

**The Corporation of the United Township of Dysart, Dudley, Harcourt, Guilford, Harburn, Bruton, Havelock, Eyre, and Clyde**

**By-law No. 2025 - Draft**

**Being a by-law to amend Zoning By-law 2005-120**

**Whereas** Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes the Council of a municipality to pass Zoning By-laws for the purpose of land use controls.

**And whereas** Section 24(2) of the Planning Act, R.S.O. 1990, c.P.13 provides that if Council has adopted an amendment to an Official Plan, that Council may, before the amendment to the official plan comes into effect, pass a By-law that does not conform with the Official Plan, but will conform with it if the amendment comes into effect.

**And whereas** Section 24(2.1)(b) provides that the By-law is of no force and effect, if the amendment to the official plan does not come into effect.

**And whereas** the Council of the Corporation of the United Townships of Dysart et al now wishes to amend Comprehensive Zoning By-law 2005-120, as amended, to ensure that the said Zoning By-law conforms to the Dysart Official Plan and further to add definitions and amend provisions related to structures permitted in minimum setback areas to outline the specific use, size, height, and setback provisions as well as shoreline vegetation policies.

**And whereas** an open house was held on July 8, 2025, and a public meeting was held on [REDACTED], pursuant to Sections 17 and 34 of the Planning Act, R.S.O. 1990, c.P.13.

**And whereas** the Council of the Corporation of the United Townships of Dysart et al deems it advisable to amend By-law No. 2005-120, as amended.

**Now therefore** the Council of the Corporation of the United Townships of Dysart et al enacts as follows:

1. Section 2 Definitions, is amended as follows:

- (a) Subsection 2.54: after "...Subsection 2.53 *Gasoline/Propane Retail Facility*..." add a new definition as follows:

"2.54 GAZEBO

*A detached, covered, one storey structure accessory to a residential permitted use, which is not closed, except for screening or glass, and which is utilized for the purposes of relaxation."*

- (b) Subsections 2.54 *Golf Course* (now 2.55) to 2.156 *Sewage Treatment Facility* (now 2.157): renumber accordingly.

- (c) Subsection 2.158: after "... Subsection 2.156 *Sewage Treatment Facility* (now 2.157) ..." add a new definition as follows:

"2.158 SHED, STORAGE

*A detached, one storey building or structure accessory to a residential permitted use, maintained and used for the purpose of storing lawn and garden equipment or similar household related appurtenances."*

(d) Subsections 2.157 Shoreline (now 2.159) to 2.205 Zoned Area (now 2.207): renumber accordingly.

(e) All subsection references within the text of By-law 2005-120 are renumbered accordingly.

2. Section 3 General Provisions, is amended as follows:

(a) Subsection 3.1(b) Structures Permitted in Minimum Setback Areas: Delete subsection 3.1(b)(iii) in its entirety and replace it with the following:

*“decks and patios that are not attached to a main building, and a maximum of one (1) roofed structure may be located within a minimum water setback area abutting a shoreline or high water mark, restricted to a total combined gross floor area not exceeding 20 square metres, subject to the following:*

- a) a roofed structure is restricted to a gazebo, an outdoor sauna or a storage shed;*
- b) the maximum ground floor area of a roofed structure is 15 square metres;*
- c) the maximum structure height for a roofed structure is 3.5 metres;*
- d) the minimum water setback for an outdoor sauna or storage shed is 3 metres;*
- e) the minimum vegetation buffer width between an outdoor sauna or a storage shed and the abutting shoreline is 2 metres;*
- f) all structures shall be located above the high water mark;*
- g) all structures shall comply with the minimum side lot line setback for the main building.*
- h) no gazebo, outdoor sauna or storage shed shall be permitted on a shore road allowance unless the shore road allowance is held in the same ownership as the abutting, upland lot;*
- i) prior to the construction of a gazebo, an outdoor sauna or a storage shed, a Shoreline Report with a score of 100%, shall be obtained through the Municipal Lake Health Assessment program.”*

(b) All subsection references within the text By-law 2005-120 are renumbered accordingly.

3. This By-law shall come into force on the date of final passing if no notice of appeal is filed with the Clerk within 20 days of the giving of notice of passage of this By-law and if Official Plan Amendment No. \_\_\_\_\_ is approved.

If a notice is filed with the Clerk, the By-law shall only come into force according to the provisions of Section 34(30) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

This By-law is of no force and effect if Official Plan Amendment No. \_\_\_\_\_ does not come into effect.

READ a first, second and third time, signed and the Corporate Seal attached hereto this 12<sup>th</sup> day of December 2023.

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Mayor: Murray Fearrey

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Clerk: Mallory Bishop

By signing this by-law on \_\_\_\_\_, Mayor Murray Fearrey will not exercise the Power to veto this by-law.