Planning Inc. was retained by Jill Stewart, Ruth Rankin and Kate Thomson, the owners of (3) three vacant shoreline properties on Silver Birch Drive to submit a Zoning Bylaw Amendment (ZBLA) application to rezone the properties from Shoreline Residential (SR) to Shoreline Residential Exception 72 (SR-72) in order to permit buildings and structures within 15 meters of the 178 m GSC contour instead of the required 45 meter setback.



Part 1 – owned by Jill Stewart	45.72 m frontage	3600 square meters in area
Part 2 – owned by Ruth Rankin	45.72 m frontage	3700 square meters in area
Part 3 – owned by Kate Thomson	55.45 m frontage	3500 square meters in area

The following materials are being submitted:

1. Authorization
2. Zoning Bylaw Amendment application form (commissioned)
3. Natural Hazard Review – Shoreplan Engineering (July 2025)
4. Boundary/Topographic Figure – Rudy Mak Surveying
5. Planning Brief (this document)
6. Draft ZBLA schedule and text
7. Cheque in the amount of \$5000.00 made out to the Township of Tiny for the ZBLA review fee (\$4000) and peer review deposit (\$1000)

Provincial Planning Statement (PPS) - 2024

Section 5.2 of the PPS states that development and site alteration shall not be permitted within the dynamic beach hazard.

5.2 Natural Hazards

1. Planning authorities shall, in collaboration with conservation authorities where they exist, identify *hazardous lands* and *hazardous sites* and manage development in these areas, in accordance with provincial guidance.
2. Development shall generally be directed to areas outside of:
 - a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
 - b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
 - c) *hazardous sites*.
3. *Development* and *site alteration* shall not be permitted within:
 - a) the *dynamic beach hazard*;
 - b) *defined portions of the flooding hazard along connecting channels* (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
 - c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards, erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
 - d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.

The Natural Hazard Review (page 2 – below) indicates that there is no dynamic beach at this site.

Dynamic Beach Hazard

There is no dynamic beach at this site, and hence no dynamic beach hazard.

The Natural Hazard Review goes on to state on page 3 (below) that the 15 meter setback should be viewed as the flooding hazard limit of the four properties.

Flooding Hazard

The Provincial Policy Statement defines the limit of the flooding hazard as the 100-year instantaneous water level plus an allowance for wave uprush, overtopping, and other water related hazards. MNR determined the 100-year instantaneous water level to be 178.0 metres along this section of shoreline. The MNR default allowance for wave uprush, overtopping and other water related hazards is 15m and is used in the absence of a site-specific study.

Figure 2 shows the approximate location of the 178m contour on the four northern properties as determined from the Simcoe County Interactive Map. The contour line is not shown for property 0283 because the online mapping does not accurately reflect the filling that has taken place.

A 15m offset from that line is also shown. The 15m offset line may be viewed as the flooding hazard limit for the four properties.

The 178m contour on property 0283 is likely to fall on the face of the revetment, near its crest. The 15m default setback would then extend a couple of metres into the footprint of the existing cottage. The PPS natural hazard policies are for new development, not existing development, so this need not be viewed as a concern for the existing cottage.

Figure 2 of the Natural Hazard Review shows the proposed 15 meter setback.



Based on the above, the proposed ZBLA is consistent with the PPS.

County of Simcoe - Official Plan

The subject lands are designated Rural on Schedule 5.1 of the County of Simcoe Official Plan.

3.7.4 The following are permitted in the Rural designation:

- a) those land uses permitted in the Agricultural designation;
- b) development related to the management or use of resources (subject to section 4.4 and other policies of this *Plan* as applicable)
- c) resource-based recreational activities (including recreational dwellings);
- d) limited residential development, subject to Section 3.7.11;
- e) home occupations and home industries;
- f) cemeteries; and,
- g) other *rural* land uses.

The proposed residential dwellings are a permitted use on the subject lands.

Flood Plains and Other Hazard Lands

4.5.9 *Development* shall generally be directed to areas outside of:

- a) *hazardous lands* adjacent to the shorelines of the *Great Lakes – St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
- b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
- c) *hazardous sites*.

4.5.10 *Development* and *site alteration* shall not be permitted within:

- a) the *dynamic beach hazards*;
- b) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards, erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
- c) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.

As indicated previously, there is no dynamic beach at the site.

Based on the above, the proposed ZBLA conforms with the County of Simcoe Official Plan.

Township of Tiny – Official Plan

The subject lands are designated Shoreline on Schedule A Land Use of the Township's Official Plan.

B4.3 Permitted Uses

The uses permitted on lands designated Shoreline include single detached dwellings.

Section C.4.2 (below) describes the Flood Hazards related to adjacent to Georgian Bay which are applicable to the subject lands. Section C.4.2.5 references an assessment being completed in order to determine the appropriate location of proposed new development. A Natural Hazard Review was completed indicated there is no dynamic beach and that the required setback should be 15 meters from 178 m CGD.

C.4.2 Flood Hazards adjacent to Georgian Bay

C.4.2.1 The Regulatory Flood Elevation (Flood Hazard Limit) for Georgian Bay is defined as 178.0 metres Canadian Geodetic Datum (CGD).

C.4.2.2 With the exception of structures essential for boating purposes or structural works required for flood and/or erosion or sedimentation control, no building or structure shall be located adjacent to the shore of Georgian Bay, unless sited inland from the Regulatory Flood Elevation.

C.4.2.3 It is recognized that some lots in the shoreline area may be completely or partly below the Regulatory Flood Elevation. In addition, some of these same lots are the site of buildings or structures. It is a policy of this Plan to not permit the *development* of new buildings (except those essential for boating purposes or essential structural works required for flood and/or erosion or sedimentation control) below this Elevation. Existing buildings and structures that are located wholly or partly below the Regulatory Flood Elevation will be considered to be legal non-complying uses in accordance with Section E.5 (Non Complying Uses) of this Plan.

C.4.2.4 The location of the 178.0 metre Elevation must be established by a qualified professional for all new *development*.

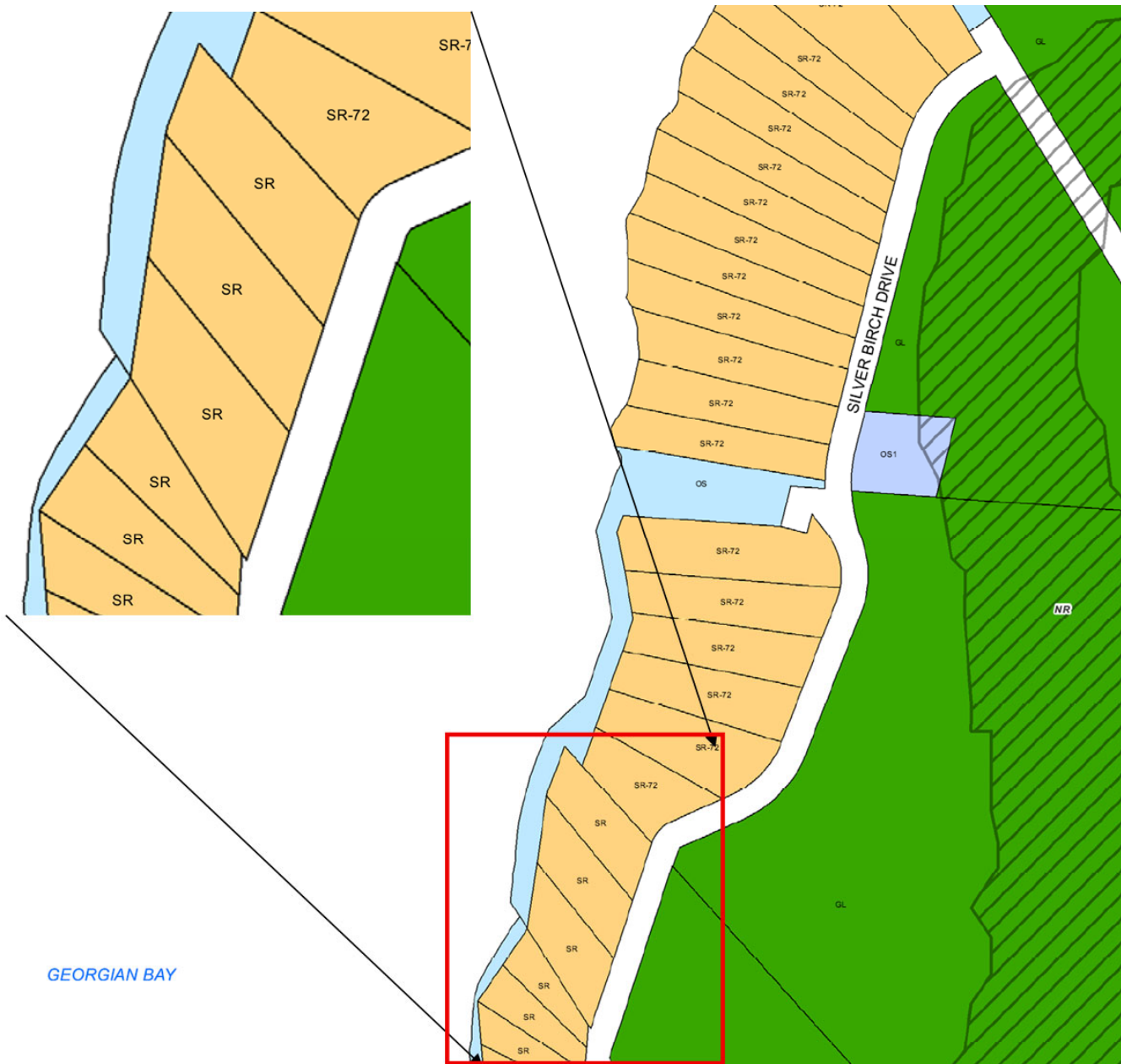
C.4.2.5 For new *development* requiring a *Planning Act* application, an assessment by a professional coastal engineer regarding the location of the proposed new *development* and its possible impact from shoreline natural hazards may be needed, depending on the scale and location of the *development* and its nature. Factors to be considered in this assessment include, but are not limited to:

- a) The existing and proposed grades on the property;
- b) The location of existing man-made structures on the property;
- c) The topography and vegetation on the property;
- d) The nature of any modifications made, or proposed to be made to the topography on the property; and,
- e) The nature and location of man-made structure(s) or other impediments to wave action that exist or are proposed.

Based on the above, the proposed ZBLA conforms to the Township of Tiny Official Plan.

Township of Tiny Zoning Bylaw (22-075)

The subject lands are zoned Shoreline Residential (SR) in the Township of Tiny Zoning Bylaw (ZBL). All of the adjacent shoreline properties to the north are currently zoned SR-72.



The Shoreline Residential Exception 72 zone permits buildings and structures to be constructed at the 15 meter setback from the 178 meter GSC elevation.

SR-72					All buildings and structures, except boathouses, shall be set back no less than 15 metres from the 178 metres GSC elevation	
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Section 2.30 (below) prevents the construction of the main building within 45 meters of the 178 m GSC elevation.

2.30 SPECIAL SETBACKS

Notwithstanding any other provisions in this By-law, the following special *setbacks* shall apply.

2.30.1 Setbacks from Georgian Bay Shoreline

2.30.1.1 The *main building* including a covered *porch* or *bunkie* shall be *setback* a minimum of 45 metres from the 178 metre G.S.C. elevation adjacent to Georgian Bay.

2.30.1.2 All detached accessory buildings or *structures* including, but not limited to a *detached garage*, shed, *swimming pool*, deck shall be *setback* a minimum of 15 metres from the 178 metre G.S.C. elevation adjacent to Georgian Bay.

2.30.1.3 Within the *yard* facing the water's edge of Georgian Bay in the (SR) and (LSR) *Zones*, no *main building* shall be located any closer to the 178 metre G.S.C. elevation than the average distance between *main buildings* from the 178 metre G.S.C. elevation on immediately abutting *lots*.

2.30.1.4 This provision shall not prevent:

- a) the expansion of the *main building* that existed on the date this By-law comes into effect and the erection of a *Bunkie*, provided the expansion or *Bunkie* does not decrease the *setback* to the 178 metre G.S.C. elevation. In addition, no part of the expansion or *Bunkie* could be located within 15.0 metres of the 178 metre G.S.C. elevation;
- b) the erection of a second *storey* over any *building* or *structure* that existed in any location on a lot when this By-law comes into effect, provided the additional floor area complies with all other applicable provision in this By-law.

The proposed ZBLA would reduce the required setback from 45 meters to 15 meters as per the recommendations of the Shoreplan Natural Hazard Review.

I trust this submission is satisfactory to proceed to a public meeting on this matter.

Respectfully Submitted:

Pascuzzo Planning Inc.

Andrew Pascuzzo MCIP, RPP