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PURPOSE

The purpose of this Part is to provide a number of Open Space Zones, that allow for a range of active and passive recreational opportunities, and cemeteries, in appropriate locations throughout the City.<sup>1</sup>

**9.1 GENERAL PROVISIONS FOR OPEN SPACE ZONES**

In addition to the zone provisions contained in Parts 1 to 3 of this By-law, the following General Provisions for Open Space Zones shall also apply:

**9.1.1 Accessory Uses in OS1 and OS2 Zones**

9.1.1.1 **Parking areas** may be constructed of a permeable type of material.

9.1.1.2 **Accessory uses** in OS1 and OS2 zones shall include, but not be limited to, washroom/changeroom facility, shade structure, maintenance/storage **building** or **structure** or an **office** for a **permitted use**, and shall be permitted accessory to an **active** or **passive recreational use**. (0179-2018)

**9.1.2 Accessory Uses in an OS3 Zone**

An **office** and a maintenance/storage **building** or **structure** for a **cemetery** shall be permitted accessory to a **cemetery**.

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<sup>1</sup> The purpose statement is for clarification purposes and does not form part of this By-law.



<b>9.2</b>	<b>OS1 to OS3 ZONES (OPEN SPACE)</b>
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**9.2.1 OS1 to OS3 Permitted Uses and Zone Regulations**

All **buildings** and **structures** shall comply with the provisions contained in Parts 1 to 3 and Section 9.1 of this By-law, and the **uses** and regulations specified within the applicable zone column contained in Table 9.2.1 - OS1 to OS3 Permitted Uses and Zone Regulations.

**Table 9.2.1 - OS1 to OS3 Permitted Uses and Zone Regulations**

	A	B	C	D
Line 1.0	ZONES <i>(0379-2009)</i>	OS1 Open Space - Community Park	OS2 Open Space - City Park	OS3 Open Space - Cemetery
<b>PERMITTED USES</b>				
2.0	OPEN SPACE			
2.1	Passive Recreational Use	✓	✓	
2.2	Active Recreational Use	✓	✓	
2.3	Stormwater Management Facility	✓	✓	
2.4	Cemetery			✓
<b>ZONE REGULATIONS</b>				
3.0	MINIMUM LOT FRONTAGE	n/a	n/a	15.0 m
4.0	MINIMUM SETBACK OF A BUILDING OR STRUCTURE TO A LOT LINE	4.5 m <sup>(1)</sup>	4.5 m <sup>(1)</sup>	7.5 m <sup>(1)(2)</sup>
5.0	MINIMUM SETBACK OF A BUILDING OR STRUCTURE TO LOT LINE ABUTTING A RESIDENTIAL ZONE	6.0 m <sup>(1)</sup>	6.0 m <sup>(1)</sup>	15.0 m <sup>(1)(2)</sup>
6.0	MAXIMUM BUILDING HEIGHT	n/a	n/a	10.7 m
7.0	MINIMUM LANDSCAPED BUFFER ABUTTING ALL LOT LINES	n/a	4.5 m <sup>(1)(3)</sup>	4.5 m <sup>(3)</sup>

- NOTES:**
- (1) See also Subsection 2.1.17 of this By-law.
  - (2) Not including a memorial stone or monument.
  - (3) See also Subsection 2.1.25.



**9.2.2 OS1 Exception Zones**

Refer to Article 1.1.2.3 - Exception Zones and Exception Zone Schedules

9.2.2.1	Exception: OS1-1	Map # 52W	By-law:
In an OS1-1 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS1 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Regulation</b>			
9.2.2.1.1	Maximum <b>lot coverage</b>		5%

9.2.2.2	Exception: OS1-2	Map # 02	By-law: 0247-2016
In an OS1-2 zone the applicable regulations shall be as specified for an OS1 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Permitted Use</b>			
9.2.2.2.1	Lands zoned OS1-2 shall only be used for the following:		
	(1) Private Open Space		





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**9.2.3 OS2 Exception Zones**

Refer to Article 1.1.2.3 - Exception Zones and Exception Zone Schedules

9.2.3.1	Exception: OS2-1	Map # 06	By-law: 0210-2015
In an OS2-1 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS2 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Additional Permitted Uses</b>			
9.2.3.1.1	(1)	<b>Golf Course</b>	
	(2)	<b>Recreational Establishment</b>	
	(3)	Groundskeeper Residence	

9.2.3.2	Exception: OS2-2	Map # 38W	By-law:
In an OS2-2 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS2 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Regulation</b>			
9.2.3.2.1	Minimum setback of all <b>buildings</b> and <b>structures</b> to all lands zoned G1		15.0 m

9.2.3.3	Exception: OS2-3	Map # 06	By-law:
In an OS2-3 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS2 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Additional Permitted Uses</b>			
9.2.3.3.1	The following additional <b>uses</b> shall be permitted within the <b>building</b> legally <b>existing</b> on the date of passing of this By-law:		
	(1)	<b>Office</b>	
	(2)	<b>Banquet Hall/Conference Centre/Convention Centre</b>	
	(3)	Academy for the Performing Arts	
	(4)	Art Gallery or Studio	
	(5)	Commercial school that may include a business school, driving school, dance school, music school, arts school, crafts school or a martial arts school, but shall not include a trade school or a <b>private school</b>	
<b>Regulation</b>			
9.2.3.3.2	The provisions of Articles 2.1.9.7 and 2.1.9.8 of this By-law shall not apply		

9.2.3.4	Exception: OS2-4	Map # 08	By-law:
In an OS2-4 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS2 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Additional Permitted Use</b>			
9.2.3.4.1	(1)	<b>Restaurant</b> legally <b>existing</b> on the date of passing of this By-law	

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9.2.3.5	Exception: OS2-5	Map # 05, 16, 17, 36W, 38E	By-law:
In an OS2-5 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS2 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Additional Permitted Uses</b>			
9.2.3.5.1	(1)	<b>Golf Course</b>	
	(2)	<b>Recreational Establishment</b>	

9.2.3.6	Exception: OS2-6	Map # 36E	By-law: 0212-2015, 0085-2018
In an OS2-6 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS2 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Additional Permitted Uses</b>			
9.2.3.6.1	(1)	Spectator Arena	
	(2)	Community Arena	
	(3)	Outdoor Stadium	
	(4)	Sports Complex	
	(5)	Health and fitness centre, provided such <b>use</b> is accessory to a sports complex	
	(6)	Sports medicine clinic, provided such <b>use</b> is accessory to a sports complex	
	(7)	Pitch and Putt Facility	
	(8)	Miniature Golf Facility	
	(9)	Driving Range	
	(10)	Archery Range	
	(11)	<b>Banquet Hall/Convention Centre/Conference Centre</b>	
	(12)	<b>Restaurant</b>	
	(13)	<b>Overnight Accommodation</b>	
	(14)	<b>Office</b>	
	(15)	<b>Medical Office</b>	
	(16)	Accessory uses to a spectator arena, community arena, outdoor stadium, sports complex or <b>overnight accommodation</b>	
	(17)	Outdoor markets and other outdoor sales	
	(18)	<b>Fairground</b>	
	(19)	<b>Entertainment Establishment</b>	
<b>Regulations</b>			
9.2.3.6.2	The provisions of Lines 4.0 and 5.0 contained in Table 2.1.9.7 of this By-law shall not apply		
9.2.3.6.3	For the purposes of this By-law, all lands zoned OS2-6 shall be considered one <b>lot</b>		
9.2.3.6.4	Maximum <b>gross floor area - non-residential</b> for all <b>restaurants</b>		3 850 m <sup>2</sup>
9.2.3.6.5	Maximum <b>gross floor area - non-residential</b> used for accessory uses		4200 m <sup>2</sup>
9.2.3.6.6	Maximum number of <b>overnight accommodation</b> units		300
9.2.3.6.7	Required parking may be located on lands zoned E2-37, PB1-3 and PB1-4		
9.2.3.6.8	"Accessory Uses" means a <b>retail store, personal service establishment</b> and an event ticket office		

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9.2.3.7	Exception: OS2-7	Map # 31	By-law:
<p>In an OS2-7 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS2 zone except that the following <b>uses/regulations</b> shall apply:</p>			
<b>Additional Permitted Uses</b>			
9.2.3.7.1	(1)	Garden Park	
	(2)	<b>Office</b>	
	(3)	<b>Commercial School</b>	
	(4)	<b>Banquet Hall/Convention Centre/Conference Centre</b>	
	(5)	Training and Development Centre	
	(6)	Gift Shop	
	(7)	<b>Restaurant</b>	
	(8)	Conservatory	
	(9)	Greenhouse including accessory sales	
<b>Regulations</b>			
9.2.3.7.2	Maximum <b>gross floor area - non-residential</b> of all <b>buildings</b> and <b>structures</b>		6 000 m <sup>2</sup>
9.2.3.7.3	Minimum setback to the Highway 403 right-of-way		7.5 m
9.2.3.7.4	Minimum setback to a <b>lot line</b> abutting a railway right-of-way		7.5 m
9.2.3.7.5	Minimum setback to Burnhamthorpe Road West		9.5 m
9.2.3.7.6	"Garden Park" means a facility for the display and demonstration of gardens		

9.2.3.8	Exception: OS2-8	Map # 08	By-law:
<p>In an OS2-8 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS2 zone except that the following <b>uses/regulations</b> shall apply:</p>			
<b>Additional Permitted Use</b>			
9.2.3.8.1	(1)	Private Club	

9.2.3.9	Exception: OS2-9	Map # 08	By-law: 0271-2015
<p>In an OS2-9 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS2 zone except that the following <b>uses/regulations</b> shall apply:</p>			
<b>Additional Permitted Uses</b>			
9.2.3.9.1	(1)	<b>Office</b>	
	(2)	<b>Medical Office</b>	
	(3)	<b>Retail Store</b>	
	(4)	<b>Commercial School</b>	
	(5)	<b>Banquet Hall/Convention Centre/Conference Centre</b>	
	(6)	<b>Restaurant</b>	
	(7)	<b>Take-out Restaurant</b>	
	(8)	Academy for the Performing Arts	

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9.2.3.10	Exception: OS2-10	Map # 07	By-law: 0179-2017
<p>In an OS2-10 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS2 zone except that the following <b>uses/regulations</b> shall apply:</p>			
<b>Additional Permitted Uses</b>			
9.2.3.10.1	(1)	<b>Office</b>	
	(2)	Academy for the Performing Arts	
	(3)	<b>Banquet Hall/Conference Centre/Convention Centre</b>	

9.2.3.11	Exception: OS2-11	Map # 04	By-law: 0396-2009/ OMB Order 2010 May 17
<p>In an OS2-11 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS2 zone except that the following <b>uses/regulations</b> shall apply:</p>			
<b>Additional Permitted Uses</b>			
9.2.3.11.1	(1)	Garden Park	
	(2)	<b>Office</b>	
	(3)	Commercial School	
	(4)	<b>Banquet Hall/Conference Centre/Convention Centre</b>	
	(5)	Training and Development Centre	
	(6)	<b>Restaurant</b>	
	(7)	<b>Take-out Restaurant</b>	
	(8)	Gift Shop	
	(9)	Conservatory	
	(10)	Greenhouse including accessory sales	
<b>Regulations</b>			
9.2.3.11.2	Maximum <b>gross floor area - non-residential</b> used for gift shops		212 m <sup>2</sup>
9.2.3.11.3	Minimum setback to the G1-14 zone for an addition to the <b>existing building</b> , over an <b>existing</b> foundation abutting the G1-14 zone		0.0 m
9.2.3.11.4	"Commercial School" means a business school, dance school, music school, arts school or crafts school.		

9.2.3.12	Exception: OS2-12	Map # 01	By-law: 0180-2017
<p>In an OS2-12 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS2 zone except that the following <b>uses/regulations</b> shall apply:</p>			
<b>Additional Permitted Uses</b>			
9.2.3.12.1	(1)	<b>Office</b>	
	(2)	<b>Banquet Hall/Conference Centre/Convention Centre</b>	
	(3)	Academy for the Performing Arts	
	(4)	Art Gallery or Studio	
	(5)	<b>Commercial School</b>	
	(6)	<b>Retail Store</b>	
	(7)	<b>Recreational Establishment</b>	
	(8)	<b>Take-out Restaurant</b>	
	(9)	<b>Restaurant</b>	

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9.2.3.13	Exception: OS2-13	Map # 08	By-law: LPAT Order 2019 November 15
In an OS2-13 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS2 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Additional Permitted Use</b>			
9.2.3.13.1	(1)	Outdoor Market	

9.2.3.14	Exception: OS2-14	Map # 08	By-law: LPAT Order 2019 November 15
In an OS2-14 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS2 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Additional Permitted Uses</b>			
9.2.3.14.1	(1)	Outdoor Market	
	(2)	<b>Take-out Restaurant</b>	
	(3)	Outdoor patio accessory to a <b>take-out restaurant</b>	



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**9.2.4 OS3 Exception Zones**

Refer to Article 1.1.2.3 - Exception Zones and Exception Zone Schedules

9.2.4.1	Exception: OS3-1	Map # 10, 38W, 46W	By-law:
In an OS3-1 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS3 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Uses Not Permitted</b>			
9.2.4.1.1	(1)	<b>Crematorium</b>	
	(2)	<b>Mausoleum</b>	

9.2.4.2	Exception: OS3-2	Map # 36W	By-law:
In an OS3-2 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS3 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Additional Permitted Use</b>			
9.2.4.2.1	(1)	<b>Place of Religious Assembly</b>	
<b>Uses Not Permitted</b>			
9.2.4.2.2	(1)	<b>Crematorium</b>	
	(2)	<b>Mausoleum</b>	

9.2.4.3	Exception: OS3-3	Map # 50E	By-law:
In an OS3-3 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS3 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Additional Permitted Use</b>			
9.2.4.3.1	(1)	<b>Passive Recreational Use</b>	

9.2.4.4	Exception: OS3-4	Map # 20, 35E, 38W, 41W, 52E, 56	By-law:
In an OS3-4 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS3 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Additional Permitted Use</b>			
9.2.4.4.1	(1)	<b>Passive Recreational Use</b>	
<b>Uses Not Permitted</b>			
9.2.4.4.2	(1)	<b>Crematorium</b>	
	(2)	<b>Mausoleum</b>	

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9.2.4.5	Exception: OS3-5	Map # 38W	By-law: 0087-2014
In an OS3-5 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS3 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Additional Permitted Uses</b>			
9.2.4.5.1	(1)	<b>Place of Religious Assembly</b>	
	(2)	<b>Passive Recreational Use</b>	
<b>Uses Not Permitted</b>			
9.2.4.5.2	(1)	<b>Crematorium</b>	
	(2)	<b>Mausoleum</b>	

9.2.4.6	Exception: OS3-6	Map # 20, 24	By-law: 0222-2015
In an OS3-6 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS3 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Additional Permitted Use</b>			
9.2.4.6.1	(1)	<b>Place of Religious Assembly</b>	

9.2.4.7	Exception: OS3-7	Map # 10	By-law:
In an OS3-7 zone the permitted <b>uses</b> and applicable regulations shall be as specified for an OS3 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Uses Not Permitted</b>			
9.2.4.7.1	(1)	<b>Crematorium</b>	
	(2)	<b>Mausoleum</b>	
	(3)	<b>Columbarium</b>	