



**THE CORPORATION OF THE TOWNSHIP OF MCGARRY  
BY-LAW 2025-32  
BEING A BY-LAW TO REGULATE 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 services or thing that the municipality considers necessary or desirable for the public;

**NOW THEREFORE** the Council of the Corporation of the Township of McGarry enacts as follows:

**1. DEFINITIONS**

In this by-law, the following terms shall have the corresponding meanings:

"Town-site" means the geographical area identified in Appendix "A" hereto attached to this by-law.

"Sea Cans/Shipping Containers" means any prefabricated metal unit/container that is self-contained and is larger than three (3) square meters. Any new and/or used container as originally manufactured and unmodified, and designed for the shipping of goods by means of rail, truck or by sea that is strong enough to be suitable for repeated use and includes intermodal shipping containers. A van trailer, semi-trailer or motor vehicle is not considered to be a shipping container.

"Existing Sea Cans/Shipping Container" means sea cans/shipping containers that lawfully exist on the date of passing of By-Law 2025-04 (February 2025).

**2. PERMISSION IN THE TOWNSITE**

Sea Can/Shipping Container are permitted on a property within the Townsite, subject to the following conditions that all persons shall follow:

- a) A maximum of 1 Sea Can/Shipping Container is permitted per lot in Residential Zones.
- b) A maximum of 2 Sea Cans/Shipping Containers in Commercial Zones.
- c) Notwithstanding subsection 2a and 2b, Sea Can/Shipping Container shall not be located or used on a vacant lot.
- d) A Sea Can/Shipping Container must be located to the rear of the main building/structure and shall not be visible from the street.
- e) The Sea Can/Shipping Container shall be maintained in a manner that complies with property standards.

- f) The Sea Can/Shipping Container shall require a building permit, when applicable. A Sea Can/Shipping Container shall not be used for human habitation or the enclosure of animals or livestock unless engineered to do so.
- g) A Sea Can/Shipping Container may be located in a front yard or on a driveway while moving to or from the area for a period of 4 weeks, with a completed form from the Township Office, or while renovating. If needed, an extension can be granted with the approval of the Township (Schedule B). Temporary Sea Can / Shipping Containers shall not encroach onto public sidewalks, municipal laneways or roadways.
- h) A Sea Can/Shipping Container shall be included in all calculations for the purpose of determining maximum lot coverage.
- i) Nothing in this By-Law shall prevent the use of a Sea Can/ Shipping Container as a storage area for building material during the construction of a dwelling house or accessory building, provided that such dwelling or accessory building is being constructed in accordance with the Ontario Building Code. A Sea Can/Shipping Container used for the construction of principal dwelling house shall not be counted toward the maximum number of containers permitted on the property.

### **3. REQUIREMENT FOR ZONING CONFIRMATION**

Prior to locating a Sea Can/Shipping Container on a property within the Townsite, the proponent shall provide a site plan to the Township showing the proposed location of the Sea Can/Shipping Container in order to ensure compliance with applicable zoning provisions.

### **4. ADMINISTRATION AND ENFORCEMENT**

- a) The administration and enforcement of this By-Law is delegated to the Clerk-Treasurer and the By-Law Enforcement Officer.
- b) 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 hereunder.

### **5. OFFENCE**

- a) Every person who contravenes any provision of this By-Law is guilty of an offence.
- b) A municipal employee, staff member, 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 the powers of inspection set out subsection 436(2) of the Act.
- c) 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 the said Sea Can/Shipping Container by the Municipality, at the expense of the owner of the lot.

### **6. PENALTIES**

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.

## **7. PREVIOUS BY-LAWS**

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

## **8. FORCE MAJEUR**

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 McGarry.


## **9. MINOR MODIFICATIONS/CORRECTIONS**

That the Clerk of the Corporation of the Township of McGarry is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-Law and schedule as may be deemed necessary after the passage of this By-Law, where such modifications or corrections do not alter the intent of this By-Law.

BY-LAW READ A FIRST AND SECOND TIME ON JULY 8, 2025.

BY-LAW READ A THIRD AND FINALLY PASSED ON JULY 8, 2025.

THE CORPORATION OF THE TOWNSHIP OF MCGARRY

  
MAYOR

  
CLERK-TREASURER



**THE CORPORATION OF THE TOWNSHIP OF MCGARRY**

**BY-LAW 2025-32**

**APPENDIX "B"**

**SEA CAN/SHIPPING CONTAINER FORM FOR MOVING PURPOSES**

OWNER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_  
DATES FOR SEA CANS/SHIPPING CONTAINER (MAXIMUM 28 DAYS):

REQUEST: To have a sea can/Shipping Container in front of the house listed above for the length of time request, not exceeding the maximum 4 weeks.

I certify that the sea can will not exceed the 4-week time frame and it will be moved off my property at the time specified.

\_\_\_\_\_  
Homeowner Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Extension requested to (Specific date)

Extension permitted:      YES      NO

\_\_\_\_\_  
Employee Signature



**PART-1 PROVINCIAL OFFENCES ACT TOWNSHIP OF MCGARRY  
SEA CAN/SHIPPING CONTAINERS BY-LAW 2025-32**

ITEM	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCES		SET FINES
1	Locate more sea cans/shipping containers than permitted	2a		300.00
2	Use a sea can/shipping container on a vacant lot	2c		300.00
3	Locate a sea can/shipping container in a yard other than the interior side or rear yard	2d		100.00
4	Fail to screen the sea can/shipping container	2d		100.00
5	Fail to maintain the sea can/shipping container	2e		100.00
6	Fail to obtain a building permit	2f		300.00
7	Fail to provide zoning confirmation to the Township prior to locating the sea can/shipping container	3		300.00
8	Obstruct person designated to enforce this By-Law	2b		300.00

**NOTE: The penalty provision for the offences indicated above is Section 61 of the Provincial Offences Act, R.S. O. 1990, Chapter P.33 as amended**