

Existing Regulation	Proposed Regulation	Rational
Section 2: Definitions		
HOMES FOR SPECIAL CARE means a building that is licensed or funded under an Act of the Parliament of Canada or the Province of Ontario for the accommodation of persons exclusive of staff, living under supervision and who, by reason of their emotional, mental, social or physical condition or legal status require a group living arrangement for their well-being, but does not include a place maintained and operated primarily for the care of or occupation by inmates or persons placed on probation or released on parole or for any other correctional purpose.	ADDITIONAL NEEDS HOUSING means additional needs housing as defined by the Provincial Planning Statement. From PPS: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of <i>additional needs housing</i> may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.	The definition has been updated to align with the Provincial Planning Statement, ensuring that if changes are made to the PPS, the Town's definition will not require an update.
DWELLING, SECOND UNIT means a dwelling unit that is secondary to a single detached dwelling, semi-detached dwelling unit or townhouse dwelling unit, and is maintained as a self-contained unit with food preparation and sanitary facilities, and in accordance with the provisions of this By-law. A Second Dwelling unit can be contained within the principal dwelling unit and/or as a detached accessory structure.	ADDITIONAL RESIDENTIAL UNIT (ARU) means self-contained units with kitchen and bathroom facilities and sleeping area(s) located within a primary dwelling or within an accessory structure that is detached from the primary dwelling.	This definition has been updated to reflect current Provincial terminology and best practices.

AGRICULTURAL USE means the use of land, buildings or structures for the growing of crops including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures including, but not limited to, livestock facilities, manure storages, value-retaining facilities and includes a farm dwelling and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.	AGRICULTURAL USE means agricultural use as defined in the Provincial Planning Statement. From PPS: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and housing for farm workers, when the size and nature of the operation requires additional employment.	The definition has been updated to align with the Provincial Planning Statement, ensuring that if changes are made to the PPS, the Town's definition will not require an update.
AGRI-TOURISM/VALUE-ADDED USE means the use of land, buildings or structures for uses accessory to the principal agricultural use of the lot, which are conducted for gain or profit to support, promote and sustain the viability of the agricultural use. These uses include, but are not limited to, agricultural education and research facilities, farm markets and the retail sale of farm produce, pick-your-own facilities, farm mazes, special event facilities related to farming, and value-added assembly, fabrication, processing, packing, or storage operations.	AGRI-TOURISM USE means agri-tourism uses as defined in the Provincial Planning Statement. From PPS: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.	The definition has been updated to align with the Provincial Planning Statement, ensuring that if changes are made to the PPS, the Town's definition will not require an update.

AGRICULTURE-RELATED USE means Those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.	AGRICULTURE-RELATED USE means agriculture-related use as defined in the Provincial Planning Statement	The definition has been updated to align with the Provincial Planning Statement, ensuring that if changes are made to the PPS, the Town's definition will not require an update.
HEIGHT means the vertical distance measured from the average finished grade level to the highest point of the roof surface.	BUILDING HEIGHT or HEIGHT means, in the case of the building or structure on the lot, the vertical distance between the average finished grade and: a) The highest point of the roof surface of a flat roof; b) The highest point of the decline of a mansard roof; c) The mean level between the eaves and the peak of a gable, hip, gambrel, cottage roof, or similar; d) 60% of the vertical distance to the highest point of a building or structure where the transition between wall and roof is undefined, such as in a quonset hut or inflatable structure; or e) In the case of a platform structure, the vertical distance to the highest point of the surface of the platform floor.	Updated definition provides greater clarity.
HOBBY FARM means a small-scale agricultural use located in the rear of a lot and comprised of up to 5 domestic livestock and up to 20 fowl for	HOBBY FARM means a small-scale agricultural use located in the rear of a lot and comprised of up to 5 domestic livestock and up to 20 fowl for recreational purposes or for	Outdated term - to be regulated via MDS.

recreational purposes or for personal consumption by the occupants of a dwelling unit on the same lot.	personal consumption by the occupants of a dwelling unit on the same lot.	
DEVELOPABLE LAND AREA No current definition	DEVELOPABLE LAND AREA means the area of a property, less the area occupied by natural heritage features and any related buffers.	Proposed new definition to be in keeping with the Greenbelt Plan.
DISTURBED AREA No current definition	DISTURBED AREA means the total area of the property covered by buildings, structures, driveways and septic areas.	New definition to provide greater clarity.
DRIVEWAY means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but does not include a parking aisle.	DRIVEWAY means a defined area providing access for motor vehicles from a public or private street or a lane to facilities such as a parking area, parking lot, loading space, private garage, building or structure, but does not include a parking area.	Updated definition to provide greater clarity.
FINISHED GRADE means when used in reference to a building or structure, the average elevation of the finished surface of the ground adjoining the base of the longest exterior wall of such building or, where there are two or more such walls, the exterior wall having the lowest average elevation, exclusive of any artificial embankment at the base of such structure	FINISHED GRADE means the average elevation of the finished surface of the ground at the base of the outside walls of a building or structure. For a sloping lot, the grade shall be calculated as the average of the finished ground level at all four corners of the building or structure.	Updated definition to provide greater clarity.
FLOOR AREA means the area of the floor surface of a storey or part thereof.	FLOOR AREA means the total area of the floor in a building measured to the outside of all exterior walls or the centre of common walls,	Consolidated and updated the definition to provide clarity.

FLOOR AREA, DWELLING UNIT means the aggregate of the floor areas of all habitable rooms in a dwelling unit, excluding the thickness of any exterior walls. FLOOR AREA, GROUND means the floor area of the first storey of a building.	excluding any basement, garage, carport and unenclosed porch. A basement associated with a restaurant use, used for storage purposes, shall not be included in the calculation of permitted floor area. For accessory buildings or structures, floor area means the total area of all floors measured to the outside of all exterior walls.	
FLOOR AREA, GROSS means the aggregate of the floor areas of all storeys of a building or structure other than a private garage, an attic or a basement or cellar not used for commercial purposes.	FLOOR AREA, GROSS means the total area of each floor of a building, whether located above, at or below grade, as measured from the exterior face of outside walls, or from the centre line of any common walls. When calculating gross floor area, it shall be deemed to include: a) Any storey or interior space having a height or 1.5 m or greater; b) Any interior area used for vehicle parking, such as a garage; and c) Any exterior area or structures that are used accessory to or for the same purpose as the principal building.	Updated definition to provide greater clarity.
FLOOR AREA, GROSS LEASABLE means the total of all floor areas of a building(s) or structure(s) which is used for any permitted non-residential use measured from the interior surface of the exterior walls, including basements, but excluding the following: a) Any area not capable of being used for any permitted non-residential use	FLOOR AREA, LEASABLE means the aggregate area of all floors in a building measured from the centre line of the joint interior partitions and from the exteriors of outside walls, and used or capable of being used for commercial purposes such as sales, display, storage and offices. Leasable floor area shall not include floor space used in common such as:	Updated definition to provide greater clarity.

which area may include, without restricting the generality of the foregoing, public washrooms, public corridors, utility rooms, utility and service corridors, loading areas, and parking areas provided in a building. b) Areas to which the public cannot nor does not have access to. c) Areas used for no other purpose than the storage of goods, fixtures and equipment.	a) Parking areas; b) Mechanical room, boiler room, maintenance room, or electrical or utility room; c) Common hallways, stairways; d) Elevators and associated equipment; e) Washrooms; f) Foyers, lobbies but not waiting areas/rooms; g) A storey having a height of 1.8 m or less.	
FOOD VEHICLE	FOOD TRUCK means any motorized vehicle, trailer, cart, or other portable unit that is designed, equipped or used for the preparation, sale or distribution of food or beverages for immediate consumption. The term includes, but is not limited to: a) mobile food trucks — self-contained motorized units equipped for food preparation and sales; b) concession trailers — towable units without independent motive power; and c) mobile food carts/kiosks — non-motorized movable units. A food truck does not include a fixed building or other permanent structure used as a restaurant, café, or other fixed food service establishment.	Updated for clarity.

HOOP HOUSE means a temporary, unheated building used for the winter protection of plants, which is: a) Placed on the surface of the ground and has no permanent foundation; and b) The sides and/or roof of which is in place for less than six months of the year. For the purposes of this By-law, a hoop house shall not be included in the calculation of maximum lot coverage.	HOOP HOUSE means a temporary covered unheated structure used for the winter protection of nursery stock, which is: a) placed on the surface of the ground and has no permanent foundation; b) not heated; and c) the sides and/or roof of which is in place for less than six months of the year. For the purposes of this By-law, a hoop house shall not be included in the calculation of maximum coverage.	
INDIVIDUAL ON-SITE SEWAGE SERVICES No current definition.	INDIVIDUAL ON-SITE SEWAGE SERVICES means individual on-site sewage services as defined by the Provincial Planning Statement. From PPS: means sewage systems, as defined in O. Reg. 332/12 under the <i>Building Code Act, 1992</i>, that are owned, operated and managed by the owner of the property upon which the system is located.	The definition has been included to align with the Provincial Planning Statement, ensuring that if changes are made to the PPS, the Town's definition will not require an update.
INDIVIDUAL ON-SITE WATER SERVICES No current definition	INDIVIDUAL ON-SITE WATER SERVICES means individual on-site water services as defined by the Provincial Planning Statement. From PPS: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.	The definition has been included to align with the Provincial Planning Statement, ensuring that if changes are made to the PPS, the Town's definition will not require an update.

INSTITUTIONAL USE means the use of land, buildings or structures for religious, charitable, educational, health or welfare purposes and without limiting the generality of the foregoing, may include churches, places of worship, public or private schools, public or private hospitals, community centres, government buildings, children's residences, adult daycare or respite care and homes for special care.	INSTITUTIONAL USE means government buildings, hospitals, schools, churches and cemeteries.	Updated to align with the policies of the PPS.
LOT COVERAGE means the percentage of the lot area covered by all buildings and structures, but not including an in-ground pool.	LOT COVERAGE means the percentage of the lot area of a lot covered by all buildings and structures, excluding balconies, canopies and overhanging eaves which are two (2) metres or more in height above finished grade. For the purpose of this definition, a deck attached to a building greater than 0.6m above grade and a covered porch shall be considered in the calculation of lot coverage. Patios and in-ground pools shall not be included within the lot coverage calculation.	Updated for clarity and to address decks that are lower than 0.6m above grade.
PRE-FABRICATED SHIPPING CONTAINER means a metal container designed and utilized to ship freight, but does not include a truck body, truck trailer or transport trailer.	PRE-FABRICATED SHIPPING CONTAINER means a standardized storage structure, or similar, which is typically used for intermodal freight transport.	Updated for clarity
SETBACK means the shortest distance from a building/structure to a lot line.	SETBACK means the shortest distance from a building or structure to a lot line or an Environmental Protection Zone boundary.	Updated to include EP boundary information.

STREET LINE means the limit of a street or road allowance and is the dividing line between and lot and a street or road.	STREET LINE means a lot line of a lot adjoining a street.	
STOREY means that portion of a building other than an attic, one-half storey, basement or cellar, included between the surface of any floor and the surface of the floor, roof deck or deck ridge next above it.	STOREY means a horizontal division of a building from a floor to the ceiling directly above such floor, and includes an attic or a basement, but does not include any mezzanine, gallery, balcony or other overhang.	Updated for clarification.
VEHICLE FUEL STATION (GAS BAR) means the use of land, buildings or structures where automotive fuels and accessories are sold at retail and may include a convenience store as an accessory use.	VEHICLE FUEL STATION means the use of land, buildings or structures where automotive fuels and accessories are sold at retail, including electric vehicle charging stations , and may include a convenience store as an accessory use.	Updated to include EV charging stations as a permitted use within the context of a gas station.
YARD means an open, uncovered space on a lot appurtenant to a main building or structure and unoccupied by any building or structure except as specifically permitted in this By-law. In determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used. YARD, FRONT means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot.	YARD means an area of land which is open, uncovered, unoccupied and is appurtenant to, and located on the same lot as a building, structure or excavation. In determining yard measurements, the minimum horizontal distance from the respective lot lines to the nearest part of the building shall be used. a) Front Yard means a yard extending across the full width of a lot between the front lot line and the nearest part of any building or structure on such lot. b) Rear Yard means a yard extending across the full width of a lot between the rear lot line	Updated under one definition for each yard, and introduces a definition for the exterior side yard

YARD, INTERIOR SIDE means a side yard, other than an exterior side yard. YARD REAR means the yard extending across the full width of the lot between the rear lot line of the lot and the nearest wall of any principal building or structure on the lot.	or, where there is no rear lot line, the junction point of the side lot lines, and the nearest part of any building or structure on such lot. c) Side Yard means a yard extending from the front yard to the rear yard between the side lot lines and the nearest part of any building or structure on such lot. d) Exterior Side Yard means a side yard immediately adjoining a street or abutting a 0.3 meter reserve on the opposite side of which a street is located. e) Interior Side Yard means a side yard other than an exterior side yard.	
Section 3: General Provisions		
3.2.1 Agriculture Related Uses Agriculture-related uses may only be permitted in accordance with the provisions of Section 5, the Rural/Agricultural Zones and in accordance with the following: a) The use shall be conducted entirely within a detached accessory building in conjunction with an operational farm; b) Only one agriculture-related use is permitted on one lot;	3.2.1 Agriculture Related Uses Agriculture-related uses to principal farming operations may be permitted subject to the following provisions: a) The maximum combined area of all agriculture-related uses and on-farm diversified uses on a lot is 1 hectare; b) The minimum lot area for an agriculture-related use is as per the applicable zone; c) If there is more than one agriculture-related use or on-farm diversified use on a lot, the combined area of all agriculture-related and	Updated to reflect newer best practices and provincial policy direction.

c) Ancillary retail/commercial sales and service activities shall be limited to the lesser of 50m² or a maximum of 10% of the gross floor area of the building; d) All buildings related to the use shall be located within a cluster of existing buildings; e) The minimum lot area shall be 1.0ha; f) The minimum lot frontage shall be 150m; g) The use and all associated facilities including parking areas shall not exceed a maximum area of 0.4ha; h) The maximum combined total floor area of the building utilized for the agriculture-related use shall be 250m²; i) The maximum area that may be utilized for open storage shall be 200m² and no more than one area of open storage shall be permitted; j) The area utilised for open storage shall be screened from the view of a public road; k) The use shall comply with the applicable noise emission standards of the Ministry of the Environment and Climate Change and where necessary,	on-farm diversified uses is included in the total; d) The maximum area of agriculture-related uses includes any buildings, structures, outdoor storage areas, parking areas and individual on-site sewage and individual on-site water services that are associated with the use; and e) The agriculture-related use shall be secondary to the principal farm operation on the subject lands.	
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acoustic fencing, berms or other mitigation measures shall be provided to ensure that off-site sound levels generated by the use meet those standards; l) There shall be no external advertising other than a sign erected in accordance with the Town of Pelham Sign By-law; m) The use shall comply with the parking and loading requirements of Section 4; and n) Site Plan Control shall apply to any development.		
3.2.2 On-Farm Diversified Uses On-farm diversified uses, including agritourism/value added uses, may only be permitted in accordance with the provisions of Section 5, the Rural/Agricultural Zones, and in accordance with the following: a) The use shall accessory and directly related to the existing permitted agricultural use(s) on the lot and shall primarily serve the existing permitted agricultural use(s) on the lot and the existing permitted agricultural use(s) on surrounding lots in the area;	3.2.2 On-Farm Diversified Uses On-farm diversified uses are subject to the following provisions: a) An on-farm diversified use is permitted if the principal use of the lot is agricultural; b) On-farm diversified uses are limited to 2% of the total lot area, to a maximum of 1 hectare; c) the area of on-farm diversified uses on a lot includes: i) The total area of buildings, structures and outdoor storage associated with home-based businesses;	Updated to reflect newer best practices and provincial policy direction.

b) On-farm diversified uses that involve value-added packaging, processing, sale and/or storage of products shall be limited to products produced by, or derived from, the principal agricultural use(s) on the lot as the primary source of the majority of the product, and may include product sourced from agricultural uses on surrounding lots in the area as a secondary source of product;

c) A maximum of three on-farm diversified uses shall be permitted on a lot;

d) All buildings related to the use shall be located within a cluster of existing buildings;

e) The area of the lot permanently, temporarily or seasonally devoted to on-farm diversified uses shall not exceed 2% of the total lot area to a maximum of 1 hectare, including the area of existing and new buildings and structures, required parking and loading areas, outside display and sales areas, outside storage areas and any other areas of the lot used for the on-farm diversified use, excluding existing driveways shared with a permitted principal use on the lot and areas that produce a harvestable crop;

ii) The total area of buildings and structures built after [Date of Passing of the Housekeeping By-law] associated with the on-farm diversified use;

iii) 50% of the area of buildings or structures built prior to [Date of Passing of Housekeeping By-law] that have been converted to an on-farm diversified use;

iv) The area of laneways and individual on-site sewage systems that were developed on or after [Date of passing of Housekeeping Bylaw];

v) Parking areas, outdoor storage areas, and landscaped areas that are associated with an on-farm diversified use;

vi) Despite the above, the area of agri-tourism uses associated with activities such as wagon rides or corn mazes on lands producing harvestable crops are not included in the area calculations;

d) The total floor area occupied by on-farm diversified uses may not exceed 20% of the total land area permitted for on-farm diversified uses on the lot, to a maximum of 600 square metres (except where otherwise stated);

f) Production lands which are used for the growing of crops and simultaneously used as part of the activity area shall not be included in the calculation of the 2% noted in 3.2.2 e); g) The total gross floor area that is permanently, temporarily or seasonally devoted to on-farm diversified uses shall not exceed 500m² including the gross floor areas used within all main buildings or structures, and accessory buildings or structures on the lot; h) Accessory buildings or structures that are used for on-farm diversified used shall comply with the requirements of Section 3.1; i) Main buildings or structures that are used for on-farm diversified uses shall comply with the regulations of the applicable zone; j) The total lot coverage for all main buildings or structures and accessory buildings or structures shall not exceed the maximum lot coverage of the applicable zone; k) Retail sales that form part of the on-farm diversified uses shall be subject to the following:	i) The total floor area occupied by on-farm diversified uses, limited to place of assembly, instructional facility and restaurant uses, whether located in new or existing buildings, may not exceed 150 square metres; ii) The total cumulative floor area of all on-farm diversified uses on a lot may not exceed 600 square metres, with a maximum of 300 square metres for floor area built after [Date of Passing of Houskeeping By-law]; iii) Floor area used for processing that may incorporate inputs grown off-site does not need to be counted towards the maximum total floor area and is subject only to the maximum areas under b) above. e) Any outdoor storage or parking areas associated with an on-farm diversified use must be screened from view from a public street or a residential use on an abutting lot. f) Outdoor storage areas and parking areas associated with an on-farm diversified use must not be located within 10 metres of any lot line.	
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i. The gross floor area devoted to retail sales shall not exceed 50% of the gross floor area of all buildings and structures used in conjunction with the on-farm diversified uses, to a maximum of 200m² of gross floor area for retail use; ii. The gross floor area devoted to retail sale of products that are not produced on, or derived from, agricultural products produced on the lot shall not exceed 25% of the gross floor area of all buildings and structures uses in conjunction with the on-farm diversified use(s); iii. A maximum of one retail outlet shall be permitted on a lot; iv. The maximum area of the lot permitted to be used for outside display and sales areas shall be 25m² and shall not be counted as part of the maximum gross floor area permitted for retail use; v. Outside display and sales areas shall be setback a minimum of 3.0m to all lot lines; and	g) Maximum number of heavy vehicles, including recreational vehicles, associated with an on-farm diversified use: 3 h) Required parking is as identified under Section 4 for the use proposed. i) Every effort should be made to cluster on-farm diversified uses, make use of existing laneways, and locate on areas of poorer soil.	
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vi. Outside display and sales areas and any related structures shall not exceed a maximum height of 3.0m. l) Outside storage for purposes other than outside display and sales areas on the lot shall be located in a rear yard or side yard and screened from view from public streets and adjacent lots by planting strips in accordance with Section 3.16, and shall comply with the regulations of the applicable zone; o) There shall be no external advertising other than a sign erected in accordance with the Town of Pelham Sign By-law; m) Comply with the parking and loading requirements of Section 4; and n) Site Plan Control shall apply.		
3.7 Encroachments Does not include window wells.	3.7 Encroachments Updated to include window wells, which are permitted to encroach no more than 0.5m into the required yard, in any yard.	Updated based on feedback from developers and homeowners and is in keeping with the intent of the encroachment section.

3.8 Established Building Line Within any zone where a permitted building or structure is to be erected on a lot located between two adjacent lots on which existing buildings are located not more than 30 metres apart, such permitted building to structure may be erected closer to the street line than required by this By-law, provided that the front yard setback of the proposed building or structure has a depth at least as great as the average depth of the front yards of said adjacent buildings and structures	3.8 Established Building Line Unless permitted under Section 3.20, Non-Conforming Uses, the minimum setback required for a building or structure on a lot that is situated between two adjacent lots on which are located existing buildings not more than 90 metres apart shall be the average of the established building lines on the said adjacent lots, provided that no setback requirement calculated in accordance with this Clause shall exceed the applicable setbacks required by the appropriate Zone provisions.	Updated for clarification.
3.9 Food Vehicles Where food vehicles are permitted by this By-law, the following provisions shall apply: a) Every food vehicle shall operate in accordance with the regulations for the zone in which the food vehicle is located; b) No food vehicle shall occupy a designated barrier-free parking space; c) No portion of a food vehicle shall be located within a Fire Route designated in accordance with the Fire Code or a Town By-law;	3.9 Food Trucks Renamed to reflect current terminology and updated to identify where they are permitted to be located. Food trucks are permitted in all Commercial Zones within the Town, and the following provisions shall apply: a) A food truck shall operate in accordance with the regulations for the zone in which the food truck is located; b) A food truck shall comply with the regulations of the Town's licensing by-law;	Renamed to reflect current terminology and updated to identify where they are permitted to be located. The new proposed regulations have the same intent, but wording has been cleaned up for better interpretation and understanding.

d) No portion of a food vehicle shall be located within any daylighting triangle; e) Where required by the laws and regulations of the Province and Town By-laws, approval shall be obtained from the Regional Public Health Department, the Technical Standards and Safety Authority, and the Town Fire Department, as applicable to operate a food vehicle in any zone.	c) The location of a food truck shall not diminish the minimum number of required off-street parking spaces for all of the uses situated on the lot and will not occupy a designated barrier-free parking space; d) No off-street parking spaces are required for a food truck; e) No portion of a food truck shall be located within a Fire Route designated in accordance with the Fire Code or a Town By-law, or within any daylighting triangle; and f) Where required by the laws and regulations of the Province, Region of Niagara and Town of Pelham, approval shall be obtained from the appropriate Regional Public Health Department, the Technical Standards and Safety Authority and the Town of Pelham Fire Department in order to operate a food truck within the Town. Notwithstanding any other provision of this By-Law, mobile refreshment carts may be permitted in public parks.	
3.11 Homes for Special Care Where a home fore special care is permitted, it shall be subject to the requirements of the zone in which it is located, and the following:	3.11 Additional Needs Housing a) Additional needs housing refers to supportive and specialized housing options for individuals with disabilities (developmental, psychiatric, physical), mental health challenges, or other needs who require assistance to maintain independent living;	Replaces Homes for Special Care as the province has identified an updated definition. This type of housing is permitted in any zone subject to the applicable zoning regulations.

a) Parking shall be provided in accordance with Section 4; b) The home for special care shall comprise the sole use of the dwelling; c) The home for special care shall be subject to Provincial approval or licensing may be required; d) The maximum number of residents permitted in a home for special care shall be 10 residents, excluding staff or the receiving family; and e) The minimum floor area per home for special care shall be 100m²	b) Additional needs housing is permitted in all zones, subject to the applicable zoning regulations; and c) Parking shall be provided in accordance with Section 4.	These options range from affordable housing with onsite support services and community integration to more intensive residential care and family-based programs, connecting residents with resources and empowering them to live meaningful lives.
3.13.1 Home Occupations Where a home occupation is permitted in a Zone, the following provisions shall apply: a) Not more than one employee, in addition to the residents of the dwelling unit, shall be engaged in the business; b) Any dwelling unit containing a home occupation shall be occupied as a residence by the operator of the business; c) The use is entirely restricted to the dwelling unit and shall not be conducted	3.13.1 Home Occupations A home occupation shall be permitted in any zone, only as an accessory use to a residential use, in accordance with the following provisions: a) The residential appearance and character of the dwelling and the lot shall be maintained and no exterior alteration shall be made to the dwelling which would indicate that any part of the premises is being used for any purpose other than that of a residential dwelling. b) A home occupation shall be clearly secondary and incidental to a dwelling	Updated to reflect best practices and to include the ability to utilize a detached structure or garage for a home occupation. The new proposed regulations have the same intent, but wording has been cleaned up for better interpretation and understanding.

in whole or in part in any accessory building, yard or private garage, except for private home daycare; d) No more than one home occupation shall be permitted in one dwelling; e) The maximum gross floor area dedicated to the home occupation shall be the lesser of 50m² or 25% of the gross floor area of the dwelling, except for a private home daycare; f) There shall be no goods, wares or merchandise offered or exposed for sale or kept for sale on the premises other than those produced on the premises; g) There shall be no outside storage of materials, goods or vehicles in conjunction with the home occupation use; h) Parking shall be provided in accordance with Section 4; i) There shall be no external advertising other than a sign erected in accordance with the Town of Pelham Sign By-law; and j) A home occupation shall not create noise, vibration, fumes, odour, dust,	occupied by the owner or tenant as their main residence. c) A home occupation may be located within a building or structure which is accessory to the main residential or agricultural use. d) Notwithstanding anything in this By-Law to the contrary, a maximum of two home occupations otherwise permitted in this section may be permitted within one dwelling unit provided the two home occupations cumulatively do not exceed the gross floor area requirements for home occupations as set out herein. e) An additional parking space, in accordance with this By-Law, shall be provided for each home occupation in addition to those required by the By-Law for other permitted uses on the lot. f) No more than twenty-five percent (25%) of the gross floor area of the dwelling unit may be devoted to a home occupation use, to a maximum of 50 square metres. g) The gross floor area for the home occupation, if located within an accessory building, shall not exceed 10% of the floor area of the principal building/dwelling or a total of 300 square metres of floor area of the building, whichever is the lesser.	
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glare or radiation that is detectable outside of the dwelling unit.

h) No residential home occupation shall create or become a public nuisance, particularly with regard to noise, odour, fumes, vibration, traffic, emissions or parking nor shall it cause electrical interference or interference with telephone, television, and radio or satellite equipment reception.

i) The home occupation shall not create or become a fire, health or building hazard.

j) Any home occupation in any Urban Residential zone or Non-Urban Residential zone shall not employ anyone at any time.

k) The home occupation shall not involve the use of the premises as a base of operations for people who are employed by or associated with the home occupation, nor shall the premises be used to assemble or rally such people for transportation to a work site.

l) No more than two (2) clients, customers or students shall be serviced at any one time.

m) Open storage or display of merchandise, material or equipment is prohibited.

n) Merchandise may be displayed within the dwelling or accessory building, provided it shall not be visible from outside the dwelling or accessory building where it is displayed.

o) Merchandise, material and equipment shall be stored within an attached or detached

	garage or other accessory building, provided it shall not be visible from outside. p) External advertising is prohibited except in accordance with the Town's Sign By-Law. q) Any gross floor area used for retail sales shall be no more than 10% of the gross floor area of the home occupation and shall generally include goods related to the home occupation or manufactured as part of the home occupation.	
3.13.2 Home Industries No current regulations when an on-farm diversified use exists on the property	3.13.2 Home Industries n) A home industry is not permitted in conjunction with an existing on-farm diversified use.	Updated to indicate that a Home Industry is not applicable if there is an On-Farm Diversified Use already occurring on the same property
3.23 Pre-Fabricated Shipping Containers Pre-fabricated shipping containers and unlicensed trailers shall not be permitted to be used or stored on any lot in a Residential Zone. This provision shall not restrict the use of a pre-fabricated shipping container or unlicensed trailer to be used in a Residential Zone on a temporary basis for the storage of construction materials and equipment for any project	3.23 Pre-Fabricated Shipping Containers The following regulations apply to the storage or use of shipping containers on any lot: a) A shipping container shall be permitted within the following Zones: i) Agricultural (A) Zone; ii) Specialty Agricultural Zone; iii) Rural Employment Zone; iv) Commercial Rural Zone; and v) Mineral Aggregate Resource Zone	Updated for clarification.

undertaken by or on behalf of a public authority or for any construction project for which the Municipality has issued a building permit, provided the container or trailer is removed prior to final inspection.

b) A shipping container for permanent use or storage shall be subject to the following requirements:

- i) The maximum number of shipping containers located on a lot shall not exceed one (1);
- ii) The shipping container shall:
 - Comply with the zone provisions for a principal structure in the applicable zone;
 - Only be used for storage purposes considered accessory to the main use on the lot;
 - Be subject to any requirements of the Ontario Building Code, as amended from time to time; and
 - Require a visual barrier.

c) Notwithstanding the above, a shipping container may be used in any zone for temporary storage purposes related to moving or renovations, subject to the following requirements:

- i) Temporary, for the purpose of these requirements, means a timeframe that does not exceed four months within a calendar year; and

	ii) The shipping container shall meet the regulations for an accessory structure with the applicable zone category.	
3.28.1 Reconstruction, Replacement or Extension of Legal Non-Complying Buildings and Structures No current regulation.	3.28.1 Reconstruction, Replacement or Extension of Legal Non-Complying Buildings and Structures d) The reconstruction or replacement of any building or structure must comply with the regulations of the Ontario Building Code and the Town of Pelham Development Charge By-law in terms of timelines for reconstruction or replacement.	Updated to include a timeframe for reconstruction
3.29 Secondary Dwelling Units 3.29.1 b) 3.29.2 a) i) 3.29.2 b) ii) 3.29.3 a) i) 3.29.3 b) i)	3.29 Additional Residential Units 3.29.1.b) x) Notwithstanding Section X, a detached accessory structure, legally established on or before [Date of Passing of Housekeeping], may contain a detached accessory dwelling unit provided all other provisions are met, and no openings are added to a wall that would not otherwise comply. 3.29.2 a) i) The maximum floor area for the additional residential unit is 112m². 3.29.2 b) ii) The maximum floor area for the additional residential unit is 112m².	-New policy to address permissions to allow ARUs in existing detached structures without the need for a variance for greater flexibility -An increase in the maximum size of an ARU outside of the urban area to 1200 square feet to allow for greater flexibility and potential for larger units outside of the urban area.

	3.29.3 a) i) The maximum floor area for the additional residential unit is 112m². 3.29.3 b) i) The maximum floor area for the additional residential unit is 112m².	
3.34 Swimming Pools b) No water circulating or treatment equipment, such as pumps or filters, shall be located closer than 3.0m to any side lot line, or rear lot line or 1.2m to any side lot line or rear lot line if enclosed in an accessory building or structure or closer to any street than the required yard for the main building or structure.	3.34 Swimming Pools b) No water circulating or treatment equipment such as pumps or filters, but excluding pool heaters, shall be located closer than 3.0m to any side lot line, or rear lot line or 1.2m to any side lot line or rear lot line if enclosed in an accessory building or structure or closer to any street than the required yard for the main building or structure.	Updated to exclude pool heaters from setback requirements.
3.35 Temporary Uses No current regulation for tents.	3.35 Temporary Uses d) A tent, used on a temporary basis, and associated with a special event such as a wedding or private event, is required to maintain a 3.0m minimum setback from all lot lines and is exempt from lot coverage and height requirements of the zoning by-law.	Additional regulations to address larger tents for events like private weddings or parties on a private lot.
3.36 Special Events No current regulations.	3.36 Special Events a) A special event will be required to meet the necessary zone provisions; and	

	b) A special event will be in keeping with the Town's Special Event's By-law, as amended.	
Section 4: Parking		
4.1.1 Parking Requirements Retirement Home/Additional Needs Housing	4.1.1 Parking Requirements 3.5 spaces per 100 square m of GLFA	
4.1.2 Calculation of Required Parking No current regulation to incorporate off-street parking that can be used as required parking for developments.	4.1.2 Calculation of Required Parking d) Parking that is secured off-site can be included in the overall required parking calculation, provided that there is a legal agreement, registered on title, and the removal of spaces from the off-site location does not impede the required spaces from that location for the use.	Updated for flexibility.
4.1.4.3 Driveways No current regulation specific to agricultural properties.	4.1.4.3 Driveways g) For all agricultural uses, a maximum of three driveway entrances with a total combined width of 15m are permitted.	Updated to address driveway entrances in the agricultural area, permitting up to 3 separate entrances with a maximum size.
4.1.4.4 Parking Area and Driveway Surface a) In the Urban Area, a parking area and the driveway(s) connecting the parking area with a street shall be constructed of asphalt, concrete,	4.1.4.4 Parking Area and Driveway Surface a) In the Settlement Area, a parking area and the driveway(s) connecting the parking area with a street shall be constructed of asphalt, concrete, permeable paving or other Low	Updated to include Low Impact Development materials and specify no gravel.

permeable paving, Portland cement, or like materials.	Impact Development materials. The use of gravel is not permitted.	
Section 5: Agricultural		
Section 5.1.6 Section 5.2.6 These sections refer to the zone regulations for commercial greenhouses and hoop houses.	Section 5.1.6 Section 5.2.6 Removal of Hoop Houses from the title New Sections 5.1.7 and 5.2.7 Zone Requirements for Hoop Houses Minimum setback from any yard 3.0m Maximum height 10.0m Hoop houses will not be considered as part of the overall lot coverage. Hoop houses must comply with all applicable requirements of the Ontario Building Code. Current Sections 5.1.7-5.1.12 and 5.2.7-5.2.13 will be renumbered accordingly.	Updated as per discussions with the Agricultural Advisory Committee and the Town's building department to ensure that the zone regulations are fair and equitable for these non-permanent structures.
Section 5.1.2 Zone Requirements for Agricultural Use Minimum Lot Frontage 180.0m or 100.0m for a Hobby Farm Minimum Lot Area 40ha or 2.0ha for a Hobby Farm	Section 5.1.2 Zone Requirements for Agricultural Use Minimum Lot Frontage 180.0m or 100.0m for a Hobby Farm Minimum Lot Area 40ha or 2.0ha for a Hobby Farm	Requirements for a Hobby Farm are captured under the MDS calculations and specific regulations are no longer required.

Section 5.2.13 Exceptions – Greenbelt Natural Heritage System a) Entering into a site plan agreement with the Town to address Section B3.5.4.1 of the Town's Official Plan	Section 5.2.13 Exceptions – Greenbelt Natural Heritage System a) Entering into a site plan agreement with the Town to address Section B3.5.4.1 of the Town's Official Plan Current b) and c) will be renumbered.	The Province no longer permits municipalities to require site plan control in the Greenbelt Natural Heritage System so this requirement has been removed.
Section 6: Residential		
Section 6.1.2 – 6.1.3 Section 6.2.2 – 6.2.4 Section 6.3.2 – 6.3.4 Section 6.4.2 – 6.4.4 Section 6.5.2 Maximum Front Yard – 6.0m	Removal of the requirement for a maximum front yard. Replace with the following: A front-facing attached garage shall be set back at least 1.5m from the front wall of the dwelling.	Updated to offer more flexibility for setbacks, especially for deep lots.
Section 8.1: Village Commercial Zone		
Section 8.1.1 New Uses	Section 8.1.1 t) Vehicle service station u) Vet clinic	Uses are compatible with the other permitted uses, will permit more flexibility within the zone and aligns with the Town Official Plan.
New Sections 8.1.5 and 8.1.6 Zone Regulations for Apartment and Townhouse Dwellings	8.1.5 Zone Requirements for Apartment Dwellings Please refer to Section 6.5.2. 8.1.6 Zone Requirements for Townhouse Dwellings	Specific regulations were not in place, this will ensure development occurs with regard to applicable regulations.

	Please refer to Section 6.4.3 or 6.4.4, depending on the type of Townhouse Dwelling	
Section 8.2: Main Street Commercial Zone		
Main Street Commercial Zone Section 8.2.1 New Uses	Section 8.2.1 t) Vet Clinic	Use is compatible with the other permitted uses, will permit more flexibility within the zone and aligns with the Town Official Plan.
Section 8.4: Downtown Corridor Zone		
Section 8.4.1 New Uses	Section 8.4.1 w) Vehicle service station x) Vet Clinic	Uses are compatible with the other permitted uses, will permit more flexibility within the zone and aligns with the Town Official Plan.
Section 8.4.2 New Sections 8.4.2 Zone Regulations for Apartment Dwellings	Section 8.4.2 Zone Requirements for Apartment Dwellings Please refer to Section 6.5.2.	Specific regulations were not in place; this will ensure that development occurs in accordance with applicable regulations.
Section 9.2: Institutional Zone		
Existing Uses: a) Apartment dwellings	9.2.1 a) Apartment dwellings only when built in conjunction with a permitted institutional use	