

THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN

BY-LAW NO. 2020-20

**BEING A BY-LAW TO REGULATE AND PROHIBIT THE USE
OF SEA CANS/SHIPPING CONTAINERS.**

WHEREAS Section 8 1) of the Municipal Act, 2001, c.25 as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 10 (1) of the Municipal Act 2001, c.25 as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

NOW THEREFORE the Council of the Corporation of the Township of Matachewan enacts as follows:

DEFINITIONS

1. In this by-law, the following terms shall have the corresponding meanings:
 - "Town-site" means the geographical area identified as Concession "A" Lot 11 of Cairo Township within the Corporation of the Township of Matachewan as per Appendix A.
 - "Sea Cans/Shipping Containers" means any pre-fabricated metal unit/container that is self-contained and is larger than three (3) square meters.

PERMISSION IN THE TOWNSITE

2. The location of a sea can / shipping container on a property within the Townsite is permitted, subject to the following conditions:
 - a. A maximum of 1 sea can/shipping container is permitted per lot in the R1 Zone and 2 in the C1 zone.
 - b. Notwithstanding subsection 2a, the locating of a sea can/shipping container shall comply with the zoning standards for the lot where it is located, and shall only be permitted in the rear yard or interior side yard.
 - c. The sea can/shipping container shall be screened by an opaque fence or landscaping such that it shall not be visible from the street line, interior side lot line, and rear lot line.
 - d. The sea can/shipping container shall be jacked up properly, but shall remain portable and moveable.
 - e. The sea can/shipping container shall be maintained in a manner that complies with property standards.
 - f. The location of flammables is not permitted in the sea can/shipping container.
 - g. The sea can/shipping container shall require a building permit, when applicable.

REQUIREMENT FOR ZONING CONFIRMATION

3. Prior to locating a sea can/shipping container on a property within the Townsite, the proponent shall provide an indication to the Township that the locating of a sea can/shipping container shall comply with the zoning standards for the lot where it is located.

PRE-EXISTING CONTAINERS

4. That any pre-existing sea cans prior to passing of this by-law will be identified as in violation of By-Law 2015-16 and must be removed or in compliance with the provisions in this by-law.

ADMINISTRATION AND ENFORCEMENT

5. The administration and enforcement of this By-law is delegated to the Clerk Treasurer, the Chief Building Official and the By-law Officer.
6. No person shall hinder or obstruct an Officer, appointed under this by-law or employed to enforce this by-law, from carrying out an inspection of lands, nor shall any person obstruct any employee or agent authorized to carry out the work for the municipality in an order issued hereunder.

OFFENCE

- 7. Every person who contravenes any provision of this by-law is guilty of an offence. Each day that such a contravention exists constitutes a separate offence.
- 8. A municipal employee, staff person, agent or contractor hired by the Municipality, accompanied by any person under his or her direction, may enter onto any land that is used or believed to be used in contravention of this by-law for the purposes set out in subsection 436(1) of the *Municipal Act*, 2001 and shall have all powers of inspection set out in subsection 436(2) of the Act
- 9. Any sea can/shipping container used, maintained or located in contravention of this By-law shall be removed from the lot, at the expense of the owner of the lot. Failure to remove any sea can/shipping container from a lot within the time prescribed by the By-law Officer may result in the removal of said sea can/shipping containers by the Municipality, at the expense of the owner of the lot.

PENALTIES

- 10. Every person who is convicted of an offence under any provision of the by-law shall be liable to a penalty as set out in Section 61 of The Provincial Offences Act, RSO 1990, C.P. 33, or any successor thereof.

PREVIOUS BY-LAWS

- 11. That all previous by-laws and/or resolutions, or parts thereof, contrary hereto or inconsistent herewith, be and the same are hereby repealed.

FORCE MAJEUR

- 12. That this by-law shall come into force and effect upon final passing thereof and remain in force and effect until such time as it is repealed by the Council of the Corporation of the Township of Matachewan.

READ A FIRST TIME this 15th day of December, 2020.

READ A SECOND TIME this 15th day of December, 2020.

READ A THIRD TIME AND FINALLY PASSED this 15th day of December, 2020.

Anne Commando-Dubé
Mayor

Janet Gore
CAO/Clerk-Treasurer

