

**3. ZONING BY-LAW AMENDMENT FILE Z.03.039
CANADIAN NATIONAL RAILWAY COMPANY
PRELIMINARY REPORT**

P.2003.52

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing for Z.03.039 (Canadian National Railway Company) BE RECEIVED; and, that any issues be addressed by Staff in a comprehensive report to the Committee of the Whole.

Purpose

On June 2nd, 2003, the Owner submitted an application to amend the Zoning By-law to rezone the subject lands to EM2 General Employment Area Zone. The proposal would facilitate the conveyance of the site for the construction and use of railway tracks and internal roadways for the transloading of plastic materials from railway to truck-related facilities.

Background - Analysis and Options

The site is located on the west side of Keele Street, south of Highway #407, within the CN MacMillan Railway Yard, in Part of Lots 2 and 3, Concession 4, City of Vaughan. The irregular-shaped site has 53.9m frontage on Keele Street and a total area of 7.57 ha.

The subject lands are designated "Rail Facilities" by OPA #450 (Employment Area Plan) and zoned PB1(S) Parkway Belt Linear Facilities Zone by By-law 1-88. The surrounding land uses are:

- North - Highway #407, employment (EM4 Employment Area Transportation Zone, EM2 General Employment Area Zone)
- South - CN Rail line (PB1(S) Parkway Belt Linear Facilities Zone)
- West - CN Rail line (PB1(S) Zone)
- East - industrial (PBM1 Parkway Belt Industrial Zone); Keele Street

On July 25, 2003, a notice of public hearing was circulated to all property owners within 120m of the subject lands. To date, no comments have been received. Any responses received will be addressed in the technical review, and included in a comprehensive report to a future Committee of the Whole meeting.

Preliminary Review

Following a preliminary review of the application, Staff have identified the following matters to be reviewed in greater detail:

- the "Rail Facilities" designation in OPA #450 states that: "should railway and related uses cease on lands at the periphery of this designation, the lands may be developed in accordance with the policies of the adjacent Employment Area land use designation where applicable, subject to a Block Plan being approved by Council"; the proposal conforms to the Official Plan;

- the land use designation on the adjacent easterly and northerly lands is “Employment Area General” and a Block Plan would not be required, given the small area of the site; the proposed EM2 Zone category would be consistent with the adjacent designation and conform to the Official Plan;
- the surplus railway lands would be conveyed to a private owner to facilitate the construction and use of railway tracks and internal roadways for the transloading of plastic materials from railway to truck-related facilities located on Doney Crescent, which is north of Highway #407; the subject lands would have access to the industrial buildings on Doney Crescent by way of an easement to be granted over CN's property; and
- an application to remove the subject lands from the Parkway Belt West Plan is under review with the Ontario Ministry of Municipal Affairs and Housing (File #19-PBA-028-168).

Conclusion

The above issues, but not limited to, will be considered in the technical review of the application, together with comments of the public and Council expressed at the public hearing or in writing, and be addressed in a comprehensive report to a future Committee of the Whole meeting. The Ministry of Municipal Affairs and Housing must confirm the deletion of the subject lands from the Parkway Belt West Plan, prior to proceeding with the subject zoning amendment application.

Attachments

1. Location Map

Report prepared by:

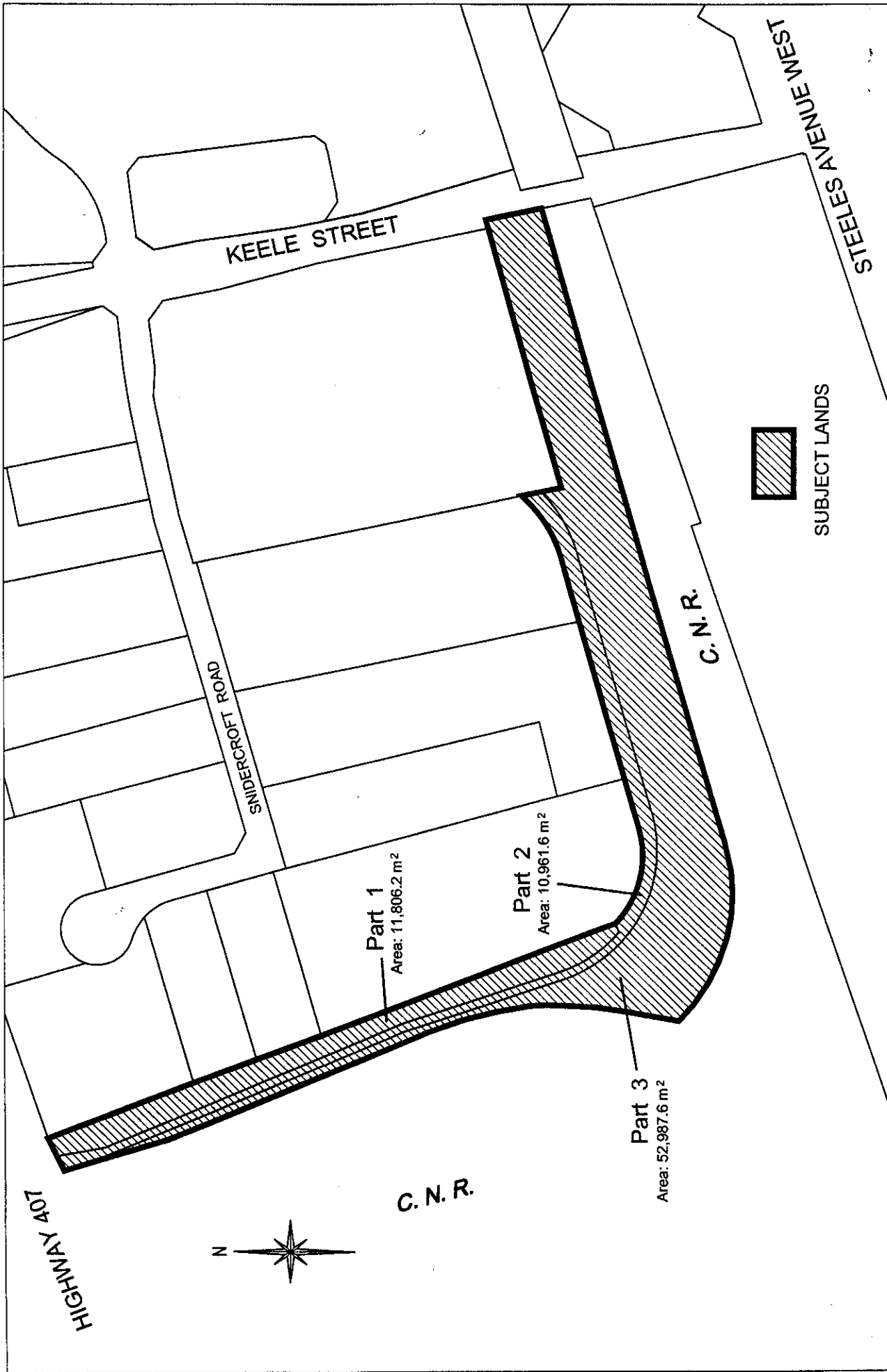
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Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE ARBOUR
Director of Community Planning

/LG



Location Map

Part Lot 2,
Concession 4

APPLICANT:
CANADIAN NATIONAL RAILWAY COMPANY

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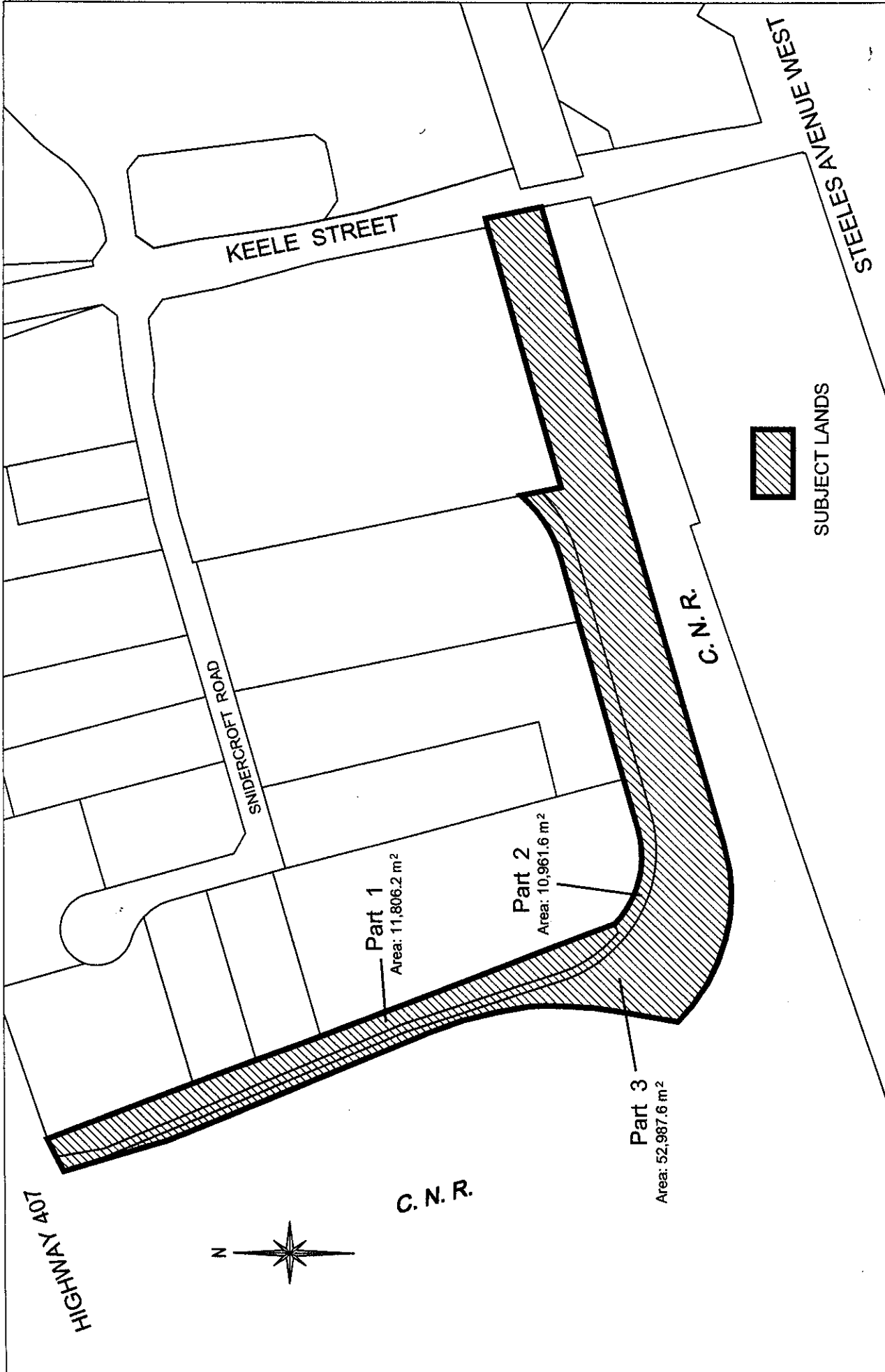
Community Planning Department

Attachment

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FILE No.:
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Not to Scale
July 15, 2003



Location Map

Part Lot 2,
Concession 4

APPLICANT:
CANADIAN NATIONAL RAILWAY COMPANY

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Attachment 1

FILE No.:
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Not to Scale
July 15, 2003

City of Vaughan

Community Planning Department