

### 13.3 HOLDING PROVISIONS

- 13.3.1 Notwithstanding any other provision in this By-law, where a *Zone* symbol is followed by the letter “H” and a number, (for example **M2-H1** or **A1-H4**) no *person* shall use the land to which the letter “H” applies for any *use* other than the *use* which legally existed on the effective date of this By-law, until the “H” is removed in accordance with the policies of the Official Plan and the Planning Act, as amended.
- 13.3.2 *Council* may pass a By-law pursuant to Section 36 of the Planning Act 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, the conditions for removal of the Holding “H” Symbol are set out in Column 3 of Table 13.3.
- 13.3.3 *Zones* with Holding Provisions are identified in Table 13.3 below in this Section.

Table 13.3

Zone Designation	Location	Conditions for Removal
<p><b>MP-H1</b> <b>(By-law 2002-60)</b></p> <p><b>(Removed from a portion of lands by By-law 2007-71, 2011-133)</b></p>	<p><b>East Half of Lot 1, Con. 6, formerly in the Township of Albion</b></p>	<p>Until such time as the Holding Symbol is removed, no person shall <i>use</i> the lands to which the letter (H) applies for any <i>use</i> other than the <i>use</i> which legally existed on the effective date of this By-law.</p> <p>With respect to the lands <i>zoned</i> Prestige Industrial – Holding (<b>MP-H1</b>), the Holding “H” Symbol shall not be removed until such time as:</p> <ol style="list-style-type: none"> <li>1. The owner has submitted a Development Concept Plan for such lands and supporting information and studies to the satisfaction of the Town of Caledon and the Region of Peel showing any intended division or subdivision of land, any proposed internal roads and any other relevant information required by the Town of Caledon and the Region of Peel.</li> <li>2. A Plan of Subdivision or a Plan of Condominium for a majority of such lands has been draft approved, or, alternatively, consents have been granted by the Land Division Committee and/or the owner of such lands has entered into a development agreement with the Town of Caledon.</li> <li>3. The Region of Peel has confirmed that there is sufficient municipal water and sanitary sewer capacity to service the expected development of such lands.</li> <li>4. An Archaeological Assessment of such lands has been completed to the satisfaction of the Director of Planning and Development and the Ministry of Culture.</li> <li>5. A Stormwater Management Plan, consistent with the Bolton South Industrial Lands Master Environmental Servicing Study (BSILMESS), has been prepared to the satisfaction of the Town of Caledon and the Toronto and Region Conservation Authority, and an area specific development charge has been established for the purpose of financing implementation of the Stormwater Management Plan.</li> <li>6. A landscape and lot grading plan illustrating the “Landscape Buffer” has been prepared to the satisfaction of the Town of Caledon and arrangements satisfactory to the Town of Caledon for the implementation of the landscape plan have been made.</li> <li>7. The owner of such lands has entered into a Cost Sharing Agreement for an internal road network designed to public</li> </ol>

In addition to the above provisions, all applicable provisions of Sections 5 & Section 6 as well as the parent zone shall apply.

		<p>standards and to the satisfaction of the Town of Caledon.</p> <p>8. The owner of such lands has entered into an agreement with the Region of Peel for road widening, 0.3m reserve and access requirements along Regional Road 50 and Mayfield Road and for the extension of water and sanitary sewer services to such lands.</p> <p>9. The owner of such lands has entered into a Subdivision, Condominium, or Development Agreement with the Town of Caledon and the Region of Peel.</p>
<b>MP-310-H2</b>	<b>West Half of Lot 4, Con. 6, formerly in the Township of Albion</b>	Holding lifted by By-law 2007-89
<b>MP-311-H3 (By-law 2002-60)</b>	<b>East Half of Lot 1, Con. 6, formerly in the Township of Albion</b>	<p>Until such time as the Holding Symbol is removed, no person shall use the lands to which the letter (H) applies for any use other than the use which legally existed on the effective date of this By-law.</p> <p>With respect to the lands zoned <b>MP-311-H3</b>, the Holding Symbol “H” shall not be removed until such time as:</p> <ol style="list-style-type: none"> <li>1. The owner has submitted a Development Concept Plan for such lands and supporting information and studies to the satisfaction of the Town of Caledon and the Region of Peel showing any intended division or subdivision of land, any proposed internal roads and any other relevant information required by the Town and the Region.</li> <li>2. A Plan of Subdivision or a Plan of Condominium for a majority of such lands has been draft approved or, alternatively, consents have been granted by the Land Division Committee and/or the owner of such lands has entered into a development agreement with the Town of Caledon.</li> <li>3. The Region of Peel has confirmed that there is sufficient municipal water and sanitary sewer capacity to service the expected development of such lands.</li> <li>4. An Archaeological Assessment of such lands has been completed to the satisfaction of the Director of Planning and Development of the Town of Caledon and the Ministry of Culture.</li> <li>5. A Stormwater Management Plan, consistent with the Bolton South Industrial Lands Master Environmental Servicing Study (BSILMESS), has been prepared to the satisfaction of the Town of Caledon and the Toronto and Region Conservation Authority, and an area specific development charge has been established for the purpose of financing implementation of the Stormwater Management Plan.</li> <li>6. A landscape and lot grading plan illustrating the “Landscape Buffer” with the Open Space – Exception 417 (OS-417) zone has been prepared to the satisfaction of The Corporation of the Town of Caledon for the implementation of the landscape plans have been made.</li> <li>7. The owner of such lands has entered into a Cost Sharing Agreement for an internal road network designed to public standards and to the satisfaction of the Town of Caledon.</li> <li>8. The owner of such lands has entered into an agreement with the Region of Peel for road widening, 0.3m reserve and access</li> </ol>

In addition to the above provisions, all applicable provisions of Sections 5 & Section 6 as well as the parent zone shall apply.

		requirements along Regional Road 50 and Mayfield Road and for the extension of water and sanitary sewer services to such lands. 9. The owner of such lands has entered into a Subdivision, Condominium, or Development Agreement with the Town of Caledon and the Region of Peel.
<b>CHB-185-H5</b>		Holding removed by By-law 2010-096
<b>CH-302-H6</b>	<b>Part East Half of Lots 26 &amp; 27, Con. 6 EHS, formerly in the Township of Chinguacousy</b>	Holding removed by By-law 2013-072.
<b>CH-H7</b>	<b>Part Lot 10, Con. 1, formerly in the Township of Albion</b>	Holding lifted by By-law 2009-112.
<b>RT-455-H8 RMD-456-H8 RT-460-H8 MP-462-H8</b>	<b>Part of Lot 19, Concession 2 E.H.S. (Chinguacousy)</b>	Holding lifted by By-laws 2009-111, 2010-042 and 2010-107
<b>C-432-H9</b>	<b>Part Lot 4, Con 6, Formerly in the Township of Albion</b>	Holding lifted by By-law 2007-100
<b>CV-461-H10</b>	<b>Pt Lot 23, Con 4 WHS formerly in the Township of Caledon (1402 Queen Street, Alton)</b>	The Holding “H” symbol for the CV-461-H10 zone shall not be removed until such time as: 1. The owner can satisfy the Town of Caledon Credit Valley Conservation and the Ministry of the Environment (if applicable) that there is sufficient sewage capacity to service the expected development of the subject lands; 2. A structural engineer has confirmed that any <i>building</i> in the flood plain has been flood proofed to the satisfaction of Credit Valley Conservation.
<b>MS-H11 MS-467-H11 (By-law 2008-123)</b>	<b>Part of the West Half of Lot 1, Concession 6 (Albion)</b>	Holding lifted by By-law 2018-68.
<b>OS-474-H12 (By-law 2009-143)</b>	<b>Part of the East Half of Lots 11 &amp; 12, Concession 2 (Albion)</b>	Holding lifted by By-law 2011-093
<b>CH-480-H13 CH-481-H13 MP-482-H13 MS-483-H13 (By-law 2010-104)</b>	<b>Part Lot 1, Concession 1 (Albion)</b>	With the exception of the property municipally known as 12117 Airport Road, until such time as the holding symbol ‘H’ is removed by by-law amendment, no person shall use the lands to which the letter (H) applies for any <i>use</i> other than the <i>use</i> which legally existed on the effective date of this by-law.

In addition to the above provisions, all applicable provisions of Sections 5 & Section 6 as well as the parent zone shall apply.

		<p>With respect to the property municipally known as 12117 Airport Road (subject lands), until such time as the holding symbol “H” is removed by by-law amendment, no person shall use the subject lands for any <i>use</i> other than the <i>uses</i> permitted in the MS-400 Zone and only provided that such <i>use</i> does not require site plan approval.</p> <p>With respect to any of the lands zoned CH-480-H13, CH-481-H13, MP-482-H13 and MS-483-H13, the holding symbol “H” shall not be so removed until such time as the following conditions have been met to the satisfaction of the Town of Caledon, the Region of Peel and any other applicable public authority having jurisdiction:</p> <ol style="list-style-type: none"> <li>1. Any required development agreement, cost sharing agreement, any other financial planning agreement or plan approval is obtained and is executed by the owner in accordance with the provisions of the <i>Planning Act</i>, the <i>Development Charges Act</i> or other applicable legislation.</li> <li>2.       <ol style="list-style-type: none"> <li>a) Sufficient land has been acquired by the applicant to accommodate a permanent stormwater management facility consistent with the updated Tullamore Secondary Plan Master Environmental Servicing Plan and such facility is secured and will be constructed, or has been constructed and conveyed, to the satisfaction of the Town of Caledon and the Toronto Region Conservation Authority (TRCA), and</li> <li>b) Confirmation has been received that any interim solution regarding stormwater management has been provided by the applicant solely at the applicant’s cost and solely at the risk of the applicant to the satisfaction of the Town of Caledon and TRCA.</li> </ol> </li> <li>3. The applicant has made or secured a financial contribution in accordance with applicable law to pay for the cost of the services for the Tullamore South Industrial Park including such matters as a permanent stormwater management facility, full municipal services, municipal roads, traffic signalization, landscaping, streetscaping, utilities, and studies to the satisfaction of the Town of Caledon and the Region of Peel.</li> <li>4. All required complete application materials and reports required pursuant to the <i>Planning Act</i>, including the following studies of the lands to be developed (and the lands to be serviced if Condition 6 is applicable) have been filed and accepted to the satisfaction of the Town of Caledon and the Region of Peel and the TRCA and any other applicable authority:       <ol style="list-style-type: none"> <li>a) archaeological assessment;</li> <li>b) cultural heritage impact statement;</li> <li>c) environmental impact study and management plan;</li> <li>d) Phase 1 Environmental Site Assessment;</li> <li>e) full urban services functional servicing report in</li> </ol> </li> </ol>
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In addition to the above provisions, all applicable provisions of Sections 5 & Section 6 as well as the parent zone shall apply.

		<p>accordance with the updated Tullamore Secondary Plan Area Master Environmental Servicing Plan;</p> <ul style="list-style-type: none"> <li>f) geotechnical study;</li> <li>g) fiscal impact analysis;</li> <li>h) traffic impact study;</li> <li>i) a planning rationale report attesting to compliance with the Tullamore Community Design Guidelines and the Tullamore Secondary Plan general site design principles and other applicable policies, including;</li> <li>j) in conjunction with clause i), a Community Design Brief to the satisfaction of the Town of Caledon;</li> <li>k) an updated Master Environmental Servicing Plan (MESP) to the satisfaction of the Town of Caledon and TRCA, and;</li> <li>l) such other studies determined to be applicable to the proposed development by the Town of Caledon and any other appropriate public authority.</li> </ul> <p>5. An analysis of tributary enhancements and an appropriate linkage corridor as required in the updated MESP be submitted to the satisfaction of the Town of Caledon and TRCA.</p> <p>6. a) Each development shall be adjacent to an existing or contemporaneous development in order that all development in the Tullamore South Industrial Park shall proceed in an orderly, sequential, logical manner in accordance with good planning principles and practices.</p> <p>b) Where an adjacent existing or contemporaneous development is not present, the applicant may proceed with development provided these Conditions and the provision of Part III of the <i>Development Charges Act</i> respecting front ending agreements are complied with to the satisfaction of the Town of Caledon and the Region of Peel. Despite the foregoing, an application requiring a front ending agreement under this subsection 5(b) shall be at the applicant's sole cost and expense, subject to eligible recoveries, in terms of preparation, land acquisitions, if any, and implementation.</p> <p>7. Lands required for the construction of roads and appurtenances thereto required by the Town of Caledon or the Region of Peel within the Tullamore South Industrial Park have been secured or conveyed.</p> <p>8. Access to all existing and proposed <i>lots</i> shall be from internal collector roads only to the satisfaction of the Town of Caledon and the Region of Peel.</p> <p><b>Definition of Street</b> With respect to the property municipally known as 12117 Airport Road, <i>street</i> shall include a private right-of-way or private road.</p>
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In addition to the above provisions, all applicable provisions of Sections 5 & Section 6 as well as the parent zone shall apply.

H14		<b>Reserved for Future Use</b>
<b>CCV-H15 RM-458-H15 (By-law 2011-66, 2012-85)</b>	<b>Part of the East Half of Lot 21, Concession 2 EHS Chinguacousy, Part of Lot 20, Concession 1 EHS Chinguacousy)</b>	<p>With respect to the lands zoned as identified in the Zone Column and subject to the Holding H15 Symbol, the H Holding Symbol shall not be removed from the lands or any portion thereof until an urban design plan has been completed for the lands subject to the H15 Holding provision to the satisfaction of the Director of Planning. The urban design plan shall include the following:</p> <ol style="list-style-type: none"> <li>1. A detailed description of how the housing mix objectives for the village core area, as set out in 7.12.7.1.4 of Official Plan Amendment 208 will be achieved; and</li> <li>2. A detailed description of how the village commercial area, as described in the provisions of Official Plan Amendment 208 and based on the principles set out in Section 2.3.4, 3.1 and 4.1 of the Mayfield West Community Design Plan (November 29,2007) will be implemented.</li> </ol>
<b>MP-H16 (By-law 2012-96)</b>	<b>Part Lot 18, Concession 3, EHS Chinguacousy</b>	<p>Until such time as the Holding Symbol is removed, no person shall use the lands to which the letter (H) applies for any use other than the use which legally existed on the effective date of this By-law.</p> <p>With respect to the lands zoned Prestige Industrial – Holding (<b>MP-H16</b>), the Holding “H” Symbol shall not be removed until such time as:</p> <ol style="list-style-type: none"> <li>1. The owner of such lands has entered into a Cost Sharing Agreement for servicing, including a permanent stormwater management facility, and the cost of an internal collector road network benefitting landowners in the area.</li> <li>2. A Stormwater Management Plan containing detailed engineering studies indicating the location and size of stormwater management facilities has been prepared to the satisfaction of the Town of Caledon and the Toronto Region Conservation Authority.</li> <li>3. The Region of Peel has confirmed that there is sufficient municipal water and sanitary sewer capacity to service the expected development of such lands.</li> </ol>
<b>MP-521-H17 (By-law 2012-096)</b>	<b>Part Lot 18, Concession 3, EHS Chinguacousy</b>	<p>Until such time as the Holding Symbol is removed, no person shall use the lands to which the letter (H) applies for any use other than the use which legally existed on the effective date of this By-law.</p> <p>With respect to the lands zoned Prestige Industrial – Holding (<b>MP-H17</b>), the Holding “H” Symbol shall not be removed until such time as:</p> <ol style="list-style-type: none"> <li>1. The property identified as Block 6 on Draft Approved Plan 21T-08002 is consolidated with an adjacent property resulting in a lot that meets minimum zone standards for lot area and lot frontage.</li> </ol>
<b>RT-538-H18 (By-law 2012-0123)</b>	<b>Part Lot 21, Concession 1 Albion</b>	<p>Until such time as the Holding Symbol is removed, no person shall use the lands to which the letter “H” applies for any use.</p> <p>With respect to the lands zoned RT-538, the H18 symbol shall not be removed until such time as:</p> <ol style="list-style-type: none"> <li>1. A site plan application has been submitted and deemed satisfactory to the Town of Caledon; and</li> </ol>

In addition to the above provisions, all applicable provisions of Sections 5 & Section 6 as well as the parent zone shall apply.

		<p>2. The Town of Caledon is satisfied with the connection of Street J and Street K as shown on the October 2012 redlined draft plan.</p>
<p><b>CH-556-H19</b> <b>(By-law 2014-056, OMB appeal withdrawn July 4, 2016)</b></p>	<p><b>Part 1, Concession 1 (Albion)</b></p>	<p>Until such time as the holding symbol 'H' is removed by by-law amendment, no person shall use the lands to which the letter (H) applies for any <i>use</i> other than the <i>use</i> which legally existed on the effective date of this by-law.</p> <p>The holding symbol "H" shall not be so removed until such time as the following conditions have been met to the satisfaction of the Town of Caledon, the Region of Peel and any other applicable public authority having jurisdiction:</p> <ol style="list-style-type: none"> <li>1. The Owner has made satisfactory arrangements with the Town of Caledon, Region of Peel and TRCA to implement an interim solution regarding stormwater management, at owner's sole cost and risk, until such time that a permanent facility is in place.</li> <li>2. All required complete application materials and reports required pursuant to the <i>Planning Act</i>, including the following studies of the lands to be developed have been filed and accepted to the satisfaction of the Town of Caledon, the Region of Peel, the TRCA and any other applicable authority: <ul style="list-style-type: none"> <li>a) cultural heritage impact statement;</li> <li>b) Phase 1 Environmental Site Assessment;</li> <li>c) full urban services functional servicing report in accordance with the updated Tullamore Secondary Plan Area Master Environmental Servicing Plan;</li> <li>d) geotechnical study;</li> <li>e) fiscal impact analysis;</li> <li>f) traffic impact study;</li> <li>g) a planning rationale report attesting to compliance with the Tullamore Community Design Guidelines and the Tullamore Secondary Plan, general site design principles and other applicable policies;</li> <li>h) an Urban Design Brief to the satisfaction of the Town of Caledon which shall include, but not be limited to the following matters: <ul style="list-style-type: none"> <li>i. Primary Building Entrances and Building Presence;</li> <li>ii. Pedestrian and Cyclist Circulation;</li> <li>iii. Architectural design; and</li> <li>iv. Gateway Entrance Design Features</li> </ul> </li> <li>i) such other studies determined to be applicable to the proposed development by the Town of Caledon and any other appropriate public authority.</li> </ul> </li> <li>3. Lands required for the construction of roads and appurtenances thereto required by the Town of Caledon or the Region of Peel within and/or adjacent to the Tullamore South Industrial Park</li> </ol>

In addition to the above provisions, all applicable provisions of Sections 5 & Section 6 as well as the parent zone shall apply.

		<p>have been secured or conveyed.</p> <p>4. Access to all existing and proposed <i>lots</i> shall be from internal collector roads only, or to the satisfaction of the Town of Caledon and the Region of Peel.</p>
<p><b>CH-480-H20 (By-law 2010-104, OMB PL100987, May 28, 2015)</b></p>	<p><b>Part Lot 1, Concession 1 Albion being 12101 Airport Road</b></p>	<p>Until such time as the holding symbol “H” is removed by by-law amendment, no person shall use the lands to which the letter (H) applies for any use other than the uses permitted in the CH-480 Zone within the existing building as shown on Attachment “A” to OMB Decision No. _____.</p> <p>The holding symbol “H” shall not be so removed until such time as the following conditions have been met to the satisfaction of the Town of Caledon, the Region of Peel and any other applicable public authority having jurisdiction:</p> <ol style="list-style-type: none"> <li>1. The Owner has made satisfactory arrangements with the Town of Caledon, Region of Peel and TRCA to implement an interim solution regarding stormwater management, at owner’s sole cost and risk; until such time that a permanent facility is in place.</li> <li>2. All required complete application materials and reports required pursuant to the Planning Act, including the following studies of the lands to be developed have been filed and accepted to the satisfaction of the Town of Caledon, the Region of Peel, the TRCA and any other applicable authority. <ol style="list-style-type: none"> <li>a) fiscal impact analysis;</li> <li>b) traffic impact study; and</li> <li>c) such other studies determined to be applicable to the proposed development by the Town of Caledon and any other appropriate public authority.</li> </ol> </li> <li>3. The owner shall provide evidence of a registered easement—to facilitate joint access with the abutting lands to the south—over a portion of the abutting lands to the south, the parameters of which shall be approved by and to the satisfaction of the Town of Caledon and the Region of Peel.</li> </ol>
<p><b>EPA2-H21 EPA2-ORM- H21 OS-587-H21 OS-587-ORM- H21 OS-588-H21 OS-588-ORM- H21 A1-H21 A1-ORM-H21</b></p>	<p><b>Part Lots 1 and 2, Concession 1, EHS</b></p>	<p>Holding lifted by By-law 2018-51.</p>

In addition to the above provisions, all applicable provisions of Sections 5 & Section 6 as well as the parent zone shall apply.



<p><b>A1-589-ORM-H21</b></p> <p><b>By-law 2017-10</b></p>		
<p><b>R1-H22</b> <b>(By-law 2018-xxx OMB PL141202)</b></p>	<p><b>Part Lot 4, Concession 6 E.H.S.(Caledon), being Part 1 on 43R-35772, Town of Caledon, Regional Municipality of Peel, municipally known as 89 Walker Road West</b></p>	<p>An archaeological site, identified as AIGx-363 and subject to Section 48(1) of the Ontario Heritage Act, is present within this property.</p> <p>Until such time as the holding symbol 'H' is removed by by-law amendment, no site alteration, development or redevelopment of the lands to which the letter (H) applies will be permitted.</p> <p>The holding symbol 'H' shall not be removed until such time as the following condition has been met to the satisfaction of the Town of Caledon and any other applicable public authority having jurisdiction:</p> <ol style="list-style-type: none"> <li>1. A Stage 3 Archaeological Assessment be completed for AIGx-363, and that the recommendations set out in that report be carried out to the satisfaction of the Town and the Ministry of Tourism, Culture and Sport.</li> </ol>
<p><b>EPA1-H22</b> <b>(By-law 2018-xxx OMB PL141202)</b></p>	<p><b>Part Lot 4, Concession 6 E.H.S.(Caledon), being Part 1 on 43R-35772, Town of Caledon, Regional Municipality of Peel, municipally known as 89 Walker Road West</b></p>	<p>An archaeological site, identified as AIGx-363 and subject to Section 48(1) of the Ontario Heritage Act, is present within this property.</p> <p>Until such time as the holding symbol 'H' is removed by by-law amendment, no site alteration, development or redevelopment of the lands to which the letter (H) applies will be permitted.</p> <p>The holding symbol 'H' shall not be removed until such time as the following condition has been met to the satisfaction of the Town of Caledon and any other applicable public authority having jurisdiction:</p> <ol style="list-style-type: none"> <li>1. A Stage 3 Archaeological Assessment be completed for AIGx-363, and that the recommendations set out in that report be carried out to the satisfaction of the Town and the Ministry of Tourism, Culture and Sport.</li> </ol>

In addition to the above provisions, all applicable provisions of Sections 5 & Section 6 as well as the parent zone shall apply.