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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.¹

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**.

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

9.2	OS1 to OS3 ZONES (OPEN SPACE)
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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
PERMITTED USES				
2.0	OPEN SPACE			
2.1	Passive Recreational Use	✓	✓	
2.2	Active Recreational Use	✓	✓	
2.3	Stormwater Management Facility	✓	✓	
2.4	Cemetery			✓
ZONE REGULATIONS				
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 ⁽¹⁾	4.5 m ⁽¹⁾	7.5 m ⁽¹⁾⁽²⁾
5.0	MINIMUM SETBACK OF A BUILDING OR STRUCTURE TO LOT LINE ABUTTING A RESIDENTIAL ZONE	6.0 m ⁽¹⁾	6.0 m ⁽¹⁾	15.0 m ⁽¹⁾⁽²⁾
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 ⁽¹⁾⁽³⁾	4.5 m ⁽³⁾

- 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 uses and applicable regulations shall be as specified for an OS1 zone except that the following uses/regulations shall apply:			
Regulation			
9.2.2.1.1	Maximum lot coverage		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 uses/regulations shall apply:			
Permitted Use			
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 uses and applicable regulations shall be as specified for an OS2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
9.2.3.1.1	(1)	Golf Course	
	(2)	Recreational Establishment	
	(3)	Groundskeeper Residence	

9.2.3.2	Exception: OS2-2	Map # 38W	By-law:
In an OS2-2 zone the permitted uses and applicable regulations shall be as specified for an OS2 zone except that the following uses/regulations shall apply:			
Regulation			
9.2.3.2.1	Minimum setback of all buildings and structures 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 uses and applicable regulations shall be as specified for an OS2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
9.2.3.3.1	The following additional uses shall be permitted within the building legally existing on the date of passing of this By-law:		
	(1)	Office	
	(2)	Banquet Hall/Conference Centre/Convention Centre	
	(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 private school	
Regulation			
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 uses and applicable regulations shall be as specified for an OS2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
9.2.3.4.1	(1)	Restaurant legally existing 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 uses and applicable regulations shall be as specified for an OS2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
9.2.3.5.1	(1)	Golf Course	
	(2)	Recreational Establishment	

9.2.3.6	Exception: OS2-6	Map # 36E	By-law: 0212-2015, 0085-2018
In an OS2-6 zone the permitted uses and applicable regulations shall be as specified for an OS2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
9.2.3.6.1	(1)	Spectator Arena	
	(2)	Community Arena	
	(3)	Outdoor Stadium	
	(4)	Sports Complex	
	(5)	Health and fitness centre, provided such use is accessory to a sports complex	
	(6)	Sports medicine clinic, provided such use is accessory to a sports complex	
	(7)	Pitch and Putt Facility	
	(8)	Miniature Golf Facility	
	(9)	Driving Range	
	(10)	Archery Range	
	(11)	Banquet Hall/Convention Centre/Conference Centre	
	(12)	Restaurant	
	(13)	Overnight Accommodation	
	(14)	Office	
	(15)	Medical Office	
	(16)	Accessory uses to a spectator arena, community arena, outdoor stadium, sports complex or overnight accommodation	
	(17)	Outdoor markets and other outdoor sales	
	(18)	Fairground	
	(19)	Entertainment Establishment	
Regulations			
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 lot		
9.2.3.6.4	Maximum gross floor area - non-residential for all restaurants		3 850 m ²
9.2.3.6.5	Maximum gross floor area - non-residential used for accessory uses		4200 m ²
9.2.3.6.6	Maximum number of overnight accommodation 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 retail store, personal service establishment 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 uses and applicable regulations shall be as specified for an OS2 zone except that the following uses/regulations shall apply:</p>			
Additional Permitted Uses			
9.2.3.7.1	(1)	Garden Park	
	(2)	Office	
	(3)	Commercial School	
	(4)	Banquet Hall/Convention Centre/Conference Centre	
	(5)	Training and Development Centre	
	(6)	Gift Shop	
	(7)	Restaurant	
	(8)	Conservatory	
	(9)	Greenhouse including accessory sales	
Regulations			
9.2.3.7.2		Maximum gross floor area - non-residential of all buildings and structures	6 000 m ²
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 lot line 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 uses and applicable regulations shall be as specified for an OS2 zone except that the following uses/regulations shall apply:</p>			
Additional Permitted Use			
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 uses and applicable regulations shall be as specified for an OS2 zone except that the following uses/regulations shall apply:</p>			
Additional Permitted Uses			
9.2.3.9.1	(1)	Office	
	(2)	Medical Office	
	(3)	Retail Store	
	(4)	Commercial School	
	(5)	Banquet Hall/Convention Centre/Conference Centre	
	(6)	Restaurant	
	(7)	Take-out Restaurant	
	(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 uses and applicable regulations shall be as specified for an OS2 zone except that the following uses/regulations shall apply:</p>			
Additional Permitted Uses			
9.2.3.10.1	(1)	Office	
	(2)	Academy for the Performing Arts	
	(3)	Banquet Hall/Conference Centre/Convention Centre	

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 uses and applicable regulations shall be as specified for an OS2 zone except that the following uses/regulations shall apply:</p>			
Additional Permitted Uses			
9.2.3.11.1	(1)	Garden Park	
	(2)	Office	
	(3)	Commercial School	
	(4)	Banquet Hall/Conference Centre/Convention Centre	
	(5)	Training and Development Centre	
	(6)	Restaurant	
	(7)	Take-out Restaurant	
	(8)	Gift Shop	
	(9)	Conservatory	
	(10)	Greenhouse including accessory sales	
Regulations			
9.2.3.11.2	Maximum gross floor area - non-residential used for gift shops		212 m ²
9.2.3.11.3	Minimum setback to the G1-14 zone for an addition to the existing building , over an existing 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 uses and applicable regulations shall be as specified for an OS2 zone except that the following uses/regulations shall apply:</p>			
Additional Permitted Uses			
9.2.3.12.1	(1)	Office	
	(2)	Banquet Hall/Conference Centre/Convention Centre	
	(3)	Academy for the Performing Arts	
	(4)	Art Gallery or Studio	
	(5)	Commercial School	
	(6)	Retail Store	
	(7)	Recreational Establishment	
	(8)	Take-out Restaurant	
	(9)	Restaurant	

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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 uses and applicable regulations shall be as specified for an OS3 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
9.2.4.1.1	(1)	Crematorium	
	(2)	Mausoleum	

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

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

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

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

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

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