



**REVIEW OF THE CANADIAN NATIONAL
RAILWAY COMPANY ENVIRONMENTAL
IMPACT STATEMENT –
MILTON LOGISTICS HUB**

HEMSON Consulting Ltd.
30 Saint Patrick Street, Suite 1000
Toronto, ON, M5T 3A3

March 10, 2017

TABLE OF CONTENTS

INTRODUCTION.....	1
A. SUMMARY OF FINDINGS.....	1
B. PURPOSE OF REVIEW AND SCOPE OF REPORT	1
C. QUALIFICATIONS	2
ASSESSMENT OF CN EIS AND TECHNICAL APPENDICES: ANALYSIS AND CONCLUSIONS	4
A. INFORMATION REQUESTS.....	5
REVIEW OF MUNICIPAL STANDARDS.....	7
CONCLUSIONS	11
APPENDIX A – LIST OF DOCUMENTS REVIEWED	12

INTRODUCTION

A. SUMMARY OF FINDINGS

The Canadian National Railway Company (CNR) *Environmental Impact Statement – Milton Logistics Hub* (EIS) does not identify any adverse environmental effects respecting employment lands. Further, the EIS provides no conclusions as to the significance or mitigation of any effects. Additional information is required to reach any conclusions on environmental effects or mitigation.

B. PURPOSE OF REVIEW AND SCOPE OF REPORT

The purpose of the review is to determine whether the Canadian National Railway Company (CNR) provided sufficient information to determine how the Milton Logistics Hub proposal may affect the ability of the Region of Halton and Town of Milton to meet their planned goals for development of employment lands both in the employment district in which most of the Milton Logistics Hub is located and within the employment areas planned for other locations in Milton and Halton. The basis of the assessment of the sufficiency of information is the *Environmental Impact Statement – Milton Logistics Hub* (EIS) and supporting documents submitted by CNR to the Canadian Environmental Assessment Agency.

Planning for employment growth and the lands to accommodate such growth in the Region of Halton and the Town of Milton involved a lengthy and complex planning process. The selection of an appropriate amount of land in appropriate locations for urban employment-related development is part of the process. The process also involves meeting a number of policies and quantitative targets mandated by the Province of Ontario's *Growth Plan for Greater Golden Horseshoe* (*Growth Plan*) under the *Places to Grow Act*. The planning policies and targets are implemented through the *Halton Region Official Plan*, the *Town of Milton Official Plan* and, ultimately through other planning instruments such as zoning and subdivision approval.

Among other matters, the *Growth Plan* mandates the number of jobs that the Region must plan to accommodate by a certain date, in this case 2031. It also mandates minimum density targets for development on urban greenfield lands that include the development of both residential and employment lands. The analysis supporting the

Halton Official Plan urban land designations and policies involves consideration of the type of employment, the amount of employment (job counts), the employment density and the timing of development.

As a consultant to the Province of Ontario, I worked with the Province on the preparation of the growth forecasts in the 2006 *Growth Plan* as well as the updated forecasts adopted as Amendment 2 to the *Growth Plan* in 2013. Also as a consultant, I prepared the employment land analysis for the current *Halton Region Official Plan* as described in *Sustainable Halton Report 3.07: Accommodating Growth to 2031*, April 2009.

The *Halton Regional Plan*, as amended through Regional Official Plan Amendments (ROPA) 37, 38 and 39, establishes major employment districts in the Towns of Milton and Halton Hills in the vicinity of Highway 401 as well as a new employment district in southern Milton where CNR is now proposing the Milton Logistics Hub. There are also employment districts under development to the south in Oakville and Burlington. The existing employment areas plus those added through ROPA 38 were planned to provide sufficient lands to meet the Region's 2031 employment forecast mandated in the *Growth Plan* as well as the other policy requirements including the minimum density for development in Halton's greenfield lands. The plan was based on lower-employment-density goods distribution and warehousing uses largely locating in the vicinity of Highway 401. The location for these uses is consistent with current demand and the availability of superior highway access. Other employment areas to the south in southern Milton, Burlington and Oakville are envisioned as the location of a range of employment uses with a higher employment density. The combination of areas with high and lower employment densities allows the overall urban employment land base to accommodate the planned jobs.

The documents reviewed to reach the conclusions in this report are in listed in Appendix A.

C. QUALIFICATIONS

I have almost 30 years of professional experience as a planner, land economist and demographer. Growth management and long-range planning is a major area of my expertise. I have been involved in growth management, forecasting and long-range

planning assignments for numerous municipalities in the Greater Toronto Area and Hamilton (GTAH) and Greater Golden Horseshoe (GGH).

I prepared the *Growth Outlook for the Greater Golden Horseshoe*, completed in January 2005. The forecasts contained in this report are the basis for Schedule 3 to the *Growth Plan, 2006* that mandated the growth forecasts to be used by upper- and single-tier municipalities in the GGH for long-term planning purposes. I also prepared *Greater Golden Horseshoe Forecasts to 2041*, November 2012 and its June 2013 addendum, which are the basis of Amendment 2 to the *Growth Plan*, which updated Schedule 3 and extended it to a 2041 time horizon.

I have also assisted the Region of Halton with numerous assignments on growth management, growth forecasting and land needs analysis beginning with the *Halton Urban Structure Review* work in 1990. Among these assignments was the preparation of background work for the last three major growth management amendments to the Halton Region Official Plan: ROPA 9, 1999 (*Halton Urban Structure Plan*), ROPA 25, 2004 and ROPAs 37, 38 and 39 in 2009 and 2010. My involvement in these assignments has been related to the preparation of economic and demographic forecasts and residential and employment land budgets.

I am a member of the Canadian Institute of Planners (MCIP), the Ontario Association of Land Economists (PLE) and the Royal Institution of Chartered Surveyors (RICS) and am a Registered Professional Planner (RPP).

ASSESSMENT OF CNR EIS AND TECHNICAL APPENDICES: ANALYSIS AND CONCLUSIONS

The CNR EIS addressed matters related to employment briefly in several locations in the EIS and related documents, including the following:

- *Economy and Employment*, found on page 151 of the report, discusses the economies of the Town of Milton, Halton Region and the Greater Golden Horseshoe and how they have evolved since 2001.
- *Land Use*, which is found on pages 153-155, identifies provisions of presiding land use policy documents and legislation, including the provincial *Policy Statement*, local land use plans, the Halton Region Official Plan, Halton Region Transportation Master Plan, Town of Milton Official Plan, as well as a number of other community, secondary and regional planning documents.
- The *Regional and Local Benefits* of the projects are discussed on pages 326 and 327. Specific reference to resulting employment and economic contributions to the region are identified.
- Within the Follow-Up and Monitoring Program (sections 9.2 – 9.4) portion of the report, the monitoring of the *Economy and Employment* is discussed on page 339.

Having identified no adverse environmental effects respecting employment lands, the EIS provides no conclusions on the significance and mitigation of such effects. Further, the EIS states that there are no follow up or monitoring programs.

A. INFORMATION REQUESTS

Topic	Reference to CN EIS and Information Responses	Requested Information	Rationale
Employment Use and Density EIS Guidelines, Part 1 s. 4.3.3, Part 2, s. 3.2.1, 3.2.2, 6.1.10, and 6.3.5 Halton Brief, Table D. 8	Section 8.3.2, pages 326, 327, 328	<p>E1 Details of onsite Employment should be provided</p> <p>Please provide the direct onsite employment by type (e.g. office/administration, container handlers, etc.).</p>	<p>There is no comprehensive information provided on the total employment, location or land occupancy of on-site project employment.</p>
	Section 8.3.2, pages 326, 327, 328	<p>Details of Indirect Employment should be provided.</p> <p>E2 Please provide the indirect employment offsite by type (e.g. transportation, warehousing, manufacturing, etc.).</p> <p>E3 Please clarify what CN defines as indirect employment – total and by type.</p> <p>E4 How did CN calculate the indirect employment? Please provide supporting study/documentation.</p> <p>E5 Please identify how much of the indirect employment is on CN lands outside of the project site.</p> <p>E6 Please identify what proportion of the indirect employment is within approximately 2 km of the project site vs. at a distance from the South Milton employment district.</p>	<p>There is no comprehensive information provided on the “indirect off-site employment” or employment planned for CNR’s other land holdings in the district or outside of the urban designated area in Halton Region.</p>

Topic	Reference to CN EIS and Information Responses	Requested Information	Rationale
		<p>E7 Please confirm what jobs are identified for lands that are not part of the Region’s urban area but are within the project site and outside of the project site.</p>	
	<p>Section 8.3.2, pages 326, 327, 328</p>	<p>E8 Timeline for development of CN Lands required</p> <p>Please provide a timeframe for development on CN lands.</p>	<p>This information will clarify how the projected employment growth fits into the land use planning for Halton Region, which is based on a fixed planning period (2031).</p>
	<p>a) p. v, 326, 327 b) p. 23, 43, 151, 325, 326 c) p. 151 d) p. 24, 26, 151 e) p. 150 - 152</p>	<p>E9 Copies of reports relied on are required</p> <p>Please provide a copy of the following reports that were referenced in the EIS:</p> <p>a) Cushman & Wakefield 2014 b) Strategic Projections Inc. 2013 c) Metropolitan Knowledge International 2008 d) Cushman & Wakefield 2015 e) Dillon 2011</p>	<p>Would like to review findings of the referenced reports.</p>

REVIEW OF MUNICIPAL STANDARDS

I have been asked to list any technical information within my expertise that is necessary to apply the standards in the Halton Brief. The below municipal standards are from the Halton Brief. My commentary is limited to the second, third and fourth columns of the below table.

Municipal Standard with references to Halton Brief Appendices A & B (Appendix C definitions in footnotes)	Technical information required to apply the standard	Does CN propose mitigation relevant to this standard?	Does CN propose follow-up relevant to this standard?
<p>Designated Greenfield Areas</p> <p>To require development¹ in designated Greenfield areas² to contribute towards achieving the development density target³ of Table 2 and the</p>	<p>Direct onsite employment and indirect employment offsite by type. E1 and E2</p> <p>Clarification of: what CN defines as indirect employment, and how CN calculated the indirect employment. E3 and E4</p> <p>Identification of how much of the indirect employment is on CN lands outside of the project site, what proportion of the indirect employment</p>	No	No

¹ **Development (ROP):** the creation of a new lot, a change in land use, or the construction of buildings and structures, any of which requires approval under the Planning Act, or that are subject to the Environmental Assessment Act, but does not include: 226(1) activities that create or maintain infrastructure authorized under an environmental assessment process, 226(2) works subject to the Drainage Act, or 226(3) within the Greenbelt Plan Area, the carrying out of agricultural practices on land that was being used for agricultural uses on the date the Greenbelt Plan 2005 came into effect. **Development (PPS):** the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act, but does not include: a) activities that create or maintain infrastructure authorized under an environmental assessment process; b) works subject to the Drainage Act; or c) for the purposes of policy 2.1.4(a), underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion SE, where advanced exploration has the same meaning as under the Mining Act. Instead, those matters shall be subject to policy 2.1.5(a).

² **Designated Greenfield areas (GP):** The area within a settlement area that is not built-up area. Where a settlement area does not have a built boundary, the entire settlement area is considered designated greenfield area. **Designated Greenfield areas (ROP):** The area within the Urban Area that is not Built-Up Area.

³ **Density targets (GP):** The density target for urban growth centres is defined in Policies 2.2.4.5 and 2.2.4.6. The density target for designated greenfield areas is defined in Policies 2.2.7.2, 2.2.7.3 and 2.2.7.5.

Municipal Standard with references to <i>Halton Brief Appendices A & B (Appendix C definitions in footnotes)</i>	Technical information required to apply the standard	Does CN propose mitigation relevant to this standard?	Does CN propose follow-up relevant to this standard?
regional phasing of Table 2A, and provide a diverse mix of land uses to support vibrant neighbourhoods. (ROP Reference 77(2.4)) Halton Brief, Table D.8 Halton Brief, App. B, Part F.3.1	is within approximately 2 km of the project site. E5 and E6 Confirmation of what jobs are identified for lands that are not part of the Region's urban area but are within the project site and outside of the project site. E7 Timeframe for development on CN lands. E8 Copies of reports that were referenced in the EIS. E9		
Employment Use and Density To plan for, protect and preserve the <i>employment areas</i> ⁴ for current and future use (ROP Reference 77.4(2)) Halton Brief, Table D.8 Halton Brief, App. B, Part F.3.2 Halton Brief, App. A, fig 32:	Direct onsite employment and indirect employment offsite by type. E1 and E2 Clarification of: what CN defines as indirect employment, and how CN calculated the indirect employment. E3 and E4 Identification of how much of the indirect employment is on CN lands outside of the project site, what proportion of the indirect employment is within approximately 2 km of the project site. E5 and E6 Confirmation of what jobs are identified for lands that	No	No

⁴ **Employment areas (ROP):** Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices and associated retails and ancillary facilities. **Employment areas (PPS):** Those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Municipal Standard with references to <i>Halton Brief Appendices A & B (Appendix C definitions in footnotes)</i>	Technical information required to apply the standard	Does CN propose mitigation relevant to this standard?	Does CN propose follow-up relevant to this standard?
<p>All Sensitive Land Uses</p> <p>Halton Brief, App. A, fig 38: Employment Areas: Regional</p> <p>Halton Brief, App. A, fig 39: Employment Areas: Project Detail</p> <p>Halton Brief, App. A, fig 40: Employment Areas and Future Strategic Employment Area</p>	<p>are not part of the Region's urban area but are within the project site and outside of the project site. E7</p> <p>Timeframe for development on CN lands. E8</p> <p>Copies of reports that were referenced in the EIS. E9</p>		
<p>Urban Employment Lands & Transportation Facilities</p> <p>Designate land in the vicinity of existing or planned <i>major highway</i>⁵ interchanges, ports, rail yards, and airports for employment purposes, once</p>	<p>Direct onsite employment and indirect employment offsite by type. E1 and E2</p> <p>Clarification of: what CN defines as indirect employment, and how CN calculated the indirect employment. E3 and E4</p> <p>Identification of how much of the indirect employment is on CN lands outside of the project site, what proportion of the indirect employment is within</p>	No	No

⁵ **Major highway:** A Provincial Highway, A Major Arterial, a MultiPurpose Arterial, or a Minor Arterial as shown on Map 3 of this Plan [the ROP].

Municipal Standard with references to <i>Halton Brief Appendices A & B (Appendix C definitions in footnotes)</i>	Technical information required to apply the standard	Does CN propose mitigation relevant to this standard?	Does CN propose follow-up relevant to this standard?
<p>these lands are included in the urban area (ROP Reference 77.4(6)) Halton Brief, Table D.8</p> <p>Halton Brief, App. B, Part F.3.3</p> <p>Halton Brief, App. A, fig 23: Major Transportation Facilities</p> <p>Halton Brief, App. A, fig 26: Agricultural Area and Urban Area</p>	<p>approximately 2 km of the project site. E5 and E6</p> <p>Confirmation of what jobs are identified for lands that are not part of the Region’s urban area but are within the project site and outside of the project site. E7</p> <p>Timeframe for development on CN lands.E8</p> <p>Copies of reports that were referenced in the EIS. E9</p>		

CONCLUSIONS

The Canadian National Railway Company (CNR) *Environmental Impact Statement – Milton Logistics Hub* (EIS) does not identify any adverse environmental effects respecting employment lands. Further, the EIS provides no conclusions as to the significance or mitigation of any effects. Additional information is required to reach any conclusions on environmental effects or mitigation.

Yours truly,

HEMSON Consulting Ltd.



Russell Mathew, RPP, MRICS, PLE
Partner

APPENDIX A – LIST OF DOCUMENTS REVIEWED

The documents reviewed to reach the conclusions in this report are as follows:

- The Environmental Impact Statement (EIS) Guidelines;
- The CN EIS (including the cover letter from CN dated December 7, 2015, the summary and the report); and,
- The technical appendices within this particular area of expertise:
 - Appendix A (Final EIS Guidelines)
 - Appendix B (Figures);
 - Appendix C (Renderings);
 - Appendix E.11 – Planning Justification Report – Bousfields;
 - Appendix G – Mitigation Measures and Commitments;
 - Canadian Environmental Assessment Agency (CEAA) Additional Information Requirements (March 15, 2016); and
 - CN Response to CEAA on Information Requirements (May 18, 2016).