

--	--

Z-8623  
A. MacLean

<b>FROM:</b>	<b>G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY:  CITY OF LONDON  AMENDMENTS TO THE Z-1 ZONING BY-LAW PERTAINING TO SHIPPING CONTAINERS AND TRAILERS  PUBLIC PARTICIPATION  MEETING ON JUNE 6, 2017</b>

<b>RECOMMENDATION</b>
-----------------------

That, on the recommendation of the Manager, Development Services, the following actions be taken with respect to the City initiated application relating to Shipping Containers and Trailers,

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on June 13, 2017 to amend Sections 2 and 4 of the Z-1 Zoning By-law to regulate the use of shipping containers and trailers as permanent and temporary uses (as per attached Appendix A); and
- b) Staff monitor the impacts this by-law will have on the use of shipping containers and trailers over the next 12 months to determine if any changes to the regulations are required.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
--

**May 9, 2016** – Information report to PEC on Shipping Containers and Trailers.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
---

The purpose and effect of this zoning change is to provide regulations in the Z-1 Zoning By-law to regulate the use of Shipping Containers and Trailers.

<b>RATIONALE</b>
------------------

1. The proposed amendments address the City’s and Industries’ needs as it relates to the use of shipping containers and trailers as temporary and permanent uses.

<b>BACKGROUND</b>
-------------------

Agenda Item #	Page #

Z-8623  
A. MacLean

Bill No.  
2017

By-law No. Z.-1-17 \_\_\_\_\_

A by-law to amend Section 2 - Definitions and Section 4 - General Provisions of By-law No. Z.-1 to regulate the use of shipping containers and trailers.

WHEREAS **The Corporation of the City of London** has initiated an application to amend Section 2 – Definitions and Section 4 - General Provisions of the Z-1 Zoning By-law as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Section 2 - Definitions of By-law Z.-1 is amended by adding in alphabetical order, the following 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.

2. Section 4 - General Provisions of By-law No. Z.-1 is amended by deleting the current sections 4.4 and 4.5 and replacing them with the following new sections:

**“4.4 BUILDING ADDITIONS**

Where the erection of one or more additional storeys is proposed on a building where the existing yards appurtenant to such building would not conform to the requirements of this By-Law subsequent to such erection, no such erection shall be permitted except where:

- 1) the addition is located so as to comply with the yard requirements of this By- Law at the level of the base of such addition; and,
- 2) the addition complies in all other respects with the provisions of this By-Law.

Where a shipping container or trailer (both not exceeding 12.1 metres (40 feet) in length x 2.4 metres (8 feet) in width x 2.9 metres (9.5 feet) in height is to be used as the sole base of operations for a non-residential business, its installation shall be subject to all regulations of the underlying zone and to Site Plan Control.

Where a shipping container or trailer (not exceeding 12.1 metres (40 feet) in length x 2.4 metres (8 feet) in width x 2.9 metres (9.5 feet) in height is to be used as added floor space (or permanent storage) to an existing establishment in any multi-family (3 or more units) or non-residential zone, the following regulations shall apply:

- 1) the location, floor area, setbacks and all other regulations of the

Agenda Item #	Page #

Z-8623  
A. MacLean

underlying zone shall apply;

- 2) it shall only be permitted in the rear yard;
- 3) the installation is subject to Site Plan Control; and,
- 4) no more than two (2) shipping containers or trailers not exceeding 6 metres (20 feet) in length x 2.4 metres (8 feet) in width x 2.6 metres (8.5 feet) in height; or one (1) shipping container or trailer not exceeding 12.1 metres (40 feet) in length x 2.4 metres (8 feet) in width x 2.9 metres (9.5 feet) in height shall be permitted per property.

Shipping containers (as permanent structures) shall be prohibited on any property designated under Part IV or Part V of the Ontario Heritage Act.

#### 4.5 TEMPORARY STRUCTURES

##### 1) CONSTRUCTION USE

The following construction uses shall be permitted only so long as the same are necessary for construction work in progress which has neither been finished nor abandoned: construction camps, model home sales office, tool sheds, scaffolds, or any other building or structure incidental to and necessary for the construction work on the lot. No construction use, however, shall be located within the sight triangle of any lot.

##### 2) SHIPPING CONTAINERS AND TRAILERS

Shipping Containers and Trailers may be used as temporary uses subject to the following regulations:

###### All Residential Zones

Time Period: Maximum of 2 months within a calendar year for the purposes of moving/relocating. Maximum of 4 months within a calendar year for the purposes of building renovation.

A maximum of two (2) (in total) shipping containers or trailers not exceeding 6 metres (20 feet) in length x 2.4 metres (8 feet) in width x 2.6 metres (8.5 feet) in height shall be permitted per property.

###### All Non Residential Zones

Time Period: Maximum of 4 months within a calendar year

Other Regulations: Yard setbacks as per the underlying zone. Gross Floor Area relating to the temporary use does not require additional on-site parking. A temporary reduction in the required parking may be permitted in

Agenda Item #	Page #

Z-8623  
A. MacLean

association with the establishment of the temporary use.

No more than two (2) shipping containers or trailers not exceeding 6 metres (20 feet) in length x 2.4 metres (8 feet) in width x 2.6 metres (8.5 feet) in height; or one (1) shipping container or trailer not exceeding 12.1 metres (40 feet) in length x 2.4 metres (8 feet) in width x 2.9 metres (9.5 feet) in height shall be permitted per property.

### 3) MODEL HOMES

Model homes shall be permitted in all R1, R2, R3, R4, R5, and R6 (excluding apartment buildings) Zones subject to the following:

- (a) the lands on which the model homes are to be constructed have received draft plan approval under the Planning Act and the subdivision agreement has been executed;
- (b) site servicing may be permitted for model homes in accordance with the requirements of the Chief Building Official prior to the registration of the plan of subdivision;
- (c) the number of model homes for any phase of a draft approved plan of subdivision shall not exceed the lesser of ten (10) dwelling units or ten per cent (10%) of the total number of lots of the phase; and,
- (d) the number of model homes for any draft approved plan of subdivision shall not exceed the lesser of ten (10) dwelling units or ten per cent (10%) of the total number of lots.

### 4) FARM MARKET

A farm market, in which nothing may be sold or displayed except seasonal products from the farm upon which the market is located, is permitted in an agricultural zone subject to a maximum size of 18.6m (200 sq.ft.), a maximum height of 3.6m (12 ft.) and a minimum front yard of 7.5m (25 ft.). “

3. The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

4. This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on June 13, 2017.

Agenda Item #      Page #

--	--

Z-8623  
A. MacLean

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading - June 13, 2017  
Second Reading – June 13, 2017  
Third Reading - June 13, 2017