

**ZONING BY-LAW AMENDMENT FILE Z.03.040
CANADIAN NATIONAL RAILWAY COMPANY
REPORT #P.2004.053**

(Referred from the Council Meeting of December 6, 2004)

Council, at its meeting of December 6, 2004 adopted the following:

The Committee of the Whole recommends that this matter be referred to the Committee of the Whole meeting of January 17, 2005.

Report of the Commissioner of Planning, dated November 29, 2004

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.03.040 (Canadian National Railway Company) BE APPROVED, to rezone the subject lands shown on Attachment #1, from A Agricultural Zone to EM2 General Employment Area Zone, to facilitate the conveyance of the lands to the abutting northeasterly landowner.

Purpose

The Owner has submitted an application to amend the Zoning By-law to rezone the subject lands (0.11 hectares) shown on Attachment #1, from A Agricultural Zone to EM2 General Employment Area Zone, to facilitate the conveyance of the lands to the abutting northeasterly landowner.

Background - Analysis and Options

The subject site is located south of Rutherford Road and west of Keele Street, being part of the CN Rail Line to the MacMillan Railway Yard, in Part of Lot 15, Concession 4, City of Vaughan. The 0.11 hectare site is vacant.

The subject lands are designated "Employment Area General" by OPA #450 (Employment Area Plan), and zoned A Agricultural Zone by By-law 1-88. The surrounding land uses are:

- North - employment (EM2 General Employment Area Zone)
- South - CN Rail yard (A Agricultural Zone)
- West - CN Rail yard (A Agricultural Zone)
- East - employment (EM2 General Employment Area Zone)

On July 25, 2003, a notice of public hearing was circulated to all property owners within 120 m of the subject lands. To date, no comments have been received. The recommendation of the Committee of the Whole on August 18, 2003, to receive the Public Hearing and forward a technical report to a future Committee of the Whole meeting, was ratified by Council on August 25, 2003.

The proposal that proceeded to the public hearing was in consideration of a larger 1.21 ha parcel as shown on Attachment #2, to rezone the subject lands from A Agricultural Zone to EM1 Prestige Employment Area Zone and EM2 General Employment Area Zone. However, during the application circulation process, comments were received from the Toronto and Region Conservation Authority (TRCA) indicating that the majority of the lands appeared to be subject to flooding. Given that those lands are prone to flooding and subject to the Authority's Valley and Stream Corridor Management Program, the original application could not be supported. On July

9, 2004, the Owner revised the original rezoning application to include only the portion of the land (0.11 hectares) shown on Attachment #1, which is not prone to flooding, as confirmed by the TRCA. The lands, which are intended to be severed, would be rezoned to EM2 Zone, and conveyed to the abutting owner (Tesma International Inc.) to the northeast, should Council approve the subject zoning amendment application.

Official Plan

The site is designated "Employment Area General" by OPA #450 (Employment Area Plan). The proposed rezoning of the site to EM2 General Employment Area Zone would implement the Official Plan designation, and permit the lands to be used for employment purposes.

Zoning

The site is zoned A Agricultural Zone by By-law 1-88. The proposed rezoning of the site from A Agricultural Zone to EM2 General Employment Area Zone would provide a consistent zoning with the abutting EM2 lands to the east, for the purposes of facilitating the conveyance of the subject parcel to the abutting northeasterly landowner (Tesma International Inc.). The subject parcel would complete the landholding on the neighbours lands, and would likely provide an additional landscaped area adjacent to the private internal road on the Tesma property.

The Toronto and Region Conservation Authority has confirmed that the proposed rezoning will not contravene the development guidelines of the Valley and Stream Corridor, and can therefore be supported.

Relationship to Vaughan Vision 2007

This staff report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of OPA #450.

Conclusion

Staff has reviewed the proposed zoning by-law amendment, in accordance with the policies of OPA #450, the requirements of By-law 1-88, and the technical comments of the Toronto and Region Conservation Authority. Staff are of the opinion that the proposed rezoning of the subject lands shown on Attachment #1, from A Agricultural Zone to EM2 General Employment Area Zone, conforms to the Official Plan, is consistent with the EM2 zoning on the adjacent lands to the northeast, and is appropriate to allow for the conveyance of the subject lands to the northeasterly landowner, for the purposes of completing their landholding.

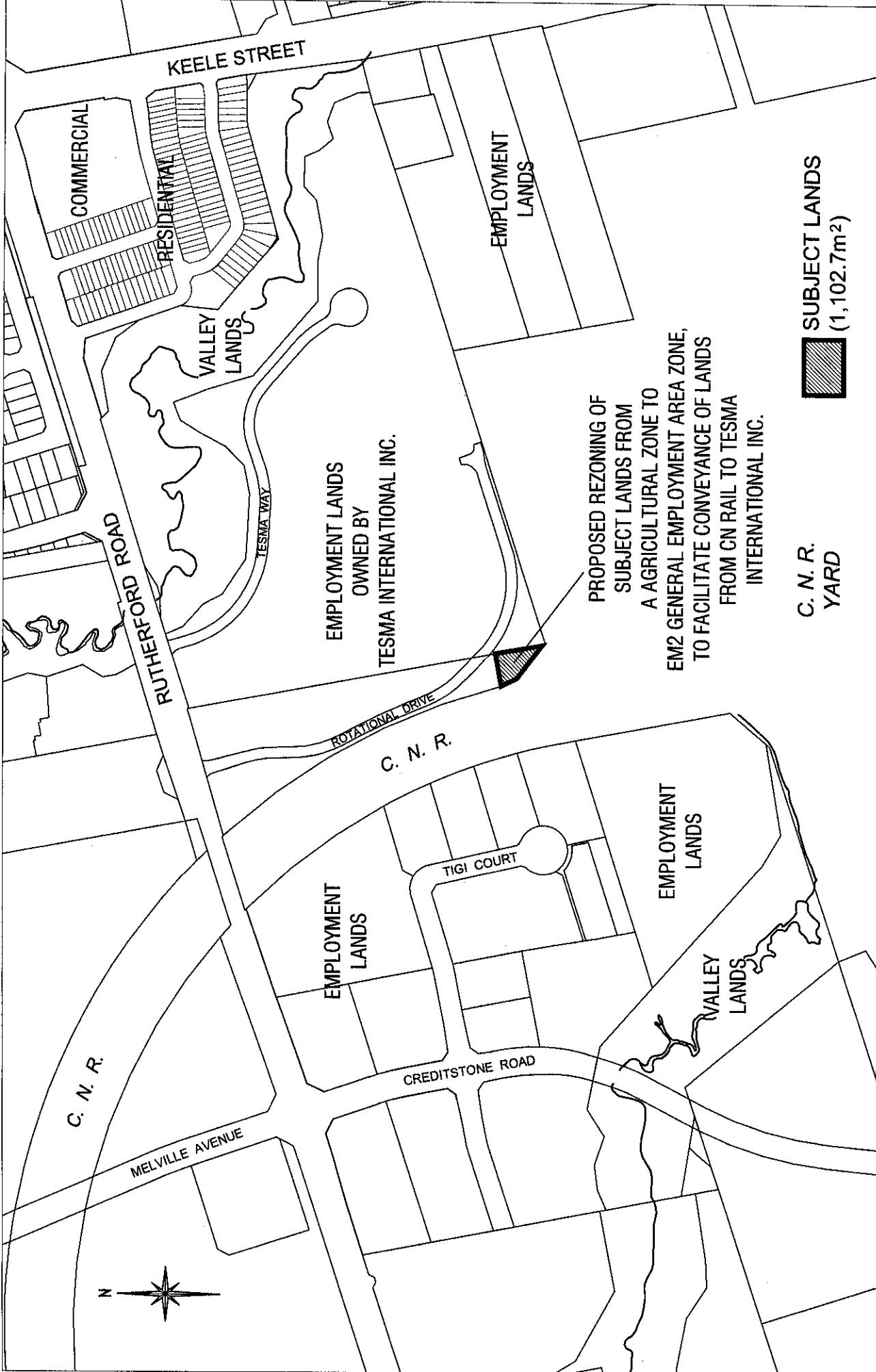
For these reasons, Staff recommends approval of the zoning by-law amendment application. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map/Lands to be Rezoned
2. Location Map (Original Application Amendment Area)

Report prepared by:

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EMPLOYMENT LANDS OWNED BY TESMA INTERNATIONAL INC.

PROPOSED REZONING OF SUBJECT LANDS FROM A AGRICULTURAL ZONE TO EM2 GENERAL EMPLOYMENT AREA ZONE, TO FACILITATE CONVEYANCE OF LANDS FROM CN RAIL TO TESMA INTERNATIONAL INC.

SUBJECT LANDS
(1,102.7m²)

C. N. R.
YARD

Location Map (Lands to be Rezoned)

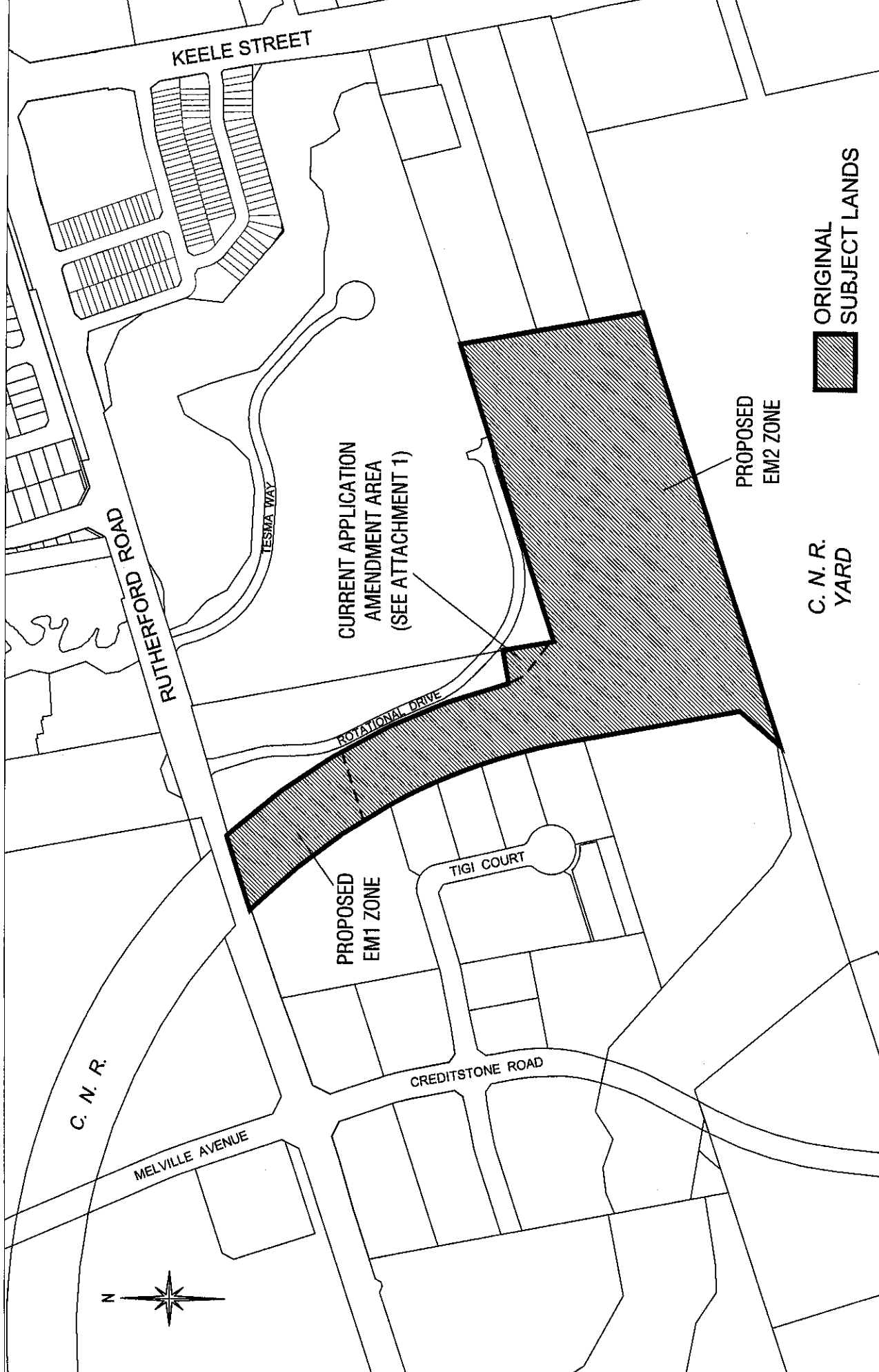
APPLICANT:
CANADIAN NATIONAL RAILWAY COMPANY
Part of Lot 15,
Concession 4
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Community Planning Department

Attachment 1

FILE No.:
Z.03.040
Not to Scale
November 4, 2004



Location Map (Original Application Amendment Area)

APPLICANT:
CANADIAN NATIONAL RAILWAY COMPANY
Part of Lot 15,
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Community Planning Department

Attachment

2

FILE No.:
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