

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee

**From:** George Kotsifas, P.Eng.  
Managing Director, Development & Compliance Services and  
Chief Building Official

**Subject:** Application By: Whiterock Village Inc.  
3112 Petty Road formerly 3087 White Oak Road  
Removal of Holding Provisions (h, h-100, h-161 & h-227)

**Meeting on:** March 29, 2021

## Recommendation

That, on the recommendation of the Director, Development Services, based on the application of Whiterock Village Inc. relating to the property located at 3112 Petty Road the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on April 13, 2021 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 3112 Petty Road (formally known as 3087 White Oak Road) **FROM** a Holding Residential R6 Special Provision (h\*h-71\*h-100\*h-161\*h-227\*R6-5(58)) Zone, **TO** a Residential R6 Special Provision (R6-5(58))Zone to remove the h, h-71, h-100, h-161 and h-227 holding provisions.

## Executive Summary

### Summary of Request

The applicant has requested the removal of the h, h-71, h-100, h-161 and h-227 holding provisions from 3112 Petty Road, which are in place to ensure the vacant land condominium is developed in accordance with the approved development agreement and that there is adequate provisions for municipal services for the 47 Vacant Land Condominium units.

### Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h, h-71, h-100, h-161 and h-227 holding symbols to permit the development of 47 Vacant Land Condominium units.

### Rationale of Recommended Action

1. The conditions for removing the holding (h, h-71, h-100, h-161 and h-227) provisions have been met and the recommended amendment will allow development of 47 Vacant Land Condominium units in compliance with Zoning By-law Z.-1.
2. Through the subdivision approval process, the required security has been submitted to the City of London, the execution of the subdivision agreement is imminent, servicing and access arrangement are in place and the h, h-71, h-100, h-161 and h-227 holding provisions are no longer required.

## Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

**May 12, 2003** – Planning Committee – Application by City of London – North Longwoods Area Plan – relating to lands bounded by Southdale Road E, Wharncliffe Road S, White Oak Road and Bradley Avenue extension (O-6424).

**April 26, 2010** - Planning and Environment Committee – The Southwest London Area Plan (SWAP) - to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road (O-7609).

**June 4, 2019** - Planning and Environment Committee – Whiterock Village Inc. regarding the property located at 3087 White Oak Road – Application for Approval of Draft Plan of Subdivision, Zoning By-law Amendments (39T-18505/Z-8980).

**February 8, 2021** - Planning and Environment Committee – Whiterock Village Inc. regarding the property located at 3112 Petty Road formerly 3087 White Oak Road – Application for Approval of Draft Plan of Vacant Land Condominium (39CD-20511).

#### 1.2 Planning History

On December 20, 2020, the City of London Approval Authority granted final approval for the subject lands and the subdivision was registered as Plan 33M-795 on December 23, 2020. The approved plan consists of 72 single detached lots and two (2) multi-family, medium density blocks, all located off of the extension of Bateman Trail, Petty Road, Biddulph Street and Lemieux Walk.

Site plan approval along with the removal of holding provision applications were submitted in June and October of 2020 to accommodate the proposed cluster townhouse development. A Vacant Land of Condominium application (39CD-20511) was filed with the City on September 21, 2020. The requested site plan and removal of holding provision applications are now running in parallel with the Vacant Land Condominium application.

#### 1.3 Property Description

The subject site is addressed as 3112 Petty Road, which is generally located south of Southdale Road and east of White Oak Road. The site has a mix of medium density residential and commercial uses located to the west and north, existing estate residential to the west, future medium density residential to the east, and future low density residential to the south. The proposal consists of one (1) medium density residential block within a plan of subdivision (Block 73, Plan 33M-795). The vacant site is approximately 0.918 ha (2.27 ac) in size. The site has full access to municipal services and is located in an area which is planned for future growth.

#### 1.4 Current Planning Information (see more detail in Appendix C)

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Holding Residential R6 Special Provision (h\*h-71\*h-100\*h-161\*h-227\*R6-5(58)).

#### 1.5 Site Characteristics

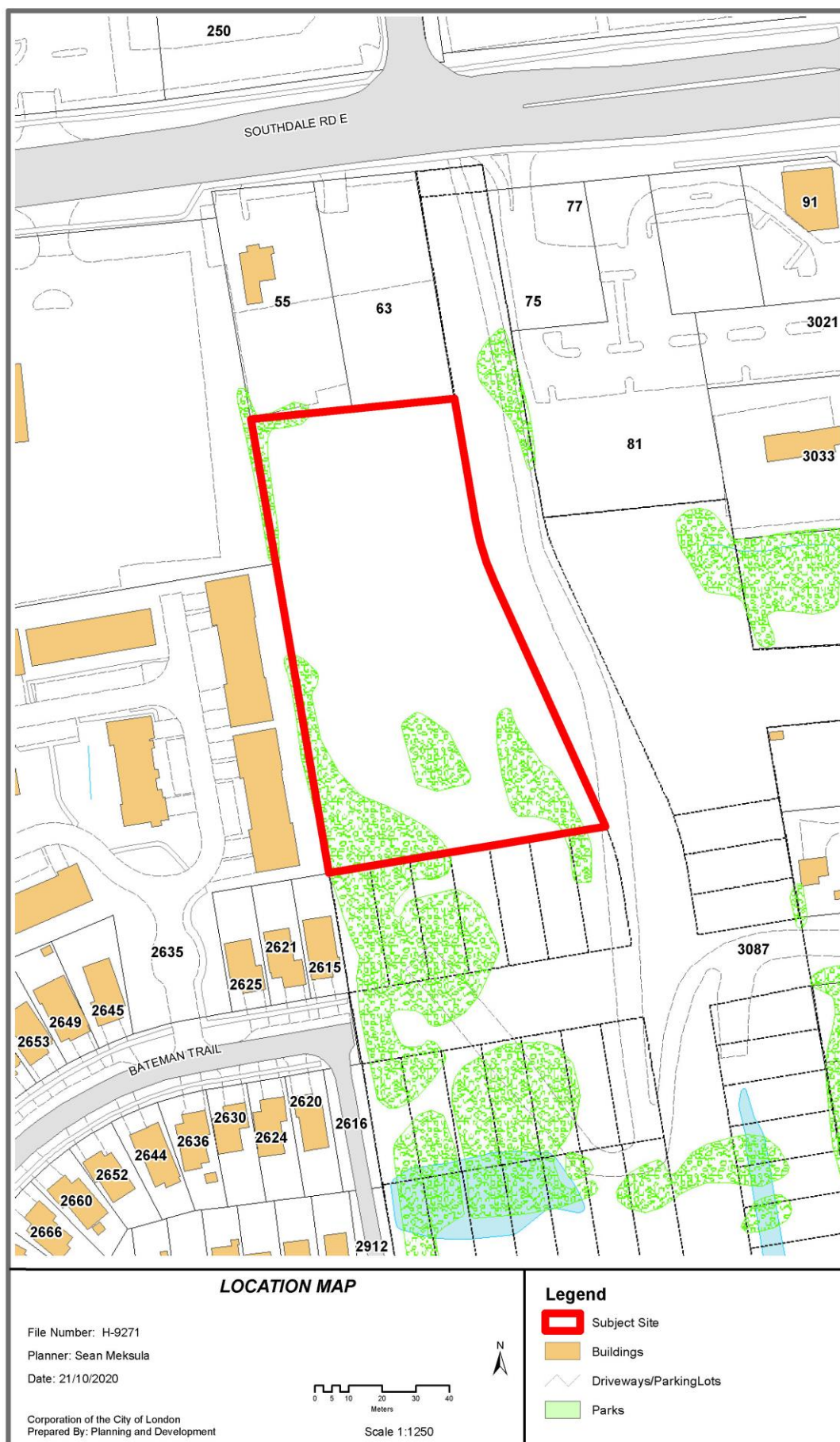
- Current Land Use – Vacant
- Frontage – 90.4 metres
- Depth – Varies
- Area – 0.918 hectares

- Shape – Rectangular

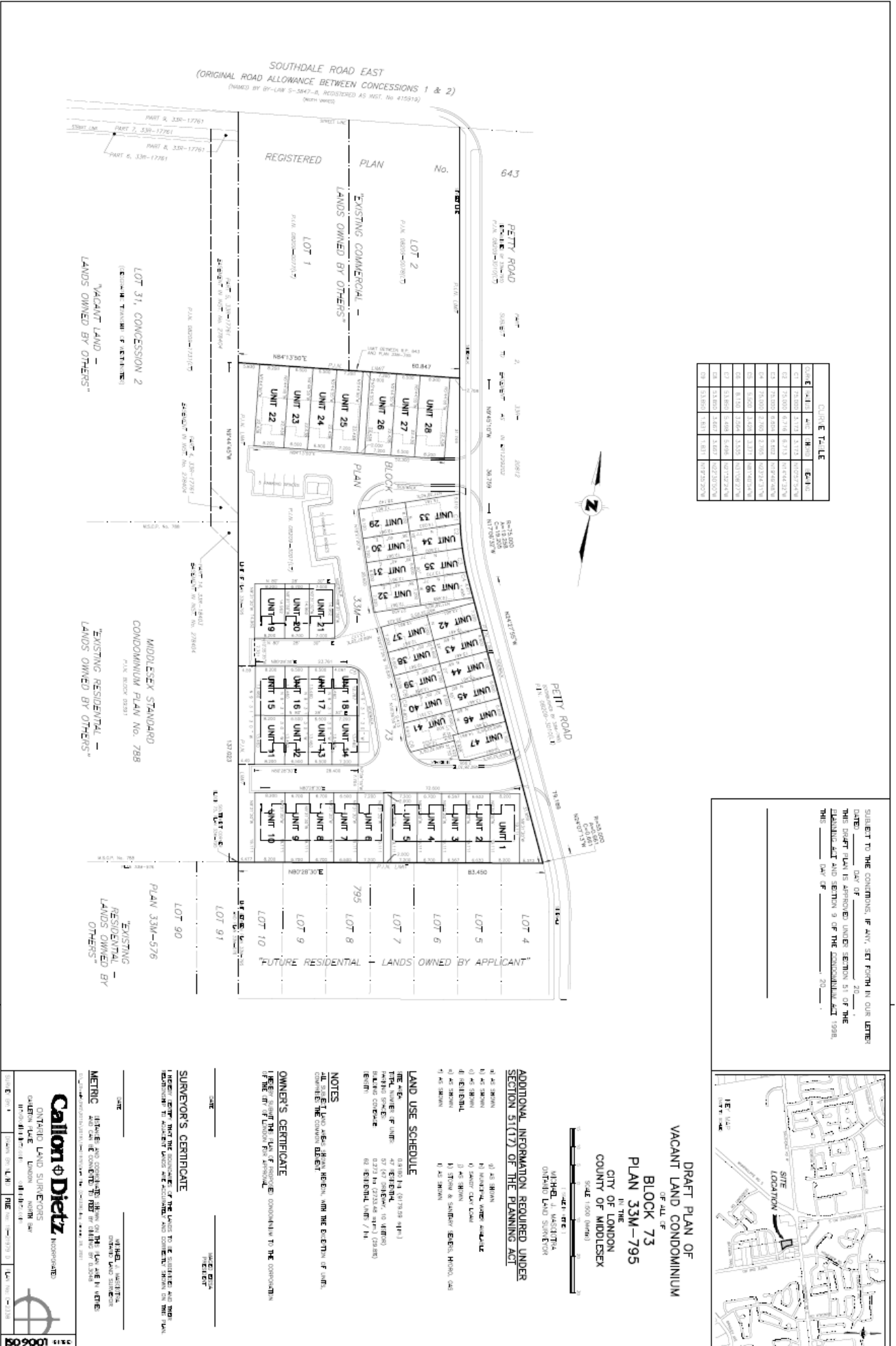
### 1.6 Surrounding Land Uses

- North – existing commercial (car dealership)
- East – future multiple-attached dwellings site
- South – future single detached dwellings
- West – existing multiple-attached dwellings and commercial (car dealership)

### 1.7 Location Map



1.8 Draft Plan of Condominium 39CD-20511



**QUAKE TABLE**

NO.	DATE	DESCRIPTION
1	1998	REGISTERED
2	1998	REGISTERED
3	1998	REGISTERED
4	1998	REGISTERED
5	1998	REGISTERED
6	1998	REGISTERED
7	1998	REGISTERED
8	1998	REGISTERED
9	1998	REGISTERED
10	1998	REGISTERED
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36	1998	REGISTERED
37	1998	REGISTERED
38	1998	REGISTERED
39	1998	REGISTERED
40	1998	REGISTERED
41	1998	REGISTERED
42	1998	REGISTERED
43	1998	REGISTERED
44	1998	REGISTERED
45	1998	REGISTERED
46	1998	REGISTERED
47	1998	REGISTERED

SUBJECT TO THE CONDITIONS, IF ANY, SET FORTH IN OUR LETTER DATED \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_, THE DRAFT PLAN IS APPROVED UNDER SECTION 51 OF THE PLANNING ACT AND SECTION 9 OF THE CONDOMINIUM ACT 1998. THIS DRAFT PLAN IS APPROVED BY \_\_\_\_\_ 20\_\_\_\_.



**DRAFT PLAN OF VACANT LAND CONDOMINIUM**  
OF ALL OF  
**BLOCK 73**  
**PLAN 33M-795**  
IN THE  
CITY OF LONDON  
COUNTY OF MIDDLESEX  
SCALE: 1:500 (partial)

**ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(7) OF THE PLANNING ACT**

- a) AS SHOWN
- b) AS SHOWN
- c) AS SHOWN
- d) AS SHOWN
- e) AS SHOWN
- f) AS SHOWN
- g) AS SHOWN
- h) AS SHOWN
- i) AS SHOWN
- j) AS SHOWN
- k) AS SHOWN
- l) AS SHOWN
- m) AS SHOWN
- n) AS SHOWN
- o) AS SHOWN
- p) AS SHOWN
- q) AS SHOWN
- r) AS SHOWN
- s) AS SHOWN
- t) AS SHOWN
- u) AS SHOWN
- v) AS SHOWN
- w) AS SHOWN
- x) AS SHOWN
- y) AS SHOWN
- z) AS SHOWN

**LAND USE SCHEDULE**

RESIDENTIAL - SINGLE DETACHED DWELLING UNITS (R1)

RESIDENTIAL - TOWNHOUSES (R2)

RESIDENTIAL - APARTMENTS (R3)

RESIDENTIAL - CONDOMINIUMS (R4)

RESIDENTIAL - MULTIFAMILY DWELLING UNITS (R5)

RESIDENTIAL - CARE HOMES (R6)

RESIDENTIAL - SENIORS HOUSING (R7)

RESIDENTIAL - TRANSITIONAL HOUSING (R8)

RESIDENTIAL - SUPPORTIVE HOUSING (R9)

RESIDENTIAL - AFFORDABLE HOUSING (R10)

RESIDENTIAL - SPECIAL PURPOSE HOUSING (R11)

RESIDENTIAL - OTHER (R12)

**NOTES**

1. ALL DIMENSIONS ARE IN METERS, UNLESS OTHERWISE SPECIFIED.

2. THE DRAFT PLAN IS APPROVED SUBJECT TO THE CONDITIONS SET FORTH IN OUR LETTER DATED \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

3. THE DRAFT PLAN IS APPROVED UNDER SECTION 51 OF THE PLANNING ACT AND SECTION 9 OF THE CONDOMINIUM ACT 1998.

4. THE DRAFT PLAN IS APPROVED BY \_\_\_\_\_ 20\_\_\_\_.

**OWNER'S CERTIFICATE**

I HEREBY CERTIFY THAT THE PLAN IS APPROVED BY THE CITY OF LONDON AND THE COUNTY OF MIDDLESEX AND THAT I HAVE RECEIVED THE NECESSARY APPROVALS FROM THE CITY OF LONDON AND THE COUNTY OF MIDDLESEX.

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_ 20\_\_\_\_

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS DRAFT PLAN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT I HAVE CONDUCTED A REASONABLE INVESTIGATION INTO THE MATTERS REFERRED TO IN THIS DRAFT PLAN.

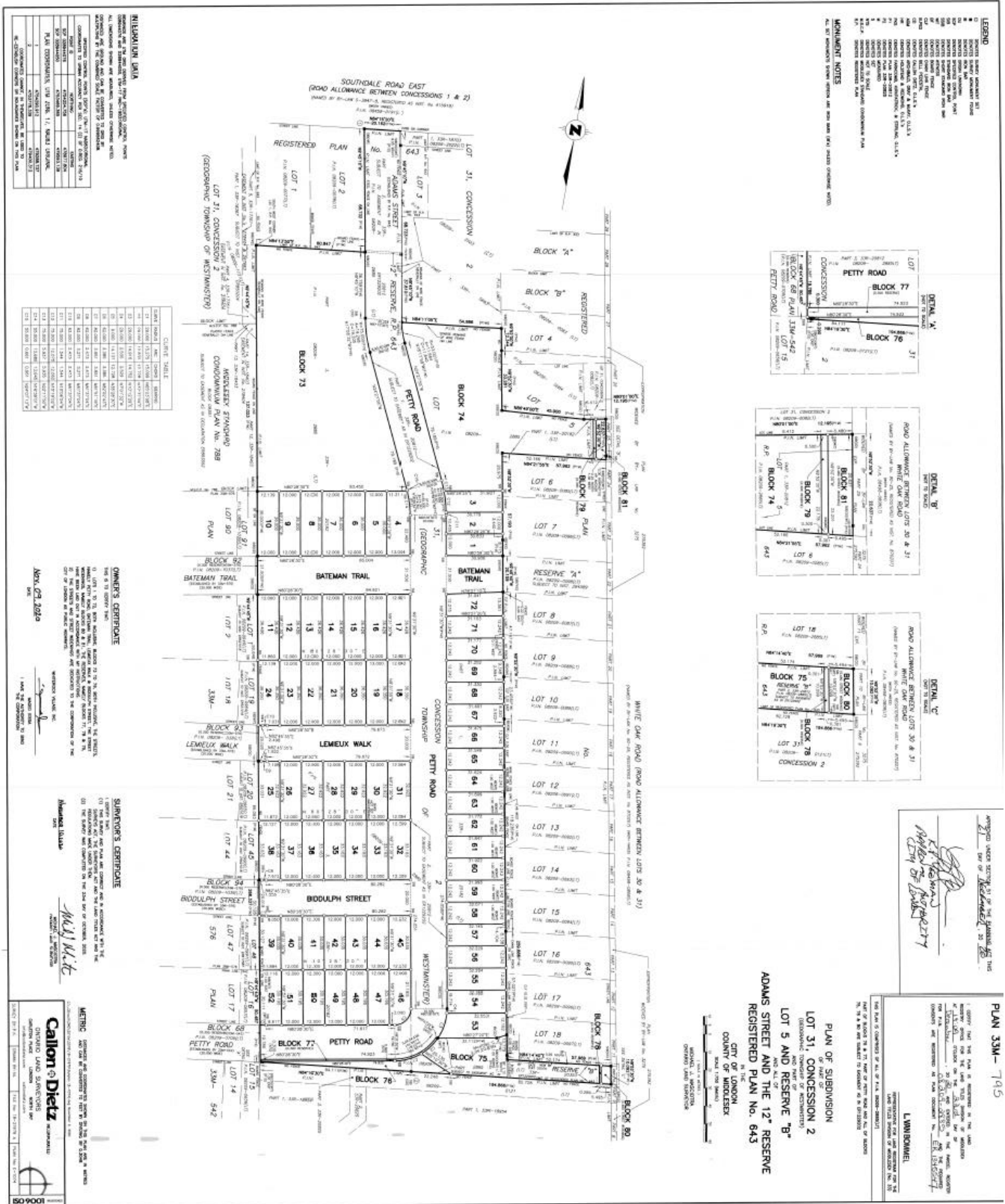
SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_ 20\_\_\_\_

**Callion & Dietz Incorporated**  
ONTARIO LAND SURVEYORS  
CHRYSTIE PLACE, LONDON, ONTARIO, CANADA  
PHONE: 519-833-1111  
FAX: 519-833-1112  
WWW.CALLIONANDDIETZ.COM



1.9 Registered Plan of Subdivision 33M-795



2.0 Discussion and Considerations

The proposed application is to remove the h, h-71, h-100, h-161 and h-227 holding provisions from the subject lands. These holding provision were included in the zone to ensure:

1. there is orderly development of land;
2. there are provisions for municipal services including water, sanitary and storm along with appropriate access; and
3. a development agreement is entered into to the satisfaction of the City.

The removal of the h, h-71, h-100, h-161 and h-227 holding provisions will allow for the construction of 47 Vacant Land Condominium units.

### **3.0 Financial Impact/Considerations**

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

### **4.0 Key Issues and Considerations**

#### **Why is it Appropriate to remove this Holding Provision?**

The h holding provision states that:

*“To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.”*

The special provisions have been endorsed by Council, the owner has provided the necessary security and has executed the subdivision agreement. This satisfies the requirement for removal of the “h” holding provision.

#### **h-71 Holding Provision**

The (h-71) holding provision states that:

*“To encourage street orientation development, the Owner shall prepare a building orientation plan which demonstrates how the front façade of the dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved), acceptable to the General Manager of Planning and Development. The recommended building orientation will be incorporated into the approved site plan and executed development agreement prior to the removal of the “h-71” symbol.”*

An application for Site Plan Approval has been submitted by Whiterock Village Inc. (SPA20-044). The proposed development consists of 47 townhouse dwellings arranged in clusters of units attached side-by-side, as well as several units attached back-to-back. The building orientation plan demonstrates front facades of dwelling units oriented to the abutting street, Petty Road.

As part of the site plan review process, the plans and building elevations were reviewed for compliance with the City’s Placemaking Guidelines and with the Southwest Area Plan Design Guidelines. The plans have now been accepted, a draft Development Agreement has been prepared that is acceptable, and securities have been received. Development Services staff are satisfied that the “h-71” symbol can be lifted from the zoning.

#### **h-100 Holding Provision**

The (h-100) holding provision states that:

*“To ensure there is adequate water services and appropriate access, no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.”*

The subdivision servicing drawings were previously reviewed and accepted by the City. Whiterock Village Inc. has constructed the looped water system and has received clearance from Environmental and Engineering Services. A second public access through Southdale Road to Petty Road is also available. This satisfies the requirement for removal of the “h-100” holding provision.

### **h-161 Holding Provision**

The (h-161) holding provision states that:

*“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.”*

The conditional clearance of the Plan of Subdivision and Subdivision Agreement is forthcoming. The services have been constructed per the approved plans, inspected and videoed to the City’s satisfaction. Engineering drawings have been submitted and accepted by the City demonstrating how stormwater management system servicing this subdivision will be accommodated on the site. All the requirements for the removal of the “h-161” holding provision has been accepted to the satisfaction of the City.

### **h-227 Holding Provision**

The (h-227) holding provision states that:

*“Ensures the orderly development of land and the adequate provision of municipal services, the “h-\_\_” symbol shall not be deleted until the sanitary forcemain has been relocated to the future municipal right-of-ways, all to the satisfaction of the City Engineer.”*

The new municipal sanitary forcemain has been constructed in accordance with the approved plans. The requirements for the removal of the “h-227” holding provision has been accepted to the satisfaction of the City Engineer.

More information and detail about public feedback and zoning is available in Appendix B & C.

## **Conclusion**

It is appropriate to remove the “h, h-71, h-100, h-161 and h-227” holding provisions from the subject lands at this time as a second public road access and water looping has been provided and the required security has been submitted to the City of London. The sanitary forcemain has been relocated to the future municipal right-of-way. The requirements of the holding provisions has been satisfied and the removal of the holding provisions is appropriate and recommended to Council for approval.

**Prepared by:** Sean Meksula, MCIP, RPP  
Senior Planner, Development Services

**Recommended by:** Paul Yeoman, RPP, PLE  
Director, Development Services

**Submitted by:** George Kotsifas, P. Eng.  
Managing Director, Development and Compliance  
Services and Chief Building Official

cc: Matt Feldberg, Manager, Development Services (Subdivisions)  
cc: Bruce Page, Manager, Development Services (Subdivisions)  
cc: Peter Kavcic, Manager, Development Services (Subdivisions)  
cc: Michael Pease, Manager, Development Services (Site Plan)

SM/sm

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2020\H-9271 - 3087 White Oak Road (Block 73) (SM)\PEC\DRAFT\_H-9271 - 3087 White Oak Road (Block 73)\_SM1.docx

## Appendix A

Bill No. (Number to be inserted by Clerk's Office)  
2020

By-law No. Z.-1-\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3112 Petty Road.

WHEREAS Whiterock Village Inc. have applied to remove the holding provisions from the zoning for the lands located at 3112 Petty Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said land;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 3112 Petty Road, as shown on the attached map comprising part of Key Map No. 111, to remove the h, h-71, h-100, h-161 and h-227 holding provisions so that the zoning of the lands as a Residential R6 Special Provision R6-5(58) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on April 13, 2021.

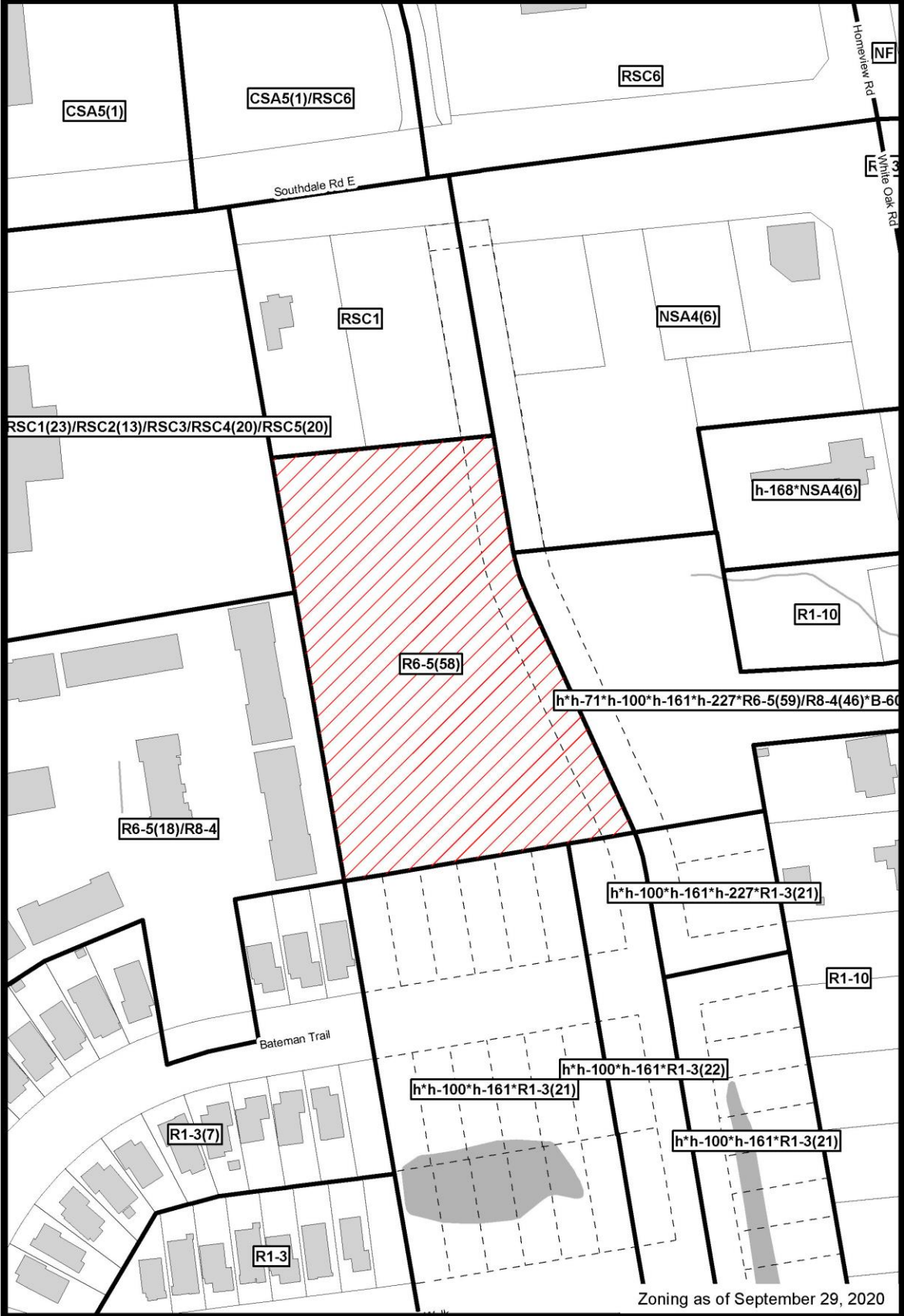
Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading - April 13, 2021  
Second Reading – April 13, 2021  
Third Reading - April 13, 2021



AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: H-9271  
Planner: SM  
Date Prepared: 2020/10/21  
Technician: RC  
By-Law No: Z.-1-

**SUBJECT SITE** 

1:1,500

0 5 10 20 30 40  
Meters



## Appendix B – Public Engagement

### Community Engagement

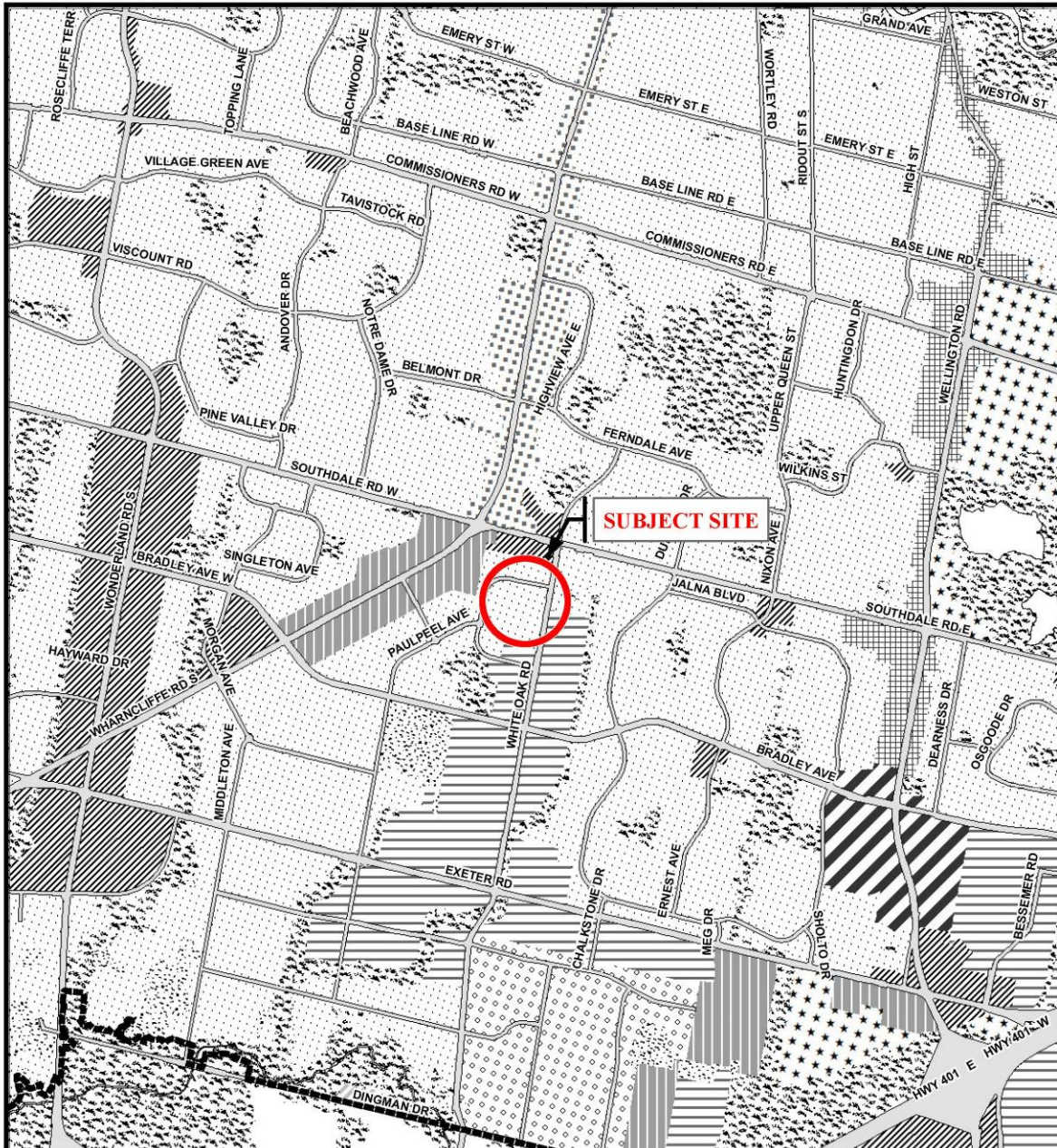
**Public liaison:** Notice of the application was published in the Londoner on October 29, 2020

0 replies were received

**Nature of Liaison:** City Council intends to consider removing the h”, h-71, “h-100”, “h-161” & “h-227”, Holding Provision’s from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbols to permit the future residential development of the subject lands. The removal of the holding provision(s) is contingent on: the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. The purpose of the “h-71” is to encourage street orientation development, the Owner shall prepare a building orientation plan which demonstrates how the front façade of the dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved), acceptable to the General Manager of Planning and Development. The recommended building orientation will be incorporated into the approved site plan and executed development agreement prior to the removal of the “h-71” symbol. The purpose of the “h-100” provision is 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-100 symbol. The purpose of the “h-161” provision ensures 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. The “h-227” symbol ensures the orderly development of land and the adequate provision of municipal services, the “h-\_\_” symbol shall not be deleted until the sanitary forcemain has been relocated to the future municipal right-of-ways, all to the satisfaction of the City Engineer. Council will consider removing the holding provisions as it applies to these lands no earlier than August 10, 2020.

**Appendix C – Relevant Background**

**London Plan Excerpt**



**Legend**

- |                        |                          |   |
|------------------------|--------------------------|---|
| Downtown               | Future Community Growth  | Environmental Review                    |
| Transit Village        | Heavy Industrial         | Farmland                                |
| Shopping Area          | Light Industrial         | Rural Neighbourhood                     |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor         | Commercial Industrial    | Urban Growth Boundary                   |
| Main Street            | Institutional            |   |
| Neighbourhood          | Green Space              |   |

*This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.*

*At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.*

**CITY OF LONDON**

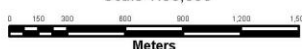
Planning Services /  
Development Services

**LONDON PLAN MAP 1  
- PLACE TYPES -**

PREPARED BY: Planning Services



Scale 1:30,000



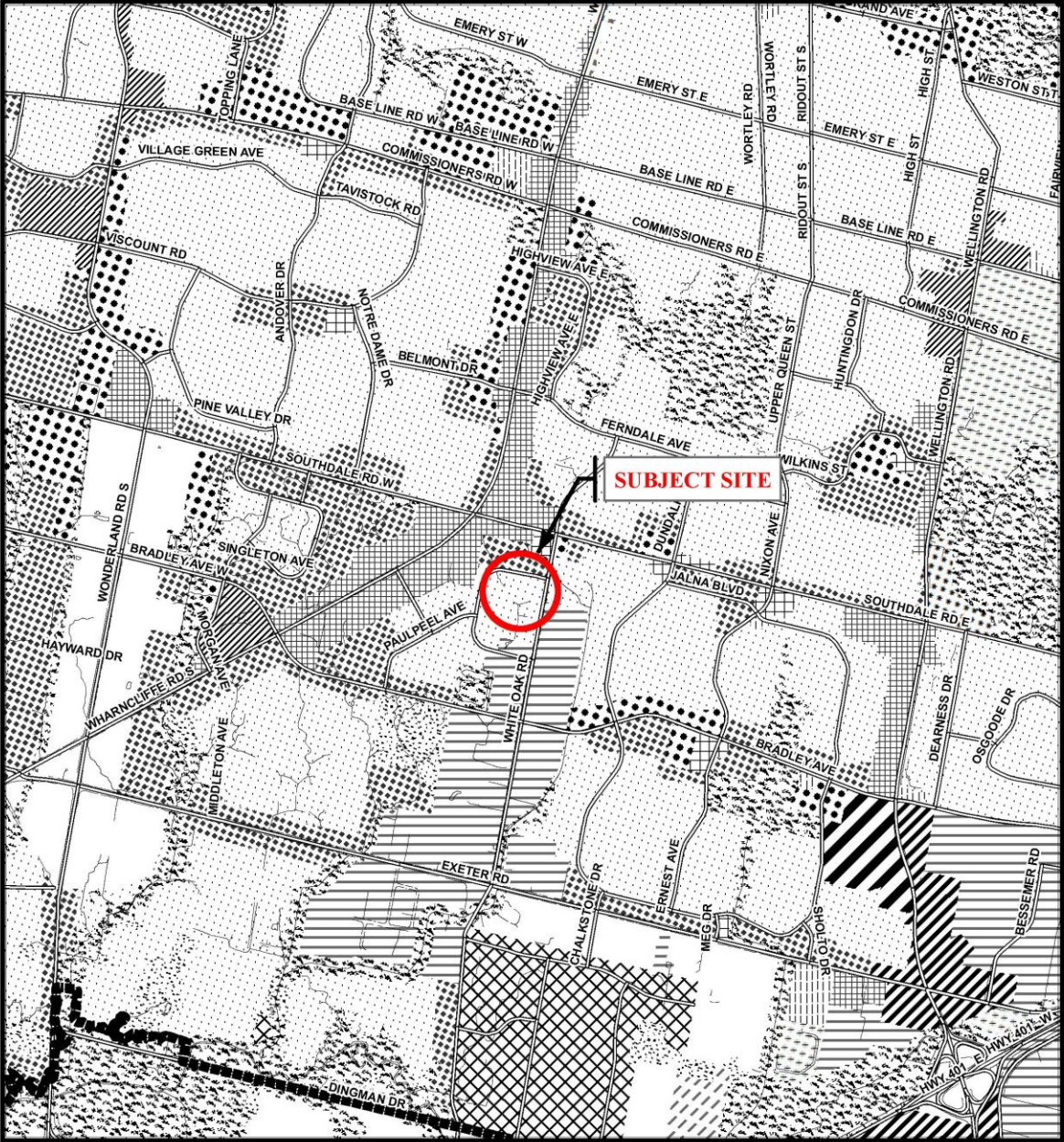
**File Number:** H-9235

**Planner:** SM

**Technician:** RC

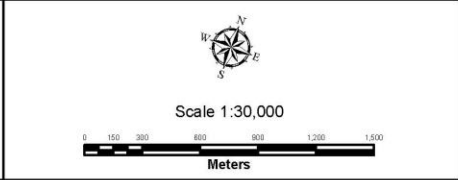
**Date:** July 6, 2020

1989 Official Plan Excerpt



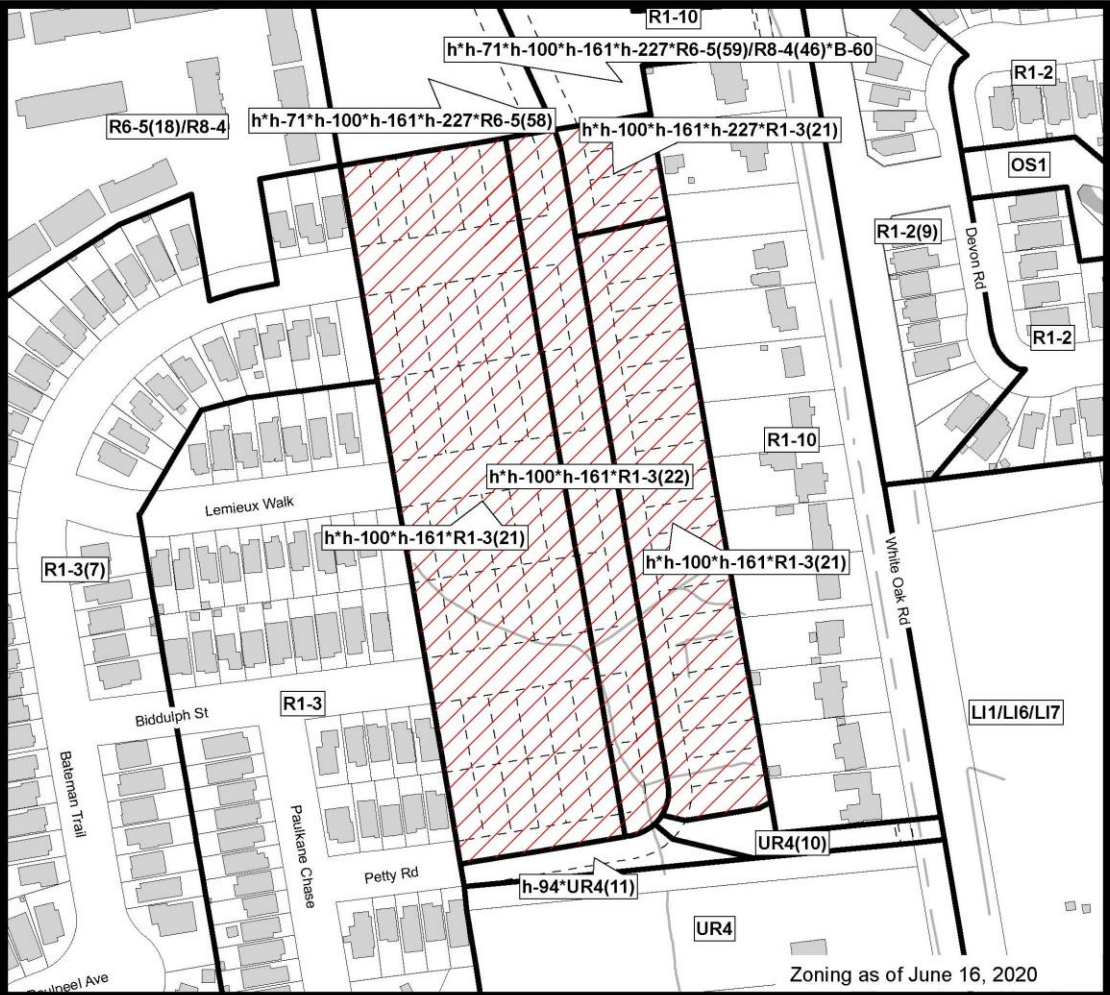
Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented Commercial Corridor		Urban Reserve - Community Growth
	Multi-Family, High Density Residential		Urban Reserve - Industrial Growth
	Multi-Family, Medium Density Residential		Rural Settlement
	Low Density Residential		Environmental Review
	Office Area		Agriculture
	Office/Residential		Urban Growth Boundary

**CITY OF LONDON**  
 Department of  
 Planning and Development  
 OFFICIAL PLAN SCHEDULE A  
 - LANDUSE -  
 PREPARED BY: Graphics and Information Services



FILE NUMBER: H-9235  
 PLANNER: SM  
 TECHNICIAN: RC  
 DATE: 2020/07/06

Existing Zoning Map



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

1) *LEGEND FOR ZONING BY-LAW Z-1*

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>R1 - SINGLE DETACHED DWELLINGS</li> <li>R2 - SINGLE AND TWO UNIT DWELLINGS</li> <li>R3 - SINGLE TO FOUR UNIT DWELLINGS</li> <li>R4 - STREET TOWNHOUSE</li> <li>R5 - CLUSTER TOWNHOUSE</li> <li>R6 - CLUSTER HOUSING ALL FORMS</li> <li>R7 - SENIOR'S HOUSING</li> <li>R8 - MEDIUM DENSITY/LOW RISE APTS.</li> <li>R9 - MEDIUM TO HIGH DENSITY APTS.</li> <li>R10 - HIGH DENSITY APARTMENTS</li> <li>R11 - LODGING HOUSE</li> <br/> <li>DA - DOWNTOWN AREA</li> <li>RSA - REGIONAL SHOPPING AREA</li> <li>CSA - COMMUNITY SHOPPING AREA</li> <li>NSA - NEIGHBOURHOOD SHOPPING AREA</li> <li>BDC - BUSINESS DISTRICT COMMERCIAL</li> <li>AC - ARTERIAL COMMERCIAL</li> <li>HS - HIGHWAY SERVICE COMMERCIAL</li> <li>RSC - RESTRICTED SERVICE COMMERCIAL</li> <li>CC - CONVENIENCE COMMERCIAL</li> <li>SS - AUTOMOBILE SERVICE STATION</li> <li>ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</li> <br/> <li>OR - OFFICE/RESIDENTIAL</li> <li>OC - OFFICE CONVERSION</li> <li>RO - RESTRICTED OFFICE</li> <li>OF - OFFICE</li> </ul> | <ul style="list-style-type: none"> <li>RF - REGIONAL FACILITY</li> <li>CF - COMMUNITY FACILITY</li> <li>NF - NEIGHBOURHOOD FACILITY</li> <li>HER - HERITAGE</li> <li>DC - DAY CARE</li> <br/> <li>OS - OPEN SPACE</li> <li>CR - COMMERCIAL RECREATION</li> <li>ER - ENVIRONMENTAL REVIEW</li> <br/> <li>OB - OFFICE BUSINESS PARK</li> <li>LI - LIGHT INDUSTRIAL</li> <li>GI - GENERAL INDUSTRIAL</li> <li>HI - HEAVY INDUSTRIAL</li> <li>EX - RESOURCE EXTRACTIVE</li> <li>UR - URBAN RESERVE</li> <br/> <li>AG - AGRICULTURAL</li> <li>AGC - AGRICULTURAL COMMERCIAL</li> <li>RRC - RURAL SETTLEMENT COMMERCIAL</li> <li>TGS - TEMPORARY GARDEN SUITE</li> <li>RT - RAIL TRANSPORTATION</li> <br/> <li>"h" - HOLDING SYMBOL</li> <li>"D" - DENSITY SYMBOL</li> <li>"H" - HEIGHT SYMBOL</li> <li>"B" - BONUS SYMBOL</li> <li>"T" - TEMPORARY USE SYMBOL</li> </ul> |
|--|---|

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING  
BY-LAW NO. Z.-1  
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:  
H-9235 SM

MAP PREPARED:  
2020/07/06 RC

