

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.

- Construction *uses* in accordance with Section 4.25.1 of this By-law;
- Model homes* in accordance with Section 4.25.2 of this By-law;
- 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) (2021-019)
16.3.1.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	All <i>uses</i> permitted in the applicable <i>Zone</i>	
b)	A temporary <i>use</i> authorized by section 39 of the <u>Planning Act</u> at 2512 Old Bronte Road, PT LT 31, CON 1 TRAF SDS, AS IN 664950 (FIRSTLY); PT LT 31, CON 1 TRAF SDS, PTS 1 TO 7, 20R271 (SECONDLY) S&E PT 2, 20R15338; OAKVILLE.	
16.3.1.2 Zone Regulations Prior to Removal of the “H”		
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.	
16.3.1.3 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, 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.	

Holding Provisions

d)	Registration on title of an agreement between the owner and the <i>Town</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</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.

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

H4	South Side of Upper Middle Road East (Part of Lot 5, Concession 2 S.D.S.)	Parent Zone: E4
Map 19(17)		(2014-014)
16.3.4.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <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	
16.3.4.2 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 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> .	

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

H5	2330-2435 Ninth Line (Part of Lot 6, Concession 1 S.D.S.)	Parent Zone: E2
Map 19(23)		(2000-214) (2014-014)
16.3.5.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	<i>Agriculture</i>	
b)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i>	
c)	<i>Business offices and medical offices</i> within existing <i>buildings</i>	
16.3.5.2 Parking Provisions Prior to Removal of the “H”		
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 ² <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 ² <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
16.3.5.3 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 <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> .	

Holding Provisions

H6	716-825 McPherson Road and 3232-3242 South Service Road West (Part of Lot 32, Concession 3 S.D.S.)	Parent Zones: E2, E3
Map 19(4)		(2001-007)
16.3.6.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <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>	
16.3.6.2 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 conditions shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	The final engineered location of the proposed Wycroft 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.	

H7	1099 Eighth Line (Part of Lot 10, Concession 2 S.D.S.)	Parent Zone: E4
Map 19(16)		(2006-184) (2014-014)
16.3.7.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <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>	
16.3.7.2 Zone Regulations Prior to Removal of the “H”		
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 ²
16.3.7.3 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> . 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

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

H9	114 Garden Drive and 227 and 235 Lakeshore Road West	Parent Zone: CBD
Map 19(7)	(Part of Lot 17, Concession 3 S.D.S.)	(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 <i>used</i> for the following:		
a)	Legal <i>uses, buildings</i> and <i>structures</i> existing on the <i>lot</i>	
16.3.9.2 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 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)	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 <i>Town of Oakville</i> .	
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 <i>dwellings</i> ; ii) Access and <i>roads</i> 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.	

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

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

Holding Provisions

H12	32 Dundas Street East (Part of Lot 15, Concession 1 S.D.S.)	Parent Zone: MU4
Map 19(22a)		(2009-027)
16.3.12.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <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>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.	
16.3.12.2 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 of the Urban Core (MU4 – SP 19) <i>Zone</i> shall apply.	
16.3.12.3 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 <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> .	

H13	599 Lyons Lane (Part of Lot 15, Concession 3 S.D.S.)	Parent Zone: RH
Map 19(8a)		(2009-043)
16.3.13.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings</i> and <i>structures</i> existing on the <i>lot</i>	
16.3.13.2 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 <i>Town of Oakville</i> :		
a)	Completion of detailed design drawings required for the construction of <i>road</i> and <i>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</i> and <i>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.	

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

Holding Provisions

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

H16	278 Dundas Street East (Part of Lot 13, Concession 1 S.D.S.)	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 <u>Planning Act</u> |
| 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. |

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

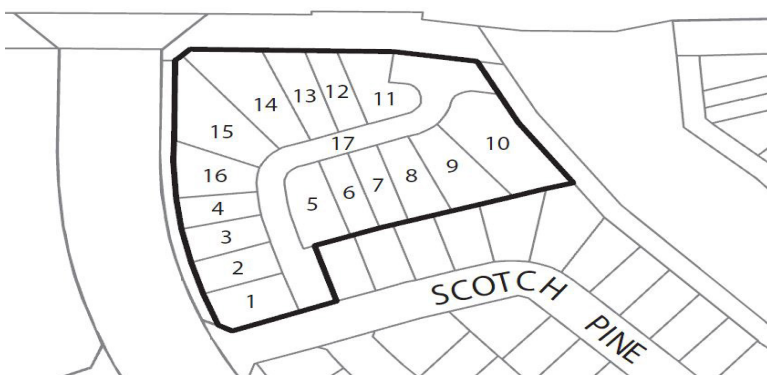
Holding Provisions

H18	497-513 Pinegrove Road (Part of Lot 18, Concession 3 S.D.S.)	Parent Zone: C1
Map 19(7)		(2013-077)
16.3.18.1 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>	
16.3.18.2 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 <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.	

H19	2264, 2274 and 2320 Trafalgar Road (Former Works Yard)	Parent Zone: MU4
Map 19(22a)	(Part of Lot 13, Concession 1 S.D.S.)	(2011-054)
16.3.19.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i>	
16.3.19.2 Zone Regulations Prior to Removal of the “H”		
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.	
16.3.19.3 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 <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> .	
16.3.19.4 Special “H” Provisions		
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.		

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

Holding Provisions

H21	1388 Dundas Street West	Parent Zone: RL6
Map 19(20)	(Part of Lot 24, Concession 1 S.D.S.)	(2012-044) (2012-079) (2018-081)
16.3.21.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <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.	
16.3.21.2 Zone Regulations Prior to Removal of the “H”		
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 condominium 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</i> roadway.	
16.3.21.3 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 <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> .	
16.3.21.4 Special Site Figures		
Figure 16.3.21.1		
		

Holding Provisions

H22	2441 Lakeshore Road West (Bronte Village Mall Redevelopment) (Part of Lots 29 and 30, Concession 3 S.D.S.)	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 <i>used</i> for the following:		
a)	Legal <i>uses</i> , <i>buildings</i> and <i>structures</i> existing on the <i>lot</i> ;	
b)	An expansion of the existing food store to a maximum <i>floor area</i> of 3,700 m ² ;	
c)	Permitted commercial <i>uses</i> within existing or expanded <i>buildings</i> or <i>structures</i> to a maximum <i>floor area</i> of 1,200 m ² .	
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 <i>buildings</i> 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 <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 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 <i>Town of Oakville</i> .	
16.3.22.4 Special Site Figures		
Figure 16.3.22.1		
Special Provision 14		

Holding Provisions

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

H24	2385-2389 Khalsa Gate – Future Commercial Uses (Part of Lot 30, Concession 1 S.D.S.)	Parent Zone: RM3
Map 19(19a)		(2012-085)
16.3.24.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> ; and,	
b)	<i>Stacked townhouses.</i>	
16.3.24.2 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 of the Residential Medium (RM3 – SP 273) <i>Zone</i> shall apply.	
16.3.24.3 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 <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> .	

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

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

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

Holding Provisions

H28	156 and 160 Trafalgar Road (Part of Lot 4, Block 89, Plan 1)	Parent Zone: CBD
Map 19(8a)		(2014-026) (2015-089) <i>PL140241</i> (2020-095)
H28 - Removed by By-law 2020-095		

H29	177-185 Cross Avenue and 580 Argus Road (Part of Lot 14, Concession 3 S.D.S.)	Parent Zone: MTC
Map 19(8b)		(2016-038)
16.3.29.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <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> .	
16.3.29.2 Zone Regulations Prior to Removal of the “H”		
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</i> and <i>structures</i> legally existing on the <i>lot</i> on September 8, 2014 are permitted	
16.3.29.3 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 <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

H30	Bronte Road, Upper Middle Road (Part of Lots 28, 29 and 30, Concession 2)	Parent Zone: RM1, RL6
Map 19(12)		(2016-102) <i>PL141318</i>
16.3.30.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	<i>Stormwater Management Facility.</i>	
16.3.30.2 Zone Provisions Prior to Removal of the “H”		
For such time as the “H” symbol is in place, the provisions of the SMF <i>Zone</i> shall apply.		
16.3.30.3 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 <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.”	

H31	Bronte Road, Upper Middle Road (Part of Lots 28, 29 and 30, Concession 2)	Parent Zone: RM1, RM4
Map 19(12)		(2016-102) <i>PL141318</i>
16.3.31.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <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.	
16.3.31.2 Zone Provisions Prior to Removal of the “H”		
For such time as the “H” symbol is in place, the provisions of the ED <i>Zone</i> shall apply.		
16.3.31.3 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 <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

H32	Bronte Road, Upper Middle Road (Part of Lots 28, 29 and 30, Concession 2)	Parent Zone: RM1, RL6
Map 19(12)		(2016-102) <i>PL141318</i>
16.3.32.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	<i>Stormwater Management Facility.</i>	
16.3.32.2 Zone Provisions Prior to Removal of the “H”		
For such time as the “H” symbol is in place, the provisions of the SMF <i>Zone</i> shall apply.		
16.3.32.3 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 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.	

H33	Bronte Road, Upper Middle Road (Part of Lots 28, 29 and 30, Concession 2)	Parent Zone: RL6
Map 19(12)		(2016-102) <i>PL 141318</i> (2021-084)
16.3.33.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <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.	
16.3.33.2 Zone Provisions Prior to Removal of the “H”		
For such time as the “H” symbol is in place, the provisions of the ED <i>Zone</i> shall apply.		
16.3.33.3 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 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

H36	2136 and 2148 Trafalgar Road	Parent Zone: MU2
Map 19(22)		(2018-056) (2020-015)
H36 - Removed by By-law 2020-015		

H37	2311, 2319 & 2323 Belyea Street (Lots 70, 71 and Part of Lots 61 and 72, Registered Plan M-7)	Parent Zone: RM1
Map 19(2)		(2018-069)
16.3.37.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
16.3.37.2 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 <i>Town</i> of Oakville:		
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.	

H40	170 North Service Road West (Part of Lot 17, Concession 2 Trafalgar South of Dundas Street, Designated as Part 10, 20R-15377, Town of Oakville)	Parent Zone: C3
Map 19(14)		(2020-073)
16.3.40.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
16.3.40.2 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 <i>Town of Oakville</i> :		
a)	That a local watermain and sanitary sewer are extended within Kerr Street/North Service Road adjacent to this site and/or there are provisions put in place satisfactory to Halton Region in regard to the extension of these services.	

Holding Provisions

H41	79 Wilson Street	Parent Zone: CBD
Map 19(2)	(Part of Lot 7, Block 68, Plan 1)	(2019-053) (2020-065)
H41 - Removed by By-law 2020-065		

H42	47 Nelson Street Plan M8, Lot 109	Parent Zone: RM1
Map 19(2a)		(2019-029)
16.3.42.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
16.3.42.2 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 <i>Town</i> of Oakville:		
a)	That the applicant through the Site Plan Control process demonstrate to the satisfaction of <i>Town</i> staff, that development of the site can occur without adversely impacting the root system of the four street trees and neighbouring trees.	

Holding Provisions

H44	Hays Boulevard and Oak Walk Drive (Block 15 and Part of Block 4, Plan 20M-1032) Plan M8, Lot 109	Parent Zone: MU4
Map 19(22a)		(2019-125)
16.3.44.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings</i> and <i>structures</i> existing on the <i>lot</i> .	
16.3.44.2 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(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	Registration on title of a Section 37 Agreement per the <u>Planning Act</u> .	

H47	150 Randall Street, 125 Navy Street and 143 Church Street	Parent Zone: MU4
Map 19(8a)		(2022-006)
16.3.47.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
16.3.47.2 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 <i>Town of Oakville</i> :		
a)	The Owner has submitted, to the satisfaction of the Region of Halton, a Phase 2 Environmental Site Assessment (ESA) prepared in accordance with O.Reg. 153/04 standards, with accompanying letter of reliance for the other two parcels (being 143 Church Street and 125 Navy Street respectively). The submission shall also include a Ministry of Environment, Conservation Parks (MECP) acknowledged Record of Site Condition (RSC). The RSC shall be certified by a qualified professional, and indicate that the environmental condition of the subject lands (143 Church Street and 125 Navy Street) is suitable for the proposed land use.	
b)	The Owner has submitted, to the satisfaction of the Region of Halton, a revised Functional Servicing Report (FSR) confirming completion of fire flow testing in the area, and that the design requirements for domestic water supply and fire protection are adequate for the proposed development. The revised FSR shall also demonstrate through an analysis that the existing water system in the area can support this development.	

Holding Provisions

H48	70 Old Mill Road (Part of Lots 14 & 15, Concession 3, S.D.S)	Parent Zone: RH
Map 19(8b)		(1994-144)(2002-018) (2003-138)(2007-096) (2008-051)(2013-06) (2015-018)(2015-079) (2022-047)
16.3.48.1 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.	
16.3.48.2 Conditions for Removal of the “H” for Block 2 Lands		
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 Regional Municipality of Halton and the Town of Oakville. In this regard downstream sewer constraints shall be addressed and any upgrades and/or replacement be constructed and in operation, or arrangements, satisfactory to Halton Region, have been made for the provision of wastewater services.	
b)	That an updated FSR be approved by Halton Region and any requirements of Halton Region be addressed to their satisfaction in relation to the findings and/or recommendations of the report.	
c)	That an updated Transportation Impact Study be approved to the satisfaction of the Town of Oakville demonstrating that sufficient transportation infrastructure capacity is available to accommodate the development.	

Holding Provisions

H49	281 and 291 Cornwall Road (Part of Lots 1, 2, and 3 and Part of Lot 121; Registered Plan 131 and 127)	Parent Zone: MTC
Map 19(8b)		(2022-052)
16.3.49.1 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.	
16.3.49.2 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)	Prior to any servicing or grading of the site and to the satisfaction of Halton Region, the Owner submits to Halton Region a Ministry of the Environment, Conservation and Parks (MECP) acknowledged Record of Site Condition (RSC), that is certified by a qualified person as defined in Ontario Regulation 153/04 and indicates that the environmental condition of the site is suitable for its proposed land use. The Owner also submits all supporting environmental documentation such as Phase One and Two Environmental Site Assessment and remediation reports etc. to Halton Region for review. The author of the environmental reports and Record of Site Condition submitted to the Region must extend third party reliance to Halton Region. The Owner complies with Ontario Regulation 153/04 and Halton Region’s Protocol for Reviewing Development Applications with respect to Contaminated or Potentially Contaminated Sites, to the satisfaction of Halton Region. Notwithstanding subsection (1) above, this Holding Provision does not prevent the issuance of a building permit necessary to authorize: The removal of soil, rock or fill for the purpose of making an excavation; or the erection of a retaining structure or other structure to support the sides of the excavation, that are erected to assist in the conduct of an investigation in relation to property, or for any other activity necessary to accommodate site remediation for the purpose of filing a Record of Site Condition.	

Holding Provisions

H51	2262-2266 Lakeshore Road West and 83 East Street (2266 Lakeshore LP)	Parent Zone: MU2
Map 19(2a)		(2022-081)
16.3.51.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings</i> and <i>structures</i> existing on the <i>lot</i> .	
16.3.51.2 Zone Provisions Prior to 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 <i>Planning Act</i> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and/or the Region of Halton:		
16.3.51.3 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 <i>Planning Act</i> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	The owner submits all supporting documentation such as a Phase 1 and Phase 2 ESA, (as per O. Reg 153/04); any remediation reports and a Record of Site Condition or a MOECP approved Risk Assessment, to demonstrate the lands are suitable for the intended use, to the satisfaction of Halton Region. The author of the environmental reports and Record of Site Condition submitted to the Region must extend third party reliance to Halton Region.	
b)	Notwithstanding subsection (a) above, this Holding provision does not prevent the issuance of a <i>building</i> permit necessary to authorize:	
	i. the removal of soil, rock or fill for the purpose of making an excavation; or the erection of a retaining structure or other structure to support the sides of the excavation, that are erected to assist in the conduct of an investigation in relation to property, or for any other activity necessary to accommodate site remediation for the purpose of filing a record of site condition.	