

**1390 / 1394 Champlain Road, Township of Tiny**  
**Application for Site Specific Zoning By-law**  
***Planning Rationale***

*April 13, 2026*

**Summary**

This application is the result of a condition of approval imposed by the Township of Tiny Committee of Adjustment on March 9, 2026, in its approval of Application No. B1/26. That application requested a Boundary Adjustment to add a 6,993 m<sup>2</sup> parcel from the property at 1394 Champlain Road to the existing 4,802 m<sup>2</sup> property at 1390 Champlain Road. No new lot will be created.

The purpose of the transfer is to provide additional buffering between the two lots.

The land to be transferred from 1394 Champlain is zoned GL (Greenlands). The existing property at 1390 Champlain is zoned SR (Shoreline Residential). The resulting enlarged property would have a “split zoning”, in other words, the western and eastern portions of the property would be subject to different zoning classifications.

Section 2.17 of the Township of Tiny Zoning By-law 22-075 says: *“Where a lot is divided into more than one Zone, each portion of the lot shall be used in accordance with the provisions of this By-law for the applicable Zone.”*

However, to clarify the permitted uses on the land, the Committee accepted staff’s recommendation that the lands *“be rezoned to a site-specific Greenland (GL) and Shoreline Residential (SR) Zone”*. This will provide greater clarity as to Council’s intentions for land uses on the lot in the future

The land is mostly forested with one detached dwelling and a garage. There is no intention to develop or alter the property, as the existing forest assists with the desired buffering. The application for a zoning by-law amendment does not offend any of matters of provincial interest and is in conformity with the Township of Tiny and County of Simcoe Official Plans. The proposed zone change will not negatively affect the County and Township Official Plan’s stated objectives for land in the Greenland, Rural or Shoreline designation.

The application proposes that the uses permitted in the GL and SR zones be permitted in the site-specific Zoning By-law, within the portion of the lot so zoned, with the exception that the Forestry use no longer be permitted in the GL section, as the lot is relatively small and would not permit this use to be carried out effectively. Amended

development standards are to be applied to some of the uses in the GL portion. An additional provision would create a minimum lot area approximately equal to the existing condition, thereby precluding any severance in the future.

### **Reason for Application**

On March 9, 2026, the Tiny Township Committee of Adjustment gave conditional approval to a Boundary Adjustment application which would have the effect of adding 6,993 m<sup>2</sup> from property owned by Stanley and Stephanie Kulczynski at 1394 Champlain Road to an abutting, existing lot owned by Manny Laranjeira at 1390 Champlain Road.

A survey of the lot created by the boundary adjustment is attached to this Planning Rationale as Appendix 'A'. The site-specific zone change is intended to apply to the parcels marked Part 1 and Part 2 on the survey prepared by Raikes Geomatics Inc., dated 2025-10-20 and titled "Plan of Survey of Part of South Half of Lot F and Part of Lot G, Concession 17, Township of Tiny, County of Simcoe". The total area of the lot is 11,795 m<sup>2</sup>.

The property at 1394 (Part 2) is currently zoned GL (Greenlands) and the property at 1390 (Part 1) is zoned Shoreline Residential (SR). The resulting expanded lot would be split between these two zones.

Tiny Township Planning staff, in their report to the Committee, recommended that:

*"subject to any consent approval, a condition be included for a site-specific Zoning By-law Amendment Application (submitted and considered by Council), in order to ensure the zoning is updated to reflect the re-configured lot boundaries and any appropriate site-specific exceptions, including permitting ADUs on the entire parcel".*

The Committee accepted the recommendation and included it as Condition No. 2:

*"2. That the severed land at 1394 Champlain Road (and benefitting land at 1390 Champlain Road) be rezoned to a site-specific Greenland (GL) and Shoreline Residential (SR) Zone (this condition is subject to the owners of each property submitting a joint Zoning By-law Amendment Application and Council approval);"*

This application seeks to satisfy that condition.

### **No New Lot**

Mr. Laranjeira and his family use their property at 1390 Champlain Road (Part 1), which contains a house and garage, for recreational purposes. Mr. Laranjeira wishes to purchase the additional land from the Kulczyckis (Part 2) and add it to his property in

order to provide additional buffering between the two properties. No new lot will be created.

### **Township of Tiny Official Plan Designations**

The land to be transferred from 1394 Champlain Road (Part 2) is designated “Greenlands”. The existing lot to which it is to be added (1390 Champlain Road) (Part 1) is designated “Shoreline”. Both designations permit residential development in the form of one single, detached dwelling per lot. This permitted dwelling already exists on the lot.

### **County of Simcoe Official Plan Designations**

The County of Simcoe Official Plan designates the property to be transferred (Part 2) as GL – Greenlands. The property to which it is to be added (Part 1) is designated R – Rural.

### **Recommended Site-Specific Zoning By-law**

Township staff noted in their report to the Committee that:

*“Factors to consider in regard to the recommended rezoning include:*

- *Confirmation/clarification of minimum setback and lot coverage requirements*
- *Confirmation/clarification of minimum lot size (to ensure no further development/lot/creation)*
- *Clarification of ADU provisions/criteria*
- *Consideration/clarification as to whether any uses should not be permitted/be Prohibited”*

### ***Regulations for the portion of the lot zoned SR (Shoreline Residential)***

The original lot (Part 1) is zoned SR. It contains a house and accessory building and is used for recreational purposes. I suggest that the current permissions continue.

In order to address concerns that the expanded lot could be subdivided in the future, an exception to the Zoning Bylaw specifying that the subject, expanded lot (1390 Champlain Road) have a minimum lot area of 1.17 ha should be included in the Site Specific Zoning. This can be accomplished by adding the following provisions to Section 6.1 Exceptions, ‘Table 6.1’:

TABLE 6.1					
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Special Provisions
SR-XX				Minimum lot area, including abutting portion of the lot zoned GL – 11,700 square metres	

***Regulations for the portion of the lot zoned GL (Greenlands)***

Single Detached Dwelling and Home Occupation

The portion of the expanded lot zoned GL (Part 2) also permits a single, detached dwelling. No additional primary dwelling can be erected on the property at this time, as one single, detached dwelling already exists on the portion of the property zoned SR (Part 1). However, this permission should be maintained to allow flexibility for an alternate location for the one dwelling permitted should the existing principal dwelling be demolished.

As in the SR section above, an exception should be added to Table 6.1 that will provide for a minimum lot size of 11,700 square meters. (see Table 6.1 at the end of this section)

Additional Dwelling Units (ADUs)

The Greenland zoning currently in force on the western portion of the lot (Part 2) permits ADUs, which could be in the form of a Garden Suite (temporary use of up to 20 years with the possibility of extension) and/or second suites in an existing house. A maximum of two ADUs are permitted, with one being located in the principal dwelling building.

Both the Township and County Official Plans emphasize the need for and desirability of providing additional housing and especially affordable housing.

For example, the Township’s Official Plan states in Section D. 10:

*Garden Suites and Second Units allow for affordable housing opportunities and are permitted in accordance with the policies of this Plan.*

*Second Units provide for the opportunity to develop affordable housing units within the Township. Development of these units will assist in supporting the County's target of providing 10 percent affordable housing units to be created each year throughout the County.*

The County's Official Plan, in Section 4.3 states:

*The County encourages the local municipalities to permit, wherever possible, individual lot intensification such as secondary or accessory suites in residential buildings subject to meeting building, health, and safety regulations.*

*The County encourages the local municipalities to revise their zoning bylaws to ensure that minimum zoning provisions do not hamper the appropriate provision of affordable housing at any residential locations.*

The principal dwelling is currently on the SR section of the lot (Part 1). ADUs are not a permitted use in the SR zone. Therefore, no ADU can be located in that building, as a secondary suite.

ADUs are permitted in the GL zone applied to the western portion of the lot (Part 2). Given the support for ADUs in the County and Township OPs, the site-specific zoning by-law should permit one ADU in an accessory building (i.e. a Garden Suite) in the GL section of the lot (Part 2), despite the fact that the principal dwelling unit is on the SR portion of the lot (Part 1).

### Forestry Uses

Forestry use is a permitted use in the GL zone (Part 2). The Zoning By-law defines it as *"an area of land or managed forest used for the cultivating and harvesting of trees for the purpose of producing commercial and non-commercial wood products in accordance with sustainable forest management practices and on which the cutting of wood harvested from the lot on which the forestry use is located for transport is permitted."*

Given that the size of the lot is relatively small compared to other properties in the GL zone, it is not appropriate that this use be permitted in the site-specific by-law. An exception should be included in Table 6.1 eliminating this use.

### Home Industry

Home Industry is a permitted use in the GL zone (Part 2). The Zoning By-law defines it as *"a small-scale industrial use with no show/display room, such as a carpentry shop,*

*a metal working shop, a machine shop, a welding shop, a tool and die shop or an electrical shop that provides services or wares to the rural community and which is an accessory use to an agricultural use or a single detached dwelling. For the purpose of this By-law, the repairing of motor vehicles, mobile homes, trailers, and/or boats are not a home industry.”*

Permission for a Home Industry Use on the GL portion (Part 2) would be desirable. Again, given the relatively small area of the GL portion of the lot, it is appropriate to limit the amount of lot coverage that may be devoted to this use. By-law 22-075 currently allows a maximum lot coverage of 20% in the GL zone. The By-law also limits the coverage of accessory buildings to 8% of the lot area where the lot area is greater than 1 ha.

In the interest of preservation of the forest resources of the lot, an exception should be introduced in Table 6.1 limiting coverage of buildings devoted to Home Industry uses and other accessory buildings located in the GL zone (Part 2) to 10% of the GL zone area.

It would also be appropriate, to provide screening for Home Industry Uses, to use the boundary between the SR (Part 1) and GL (Part 2) zones as the defacto front lot line when calculating setbacks for any building associated with a Home Industry use.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Special Provisions
GL-XX			Forestry Use	Minimum lot area, including abutting portion of the lot zoned SR – 11,700 square metres	
GL-XX				A maximum of one additional dwelling unit shall be permitted on the lot, as a detached accessory structure, to be	

				located in the area zoned GL.	
GL-XX				Home Industry uses: Maximum 10% lot coverage minus any coverage provided by existing accessory structures.	
GL-XX				Calculation of minimum front yard for any building shall use the line separating the GL and SR zones as the "front lot line"	

**Provincial Interests and the Provincial Planning Statement (2024)**

For convenience, I have reproduced, at the end of this report, a list of the matters of Provincial interest laid out in Section 2 of the Ontario Planning Act. Township Council shall have regard for these matters when considering applications for zoning by-law amendments.

I have also listed the main elements of the Provincial Planning Statement (2004) (PPS). Council’s decisions are to be consistent with, or not conflict with, the PPS.

Of particular note in both the Provincial documents are the conservation and management of natural resources. The proposed site-specific zoning by-law does not introduce any additional uses other than those already permitted on the lands, and, as no new lot has been created, no additional main dwelling can be constructed.

In addition, given that the property will now be larger than 1 ha, the County of Simcoe’s Forest Conservation Bylaw will be in effect over the whole property. The stated purpose of the By-law is to

- conserve the forest landscape and prevent over harvesting,
- protect Sensitive Natural Areas,
- encourage ‘good forestry practices’, and
- ensure a sustainable supply of timber for industry and landowners

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

According to the Township of Tiny Official Plan, the Greenlands designation on the western portion of the property (Part 2) is intended to provide protection to natural heritage features and areas and to implement the Greenlands designation policies of the County of Simcoe Official Plan (see below).

The proposed site-specific zoning by-law does not allow any additional uses than those already permitted in the Greenland designation and in fact it removes the Foresty use. It implements the objectives of the Official Plan by carrying on the protections for the natural heritage resources that are currently contained in the OP.

The Shoreline designation on the eastern portion of the property (Part 1) is applied to the historic recreational area of the Township supporting cottage properties. The Shoreline designation has maintained this cottage area function and character but has evolved to accommodate permanent residential development in the form of new residential units and conversion of existing cottages. The designation also seeks to ensure that the scale of new development is consistent with the scale and character of this predominantly residential area.

The proposed site-specific zoning by-law upholds these objectives.

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

The objectives of the Greenlands designation in the County Official Plan (Part 2) are to *protect and restore the natural character, form, function, and connectivity of the natural heritage system of the County of Simcoe, and to sustain the natural heritage features and areas and ecological functions ... for future generations.*

Land uses in the Rural designation (Part 1) are intended to *recognize, preserve and protect the rural character and promote long-term diversity and viability of rural economic activities and to encourage maintenance, protection, and restoration of significant natural heritage features and functions.*

Township Planning staff had reported to the Committee of Adjustment, when it was considering the Boundary Adjustment, that *“The County [of Simcoe] has advised of no comments (... as no change of use is proposed...)”*. [emphasis added].

Again, the proposed site-specific by-law does not propose any uses that are not supportive of the Greenlands and Rural designations. The intent and purpose of the County Official Plan is maintained.

**Recommendation**

I urge Township Council to approve the application as:

- no new lot will be created now or in the future,
- no additional main dwelling can be constructed,
- no additional use permissions are being sought above those already permitted between the two existing zones in By-law 22-075,
- no changes to setback, coverage, density or height regulations, as they are currently provided for in the SR zone (Part 1), are being sought,
- uses and development standards are curtailed in the GL zone (Part 2) to better achieve the County and Township Official Plan policies for the GL designation,
- the proposed Site-Specific Zoning By-law has regard for matters of Provincial interest and is in conformity with the Provincial Planning Statement (2024),
- the proposed Site-Specific Zoning By-law conforms to the County and Township Official Plans,
- the proposed Site-Specific Zoning By-law promotes the Township and the County's objective regarding provision of additional housing,
- the proposed Site-Specific Zoning By-law will have no negative impact on the environmental objectives of the County and the Township, and
- the proposed Site-Specific Zoning By-law will have no negative impact on the neighbourhood or the Township itself.

Respectfully submitted,

Brian Gallagher, B.A., B.E.S.  
Principal  
Gallagher Associates  
Planning Consultants

**Attachments:**

Attachment 'A' - List of Matters of Provincial Interest – Section 2 of the *Planning Act* and Provincial Policy Statement – Section 3 of the *Planning Act*

Attachment 'B' – Survey of Property subject to the site-specific Zoning By-law showing Parts 1 and 2

Attachment 'C' -Draft By-Law Number 26-0XX

.....

**APPENDIX 'A'**

**List of Matters of Provincial Interest – Section 2 of the *Planning Act***

- (a) the protection of ecological systems, including natural areas, features and functions;
- (b) the protection of the agricultural resources of the Province;
- (c) the conservation and management of natural resources and the mineral resource base;
- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- (e) the supply, efficient use and conservation of energy and water;
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (g) the minimization of waste;
- (h) the orderly development of safe and healthy communities;
- (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (k) the adequate provision of employment opportunities;
- (l) the protection of the financial and economic well-being of the Province and its municipalities;
- (m) the co-ordination of planning activities of public bodies;
- (n) the resolution of planning conflicts involving public and private interests;
- (o) the protection of public health and safety;
- (p) the appropriate location of growth and development;
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

(r) the promotion of built form that,

(i) is well-designed,

(ii) encourages a sense of place, and

(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

\*\*\*\*\*

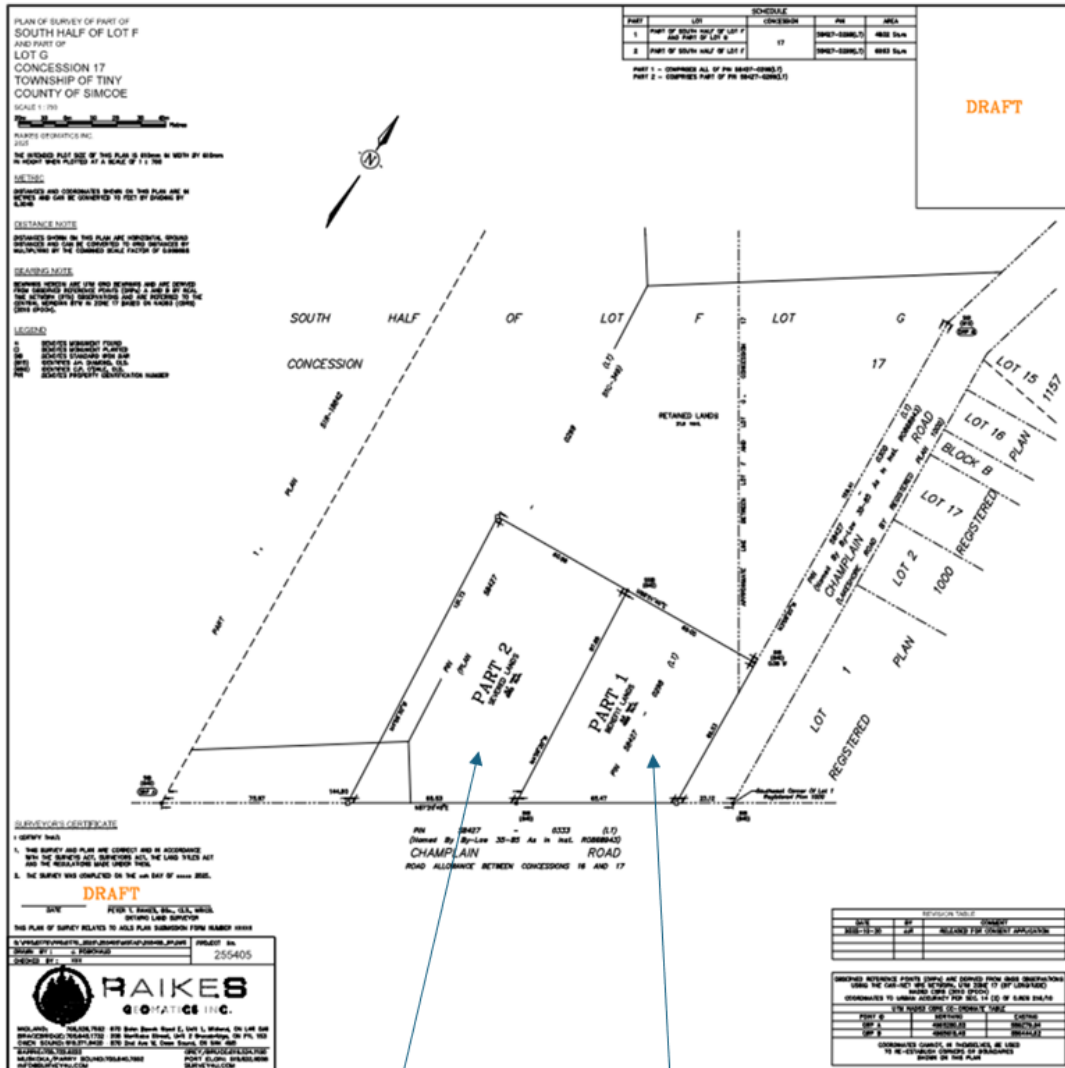
**Provincial Policy Statement – Section 3 of the *Planning Act***

The Provincial Planning Statement (PPS), 2024 is a consolidated statement of the government’s policies on land use planning. It gives provincial policy direction on key land use planning issues that affect communities, such as:

- building more housing where it’s needed
- making land available for development
- creating opportunities for economic development and job creation
- planning for the appropriate transportation, water, sewer and other infrastructure necessary to accommodate current and future needs
- protecting the environment and important resources including farmland, water, archaeology, cultural heritage, mineral aggregates and petroleum
- engaging with Indigenous communities to facilitate knowledge-sharing, inform decision-making in land use planning and protect Aboriginal and treaty rights
- protecting people, property and community resources by directing development away from natural or human-made hazards, such as flood prone areas

**APPENDIX 'B'**

**Survey of Property subject to site-specific Zoning By-law showing Parts 1 and 2**



GL -> GL  
 Exception  
 Part of 1394  
 Champlain Rd.

SR -> SR  
 Exception - 1390  
 Champlain Rd.

**Attachment 'C'**  
**Draft Zoning By-Law Number 26-0XX**

**THE CORPORATION OF THE TOWNSHIP OF TINY**

**BY-LAW NUMBER 26-0XX**

**Being a By-law to amend By-law 22-075, as amended, being the Zoning By-law for The Corporation of the Township of Tiny with respect to**

**Part of the South Half of Lot F and Part of Lot G, Concession 17, Township of Tiny, County of Simcoe (known municipally as 1390 and part of 1394 Champlain Road, Tiny Township)**

**WHEREAS** the Council of The Corporation of the Township of Tiny is empowered to enact By-laws to regulate the use of land pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended;

**AND WHEREAS** the owners of Part of South Half of Lot F and Part of Lot G, Concession 17, Township of Tiny, County of Simcoe have filed an application with the Township of Tiny to amend Zoning By-law 22-075, as amended;

**AND WHEREAS** the Council of The Corporation of the Township of Tiny deems it appropriate to amend the aforementioned By-law, as amended, as it relates to Part of South Half of Lot F and Part of Lot G, Concession 17, Township of Tiny, County of Simcoe;

**AND WHEREAS** the provisions of the By-law conform to the general policies of the Official Plan, as amended, for the Township of Tiny;

**NOW BE IT ENACTED** as a by-law pertaining to By-law 22-075, as amended, of this Corporation as follows:

**NOW BE IT ENACTED** as a by-law of this Corporation as follows:

That Schedule A, Maps 41 and 42, to Zoning By-law 22-075 is hereby further amended to rezone Part of the South Half of Lot F and Part of Lot G, Concession 17, Township of Tiny, County of Simcoe;

1. from the GL Zone to the GL /Exception Zone (Part 2) as shown on Schedule 'A' attached to and forming part of this By-law, and
2. from the SR Zone to the SR /Exception Zone (Part 1) as shown on Schedule 'A' attached to and forming part of this By-law, and
3. That Section 6.0 Exceptions, is hereby further amended by adding the following provisions to Section 6.1 Exceptions, 'Table 6.1', thereof:

TABLE 6.1					
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Special Provisions
GL-XX			a) Forestry Use	a) Minimum lot area, including abutting portion of the lot zoned SR – 11,700 square metres  b) A maximum of one additional dwelling unit shall be permitted on the lot, as a detached accessory structure, to be located in the area zoned GL.  c) Home Industry uses: Maximum 10% lot coverage minus any coverage provided by	

				existing accessory structures.  d) Calculation of minimum front yard for any building shall consider the line separating the GL Exemption and SR Exemption zones as the "front lot line".	
SR-XX				a) minimum lot area, including abutting portion of the lot zoned GL Exemption – 11,700 square metres	

4. This By-law shall come into effect upon the date of passage hereof, where no objections are received or, where objections are received, upon approval of the Ontario Land Tribunal.

**BY-LAW PASSED AND ENACTED THIS 3<sup>rd</sup> DAY OF JUNE, 2026.**

**THE CORPORATION OF THE TOWNSHIP OF TINY**

---

MAYOR, David Evans

---

CLERK, Tina Arbuckle