

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Planning Services



To: Mayor and Members of Council

From: Daniel Mercer, urbaniste, RPP, MCIP – Division Leader - Community Planning

Date: June 16, 2025

Subject: Shipping Containers – Potential Zoning By-law Amendment

Recommendation

Direct Administration to prepare a draft Zoning By-law amendment on Shipping Containers, and give public notice as required under the *Planning Act*, as presented at the July 8, 2025 Council meeting.

Strategic Objectives

5b) Modernize Citizen-Centered Services - Bylaw Modernization (including a calendar of bylaw review and effective enforcement strategies/capabilities)

Background

The intent of this report is to seek the input from Council in order to, at a future meeting, propose amendments to the Zoning By-law and hold a statutory public meeting.

The Municipality has identified a need to consider amendments to the Zoning By-law to improve the regulation of shipping containers stemming from recent by-law complaints as well as the evolving interest of the public in using them as stand-alone structures and building components materials. This report outlines comparative analysis conducted of other local governments and possible directions that the Municipality could take with an interest in prohibiting the use of shipping containers within urban areas, regulating their use in rural areas in public view, while still permitting their use for temporary storage of goods for transportation, or repair or renovation purposes.

Comments

Shipping containers (also known as Sea Cans) are intended for the transportation of products and raw materials. It has become common for individuals and businesses to repurpose shipping containers as accessory structures (sheds) for the on-going storage of equipment or materials, as building components for residences and businesses with modifications, and to be used for temporary

storage for moving.

Shipping containers are watertight with little to no ventilation, and may be manufactured with harmful substances, posing fire, and other health and safety risks. They are made of materials not typically used for residential structures and are not intended for long-term use as structures. It is, however, understood that they can serve as pre-fabricated storage structures in some circumstances.

Provincial Policy Statement (PPS) and County of Essex Official Plan

There are no issues of provincial or County significance raised by the proposed amendment. Neither document provides policies specific to shipping containers.

Municipality of Lakeshore – Current Official Plan Provisions

The Municipality of Lakeshore Official Plan does not currently include any policies regarding the use of shipping containers. The use of a shipping container as an accessory structure would be subject to general policies regarding accessory structures.

The Official Plan includes policies that provide direction on maintaining or improving the physical character of the community. Section 4.2.1(a) states that “the Town will seek to maintain and improve the physical design characteristics of the Settlement Areas in the context of new and existing development and stress a generally high quality of community design and built form”. The re-use of unmodified shipping containers as structures within Settlement Areas is not in keeping with the policy of high quality community design and built form.

Municipality of Lakeshore - Current Zoning Provisions

The Municipality of Lakeshore Zoning By-law 2-2012 (consolidated version as of June 3, 2025) does not include a definition of “shipping container”. However, the By-law does regulate the use of shipping containers under Section 6.61 (formerly Section 6.59). Shipping containers are regulated alongside trucks, buses, coach bodies, recreational vehicles, trailers and tents.

Current regulations prohibit the use of shipping containers for human habitation or for permanent office or storage use within the Municipality, as well as storage in residential zones. Shipping containers are, however, permitted to be used for the temporary storage of goods or materials that are being transported. They are also permitted for use in residential zones as temporary storage required to facilitate a repair or renovation, for which a building permit has been obtained for a dwelling, so long as the temporary storage of construction materials is for a maximum period of 120 days.

The relevant provisions of the consolidated Zoning By-law are reproduced below:

6.61 Truck, Bus and Coach Bodies, Recreational Vehicles, Trailers or Tents
or Shipping Containers Used for Human Habitation or Storage

The *use* of trucks, buses, coach bodies, *recreational vehicles*, *trailers*, tents, or shipping containers, for human habitation or *storage* shall be in accordance with the following provisions.

- a) No truck, bus, coach or streetcar body, *recreational vehicle*, *trailer* or tent, or shipping container, shall be *used* for human habitation within the *Town* whether or not the same is mounted on wheels, except on a temporary basis, such as the *use* of *recreational vehicles*, *trailers* and tents within a *campground*, where it is permitted in accordance with this By-law.
- b) No *trailer* shall be *used* for *storage* within any *Residential Zone* or for advertising purposes in any *zone*.
- c) No bus, coach or streetcar body, tent, *recreational vehicle*, *trailer*, boat, *mobile home*, or shipping container, shall be *used* as a permanent office or for *storage*, within the *Town*. This does not prevent the *use* of a *transport trailer* or shipping container, for temporary *storage* and goods or materials that are being transported. However, *storage* in a *transport trailer* or shipping container is prohibited in any residential *zone*, except when storage is required to facilitate a repair or renovation, for which a building permit has been obtained for a dwelling, in which case temporary storage of construction materials in a transport trailer or shipping container will be permitted for a maximum period of one hundred and twenty (120) days from the day such transport trailer or shipping container is first located on the lot.
- d) No truck shall be parked and *used* for the wholesale or retail sale of goods, articles or things for a period of more than thirty (30) days.
- e) No boat shall be *used* for human habitation within the *Town* from the month of November to the month of April and provided such boat is docked in a *marina*.

Zoning By-law 2-2012 (Consolidated as of June 3, 2025).

Jurisdictional Review

Municipalities throughout southern Ontario have adopted a variety of approaches to regulating shipping containers through their Zoning By-law (Appendix A).

The Township of Clearview strictly prohibits the use of shipping containers in any zone, and notes that outside of areas regulated by architectural control, a shipping container can only be used as a building when a building permit is obtained through the Ontario Building Code.

The Town of Kingsville prohibits the use of shipping containers in any zone unless specifically permitted via the Zoning by-law, i.e. wherever outdoor storage is permitted, with delineated time limits associated with how long the temporary outdoor storage can remain on the property.

The City of Windsor prohibits shipping containers as an accessory or storage use and prohibits shipping containers in residential zones except for the temporary placement in connection with construction activity occurring on a residential lot.

Other municipalities take a less restrictive approach. The Town of Essex permits shipping containers as a supplementary use (i.e. temporary building or structure, or for storage of goods, equipment, materials), with certain provisions. Essex has limitations on the use of shipping containers with a gross floor area of 10m² or greater and allows them exclusively in certain zoning districts.

In the Town of LaSalle, shipping containers may be used as an accessory building, following all accessory structure regulations, setbacks and building regulations of the zoning district it is placed within. The Town of LaSalle permits shipping containers for construction uses or storage but prohibits the use of a shipping container as a dwelling unit.

Analysis

Administration is seeking input into prohibiting the use of shipping containers within urban areas and regulating the use of shipping containers within rural areas in a way that discourages their proliferation within public view. Shipping containers would continue to be permitted for short-term storage of goods as is currently the case under the provisions of the Zoning By-law under Section 6.61.

An amendment to the Official Plan is not required to add specific policies related to shipping containers. The existing policies related to accessory buildings or structures, and the built form of settlement areas provide sufficient guidance for the proposed zoning by-law amendment. Other municipalities have implemented zoning regulations for shipping containers without amending their Official Plans. The policies of the Official Plan may be updated as part of a five-year review at a later date to address shipping containers, but it is not necessary at this time to go through the process of an Official Plan amendment to address this issue.

The Zoning By-law may be amended to add a definition for shipping container and general policies that would establish the circumstances under which they may be permitted within the Municipality.

Section 6.63 of the Zoning By-law (Used Prohibited in all Zones) could be amended to add provisions relating to shipping containers to clarify that their use will be prohibited in all zones except those listed and in the circumstances provided.

Potential Proposed Changes

Municipality of Lakeshore Zoning-Bylaw

At this time, Administration is considering bringing forward to Council the following amendments to the Zoning By-law to define 'shipping container', identifying the zones in which they may be used, and related restrictions.

Potential Definition:

SHIPPING CONTAINER means a pre-manufactured (primarily of metal) box that is designed to facilitate the transportation of goods by one or more means of transportation and includes (but is not limited to) intermodal shipping containers and transport box trailers and does not include containers that have been modified to be used as habitable space.

Potential General Provisions:

The proposed changes to the General Provisions of the Zoning by-law, with subsequent renumbering of the paragraphs, are shown below with ~~strikeout text~~ to indicate deletions from the By-law and **bold text** to show additions to the by-law:

Section 6.61 Truck, Bus and Coach Bodies, Recreational Vehicles, Trailers or Tents or Shipping Containers Used for Human Habitation or Storage

The *use* of trucks, buses, coach bodies, *recreational vehicles, trailers*, or tents, or shipping containers, **as accessory** buildings for human habitation or *storage* shall be in accordance with the following provisions.

- a) No truck, bus, coach or streetcar body, *recreational vehicle, trailer* or tent, or *shipping container*, shall be used for human habitation within the *Town* whether or not the same is mounted on wheels, except on a temporary basis, such as the *use of recreational vehicles, trailers* and tents within a *campground*, where it is permitted in accordance with this By-law.
- b) No *trailer* shall be *used for storage* within any Residential *Zone* or for advertising purposes in any *zone*.
- c) No bus, coach or streetcar body, tent, *recreational vehicle, trailer*, boat, or *mobile home*, or *shipping container*, shall be used as a permanent office or for *storage*, within the *Town*.
- d) ~~This does not prevent the use of a transport trailer or shipping container, for temporary storage of goods or materials that are being transported~~ **may be permitted** ~~However, storage in a transport trailer or shipping container is prohibited in any residential zone, except when such storage is required to facilitate moving household contents, or a repair or renovation, for which a building permit has been obtained for a dwelling. in which case the~~ Temporary storage of construction materials in a *transport trailer* or *shipping container* will be permitted for a maximum period of one hundred and twenty (120) days from the day such *transport trailer* or *shipping container* is first located on the lot.
- e) **A shipping container may be used for storage by the Town, or under contract to the Town in any zone.**
- f) No truck shall be parked and *used* for the wholesale or retail sale of

goods, articles or things for a period of more than thirty (30) days.

- g) No boat shall be *used* for human habitation within the *Town* from the month of November to the month of April and provided such boat is docked in a *marina*.

Section 6.64 (Uses Prohibited in all Zones) is proposed to be changed by adding a new provision e) as follows:

- e) Shipping containers as accessory buildings shall be prohibited in all Zones, except for Zone A – Agriculture; CR - Rural Commercial/ Employment; or General Employment (M1). The use of *shipping containers* as an *accessory building* shall be in accordance with the following provisions:**
- a. shall not be used for human habitation, office use, display, advertising, screening or fencing;**
 - b. shall only be located in the side yard or rear yard provided it:**
 - i. is screened from view if the *side yard* or *rear yard* abuts a street or properties of any other Zone in which *shipping containers* are prohibited in;**
 - ii. complies with the *lot coverage* and setback requirements for accessory buildings and *structures* within the zone;**
 - iii. is not located in any required parking areas or landscaped areas/buffer;**
 - iv. shall be included in the calculation of *lot coverage*;**
 - v. shall not exceed a height of 3.0 metres and a length of 12.0 metres and shall not be stacked one on top of the other; and**
 - c. the maximum number of *shipping containers* for accessory storage purposes on any property shall be limited to two unless the *shipping containers* are used in the transportation of goods and materials in which case no maximum shall apply.**

Conclusion

A Zoning By-law amendment would be required in order to alter how the Municipality regulates the use of shipping containers as structures. A Zoning By-law amendment seeks to address this by:

- Adding a definition for “Shipping Container” under Section 4.0 of By-law 2-2012
- Update Section 6.61 of By-law 2012 to clarify the use of shipping containers.
- Updating Section 6.63 of By-law 2-2012 to add shipping containers to the list of uses prohibited in all zones, with exceptions for specific zones in the rural areas, General Employment zone, and under specific circumstances.

If Council is supportive of this direction, public consultation will be undertaken through notice of the proposed amendment in accordance with the *Planning Act*, and a Zoning By-law amendment will be brought back to Council at a future date. During this process, Administration will also consider bringing forward amendments to the Sign By-law to prohibit advertising on shipping containers, and that shipping containers cannot be used for advertising purposes.

Others Consulted

WSP, Planning Consultants

Financial Impacts

There are no budget impacts as a result of the Recommendation.

Attachments

Appendix A - Shipping Container Comparative Analysis

Report Approval Details

Document Title:	Report for Info - Zoning By-law Amendment Shipping Containers.docx
Attachments:	- 2025.04.04 Lakeshore - Shipping Container Comparative Analysis.docx
Final Approval Date:	Jun 27, 2025

This report and all of its attachments were approved and signed as outlined below:

Prepared by Daniel Mercer

Submitted by Tammie Ryall

Approved by the Corporate Leadership Team