



COMMUNITY IMPACT OF PROPOSED CN RAIL HUB IN MILTON

Often community members such as the Boyne Britannia Neighbourhood Group are pushed to ask important questions: Why? What and who will benefit? Will harm be done to the people, community and to the environment? Civic society is dependent on evidence, education, dialogue and, ultimately decisions that inform action essential to build a safe community where human well-being is a priority. I bring the concerns and effort of these Milton citizens to your attention.

Joey Edwardh

Background

The Canadian National Railway Company (CN)

CN Rail is a multi-national corporation with revenues of \$250 billion in 2018. Over the last 25 years, it has purchased 1,200 acres of land on the southwest corner of Milton and they are now proposing 400 acres be used to build its Rail Hub. The facility would be approximately 2,900 metres in length and have the capacity to handle four trains per day. Once completed, the terminal would operate 24 hours a day, seven days a week. It would be bordered by Tremaine Road to the west, Britannia Road to the north, Lower Base Line to the south and Highway 25 to the east.

The proposed CN Rail Hub or transport interchange will enable cargo to be exchanged between intermodal vehicles: that is rail cars and transport trucks. This intermodal exchange has the advantage that it can be done without any handling of the freight itself when changing

modes. The method reduces cargo handling, and so improves security, reduces damage and loss, and allows freight to be transported faster. Reduced costs over road trucking is the key benefit for inter-continental use.

In 2008, CN announced that the economy could not support their proposed Rail Hub and they would not proceed with its construction.

In 2015, CN reversed its decision and announced it planned to build the Rail Hub in Milton.

Milton and Halton Region Planning

A decade ago there were 54,000 people living in Milton. Now, it's about 113,000, with a 30.5 percent population growth between 2011 and 2016. The average age of Milton residents is 35, making it the youngest community in Ontario. Census figures show about 30 per cent of the population is 19 or younger.

Milton is experiencing an array of development challenges since the town began growing. Schools are struggling to house the population. GO transit has yet to be able to accommodate all the commuters to downtown Toronto. Fees to developers do not cover the health and emergency services the town and region must provide.

Milton planners have their sights set at population growth to 400,000 in 30 to 40 years.

In 2013, Halton Region and Milton approved a regional plan that assumed the CN Rail Hub would not be built. The plan includes high intensity residential (20,000 new homes), recreation, commercial and education facilities

development immediately beside the proposed CN Rail Hub.

Access Road Issues with the Proposed CN Rail Hub

Milton community groups and individuals have claimed that building the CN Rail Hub now will affect quality of life of the growing population of Milton. Negative impact of the Rail Hub includes:

- Property devaluation by the unsuspecting home owners who have purchased the newly built homes adjacent to the proposed CN Rail Hub.
- The 24 hour a day 1,600 trucks and the 130 Rail Hub employees will create long rows of waiting trucks, heavy road use not only near the CN Rail Hub but throughout Milton as the trucks from the CN Rail Hub leave the Rail Hub directly into residential neighbourhoods built following the most recent Milton and Halton Region plans.
- The CN Rail Hub will be handling toxic materials that will create risk to the adjacent residents.
- Employment density will be far below the Provincial mandate – 5,000 versus 15,000– CN feels it is not required to meet density targets.
- Development fees not collected to support infrastructure costs.
- Loss of property taxes for Milton and Halton Region.
- Regional Road #25 is the main road the 1,600 trucks a day will use travelling to and from the Rail Hub as it is presently the only road linking Milton to the 407 and the Queen Elizabeth Way.
- In May 2018, truck routes for the CN Rail Hub are not built including the widening of

Britannia Road, although the CN Rail Hub would be located on Tremaine Road, this road is not presently connected north to the 401 or south to the 407. Without one of these roads, truck traffic on Milton's already busy arterial roads will be excessive.

- Even though the southern part of the Rail Hub could be connected south on Regional Road 22, the CN Rail Hub is presently designed to have traffic only enter on the north side with all 1,600 trucks 24 hours a day entering a residential area of Milton.

Detailed information about the proposed CN Rail Hub is available on the Halton Region website. (<http://www.halton.ca/CN>) As well, more issues are raised by the "Milton Says NO" community group. (www.miltonsaysno.com)

CN Rail Research on Impact of Proposed Milton CN Rail Hub

In 2017, Scott Streiner, CEO of the Canadian Transportation Agency, reported in a speech to the Railway Association of Canada that a different approach was being taken by his agency for the approval process for construction of the proposed CN Rail Hub. He stated:

"We haven't had a large number of rail construction applications in recent years, but when they do come in, they can be contentious, depending on the planned location of the new line. A case in point is CN's proposed Milton logistics hub, for which the Minister of Environment and Climate Change and I have agreed to a joint hearings process – a sort of single window for gathering information relevant both to the environmental assessment and the Agency's determination on whether or not to authorize construction." (<https://otc.cta.gc.ca/eng/content/chair-and-ceo-scott-streiner-addresses-railway-association-canada-may-11-2017>)

Therefore, the Milton Logistics Hub Project Review Panel (see ceaa.gc.ca Ref #80100) is a joint process established under the Canadian Environmental Assessment Act, 2012, and the Canada Transportation Act.

On March 21, 2018 CN submitted its responses to many of the Panel's environmental assessment information requests. (<https://www.ceaa-acee.gc.ca/050/documents/p80100/122057E.pdf>)

A public hearing will be announced by the Panel and 60 days notice will be provided once it is decided when the hearing is to be held. (<https://www.ceaa-acee.gc.ca/050/documents/p80100/121416E.pdf>)

CN had submitted a report to the Panel in January 2018 (<https://www.ceaa-acee.gc.ca/050/documents/p80100/121598E.pdf>) about its 'public consultation'. This report claimed shopping mall customers and interest groups favoured the proposed CN Rail Hub. This is in contrast to what a public referendum may find, for example, if a referendum had been included as part of the November 2018 municipal election. However, the deadline for submitting a referendum question was March 1, 2018.

In addition, CN's 'Mitigated Day-Night Sound Level Contours - Operations' study also submitted to the Panel in January 2018, omits the noise impact of the 1,600 Rail Hub trucks a day on Milton streets

It's Never Been More Important for Big Companies to Listen to Local Communities

The Harvard Business Review (November 2017) (<https://hbr.org/2017/11/its-never-been-more-important-for-big-companies-to-listen-to-local-communities>) reported that there are new tools for governing the relationship between large corporations like CN with local communities. These include

community benefit agreements, memoranda of understanding, and multi-stakeholder agreements designed to document commitments, responsibilities, and benefits surrounding a large investment project such as the CN Rail Hub. It is pointed out that these tools can help bring clarity to all involved and must be reviewed and renegotiated over time.

In March 2018, two community meetings were convened by CN to discuss the offering of 'gifts' to community groups to secure their support for the Rail Hub. Examples presented at these meetings and reported in CN's "Milton Logistics Hub - Benefits Brief" involved:

Transportation and transit

- Evaluate development of dedicated truck lane from proposed facility to 407

- Contribution to additional overpass in the Halton Region in partnership with all levels of government

Recreation

- Contribution to partnership for a new arena in Milton

- New connections to regional cycling network

- Additional pedestrian/cycling overpass over mainline

- Contribution of land to provincial greenbelt

- Investment in a community park

- Contribution to a new community sports field

Education and environment

- Contribution to higher education programs or facility to Halton Region

- New contributions to community programs and partnerships

Contribution to program or capital for Milton Education Village/Innovation Centre

However, in the same “Benefits Brief”, CN states it would support these and other ideas as long as:

- *The proposed Project is approved with reasonable, acceptable conditions*
- *CN would be a contributor to a partnership funding envelop, not the sole contributor*
- *The benefit does not require additional environmental assessment scope related to the proposed Project.*
- *The proposed Project is not contingent on this additional benefit*
- *The benefit does not impact the proposed Project’s schedule*
- *The benefit is feasible*
- *There is no specific timeline associated with the benefit*
- *CN is not responsible for the operation or the maintenance of the benefit*

Memoranda of understanding, and multi-stakeholder agreements designed to document commitments, responsibilities, and benefits surrounding the CN Rail Hub have yet to be agreed upon. These presumably would include negotiating with CN to relax the above listed conditions CN has stated in supporting any ‘benefits’.

Since 2014, the Halton Municipalities have cooperated in assessing the CN Rail Hub proposal for potential effects relating to areas of provincial and municipal responsibility through the Federal Environmental Assessment process.

Court Challenge

In March 2018, the Region of Halton, the Town of Milton, the City of Burlington, the Town of Halton Hills, and the Town of Oakville and Conservation Halton have filed a joint Court application to confirm their jurisdiction to review the impacts of the CN Rail Hub. This is in response to CN’s assertion that the CN Rail Hub is an exclusive federal jurisdiction, and neither the Province nor the municipalities have any regulatory role with respect to it.

(<https://www.insidehalton.com/news-story/8146692-halton-municipalities-going-to-court-to-ensure-oversight-in-milton-cn-project/>)

Conclusions

The proposed CN Rail Hub highlights community issues that urgently need to be acted on by all stakeholders:

- Milton should conduct a referendum outside of the election which would be much more representative of community views than Milton shopping mall ‘surveys’ conducted by CN’s consulting firm.
- Milton and the Region of Halton should seek the support of local residents as part of the Court challenge so that local governments and citizens have an input into the decisions that affect their lives.
- A process to disseminate information and create opportunity for broad public discussion of and consensus on the implications of the proposed CN Rail Hub. This is required to ensure a balanced approach to this proposal that is in the best interest of all concerned.
- The impact of the truck traffic impact on Milton requires further examination including consideration of the proposed CN Rail Hub being redesigned so that its main entrance is not Britannia Road on its north

side, but to Regional Road #22 on its south side.

- More discussion about how local neighbourhoods in Milton receive from CN benefit agreements, memoranda of understanding, and multi-stakeholder agreements designed to document commitments, responsibilities, and benefits.

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