

Holding Provisions

9.1 General Prohibition *(2013-065)*

Where a *zone* symbol is preceded by an upper case letter “H”, a 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.

9.2 Exceptions to Prohibition

Notwithstanding the above and unless modified by the provisions of Section 9.3, the following *uses* are permitted without the need to remove a Holding Provision.

- a) Construction *uses* in accordance with Section 4.3.2(vi) of this By-law;
- b) Model homes in accordance with Section 4.3.2(viii) of this By-law;
- c) Temporary sales offices in accordance with 4.3.2(vii) of this By-law;

9.3 Holding Provisions

The following provisions apply to the lands specified:

H1	Water and Wastewater Allocation in North Oakville	Parent Zone: Various
Various Maps		(2014-094)
9.3.1.1 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 <i>uses</i> :		
a)	Legal <i>uses</i> , <i>buildings</i> and <i>structures</i> existing on the lot.	
9.3.1.2 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.	

Holding Provisions

H2	London Hills Builders Ltd. Dundas Street West and Neyagawa Boulevard, formerly Davis Minardi Home Corporation and Denbridge Developments Inc	Parent Zone: DUC
Map 12(4)		(2018-102)
H2 - removed by By-law 2018-102		

H3	Oakville Hydro Energy Services Inc. Third Line, North of Dundas Street	Parent Zone: I
Map 12(2)		(2011-006)
H3 - removed by By-law 2011-006		

9.3.4 Fern Hill School - 3300 Ninth Line

Holding Provision	Condition for Removal	Date Enacted	Zoning Map	Uses and Regulations Pending Removal of Holding Provision
H4	<p>The holding symbol “H4” shall apply and will only be removed when the following conditions have been satisfied:</p> <ol style="list-style-type: none"> 1. That the Town is advised by Halton Region that municipal water and wastewater services are available. 2. The removal of the Minister’s Zoning Order from the subject property. 	-	12(6)	<p><u>Permitted Uses:</u> For such time as the “H4” symbol is in place, these lands shall only be used for the <i>uses</i> permitted in the ED <i>zone</i> and in addition, a private elementary school.</p> <p>For such time as the “H4” symbol is in place, these lands shall be subject to the regulations of the ED <i>zone</i>, and except where in conflict with the following regulations, in which case the following will prevail:</p> <p><u>Private Elementary School</u> Max. <i>lot coverage</i> - 25% Max. <i>height</i> - 10 metres</p> <p>Minimum Yards - <i>Front Yard & Flankage</i> - 15 m <i>Side Yard</i> - 15 m <i>Rear Yard</i> - 15 m</p> <p>Parking - As provided for in the relevant <i>zone</i></p>

Holding Provisions

9.3.5 Timsin Holding Corp. and Arrassa Investments Inc. - Dundas Street West and Sixth Line

Holding Provision	Condition for Removal	Date Enacted	Zoning Map	Uses and Regulations Pending Removal of Holding Provision
H5	<p>1. The holding symbol “H5”, as it applies only to <i>residential uses</i>, will be removed when the following conditions have been satisfied:</p> <p>i) Halton Region water and wastewater servicing allocation has been assigned to this block; and,</p> <p>ii) Halton Region advises that item i) above has been satisfied.</p>	December 13, 2010	12(4)	<p><u>Permitted Uses:</u> For such time as the “H5” symbol is in place, these lands shall only be used for permitted non-residential <i>uses</i> as well as existing permitted <i>uses, buildings</i> and <i>structures</i>.</p> <p><u>Regulations:</u> For such time as the “H5” symbol is in place, these lands shall be subject to the regulations of the relevant <i>zone</i> that apply.</p>

H6	Mattamy (Kaitting) Limited and Ruland Properties Inc. (Part of Lots 16 and 17, Concession 1 Trafalgar N.D.S.)	Parent Zone: DUC
Map 12(4)		(2016-067)
H6 - removed by By-law 2016-067		

H7	Green Ginger Development Inc. (Part of Lots 13 & 14, Concession 1 N.D.S.)	Parent Zone: TUC
Map 12(5)		(2013-113) (2016-021)
H7 - removed by By-law 2016-021		

Holding Provisions

H8	Green Ginger Development Inc. (Part of Lots 13 & 14, Concession 1 N.D.S.)	Parent Zone: DUC
Map 12(5)		(2013-113)
9.3.8.1 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 <i>uses</i> :		
a)	Existing <i>uses, buildings and structures</i> .	
9.3.8.2 Conditions for Removal of the “H”		
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 condition(s) 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.	

H9	Sixth Line Corporation (Part of Lot 15, Concession 1 N.D.S.)	Parent Zone: NU, GU
Map 12(5)		(2014-080)
9.3.9.1 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 <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
9.3.9.2 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)	The Director of Planning is satisfied the lands may be developed in accordance with the phasing policies [Section 7.9.2(c)] of the North Oakville Secondary Plan, as amended.	

Holding Provisions

H10	Sixth Line Corporation (Part of Lot 15, Concession 1 N.D.S.)	Parent Zone: NC
Map 12(5)		(2014-080)
9.3.10.1 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 <i>uses</i> :		
a)	All <i>uses</i> permitted in the Neighbourhood Centre (NC – SP 29) <i>Zone</i>	
9.3.10.2 Zone Regulations Prior to Removal of the “H”		
For such time as the “H” symbol is in place, the provisions of the Neighbourhood Centre (NC – SP 29) <i>Zone</i> shall apply. Notwithstanding this, the following regulations shall additionally apply for such time as the “H” symbol is in place:		
a)	<i>Dwelling units</i> are not permitted on the <i>first storey</i>	
9.3.10.3 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)	Holding Provision H9 has been removed from the subject lands.	
b)	A minimum of three years has passed since the date of registration of the underlying draft plan of subdivision.	

H12	EMGO (North Oakville I) Ltd. (Part of Lot 15, Concession 1, NDS 3369 Sixth Line)	Parent Zone: NC, GU
Map 12(5)		PL140467, PL140468, (2017-012)
9.3.12.1 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 <i>uses</i> , <i>buildings</i> and <i>structures</i> existing on the <i>lot</i> .	
9.3.12.2 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 condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	That written confirmation is received from Conservation Halton indicating that these <i>lots</i> are no longer susceptible to flooding under the Regional Storm event to the satisfaction of the Town of Oakville.	

Holding Provisions

H13	Star Oak Developments Ltd. (Parts of Lots 14 and 15, Concession 2, NDS)	Parent Zone: NC
Map 12(5)		PL140412, PL140413, (2017-013)

9.3.13.1 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) All *uses* permitted in the underlying *zone*

9.3.13.2 Zone Regulations Prior to Removal of the “H”

For such time as the “H” symbol is in place, the provisions of the underlying *zone* shall apply. Notwithstanding this, the following regulations shall additionally apply for such time as the “H” symbol is in place:

- a) *Dwelling units* are not permitted on the *first storey*

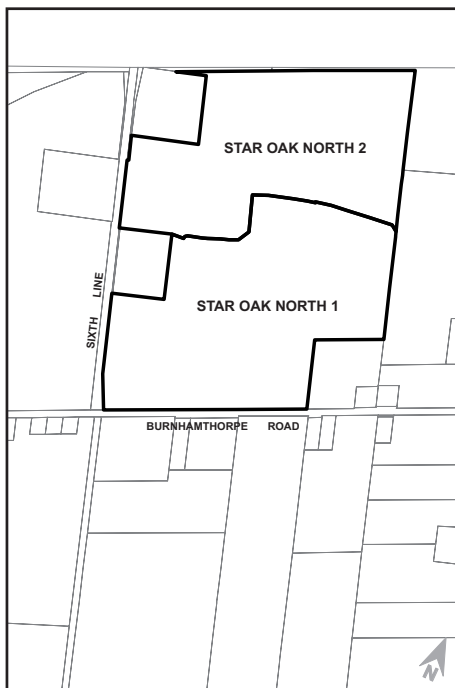
9.3.13.3 Conditions for Removal of the “H”

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 condition(s) shall first be completed to the satisfaction of the Town of Oakville:

- a) A minimum of three years has passed since the date of registration of the underlying draft plan of subdivision for Star Oak North 1 lands only (as identified in Figure 9.3.13.1 below).

9.3.13.4 Special Site Figures

Figure 9.3.13.1



Holding Provisions

H14	Star Oak Developments Ltd. (Parts of Lots 14 and 15, Concession 2, NDS)	Parent Zone: LE
Map 12(5)		PL140412, PL140413, (2017-013)

9.3.14.1 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.

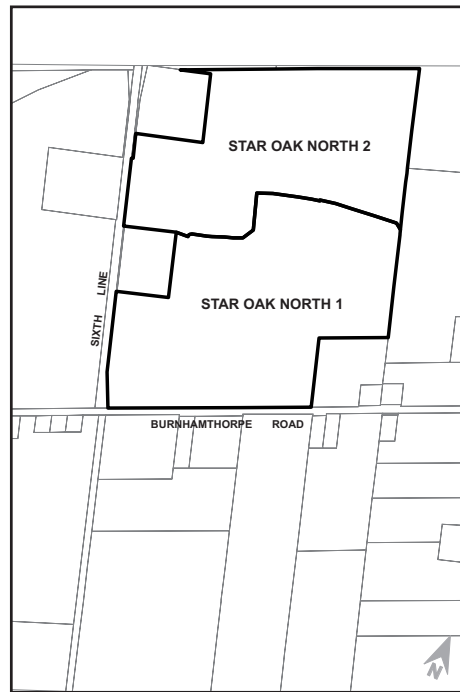
9.3.14.2 Conditions for Removal of the “H”

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 condition(s) shall first be completed to the satisfaction of the Town of Oakville:

- a) All of Star Oak North 2 lands (as identified in Figure 9.3.14.1 below) shall be successfully registered to the satisfaction of the Director of Planning.

9.3.14.2 Special Site Figures

Figure 9.3.14.1



Holding Provisions

H15	Sixth Line Corporation (Part of Lot 15, Concession 1, N.D.S. 41 Dundas Street)	Parent Zone: NC, GU
Map 12(5)		(2016-103) (2020-010)
9.3.15.1 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.	
9.3.15.2 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 condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	That written confirmation is received from Conservation Halton indicating that these lots are no longer susceptible to flooding under the Regional Storm event to the satisfaction of the Town of Oakville.	

H16	Sixth Line Corporation (Part of Lot 15, Concession 1 N.D.S. 41 Dundas Street)	Parent Zone: NC, GU
Map 12(5)		(2016-103) (2017-092)
H16 - Removed by By-law 2017-092		

Holding Provisions

H17	404072 Ontario Ltd. (Mattamy Development Corp.) (Part of Lots 14 and 15, Concession 1, NDS)	Parent Zone: NC
Map 12(5)		(2016-120)
9.3.15.1 Only Permitted Building Types 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 building types:		
a)	<i>Mixed use building</i>	
b)	<i>Apartment</i>	
c)	<i>Parking garage, built as part of an apartment or mixed use building on the same lot</i>	
d)	<i>Stacked townhouse dwelling</i>	
9.3.15.3 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 condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	A minimum of three years has passed since the date of registration of the underlying draft plan of subdivision which includes the entirety of the lands subject to this Holding Provision.	

H18	All Seniors Care Acquisitions Ltd. 2135 Dundas Street West (Part of Lot 27, Concession 1, NDS)	Parent Zone: I
Map 12(2)		(2018-089) (2019-080)
H18 Removed by By-law 2019-080		

Holding Provisions

H20	Oakville Urban Core Developments 1005 Dundas Street East and 3033 Eighth Line	Parent Zone: DUC
Map 12(6)		(2018-108)
9.3.20.1 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.	
9.3.20.2 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 <i>Planning Act</i> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	That water and wastewater Servicing Allocation has been secured for the subject lands and the proposed development through Halton Region; and that Halton Region provides correspondence indicating that sufficient water and wastewater servicing allocation has been secured to support the development.	
b)	The Owner has submitted, to the satisfaction of the Region of Halton, an update to the Functional Servicing Study 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	
c)	The Owner has submitted, to the satisfaction of the Region of Halton, a Phase 2 Environmental Site Assessment and any recommended environmental reports, along with a Letter of Reliance extending Third Party Reliance to the Region of Halton, which demonstrate that the lands are free and clear for their intended use.	
d)	That the Owner submits to the Region of Halton, acknowledgement from the Ministry of Tourism, Culture and Sports of receipt of the Stage 2 Archeological Assessment, and any additional recommended Archeological Assessments as identified by the Qualified Professional, prior to the approval for the development or site alteration of these lands, to the satisfaction of the Region of Halton	
e)	That the Owner has submitted, to the satisfaction of Conservation Halton and the Town of Oakville, an update to the Functional Servicing and Preliminary Stormwater Management Report, prepared by Crozier and Associates Inc., dated May 2018, through the site plan review process to demonstrate that the unique nature of the stormwater management criteria for the subject lands.	

Holding Provisions

H21	407 Dundas Street West (Part of Lot 19, Concession 1, N.D.S.)	Parent Zone: DUC
Map 12(4)		(2018-107) (2020-108)
H21 - Removed by By-law 2020-108		

Holding Provisions

H22	Infrastructure Ontario	Parent Zone: I
Map 12(2)	Part of Lot 26, Concession 1, N.D.S.	(2018-116)
9.3.22.1 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)	General Office Use where the primary business conducted within a building is a publicly administered courthouse; and,	
c)	Parking Garage	
d)	Accessory Uses	
9.3.22.2 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 <u>Planning Act</u> . The following condition(s) 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 Region of Halton and the Town of Oakville.	
b)	The owner has entered into any required servicing agreement(s) with the Town regarding stormwater management.	
c)	All required land conveyances have been undertaken.	
d)	A Phase 1 Environmental Site Assessment (O.Reg. 153/04 compliant) and any recommended environmental reports, along with a Letter of Reliance extending third party reliance to the Region of Halton, which demonstrate that the lands are free and clear for their intended use to the satisfaction of the Region of Halton.	
e)	Updated stormwater management report to the satisfaction of the Director of Development Engineering and Conservation Halton.	
f)	Updated Transportation Impact Study	
g)	Urban Design Brief	
h)	Updated Functional Servicing Report to the satisfaction of the Region of Halton.	
i)	Land Use Compatibility Study relating to adverse impact on existing or permitted land uses within the Health Oriented Mixed Use Node and adjacent lands to the satisfaction of the Region of Halton and Town of Oakville.	
j)	That the EIR-FSS be updated to the satisfaction of Conservation Halton and the Town of Oakville to include infiltration targets and a general concept plan showing all LID measures to be used on each of the three development blocks.	

Holding Provisions

H23	103 Dundas Street Part of Lot 16, Concession 1, N.D.S.	Parent Zone: DUC
Map 12(4)		(2018-118)
H23 - Removed by By-law 2021-001		

H24	407 Dundas Street West (Part of Lot 19, Concession 1, N.D.S.)	Parent Zone: GU
Map 12(4)		(2018-107)
9.3.24.1 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)	<i>Uses permitted in the ED zone.</i>	
9.3.24.2 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 <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	That the lands subject to the H24-GU Zone are within a Registered Plan of Subdivision, to the satisfaction of the Region of Halton.	

Holding Provisions

H25	1187 Burnhamthorpe Road East (Part Lot 9, Conc. 2, NDS)	Parent Zone: ED, I
Map 12(6)		(2018-122) (2019-094)
H25 - Removed by By-law 2019-094		

H28	Bressa Developments Limited Part of Lots 7 and 8, Concession 1, NDS	Parent Zone: GU, S
Map 12(6)		(2018-036)
H28 - Removed by By-law 2021-003		

Holding Provisions

H29	Bressa Developments Limited Part of Lots 7 and 8, Concession 1, NDS	Parent Zone: DUC-1
Map 12(6)		(2018-036)
9.3.29.1 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	
9.3.29.2 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 <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	That water and wastewater Servicing Allocation has been secured for the subject lands and the proposed development through Halton Region; and that Halton Region provides correspondence indicating that sufficient water and wastewater servicing allocation has been secured to support the development.	
b)	That the JC-31 realignment works are completed and written confirmation is received from Conservation Halton confirming that the Dundas Urban Core (Block 200) is no longer within Conservation Halton's regulated area, which includes the flooding hazard under the Regional Storm Event and its associated 7.5 metre allowance or the draft plan of subdivision is redlined in accordance with the final limits of the Natural Heritage System.	
c)	The registration on title of a Section 37 Agreement per the <u>Planning Act</u> , where applicable.	

Holding Provisions

H30	Mattamy (Joshua Creek) Limited Part of Lot 9, Concession 1, N.D.S.	Parent Zone: DUC-1, GU, NC-4, NC
Map 12(6)		(2019-062)
9.3.30.1 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 <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
9.3.30.2 Conditions for Removal of the "H"		
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 Town of Oakville:		
a)	That the ultimate stormwater management pond (Block 52) and associated storm infrastructure to be shared with adjacent lands to the west to service Phase 1 of the Dunoak draft plan of subdivision are constructed, certified, stabilized, operational and in public ownership, in accordance with Town approved engineering drawings, MOECP Environmental Compliance Approval (ECA and Conservation Halton permits) to the satisfaction of the Town of Oakville, Conservation Halton and Regional Municipality of Halton.	
b)	The registration on title of a Section 37 Agreement per the <u>Planning Act</u> for Dundas Urban Core Blocks 49 and 50, where applicable.	

H31	Mattamy (Joshua Creek) Limited Part of Lot 9, Concession 1, N.D.S.	Parent Zone: GU, NC-4, NC
Map 12(6)		(2019-062)
9.3.31.1 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 <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
9.3.31.2 Conditions for Removal of the "H"		
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 shall first be completed to the satisfaction of the Town of Oakville:		
a)	That water and wastewater Servicing Allocation has been secured for the subject lands and the proposed development through Halton Region; and that Halton Region provides correspondence indicating that sufficient water and wastewater servicing allocation has been secured to support the development.	

Holding Provisions

H32	Mattamy (Joshua Creek) Limited Part of Lot 9, Concession 1, N.D.S.	Parent Zone: GU, NC, NC-4, I
Map 12(6)		(2019-062)
9.3.32.1 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 <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
9.3.32.2 Conditions for Removal of the "H"		
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 shall first be completed to the satisfaction of the Town of Oakville:		
a)	That Stormwater Management Pond 54 (located on the Argo/Diam lands abutting the subject lands to the east) is zoned, constructed, certified, stabilized, operational and in public ownership in accordance with Town approved engineering drawings, MOECC Environmental Compliance Approval (ECA and Conservation Halton permits) to the satisfaction of the Town of Oakville, Regional Municipality of Halton and Conservation Halton.	

H33	Mattamy (Joshua Creek) Limited Part of Lot 9, Concession 1, N.D.S.	Parent Zone: NC, NC-4, GU, I
Map 12(6)		(2019-062)
9.3.33.1 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 <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
9.3.33.2 Conditions for Removal of the "H"		
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 shall first be completed to the satisfaction of the Town of Oakville:		
a)	That sanitary sewer services are constructed and commissioned through the abutting lands to the east ("Argo/Diam") or an alternative satisfactory to the Regional Municipality of Halton is accepted, constructed and commissioned to the satisfaction of the Regional Municipality of Halton.	

Holding Provisions

H36	393 Dundas Street West (Part of Lot 19, Concession 1, N.D.S)	Parent Zone: DUC
Map 12(4)		(2019-006) (2020-107)
H36 - Removed by By-law 2020-107		

H37	Oakville Green Development Inc. (Part of Lot 25, Concession 1, NDS)	Parent Zone: LE
Map 12(3)		(2019-026)

9.3.37.1 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*.

9.3.37.2 Zone Regulations Prior to Removal of the "H"

For such time as the "H" symbol is in place, the regulations of the ED, Existing Development, *zone* shall apply.

9.3.37.3 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 condition(s) shall first be completed to the satisfaction of the Town of Oakville:

- a) That updated Phase I and II Environmental Site Assessments be provided which is compliant with Ontario Regulation 153/04, current within 18 months, and completed by a qualified professional to the satisfaction of Regional Municipality of Halton.
- b) Confirmation that the proposed development does not negatively impact the flight path of the Oakville Trafalgar Hospital helipad, to the satisfaction of Navigation Canada.
- c) That an updated Transportation Impact Study be provided for a proposed interim development with a maximum site traffic generation rate of not exceeding 1,000 total peak hour two-way site vehicle trips to the satisfaction of the Regional Municipality of Halton and the Town of Oakville. The site peak hour trips are to be calculated using:
- i. standard ITE trip generation rates, (or in the absence of such standards, comparable industry standards generally applied by or acceptable to the Town of Oakville); and,
 - ii. a total 7% modal split until such time as bus rapid transit is operating along Dundas Street West, and thereafter may utilize a corresponding higher modal split agreed to by the Director of Engineering & Construction.

Holding Provisions

H38	Oakville Green Development Inc. (Part of Lot 25, Concession 1, NDS)	Parent Zone: LE
Map 12(3)		(2019-026)
9.3.38.1 Only Permitted Uses Prior to Removal of the "H"		
Until such time as the "H- 38" Holding Provision is lifted, and subject to the removal of H-37, the lands may be used for any use permitted by the LE, Light Employment, Special Provision 57 zone with a maximum site traffic generation rate of the existing and proposed <i>uses</i> within all lands zoned LE, Light Employment, Special Provision 57 not exceeding 1,000 total peak hour two-way site vehicle trips, as validated within a Transportation Impact Study prepared to the satisfaction of the Regional Municipality of Halton and the Director of Engineering & Construction.		
9.3.38.2 Zone Regulations Prior to Removal of the "H"		
For such time as the "H" symbol is in place, the regulations of the LE, Light Employment, Special Provision 57 zone shall apply.		
9.3.38.3 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 <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	William Halton Parkway being open to vehicular traffic between Third Line and Neyagawa Boulevard.	

Holding Provisions

H43	Martillac Estates Inc. (Part of Lots 24, Concession 1, NDS)	Parent Zone: NC
Map 12(3)		PL170735, (2020-013)
9.3.44.1 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.	
9.3.44.2 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 <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	That the ultimate extension of Richard Plummer Trail southward from Harasym Street to Dundas Street West has been: <ul style="list-style-type: none"> i. constructed to a minimum base coarse asphalt; ii. conveyed to the Town of Oakville; and, iii. either dedicated as a public highway on a plan of subdivision or subject to a by-law dedicating the lands as a public highway. 	

Holding Provisions

H46	Martillac Estates Inc. and Graydon Banning Limited (Part of Lots 24 and 25, Concession 1, NDS)	Parent Zone: DUC
Map 12(3)		(2020-113)
9.3.46.1 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)	Uses permitted in the Dundas Urban Core (DUC) Special Provision 92 zone subject to compliance with Section 9.3.46.2.	
9.3.46.2 Zone Regulations Prior to Removal of the “H”		
For such time as the “H” symbol is in place, the regulations of the Dundas Urban Core (DUC) Special Provision 92 shall apply. Notwithstanding this, the following regulation shall additionally apply for such time as the “H” symbol is in place:		
a)	Maximum building height	5 storeys
9.3.46.3 Conditions for Removal of the "H"		
The “H” symbol shall, upon application by the landowner, be removed for all or part of a Block 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 either: <ul style="list-style-type: none"> i. Adjacent land is no longer being used for the purpose of an AM radio station; or ii. Analysis/study/testing is completed and documented with respect to such lands to identify and manage potential effects, if any, of the existing AM radio station on future residents, including compliance with applicable standards or guidelines related to potential interference with the consumer electronics and medial equipment (EMCAB-2 and IEC60601-1-2 as of October, 2020) and health and safety (Safety Code 6 as of October, 2020) and further, that any mitigation plan necessary to deal with potential effects is secured, all to the satisfaction of the Town of Oakville and Halton Region. 	

Holding Provisions

H47	Graydon Banning Limited (Part of Lots 24 and 25, Concession 1, NDS)	Parent Zone: NC, HDR
Map 12(3)		(2020-116)
9.3.47.1 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.	
9.3.47.2 Conditions for Removal of the "H"		
The “H” symbol shall, upon application by the landowner, be removed for all or part of a Block 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> .	

H48	Graydon Banning Limited (Part of Lots 24 and 25, Concession 1, NDS)	Parent Zone: NC, HDR
Map 12(3)		(2020-116)
9.3.48.1 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)	For lands zoned Neighbourhood Centre (NC) Special Provision 93, uses permitted in Neighbourhood Centre (NC) Special Provision 93, subject to compliance with 9.3.48.2	
c)	For lands zoned High Density Residential (HDR) Special Provision 94, uses permitted in High Density Residential (HDR) Special Provision 94, subject to compliance with 9.3.48.2	
9.3.48.2 Zone Regulations Prior to Removal of the “H”		
For such time as the “H” symbol is in place, the regulations of the Neighbourhood Centre (NC) Special Provision 93 or High Density Residential (HDR) Special Provision 94 shall apply. Notwithstanding this, the following regulation shall additionally apply for such time as the “H” symbol is in place:		
a)	Maximum <i>building height</i>	5 storeys
9.3.48.3 Conditions for Removal of the "H"		
The “H” symbol shall, upon application by the landowner, be removed for all or part of a Block 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 either: <ul style="list-style-type: none"> i. Adjacent land is no longer being used for the purpose of an AM radio station; or ii. Analysis/study/testing is completed and documented with respect to such lands to identify and manage potential effects, if any, of the existing AM radio station on future residents, including compliance with applicable standards or guidelines related to potential interference with the consumer electronics and medial equipment (EMCAB-2 and IEC60601-1-2 as of October, 2020) and health and safety (Safety Code 6 as of October, 2020) and further, that any mitigation plan necessary to deal with potential effects is secured, all to the satisfaction of the Town of Oakville and Halton Region 	

Holding Provisions

H49	3064 Trafalgar Road (Part of Lot 13, Conc. 1, N.D.S)	Parent Zone: TUC
Map 12(5)		(2021-032)
9.3.49.1 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.	
9.3.49.2 Zone Regulations Prior to Removal of the “H”		
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 water and wastewater Servicing Allocation, including the issuance of the Public Works Commissioner Notice, has been secured for the subject lands to the satisfaction of the Region of Halton and the Town of Oakville.	
b)	That the Owner has submitted, to the satisfaction of the Region of Halton, an updated Addendum to the Functional Servicing Study prior to engineering drawing submission to include water modelling of the development that addresses watermain sizing, flows, pressures, dead-end watermains and the proposed water pressure zone realignment.	
c)	That the external watermain and sanitary sewer extensions on Trafalgar Road that are required to service the property have been constructed and are operational or that alternative provisions have been made by the Owner for the design and construction of the watermain and sanitary sewer extensions to the satisfaction of the Region of Halton.	
d)	That the Owner shall update the Environmental Implementation Report / Functional Servicing Study (EIR/FSS) dated October 2020, to reflect all comments from the Town of Oakville, Region of Halton and Conservation Halton, dated January 14, 2021, November 20, 2020 and December 17, 2020 respectively.	
e)	That the Owner dedicate to the Town the Natural Heritage System lands, depicted on Schedule ‘A’ to this by-law as “NHS”, free of charge and with clear title (free and clear of encumbrances) and any necessary easements in a condition satisfactory to the Town. A Certificate of Title shall be provided, in a form satisfactory to the Town.	
f)	That the Owner shall dedicate all lands required for the Trafalgar Road widening to be conveyed to the Region of Halton, free of charge and with clear title (free and clear of encumbrances) and any necessary easements. A Certificate of Title shall be provided, in a form satisfactory to the Region or other authority.	
g)	That the Owner provide the design of a passive low impact development feature in the Linkage Preserve Area to the satisfaction and final approval of Conservation Halton and the Town of Oakville.	
h)	That the Owner secure an easement from the Town of Oakville over the Linkage Preserve Area of the Natural Heritage System Lands, depicted on Schedule ‘A’ to this by-law as “NHS”, to allow for grading, access, construction and operation of low impact development features and the required maintenance.	
i)	It is confirmed that flood free access has been provided to the subject lands through one of the following approaches: A) The installation of the culvert south of the Dundas Street and Trafalgar Road intersection be completed. Confirmation regarding the removal of the floodplain from the frontage of the subject lands such that suitable flood free access is available shall be provided to the satisfaction of the Region of Halton, Town of Oakville and Conservation Halton OR, B) That, in the event the culvert has not been installed south of the Dundas Street and Trafalgar Road intersection, suitable flood free access to the subject lands shall be provided to the satisfaction of the Region of Halton, Town of Oakville, and Conservation Halton. This access will be confirmed by the applicant entering into a Regional Servicing Agreement, to be registered on title, in conjunction with submitting a Site Plan Application to the Town of Oakville. Further, payment of all necessary securities is required to the satisfaction of the Region of Halton.	

Holding Provisions

H50	Argo (Joshua Creek) Developments Ltd. (Part of Lot 8, Concession 1, NDS)	Parent Zone: DUC, GU, S, NC
Map 12(6)		(2021-040)
9.3.50.1 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 <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i>	
9.3.50.2 Conditions for Removal of the "H"		
The "H" symbol shall, upon application by the landowner, be removed by <i>Town</i> Council 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 Town of Oakville and the Region of Halton:		
a)	<ul style="list-style-type: none"> • Secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program; • Sign the applicable Allocation Agreement or any required Amending Agreements; • Made all required payments; and, • Confirm receipt of a Region of Halton Public Works Commissioner's Notice (PWCN). 	
b)	The registration on title of a Section 37 Agreement per the <u>Planning Act</u> , for Dundas Urban Core Block 283, where applicable.	