

**6. ZONING BY-LAW AMENDMENT FILE Z.03.054
CANADIAN NATIONAL RAILWAY COMPANY
PRELIMINARY REPORT**

P.2004.49

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing for Zoning By-law Amendment File Z.03.054 (Canadian National Railway Company) BE RECEIVED; and, that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

Purpose

On August 1, 2003, the Owner submitted an application to amend the Zoning By-law to rezone the subject lands to EM1 Prestige Employment Area Zone and EM2 General Employment Area Zone, to facilitate employment development.

Background - Analysis and Options

The 12.86 ha site is located on the south side of Regional Road #7, through to Highway #407, and east of Jane Street, within the CN MacMillan Railway Yard, in Lots 4 and 5, Concession 4, City of Vaughan.

The subject lands are designated "Rail Facilities" by OPA #450 (Employment Area Plan) and zoned EM4 Employment Area Transportation Zone by By-law 1-88. The surrounding uses are:

- North - Regional Road #7; employment (EM1 Prestige Employment Area Zone)
- South - Highway #407; Parkway Belt (PB1(S) Parkway Belt Linear Facilities Zone)
- West - commercial/employment (C6 Highway Commercial Zone, EM2 General Employment Area Zone)
- East - CN Rail yard (EM4 Employment Area Transportation Zone)

On December 22, 2003, a notice of public hearing was circulated to all property owners within 120 m of the subject lands. To date, one response has been received from the owner of an adjacent property to the west expressing concerns related to water run-off and excess road dust due to truck traffic on the service road.

The application was initially scheduled for the January 19, 2004 Public Hearing, but deferred at the request of the agent. On February 6, 2004, a notice of public hearing was re-circulated to all property owners within 120m of the subject lands and to those requesting notification. To date, no additional comments have been received. Any responses received will be addressed in the technical 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:

- CN Rail considers the subject lands to be surplus to the needs of the CN Rail yard and has proposed that the lands be rezoned for employment use;

- 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”; the adjacent designations are “Prestige Area” adjacent to Regional Road #7 and Highway #407, and “Employment Area General” on the interior of the site;
- the proposed rezoning of the lands abutting Regional Road #7 (3.79 ha) and Highway #407 (0.99 ha) to EM1 Zone would conform to the Official Plan;
- the proposed rezoning of the central portion (8.08 ha) to EM2 Zone would conform to the Official Plan;
- a portion of the subject lands is located adjacent to the Vaughan Corporate Centre to the west and within the Highway #7 Policy Review study area, which has a projected completion date of Spring 2004; the study is considering how to encourage redevelopment of this older industrial area at the southeast quadrant of Jane Street and Highway #7, to implement the Vaughan Corporate Centre Vision, through potential amendments to OPA #500 and other municipal initiatives;
- the application will be evaluated in the context of policies of the relevant OPA #450; any future amendments to OPA #500 to include the subject lands within the Corporate Centre would be considered in a separate process;
- a development proposal would be reviewed in conjunction with the required site plan application, which would consider the overall site layout, access and traffic management, site servicing and grading, stormwater management, landscaping and urban design, and building elevations;
- the potential uses for the property may be affected by the limited access to the site via a driveway at the east end of Freshway Drive; and
- York Region indicated that there should be a continuous north-south collector road from Highway #7 to Highway #407, and sufficient lands to the east should be included with this application to allow for this local road to cross Highway #407 and also to link to Freshway Drive; York Region also requires sufficient buffers to be provided adjacent to the planned Highway #7 rapid transitway.

Relationship to Vaughan Vision 2007

The applicability of this application to the Vaughan Vision will be determined when the technical report is completed.

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. CN Rail considers the subject lands to be surplus to the needs of the CN Rail yard and has proposed that the lands be rezoned for employment uses. The proposed rezoning will be reviewed in context of the policies of OPA #450.

Attachments

1. Location Map
2. Draft Reference Plan

Report prepared by:

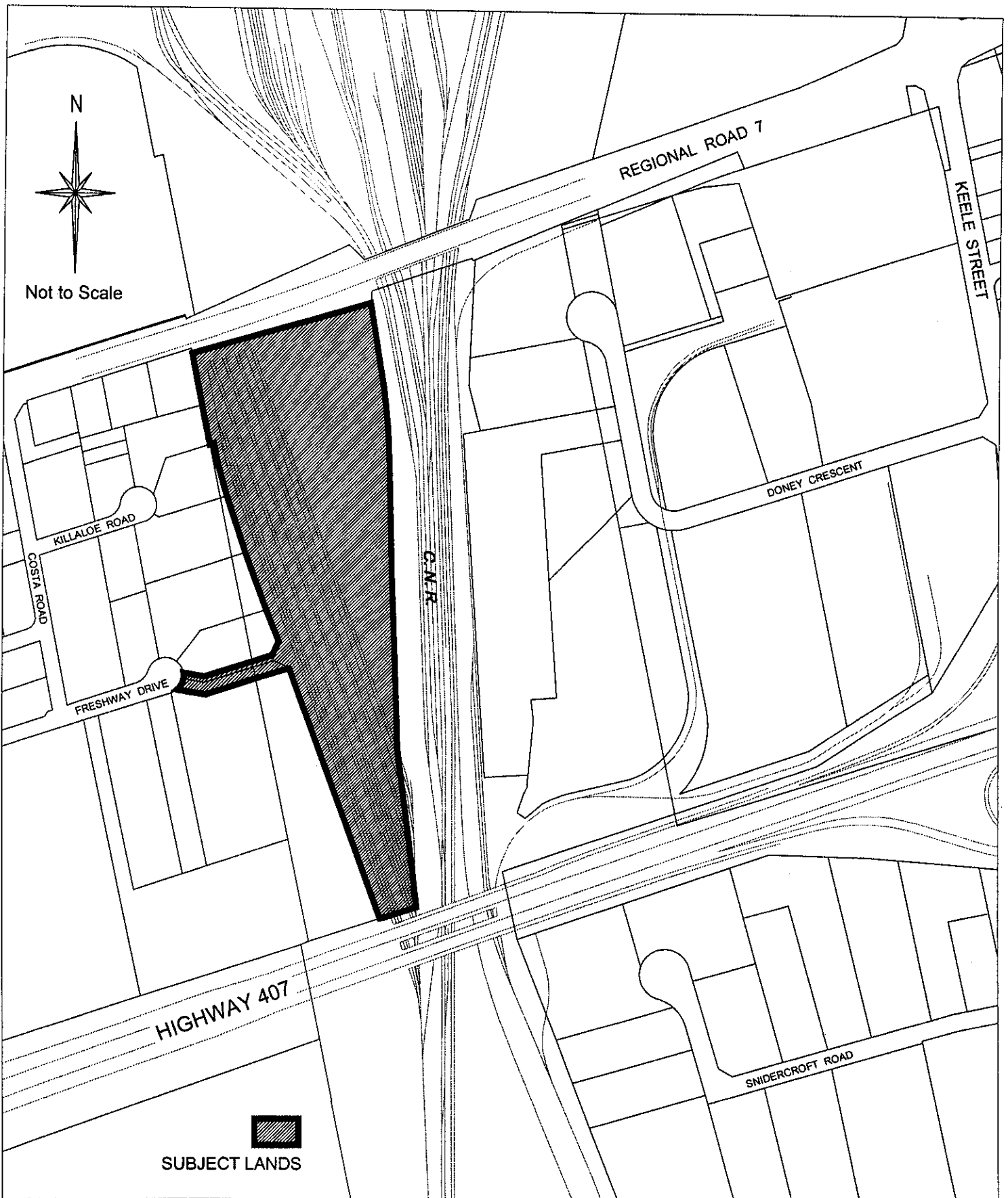
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Manager of Development Planning

/CM



Location Map

Part Lots 4 & 5,
Concession 4

APPLICANT:
CANADIAN NATIONAL RAILWAY COMPANY

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City of
Vaughan

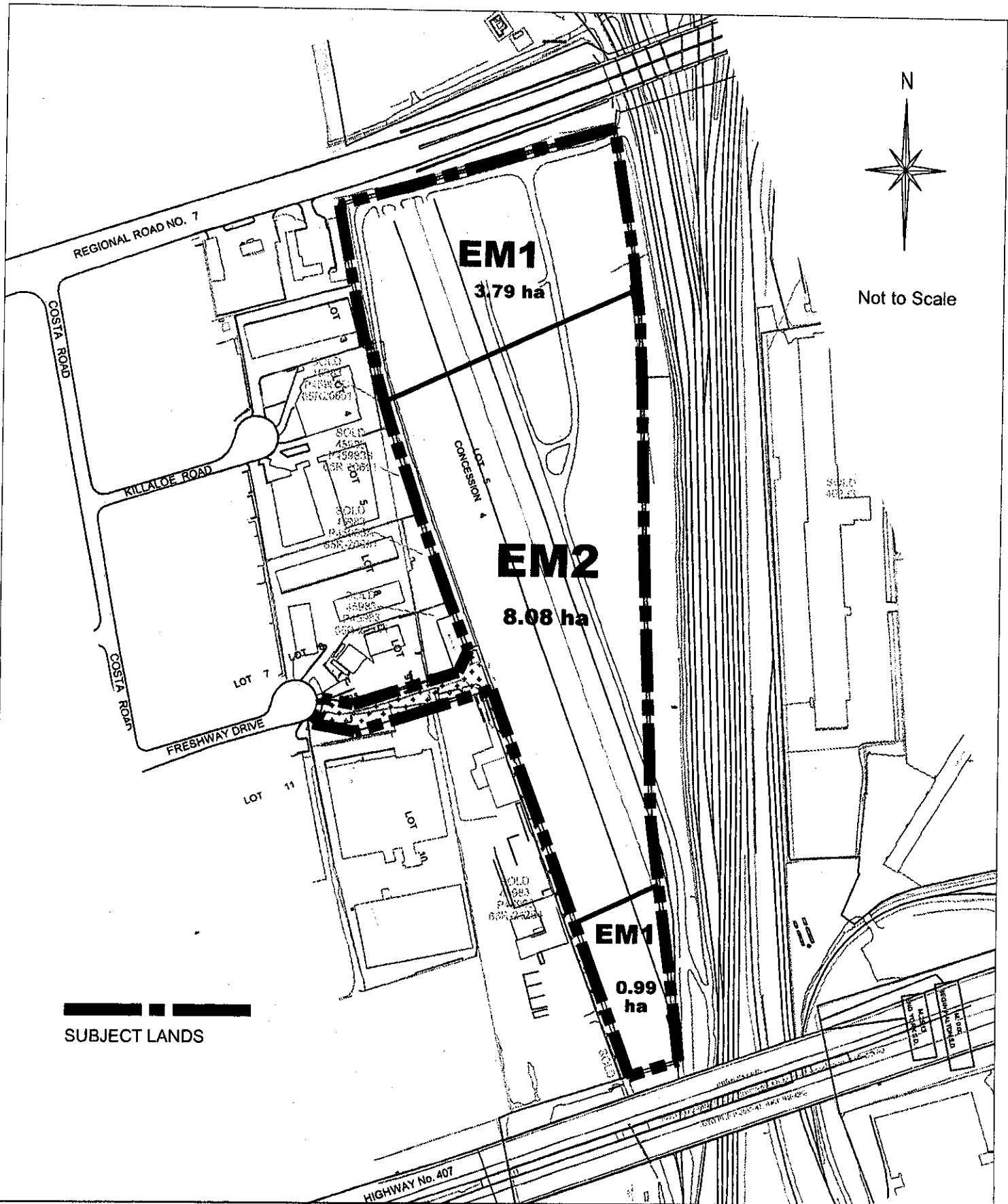
Community Planning Department

Attachment

FILE No.: Z.03.054

December 16, 2003

1



**Draft Reference
Plan / Proposed Zoning**



Attachment

2

APPLICANT: CANADIAN NATIONAL RAILWAY COMPANY

Part Lots 4 & 5, Concession 4

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