

SECTION 33: OS ZONE - OPEN SPACE

33.1 Subject to the General Provisions of Section 6, and all other applicable requirements of this By-law, the provisions of this Section shall apply in all Open Space (OS) Zones.

33.2 PERMITTED USES

- Recreational uses and uses, buildings and structures accessory thereto
- Residential uses only to the extent necessary for the maintenance and security staff of any principal use set out in Section 33.2 hereof provided such residential uses are located on the same lot as such principal use and provided such staff is employed on the premises; and buildings and structures accessory thereto.
- Cemeteries, mausoleums and columbariums, and uses, buildings and structures accessory thereto, excluding crematoriums
- Uses permitted under the Niagara Parks Act, R.S.O. 1990 and amendments thereto in any successor legislation, or for Niagara Parks Commission purposes, only on lands under the jurisdiction of The Niagara Parks Commission

33.3 REGULATIONS

Minimum Lot Area	8000 sq. m.
Minimum Lot Frontage	15m
Maximum Lot Coverage	10 percent
Minimum Front Yard	7.5m
Minimum Interior Side Yard	7.5m
Minimum Exterior Side Yard	7.5m
Minimum Rear Yard	7.5m
Maximum Building Height	i) 3 storeys ii) 12m

33.4 SPECIAL ADDITIONAL REGULATIONS FOR CEMETERIES, MAUSOLEUMS AND COLUMBARIUMS

Notwithstanding the regulations of Subsection 33.3, the following additional special regulations shall apply.

Minimum Interior Side Yard	15m for a building and 1.5m for a monument
Minimum Exterior Side Yard	15m for a building and 1.5m for a monument
Minimum Rear Yard	15m for a building and 1.5m for a monument

EXCEPTIONS TO THE OPEN SPACE (OS) ZONE

OS-36 (129-1990) Bridge Street, north side, east of Pettit Road(RELOCATED FROM IN-36)

In addition to the permitted uses in Section 33.2 the lands indicated as OS-36 on Schedule “A” may be used for a landfill site and uses, buildings and structures accessory thereto.

OS-31 (129-1990) College Road, South Side, East of Sumner Road (RELOCATED TO EOS-31)

OS-95 (129-1990) Central Avenue, East Side, South of Garrison Road (RELOCATED TO EOS-95)

OS-96 (129-90) Central Avenue, East Side, South of Garrison Road (RELOCATED TO EOS-96)

OS-97 (129-90) Centalia Avenue, East Side, South of Garrison Road (RELOCATED TO EOS-97)

OS-100 (79-1993) 3570 Garrison Road(RELOCATED TO EOS-100)

OS-111 (240-1993) 700 Gilmore Road

These lands are zoned "Open Space OS-111 Zone" and all of the provisions that relate to lands zoned "Open Space OS Zone" by this by-law shall apply to those lands zoned "Open Space OS-111 Zone" except that notwithstanding the permitted uses in Subsection 33.2, nothing shall prevent the use of these lands for a gaming premises.

OS-127 (223-1994) 1500 Gilmore Road (RELOCATED TO EOS-127)

OS-150 (45-1996) Hill Estates Subdivision, Stevensville

These lands are zoned “Open Space OS-150 Zone” and all of the provisions that relate to lands zoned “Open Space OS Zone” by this by-law shall apply to those lands zoned “Open Space OS-150 Zone” on Schedule “A” except that notwithstanding the permitted uses set out in Subsection 33.2 (Permitted Uses), these lands may only be used for the construction of a noise attenuation berm.

OS-189 (187-1997) Lands south of West Main Street and west of Stevensville Road

These lands are zoned “Open Space OS-189 Zone” and all of the provisions that relate to lands zoned “Open Space OS Zone” by this by-law shall apply to those lands zoned “Open Space OS-189 Zone” on Schedule “A” except that notwithstanding the permitted uses set out in Subsection 33.2 (Permitted Uses), these lands may only be used for the construction of a noise attenuation berm/wall and landscaped area.

**TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90
OFFICE CONSOLIDATION**

OS-229 (171-2000) Garrison Road, north side @ Thompson Road, west side

These lands are zoned “Open Space OS-229 Zone” and all of the provisions that relate to lands zoned “Open Space OS Zone” by this By-law shall apply to those lands zoned “Open Space OS-229 Zone” on Schedule “A” except that notwithstanding the requirements of Subsection 33.2 - Permitted Uses, these lands shall only be used for a storm water management facility and uses and structures accessory thereto.

OS-291 (147-1991) Ridge Road North, East Side at Farm Road (RELOCATED TO EOS-291)**OS-296 (129-1990) Abino Dunes Development, Point Abino Road South (RELOCATED TO EOS-296)****OS-336 (106-05) Black Creek Meadows, northeast corner of Baker Road and Netherby Road**

These lands are zoned Open Space OS Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space OS-336 Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the list of permitted uses set out in Section 33.2 “Permitted Uses”, the lands shown as OS-336 on Schedule A may only be used for a Stormwater Management Pond

OS-337 (106-05) Black Creek Meadows, northeast corner of Baker Road and Netherby Road

These lands are zoned Open Space OS Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space OS-337 Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the list of permitted uses set out in Section 33.2 “Permitted Uses”, the lands shown as OS-337 on Schedule A may only be used for a Park use and buildings or structures accessory thereto.

OS – 350 (170-05) Ridgeway Estates, southeast corner of Prospect Point Road and Thunderbay Road

These lands are zoned Open Space OS-350 Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space OS-350 Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the requirements of Subsection 33.2 Permitted Uses the lands shown as OS-350 Zone may only be used for:
- Conservation and management of plant and wildlife
 - Control structures to prevent flooding and/or erosion by water or wind

OS – 351 (170-05) Ridgeway Estates, southeast corner of Prospect Point Road and Thunderbay Road

These lands are zoned Open Space OS-351 Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space OS-351 Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the requirements of Section 34.2 Permitted Uses the lands shown as OS-351 Zone may only be used for a stormwater management facility.

OS-355(H) (226-05) DEE MC PROPERTIES LTD. (BRUNO DAMMIZIO), 3425 NIAGARA RIVER PARKWAY.

Repealed pursuant to the decisions of the Ontario Municipal Board, dated August 14, 2008 OMB File #PL050640

OS-359 (127-06) Crystal Ridge Landing, Northeast corner of Thunder Bay Road and Ridge Road South

These lands are zoned Open Space OS-359 Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space OS-359 Zone on the attached Schedule A and subject to the following special provision:

- a) Notwithstanding Section 33.2 Permitted Uses the lands zoned Open Space OS-359 shall only be used for open space, conservation of the environment and stormwater management purposes.

OS-361 (130-06) W/S OF SPEARS ROAD AND NORTH OF GARRISON ROAD

These lands are zoned Open Space OS-361 (H) Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space Holding OS-361 (H) Zone on the attached Schedule A and subject to the following special provision:

- a) Notwithstanding Section 33.2 Permitted Uses the lands zoned Open Space Holding OS-361 (H) shall only be used for a Public Park

OS-363 (H) (154-06) E/S SCHOOLEY ROAD, SOUTH OF ELIZABETH

These lands are zoned Open Space OS-363 (H) Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space OS-363 (H) Zone on the attached Schedule A subject to the following special provisions:

- a) These lands shall be used for no other purpose than a storm water management facility.

OS-367 (191-06 + 151-08) Ridgeway Estates Phase 2, east side of Prospect Point Road and south side of Thunder Bay Road

These lands are zoned Open Space OS-367 Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space OS-367 Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the Permitted Uses in Section 33.2 these lands shall be used for no other purpose than a storm water channel and conservation of the natural environment.

OS-368 (191-06 + 151-08) RIDGEWAY ESTATES PHASE 2, EAST SIDE OF PROSPECT POINT ROAD AND SOUTH SIDE OF THUNDER BAY ROAD

These lands are zoned Open Space OS-368 Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space OS-368 Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the Permitted Uses in Section 33.2 these lands shall be used for no other purpose than open space and a private community centre. For the purposes of this by-law a Community Centre shall mean: “The use of land, buildings or structures for the purposes of active and passive recreation, social gathering and other events including a day care facility”.

OS-369 (H) (06-07) ZOOZ THEME PARK, 2821 STEVENSVILLE ROAD These lands are zoned Open Space Holding OS-369 (H) Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space Holding OS-369 (H) Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the list of permitted uses in Section 14.2 the lands shown on Schedule A shall be limited to a Zoological Theme Park which may include an

animal park, conservation and open space uses, recreational uses, a water park, amphitheatre, a mini-putt golf course, related education buildings, agricultural uses, an overnight campground, a veterinarian clinic, restaurants, one single detached dwelling, one accessory apartment and greenhouses.

- b) The water park shall be designed to be limited to a maximum capacity of 1000 persons.
- c) The amphitheatre shall be limited to a maximum capacity of 4500 persons and the number of major events exceeding 1000 persons shall be limited to 7 events in any one calendar year.
- d) The campground shall be limited to a maximum of 400 campsites of which 40 sites shall be permitted access to electrical, water and sewage pump-out services.
- e) All restaurants in total shall be limited to a combined maximum seating capacity of 800 persons
- f) Off-street parking for the Zoological Theme Park including all associated uses shall be provided at the rate of 2.4 spaces per acre plus 0.80 spaces per employee. The off-street parking requirement for a major event at the amphitheatre shall be at the rate of 1 space for every 4 persons in excess of the total parking required for the Zoological Theme Park. On the day scheduled for a major event the Zoological Theme Park shall close no later than 6:00 pm and the major event shall not be scheduled to start before 7:00 pm.

OS-374 (H) (53-07) 397 GARRISON ROAD

These lands are zoned Open Space Holding OS-374 (H) Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space Holding OS-374 (H) Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the list of permitted uses in Subsection 33.2 Permitted Uses these lands may only be used for public walkways.

OS-375 (H) (53-07) 397 GARRISON ROAD

These lands are zoned Open Space Holding OS-375 (H) Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space Holding OS-375 (H) Zone on the attached Schedule A subject to the following special provisions:

- a) That notwithstanding the list of permitted uses in Subsection 33.2 – Permitted Uses these lands may only be used for an interim stormwater management pond.

OS-393 (121-08) High Pointe, north end of Green Acres Drive

These lands are zoned Open Space OS-393 Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space OS-393 Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the list of permitted uses in Subsection 33.2 Permitted Uses these lands may only be used for a public park.

OS-394(H) (121-08) High Pointe, north end of Green Acres Drive

These lands are zoned Open Space Holding OS-394 (H) Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space Holding OS-394 (H) Zone on the attached Schedule A subject to the following special provisions:

- a) That notwithstanding the list of permitted uses in Subsection 33.2 – Permitted Uses these lands may only be used for a stormwater management pond.

OS-409 (90-09) Ridgeway By-the-Lake Phase 3

These lands are zoned Open Space OS-409 Zone, and all of the provisions of By-law No.129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space OS-409 Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the Permitted Uses in Section 33.2 these lands shall be used for no other purpose than a stormwater channel and the conservation of the natural environment.

OS-410 (90-09) Ridgeway By-the-Lake Phase 3

These lands are zoned Open Space OS-410 Zone, and all of the provisions of By-law No.129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space OS-410 Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the Permitted Uses in Section 33.2 these lands shall be used for no other purpose than for a Stormwater Management Pond.

OS-411(90-09) Ridgeway By-the-Lake Phase 3

These lands are zoned Open Space OS-411 Zone, and all of the provisions of By-law No.129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space OS-411 Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the Permitted Uses in Section 33.2 these lands shall be used for no other purpose than for a private landscaped area.

OS-445 (58-11) Gateway Secondary Plan Area

These lands are zoned "Open Space OS-445 Zone" and all of the provisions that relate to lands zoned "Open Space OS Zone" by this by-law shall apply to those lands zoned "Open Space OS-445 Zone" on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the permitted uses of Section 33.2 these lands shall be used for no other purpose than a public or private open space amenity area.

OS-448 (58-11) Gateway Secondary Plan Area

These lands are zoned "Environmental Protection EP-448 Zone" and all of the provisions that relate to lands zoned "Environmental Protection EP Zone" by this by-law shall apply to those lands zoned " Environmental Protection EP-448 Zone" on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the requirements of Subsection 35A.2, the subject lands may also be used for operations carried on by or on behalf of the Niagara Parks Commission, including but not limited to open space, parkland, recreational uses, and all accessory uses to such operations, subject to compliance with applicable regulations of the Niagara Peninsula Conservation Authority.

OS-449 (58-11) Gateway Secondary Plan Area

These lands are zoned "Environmental Protection EP-449 Zone" and all of the provisions that relate to lands zoned "Environmental Protection EP Zone" by this by-law shall apply to those lands zoned " Environmental Protection EP-449 Zone" on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the requirements of Subsection 35A.2, the subject lands may also be used for operations carried on by or on behalf of the Buffalo and Fort Erie Public Bridge Authority and all accessory uses to such operations, subject to compliance with applicable regulations of the Niagara Peninsula Conservation Authority.

OS-450 (58-11) Gateway Secondary Plan Area

These lands are zoned "Open Space OS-450 Zone" and all of the provisions that relate to lands zoned "Open Space OS Zone" by this by-law shall apply to those lands zoned "Open Space OS-450 Zone " on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the permitted uses of Section 33.2 these lands shall be used for no other purpose than a natural buffer area incorporating the existing woodlot, as well as the conservation of plant and wildlife. No trees may be removed from this area other than for the purpose of maintaining the health and integrity of the overall woodlot.

OS-460 (104-11) 2434 Dominion Road(RELOCATED TO EP-460)

OS-464 (05-12) South Coast Village at Crystal Beach

These lands are zoned Open Space (OS) Zone OS-464 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Open Space (OS) Zone by this by-law shall apply to those lands zoned Open Space (OS) Zone OS- 464 Zone on Schedule A shall be subject to the following special provisions:

- a) These lands shall only be used for a stormwater management facility.

OS-466 (24-12) West of Spears Road, East of Alliston Avenue (Alliston Woods)

These lands are zoned Open Space (OS) Zone OS-466 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Open Space (OS) Zone by this by-law shall apply to those lands zoned Open Space (OS) Zone OS- 466 Zone on Schedule A shall be subject to the following special provisions:

- a) These lands shall only be used for a public park.

OS-469 (25-12) Northeast Corner Of Thunder Bay Road and Prospect Point Road and West of Maple Leaf Avenue (Ridgeway Shores Phase 2)

These lands are zoned Open Space (OS) Zone OS-469 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Open Space (OS) Zone by this by-law shall apply to those lands zoned Open Space (OS) Zone OS-469 Zone on Schedule A shall be subject to the following special provisions:

- a) These lands shall only be used for a public park.

OS-470 (25-12) Northeast Corner Of Thunder Bay Road and Prospect Point Road and West of Maple Leaf Avenue (Ridgeway Shores Phase 2)

These lands are zoned Open Space (OS) Zone OS-470 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Open Space (OS) Zone by this by-law shall apply to those lands zoned Open Space (OS) Zone OS-470 Zone on Schedule A shall be subject to the following special provisions:

- a) These lands shall only be used for a stormwater management pond.

OS-471 (25-12) Northeast Corner Of Thunder Bay Road and Prospect Point Road and West of Maple Leaf Avenue (Ridgeway Shores Phase 2)

These lands are zoned Open Space (OS) Zone OS-471 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Open Space (OS) Zone by this by-law shall apply to those lands zoned Open Space (OS) Zone OS- 471 Zone on Schedule A shall be subject to the following special provisions:

- a) These lands shall only be used for a watercourse and conservation of the natural environment.

OS-472 (25-12) Northeast Corner Of Thunder Bay Road and Prospect Point Road and West of Maple Leaf Avenue (Ridgeway Shores Phase 2)

These lands are zoned Open Space (OS) Zone OS-472 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Open Space (OS) Zone by this by-law shall apply to those lands zoned Open Space (OS) Zone OS- 472 Zone on Schedule A shall be subject to the following special provisions:

- a) These lands shall only be used for a vegetated planting strip.

OS-473 (25-12) Northeast Corner Of Thunder Bay Road and Prospect Point Road and West of Maple Leaf Avenue (Ridgeway Shores Phase 2)

These lands are zoned Open Space (OS) Zone OS-473 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Open Space (OS) Zone by this by-law shall apply to those lands zoned Open Space (OS) Zone OS- 473 Zone on Schedule A shall be subject to the following special provisions:

- a) These lands shall only be used as a pedestrian access.

OS-478(H) (11-13) WEST OF SPEARS ROAD AND NORTH OF GARRISON ROAD (SPEARS ROAD ESTATES)

These lands are zoned Open Space (OS) Zone OS-478 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Open Space (OS) Zone by this by-law shall apply to those lands zoned Open Space (OS) Zone OS-478 Zone on the attached Appendix “1” shall be subject to the following special provisions:

- a) These lands shall only be used for a stormwater management pond.

OS-479(H) (11-13) WEST OF SPEARS ROAD AND NORTH OF GARRISON ROAD (SPEARS ROAD ESTATES)

These lands are zoned Open Space (OS) Zone OS-479 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Open Space (OS) Zone by this by-law shall apply to those lands zoned Open Space (OS) Zone OS-479 Zone on the attached Appendix “1” shall be subject to the following special provisions:

- a) These lands shall only be used as a pedestrian access.

OS-480(H) (11-13) WEST OF SPEARS ROAD AND NORTH OF GARRISON ROAD (SPEARS ROAD ESTATES)

These lands are zoned Open Space (OS) Zone OS-480 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Open Space (OS) Zone by this by-law shall apply to those lands zoned Open Space (OS) Zone OS-480 Zone on the attached Appendix “1” shall be subject to the following special provisions:

- a) These lands shall only be used for a public park.

OS-506 (76-2014) ALLISTON WOODS SUBDIVISION

These lands are zoned Open Space (OS) Zone OS-466 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Open Space (OS) Zone by this by-law shall apply to those lands zoned Open Space (OS) Zone OS- 506 Zone on the attached Appendix 1 shall be subject to the following special provisions:

- a) These lands shall only be used for a stormwater management facility.
- b) Notwithstanding the Zone Regulations in Section 33.3, the stormwater management facility shall be subject to the following special provisions:

- i. Minimum Lot Area -670 sq.m

- ii. Minimum Lot Frontage -5 m

OS-527 (72-2015) Spears Garden Subdivision

These lands are zoned Open Space (OS-527) Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Open Space (OS) Zone by this by-law shall apply to those lands zoned Open Space (OS-527) Zone on the attached Appendix “1” and shall also be subject to the following special provision:

- a) These lands shall only be used for a stormwater management facility.

OS-530 (76-2015) 1640 Garrison Road

These lands are zoned Open Space (OS-530) Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Open Space (OS) Zone by this bylaw shall apply to those lands zoned Open Space (OS-530) Zone on the attached Appendix “1” and shall be subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 33.2, the lands shown on Appendix “1” may only be used for recreational uses, a public school including secondary uses in the main school building being an auditorium, day care, offices, public library, and restaurant associated with culinary programs, and buildings and structures accessory thereto.

- b) Notwithstanding the Zone Regulations in Section 33.3, the permitted uses shall be subject to the following special provisions:
 - i) Maximum lot coverage – 25%
 - ii) Maximum landscaped open space 20%
- c) Notwithstanding the requirements of Subsection 6.20 D (ii) Ingress and Egress, the maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 14.0m.

OS-536(H) (151-2015) South Coast Village Subdivision

These lands are zoned Open Space Holding (OS-536(H)) Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Open Space (OS) Zone by this by-law shall apply to those lands zoned Open Space Holding (OS-536(H)) Zone on the attached Appendix “1” and shall be subject to the following special provisions:

- a) Notwithstanding the Zone Regulations in Section 33.2, these lands may only be used as a public park.

OS-569 (125-2016) Royal Ridge Subdivision

These lands are zoned “Open Space (OS) Zone”, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space (OS-569) Zone”, on the attached Appendix “1” and shall be subject to the following provisions:

- a) Notwithstanding the list of Permitted Uses in Section 33.2, the lands shown on Appendix “1” may only be used for a stormwater management pond.

OS-577 (53-2017) Fort Erie Hills Subdivision

These lands are zoned “Open Space (OS-577) Zone” (Part 4), and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space (OS-577) Zone shown as Part 4 on the attached Appendix “1” and shall be subject to the following provision:

- a) Notwithstanding the list of “Permitted Uses” in Section 33.2, the subject lands may only be used for parkland.”

OS-578 (H) (53-2017) Fort Erie Hills Subdivision

These lands are zoned “Open Space Holding (OS-578) (H) Zone” (Part 5), and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space Holding (OS-578) (H) Zone shown as Part 5 on the attached Appendix “1” and shall be subject to the following provisions:

- a) Notwithstanding the list of “Permitted Uses” in Section 33.2, the subject lands may only be used for a stormwater management pond.

OS-606 (2-2018) – 22 Goderich Street (Goderich Street Park)

These lands are zoned “Open Space (OS-606) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space (OS-606) Zone” subject to the following provisions:

Notwithstanding Subsection 33.3 the following shall apply:

- a) Minimum Lot Area 2300 sq.m.

OS-607 (2-2018) – 120 Niagara Boulevard (Riverwalk Access)

These lands are zoned “Open Space (OS-607) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space (OS-607) Zone” subject to the following provisions:

Notwithstanding Subsection 33.3 the following shall apply:

- a) Minimum Lot Area 150 sq.m.
b) Minimum Lot Frontage 11m
c) Minimum Lot Coverage 0%
d) Minimum Interior, exterior, front and rear yard n/a
e) Maximum Building Height n/a

OS-608 (2-2018) – 113-117 Niagara Boulevard (Private Open Space)

These lands are zoned “Open Space (OS-608) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space (OS-608) Zone” subject to the following provisions:

Notwithstanding Subsection 33.3 the following shall apply:

- a) Minimum Lot Area 1480 sq.m.
b) Minimum Lot Coverage 0%
c) Minimum Interior, exterior, front and rear yard n/a
d) Maximum Building Height n/a

OS-609 (2-2018) – 123 Niagara Boulevard (Private Open Space)

These lands are zoned “Open Space (OS-609) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space (OS-609) Zone” subject to the following provisions:

Notwithstanding Subsection 33.3 the following shall apply:

- a) Minimum Lot Area 940 sq.m.
b) Minimum Lot Coverage 0%
c) Minimum Interior, exterior, front and rear yard n/a

- d) Maximum Building Height n/a

OS-610 (2-2018) – 126 Niagara Boulevard (Private Open Space)

These lands are zoned “Open Space (OS-610) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space (OS-610) Zone” subject to the following provisions:

Notwithstanding Subsection 33.3 the following shall apply:

- | | |
|--|-----------|
| a) Minimum Lot Area | 770 sq.m. |
| b) Minimum Lot Frontage | 0m |
| c) Minimum Lot Coverage | 0% |
| d) Minimum Interior, exterior, front and rear yard | n/a |
| e) Maximum Building Height | n/a |

Notwithstanding Subsection 6.5 to the contrary, minimum frontage on a public road allowance shall be 0m.

OS-611 (2-2018) – 162 Niagara Boulevard (Private Open Space)

These lands are zoned “Open Space (OS-611) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space (OS-611) Zone” subject to the following provisions:

Notwithstanding Subsection 33.3 the following shall apply:

- | | |
|--|------------|
| a) Minimum Lot Area | 1500 sq.m. |
| b) Minimum Lot Frontage | 0m |
| c) Minimum Lot Coverage | 0% |
| d) Minimum Interior, exterior, front and rear yard | n/a |
| e) Maximum Building Height | n/a |

Notwithstanding Subsection 6.5 to the contrary, minimum frontage on a public road allowance shall be 0m.