
**PART 13
HOLDING PROVISIONS**

- 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

COL. 1 SYMBOL	COLUMN 2 APPLICATION	COLUMN 3 PROPERTY/LEGAL DESCRIPTION	COLUMN 4 CONDITIONS FOR REMOVAL	COL. 5 DATE ENACTED
H1	Lands where a Development Agreement is required	Multiple properties	The Holding (H1) provision may be lifted once <i>Council</i> 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	The Holding (H2) provision may be lifted once <i>Council</i> of the <i>Town</i> of Bradford West Gwillimbury is satisfied that the proposed <i>use</i> and/or development will satisfy Guideline D-4 of the Ministry of the Environment (or its successor) to the Official Plan. The Holding Provision shall not apply to the issuance of a building permit for: a) Interior alterations to existing buildings and/or structures; b) Exterior alterations that do not expand the floor area of the first storey of an existing building or structure; and, 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.	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 <i>Council</i> is satisfied that the applicable School Board has declared the lands surplus to their needs and subsequently, that <i>Council</i> has waived its right to acquire the property, and that the <i>Town</i> 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	The Holding (H4) provision may be lifted once: 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 b) the subject lands have been subject to a <u>Planning Act</u> process and approval to create lots.	March 8, 2008
H5	Lands requiring additional approvals	Part of Lot 16, Concession 8 2362 Line 8	The Holding (H5) provision may be lifted once: a) clearance has been obtained from the Ministry of Natural Resources for any required removal of Butternut Trees from the subject lands; and b) Council is satisfied that an appropriate Development Agreement (Subdivision Agreement, Condominium Agreement, Development Agreement, or Site Plan Agreement) has been executed.	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.