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 *uses*:		
a)	Legal *uses, buildings* and *structures* 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	Davis Minardi Home Corporation and Denbridge Developments Inc. – Dundas Street West and Neyagawa Boulevard	Parent Zone: DUC
Map 12(4)		(2018-102) (2022-007) (2024-077)
H2 - Removed by By-law 2024-077		

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 (2022-007)

Holding Provision	Condition for Removal	Date Enacted	Zoning Map	Uses and Regulations Pending Removal of Holding Provision
H4	The holding symbol "H4" shall apply and will only be removed when the following conditions have been satisfied: 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)	Permitted *Uses*: For such time as the "H4" symbol is in place, these lands shall only be used for the *uses* permitted in the FD *zone* and in addition, a private elementary school. For such time as the "H4" symbol is in place, these lands shall be subject to the regulations of the FD *zone*, and except where in conflict with the following regulations, in which case the following will prevail: Private Elementary School Max. *lot coverage* - 25% Max. *height* - 10 metres **Minimum *Yards* -** *Front Yard & Flankage* - 15 m *Side Yard* - 15 m *Rear Yard* - 15 m **Parking -** As provided for in the relevant *zone*

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

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) (2023-103)
H8 - Removed by By-law 2023-103		

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 *uses*:	
a)	Legal *uses*, *buildings* and *structures* existing on the *lot*.
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) (2024-011)
H10 - Removed by By-law 2024-011		

H12	EMGO (North Oakville I) Ltd. (Part of Lot 15, Concession 1, NDS 3369 Sixth Line)	Parent Zone: NC, GU
Map 12(5)		PL140467, (2017-012) (2022-118)
H12 - Removed by By-law 2022-118		

Holding Provisions

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

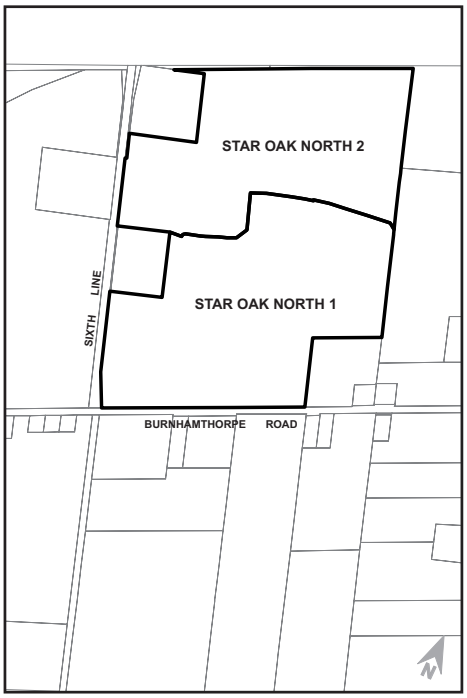
9.3.13.3 Conditions for Removal of the "H"

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, (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*.

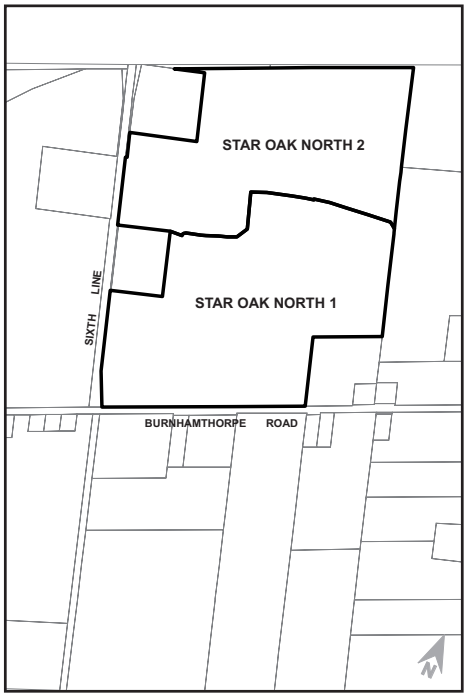
9.3.14.2 Conditions for Removal of the "H"

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) (2024-011)

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.

Holding Provisions

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		

H17	404072 Ontario Ltd. (Mattamy Development Corp.) (Part of Lots 14 and 15,Concession 1, NDS)	Parent Zone: NC
Map 12(5)		(2016-120) (2022-004)
H17 - Removed by By-law 2022-004		

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		

H20	Oakville Urban Core Developments 1005 Dundas Street East and 3033 Eighth Line	Parent Zone: DUC
Map 12(6)		(2018-108) (2022-104)
H20 - Removed by By-law 2022-104		

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 (Part of Lot 26, Concession 1, N.D.S.)	Parent Zone: I
Map 12(2)		(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 Planning Act. 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) (2022-084)
H24 - Removed by By-law 2022-084		

H25	1187 Burnhamthorpe Road East (Part Lot 9, Conc. 2, N.D.S)	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, N.D.S)	Parent Zone: GU, S
Map 12(6)		(2018-036) (2021-003)
H28 - Removed by By-law 2021-003		

Holding Provisions

H29	Bressa Developments Limited (Part of Lots 7 and 8, Concession 1, N.D.S)	Parent Zone: DUC-1
Map 12(6)		(2018-036) (2021-134) (2023-069)

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 uses:	
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 Planning Act. 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 Planning Act, 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)		PL170731, (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 *uses*:	
a)	Legal *uses*, *buildings* and *structures* existing on the *lot.*
9.3.30.2	**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 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 Planning Act for Dundas Urban Core Blocks 49 and 50, where applicable.

Holding Provisions

H31	Mattamy (Joshua Creek) Limited (Part of Lot 9, Concession 1, N.D.S.)	Parent Zone: GU, NC-4, NC
Map 12(6)		PL170731, (2019-062) (2022-087)
H31 - Removed by By-law 2022-087		

H32	Mattamy (Joshua Creek) Limited (Part of Lot 9, Concession 1, N.D.S.)	Parent Zone: GU, NC, NC-4
Map 12(6)		PL170731, (2019-062) (2023-169)
H32 - Removed by By-law 2023-169		

H33	Mattamy (Joshua Creek) Limited (Part of Lot 9, Concession 1, N.D.S.)	Parent Zone: NC, NC-4, GU
Map 12(6)		PL170731, (2019-062) (2022-087)
H33 - Removed by By-law 2022-087		

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		

Holding Provisions

H37	Oakville Green Development Inc. (Part of Lot 25, Concession 1, N.D.S)	Parent Zone: LE
Map 12(3)		(2019-026) (2022-007)

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 FD, Future 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, N.D.S)	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 *uses* 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 Planning Act. 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

H39	3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)	Parent Zone: LE, GE, SA
Map 12(1)		(2023-014)

9.3.39.1 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*.
9.3.39.2 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 and Region of Halton:	
a)	That sufficient water and wastewater services are available to the satisfaction of the Region of Halton.
b)	That an updated FSR be approved by Halton Region.

Holding Provisions

H40	3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)	Parent Zone: LE, GE, SA
Map 12(1)		(2023-014)

9.3.40.1 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*.
9.3.40.2 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 and Region of Halton:	
a)	That the crossing of the West Fourteen Mile Creek tributary associated with the Arterial One extension has been constructed and operational, providing appropriate primary access for fire protection purposes.
b)	Confirmation that temporary water and wastewater services proposed along the easterly property limit commencing at Dundas Street West and extending to Avenue Three are available.
c)	Confirmation that the temporary fire prevention access along the easterly property limit commencing at Dundas Street West and extending to Avenue Three is available.
d)	That sufficient water and wastewater services are available to the satisfaction of the Region of Halton.
e)	That an updated FSR be approved by Halton Region.

Holding Provisions

H41	3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)	Parent Zone: LE, GE
Map 12(1)		(2023-014)

9.3.41.1 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.*
9.3.41.2 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 and Region of Halton:	
a)	That the extension of Colonel William Parkway and associated municipal servicing infrastructure have been constructed and operational through the easterly abutting lands and connects into proposed Avenue Three.
b)	That sufficient water and wastewater services are available to the satisfaction of the Region of Halton.
c)	That an updated FSR be approved by Halton Region.

Holding Provisions

H42	Graydon Banning Limited (Part of Lots 24 and 25, Concession 1, N.D.S) Martillac Estates Inc. (Part of Lot 24, Concession 1, NDS)	Parent Zone: NC, GU
Map 12(3)		PL170737, (2019-091) PL170735, (2023-017)
9.3.42.1	**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.*	
9.3.42.2	**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 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

H43	Martillac Estates Inc. (Part of Lots 24, Concession 1, N.D.S)	Parent Zone: NC
Map 12(3)		PL170735, (2020-013) PL170737, (2023-017)

9.3.43.1	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.*

9.3.43.2	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) related to Blocks 25 and 28, 24T-16005/1324 shall first be completed to the satisfaction of the Town of Oakville and Region of Halton:	
a)	That the ultimate extension of Richard Plummer Trail southward from Harasym Street to Dundas Street West has been: 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.
b)	That Region of Halton has confirmed that the Owner has made arrangements to the satisfaction of the Region of Halton for the delivery of the ultimate water and wastewater services for the blocks including the water conversion works and including entering into a Servicing Agreement and provision of securities as applicable.

Holding Provisions

H46	Martillac Estates Inc. and Graydon Banning Limited (Part of Lots 24 and 25, Concession 1, N.D.S)	Parent Zone: DUC
Map 12(3)		(2020-113) (2024-013)

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 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 either: 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, N.D.S)	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 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 sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the Town of Oakville.

H48	Graydon Banning Limited (Part of Lots 24 and 25, Concession 1, N.D.S)	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 *building height*	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 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 either: 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 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 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, N.D.S)	Parent Zone: DUC, GU, S, NC
Map 12(6)		(2021-040) (2024-044)

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 *uses*:	
a)	Legal *uses*, *buildings* and *structures* existing on the *lot*
9.3.50.2	**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 and the Region of Halton:	
a)	• 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 Planning Act, for Dundas Urban Core Block 283, where applicable.

Holding Provisions

H51	Capoak Inc. and Redoak G & A Inc. (Part of Lot 10, Concession 1, N.D.S)	Parent Zone: DUC, GU
Map 12(6)		(2021-103)

9.3.51.1	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 *uses*:	
a)	Legal *uses*, *buildings* and *structures* existing on the lot
9.3.51.2	**Conditions for Removal of the "H"**
The "H" symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the "H" symbol 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 and the Region of Halton:	
a)	The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;
b)	The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements.
c)	The Owner shall have made all required payments associated with the Allocation Program;
d)	The Owner shall be in receipt of the Region of Halton Public Works Commissioner's Notice (PWCN) letter; and
e)	The registration on title of a Section 37 Agreement per the Planning Act, for Dundas Urban Core blocks 198 and 199, where applicable.

Holding Provisions

H52	Mattamy (Joshua Creek) Limited/ Halton District School Board (Part of Lot 9, Concession 1, N.D.S)	Parent Zone: I
Map 12(6)		(2022-037) (2022-039) (2022-048) (2022-024) (2022-117)
H52 - Removed by By-law 2022-117		

Holding Provisions

H53	Timsin Holding Corp. (Part Lot 16, Concession 1, N.D.S)	Parent Zone: GU and NC
Map 12(4)	Digram Developments Oakville Inc. 3380 Sixth Line	(2022-037) (2022-039) (2022-048) (2024-012) (2024-063)

9.3.53.1	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 *uses*:	
a)	Legal *uses*, *buildings* and *structures* existing on the *lot*
9.3.53.2	**Conditions for Removal of the "H"**
The "H" symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the "H" symbol by the Town 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, Halton Region and Conservation Halton:	
a)	That the Sixth Line Road works and associated storm sewer (located on Town lands abutting the subject lands to the east) that affects the subject property is 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.
b)	That the storm sewer works within the neighbouring Argo West Morrison Creek Development (Street E) is constructed and operational.

Holding Provisions

H54	Argo (West Morrison Creek) Ltd. 3270 Sixth Line Digram Developments Oakville Inc. 3380 Sixth Line Docasa Group Ltd Part of Lots 17, Con. 1, NDS	Parent Zone: NC
Map 12(4)		(2022-039) (2022-048) (2023-018) OLT-22-004475

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

9.3.54.2	Conditions for Removal of the "H"
The “H” symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the “H” symbol by the Town 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 and/or the Region of Halton:	
a)	The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program.
b)	The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements.
c)	The Owner shall have made all required payments associated with the Allocation Program;
d)	The Owner shall be in receipt of the Region of Halton Public Works Commissioner’s Notice (PWCN) letter.

Holding Provisions

H55	Timsin Holding Corp. Part Lot 16, Concession 1, N.D.S Argo (West Morrison Creek) Ltd. 3270 Sixth Line Digram Developments Oakville Inc. 3380 Sixth Line Lower Fourth Development Limited and Pendent Developments Ltd. Part of Lots 17 – 19, Con. 1, NDS Star Oak Developments Limited 90 Burhamthorpe Road West Docasa Group Ltd. Part of Lots 17, Con. 1, NDS	Parent Zone: S, GU, NC and I (2022-037) (2022-039) (2022-048) (2022-059) (2023-008) OLT-22-004517, (2023-018) OLT-22-004475, (2024-012) (2024-063)
Map 12(4)		

9.3.55.1 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 *uses*:

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

9.3.55.2 Conditions for Removal of the "H"

The "H" symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the "H" symbol by the Town 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 and Halton Region:

a) That the external local watermains and sanitary sewer extensions that are proposed on the lands adjacent to the subject lands and that are required to service this property have been constructed and are operational to the satisfaction of the Region of Halton or that alternative provisions have been made by the Owner for the design and construction of the external watermain and sanitary sewer extensions to the satisfaction of the Region of Halton.

Holding Provisions

H56	Oakville Green Development Inc. (Part of Lot 25, Concession 1, NDS)	Parent Zone: LE
Map 12(3)		(2022-071)

16.3.56.1	Only Permitted Uses Prior to Removal of the "H"
Until such time as the "H- 56" 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 except a *retirement home* or *nursing home*.	
16.3.56.2	**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.	
16.3.56.3	**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)	The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program to the satisfaction of Halton Region.
b)	The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements to the satisfaction of Halton Region.
c)	The Owner shall have made all required payments associated with the Allocation Program to the satisfaction of Halton Region.
d)	The Owner shall be in receipt of the Region of Halton Public Works Commissioner's Notice letter to the satisfaction of Halton Region.

Holding Provisions

H58	Docasa Group Ltd. Part of Lots 17, Con. 1, NDS	Parent Zone: GU
Map 12(4)		(2023-018) OLT-22-004475

9.3.58.1	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 *uses*:	
a)	Legal *uses*, *buildings* and *structures* existing on the *lot*
9.3.58.2	**Conditions for Removal of the "H"**
The "H" symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the "H" symbol by the Town 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, Halton Region and Conservation Halton:	
a)	An interim servicing plan is prepared by the proponent to demonstrate how existing external flows from north of Burnhamthorpe Road will be accommodated prior to the Hulme/SGGC lands being developed.

Holding Provisions

H60	Mattamy (Joshua Creek) Limited Part of Lot 8 & 9, Concession 1, NDS	Parent Zone: GU, S, NC
Map 12(6)		(2023-036)

9.60.1	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 *uses*:	
a)	Legal *uses, buildings* and *structures* existing on the *lot*
9.60.2	**Conditions for Removal of the "H"**
The "H" symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the "H" symbol by the *Town* 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 and the Region of Halton:	
a)	The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;
b)	The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements;
c)	The Owner shall have made all required payments associated with the Allocation Program; and
d)	The Owner shall be in receipt of the Region of Halton Public Works Commissioner's Notice (PWCN) letter.

Holding Provisions

H62	Rampen Holdings Inc. 1086 Burnhamthorpe Road East	Parent Zone: GU and S
Map 12(6)		(2024-090)

9.62.1	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 *uses*:	
a)	Legal *uses*, *buildings* and *structures* existing on the *lot*
9.62.2	**Conditions for Removal of the "H"**
The "H" symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the "H" symbol by the Town 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, Halton Region and Conservation Halton:	
a)	That the Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program.
b)	That the Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements.
c)	That the Owner shall have made all required payments associated with the Allocation Program.
d)	That the Owner shall be in receipt of the Region of Halton Public Works Commissioner's Notice (PWCN) letter.
e)	That the external local watermains and sanitary sewer extensions that are proposed on the lands and that are required to service this property have been constructed and are operational to the satisfaction of the Region of Halton or that alternative provisions have been made by the Owner for the design and construction of the external watermain and sanitary sewer extensions to the satisfaction of the Region of Halton.
f)	That the proposed Street "K" on the easterly abutting lands (24T-20007/1307) is constructed and registered, providing a connection to the proposed Street "E" on the subject lands (24T-22009/1310).