



TOWNSHIP OF TINY SHORELINE BY-LAW - FREQUENTLY ASKED QUESTIONS

NOTE: Information below is based on the current draft versions of the Official Plan, Zoning By-law and Shoreline By-law. The responses and information below may change based on feedback received and further analysis.

What is the 178 metre G.S.C. elevation?

The "178 metre G.S.C. elevation" refers to a specific elevation above sea level, measured using the Geological Survey of Canada (G.S.C) datum. It is used as a reference point for flood levels (i.e. the 100 year flood) and shoreline development. Flood, erosion and dynamic beach hazards relating to the Georgian Bay shoreline are measured using setbacks to the 178 metre G.S.C. elevation contour.

What is an erosion hazard?

It is the loss of land on a subject or adjacent property(ies), due to human or natural processes, that poses a threat to life and/or property. For the purposes of the Shoreline By-law, the erosion hazard limit is determined using considerations that include the 178 metre G.S.C. elevation, an allowance for slope stability, and an erosion/erosion access allowance.

What is a flood hazard?

It is the inundation of areas adjacent to a shoreline system that are not ordinarily covered by water. For Georgian Bay, the flooding hazard limit is based on the one hundred year flood level (178 metre G.S.C. elevation) plus a 15 metre allowance for wave effects and other water-related hazards.

What is a dynamic beach hazard?

It is areas of inherently unstable accumulations of shoreline material. The dynamic beach hazard limit consists of the flooding hazard limit (15 metres from 178 metre G.S.C. elevation) plus another 30 metre allowance for dynamic beach hazards, resulting in a hazard area of 45 metres from the 178 metre G.S.C. elevation.

Why is Township Council considering a Shoreline By-law?

The Shoreline By-law is being considered to implement the Provincial Planning Statement policies regarding the protection of dynamic beaches, natural heritage features and flooding and erosion hazards. The Township Zoning By-law 22-075 already regulates the location of all buildings and structures (i.e. dwellings, sheds, gazebos/pergolas, decks, hot tubs, pools etc.) in proximity to the 178 metre G.S.C. elevation. The Shoreline By-law will now also regulate significant grading, erosion control structures and retaining walls adjacent to Georgian Bay to ensure that the installation or expansion of these does not result in new or aggravated flood/erosion/dynamic beach hazards on your, or your neighbour's, property(ies). The Shoreline By-law is also being considered to avoid future installation of retaining walls, rock features, fences or other similar features currently not regulated through the Zoning By-law 22-075 from blocking safe passage along the shoreline, where appropriate.

How is my application for a Shoreline By-law permit assessed?

Proposals are assessed using a set of criteria that has been developed through the Township's shoreline study. In order to meet the criteria a proposal is required to demonstrate that it will not have a negative impact on flooding, erosion and dynamic beach hazards on the subject and adjacent properties, and does not hinder or aggravate safe and accessible passage along the shoreline, where that is appropriate. The level of assessment is dependent on the scope, nature and location of the proposed shoreline development works.



What is a Coastal Engineering Study?

Coastal engineering is a branch of engineering that deals with the design and management of structures and systems in coastal areas. Coastal engineering uses the practise of civil engineering as well as the disciplines of oceanography and coastal geology to assess development and construction in proximity to a shoreline and their potential impacts on flooding/erosion/dynamic beach hazards and on the natural dynamic beach processes. A Coastal Engineering Study provides information to the Township to assist in determining whether a beach is dynamic, and given the existing and proposed conditions of the lands, whether there is a potential flooding, erosion and/or dynamic beach hazard impact.

What would be a cause to deny my permit application?

A proposal must demonstrate that it will not have a negative impact on flooding, erosion and dynamic beach hazards on the subject and adjacent properties and does not hinder or aggravate safe and accessible passage along the shoreline, where that is appropriate. A proposal that does not meet this established criteria would not be issued a permit. If an application is received that does not meet the criteria, Township staff are happy to work with the applicant and/or agent to find an alternative proposal that meets the needs of the property while also meets the intent of the Shoreline By-law.

How is the Shoreline By-law different from the Zoning By-law?

The Zoning By-law is a by-law passed and subject to the regulations of the *Planning Act* while the Shoreline By-law would be passed and subject to the regulations of the *Municipal Act*.

The Zoning By-law currently regulates and establishes setbacks to lot lines and to the 178 metre G.S.C. elevation for buildings and structures (i.e. dwellings, sheds, gazebos, pools, decks etc.). In order to locate a building or structure closer to the 178 metre G.S.C. elevation than the minimum required in the Zoning By-law (in most cases 15 metres), a Minor Variance application supported by a coasting engineering study prepared by a qualified engineer is already required. The Shoreline By-law will now also regulate site alteration, including significant grading, installation of in-water erosion control features and retaining walls in the same fashion. In most cases, the Official Plan the criteria that must be met to receive Minor Variance approval will now also applied to site alteration works that require a Class 3 permit. Similar to the Zoning By-law, existing conditions, features, buildings and structures are permitted to continue to be used, repaired and/or replaced as long as it is on a one-for-one basis.

How does this process compare to the permitting system for shoreline site alteration and construction on Conservation Authority regulated lands?

The Township's proposed permit application forms and submission requirements are similar and have been developed based on those from nearby Conservation Authorities, such as the Nottawasaga Valley Conservation Authority, which regulates and requires permits for shoreline alteration and construction along the Georgian Bay shoreline in neighbouring Town of Wasaga Beach.

I'm replacing an old cottage with a new cottage. Will the Shoreline By-law change the process of obtaining a building permit from the current process?

A Shoreline By-law permit will be required, but the permit will be reviewed and issued concurrent with the building permit process through the Zoning By-law compliance review. In most circumstances, it will not add costs or timing to the process. Similarly, if a Minor Variance application is required because the cottage is being made larger and/or closer



to Georgian Bay, the submission requirements and Official Plan criteria that must be met are the same for a Minor Variance and Shoreline By-law permit application. If all aspects of the shoreline development are regulated through the Township Zoning By-law 22-075, a Class 1 (Planning Act) Stream Permit is required. For a Class 1 (Planning Act) Stream Permit application, the only submission requirement is the completed application form. If an aspect of the proposal is not regulated by Zoning By-law 22-075, that aspect would be reviewed through a Class 2 Stream Permit application. An example of this would be a dwelling (regulated through Zoning By-law 22-075) that relies upon the construction of a retaining wall.

Do I need a permit if I am repairing and/or replacing an existing feature/structure on a one-for-one basis?

Yes, however, these scenarios would be considered through either the Class 1 or Class 2 Permit streams, which in most cases would not require reports and/or studies from professionals.

Can I replace my existing retaining wall?

Yes, existing retaining walls can be replaced on a one-for-one basis. Based on the draft Shoreline By-law, a one-for-one replacement would fit into the Class 2 Permit Stream, whereas any expansions, or significant alterations to an existing retaining wall's materials, may require a Class 3 Permit.

Aren't retaining walls already regulated through the Zoning By-law?

The Township Zoning By-law 22-075 does regulate retaining walls in Section 2.27. However, the regulations in the Zoning By-law do not currently include a setback from the 178 metre G.S.C. elevation for retaining walls. Updates to Zoning By-law 22-075 are proposed to clarify where a retaining wall is regulated through the Zoning By-law and/or Shoreline By-law.

Do Septic System installations, repairs and/or replacements need a Shoreline By-law permit?

No, sewage systems are exempt and do not require a Shoreline By-law permit. Installation and maintenance of sewage systems currently and will continue to require a Township-issued permit under Part 8 of the Ontario Building Code.

I want to construct a new shed/deck/boathouse/gazebo within 15 metres of the 178m G.S.C. elevation. What is required?

The Township's Zoning By-law 22-075 already regulates the location of things like sheds, decks, boathouses and gazebos. Today, to support locating one of these structures closer than the required minimum 15 metre setback from the 178 metre G.S.C. elevation, you would require a Minor Variance approved by the Township Committee of Adjustment as per the *Planning Act*. The Township Official Plan currently requires that application to be supported by a coastal engineering study prepared by a qualified engineer.

Should the proposed Official Plan Amendment, Zoning By-law Amendment and Shoreline By-law be approved, the proposed reduced setback location would still be reviewed and assessed through the Committee of Adjustment (*Planning Act*) process. If supported and approved through that established process, a Class 1 (Planning Act) Stream Permit would be required. For a Class 1 (Planning Act) Stream Permit application, the only submission requirement is the completed application form.



I would like to dredge, construct a groin, repair/replace an existing groin or construct a dock. Is a permit required?

Yes, a permit is required. Depending on the nature of the works, a Class 2 or 3 Stream Permit would be required. For new erosion control structures or in-water activities, a coastal engineering study may be required to support the proposal.

Do I need a permit to remove trees from my property?

Based on the draft Shoreline By-law, a permit is required if you will be excavating the roots of the tree(s). Depending on the amount of removals and size of tree(s), the works would be through either the Class 1 or 2 Permit streams.

Do I need a Shoreline By-law permit for interior renovations and/or exterior façade changes?

No. A Shoreline By-law permit is not required for interior renovations or façade improvements. A building (or other) permit may be required, depending on the work.

Will this impact my ability to maintain my property?

The Shoreline By-law exempts what is referred to as “general shoreline maintenance”, meaning no permit is required. This includes things like re-location of blow sand without machinery, raking, weeding, and similar works. The Shoreline By-law is not intended to restrict the repair and/or replacement of existing structures, retaining walls and erosion control structures on a one-for-one basis.

Will I be able to remove invasive species from my property?

Any vegetation removal that requires heavy machinery would require a Shoreline By-law permit. Depending on the scope and nature of the removals, it would fit into a Class 1 or 2 Permit stream. The application would need to be supported by photographs of the area of the works, including the vegetation to be removed, and a description of the work. The removal of invasive species will be taken into account in the assessment of the application.

How does this impact my ability to construct a boathouse?

The location and size of boathouses are already regulated through the Township Zoning By-law 22-075. Boathouses are required to be setback a minimum of 15 metres from the 178 metre G.S.C. elevation. If a boathouse is proposed to be located closer than 15 metres, a Minor Variance application through the Township Committee of Adjustment is required. The Township Official Plan requires that the application be supported by a coastal engineering study prepared by a qualified engineer.

Will the Township make me remove existing structures that are located within 45 metres of the 178 metre G.S.C. elevation?

No, existing conditions, features, building and structures can continue to be used, repaired and replaced on a one-for-one basis. If not being replaced on a one-for-one basis, in most cases the proposal will need to be supported by a coastal engineering study. In some cases, if structures or features are located on municipally-owned property an encroachment agreement may be requested.



How will this impact my ability to protect my property and dwelling from erosion and flooding?

The Shoreline By-law is not intended to restrict the repair and/or replacement of existing erosion control and/or flooding control features and structures. Where new erosion and/or flood control structures are proposed, a permit application supported by a coastal engineering study that confirms that the structure is necessary and confirms that there will be no negative impact on your, or neighbouring property(ies), in terms of sand movement or subsequent flooding/erosion hazards, will be required.

I own to the water's edge. Will this process apply to me?

Yes, the Shoreline By-law applies to all lands within 45 metres of the 178 metre G.S.C. elevation. The Township Zoning By-law 22-075 (and in most cases the Ontario Building Code) already regulates the type, location and size of structures that can be placed on private property adjacent to Georgian Bay. For example, Zoning By-law 22-075 currently requires that all sheds, gazebos, decks, pools, hot tubs etc. be located a minimum distance away from all lot lines of a private property. The Zoning By-law also requires that all sheds, gazebos, decks, pools, hot tubs etc. be located a minimum of 15 metres from the 178 metre G.S.C. elevation. This latter setback does not relate to property boundaries. It is important to note that these setbacks apply regardless of whether a building permit is required.

The Shoreline By-law is proposed to now also regulate things that were previously not captured through the Zoning By-law such as new or enlarged retaining walls, significant grading/site alteration and in some cases, the location of fences, within 45 metres of the 178 metre G.S.C. elevation.

My property is on a beach that is not dynamic. Does this by-law apply to me?

Yes, the Shoreline By-law applies to all lands within 45 metres of the 178 metre G.S.C. elevation. The Shoreline By-law is intended to protect against negative impacts on your and/or neighbouring properties, in terms of flood/erosion/dynamic beach hazards. Whether the beach is dynamic is an important part of determining hazard impact, but it is not the only aspect that will be taken into consideration. For example, a proposal to construct a retaining wall on one property may result in inadvertent erosion and flooding on adjacent properties. The Shoreline By-law permitting system will now require property owners to confirm that works such as significant re-grading, construction of retaining walls and in-water erosion control structures will not result in new or aggravated flood/erosion/dynamic beach hazards on the subject and adjacent properties. Placement of gazebos, sheds, decks and dwellings adjacent to Georgian Bay that do not meet the minimum setbacks are already required to prove this through the regulations in the existing Zoning By-law 22-075.

Is the permit process complicated?

It depends on your property and project and whether or not we have received all the necessary information to review your application. Depending on the complexity of your project, site visits may be necessary and the submitted materials may need to be peer reviewed. If there are questions and/or concerns about the materials and proposal these will be relayed to you and the process will continue in an effort to produce a proposal that meets the established criteria and can be issued a permit. If you are contemplating a proposal that is complex and fits into the Class 3 Permit stream you may want to pre-consult with Township staff to understand the submission requirements and how the proposal may best meet the established criteria. Pre-Consultation request forms can be found on the Planning and Development Planning Applications webpage (once the permitting system is in place): [Planning Applications | Township of Tiny](#).



How long will it take to receive a permit once I submit my application?

Township staff will strive to review and issue permits as quickly and efficiently as possible. The time it takes will depend on the completeness of the application submission and the complexity of the proposal. Class 3 Permits, which in most cases will involve studies/reports that will need to be peer reviewed, are anticipated to take longer to process than Class 1 and Class 2 Permit applications.

What should I do if I need help interpreting the Shoreline By-law?

Township staff are able to assist with determining where your proposal fits into the Shoreline By-law permitting system. For complex proposals, it is suggested that residents submit a Pre-Consultation request which will allow staff to conduct a preliminary review of a proposal and provide feedback on what the submission requirements would be for a permit application and how the proposal may best meet the established criteria. Pre-Consultation request forms can be found on the Planning and Development Planning Applications webpage (once the permitting system is in place): [Planning Applications | Township of Tiny](#).

How will I know what class of permit I require?

The permit application form will include examples of works for each class of permit as a guide. Township staff are available to discuss the proposed works and clarify what class of permit is required. If you are contemplating a proposal that is complex you may want to pre-consult with Township staff to understand which Class Stream would apply, the submission requirements and how the proposal may best meet the established criteria. Pre-Consultation request forms can be found on the Planning and Development Planning Applications webpage (once the permitting system is in place): [Planning Applications | Township of Tiny](#).

Who is responsible for the issuance of Shoreline By-law permit?

Permits are issued by the Directors of Planning and Development and Public Works, or their designate.

Do I need a permit from any other government institution?

Depending on the works you may need approvals from other institutions, including but not limited to a permit from the Ministry of Natural Resources (MNR) and/or Fisheries and Oceans Canada (DFO). A Township-issued building and/or septic permit may also be required.

If my permit application is not issued or denied, what options do I have?

The issuance of permits will be at the discretion of the Directors of Planning and Development and Public Works. If an application is received that does not meet the established criteria, Township staff are able to work with the applicant and/or agent to find an alternative or revision to the proposal that meets the needs of the property while also meeting the intent of the Shoreline By-law. Where an applicant is unable or unwilling to amend a proposal that does not meet the established criteria and the permit application is denied, a written response will be provided to the applicant with the reasons for the denial of the application. A proponent will have the ability to submit a request for re-consideration to Township Council through a scheduled deputation. Council's decision on the re-consideration is then final.



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Are there best practices or techniques that would generally meet the established criteria to receive a Shoreline By-law permit? Or conversely, any methods/materials/techniques that are less supportable given the criteria?

Naturalized solutions that meet the intention of a property owner for flood/erosion/dynamic beach control while also assisting in supporting the dynamic beach features and functions and promoting beach flora and fauna are encouraged. For example, a sloped stone/rock feature with plantings may have less impact on the dynamic beach processes than a vertical amour stone wall.

When will the permitting system be in place?

The Shoreline By-law is anticipated to be passed by Township Council in May 2025, at which time all materials including application forms, guides and background information will be available through the Township website.