

Section 26 –Open Space (OS)

26.1 Preamble

Within an Open Space Zone (OS), no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

26.2 26.2.1. Permitted Principal Uses

- a) A fairground;
- b) A public or private park, conservation area, playground, playing field, recreational trail, swimming pool, wading pool, beach, picnic area, bandstand, skating rink, tennis court, bowling green, golf course or other similar outdoor recreational uses, both passive and active;
- c) A tent and/or travel trailer park, in accordance with the provisions of subsection 26.3 below;
- d) A woodlot;
- e) Agricultural uses but not intensive agricultural uses; and/or
- f) Open space and conservation uses including forestry, reforestation and other activities connected with the conservation of soil and wildlife.

26.2.2. Permitted Accessory Uses

- a) An accessory dwelling or dwelling unit for a caretaker or security guard in accordance with the provisions of Section 5.19 of this By-law; and/or
- b) An accessory building or use to the above uses including an accessory commercial building or use to serve an open space use

26.3 Zone Regulations

26.3.1. For all uses except a Tent and/or Travel Trailer Park

- a) Setback (from all lot lines): 10 metres (32.8 feet) minimum;
- b) Setback (from centreline of any road): 30 metres (98.4 feet) minimum;
- c) Lot Coverage: 50% maximum; and
- d) Building Height: 6 metres (19.7 feet) minimum.

26.3.2. For Tent and/or Travel Trailer Park

- a) The applicable provisions of Section 16 of this By-law shall apply

26.4 General Provisions

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the Open Space Zone (OS).

26.5 Special Open Space Zones (OS)

All other provisions of the By-law shall apply except as specified by each special zoning requirement.

26.5.1 Special Open Space-1 (OS-1)

The lands subject to this By-law amendment are described as follows:

- Part Lots 3, 4 and 5, Concession B

Notwithstanding any provisions of this By-law to the contrary, on lands zoned OS-1 and shown on Schedule 'I' attached, the following special provisions shall apply:

That Section 26.5.1 be added.

a) Non-Residential

- i. A private camp, of which the main uses shall consist of seasonal accommodation in the form of cabins and trailers, an auditorium, a church, an accessory dwelling house and a retail store for the use of the occupants only of the private camp, in accordance with the OS Zone provisions and the following special provisions:

b) Zone Regulations

- i. Lot Area - 28.3 hectares (70 acres) minimum;
- ii. Water Setback - 15.2 metres (50 feet) from the highwater mark of Lake Ontario minimum; and
- iii. Lot Coverage - 15 percent maximum.

26.5.1A Special Open Space-1A-Holding (OS-1A-H) By-law 2004-45

The lands subject to this by-law amendment are described as follows:

- Part Lots 5, Concession B
- Lake Ontario water frontage

That Section 26.5.1A be added.

- a) No development including the removal or vegetation, the placement or removal of fill or the construction of buildings or structures of any kind shall be permitted within 30 metres of the cold water watercourse located within the lands zoned OS-1
- b) Notwithstanding the provisions of Section 26.5.1 of this by-law to the contrary, on lands zoned OS-1A-H and shown on Schedule "A" attached, all provision of the OS-1 zone shall apply plus the following special provisions:
- c) No development shall be permitted on lands zoned OS-1a-h until such time as the holding (h) symbol has been removed by way of amendment to this Zoning By-law in accordance with the provisions of the planning Act,1990 as amendment.
- d) Council may consider removal of the holding (h) symbol following execution of a Site Plan Agreement in accordance with section 41 of the Planning Act that addresses among other things, sewer and water servicing, traffic impact and vehicular access, emergency service access, stormwater management, flood plain and lakeshore protection, natural heritage protection and railway buffering.

26.5.2 Special Open Space-2-Holding (OS-2-H) By-law 2009-23

The lands subject to this By-law amendment are described as follows:

- Part Lot 13 & 14 and Part of Road Allowance, Concession 1,
- Parts 1 & 2 on RP 39R-612,
- save and except Part 1 on RP 39R-1312
- and save and except Parts 1 & 2 on RP 39R-10212
- County Road 45

That Section 26.5.2 be added.

26.5.2.1 Permitted Uses

- a) Notwithstanding Section 26.2 of By-law 2001-58 to the contrary the only uses permitted on lands zoned OS-2 shall be a stormwater management facility and a subsurface sewage disposal system serving uses located on lands zoned Special Hamlet Commercial (HC-5-H) Holding Zone.

26.5.2.2 Removal Of The Holding – H Symbol

- a) That development of the lands zoned OS-2-H, OS-3-H, UR1-8B-H, UR1-9-H & HC-5-H shall not proceed until such time as the “H” symbol has been removed in accordance with the provisions of the Planning Act. The “H” Holding symbol may be removed following completion of the following:
 - b) A Site Plan and Site Plan Agreement has been entered into between the developer and the Township in accordance with the provisions of the Planning Act. The Site Plan and Site Plan Agreement shall address, where appropriate, such issues as access, traffic impact, site grading and drainage, site servicing, landscaping, lighting, fencing, waste management, emergency access, market impact study (if required) and any other matters provided for in the Township Site Plan Control By-law and Section 41 of the Planning Act.

That Zoning By-law No. 2001-58 is hereby amended to give effect to the foregoing and that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or hereinafter dealt with.

26.5.3 Special Open Space-3-Holding (OS-3-H) By-law 2009-23

The lands subject to this by-law amendment are described as follows:

- Part Lot 13 & 14 and Part of Road Allowance, Concession 1,
- Parts 1 & 2 on RP 39R-612,
- save and except Part 1 on RP 39R-1312
- and save and except Parts 1 & 2 on RP 39R-10212
- County Road 45

That Section 26.5.3 be added.

26.5.3.1 Permitted Uses

- a) Notwithstanding Section 26.2 of By-law 2001-58 to the contrary the only uses permitted on lands zoned OS-3 shall be a stormwater management facility, a subsurface sewage disposal system serving uses located on lands zoned Special Hamlet Commercial (HC-5-H) Holding Zone, a retail landscaping and garden supply center, an emergency vehicle access driveway and a commercial parking lot serving lands zoned Special Hamlet Commercial (HC-5-H) Holding Zone.
- b) No portion of the retail landscaping and garden supply center or commercial parking lot shall be located closer than 30 meters (98.4 ft) to lands zoned Urban Residential First Density (UR1) Zone.
- c) The retail landscaping and garden supply center shall not include any permanent buildings or structures and shall be limited to the retail sale of finished product only.

26.5.3.2 Removal of the Holding – H Symbol

- a) That development of the lands zoned OS-2-H, OS-3-H, UR1-8B-H, UR1-9-H & HC-5-H shall not proceed until such time as the “H” symbol has been removed in accordance with the provisions of the Planning Act. The “H” Holding symbol may be removed following completion of the following:
 - i. A Site Plan and Site Plan Agreement has been entered into between the developer and the Township in accordance with the provisions of the Planning Act. The Site Plan and Site Plan Agreement shall

address, where appropriate, such issues as access, traffic impact, site grading and drainage, site servicing, landscaping, lighting, fencing, waste management, emergency access, market impact study (if required) and any other matters provided for in the Township Site Plan Control By-law and Section 41 of the Planning Act.

That Zoning By-law No. 2001-58 is hereby amended to give effect to the foregoing and that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or hereinafter dealt with.

26.5.4 Special Open Space-4 (OS-4) By-law 2014-26

The lands subject to this By-law amendment are described as follows:

- Part Lots 9, 10 & 11, Concession 2,
- Block 37 and Part of Block 33 on RP 39M-722
- Subdivision Application PRSubdiv-2012-002

That Section 26.5.4.1 be added to the By-law to regulate the use of the land with respect to the following provisions:

26.5.4.1 Permitted Uses

- a) Open space and conservation uses, including forestry, reforestation and other activities connected with the conservation of soil and wildlife;
- b) A fairground;
- c) A public or private park, conservation area, playground, playing field, recreational trail, swimming pool, wading pool, beach, picnic area, bandstand, skating rink, tennis court, bowling green, golf course or other similar outdoor recreational uses, both passive and active; or
- d) An accessory building or use to the above uses, including an accessory commercial building or use to serve an open space use.