

**From:** [Watson, Jeff](#)  
**To:** [Jabbour, Rita](#)  
**Subject:** FW: Railway setback restrictions  
**Date:** Thursday, March 5, 2020 1:12:21 PM  
**Attachments:** [image001.png](#)

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**From:** Daniel Chan [REDACTED]  
**Sent:** Thursday, March 5, 2020 11:48 AM  
**To:** Watson, Jeff; Proximity  
**Subject:** RE: Railway setback restrictions

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Hi Jeff,

No, I do not handle these matters, but hopefully I can point you in the right direction.

As the corridor is discontinued (and unlikely to become rail again), CN has no comment on the matter.

For future reference on operating rail corridors, property owners should consult the RAC guidelines:

You can find information on the Railway Association of Canada website ([https://www.proximityissues.ca/wp-content/uploads/2017/09/2013\\_05\\_29\\_Guidelines\\_NewDevelopment\\_E.pdf](https://www.proximityissues.ca/wp-content/uploads/2017/09/2013_05_29_Guidelines_NewDevelopment_E.pdf)) for a guideline that was developed in association with the Federation of Canadian Municipalities.

All development/planning related inquiries to CN should be sent to [proximity@cn.ca](mailto:proximity@cn.ca).

Thanks,  
Daniel  
[REDACTED]

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**From:** Watson, Jeff <[jwatson@essex.ca](mailto:jwatson@essex.ca)>  
**Sent:** Thursday, March 05, 2020 11:33 AM  
**To:** Daniel Chan [REDACTED]  
**Subject:** FW: Railway setback restrictions

Hi Daniel

I am contacting you about a matter in the Town of Essex, Essex Centre. Not sure if you handle this sort of thing so if not please direct this inquiry to the appropriate person.

The map attached shows in a broken blue line the limits of the former CN rail line in Essex Center. Our zoning by-law requires that a minimum 30m building setback be maintained from the rail right of way. The owners of the vacant residentially zoned property at 128 Harvey wish to construct a semi-detached dwelling. But with the lot being 30m deep and the ZBL restriction, that is not possible unless we grant relief from the 30m setback regulation.

So my question to CN is would you agree to such a reduction from 30m to 7.5m (our normal rear yard setback) to permit this?

When the property owners apply for a rezoning, CN will get notice, but I would like to give the owners some indication of your position on the matter.



Jeff

*Jeff Watson*  
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Town of Essex  
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