

## Appendix A – Zoning By-law Amendment

Bill No. (number to be inserted by Clerk's Office)  
2024

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to replace Section 3.8(2) Holding "h" Zone provisions with a new list of holding provisions available for use and to adjust the zoning of the subject properties to reflect the revisions to Section 3.8(2).

WHEREAS this amendment to the Zoning By-law Z.-1 conforms to the Official Plan;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Zoning By-law No. Z.-1 is amended by deleting the contents of Section 3.8(2) and replacing it with the following:

### **2) HOLDING ZONE PROVISIONS**

h-1 *Purpose:* To determine the extent to which development will be permitted and ensure that development will not have a negative impact on relevant components of the Natural Heritage System of the Official Plan, an agreement shall be entered into specifying appropriate development conditions and boundaries, based on an Environmental Impact Study or Subject Lands Status Report that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, prior to removal of the "h-1" symbol. (Z.-1-051390) (Z.-1-202871)

*Permitted Interim Uses:* Existing use

h-2 *Purpose:* To implement the Provincial Minimum Distance Separation (MDS) regulations the "h-2" holding provision will not be deleted until the existing livestock facility has been removed or, through removal of building infrastructure, is no longer capable of housing livestock.

*Permitted Interim Use:* Existing uses (Z.-1-021040)

- h-3 *Purpose:* To ensure the appropriate development of the site and limit the impact of the development on the existing roadways, a traffic impact study for the entire site is to be completed prior to site plan approval to determine the location and number of access points, the traffic impact on surrounding roads and roadway improvements required to accommodate this development. The "h-3" symbol shall be deleted upon the acceptance of the traffic study by the City of London. (Z.-1-041295)
- h-4 *Purpose:* To address concerns of site contamination, a Record of Site Condition shall be carried out by a qualified professional and submitted to the Ministry of the Environment. The City of London will remove the "h-4" holding provision once the Ministry is satisfied that the Record of Site Condition is satisfactory. (Z.-1-061479)
- h-5 *Purpose:* the "h- 5" symbol shall not be deleted until a methane gas study is completed and mitigation measures are implemented, if required, to the satisfaction of City Engineer. (Z.-1-071652)
- h-6 *Purpose:* To ensure the orderly development of the lands the "h-6" symbol shall not be deleted until a stormwater servicing report has been prepared and confirmation that stormwater management systems are implemented to the satisfaction of the City Engineer.
- Permitted Interim Uses:* Existing Uses
- h-7 *Purpose:* to ensure that the Municipal Emergency Communication System is functional and uninterrupted, the holding symbol shall not be deleted until subsequent studies determine no impacts exist or mitigation measures are identified and mutually agreed upon to the satisfaction of the City of London.
- Permitted Interim Uses:* Permitted uses within existing buildings. (Z.-1-233103)
- h-8 *Purpose:* To ensure the orderly development of lands and the adequate provision of municipal services, the "h-8" symbol shall not be deleted until appropriate servicing arrangements are provided to the satisfaction of the City.
- h-9 *Purpose:* The proponent shall retain a consultant archaeologist, licensed by the Ministry of Citizenship and Multiculturalism (MCM) under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out a Stage 1 (or Stage 1-2) archaeological assessment of the entire property. Development or property alteration shall only be permitted on the subject property containing archaeological resources or areas of archaeological potential if the archaeological resources have been conserved by removal and

documentation, or by site preservation (Stages 3 and 4). The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists. Engagement with the appropriate First Nations shall be completed consistent with the policies of The London Plan. All archaeological assessment reports, in both hard copy format and digitally in Portable Document Format (PDF), will be submitted to the City of London once MCM has accepted them into the Public Registry. Significant archaeological resources will be incorporated into the proposed development through either in situ preservation or interpretation where feasible, or may be commemorated and interpreted on site. No demolition, new exterior construction, grading, or any other activity where soil disturbance will occur or might be reasonably anticipated shall take place on the subject property prior to the City of London receiving the MCM compliance letter indicating that all archaeological licensing and reporting requirements have been satisfied.

- h-10 *Purpose:* To ensure that cultural heritage resource(s) are conserved, not adversely affected by a proposed development, and to ensure that development is in a form compatible with the cultural heritage resource(s). The removal of the “h-10” holding provision shall not occur until such time as it has been demonstrated to the satisfaction of the City, through the acceptance of a Heritage Impact Assessment, that the cultural heritage resource(s) are conserved, not adversely affected by a proposed development, and that the development is in a form that is compatible with the cultural heritage resource(s), and any recommended mitigation measures are reflected in a development agreement for the proposed.
- h-11 *Purpose:* To ensure there are no land use conflicts between the proposed sensitive land uses and arterial roads, rail lines, and/or existing land uses, the “h-11” shall not be deleted until the owner agrees to implement all noise and vibration attenuation measures and/or safety measures for possible train derailments, as recommended through the required reports as acceptable to the City.
- h-12 *Purpose:* To ensure the orderly development of lands and the adequate provision of municipal services, the “h-12” shall not be removed until full municipal services are available to the site.
- Interim Permitted Uses:* Existing Uses and private water and sanitary servicing permitted.
- h-13 *Purpose:* To ensure the orderly development of the lands the “h-13” symbol shall not be deleted until a servicing capacity report has

been prepared and confirmation that a municipal sewer outlet is available to service the site to the satisfaction of the City. Development applications will have to satisfy this condition prior to development taking place.

- h-100 *Purpose:* To ensure that mitigating measures are undertaken in areas adjacent to transportation and utility corridors, an agreement shall be entered into, following consultation with relevant agencies, covering requirements for incorporating appropriate noise and/or vibration attenuation measures into the design of the development, prior to the removal of the "h-100" symbol. (Z.-1-051390)
- Permitted Interim Uses:* Existing uses; any non-residential use permitted by the applicable zones
- h-101 *Purpose:* To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-101" symbol. Notwithstanding this, residential developments of 10 or fewer units are exempt from Public Site Plan Meetings, as per Bill 23, More Homes Built Faster Act, 2022.
- Permitted Interim Uses:* Residential Developments of 10 units or fewer. (Z.-1-94236 deleted and replaced by Z.-1-233100)
- h-102 *Purpose:* To ensure that development in the vicinity of operating and closed landfill sites will occur in a safe manner and in accordance with the Environmental Protection Act, agreements shall be entered into specifying any necessary studies and protective measures to the satisfaction of the City of London, demonstrating that the development in the form and manner proposed, will not be adversely affected prior to the removal of the "h-102" symbol.
- Permitted Interim Uses:* Existing uses
- h-103 *Purpose:* To ensure that aggregate resource extraction does not take place in advance of the municipal review and approval of an aggregate extraction license application submitted to the City of London by the Ministry of Natural Resources prior to the removal of the "h-103" symbol. (Z1-051390)
- Permitted Interim Uses:* Existing uses.
- h-104 *Purpose:* To ensure that there is no land-use conflict between industrial and proposed residential uses on these lands, the "h-104"

symbol shall not be deleted until all industrial uses have been removed from the site and abutting residentially zoned lands.

*Permitted Interim Uses:* Existing uses. (O.M.B. File #910043, R910387 - Appeal #5013 June 4, 1993)

h-105 *Purpose:* To ensure the orderly development of lands and the adequate provision of municipal services, the "h-105" symbol shall not be deleted until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London.

*Permitted Interim Uses:* Existing uses.(O.M.B. File #R 910387 - Appeal #3004 May 19, 1994)(Z.-1-92066)

- h-106
- i) Until this By-law is amended to remove the Holding Provisions, the Holding Provisions and Interim Provisions shall apply;
  - ii) To ensure the protection and preservation of the City's Heritage Resources, and to ensure that new development and redevelopment does not affect the integrity or result in the destruction of the City's Heritage Resources, the following conditions must be satisfied prior to the removal of the Holding Provisions:
    - a) The existing building exterior must be designated under the Ontario Heritage Act by the City of London;
    - b) The site and buildings, or portions thereof. Must be subject to an easement, or easements, to provide for municipal services, heritage preservation, and conservation purposes, in favour of the City of London, to the satisfaction of the City of London.
    - c) The affected lands will be subject to Site Plan Control under Section 41 of the Planning Act, R.S.O. 1990, c. P.13 and a development agreement must be entered into by the owner of the subject lands and the City of London; and, (Z.-1-94236)
    - d) An agreement to permit additional uses on this site must be entered into with the City of London to permit additional development on the site in exchange for retaining and preserving the heritage resources on the subject land.
- Interim

*Permitted Uses/Interim Provisions:* Uses legally existing on the 5th day of October, 1992. (Z.-1-92118)

- h-107 *Purpose:* To ensure that development within 300 metres (984 feet) of a resource extraction operation will not be adversely impacted by the presence of such an operation, a noise and dust impact study shall be completed and any mitigation measures contained therein shall be carried out to the satisfaction of the City of London in conjunction with the Ministry of the Environment and Energy and the Ministry of Natural Resources prior to the removal of the "h-107" symbol. (Z.-1-94236) Notwithstanding the regulations of residential zones in this By-law to the contrary, new buildings intended for human occupancy shall have a minimum separation distance of 135 metres (443 feet) from a Resource Extraction (EX/EX1) Zone or area licensed for gravel extraction. Any deviation from the 135 metres (443 feet) regulation would only be considered on the basis of the noise and dust impact study referred to above.
- Permitted Interim Uses:* Existing uses (Z.-1-93193)
- h-108 *Purpose:* To ensure the orderly development of lands and the adequate provision of municipal services, the "h-108" symbol shall not be deleted until full municipal sanitary sewer and water services are available to service the site.
- Permitted Interim Uses:* Dry uses on individual sanitary facilities permitted by the applied Zone. (Z.-1-97484)
- h-109 *Purpose:* To ensure the orderly development of lands located at 2185 Highbury Avenue North and part of 2225 Highbury Avenue North (formerly 2135 Highbury Avenue North), notwithstanding the list of permitted uses included within Section 33.2.(2), uses permitted on private temporary water and sewerage systems shall be limited to place of worship, school and day care uses. (Z.-1-01900)
- h-110 *Purpose:* To ensure that development will not have a negative impact on an environmentally sensitive area, or natural feature, an agreement shall be entered into specifying any necessary preventative measures, based on study(ies) to the satisfaction of the City of London conducted by qualified professional(s) demonstrating that development in the form proposed will not adversely affect the area or feature, prior to the removal of the "h-110" symbol.
- Permitted Interim Uses:* Uses permitted by the applicable zone within existing buildings.(Z.-1-02942)
- h-111 *Purpose:* To ensure that the on-site septic treatment system is adequate to accommodate a proposed use and that there will not

be any adverse impact on groundwater resources or recharge functions, an agreement shall be entered into specifying any necessary preventative measures, based on study(ies) to the satisfaction of the City of London conducted by qualified professional(s) demonstrating that the use or development in the form proposed will not adversely affect the area.

*Permitted Interim Uses:* Existing Uses. (Z.-1-031085)

h-112 *Purpose:* To ensure the development of the recycling facility will be planned, designed, operated and maintained in such a way as to promote compatibility with adjacent, existing and future land uses, and to minimize any adverse impacts on the natural environment, the "h-112" symbol shall not be deleted until a Certificate of Approval has been granted by the Ministry of Environment. (OMB Order # R 040163) (Z.-1-041255)

h-113 *Purpose:* To ensure that development is not adversely impacted by industrial uses on the east side of Clarke Road, a noise study shall be undertaken and an agreement shall be entered into, covering requirements for incorporating appropriate attenuation measures into the design of the development, prior to the removal of the "h-113" symbol.

*Permitted Interim Uses:* Existing uses. (Z.-1-041257)

h-114 *Purpose:* To ensure that all environmental reviews and approvals have taken place for the location, quality and quantity of discharge from the pollution control plant. The "h-114" symbol shall not be deleted until a Certificate of Approval has been issued by the Ministry of the Environment of the Province of Ontario which will deal with the discharge of effluent from the pollution control plant. (Z-1-051390)

h-115 *Purpose:* To ensure compliance with Official Plan Amendment No. 279, any expansion to the Southside Pollution Control Plant shall not occur until an environmental assessment under the Environmental Assessment Act, R.S.O. 1990, c E.18, as amended, or any subsequent legislation has been completed including any reviews and appeals beyond the initial 4 MIGD (million imperial gallons per day). The "h-115" symbol shall not be deleted or amended until and unless any additional capacity has been authorized through an environmental assessment under the aforementioned Act and a Certificate of Approval has been issued by the Ministry of the Environment of the Province of Ontario.

*Permitted Interim Uses:* pollution control plant to a maximum capacity of 4 MIGD (million imperial gallons per day). (Z-1-051390)

h-116 *Purpose:* To ensure there are no land use conflicts between the commercial and residential land uses, the “h- 116” symbol shall not be deleted until the owner agrees to implement all noise attenuation and design mitigating measures as recommended in noise assessment reports, acceptable to the City of London. (Z.-1-061467)

h-117 *Purpose:* To encourage a street-oriented development, to ensure that the residential infill development is designed to mitigate impacts on adjacent residential properties, and provide for a high quality of urban design, a development agreement shall be entered into to ensure that new residential infill development is designed substantially consistent with the design concept tabled by the developer as part of the rezoning application, to the satisfaction of the City of London, prior to the removal of the "h-117" symbol.

*Permitted Interim Uses:* Existing Uses (Z.-1-061480)

h-118 *Purpose:* To ensure the owner undertakes a tree retention plan as part of any future subdivision development, the “h” symbol shall not be deleted until a tree preservation report and plan has been prepared by a qualified ecological consultant in accordance with the Tree Preservation Policy and is implemented to the satisfaction of the General Manager of Planning & Development.

*Permitted Interim Uses:* Existing Uses. (Z.-1-071640)

h-119 *Purpose:* To ensure that there is a consistent lotting pattern in this area, the “h-119” symbol shall not be deleted until the part block has been consolidated with adjacent lands. (Z.-1-071654)

h-120 *Purpose:* To ensure that there is a consistent lotting pattern in this area, the "h-84" symbol shall not be deleted until the part block has been consolidated with adjacent lands. (Z.-1-071661) O.M.B. Order # PL070738 July 9, 2008

h-121 *Purpose:* To ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates these concepts and addresses identified urban design issues.

*Permitted Interim Uses:* Existing Uses (OMB Case No. PL071246, Issue Date June 11, 2008, Z.-1-071680)

- h-122      *Purpose:* To assess the degree of impact that the access driveway will have on the adjacent woodland, identify potential mitigation measures and determine appropriate ecological compensation, an Environmental Impact Study will be completed to the satisfaction of the City of London prior to the removal of the “h-122” symbol.
- Permitted Interim Uses:* Existing uses. (Z.-1-081704 – OMB Case No. PL080351)
- h-123      *Purpose:* To ensure that the urban design concepts established through the Zoning amendment review process are implemented, a site plan will be approved and a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates these concepts and addresses identified urban design issues. (Z.-1-081704 – OMB Case No. PL080351)
- h-124      *Purpose:* To ensure that there is a consistent lotting pattern in this area, the “h-124” symbol shall not be deleted until the block has been consolidated with adjacent lands. (Z.-1-081703)
- h-125      *Purpose:* To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the “h-125” symbol.
- Permitted Interim Uses:* A maximum of 80 residential units (Z.-1-081786) (Z.-1-122078)
- h-126      *Purpose:* To ensure that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility. The "h-126" symbol shall not be deleted until the report has been accepted to the satisfaction of the General Manager of Planning and Development and City Engineer. (Z.-1-091860)
- h-127      *Purpose:* To ensure that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater

management facility. The "h-127" symbol shall not be deleted until the report has been accepted to the satisfaction of the General Manager of Planning and Development and City Engineer. (Z.-1-091861)

h-128 *Purpose:* To ensure that this parcel is developed in conjunction with abutting lands, to the satisfaction City of London, prior to removal of the "h-128" symbol. (Z.-1-091882)

h-129 *Purpose:* To ensure that this parcel is developed in conjunction with abutting lands, to the satisfaction City of London, prior to removal of the "h-129" symbol. (Z.-1-091883)

h-130 *Purpose:* To ensure adequate provision of municipal services and access are provided, the "h-130" shall not be lifted until municipal servicing and access are adequately addressed through future planning applications to the satisfaction of the General Manager of Planning and Development.

*Permitted Interim Uses:* Existing Uses.(Z.-1-091886)

h-131 *Purpose:* To ensure that flood proofing requirements are incorporated and/or that dry, safe access to the Regulatory Flood Elevation is achieved to the satisfaction of the Upper Thames River Conservation Authority. (Z.- 1-111989)

h-132 *Purpose:* To ensure that urban design objectives for the town centre and public square are addressed, a site plan will be approved and development agreement entered into which, to the satisfaction of the City Planner, incorporates the community design guidelines for the Old Victoria Area Plan. A requirement of the site plan submission will include an overall design concept plan, a design brief, and building elevations which details how the ultimate development will be designed and built in accordance with the community design guidelines.

*Permitted Interim Uses:* Existing Uses (Z.-1-112020)

h-133 *Purpose:* To ensure that the results of the Hydraulic Floodway Analysis are accepted to the satisfaction of the Upper Thames River Conservation Authority. (Z-1-112002)

h-134 *Purpose:* To ensure the orderly redevelopment of the site, the "h" symbol shall not be deleted and no development can occur beyond 47,120 square metres gross floor area until a comprehensive (re)development concept site plan and urban design brief are completed at the time of site plan review and a public site plan meeting is held.

*Permitted Interim Uses:* Permitted uses in stand-alone buildings, enclosed shopping centre format and/or non-enclosed shopping centre format totalling 47,120 square metres. (Z.-1-112017)

h-135 *Purpose:* To ensure the orderly development of the lands and the adequate provision of municipal services, the "h-135" symbol shall not be deleted until a development agreement is entered into and permits are issued by the Ministry of Transportation as required by the Public Transportation and Highway Improvement Act or any successor legislation.

*Permitted Uses:* Existing Uses. (Z.-1-081704 – OMB Case No. PL080351)

h-136 *Purpose:* to ensure the orderly development of the site the following items shall be addressed through site plan review and a development agreement be entered into by the owner/developer and the City of London:

a) Urban design objectives through the submission of an urban design brief and building elevations; and

b) Provision for joint access with the property to the east of the subject site. (Z.-1-122062)

h-137 *Purpose:* To ensure that urban design is addressed at site plan, a site plan will be approved and a development agreement will be entered into which incorporates the design objectives as identified in the Council resolution (Z.-1-122122)

h-138 *Purpose:* To ensure the orderly development of the lands the symbol shall not be deleted until sanitary and stormwater servicing reports have been prepared and confirmation that sanitary and stormwater management systems are implemented to the satisfaction of the City Engineer.(Z.-1- 132185)

h-139 *Purpose:* To ensure that adequate parking is provided, the "h-139" symbol shall not be deleted until an easement for parking and Vehicular ingress/egress is provided over 570 Gainsborough Road to the satisfaction of the City Engineer. (Z.-1-132206)

h-140 *Purpose:* To ensure the Owner undertakes a hydrogeotechnical evaluation and identify geotechnical conditions as well as all required erosion set back maintenance, erosion, structural, geotechnical setbacks, and ensure that all matters of slope stability are adequately engineered for the subject site in the above noted areas by the Professional Engineer, all to the satisfaction of the City

Engineer and the Upper Thames River Conservation Authority prior to removal of the "h-140" symbol. (Z.-1- 132208) (Z.-1-132209)

h-141 *Purpose:* To ensure the proposed stormwater management system servicing serving this subdivision is constructed and operational, the holding provision shall not be deleted until these works have been completed to the satisfaction of the City. (Z.-1-142250)

h-142 *Purpose:* To ensure that the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines, established through the Official Plan and Zoning amendment review process, are implemented, a development agreement shall be entered into which ensures that future development of these lands incorporates the concepts and urban design principles identified in the Master Plan and Urban Design Guidelines to the satisfaction of the Director, Land Use Planning and City Planner prior to the removal of the "h-142" symbol.

*Permitted Interim Uses:* Existing Uses (Z.-1-142261)

h-143 *Purpose:* To ensure the orderly development of the subject lands, the "h-143" symbol shall not be removed until a storm/drainage and stormwater management (SWM) servicing design report has been prepared and accepted for the subject lands to ensure that the that future development has the sufficient storm outlet and SWM servicing to the specifications and satisfaction of the City Engineer.

*Permitted Interim Uses:* Existing Uses (Z.-1-142261)

h-144 *Purpose:* To ensure the orderly development of the lands, the "h-144" shall not be deleted until a private on-site sanitary disposal system has been designed and can be implemented to the satisfaction of the Managing Director, Development and Compliance Services and Chief Building Official. (Z.-1-142288)

h-145 *Purpose:* To ensure the orderly development of lands and the adequate provision of municipal services, the "h-145" symbol shall not be deleted:

- i) Until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London;
- ii) Until the owner agrees to implement all noise attenuation and design mitigating measures as recommended in noise assessment reports, acceptable to the City of London; and

- iii) That urban design is addressed at site plan, a site plan will be approved and a development agreement will be entered into which, to the satisfaction of the City Planner, incorporates the design objectives as identified in the June 12, 2012 Council resolution. A requirement of the site plan submission will include an urban design brief and building elevations which detail how the objectives have been achieved.

*Permitted Interim Uses:* Existing Uses; automobile sales and service establishment permitted by the applicable zone within existing buildings. (Z.-1-142289)

h-146 *Purpose:* To ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines, the “h-146” shall not be deleted until urban design guidelines have been prepared and implemented through the subdivision agreement, to the satisfaction of the City of London.

*Permitted Interim Uses:* Existing Uses (Z.-1-142328)

h-147 *Purpose:* To ensure that development will not have any negative impacts on the groundwater in the area, with specific attention given to any negative impacts on existing wells, a Hydrogeological Study shall be prepared by a qualified professional and submitted to the City to evaluate the potential impact of the proposed development to area private wells and provide recommendations for monitoring post construction impacts and possible mitigation measures to the satisfaction of the City Engineer prior to the removal of the “h-147” symbol. Any recommendations contained therein shall be incorporated into the development agreement to the satisfaction of the City of London. (Z.-1-142350)

h-148 *Purpose:* The removal of the “h-148” shall not occur until such time as the as the alignment of the Hamlyn Street extension has been determined in accordance with the policies of Section 20.5.16.10 of the Southwest Area Secondary Plan and the Owner has entered into an agreement with the City of London, to the satisfaction of the City Engineer, to construct and convey Hamlyn Street. Schedule “C” may be amended to reflect the determined alignment of the proposed future road corridor without the need for an Official Plan amendment. (Z.-1-142352)

h-149 *Purpose:* To ensure the orderly development of the subject lands, the “h-149” symbol shall not be removed until the design of the proposed storm/drainage and SWM servicing works from the proposed development is completed in accordance Pincombe Drain

Strom Drainage, Stormwater Management and Drain Restoration Schedule "B" Municipal Class EA Summary Report (Stantec, 2013), City of London design and specifications, MOE requirements and guidelines all to satisfaction of the City Engineer, it being noted that any proposed works must be located outside the footprint of the future Pincombe No.4 SWM facility location as identified in the Municipal Class EA; or the regional Pincombe No.4 SWM facility is functional and operational. (Z.-1-142352)

- h-150 *Purpose:* To outline the extent to which development will be permitted and ensure that development will not have a negative impact on significant wildlife habitat, an agreement shall be entered into specifying appropriate development conditions and boundaries based on a Species at Risk Assessment prepared in accordance with the Endangered Species Act to the satisfaction of the Managing Director, Planning and City Planner prior to the removal of the "h-150" symbol. (Z.-1-142352)
- h-151 *Purpose:* In order to ensure that building setbacks and design elements on lands along Wonderland Road South are not impacted by the widening of Wonderland Road as identified through the results of the Wonderland Road Environmental Assessment, no development shall be approved within 28.5 metres of the centerline of Wonderland Road South and until such time as the Environmental Assessment (EA) Study of Wonderland Road South is approved and a further Zoning By-law Amendment is in full force and effect to reflect the ultimate right-of-way. (Z.-1-142352)
- h-152 *Purpose:* To ensure the size and configuration of lots and blocks is appropriate for the area and suitably serviced the "h-152" symbol shall not be deleted until after the Environmental Assessment for the Bostwick Road realignments has been completed and a subdivision agreement is entered into specifying conditions of development, to the satisfaction of Council. (Z.-1-152390)
- h-153 *Purpose:* To encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved consistent with the Southwest Area Secondary Plan. (Z.-1-152390)
- h-154 *Purpose:* To ensure that the works required to implement the Pottersburg Creek Storm Drainage, Flood Control and Remediation Works project are completed prior to any development on the site, the "h-154" symbol shall not be deleted until the "as-built" drawings for the required works are submitted and accepted to the

satisfaction of the Upper Thames River Conservation Authority and City Engineer. (Z.-1-152430)

- h-155 *Purpose:* To ensure that urban design is addressed at site plan, a development agreement shall be entered into that incorporates high quality urban design features that recognize the prominent gateway location of the site, including enhanced building and landscape design, screened service and loading areas, and building orientation and setbacks. The “h-155” symbol shall not be deleted until building elevations and site plan have been submitted that recognizes the prominent gateway location of the site, to the satisfaction of the City Planner. (Z.-1-152430)
- h-156 *Purpose:* To ensure that as much of the existing vegetation is retained, the holding provision will not be deleted until a tree preservation report and plan has been prepared by a qualified ecological consultant and is implemented to the satisfaction of City of London. (Z.-1-162440)
- h-157 *Purpose:* To ensure the orderly development of lands, the “h-157” symbol shall not be deleted until a development agreement associated with plan of subdivision provides for the dedication and construction of Gleeson Street to municipal standards, between Ashland Avenue and McCormick Boulevard, as proposed in the Concept Plan, attached as Schedule “1” of the amending by-law, as part of a future development proposal. (Z.-1-162440)
- h-158 *Purpose:* To encourage high quality urban design for the redevelopment of the former McCormick factory site, a development which, with minor Page 30 of 39 variations at the discretion of the Managing Director, Planning and City Planner, is consistent with the conceptual site plan attached as Schedule “1” to the amending by-law and with the Urban Design Guidelines, attached as Schedule “2” of the amending by-law, will be assessed during the site plan approval/review process and a development agreement is entered into with the City of London prior to the removal of the “h-158” symbol. (Z.-1-162440)
- h-159 *Purpose:* To ensure the orderly development of lands, the “h-159” symbol shall not be deleted until a Land Use Compatibility report associated with a site plan is undertaken which provides direction on how the proposed sensitive land uses can be appropriately designed, buffered and/or separated from the existing major facilities to prevent or mitigate potential adverse effects. (Z.-1-162440)

h-160 *Purpose:* To ensure that urban design objectives established through the subdivision review process are being met, a site plan shall be approved and a development agreement shall be entered into which ensures that future development of the lands is in keeping with the design principles and concepts identified in the West Five Urban Design Guidelines, and subject to further refinement through the subdivision Design Studies and/or Site Plan Approval process, to the satisfaction of the City of London prior to the removal of the “h-160” symbol.

*Permitted Interim Uses:* Existing Uses (Z.-1-162444)

h-161 *Purpose:* To encourage building orientation towards public streets and public spaces, a site plan shall be approved and a development agreement shall be entered into which ensures that future development of the lands complies with the urban design policies identified in the Riverbend South Secondary Plan, to the satisfaction of the City of London prior to the removal of the “h-161” symbol.

*Permitted Interim Uses:* Existing Uses (Z.-1-172539)

h-162 *Purpose:* To prevent or minimize possible adverse effects on sensitive land uses created by industrial properties an analysis of compatibility between industrial facilities (D6 Guidelines) shall be carried out by a qualified professional and submitted to the City and any recommendation contained therein for mitigation measures be undertaken to the satisfaction of the Site Plan Approval Authority, prior to the removal of the "h-162" symbol. ( Z.-1-172619)

h-163 *Purpose:* To ensure that development occurs in a safe manner, no new structures that would require municipal servicing shall be erected, or the use of the Wellington Pavilion Building be permitted until it is demonstrated to the City Engineer that the on-site water servicing meets current City standards, prior to the removal of the "h-163" symbol. (Z.-1-182662)

h-164 *Purpose:* To ensure that adequate provision of municipal water services, the “h-215” symbol shall not be deleted until it is demonstrated to the City Engineer that the on-site water servicing meets current City standards, prior to the removal of the "h-164" symbol.

*Permitted Interim Uses:* Conservation lands, Conservation works, Cultivation of land for agricultural/horticultural purposes, Greenhouses, Institutional uses, Managed forest, Office of a charitable non-profit organization and associated uses, Offices in

association with an institutional use, Outdoor farmers market, Playground, Passive recreational uses which include hiking trails and multi-use pathways, Private Schools, Recreational Buildings, Recreational buildings in association with conservation lands and public parks, Sports fields without structures, Wellness Centre. (Z.-1-182662)

h-165 *Purpose:* To ensure that there is no land-use conflict between existing industrial and future residential uses on these lands, the "h-165" symbol shall not be deleted and the lands shall not be developed for residential uses until a compatibility study has demonstrated that Ministry of the Environment and Climate Change D-6 Guidelines: Compatibility between Industrial Facilities and Sensitive Land Uses can be met, or mitigation measures provided, to the satisfaction of the City of London.

*Permitted Interim Uses:* any non-residential use permitted by the applicable zones. (Z.-1-182678)

h-166 *Purpose:* To ensure that residential development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-166" symbol.

*Permitted Interim Uses:* Residential Developments of 10 units or fewer. (Z.-1-182680 deleted and replaced by Z.-1-233100)

h-167 *Purpose:* To ensure archaeological matters are addressed, the owner/developer's consultant archaeologist licensed by the Ministry of Tourism, Cultural and Sport under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) shall prepare an archeological monitoring mitigation strategy to the satisfaction of the City of London, prior to the removal of the "h-167" symbol. (Z.-1-182697)

h-168 *Purpose:* To ensure that the built form is guided by a consistent design approach, Urban Design Guidelines shall be prepared for the High Density Residential designated lands within the Bostwick Neighbourhood, and adopted under Section 19.2.2 (Guideline Documents) of the Official Plan; with the input of the Urban Design Peer Review Panel and to the satisfaction of the City of London, to establish an overall design vision based on holistic and comprehensive consideration of all development sites within the master plan lands.

h-169 *Purpose:* To ensure that new development is designed and approved consistent with the Urban Design Guidelines prepared for the High Density Residential designated lands within the Bostwick Neighbourhood, the site plan, building elevations, and landscape plan will be assessed for compliance with the approved Urban Design Guidelines during the site plan approval review process; and a development agreement entered into to the satisfaction of the City of London prior to the removal of the “h-169” symbol.

*Permitted Interim Uses:* Existing uses (Z.-1-182711)

h-170 *Purpose:* To ensure that development will not have a negative impact on the hydrology and hydrogeology or on the natural heritage system including the abutting wetland and woodland features, an Environmental Impact Study, a Water Balance Study and a Hydrogeological Study and a Stormwater Management Study shall be prepared and accepted to the satisfaction of the UTRCA and the City of London, prior to removal of the "h-170" symbol.

*Permitted Interim Uses:* Existing uses (Z.-1-182711)

h-171 *Purpose:* To determine the extent to which development will be permitted and ensure that development will not have a negative impact on the hydrology and hydrogeology or on the natural heritage system including the abutting wetland and woodland features, an Environmental Impact Study, a Water Balance Study and a Hydrogeological Study and a Stormwater Management Study shall be prepared and accepted to the satisfaction of the UTRCA and the City of London, prior to removal of the "h-171" symbol.

*Permitted Interim Uses:* Existing uses (Z.-1-182712)

h-172 *Purpose:* The proponent shall retain an archaeologist, licensed by the Ministry of Tourism, Culture and Sport under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out a Stage 1 (or Stage 1-2) archaeological assessment of the entire property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found (Stages 3-4). The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists, Ministry of Tourism, Culture and Sport. All archaeological assessment reports, in both hard copy format and as a PDF, will be submitted to the City of London once the Ministry of Tourism, Culture and Sport has accepted them into the Public Registry. Significant archaeological resources will be incorporated into the proposed development through either in situ

preservation or interpretation where feasible, or may be commemorated and interpreted through exhibition development on site including, but not limited to, commemorative plaquing. No demolition, construction, or grading or other soil disturbance shall take place on the subject property prior to the City's Planning Services receiving the Ministry of Tourism, Culture and Sport compliance letter indicating that all archaeological licensing and technical review requirements have been satisfied.

*Permitted Interim Uses:* uses within the existing building where no soil disturbance takes place. (By-law Z.-1-192722 – LPAT Order PL190015)

h-173 *Purpose:* To ensure there is adequate water service and appropriate access, the Regiment Road public access to Southdale Road West must be available to the satisfaction of the Deputy City Manager, Environment and Infrastructure or designate, prior to the removal of the "h-173" symbol. (Z.-1-222980)

h-174 3207 Woodhull Road

*Purpose:* to determine the extent to which development will be permitted and ensure that development will not have a negative impact on relevant components of the Natural Heritage System, an agreement shall be entered into specifying appropriate development conditions and boundaries, based on a Subject Lands Status Report and/or Environmental Impact Study, Hydrogeological Report/Water Balance, and Geotechnical Report that have been prepared to the satisfaction of the City of London and/or the Upper Thames River Conservation Authority, as applicable, prior to the removal of the "h-174" symbol.

*Permitted Interim Uses:* Uses permitted in the AG2 Zone (Z.-1-223001)

h-175 *Purpose:* To ensure there are no land use conflicts between the Canadian Pacific Rail corridor and the proposed residential and/or sensitive uses, mitigation measures for safety from possible derailments are required, that effectively integrate into the urban design and heritage resources, as acceptable to the City of London.

*Permitted Interim Uses:* Existing uses within existing buildings (Z.-1-223039)

h-176 537 Crestwood Drive

*Purpose:* To ensure there will be no conflicts between the existing

aggregate resource extraction use and the proposed residential uses, the “h-176” symbol shall not be deleted until a geotechnical/slope stability study is prepared which confirms the Erosion Hazard Limit and addresses potential erosion hazards based on the proposed development, layout and site grading, to the satisfaction of the City of London, the report shall be submitted only at such time as all active pit licenses have been surrendered and a rehabilitation plan and site restoration plan have been completed for the adjacent aggregate resource extraction area. (Z.-1-223033)

h-177

258 Richmond Street

*Purpose:* To prevent or minimize possible adverse effects on sensitive land uses created by the Canadian Nation Railway (Main Line), a noise analysis shall be carried out at the time of a change of use permit by a qualified professional and submitted to the City. Any recommendations contained therein for mitigation measures shall be implemented to the satisfaction of the Site Plan Approval Authority, prior to the removal of the "h-177" symbol.

*Permitted Interim Uses:* Uses permitted in the BDC Zone other than residential (Z.-1-223034)

h-178

689 Oxford Street West

*Purpose:* to ensure the parking garage adjacent to the Canadian National (CN) Railway main line is designed to a crash wall standard, including structural drawings with details of reinforcing. The crash wall designs must be to the satisfaction of the Deputy City Manager, Planning and Development or designate prior to development of the lands and removal of the “h-178” symbol. (Z.-1-223042 – OLT-22-004282).

h-179

*Purpose:* To ensure that all issues regarding hydrogeology, erosion setback maintenance, erosion structural, geotechnical setbacks and all matters relating to slope stability will be dealt with through the site plan approval process to the satisfaction of the City of London and the Upper Thames Conservation Authority (UTRCA) prior to the removal of the “h-179” symbol. (Z.-1-223053)

h-180

*Purpose:* To ensure there are no land use conflicts between the rail line and the proposed residential uses, the “h-180” shall not be deleted until the owner agrees to implement all noise and vibration attenuation measures, recommended in the noise assessment report acceptable to the City of London. (Z.-1-223066)

h-181

1140 Fanshawe Park Road East

*Purpose:* The removal of the “h-181” symbol shall not occur until such a time as the Owner has provided direct pedestrian connectivity from Devos Drive to Sunningdale Road East, to the satisfaction of the City. The centreline of the pedestrian connection shall not be located more than 15.0 metres from the centreline of Devos Drive. (Z.-1-233132 – OLT Enacted OLT-22-004106)

h-182 *Purpose:* To ensure vehicular and pedestrian access and storm servicing is provided, the removal of the “h-182” shall not occur until such time as appropriate easements and a joint use and maintenance agreement with 349 Southdale Road East are in place, MECP approval for shared services is obtained, and an approved amendment to the Development Agreement for 349 Southdale Road East is in place to incorporate works proposed by subject site, all to the satisfaction of the City Engineer. (Z.-1-233134)

h-183 *Purpose:* To ensure sanitary servicing is provided, the removal of the “h-183” shall not occur until such time as appropriate easements and a joint use and maintenance agreement with 349 Southdale Road East are in place, MECP approval for shared services is obtained, and an approved amendment to the Development Agreement for 349 Southdale Road East is in place to incorporate works proposed by subject site, all to the satisfaction of the City Engineer. Alternatively, the removal of the “h-183” shall not occur until a servicing strategy is provided demonstrating services can be provided solely on the subject lands, to the satisfaction of the City Engineer. (Z.-1-233134)

h-184 *Purpose:* To ensure that development is not adversely impacted by noise, a Noise Study shall be undertaken and an agreement shall be registered on title to ensure any attenuation measures are incorporated into the design of the development and any warning clauses are included in tenancy agreements, as recommended by the Noise Study, to the satisfaction of the City Engineer prior to the removal of the "h-184" symbol. (Z.-1-233134)

h-185 *Purpose:* To ensure the adequate provision of municipal services, the holding provision shall not be removed until such time as there is an accepted water strategy and adequate capacity available. (Z.-1-233148)

h-186 3317 White Oak Road

*Purpose:* To ensure development on these lands at 3317 White Oak Road stays within the allotted population (404p) and peak flow amount (4.54L/s), to mitigate against known basement flooding

issues downstream of the site along Jalna Blvd. The “h-186” symbol shall not be removed until sanitary reports have been prepared and confirmation the sanitary system is implemented to the satisfaction of the City Engineer. (Z.-1-233153)

h-187 3317 White Oak Road

*Purpose:* To ensure that the proposed development does not negatively impact nearby sensitive uses, a noise study shall be undertaken, and any identified mitigative measures be incorporated into the development. The “h-187” symbol shall not be removed until such time as a development agreement is entered into which incorporates the recommended mitigative measures from an approved noise study. (Z.-1-233153)

h-188 *Purpose:* To ensure the adequate provision of municipal services, the holding provision shall not be removed until such time as there is an accepted water strategy and adequate capacity available. (Z.-1-243168)

h-189 *Purpose:* To ensure the orderly development of lands, a masterplan shall be prepared to the satisfaction of the City, to provide an organizational structure that establishes: pedestrian connections, vehicular connections, development parcels, landscaping and amenity areas.

*Permitted Uses:* Existing Uses  
(Z.-1-243189 – OLT-23-000367)

h-190 3010-3050 Yorkville Street

*Purpose:* To ensure the implementation of the Bonus (B-57) Zone, the “h-190” symbol shall not be deleted until the required security has been provided and the existing bonus agreement has been updated, to the satisfaction of the City.

*Permitted Interim Uses:* Existing uses  
(Z.-1-243199)

h-191 *Purpose:* To ensure that development will not have negative impacts on cultural heritage resources on, and adjacent to the subject property, and to ensure the long-term conservation of these resources, the following shall be prepared and accepted to the satisfaction of the City of London, prior to the removal of the “h-228” symbol:

- i) An Arborist Report – from a certified arborist and landscape architect – which will include a detailed assessment of

- existing vegetation on the Eldon House grounds, Harris Park and other adjacent properties, and make recommendations to protect significant vegetation and minimize potential impacts during preconstruction, construction and post-construction activities, as well as recommendations to minimize long term impacts (i.e. shadowing, micro-climate changes) due to development on the subject property;
- ii) A Building Condition Assessment – from a licensed architect and professional structural engineer with experience with heritage buildings – which will include a comprehensive assessment of the current condition (including a structural evaluation) of cultural heritage resources on and adjacent to the subject property, along with identification of potential construction impacts and proposed mitigation measures;
  - iii) A Conservation Plan – from a qualified member of the Canadian Association of Heritage Professionals (CAHP) – which will include a strategy for the management and conservation of cultural heritage resources on the subject property along with a detailed plan related to their retention, restoration (exterior and interior attributes), future use and integration in the new development, as well plans for buffering and protection during construction; and
  - iv) A Vibration Study – from a professional engineer – to determine the levels of vibration that are acceptable to avoid negative impacts during construction, and establish benchmark levels, and include the development of an inspection, monitoring and implementation plan, along with proposed mitigation measures.

*Permitted Interim Uses:* All permitted uses within the existing buildings. (Z.-1-212942)

h-192 *Purpose:* To ensure there are no land use conflicts between the rail line and the proposed residential and/or sensitive uses, mitigation measures for safety from possible derailments are required, that effectively integrate into the urban design and heritage resources, as acceptable to the City of London.

*Permitted Interim Uses:* Existing uses within existing buildings.

h-193 *Purpose:* To ensure the ecological replacement of natural heritage features, the “h-193” symbol shall not be deleted until an Ecological Replacement and Compensation Plan has been reviewed and accepted by the City that demonstrates the replacement of the ecosystem features and functions to be removed in a manner that enhances the Natural Heritage System on at least a one-to-one land area basis and is implemented to the satisfaction of the City.

- h-194      *Purpose:* To ensure there are no land use conflicts between the proposed sensitive land uses and arterial roads, rail lines, and/or existing land uses, the “h-194” shall not be deleted until the owner agrees to implement all noise and vibration attenuation measures, recommended in noise and vibration assessment reports acceptable to the City of London.
- h-195      *Purpose:* To ensure the Owner/Developer can demonstrate the existing municipal water system is adequate to support the proposed development and if fire flows required are larger than what is identified in Dillons revised report, it would be a responsibility of the developer to upsize any municipal watermain(s) necessary to meet the fire flow demands required for that development, all to the specifications and satisfaction of the City. (Z.-1- 223068 – OLT-22-004698)
- h-196      *Purpose:* To encourage street orientated development for the two medium density blocks, the Owner shall prepare a concept plan to demonstrate how the front façade of the buildings can be oriented towards public streets, parks and open spaces, which will be executed by a future development agreement for Blocks 2 and 3 prior to the removal of the “h-196” symbol. (Z.-1-223068 – OLT-22-004698)
- h-197      *Purpose:* To ensure that access easements benefiting adjacent landowners be provided to protect the abutting landowners’ access to the rear yards of the units, which will be executed by a future development agreement for Block 4 prior to the removal of the “h-197” symbol. (Z.-1- 223068 – OLT-22-004698)

2. Schedule “A” to By-law No. Z.-1 is amended by revising holding provisions applied to certain properties as shown on the attached maps, comprising parts of Key Map No. 101 to 120.
3. This Amendment shall come into effect in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on December 17, 2024, subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – December 17, 2024  
Second Reading – December 17, 2024  
Third Reading – December 17, 2024