

## **Section 2 CONFORMITY REQUIREMENTS**

### ***Explanatory Note***

*This Section establishes the authority and legitimacy of the By-law. It is composed of statements which establish the primacy of the regulations stated within.*

- 2.1** No land, building or structure shall be used and no building or structure shall be used, erected or enlarged, altered or placed for any purpose within the area defined by this By-law, except as specifically, or by necessary implication, authorized by this By-law and in conformity with all the applicable provisions of this By-law.
- 2.2** Subject to the granting of such minor variances as may be necessary, no lands shall be severed from any existing lot if the effect of such action is to cause the original, adjoining, remaining or new building, structure, lot or use of land to be in contravention of any provision of this By-law.
- 2.3** Where a use does not take place within a building, but a regulation in this By-law imposes a requirement premised on the use being in a building, the requirement applies as though the actual area occupied by the use was in a building.

### **2.4 Committee of Adjustment**

Pursuant to the provisions of Sections 44 and 45 of the *Planning Act*, a duly appointed Committee of Adjustment is authorized to grant relief to any provisions of the Zoning By-law of the Township of McGarry, by way of granting a minor variance or by giving a permission for the enlargement or extension of a non-conforming use or to permit a change of use to a similar or more compatible use or to authorize a use that conforms with those permitted in the By-law, despite that a use, building or structure may be defined in general terms.