

Shipping Container Comparative Analysis

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The following provides a comparison of approaches, definitions, zoning regulations and official plan policies related to shipping containers in the Town of Essex, the City of Windsor, the Town of Tecumseh, the Town of Kingsville, the Town of LaSalle and the Township of Clearview.

	Town of Essex
Approach	Permitted as a supplementary use (i.e. temporary building or structure, or for storage of goods, equipment, materials) with parameters set out. The By-law includes limitations for the use of shipping (storage) containers having a gross floor area of 10m ² or greater, and allows them exclusively in the following zoning districts: <u>A1.1; C3.1; M1.1; M1.2; M2.1 and M2.2.</u>
How is 'shipping container' or 'sea container' defined in the ZBL, if at all?	<p>Zoning By-law 1037 - Section 7.0 Definitions</p> <p>"Industrial Use" means any main use involving any one (1) or more of the following activities: assembly; communications; industrial research; industrial training; manufacturing; processing; repairing; servicing and maintaining, shipping; storing; transporting; warehousing; wholesaling.</p> <p>"Storage Container" means a pre-fabricated transportable enclosure intended for the temporary or permanent storage of goods, materials or equipment. It is not equipped with wheels. A cargo container originally used for the transport of freight by rail, truck or ship, is a storage container.</p>
What are the ZBL general provisions and uses that allow for or at least mention 'shipping container' or 'sea container'?	<p>Zoning By-law 1037 - Section 8.2 Permitted Supplementary Uses</p> <p><u>c) Temporary Buildings or Other Structures</u></p> <p>i) A temporary building, storage container or other structure customarily required and incidental to the erection of permanent buildings or other permanent structures is permitted in any zoning district, provided that such temporary building, storage container or other structure is removed when the permanent building or other structure is erected and capable of occupancy or use</p> <p><u>f) Storage of Goods, Equipment and Materials in Storage Containers</u></p> <p>i) When not used in accordance with the provisions of paragraph c), of this subsection, a storage container having a gross floor area of 10m²(109f²) or greater shall be deemed to be an accessory building, subject to all applicable accessory building provisions of the zoning district in which the lot is located and to the following additional provisions. As an accessory building, a storage container shall:</p> <p>1. be permitted exclusively in the following zoning districts: A1.1; C3.1; M1.1; M1.2; M2.1 and M2.2 and not otherwise permitted;</p>

	<p>2. not be located not in a front yard;</p> <p>3. be screened from view where it is visible from a Residential or Green District or a street and within 30 meters of the Residential or Green District or street;</p> <p>4. be limited to a maximum of one storage container on a lot of less than 0.5 hectares and shall be limited to not more than two (2) storage containers on a lot of greater than 0.5 hectares;</p> <p>5. be permitted exclusively for storage purposes and not for human occupancy.”</p>
Does the OP speak to shipping containers?	Not when searching by "container" or "storage container"
Link	https://www.essex.ca/en/build/resources/Town-of-Essex-New-Official-Plan_Draft.pdf

	City of Windsor
Approach	Prohibited in residential zones except for the temporary placement in connection with construction activity occurring on residential lot. Prohibited as an accessory or storage use.
How is 'shipping container' or 'sea container' defined in the ZBL, if at all?	<p>Zoning By-law 8600 - Section 3.0 Definitions</p> <p>SHIPPING CONTAINER means an industrial, standardized reusable vessel that was:</p> <ol style="list-style-type: none"> 1. originally or formerly specifically designed for or used in the packing, shipping, movement or transport of freight, articles, goods, or commodities; and/or 2. designed for, or capable of being mounted on moved on, a rail car; and/or 3. designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship. <p>A cargo container and an intermodal container is a shipping container.</p>
What are the ZBL general provisions and uses that allow for or at least mention 'shipping container' or 'sea container'?	<p>Zoning By-law 8600 - Section 5.2 Prohibitions (General Provisions)</p> <p>5.2.30 The following are prohibited in any development reserve district or residential district:</p> <p>5.2.30.10 A shipping container used as a main building or as an accessory building on a lot, save and except for the temporary placement of a shipping container in connection with, and during, the erection, renovation or demolition of structures on said lot.</p>

Does the OP speak to shipping containers?	Not when searching by "container" or "storage container"
Link	https://www.citywindsor.ca/residents/planning/plans-and-community-information/windsor-official-plan

	Town of Tecumseh
Approach	In 2017, the Town of Tecumseh proposed housekeeping amendments to introduce regulations pertaining to the use of shipping containers as storage units. Looking into the current bylaw, the proposed housekeeping amendments were not introduced and there is no definition for shipping container and it is not set out in the bylaw. However, the planning report is useful and relevant to this topic.
How is 'shipping container' or 'sea container' defined in the ZBL, if at all?	<p>ZBL Section 3 - Defintions</p> <p>INDUSTRIAL USE, shall mean the use of any land, building or structure for the purpose of manufacturing, processing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing, packing or adapting for sale any goods, substance, article or thing, or any part thereof, and the storage of building and construction equipment and materials, as distinguished from the buying and selling of commodities and the supplying of personal services. Transportation terminals would also be considered as an "Industrial Use".</p>
What are the ZBL general provisions and uses that allow for or at least mention 'shipping container' or 'sea container'?	<p>NOTE: 2017 PROPOSED CHANGES (DIDNT PASS/NOT REPRESENTED IN BY-LAW)</p> <p>The purpose of the proposed housekeeping amendments is to introduce regulations pertaining to the use of shipping containers as accessory storage units in accordance with the general concepts contained in Planning and Building Services Report No. 37/16. The following changes to the three Zoning By-laws are proposed:</p> <ol style="list-style-type: none"> 1. A definition of a "shipping container" is proposed to be added to clearly define this type of structure; 2. The addition of zoning provisions which will prohibit the permanent placement of shipping containers as storage units in all areas of the Town <u>other than industrial zones</u>. For non-industrial zones, the temporary use of shipping containers for moving purposes or on construction sites will be permitted subject to regulations such as limiting the duration of the temporary placement of a shipping container, specifying setback distance from lot lines to maintain proper spatial separation and safe sight lines, and restricting the number of containers per property and the maximum size of a container; and

	<p>3. For industrial zones, the use of shipping containers for storage be allowed subject to the following provisions:</p> <p>i) shall only be permitted as accessory structures;</p> <p>ii) shall not be used for human habitation, office use, display, advertising, screening or fencing;</p> <p>iii) shall only be located in the side yard or rear yard provided it:</p> <p style="padding-left: 40px;">a) is screened from view if the side yard or rear yard abuts a street or properties zoned other than industrial;</p> <p style="padding-left: 40px;">b) complies with the lot coverage and accessory buildings and structures setback requirements of the zone;</p> <p style="padding-left: 40px;">c) is not located in any required parking areas or landscaped areas/buffer;</p> <p>iv) shall be included in the calculation of lot coverage;</p> <p>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</p> <p>vi) 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.</p>
Does the OP speak to shipping containers?	Not when searching by "container" or "storage container"
Link	<u>Tecumseh Official Plan - County Approved June 2021</u>

Municipality	Town of Kingsville
Approach	Identified as a prohibited use unless specifically permitted (i.e. wherever outdoor storage is permitted, and noting that there is also a delineated time limit associated with how long temporary outdoor storage can remain).
How is 'shipping container' or 'sea container' defined in the ZBL, if at all?	<p>ZBL 1-2014 Section 3 Definitions</p> <p>3.9.6 Outdoor Storage: shall mean the storage of goods in the open air or in unenclosed portions of buildings that are open to the air on all sides.</p>
What are the ZBL general provisions and uses that allow for or at least mention 'shipping container' or 'sea container'?	<p>ZBL 1-2014 Section 4 General Provisions</p> <p><u>4.33 Prohibited Uses</u> The following uses, activities and/or objects shall be prohibited in any Zone unless otherwise permitted in this By-law:</p> <p>d) The storage of shipping containers unless otherwise permitted by this By-law where ever outdoor storage is permitted;</p> <p><u>4.10 Enclosed Storage</u> Where accessory enclosed storage is permitted in a Zone, the following provisions apply:</p> <p>a) enclosed storage shall be permitted only in a rear or interior side yard and shall not be located any closer than 9.0 m (29.5 ft.) to any street line; b) enclosed storage shall be screened by opaque fencing or masonry wall with a minimum height of 1.8 m (6 ft.); c) The height of stored materials shall not exceed the height of screening provided in accordance with 4.10(b);</p>

	<p>d) The enclosed storage area has a maximum lot coverage of 15 percent, 20 percent on lands zoned Light Industrial and no maximum on lands zoned General Industrial; and,</p> <p>e) Enclosed storage shall not be permitted within 7.5 m (24.6 ft.) of any adjoining Residential Zone or Development Zone boundary or any lot with an existing residential use.</p> <p>Notwithstanding the above, temporary outdoor storage may be permitted</p> <p><u>4.28 Outdoor Storage</u></p> <p>Where accessory outdoor storage is permitted in a Zone, the following provisions apply:</p> <p>a) Outdoor storage shall be permitted only in a rear or interior side yard and shall not be located any closer than 9.0 m (30 ft) to any street line;</p> <p>b) Outdoor storage shall be screened by chain link fence with a minimum height of 1.8 m (6 ft);</p> <p>c) The height of stored materials shall not exceed the height of screening provided in accordance with Subsection 4.28 (b);</p> <p>d) Outdoor storage areas are limited to a maximum lot coverage of 15%</p> <p>e) Notwithstanding item d) on lands Zoned M1 or M2 the maximum permitted lot coverage is 20% and on lands zoned M3 or M4 there is no maximum lot coverage limit; and,</p> <p>f) Outdoor storage shall not be permitted within 7.5 m (25 ft.) of any adjoining Residential Zone boundary or any lot with an existing residential use.</p> <p>Notwithstanding the above, temporary outdoor storage may be permitted for a period of no more than 1 month for display or promotional purposes.</p>
Does the OP speak to shipping containers?	Not when searching by "container" or "storage container"
Link	official-plan-2023.pdf

Municipality	Town of LaSalle
Approach	May be used as an accessory building, following all accessory structure regulations. Permitted for construction uses, storage, but <u>not</u> permitted to be used as a dwelling unit.
How is 'shipping container' or 'sea container' defined in the ZBL, if at all?	<p>ZBL 8600 Section 2 Definitions</p> <p>2.90 "Storage Container, Shipping Container or Moving Container" means any self-supporting metal container or metal-framed container, designed and used for the storage of goods concurrent with the uses of the subject property, of a non-hazardous nature which is owned and converted to accessory structure or rented or leased to owners or occupants of the property for their temporary use, and which is typically delivered and removed by truck.</p>
What are the ZBL general provisions and uses that allow for or at least mention 'shipping container' or 'sea container'?	<p>ZBL 8600 Section 3 General Provisions</p> <p><u>3.1 Accessory Uses and Buildings</u> Accessory Buildings</p> <p>d) A Shipping Container may be used as an Accessory Building, provided they meet all accessory structure regulations, setbacks and building regulations of the Zone it is placed within.</p> <p><u>3.2 Construction Uses</u></p> <p>a) The following temporary structures shall be permitted in all Zones for on-going construction work, but only for as long as such structure is necessary, and such construction work has not been finished nor abandoned: i) Construction trailers, sea/shipping containers and tool sheds;</p> <p><u>3.19 Prohibited Forms of Dwelling Units</u></p> <p>a) No truck, bus, coach, streetcar body, or railway car, or other motor vehicle whether or not the same is mounted on wheels or other form of mounting or</p>

	<p>foundation, nor temporary structures such as tents, recreational vehicles, shipping containers and school portables, shall be used as a dwelling unit except for a mobile home or trailer where specifically permitted by this By-law.</p> <p><u>3.25 Storage Container</u></p> <p>a) A Storage Container, Shipping Container, or Moving Container may be permitted on a private driveway in accordance with the regulations included a by-law adopted under the Municipal Act.</p>
Does the OP speak to shipping containers?	Not when searching by "container" or "storage container"
Link	<u>Town of LaSalle Official Plan</u>

	Township of Clearview
Approach	<p>Shipping Containers are strictly prohibited in any zone of Clearview Township. It should be noted that outside of areas regulated by architectural control, a shipping container can be used as a building when a building permit is obtained under the Ontario Building Code.</p> <p>May 2022 Staff Report CS-028-2022 – Ontario Building Code Change and Shipping Containers</p> <p><i>There are two instances in the Township where permits have been issued for these types of buildings. However, as of today most shipping containers are smaller than the size of a building as per OBC and will not be regulated as a building/require a building permit.</i></p> <p><i>Background</i> <i>At the beginning of the year, staff brought forward a report to Council regarding Shipping Containers and recommended that we rely on the Ontario Building Code as it relates to their conversion into a building to ensure fairness in taxation, development charges, compliance with the Zoning By-law and safety under the Ontario Building Code.</i></p> <p><i>The Province of Ontario, however, has just recently expanded the size of buildings that do not require a permit to 15 m² (161.5 sq.ft.). This was effective May 1st, 2022.</i></p> <p><i>Comments and Analysis</i> <i>Shipping containers come in various sizes, however, a standard size appears to be 8 feet by 20 feet totaling 160 square feet or 14.86 square metres. As such, shipping containers no longer require a building permit and therefore, the opportunity to change them into a building no longer exists with containers of this size. As such, shipping containers <u>remain shipping containers and would not be permitted under the Zoning Bylaw as the Township can no longer legalize them via a building permit.</u></i></p> <p><i>This change is unlikely to affect any shipping containers on residential properties in settlement areas, as these areas are already covered by the Architectural Guidelines that would likely prevent their establishment. Many commercial uses would also be subject to architectural control, so again, the chance of impact is less. However, for industrial uses, it is more likely to affect them.</i></p> <p><i>If the industrial use it seeking to add the container to the building or put more than one container together with another, then a permit could be issued to legalize their use. Otherwise, their use will not comply with the Zoning By-law and it comes down to enforcement. At this point, staff will carry on with enforcement as prioritized by Council</i></p>

How is 'shipping container' or 'sea container' defined in the ZBL, if at all?	<p>Section 4.0 Definitions</p> <p>CONTAINER, MOVING Means a portable container <u>other than</u> a shipping container, that is not made of corrugated metal, loaded on and off a semi-trailer truck, used by moving companies for the purpose of persons moving from one address to another</p> <p>CONTAINER, SHIPPING Means a pre-fabricated metal container that is conventionally used for the purposes of shipping goods usually on container ships, rail transport and semi-trailer trucks without being opened, but does not include a truck body, trailer or transport trailer.</p>
What are the ZBL general provisions and uses that allow for or at least mention 'shipping container' or 'sea container'?	<p>Section 2.0 General Provisions</p> <p><u>2.35 Uses Prohibited in all Zones</u> Any use which is not a permitted use in accordance with this By-law is a prohibited use. Unless specifically permitted in a given zone or in a general provision of this By-law, the following uses are prohibited within the corporate limits of the Township of Clearview:</p> <ul style="list-style-type: none"> e) The use of any structure, vehicle, shipping container, moving container, or street or rail car for storage or human habitation. f) The use of any accessory building for human habitation, except where specifically permitted. g) The use of any shipping container, street or rail car.
Does the OP speak to shipping containers?	Not when searching by "container" or "storage container"
Link	<u>2024 Official Plan - County Approved.pdf</u>