

**SECTION 20        HOLDING (H) PROVISIONS**

Notwithstanding any other provision of this By-law, where a Holding (H) symbol is followed by a zone symbol along with a number referencing the specific condition(s) to be satisfied prior to the removal of the Holding (H) symbol on Zoning Schedules to this By-law, the lands subject to the Holding (H) Symbol shall be used only for the *uses* that existed at the passing of this By-law including buildings and uses accessory to legal existing uses.

*Council* may pass a by-law pursuant to Section 36 of the *Planning Act* to remove the Holding (H) symbol, thereby placing the affected lands in the zone indicated by the zone symbol, when the applicable requirements have been met.

<b>Parent Zone:</b> (H)C3 <b>Exception No.:</b> (102)	<b>Map:</b> Schedule "A", Map No. 5	<i>Previous Zone:</i> (H)C3-5	<i>Previous By-laws:</i> 3088-89, 3679-95
<b>Municipal Address:</b> 14535, 14583 Yonge Street and 5 Allaura Blvd.			
<b>Legal Description:</b> Lots 1 and 2, Plan M-51 <i>(From CityView data, for information purposes only)</i>			

### **Holding Prefix**

Notwithstanding the provisions of Section 24.102, while "(H)" Holding prefix is in place, no person shall within the lands zoned (H)C3(102) on Schedule "A" attached hereto, use any lot or erect, alter or use any buildings or structures for any purposes except those uses which existed on the date of passing this by-law. Furthermore, no extension or enlargement of the uses which existed on the date of passing of this by-law shall occur, unless an amendment to this by-law is approved by the Council of the Corporation of the Town of Aurora and comes into full force and effect.

### **Removal of Holding Prefix**

Prior to the passing of a by-law to remove the "(H)" Holding prefix from the lands zoned (H)C3(102) or any part thereof, the Town of Aurora shall be satisfied that a site plan agreement and/or amendment has been executed between the owner of the lands and the Corporation of the Town of Aurora on the Phase I and Phase II lands.

Upon removal of the "H" Holding prefix from the lands zoned (H)C3(102) pursuant to Section 36 of the Planning Act, RSO 1990, or a successor thereto, the provisions applicable to the said lands shall be as set out in Section 24.102.1 and 24.102.2.

<b>Parent Zone:</b> (H)E-BP <b>Exception No.:</b> (160)	<b>Map:</b> Schedule "A", Map No. 9	<b>Previous Zone:</b> (H)RU-7	<b>Previous By-laws:</b> 3550-94.D, 4090-99.D
<b>Municipal Address:</b> Wellington Street East and 337, 355 and 375 Magna Drive			
<b>Legal Description:</b> Part Lots 19, 20, Con II East of Yonge Street (EYS) <i>(From CityView data, for information purposes only)</i>			

### **Holding Prefix**

Notwithstanding the provisions of Section 24.160, while the "(H)" Holding Prefix is in place, no person shall within the lands zoned (H)E-BP(160) on Schedule "A" use any lot or erect, alter or use any buildings or structures for any purpose except those uses which existed on the date of passing of this by-law. Furthermore, no extension or enlargement of the uses which existed on the date of passing of this by-law shall occur, unless an amendment to this by-law is approved by the Council of the Corporation of the Town of Aurora and comes into full force and effect.

### **Removal of Holding Prefix**

Prior to the passing of a by-law to remove the "(H)" Holding prefix from lands zoned (H)E-BP(160), or any part thereof, the Town of Aurora shall be satisfied that a site plan agreement has been executed between the owner of the lands and the Corporation of the Town of Aurora, the relevant provisions of Official Plan Amendment No. 7 shall have been complied with, and a plan of subdivision has been registered or a reference plan depicting future lots or parts has been approved by the Town and deposited in the Registry Office.

Upon removal of the "(H)" Holding prefix from the lands zoned (H)E-BP(160) pursuant to Section 36 of the Planning Act, RSO 1990, or a successor thereto, the provisions applicable to the said lands shall be as set out in Section 24.160.1 to 24.160.7 inclusive.

<b>Parent Zone:</b> (H)R8 <b>Exception No.:</b> (204)	<b>Map:</b> Schedule "A", Map No. 5	<i>Previous Zone:</i> (H)R6-32	<i>Previous By-laws:</i> 3621-95.D, 4813-06.D
<b>Municipal Address:</b>			
<b>Legal Description:</b> Part Lot 80, Concession 1 East of Yonge Street (EYS) Part 4 & Part of Part 3, 65R-6842 <i>(From CityView data, for information purposes only)</i>			

### **Holding Prefix**

Notwithstanding the provisions of Section 24.204, while the "(H)" Holding Prefix is in place, no person shall within the lands zoned (H)R8(204) on Schedule "A" use any lot or erect, alter or use any buildings or structures for any purpose except those uses which existed on the date of passing of this by-law. Furthermore, no extension or enlargement of the uses which existed on the date of passing of this by-law shall occur, unless an amendment to this by-law is approved by the Council of the Corporation of the Town of Aurora and comes into full force and effect.

### **Removal of Holding Prefix**

Prior to the passing of a by-law to remove the "(H)" Holding prefix from lands zoned (H)R8(204), or any part thereof, the Town of Aurora shall be satisfied that a site plan agreement has been executed between the owner of the lands and the Corporation of the Town of Aurora

Upon removal of the "(H)" Holding prefix from the lands zoned (H)R8(204) pursuant to Section 36 of the Planning Act, RSO 1990, or a successor thereto, the provisions applicable to the said lands shall be as set out in Section 24.204.1, to 24.204.4 inclusive.

<b>Parent Zone:</b> (H)C4 <b>Exception No.:</b> (213)	<b>Map:</b> Schedule "A", Map No. 2	<b>Previous Zone:</b> (H)C4-13	<b>Previous By-laws:</b> 3666-96
<b>Municipal Address:</b> 24 St. John's Sideroad East			
<b>Legal Description:</b> Part Lot 86, Concession 1 West of Yonge Street (WYS) <i>(From CityView data, for information purposes only)</i>			

### **Holding Prefix**

Notwithstanding the provisions of Section 24.213, while the "(H)" Holding prefix is in place, no person shall within the lands zoned (H)C4(213) on Schedule "A" attached hereto, use any lot or erect, alter or use any buildings or structures for any purposes except those which existed on the date of passing of this by-law. Furthermore, no extension or enlargement of the uses which existed on the date of passing of this by-law shall occur, unless an amendment to this by-law is approved by the Council of the Corporation of the Town of Aurora and comes into full force and effect.

### **Removal of Holding Prefix**

Prior to the passing of a by-law to remove the "(H)" Holding prefix from the lands zoned (H)C4(213) or any part thereof, the Town of Aurora shall be satisfied that a site plan agreement has been executed between the owner of the lands, the Corporation of the Town of Aurora, and the Regional Municipality of York if applicable.

Upon removal of the "(H)" Holding prefix from the lands zoned (H)C4(213) pursuant to Section 36 of the Planning Act, RSO 1990, or a successor thereto, the provisions applicable to the said lands shall be as set out in Section 24.213.1, 24.213.2, 24.213.3 and 24.213.4.

<b>Parent Zone:</b> (H)I <b>Exception No.:</b> (234)	<b>Map:</b> Schedule "A", Map No.2	<b>Previous Zone:</b> (H)I-11	<b>Previous By-laws:</b> 3870-97.D
<b>Municipal Address:</b> 15520 Yonge Street			
<b>Legal Description:</b> Part Lot 4, Plan 246 <i>(From CityView data, for information purposes only)</i>			

### **Holding Prefix**

Notwithstanding the provisions of Section 24.234, while the (H) Holding prefix is in place, no person shall within the lands zoned (H)I(234) on Schedule "A" attached hereto, use any lot or erect or use any buildings or structures for any purposes except those which existed on the date of passing of this by-law. Furthermore, no extension or enlargement of the uses which existed on the date of passing of this by-law shall occur, unless an amendment to this by-law is approved by the Council of the Corporation of the Town of Aurora and comes into full force and effect.

### **Removal of Holding Prefix**

Prior to the passing of a by-law to remove the (H) Holding prefix from the lands zoned (H)I(234) or any part thereof, the Town of Aurora shall be satisfied that a site plan agreement has been executed between the owner of the lands and the Corporation of the Town of Aurora and that the building will be sprinklered prior to occupancy of the retirement units.

Upon removal of the (H) Holding prefix from the lands zoned (H)I(234) pursuant to Section 36 of the Planning Act, RSO 1990, or a successor thereto, the Provisions applicable to the said lands shall be as set out in Sections 24.234.1 to 24.234.3.

<b>Parent Zone:</b> (H)R4 <b>Exception No.:</b> (282)	<b>Map:</b> Schedule "A", Map No. 8	<b>Previous Zone:</b> (H)R2-72	<b>Previous By-laws:</b> 4293-01.D, 4294-01.D
<b>Municipal Address:</b> 929 St. John's Sdrd E, 26 to 42 Van Allen Way, 549 Mavrinac Blvd			
<b>Legal Description:</b>			

### **Holding Prefix**

Notwithstanding the provisions of Section 24.282, while the "(H)" Holding prefix is in place, no person shall within the lands zoned (H)R4(282), on Schedule "A" attached hereto, use any lot or erect, alter or use any buildings or structures for any purposes except those uses which existed on the date of passing of this by-law. Furthermore, no extension or enlargement of the uses which existed on the date of the passing of this by-law shall occur, unless an amendment to this by-law is approved by the Council of the Corporation of the Town of Aurora and comes into full force and effect.

### **Removal of Holding Prefix**

Prior to the passing of a by-law to remove the "(H)" Holding prefix from the lands zoned (H) R4(282), or any part thereof, the Town of Aurora shall be satisfied that the relevant provisions of Section 4.3.2 of the Official Plan have been complied with. In addition, to the foregoing, and prior to the removal of the "(H)" Holding prefix, the following shall have been complied with:

- i) The Region of York has confirmed that adequate servicing capacity is available, and the Town of Aurora has allocated such capacity;
- ii) A subdivision agreement, and other agreement(s) as required, have been executed between the Owner of the lands and the Corporation of the Town of Aurora; and
- iii) The Town of Aurora is satisfied that the removal of the "(H)" represents a logical and orderly progression of development.

Upon removal of the "(H)" Holding prefix from the lands zoned (H) R4(282), pursuant to Section 36 of the Planning Act, or any successor thereto, the provisions applicable to the said lands shall be as set out in Sections 24.282.1 and 24.282.2.

<b>Parent Zone:</b> (H)E-BP <b>Exception No.:</b> (386)	<b>Map:</b> Schedule "A", Map No. 9	<b>Previous Zone:</b> (H)BP-7	<b>Previous By-laws:</b> 5274-10
<b>Municipal Address:</b> 14985 Leslie Street			
<b>Legal Description:</b> Part of Lot 19, Concession 1 East of Yonge Street (EYS) <i>(From CityView data, for information purposes only)</i>			

### **Holding Prefix**

Notwithstanding any provision to the contrary, while the "(H)" Holding prefix is in place, no person shall within the lands zoned (H)E-BP(386) on Schedule "A", use any lot or erect, alter or use any buildings or structures for any purpose except for those uses which existed on the date of passing of By-law 5274-10.

### **Removal of Holding Prefix**

Prior to the passing of a by-law to remove the "(H)" Holding prefix from the lands zoned (H)E-BP(386) on Schedule "A", or any part thereof, the Town of Aurora shall be satisfied that:

- i) there is adequate water, sanitary, storm and/or transportation services and facilities available to accommodate all phases of the development;
- ii) all the relevant policies of Official Plan Amendment No. 30 and 48 have been complied with including Natural Heritage and Landform Conservation and Hydrogeological assessment;
- iii) all necessary approval have been received for all relevant agencies and/or government bodies; and
- iv) all required agreements have been executed between the Owner and the Town of Aurora and can be registered on title.

Upon removal of the "(H)" Holding prefix from the lands on Schedule "A" zoned (H)E-BP(386) pursuant to Section 36 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended or successor thereto, the provisions applicable to the said lands shall be as set out in By-law Number 2213-78, as amended and By-law Number 5274-10.

<b>Parent Zone:</b> (H) <b>Exception No.:</b> (391)	<b>Map:</b> Schedule "A", Map No. 6	<b>Previous Zone:</b> (H)I-24	<b>Previous By-laws:</b> XXXX-11
<b>Municipal Address:</b> Elderberry Trail			
<b>Legal Description:</b> Block B and Part Block A, Plan M-42, Part 3, RP 65R-5870 <i>(From CityView data, for information purposes only)</i>			

### **Holding Prefix**

Notwithstanding any provision to the contrary, while the Holding "(H)" prefix is in place, no person shall within the lands zoned (H) I(391) on Schedule "A" attached hereto, use the lot or erect any buildings or structures.

### **Removal of the Holding Prefix**

Prior to the passing of a By-law to remove the Holding (H) prefix from the lands zoned (H)I(391) or any part thereof, the Town shall be satisfied that:

- i) a site plan agreement or other agreement(s) concerning the development of the subject lands have been executed between the Owner of the subject lands and the Corporations of the Town of Aurora and Regional Municipality of York and that all relevant aspect of the Official Plan have been complied with;
- ii) all relevant work has been undertaken by the Owner of the subject lands in order to address any comments that have been received from internal departments or external agencies;
- iii) all necessary approvals have been received from all other relevant agencies and/or government bodies;
- iv) there is adequate water, sanitary and storm services to accommodate the development of the subject lands or any phase thereof; and
- v) the removal of the "H" represents a logical and orderly progression of development.
- vi) the Holding (H) provision not be removed until such time as a restrictive covenant is registered on title to the subject property restricting the Accessory Pharmaceutical Dispensary Unit and the Addiction clinic to the sizes and definitions set out in the Bylaw.
- vii) as part of the site plan process, and in conformity with the Official Plan policy on cost sharing, the Holding (H) provision not be removed until a cost sharing agreement is entered into or other such arrangement is made between P.A.R.C.E.L. Inc. and Frankfield Estates Inc. regarding the connection of water services from the subject property to the existing water, wastewater, and stormwater connections built by Frankfield Estates Inc. along Elderberry Trail.

<b>Parent Zone:</b> (H)E-BP <b>Exception No.:</b> (398)	<b>Map:</b> Schedule "A", Map No. 9	<i>Previous Zone:</i> (H)BP-8	<i>Previous By-laws:</i> 5447-12
<b>Municipal Address:</b> 1623 Wellington Street East			
<b>Legal Description:</b> Part Lot 20, Concession 3, East of Yonge Street <i>(From CityView data, for information purposes only)</i>			

**DELETED by By-law 6295-20, November 24<sup>th</sup>, 2020**

<b>Parent Zone:</b> (H)I <b>Exception No.:</b> (425)	<b>Map:</b> Schedule "A", Map No. 8	<i>Previous Zone:</i> (H)I-27	<i>Previous By-laws:</i> 5527-13
<b>Municipal Address:</b> William Graham Drive			
<b>Legal Description:</b> Pt Lot 23 Con 2, Part 1 65R32006 <i>(From CityView data, for information purposes only)</i>			

### **Holding Prefix Symbol (H)**

Notwithstanding the provisions of Section 24.425, while the "(H)" Holding symbol is in place, no person shall, within the lands zoned (H)I(425), on Schedule "A" attached hereto, use any lot or erect, alter or use any buildings or structures for any purpose except those uses which existed on the date of the passing of By-law Number 5527-13. Furthermore, no extension or enlargement of the uses which existed on the date of the passing of By-law Number 5527-13 shall occur, unless lifting of the H (Holding) provisions of the By-law are approved by Council.

### **Removal of Holding Prefix/Symbol (H)**

Prior to the passing of a by-law to remove the "(H)" Holding symbol from the lands zoned (H)I(425), or any part thereof, the Town of Aurora shall be satisfied that the following conditions shall be complied with:

- i) the Town of Aurora has approved a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region to permit the plan registration, or the Regional Commissioner of Environmental Services has confirmed servicing allocation for this development by a suitable alternative method and the Town of Aurora has allocated the capacity to this development;
- ii) that there is adequate transportation services available to accommodate the draft plan of subdivision or any phase thereof;
- iii) the removal of the "H" represents a logical and orderly progression of development; and
- iv) compliance with the relevant policies of the 2C Secondary Plan (OPA No. 73).

<b>Parent Zone:</b> (H)O2 <b>Exception No.:</b> (430)	<b>Map:</b> Schedule "A", Map No. 9	<b>Previous Zone:</b> (H)O-20	<b>Previous By-laws:</b> 5586-14
<b>Municipal Address:</b> Bayview Avenue adjacent to Hydro Corridor			
<b>Legal Description:</b> Concession 2 Part Lots 17-20 <i>(From CityView data, for information purposes only)</i>			

### **Holding Prefix/Symbol (H)**

Notwithstanding the provisions of Section 24.430, while the "(H)" Holding symbol is in place, no person shall, within the lands zoned (H)O2(430), use any lot or erect, alter or use any buildings or Structures for any purpose except those uses which existed on the date of the passing of By-law Number 5586-14. Furthermore, no extension or enlargement of the uses which existed on the date of the passing of By-law Number 5586-14 shall occur, unless lifting of the H (Holding) provisions of the By-law are approved by Council.

### **Removal of Holding Prefix/Symbol (H)**

Prior to the passing of a by-law to remove the "(H)" Holding symbol from the lands zoned (H)O2(430), or any part thereof, the Town of Aurora shall be satisfied that the following conditions shall be complied with:

- i) a site plan agreement and other agreement(s) concerning the development of the lands have been approved by the Council of The Corporation of the Town of Aurora;
- ii) a permit has been obtained from the Lake Simcoe Region Conservation Authority in accordance with Ontario Regulation 179/06, as amended; and iii) the provisions of the *Endangered Species Act, 2007*, S.O. 2007, c. 6 have been fulfilled to the satisfaction of the Ministry of Natural Resources.
- iii) the provisions of the *Endangered Species Act, 2007*, S.O. 2007, c. 6 have been fulfilled to the satisfaction of the Ministry of Natural Resources.

<b>Parent Zone:</b> (H)RA2 <b>Exception No.</b> (469)	<b>Map:</b> Schedule "A", Map No. 4	<b>Previous Zone:</b> (H)RA3-16	<b>Previous By-laws:</b> OMB Case No. PL 151160
<b>Municipal Address:</b> 21 Golf Links Drive			
<b>Legal Description:</b> North half of Lot 77, Part of Lot 78 and Part of the south Half of Lot 79 Concession 1, Geographic Township of King, County of York <i>(From CityView data, for information purposes only)</i>			

### **Holding Prefix/Symbol (H)**

Notwithstanding the provisions of Section 24.469, while the "(H)" Holding symbol is in place, no person shall, within the lands zoned (H)RA2(469), use any lot or erect, alter or use any buildings or Structures for any purpose except those uses which existed on the date of the OMB Case No. PL 151160, unless lifting of the H (Holding) provisions of the By-law are approved by Council.

### **Removal of Holding Prefix/Symbol (H)**

Where a "(H)" Holding symbol appears on the lands zoned (H)RA2(469), or any part thereof, the Town of Aurora shall be satisfied that the following conditions shall be complied with:

1.
  - a. The Town of Aurora approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or
  - b. York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region to permit the plan registration; or
  - c. The Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Town of Aurora allocated the capacity to this development;
2. A detailed cut/fill and floodplain analysis demonstrating no increase in upstream or downstream flooding or erosion;
3. A detailed phased removal plan for the on-line control structure within Tannery Creek; and
4. A natural channel design and restoration plan for the altered watercourse, upstream and downstream of the removed on-line control structure within Tannery Creek.

<b>Parent Zone:</b> (H)R3 <b>Exception No.</b> (470)	<b>Map:</b> Schedule "A", Map No. 8	<b>Previous Zone:</b> (H) R2-115	<b>Previous By-laws:</b> 5952-17
<b>Municipal Address:</b> 1756 St. John's Sideroad East, Block 109 (Formerly Lot 23)			
<b>Legal Description:</b> Concession 3, Part Lot 26 <i>(From CityView data, for information purposes only)</i>			

### **Holding Prefix**

Notwithstanding the provisions of Section 24.470, while the "(H)" Holding prefix is in place, no person shall within the lands zoned (H)R3(470), on Schedule "A" attached hereto, use any lot or erect, alter or use any buildings or structures for any purposes except those uses which existed on the date of passing of By-law Number 5952-17. Furthermore, no extension or enlargement of the uses which existed on the date of the passing of By-law Number 5952-17 shall occur, unless lifting of the H (Holding) provisions of the By-law are approved by Council.

### **Removal of Holding Prefix/ Symbol (H)**

Prior to the passing of a by-law to remove the "(H)" Holding symbol from the lands zoned (H)R3(470), or any part thereof, the Town of Aurora shall be satisfied that the following conditions shall be complied with:

- i) the Town of Aurora has approved a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region to permit the plan registration, or the Regional Commissioner of Environmental Services has confirmed servicing allocation for this development by a suitable alternative method and the Town of Aurora has allocated the capacity to this development;
- ii) An inter-municipal agreement have been approved by the Region of York and a subdivision agreement or any other agreement(s) as required, have been executed between the Owner of the lands and the Corporation of the Town of Aurora;
- iii) the removal of the "H" represents a logical and orderly progression of development in accordance with the relevant policies of the 2C Secondary Plan (OPA No. 73);
- iv) Specific to Lot 23 on the approved Draft Plan of Subdivision (SUB-2015-05), the "H" shall not be lifted until the Region of York confirms in writing that Lot 23 is not required for an interchange and associated buffers at King's Highway 404 and St. John's Sideroad. All other lots within the approved subdivision do not require confirmation from the Region with regards to the potential interchange and associated buffers.