



## Zoning By-law Amendment Application Planning Justification Report

To:	Township of Tiny
Attention:	Maryann Hunt, Director of Planning and Development
From:	Jonathan Pauk, MCIP, RPP and Joshua Morgan, RPP
Date:	January 24, 2025
Delivered:	Delivered by Email
Subject Property:	7959 Highway 93, Township of Tiny

### 1.0 INTRODUCTION & BACKGROUND

This Planning Justification Report has been prepared in support of a Zoning By-law Amendment Application submitted by MORGAN Planning & Development Inc. (herein MP&D) on behalf of the property owner, Pennwest Motors Inc., for the subject property located at 7959 Highway 93 in the Township of Severn. The location of the subject property is shown in **Figure 1** and an aerial image of the subject property is shown in **Figure 2**.

The purpose and effect of the proposed Zoning By-law Amendment application is to rezone the subject property from the 'Greenlands (GL)' Zone to a site specific 'Greenlands Exception XX (GL-XX)' Zone. The effect of the proposed Zoning By-law Amendment is to facilitate the conversion of the existing single detached dwelling to a Group Home "A."

A pre-consultation application was submitted to the Township on November 22, 2024 and pre-consultation comments were received on December 18, 2024, which identified the following technical reports as requirements for a complete submission:

- Traffic Brief;
- Detailed Site Plan;
- Planning Justification Report;
- Environmental Impact Brief (EIB); and,
- Draft Zoning By-law Amendment.

The purpose of this Planning Justification Report is to describe the subject property, to explain the purpose of the proposed Zoning By-law Amendment application, and to provide an overview of the planning policies which apply to the application.

## **2.0 SITE DESCRIPTION AND SURROUDNING LAND USES**

The subject property is known municipally as 7959 Highway 93, which is currently developed with a single detached dwelling that has a floor area of approximately 674 square metres (7,254.8 square feet). The dwelling was formerly used as a school, and is serviced by an existing septic system and a well. The subject property is accessed via an existing entrance from Highway 93.

The history of the existing building dates back to 1962 when it was constructed and used as an elementary school known as Union Public School, which provided schooling for approximately 105 children through the school years under the Simcoe County District School Board. The school was decommissioned in the mid 1970's.

The property has a total lot area of approximately 1.77 hectares (17,736.63 square meters) and has approximately 222.7 metres of frontage onto Highway 93.

The surrounding land uses in the general area are described as follows:

<u>North:</u>	Forested lands.
<u>East:</u>	Tracts of forest lands.
<u>South:</u>	Woodlands and single detached dwellings accessed via Highway 93.
<u>West:</u>	Agricultural uses accessed via Highway 93.

### 3.0 DESCRIPTION OF PROPOSAL

The Zoning By-law Amendment seeks to rezone the subject property from the Greenlands (GL) Zone to a site specific Greenlands Zone to add a “Group Home A” as a permitted use on the subject property. The effect of the proposed Zoning By-law Amendment application seeks to facilitate interior renovations to the existing 674.4 square metres building to accommodate 6 to 9 residents, plus staff. The proposed development will staff approximately 20 new and local positions. The staff do not reside in the building, though work on a rotation of day and night shifts to support the residents.

There are no external renovations, additions or site alteration proposed on site, only minor interior renovations. The existing parking area is to continue to be utilized and is not required to be expanded to accommodate the proposed Group Home A use. A ‘Group Home A’ is defined in the Township’s Zoning By-law as, *a group home primarily for persons who have been referred by a hospital, recognized social services agency or health professional.*

The existing building is to continue to be serviced via the existing well and septic system.

A site plan which illustrates the location of the existing building and parking area is included as **Attachment 1** to this Report. The site plan drawing also includes a zoning compliance matrix for reference.

The proposed Group Home “A” will provide 24-hour support and care for individuals who have been referred by a hospital, recognized social services agency or health professional, therefore meeting the definition within the Township’s Zoning By-law. The care centre will also provide support in behavioural management, personal care, life skills, and integrating residents back into their communities with the necessary guidance.

### 4.0 SUPPORTING STUDIES

To ensure the development addresses all policy and technical requirements of the Township and County, an EISB and Traffic Impact Brief have been completed. Each of these studies are summarized in this section of the Report. These studies also identify how the development and the applications conform to Provincial and local policies.

#### 4.1 Environmental Impact Study Brief (EISB)

To ensure the development addresses all policy and technical requirements, as well as the requirements for a complete application, a supporting Environmental Impact Study Brief (EISB) was completed by Terrastory Environmental Consulting Inc. The EISB includes the policy context, the methodological approach undertaken, identification of existing conditions and an impact assessment that inform recommended best management practices, and a conclusion.

The report concludes that as there will be no physical development or site alteration proposed, no negative impacts are anticipated to any documented significant natural heritage features. The report also concludes that the proposed Zoning By-law Amendment application is considered appropriate in the context of the relevant natural heritage protection policies.

Given the presence of the significant woodland and significant valley land best management practices have been provided to direct future development activities, should any be proposed in the future. These best management practices include the following:

- Any future development alteration activities, as defined under the Provincial Planning Statement within 120 m of the Significant Woodland should be informed by a supporting Environmental Impact Study.
- At a minimum, such Environmental Impact Study should include the following provisions:
  - Setback recommendations to protect the adjacent Significant Woodland and/or the other significant natural heritage features (as appropriate).
  - Timing restriction on vegetation removal (e.g., to protect nesting birds and bats).
  - Recommendations for building design (e.g., to minimize light pollution, minimize bird strikes).

The EIS demonstrates that the development can be carried out in a way that will not adversely impact natural heritage features on or adjacent to the subject property

## **4.2 Traffic Impact Brief**

A Traffic Impact Brief (TIB) dated January 20, 2025 was prepared by WMI & Associates to assess the potential traffic impacts associated with the Proposed Development. Specifically, the TIB included a review of traffic volumes, warrant analyses, an operational analysis to determine service levels, and an assessment of sight-lines.

The Traffic Impact Brief concluded that the Proposed Development can be accommodated within the local community without adverse impacts on the existing transportation systems.

Overall the TIB concluded that the proposed Group Home can be accommodated on the subject property without adversely impacting the capacity, safety or operations, of the Highway or other adjacent properties and that the existing site access driveway at Highway 93 is sufficient to accommodate the anticipated minor increase in vehicular volume. Lastly, the TIB concluded that the sight distance is adequate at the driveway location, and that the driveway access geometry is noted to be sufficient for the movement of traffic both to and from Highway 93.

## **5.0 SUMMARY OF OFFICIAL PLAN DESIGNATIONS AND ZONING BY-LAW**

### **5.1 County of Simcoe Official Plan**

The subject lands are designated as 'Greenlands', and 'Rural' by Schedule 5.1 of the County of Simcoe Official Plan as shown in **Figure 3**. It is noted that the through pre-consultation with the County of Simcoe's planning department it has been confirmed that the Agricultural designation shown on the subject property is a mapping error. The portion of the subject property that is designated Rural recognizes the developed portion of the property, including the existing dwelling and driveway areas.

## **5.2 Township of Tiny Official Plan**

The subject lands are designated 'Greenlands' in accordance with Schedule "A" of the Township of Tiny Official Plan as shown in **Figure 4**.

## **5.3 Township of Tiny Zoning Bylaw**

The subject lands are zoned 'Greenlands (GL)' in the Township of Tiny Zoning By-law, as shown in **Figure 5**.

## **6.0 PLANNING ANALYSIS**

The following is a review of the land use policy framework related to the subject property.

### **6.1 Planning Act**

The proposed Zoning By-law Amendment Application has been submitted in accordance with the provisions of Section 34 of the Planning Act. A review of the statements of Provincial Interest set out in the *Planning Act* has been completed and the proposed Zoning By-law Amendment has regard for the statements of Provincial Interest.

### **6.2 Provincial Planning Statement (2024)**

The Provincial Policy Statement ("PPS") provides a policy basis to guide land use planning in the Province. The entire PPS has been reviewed in detail. The following is a summary of the policies within the PPS that are particularly relevant as it relates to this proposal.

In the context of the PPS, the proposed Group Home (Type A) is captured under the definition of "Additional Needs Housing" which is defined as:

*means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of additional needs housing may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.*

The proposed group home is to provide housing for individuals who have specific developmental disabilities that require full-time supervision in a safe environment, and therefore is consistent with the definition of Additional Needs Housing as set out by the PPS.

The subject property is considered to be Rural Lands by the PPS. The PPS, specifically Section 2.6.1 (c), recognizes residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services, as a permitted use on the property. The existing residential use of the property and proposed Group Home is considered residential development that is locally appropriate in the context of the PPS.

Section 2.1.6 (b) identifies that planning authorities should support the achievement of complete communities by *improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society.*

Section 2.2 of the PPS provides direction on Housing, with Section 2.2.1 (b) identifying that Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

*b) permitting and facilitating:*

*1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including **additional needs housing** and needs arising from demographic changes and employment opportunities; and*

With respect to Sections 2.1.6 and 2.2.1, the proposed development provides an opportunity for the existing single detached dwelling to be internally renovated and be used for the purpose of a group home for future residents and additional needs housing, as defined by the PPS. The existing dwelling will utilize existing on-site services (septic and well) and will not result in any environmental, public health or safety concerns. The proposed group home will contribute to the social, health and economic well-being of residents in the community.

Section 4.1 of the PPS contains policy direction regarding Natural Heritage. Specifically, Section 4.1.1 identifies that natural features and areas shall be protected for the long term, and Section 4.1.5 (c) states that, *development and site alteration shall not be permitted within significant valleylands unless it has been demonstrated that there will be no negative impacts on the natural heritage features or their ecological functions.* As it relates to the proposed development, the subject property is located within a significant valleyland in accordance with Schedule B of the Township of Tiny's Official Plan. The proposed development of the site was supported as it has been demonstrated through the Environmental Impact Study Brief (EISB) prepared by Terrastory Environmental Consulting Inc. that the natural heritage features on and adjacent to the property will not be negatively impacted by the proposed internal renovation of the existing single detached dwelling. The EISB concludes that the proposed development can be

accomplished without adversely impacting the functions of the identified natural heritage features on or adjacent to the subject property.

Section 5.1 of the PPS states the importance of Protecting Public Health and Safety in order to reduce the potential for risk to residents from natural or human-made hazards. In accordance with Section 5.1.1 the redevelopment of the lot is outside of hazardous lands and hazardous sites and not affected by a dynamic beach hazard, flooding hazard or erosion hazard.

Section 3.6.4 identifies that individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impact. As previously mentioned, the existing single detached dwelling and proposed Group Home will continue to be serviced by an existing septic system and well, in accordance with Section 3.6.4 of the PPS.

It is the opinion of the undersigned that the Zoning By-law Amendment application is consistent with the policies of the PPS.

### **6.3 County of Simcoe Official Plan (2023)**

The subject property is partially designated 'Rural' and 'Greenlands' in accordance with 'Schedule 5.1- Land Use' of the County of Simcoe Official Plan ('County OP'). It is noted that the through pre-consultation with the County of Simcoe's planning department it has been confirmed that the Agricultural designation shown on the subject property is a mapping error. The portion of the property designated 'Rural' recognizes the developed portion of the lands containing the driveway and existing single detached dwelling. The balance of the subject property is designated 'Greenlands'.

The objectives of the Rural designation are:

*3.7.1 To recognize, preserve and protect the rural character and promote long-term diversity and viability of rural economic activities.*

*3.7.2 To encourage maintenance, protection, and restoration of significant natural heritage features and functions and to conserve the built heritage resources and cultural heritage landscapes associated with rural and agricultural areas.*

With respect to the objectives of the Rural designation, the Zoning By-law Amendment will aim to protect the rural character of the area and natural heritage features by not proposing any external modifications to the existing dwelling or site alteration on the subject property.

Section 3.3.15 of the County OP contains policies relating to Natural Heritage. Section 3.3.15 (vi) a) states that development and site alteration shall not be permitted within 120 metres of natural heritage features. As mentioned, the subject property is located within a significant valleyland in



accordance with Township's Official Plan and as a result, an EIS has been prepared by Terrastory Environmental Consulting Inc. that concluded that as there will be no physical development (apart from the interior building renovations) or site alteration, no negative impacts are anticipated to any documented significant natural heritage features.

Section 3.7.4 (d) of the County OP identifies that limited residential development is permitted on lands that are designated Rural. The existing single detached dwelling and proposed group home are located on the portion of the property designated rural and are permitted in accordance with Section 3.7.4 (d) of the County OP.

Section 4.1.4 of the County OP states, *development form shall facilitate accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society. An annual Accessibility Plan may be prepared by the County.* The proposed Zoning By-law Amendment application will facilitate the conversion of the existing single detached dwelling into a group home that will provide housing for individuals who have specific developmental disabilities and to those that require full-time supervision in a safe environment; and therefore, is in conformity with Section 4.1.4 of the County Official Plan.

The Transportation policies are contained within Section 4.8 of the County OP and seeks to provide direction for a comprehensive and sustainable transportation network in the County. The Traffic Impact Brief prepared by WMI & Associates has confirmed that the anticipated traffic generated from the development can be appropriately supported by the surrounding road network, and no upgrades to the transportation network are required. The TIB concluded that the existing site access driveway at Highway 93 is sufficient to accommodate the anticipated minor increase in vehicular volume and the sight distance is adequate at the driveway location for the movement of traffic both to and from Highway 93.

Based on the review and analysis of the County of Simcoe Official Plan, the Zoning By-law Amendment application conforms to the policies of the County of Simcoe Official Plan.

## **6.4 Township of Tiny Official Plan**

The subject property is entirely designated 'Greenlands' in accordance with 'Schedule A – Land Use' of the Township of Tiny Official Plan (**Figure 4**). Section A.2.1.2.1.d) and Section B2.3.1.d) identify that the 'Greenlands' designation is intended to include natural heritage features, including significant valleylands.

Section B.2 of the Township's Official Plan contains policy direction for the Greenlands designation. The objectives of the Greenlands designation are outlined in Section B.2.2, which include:

- a) To implement the 'Environment Focused' objectives of this Plan;*



- b) *To maintain and enhance the ecological integrity of the natural heritage system, including linkages and related ecological functions amongst natural heritage features and areas, key natural heritage features and key hydrologic features;*
- c) *To provide the tools to properly assess development applications located within and in close proximity to natural heritage features and areas, key natural heritage features and key hydrologic features;*
- d) *To implement the Greenlands designation policies of the County of Simcoe Official Plan; and,*
- e) *To identify natural heritage features and areas, key natural heritage features and key hydrologic features that are restricted from development in accordance with the PPS and Growth Plan for the Greater Golden Horseshoe.*

The proposed Zoning By-law Amendment will maintain the ecological integrity of the natural heritage system as the conversion of the existing single detached dwelling into a Group Home does not require any new exterior development or site alteration on the subject property.

Section B.2.16.1 sets out the permitted uses in the Greenlands designation which includes legally existing uses and residential dwelling units. The existing single detached dwelling is legally existing and is proposed to be converted into a group home (residential unit) and is therefore a permitted use within the Greenlands designation.

Section B.2.8 of the Township's OP contains policy direction on Significant Valleylands. As previously noted, the subject property is located within a significant valleyland in accordance with Schedule B in the Township's Official Plan. Section B.2.8.1 states that *Significant Valleylands are natural areas in a valley or other landform depression that has water flowing through or standing for some period of the year.* The subject property does not contain a water course and is generally cleared of vegetation. The internal renovations are not anticipated to have any negative impact on the significant valleylands in the area.

Section B.2.17 of the Township's Official Plan contains the development policies for the Greenlands designation.

Section B.2.18.2 (a) provides clarification that adjacent lands from natural heritage features and areas, including the boundary of Significant Valleylands is 120 metres. Furthermore, Section B.2.18.3 states, *no development or site alteration shall be permitted on these adjacent lands unless an EIS is completed, subject to the comments of the appropriate agencies, which demonstrates that there will be no negative impact on the natural feature or their ecological functions.* The subject property is located within and adjacent to an area identified as a Significant Valleyland. The proposed development of the subject property can be supported as it has been demonstrated through the Environmental Impact Study Brief prepared by Terrastory Environmental Consulting Inc. that the natural heritage features on and adjacent to the property will not be negatively impacted by the proposed internal renovation to the existing dwelling. The EISB concludes that

the proposed development can be accomplished without adversely impacting the functions of the identified natural heritage features.

Section D.1.3.4 of the Township's Official Plan states that all new development on lands outside of the Settlement Area and Shoreline designations shall be serviced by individual on-site sewage and water services. The proposed Group Home is to be serviced by an existing septic system and well that currently provides services to the existing single detached dwelling.

The proposed Zoning By-law Amendment will facilitate the conversion of the existing dwelling into a Group Home, which will maintain the rural residential character of the area and ensure the protection of the adjacent natural heritage features. The proposed Zoning By-law Amendment conforms to the policies of the Township of Tiny's Official Plan.

## 6.5 Township of Tiny Zoning By-law

The Township of Tiny's Zoning By-law is applicable to the subject lands. The subject property is currently zoned "Greenlands (GL)" in the Township's Zoning By-law (**Figure 5**).

The purpose of the Zoning By-law Amendment is to rezone the subject property from the Greenlands (GL) Zone to a site specific Greenlands Zone to add a "Group Home A" as a permitted use on the subject property. The effect of the proposed Zoning By-law Amendment application seeks to facilitate minor interior renovations to the existing 674.4 square metres building to accommodate 6 to 9 residents, plus staff. The proposed development will staff approximately 20 new and local positions. The staff do not reside in the building but work on a rotation of day and night shifts to support the residents.

There are no external renovations, additions or site alteration proposed on site, only minor internal renovations. The existing parking area is to continue to be utilized and is not required to be expanded to accommodate the Group Home 'A' use.

The site plan for the proposed development, including a zoning compliance matrix is included as **Attachment 1** to this Report. The proposed development complies with all other applicable zoning provisions of the Greenlands Zone.

A copy of the draft Zoning By-law Amendment is included as **Attachment 2**.

## 7.0 CONCLUSION

The Owner is proposing to convert the existing 674 square metre single detached dwelling into a Type A Group Home on the subject property. The Zoning By-law Amendment seeks to add a 'Group Home A' as a permitted use on a site-specific basis in the Greenlands Zone. The proposal will partially address the Township's burgeoning need for this type of service in the Municipality.

Based on a detailed review of all applicable Provincial, County and Township land use planning policies, the technical assessment of the proposal, and an analysis of the proposal within the current policy and regulatory context, it is our professional opinion that the Zoning By-law Amendment represents good planning and proper and orderly development.

Respectfully submitted,  
MORGAN Planning & Development Inc.

A handwritten signature in dark ink, appearing to read 'Jonathan Pauk', with a stylized, flowing script.

Jonathan Pauk, HBASc., MSc., MCIP, RPP  
*Senior Planner*

A handwritten signature in dark ink, appearing to read 'Joshua Morgan', with a stylized, flowing script.

Joshua Morgan, RPP  
*Principal*





Figure 1

## LOCATION MAP

**7959 HIGHWAY 93**  
 Part of Lot 91, Concession 1  
 West of Penetanguishene  
 Township of Tiny, County of Simcoe

### LEGEND

 Subject Lands

0 250 500 750 1,000m

Scale: 1 : 25,000



Source: 2023 Aerial photo from the County of Simcoe Interactive map.

Drawn By: A.M.

Date: January 5, 2025

File No: 1486

**MORGAN**  
 PLANNING & DEVELOPMENT

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 101-21 Matchedash Street South, Orillia, ON, L3V 4W4





Figure 2

## AERIAL PHOTO

### 7959 HIGHWAY 93

Part of Lot 91, Concession 1

West of Penetanguishene

Township of Tiny, County of Simcoe

### LEGEND



Subject Lands

0 20 40 60m

Scale: 1 : 1,500



Source: 2023 Aerial photo from the County of Simcoe  
Interactive map.

Drawn By: A.M.

Date: January 5, 2025

File No: 1486

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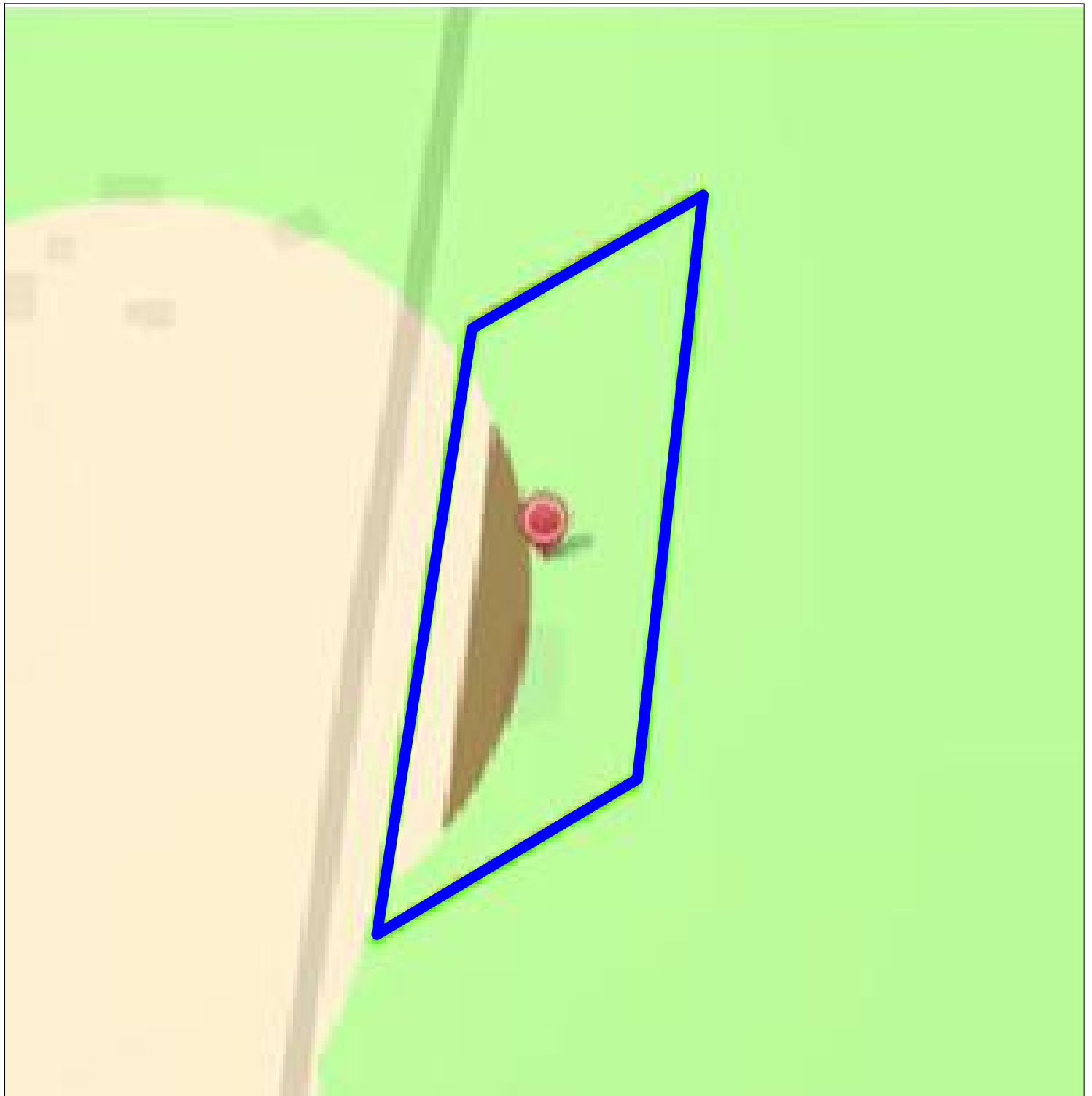


Figure 3

## COUNTY OF SIMCOE LAND USE DESIGNATION

**7959 HIGHWAY 93**  
Part of Lot 91, Concession 1  
West of Penetanguishene  
Township of Tiny, County of Simcoe

### LEGEND

- Subject Lands
- Greenlands
- Agricultural
- Rural

0 20 40 60 80m

Scale: 1 : 2,000



Source: County of Simcoe Official Plan interactive map,  
Schedule 5.1.

Drawn By: A.M.

Date: January 5, 2025

File No: 1486

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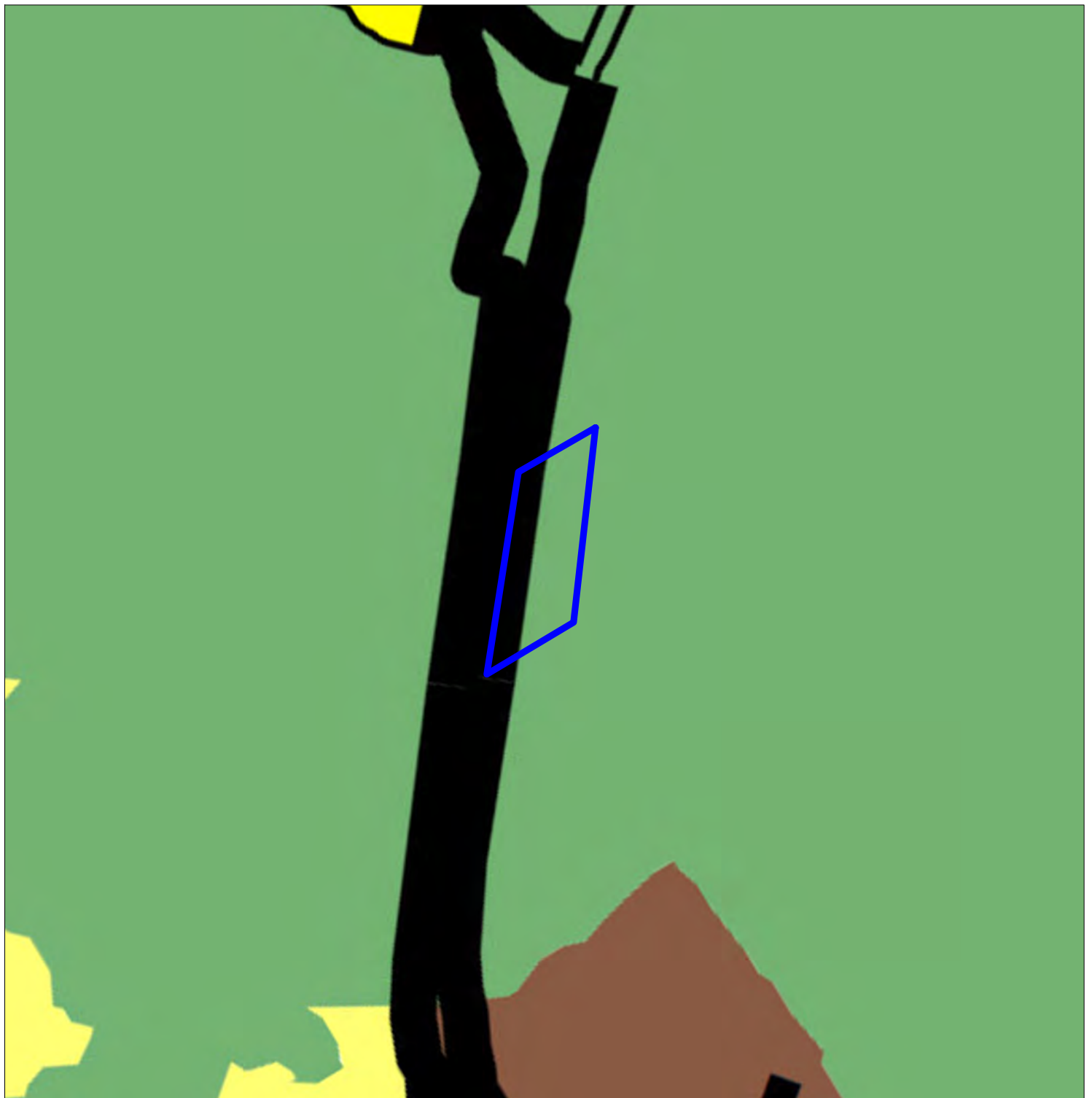


Figure 3

## TOWNSHIP OF TINY LAND USE MAP

**7959 HIGHWAY 93**  
Part of Lot 91, Concession 1  
West of Penetanguishene  
Township of Tiny, County of Simcoe

### LEGEND

- Subject Lands
- Greenlands
- Rural
- Agricultural

0 50 100 150 200m

Scale: 1 : 6,000



Source: Township of Tiny Official Plan Schedule A, October 2023.

Drawn By: A.M.

Date: January 5, 2025

File No: 1486

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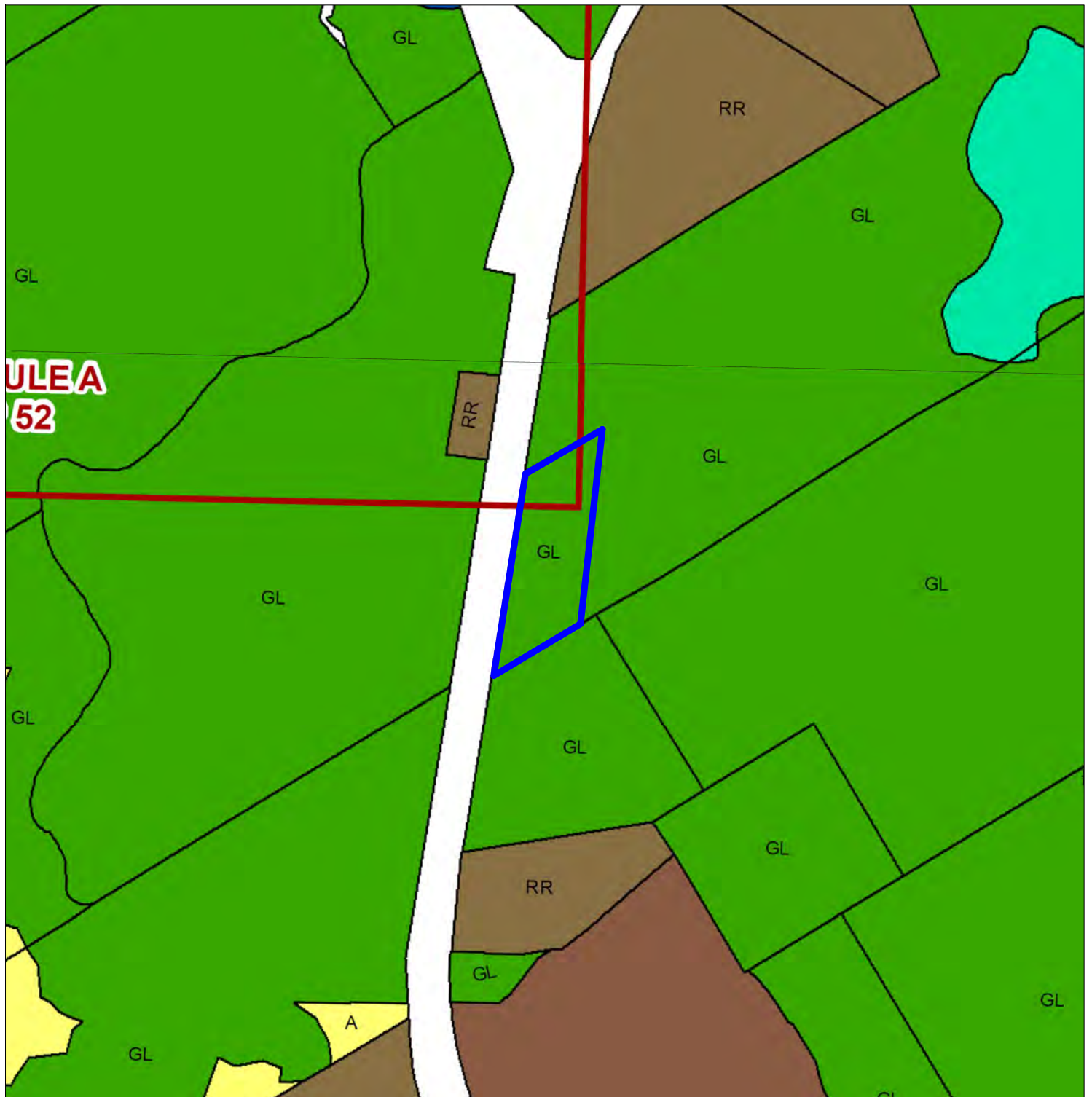


Figure 5

## TOWNSHIP OF TINY ZONING BY-LAW

**7959 HIGHWAY 93**  
Part of Lot 91, Concession 1  
West of Penetanguishene  
Township of Tiny, County of Simcoe

### LEGEND

- Subject Lands
- Greenlands (GL) Zone
- Rural Residential (RR) Zone
- Agricultural (A) Zone
- Rural (RU) Zone
- Environmental Protection Two (EP2) Zone

0 50 100 150 200m

Scale: 1 : 6,000



Source: Township of Tiny Zoning By-law 22-075 Schedule B - Map 20, November 26, 2024.

Drawn By: A.M.

Date: January 5, 2025

File No: 1486

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