

**PART VI HOLDING ZONE PROVISIONS FOR PARTICULAR PARCELS OF LAND**

**90B HOLDING ZONE PROVISIONS FOR PARTICULAR PARCELS OF LAND**

Notwithstanding any other provision in this By-law, where a Zone symbol is preceded by the letter “H” no person shall use any such lands or erect any building or structure for any purpose, except in accordance with the permitted uses and regulations shown in subsection 90B(1).

(1) The following holding provisions apply to the properties specified:

**H1. Uptown Core/Silwell Developments Ltd.**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H1-UCR1B(b) H1-O1 H1-UCC H1-UCC3R H1-UCG H1-UCR1B H1-UCC3R	592	91(22)	2011-058 2012-002 PL0100992
H1-UCC3R	592 &727	91(22)	

(a) **Permitted Uses** (prior to “H” removal)

For such time as the “H” symbol is in place, these lands shall only be used for the following:

1. Open Space uses.

(b) **Conditions for “H” Removal**

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law from all or part of these lands when the following conditions have been satisfied:

1. Suitable arrangements for water and waste water services have been approved by the Region of Halton;
2. Sufficient water supply has been approved by the Oakville Fire Department;
3. An urban design study has been approved by the Town of Oakville;
4. A tertiary plan has been approved by the Town of Oakville;
5. The proposed development is in conformity to the phasing policies of the Official Plan.

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**H2. Lakeshore Road West & Brookfield Road**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>
H2-R8	625	91(7)

(a) **Permitted Uses** (prior to “H” removal)

For such time as the “H” symbol is in place, these lands shall only be used for the following:

1. The existing uses, buildings and structures.

(b) **Conditions for “H” Removal**

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law from all or part of these lands when the following conditions have been satisfied:

1. Payment of cash-in-lieu of parkland to the Town of Oakville;
2. The owner has entered into a development agreement with the Town which includes a commitment that the owner will apply for site plan approval for the subject development and that the owner will undertake any streetscape improvements on Lakeshore Road and Brookfield Road required by the Town as part of the site plan approval;
3. The owner has prepared a co-tenancy agreement or will form a corporation to provide for the ownership maintenance of the common driveway and the common amenity area.

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**H3. – MacDonald, Hays (In Trust), Tweedie (Estate) & Gavrilovic**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>
H3-T1	691	91(23)

(a) **Permitted Uses** (prior to “H” removal)

For such time as the “H” symbol is in place, these lands shall only be used for the following:

1. An agricultural use;
2. The existing detached dwelling;
3. Business and professional offices within existing buildings.

(b) **Regulations** (Prior to “H” removal)

1. Maximum floor area — as existing;
2. Parking:
  - i) For business and professional offices within existing buildings – one space for every 28m<sup>2</sup> of leaseable floor area, subject to the regulations set out in Section 67(1) of By-law 1984-63, as amended;
  - ii) For medical offices occupying more than 60% of the leaseable floor area within existing buildings – one space for every 23.2m<sup>2</sup> of leaseable floor area, subject to the regulations set out in Sections 67(1) and 67(3) of By-law 1984-63 as amended.

(c) **Conditions for “H” Removal**

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law from all or part of these lands when the following conditions have been satisfied:

1. Suitable arrangements for water and wastewater services for the land have been approved by the Region of Halton;
2. Transportation and site access issues have been resolved to the satisfaction of the Town of Oakville;
3. No buildings or structures are located within 7.5m of the top-of-bank of the Joshua’s Creek valley in the O4 zone;
4. The 7.5m setback from the top-of-bank of Joshua’s Creek valley has been conveyed to the Town of Oakville.

**H4. Lakeshore Woods/Metrus Developments - SP 89(695)**

Holding Provision Introduced by By-law 2003-098

*Holding Provision Removed by By-Law 2008-116*

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**H5. East side of McPherson Road/Part of Lot 32, Con 3, SDS**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>
H5-E1 H5-E2		91(4)
H5-E1	742	91(4)
H5-E1	744	91(4)

(a) **Permitted Uses** (Prior to “H” removal)

For such time as the “H” symbol is in place, these lands shall only be used for the following:

1. The existing uses, buildings and structures.

(b) **Conditions for “H” Removal**

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law from all or part of these lands when the following conditions have been satisfied:

1. The final engineered location of the proposed Harvester Road extension and bridge crossing of Bronte Creek have been determined and transportation and traffic studies have been provided to the satisfaction of the Town of Oakville;
2. That suitable financial arrangements have been made to the satisfaction of the Town and the Region with respect to cost sharing arrangements pertaining to any servicing matters.

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**H6. Palermo West/Monarch Liptay Partnership**

Zoning Designation(s)	Special Provision	Zoning Map	By-law #
H6-O1(a) H6-O1(b) H6-O4 H6-R13 H6-R13(a) H6-R13(b) H6-R13(c) H6-R8(a)	751	91(18)	2007-185 2008-158 2009-130

*(deleted by By-law 2009-130)*

**H7. – Palermo West/Monarch Liptay Partnership**

Zoning Designation(s)	Special Provision	Zoning Map	By-law #
H7-R8(b) H7-RO8	751	91(18)	2007-185 2002-185 2011-094

*(deleted by By-law 2011-094)*

**H8. Palermo West/Monarch Liptay Partnership**

Zoning Designation(s)	Special Provision	Zoning Map	By-law #
H8-R8(f)	751	91(18)	2002-237 2007-096 2008-110 2009-055

*(deleted by By-law 2009-055)*

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**H9. West Oak Trails/Pineberry Estates Inc.**

Zoning Designation(s)	Special Provision	Zoning Map	By-law #
H9-O4	752	91(18)	2007-096 2008-020

- (a) **Permitted Uses** (Prior to “H” removal)  
 For such time as the “H” symbol is in place, these lands shall only be used for the following:
1. Agricultural uses.
- (b) **Conditions for “H” Removal**  
 The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law from all or part of these lands when the following conditions have been satisfied:
1. The Town of Oakville has been advised by Halton Region that sufficient water and wastewater capacity has been allocated.

**H10. West Oak Trails/Fox Farm Developments Inc.**

Zoning Designation(s)	Special Provision	Zoning Map	By-Law No.
H10-R13	779	91(19)	2011-043

(deleted by By-law 2011-043)

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**H11. Ryan Lee & By-Ways Construction**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>
H11-E1	798	91(16)

(a) **Permitted Uses** (Prior to “H” removal)

For such time as the “H” symbol is in place, these lands shall only be used for the following uses, in addition to the E1 uses as permitted in the general provisions of By-law 1984-63, as amended, subject to the applicable regulations for such uses except where in conflict with the following, in which case the following shall prevail:

- (i) A drug store
- (ii) Service station
- (iii) Car wash
- (iv) Limited Retail
- (v) Service Establishment Commercial
- (vi) Commercial School
- (vii) Private School

(b) **Regulations** (Prior to “H” removal)

- 1. Front Yard – minimum 4.5 metres;
- 2. For a services station, car wash and ancillary retail to such, the requirements of the C6 zone apply except as follows:
  - (i) The partitioning requirement in Section 54(k) of By-law 1984-63 as amended shall not apply;
  - (ii) Two take out windows servicing a take out restaurant are permitted;
  - (iii) notwithstanding Section 58, Footnote 2, of By-law 1984-63 as amended, a vehicle dealership is permitted on a lot abutting an Open Space zone.

(c) **Conditions for “H” Removal**

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law from all or part of these lands when the following conditions have been satisfied:

- 1. Submission of a market study, to the satisfaction of the Town, justifying a food store.

(2) **Removal of Holding Symbol and Regulations**

Upon removal of the holding symbol from the zoning map, the relevant text specified in Section 90B(1) shall be repealed in accordance with The Planning Act.”.”

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**H12. – Ashley Oaks Homes Ltd. - Prince Michael Drive – SP 89(795)**

*Holding Provision Introduced by By-law 2006-108*

*Holding Provision Removed by By-Law 2009-002*



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**H13. – Maurice Garden Developments Inc**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H13-R8	809	91(7)	2007-198 2009-010

(a) **Permitted Uses** (Prior to “H” removal)

For such time as the “H” symbol is in place, these lands shall only be used for existing uses, buildings and structures.

(b) **Regulations** (Prior to “H” removal)

For such time as the “H” symbol is in place, these lands shall be subject to the regulations of the R03 zone.

(c) **Conditions for “H” Removal**

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law from all or part of the lands subject to this provision (hereinafter referred to a “development block”) when the following conditions have been satisfied:

1. Halton Region’s Commissioner of Planning and Public Works, or his or her designate, is satisfied that:
  - (i) Water and wastewater infrastructure is available to service the lands; and
  - (ii) Updates to the Functional Servicing Report or a detailed design submission have been provided; and
  - (iii) The Owner has entered into any necessary servicing agreement(s) with Halton Region.
2. The Town of Oakville is satisfied:
  - (i) The consolidation of land ownership within the development block has occurred in conformity with the Official Plan of the Town of Oakville;
  - (ii) For each development block within the area bounded by Dorval Drive, Lakeshore Road West, Maurice Drive and Rebecca Street (the “area”), a block plan has been submitted illustrating such matters as the proposed location of dwellings, access and roads or laneways, on site parking and amenity areas and traffic circulation patterns and future connections with the adjacent development block;
  - (iii) A Traffic Impact Study has been approved by the Town reviewing the effect of the proposed development on the functioning of the transportation network. Any such improvements associated with each development block must be secured prior to or coincident with the development of the lands; and
  - (iv) Legal access for adjacent development blocks over any laneways forming part of the development has been secured.

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**H14 – Maurice Garden Developments Inc.**

Zoning Designation(s)	Special Provision	Zoning Map	By-law #
H14-C3R	811	91(7)	2007-201 2011-107

*Deleted by By-law 2011-107*

**H16 – Maurice Garden Developments Inc.**

Holding Provision Introduced by By-law 2008-066

*Holding Provision Removed by By-Law 2009-010*

**H19 - Parkmount and Morista 658 and 772 Winston Churchill Blvd.**

Zoning Designation(s)	Special Provision	Zoning Map	By-law #
H19-E1	746	91(10)	2013-062 OMB PL 121335

a) **Permitted Uses (prior to the “H” removal)**

For such time as the “H” symbol is in place, these lands shall only be used for the following:

1. 05 Open Space Uses.

b) **Conditions for “H” Removal**

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law from all or part of these lands when the following conditions have been satisfied:

1. The land owner has obtained site plan approval for the lands; or
2. The landscaping of the 05 Open Space corridor as proposed by Sithe Southdown Ltd. Has been completed.”

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**H21 – Empire Communities – 521-549 Kerr Street (Part of Lot 16, Con. 3 S.D.S.)**

Zoning Designation(s)	Special Provision	Zoning Map	By-law #
H21-C3R	827	91(8)	2008-185 2010-178 OMB PLO80447 2014-020

*(deleted by By-law 2014-020)*

**H22 – Dundas Sixth Line Development Inc. – 32 Dundas Street East (Part of Lot 15, Con. 1 S.D.S.)**

Zoning Designation(s)	Special Provision	Zoning Map	By-law #
H22-R8(a) H22-R8(b)	828	91(22)	2009-027 OMB PLO80366

**a) Permitted Uses (Prior to “H” removal)**

For such time as the “H” symbol is in place, these lands shall only be used for existing permitted uses, buildings and structures and a sales building.

In addition, these lands may be used for uses permitted under Special Provision 828 to a maximum of 447 SDE’s (single detached equivalent) units as defined by Halton Region.

**b) Regulations (Prior to “H” removal)**

For such time that the “H” symbol is in place, these lands shall be subject to the regulations of the Special Provision 89(828).

**c) Conditions for “H” Removal**

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law, from all or part of the lands when the following conditions have been satisfied:

1. That the Town of Oakville has been advised by Halton Region that sufficient water and wastewater capacity is available and that the development may proceed.

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**H24 - Creekbank Properties (Lyons Lane) Ltd.**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H24-R9	830	91(8)	2009-043 OMB#PLO80691 & PLO80692

a) **Permitted Uses (Prior to “H” removal):**

For such time as the “H” symbol is in place, these lands shall only be used for existing uses, buildings and structures.

b) **Regulations (Prior to “H” removal):**

For such time as the “H” symbol is in place, these lands shall be subject to the regulations of the C3A-SP.124 zone as it read on the day before By-law 2009-043 came into effect.

c) **Conditions for “H” Removal:**

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law, from all or part of the lands subject to this provision when the following conditions have been satisfied:

The following is completed to the satisfaction of the Town of Oakville:

- a) completion of detailed design drawings required for the construction of Road and Infrastructure Improvements,
- b) registration on title of an agreement between the Owner and the Town with respect to the Road and Infrastructure Improvements, which agreement shall address security and advancing of funds or a letter of credit for the full cost of the Road and Infrastructure Improvements,
- c) registration on title of section 37 Agreement, and,
- d) the completion of all land conveyances from the Owner to the Town required for the Road and Infrastructure Improvements.”

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**H25 – Ontario Realty Corporation**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H25-E1	358	91(16)	2009-083
H25-E1	836		

*(deleted by By-law 2013-096)*

**H26 - Monarch/Liptay Partnership - 1293529 Ont. Ltd., Bronte Creek Community Limited**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H26-R8(f)	751	91(18)	2002-237 2007-096 2008-110 2009-093 2010-117

*(deleted by By-law 2010-117)*

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**H27 – 445312 Ontario Limited/Shelly's** - Lot A, 1 and 2, Part of Lots 3 and 4, and Block 51 on Reg. Plan 1 (80 Navy Street/104-144 Robinson Street )

Zoning Designation(s)	Special Provision	Zoning Map	By-law #
H27-R8	838	91(8)	2010-019 PL070682 PL080963

a) Permitted Uses (prior to “H” Removal)

For such time as the “H” symbol is in place, these lands shall only be used for existing permitted uses, in accordance with the Zoning By-law.

b) Regulations (Prior to “H” Removal)

For such time that the “H” symbol is in place, these lands shall be subject to the regulations of the R8 zones subject to Special Provision 654 as existing prior to the passing of this By-law.

c) Conditions for “H” Removal

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law, from all or part of the lands when the following conditions have been satisfied:

1. Based on the information provided for the subject property, the application is to change the current land use to a more sensitive land use (as per Ontario Regulation 153/04). Section 168.3.1 of the Environmental Protection Act indicates that a person shall not change the use of a property to a more sensitive land use (as prescribed in Section 14 of Ontario Regulation 153/04), unless a Record of Site Condition (RSC) has been filed in the Environmental Site Registry.

Therefore, as a condition of the “H” (Holding) provision, the applicant is required to submit all supporting documentation and a MOE-acknowledged Record of Site Condition prepared by a Qualified Person (as per Ontario Regulation 153/04) and to the satisfaction of Halton Region.

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**H28 – JRB Design Build GP-UOC Ltd.** – 28, 36 & 42 Lakeshore Road West and 88, 90 & 94  
Chisholm Street

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H28-C3R	839	91(8)	2009-144

a) **Permitted Uses (Prior to “H” removal)**

For such time as the “H” symbol is in place, these lands shall only be used for existing permitted uses, buildings and structures and a sales centre.

b) **Regulations (Prior to “H” removal)**

Existing buildings and structures located at 42 Lakeshore Road West, being used as a sales centre, are not subject to the parking requirements established under Section 43 and Section 15 of By-law 1984-63, as amended.

c) **Conditions for “H” Removal**

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law, from all or part of the lands when the following conditions have been satisfied:

1. That the Town of Oakville has been advised by Halton Region that sufficient water and wastewater capacity is available and that the development may proceed.

**H29 – EAD Lakeshore Developments Inc.** – 3047 Lakeshore Road West

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H29-R11	840	91(1)	2009-164 2012-021 PLO81357

*(deleted by By-law 2012-021)*

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**H31 – Halton Healthcare Services – Dundas Street West and Third Line**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H31- A	842	91(25)	2009-179

a) **Permitted Uses (Prior to “H” removal)**

For such time as the “H” symbol is in place, these lands shall only be used for existing permitted uses, buildings and structures.

b) **Regulations (Prior to “H” removal)**

For such time as the “H” symbol is in place, these lands shall be subject to the regulations of the A zone.

c) **Conditions for “H” Removal**

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law, from all or part of the lands when the following conditions have been satisfied:

That the EIR/FSS Report dated October 16, 2009 has been amended to the satisfaction of Town of Oakville in consultation with Conservation Halton and Halton Region.



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**H33 – Davis Minardi Home Corporation and Denbridge Developments Inc. – Dundas Street  
West and Neyagawa Boulevard**

Zoning Designation(s)	Special Provision	Zoning Map	By-law #
H-33-A – SP 846	846	91(26) PLO51188	2010-018

a) **Permitted Uses** (Prior to “H” removal)

For such time as the “H” symbol is in place, these lands shall only be used for the following:

1. Permitted non-residential uses,
2. Existing permitted uses, buildings and structures.

b) **Regulations** (Prior to “H” removal)

1. For such time as the “H” symbol is in place, these lands shall be subject to the regulations of the relevant zone (DUC-7 or DUC-8) as specified in Special Provision 846.

c) **Conditions for “H” Removal**

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law, from all or part of these lands when the following conditions have been satisfied:

1. Halton Region water and wastewater servicing allocation has been granted to these blocks; and
2. Halton Region advises that item 1 above has been satisfied.

**H35 – UIF North Service Limited Partnership**

Zoning Designation(s)	Special Provision	Zoning Map	By-Law No.
H35 – E1	360	91(16)	2010-144 2011-059

*(deleted by By-Law 2011-059)*

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**H36 - 1635058 Ontario Ltd. (Fitzsimmons)**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H36 – MU4	854	91(22)	2011-022 PL100549, PL0100550

a) Permitted Uses (Prior to “H” removal):

For such time as the “H” symbol is in place, these lands shall only be used for existing permitted uses, buildings and structures.

b) Regulations (Prior to “H” removal):

For such time as the “H” symbol is in place, these lands shall be subject to the regulations of the Agricultural (A) zone as it read on the day before By-law 2011-022 came into effect.

c) Conditions for “H” Removal:

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law, from all or part of the lands subject to this provision when the following conditions have been satisfied:

- (i) Halton Region’s Commissioner, Legislative & Planning Services, or his or her designate, is satisfied that the owner has submitted an update to the Functional Servicing Report establishing that there is sufficient servicing capacity for water and/or sanitary sewer to service the subject lands;
- (ii) The owner has submitted to Halton Region an update of the Phase I Environmental Site Assessment completed in August, 2007, setting out any subsequent changes on the site and assessing whether any such changes affect the probability of contamination being present on the site, and also has provided to Halton Region a letter of third party reliance for all submitted reports;
- (iii) An agreement under section 37 of the *Planning Act*, R.S.O. 1990, c. P.7, securing the provision of funds and/or other community benefits in exchange for the height in excess of 12 storeys has been executed and registered against title to the property; and,
- (iv) Land and funds required for the extension of Taunton Road (23 m) and Oak Walk Drive (20 m) have been secured to the satisfaction of the Town.

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**H37 - Melrose Investments Inc. & Rosehaven Homes Ltd.**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H37-R8	851	91(8)	2011-016 2013-104

*(deleted by By-law 2013-104)*

**H40 - Melrose Investments Inc. & Rosehaven Homes Ltd.**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H40-MU1		91(8)	2011-017 2013-105

*(deleted by By-law 2013-105)*

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**H42 - Town Public Works site**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H42-MU4	855	91(22)	2011-054

d) Permitted Uses (Prior to “H” removal):

For such time as the “H” symbol is in place, these lands shall only be used for permitted uses, buildings and structures listed in the MU4-SP855 zone.

e) Regulations (Prior to “H” removal):

For such time as the “H” symbol is in place, these lands shall be subject to the regulations of the MU4-SP855 zone except where in conflict with the following:

i) No development above the maximum height of 41 metres, and,

ii) No development beyond a maximum servicing allocation of 241 single-detached equivalents multiplied by the applicable conversion factor(s) used by Halton Region.

f) Conditions for “H” Removal:

The “H” symbol shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the lands subject to this provision when the following conditions have been satisfied:

(i) Halton Region’s Commissioner, Legislative & Planning Services, or his or her designate, is satisfied that there is sufficient servicing capacity for water and/or sanitary sewer to service the subject lands, or a portion thereof; and,

(ii) If applicable, an agreement under section 37 of the *Planning Act*, R.S.O. 1990, c. P.7, securing the provision of funds and/or other community benefits in exchange for the height in excess of 12 storeys has been executed and registered against title to the property.

d) The H symbol may be removed in whole or in part by removing individual parcels of land, removing one or both regulations in paragraph (b) or increasing the maximum number of units set out in paragraph (b)(ii).”

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**H43 – QEW-Bronte Developments Inc. & 1401114 Ontario Inc.**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H43-C3A	858	91(12)	2011-106 2014-073

*(deleted by By-law 2014-073)*

**H44 - Neilas (Shepherd Road) Inc.**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H44-MU3		91(8)	2011-090

- a) Permitted Uses (Prior to “H” removal):  
For such time as the “H” symbol is in place, these lands shall only be used for existing permitted uses, buildings and structures.
- b) Regulations (Prior to “H” removal):  
For such time as the “H” symbol is in place, these lands shall be subject to the regulations of the M3 zone as it read on the day before By-law 2011-090 came into effect.
- c) Conditions for “H” Removal:  
The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law, from all or part of the lands subject to this provision when the following conditions have been satisfied:
- (i) A Record of Site Condition (RSC), acknowledged by the Ministry of Environment (MOE), has been submitted to ensure that all environmental concerns have been satisfied;
  - (ii) The Town of Oakville has been advised by Halton Region that sufficient water and wastewater capacity is available for development to proceed and/or an implementation plan has been put in place to address any pumping station upgrades and improvements required to accommodate additional flows in the Shepherd Road Pumping Station drainage area; and,
  - (iii) A Section 37 Agreement has been executed, to the satisfaction of the Town of Oakville.

**PART VI HOLDING ZONE PROVISIONS FOR PARTICULAR PARCELS OF LAND**

**H45 – Bronte Village Mall – 2441 Lakeshore Road West (Lots 146 to 156 inclusive, Registered Plan M-7)**

Zoning Designation(s)	Special Provision	Zoning Map	By-law
H45-MU4	196	91(2)	2012-009 PL0110708

a) Permitted Uses (prior to “H” Removal)

For such time as the “H” symbol is in place, these lands shall only be used for existing uses, buildings and structures and a sales building.

In addition, lands identified as Blocks 3A and 3B in Special Provision 196 the following is permitted:

- i) An expansion of the existing food store to a maximum gross floor area of 3,700 m<sup>2</sup>.
- ii) Permitted commercial uses within existing or expanded buildings or structures to a maximum gross floor area of 1,200 m<sup>2</sup>.

a) Regulations (prior to “H” Removal)

For such time that the “H” symbol is in place, these lands shall be subject to the regulations to which they were subject under By-law 1984-63, as amended, on the day before By-law 2012-009 was approved by the Ontario Municipal Board. Expansions to buildings authorized under subsection a) above, shall be subject to the regulations applicable to Blocks 3A and 3B identified in paragraph e)2) of Special Provision 196.

b) Conditions for “H” Removal

The “H” symbol applies to the lands identified as Blocks 1A, 1B, 2, 3A and 3B in Special Provision 196. The “H” symbol shall, upon application by the Owner, be removed by way of an amending zoning by-law from each separate block, when Halton Region’s Commissioner of Legislative and Planning Services or his or her designate, has confirmed that:

- i) an update to the Functional Servicing Report for one or more blocks has been provided and which confirms that sufficient water and/or sanitary sewer capacity is available for each block to the satisfaction of Halton Region’s Development Project Manager; and

**PART VI HOLDING ZONE PROVISIONS FOR PARTICULAR PARCELS OF LAND**

- ii) a Servicing Agreement has been entered into between the Owner and Halton Region which provides, among other matters, for the design and construction of an upgrade to the inlet trunk sewer to the Marine Drive Sanitary Sewage Pumping Station, by either enlargement or twinning, which is sufficient to accommodate the additional flow resulting from the entire drainage area, and which provides for the payment of the cost of designing and constructing such inlet trunk sewer and associated works on terms and conditions which are satisfactory to Halton Region; and
- iii) the owner has submitted to the Region of Halton, a Ministry of Environment acknowledged Record of Site Condition (RSC), certified by a Qualified Person as defined in Ontario Regulation 153/04, to the satisfaction of the Region.

**H46 – 1371975 Ontario Inc., 3113 Upper Middle Road**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H46-R8	862	91(18)	2012-026 2014-083

*(deleted by By-law 2014-083)*

**PART VI HOLDING ZONE PROVISIONS FOR PARTICULAR PARCELS OF LAND**

**H47 – 1458408 Ontario Ltd. – 331 Sheddon Avenue**

<b>Zoning Designation(s)</b>	<b>Special Provision</b>	<b>Zoning Map</b>	<b>By-law #</b>
H47 – R08	115	91(8)	2012-032

b) Permitted Uses (Prior to “H” Removal)

For such time as the “H” symbol is in place, these lands shall only be used for existing permitted uses, buildings and structures and/or construction trailers in accordance with Section 12 of the Zoning By-law.

c) Regulations (Prior to “H” Removal)

For such time that the “H” symbol is in place, these lands shall be subject to the regulations of the R08 (115) zone as it read on the day before By-law 2012-032 came into effect.

d) Conditions for “H” Removal

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law, from all or part of the lands when the following conditions have been satisfied:

1. That the owner submit to the Region of Halton a Ministry of Environment acknowledged Record of Site Condition, certified by a Qualified Person as defined in Ontario Regulation 153/04, to the satisfaction of the Region; and
2. That the owner submits a revised Functional Servicing Report to the satisfaction of the Region of Halton’s Development Coordinator that there is sufficient servicing capacity for water and/or sanitary sewer to service the subject lands.



**PART VI HOLDING ZONE PROVISIONS FOR PARTICULAR PARCELS OF LAND**

**H47. Matam Holdings Inc. (1388 Dundas Street West)**

Zoning Designation(s)	Special Provision	Zoning Map	By-law #
H47 - R13 H47A- R13	865	91(20)	2012-044

a) Permitted Uses (Prior to H Removal)

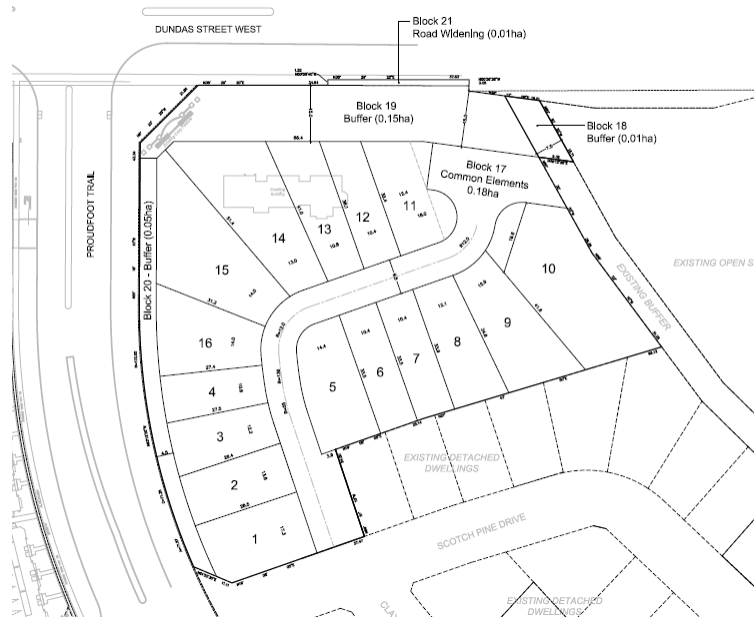
For such time as the H47A symbol is in place, the lands subject to the H47A symbol may only be used for existing uses subject to existing regulations under By-law 1984-63 as amended.

For such time as the “H47” symbol (as opposed to the H47A symbol) is in place:

- (i) the lands identified as Lots 11-16 on Figure SP 865-1 may be used for a new homes sales centre and parking for the sale of lands regulated by By-law 2009-189.
- (ii) the lands identified as Block 17 on Figure SP 865-1 may be used for a private condominium road.
- (iii) the lands identified as Lots 1-4 and Lots 5 – 10 on Figure SP 865-1 may be used for model homes for the sale of lands regulated by By-law 2009-189.

For the purposes of this by-law, “model home” shall mean a building which is used on a temporary basis as a sales office and/ or as an example of the type of dwelling that is for sale in a related development and which is not occupied or used as a residential dwelling.

**Figure SP865-1**



**PART VI HOLDING ZONE PROVISIONS FOR PARTICULAR PARCELS OF LAND**

b) Regulations (Prior to “H47” Removal)

For such time as the “H47” symbol is in place for all the development lands,

- a. the lands identified as lots 1-10 on Figure SP 865-1 shall be subject to the regulations of the R13 (SP 865) zone, as if each lot identified on Figure SP 865-1 was a separate lot under this by-law and Block 17 was a private condominium road.
- b. For the sales centre, the existing lot frontage, building height, yards, number of parking spaces, floor area and coverage as of the date of the passage of this by-law shall apply.

c) Conditions for Partial “H” Removal (H47A)

The “A” may be removed from the H47A symbol, by amending zoning by-law upon the application of the landowner, from all or part of the lands when the following conditions have been satisfied:

- a. For all lands subject to H47A, registration of restrictive covenant(s) under Section 118 of the Land Titles Act, preventing transfer without the consent of the Town;
- b. For the lands identified as Lots 1-4 on Figure SP865-1 the owner has entered into a development agreement(s) with the Town securing the completion of grading, drainage, and the siting of dwelling units with respect to the lots in accordance with conditions of condominium approval (File No.: 24CDM-07012) to the satisfaction of the town; and,
- c. For the lands identified as Lots 5-10 on Figure SP865-1, the owner has entered into development agreement(s) with the town securing the completion of grading, drainage, services, siting of dwelling units and the construction of the condominium road in accordance with the conditions of condominium approval (File No.: 24CDM-07012) to the satisfaction of the town.

d) Conditions for “H” Removal (H47)

The “H47” symbol shall, upon application by the landowner, be removed, by way of an amending zoning by-law, from all the land when the following conditions have been completed:

24CDM – 07012 or a successor approved plan of condominium is registered on the whole of the lands, with the conditions of approval completed or secured through a development agreement to the satisfaction of the town.

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**H48 - Bezan (171 Old Upper Middle Road)**

Zoning Designation(s)	Special Provision	Zoning Map	By-law #
H48 – R02	865	91(21)	2012-071 2013-002

*( Deleted by By-law 2013-002.)*

**H49 – Peppergate Developments Inc.**

Zoning Designation(s)	Special Provision	Zoning Map	By-law #
H49 – R8	776	91(19)	2012-085

- a. Permitted Uses (Prior to “H” Removal):  
For such time as the “H” symbol is in place, these lands shall only be used for existing permitted uses, buildings and structures; and all uses in the R8 zone including stacked townhouses but excludes detached dwellings, duplex dwellings, multiple-attached, maisonette and apartment units.
- b. Regulations (Prior to “H” Removal):  
For such time as the “H” symbol is in place, these lands shall be subject to the regulations subsection 2 (c) of the Mixed Dwellings R8 Special Provision 776 Zone.
- c. Conditions for Permissions of Commercial Uses (For “H” Removal):  
The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law, from all or part of the lands subject to this provision when the following conditions have been satisfied:
  - (i) A transportation and parking impact has been completed to the satisfaction of the Town of Oakville.

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**H50 - VGR Investments Ltd. (Southeast corner of Old Bronte Rd. & Dundas St. W.)**

Zoning Designation(s)	Special Provision	Zoning Map	By-law #
H50 – C3	SP 874	91(19)	2013-001 2013-071

*(deleted by By-law 2013-071)*

**H53 – Carttera - 1455 Joshuas Creek Drive**

Zoning Designations	Special Provisions	Zoning Map
H53 – C3A	358, 836, 879	91(16)

a) Permitted Uses (Prior to “H” removal)

For such time as the “H” symbol is in place, these lands shall only be used for existing permitted uses, buildings and structures.

b) Regulations (Prior to “H” removal)

For such time as the “H” symbol is in place, these lands shall be subject to the regulations to which they were subject under By-law 1984-63, as amended, on the day before By-law 2013-096 was approved by the Town of Oakville.

c) Conditions for “H” Removal

The “H” symbol shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the lands subject to this provision when the following condition has been satisfied:

That the draft plan of subdivision for the lands at 1455 Joshuas Creek Drive (Town File No. 24T-12002/1506) be registered;

**PART VI HOLDING ZONE PROVISIONS FOR PARTICULAR PARCELS OF LAND**

**H53 – Mirabelle Developments and Investments Inc. (North Side of Pinegrove Road, across from Wendall Place) - 497-513 Pinegrove Road**

<b>“Zoning Designation</b>	<b>Special Provision</b>	<b>Zoning Map</b>
H53 - C1	SP 878	91(7)

a) Permitted Uses (Prior to ‘H53’ Removal)

For such time as the H53 symbol is in place, the lands subject to the H53 symbol may only be used for existing permitted/legal uses, buildings and structures.

b) Regulations (Prior to ‘H53’ Removal)

For such time as the “H53” symbol is in place, these lands shall be subject to the existing regulations of By-law 1984-63, as amended.

c) Conditions for “H” Removal (H53)

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law from all or part of these lands, when Halton’s Commissioner of Legislative and Planning Services or his or her designate, has confirmed that:

- a. The applicant has submitted all supporting documentation and a MOE-Acknowledged Record of Site Condition prepared by a Qualified Person (per Ontario Regulation 153/04) to the satisfaction of Halton Region.

**PART VI HOLDING ZONE PROVISIONS FOR PARTICULAR PARCELS OF LAND**

**H55 - Memory Care Investments (Oakville) Ltd. – North-east corner of Lakeshore Road West and Garden Drive – 105 Garden Drive (formerly 103 and 109 Garden Drive)**

<b>Zoning Designation</b>	<b>Special Provision</b>	<b>Zoning Map</b>
H55 - C3R	SP 880	91(7)

a) Permitted Uses (Prior to “H55” Removal)

For such time as the “H55” symbol is in place, the lands subject to the “H55” symbol may only be used for existing permitted/legal uses, buildings and structures.

b) Regulations (Prior to “H55” Removal)

For such time as the “H55” symbol is in place, these lands shall only be used for the existing permitted uses, buildings and structures subject to the existing regulations of By-law 1984-63, as amended.

c) Conditions for “H” Removal (H55)

The “H” symbol shall, upon application by the landowner, be removed by way of an amending zoning by-law from all or part of these lands, when Region of Halton’s Commissioner of Legislative and Planning Services, or his or her designate, has confirmed that:

- a. That an updated Functional Servicing Report (FSR) be submitted that demonstrates that the existing sanitary sewer on Garden Drive can accommodate the proposed flows from the subject property;
- b. That any upgrades to the sanitary sewer system on Garden Drive required to service the site be secured as necessary by the developer;
- c. That the existing rear yard watermain on the east side of Garden Drive be decommissioned and abandoned, the existing rear yard easement be removed and a replacement watermain be constructed on Maurice Drive from Rebecca Street to Lakeshore Road West; and,
- d. The applicant has submitted a letter of reliance to the Region regarding the Phase 1 Environmental Site Assessment (ESA).

**PART VI HOLDING ZONE PROVISIONS FOR PARTICULAR PARCELS OF LAND**

**H56 – 2317511 Ontario Inc., 70 Old Mill Road**

Zoning Designations	Special Provisions	Zoning Map
H56 – R8	578	91(8)

a) Permitted Uses (Prior to “H” removal)

For such time as the “H” symbol is in place, these lands shall only be used for existing uses, buildings and structures.

b) Regulations (Prior to “H” removal)

For such time as the “H” symbol is in place, these lands shall be subject to the regulations to which they were subject under By-law 1984-63, as amended, on the day before By-law 2013-106 was approved by the Town of Oakville.

c) Conditions for “H” Removal

The “H” symbol shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the lands subject to this provision when the following condition has been satisfied:

1. Halton Region's Commissioner, Legislative & Planning Services, or his or her designate, is satisfied that a Record of Site Condition (RSC), acknowledged by the Ministry of Environment (MOE), has been submitted to ensure that all environmental concerns have been satisfied.

**PART VI HOLDING ZONE PROVISIONS FOR PARTICULAR PARCELS OF LAND**

H58	<b>2480, 2488 and 2496 Old Bronte Road</b>	Parent Zone: A
Map 91(18)	(Part of Lot 31, Concession 1, S.D.S.)	(2014-025) (2014-127)
<i>Deleted by 2014-127</i>		