



**City of Kingston
Information Report to Planning Committee
Report Number PC-21-042**

To: Chair and Members of the Planning Committee
From: Paige Agnew, Commissioner, Community Services
Resource Staff: Laura Flaherty, Project Manager, Planning Services
Date of Meeting: June 23, 2021
Subject: Public Meeting Report (Non-Statutory)
New Zoning By-Law Project
Discussion Paper: Tiny Houses, Shipping Containers, and
Additional Residential Units
File Number: D14-043-2016

Council Strategic Plan Alignment:

Theme: 2. Increase housing affordability

Goal: 2.1 Pursue development of all types of housing city-wide through intensification and land use policies.

Goal: 2.2 Build a significant number of new residential units with a range of affordability.

Goal: 2.4 Promote secondary suites and tiny homes.

Theme: 3. Improve walkability, roads and transportation

Goal: 3.2 Enhance public safety through active transportation and a focus on pedestrian access and enforcement.

Executive Summary:

One trend in providing more affordable housing on both a local and on a global scale has been the “tiny house” movement, which is generally a social and architectural movement that

June 23, 2021

Page 2 of 19

encourages simple living in smaller spaces. The term “tiny house” has a different meaning to different people and is sometimes used to describe houses that are designed to be portable and lived in on a year round basis, and is sometimes used to describe a more traditional, permanent house that boasts all standard features on a smaller scale. Due to the various meanings of “tiny house” and the complexities of the *Planning Act* legislation governing houses that are designed to be portable, the second draft of the new zoning by-law needs to thoughtfully and intentionally plan for tiny houses in all forms, to ensure these affordable housing options are able to be constructed in appropriate locations in the city. This discussion paper proposes terminology that distinguishes tiny houses based on whether they are permanent or portable, and based on whether they are a principal house or accessory house on a property.

The More Homes, More Choice Act (Bill 108) received Royal Assent in June of 2019. The Act included substantial changes to the *Planning Act*, including, among a number of other things, changes to the former second residential units legislation, which are now referred to as additional residential units (ARU). The ARU legislation has the effect of authorizing up to three units on a residential property which contains a detached house, semi-detached house or row house. This includes one principal unit plus up to two accessory units, with a maximum of one accessory unit attached to the principal unit and a maximum of one detached, standalone accessory unit. This discussion paper proposes to bring additional residential unit permissions into the second draft of the new zoning by-law in a manner that is consistent with the current constraints and built form requirements that apply to second residential units, as amended by Council in April of 2021.

Due to the expansion of the global supply chain, and the cost to move “empty” shipping containers back to their original destination, surplus shipping containers have found a new life for a variety of uses in both urban and rural landscapes as they are sturdy, able to be stored outdoors, relatively inexpensive, easily transported, and able to provide weather tight, secure storage. In the context of traditional language in zoning by-laws, shipping containers present a challenge since they are structures that are inherently designed to be portable when used for their intended purpose of shipping goods, but often placed on the ground in a manner that is designed to be more or less permanent, given the weight and logistical considerations of moving such a structure. For this reason, it is important that the second draft of the new zoning by-law provides explicit clarity to ensure that shipping containers are regulated in a manner that achieves the intent of the zoning by-law. This discussion paper proposes to amend the definition of building in the second draft of the new zoning by-law to include shipping containers (when used for purposes other than the loading/unloading of goods), so that they are appropriately regulated to mitigate adverse impacts on neighbouring properties.

As outlined in [Information Report Number 20-229](#) to Council and [Report Number PC-21-022](#) to Planning Committee, staff in Planning Services are in the third and final phase of the new zoning by-law project (New ZBL), with the ultimate goal of bringing a final document for Council’s consideration in early 2022. It is important to note that this timeline may be impacted should there be a direction to add additional public engagement to the overall project, or if additional elements need to be researched that are currently outside of the scope of the project.

June 23, 2021

Page 3 of 19

The purpose of this report is to provide background information and obtain feedback from the public and members of Planning Committee with respect to the topic of tiny houses, shipping containers, and additional residential units, in order to inform how these items will be addressed in the second draft of the New ZBL when it is released to the public, which is anticipated in mid 2021. This paper also includes potential amendments to the City's Official Plan. A City-initiated Official Plan amendment is anticipated to be submitted at the same time as the release of the second draft of the New ZBL, which will be processed concurrently, with future Statutory Public Meetings considering both the proposed Official Plan amendment and New ZBL.

Recommendation:

This report is for information only.

June 23, 2021

Page 4 of 19

Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Paige Agnew, Commissioner,
Community Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Paige Agnew, Commissioner, Community Services	Not required
Peter Huigenbos, Commissioner, Business, Environment & Projects	Not required
Brad Joyce, Commissioner, Corporate Services	Not required
Jim Keech, President & CEO, Utilities Kingston	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required
Sheila Kidd, Commissioner, Transportation & Public Works	Not required

June 23, 2021

Page 5 of 19

Options/Discussion:**Public Meeting Process**

While this is not considered to one of the Statutory Public Meetings for the overall New ZBL project, this is a public meeting to discuss a focused topic within the overall project. Anyone who attends a Planning Committee Public Meeting may present an oral submission, and/or provide a written submission on the proposed application. Also, any person may make written submissions at any time before City Council makes a decision on the final recommended form of the New ZBL.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of Kingston to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Kingston before the by-law is passed, the person or public body is not entitled to appeal the decision. If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Kingston before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

There will be two future statutory public meetings respecting the New ZBL project – one with a public meeting report after the release of the second draft of the New ZBL, and the second with a comprehensive report and recommendation from Planning Services. In addition, a statutory open house will also be held prior to a statutory public meeting for the purpose of giving the public an opportunity to review and ask questions. The public will be provided additional opportunities to make oral submissions on the New ZBL project at both future statutory public meetings.

All persons who made oral or written submissions at any public meeting, or have requested notification in writing, will be given written notice of the future statutory public meetings at which time the subject application will be considered. Anyone wishing to be notified of Council's decision on the subject application must submit a written request to:

Laura Flaherty, Project Manager
The Corporation of the City of Kingston
Planning Services
216 Ontario Street
Kingston, ON K7L 2Z3
613-546-4291 extension 3157
NewZBL@cityofkingston.ca

New Zoning By-law Project Background

As identified in [Information Report Number 20-229](#), Planning Services staff began work on what they are considering "Phase Three", the final phase of the New ZBL project in September 2020.

June 23, 2021

Page 6 of 19

Phase Three is primarily being completed “in house” by Planning Services staff, including all background research, stakeholder consultation, zoning by-law drafting and its associated mapping, with input from technical advisors and other staff where required.

At this stage, Phase Three of the New ZBL project is well underway, with Planning Services staff working diligently to complete the background work identified in [Information Report Number 20-229](#). Part of the Phase Three consultation includes a series of “Discussion Papers” to allow focused conversations about specific topics prior to the release of the second draft of the zoning by-law. The intent of the Discussion Papers is to provide background information in an information report to Planning Committee and hold a public meeting, allowing the public and members of Planning Committee time to provide feedback on a specific topic.

Following the completion of the Discussion Papers, staff will be finalizing the second draft of the New ZBL with the goal of releasing it to the public in the summer of 2021. After the second draft of the document is released, public consultation events will be held including a Statutory Public Meeting in early Fall 2021. Ultimately, Planning Services staff are aiming to have a final statutory open house, with a comprehensive report to Planning Committee for the final Statutory Public Meeting in early 2022.

In conjunction with the second draft of the New ZBL, it is anticipated that the City will be initiating proposed Official Plan amendments to a number of policies within the Official Plan in order to better implement the intent of the policies within the New ZBL. This Official Plan amendment will be the subject of future public meetings associated with the New ZBL project and will form part of the final recommendation in the Comprehensive Report when the final form of the New ZBL is recommended to Planning Committee for approval.

Part One: Tiny Houses and Additional Residential Units

One trend in providing more affordable housing on both a local and on a global scale has been the “tiny house movement” which is described by [Tiny Home Builders](#) as a social and architectural movement that encourages simple living in smaller spaces. While tiny houses are not a new concept (because tiny homes were at one point simply considered houses) the modern “tiny house movement” is something that needs to be fully considered and planned for within the context of the City’s new zoning by-law.

The terms “tiny house” and “tiny home” have become popular, interchangeable terms in recent years due to the modern tiny house movement and are typically used to describe houses under 400 square feet in area. For the purpose of this paper, the term “tiny house” will be used. The Ministry of Municipal Affairs and Housing released a document in 2019, titled [Build or buy a tiny home](#), which describes a tiny house as “a small, private and self-contained dwelling unit: with living and dining areas; with kitchen and bathroom facilities; with a sleeping area; [and] intended for year-round use”. This document distinguishes campers, recreational vehicles and other structures used on a seasonal basis as being distinctly different and not classified as a tiny house. The *Build or buy a tiny home* document further describes three types of tiny homes: a tiny home on wheels; a site-built tiny home; and a (modified) shipping container tiny home.

June 23, 2021

Page 7 of 19

When speaking about “tiny houses” in the context of a zoning by-law in Ontario, it is important to note that there are various factors that need to be considered. For the purpose of this paper, distinctions will be made between a tiny house that is designed to be portable (also commonly referred to as “tiny houses on wheels” or “THOWs”) versus a tiny house that is designed to be permanent on some form of traditional building foundation. Further distinctions are made between the main house on a property (the “principal” unit) versus secondary houses on properties (the “accessory” unit), and whether those secondary houses are attached to the principal unit or detached from the principal unit.

Existing Requirements for Permanent Tiny Houses

The Official Plan and existing zoning by-laws do not currently define or contain direct references to tiny houses. Tiny houses that are designed to be permanent would be considered as a “second residential unit” (SRUs) where they are accessory units on a property, or simply as a single detached house where they are the principal unit on a property. For the purpose of this paper, focus will primarily be placed on tiny houses as accessory units, however there is some commentary about minimum dwelling unit areas for principal units.

Principal Unit – Single Detached House

As it relates to permanent tiny houses that are intended to be the principal use of a lot, the existing zoning by-laws would simply consider them to be a single-detached house (with varying terminology due to the inconsistency of the existing zoning by-laws). Permanent tiny houses intended to be the principal use of a lot are required to meet all standards that apply to single-detached houses, such as setbacks, lot coverage, building height, depth, etc. In addition to the standard requirements, two of the existing zoning by-laws (Zoning By-Law Numbers 76-26 and 32-74) currently contain minimum “dwelling unit area” provisions, which essentially require a single-detached house to meet a specific size in order to be permitted in different zones. The other three existing zoning by-laws do not include such standards. Minimum dwelling unit areas are the primary performance standard standing in the way of allowing a tiny house as the principal use on lots within the former Kingston Township and former Pittsburgh Township.

Accessory Unit – Second Residential Unit

SRUs are permanent buildings that are either attached to a principal unit or detached as a standalone building. A detached, standalone SRU would align with common terminology of a permanent tiny house while SRUs that are attached to the principal unit are also commonly known as secondary suites, basement apartments, granny flats, in-law apartments, or nanny suites. SRUs increase the supply and range of affordable rental units while providing financial benefits to homeowners, making more efficient use of existing transportation infrastructure and housing stock, help municipalities work towards their goals regarding affordable housing, intensification, density, and climate change targets, and provide a number of benefits to the wider community (including creating jobs in construction, providing more housing options for extended families, elderly parents, or live-in caregivers).

June 23, 2021

Page 8 of 19

In 2019, the City of Kingston amended the Official Plan (OP) and existing zoning by-laws to allow for SRUs to be permitted as an accessory unit on properties that contain a single-detached house, semi-detached house or rowhouse. The amendments, at the time, were consistent with the permissions contained in the *Planning Act*, which required municipalities to allow for up to two units (one principal unit plus one accessory unit) on a property.

Section 3.3.11. of the OP contains the current second residential unit policies. The OP considers a SRU to be a dwelling unit that is accessory to a principal dwelling unit. SRUs are permitted in the Residential, Hamlet, Rural Lands, and Prime Agricultural Area land use designations within single-detached dwellings, semi-detached dwellings, linked and row houses, and accessory buildings where a second residential unit does not already exist. Section 3.3.11 also guides the development of second residential units through a number of criteria and subject to known and potential servicing constraints.

The existing zoning by-laws consider a SRU as a self-contained residential dwelling with a private kitchen, bathroom, and sleeping areas. They are required to be located on the same lot as a principal residential unit and are subject to a number of performance standards such as height, setbacks, lot coverage and building depth. One parking space is required to be provided for a SRU and walkways are also required to be provided for emergency access purposes and to ensure the safety of residents.

In April 2021, the second residential unit permissions were amended by City Council (as detailed in [Report Number PC-21-026](#)). The amendments were intended to update constraint areas, refine the permissions for second residential units by strengthening the walkway requirements and limiting the scale of detached SRUs, and also introduced a new maximum bedroom provision which limits the number of bedrooms on low density residential properties to eight.

The recommended amendments to the SRU provisions were a result of staff monitoring the 2019 SRU permissions and refining the zoning requirements to ensure that new SRUs are compatible and adequately limit the potential for adverse impacts on adjacent properties. The new bedroom limitation provisions were intended to protect stable areas and to limit intensity of use and occupancy levels. A maximum of eight bedrooms (total between the principal residential unit and second residential unit) was adopted in the following zones in urban areas:

- Low density residential zones that permit uses such as single-detached dwelling units, semi-detached dwelling units, row house dwelling units and linked dwelling units; and
- Other medium or higher density residential zones where a lot contains two or less dwelling units.

The April 2021 amendments were appealed to the Local Planning Appeal Tribunal (LPAT) and are currently not in full force and effect, pending the outcome of that appeal or a decision by the LPAT. The new zoning by-law intends to carry forward the SRU provisions and bedroom limitations, as amended in April 2021.

June 23, 2021

Page 9 of 19

Existing Requirements for Portable Tiny Houses

The existing zoning by-laws consider tiny houses that are intended to be portable as either a “garden suite” (where they are accessory units on a property) or as a “mobile home” (where they are principal units on a property).

Principal Unit – Mobile Home

Section 46 of the *Planning Act* defines a “mobile home” as a “dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed” and prohibits the use of land for mobile homes unless a zoning by-law specifically permits them.

Policy 3.3.D.8. of the OP states that the existing mobile home park south of Weller Avenue is recognized, but no new mobile home units or mobile home parks are permitted as a permanent residential use within the City of Kingston. As such, the existing zoning by-laws do not permit a “mobile home” as a permitted principal unit anywhere except for the existing mobile home park.

Accessory Unit – Garden Suite

Zoning by-laws are permitted to regulate the use of land and the location, size and type of buildings that are permitted. The *Planning Act* defines a “garden suite” as “a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable”. The *Planning Act* includes a specific section which allows for municipalities to regulate “garden suites” since they are portable in nature and do not meet the definition of building or structure within a zoning by-law. The legislation is clear that garden suites are only permitted through a temporary use by-law for a period of up to 20 years.

Policy 3.3.D.7. of the OP allows for garden suites to be permitted as a temporary use in accordance with the terms of the *Planning Act*. Further, the OP limits garden suites to a maximum of one per lot and they are not permitted on a lot with an SRU. Garden suites must be provided with sufficient parking, landscaping and buffering. The current OP requirements state that the property owner must reside in the principal dwelling and the owner must enter into an agreement with the City with respect to such matters as installation, maintenance, removal and occupancy of the garden suite and has posted suitable financial security with respect to the agreement. The OP also states that a certificate of occupancy will be required for the garden suite prior to occupancy; and, where the property is served by individual on-site sewage services, approval of a garden suite is subject to consultation with KFL&A Public Health.

Since garden suites are only permitted where a site-specific temporary use by-law is passed, the existing zoning by-laws do not include as-of-right permissions or requirements for garden suites and, instead, would leave those requirements to a negotiation on a site-specific basis in accordance with the requirements identified in the OP. Reference to garden suites in the existing zoning by-laws is limited to the SRU section, which prohibits the use of a garden suite where there is a SRU on a property and vice versa.

June 23, 2021

Page 10 of 19

Current *Planning Act* Requirements

In June of 2019, the More Homes, More Choice Act (Bill 108) received Royal Assent. The Act included substantial changes to the *Planning Act*, including, among a number of other things, changes to the former second residential units legislation, which are now referred to as additional residential units (ARU) under Section 16(3) of the *Planning Act*.

The former SRU legislation required municipal official plans to authorize second residential units in detached, semi-detached and row houses, which had the effect of allowing for up to two units on residential properties, including one principal unit and one accessory unit (the accessory unit could either be attached to the principal unit or detached as a standalone building).

The ARU legislation has the effect of authorizing up to three units on a residential property which contains a detached house, semi-detached house or row house. This includes one principal unit plus up to two accessory units, with a maximum of one accessory unit attached to the principal unit and a maximum of one detached, standalone accessory unit.

The ARU changes in the *Planning Act* require municipalities to allow ARUs in the Official Plan, and to give effect to these policies through a zoning by-law. Any amendments and zoning by-law provisions associated with ARUs are not subject to appeal. Since the City is in the process of preparing a new city-wide zoning by-law, staff must give effect to the ARU policies within Phase Three of this project, as discussed in [Information Report Number 20-229](#).

Overview of Proposed Approach in the New Zoning By-law

Permanent Tiny House as Principal Unit – Single-Detached House

As indicated above, where a tiny house is designed to be a permanent, principal use on a residential property, it is considered to be a single-detached house within the context of the new zoning by-law. The only provisions that currently stand in the way of allowing for a tiny house to be permitted as the principal use are the minimum dwelling unit area requirements contained in the zoning by-laws that apply to the former Kingston Township and former Pittsburgh Township areas. The first draft of the new zoning by-law, which was released to the public in October of 2016, carried forward some of the minimum dwelling unit areas as the first draft was formatted as a simple consolidation exercise of the existing zoning by-laws.

Upon review of the appropriateness of these minimum dwelling unit area requirements, staff propose to amend the second draft of the new zoning by-law to remove all minimum dwelling unit area requirements, which would have the effect of allowing for a permanent tiny house to be constructed as a principal unit, so long as it complies with all of the standard requirements that apply to single detached houses such as setbacks, height, lot coverage, building depth, etc.

This would allow for a broader and more inclusive range of permanent housing within the City of Kingston and has the potential to assist with broader housing affordability policies and priorities.

Permanent Tiny House as Accessory Unit – Additional Residential Unit

June 23, 2021

Page 11 of 19

As indicated above, where a tiny house is designed as a permanent, accessory unit on a residential property, it is currently considered to be a second residential unit within the context of the existing Official Plan and zoning by-laws. With the new provincial legislation requiring the City of Kingston to allow for up to three residential units (including one principal unit plus two accessory units), the proposed approach is to amend the terminology in the Official Plan and the new zoning by-law to align with the “additional residential unit” permissions in the *Planning Act*.

The proposed approach is to carry forward the existing requirements that apply to second residential units and apply those to additional residential units. This would allow for a maximum of three units comprised of one principal unit plus two accessory units on properties that contain a single detached house, semi-detached house or townhouse. The permissions would allow for a maximum of one additional residential unit to be attached or within the principal unit, plus a maximum of one additional residential unit as a detached, standalone building. All existing constraint areas are proposed to be carried forward into the new zoning by-law and all performance standards are proposed to remain the same, including the bedroom limitation of a maximum of eight bedrooms on a property. Excerpts from the second draft of the new zoning by-law are included in Exhibit B.

The only performance standard that is proposed to differ from the existing SRU requirements is parking. Report Number PC-21-040, which is the other discussion paper topic being presented at the same Special Meeting of Planning Committee, proposes to require one parking space for the second residential unit and zero parking spaces for the third residential unit.

It is not anticipated that these amendments will increase the intensity of use on eligible properties as properties will still be subject to the same limitations, including only permitting a maximum of eight bedrooms per eligible property. In addition, there are no anticipated negative land use impacts as there are no changes being proposed to the current performance standards which apply to SRUs. The result of the proposed amendments is to implement the provincially mandated requirements allowing for additional residential units in a manner that is catered to the specific experiences and unique neighbourhoods in the City of Kingston.

Portable Tiny House as Principal Unit – Mobile Home

As indicated above, where a portable tiny house is designed to be a permanent, principal use, it is considered to be a mobile home within the context of the new zoning by-law. Since the intent of Official Plan policies is explicitly clear, the proposed approach in the new zoning by-law is to continue to prohibit the principal use of a property as a mobile home, except for the existing mobile home park south of Weller Avenue.

Portable Tiny House as Accessory Unit – Tiny House

When considering the definition of “garden suite” in the *Planning Act* and the existing zoning by-laws, it is clear that the type of portable residential dwelling designed for year-round use is consistent with the type of residential dwelling called a “tiny house on wheels” in the current tiny house movement.

June 23, 2021

Page 12 of 19

The City of Kingston wants to ensure that the new zoning by-law includes simple and modern language in an effort to have a zoning by-law that is as easily understood as possible. With this overarching goal in mind, this paper proposes to utilize the existing “garden suite” permissions in the *Planning Act*, but rename it as a “tiny house” for clarity and to better align with current, common terminology, as identified in Exhibit B to this Report.

The proposed approach in the second draft of the new zoning by-law is to allow for a “tiny house” only where a site-specific, temporary use zoning by-law permits one. This would align with the requirements of the *Planning Act*, and also aligns with the Official Plan policies that limit portable “tiny houses” as a temporary use.

The proposed approach is to also provide a framework for performance standards that would apply to a “tiny house”, where a temporary use by-law allows one, and would amend the additional residential unit requirements to recognize that a “tiny house” needs to comply with all performance standards that apply to permanent, detached additional residential units. This framework would allow for a tiny house to be co-located on a property that contains a principal unit, as well as properties that contain an attached additional residential unit. Tiny houses would be prohibited from locating on a property containing a detached ARU.

When considering how to approach tiny houses from a zoning perspective, staff considered the common practices used by other municipalities by examining their zoning by-laws for both “garden suites” and detached additional residential units (Exhibit C). In examining the approaches taken by other municipalities, the following common practices were observed:

- Regulating the maximum number of accessory dwelling units (e.g. detached or attached units) permitted per lot;
- Regulating the size and lot coverage of an accessory dwelling unit;
- Regulating the maximum height, gross floor area, proximity to the primary dwelling, location, and setback from lot line requirements for a detached ARU;
- Regulating the parking spaces, entrances, and unobstructed walkways required by a garden suite or ARUs;
- Regulating garden suites with temporary use by-law or by creating a Temporary Garden Suite (TGS) Zone;
- Permitting garden suites in specific zones only;
- Regulating who may live in a garden suite;
- Restricting an ARU from existing on a lot with an existing garden suite, boarding or lodging house, or rooming house;
- Restricting an ARU from being permitted in a vacation home;
- Requiring ARUs to be connected to municipal water and sanitary sewer system;
- Prohibiting mobile homes from being permitted as an ARU; and
- Prohibiting additional driveways from being added for use with a garden suite.

The approach to regulating garden suites and detached ARUs varied slightly but was generally consistent across municipalities in Ontario, likely due to the “garden suite” legislation under

June 23, 2021

Page 13 of 19

Section 39.1(2) of the *Planning Act*, and the former Second Residential Units legislation and the current Additional Residential Units legislation under Section 16(3) of the *Planning Act*.

Summary of Proposed Approach in New Zoning By-Law

As a summary of the proposed approach described above, staff have prepared a table summarizing the terminology describing the housing type, whether it is a principal or accessory unit on a lot, whether it is permanent or portable and what requirements will apply.

Table 1: Overview of Proposed Approach in New Zoning By-Law

Housing Type	Accessory or Principal Unit	Permanent or Portable	Applicable requirements
Single-Detached House	Principal unit	Permanent	- Residential zone provisions and all other applicable provisions - Remove minimum “dwelling unit area” requirements from the New ZBL
Additional Residential Unit	Accessory unit	Permanent	ARUs provisions that apply to either: - ARU that is attached to or located within the principal unit - detached, standalone ARU
Tiny House	Accessory unit	Portable and temporary	- Requires a site-specific, temporary use by-law to be passed - Where permitted, subject to the same requirements that apply to detached, standalone ARUs
Mobile Home	Principal unit	Portable and permanent	Prohibited, except for existing mobile home park which will be subject to site-specific provisions.

Proposed Official Plan Amendments

In order to properly implement the proposed approach in the second draft of the new zoning by-law, amendments to the City of Kingston Official Plan are required and are identified as a “tracked changes” document in Exhibit A to this Report. The proposed amendments include replacing the term and definition for “second residential unit” to the term and definition for “additional residential unit”, and replacing the words “second residential unit” with the words “additional residential unit” throughout the Official Plan, as it was amended in April 2021. The proposed amendments also include replacing the words “garden suite” with the words “tiny house” throughout the Official Plan, amending the existing Garden Suite policies under Section 3.3.D.7. to reflect more modern temporary uses of portable tiny houses.

The current definition for “second residential unit” is proposed to be replaced with a definition for an “additional residential unit” which would be defined as “up to two dwelling units which are ancillary to a *principal residential unit*, and are located on the same lot therewith” and would

June 23, 2021

Page 14 of 19

effectively speak to both a second residential unit and a third residential unit. Additional proposed amendments to Section 3.3.11. include: revising the introductory paragraph to identify locations where ARUs are permitted, provided that they are in compliance with the zoning by-law; removing the existing clause which identifies the locations where SRUs are permitted; and restricting the number of ARUs to two per lot, of which a maximum of one ARU may be detached and a maximum of one ARU may be attached or located in the principal building.

The changes proposed to the City of Kingston Official Plan would permit a maximum of two ARUs per lot (one which may be detached from the principal unit and one which may be attached or located within the principal unit). The changes proposed seek to address the housing crisis by providing opportunities for more housing options and by further increasing the availability of affordable housing in urban areas. By permitting a principal unit plus up to two ARUs per lot, it is anticipated that there will be more affordable housing within the urban areas while reducing the need for urban sprawl and thereby protecting local agricultural lands, employment lands, and environmentally and culturally sensitive areas.

When amending the OP to reflect the required changes, ARUs would be subject to the same restrictions as the existing SRU policies which would permit ARUs to exist only where it has been demonstrated that there is adequate water and wastewater to support the ARU; prohibit ARUs from existing on a lot which already contains a garden suite or tiny house (in the case of a detached ARU), boarding or lodging house; prohibit ARUs from being permitted in a floodplain; and prohibit an ARU from being severed from the lot containing the principal residential unit.

Part Two: Shipping Containers

Historically, shipping containers (alternatively referred to as “sea containers” or “seacans”) have been used strictly for transporting goods on multi-modal transportation lines where cargo ships, trains and transport trucks may be included in the logistics of moving goods from one location to another. The movement of shipping containers typically includes various functions including loading, transporting, and unloading of materials. Shipping containers are designed to specific international standards to ensure their portability and the easy transfer between one mode of transportation to another. Shipping containers come in standard dimensions, with most containers being 6.10 metres (20 feet) or 12.19 metres (40 feet) in length, and some outlier containers being 3.05 metres (10 feet) or 16.15 metres (53 feet) in length. All shipping containers are 2.44 metres (8 feet) in width. The standard height of shipping containers is 2.59 metres (8.5 feet), with “high cube” containers also offered at a height of 2.90 metres (9.5 feet).

Due to the expansion of the global supply chain, and the cost to move “empty” containers back to their original destination, surplus shipping containers have found a new life for a variety of uses in both urban and rural landscapes as they are sturdy, able to be stored outdoors, relatively inexpensive, easily transported, and able to provide weather tight, secure storage. The trend to use shipping containers for long-term storage on residential, commercial, industrial, and rural lands within the City of Kingston has already begun. In addition, shipping containers have become a popular item to purchase and turn into habitable buildings (sometimes being turned into tiny houses).

June 23, 2021

Page 15 of 19

In the context of traditional language in zoning by-laws, shipping containers present a challenge since they are structures that are inherently designed to be portable when used for their intended purpose of shipping goods, but often placed on the ground in a manner that is designed to be more or less permanent, given the weight and logistical considerations of moving such a structure. For this reason, it is important that the new zoning by-law provides explicit clarity to ensure that shipping containers are regulated in a manner that achieves the intent of the zoning by-law.

Existing Requirements for Shipping Containers

The term “shipping container” is not a defined term in the City of Kingston Official Plan or in the City of Kingston’s five principal zoning by-laws (By-Law Numbers 8499, 96-259, 97-102, 76-26, or 32-74). However, the term shipping container is defined in the zoning by-laws of a number of other municipalities within the Province of Ontario (Exhibit D), including the City of London (2011) which defines a shipping container as 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” (Exhibit D).

It is challenging to determine if shipping containers are regulated in the City of Kingston’s five principal zoning by-laws which, as zoning by-laws typically do, currently define buildings and structures as objects that are permanently affixed to the ground or another structure. As indicated above, the inherent nature of a shipping container, as something that is designed to be portable, makes classification of shipping containers difficult under the current terminology of the zoning by-laws.

When considering how to approach shipping containers from a zoning perspective, it was important to consider the common practices used by other municipalities by examining their zoning by-laws (Exhibit D). In examining the approaches taken by other municipalities, the following common practices were observed:

- Requiring Site Plan Control for shipping containers when placed on lands;
- Permitting shipping containers as temporary uses, including a maximum duration;
- Permitting the conversion of a shipping container into a residential dwelling, provided that they are located on a permanent foundation and comply with the Ontario Building Code;
- Permitting shipping containers as a permanent accessory use;
- Permitting shipping containers as accessory structures in specific zones only (e.g. agricultural, transport terminal or warehouse);
- Restricting the use of *unmodified* shipping containers as an accessory building;
- Restricting shipping containers to loading and unloading shipments in specific zones;
- Prohibiting shipping containers in specific zones (e.g. residential, commercial, central business district, or employment zones);
- Prohibiting specific uses within a shipping container (e.g. prohibiting human habitation, use as part of a self-storage facility, workspace, or office space), and
- Not mentioning or regulating shipping containers.

June 23, 2021

Page 16 of 19

While the approach to regulating shipping containers varies across municipalities in Ontario, it is clear that many municipalities have considered multiple uses and scenarios for shipping containers given both their historical and contemporary uses. Some municipalities have zone provisions which regulate the size of shipping containers, maximum number of shipping containers permitted per lot, as well as the location and setback requirements of shipping containers on properties. To accommodate the growing trend which uses shipping containers as an accessory building, storage container, or for which to convert into a dwelling unit it is important that the City incorporates a multifaceted approach to zoning which can accommodate and regulate common practices observed provincially as well as locally.

First Draft of the New Zoning By-law

The [first draft of the New ZBL](#) was treated mainly as a consolidation exercise of the existing zoning by-laws. As such, shipping containers were not specifically identified. The following definitions for “building” and “structure” were included in the first draft of the New ZBL:

“**Building** means a *structure* occupying an area greater than 10.0 square metres and consisting of any combination of walls, roof, and floor or any structural system serving the function thereof, including all associated plumbing, works, fixtures and service systems. This definition shall also include a private sewage system but shall not include a *mobile home*.”

“**Structure** means anything that is *developed* of parts joined together and attached or fixed permanently to the ground or any other *structure*. For the purpose of this By-law, the following are deemed not be *structures*: fences; drop awnings; clothes poles; flagpoles; garden trellises; retaining walls that have a *height* of 1.0 metre or less; light standards or signs.”

These definitions do not address shipping containers when functionally used as a building, as these definitions require structures to be joined together and permanently fixed to the ground or another structure. As such, shipping containers, if not permanently fixed to the ground or another structure would be exempt from the zone provisions of the zoning by-law which would make it challenging to restrict where shipping containers are placed on lots which could have the potential to negatively impact neighbouring properties, create line of sight concerns, and contribute to stormwater runoff impacts.

Overview of Proposed Approach in the Second Draft of the New Zoning By-Law

To address the current ambiguity surrounding the use of shipping containers, it is anticipated that the definition of “building” will be amended to include a shipping container when used for any purpose other than loading, transporting, or unloading of materials in conjunction with an industrial or commercial for a period of up to a maximum of 28 consecutive calendar days, as below:

“**Building** means anything that is comprised of components joined together and that stands, more or less, permanently in one place. A *building* includes all components such

June 23, 2021

Page 17 of 19

as walls, roof, floors, structural systems, columns, plumbing, fixtures, service systems, private sewage systems, decks, porches, canopies, architectural features, chimneys, mechanical systems and any component that is attached to a *building*. When placed on the ground for any purpose other than loading and unloading a shipment in conjunction with an industrial or commercial use for up to maximum of 28 consecutive calendar days, a shipping container, sea can or similar storage container is considered a *building*. This definition excludes all items that are designed to be easily portable and all items listed in Clause 4.12.1. of this by-law.”

Regulating a shipping container as a building would enable shipping containers to be used as accessory structures, provided that they comply with the accessory building provisions under the zoning by-law and would allow for a shipping container to be modified and used as a principal building on a property, provided that it complies with the provisions that apply to the principal building.

The zoning by-law does not dictate building construction techniques or dictate the architectural design of a buildings. From a zoning perspective, it isn't possible to regulate what buildings look like unless the development is also subject to Site Plan Control. As such, by including shipping containers under the definition for building enables the City to recognize shipping containers as buildings which must comply with the Ontario Building Code and enables the City to regulate shipping containers in accordance with the existing accessory building zone provisions or (in the case of shipping containers which are modified for use as a residential dwelling) principal unit or detached accessory unit zone provisions.

This approach will enable the City to address the ambiguity regarding shipping containers while also enabling residents to make use of affordable building materials, provided that shipping containers are used in a way that comply with the applicable provisions in the zoning by-law. This is important because shipping containers, when used as a building medium or as an accessory building, can negatively impact neighbouring properties, create line of sight concerns, and contribute to stormwater runoff impacts in the same way that a conventional building would.

Part 3: Other Factors to Consider

In addition to complying with the requirements of the zoning by-law, the construction of additional residential units or tiny houses and the placement of most shipping containers on a lot must comply with all standard requirements of the City of Kingston, including, but not limited to:

- Ontario Building Code, including necessary Building Permits and complying with necessary inspections;
- Complying with rules regarding connecting to municipal services or other private services, as applicable; and
- Short-term rental licensing or other licensing by-laws, as applicable.

June 23, 2021

Page 18 of 19

Existing Policy/By-Law:

The proposed Official Plan amendment and new zoning by-law will be reviewed against the policies of the Province of Ontario and City of Kingston to ensure that the changes will be consistent with the Province's and the City's vision of development. The following documents will be assessed:

Provincial

Planning Act

Provincial Policy Statement, 2020

Municipal

City of Kingston Official Plan

Notice Provisions:

Notice was provided to all required agencies, all persons who have requested notice of the New ZBL project and all individuals who have joined the project email list. A notice was placed in The Kingston Whig-Standard on June 1, 2021.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

Laura Flaherty, Project Manager, Planning Services, 613-546-4291 extension 3157

Sarah Oldenburger, Planner, 613-546-4291 extension 3288

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Draft Official Plan Amendments

Exhibit B Relevant Excerpts from Second Draft of New Zoning By-Law

June 23, 2021

Page 19 of 19

Exhibit C Common Practices for Garden Suites and Detached ARUs in other Municipalities

Exhibit D Common Practices for Shipping Containers in other Municipalities

Draft Official Plan Amendments (as amended by By-law 2021-62)

1. Replace “Second Residential Unit” with “Additional Residential Unit” throughout OP. Delete Second Residential Unit definition and include new Additional Residential Unit definition:

Additional Residential Unit

Up to two dwelling units which are ancillary to a principal residential unit, and are located on the same lot therewith.

2. Amend Second Residential Unit policies as follows:

~~Second-Additional~~ Residential Units

3.3.11. ~~Second-Additional residential units~~ are permitted on lands where a in the Residential, Hamlet, Rural Lands and Prime Agricultural Area land use designations. ~~Second residential units shall be located within single detached dwellings, semi-detached dwellings, linked and row townhouses, are the permitted principal use as well as accessory buildings where a second residential unit does not already exist in the primary detached, semi-detached, linked or row house dwelling or where a place of worship is located in a residential zone,~~ provided they are in accordance with the zoning by-law and subject to the following criteria:

- a. ~~The zoning by-law shall identify locations where second residential units are permitted, being all areas that permit single detached dwellings, semi-detached dwellings, and linked and row houses. A maximum of two additional residential units shall be permitted on a lot, of which a maximum of one additional residential unit may be detached and a maximum of one additional residential unit may be attached to or located in the principal building.~~
- b. Notwithstanding subsection 3.3.11.a. above, in areas shown as “Known Servicing Constraint” and “Potential Servicing Constraint” on Schedule 11-C to this Plan, ~~second-additional residential units~~ may only be permitted where it has been demonstrated that there is adequate water and wastewater to support the *second residential unit*.

The City will evaluate opportunities to reduce or remove known or potential servicing constraint areas on Schedule 11-C, based upon a review of servicing capacities and other applicable land use planning matters. Changes to Schedule 11-C which have the effect

of reducing or removing servicing constraint areas will not require an amendment to this Plan.

A holding provision will be established in the zoning by-law and applied to the lands referenced in each of the subsections below in recognition of known or potential servicing constraints. The holding provision will not be removed until the following are provided to the satisfaction of the City:

- (i) in the Cana Subdivision, a letter of opinion from an independent, qualified engineer (P.Eng.), in a form satisfactory to Utilities Kingston, confirming that the establishment of an ~~second~~ additional residential unit will not cause water and/or wastewater capacity issues;
- (ii) in the potential Water Supply/Water Quality constraint area identified in Schedule 11-C:
 - (a) if the ~~second~~ additional residential unit is contained in or attached to the *principal residential unit*, a letter of opinion signed by an independent, qualified professional holding a valid licence to practice in Ontario as either an engineer (P.Eng.) or geoscientist (P.Geo) confirming that the private water supply is sufficient to support the *second residential unit* in combination with the normal operation of the *principal residential unit* on the lot. The letter must be in a form satisfactory to the City's Environment Director (or designate) and must adequately demonstrate how the supply well will support the increased demand required by the *second residential unit*, while ensuring that neighbouring wells are not adversely impacted. In addition, the letter must include a statement confirming that any water quality treatment systems in place at the time of review are sufficient in terms of design, maintenance and condition to safely service the proposed *second residential unit* in combination with the existing *principal residential unit*. Approval of the septic system must be obtained from the City or applicable approval authority. Notwithstanding the foregoing, the Hamlet of Sunnyside does not require confirmation of water supply in order to remove the holding provision;
 - (b) if the ~~second~~ additional residential unit is detached, a hydrogeological study, completed to the satisfaction of the City's Environment Director (or designate) by an

independent qualified professional (P.Eng.) or geoscientist (P.Geo), confirming that the groundwater quality and quantity are sufficient for the *second residential unit* and will not adversely impact the water supply of adjacent lots and the *principal residential unit*. In addition, the hydrogeological study must assess the potential for sewage system impact and demonstrate that:

- the area of *development* is not hydrogeologically sensitive; and
- the sewage system is isolated from the receiving aquifer, or the impact of the *principal residential unit* plus the *second residential unit* is less than 10mg/L nitrate-nitrogen at the property boundary.

The hydrogeological study shall be completed in accordance with the City's Standard for Hydrogeological Assessments. The City's Environment Director (or designate) may, in its sole discretion, modify the requirements of a full hydrogeological study, if warranted.

Approval of the septic system must be obtained from the City or applicable approval authority.

Notwithstanding the foregoing, the Hydrogeological Study required to establish a second residential unit in the Hamlet of Sunnyside shall be scoped to only demonstrate that there will be no negative sewage system impacts in accordance with the requirements noted above.

- c. ~~Second-Additional~~ residential units shall not be limited by density control requirements, as defined in an implementing zoning by-law;
- d. ~~Second-Additional dwelling~~ residential units ~~may be~~ are prohibited use on a residential dwelling lot containing a garden suite, boarding house or lodging house, ~~as defined in an implementing zoning by-law. A detached additional residential unit is prohibited on a lot contained a tiny house;~~ and
- e. ~~Second-Additional~~ residential units shall not be permitted in a residential dwelling unit situated within a floodplain.

- f. An ~~detached second~~ additional residential unit shall not be severed from the lot containing the *principal residential unit*.
- g. Applications seeking parking relief in support of an second additional residential unit must satisfy all of the following locational criteria:
 - (i) the ~~residential dwelling lot~~ property is within *walking distance* of an express Kingston Transit bus route;
 - (ii) the ~~residential dwelling lot~~ property is within *walking distance* of commercial uses; and
 - (iii) the ~~residential dwelling lot~~ property is within *walking distance* of parkland, open space or community facilities.For the purposes of this subsection, *walking distance* shall be measured using the actual path of travel, such as along a road network (e.g., sidewalk, cycle lane, etc.) or other publicly accessible space.”
- h. A parking space for an second additional residential unit may be located in a permitted driveway that is within a front yard. *Tandem parking spaces* shall be permitted to facilitate a *second residential unit*.

3. Replace “Garden Suite” with “Tiny House” throughout OP and amend the policies as follows:

~~Garden Suites~~ Tiny Houses

3.3.D.7. ~~Garden suites~~ Tiny Houses will be permitted as a temporary use in accordance with the “garden suite” provisions ~~terms~~ of the *Planning Act*, and subject to the following provisions:

- ~~a. a maximum of one garden suite per lot;~~
- ~~ba. a garden suite~~ tiny house ~~will not be permitted on a lot with a second residential unit~~ shall be considered a detached additional residential unit for the purposes of 3.3.11. and must comply with all additional residential unit policies;
- ~~eb.~~ sufficient parking, landscaping and buffering are provided;
- ~~d. the property owner must reside in the principal dwelling on the lot;~~
- ~~ec.~~ the property owner has entered into an agreement with the City with respect to such matters as installation, maintenance, removal and

occupancy of the ~~garden suite~~tiny house and has posted suitable financial security with respect to the agreement in accordance with the Planning Act;

~~fd.~~ a certificate of occupancy will be required prior to occupancy; and,

~~ge.~~ where the property is served by individual on-site sewage services, approval of a ~~garden suite~~tiny house is subject to consultation with ~~KFL&A Public Health~~the City or applicable approval authority.

Limits on Lot Creation

3.11.15. The creation of lots by way of consent for all new non-farm related residential lots and the severance of existing non-farm residential dwellings (principal dwelling, secondary farm dwellings, mobile homes, and ~~garden suite~~tiny houses) are prohibited within Prime Agricultural Areas.

Second Residential Units and ~~Garden Suites~~Tiny Houses

3.12.15. Where individual on-site water and sewage services can be accommodated to the satisfaction of the City ~~and KFL&A Public Health~~, a second residential unit is permitted in Rural Lands, subject to the second residential unit policies in Section 3.3.11 of this Plan, or a ~~garden suite~~tiny house is permitted in Rural Lands, subject to the policies of Section 3.3.D.7 and Section 9.5.20 of this Plan.

Second Residential Units and ~~Garden Suites~~Tiny Houses

3.13.3. Where individual-on site water and sewage services can be accommodated to the satisfaction of the City ~~and KFL&A Public Health~~, a second residential unit is permitted in a Hamlet designation, subject to the second residential unit policies in Section 3.3.11 of this Plan, or a ~~garden suite~~tiny house may be permitted in a Hamlet designation subject to the policies of 3.3.D.7 and Section 9.5.20.

Temporary Use By-law

9.5.20. The City may pass by-laws in accordance with the Planning Act to permit the temporary use of land, buildings or structures on a site (where such use would normally be prohibited by the by-law) for a period of up to 3 years, or up to 20 years for a [garden-suitetiny house](#) as defined in the Planning Act, and may grant extensions of such a temporary use by-law for periods of up to 3 years each. In the case of [garden-suitetiny houses](#), an owner may be required to enter into an agreement with the City in accordance with provisions of the Planning Act. Temporary use by-laws shall be passed in accordance with applicable policies of this Official Plan to ensure no long term adverse effects from the proposed temporary use.

Relevant Excerpts from Second Draft of New Zoning By-Law

Applicable Definitions:

- 3.1.4. Additional Residential Unit** means a dwelling unit, which is accessory to a principal dwelling unit, and is located on the same lot as the principal dwelling unit. An additional residential unit is either a second residential unit or a third residential unit.
- 3.2.15. Building** means anything that is comprised of components joined together and that stands, more or less, permanently in one place. A *building* includes all components such as walls, roof, floors, structural systems, columns, plumbing, fixtures, service systems, private sewage systems, decks, porches, canopies, architectural features, chimneys, mechanical systems and any component that is attached to a *building*. When placed on the ground for any purpose other than loading and unloading a shipment in conjunction with an industrial or commercial use for up to maximum of 28 consecutive calendar days, a shipping container, sea can or similar storage container is considered a *building*. This definition excludes all items that are designed to be easily portable and all items listed in Clause 4.12.1. of this By-law.
- 3.4.15. Dwelling Unit** means the *use* of a *building*, comprised of one or more *habitable rooms* designed to provide at least one washroom and kitchen, for year-round residential accommodation for one *person* or a group of *persons* residing together and comprising a single domestic household. This definition excludes recreational vehicles, travel trailers, tent trailers, motor homes or trailers otherwise designed.
- 3.13.11. Mobile Home** means a manufactured dwelling containing one *dwelling unit* that is a *principal building* and is designed to be made mobile, and constructed or manufactured to provide year-round living accommodations, but does not include recreational vehicles, travel trailers, tent trailers, motor homes or trailers otherwise designed. *Porches* or sunrooms may be permitted *accessory buildings*.
- 3.19.4. Second Residential Unit** means an *additional residential unit*, which is the first *accessory dwelling unit* located on the same *lot* as the *principal dwelling unit*.
- 3.20.2. Third Residential Unit** means an *additional residential unit*, which is the second *accessory dwelling unit* located on the same *lot* as the *principal dwelling unit*.
- 3.20.3. Tiny House** means a detached residential structure containing one *dwelling unit* that is *accessory* to a *principal residential building* and that is designed to be portable and provide year-round living accommodations in accordance with the garden suite provisions of the *Planning Act*, but does not include recreational vehicles, travel trailers, tent trailers, motor homes or trailers otherwise designed.

Applicable Provisions:

5.4. Additional Residential Units Overlay

5.4.1. *Additional residential units* must comply with this Subsection, all other applicable provisions of this By-law and in accordance with Schedules D and E of this By-law.

Location of Additional Residential Units

5.4.2. *Additional residential units* are permitted as an *accessory use* to the following *principal buildings* in any zone where that *building* is listed as a permitted use:

1. *Single detached house*;
2. *Semi-detached house*; and
3. *Townhouse*.

5.4.3. *Additional residential units* are not permitted:

1. On lands subject to the Floodplain Overlay as shown on Schedule A of this By-law;
2. On lands identified as "Constraint Area – Sewer Capacity Limitations" on Schedule D of this By-law;
3. On lands identified as "Constraint Area – Loughborough Lake" on Schedule D of this By-law;
4. On lands identified as "Natural Hazards Area" on Schedule D of this By-law, or as identified through a site-specific investigation or analysis;
5. Within the *basement* of any *building* on lands identified as "Constraint Area – Sewer Surcharging" on Schedule D of this By-law; and
6. On a *lot* containing *two* or more *principal dwelling units*, a *tiny house*, or a *rooming house*.

5.4.4. In accordance with Clause 2.6.4., a Holding Overlay has been established in the area identified as "Additional Residential Unit Water Supply/Quality Constraint Area - H" on Schedule D of this By-law. Prior to the removal of any *lot* from the Holding Overlay and the issuance of a building permit for an *additional residential unit*, the following conditions must be satisfied:

1. the following conditions apply to an *additional residential unit* that is attached to the *principal building* and connects to the private services of the *principal building*:
 - (a) A letter of opinion to the satisfaction of the City's Environment Director (or designate) from an independent, qualified professional must be submitted stating that the private water supply is sufficient to support the second residential unit in combination with the normal operation of the principal dwelling on the lot. The qualified professional must hold a valid license to practice in Ontario as either an engineer (P.Eng.) or geoscientist (P.Geo). The letter must be signed by the qualified professional and must adequately demonstrate how the supply well will support the increased demand required by the second residential unit while ensuring that neighbouring wells are not adversely impacted. In addition, the qualified professional must include a statement that any water quality treatment systems in place at the time of review are sufficient in terms of design, maintenance and condition to safely service the proposed second residential unit in combination with the existing principal dwelling unit.
 - (b) Approval of the septic system must be obtained from the City or applicable approval authority.
2. the following conditions apply to a detached *additional residential unit* or a *additional residential unit* that is attached to the *principal building* and is not connecting to existing private services:
 - (a) A Hydrogeological Study is to be completed to the satisfaction of the City's Environment Director (or designate) from an independent qualified professional (P.Eng.) or geoscientist (P.Geo). to determine that the groundwater quality and quantity is sufficient for the second residential unit and will not adversely impact the water supply of adjacent lots and the principal dwelling. The Hydrogeological Study must be completed in accordance with the City's Standard for Hydrogeological Assessments. Adjustments to the requirements of a full hydrogeological study to demonstrate the suitability of private water supply may be considered by the City's Environment Director (or designate). The Hydrogeological Study must also assess sewage system impact and demonstrate that:
 - (i) the area of development is not hydrogeologically sensitive; and,

- (ii) the sewage system is isolated from the receiving aquifer, or the impact of the primary dwelling plus the secondary unit is less than 10mg/L nitrate-nitrogen at the property boundary.
- (b) Approval of the septic system must be obtained from the City or applicable approval authority.

General Provisions for Attached and Detached Additional Residential Units

- 5.4.7.** Where permitted in accordance with Clauses 5.6.3. to 5.6.7., *additional residential units* must comply with the following provisions:
1. *Additional residential units* must be connected to municipal services or private water and sewage systems to the satisfaction of the City of Kingston.
 2. A maximum of two *additional residential units* are permitted per *lot* including a maximum of one *second residential unit* and a maximum of one *third residential unit*.
 3. *Additional residential units* are exempt from provisions that:
 - (a) calculate *density* as a measure of *dwelling units* per net hectare;
 - (b) establish the maximum number of *dwelling units* on a *lot*; and
 - (c) establish the minimum *lot area* per *dwelling unit* on a *lot*.
 4. Where two *additional residential units* are located on one *lot*, a maximum of one detached *additional residential unit* and a maximum of one *additional residential unit* may be attached to or located within the *principal building*.
 5. A *parking space* required for an *additional residential unit* is permitted in a *tandem parking space* configuration. The *parking space* for the *additional residential unit* must meet all other applicable provisions of this By-law.
 6. For clarity, *additional residential units* must comply with the *walkway* provisions of Subsection 4.25. of this By-law and the maximum number of *bedroom* provisions of Subsection 4.26.
 7. The *gross floor area* of the *additional residential unit* must be less than or equal to the *gross floor area* of the *principal dwelling unit*.

Attached Additional Residential Unit Provisions

8. An *additional residential unit* that is attached to the *principal building* or located within the *principal building* must comply with all provisions of Clauses 5.4.7.1. to 5.4.7.7. and must comply with all provisions applicable to the *principal building*.

Detached Additional Residential Unit Provisions

9. An *additional residential unit* in a detached *building* is exempt from Subsection 4.1. of this By-law governing *accessory uses* or *buildings*. In addition to meeting all provisions of Clauses 5.4.7.1. to 5.4.7.7., an *additional residential unit* in a detached *building* must comply with the following provisions:
 - (a) an *additional residential unit* in a detached *building* must be located within a *rear yard* or *interior yard*, subject to the following provisions:
 - (i) minimum *rear setback* of 1.2 metres;
 - (ii) minimum *interior setback* of 1.2 metres;
 - (iii) minimum *front setback* and *exterior setback* of the applicable Zone;
 - (iv) maximum *lot coverage* of all *accessory buildings* on a *lot* is 10%;
 - (v) maximum *height* of 4.6 metres; and
 - (vi) maximum *height* of 1 storey.
 - (b) in the *urban area*, where an *additional residential unit* is located in a detached *building*, the *rear yard* or *interior yard* must be screened with a *privacy fence* with a minimum height of 1.8 metres as follows:
 - (i) When the detached *additional residential unit* is located in a *rear yard*, the *privacy fence* must be established along all *interior lot lines* and *rear lot lines* adjacent to the *rear yard*;
 - (ii) When the detached *additional residential unit* is located in an *interior yard*, the *privacy fence* must be established along the *interior lot line* closest to the detached *additional residential unit* extending from the intersection of the *interior lot line* with the *rear lot line* to the intersection of the *interior lot line* with the required *front setback*; or

- (iii) When the detached *additional residential unit* is located in both a *rear yard* and an *interior yard*, the *privacy fence* must be established in accordance with Subparagraphs (i) and (ii).
- (c) for the purpose of establishing a detached *additional residential unit*, the existing *dwelling unit* is considered the *principal dwelling unit*.

Legal Non-Compliance

- 10. Where a *principal building* is legal non-complying in accordance with Subsection 1.8. of this By-law, an *additional residential unit* is permitted within the existing *principal building*.
- 11. Where a *principal building* is legal non-complying in accordance with Subsection 1.8. of this By-law, an *additional residential unit* is permitted to be attached to the *principal building* if any new construction associated with the *additional residential unit* complies with this By-law.
- 12. Where a *principal building* is legal non-complying in accordance with Subsection 1.8. of this By-law, an *additional residential unit* is permitted in a detached *building* if the detached *building* complies with this By-law.

6.3 Tiny House

- 6.3.1. A *tiny house* is only permitted where a site-specific, Temporary Zoning By-law allows one.
- 6.3.2. Where a *tiny house* is permitted, a *tiny house* must comply with all provisions applicable to detached *additional residential units* and is considered an *additional residential unit* for the purposes of Paragraph 3.4.7.2.

Common Practices for Garden Suites and Detached ARUs in other Municipalities

Municipality	Date	Term	Definition	Maximum Units per Lot	Other
Aurora	2017	Second Suite Dwelling	A separate dwelling unit subsidiary to and located within the same building as the main dwelling unit and its creation does not result in the creation of a semi-detached dwelling, duplex dwelling, triplex dwelling or converted dwelling.	1	<ul style="list-style-type: none"> - Not permitted in any Environmental Protection Zone - 1.0 parking space per second suite dwelling - Shall only be permitted in a detached or semi-detached dwelling in R6, R7, and R8 zones - A second suite dwelling is permitted where three or more link house dwelling units are joined, joined only below grade - In a building containing a second suite dwelling unit the minimum area for each dwelling unit shall be 35.0 square metres -Second suite dwelling units do not require servicing allocation from council - No more than one entrance is permitted into the front yard, including below grade walkouts - Not permitted in the Oak Ridges Moraine Settlement Area - Permitted in promenade uses and rural zones
Barrie	2019	Detached Accessory Dwelling Unit	An accessory dwelling unit located in a detached structure on the same property as, and is subordinate to, a principal unit.	1	<ul style="list-style-type: none"> - A detached accessory dwelling unit shall be permitted in R1, R2, R3, R4, R5, RM1, RM2, RM3 and RM2-TH zones -where the principal dwelling unit has frontage on a municipal street subject to the following <ul style="list-style-type: none"> - 1.0 permitted per lot within the principal dwelling unit. - Not be less than 35 square metres in size. Not permitted on a lot with a boarding, lodging, rooming house.
	2015	Detached Accessory Dwelling	A detached accessory building containing a second suite located on the		

			same property as the principal dwelling unit.		<ul style="list-style-type: none"> - A minimum of 1 parking space per dwelling unit is required in the R1, R2, R3, R4, R5, RM1, RM1-SS, RM2, RM3 and RM2-TH zones; and tandem parking is permitted. -Detached accessory dwelling structures cannot exceed 10% lot coverage.
Belleville (2076-80)	2018	Coach House Dwelling	One additional dwelling unit that is located in a building or structure that is located on the same lot and is accessory to a single detached dwelling containing only one dwelling unit, semi-detached dwelling containing only one dwelling unit or townhouse dwelling containing only one dwelling unit.	1	<ul style="list-style-type: none"> - Maximum of one <u>coach house</u> is permitted on a residential lot containing a single detached, semi-detached or townhouse dwelling, provided that: <ul style="list-style-type: none"> - Maximum floor area is 100 square metres, shall not exceed 40% of the main building or structure total floor area. - Maximum of 2.0 bedrooms. - Not permitted on residential property types other than those listed above. - Minimum of 1.0 parking space for the coach house in addition to spaces required for the main building. - Minimum of 40% front yard landscaped open space for properties with coach house. - Maximum lot coverage for the coach house shall not exceed 40% of the yard it is located in. - Prohibited from future severance. - Minimum distance from side/rear lot lines shall be either the greater of 1.2 metre or minimum distance set out for the zone. - Minimum 1.2 metre wide access from the coach house dwelling to street - Lot frontage on an open public maintained road. - Any other provisions for accessory structures in underlying zone.
	1982	Mobile Home	A manufactured movable or portable dwelling unit designed and constructed to be owed to its appropriate site, on its own chassis to be connected to utilities and designed to be		

			<p>placed on a permanent foundation or piers for year-round living. Such dwelling units may contain parts that may be folded, collapsed or telescoped when being towed and expanded later to provide additional cubic capacity as well as two or more separate towable components designed to be joined into one integral dwelling unit. The mobile home must contain sleeping accommodation, flush toilet, a tub or shower bath and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems.</p>		
--	--	--	--	--	--

Belleville (3014)	2018	Mobile home	Same as Belleville Bylaw 2076-80	1	<ul style="list-style-type: none"> - Coach house provisions same as above, Section 4.25 in this by-law. - A coach house located on the same lot as a townhouse dwelling may have access from a private road - A coach house located above a private garage shall have a rear/interior side yard setback of 0.6 metres
Belleville (10245)	2018	Mobile home	Same as Belleville By-law 2076-80	1	Same as Belleville By-law 2076-80
Brantford	2020	Accessory Dwelling Units	<p>Self-contained dwelling units comprised of habitable rooms which shall include at least one room, a kitchen, a bathroom, and no more than two bedrooms, and which:</p> <p>1) has a clearly identifiable, separate exterior entrance which provides direct access to the second unit from outdoors; and,</p> <p>2) is located within, or as an addition to, an existing single-detached, semi-detached, or street townhouse dwelling,</p>	3	<ul style="list-style-type: none"> - Permitted in single detached, semi-detached, street townhouses, or accessory structures, subject to the following: <ul style="list-style-type: none"> - Regulated by the applicable zoning provision pertaining to the principal use. - If located at or above grade shall not be larger than 50% of the gross floor area for the principal dwelling or 110 square metres, which-ever is lesser. - 1.0 parking space per accessory dwelling unit. - Maintenance of landscaped open space on a minimum of 50% of the front yard. - Maximum of 2.0 bedrooms per accessory dwelling unit. - Not be permitted above the first floor or in the basement of residential dwellings on lands zoned with the (F) prefix. - Not permitted in R2, R3, and RC zones.

			or within a detached accessory structure located on the same lot as the principal dwelling.		
Brockville	2014	Garden Suite	A temporary, detached residential dwelling unit accessory to a principal residential use, permitted by way of a temporary use by-law and in accordance with the provisions of this By-law	1	<p>- The following provisions shall regulate second suites and garden suites:</p> <ul style="list-style-type: none"> - Only 1.0 garden suites permitted per lot. - Shall only be permitted in association with a single or semi-detached dwelling and shall only be located within the principal dwelling. - Shall only be permitted by way of a temporary use by-law. - Shall occupy a maximum of 30% of the total dwelling unit area of the principal dwelling unit. - Not be permitted in a detached private garage. - Not permitted on a lot with more than one (1) dwelling unit, including a converted dwelling. - Maximum height: 4.0 metres <p>- 1.0 parking space per garden suite, in addition to parking requirements for the principle dwelling unit</p> <p>- Not permitted in R5, R6, R7, R8, and R9 zones</p>
Cambridge	1987	Garden Suite	A portable detached residential dwelling unit containing a bathroom and kitchen facility that is ancillary to an existing detached one-family dwelling unit for the sole occupancy of one or	Not specified	No specific city-wide provisions provided. Site specific exceptions do allow garden suites as temporary uses in addition to the existing detached one-family dwelling and accessory building, not exceeding one per property.

			two family members.		
Centre-Wellington	2009	Garden Suite	A transportable dwelling unit, designed to be used for year-round occupancy, which is located on the same lot as a single detached dwelling, and is used as temporary accommodation for farm help or for relatives of the owner occupants of the single detached dwelling.	1	<p>- A garden suite may be located on a lot containing a single detached dwelling, subject to compliance with the following:</p> <ul style="list-style-type: none"> - Not permitted on a lot with an area less than 10 hectares when used for the purpose of providing farm help. - Shared driveway access with main dwelling, no new entrance from the street. - Shall be sited in accordance with the applicable accessory building provisions, except a garden suite is not permitted in front of the main front wall of the principal residence. - Maximum floor area: 186 square metres - Maximum height to be one storey and shall not exceed 4.5 metres. - Must be setback between 3 to 15 metres from main residence lot. - Not permitted closer than 3 metres from any building on abutting property. - 1.0 permitted for each single detached residential unit on a lot. - All garden suites shall be provided with an adequate water supply and an individual sewage disposal system. - Shall only be established by temporary use by-laws.

Chatham-Kent	2009	Secondary Dwelling, mobile home, and Modular Home. No definition of garden suites.	N/A	0	- A secondary dwelling is not permitted where another specialized housing form exists on the lot, including a garden suite or other factory-built housing
Cobourg	2003	Garden Suites	A one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.	Not Specified	- Only be permitted with the following regulations: <ul style="list-style-type: none"> - To be used by a senior member of the owner of the residence, not to be made available for rent to the general public. - Requires Temporary Use By-law. - May require owner to enter into an agreement with the municipality.
Cobourg	2003	Mobile Home	A dwelling unit designed to be transported after fabrication, either on its own wheels, on a flatbed, on other trailers, or on detachable wheels, and which is suitable for occupancy as a dwelling unit, except for minor and incidental unpacking and assembly	0 or 1	-Prohibited in residential, commercial, industrial or institutional uses, temporarily or permanently (unless listed as a permitted use in the by-law or if it is being used for emergency purposes where a dwelling has been destroyed by a natural disaster) -A double wide mobile home may be erected as a residential dwelling in zones where residential dwellings are permitted provided it is placed on a finished permanent foundation

			operations, placement on a mobile home stand, connection to utilities and the like, but which does not include a travel trailer, or a trailer otherwise designed, or single detached dwellings constructed in parts, designed to be transported to a lot and where they are joined as integral units and placed on a permanent foundation over a cellar or basement.		
Collingwood	2010	Garden Suites (Under second units)	A type of second unit, consisting of one storey, located within, and occupying wholly, a detached accessory building.	1	<p>- A second unit, including a garden suite, may be constructed on a lot in compliance with the following</p> <ul style="list-style-type: none"> - Shall only be located inside of a detached accessory building on a lot with a minimum lot frontage of 15.0 metres on a public street and a minimum lot area of 550 square metres - Not permitted where an accessory apartment already exists on the lot. - Minimum gross floor area of 35 square metres to a maximum 75 square metres but shall not exceed 40% of the gross floor area of the single detached dwelling nor any other applicable lot coverage provisions.

					<ul style="list-style-type: none"> - Shall have an independent and direct access to the exterior of the accessory building, but may have a shared hallway with the accessory building. - The entrance for a second unit and any associated encroachments shall not be located adjacent to any yard that is less than 4.0 metres. - A minimum 1.2 metre unobstructed hard surfaced walkway shall be provided from required parking to the entrance to the second unit. - A second unit shall only be permitted where the associated dwelling is connected to both a municipal water supply and a municipal sanitary sewer. - A second unit may be permitted where a municipal water supply system and/or a municipal sanitary sewer are unavailable, provided that it can be demonstrated to the satisfaction of the Town that the applicable provisions of the Ontario Building Code are met.
Fort Frances	2014	Garden Suite	A free-standing dwelling, containing one dwelling unit, which is accessory to and located on the same lot as a single detached dwelling and is designed to be temporary and	Not Specified	<ul style="list-style-type: none"> - No additional provisions provided. - A lot will not have both a secondary dwelling unit and a garden suite

			portable, as per the Planning Act but excludes a recreational vehicle.		
	2020	Second Dwelling Unit (Detached)	A self-contained dwelling unit located within an accessory building on the same lot as the principal dwelling and shall not be considered a second dwelling on the lot for the purposes of this By-law.	1	<ul style="list-style-type: none"> - Detached secondary dwelling units: <ul style="list-style-type: none"> - May be permitted at grade or on the second storey but not both. - Shall have a minimum gross floor area as depicted in the Ontario Building Code but shall not exceed 40% of the gross floor area of the principal dwelling. - Provision of address identification shall be posted facing street and laneway where applicable; - When the secondary dwelling (detached) is located on the second storey, the maximum height of the accessory building shall be a minimum of 2 metres less than the principal dwelling; and - Shall not exceed 15% coverage of the total lot area - Unobstructed emergency services access shall be provided. - May be permitted for home occupation use provided that only one home occupation is conducted on the property
Gravenhurst	2010	Garden Suite	A one-unit detached residential building containing bathroom and kitchen facilities that is accessory to an existing residential building	1	<ul style="list-style-type: none"> - A garden suite is permitted as an accessory use to a single detached residential use; subject to specific requirements including lot area, lot frontage, front yard setback, interior side setback, exterior side setback, rear setback, lot coverage and building height.

			and that is designed to be portable.		
Grimsby	2012	Garden Suite	A dwelling unit that is ancillary to an existing residential structure and that is designed to be portable.	Not Specified	<ul style="list-style-type: none"> - No general provisions. - One (1) parking space per garden suite - Not permitted in Specialty Crop Area Zones, only as accessory buildings in agricultural and rural zones
Halton Hills	2010	Garden Suite (under dwelling)	A self-contained detached residential structure that is accessory to a single detached dwelling unit and that is designed to be temporary and portable.	Not Specified	<ul style="list-style-type: none"> - 1.0 parking space required per dwelling unit in addition to the requirement for the applicable housing type - Accessory dwelling units are permitted within single detached, semi-detached, or townhouse dwelling, but no specific provisions provided to regulate garden suites.
Hamilton	2005	Mobile Home	Any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include major recreation equipment such as a travel trailer or tent trailer.	N/A	No specific provisions provided.
Highlands East	2005	Garden Suite	A single storey detached dwelling	Not Specified	No specific provisions provided.

			unit that does not exceed 70 square metres in ground floor area and is used for temporary accommodation, and is accessory to an existing dwelling unit.		
Huntsville	2008	Garden Suite	A one-unit detached dwelling designed to be portable that is smaller than and ancillary to a principal detached dwelling and which is to be used on a temporary basis as an alternative living arrangement for individuals that require some support from the occupants of the principal dwelling.	Not Specified	Garden Suites are subject to the following provisions: <ul style="list-style-type: none"> - A garden suite is only permitted by way of a temporary use by-law. -The floor area of a garden suite shall not exceed the floor area of the principal dwelling and at a maximum is 85 square metres - Once a garden suite is discontinued, it shall be removed from the site or converted to a permitted accessory residential use.
Kitchener	2019	Second Dwelling Unit (Detached)	The use of a building where a separate self-contained dwelling unit located in a detached building on the same lot as an associated single		- Defined but no specific permissions or requirements.

			detached dwelling, semi-detached dwelling unit, or street townhouse dwelling unit. A second dwelling unit (detached) is not an accessory building.		
Lake of Bays	2004	Garden Suite	A one-unit detached dwelling designed to be portable that is smaller than and ancillary to a principal detached dwelling and which is to be used on a temporary basis as an alternative living arrangement for individuals that require some support from the occupants of the principal dwelling.	Not Specified	Garden Suites are subject to the following provisions: <ul style="list-style-type: none"> - A garden suite is only permitted in a Residential or Rural Zone by way of a rezoning process and a temporary use by-law. - The floor area of a garden suite shall not exceed the floor area of the principal dwelling and at a maximum of 85 square metres - Once a garden suite is discontinued, it shall be removed from the site or converted to a permitted accessory residential use.
London	2020	Garden Suite	(Also known as granny flats) means a small, separate, portable, self-contained dwelling containing one dwelling unit which is ancillary to an existing dwelling.	1	Garden Suites are subject to the following provisions: <ul style="list-style-type: none"> -Garden Suites are provided for and regulated under Temporary Garden Suite (TGS) Zone. This zone permits garden suites for a specified period of time after which the Temporary Garden Suite (TGS) Zone symbol is removed and reverts back to the compound zone(s). This zone must be compounded with another

			They are designed to be located in the side or rear yard of an existing "host" single detached or farm dwelling and are intended to be occupied by the elderly relative(s) of the host family. When no longer required, these units are intended to be removed and relocated to serve a similar function for another family)		<p>zone. Extensions are provided for in the Planning Act.</p> <ul style="list-style-type: none"> - Garden suites are subject to the regulations contained in Zoning By-law Section 45.3.3 (Secondary Farm Occupations) and require an agreement, through Section 207.2 of the Municipal Act, with the City dealing with such issues as number of residents, servicing details, removal of unit etc. -Minimum lot area which can accommodate the use, as well as the primary dwelling, shall be 4000 square metres -Maximum gross floor area of use shall be 150 square metres - Shall be located in the interior side yard or rear yard, not in the front or exterior side yard. - Shall be located within 50 metres of the main building on the lot.
Milton	2019	Garden Suite	Means a detached residential structure containing bathroom and kitchen facilities that is an accessory use to an existing dwelling unit and is designed to be portable.	Not Specified	<ul style="list-style-type: none"> -A garden suite is not permitted as of right within any zones -No additional provisions provided.

<p>Norfolk County</p>	<p>2020</p>	<p>Accessory Residential Dwelling Unit</p>	<p>Shall mean a second unit and shall mean a self-contained residential dwelling unit, supplemental to the permitted primary residential dwelling unit of the property, which second unit has its own kitchen, bathroom.</p>	<p>1</p>	<ul style="list-style-type: none"> - Accessory residential dwelling unit shall be permitted in single detached, semidetached, street townhouses, and accessory buildings or structure and located on the same lot as the primary dwelling -Where an accessory residential dwelling unit is located in an accessory building or structure the following shall apply: <ul style="list-style-type: none"> -Be nearer than 3.3 metres of a lot line within an interior side yard or rear yard except: <ul style="list-style-type: none"> a. in the case of a mutual private garage in the rear yard on a common interior side lot line, no separation distance is required; b. in the case of a rear lot line adjoining a private or public lane, no setback is required - be located a maximum of 30 metres from the primary dwelling. - shall have its own exterior entrance separate from the exterior entrance to the primary dwelling unit, but shall not be permitted on an elevation, or façade of the building that faces a public street or private road. -shall have no means of internal access to the primary dwelling unit, except that access to a primary and second dwelling through a common vestibule entry is permitted; - 1 off-street parking space, in addition to the minimum required parking spaces for the primary dwelling; - the maximum number of residential dwelling units permitted per lot shall be two (2), including the accessory residential dwelling unit; -Where an accessory residential dwelling unit is located on a lot, none of a <u>garden suite</u>, a boarding or lodging house, rooming house, or a bed & breakfast
------------------------------	-------------	--	--	----------	--

					<p>are permitted on that lot. If a <u>garden suite</u> a boarding or lodging house, rooming house, or a bed & breakfast already exists on a lot, an accessory residential dwelling unit is not permitted.</p> <ul style="list-style-type: none"> - Shall not be permitted in a vacation home or any other dwelling intended for vacations, recreation, seasonal or short-term accommodation purposes; - Shall be required to meet all legislation, regulation and By-Law standards and requirements and all appropriate permits must be issued prior to the establishment of the accessory residential dwelling unit; - Shall not be larger than 45% of the total floor area of the dwelling unit. - Only permitted in dwelling units connected to the municipal water and sanitary sewer system. - Not permitted in buildings with a legal nonconforming use unless relief from the Zoning By-Law has been approved through a Zoning By-Law Amendment or Minor Variance in order to establish such accessory residential dwelling unit. - a minimum of 50 percent of the front yard shall be maintained as landscaped open space.
North Bay	2015	Secondary Dwelling Unit in Accessory Buildings	A dwelling unit that is ancillary and subordinate to the main dwelling unit that may be contained within the main building on a lot or within an accessory building	Not Specified	<p>Secondary Dwelling Unit in Accessory Buildings are subject to the following provisions:</p> <ul style="list-style-type: none"> -shall not be permitted to be a mobile home or recreational vehicle. -Shall not be permitted to be a boat house. -Maximum gross floor area is 45% of the gross floor area of the primary dwelling on the lot. -Shall be located no more than 30 metres from the primary dwelling.

			on the same lot, but not both.		-1 parking unit, in addition to the required parking for the dwelling unit.
Oakville	2014	Garden Suite (under dwelling)	A one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.	Not Specified	No specific provisions provided.
Orillia	2014	Garden Suite	A one unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an Existing Single Detached Dwelling and that is designed to be temporary and/or portable.	Not specified	-Temporary Uses for Garden Suites can be in place for 20 years. -No additional provisions provided.
Ottawa	2008	Garden Suite	A one-unit, self-contained and portable detached residential structure that is ancillary to and on the same lot as a detached, linked-detached or semi-detached dwelling, and excludes a trailer as defined herein.	1	-A garden suite is not considered an accessory use -No additional parking required The following provisions shall apply to garden suites: -Maximum height is 4.6 metres/1 storey. -Permitted in rear yard only. -Minimum setback side lot line is same as principal building. -Minimum setback rear lot line is 2.3 metres. -Maximum lot coverage is 35% of area of rear yard.

					<ul style="list-style-type: none"> -A garden suite not included in calculation of any other maximum lot coverage requirements. -Minimum distance from any other buildings on lot is 1.2 metre. -No driveway other than one already on lot prior to garden suite installation is permitted. -Maximum gross floor area is 65% of the principal building on the lot. <p>The additional provisions shall also apply:</p> <ul style="list-style-type: none"> - Only permitted where a site-specific, temporary zoning by-law allows one. - The garden suite must be on the same lot as a principal residential use building. -The principal residential use building must be either a detached dwelling, linked detached dwelling or a semi-detached dwelling. - This does not preclude both units of a semi-detached dwelling having a garden suite. -The detached dwelling, linked-detached dwelling or semi-detached dwelling must be a permitted use in the zone. -These regulations may be varied on a site-specific basis through a temporary zoning by-law. - The development of a garden suite on a residential lot does not result in the creation of a planned unit development.
Peterborough	2018	Secondary Suite	A Dwelling Unit, including a Bachelor Dwelling Unit, which is self-contained, accessory to, and	1	<p>Secondary Suites are subject to the following provisions:</p> <ul style="list-style-type: none"> - One Secondary Suite will be permitted within a residential Accessory Building associated there with: a Single Unit Dwelling, a Semi-

			<p>situated within a Principal Dwelling Unit or within a residential Accessory Building.</p>		<p>detached Dwelling Unit; or a Row Dwelling Unit.</p> <ul style="list-style-type: none"> - Secondary suites shall not be permitted within a floodway as defined in the Provincial Policy Statement, 2014, or any successor thereof. - A Secondary Suite located in an accessory building shall comply with Section 6.18 (Residential Accessory Buildings). -An access route for firefighters shall be provided so that: <ul style="list-style-type: none"> i. A fire department pumper vehicle can be located so that the length of the access route from a hydrant to the vehicle plus the unobstructed path of travel for the firefighter from the vehicle to the primary entrance to the Secondary Suite shall not exceed 90 metres, and the unobstructed path of travel for the firefighter from the vehicle to the primary entrance of the Secondary Suite shall not exceed 45 metres, or ii. An alternative is proposed that is acceptable to the Peterborough Fire Services and the City of Peterborough, Building Services Division. - A Secondary Suite shall be serviced by public water distribution and wastewater collection facilities. Where municipal water distribution and wastewater collection services are not otherwise required by this By-law for a Principle Dwelling Unit, the use of private services to support a Secondary Suite will be permitted. -Minimum floor area is 28 square metres.
--	--	--	--	--	--

					<ul style="list-style-type: none"> -Maximum floor area is less than the floor area of the principal dwelling unit. -Maximum number of bedrooms is 2. - No additional off-street parking shall be required for a Secondary Suite located in Area 1 as designated on Schedule E(1) to this By-law. One (1) off-street motor vehicle parking space, sized in accordance with Section 4.3.1, shall be required for a Secondary Suite located in Areas 2 and 3 as designated on Schedule E(1) to this By-law. -Tandem parking spaces to facilitate a Secondary Suite shall be permitted. - A Secondary Suite shall not be counted as a Dwelling Unit when interpreting Lot Grade or regulations in this By-law that pertain to the number of Dwelling Units in a Building or on a Lot. - An accessory apartment (Second Residential Unit) that existed on or before November 16, 1995 or was created between November 17, 1995 and May 22, 1996 is considered to be a permitted use and is exempt from regulations a) to h) subject to compliance with Ontario Regulation 384/94 (Apartments in Houses) made under the Planning Act, R.S.O. 1990, c.P13, Ontario Regulation 213/07 (Fire Code) made under the Fire Protection and Prevention Act, 1997, and Section 4.2.A(i) of this By-law. - Notwithstanding any other provisions in this by-law the minimum required building setbacks for an
--	--	--	--	--	---

					accessory building in a residential district shall be as follows (Section 6.18 – specifies setbacks)
Port Hope	2010	Garden Suite	A self-contained detached residential structure that is accessory to a single detached dwelling unit and is designed to be temporary and portable.	1	<p>-1 parking unit, in addition to the required parking for the dwelling unit</p> <p>Garden Suites are subject to the following provisions</p> <ul style="list-style-type: none"> -Subject to a Temporary Use By-law. -Maximum Height is 4.5 metres. -Maximum gross floor area is 90 square metres. -Maximum Lot Coverage is 30%. -Access to garden suite & principal unit shall be limited to same driveway. - The Garden Suite shall be located within a building envelope with the following minimum setbacks: <ul style="list-style-type: none"> - Garden Suite Temporary Use Permission T2: northern property line: 6 metres/western property line: 6 metres/ eastern property line: 296 metres/ 6th line: 200 metres - Garden Suite Temporary Use Permission T3: northern property line: 158 metres/southern property line: 285 metres/eastern property line: 259 metres/ Woodvale School Road: 117 metres - A garden suite shall only be permitted where identified as a permitted use in this By-law -Unless otherwise modified or amended otherwise, all provisions of the zone the subject lot is located within shall apply to the garden suite
Prescott	2009	Garden Suite	A one-unit detached residential building containing sanitary	Not specified	<p>Garden Suites are subject to the following provisions</p> <ul style="list-style-type: none"> -Subject to the passing of a site-specific Temporary Use By-Law.

			and kitchen facilities that is accessory to an existing permanent residential structure and that is designed to be portable, but does not include a mobile home, a park model trailer or a recreational vehicle [also known as a Granny Flat].		<ul style="list-style-type: none"> -Minimum lot area conforms with the zone in which the garden suite is to be located. -Maximum net floor area is 50 square metres. -Maximum height: 6 metres or the average height of the main buildings on the subject and abutting lots, whichever is lesser. -Located in the rear or interior side yard and meets the minimum yard and lot coverage requirements set out in corresponding zone. -A minimum setback of 3 metres from any rear of side lot line. <p>- Explanatory note (Section 4.17): Garden suites are intended to house those who are generally capable of living independently but who by the virtue of their age or a disability require the support of others to live on their own. Garden suites should be limited to housing only elderly or disabled family members directly related to occupants of the main dwelling. A temporary use by-law to permit a garden suite shall not exceed ten (10) years from the day of passing of the by-law. However, council may by by-law grant further periods of not more than three (3) years each during which the temporary use is authorized).</p>
Prince Edward County	2015 & 2019	Garden Suites	A dwelling unit that is accessory to the existing primary residential dwelling and that is designed to be temporary and portable. A garden suite will not include a basement or crawlspace. A	1	<ul style="list-style-type: none"> - A garden suite is permitted as a temporary use for up to a 20-year period as approved by the municipality (Section 4.27). - 1 additional parking space per dwelling unit (Section 5.1.1).

			garden suite must be designed to be habitable year-round.		
<p>*Continuation of Prince Edward County* The following provisions shall apply to second dwelling units AND garden suites (Section 4.35):</p> <p><u>General Requirements of Second Dwelling Units:</u></p> <p>a. Second dwelling units shall be permitted in zones where it is a conforming and complying residential use and within housing types or detached buildings as defined herein.</p> <p>b. In both existing residential buildings and new residential buildings, second dwelling units shall be permitted.</p> <p>c. A maximum of one (1) second dwelling unit shall be permitted on a lot.</p> <p>d. A second dwelling unit shall not be permitted in a group home, boarding house or rooming house. A maximum of one home business or one home rural business is permitted per lot.</p> <p>f. A second dwelling unit shall not be permitted in a regulated floodplain regardless of the non-complying status of the existing dwelling unit.</p> <p>g. A second dwelling unit shall be constructed in conformity with the Ontario Building Code to be suitable for habitation year-round.</p> <p>h. Second dwelling units shall be no smaller than the minimum dwelling unit area permitted by the Ontario Building Code.</p> <p><u>Servicing of Second Dwelling Units:</u></p> <p>i. In settlement areas, second dwelling units shall be permitted within a single detached dwelling, semi-detached dwelling, a townhouse dwelling, as a detached second dwelling unit, or a second dwelling unit located in an accessory building or structure where sufficient municipal water and wastewater capacity is available. Where water and wastewater capacity is available, the second dwelling unit shall be connected to the principal dwelling unit as follows:</p> <p style="padding-left: 20px;">Water: The second dwelling unit shall connect to the principal dwelling unit's water supply after the water meter and only one municipal water meter per lot is to be installed.</p> <p style="padding-left: 20px;">Sanitary: The second dwelling unit shall connect to the principal dwelling unit's building drain anywhere on the private side where permitted by the Ontario Building Code. A clean out is to be permanently installed immediately upstream of the connection point.</p> <p>j. In non-settlement areas, second dwelling units shall be permitted within a single detached dwelling, a detached second dwelling unit or a second dwelling unit located in an accessory building or structure where sufficient private water and wastewater services levels can be provided.</p> <p>k. In non-settlement areas, a Servicing Report to the satisfaction of the Director of Development Services is required for development on lots smaller than 1.25 hectares (3 acres).</p>					

Parking for Second Units:

- l. A minimum of one parking space shall be provided for a second dwelling unit.
- m. Tandem parking spaces to accommodate a second dwelling unit shall be permitted.

Entrances to Second Dwelling Units:

- n. Access from the public highway to the second dwelling unit shall be provided via an existing legal residential vehicle entrance; a second entrance to the lot will not be permitted for the second dwelling unit.
- o. A maximum of one (1) pedestrian doorway entrance facing the street is permitted per lot.
- p. Notwithstanding Section 4.35.o, a detached second dwelling unit or a second dwelling unit located in an accessory building or structure may have one (1) doorway facing the street.
- q. The pedestrian doorway entrance to a second dwelling unit that is located within the principal dwelling unit shall:
 - I. Be separate from the entrance to the principal dwelling unit, either as a separate exterior entrance or from a common indoor vestibule shared with the principal dwelling unit.
 - II. Be accessible from the street via a walkway or driveway.

Additional Provisions for Detached Second Dwelling Units or Second Dwelling Units located in an Accessory Building or Structure:

- r. A second dwelling unit located in an accessory building or structure shall be subject to the applicable zone provisions for the lot coverage of all buildings and structures.
- s. A second dwelling unit located in an accessory building or structure shall not exceed the maximum height of the principal dwelling unit permitted in the applicable zone.
- t. A detached second dwelling unit or a second dwelling unit located in an accessory building or structure shall meet the minimum yard provisions of the applicable zone.
- u. A detached second dwelling or a second dwelling unit located in an accessory building or structure in the Rural 1, 2, or 3 Zone shall be located no further than 60 metres from an existing building located within the existing farm envelope.”

Quinte West	2014	Garden Suite	A one unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure on the same lot and that is designed to be portable.	Not specified	Garden Suites are subject to the following provisions (Section 4.10): <ul style="list-style-type: none"> -Permitted by a Temporary Use By-law. -Minimum setback shall be equal to the required rear and interior side yards for the main building from the rear and interior side lot lines. -Shall not be located any closer to the front or exterior lot line than the front walls of the main dwelling on the same lot.
--------------------	------	--------------	--	---------------	---

					<ul style="list-style-type: none"> -Minimum floor area of any garden suite shall be 50 square metres. -Maximum floor area of any garden suite shall be 100 square metres . -Gross floor area shall not exceed 40% of the principal single detached dwelling. - Maximum height of any garden suite shall be 5.0 metres. <p>-1 additional parking space, in addition to the required parking for the dwelling unit</p> <p>-A second dwelling unit is not permitted on a property where there is a garden suite also situated</p>
St. Catharines	2013	Detached Accessory Dwelling Unit	A separate building on a lot containing a dwelling unit which is subordinate and secondary to the principal dwelling unit located on the same lot.	1	<p>Detached Accessory Dwelling Units are subject to the following provisions</p> <ul style="list-style-type: none"> -Maximum building height: 4.5 metres. -Shall not be located within any sight triangle. -Shall not be located within a required a required front yard or exterior side yard. -Shall not exceed 10% of the total lot area (excluding in-ground swimming pools). -Shall not be located less than 0.6 metres from interior or rear lot line. <p>-The floor area shall not exceed 105 square metres or 40% of the floor area of the principal dwelling unit (including the basement), whichever is less</p>
Toronto	2018	Laneway Suite	Self-contained living accommodation for a person or persons living together as a separate single housekeeping		<p>Toronto is currently undergoing the Garden +Suites project to update https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/garden-suites/</p>

			unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the suite and is in an ancillary building abutting a lane.		
Waterloo	2018	Garden Suite	A detached self-contained dwelling unit that is designed to be or is capable of being portable. Includes, but is not restricted to, mobile homes.	Not specified	<ul style="list-style-type: none"> - Garden suites are prohibited in all zones - Garden suites are not permitted as coach houses -A second residential unit shall be prohibited on a lot containing a legal non-conforming garden suite -No additional provisions provided.
Welland	2017	Garden Suite	A temporary one unit, detached residential structure containing bathroom and kitchen facilities that is ancillary to the existing residential structure and that is designed to be portable.	Not specified	<ul style="list-style-type: none"> -Subject to a Temporary Use By-law -To permit garden suites for a period not exceeding twenty years, with possible extension of three years -Subject to the following provisions <ul style="list-style-type: none"> -Shall be a small, portable building which can be readily removed and is separate from the principal dwelling. - It is adequately serviced by the principal dwelling. - An accessory dwelling unit and a garden suite shall not be permitted on the same lot. - No new driveway shall be permitted. -The owner of the subject property shall enter into an Agreement pursuant to <i>Section 39.1 (1)</i> of the Planning Act, as amended, with and

					<p>satisfactory to the City of Welland dealing with such matters related to the temporary use of the garden suite as the Council considered necessary including:</p> <ul style="list-style-type: none">i) The installation, maintenance and removal of the garden suite;ii) The period of occupancy of the garden suite by any of the persons named in the Agreement;iii) The monetary or other form of security that the Council may require for actual or potential costs to the municipality related to the garden suite; and <p>-Such other requirements as may be deemed necessary through the Temporary Use By-law.</p> <p>- Permitted in RL1 and RL2 zones and A1 and RR zones</p>
--	--	--	--	--	---

Common Practices for Shipping Containers in other Municipalities

Municipality	Date	Term(s)	Definition	Setback	Max Size	Other
Aurora	2017	N/A	N/A	N/A	N/A	<ul style="list-style-type: none"> City does not mention or regulate shipping containers.
Barrie	2009	Container	N/A	N/A	N/A	<ul style="list-style-type: none"> City does not regulate shipping containers. Truck terminal is a building/lot used for the parking or storage of truck cabs and containers, which are used for the purpose of delivering or transporting goods and materials.
Belleville (By-law 2076-80)	2002	Freight Container; Storage Trailer	Truck trailer box – any vehicle/structure so constructed that it is suitable for being attached to a motor vehicle and is capable of being used for transporting goods, materials, equipment, or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.	N/A	N/A	<ul style="list-style-type: none"> Uses such as a storage trailer, freight container, construction camp or other temporary work camp shall be permitted provided that: such uses shall only be permitted for as long as the same are necessary for the work in progress that has neither been finished nor discontinued for a period of 60 days; a valid permit for construction remains in place; and such uses, buildings, or structures are removed when the work is terminated. A truck trailer box shall be a permitted accessory structure within CR, CH, MCH, CC, CD, MR, MW, M1, MS, M1S, M2, AG, CF, A1, A2, 01, E, and ES zones.

						<ul style="list-style-type: none"> • A truck trailer box is not permitted in residential zones.
Belleville (By-law 3014)	2002	Freight Container; Container	Truck trailer box – any vehicle/structure so constructed that it is suitable for being attached to a motor vehicle and is capable of being used for transporting goods, materials, equipment, or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.	N/A	N/A	<ul style="list-style-type: none"> • Uses such as a storage trailer, freight container, construction camp or other temporary work camp shall be permitted provided that: such uses shall only be permitted for as long as the same are necessary for the work in progress that has neither been finished nor discontinued for a period of 60 days; a valid permit for construction remains in place; and such uses, buildings, or structures are removed when the work is terminated (Section 4.18.4.1). • A site plan approval is required to address issues of size and type of containers used for storage, privacy fencing, screening and buffering (Section 6.11).
Belleville (By-law 10245)	2002	Freight Container	Truck trailer box – any vehicle/structure so constructed that it is suitable for being attached to a motor vehicle and is capable of being used for transporting goods, materials, equipment, or livestock notwithstanding that such vehicle is jacked	15 metres from lot line.	N/A	<ul style="list-style-type: none"> • Uses such as a storage trailer, freight container, construction camp or other temporary work camp shall be permitted provided that: such uses shall only be permitted for as long as the same are necessary for the work in progress that has neither been finished nor discontinued for a period of 60 days; a valid permit

			up or that its running gear is removed.			<p>for construction remains in place; and such uses, buildings, or structures are removed when the work is terminated.</p> <ul style="list-style-type: none"> • A truck trailer box shall be a permitted accessory structure within the following zones: C1, CC, C2, C3, C4, C5, C6, C7, CR, CM, M1, M2, M2C, M3, M4, MCP, CF, 01, 02, 03 and E. <p>Notwithstanding and in addition to the requirements of Section 8 of this Part C, where the zone abuts a residential zone or residential use, the setback shall be a minimum of 15 m from the lot line.</p> <ul style="list-style-type: none"> • Truck trailer box shall not be permitted within any residential zone.
Bradford West Gwillimbury	2010	Shipping Container	N/A	N/A	N/A	<ul style="list-style-type: none"> • Shipping containers and trailers shall not be placed or used on any lot in a Residential, Commercial or Prestige Employment Zone and shall only be located on a lot as an accessory structure used in conjunction with a permitted agricultural use, transport terminal or warehouse (Section 4.1.9).
Brampton	N/A	Shipping Container	An enclosed metal structure designed to facilitate the transportation of goods by	N/A	N/A	<ul style="list-style-type: none"> • The use of shipping containers for accessory structures or detached garages on most subdivision lots

			several different means of transportation, and shall include shipping containers, sea cans, transport truck trailers, and straight truck boxes and similar prefabricated metal storage units.			<p>is prohibited.</p> <ul style="list-style-type: none"> The City would permit the conversion of shipping containers into a residential dwelling, provided that they are located on a permanent foundation and comply with the Building Code.
Brantford	2016	Shipping Container	A freight container used for the transportation and storage of goods and materials which are loaded onto trucks, trains or ships for the purpose of moving goods/materials. A Shipping Container shall also include, but not be limited to the body of a transport trailer or a straight truck and any prefabricated portable metal storage unit. A Shipping Container does not have wheels and does not include a motor vehicle/transport trailer.	1.0 metres from any lot line	2.5 metres in height, 2.5 metres in width, and 6 metres in length	<ul style="list-style-type: none"> Permanent placement of shipping containers as accessory structures for any residential use is prohibited. The maximum duration for a temporary placement of a shipping container for any purpose other than shall be 30 days per calendar year (except for when used as a field office/contractor's hut or other temporary building for only as long as they are necessary for the work in progress). Section 6.33
Brockville	2014	Storage Container; Sea Can Container; Inter-modal Container	N/A	N/A	N/A	<ul style="list-style-type: none"> Accessory uses, buildings, and structures shall not include any storage container, portable storage unit, repurposed motor vehicle in whole or in part, "sea can" container, intermodal container or other suchlike container in any zone other than

						Employment Zone (Section 3.3[a][4]).
Burlington	2020	Container	N/A	N/A	N/A	<ul style="list-style-type: none"> • Temporary buildings or structures are not permitted unless they meet specific criteria. • If the container is located on an ICI property, it would be regulated as an accessory building and subject to the principle building setbacks. It would require a Site Plan, Zoning Clearance, and a Building Permit. • If located on a residential property, the City would regulate it as a residential accessory building, subject to accessory building regulations.
Cambridge	2012	N/A	N/A	N/A	N/A	<ul style="list-style-type: none"> • City does not regulate shipping containers, but living accommodation in transport trailers is prohibited.
Centre Wellington	2009	Shipping Container	N/A	N/A	N/A	<ul style="list-style-type: none"> • Shipping container as a restricted use in all zones unless such use is specifically permitted by the provisions of a particular zoning designation in the by-law (Section 4.40).
Chatham-Kent	2009	Shipping Container	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	0.6 metres to any lot line	5 metres height in Agricultural	<ul style="list-style-type: none"> • Permanent Shipping Containers <ul style="list-style-type: none"> ○ Placement of permanent shipping containers shall only be permitted as an accessory use to a main permitted non-residential

			<p>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. A shipping container shall be deemed to be an accessory building when permanently located on a lot.</p>		<p>zones.</p>	<p>use on a property.</p> <ul style="list-style-type: none"> ○ Shall not be located in a CBD zone. ○ Shall be located in interior side yards/rear yards only. ○ Total lot coverage of all accessory building/ structures shall not exceed 10% of the lot area of said lot. ○ Shall not be stacked. ○ Shall not be places or used for the purpose of displaying or advertising. ● Temporary Shipping Containers <ul style="list-style-type: none"> ○ Maximum of one shipping container shall temporarily be permitted to be located in a residential driveway for the purpose of loading/unloading household items during the process of moving, provided that it is removed from the lot within 30 consecutive days and no more than 60 total days within a 365 day timeframe. ○ Shall be permitted on a non-residential property for the purpose of temporary storage or
--	--	--	--	--	---------------	--

						<p>loading/unloading items, provided that it is removed within 90 consecutive days and no more than 120 total days within a 365 day timeframe. The day restriction does not apply to industrial zones.</p> <ul style="list-style-type: none"> ○ Shall not encroach onto a public sidewalk/ municipal right of way; not be located in a daylight corner. ○ Permitted on a construction site zone being developed for the purpose of temporary storage of equipment and materials incidental to construction only, and must not exceed 6 in number and shall be removed from the site within 30 days of completing the work.
Cobourg	2003	Loading Provisions	N/A	N/A	N/A	<ul style="list-style-type: none"> ● Loading and unloading spaces are restricted to retail commercial and industrial uses (Section 6.2.1) ● Shipping provisions apply to industrial zones (Sections 17-18).
Collingwood	2010	Shipping Container	N/A	Front/ exterior side yard	Height same as max	<ul style="list-style-type: none"> ● No trailer or shipping container shall be used for permanent storage in a residential zone, a

				same as main building requirement, interior side/rear yard 3.0 metres	height as permitted for main building	<p>local convenience commercial zone, or an environmental protection zone (Section 4.30.1).</p> <ul style="list-style-type: none"> In any other zone, a trailer or shipping container used for permanent storage shall be subject to provisions of general accessory building provisions (Section 4.30.2).
Fort Frances	2014	Storage Container; Seaway Container	A trailer portion of a tractor-trailer unit or transport truck without the running gear, or a rail or seaway container which is traditionally used for shipping and transportation of goods and materials.	N/A	N/A	<ul style="list-style-type: none"> A storage container shall not be used as an accessory building or structure except as may otherwise be permitted under this by-law. Within the industrial zone, storage containers may be permitted as an accessory use to the principle or main use but shall be used exclusively for the storage of goods and materials and shall not be used to accommodate work areas, shops, office uses, retail sales, or human habitation.
Gravenhurst	2010	Cargo or Shipping Container	A rectangular metal container customarily used for the transport of freight or for storage, with or without wheels.	N/A	N/A	<ul style="list-style-type: none"> A shipping container shall not be used as part of a self-storage facility (Section 4.167). The use of any cargo or shipping container, truck, truck trailer, bus, or coach body for storage, sales, or human habitation is prohibited in any zone (Section 5.21.1). Some by-law exceptions for shipping containers to be used for

						personal self-storage.
Grimsby	2012	Shipping Container	Shipping container not classified as a building.	N/A	N/A	<ul style="list-style-type: none"> • City does not regulate shipping containers.
Guelph	1997	Container	N/A	0.6 metres from a street line	N/A	<ul style="list-style-type: none"> • “Trucking operations” is a place where trucks, trailers or containers are loaded or unloaded, stored or parked for remuneration or from which trucks or containers are dispatched as common carriers or where goods are stored temporarily for further shipment or where buses and other fleet vehicles are stored or parked. • The use or storage of a container, truck or transport trailer or any part thereof on a residentially zoned property is prohibited (Section 4.3.6). • Shipping containers may be stored in outdoor storage spaces (Section 7.3.6.4). • A shipping container may be permitted in a driveway within a residential zone for a period not exceeding 30 days in any given year, provided that it is not located within or blocking access to a required parking space, and that it is located a minimum of 0.6 metres from a street line (Draft Section 4.28.1.1.1). • Where a shipping container is

						converted and used as a construction material for a building, accessory building or structure subject to the Ontario Building Code Act, it is a building or structure (Draft Section 4.28.2).
Halton Hills	2010	Shipping Container	N/A	N/A	N/A	<ul style="list-style-type: none"> • Under the definition of a building, a shipping storage container shall be constructed to be a building when located on a lot. • The storage of shipping containers is prohibited in all zones, unless otherwise permitted by this by-law wherever outdoor storage is permitted (section 4.26).
Hamilton	2019	Shipping Container; Shipping Storage Container	N/A	N/A	N/A	<ul style="list-style-type: none"> • City does not regulate shipping containers. • Section 4.1 states that all land uses are prohibited unless specifically permitted in the by-law. Shipping containers are not mentioned.
Highlands East	2005	Sea Container	An enclosed metal container originally designed to be used for shipping purposes. A sea container shall also include a semi-trailer, with or without running gear.	30 metres from front lot line	N/A	<ul style="list-style-type: none"> • Permitted accessory structure in the I, GC1, GC2, CH, RU, M1, M2 or MX zones provided it maintains a minimum 30 metres setback from the front lot line, is compliant with the read/side yard setbacks for the respective zone and is located behind the rear wall of the

						<p>principle dwelling or structure. A sea container is not permitted on a vacant lot with the exception of the MX zone (Section 3.1[j]).</p> <ul style="list-style-type: none"> Sea containers shall not be used for human habitation or storage of goods and materials whether or not the same is mounted on wheels other than a dwelling unit erected and used in accordance with this by-law and the Ontario Building Code (Section 3.38).
Huntsville	2009	Shipping Container	N/A	N/A	N/A	<ul style="list-style-type: none"> Shipping container shall not be used as part of a self-storage facility (Section 2.156).
Kitchener	2019	Shipping Container	A vessel commonly or specifically designed for transportation of freight goods or commodities and shall include cargo containers and truck trailers.	0.6 metres from street line.	N/A	<ul style="list-style-type: none"> A shipping container shall not be located on a lot in a residential zone (Section 4.15.8[a]). A shipping container may be permitted on a driveway within a residential zone for a period not exceeding 30 days in any given year, provided that it is not located within or blocking access to a required parking space and is located a minimum of 0.6 metres from a street line (Section 4.15.8[b]). Where a shipping container is converted and used as a construction material for a residential dwelling subject to the Ontario Building Code, it is a

						building (Section 4.15.8[c]).
Lake of Bays	2004	N/A	N/A	N/A	N/A	<ul style="list-style-type: none"> • City does not regulate shipping containers. • Temporary structures/trailers are permitted in construction zones for as long as necessary for the work in progress, but must be removed when the work is completed or abandoned (Section 4.68).
London	2011	Shipping Container	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.	As per underlying zone.	6.0 metres in length, 2.4 metres in width, 2.6 metres in height; 12.1 metres in length, 2.4 metres in width, 2.6 metres in	<ul style="list-style-type: none"> • Building Additions (Section 4.4) <ul style="list-style-type: none"> ○ Where a shipping container or trailer 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 is to be used as additional floor space (or permanent storage) to an existing establishment in any multi-family or non-residential zone, the following regulations shall apply: 1) the location, floor area, setbacks and all other regulations of the underlying zone shall apply; 2) it shall only be

					height.	<p>permitted in the rear yard; 3) the installation is subject to Site Plan Control; and, 4) no more than 2 shipping containers or trailers not exceeding 6.0 metres or one (1) shipping container or trailer not exceeding 12.1 metres shall be permitted per property.</p> <ul style="list-style-type: none"> • Temporary Structures Residential (Section 4.5[1]) <ul style="list-style-type: none"> ○ Max time period of 2 months within a calendar year for the purpose of moving/relocating. ○ Maximum of 4 months within a calendar year for the purpose of building relocation. ○ Max of 2 shipping containers not exceeding 6.0 metres in length. • Temporary Structures Non-Residential (Section 4.5[2]) <ul style="list-style-type: none"> ○ Max time period of 4 months within a calendar year. ○ Setbacks as per underlying zone. ○ Gross floor area does not require additional on-site parking.
--	--	--	--	--	---------	--

						<ul style="list-style-type: none"> ○ Max of 2 shipping containers or trailers not exceeding 6.0 metres in length, or 1 shipping container or trailer not exceeding 12.1 metres in length.
Milton	2014 Urban zoning, 2008 Rural zoning	Shipping Container	An article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but not limited to, intermodal shipping containers, body of transport trailer or straight truck box. Does not include motor vehicle (same for both by-laws).	Rear yard only, 30 metres from any street line.	3 metres height, 16.76 metres length.	<ul style="list-style-type: none"> ● Unless otherwise specified, shipping containers shall only be permitted in a M2 zone and shall: only be permitted as an accessory use to a non-residential use on a lot where a principle building exists; only be permitted for accessory storage purposes; be screened from view from the street and abutting properties zones as residential, institutional, or natural heritage; not be located in a required parking area or encroach on into a required landscape buffer; not be placed for the purpose of displaying or advertising; and not be used for the purpose of a commercial storage facility (Section 4.17). ● A shipping container is permitted in the driveway of a residential property for the purpose of temporary loading/unloading of household items during the process of moving, and shall not

						<p>exceed a period of five days provided it does not exceed a maximum height of 3.0 metres and a maximum length of 6.1 metres. In no case shall it encroach onto a public sidewalk; be located closer than 0.3 metres from the back of the curb where no sidewalk exists; or, create a site line obstruction (Section 4.20.2.7).</p> <ul style="list-style-type: none"> • A shipping container is permitted on a construction site in any zone being developed for the purpose of temporary storage of equipment/materials incidental to construction only and meet the following requirements: does not exceed 3.0 metres in height/16.76 metres length; not exceed 6 in number; and shall be removed within 60 days of completing work (Section 4.20.2.7). • Section numbers for urban bylaw.
Mississauga	2007	N/A	N/A	N/A	N/A	<ul style="list-style-type: none"> • City does not regulate shipping containers for either a dwelling or accessory structure. • While shipping containers are not specifically prohibited, accessory buildings have a maximum size of 10 metres² which would be much smaller than the dimensions of a shipping container.

Norfolk County	2017	Shipping Container	A container or standardized transportation box with strength suitable to withstand repeated use for shipment, storage, and handling via multiple modes of sea and ground transportation including freight, rail, road, and water.	N/A	N/A	<ul style="list-style-type: none"> • A shipping container shall be permitted in all industrial and institutional zones. As well as the CBD, CSC, CS, CHA, CR, CM, and A zones as accessory to a permitted use. • A shipping container placed on a property shall be considered a structure and, except within the agricultural zone, shall be subject to site plan control. • A shipping container may be permitted on a temporary basis on a property in any zone, as a temporary storage unit for moving/renovation purposes, subject to a timeframe of 1 month in a residential zone and 4 months in a commercial zone (within a calendar year). • Section 3.39
North Bay	2015	Freight Container	Standardized reusable steel box that is generally associated with the overseas shipping industry.	N/A	N/A	<ul style="list-style-type: none"> • Permitted for temporary construction uses provided that they are used only as long as necessary for work in progress and are removed when the associated work is terminated (Section 3.19). • Permitted in any industrial, commercial, institutional and open space zone and subject to the provisions of this by-law for the main building (Section 3.25).

						<ul style="list-style-type: none"> • Prohibited in residential zones, except in accordance with temporary construction provisions or in accordance with the issuance of a building permit required in conjunction with a main building for a period not to exceed 12 consecutive months (Section 3.25.3). • Empty freight containers are permitted to be stacked one on top of the other to a maximum height of 2 (Section 3.25.4). • Refrigerated/heated freight containers shall not be located in any yard adjacent to a residential use (Section 3.25.5). • Freight containers shall not be used for extra work space, office space, or any other use other than storage (3.25.6). • Permitted to be used as part of a seasonal garden centre in any commercial/industrial zone and are subject to the regulations of that zone (3.26.3).
Oakville	2014	Shipping Container	An article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods	N/A	N/A	<ul style="list-style-type: none"> • Shall only be permitted on a lot where outside storage is a permitted use. • Shall only be used as a building in conjunction with the following uses: manufacturing; transportation terminal; and

			by one or more means of transportation and includes intermodal containers, bodies of transport trucks, or straight truck boxes.			<p>warehousing.</p> <ul style="list-style-type: none"> Section 4.22
Orillia	2014	Shipping Container	An article of transportation equipment that is specifically designed or used to carry goods or freight on a truck, train, or boat for use in intermodal shipping.	10.0 metres from the boundary of residential or institutional zones.	4.5 metres in height.	<ul style="list-style-type: none"> Prohibited for human habitation (Section 5.29[c]). Prohibited for storage, unless specifically permitted elsewhere in the by-law (Section 5.29[m]). Shall only be permitted accessory to a permitted light, medium, and/or heavy industry use and shall comply with the provisions of the applicable zone and outdoor storage regulations. Notwithstanding above, shipping containers may be used as structural components of a building provided: a roof that is finished with shingles, tiles, or other similar materials is added; and cladding is applied to all exterior faces (Section 5.36).
Ottawa	2008	Shipping Container	N/A	N/A	N/A	<ul style="list-style-type: none"> An unmodified shipping container is a prohibited accessory building, except as temporary use, in R1, R2, R3, R4, and R5 zones (Section 55[11]).
Peterborough	1997	N/A	N/A	N/A	N/A	<ul style="list-style-type: none"> City does not regulate shipping containers.
Port Hope	2010	Shipping Container	N/A	N/A	N/A	<ul style="list-style-type: none"> Shipping containers shall not be placed or used on any lot in a

						residential, commercial, or service employment zone and shall only be located on a lot as an accessory structure used in conjunction with a permitted agricultural use or transport terminal (Section 4.1.3).
Prescott	2009	N/A	N/A	N/A	N/A	<ul style="list-style-type: none"> • City does not regulate shipping containers.
Prince Edward County	2006	Shipping Container	N/A	N/A	N/A	<ul style="list-style-type: none"> • Open storage of goods and materials, including shipping containers, shall: not be permitted in the front yard or the exterior side yard; and be enclosed by an opaque fence/wall that is a minimum of 2.0 metres in height, where such storage is located within 10.0 metres of a residential, institutional, open space, or future development zone (Section 24.6.20.4).
Quinte West	2014	Shipping Container	Any container that was used for the transport of goods by means of rail, truck or by sea that is strong enough to be suitable for the repeated use and includes but is not limited to intermodal shipping containers, the body of a transport trailer or a straight body truck.	N/A	3.0 metres in height, 6.0 metres in length (temp. residential	<ul style="list-style-type: none"> • Shipping containers may be used as an accessory structure for storage purposes in the agricultural, rural, commercial rural, and industrial zones provided the following provisions are met (Section 4.31): <ul style="list-style-type: none"> ○ Required to meet the regulations for permitted use. ○ Not permitted in a residential zone except on

						<p>a temporary basis for moving purposes for a period not to exceed 7 days and during construction (with issuance of a permit).</p> <ul style="list-style-type: none"> ○ Shall be accessory use to the main permitted use of the property and comply with the Building Code Act. ○ Shall only be permitted in a rear yard and shall not be permitted in a parking area. ○ Shall be screen from the road frontage and adjacent buildings. ○ Not permitted on properties adjacent to residential uses or lands zoned for residential use or a community facility or open space. ○ Permitted in industrial, rural, rural commercial, and agriculture zones as accessory provided the minimum lot area is 0.4ha, max shipping container area of 51 metres², and a max of 1 shipping container per 0.4ha lot area to a max of 4
--	--	--	--	--	--	--

						containers.
St. Catharine's	2013	N/A	N/A	N/A	N/A	<ul style="list-style-type: none"> • City does not regulate shipping containers.
Toronto	2013	N/A	N/A	N/A	N/A	<ul style="list-style-type: none"> • City does not regulate shipping containers. • Open storage defined as the use of premises for keeping or storing goods, commodities, containers, or equipment other than in a wholly enclosed building.
Waterloo	2018	Metal Container	A metal vessel commonly or initially designed for the transportation of freight goods or commodities and shall include but not limited to a shipping container, cargo container, and truck trailer.	5.0 metres from a street line, 0.6 metres from an interior lot line	N/A	<ul style="list-style-type: none"> • A metal container used for the permanent or temporary shelter, accommodation, or enclosure of persons, animals, or chattels shall be deemed a building (Section 3.B.5.1). • A metal container shall not be used for human habitation. • Shall not be places on a required parking space, drive aisle, landscaped open space, landscaped buffer, or daylight triangle. This regulation shall not apply to a metal container on a driveway of a residential lot used for the purpose of loading/unloading household items during the process of moving. • Temporary storage shall be permitted for 30 consecutive days in corridor commercial zones, 180 consecutive days in flexible industrial zones (screened from

						<p>viewing), 21 days on a residential lot.</p> <ul style="list-style-type: none"> • Shall be permitted on a lot during construction or temporary contractor office provided it is removed within 30 days of completing the building permit. • May be used as a temporary pop-up commercial establishment, temporary sales centre, or community centre/community workshop provided that: the metal containers shall for 1 building, the commercial use is permitted in the zoning applied to the lot, the temporary time periods reflect those aforementioned, the owner shall obtain a zoning certificate, a minimum of three parking spaces shall be provided for the metal containers, and the metal containers shall be located on the lot in accordance with the site plan approved by the director. • Section 3.M.3
Welland	2017	Sea Can Container	N/A	N/A	N/A	<ul style="list-style-type: none"> • Accessory use of a sea can container is not permitted in any zone other than industrial (Section 5.3.1).