

THE CORPORATION OF THE TOWNSHIP OF TINY

BY-LAW NUMBER 25-035

Being a By-law to adopt Official Plan Amendment Number 5 to the Official Plan of the Township of Tiny with respect to Shoreline Management

WHEREAS the Council of The Corporation of the Township of Tiny is empowered to amend its Official Plan as required;

AND WHEREAS the process for considering such an Amendment was in accordance with Sections 17 and 21 of the *Planning Act*, R.S.O. 1990 c. P.13;

AND WHEREAS the Council of The Corporation of the Township of Tiny deems it appropriate and in the public interest to amend the Official Plan;

AND WHEREAS the Council of The Corporation of the Township of Tiny is satisfied that Official Plan Amendment No. 5 is suitable for adoption;

NOW BE IT ENACTED as a by-law of the Corporation of the Township of Tiny as follows:

1. That the attached text which constitute Amendment Number 5 to the Official Plan for the Township of Tiny is hereby adopted.
2. That Clerk is hereby authorized and directed to make application to the County of Simcoe under the *Planning Act* for approval of Amendment Number 5 to the Official Plan for the Township of Tiny.
3. This By-law shall come into effect pursuant to the provisions of the *Planning Act*.

BY-LAW PASSED AND ENACTED THIS 26th DAY OF MAY 2025.

THE CORPORATION OF THE TOWNSHIP OF TINY



MAYOR, David Evans

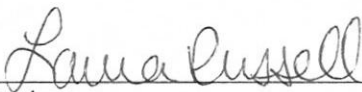


ACTING CLERK, Laura Russell

AMENDMENT NO. 5
OF THE
OFFICIAL PLAN
FOR THE
TOWNSHIP OF TINY
RESPECTING Shoreline Management

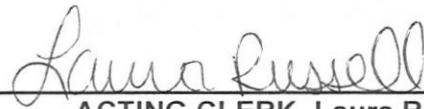


CERTIFIED that the attached is a true copy of Official Plan No. 5 as enacted and passed by the Council of the Corporation of the Township of Tiny on the 26th day of May, 2025.


Clerk

**AMENDMENT NO. 5
TO THE OFFICIAL PLAN OF THE
TOWNSHIP OF TINY**

I, Laura Russell, Acting Clerk of the Township of Tiny hereby certify that the requirements for the giving of Notice, and holding of at least one public meeting as set out in Section 17 (15) of the Planning Act, R.S.O., 1990, as amended, and giving of Notice as set out in Section 17 (17) of the *Planning Act, R.S.O., 1990, as amended*, have been complied with.

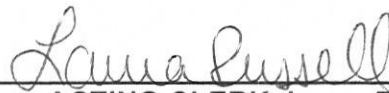


ACTING CLERK, Laura Russell

THIS AMENDMENT was adopted by the Corporation of the Township of Tiny by By-law 22-065 in accordance with the provisions of Section 17 (22) of the *Planning Act, R.S.O., 1990, as amended*, on the 26th day of May, 2025.



MAYOR, David Evans



ACTING CLERK, Laura Russell

**AMENDMENT NO. 5 TO THE OFFICIAL PLAN
FOR THE TOWNSHIP OF TINY**

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THE CONSTITUTIONAL STATEMENT

The following Amendment to the Official Plan for the Township of Tiny consists of three parts.

PART A – THE PREAMBLE consists of the purpose, location and basis for the Amendment and does not constitute part of the actual Amendment.

PART B – THE AMENDMENT sets out the actual Amendment along with the specific policies to be added to the Township of Tiny Official Plan.

PART C – THE APPENDICES Not Applicable

PART A – THE PREAMBLE

TITLE

The title of this Amendment is “Amendment No. 5 to the Official Plan for the Township of Tiny – Shoreline Management”, herein referred to as Amendment No. 5.

PURPOSE

The purpose of this amendment is to create a policy framework to manage site alteration, shoreline retaining walls and fences within 45 metres of the 178 metre G.S.C. elevation of Georgian Bay.

LOCATION

Amendment No. 5 is a textual amendment and applies to lands located in proximity to Georgian Bay, in the Township of Tiny.

BASIS

The Official Plan builds on existing policies to further establish a policy framework to manage lands in proximity of the shoreline of Georgian Bay to ensure the natural and ecological function of these areas is maintained by providing a framework for managing site alteration within these areas. The Official Plan also provides a framework for the establishment of regulations that protect human life and development from Natural Hazards associated with the shoreline as well as Dynamic Beaches from incompatible development.

PART B – THE AMENDMENT

INTRODUCTION

All of this part of the Amendment, entitled Part B – The Amendment, consisting of the following text constitutes Amendment No. 5 to the Official Plan for the Township of Tiny.

DETAILS OF THE AMENDMENT

The Official Plan of the Corporation of the Township of Tiny is amended as outlined in Table 1 of this Amendment.

IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan for the Township of Tiny, as amended from time to time, regarding the implementation and interpretation of the Plan shall apply in regard to this Amendment.

TABLE 1 – AMENDMENT DETAILS

	Official Plan Section	Action to be Taken	Existing Official Plan Policy	New Official Plan Policy
1.	A.4	Add new section A.4 and renumber section accordingly		Shoreline Management
2.	A.4.1	Add new section A.4.1 and renumber section accordingly		Background
3.	A.4.1.1	Add new section A.4.1.1 and renumber section accordingly		All land within 45 metres of the 178 metre G.S.C. elevation of Georgian Bay are subject to the Shoreline Management Policies of the Official Plan.
4.	A.4.1.2	Add new section A.4.1.2 and renumber section accordingly		All site alteration, shoreline retaining walls or fences within the <i>Shoreline Development Area</i> will be evaluated in accordance with the Shoreline By-law, the appropriate policies of this Plan, and the implementing Zoning By-law. This Official Plan recognizes the key role that lands in the <i>Shoreline Development Area</i> and Dynamic Beaches play from an ecological perspective and social perspective and in the management of hazards and the importance of Dynamic Beach Areas.

5.	A.4.1.3	Add new section A.4.1.3 and renumber section accordingly		This Official Plan recognizes that many Dynamic Beach Areas in the Township contain existing development.
6.	A.4.1.4	Add new section A.4.1.4 and renumber section accordingly		The Official Plan policies provide a framework to manage existing developed <i>Shoreline Development Areas</i> and non-developed Shoreline Development Areas, including existing Dynamic Beach areas to protect development and lands from flooding, erosion and <i>dynamic beach hazards</i> .
7.	A.4.1.5	Add new section A.4.1.5 and renumber section accordingly		The Official Plan policies also protect natural and environmental characteristics of shorelines and Dynamic Beaches.
8.	A.4.1.7	Add new section A.4.1.7 and renumber section accordingly		The Township may prepare a Shoreline By-law that will apply to all lands within 45 metres of the 178 metre G.S.C. elevation adjacent to Georgian Bay. The Shoreline By-law shall regulate site alteration, shoreline retaining walls and fences.
9.	A.4.1.8	Add new section A.4.1.8 and renumber section accordingly		The primary function of the Shoreline By-law is to manage site alteration within the <i>Shoreline Development Area</i> . To this end a permit will be required for any site alteration, shoreline retaining wall or fence within the <i>Shoreline Development Area</i> .

10.	B.4.2 h)	Add new section B.4.2 h) and renumber section accordingly		To manage and minimize negative impact of site alteration, shoreline retaining walls or fences in the <i>Shoreline Development Area</i> .
11.	B.4.8.3	Delete existing Section B.4.8.3 and replace with new Section B.4.8.3	A rezoning and site plan approval may be required for the expansion.	A rezoning and site plan approval may be required for the expansion.
12.	B.4.10.1	Delete existing Section B.4.10.1 and replace with new Section B.4.10.1	Only marinas that are zoned for the use as of the date of adoption of this Plan are permitted in the <i>Shoreline</i> designation. Expansion to an existing marina zone boundary shall require an amendment to the Official Plan and shall only be considered if the following policies can be met:	Only marinas that are zoned for the use as of the date of adoption of this Plan are permitted in the <i>Shoreline</i> designation. Expansion to an existing marina zone boundary shall require an amendment to the Official Plan and may require site plan approval, and shall only be considered if the following policies can be met:
13.	B.4.14	Add new section B.4.14 and renumber section accordingly		<i>Shoreline Development Area Policies</i>
14.	B.4.14.1	Add new section B.4.14.1 and renumber section accordingly		Any site alteration, shoreline retaining wall or fence on lands within the <i>Shoreline Development Area</i> shall be subject to a Shoreline By-law and the policies of this Section in addition to all policies of this Plan.

15.	B.4.14.2	Add new section B.4.14.2 and renumber section accordingly		Notwithstanding any other section of this Plan, prior to the approval of site alteration, shoreline retaining wall or fence on lands within the <i>Shoreline Development Area</i> , the proponent shall demonstrate conformity with the policies of this Section and obtain approval from the Township of Tiny.
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16.	B.4.14.3	Add new section B.4.14.3 and renumber section accordingly		<p>In evaluating site alteration, retaining walls or fences on lands within the <i>Shoreline Development Area</i> the following shall be considered:</p> <ul style="list-style-type: none"> a) Public access to the shoreline shall not be negatively impacted. b) Opportunities shall be explored and implemented to revegetate, naturalize and stabilize lands between dwellings and the shoreline. c) Potential impacts to public health and safety shall be avoided. d) The existing and proposed grades on the property. e) The location of existing man-made structures on the property. f) The topography and vegetation on the property. g) The nature of any modifications made or proposed to be made to the topography on the property. h) Where flood, erosion and/or <i>dynamic beach hazards</i> are present, that Section C.4.2.9 has been satisfied.
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17.	C.2 b)	Delete existing Section C.2 b) and replace with new Section C.2 b)	To ensure that <i>development</i> does not occur on land that is unstable or susceptible to flooding;	To ensure that <i>development</i> and site alteration, shoreline retaining walls and fences do not negatively impact the natural environment and are directed away from flood, erosion and <i>Dynamic Beach Hazards</i> ;
18.	C.2 g)	Add new section C.2 g) and renumber section accordingly		To identify what is required to support the issuance of a permit under the Township's Shoreline By-law for lands within the <i>Shoreline Development Area</i> .
19.	C.4.2	Delete existing Section C.4.2 and replace with new Section C.4.2	Flood Hazards adjacent to Georgian Bay	Flood/Erosion/Dynamic Beach Hazards adjacent to Georgian Bay
20.	C.4.2.2	Delete existing Section C.4.2.2 and replace with new Section 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.	No building or structure shall be located adjacent to the shore of Georgian Bay, unless sited inland from the Regulatory Flood Elevation, with the exception of marine facilities, where permitted and in accordance with Section B.4.10.1.

21.	C.4.2.3	Delete existing Section C.4.2.3 and replace with new Section 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	Structural works proposed for flood and/or erosion and/or sedimentation control shall be required to be approved through the permitting process in accordance with the Shoreline By-law, in addition to any <i>Planning Act</i> approvals that may also be required.
22.	C.4.2.4	Delete existing Section C.4.2.4 and replace with new Section C.4.2.4	The location of the 178.0 metre Elevation must be established by a qualified professional for all new development.	The location of the 178 metre Elevation must be established by a qualified professional for all new development and may be required for site alteration, shoreline retaining walls and fences within the <i>shoreline development area</i> .

23.	C.4.2.5	Delete existing Section C.4.2.5 and replace with new Section C.4.2.5	<p>For new development requiring a <i>Planning Act</i> application, an assessment by a professional coastal engineer regarding the location of the proposed new <i>development</i> and its possible impact from shoreline natural hazards may be needed, depending on the scale and location of the <i>development</i> and its nature. Factors to be considered in this assessment include, but are not limited to:</p> <ul style="list-style-type: none"> 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. 	<p>It is recognized that some lots 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 <i>development</i> of new buildings or structures 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 and the implementing Zoning By-law. Where the replacement, repair or rebuilding of existing buildings and structures located wholly or partly below the Regulatory Flood Elevation or within the required setbacks to this Elevation requires a <i>Planning Act</i> application, it will be evaluated in accordance with the policies of this Plan, including but not limited to Section C.4.2.9.</p>
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24.	C.4.2.6	Add new section C.4.2.6 and renumber section accordingly		The location of the 178 metre G.S.C. elevation must be established by way of a survey plan by an Ontario Land Surveyor (OLS) for all new development in order to establish the setbacks. A survey may also be required for site alteration and/or when confirming the need for structural works or replacement of structural works as described in C.4.2.2 and C.4.2.3 above, and/or where a Shoreline By-law permit is required.
25.	C.4.2.7	Add new section C.4.2.7 and renumber section accordingly		For <i>development</i> requiring a <i>Planning Act</i> application, an assessment by a professional coastal engineer regarding the proposed <i>development</i> and its possible flooding, erosion and <i>dynamic beach hazards</i> is required.
26.	C.4.2.8	Add new section C.4.2.8 and renumber section accordingly		Where required, the terms of reference, for a coastal engineering study will be based upon the policies of this Plan and confirmed by Township staff.

27.	C.4.2.9	Add new section C.4.2.9 and renumber section accordingly		<p>In evaluating a <i>Planning Act</i> application and/or a Shoreline By-law application to permit development and/or site alteration, shoreline retaining walls or fences on or adjacent to flood, erosion and/or <i>dynamic beach hazards</i>, it shall be demonstrated that the works do not:</p> <p>a) Create any new flooding, erosion and/or <i>dynamic beach hazard</i> or aggravates existing flooding, erosion and/or <i>dynamic beach hazards</i>.</p> <p>b) Cause negative impacts to the features and functions of the shoreline or dynamic beach and coastal processes.</p> <p>c) Create or aggravates issues including impacts on abutting properties due to changes in ground cover conditions by substantially altering the natural movement of existing or future sand.</p> <p>d) Alter the existing grade of a property in a way that negatively impacts drainage on another property, any creek system, or the channel of any small creek that flows through beach and dune system on the property.</p>
28.	E.4.13	Add new section E.4.13 and renumber section accordingly		Shoreline By-law

29.	E.4.13.1	Add new section E.4.13.1 and renumber section accordingly		The Township may pass a Shoreline By-law in accordance with the <i>Municipal Act</i> . The purpose of the Shoreline By-law is to manage and regulate site alteration, shoreline retaining walls and fences on all lands within the <i>Shoreline Development Area</i> and require approval for any works in accordance with the by Shoreline By-law for obtaining the necessary permit(s) and/or other approvals by the Township prior to undertaking any works.
30.	E.4.13.3	Add new section E.4.13.2 and renumber section accordingly		Applications for permits under the Shoreline By-law shall be considered in accordance with the requirements of that By-law and in accordance with the policies of this Plan, including but not limited to Section B.4.14.4 and Section C.4.2.9.
31.	E.10.2.1 l)	Delete existing Section E.10.2.1 l) and replace with new Section E.10.2.1 l)	Wave Uprush Study/Coastal Engineering Study	Wave Uprush Study/Coastal Geomorphology/Engineering Study/Dynamic Beach Hazard Study;
32.	E.11.1	Delete existing Section E.11.1 and replace with new Section E.11.1	A Plan of Survey, prepared and certified by an Ontario Land Surveyor, may be required by the Township prior to consideration of a development application.	A Plan of Survey, prepared and certified by an Ontario Land Surveyor, may be required by the Township prior to consideration of a <i>Planning Act</i> and/or Shoreline By-law permit application.

33.	F	New definition be added		<p>Dynamic Beach Hazard: means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes - St. Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time PPS (2024). For the Georgian Bay Shoreline the 'Dynamic Beach Hazard' consists of the following:</p> <p>a) The Ministry of Natural Resources and Forestry 100 year Flood elevation (178 metre GSC elevation) plus the Wave Effects/Wave Uprush and Overtopping Flood Component of 15 metres plus the Dynamic Beach Allowance of 30 metres.</p>
34.	F	New definition to be added		<p>Shoreline Development Area: means all lands within 45 metres of the 178 metre G.S.C elevation of Georgian Bay.</p>