

Memorandum

Date: Tuesday, June 18, 2019

To: Members of Council

From: Stephanie McVittie, Senior Development Planner, Community Services

Subject: Equestrian Definitions Contained in the Zoning By-law

This memo is in response to a Notice of Motion brought forward by Council on January 22, 2019, requesting that staff report back on Zoning By-law definitions relating to equestrian uses.

Notice of Motion

On January 22, 2019, a Notice of Motion was brought forward stating that:

Whereas there is a substantial equestrian industry in the Town of Caledon;

And whereas there are no definitions in the Town of Caledon Zoning By-law 2006-50, as amended, dealing with the various land uses and accessory uses associated with the keeping, raising, training and teaching concerning horses;

Now therefore be it resolved that Staff be directed to formulate appropriate zoning definitions for Equestrian Facility, Arena, Stable, Riding Exercise Ring, Riding Trail, Trailer Storage, Riding School and other relevant term associated with an equestrian facility; and

That the definitions be presented to Council at a June 2019 meeting.

Zoning By-laws in Effect

Comprehensive Zoning By-law 2006-50, as amended is in effect for the majority of the lands within the Town; however, there are some properties which are still subject to Comprehensive Zoning By-law 87-250, as amended or two site specific by-laws (87-229 and 88-83). It is also important to note that neither Zoning By-law applies to lands within the Niagara Escarpment Development Control Area, unless the lands are located in the minor urban centres of Terra Cotta, Cheltenham, Inglewood and Mono Mills. As the majority of the lands within the Town are zoned by Zoning By-law 2006-50, as amended, this memo discusses the uses and permissions of Zoning By-law 2006-50, as amended, only.

Zoning By-law Interpretation

Zoning By-law 2006-50, as amended includes defined terms to assist with the administration and interpretation of the Zoning By-law. When reviewing permitted uses in the Zoning By-law, the interpretation has been and continues to be “the term which most closely resembles” the use applied for. The By-law definitions are somewhat broad in nature, and often do not explicitly define all of the components which make up a use, allowing staff to interpret the Zoning By-law and provide some flexibility.

Definitions for Equestrian-Related Uses

Zoning By-law 2006-50, as amended currently contains various definitions which would apply to equestrian-related uses. In defining uses, staff review the details, scale and nature of the operation. Staff summarize various interpretations below which may apply to equestrian-related uses, but it is important to note that there may be cases where proposed development may be unique and may not “fit in the box” as noted below. In these cases, staff work closely with the applicant to identify the uses and associated permissions.

The majority of equestrian-related uses would be categorized as agricultural uses. For an equestrian use to be identified as an agricultural use, the primary use on the property would typically include the permanent breeding, caring and stabling of horses, defined in the Zoning By-law as a “Farm”, “Hobby Farm”, “Animal Agriculture (ORM)”, “Agricultural Uses” and/or “Livestock Facility”.

The Zoning By-law also permits an “Accessory Use” which is “clearly incidental, subordinate in size and exclusively devoted to a main building or main use and located on the same lot...”. These uses are permitted in any zone without being explicitly defined with the exception of the following: a “Livestock Facility”, an “Accessory Maintenance Garage”, an “Accessory Open Storage Area”, an “Agri-Tourism Use” and an “On-Farm Diversified Use”. With this understanding, uses such as arenas, exercise or training rings, and trails may be considered as accessory uses to the agricultural use described above.

Trailer storage and parking related to an agricultural use would be considered as a “Farm Equipment Storage Building” where trailers are parked indoors, an “Accessory Open Storage Area” where trailers are unlicensed and an “Accessory Use” where trailers are licensed and located in a parking space or parking area.

In order to accurately define uses such as training/riding schools, camps, events/shows and retail sales, detailed information is required to confirm the scale of the operation. Depending on the scale and nature of the operation, and whether the use is related to an agricultural use, these uses may be considered as follows:

- Training/Riding Schools/Camps: an “Accessory Use”, an “Agriculture-Related Use”, an “Agriculture-Related Commercial Use”, an “Agri-Tourism Use”, an “Equestrian Centre”, a “Fairground”, and/or a “Home Industry (ORM)”.

- Events/Shows: an “Accessory Use”, an “Agriculture-Related Use”, an “Agri-Tourism Use”, an “Equestrian Centre”, a “Fairground”, “Intensive Recreation” and/or a “Sports Arena”.
- Retail Sales: an “Accessory Use”, an “Agriculture-Related Use”, “Agriculture-Related Commercial Use”, an “Agricultural Sales, Service, Repair and Rental Establishment”, an “Agri-Tourism Use”, an “Equestrian Centre”, and/or a “Fairground”,

Based on the number and suitability of the existing definitions within the Zoning By-law, staff is of the opinion that an Amendment is not required to include additional defined terms. Any further refinements, when required can be made as part of the review of the agricultural standards in the Fall of 2019.