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## PART 13 HOLDING PROVISIONS

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13.1 Notwithstanding any other provision in this By-law, where a *Zone* symbol on the attached Schedules is followed by the letter ‘H’ and a number enclosed within a set of brackets, the symbol refers to a Holding provision that applies to the lands noted. No *person* shall use or permit the land to which the Hold applies for any *use* other than the *use* which legally existed on the date the By-law applying the Holding provision came into effect, or expand or replace an existing *building* or *structure*, as the case may be until the Hold is removed in accordance with the policies of the Official Plan and the provisions of Part 13 of this By-law, as amended, and/or the requirements of any amending By-law or the Planning Act, R.S.O. 1990, c. P.13, as amended. Notwithstanding the above, *public uses* in accordance with Section 4.27 of this By-law and temporary *uses* identified in Section 14.1 of this By-law are permitted without the need to remove the Holding provision.

13.2 *Council* may pass a By-law pursuant to Section 36 of the Planning Act, R.S.O 1990, c. P.13, as amended to remove the Holding (H) Symbol, thereby placing the lands in the *zone* indicated by the *zone* symbol, when all of the applicable requirements have been met.

For the purposes of this By-law, a number of distinct Holding Provisions have been applied as set out in Table 13.1.

In Table 13.1:

- Column 1 sets out the number of each Holding (H) provision which corresponds to an area of the *Town* identified on the Zoning Schedules by the same number, contained within a set of brackets following a *Zone* symbol, denoting a Holding (H) provision;
- Column 2 identifies the general applicability of the Holding (H) provision;
- Column 3 identifies the property subject to the Holding (H) provision;
- Column 4 sets out the conditions for removal of the Holding (H) provision;
- Column 5 identifies the date of enactment of the Holding (H) provision;

All other provisions of this By-law continue to apply to the lands subject to this Section.

**TABLE 13.1: HOLDING PROVISIONS**

<b>SYMBOL</b>	<b>APPLICATION</b>	<b>PROPERTY/LEGAL DESCRIPTION</b>	<b>CONDITIONS FOR REMOVAL</b>	<b>DATE ENACTED</b>
H1	Lands where a Development Agreement is required	Multiple properties	The Holding (H1) provision may be lifted once Council is satisfied that an appropriate Development Agreement (Subdivision Agreement, Condominium Agreement, Development or Site Plan Agreement) has been executed.	Effective date of the Zoning By-law
H2	Waste disposal sites and adjacent lands	Multiple properties	<p>The Holding (H2) provision may be lifted once <b>Council</b> of the <b>Town</b> of Bradford West Gwillimbury is satisfied that the proposed use and/or development will satisfy Guideline D-4 of the Ministry of the Environment (or its successor) to the Official Plan.</p> <p>The Holding Provision shall not apply to the issuance of a building permit for:</p> <ul style="list-style-type: none"> <li>a) Interior alterations to existing buildings and/or structures;</li> <li>b) Exterior alterations that do not expand the floor area of the first storey of an existing building or structure; and,</li> <li>c) New buildings or structures, or alterations to existing buildings and/or structures that do not prevent the free movement of air into the atmosphere.</li> </ul>	Effective date of the Zoning By-law
H3	Lands that revert from Institutional to Residential once declared surplus by School Board	Multiple properties	The Holding (H3) provision may be lifted once Council is satisfied that the applicable School Board has declared the lands surplus to their needs and subsequently, that Council has waived its right to acquire the property, and that the Town is satisfied that sufficient servicing allocation has been made.	Effective date of the Zoning By-law
H4	Lands requiring additional <u>Planning Act</u> approvals	Part of Lot 15, concession 8	<p>The Holding (H4) provision may be lifted once:</p> <ul style="list-style-type: none"> <li>a) the subject lands have merged in accordance with the Committee of Adjustment Decision for Consent Applications B1/05 BWG and B2/05 BWG; and</li> <li>b) the subject lands have been subject to a <u>Planning Act</u> process and approval to create lots.</li> </ul>	March 8, 2008

<b>SYMBOL</b>	<b>APPLICATION</b>	<b>PROPERTY/LEGAL DESCRIPTION</b>	<b>CONDITIONS FOR REMOVAL</b>	<b>DATE ENACTED</b>
H5	Lands requiring additional approvals	Part of Lot 16, Concession 8 2362 Line 8	The Holding (H5) provision may be lifted once: <ul style="list-style-type: none"> <li>a) clearance has been obtained from the Ministry of Natural Resources for any required removal of Butternut Trees from the subject lands; and</li> <li>b) Council is satisfied that an appropriate Development Agreement (Subdivision Agreement, Condominium Agreement, Development Agreement, or Site Plan Agreement) has been executed.</li> </ul>	June 18, 2013
H6	Lands where a Development Agreement is required.	Multiple properties	The Holding (H6) provision may be lifted once Council is satisfied that the applicable terms of a Subdivision Agreement have been complied with.	Effective date of the Zoning By-law.
H7	Highway 400 Employment Lands Zones	Multiple properties	The Holding (H7) provision may be lifted once: <ul style="list-style-type: none"> <li>a) <i>Council</i> is satisfied that an appropriate Development Agreement (Subdivision Agreement, Condominium Agreement, Development or Site Plan Agreement) has been executed;</li> <li>b) If applicable, any required Environmental Study Report has been prepared satisfactory to the Town;</li> <li>c) If applicable, any Financing Plan has been prepared satisfactory to the Town,</li> <li>d) If applicable, a Functional Servicing Study has been prepared satisfactory to the Town,</li> <li>e) Confirmation has been received by the Town from the trustee of the cost sharing agreement that the landowner is a member in good standing; and,</li> <li>f) Satisfactory arrangements have been made with the Town for the provision of all planned municipal infrastructure.</li> </ul>	July 11, 2017
H7a	Lands requiring additional approvals	Parts of Lot 17 and 18 Concession 9 2214 Line 9	The Holding (H7a) provision may be lifted once an Environmental Impact Statement (EIS) has been completed and appropriate lands therein are rezoned to “Environmental Protection” (EP), as determined by the Lake	Effective date of the Zoning By-law.

<b>SYMBOL</b>	<b>APPLICATION</b>	<b>PROPERTY/LEGAL DESCRIPTION</b>	<b>CONDITIONS FOR REMOVAL</b>	<b>DATE ENACTED</b>
			Simcoe Region Conservation Authority.	
H8	Employment Supportive Uses and Office Uses	Multiple properties	The Holding (H8) provision may be lifted once Council is satisfied that the regulations of Section 11.4 of the Zoning By-law have been complied with.	July 11, 2017
H8a	Lands requiring additional approvals	Parts of Lot 17 and 18 Concession 9 2214 Line 9	The Holding (H8a) provision may be lifted once a Site Plan Agreement has been executed for any development and/or site alteration	Effective date of the Zoning By-law.
H9	Lands requiring water and sewer servicing allocation	Part of Lot 13, Concession 6 70 Melbourne Drive	The Holding (H9) provision may be lifted once the Town is satisfied that sufficient water and sewer servicing allocation has been made, and once an appropriate Development Agreement (e.g., Subdivision Agreement, Condominium Agreement, Development or Site Plan Agreement) has been executed.	Effective date of the Zoning By-law.  (Removed by By-law 2019-70 on September 3, 2019)
H10	Lands requiring water and sewer servicing allocation and partially subject to urban design conformity review	Part of Lot 13, Concession 13, being Part 2 on Plan 51R-28936	For all lands subject to the Holding (H10) provision, the "(H10)" provision may be lifted once the Town is satisfied that sufficient water and sewer servicing allocation has been made, and once an appropriate Development Agreement (e.g., Subdivision Agreement, Condominium Agreement, Development or Site Plan Agreement) has been executed. For the lot subject to the Holding (H10) provision nearest the intersection of Professor Day Drive and Blue Dasher Boulevard, the "(H10)" provision may be lifted once Council is satisfied with the exterior elevations drawings of the proposed building thereon, for those facades oriented towards the public streets.	Effective date of the Zoning By-law  (Removed by By-law 2018-16 on March 6, 2018)
H11	Lands requiring water and sewer servicing allocation	Part of Lot 15, Concession 6, lots 1 & 2, Part of Lot 3, Plan 1711 509, 515 and 531 Simcoe Road170	The Holding (H11) provision may be lifted once the Town is satisfied that sufficient water and sewer servicing allocation has been made and once an appropriate Development Agreement Subdivision Agreement, Condominium Agreement, Development or Site Plan Agreement) has been executed.	Effective date of the Zoning By-law  (Removed by By-law 2019-77 on

<b>SYMBOL</b>	<b>APPLICATION</b>	<b>PROPERTY/LEGAL DESCRIPTION</b>	<b>CONDITIONS FOR REMOVAL</b>	<b>DATE ENACTED</b>
				October, 2019)
H12	Holding not in use	Holding not in use	Holding not in use	Holding not in use
H13	Lands requiring additional approvals.	Part of Lot 14, Concession 8 Blocks 163 and 164, 51M-1087	The Holding (H13) provision may be lifted once the Town is satisfied that all applicable technical requirements are satisfied including: <ul style="list-style-type: none"> <li>• Confirmation of meeting all applicable requirements of the Lormel Subdivision Agreement; and</li> <li>• Payment of development Charges for hard services.</li> </ul>	Effective date of the Zoning By law  (Removed by By-law 2020-32 on April 21, 2020)
H14	Lands requiring additional approvals.	Part of lots 17 and 18, Concession 8 170 Artesian Industrial Parkway	The Holding (H14) provision may be lifted once the Letter of undertaking has been executed.	Effective date of the zoning by-law  (Removed by By-law 2019-104 on December 17, 2019)
H15	Lands requiring additional approvals.	Part of Lot 14, Concession 15 Block 402,51M-1063	The Holding (H15) provision may be lifted once the Town is satisfied with the submission of a tree inventory and retention plan.	Effective date of the Zoning By-law  (Removed by By-law 2020-93 on October 20, 2020)
H16	Lands where a development Agreement is required.	Lots 5 and 10 on Registered Plan 49 and Parts of Lots 11 and 18 on Registered Plan 122A 123 Holland Street West and 126 John Street West	The Holding (H16) provision may be lifted once Council is satisfied that an appropriate Development Agreement (e.g., Site Plan Agreement) has been executed, which limits construction on the lands up to and including the sixth (6th) building storey until such time as the requisite Community Benefits Agreement is executed and the Holding (H17) provision is lifted.	Effective date of the zoning by-law  (Removed by By-law 2022-66 on June 21, 2022)

<b>SYMBOL</b>	<b>APPLICATION</b>	<b>PROPERTY/LEGAL DESCRIPTION</b>	<b>CONDITIONS FOR REMOVAL</b>	<b>DATE ENACTED</b>
H17	Land where a Community Benefits Agreements is required	Lots 5 and 10 on Registered Plan 49 and Parts of Lots 11 and 18 on Registered Plan 122A 123 Holland Street West	The Holding (H17) provision may be lifted to enable construction up to and including the eighth (8th) building storey and amenity and mechanical penthouse once Council is satisfied that an appropriate Community Benefits Agreement has been executed.	Effective date of the zoning by-law  (Removed by By-law 2022-67 on June 21, 2022)
H18	Lands requiring additional approvals	2249, 2261, 279, 2291, 305, 319, and 2329 Side Road 5  3603, 3651, and 3695 Line 6	The Holding (H18) shall be lifted once Council is satisfied that the stream located in the applicable zone has been realigned.	May 2, 2023