

**CORPORATION OF THE TOWNSHIP OF PELEE  
BY-LAW NO. 2023-066**

**Being a by-law to amend Zoning By-law No. 2012-24, as amended**

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**WHEREAS** By-law 2012-24, as amended, is a land use control by-law regulating the use of lands and the character, location and use of buildings and structures within the Township of Pelee;

**AND WHEREAS** the Council of the Township of Pelee deems it appropriate and in the best interest of proper planning to amend By-law 2012-24, as herein provided;

**AND WHEREAS** this By-law conforms to the Official Plan for the Township of Pelee;

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PELEE ENACTS AS FOLLOWS:**

1. Township of Pelee Zoning By-law 2012-24, as amended, is further amended by adding the following definitions to Section 2.0 Definitions in their appropriate alphabetic location:

"SHIPPING CONTAINER" means a pre-fabricated metal container having a floor, ceiling or roof, walls, and door(s) that is designed for and used in the storage, packing or transport of freight, articles, goods or commodities by ship, rail or truck. For the purpose of this definition, a shipping container does not have wheels and does not include a motor vehicle or transport trailer. This definition shall include storage containers, sea cans, and intermodal freight containers."

"SHIPPING CONTAINER, PERMANENT' means a shipping container which is placed on a lot, is not a temporary storage unit, and is not being actively used for the transport of goods and/or materials. A permanent shipping container shall be treated as an accessory building."

"TEMPORARY STORAGE UNIT' means a transportable unit, container or structure designed for temporary storage of personal property, household goods, or other materials for use on a temporary basis, and may include a shipping container, but not a permanent shipping container. Such a unit shall not be considered an accessory building or structure."

2. Section 3, General Provisions, of By-law 2012-24 is amended by adding a new Subsection 3.34A following Subsection 3.34 to read as follows:

"3.34A SHIPPING CONTAINERS AND TEMPORARY STORAGE UNITS

- (i) (a) The use of permanent shipping containers is prohibited, except in Residential, Agriculture and Extractive Industrial zones. In Residential, Agriculture and Extractive Industrial Zones, the use of permanent shipping containers for storage is permitted subject to the following provisions: Permanent shipping containers require building permits and shall be permitted only as an accessory use on a lot where a principal use already exists;
  - (ii) Permanent shipping containers shall be used exclusively for storage purposes. Shipping containers shall not be used for human habitation, for a home occupation or an agricultural home business, for office use or for display, advertising, screening or fencing;
  - (iii) On a property within an Agricultural or Extractive Industrial zone the maximum number of permanent shipping containers shall be two (2). No maximum shall apply to shipping containers being actively used for transport of goods and/or materials.
  - (iv) On a property within a Residential zone, the maximum number of permanent shipping containers shall be one (1).
  - (v) A permanent shipping container shall be located only in a side yard or a rear yard, and provided that:
    - it is screened from view if the side yard or rear yard abuts a street or a property zoned other than Extractive Industrial or Agricultural; it complies with the lot coverage, accessory buildings and setback requirements of this Bylaw;
    - it is not located in any required parking area or required landscaped area or buffer; and
    - it has met the requirements of Section 3.3 of this Bylaw, if applicable.
  - (vi) A permanent shipping container shall not exceed a height of 3.0 metres or a length of 12.0 metres, and shall not be stacked one on top of another; and
  - (viii) A permanent shipping container shall be in a condition free from rust, peeling paint and any other form of visible deterioration or lack of maintenance.
- (c) The use of temporary storage units is permitted in any zone, except an Environmental Protection zone, and shall be subject to the following provisions:
- (i) Notwithstanding any other provision of this By-law, a maximum of one (1) temporary storage unit shall be permitted to be located in a driveway of a residential lot for the purposes of loading and unloading household items during the process of moving, provided that the unit is removed from the lot within thirty (30) days;

- (ii) A temporary storage unit:
  - shall not encroach onto a public sidewalk;
  - shall not be located in a daylight corner;
  - shall not be located closer than 0.6 m from any lot line, and;
  - shall not exceed a height of 3.0 metres or a length of 12.0 metres and shall not be stacked one on top of another.
- (iii) Notwithstanding any other provision of this By-law, a temporary storage unit is permitted in any zone on a construction site in conjunction with a construction or renovation project under a building permit, or with the development of an approved plan of subdivision, for the purpose of temporary storage of equipment and/or materials incidental to that construction or development only. The temporary storage units shall be subject to the following:
  - a. They shall not exceed two (2) in number; and,
  - b. They shall be permitted for the entire term of the construction period, up to a maximum of one (1) year.

- 3. Section 3.2 Construction Uses of Bylaw 2012-24 is amended by adding the words, “temporary storage unit in accordance with Section 3.34A,” after the word, “trailer” in the first sentence thereof.
- 4. This By-law shall take effect from the date of its passage by Council and shall come into force in accordance with Section 34 of the Planning Act, R.S.O 1990.

Read a first, second and third time and finally passed this 10<sup>th</sup> day of October 2023.

Original Signed By:

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Cathy Miller, Mayor

Original Signed By:

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Mary Masse, Interim Clerk