

SECTION 26 - HOLDING ZONE (-H)

26.1 Permitted Uses, Buildings, and Structures

Uses, buildings and structures lawfully existing on the date of passing of the By-law which applies the Holding Symbol “(-H)”;

26.2 Zone Requirements

No new development and no enlargement of existing uses, buildings, and structures shall be permitted in a “(-H)” zone unless Council has passed a Zoning By-law to remove the holding symbol “(-H)”.

26.3 Site Specific Holding Provisions

26.3.1 -H1 (added by By-law No. 201-2000)

(a) Location: Part of Lot 20, Concession 10, Ellice Ward

(b) The land in the “HVR-H1” zone as shown on Key Map 20A of Schedule “A” to By-law No. 30-1999 (also shown on Schedule “A” to By-law No. 201-2000) shall not be used for any of the permitted “HVR” zone uses until such time that the current auto storage/wrecking yard use on the subject land is removed and an environmental report from a qualified environmental consultant indicating that the subject land is suitable for the permitted “HVR” zone uses is obtained and submitted to the Township. Should the report indicate that specific actions must be undertaken prior to the subject land being used for any of the permitted “HVR” zone uses, such actions must take place before the residential use of the subject land is established.

(c) Prior to the establishment of any of the permitted “HVR” zone uses on the subject land, the “(-H1)” holding symbol must be removed through a further By-law amendment passed in accordance with the provisions of Section 36 of the Planning Act, R.S.O. 1999. A By-law amendment to remove the “(-H1)” holding symbol shall not be considered by the Township of Perth East Council until the provisions of Clause (b) above have been satisfied.

(d) All other provisions of By-law No. 30-1999, as amended, shall apply.

26.3.2 -H3(a) (added by By-law No. 211-2004, amended by By-law No. 209-2009)

(a) Location: Part of Lot 22, Concession 1, South Easthope Ward

(b) Prior to the removal of the “-H2” provisions as established by this By-law, the owner of the land within the “ACM-22-H3(a)” zone shall:

- i. Enter into a conditional building permit agreement with the Township of Perth East to address matters related to obtaining a certificate of approval prior to occupancy of the proposed building. The

Township of Perth East - Zoning By-law

conditional building permit agreement shall be registered on title to these lands.

- (c) All other provisions of By-law No. 30-1999, as amended, shall apply.

26.3.3 -H3 (added by By-law No. 204-2014)

- (a) Location: Lot 17, Plan 333, South Easthope Ward

- (b) Prior to the removal of the “-H3” provisions as established by this By-law, the owner of the land within the “R2-8-H3” zone shall:

- i. Enter into a Site Plan Agreement with the Township of Perth East for the conversion of the existing building to a multi-unit residential building.

- (c) All other provisions of By-law No. 30-1999, as amended, shall apply.

26.3.4 -H4 (added by By-law No. 201-2015)

- (a) Location: Part of Lot 73, Registrar’s Compiled Plan No. 363, Milverton Ward

- (b) Prior to the removal of the “-H4” provisions as established by this By-law, the owner of the land within the “R1-H4” zone shall:

- i. Provide the Township of Perth East the required financial securities and parkland fees in accordance with the Subdivision Agreement authorized by the Township of Perth East January 6th, 2015.

- (c) All other provisions of By-law No. 30-1999, as amended, shall apply.

26.3.5 -H4 (added by By-law No. 207-2019)

- (a) Location: Part of Lot 87, Reg. Comp. Plan 511, Ellice Ward

- (b) Prior to the removal of the “-H” provisions as established by this By-law, the owner of the land within the “AM-30-H5” zone shall:

- i. Provide the Township of Perth East the required justifying impact assessment (i.e. a “Feasibility Analysis” prepared in accordance with the Ministry of Environment, Conservation and Parks (MOECP) D-6 Guideline and which details a use specific evaluation of the industrial processes and the potential for off-site impacts on existing and proposed sensitive land uses); and
- ii. Enter into a Site Plan agreement with the Township of Perth East as per Section 41 of the Planning Act R.S.O. 1990, c. P.13 which implements and/or secures any of the recommendations as specified by the justifying impact assessment as required by i) above.

- (c) All other provisions of By-law No. 30-1999, as amended, shall apply.

Township of Perth East - Zoning By-law

26.3.6 H-6 (added by By-law No. 221-2019)

- (a) Location: Lot 85, Registered Plan 260, Mornington Ward
- (b) Prior to the removal of the “-H6” provisions as established by the By-law, the owner of the land within the “HVR-52-H6” zone on Lot 85, Registered Plan 260, shall;
 - i. Provide a lot grading and drainage plan demonstrating the acceptable handling of drainage to the satisfaction of the Township of Perth East, and;
 - ii. Provide confirmation from a qualified professional, to the satisfaction of the Township of Perth East, that private individual water and sewage servicing can be provided prior to the construction of any residence/dwelling.
 - iii. All other provisions of By-law No. 30-1999, as amended, shall apply.

26.3.7 H-7 (added by By-law No. 214-2020)

- (a) Location: Any lands within the Township subject to the Holding “-H7” symbol.
- (b) To address concerns of site compatibility, prior to the removal of the Holding “-H7” provisions as established by this By-law, a Site Plan Agreement in accordance with Section 41 of the Planning Act, R.S.O. 1990 shall be executed with the Township addressing compatibility concerns with any nearby sensitive land use(s).
- (c) All other provisions of By-law No. 30-1999, as amended, shall apply

26.3.8 H-8 (added by By-law No. 211-2020)

- (a) Location: Part Lot 10, Concession 2, Ellice Ward, in the Township of Perth East
- (b) Prior to the removal of the “-H8” provisions are established by this By-law, the owner of the land within the “A-H8” zone shall:
 - i. Demonstrate that a licensed archaeologist in the Province of Ontario was present during any on-site excavation work for the construction of a single detached dwelling, prior to the Township of Perth East releasing a Building Permit for construction works beyond the foundation. A foundation permit is permitted to be issued by the Township of Perth East, prior to the lifting of Holding Provision.
- (c) All other provisions of By-law No. 30-1999, as amended, shall apply.

26.3.9 H-9 (added by By-law No. 218-2022)

- (a) Location: Part Lot 9, Concession 14, Mornington Ward (formerly M1-9, in part)

Township of Perth East - Zoning By-law

- (b) Prior to the removal of the “-H-9” provision as established by this By-law, the owner of the land within the “ACM-31-H-9” zone shall:
 - i. Amend the existing Site Plan and Site Plan Agreement with the Township of Perth East to reflect the expansion of the existing facility on the subject property. Notwithstanding the holding provision, all existing uses shall continue to be permitted.
- (c) All other provisions of By-law No. 30-1999, as amended, shall apply.

26.3.10 H-10 (added by By-law No. 209-2024)

- (a) Location: Lots 16 & 17, Concession 4, Ellice Ward
- (b) Prior to the removal of the “A-H-10” zone shall:
 - i. Complete a flood study to the satisfaction of Upper Thames River Conservation Authority
- (c) All other provisions of By-law No. 30-1999, as amended, shall apply

26.3.11 H-11 (added by By-law No. 212-2022)

- (a) Location: Lot 6 Concession 3, Milverton Ward
- (b) Prior to the removal of the “-H-11” provisions as established by this By-law, the owner of the land within the “M1-H-11” zone shall:
 - a. Complete and implement a Land Use Compatibility Study and a Scoped Traffic Brief prior to the approval of a Site Plan Application to assess the site-specific proposed use on the property
- (c) All other provisions of this By-law, as amended, shall apply.

26.3.12 H-12 (added by By-law No. 212-2022)

- (a) Location: Lot 6 Concession 3, Milverton Ward
- (b) Prior to the removal of the “-H-12” provisions as established by this By-law, the owner of the land within the “C3-H-12” zone shall:
 - a. Complete and implement a Land Use Compatibility Study and a Scoped Traffic Brief prior to the approval of a Site Plan Application to assess the site-specific proposed use on the property
- (c) All other provisions of this By-law, as amended, shall apply.