



Zoning By-law Amendment Application *Planning Justification Report*

To:	Township of Tiny
Attention:	Maryann Hunt MCIP, RPP, Director of Planning and Development
From:	Jonathan Pauk, MCIP, RPP, Senior Planner
Date:	June 23, 2026
Delivered:	Delivered by Email
Subject Property:	7665 Highway 93, Township of Tiny

1.0 INTRODUCTION

MORGAN Planning & Development Inc. (MP&D) has been retained by William and Monika Klingler, to submit a Zoning By-law Amendment application for the property known municipally as 7665 Highway 93 in the Township of Tiny. The purpose of this application is to permit a Contractor's Yard use as an accessory use on a portion of the subject property.

Our Client, William Klingler, is the owner of an excavation and demolition company known as Earth Worx Unlimited based out of Tiny Township. The proposed development on the subject property is to establish a Contractor's Yard as an accessory use on a portion of the subject property, prior to the establishment of a principal residential dwelling. The intent of the application is to allow for the use of the rear portion of the property for the storage of equipment, vehicles related to the excavation and demolition company business. No retail or commercial activities are proposed.

The proposed Contractor's Yard is intended to function as an additional accessory use to the principal rural residential use on the subject property, rather than as a standalone principal use. The future rural residential use will remain the primary function of the property. The Zoning By-law Amendment is intended to delineate an area permitted for the accessory Contractor's Yard use subject to specific zoning provisions, while maintaining the balance of the property for rural residential purposes.

The purpose of this Planning Justification Report is to provide an overview of the development proposal, summarize the purpose of the application, and explain how the application conforms to the applicable planning policies.

2.0 LOCATION AND DESCRIPTION OF LAND

The property is known municipally as 7665 Highway 93, and is located on the east side of Highway 93. The subject property has a lot area of approximately 1,007.7m², with approximately 21.8 metres of lot frontage onto Highway 93. The location of the subject property is shown in **Figure 1**.

The subject property currently contains an existing legal non-conforming accessory structure, with no principal use. The subject property is accessed via a gravel driveway. An aerial image of subject property is included as **Figure 2**.

Figure 1 *Location of Subject Property*



Figure 2 *Aerial Imagery of Subject Lands*



The surrounding uses are categorized as follows:

North: Existing residential uses fronting onto Highway 93 and tracts of forested lands.

East: Existing residential uses fronting onto Highway 93 and tracts of forested lands.

South: Highway 93 and tracts of agricultural lands.

West: Highway 93 and tracts of agricultural lands.

3.0 DESCRIPTION OF PROPOSAL

3.1 Overview of Proposed Development

The subject application seeks to permit a Contractor's Yard as an additional accessory use on the rear portion of the subject property prior to the establishment of a principal residential dwelling, through a site-specific Zoning By-law Amendment. The proposal is intended to facilitate the limited storage of contractor-related equipment and vehicles associated with an off-site contracting business. No new buildings or structures are proposed as part of the application. The Contractor's Yard is proposed as an outdoor storage use only and will occupy a defined portion of the rear yard area of the property.

The proposed development does not involve a commercial operation open to the public, and there will be no sale of goods or materials from the property, no customer traffic, and no retail or commercial activity occurring on-site. The proposed use is intended solely for the storage and organization of equipment related to the contractor's business operations conducted elsewhere.

As part of the application, a site-specific definition is proposed to clearly regulate the nature and extent of the proposed use. The implementing zoning provisions and schedule have been intentionally crafted to preserve the front portion of the property for the future construction of a single detached dwelling. In this regard, the zoning maintains the long-term residential function of the property while permitting a limited accessory contractor's yard use in the rear portion of the lands.

The proposal has been designed to maintain the rural residential character and appearance of the property. The Contractor's Yard will be situated behind the existing rural residential area which would occupy approximately 798 square metres on the subject property and the proposed contractor's yard use would occupy a portion of approximately 209 square metres (20.7%) of the overall property, thereby ensuring the front portion of the property would continue to function as a rural residential lot. The proposed zoning provisions are intended to ensure the use remains subordinate and compatible with the surrounding rural context.

Figure 3 below provides an excerpt from the Site Plan and a full copy is included as Attachment 1 to this Report.

Figure 3 Excerpt from Site Plan Drawing



The application proposes to rezone a portion of the property from the ‘**Rural Residential (RR) Zone**’ to the ‘**Rural Residential Exception XX (RR-XX) Zone**’. The site-specific exception will incorporate the following provisions:

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned “[RR-XX]” and identified on Schedule “A”, a Contractor’s Yard shall be permitted as an additional accessory use subject to the following provisions:

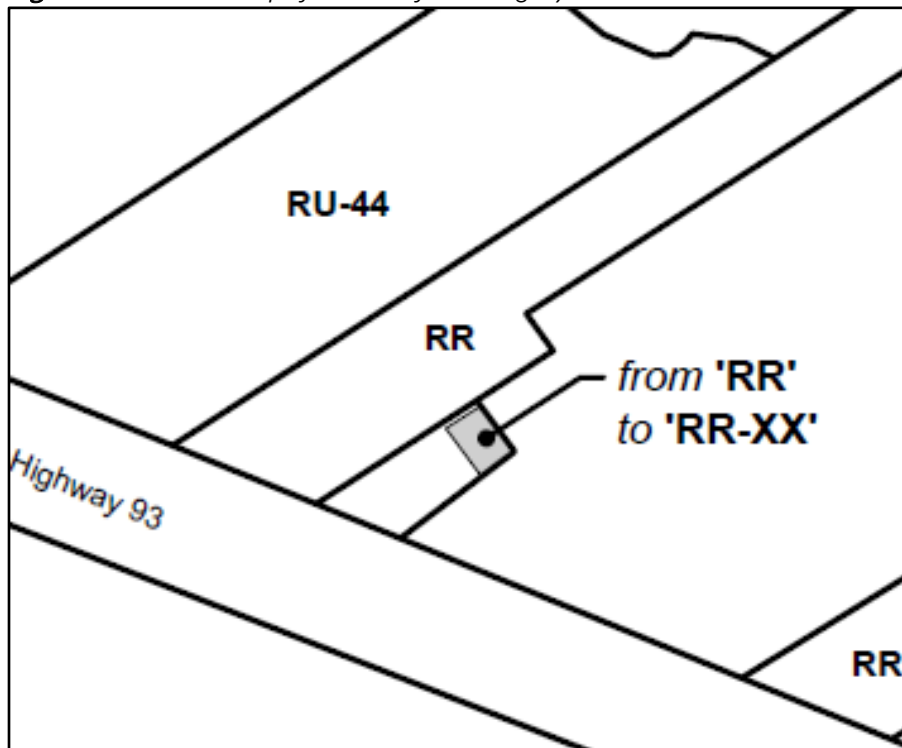
a) *For the purposes of the “RR-XX” Zone, “Contractor’s Yard” shall mean:*

“An area of land used for the parking and storage, of vehicles, equipment, and supplies associated with a building contractor, landscaper, excavator, tradesperson, or similar construction-related business operation, which may include outdoor storage, but shall not include a waste transfer station, salvage yard, aggregate operation, or retail commercial operation.”

- b) *Notwithstanding any provisions of this By-law to the contrary, on the lands zoned “[RR-XX]” and identified on Schedule “A”, a Contractor’s Yard shall be permitted as an accessory Contractor’s Yard shall be permitted on the subject lands prior to the establishment of a principal residential dwelling, provided all other applicable provisions of the By-law are satisfied.*
- c) *The accessory Contractor’s Yard shall only be permitted within the area identified on Schedule “A” attached to and forming part of this By-law. No Contractor’s Yard use, outdoor storage, parking of commercial vehicles, or storage of equipment or materials shall occur outside the identified area.*
- d) *No aggregate processing, crushing, salvage, recycling, or transfer station operations shall be permitted;*

Figure 4 is an excerpt of the proposed Zoning By-law Amendment Schedule that forms part of this submission. A copy of the proposed Draft Zoning By-law Amendment has been included as **Attachment 2** to this Report.

Figure 4 Excerpt from Draft Zoning By-law Amendment Schedule



4.0 APPLICABLE PLANNING DOCUMENTS – OVERVIEW

The subject property is identified in the applicable planning policy documents as follows:

Policy Document	Designation/ Zone
Provincial Planning Statement	<i>Rural Lands</i>
County of Simcoe Official Plan	<i>Rural</i>
Township of Tiny Official Plan	<i>Rural</i>
Township of Tiny Zoning By-law	<i>Rural Residential (RR)</i>

The following subsections provide a detailed analysis of the above noted designations and zones as they pertain to the proposed application.

4.1 *The Planning Act* R.S.O. 1990

The *Planning Act* is the provincial legislation which establishes the framework for land use planning in Ontario, and effectively describes how land uses may be controlled, and who may control them. A Zoning By-law Amendment is proposed in order to recognize the existing landscape supply yard and outdoor recreational vehicle storage.

The proposed ZBA will be conducted in accordance with the applicable provisions in Section 34 of the *Planning Act* which provides the opportunity to amend Zoning By-law. Section 2 of the *Planning Act* provides matters of provincial interest. The following table outlines how the Proposed Development has regard for the matters of provincial interest.

Section 2 of the <i>Planning Act</i> (Provincial Interest)	
<i>The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,</i>	
	Morgan Planning Comment:
<i>(a) the protection of ecological systems, including natural areas, features and functions;</i>	There is no vegetation removal proposed as part of the proposed development. There is an unevaluated wetland located approximately 130 metres to the north, which abuts properties further north and does not touch the subject property. The development on the subject property is not expected to result in direct and/or indirect impacts to the identified natural heritage features and associated functions given this distance and adjacent properties location between.
<i>(b) the protection of the agricultural resources of the Province;</i>	The subject property is not considered to be within an agricultural area and is not in agricultural use.

<i>(c) the conservation and management of natural resources and the mineral resource base;</i>	The subject property is not located within an identified resource area.
<i>(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;</i>	The subject property is within in an area of existing disturbance.
<i>(e) the supply, efficient use and conservation of energy and water;</i>	The proposed Contractor's Yard area does not require water or wastewater services and is not anticipated to have an impact on the supply or use of water in the area.
<i>(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;</i>	The proposed Contractor's Yard does not require connection to communication, sewage or water services and does not require municipal waste services. The subject property is accessed by a municipally maintained road.
<i>(g) the minimization of waste;</i>	The proposed use does not generate waste as there are no buildings or structures proposed.
<i>(h) the orderly development of safe and healthy communities;</i>	The Site is designated for commercial development by the Township Official Plan. The proposal represents logical and orderly development.
<i>(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;</i>	As there are no buildings or structures proposed there are no negative impacts anticipated with respect to site accessibility matters.
<i>(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;</i>	Not applicable.
<i>(j) the adequate provision of a full range of housing, including affordable housing;</i>	Not applicable.
<i>(k) the adequate provision of employment opportunities;</i>	The addition of the Contractor's Yard use will both directly and indirectly support employment opportunities within the Township, while allowing a local business owner to retain their practice and continue to live within the community.
<i>(l) the protection of financial and economic well-being of the Province and its municipalities;</i>	The modest size of the accessory Contractor's Yard use will promote economic development in the Township.
<i>(m) the co-ordination of planning activities of public bodies;</i>	The Township of Tiny and Ministry of Transportation has been consulted on the proposal and will be involved in the consideration of the applications and the delivery of services.

<i>(n) the resolution of planning conflicts involving public and private interests;</i>	There do not appear to be any conflicts between public and private interests.
<i>(o) the protection of public health and safety;</i>	There are no anticipated concerns with respect to public health and safety.
<i>(p) the appropriate location of growth and development;</i>	The property is currently designated for rural residential and accessory uses and the proposed accessory Contractor's Yard use will contribute towards the planned function of the rural area in the Township.
<i>(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;</i>	The site has an existing access to a Provincial highway.
<i>(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;</i>	The proposal will facilitate the use of the property that has been designed with consideration of adjacent land use and preservation of lands to accommodate a future residential dwelling. The proposed use has been designed with consideration of the surrounding landscape and existing rural development, and is intended to foster economic development in the Township.
<i>(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate</i>	It is not anticipated that the applications or the proposed site alterations will have any impact on greenhouse gas emissions or the changing climate.

It is the professional opinion of the undersigned that the enclosed application, and resulting development, has regard for the applicable provincial interests outlined within the *Planning Act*.

4.2 Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) is a policy statement issued under the authority of section 3 of the Planning Act and provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians. Land use planning decisions are required to be consistent with the Provincial Planning Statement. All land use planning decisions are required to be consistent with the PPS.

In accordance with the policy context of the PPS, the subject property is located within the Rural Area of the Township of Tiny and is designated *Rural* in the County of Simcoe Official Plan. The PPS identifies a Rural Area to be a *system of lands within municipalities that may include rural*

settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas.

The most directly applicable policy areas regarding the proposed development are reviewed below.

Section 2 Rural Areas in Municipalities

- Policy 2.5.1 *1. Healthy, integrated and viable rural areas should be supported by:*
- a) building upon rural character, and leveraging rural amenities and assets;*
 - b) promoting regeneration, including the redevelopment of brownfield sites;*
 - c) accommodating an appropriate range and mix of housing in rural settlement areas;*
 - d) using rural infrastructure and public service facilities efficiently;*
 - e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
 - f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;*
 - g) conserving biodiversity and considering the ecological benefits provided by nature; and*
 - h) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 4.3.*

MP&D Comment: The proposed Zoning By-law Amendment and development will utilize rural infrastructure including the existing transportation network and will promote the continued diversification of the economic rural land base within the Township. The proposed development provides for an accessory contractor's yard use on the rear portion of the property and economic opportunities, while being compatible with the rural landscape and the front portion of the property is not proposed to change from what is existing today. The development on the lot does not require the uneconomical expansion of infrastructure. The accessory contractor's yard provides an important local service that supports homeowners, contractors, and the broader construction and landscaping sector, contributing to the local economy. The contractor's yard use addresses a demonstrated need within the community by providing secure, organized storage in an appropriate location, thereby reducing the likelihood of incompatible storage in other areas of the Town. These uses are best suited to remain located outside of settlement areas, to allow for

appropriate intensification of housing and employment within serviced areas, and will not negatively impact the rural character or any surrounding agricultural operations.

Section 2.6 Rural Lands in Municipalities

Policy 2.6.1 *On rural lands located in municipalities, permitted uses are:*

g) other rural land uses.

MP&D Comment: Section 2.6.1 identifies the permitted uses on Rural Lands and the contractor's yard would be considered an 'other rural land use' in accordance with Section 2.6.1 (g) of the PPS.

The proposed Zoning By-law Amendment will facilitate the establishment of a contractor's yard on the rear portion of the property which will promote diversification of the economic base and employment opportunities in the Township of Tiny. The proposed development is appropriate and compatible with the surrounding uses and a design that is sensitive to adjacent uses. The accessory contractor's yard will contribute to the economic viability of the area through the creation of jobs while providing resources to the development and landscape industry.

Policy 2.6.2 *Development that can be sustained by rural service levels should be promoted.*

MP&D Comment: The contractor's yard use on a portion of the property is compatible with other rural land uses in the area and appropriate setbacks have been incorporated on the subject property, and new servicing infrastructure is not required.

Policy 2.6.3 *Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.*

MP&D Comment: The contractor's yard does not require water or wastewater services and is located on a Provincial Highway. The proposed development will not result in the need for uneconomical expansion to municipal infrastructure

Policy 2.6.4 *Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-*

related development to areas where it will minimize constraints on these uses.

MP&D Comment: The subject property does not contain any existing agricultural uses, is not in agricultural production and does not propose to remove any lands from agricultural production.

Policy 2.6.5 *New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae*

MP&D Comment: In accordance with Guideline #10 of the *Minimum Distance Separation Formulae and Guidelines for Livestock Facility and Anaerobic Digester Odour Setbacks* document, “Amendments to rezone or redesignate land already zoned or designated for a non-agricultural use, shall only need to meet the MDS I setbacks if the amendment(s) will permit a more sensitive land use than existed before.” As the historic use and zoning of the property was for a residential use and a portion of the property is proposed to be used for a less sensitive use in the form of an accessory Contractor’s Yard with no buildings or structures proposed, an MDS I or II calculation is not required.

Section 3.2 Transportation Systems

Policy 3.2.2 *Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.*

MP&D Comment: There are no changes proposed to the existing driveway and it is anticipated that the existing entrance can accommodate the additional accessory use on the subject property. It is anticipated that the proposed use will not generate any additional traffic typical of a rural residential use as there are no commercial activities or public access to the site. It is anticipated that the proposed use can be supported by the surrounding road network.

Section 3.6 Sewage, Water and Stormwater

Policy 3.6.4 *Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual onsite 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 impacts.

MP&D Comment: The proposed contractor's yard does not require water or wastewater services and is not anticipated to have an impact on the supply or use of water in the area. It is anticipated that a future single detached dwelling would be serviced by individual on site water and wastewater services, which are typical for this area of the Township.

Section 4.1 Natural Heritage

Policy 4.1.1 *Natural features and areas shall be protected for the long term.*

Polic 4.1.8 *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*

MP&D Comment: It is noted that a mapped there is an unevaluated wetland located approximately 130 metres to the north of the subject property, and therefore and Environmental Impact Study is not required since it located more than 120 metres away. The development on the subject property is not expected to result in direct and/or indirect impacts to the identified natural heritage features and associated functions due to this distance, as well as the existence of other privately owned properties located between.

Section 5.1 General Policies for Natural and Human-Made Hazards

Policy 5.1.1 *Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.*

MP&D Comment: In accordance with Section 5.1 of the PPS the subject property is located outside of hazardous lands and hazardous sites and not affected by a dynamic beach hazard, flooding hazard or erosion hazard. The proposed development is not abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations or contamination, all in accordance with Section 5.3.

It is the professional opinion of the undersigned that the enclosed application, and resulting development, is consistent with the policy direction provided by the Provincial Planning Statement.

4.3 County of Simcoe Official Plan

The County of Simcoe Official Plan (the “County OP”) is a document designed to guide land use planning in the County over the next 20 years. The County OP sets out several goals including, but not limited to, the wise management of the County’s resources, the protection and enhancement of the County’s natural and cultural heritage, to implement growth management to achieve lifestyle quality and efficient and cost-effective municipal servicing, development and land use, to achieve coordinated land use planning, to further community economic development, and to promote, protect and enhance public health and safety.

The County OP designates the entirety of the subject property as “Rural.”

Section 3.3.15 Natural Heritage

Policy 3.3.15 (vi) *Despite anything else in this Plan, except Section 4.4 as it applies to mineral aggregate operations only, development and site alteration shall not be permitted:*

On adjacent lands to the natural heritage features and areas listed above, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions...

MP&D Comment: Section 3.3.15 of the County Official Plan contains policies relating to Natural Heritage. It is noted that a mapped there is an unevaluated wetland located approximately 130 metres to the north of the subject property, and therefore an Environmental Impact Study is not required since it is located more than 120 metres away. The development on the subject property is not expected to result in direct and/or indirect impacts to the identified natural heritage features and associated functions due to this distance, as well as the existence of other privately owned properties located between.

Furthermore, in accordance with the Township of Tiny Official Plan, the subject property is not located within or adjacent to any mapped natural heritage features, therefore the proposal is not anticipated to have an impact on these lands or natural heritage features.

Section 3.7

Rural

Objectives

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

Policy 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.*

MP&D Comment: With respect to the objectives of the Rural designation, the proposed Zoning By-law Amendment application will aim to protect the rural character of the area by permitting an accessory Contractor's Yard on a portion of the subject property that will contribute the economic viability of the rural area, while defining a developable envelope on the property capable of supporting the use. The front portion of the property is to be maintained for a future single detached dwelling which will ensure that the use can operate in a manner that is compatible with its surroundings while minimizing potential land use conflicts. The rural character is to be protected by the maintaining the front portion of the property for a rural residential use.

Policy 3.7.4 *The following are permitted in the Rural designation:*

g) other rural land uses.

MP&D Comment: The contractor's yard use is considered an 'other rural land use', in accordance with Section 3.7.4 (g) of the County OP.

Policy 3.7.5 *Other rural land uses such as rural industrial and rural commercial development that cannot be located and are not appropriate in a settlement area may be permitted in the Rural designation and also subject to the following additional criteria:*

The proposed use must:

- a) generate minimal traffic or be in the proximity of an arterial road or highway;*
- b) have sewage and water service needs suitable for individual services;*

- c) *not be located on prime agricultural lands except for land uses otherwise permitted in the Agricultural designation;*
- d) *for rural industrial uses, not be located in the proximity of residential or other incompatible uses in accordance with applicable guidelines for industrial use and distance separation; and*
- e) *for rural commercial uses, must primarily serve the travelling public and tourists to the area on the basis of convenience and access.*

MP&D Comment: The proposed accessory contractor's yard use is to occupy a portion of the subject property totalling an area of approximately 209 square metres, while the front portion (798 square metres) will be maintained for a future rural residential use. As the proposed contractor's yard is relatively small scale and there are no commercial activities or public access to the subject property, it is anticipated to generate minimal traffic and no upgrades to the existing road network are required. The contractor's yard does not require water or wastewater services, and it is anticipated that the future single detached dwelling on the subject property would be serviced by individual on-site water and wastewater services. The subject property is not identified as a prime agricultural area and is not anticipated to have a negative impact on adjacent agricultural uses. The accessory contractor's yard is best suited to remain located outside of settlement areas, to allow for appropriate intensification of housing and employment within serviced areas. The subject property is easily accessible for the existing local business, being conveniently located on Highway 93.

Policy 3.7.10 *Development in rural areas should wherever possible be designed and sited on a property so as to minimize adverse impacts on agriculture and to minimize any negative impact on significant natural heritage features and areas and cultural features.*

MP&D Comment: The location of the contractor's yard as has been designed and sited on the property to be limited in area (209 square metres) representing 20.7% of the subject property, and sited to the rear of a future rural residential use on the subject property. The contractor's yard use is proposed to be added as an additional accessory use that could be accommodated on the subject property, rather than a principal use that would occupy the entirety of the property. The proposed use of the property is not anticipated to result in adverse impacts to the adjacent agricultural uses.

It is the professional opinion of the undersigned that the applications, and resulting development, conforms with the applicable policies of the County of Simcoe Official Plan.

4.4 Township of Tiny Official Plan

The subject property is designated *'Rural'* within the Township of Tiny's Official Plan, as shown in Figure 5.

Figure 5 – Excerpt of Township Official Plan



B.8

RURAL

Policy B.8.1

Introduction

Policy B.8.1.1

The Rural areas of the Township provide for a diversity of landscapes and built form. These are areas that are outside of Settlement Areas or built up areas, are not considered Prime Agricultural Lands nor environmentally sensitive within the context of the policies of this Plan and provide for a resource base. Lands designated Rural are mapped on Schedule A to this Plan. The policies of this Plan seek to reduce incompatible uses within the Rural area and to promote appropriate economic opportunities.

MP&D Comment: The subject property is located in a rural area of the Township and is not located within a settlement area, or within a prime agricultural area.

B.8.2 Objectives

a) To preserve and promote the rural character of the Township;

b) To prevent the intrusion of land uses that are incompatible with the rural character and/or natural resource activities of the area; and,

c) To promote diversification of the economic base within the Rural designation.

MP&D Comment: The additional accessory use of Contractor's Yard maintains and supports the rural character of the Township by introducing a low-intensity employment-related use that is appropriately suited to a rural setting. The proposal is limited in scale which is comprised of an operational area, and does not involve the construction of any buildings or structures to support the use. The existing rural residential use will remain the principal use of the property, with the Contractor's Yard functioning as an accessory use to the property. The proposal maintains the open and spacious character of the area through generous setbacks, limited site alteration, and the retention of substantial undeveloped areas on the property.

The proposed development does not represent an incompatible land use within the surrounding rural context. The Contractor's Yard is limited in scale and is not anticipated to generate adverse impacts that would negatively affect surrounding rural or natural resource uses, nor would create negative noxious impacts to adjacent rural residential properties.

The accessory contractor's yard supports the diversification of the economic base within the Rural designation by permitting a small-scale rural use associated with the construction industry to be retained within the Township and County. The proposed use will contribute to the rural economy by providing a space where Earth Worx Unlimited can store equipment which will in turn support local trades, construction-related services, and employment opportunities. The proposed use represents an appropriate form of rural economic activity that can coexist with rural residential uses while contributing to the Township's broader economic function. The proposal therefore aligns with the Official Plan objective of encouraging a diversified rural economy through compatible employment-related uses.

Policy B.8.2.1 *The Rural designation applies to those rural lands in the Township that are not considered to be Prime Agricultural Land, Settlement Area, Employment Area, or part of the natural heritage system.*

MP&D Comment: The subject property is located in the Rural designation and is not designated Agricultural, nor is it in agricultural production.

B.8.3 Permitted Uses

Policy B.8.3.1 *The uses permitted on lands designated Rural include those uses permitted in the Agricultural designation, as well as cemeteries, resource management uses, forestry, conservation, limited and small-scale tourism and recreational uses, and other rural land uses.*

Policy B.8.3.3 *Other rural land uses include farm implement dealers, feed and fertilizer distribution facilities, greenhouses and seasonal produce stands. Rural industrial and rural commercial uses that cannot be located and/or are not appropriate in a Settlement Area or an Employment Area may be permitted in the Rural designation, subject to the development policies of this Plan, including Section B.8.6 (Other Rural Land Uses).*

MP&D Comment: The proposed Contractor's Yard is intended to function as an additional accessory use to a future principal rural residential use on the subject property, and is considered an 'other rural land use.' The rural residential use will remain the primary function of the property. The proposed Zoning By-law Amendment has been crafted to ensure that no noxious impacts to adjacent lands through noise, dust, etc. would occur.

B.8.4 Development Policies

Section B.8.4.2 of the Township's Official Plan sets out the general development policies for development within the Rural designation. A summary of these policies is provided in Table 2 along with our analysis on the conformity of the application to the criteria.

Table 2 – Summary of General Development Policies

Section B.8.4.2	Policy	Conformity
(a)	<i>The proposed use shall be appropriate to the rural service level available, including road access, water and sewage, and fire protection service;</i>	The Contractor's Yard Use does not include municipal water or wastewater services, nor are such services required for the intended use. It is intended that the future dwelling on the subject property would be

		serviced by individual on-site water and wastewater services which are typical types of servicing for this area of the Township.
(b)	<i>The lot size is adequate for the use and shall be limited to the minimum area required for the use, including services, any required parking, buffering and landscaping</i>	The subject property is of sufficient size to accommodate the proposed Contractor's Yard as the use is only to occupy a portion (209 square metres), which equates to only 20.7% of the subject property. The proposal maintains a low development coverage and preserves substantial open space on the property. The scale of the proposed use is appropriately limited relative to the size of the parcel and represents an efficient and suitable use of rural lands without overdevelopment of the site and ensuring the use is located in the rear portion of the lot.
(c)	<i>The proposed use does not cause a traffic hazard;</i>	The proposed development is not anticipated to create a traffic hazard and there are no changes proposed to the existing driveway. The proposal does not involve a commercial operation open to the public. There will be no sale of goods or materials from the property, no customer traffic, and no retail or commercial activity occurring on-site. As such, the use is not anticipated to generate traffic characteristics typically associated with commercial business. The Contractor's Yard will generate a limited volume of traffic primarily associated with employee vehicles and contractor equipment entering and exiting the site during normal business operations.
(d)	<i>The proposed use is compatible with the rural and/or agricultural character of the area and surrounding uses;</i>	The proposed use is low intensity in nature and does not include retail or public commercial functions. The proposal maintains the predominantly rural character of the area through the retention

		of the rural residential use on the front portion of the property. It is not anticipated that the proposed use will cause noxious impacts to adjacent lands given the restricted proposed use definition and other zoning measures to ensure no processing or storage of aggregate materials, nor any retail activity will occur.
(e)	<i>The proposed use can be buffered from adjacent residential uses where appropriate;</i>	The proposed use has been located in the rear portion of the property and has been setback 2 metres from the north property lines to allow for separation from closes residential use to the north.
(f)	<i>The proposed use has little or no impact on area agricultural uses;</i>	The subject property is not within a prime agricultural area, nor is it in agricultural production. The proposed Contractor's Yard is not anticipated to negatively impact surrounding agricultural operations. The proposed use will not interfere with normal farm practices, or the ongoing operation of agricultural lands within the broader area.
(g)	<i>For a rural industrial use, the use is not located in the proximity of residential or other incompatible land uses and is in accordance with the applicable guidelines for industrial use distance separation;</i>	Not applicable, the proposed use is not a rural industrial use.
(h)	<i>For a rural commercial use, the use must primarily serve the travelling public and tourists to the area on the basis of convenience and access;</i>	Not applicable, the proposed use is not a rural commercial use and does not serve the travelling public, nor is the use provided goods that would be open to the public.
(i)	<i>The use may be required to be site specifically zoned within the Township's implementing Zoning By-law;</i>	The proposed use is to be appropriately implemented through the proposed site-specific Zoning By-law Amendment in order to establish appropriate setbacks, outdoor storage areas, and any operational requirements necessary to ensure compatibility with surrounding land uses.
(j)	<i>The proposed use will not preclude or hinder the establishment of new mineral aggregate operations within the Mineral Aggregate Resources One</i>	The proposed development will not preclude or hinder the establishment of future mineral aggregate operations within lands designated Mineral Aggregate

	<i>and Mineral Aggregate Resources Two designations; and,</i>	Resources One or Mineral Aggregate Resources Two. The proposal is not anticipated to create land use conflicts or introduce sensitive land uses that would restrict future aggregate extraction activities in the broader area.
(k)	<i>The use may be subject to Site Plan Control</i>	The proposed development may be subject to Site Plan Control, subject to confirmation with Township Staff. It is our opinion however that the accessory contractor's yard areas can be appropriately addressed through the zoning provisions and schedule which limits the use and area on the subject lands.

As summarized in the table above, the proposed Zoning By-law Amendment conforms to the general development policies set out in Section B.8.4.2 of the Township's Official Plan.

B.8.6 Other Rural Land Uses

B.8.6.1 *Other Rural Land Uses may be permitted in the Rural designation, subject to an amendment to the implementing Zoning By-law. Before considering such an amendment, the Township shall be satisfied that:*

- a) The site is located in proximity to an arterial road or highway or alternatively generates minimal traffic;*
- b) Appropriate water, sewage and fire protection services are provided;*
- c) The land use is compatible with surrounding and/or nearby land uses and that the Provincial industrial guidelines, where applicable, are addressed;*
- d) For rural commercial uses, the use must primarily serve the travelling public and tourists to the area for the basis of convenience and access;*
- e) Traffic is appropriately addressed;*
- f) Drainage is appropriately addressed; and,*
- g) Spill containment or other operational matters are appropriately addressed.*

MP&D Comment: The proposed accessory contractor's yard is considered an 'other rural land use.' The subject property is located with appropriate access to the surrounding road network and is capable of accommodating the limited traffic generated by the accessory Contractor's Yard. The proposed use

is appropriate for the level of rural services available. The Contractor's Yard does not require municipal water or wastewater services as no significant water consumption or sanitary sewage generation is associated with the proposal. The accessory contractor's yard is limited in scale and is not anticipated to generate adverse impacts such as excessive noise, vibration, dust, lighting, or traffic that would negatively affect surrounding properties. The proposed Contractor's Yard is not considered a rural commercial use as it is not intended to serve the travelling public or tourists. Traffic associated with the proposed use is anticipated to be modest and manageable within the context of the surrounding rural road network. Given the limited scale of development and absence of significant built form, stormwater impacts are anticipated to be minimal. The proposed Contractor's Yard is anticipated to operate in a manner that minimizes potential environmental impacts. Any storage of materials, equipment, or fuels associated with the operation can be managed in accordance with applicable regulations and best management practices.

D General Development Policies

D.1.3 Preferred Means of Servicing

D1.3.4 *All new development on lands outside of the Settlement Area and Shoreline designations shall be serviced by individual on-site sewage services and individual on-site water services*

MP&D Comment: The Contractor's Yard Use does not include municipal water or wastewater services, nor are such services required for the intended use. It is intended that the future dwelling on the subject property would be serviced by individual on-site water and wastewater services which are typical types of servicing for this area of the Township.

D.3 Transportation

D.3.4 Highway 93

D.3.4.3 *Provision shall be made for highway routing and expansion when considering applications for development adjacent to or in the vicinity of the Highway, as determined by the Province. The Province shall also be consulted on any stormwater management plans or proposals associated with any development application in the vicinity of the Highway.*

MP&D Comment: The subject property has frontage on and is accessed via Highway 93. As part of the pre-consultation process, the Ministry of Transportation was

consulted with and they confirmed that they do not object to the development, provided that the primary use of the property remains residential.

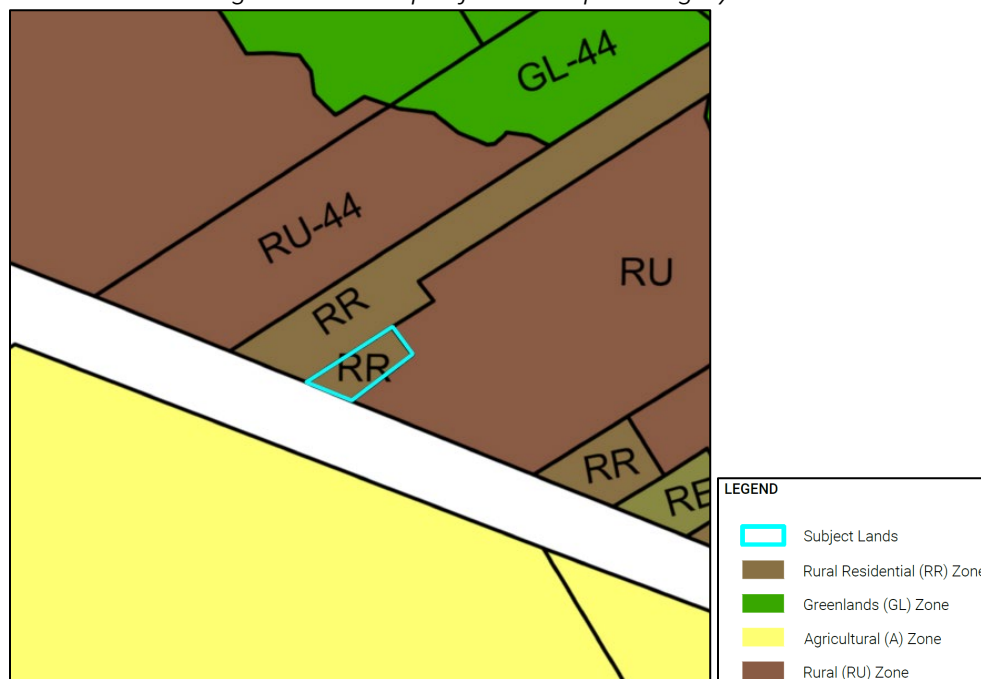
In summary, the proposed Contractor's Yard is intended to function as an additional accessory use to the principal rural residential use on the subject property, rather than as a standalone principal use. The existing rural residential use will remain the primary function of the property and will continue to define the overall character and use of the lands. The proposed site-specific zoning framework will implement this intent by clearly delineating the area permitted for the accessory Contractor's Yard use while maintaining the balance of the property for rural residential purposes.

It is the professional opinion of the undersigned that the enclosed application, and resulting development, conforms with the applicable policies of the Township of Tiny Official Plan.

4.4 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 "Rural Residential (RR)" in the Township's Zoning By-law (**Figure 6**).

Figure 6 – Excerpt of Township Zoning By-law



The purpose of the Zoning By-law Amendment is to rezone a portion of the subject property from the Rural Residential (RR) Zone to a site specific Rural Residential Zone to add a "Contractor's Yard" as an additional accessory use on the subject property. The effect of the proposed Zoning By-law Amendment application seeks to facilitate the establish a contractor's yard that would be limited to 209 square metres at the rear portion of the subject property.

The site-specific exception will incorporate the following provisions:

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned “[RR-XX]” and identified on Schedule “A”, a Contractor’s Yard shall be permitted as an additional accessory use subject to the following provisions:

a) *For the purposes of the “RR-XX” Zone, “Contractor’s Yard” shall mean:*

“An area of land used for the parking and storage, of vehicles, equipment, and supplies associated with a building contractor, landscaper, excavator, tradesperson, or similar construction-related business operation, which may include outdoor storage, but shall not include a waste transfer station, salvage yard, aggregate operation, or retail commercial operation.”

b) *Notwithstanding any provisions of this By-law to the contrary, on the lands zoned “[RR-XX]” and identified on Schedule “A”, a Contractor’s Yard shall be permitted as an accessory Contractor’s Yard shall be permitted on the subject lands prior to the establishment of a principal residential dwelling, provided all other applicable provisions of the By-law are satisfied.*

c) *The accessory Contractor’s Yard shall only be permitted within the area identified on Schedule “A” attached to and forming part of this By-law. No Contractor’s Yard use, outdoor storage, parking of commercial vehicles, or storage of equipment or materials shall occur outside the identified area.*

d) *No aggregate processing, crushing, salvage, recycling, or transfer station operations shall be permitted;*

The site plan for the proposed development, including a zoning compliance matrix is included as **Attachment 1** to this Report. A copy of the draft Zoning By-law Amendment is included as **Attachment 2**.

6.0 PUBLIC CONSULTATION

In accordance with Provincial and Township requirements, notification of the enclosed application will be circulated to surrounding property owners within 120 metres providing an overview of the proposed development and provide the date, time and attendance options for the statutory public hearing.

7.0 CONCLUSION

The Owner is proposing to establish a Contractor's Yard use on a portion of the subject property. The intent of the application is to allow for the use of the rear portion of the property for the accessory storage of equipment and vehicles related to the excavation and demolition company business. No retail or commercial activity are proposed, and no processing of aggregate materials would occur on the property. The Zoning By-law Amendment seeks to add a 'Contractor's Yard' as an additional accessory use on a site-specific basis in the Rural Residential Zone, while providing provisions related to the limited nature of the use.

Based on a detailed review of all applicable Provincial, County and Township land use planning policies 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.

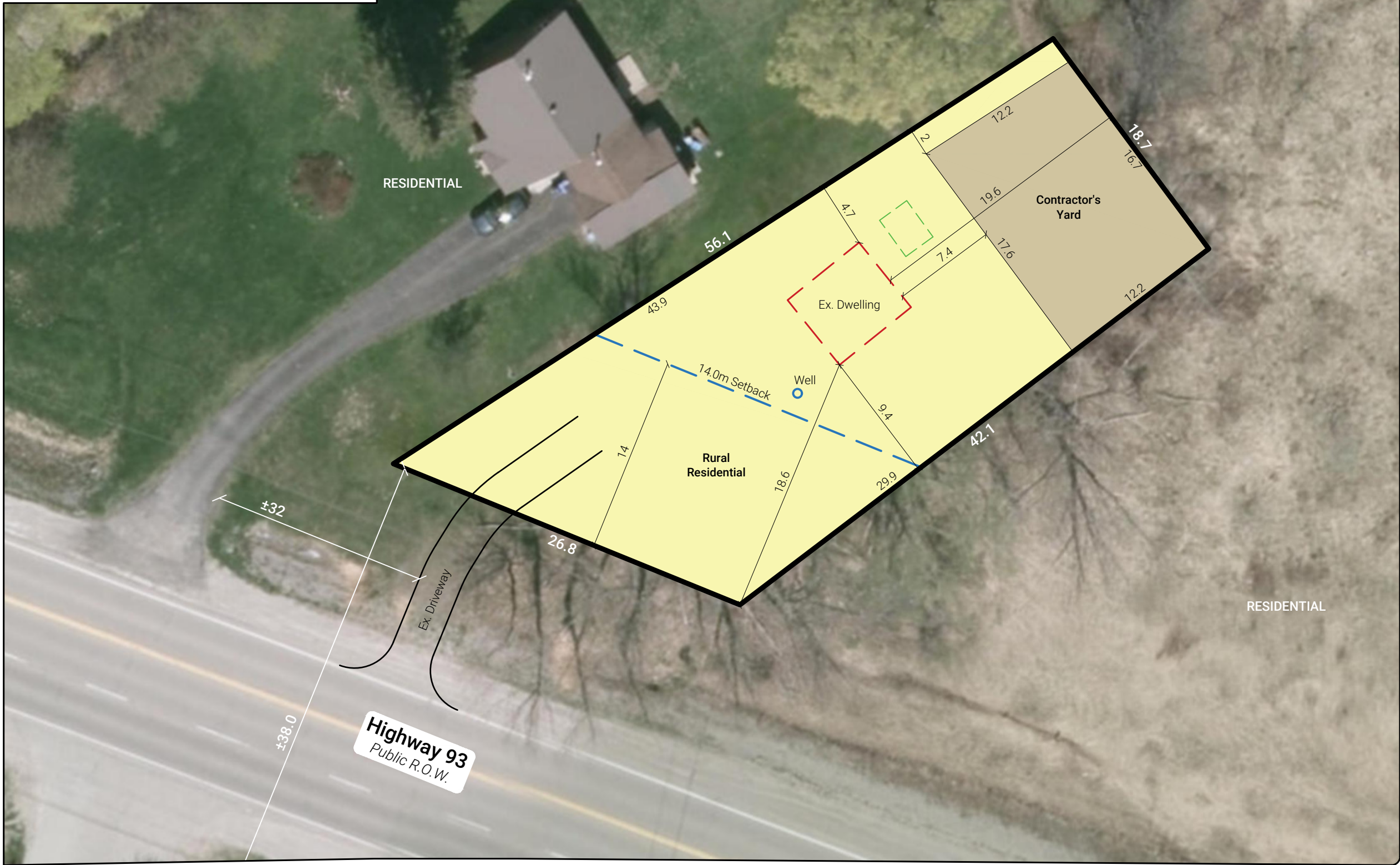
A handwritten signature in black ink, appearing to read 'Jonathan Pauk', written in a cursive style.

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

Attachment 1

Site Plan

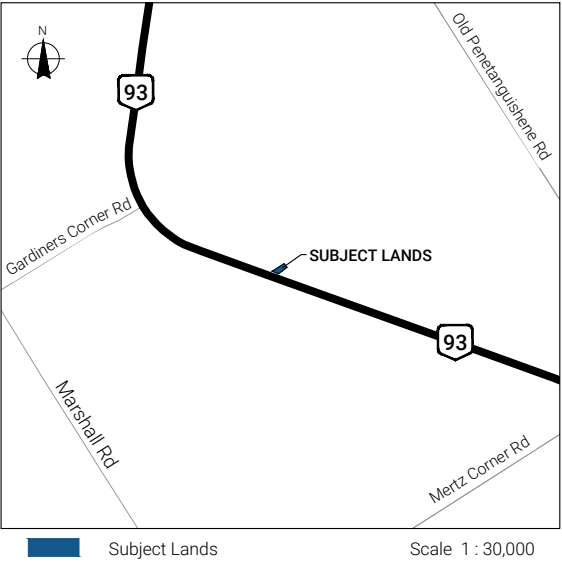
Zone Matrix		
ZBL 2000-57		
	Rural Residential (RR) Zone	Proposed
Permitted Use		Contractor's Yard - Home Industry
Lot Area (min)	4,000m²	±1,007.7m² (existing)
Lot Frontage (min)	38m	±21.8m (existing)
Front Yard (min)	8.0m	±18.6m
Side Yard (min)	3.0m	±4.7m
Rear Yard (min)	7.5m	±19.6m
Lot Coverage (max)	30%	±3.9%
Building Height (max)	11.0m	<8.0m



CONCEPT PLAN

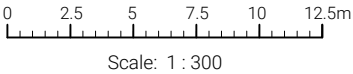
7665 HIGHWAY 93

Part of Lot 88, Concession 1 West of Penetanguishene Rd
Township of Tiny, County of Simcoe



LEGEND

- Subject Lands
Lot Area: ±1,007.7m²
Lot Frontage: ±21.8m
- Contractor's Yard
Area: ±209.2m²
- Rural Residential
Area: ±798.5m²
- Existing Dwelling
Footprint Area: ±39.0m² (419.3ft²)
- Proposed Septic Holding Tank (approximate)
- Proposed Well (approximate)



Note: This drawing is for discussion purposes only.
Boundary to be verified by an O.L.S.

Source: County of Simcoe interactive map.

Drawn By: A.M. Date: May 22, 2026 File No: 1620

MORGAN
PLANNING & DEVELOPMENT

Phone: (705) 327-1873 Website: morganplanning.ca
101-21 Matchedash Street South, Orillia, ON, L3V 4W4

Attachment 2

Draft Zoning By-law Amendment

THE CORPORATION OF THE TOWNSHIP OF TINY

BY-LAW NUMBER XX-XXX

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 Lot 88, Concession 1 West of Penetanguishene Road (7665 Highway 93; Roll #436800000107600)

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 owner of Part Lot 88, Concession 1 West of Penetanguishene Road has 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 Lot 88, Concession 1 West of Penetanguishene Road;

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:

1. That Schedule X, Map X to Zoning By-law 22-075 is hereby further amended to rezone a portion of Part Lot 88, Concession 1 West of Penetanguishene Road from the 'Rural Residential (RR)' Zone to the 'Rural Residential Exception XX (RR-XX)' Zone as shown on Schedule 'A' attached to and forming part of this By-law.
2. That the Special Provisions Associated with the 'Rural Residential Exception XX (RR-XX)' Zone are as follows:

a) For the purposes of the "RR-XX" Zone, "Contractor's Yard" shall mean:

"An area of land used for the parking and storage, of vehicles, equipment, and supplies associated with a building contractor, landscaper, excavator, tradesperson, or similar construction-related business operation, which may include outdoor storage, but shall not include a waste transfer station, salvage yard, aggregate operation, or retail commercial operation."

- b) *Notwithstanding any provisions of this By-law to the contrary, on the lands zoned “[RR-XX]” and identified on Schedule “A”, a Contractor’s Yard shall be permitted as an additional accessory use on the subject lands prior to the establishment of a principal residential dwelling, provided all other applicable provisions of the By-law are satisfied.*
 - c) *The accessory Contractor’s Yard shall only be permitted within the area identified on Schedule “B” attached to and forming part of this By-law. No Contractor’s Yard use, outdoor storage, parking of commercial vehicles, or storage of equipment or materials shall occur outside the identified area.*
 - d) *No aggregate processing, crushing, salvage, recycling, or transfer station operations shall be permitted;*
3. 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 XX DAY OF XXXX, 2026

THE CORPORATION OF THE TOWNSHIP OF TINY

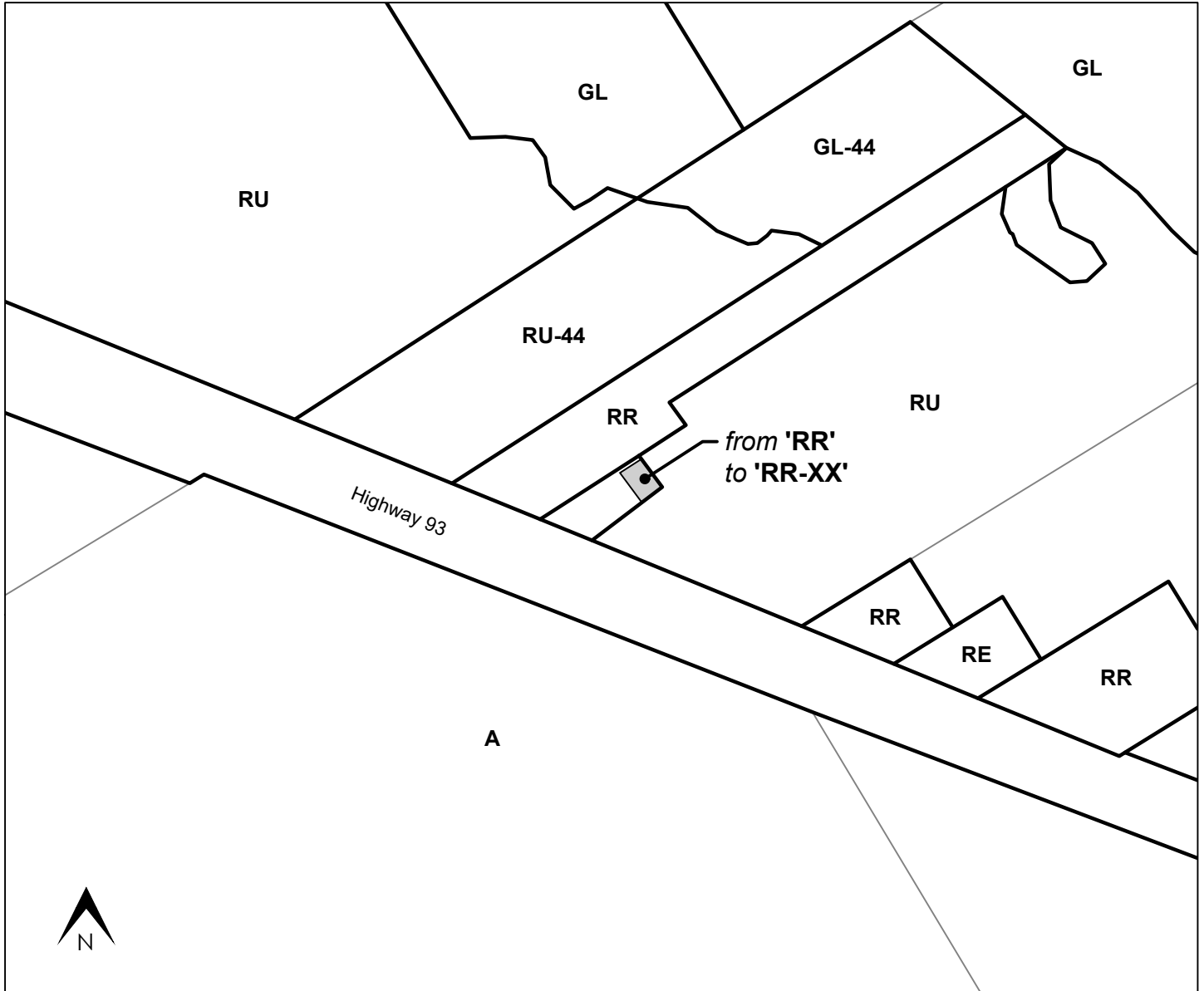
MAYOR, David Evans

CLERK, Laura Russell

SCHEDULE 'A' TO Z.B.A. NO. _____

THE CORPORATION OF THE TOWNSHIP OF TINY

ZONING BY-LAW 22-075 - SCHEDULE B - MAP 20



LANDS TO BE REZONED FROM 'RURAL RESIDENTIAL (RR)'
TO 'RURAL RESIDENTIAL EXCEPTION XX (RR-XX)'

DRAFT

DATE

DATE

CLERK

MAYOR