

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

By-law No. 2026 - 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 November 25, 2025, 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) Subsection 2.151 *Sauna, Outdoor* (now 2.152): after the words "...change room," add the words ", but shall not include a floor drain"

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

- (d) 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.”

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

(f) 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) accessory building 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) the accessory building is restricted to a gazebo, or storage shed;
- b) storage sheds shall only be permitted on lots that have a minimum slope of 15% measured over a horizontal distance inland 30 metres from the high water mark;
- c) the maximum ground floor area of the accessory building is 10 square metres;
- d) the maximum structure height for the accessory building is 3.5 metres;
- e) the minimum water setback for the accessory building is 5 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) the storage of vehicles is not permitted in storage sheds;
- i) the accessory building is not permitted on a shore road allowance unless the shore road allowance is held in the same ownership as the abutting, upland lot;
- j) prior to the construction of the accessory building, the shoreline vegetation buffer shall be repaired to a natural state, with the exception of a 1 metre buffer, which may be cleared around the accessory building to provide access and a limited view;
- k) prior to the construction of the accessory building, the applicants shall enter into a site plan agreement with the Municipality.

(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. 6 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. 6 does not come into effect.

READ a first, second and third time, signed and the Corporate Seal attached hereto this 27th day of January 2026.

Mayor: Murray Fearrey

CAO/Clerk: Tamara Wilbee

By signing this by-law on January 27th, 2026, Mayor Murray Fearrey will not exercise the Power to veto this by-law.