

Message from the CAOs

On behalf of the Halton Municipalities, we are pleased to submit the Halton Municipalities' Sufficiency Review of the Canadian National Railway's Environmental Impact Statement for the Milton Logistics Hub.

INTRODUCTION

The Regional Municipality of Halton (Region) and the Corporation of the Town of Milton (Town) are the two localities most affected by this CN Project¹. Since early 2015, these two municipalities have worked with the Corporation of the City of Burlington, the Corporation of the Town of Oakville, and the Corporation of the Town of Halton Hills (together, the "Halton Municipalities") to provide a coordinated response to the CN Project. This coordinated response has resulted in detailed input to the Minister, the Canadian Transportation Agency, the CEA Agency, and this joint panel.

From the start, the Halton Municipalities have sought a cooperative, federal-municipal approach to the present environmental assessment. In response, the July 2015 decision by the federal Minister of the Environment to require panel review included specific direction that the panel take into account municipal land use, human safety in relation to motor vehicle safety, and human health including air quality, water quality, and noise exposure. More recently, in December 2016, the joint agreement between the Minister and the CT Agency expressly added CEAA requirements that this panel review take into account the concerns of localities. A similar requirement exists under the CTA.

A key concern of the five Halton localities is ensuring that this panel review take into account all applicable municipal standards. The EIS Guidelines provide specific direction on this topic:

The EIS will identify:

...

- the environmental and other regulatory approvals and legislation that are applicable to the project at the federal, provincial, regional and municipal levels;
- government policies, resource management, planning or study initiatives pertinent to the project and/or EA and their implications;

...

- any relevant land use plans, land zoning, or community plans; and
- regional, provincial and/or national objectives, standards or guidelines that have been used by the proponent to assist in the evaluation of any predicted environmental effects. (EIS Guidelines, p.13)

Several relevant land use plans apply to Halton Region. Major parts of Halton Region are within the Province's permanent greenbelt and subject to the provincial Greenbelt Plan. The CN Project includes lands covered by this Plan. Similarly, as this Region is part of the Greater Golden Horseshoe (GGH) within

¹ The term, "localities", has meaning within the context of s.98 of the *Canada Transportation Act*, which provides an approval requirement for the CN project. Each of these two municipalities, Halton Region and the Town of Milton, is also a "jurisdiction" within the meaning of the CEAA.

southern Ontario, a second relevant land use plan is the 2006 Provincial Growth Plan for the entire GGH. The Growth Plan applies to all lands within the Region and contains binding targets, policies, and mapping. The purpose of the Plan is to curtail *ad hoc*, piecemeal development and infrastructure collectively contributing to urban sprawl. In place of sprawl, the Plan advances planned, integrated public and private sector investment, infrastructure, and development known as smart growth.

The *Places to Grow Act, 2005* provides the legal framework for the Growth Plan. It demands municipal action to amend all land use plans and related planning documents to comply with the Growth Plan. Therefore, following the 2006 Growth Plan approval, the Region commenced a multi-year, multi-stakeholder, planning and regulatory process to amend its official plan. The resulting Region Official Plan Amendment (ROPA 38), termed "*Sustainable Halton*", received provincial approval in 2011 and Ontario Municipal Board approval in hearing phases from 2013 to 2015. ROPA 38 integrates and addresses all provincial requirements, sets out a vision for the future of the Region, and directs all new infrastructure and development in the Region to the year 2031.

Based on ROPA 38, the Halton Municipalities filed with this panel in December 2016 a detailed brief of how to integrate the current provincial-municipal land use planning framework with the federal environmental assessment planning framework under CEAA ("*Halton Municipalities Brief*"). The Halton Municipalities Brief used six general effects-based headings to set out the key municipal land use standards applicable to this Project, drawing support from provincial plans and the applicable provincial policy statement.

SUFFICIENCY REVIEW

On December 20, 2016, this joint panel issued a public notice seeking public input on the sufficiency of the CN EIS and railway line application by early March 2017. The deadline for this input is March 13, 2017.

The Halton Municipalities hereby submit to the joint panel a single municipal review of the sufficiency of current CN EIS (Sufficiency Review).

Like the Halton Municipalities Brief, the present document advances no position on the merits of the CN Project. Its purpose is to provide an independent and expert review of the CN EIS for the sufficiency of the information provided; it does not evaluate the merits of the CN Project.

The Halton Municipalities Sufficiency Review has two volumes:

Volume 1 provides a planning opinion from Halton Region's Chief Planner, Ron Glenn, on the sufficiency of the EIS; and,

Volume 2 provides thirteen reports prepared by one or more experts retained by the Halton Municipalities to provide independent technical review of the sufficiency of the CN EIS.

We summarize this expertise in the table below.

Table Listing Technical Expertise Retained for this Sufficiency Review	
Area of Expertise	Technical Lead(s) for the Halton Municipalities
Land Use Planning	Ron Glenn, Chief Planning Official, Halton Region
Transportation—Intermodal Facility Design and Operation	John Vickerman, Vickerman and Associates
Risk Assessment	Frank Bercha
Geotechnical	Mehdi Mostakhdemi, Amec Foster Wheeler
Water: Groundwater, Surface Water, Morphology, Ecology and Fish Habitat	Ronald Scheckenberger, Amec Foster Wheeler Bill Blackport, Blackport & Associates Jim Dougan, Dougan & Associates Cam Portt, C. Portt & Associates John Parish, Parish Aquatic Services, Matrix-Solutions Inc.
Natural Heritage System Planning	Mirek Sharp, North-South Environmental
Traffic Safety and Operations	Ali Hadayeghi and Hart Solomon, CIMA+ Alvaro Almuina, EISo Consulting Inc.
Transportation & Municipal Finance	Alvaro Almuina, EISo Consulting Inc.
Lighting	Dr. Donald Davis and Christian Luginbuhl, Dark Sky Partners
Noise	Scott Penton, Novus Environmental
Air Quality	Franco DiGiovanni, Airzone One Ltd.
Human Health	Dr. George Thurston, NYU
Growth Management Planning and Economic and Demographic Forecasting	Russell Mathew, Hemson Consulting Ltd.
Municipal Finance	Gary Scandlan, Watson and Associates
Archaeology	Lisa Merritt, ASI

It is our understanding that this input to your joint panel also includes information requests from the Region’s Chief Planner and the experts contributing to each of the thirteen expert reports. While each

expert report identifies the requested information, we understand that Mr. Glenn's planning opinion includes two attachments:

Attachment 1 is a consolidated table of information requests relevant to the standards set out in the Halton Municipalities Brief; and

Attachment 2 is a consolidated table of information requests relevant to ensuring that all technical aspects of the EIS contain sufficient information to be reviewed by the retained experts.

Should you have any questions or concerns about any aspect of this Sufficiency Review by the Halton Municipalities, please do not hesitate to contact Mr. Glenn or Mr. Curt Benson of the Region's Planning Department.

Dated March 13, 2017



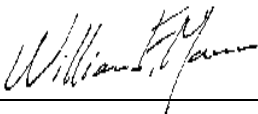
Jane MacCaskill
Regional Municipality of Halton



James Ridge
Corporation of the City of Burlington



Brent Marshall
Corporation of the Town of Halton Hills



Bill Mann
Corporation of the Town of Milton



Ray Green
Corporation of the Town of Oakville