

| Schedule D – Holding Provisions | | | |
|---|--|---|--|
| | Current Regulations | Proposed Amendment | Rationale |
| H27 Lands Located at the northeast corner of Meadowlands Blvd and Stonehenge Drive | <p>There are currently two Holding Provisions assigned the number 27:</p> <ul style="list-style-type: none"> • 611 Aberdeen Avenue; and, • Stonehenge Drive between Meadowlands Boulevard and Raymond Road, in the former Town of Ancaster | <p>Re-number the Holding Provision for 611 Aberdeen Avenue.</p> | <p>Provides clarity and correct numbering.</p> |
| H37 Lands Located in the AEGD | <p>Site alteration shall be conditional upon the following special requirements:</p> <ol style="list-style-type: none"> That the lands have access to servicing, the provision of adequate municipal water, municipal wastewater, and transportation infrastructure in accordance with the respective master plans for the Airport Employment Growth District to the satisfaction of the Director of Development Engineering. | <p>Site alteration shall only be permitted in accordance with Subsections 1.11 d) and e) and Subsections 9.7.4 and 9.11.4, until such time as:</p> <ol style="list-style-type: none"> The lands have access to servicing, the provision of adequate municipal water, municipal wastewater, and transportation infrastructure in accordance with the respective master plans for the Airport Employment Growth District to the satisfaction of the Director of Development Engineering. | <p>The preamble which states “Site alteration shall be conditional upon...” precludes legal non-conforming lands from expanding in accordance with the expansion permissions built into the By-law. Accordingly, the preamble has been amended to reflect these as-of-right permissions.</p> <p>This has effectively sterilized the legal non-conforming single detached dwellings with respect to Section 45(2) of the <i>Planning Act</i>.</p> |

| Schedule D – Holding Provisions | | | |
|--|---|---|--|
| | Current Regulations | Proposed Amendment | Rationale |
| H63 Part of Westdale and Ainslie Wood | <p>No development shall be permitted until such time as:</p> <ul style="list-style-type: none"> (i) Land assembly has occurred in order to establish appropriately sized lots, to the satisfaction of the Director of Planning. (ii) The Holding Provision may be removed from one or more properties and remain in effect for any lands that maintain Holding Provision 63 as identified on Schedule “A” – Zoning Maps of this By-law. | <p>Development shall only be permitted in accordance with the regulations of Special Exception No. 293, Modified until such time as:</p> <ul style="list-style-type: none"> (i) Land assembly has occurred to establish appropriately sized lots for redevelopment, to the satisfaction of the Director of Planning. | <p>The preamble which states “No Development” precludes expansion/maintenance of those single detached dwellings which have been expressly permitted by Special Exception 296. The intent of the TOC1 Zone is to facilitate development at a higher density along the LRT Corridor. The intent of the Holding Provision 63 is to ensure that adequate land assembly has occurred for the higher density envisioned in the zone. Based on Special Exception 296, it appears to have been the intent to recognize these dwellings and permit them to expand in the interim; therefore, the current Holding Provision is contradictory.</p> <p>Additionally, Clause (ii) is not required and it is recommended it be removed.</p> |

| Schedule D – Holding Provisions | | | |
|-----------------------------------|-------------------------------|--|---|
| | Current Regulations | Proposed Amendment | Rationale |
| H69 870 Scenic Drive, Hamilton | No current Holding Provision. | <p>The ‘H’ symbol shall be removed for all, or a portion of the lands affected by this By-law, by a further amendment to this By-law, at such time as:</p> <ul style="list-style-type: none"> (a) The applicant submits a Master Site Plan and Precinct Plan for each development phase, as set out in Official Plan Amendment No. ___, which includes the required studies, to the satisfaction of the Director of Planning; (b) The applicant submits urban design guidelines, as set out in Official Plan Amendment No. ___, to the satisfaction of the Director of Planning; (c) The applicant submits architectural control guidelines, as set out in Official Plan Amendment No. ___, to the satisfaction of the Director of Planning; (d) The applicant submits an urban design report, as set out in Official Plan Amendment No. ___, to the satisfaction of the Director of Planning; <p>Where the Moreland and Brow Annex buildings are not to be retained, the applicant submits a report which demonstrates that retention and re-use of such buildings is not structurally feasible, to the satisfaction of the Director of Planning.</p> | <p>The Board-ordered zone boundary between the “E-H/S-1600” (Multiple Dwellings, Lodges, Clubs, Etc.) District, Modified in Zoning By-law No. 6593 and the Conservation / Hazard Land (P5) Zone cuts through the existing building.</p> <p>A Site Specific Modification is proposed to the P5 Zone (see Report PED18147) to permit certain uses only within the existing building. A Holding Provision was also associated with the OMB decision, and is therefore required to be implemented through this process.</p> |