



Municipality of Dysart et al

Regular Council
STAFF REPORT

P.O. Box 389
135 Maple Avenue
Haliburton, ON
K0M 1S0
705-457-1740
www.dysartetal.ca
info@dysartetal.ca

To: Mayor and Members of Council
From: Kris Orsan, Manager of Planning
Date: 28 Oct 2025
Re: By-law 2025-93
Zoning By-law Amendment
File No. D14-ZB-2025-015 - Lands of 5029636
Roll No. 040-000-69104
Part Lot 6, Concession 4, Part 9, Plan 19R-5229
In the Geographic Township of Guilford, Municipality of Dysart et al

Recommendation:

Be it resolved that Council deny By-law 2025-93, being a by-law to amend by-law 2005-120 for the lands of 5029636 Ontario Inc. which consists of Part Lot 6, Concession 4, Part 9, Plan 19R-5229, in the Geographic Township of Guilford, Municipality of Dysart et al, which would change the zone on the subject property from Highway Commercial (CH) zone to Highway Commercial - 39 (CH-39) exception zone.

Background Information:

At the [Council meeting on February 25, 2025](#) Council approved a request to waive site plan control for the subject lands.

At the time, various zoning compliance issues were not addressed. Therefore, the applicant was unable to obtain building permits.

The applicants have now submitted an application to amend the zoning by-law to address the compliance issues.

PURPOSE OF APPLICATION

The purpose of this report is to provide background information and recommendations related to the Zoning By-law Amendment application.

The applicant has constructed several structures without permits on the subject property that do not conform to the requirements or intent of the Municipality's Zoning By-law with respect to permitted uses, setbacks, and building form. In particular, several of the structures have been constructed using shipping containers, which are not a permitted building type within the Commercial zone and do not align with the built form or character envisioned in the Municipality's Official Plan for development within settlement areas. Site alteration and development have already occurred on the property, including the installation of fencing, gates, and other site preparation activities.

In addition, the concrete landscape storage structure, the firewood shelter structure and the existing fence all appear to encroach onto the County of Haliburton's right of way.

The applicant is seeking relief from several provisions of the Municipality's Zoning By-law to recognize the development.

The requested relief pertains to the following:

- Use of a freight container as an office building;
- Use of freight containers as part of a storage dome structure;
- Minimum lot line setback, front: 6.4 metres for the Office Structure.
- Minimum lot line setback, front: 0 metres for the wood storage structure.
- Minimum lot line setback, front: 0 metres for the concrete storage structure.
- Street setback, minimum: 24 metres to office structure
- Street setback, minimum: 16 metres to wood structure
- Street setback, minimum: 16 metres to concrete storage structure.
- Despite section 3.1 (i) (ii), open storage to be permitted in the minimum setback of a front yard.
- Despite section 3.1 (i) (iii) open storage to be permitted in the front yard and interior side yard, north side.

The existing development does not conform to the intent of the Zoning By-law or the policies of the Municipal Official Plan, which seek to ensure orderly, compatible, and high-quality development within designated settlement areas.

These discrepancies collectively represent a significant deviation from the intent of the Zoning By-law and the built form standards envisioned for commercial development within a settlement area such as West Guilford.

For further context, a key map and sketch are attached to this report.

Financial Impact:

There are no financial implications as a result of this application.

Attachments:

[D14-ZB-2025-015 - By-law - 2025-93](#)

[D14-ZB-2025-015 - Schedule A to By-law 2025-93](#)

[D14-ZB-2025-015 - Key Map](#)

Approved by
Jeff Iles, Director of Planning and Land Information

Tamara Wilbee, CAO

Mallory Bishop, Clerk

Status:
Approved
- 22 Oct
2025
Approved
- 23 Oct
2025
Approved
- 23 Oct
2025

**THE CORPORATION OF THE UNITED TOWNSHIPS
OF DYSART, DUDLEY, HARCOURT, GUILFORD,
HARBURN, BRUTON, HAVELOCK, EYRE AND CLYDE**

BY-LAW NO. 2025 - 93

**BEING A BY-LAW TO AMEND
ZONING BY-LAW 2005-120**

(Lands of 5029636 Ontario Inc)

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 the Council of the Corporation of the United Townships of Dysart et al has received a complete application to amend Zoning By-law 2005-120, as amended.

AND WHEREAS a public meeting was held on October 28th, 2025 pursuant to Section 34(12) 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 the following as a by-law:

1. Schedule "A", Map 3 – Guilford of By-law 2005-120, as amended, is hereby further amended by changing the zone symbol on Part Lot 6, Concession 4, Part 9 Plan 19R-5229 in the Geographic Township of Guilford, Municipality of Dysart et al from Highway Commercial (CH) zone to Highway Commercial – 39 (CH-39) exception zone as shown on Schedule "A", attached hereto, and forming part of this By-law.
2. Section 7.3.2 to By-law 2005-120, as amended, is hereby further amended by the addition of the following subsections:

7.3.2.39 CH-39 Exception Zone (By-law 2025-93)

Despite any provision to the contrary of Section 7, or any other provision of this By-law, within the CH-39 Exception Zone, the following provisions shall apply:

(a) Permitted uses:

All uses permitted in the CH Zone, except as follows:

- Freight Container used for the purpose of an Office Building
- Freight Containers used for the purpose of a Storage Dome structure.

(b) Zone Provisions:

All zone provisions applicable to the CH Zone, except as follows:

- Minimum lot line setback, front: 6.4 metres for the Office Structure.
- Minimum lot line setback, front: 0 metres for the wood storage structure.
- Minimum lot line setback, front: 0 metres for the concrete storage structure.
- Street setback, minimum: 24 metres to office structure
- Street setback, minimum: 16 metres to wood structure
- Street setback, minimum: 16 metres to concrete storage structure.
- Despite section 3.1 (i) (ii) open storage to be permitted in the minimum setback of a front yard.
- Despite section 3.1 (i) (iii) open storage to be permitted in the front yard and interior side yard, north side.
- Contained outdoor storage is permitted subject to the provisions outlined in section 3.5.

(c) All other provisions of this By-law as applicable to the CH Zone shall apply.

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.

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.

READ a first, second and third time, passed, signed and the Corporate Seal attached. hereto this 28th day of October 2025.

Mayor: Murray Fearrey

Clerk: Mallory Bishop

By signing this by-law on October 28, 2025, Mayor Murray Fearrey will not exercise the power to veto this by-law.

SCHEDULE "A"
TO BY-LAW No. 2025-93

ZONE CHANGE

THIS IS SCHEDULE "A"
 TO BY-LAW NO. 2025 - 93
 THE _____ DAY OF _____, 2025.

PART LOT 6, CONCESSION 4



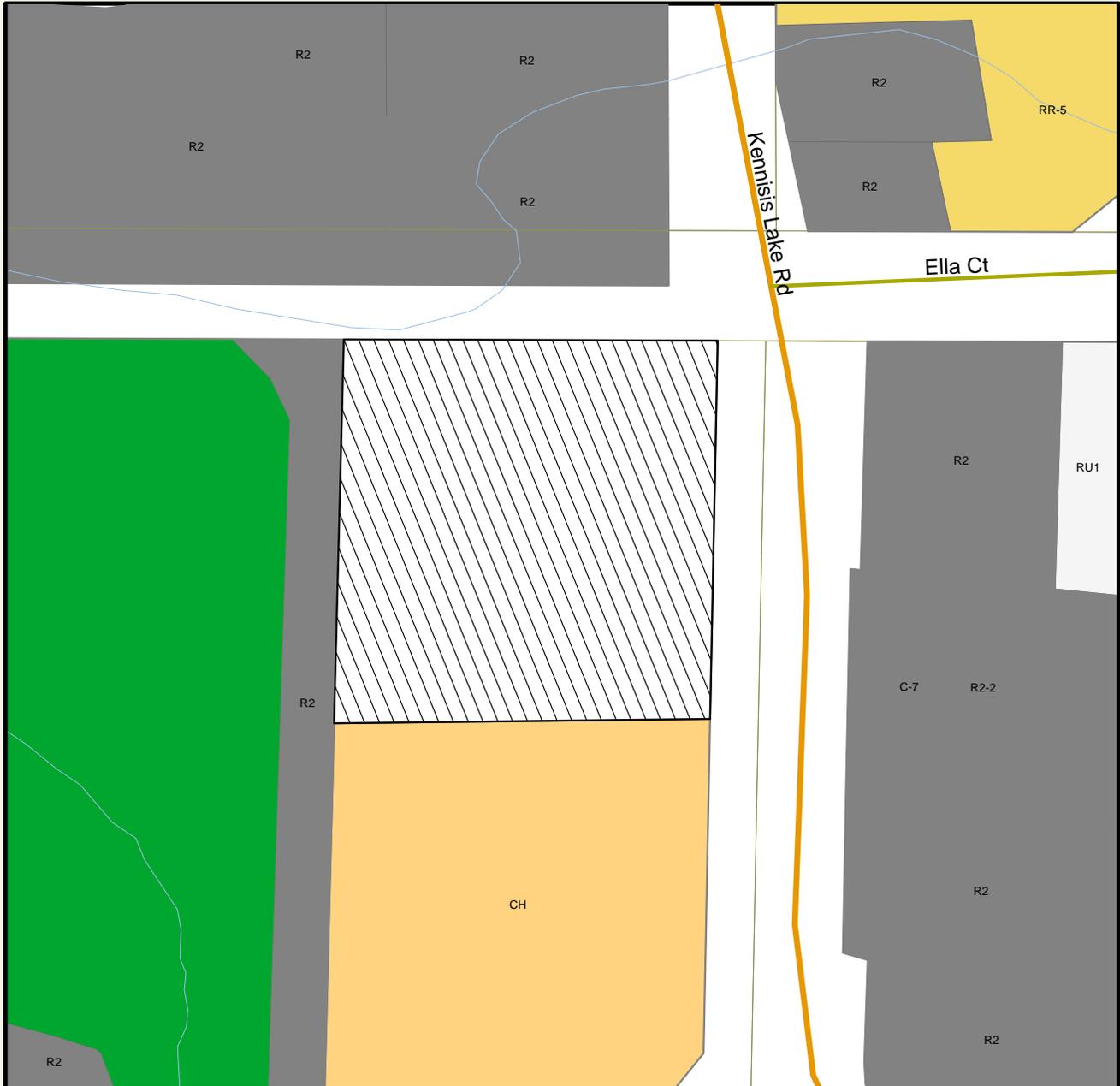
From Highway Commercial (CH) to
 Highway Commercial - 39 (CH-39)

GEOGRAPHIC TOWNSHIP OF GUILFORD
 MUNICIPALITY OF DYSART et al
 COUNTY OF HALIBURTON

 MAYOR

 CLERK

SCALE 1:1,000



DISCLAIMER: This map is for planning reference purposes only and is not a survey of properties. No representation is made or warranty given as to its content. User assumes all risk of use. The Municipality of Dysart et al assumes no responsibility for any loss resulting from such use. This publication may not be reproduced in any form, in part or in whole, without written permission.

SOURCE: QUEEN'S PRINTER OF ONTARIO, Ministry of Natural Resources and Forestry (MNRF), the County of Haliburton, the Municipal Property Assessment Corporation (MPAC). Use of this data does not constitute an endorsement by the MNRF, Ontario Government, County of Haliburton or MPAC.



DISCLAIMER: This map is for planning reference purposes only and is not a survey of properties. No representation is made or warranty given as to its content. User assumes all risk of use. The Municipality of Dysart et al assumes no responsibility for any loss resulting from such use. This publication may not be reproduced in any form, in part or in whole, without written permission.

BASE DATA SOURCE: QUEEN'S PRINTER OF ONTARIO
Use of this data does not constitute an endorsement by MNR or the Ontario Government.

Key Map

 Subject Lands

D14-ZB-2025-015
 Zoning By-Law Amendment Application
 Part Lot 6, Concession 4, 19R5229 Part 9
 Lands of 5029636 Ontario Inc.
 Geographic Township of Guilford
 Roll No. 040-000-69104
 Civic Address: 1159 Kennisis Lake Rd.

