

**SPECIAL TEMPORARY USE PROVISIONS FOR PARTICULAR
PARCELS OF LAND**

**90. SPECIAL TEMPORARY USE PROVISIONS FOR PARTICULAR PARCELS OF
LAND**

The general provisions of this by-law as they affect the lands described or referred to in the subsections of this Section are modified where necessary to permit the temporary use of the lands for the specified uses for a period of time not to exceed three years.

The address or other indication of location is listed in the left margin and is not part of this by-law.

Special Provision	Applies to / Location	By-law Number
(2T)	<u>Vic Hatfield</u> <i>Expires 2013 06 21 Use expired and is no longer required.</i>	(2010-116)

Special Provision	Applies to / Location	By-law Number
(4T)	<u>The Original Garden Centre</u> 1194 Dundas Street East Expires 2004 05 14	(1989-140) (1992-230) (1998-066) (2001-102)

The land to which By-law 1998-66 applies may be used for the uses permitted in the general provisions of By-law 1984-63, as amended, including Subsection 89(372) and, in addition, the following uses subject to the regulations for the zone in which the land is located except where in conflict with the following, in which case the following regulations shall apply:

- (a) **Permitted Uses**
- (i) A garden centre including the sale of nursery stock, garden equipment and furniture, fertilizers and associated garden chemicals, the sale of firewood and landscape materials;
 - (ii) Ancillary uses including a greenhouse, storage facilities, hoop sheds and lath houses; and,

SPECIAL TEMPORARY USE PROVISIONS FOR PARTICULAR PARCELS OF LAND

- (iii) Parking for the garden centre.
- (b) **Regulations**
- (i) Lot coverage maximum - as shown on the plan Schedule "B" to By-law 2001-102, lot coverage includes structures offering temporary weather protection to plant materials;
- (ii) Minimum parking - 35 spaces which must be constructed of a dust free stable surface;
- (iii) Orderly outside storage of goods and materials to a maximum height of 4m is permitted;
- (iv) There shall be no storage of goods and materials closer than 2m to any property line;
- (v) The uses permitted under Section 2(a) shall be in effect for a maximum of three years from May 14, 2001.

Special Provision	Applies to / Location	By-law Number
(16T)	<u>MacDonald</u> 52 Kerr St <i>Expires 2000 01 12 Use expired and is no longer required.</i>	(1992-63)

Special Provision	Applies to / Location	By-law Number
(19T)	<u>Medeiros Boat Works</u> 210 Burnhamthorpe Road East, Part Lot 14, Concession 1 NDS.	(1994-3) (1997-6) (1999-160) (2002-152) (2005-142) (2008-166)

The lands subject to Special Provision 19T may be used for the uses permitted in the general provision of By-law 1984-63 subject to the regulations provided for such uses and, in addition, the following use subject to the regulations set out herein:

a) **Permitted Uses:**

A boat manufacturing and fabrication operation.

**SPECIAL TEMPORARY USE PROVISIONS FOR PARTICULAR
PARCELS OF LAND**

b) Regulations

- i. As of the date of passing of this By-law, the existing 855 m² building may continue to be used for boat manufacturing and fabrication and be located as shown in hatchmarks on Schedule “B” to By-law 2008-166. No additions may be made to this building. None of the other existing buildings on the site may be used for this purpose.
- ii. No new buildings or structures may be erected or used on the subject property for the purpose of boat manufacturing and fabrication.
- iii. Outside storage of goods and materials necessary for the boat manufacturing and fabrication operation shall be limited to the location and dimensions as shown on Schedule “B” to by-law 2008-166 and shall be screened from the street and adjacent properties by a solid wall, fence or hedge.
- iv. No retail sales, showroom or display of manufactured products shall be permitted on the subject property.
- v. No signage shall be displayed for the boat manufacturing and fabrication operation.
- vi. Minimum number of parking spaces which may be unpaved – 10

This use shall be in effect for a maximum of three years from the date of the passing of this by-law.

Special Provision	Applies to / Location	By-law Number
(20T)	<u>Rotherglen School</u> 1297 Dundas Street East <i>Expired 2001 07 06</i>	(1994-54) (1998-128)

Special Provision	Applies to / Location	By-law Number
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**SPECIAL TEMPORARY USE PROVISIONS FOR PARTICULAR
PARCELS OF LAND**

(21T)	<u>J. Arora (formerly Satmehar Gill) In Trust</u> Part of Lot 14 Conc 3, S.D.S <i>Expired 2003 01 10</i>	(1997-3) (2000-003)
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Special Provision	Applies to / Location	By-law Number
(22T)	<u>Anderson and Pearson</u> 2460 Bronte <i>Expires - 2004 04 09</i>	(1997-245) (2001-069)

The land to which By-law 1984-63 applies may be used for the uses permitted in the general provisions of By-law 1984-63 subject to the regulations provided for such uses and, in addition, the following use subject to the regulations set out herein:

- (a) **Permitted Use**
- (i) Business and professional offices, however, during the time that the subject site is used for business and professional offices it shall not be used for any other purpose.
- (b) **Regulations**
- (i) As of the date of passing of this by-law, the existing 247m² building may be used for business and professional offices. No additions may be made to this building. None of the other existing buildings on the site may be used for this purpose.
- (ii) No new buildings or structures may be erected on the subject property for the purpose of business and professional offices.
- (iii) Parking for business and professional office use to comply with the parking regulations of the C3A zone.
- (iv) This use shall be in effect for a maximum of three years commencing from April 9, 2001.

Special	Applies to / Location	By-law Number
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**SPECIAL TEMPORARY USE PROVISIONS FOR PARTICULAR
PARCELS OF LAND**

Provision		
(23T)	<u>Oakville Golf Range</u> Part of Lot 20, Conc. 1, NDS	(1998-40) (2001-001) (2004-010)

The lands to which by-law 2004-010 applies may be used for the uses permitted in By-law 1984-63 and the following additional uses subject to the regulations contained in By-law 1984-63 for the permitted uses and additional uses except where in conflict with the following in which case the following shall prevail:

- b) **Permitted Uses:**
- ii. A golf driving range;
 - iii. An accessory structure for use as a sales/pro shop;
 - iv. An accessory structure for the storage of maintenance equipment.
- c) **Regulations**
- viii. Maximum lot area – 8.0ha
 - ix. Maximum lot frontage – 250m
 - x. Maximum floor area – each accessory structure – 60m²;
 - xi. Parking – Minimum 37 parking spaces which may be unpaved.

This by-law shall be in effect for a maximum period of three years commencing from February 9, 2004.

Special Provision	Applies to / Location	By-law Number
(24T)	<u>Premier Operating Corporation Ltd.</u> Part Lot 5 Conc. 1, SDS <i>Expires 2015 10 22</i>	(2012-093)

Notwithstanding the provisions contained in subsection 89(70) the lands to which By-law 2012-093 applies may be used for the following additional uses only subject to the regulations contained in this by-law:

a) **Permitted Uses**

- (i) A third screen and projection booth and associated parking.

SPECIAL TEMPORARY USE PROVISIONS FOR PARTICULAR PARCELS OF LAND

(ii) Two (2) beach volleyball courts accessory to the drive in theatre.

b) Regulations

- (i) Minimum distance of any building or structure from all lot lines – 15.2m;
- (ii) Maximum building height of the projection booth measured from the established grade – 17 m;
- (iii) Maximum building height of the new box office measured from the established grade – 11m;
- (iv) Maximum height of third theatre screen measured from the established grade – 21.5 m;
- (v) Maximum height of all accessory buildings and structures measured from established grade – 4.57 m;
- (vi) Minimum lot frontage – 335.2 m;
- (vii) Parking for additional 195 vehicles.

c) This by-law shall be in effect for a period of three years commencing October 22, 2012.

Special Provision	Applies to / Location	By-law Number
(25T)	<u>Kholov</u> Part of Lot 5, Conc. 1, SDS	(2000-020) (2004-012)

Notwithstanding the provisions contained in subsection 89(680) the lands to which By-law 2004-012 applies may be used for the following additional uses only subject to the regulations contained in this by-law:

(a) Permitted Uses

- (i) Recreational fishing, ancillary retail sales of bait, fishing equipment and refreshments and washroom facilities for the public providing that ponds are separated from the other uses by a fence meeting the standards of By-law 2002-034.

(b) Regulations

SPECIAL TEMPORARY USE PROVISIONS FOR PARTICULAR PARCELS OF LAND

- (i) No part of any pond or structure created for fishing purposes may be located less than 18m from any lot line;
- (ii) The recreational fishing facilities need not be contained within a building;
- (iii) Maximum floor area for retail sales of bait, fishing equipment and refreshments: 40m²;
- (iv) Ancillary retail sales of bait, fishing equipment and refreshments may occur within the existing dwelling and in addition washrooms for public use may be located in the existing dwelling;
- (v) Any accessory buildings for retail sales of bait, fishing equipment and refreshments and washroom facilities must be entirely within the rear yard;
- (vi) The uses permitted under subsection 90(25T) shall be in effect for a maximum period of two years from February 9, 2004.
- (vii) Minimum parking – 30 spaces which may be of stable dust free surface if located on the Enbridge or TransCanada easements or covered in asphalt and striped in accordance with the regulations contained in By-law 1984-63 if located elsewhere on the property.

Special Provision	Applies to / Location	By-law Number
(26T)	<u>Vic Hadfield Golf & Learning Centre</u> Part Lot 12, Con 1, NDS	(2001-153) (2004-089) (2007-060)

The lands to which By-law 2007-060 applies may be used for the uses permitted in the general provisions of By-law 1984-63, as amended, subject to the regulations provided for such uses, and in addition, may be used for the uses set out below, subject to the regulations set out in By-law 1984-63, as amended, and the following regulations, which shall prevail in the event of any conflict:

Permitted Uses:

- (i) A golf driving range
- (ii) Sales/pro shop
- (iii) An accessory storage structure for the storage of maintenance equipment

Regulations:

- (i) Maximum lot area – 9.7 ha
- (ii) Maximum floor area:
 - a) Existing dwelling for use as pro shop/sales/office, maximum - 112m²

**SPECIAL TEMPORARY USE PROVISIONS FOR PARTICULAR
PARCELS OF LAND**

- b) Storage shed, maximum -- 140m²
- (iii) Maximum number of driving tees -- 65
- (iv) Parking – minimum 70 spaces which may be unpaved.

This by-law shall be in effect for a maximum period of three years commencing from June 25, 2007.

Special Provision	Applies to / Location	By-law Number
(27T)	<p align="center"><u>Memorial Gardens (Ontario) Ltd.</u> Part Lot 7 Con 1, NDS - <i>Expires 10 22 04</i></p>	(2001-204)

The lands shown in hatchmarks on Schedule “B” of By-law 2001-204 may be used for the uses permitted in the general provision of By-law 1984-63, subject to the regulations provided for such uses, and in addition, may be used for the uses set out below, subject to the regulations set out in By-law 1984-63, and the following regulations which shall govern in the case of conflict:

(a) **Permitted Uses:**

- (i) A golf driving range
- (ii) A tennis bubble
- (iii) 2 trailers for administrative purposes

(b) **Regulations:**

- (i) Maximum area of the lot to be used for the golf driving range, tennis bubble and administration trailers – 11.6ha
- (ii) Maximum lot frontage on Burnhamthorpe Road – 95m
- (iii) Minimum setback from Burnhamthorpe Road – 48m
- (iv) Minimum westerly side yard setback – 32m
- (v) Minimum easterly side yard setback from the top-of-bank of Joshua Creek – 6.5m
- (vi) Maximum floor area of tennis bubble - 3312m²
- (vii) Maximum overall height of the tennis bubble at any point above the base – 11m
- (viii) Maximum floor area of trailers/accessory structures -168m²
- (ix) The driving range shall not be illuminated

PART VI

SPECIAL TEMPORARY USE PROVISIONS FOR PARTICULAR PARCELS OF LAND

- (x) Maximum number of driving tees - 60
- (xi) Parking – minimum 135 spaces, which may be unpaved

This by-law shall be in effect for a maximum period of three years commencing from October 22, 2001.

Special Provision	Applies to / Location	By-law Number
(28T)	<u>Andercad Ltd.</u> 2295 Bronte Rd <i>Expires 2005/08/07</i>	(2002-158)

The land to which By-law 2002-158 applies may be used for the uses permitted in the general provisions of By-law 1984-63 subject to the regulations provided for such uses and, in addition, the following use subject to the regulations set out herein:

- i) **Permitted Use**
 - i) Architectural design office, however, during the time that the subject site is used for an architectural design office it shall not be used for any other purpose.
- b) **Regulations**
 - i) As of the date of passing of this by-law, the existing 144 m² building may be used for an architectural design office. No additions may be made to this building. None of the other existing buildings on the site may be used for this purpose.
 - ii) No new buildings or structures may be erected on the subject property for the purpose of an architectural design office.
 - iii) Parking for an architectural design office use to comply with the parking regulations of the C3A zone.
 - iv) This use shall be in effect for a maximum of three years commencing from August 7, 2002.

Special Provision	Applies to / Location	By-law Number
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**SPECIAL TEMPORARY USE PROVISIONS FOR PARTICULAR
PARCELS OF LAND**

(29T)	<u>Abbey Family Medicine</u> 2307 Bronte Rd <i>Expires 2005/08/07</i>	(2002-160)
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The land to which By-law 2002-160 applies may be used for the uses permitted in the general provisions of By-law 1984-63 subject to the regulations provided for such uses and, in addition, the following use subject to the regulations set out herein:

- i) **Permitted Use**
 - i) Medical office/residence, however, during the time that the subject site is used for a medical office/residence it shall not be used for any other purpose.

- b) **Regulations**
 - i. As of the date of passing of this by-law, the existing 157m² building may be used for medical office/residence. No additions may be made to this building. None of the other existing buildings on the site may be used for this purpose.
 - ii. No new buildings or structures may be erected on the subject property for the purpose of a medical office/residence.
 - iii. Parking requirements – 10 parking spaces
 - iv. Maximum 2 Doctors and required staff
 - v. This use shall be in effect for a maximum of three years commencing from August 7, 2002.

Special Provision	Applies to / Location	By-law Number
(30T)	<u>EC – Olde Oakville</u> Portion of 485 Trafalgar Road identified as Part 55 and Part 56, 20R-5105, and part of Part 1, 20R-12464	(2008-157) (2010-114)

Repealed by By-law 2010-114