

## Report to Planning and Environment Committee

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

**From:** George Kotsifas P.Eng.,  
Deputy City Manager, Planning and Economic Development

**Subject:** Application by 2219008 Ontario Limited (York Developments)  
Removal of Holding Provisions – 3425 Grand Oak  
Crossing

**Date:** January 31, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 2219008 Ontario Limited (York Developments) relating to the property located at 3425 Grand Oak Crossing:

- (a) proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting December 7, 2021, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London (1989), to change the zoning of the subject property **FROM** a Holding Residential R6 Special Provision (h\*h-100\*h-198\*R6-5(43)) Zone, **TO** a Residential R6 Special Provision Zone (R6-5(43))

## Executive Summary

The purpose and effect of this zoning change is to remove the “h”, “h-100” and “h-198” holding provisions to permit the development of residential Block 115 in Registered Plan of Subdivision 33M-742, comprised of 23 single-detached dwelling units and 35 row houses, in accordance with the approved zoning.

### Rationale and Recommended Action

1. The conditions for removing the “h”, “h-100” and “h-198” have been met and the recommended amendment will allow development of single detached residential dwellings and row houses in compliance with the Zoning By-law.
2. A development agreement has been entered into and securities have been posted.

## Linkage to the Corporate Strategic Plan

This application supports the Building a Sustainable City area of focus in the Corporate *Strategic Plan* by ensuring that the City of London’s growth and development are well planning and sustainable over the long term.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

**April 26, 2010** – Report to Planning Committee to present draft Southwest Area Plan and associated background studies.

**July 19, 2010** – Report to Planning Committee on status of servicing capacity upgrades to Southland Pollution Control Plant.

**November 20, 2012** – Report to Planning Committee to approve Official Plan Amendment 541 (Southwest Area Secondary Plan).

**November 26, 2013** – Report to Planning and Environment Committee in response to York Developments delegation for the future development of the subject lands.

**May 11, 2015** – Report to Planning and Environment Committee on the Growth Management Implementation Strategy, which identifies the SWM Facility on the subject lands.

**January 18, 2016** – Report to Planning and Environment Committee on Draft Plan of Subdivision, Zoning By-law Amendments and Official Plan Amendments (39T-14504/OZ-8417).

**September 11, 2017** – Report to Planning and Environment Committee regarding Silverleaf Subdivision Special Provisions (39T14504).

**March 19, 2018** – Report to Planning and Environment Committee for the Removal of Holding Provisions for 3493 Colonel Talbot Road (H-8756).

## **1.2 Planning History**

The subject lands are located within the Southwest Area Secondary Plan (SWAP), which was initiated in 2009 to provide a comprehensive land use, servicing and phasing strategy for the future development for the lands within the Urban Growth Boundary that are bounded by Southdale Road to the North, the Dingman Creek to the west and the Highway 401/402 Corridor to the south. Municipal Council approved Official Plan Amendment 541 for SWAP on November 20, 2012, but it received numerous appeals and was approved by the Ontario Municipal Board on April 29, 2014.

The application for Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments were accepted on September 15, 2014. The Official Plan and Zoning By-law Amendments were passed by Municipal Council on January 27, 2016, and the Draft Plan of Subdivision was registered as 33M-742 on April 16, 2018.

This application to remove holding provisions from Block 115 on Registered Plan of subdivision 33M-742 was accepted as complete on September 21, 2021. An application for Site Plan Approval (SPA21-016) is being processed concurrently with this application.

## **1.3 Property Description**

The subject lands are located in the southwest quadrant of the City and situated south of Pack Road and east of Colonel Talbot Road. The subject lands represent Block 155 of Registered Plan of Subdivision 33M-742 and the proposed development for the site includes: an amenity area, 23 single-detached dwelling units, and 35 row house dwelling units.

## **1.4 Current Planning Information**

- The *London Plan* Place Type – Neighbourhoods
- Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Holding Residential R6 Special Provision (h\*h-100\*h-198\*R6-5(43))

## **1.5 Site Characteristics**

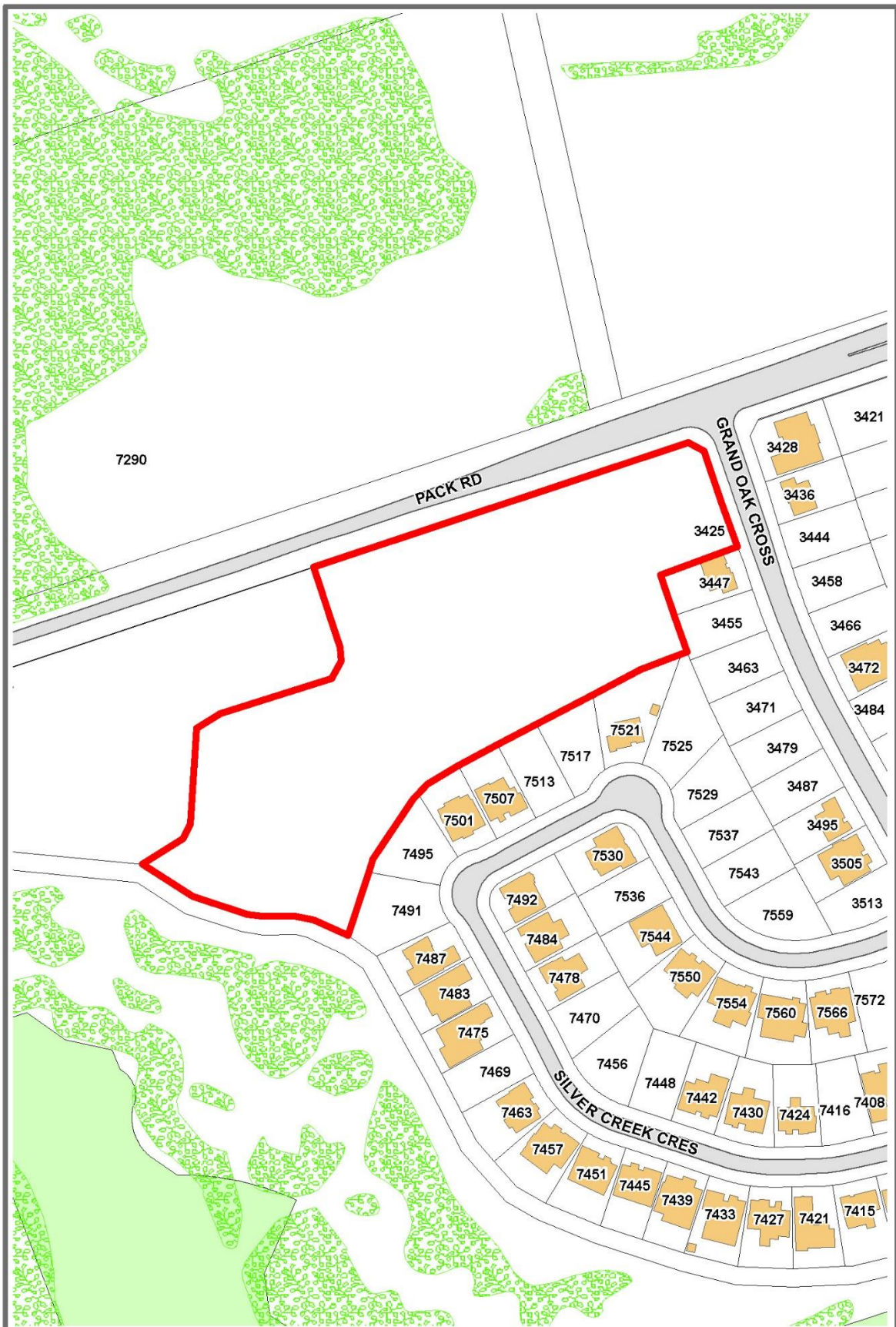
- Current Land Use – Vacant
- Area – 2.49 hectares (6.51 acres)
- Shape – Irregular

## **1.6 Surrounding Land Uses**

- North – Agriculture

- East – Single detached dwellings
- South – Single detached dwellings
- West – Dingman Tributary SMF B4 and Open Space (OS5)

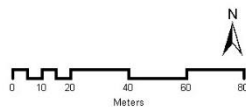
# 1.7 Location Map



### LOCATION MAP

Subject Site: 3425 Grand Oak Cross  
 File Number: H-9414  
 Planner: Alison Curtis  
 Date: 2021/10/19

Corporation of the City of London  
 Prepared By: Planning and Development

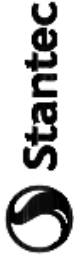


Scale 1:1250

### Legend

- Subject Site
- Assessment Parcels
- Buildings
- Vegetation

# 1.8 Proposed Site Plan



STANTEC  
 625-111 Queen's Avenue  
 West, Suite 1000  
 Toronto, Ontario M5H 2M2  
 Tel: (416) 593-9300  
 Fax: (416) 593-9301  
 www.stantec.com

Prepared by: [Name]  
 Checked by: [Name]  
 Approved by: [Name]

NO.	DATE	DESCRIPTION
1	2023-08-15	ISSUED FOR PERMITTING
2	2023-08-15	ISSUED FOR PERMITTING
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NOTES:  
 1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.  
 2. THE PROPOSED SITE PLAN IS SUBJECT TO THE APPROVAL OF THE LOCAL AUTHORITY.  
 3. THE PROPOSED SITE PLAN IS SUBJECT TO THE APPROVAL OF THE LOCAL AUTHORITY.

- Legend
- BOUNDARY
  - ACCESSIBLE PARKING SPACES
  - NO ACCESS
  - PROPOSED ACCESS
  - PROPOSED FIRE ALARM
  - PROPOSED FIRE STANDARDS

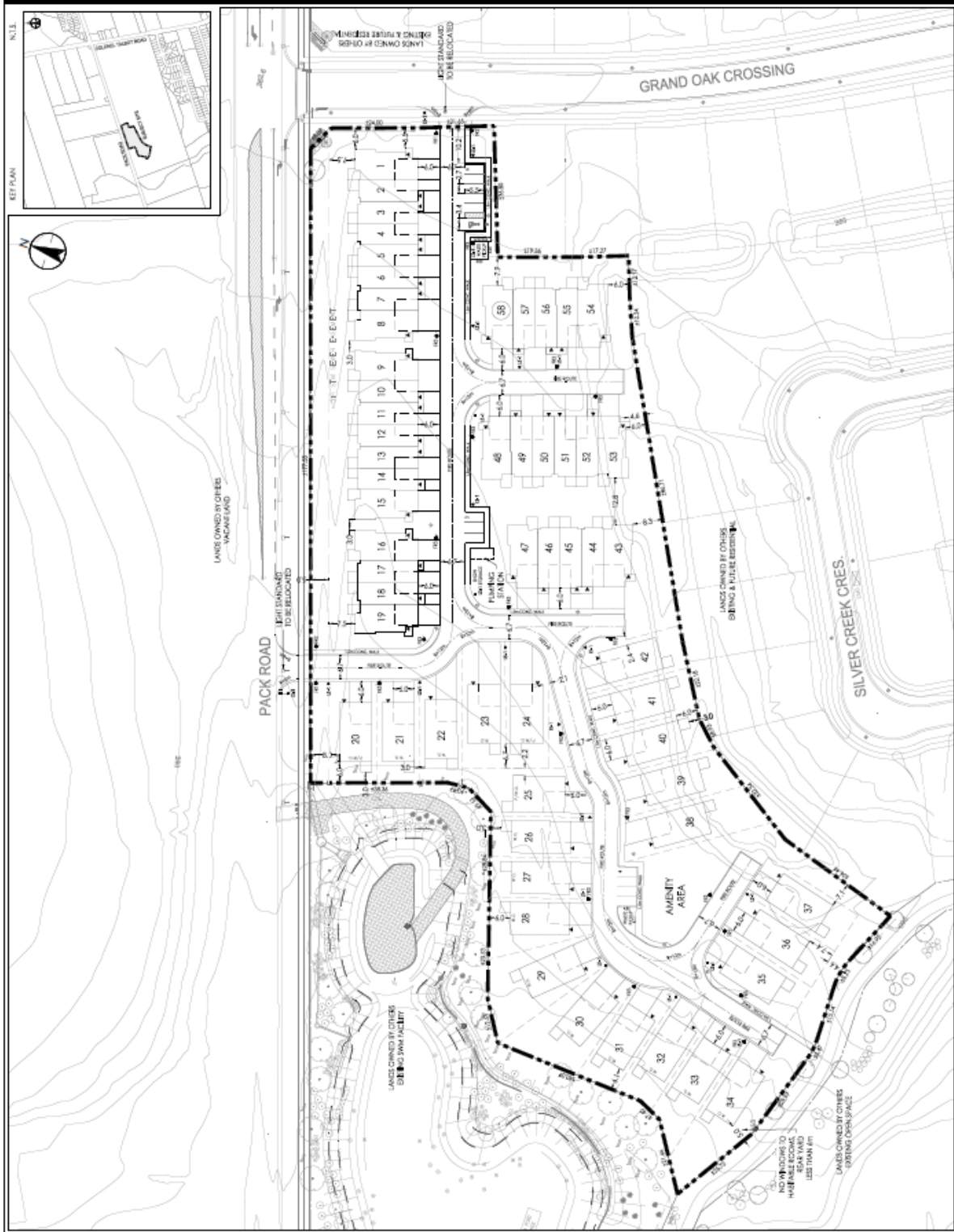
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70	2023-08-15	ISSUED FOR PERMITTING
71	2023-08-15	ISSUED FOR PERMITTING
72	2023-08-15	ISSUED FOR PERMITTING



Client/Project:  
 221 WOOD ONTARIO LIMITED  
 SILVERLEAF SUBLEASING  
 3425 GRAND OAK CROSSING  
 BLOCK 17A  
 London, ON Canada

TITLE:  
 SITE PLAN

Project No.	14-401421
Sheet	1 of 2
Revision	2



DATE: 2023-08-15

## 2.0 Discussion and Considerations

The purpose of this amendment application is to remove the h, h-100 and h-198 provisions from the subject lands. The h holding provision requires the orderly development of lands and the adequate provision of municipal services, while the h-100 holding provision requires adequate water service and appropriate access to be provided. Holding provision h-198 encourages street-oriented development and discourages the use of noise attenuation walls so that new development is consistent with the Southwest Area Secondary Plan (SWAP).

### 2.1 Consultation (see more detail in Appendix B)

Information regarding the application to remove Holding Provisions was provided to the public as follows:

- Notice of Intent to Remove Holding Provisions was published in the Public Notices and Bidding Opportunities section of the Londoner on January 13, 2022.
- Notice of Intent to Remove Holding Provisions was circulated to the relevant internal and external agencies on October 26, 2021.

There was no response from the public.

### 2.2 Policy Context (see more detail in Appendix C)

Section 36 of the *Planning Act* permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality must have approved Official Plan policies related to its use (Section 36(2) of the *Planning Act*), a municipal council must pass a zoning by-law with holding provisions, an application must be made to council for an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 90 days to remove the holding provision(s).

The *London Plan* and the *1989 Official Plan* contain policies with respect to holding provisions, the process, notification and removal procedures.

## 3.0 Financial Impact/Considerations

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

## 4.0 Key Issues and Considerations

### 4.1. Why is it appropriate to remove this Holding Provision?

#### **h Holding Provision**

The h Holding Provision states that:

*“h Purpose: 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 Applicant has provided the necessary securities to the City of London and the development agreement has been executed. This satisfies the requirements for the removal of the “h” holding provision.



## **h-100 Holding Provision**

The “h-100” holding provision states that:

*“h-100 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-100 symbol.*

The requirement for a looped watermain applies to development proposal of 80 or more dwelling units. This proposed development is for 58 dwelling units, and as such the construction of a looped watermain is not required. There are at least two public access points available, one access from Pack Road and a second from Grand Oak Crossing. This satisfies the requirement for removal of the “h-100” holding provision.

## **h-198 Holding Provision**

The “h-198” holding provision states that:

*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)*

Units 1 to 19, as seen on the site plan in Section 1.8 of this report, are designed with enhanced elevation details that contribute to street-oriented design along Pack Road. Main entrances and direct pedestrian access could not be provided along Pack Road for these units as they would cross the major overland flow route for the proposed development. There are no noise attenuation walls along Pack Road and a Development Agreement has been executed. This satisfies the requirements for removal of the “h-198” holding provision.

## **Conclusion**

It is appropriate to remove the “h”, “h-100” and “h-198” holding provisions from the subject lands at this time as full municipal services are available, the required security has been submitted, the development agreement has been executed, and the proposed development is street oriented.

**Prepared by:** Alison Curtis, MA  
Planner 1, Planning and Development

**Reviewed by:** Bruce Page, MCIP, RPP  
Manager, Planning and Development

**Recommended by:** Gregg Barrett, AICP  
Director, Planning and Development

**Submitted by:** George Kotsifas, P. Eng.  
Deputy City Manager,  
Planning and Economic Development

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections  
cc: Michael Pease, Manager, Development Planning (Site Plan)

BP/ac

## Appendix A

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

2021

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

A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 3425 Grand Oak Crossing.

WHEREAS 2219008 Ontario Ltd. (York Developments) have applied to remove the holding provision from the zoning for the lands located at 3425 Grand Oak Crossing, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision 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 3425 Grand Oak Crossing, as shown on the attached map, to remove the h, h-100 and h-198 holding provision so that the zoning of the lands as a Residential Special Provision R6 (R6-5(43)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on February 15, 2022

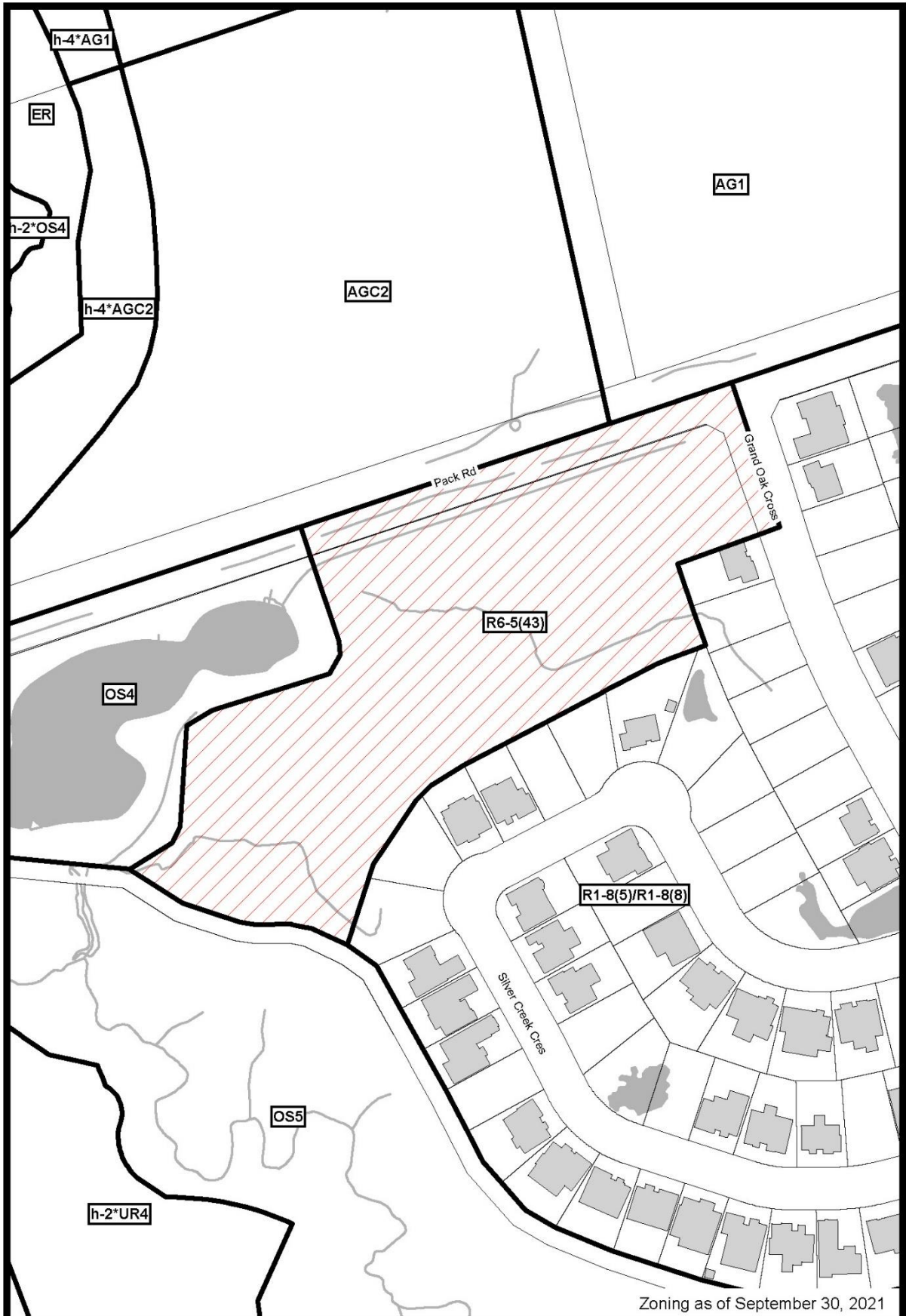
Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading - February 15, 2022  
Second Reading – February 15, 2022  
Third Reading - February 15, 2022



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



Zoning as of September 30, 2021

File Number: H-9414  
Planner: AC  
Date Prepared: 2021/10/19  
Technician: rc  
By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



## Appendix B – Consultation

### Community Engagement

**Public Liaison:** Notice of the application was published in the Londoner on January 13, 2022, and notice of the application were circulated to the relevant internal and external agencies.

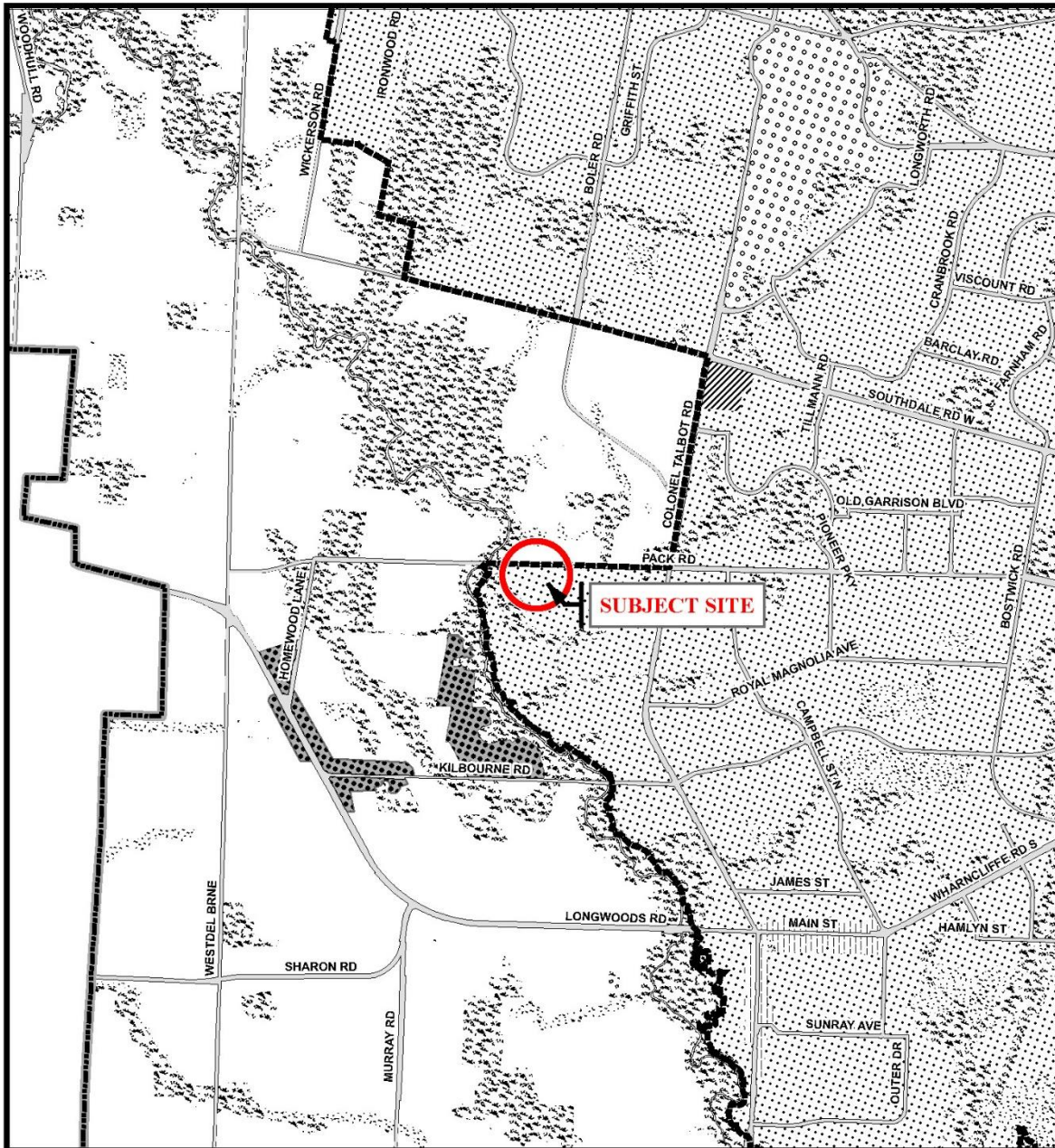
No replies were received.

**Londoner Notice:** City Council intends to consider removing the h, h-100 and h-198 holding provisions from the subject lands to allow for the development of 23 single-detached dwelling units and 35 row house dwelling units. The purpose of the “h” provision is to ensure the orderly development of lands and adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided and/or a subdivision agreement has been entered into for the subject lands. Holding Provision “h-100” requires the construction of a looped watermain system and a second public access to be available to the satisfaction of the City Engineer to ensure there is adequate water service and access. The h-198 provision encourages street-oriented development and discourages 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. Council will consider removing the holding provisions as they apply to these lands no earlier than January 31, 2022.

File: H-9414 Planner: A. Curtis x.4497

# 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	

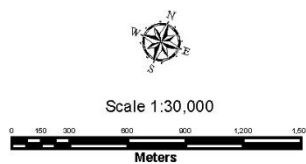
*This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.*

*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 -**

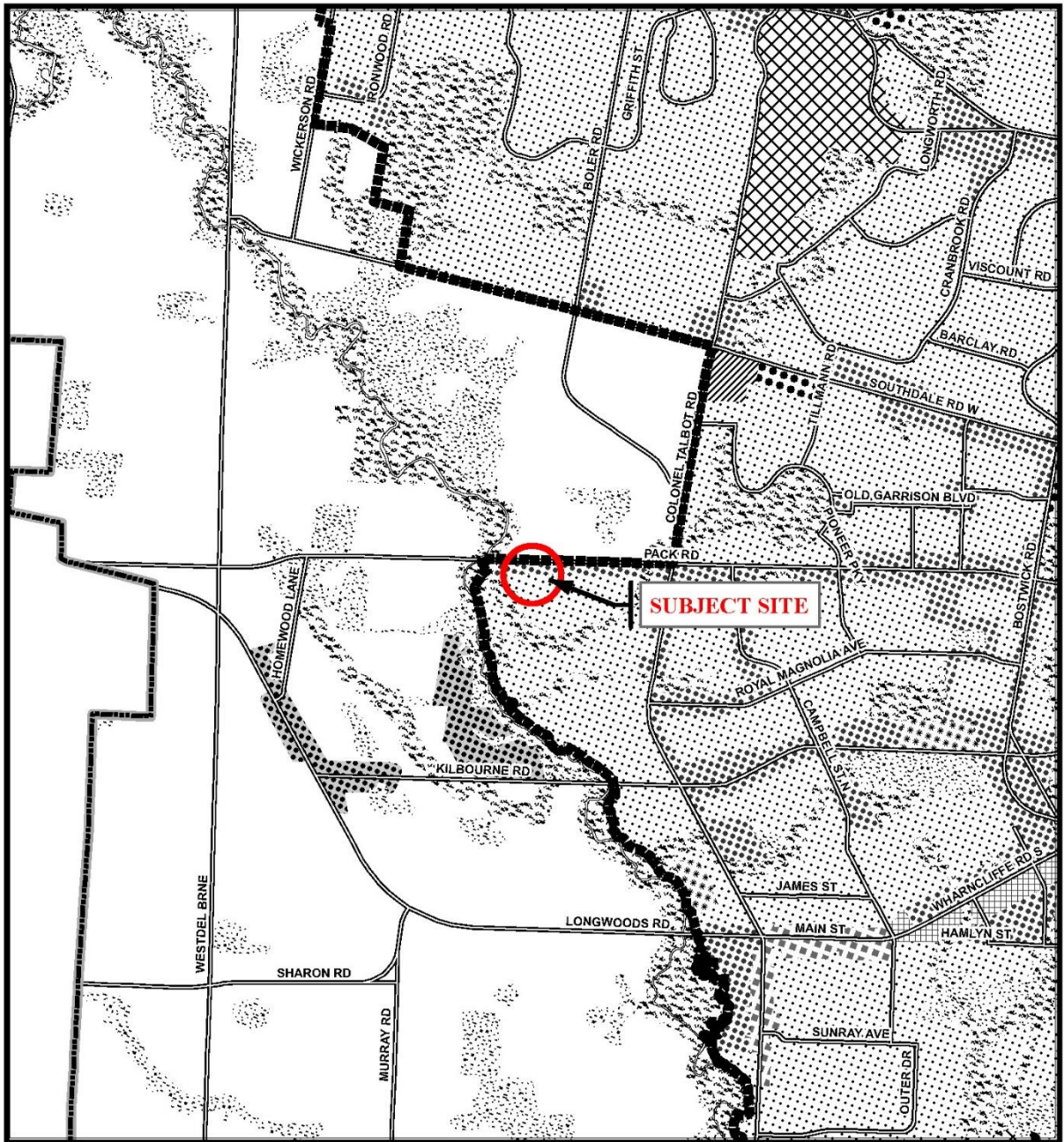
PREPARED BY: Planning Services



**File Number:** H-9414  
**Planner:** AC  
**Technician:** RC  
**Date:** October 19, 2021



# 1989 Official Plan Excerpt

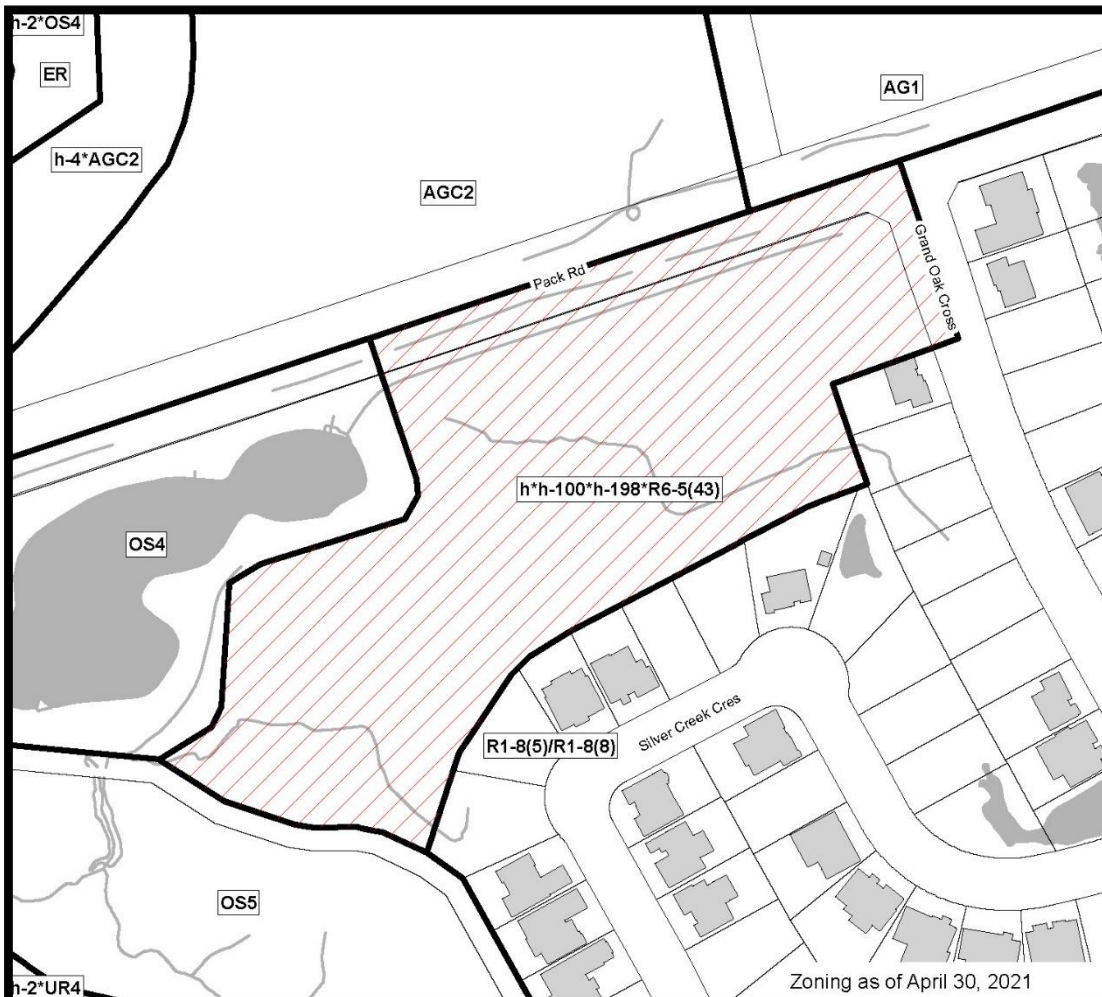


Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial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

<p><b>CITY OF LONDON</b></p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1,200 1,500</p> <p>Meters</p>	<p>FILE NUMBER: H-9414</p>
		<p>PLANNER: AC</p> <p>TECHNICIAN: RC</p> <p>DATE: 2021/10/18</p>

# Existing Zoning Map



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

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

- |   |                                   |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS            | RF - REGIONAL FACILITY            |
| R2 - SINGLE AND TWO UNIT DWELLINGS        | CF - COMMUNITY FACILITY           |
| R3 - SINGLE TO FOUR UNIT DWELLINGS        | NF - NEIGHBOURHOOD FACILITY       |
| R4 - STREET TOWNHOUSE                     | HER - HERITAGE                    |
| R5 - CLUSTER TOWNHOUSE                    | DC - DAY CARE                     |
| R6 - CLUSTER HOUSING ALL FORMS            |                                   |
| R7 - SENIOR'S HOUSING                     | OS - OPEN SPACE                   |
| R8 - MEDIUM DENSITY/LOW RISE APTS.        | CR - COMMERCIAL RECREATION        |
| R9 - MEDIUM TO HIGH DENSITY APTS.         | ER - ENVIRONMENTAL REVIEW         |
| R10 - HIGH DENSITY APARTMENTS             |                                   |
| R11 - LODGING HOUSE                       | OB - OFFICE BUSINESS PARK         |
|   | LI - LIGHT INDUSTRIAL             |
| DA - DOWNTOWN AREA                        | GI - GENERAL INDUSTRIAL           |
| RSA - REGIONAL SHOPPING AREA              | HI - HEAVY INDUSTRIAL             |
| CSA - COMMUNITY SHOPPING AREA             | EX - RESOURCE EXTRACTIVE          |
| NSA - NEIGHBOURHOOD SHOPPING AREA         | UR - URBAN RESERVE                |
| BDC - BUSINESS DISTRICT COMMERCIAL        |                                   |
| AC - ARTERIAL COMMERCIAL                  | AG - AGRICULTURAL                 |
| HS - HIGHWAY SERVICE COMMERCIAL           | AGC - AGRICULTURAL COMMERCIAL     |
| RSC - RESTRICTED SERVICE COMMERCIAL       | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL               | TGS - TEMPORARY GARDEN SUITE      |
| SS - AUTOMOBILE SERVICE STATION           | RT - RAIL TRANSPORTATION          |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL |                                   |
| OR - OFFICE/RESIDENTIAL                   | "h" - HOLDING SYMBOL              |
| OC - OFFICE CONVERSION                    | "D" - DENSITY SYMBOL              |
| RO - RESTRICTED OFFICE                    | "H" - HEIGHT SYMBOL               |
| OF - OFFICE                               | "B" - BONUS SYMBOL                |
|   | "T" - TEMPORARY USE SYMBOL        |

**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-9414

AC

MAP PREPARED:

2021/10/19

rc

1:2,000

0 10 20 40 60 80 Meters