



SUBJECT: CN's Proposed Milton Logistics Hub

TO: Mayor and Members of Council

FROM: Legal Services Department

Report Number: L-7-20

Wards Affected: All

File Numbers: 775-01

Date to Committee: n/a

Date to Council: February 24, 2020

Recommendation:

Council of the City of Burlington endorses the resolution approved by Halton Regional Council at its meeting held Wednesday, February 12, 2020 respecting the CN's proposed Milton Logistics Hub attached as Appendix A to L-7-20.

PURPOSE:

Vision to Focus Alignment:

Background and Discussion:

The Halton Municipalities have been engaged in the Canadian Environmental Assessment Agency's review of the Proposed CN Milton Logistics Hub project over the last several years. The Halton Municipalities participated in the Review Panel hearing process for the Proposed CN Milton Logistics Hub during the spring/summer of 2019. The Review Panel released its report on the Proposed CN Milton Logistics Hub on January 27, 2020. On February 12, 2020, members of Burlington City Council attended the meeting of Regional Council at which time they were provided with a detailed briefing on the results of the CEAA Panel Review of the Proposed CN Milton Logistics Hub and its conclusions. A copy of the public presentation can be accessed by the following link.

<https://edmweb.halton.ca/OnBaseAgendaOnline/Documents/DownloadFile/CN%20Presentation%20->

[%20February%2012%2c%202020%20Council.pdf.pdf?documentType=1&meetingId=4096&itemId=116376&publishId=63874&isSection=False&isAttachment=True](#)

Strategy/process

Regional Council at its meeting held February 12, 2020 passed a public resolution attached to this report as Appendix A. It is in the continued interests of the City of Burlington to continue to support the Halton Municipalities in its opposition to the Proposed CN Milton Logistics Hub Project and for Council to endorse the resolution passed by Regional Council.

Options Considered

The City of Burlington could disengage from this process however it is in the continued best interests of the City to continue to engage in this matter with the other Halton Municipalities.

Financial Matters:

N/A

Total Financial Impact

N/A

Source of Funding

N/A

Other Resource Impacts

The City Manager and the Executive Director of Legal Services and Corporation Counsel have been engaged with their counterparts in the Halton Municipalities in this matter.

Climate Implications

The Review Panel concluded that the proposed CN Milton Logistics Hub is itself likely to cause significant adverse environmental effects on air quality and on human health as it relates to air quality and is also likely to cause significant cumulative environmental effects on air quality, human health, wildlife habitat and the availability of agricultural land. The Review Panel conclusions on Project effects and cumulative effects fails to fully address the significance of all effects.

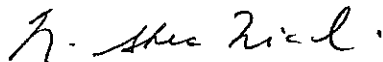
Engagement Matters:

The public participated in the hearings that were conducted before the Review Panel.

Conclusion:

It is recommended that the City of Burlington continue to work with the other Halton Municipalities in a coordinated approach, and that Council endorse the resolution that was approved by Regional Council on February 12, 2020 as attached as Appendix A.

Respectfully submitted,



Nancy Shea Nicol

Executive Director of Legal Services & Corporation Counsel

(905) 335-7600 Ext. 7616

Appendices:

- A. Resolution approved by Regional Council at its meeting held Wednesday, February 12, 2020 respecting the Proposed CN Milton Logistics Hub.

Notifications:

Clerk – Region of Halton

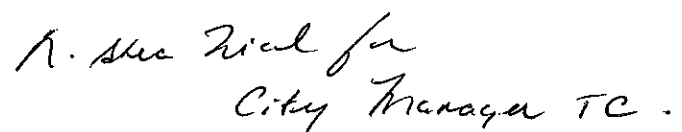
Clerk – Town of Oakville

Clerk – Town of Milton

Clerk – Town of Halton Hills

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Council. Final approval is by the City Manager.





The Regional Municipality of Halton

THE FOLLOWING RESOLUTION WAS APPROVED BY REGIONAL COUNCIL AT ITS MEETING HELD WEDNESDAY, FEBRUARY 12, 2020

WHEREAS as outlined in Report LPS69-19 re: "Proposed CN Milton Logistics Hub" and Report LPS78-19 re: "CEAA Panel Review of the Proposed CN Milton Logistics Hub" the Halton Municipalities participated in the Review Panel hearing process for the proposed CN Milton Logistics Hub during the spring/summer of 2019;

WHEREAS the submissions of the Halton Municipalities included detailed expert predictions that the Proposed CN Milton Logistics Hub was likely to cause multiple significant adverse environmental effects;

WHEREAS the Review Panel released its report on the Proposed CN Milton Logistics Hub on January 27th, 2020;

WHEREAS the Review Panel concluded that the proposed CN Milton Logistics Hub is itself likely to cause significant adverse environmental effects on air quality and on human health as it relates to air quality and is also likely to cause significant adverse cumulative environmental effects on air quality, human health, wildlife habitat and the availability of agricultural land;

WHEREAS the Review Panel conclusions on Project effects and cumulative effects fail to fully address the significance of all effects;

NOW THEREFORE BE IT RESOLVED:

THAT the Federal Government be told that based on the submissions provided by the Halton Municipalities and other agencies, the panel conclusions on those effects that it fully addressed, and the additional significant effects that are likely to occur, the Minister must refer this matter to cabinet and support cabinet in concluding that the significant effects of this Project are not justified in the circumstances, and refuse any federal approval of the Proposed CN Milton Logistics Hub;

THAT the Regional Chair be authorized to send a letter to the Prime Minister, the Minister of the Environment, the Federal Cabinet, the leaders of the federal Opposition parties and all Halton area Members of Parliament informing them that, on the basis of the significant adverse effects likely to occur from this

Project, and information before the Panel that challenges any justification for these significant effects, Halton Region does not support any federal approval of the Proposed CN Milton Logistics Hub;

THAT Halton Region continue to participate in the EA process by presenting the interests and concerns of Halton and the Halton municipalities to the Federal government;

THAT staff be authorized and directed to take any and all actions related to the proposed CN Milton Logistics Hub as outlined in closed session;

THAT a copy of this resolution and the public presentation provided to Regional Council be forwarded to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville and Conservation Halton, Halton MP's and MPP's, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, the Premier of Ontario, the Ontario Ministry of Municipal Affairs and Housing, and the Attorney General of Ontario for their information.

* * * * *