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**File: Z-8357**  
**Planner: E. Lalande**

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: TRUSTEES OF THE BELLWOOD PARK CONGREGATION OF THE JEHOVAH'S WITNESSES 877 MEDWAY PARK DRIVE PUBLIC PARTICIPATION MEETING ON AUGUST 26, 2014</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Trustees of the Bellwood Park Congregation of the Jehovah's Witnesses relating to the property located at 877 Medway Park Drive, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 2, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Holding Restricted Office (h-17\*RO2) Zone, **TO** a Holding Neighbourhood Facility (h-17\*h-18\*NF) Zone and a Holding Restricted Office (h-17\*h-18\*RO2) Zone; it being noted that the application is required to satisfy a condition of consent and that the subject lands will be conveyed to adjoining parcels;

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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None.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of the recommended action is to satisfy a condition of consent by allowing lands to be severed while maintaining consistent zones across the newly created parcels. The severed and retained parcels are to be merged with 905 Medway Park Drive and 861 Medway Park Drive respectively. A holding provision is added to ensure that archaeological resources are protected prior to any development or disturbance being undertaken on the currently vacant and undisturbed lot.

<b>RATIONALE</b>
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1. The recommended action is consistent with the Provincial Policy Statement, 2014
2. The recommended amendment meets the general intent of the Official Plan and Zoning By-law.
3. The recommended amendment provides a consistent zone for the severed and retained lots which are each to be merged with adjacent lots as a result of the provisionally approved consent application.
4. The holding provisions will ensure that full municipal sanitary and water services are available to the site and that the lands are assessed for the presence of archaeological resources prior to development.

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**Aerial Photo Location Map**

File No.: Z-8357

Date Prepared: 2014/07/15

EL

CK

SCALE: 1:3,000



Prepared by: Graphics & Information Services, Planning Division, Corporation of the City of London  
Photography based on April 2010 flight info.

Note: Parcel line work, when shown, is not for official or legal use.

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**BACKGROUND**

<b>Date Application Accepted:</b> May 12, 2014	<b>Agent:</b> Matthew J. Wilson
<b>REQUESTED ACTION:</b> As a condition of consent, rezone the lands to be severed from Holding Restricted Office (h-17*RO2) to a Holding Neighbourhood Facility (h-17*h-18*NF) Zone and a Holding Restricted Office (h-17*h-18*RO2) Zone	

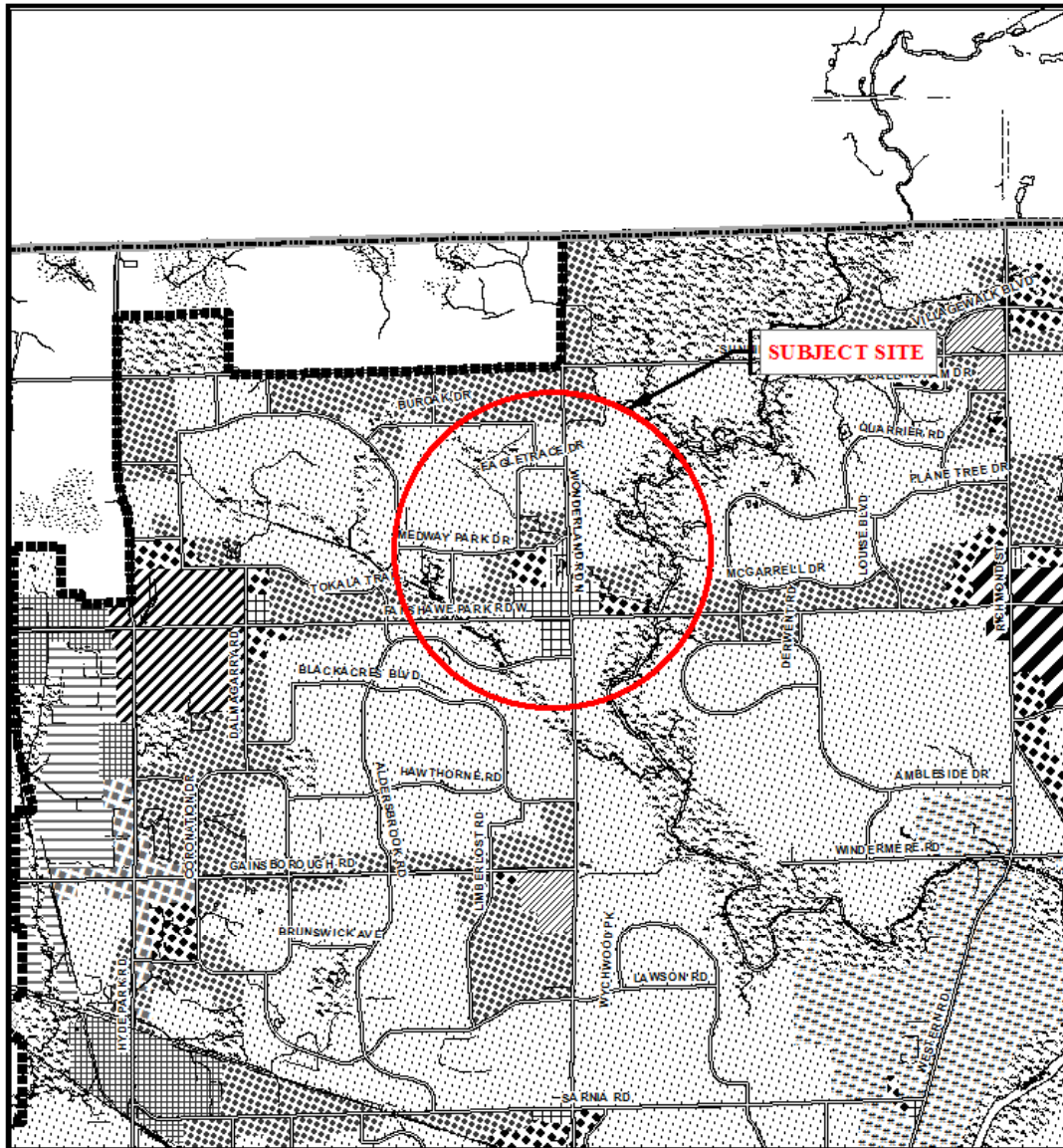
<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> - Vacant</li> <li>• <b>Frontage</b> – 60.7 m</li> <li>• <b>Depth</b> – 44.8 m</li> <li>• <b>Area</b> – 0.29 ha</li> <li>• <b>Shape</b> – Rectangular</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> - Vacant/Agricultural</li> <li>• <b>South</b> - Vacant</li> <li>• <b>East</b> - Office</li> <li>• <b>West</b> - Place of Worship / Residential</li> </ul>

<b>OFFICIAL PLAN DESIGNATION:</b> (refer to Official Plan Map)
<ul style="list-style-type: none"> <li>• Multi Family, Medium Density Residential</li> </ul>
<b>EXISTING ZONING:</b> (refer to Zoning Map)
<ul style="list-style-type: none"> <li>• Holding Restricted Office (h-17*RO2) Zone</li> </ul>

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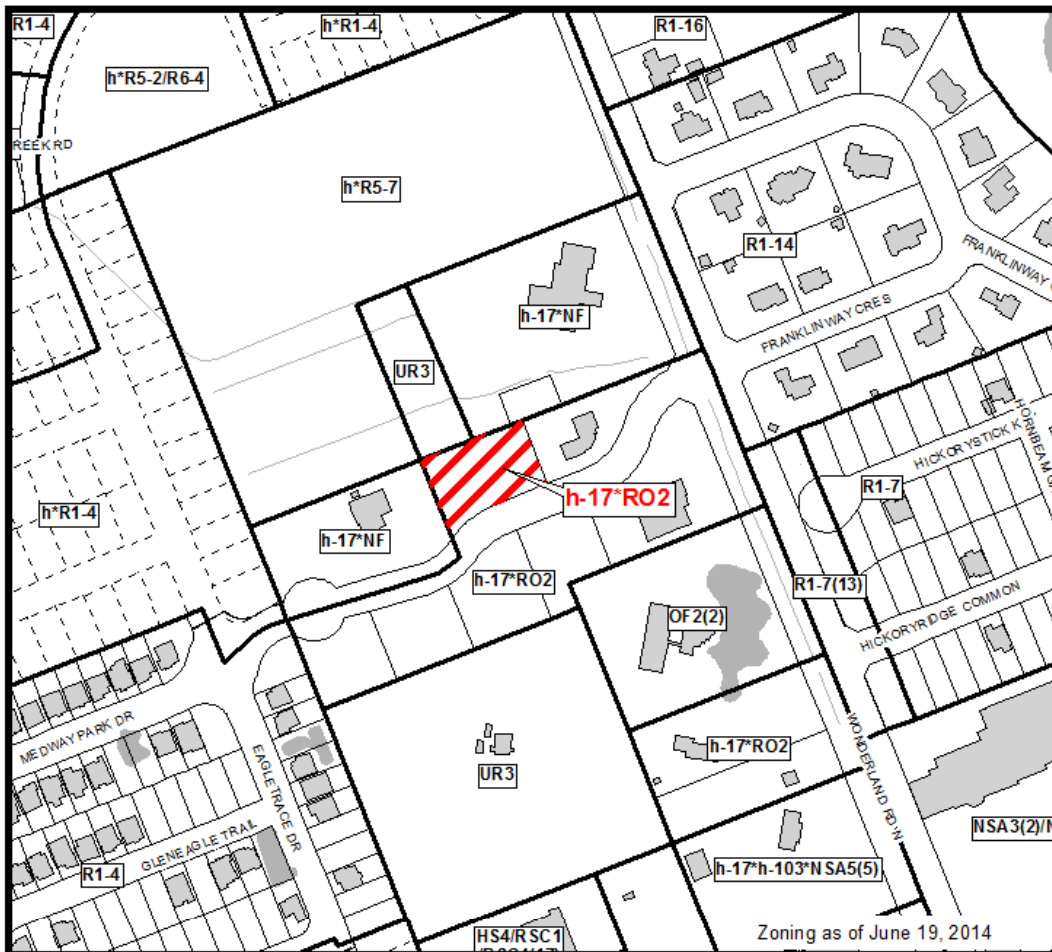


<p><b>Legend</b></p> <ul style="list-style-type: none"> <li> Downtown</li> <li> Wonderland Road Community Enterprise Corridor</li> <li> Enclosed Regional Commercial Node</li> <li> New Format Regional Commercial Node</li> <li> Community Commercial Node</li> <li> Neighbourhood Commercial Node</li> <li> Main Street Commercial Corridor</li> <li> Auto-Oriented Commercial Corridor</li> <li> Multi-Family, High Density Residential</li> <li> Multi-Family, Medium Density Residential</li> <li> Low Density Residential</li> <li> Office Area</li> <li> Office/Residential</li> <li> Office Business Park</li> <li> General Industrial</li> <li> Light Industrial</li> <li> Regional Facility</li> <li> Community Facility</li> <li> Open Space</li> <li> Urban Reserve - Community Growth</li> <li> Urban Reserve - Industrial Growth</li> <li> Rural Settlement</li> <li> Environmental Review</li> <li> Agriculture</li> <li> Urban Growth Boundary</li> </ul>		
<p><b>CITY OF LONDON</b> Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8357</p> <p>PLANNER: EL</p> <p>TECHNICIAN: CK</p> <p>DATE: 2014/07/15</p>

PROJECT LOCATION: e:\planning\projects\officialplan\work\consolid\excerpts\mod\_templates\scheduleA\_NEW\_b&w\_8x14\_with\_SWAP.mxd

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**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-17\*RO2**

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> |
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**CITY OF LONDON**  
 PLANNING, ENVIRONMENTAL AND ENGINEERING 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:  
 Z-8357 EL

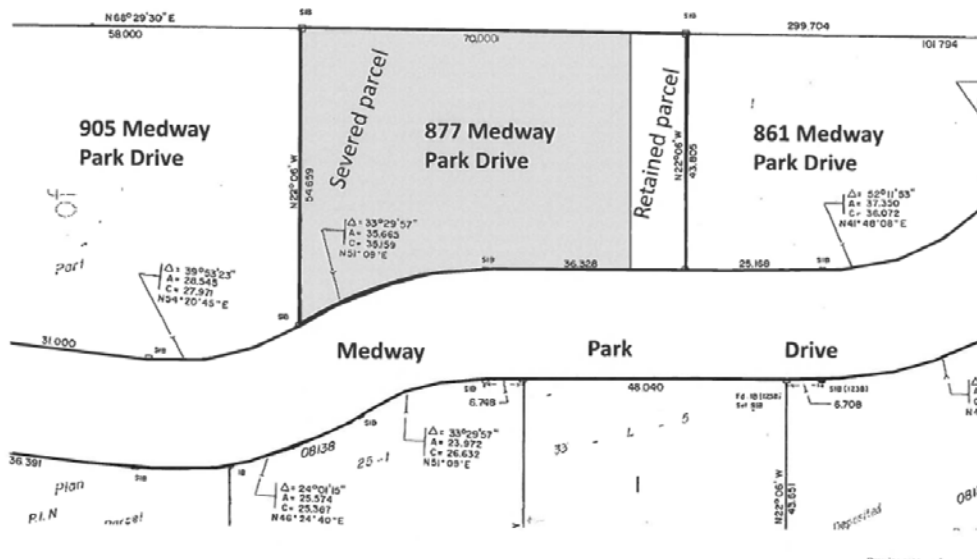
MAP PREPARED:  
 2014/07/15 CK

1:3,500  
 0 15 30 60 90 120  
 Meters

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**PLANNING HISTORY**

The City of London Consent Authority granted provisional approval to sever 2,920m<sup>2</sup> from 877 Medway Park Drive to be conveyed to 905 Medway Park Drive; and to convey the remaining 491.5m<sup>2</sup> of the retained portion to 861 Medway Park Drive.



The consent application was provisionally approved on June 11, 2014 with, among other conditions, a requirement that a Zoning By-law amendment to add a holding provision to address archaeological significance shall be approved and be in full force and effect prior to the issuance of the Certificate of Consent. All conditions of the consent must be satisfied prior to June 11, 2015 for the severance to be finalized including the amendment addressed by this report.

**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS**

**Ministry of Tourism, Culture and Sport:** “The creation of parking lots typically involves the removal or grading of soil, which has the potential to disturb or remove archaeological resources that may exist at the property. MTCS recommends that an archaeological assessment is conducted before this change in use at the site.”

**Wastewater and Drainage Engineering:** “No comment.”

**Upper Thames River Conservation Authority:** “No objections.”

<b>PUBLIC LIAISON:</b>	On June 6, 2014, Notice of Application was sent to 13 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on June 5, 2014. A “Possible Land Use Change” sign was also posted on the site.	0 replies were received
<b>Nature of Liaison:</b> Change Zoning By-law Z.-1 FROM a Holding Restricted Office (h-17*RO2) Zone which permits medical/dental offices; clinics; medical/dental laboratories and offices uses TO a Holding Neighbourhood Facility, (h-17*h-*NF) Zone which permits places of worship; elementary schools and day care centres.		

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**ANALYSIS**

**Nature of Application**

The request for a Zoning By-law amendment is the result of a condition of consent, whereby the subject lands at 877 Medway Park Drive are to be severed with the intent to convey the westerly portion of the subject lands to 905 Medway Park Drive and the easterly portion of the subject lands to 861 Medway Park Drive. At the time of the application, the proposed use of the subject lands is for additional non-required parking to support the adjacent businesses.



**Image (above):** taken from the north side of the subject lands looking south.

**Provincial Policy Statement**

The *Provincial Policy Statement, 2014* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS is more than a set of individual policies. It is intended to be read in its entirety and the relevant policies are to be applied to each situation. As it relates to this application, the PPS provides policy direction that encourages the development of complete communities as well as the efficient use of land and preservation of heritage resources. Specifically, the following policies apply directly to recommended action:

Section 1.1.1 b): *“accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;”*

The conveyance of land is intended to enable the orderly and efficient expansion of the adjacent institutional use (place of worship) and office use. The additional land is intended to provide parking to appropriately accommodate activity on site and mitigate any potential impacts created to the area.

Section 1.1.3.1: *“Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*

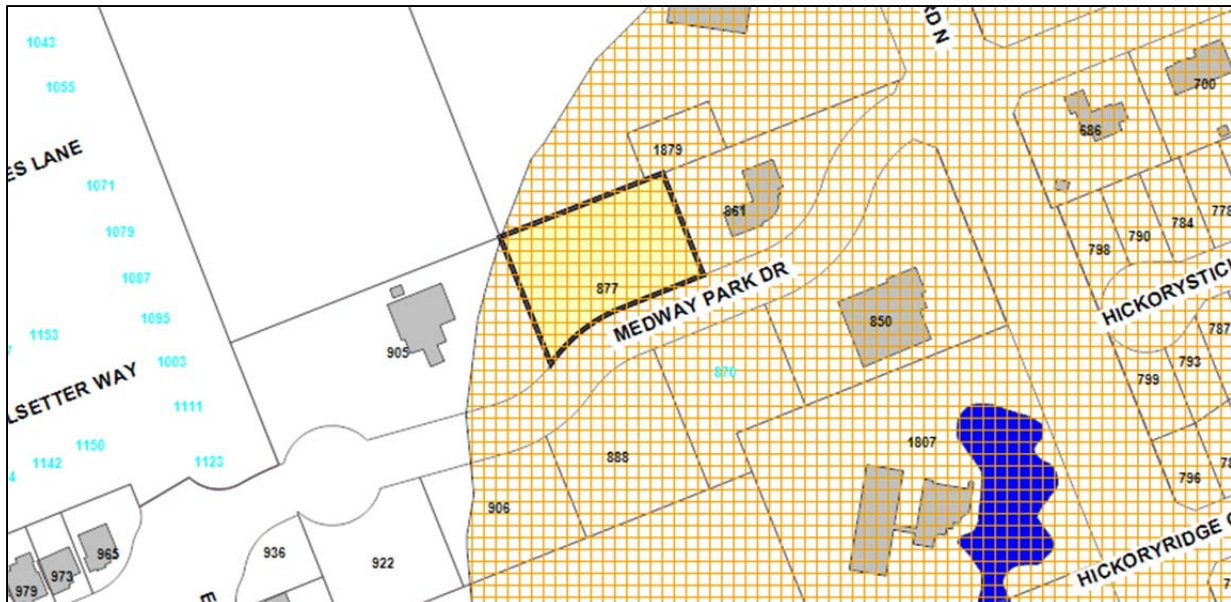
The subject lands are within the area defined as settlement area and are to be a focus for growth and development. The orderly conveyance of land is intended to allow for the efficient expansion of the adjacent properties and should be promoted.

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**File: Z-8357**  
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Section 2.6.2: *“Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.”*

The subject lands are identified as being within an area which may have potential archaeological resources. A holding provision is recommended to ensure that an assessment of the subject lands for any artifacts of heritage significance be completed prior to development or disturbance to the area.



**Image** (above): Mapping of Archaeological Potential (Source: City of London)

The recommended amendment will provide consistent applicable zoning to the severed and retained lots will ensure that the lands are developed in an orderly manner. Further, a holding provision will ensure that an appropriate review of archaeological resources will be undertaken. As such, staff considers the proposed amendment to be consistent with the Provincial Policy Statement.

**Official Plan**

The Official Plan contains Council’s objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While the objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

The subject lands are designated Multi-family, Medium Density Residential. This designation contemplates a range and mix of medium density residential uses; and provides for a range of complimentary uses such as places of worship. Section 3.4.1 iv) provides that:

*“Uses that are considered to be integral to, or compatible with, medium density residential development, including group homes, home occupations, community facilities, funeral homes, commercial recreation facilities, small-scale office developments, and office conversions, may be permitted according to the provisions of Section 3.6.”*

The lands adjacent to the west currently accommodate a place of worship. The conveyance of land to permit the expansion to the existing place of worship use is considered an appropriate use within the designation. The lands adjacent to the east are currently being operated as a small-scale office development and fall under the same policies for evaluation.



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Section 3.6.4 (Community Facilities) provides the following criteria in order to determine the appropriateness of the new place of worship use which is contemplated through the conveyance of land to the westerly adjacent lands:

*i) Residential Amenity*

*“The proposed community facility will not result in the concentration of community facilities within an established neighbourhood that would detract from the neighbourhood’s residential amenity and character. This does not preclude the planned concentration of community facilities during the Secondary Plan process in Section 19.2.1 or in developing neighbourhoods.”*

The proposed amendment will facilitate the expansion (of parking) of the existing place of worship. The subject lands are currently vacant and are situated between two non-residential secondary uses. The severance is considered an appropriate way to permit the existing uses to be expanded, and avoid further concentration of new secondary uses within the area.

*ii) Compatibility*

*The proposed community facility will be compatible with and sensitive to the scale and appearance of surrounding residential uses.*

The existing place of worship is sensitive to the scale and appearance of the surrounding residential uses. The extension of the off-street parking area is intended to improve the capacity of the existing use and will mitigate impacts beyond the requirements of the Zoning By-law.

*iii) Function*

*The proposed community facility use can be designed to have sufficient off-street parking, circulation, drop-off and pick-up facilities, and access points to minimize traffic on abutting area streets.*

The place of worship is proposing, through the conveyance of land, the provision of additional off-street parking to provide sufficient parking to accommodate additional vehicles beyond the requirement of the Zoning By-law.

*iv) Site Plan Approval*

*Community facility proposals which require site plan approval will be evaluated on the basis of the following criteria.*

- “(a) the site is large enough to accommodate the required number of parking spaces within a side or rear yard area, or it will be demonstrated that front yard parking will have no detrimental effect on the adjacent land uses;*
- (b) provisions will be made for landscaping, privacy screening or any other appropriate measures necessary to protect the amenity of adjacent residential properties;*
- (c) provisions will be made for functional and adequate on-site parking, manoeuvrability, and drop-off and pick-up facilities; and*
- (d) development will conform with all other applicable provisions of the City’s Site Plan Control By-law”*

A Site Plan Approval application has not been applied for; however, where development is to occur, Site Plan Approval will be required to meet the aforementioned criteria.

The portion of land proposed for a neighbourhood facility use is consistent with the Official Plan.

Further, the easterly portion of land is intended to be conveyed to the small-scale office use to the east. Section 3.6.8 New Office Development identifies criteria when evaluating new offices uses within a residential area. While the subject lands could facilitate an expansion to the adjacent use, the recommended amendment is not introducing a new office use to the area. The current zoning of the subject lands facilitate an office on the entire subject lands. Whereas, the recommended amendment would reduce the site of this use in favour of a place of worship. The

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proposed amendment would facilitate mitigation of parking impacts to the surrounding residential area.

*Section 13.4.3): "Archaeological assessment requirements may be imposed if it is determined through the application of the archaeological potential model that any part of the subject area possesses archaeological resource potential or known archaeological resources, and that the proposal involves some form of ground disturbance."*

The recommended amendments include the holding provision (h-18) to require that an archaeological assessment be completed to the satisfaction of the Ministry of Tourism, Culture and Sport, prior to the lifting of the holding provision being lifted to allow for development. This holding provision will ensure that any archaeological resource potential is identified and the appropriate measures are completed to protect heritage assets from ground disturbances.

The subject lands currently have a holding provision applied to the zoning to ensure that development is limited until such time that adequate servicing is in place to support the subject lands. This holding provision is to remain on the subject lands consistent with Section 17 Servicing and Utilities policies of the Plan.

Subject to the appropriate holding provisions being applied to the subject lands, as identified through the recommended action, the proposed amendments meet the intent of the Official Plan.

### **Zoning By-law**

The Zoning By-law is a comprehensive document used to implement the policies of the Official Plan by regulating the use of land, the intensity of the permitted use, and the built form. This is achieved by applying various zones to all lands within the City of London which identify a list of permitted uses and regulations that frame the context within which development can occur. Collectively, the permitted uses and regulations assess the ability of a site to accommodate a development proposal. It is important that all three criteria of use, intensity and form must be considered and deemed to be appropriate to the approval of any development proposal.

The subject lands are intended to be severed and conveyed to adjacent lands to the east and west. The westerly portion of land is to be zoned Neighbourhood Facility to match the existing land at 905 Medway Park Drive. The easterly portion of land is to remain zoned Restricted Office (RO2) consistent with the lands at 861 Medway Park Drive.

The Neighbourhood Facility Zone provides for and regulates public and private facility uses which primarily serve a neighbourhood function. They include small to medium scale uses which have minimal impact on surrounding land uses and may be appropriate adjacent to or within residential neighbourhoods. The Neighbourhood Facility (NF) Zone variation permits the lowest impact uses permitted in the zone and typically uses are developed independently. The Neighbourhood Facility (NF) Zone permits places of worship, elementary schools and day cares. The proposed use is consistent with the permitted range of uses as it is currently a place of worship.

The Restricted Office (RO2) Zone provides for and regulates new office uses outside of the Downtown area in small-scale office buildings primarily in areas designated Multi-Family Medium Density or High Density Residential. The range of office uses and secondary uses which are provided for in the Official Plan have been differentiated on the basis of function, intensity and potential impacts. The subject lands are currently zoned Restricted Office (RO2). Office uses are a permitted use on the subject lands.

The proposed amendment is intended to apply a zone for both the severed and retained lot that is consistent with the respective lots which they will merge with upon final approval of consent.

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**File: Z-8357**  
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This amendment meets the intent of the Zoning by-law to ensure orderly development of the lands and that heritage resources, if any, are preserved.

<b>CONCLUSION</b>
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Staff supports the recommended amendment as it is consistent with the Provincial Policy Statement, 2014 and it meets the general intent of the Official Plan and Zoning By-law. The recommended amendment provides a consistent zone for the severed and retained lots which are each to be merged with adjacent lots as a result of the provisionally approved consent application. Finally, the holding provisions will ensure that full municipal sanitary and water services are available to the site and that the lands are assessed for the presence of archaeological resources prior to development.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>ERIC LALANDE, PLANNER II CURRENT PLANNING</b>	<b>MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

July 16, 2014  
 EL/el  
 "Attach"

Appendix "A" – Draft Zoning By-law Amendment

Y:\Shared\implemen\DEVELOPMENT APPS\2014 Applications 8309 to\8357Z - Part of 877 Medway Park Drive (EL)\OPA-ZBL Amendment Report - 877 Medway Park Drive.docx

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File: Z-8357  
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**Responses to Public Liaison Letter and Publication in “The Londoner”**

<u>Telephone</u>	<u>Written</u>
N/A	N/A

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**Bibliography of Information and Materials**  
**Z-8357**

**Request for Approval:**

City of London Zoning By-law Amendment Application Form, completed by Trustees of The Bellwood Park Congregation Of The Jehovah's Witnesses, May 12, 2014

**Reference Documents:**

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, 2014.

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

**Correspondence: (all located in City of London File No. Z-8357. unless otherwise stated)**

**City of London -**

Wise, S., Development Services various emails May 2014 – July 2014

Moore, R., Wastewater and Drainage Engineering, June 13, 2014

**Departments and Agencies**

Hatcher, Laura, Ministry of Tourism, Culture and Sport, various emails, July 14, 2014

Creighton C., UTRCA. Letter to E.Lalande. June 18, 2014.

**Other:**

Site visit July 11, 2014 and photographs of the same date.

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**Appendix "A"**

Bill No. (number to be inserted by Clerk's Office)  
2014

By-law No. Z.-1-14\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 877  
Medway Park Drive.

WHEREAS Trustees of the Bellwood Park Congregation of the Jehovah's  
Witnesses have applied to rezone an area of land located at 877 Medway Park Drive, as shown  
on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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 lands  
located at 877 Medway Park Drive, as shown on the attached map comprising part of  
Key Map No. A101, from a Holding Restricted Office (h-17\*RO2) Zone to a Holding  
Neighbourhood Facility (h-17\*h-18\*NF) Zone and a Holding Restricted Office (h-17\*h-  
18\*RO2) Zone

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of  
convenience only and the metric measure governs in case of any discrepancy between the two  
measures.

This By-law shall come into force and be deemed to come into force 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 September 2, 2014.

J. Baechler  
Mayor

Catharine Saunders  
City Clerk

First Reading - September 2, 2014  
Second Reading - September 2, 2014  
Third Reading - September 2, 2014

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

