

Portions of this by-law not yet in effect are covered with a blue tone. This version consolidates all amendments and orders of the OMB up to the consolidation date shown below. Contact the Building Services or Planning Services departments for more information.

# Holding Provisions

## 16.1 General Prohibition

Where a *zone* symbol is preceded by an upper case letter “H”, and number, and a hyphen, the symbol refers to a Holding Provision that applies to the lands so designated. No person shall *use* or permit the land to be *used* to which the Hold applies for the *uses* specified in the appropriate clause in this Part of this By-law, erect a new *building* or *structure*, or expand or replace an existing *building* or *structure* until the Holding Provision is removed in accordance with Section 36 of the Planning Act.

## 16.2 Exceptions to Prohibition

Notwithstanding the above and unless modified by the provisions of Section 16.3, the following *uses* are permitted without the need to remove a Holding Provision.

- a) Construction *uses* in accordance with Section 4.25.1 of this By-law;
- b) *Model homes* in accordance with Section 4.25.2 of this By-law;
- c) Temporary sales offices in accordance with Section 4.25.3 of this By-law;

## 16.3 Holding Provisions

H1	Mixed Use Zones in Bronte, Kerr, and Palermo Villages	Parent Zones: MU1, MU2, MU3
Maps 19(2a), (7a), (19a)		(2014-014)
<b>16.3.1.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	All <i>uses</i> permitted in the applicable <i>Zone</i>	
<b>16.3.1.2 Zone Regulations Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, only the following replacements, additions or expansions of <i>buildings</i> or <i>structures</i> legally existing on the effective date of this By-law shall be permitted.		
a)	The replacement or addition of architectural features such as, but not limited to, an awning, canopy, cornice, cove, belt course, eaves, gutters, pilasters, sills, or weather shielding <i>structure</i> .	
b)	The replacement or addition of an existing non-walk in bay, box out and bow window, without foundation.	
c)	The replacement or addition of a fire escape.	
d)	An addition of <i>floor area</i> on the <i>first storey</i> , provided that the additional <i>floor area</i> does not project beyond the <i>main wall</i> on the <i>storey</i> above the <i>first storey</i> as it legally existed on the effective date of this By-law.	
e)	Improvements to a building façade.	
<b>16.3.1.3 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following conditions, if and as applicable, shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the <i>Town of Oakville</i> .	
b)	The owner has entered into any required servicing agreement(s) with the <i>Town</i> regarding stormwater management.	
c)	The completion of detailed design drawings required for the construction of <i>road</i> and <i>infrastructure</i> improvements.	
d)	Registration on title of an agreement between the owner and the <i>Town</i> with respect to the <i>road</i> and <i>infrastructure</i> improvements. This agreement shall also address security and advancing of funds, or a letter of credit for the full cost of the <i>road</i> and <i>infrastructure</i> improvements.	
e)	The registration on title of a Section 37 Agreement per the <u>Planning Act</u> .	
f)	All required land conveyances have been undertaken.	

# Holding Provisions

H2 is reserved.

<b>H3</b>	<b>70 Old Mill Road (Part of Lots 14 and 15, Concession 3 S.D.S.)</b>	Parent Zone: RH
Map 19(8b)		(2013-106) (2015-018) (2019-018)
<b>H3 - Removed by By-law 2019-018</b>		

<b>H4</b>	<b>South Side of Upper Middle Road East (Part of Lot 5, Concession 2 S.D.S.)</b>	Parent Zone: E4
Map 19(17)		(2014-014)
<b>16.3.4.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	All <i>uses</i> permitted in the Business Commercial (E4) <i>Zone</i> within <i>buildings</i> and <i>structures</i> legally existing on the <i>lot</i> on the effective date of this By-law	
<b>16.3.4.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following conditions shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the <i>Town of Oakville</i> .	
b)	The owner has entered into any necessary servicing agreement(s) with the Regional Municipality of Halton regarding water and wastewater services.	
c)	The owner has entered into any necessary servicing agreement(s) with the <i>Town of Oakville</i> regarding stormwater management.	
d)	Transportation and site access issues have been resolved to the satisfaction of the Regional Municipality of Halton and <i>Town of Oakville</i> .	

# Holding Provisions

<b>H5</b>	<b>2330-2435 Ninth Line (Part of Lot 6, Concession 1 S.D.S.)</b>		Parent Zone: E2
Map 19(23)			(2000-214) (2014-014)
<b>16.3.5.1 Only Permitted Uses Prior to Removal of the “H”</b>			
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:			
a)	<i>Agriculture</i>		
b)	<i>Legal uses, buildings and structures existing on the lot</i>		
c)	<i>Business offices and medical offices within existing buildings</i>		
<b>16.3.5.2 Parking Provisions Prior to Removal of the “H”</b>			
For such time as the “H” symbol is in place, the following parking regulations apply:			
a)	Minimum number of <i>parking spaces</i> for a <i>business office</i>	1.0 per 35.0 m <sup>2</sup> <i>net floor area</i>	
b)	Minimum number of <i>parking spaces</i> for a <i>medical office</i> occupying greater than 60% of the <i>net floor area</i> of a <i>building</i>	1.0 per 23.0 m <sup>2</sup> <i>net floor area</i> for all <i>net floor area</i> occupied by the <i>medical office</i>	
c)	Minimum number of <i>parking spaces</i> for <i>agriculture</i>	No minimum requirement	
<b>16.3.5.3 Conditions for Removal of the “H”</b>			
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following conditions shall first be completed to the satisfaction of the <i>Town of Oakville</i> :			
a)	That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the <i>Town of Oakville</i> .		
b)	Transportation and site access issues have been resolved to the satisfaction of the <i>Town of Oakville</i> .		

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## Holding Provisions

<b>H6</b>	<b>716-825 McPherson Road and 3232-3242 South Service Road West (Part of Lot 32, Concession 3 S.D.S.)</b>	Parent Zones: E2, E3
Map 19(4)		(2001-007)
<b>16.3.6.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following <i>uses</i> :		
a)	Legal <i>uses</i> , <i>buildings</i> and <i>structures</i> existing on the <i>lot</i>	
<b>16.3.6.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following conditions shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	The final engineered location of the proposed Wyecroft Road extension and bridge crossing of Bronte Creek have been determined and transportation and traffic studies have been provided to the satisfaction of the <i>Town of Oakville</i> .	
b)	That suitable financial arrangements have been prepared to the satisfaction of the <i>Town of Oakville</i> and the Regional Municipality of Halton with respect to cost sharing arrangements pertaining to any servicing matters.	

<b>H7</b>	<b>1099 Eighth Line (Part of Lot 10, Concession 2 S.D.S.)</b>	Parent Zone: E4
Map 19(16)		(2006-184) (2014-014)
<b>16.3.7.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following <i>uses</i> :		
a)	<i>All uses</i> permitted in the Business Commercial E4 SP-282 <i>Zone</i>	
<b>16.3.7.2 Zone Regulations Prior to Removal of the “H”</b>		
The provisions of the Business Commercial E4 SP-282 <i>Zone</i> apply. For such time as the “H” symbol is in place, the following additional provision applies:		
a)	Maximum total <i>net floor area</i> for all <i>retail stores</i>	4,000.0 m <sup>2</sup>
<b>16.3.7.3 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . Only one of the following conditions shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	The Iroquois Shore Road extension abutting the <i>lot</i> has been constructed by the <i>Town</i> ; or,	
b)	Appropriate arrangements have been made to front-end the costs for construction of the Iroquois Shore Road extension abutting the <i>lot</i> ; or,	
c)	A traffic impact study is prepared demonstrating that adequate <i>road</i> capacity is available to accommodate the additional <i>retail store net floor area</i> prior to the construction of the Iroquois Shore Road extension abutting the <i>lot</i> .	

### OMB Appeals

#### 16.3.7 Revised new H7

24 - By-Ways Construction Inc. and Ryan Lee Investments Inc.

# Holding Provisions

<b>H8</b>	<b>North East corner of Lakeshore Road West and Garden Drive</b>	Parent Zone: R8
Map 19(7)	<b>(Part of Lot 17, Concession 3 S.D.S.)</b>	(2007-198) (2016-027)
<b>H8 - Removed by By-law 2016-027</b>		

<b>H9</b>	<b>114 Garden Drive and 227 and 235 Lakeshore Road West</b>	Parent Zone: CBD
Map 19(7)	<b>(Part of Lot 17, Concession 3 S.D.S.)</b>	(2011-107)

### 16.3.9.1 Only Permitted Uses Prior to Removal of the “H”

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

- a) Legal *uses, buildings and structures* existing on the *lot*

### 16.3.9.2 Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by *Town Council* passing a By-law under Section 36 of the Planning Act. The following conditions shall first be completed to the satisfaction of the *Town of Oakville*:

- a) That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the *Town of Oakville*.
- b) Updates to the Functional Servicing Report or a detailed design submission have been provided to the satisfaction of the Regional Municipality of Halton and the *Town of Oakville*.
- c) The owner has entered into any necessary servicing agreement(s) with the Regional Municipality of Halton.
- d) Consolidation of land ownership within the development block has occurred in conformity with the Livable Oakville Plan.
- e) For each development block within the area subject to this Hold a block plan has been submitted illustrating such matters as:
- i) The proposed location of *dwellings*;
  - ii) Access and *roads* or laneways;
  - iii) On-site parking and amenity areas; and,
  - iv) Traffic circulation patterns and future connections with the adjacent development blocks.
- f) A Traffic Impact Study is provided. Any improvements associated with each development block must be secured prior to or coincident with the development of the lands.

<b>H10</b>	<b>105 Garden Drive</b>	Parent Zone: CBD
Map 19(7)	<b>(Part of Lot 17, Concession 3 S.D.S.)</b>	(2013-101) (2017-075)
<b>H10 - Removed by By-law 2017-075</b>		

<b>H11</b>	<b>55, 65 and 71 Speers Road, 66 and 70 Shepherd Road (formerly 521-549 Kerr Street)</b>	Parent Zone: MU4
Map 19(7a)	<b>(Part of Lot 16, Concession 3 S.D.S.)</b>	(2008-185) (2010-178) (2014-020)
<b>H11 - Removed by By-law 2014-020</b>		

# Holding Provisions

<b>H12</b>	<b>32 Dundas Street East</b> <b>(Part of Lot 15, Concession 1 S.D.S.)</b>	Parent Zone: MU4
Map 19(22a)		(2009-027)
<b>16.3.12.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> ; and,	
b)	<i>Uses</i> permitted in the Urban Core (MU4 – SP 19) <i>Zone</i> , but limited to a maximum of 447 single detached equivalent units as determined by the Regional Municipality of Halton.	
<b>16.3.12.2 Zone Regulations Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, the following regulations apply:		
a)	The regulations of the Urban Core (MU4 – SP 19) <i>Zone</i> shall apply.	
<b>16.3.12.3 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following conditions shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the <i>Town of Oakville</i> .	

<b>H13</b>	<b>599 Lyons Lane</b> <b>(Part of Lot 15, Concession 3 S.D.S.)</b>	Parent Zone: RH
Map 19(8a)		(2009-043)
<b>16.3.13.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i>	
<b>16.3.13.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following conditions shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	Completion of detailed design drawings required for the construction of <i>road and infrastructure</i> improvements.	
b)	Registration on title of an agreement between the owner of the property subject to this Hold and the <i>Town of Oakville</i> with respect to the road and <i>infrastructure</i> improvements. This agreement shall also address security and advancing of funds, or a letter of credit for the full cost of the <i>road and infrastructure</i> improvements.	
c)	Registration on title of a Section 37 Agreement per the <u>Planning Act</u> .	
d)	All required land conveyances have been undertaken.	

<b>H14</b>	<b>South East corner of Upper Middle Road and Joshuas Creek Drive</b> <b>(Part of Lot 6, Concession 2 S.D.S.)</b>	Parent Zone: E2
Map 19(16)		(2013-096) (2016-026)
<b>H14 - Removed by By-law 2016-026</b>		

# Holding Provisions

<b>H15</b>	<b>28, 36, &amp; 42 Lakeshore Road West and 88 &amp; 94 Chisholm Street (Block 68, Plan 1)</b>	Parent Zone: CBD
Map 19(7a)		(2009-144) (2017-116)
<b>H15 - Removed by By-law 2017-116</b>		

<b>H16</b>	<b>278 Dundas Street East (Part of Lot 13, Concession 1 S.D.S.)</b>	Parent Zone: MU4
Map 19(22a)		(2011-022) (2017-092) (2017-124)

### 16.3.16.1 - Only Permitted Uses Prior to Removal of the “H”

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

- a) Legal *uses, buildings and structures* existing on the *lot*.

### 16.3.16.1 - Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by *Town Council* passing a By-law under Section 36 of the Planning Act. The following conditions shall first be completed to the satisfaction of the *Town of Oakville*:

- a) The Owner has submitted, to the satisfaction of the Regional Municipality of Halton, an update to the Functional Servicing Report establishing there is sufficient capacity for water and/or sanitary sewer to service the subject lands and to discuss any required servicing extensions/requirements to support the proposed development.
- b) The Owner has submitted, to the satisfaction of the Region of Halton, an updated Phase 1 Environmental Site Assessment and any recommended environmental reports, along with a Letter of Reliance extending Third party Reliance to the Region of Halton, which demonstrates that the lands are free and clear for their intended use.
- c) The Owner prepares and submits, to the satisfaction of the Region of Halton and Conservation Halton, a Woodland Restoration and Enhancement Report and Plan to address and implement the required woodlands replacements. The Owner further agrees to implement and secure the required plantings, which will include any monitoring requirements.
- d) Registration on title of a Section 37 Agreement per the Planning Act
- e) Land and funds required for the construction of the extensions of Taunton Road (23.0 metres) and Oak Walk Drive (20.0 metres) have been secured to the satisfaction of the Town of Oakville.

<b>H17</b>	<b>54 and 60 Shepherd Road (Part of Lot 16, Concession 3 S.D.S.)</b>	Parent Zone: MU3
Map 19(7a)		(2011-090) (2017-015)
<b>H17 - Removed by By-law 2017-015</b>		

# Holding Provisions

<b>H18</b>	<b>497-513 Pinegrove Road (Part of Lot 18, Concession 3 S.D.S.)</b>	Parent Zone: C1
Map 19(7)		(2013-077)
<b>16.3.18.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be used for the following <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i>	
<b>16.3.18.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by Council passing a By-law under Section 36 of the <u>Planning Act</u> . The following conditions shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	A Ministry of Environment acknowledged Record of Site Condition, certified by a Qualified Person as defined in Ontario Regulation 153/04, is provided to the satisfaction of the Regional Municipality of Halton.	

<b>H19</b>	<b>2264, 2274 and 2320 Trafalgar Road (Former Works Yard) (Part of Lot 13, Concession 1 S.D.S.)</b>	Parent Zone: MU4
Map 19(22a)		(2011-054)
<b>16.3.19.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i>	
<b>16.3.19.2 Zone Regulations Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, the following regulations apply:		
a)	Regulations of the special provision which applies to the area subject to this Hold except where in conflict with the following:	
	i) No development above the maximum <i>height</i> of 41.0 metres; and,	
	ii) No development beyond a maximum servicing allocation of 241 single detached equivalents multiplied by the applicable conversion factor(s) to the satisfaction of the Regional Municipality of Halton.	
<b>16.3.19.3 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following conditions shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the <i>Town of Oakville</i> .	
b)	If applicable, registration on title of a Section 37 Agreement per the <u>Planning Act</u> .	
<b>16.3.19.4 Special “H” Provisions</b>		
The “H” symbol may be removed in whole or in part by removing individual parcels of land, removing one or both regulations in Section 17.3.19.2 of this By-law, or increasing the maximum number of units set out in Section 17.3.19.2 of this By-law.		

<b>H20</b>	<b>3113 Upper Middle Road (Part of Lot 32, Concession 1 S.D.S.)</b>	Parent Zone: RM1
Map 19(18)		(2012-026) (2014-083)
<b>H20 - Removed by By-law 2014-083</b>		



# Holding Provisions

<b>H21</b>	<b>1388 Dundas Street West</b>	Parent Zone: RL6
Map 19(20)	<b>(Part of Lot 24, Concession 1 S.D.S.)</b>	(2012-044) (2012-079) (2018-081)
<b>16.3.21.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Temporary sales office for the sale of residential units or lots within the <i>Town of Oakville</i> for the lands identified as Blocks 11-16 on Figure 16.3.21.1.	
b)	<i>Model homes</i> on the lands identified as Blocks 1-10 on Figure 16.3.21.1.	
<b>16.3.21.2 Zone Regulations Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, the following regulations apply:		
a)	Only <i>buildings</i> and <i>structures</i> as legally existing on the effective date of this by-law are permitted.	
b)	Notwithstanding subsection 16.3.21.2 a), temporary tent structures accessory to the temporary sales office are permitted subject to the minimum <i>yards</i> for the <i>zone</i> for a maximum of 7 consecutive days for up to a total of 28 days in a calendar year.	
c)	Notwithstanding subsection 16.3.21.2 a), for the lands identified as Blocks 1-4 on Figure 16.3.21.1, <i>model homes</i> are permitted subject to the owner having entered into development agreement(s) with the <i>Town</i> securing the completion of grading, drainage and the siting of <i>model homes</i> as if they are <i>dwelling units</i> in accordance with the conditions of <i>condominium</i> approval to the satisfaction of the <i>Town of Oakville</i> .	
d)	Notwithstanding subsection 16.3.21.2 a), for the lands identified as Blocks 5-10 on Figure 16.3.21.1, <i>model homes</i> are permitted subject to the owner having entered into development agreement(s) with the <i>Town</i> securing the completion of grading, drainage, services, the siting of <i>model homes</i> as if they are <i>dwelling units</i> and the construction of the common element <i>condominium</i> roadway in accordance with the conditions of <i>condominium</i> approval to the satisfaction of the <i>Town of Oakville</i> .	
e)	The lands identified as Blocks 1-10 on Figure 16.3.21.1 shall be subject to the regulations of the <i>zone</i> which applies to the area subject to this holding provision as if each <i>lot</i> was a separate <i>lot</i> and Block 17 was a <i>common element condominium roadway</i> .	
<b>16.3.21.3 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <i>Planning Act</i> . The following conditions shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	Registration of an approved plan of <i>condominium</i> with the conditions of approval completed or secured through a development agreement to the satisfaction of the <i>Town of Oakville</i> .	
<b>16.3.21.4 Special Site Figures</b>		
Figure 16.3.21.1		
<p>DUNDAS STREET WEST</p> <p>SCOTCH PINE</p>		

# Holding Provisions

<b>H22</b>	<b>2441 Lakeshore Road West (Bronte Village Mall Redevelopment) (Part of Lots 29 and 30, Concession 3 S.D.S.)</b>	Parent Zone: MU4
Map 19(2a)		(2012-009)

**16.3.22.1 Only Permitted Uses Prior to Removal of the “H”**

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

- a) Legal *uses, buildings and structures* existing on the *lot*;
- b) An expansion of the existing food store to a maximum *floor area* of 3,700 m<sup>2</sup>;
- c) Permitted commercial *uses* within existing or expanded *buildings or structures* to a maximum *floor area* of 1,200 m<sup>2</sup>.

**16.3.22.2 Zone Regulations Prior to Removal of the “H”**

For such time as the “H” symbol is in place, the following regulations apply:

- a) The regulations to which the lands 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 by Section 16.3.22.1 of this Hold shall be subject to the regulations applicable to Blocks 3A and 3B in Section 15.14.8 and 15.14.9 of this By-law.

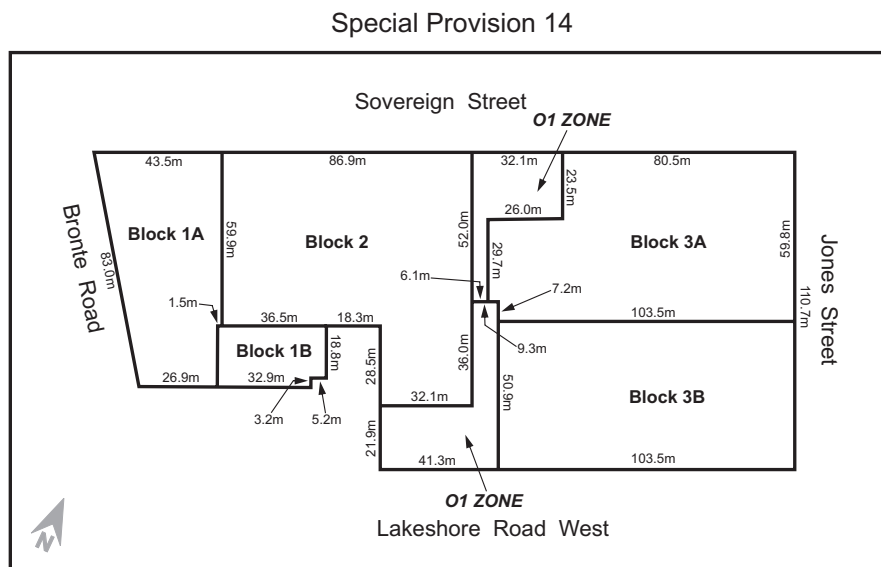
**16.3.22.3 Conditions for Removal of the “H”**

The “H” symbol shall, upon application by the landowner, be removed by *Town Council* passing a By-law under Section 36 of the Planning Act. The following conditions shall first be completed to the satisfaction of the *Town of Oakville*:

- a) Registration on title of a servicing agreement between the owner of the property subject to this Hold and the Regional Municipality of Halton which provides for, among other matters, 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 to the satisfaction of the Regional Municipality of Halton.
- b) Updates to the Functional Servicing Report for one or more blocks which confirms that sufficient water and wastewater services are available for each block has been provided to the satisfaction of the Regional Municipality of Halton and the *Town of Oakville*.

**16.3.22.4 Special Site Figures**

Figure 16.3.22.1



# Holding Provisions

<b>H23</b>	<b>331 Sheddon Avenue (Part Park Lot A, Plan 1)</b>	Parent Zone: RM4
Map 19(8)		(2012-032) (2015-021)
<b>H23 - Removed by By-law 2015-021</b>		

<b>H24</b>	<b>2385-2389 Khalsa Gate – Future Commercial Uses (Part of Lot 30, Concession 1 S.D.S.)</b>	Parent Zone: RM3
Map 19(19a)		(2012-085)
<b>16.3.24.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings</i> and <i>structures</i> existing on the <i>lot</i> ; and,	
b)	<i>Stacked townhouses.</i>	
<b>16.3.24.2 Zone Regulations Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, the following regulations apply:		
a)	The regulations of the Residential Medium (RM3 – SP 273) <i>Zone</i> shall apply.	
<b>16.3.24.3 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <i>Planning Act</i> . The following conditions shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	A transportation and parking impact study has been submitted to the satisfaction of the <i>Town of Oakville</i> .	

<b>H25</b>	<b>174 Lakeshore Road West and 87-91 Brookfield Road (Lot 14 and Part of Lots 11 and 15, Registered Plan 1)</b>	Parent Zone: CBD
Map 19(7a)		(1999-150) (2015-092)
<b>H25 - Removed by By-law 2015-092</b>		

<b>H26</b>	<b>2480, 2488 and 2496 Old Bronte Road (Part of Lot 31, Concession 1, S.D.S.)</b>	Parent Zone: MU3
Map 19(19a)		(2014-025) (2014-127)
<b>H26 - Removed by By-law 2014-127</b>		

<b>H27</b>	<b>1055 and 1065 McCraney Street (Part of Lot 15, Concession 2 S.D.S.)</b>	Parent Zone: CU
Map 19(15)		(2014-007) (2015-039)
<b>H27 - Removed by By-law 2015-039</b>		

# Holding Provisions

<b>H28</b>	<b>156 and 160 Trafalgar Road (Part of Lot 4, Block 89, Plan 1)</b>	Parent Zone: CBD
Map 19(8a)		(2014-026) (2015-089) <i>PL140241</i>
<b>16.28.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following uses:		
a)	Existing <i>uses, buildings and structures</i> .	
<b>16.28.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by Council passing a By-law under section 36 of the Planning Act, R.S.O. 1990, c.P.13, as amended. The following conditions shall first be satisfied:		
a)	A Ministry of Environment acknowledged Record of Site Condition, certified by a Qualified Person as defined in Ontario Regulation 153/04, is provided to the satisfaction of the Region of Halton.	
b)	Submission of a letter from the Ontario Ministry of Tourism, Culture and Sport stating that no further archaeological related review is required, to the satisfaction of the Region of Halton.	

<b>H29</b>	<b>177-185 Cross Avenue and 580 Argus Road (Part of Lot 14, Concession 3 S.D.S.)</b>	Parent Zone: MTC
Map 19(8b)		(2016-038)
<b>16.3.29.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	All uses permitted in the Midtown Transitional Commercial (MTC) <i>Zone</i> except for <i>apartment dwellings</i> .	
<b>16.3.29.2 Zone Regulations Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, the following regulations shall additionally apply for such time as the “H” symbol is in place:		
a)	Only <i>buildings and structures</i> legally existing on the <i>lot</i> on September 8, 2014 are permitted	
<b>16.3.29.3 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the <i>Town of Oakville</i> .	
b)	A Ministry of the Environment acknowledged Record of Site Condition, certified by a Qualified Person as defined in Ontario Regulation 153/04, is provided to the satisfaction of the Regional Municipality of Halton.	
c)	That a Transportation Impact Study be approved to the satisfaction of the <i>Town of Oakville</i> , Regional Municipality of Halton and the Ministry of Transportation, demonstrating that sufficient <i>road</i> infrastructure capacity is available to accommodate the development.	

# Holding Provisions

<b>H30</b>	<b>Bronte Road, Upper Middle Road (Part of Lots 28, 29 and 30, Concession 2)</b>	Parent Zone: RM1, RL6
Map 19(12)		(2016-102) <i>PL141318</i>
<b>16.3.30.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	<i>Stormwater Management Facility.</i>	
<b>16.3.30.2 Zone Provisions Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, the provisions of the SMF <i>Zone</i> shall apply.		
<b>16.3.30.3 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the Town of Oakville.	
b)	A Ministry of Environment acknowledged Record of Site Condition, certified by a Qualified Person as defined in Ontario Regulation 153/04, is provided to the satisfaction of the Regional Municipality of Halton.	
c)	That a detailed noise study conducted by a qualified Professional Engineer shall be provided which demonstrates compliance with Ministry of Environment sound level limits, to the satisfaction of Halton Region and the Town of Oakville.	
d)	That an updated functional servicing report be submitted which provides for potential decommissioning of the existing stormwater management pond and all grading, drainage and SWM and implications on the Region’s future EMS lands be provided to the satisfaction of Halton Region, Conservation Halton and the Town of Oakville.	
e)	The required noise walls associated with the noise impacts from the Region’s Woodlands Operations Centre and Public Works Yard have been designed, located and installed to the satisfaction of Halton Region.”	

<b>H31</b>	<b>Bronte Road, Upper Middle Road (Part of Lots 28, 29 and 30, Concession 2)</b>	Parent Zone: RM1, RM4
Map 19(12)		(2016-102) <i>PL141318</i>
<b>16.3.31.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses</i> of land existing on the <i>lot</i> as of the effective date of this by-law.	
b)	Temporary sales office in accordance with Section 4.25.3.	
<b>16.3.31.2 Zone Provisions Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, the provisions of the ED <i>Zone</i> shall apply.		
<b>16.3.31.3 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	The completion of the widening of Bronte Road to 6 lanes to allow for the construction and operation of a full movement intersection at Street S and Bronte Road to the satisfaction of Halton Region.	

# Holding Provisions

<b>H32</b>	<b>Bronte Road, Upper Middle Road (Part of Lots 28, 29 and 30, Concession 2)</b>	Parent Zone: RM1, RL6
Map 19(12)		(2016-102) <i>PL141318</i>
<b>16.3.32.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	<i>Stormwater Management Facility.</i>	
<b>16.3.32.2 Zone Provisions Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, the provisions of the SMF <i>Zone</i> shall apply.		
<b>16.3.32.3 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the Planning Act. The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	That an updated functional servicing report be submitted which confirms the lands are not required for stormwater management, to the satisfaction of Halton Region, Conservation Halton and the Town of Oakville.	

<b>H33</b>	<b>Bronte Road, Upper Middle Road (Part of Lots 28, 29 and 30, Concession 2)</b>	Parent Zone: RL6
Map 19(12)		(2016-102) <i>PL141318</i>
<b>16.3.33.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses</i> of land existing on the <i>lot</i> as of the effective date of this by-law.	
<b>16.3.33.2 Zone Provisions Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, the provisions of the ED <i>Zone</i> shall apply.		
<b>16.3.33.3 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the Planning Act. The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	That the Owner’s acoustical engineer shall prepare further technical details in co-operation with the Region of Halton for the implementation of the necessary noise control measures to reduce the acoustic emissions of the two existing generator sets located within the former Police Services Building in the Halton Regional Centre, at the cost of the Developer and to the satisfaction of the Region in order to comply with the sound level limits provided in MOECC noise guidelines and NPC-300 at the residential lots.	
b)	The required noise walls associated with the noise impacts from the Region’s Woodlands Operations Centre and Public Works Yard have been designed, located and installed to the satisfaction of Halton Region.	

# Holding Provisions

<b>H36</b>	<b>2136 and 2148 Trafalgar Road</b>	Parent Zone: MU2
Map 19(22)		(2018-056)
<b>16.3.36.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
<b>16.3.36.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	A Ministry of the Environment acknowledged Record of Site Condition, certified by a Qualified Person as defined in Ontario Regulation 153/04, is provided to the satisfaction of the Regional Municipality of Halton.	
b)	That the Owner receive clearance from the Ministry of Natural Resources and Forestry to confirm the absence of any species at risk.	

<b>H37</b>	<b>2311, 2319 &amp; 2323 Belyea Street</b> (Lots 70, 71 and Part of Lots 61 and 72, Registered Plan M-7)	Parent Zone: RM1
Map 19(2)		(2018-069)
<b>16.3.37.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
<b>16.3.37.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	That the Owner submit, to the satisfaction of the Region of Halton, an updated Functional Servicing Report establishing that there is sufficient capacity for water and/or sanitary sewer to service the subject lands and to discuss any downstream capacity constraints within the sanitary sewer systems.	