

Milton Community Consultation Committee

Meeting Summary

Date: April 4, 2024

Time: 5:00 p.m.

Location: Zoom virtual meeting

Facilitators: Edie Thome and Terry Flynn

Administrator: Elizabeth Young

Invited Guests:

Gordon Graham, Senior Manager Intermodal Planning and Development, CN

Meeting Summary

Meeting Note:

A site visit followed by an in-person meeting was scheduled for this meeting timeslot. Due to extreme weather conditions and in the interest of safety, the tour was postponed.

Agenda Items:

1. Welcome

- **E. Thome** commenced the meeting at 5:02 p.m.
- E. Thome welcomed new members **D. Havelka Leen** and **K. Voisin** to the Committee, who provided brief introductions.
- **T. Flynn** acknowledged and thanked **C. Carroll** for her involvement with the Committee. This is **C. Carroll's** last meeting with the Committee. **D. Havelka Leen** will serve as Wilfrid Laurier's representative on the Committee. **C. Carroll** expressed appreciation for her time as a member of the Committee.

2. Land Acknowledgement

- **T. Flynn** provided a Land Acknowledgement.

3. Safety Moment

- In keeping with CN's meeting protocol to commence with the safety briefing, **N. Mott** shared a safety message regarding the upcoming solar eclipse on April 8, 2024 and the importance of protective eyewear and to be respectful and patient of crowds at various viewing locations.

4. Approval of Agenda

- **T. Flynn** asked for additions or changes to the agenda. No additions or changes raised.
- Motion to approve the agenda moved by **A. Ehrlick** and seconded by **M. Smith**.
- Agenda approved.

5. Approval of 1 February 2024 Meeting Summary

- **E. Thome** asked for additions or changes to the meeting summary. No changes raised.
- Motion to approve the meeting summary moved by **A. Ehrlick** and seconded by [inaudible].
- Meeting summary approved.

6. Legal Updates

- **D. Reynolds** stated that both CN and the federal government have filed an appeal of the March 1, 2024 decision by Justice Brown on the [judicial review](#); in addition to those appeals, CN has filed for a motion to stay to allow CN to resume construction activities during the appeal process. The matter is in the hands of the court.
- **D. Reynolds** stated that the [Ontario Court of Appeal](#) decision was issued on March 7. Halton Region and Town of Milton have the option, until early May, to file for leave to appeal at the Supreme Court.
- **D. Reynolds** stated that a decision is still pending on Halton Region's appeal of Section 98 [the Canadian Transportation Agency (CTA) approval].
- A participant enquired whether the Committee would go on a hiatus given the uncertain timing of further court decisions and the inability to do construction on the property. **D. Reynolds** stated that there is still value in continuing the process with the Committee but would leave it to the Co-Facilitators to determine meeting arrangements. **D. Reynolds** added that CN's request for a stay could be resolved quickly and as such was in favour of maintaining the Committee as is. **E. Thome** noted there continue to items that are moving ahead in the design phase where the MCCC could add value. **E. Thome** added that if there will be a prolonged delay, the timing of upcoming meetings could be revisited. **E. Thome** stated there would be enough material to discuss to warrant proceeding to the June meeting. Revisiting the question could be done at that meeting.

7. Committee Business

- **Heritage Committee Update**
 - **D. Reynolds** stated that CN may have a use for the barn at 5381 Tremaine Road; they would use only the barn and the area would be fenced off from the rest of the property; the house with a large yard around it remains available for repurposing.
 - **E. Thome** asked the Cultural Heritage Subcommittee members for an update on the status of the meeting with an interested party and the Mayor. There was no update on the status of those discussions, though efforts had been made by the interest group to move those discussions forward.
 - A participant enquired whether the house would still be available for reuse whether the Project proceeds. **D. Reynolds** confirmed that CN would be looking for an alternative use for the house regardless of how the Project proceeds.
- **Decision Tracker Review**
 - **E. Thome** led a discussion on the latest updates to the document.
 - **D. Reynolds** stated that CN is reviewing and considering the feedback noted on the tracker regarding community notification and work being done along the tracks north of Britannia Road, as well as increasing safety at a gate leading to the tracks. **D. Reynolds** added that because construction activities on site have paused, work near that residential area has not been initiated and once work is ready to resume, CN will initiate the communication.
 - A participant indicated concern about the gate entrance and suggested that it could be accessed by trespassers and that CN Police might want to investigate the area. **M. Loureiro** stated that CN would look into the gate access area and fix accordingly.
 - A participant expressed concern about the potential lack of rail safety knowledge among newer residents in the area and suggested CN raise awareness within the community about safety around railway tracks and level crossings. Another participant added that people travelling by bicycle, particularly children with the nicer weather ahead, need to be remind about rail safety as well. A discussion ensued about communication tools to get rail safety messages out. **D. Reynolds**

expressed appreciation for the feedback and suggestions, noting the community engagement work done by CN Police, particularly in schools. **D. Reynolds** will remind CN Police to re-engage with schools in Milton. **F. Moreau** noted Rail Safety Week in September where CN actively engages communities across Canada on safety and awareness in a variety of ways, including several videos available through *Operation Lifesaver* that can be used in educating individuals.

- A participant enquired about speed limits on trains going through residential areas. **D. Reynolds** stated that the speed limit on main lines is typically 60mph, which can vary from region to region, adding that trains typically operate slightly below the design speed for the track and that speed limits are restrictive and there are serious repercussions for trains going above speed limits. **D. Reynolds** will confirm the speed limit through Milton. A discussion ensued regarding how speed limits are classified and monitored. **E. Thome** suggested discussing this topic more fully in a future meeting.
- **D. Reynolds** will engage CN's real estate division to look into obtaining an asbestos report for the house at 5381 Tremaine Road.
- **E. Thome** commented on the desire to increase participation from Indigenous groups on the Committee; noting these groups do not need to join the Committee as full members but to join as observers at any point. **D. Reynolds** noted that CN is in regular contact with all three Indigenous Groups as the Project progresses as well as on other matters in the area, adding that there has been a change in leadership in these groups and CN continues to re-engage with these groups and encourage their participation to either join the Committee or attend as observers.
- **Update on Co-Facilitators' Action Items**
 - **E. Thome** provided an update on outreach efforts to engage other community representatives, stating these efforts are on hold as the Committee now has two new members, combined with an attempt to be respectful while the court cases are going on and any confusing messaging during this time; further community engagement and observer invitations would resume once there is more clarity around the Committee's future scheduling.
 - **T. Flynn** provided an overview of communication vehicles to convey what the Committee – not CN – is doing, including the twice-yearly newsletter and the development of a website that would include meeting summaries and other useful documents. **T. Flynn** reflected on previous discussions with Committee members where there have been mixed feelings about being proactive in communications about what the Committee is doing. **T. Flynn** stated that draft website design and material will be shared at the next meeting.
 - A participant suggested that some of the presentations at Committee meetings from the subject matter experts could be posted on the website, such as the presentation from the representative from IAAC.

8. Project Update

- **D. Reynolds** welcomed guest subject matter expert **G. Graham**, Senior Manager Intermodal Planning and Development, to the meeting to provide further insight and address questions regarding the site design.
- **Site design and truck facilities / Administrative building design**
 - **D. Reynolds** provided an overview of the gate entrance and how trucks enter and exit the facility and their movements through the facility to collect or drop off containers, as well as the inspection portal.
 - A participant enquired about snow accumulation on trucks parked for an extended

period. **G. Graham** confirmed there will be one or two scrapers that will be positioned near the outgate area for truck drivers to drive through, adding that it is the truck drivers' responsibility to ensure the safety of their vehicle before returning to the road.

- **G. Graham** described the biometric gate entry system that identifies drivers entering the facility and validate that the railway has all of the information that is needed in order to allow the driver to drop off the container for shipment and/or to collect the information to ensure that driver has the authority to pick up a container; currently drivers input the information at a kiosk on site, likening the device to a bank machine, and the system would validate the information that is input and once cleared to proceed the driver is given instructions on where to go within the yard or provided information if there is an issue. **G. Graham** noted that CN is looking to streamline that process as technology improves, adding that currently CN has introduced a phone-based app at most of the terminals that allows the trucking company to input their information before the driver arrives at the terminal, allowing the office to deal with any issues before the driver arrives for pick up; CN will continue to roll that out after further consultation with the trucking community; this would reduce, though not entirely eliminate, the need for drivers to have to wait around at the terminal; this advanced gate access/exit process will be in place in the Milton Project.
- A participant enquired about how queuing at the entry gate will be addressed. **D. Reynolds** stated that the current gate transaction time is approximately three minutes per transaction at the gate and the intent with the new driver app is to create more efficiency to reduce the impact at the gate and to ensure that queuing would not have an impact on public roads; the design team continues to look at ways to make the gate area efficient.
- **E. Thome** noted that as CN works on the terminal design, the Committee can submit input and provide feedback to CN on design elements for consideration.
- A participant enquired about the capacity for trucks to enter and exit. **D. Reynolds** stated approximately 80 trucks. The participant asked for confirmation about queuing trucks to exit. **D. Reynolds** stated the exit time for outbound trucks is quicker than inbound and that the goal is to move trucks through the facility as quickly as possible and the aim for the app is to provide that efficient movement.
- A participant noted that research indicates that it is more economical to turn a vehicle off if it will be idling for more than five minutes, but there are no cost savings to turn a vehicle off it will be idling for one minute. The participant enquired whether CN has in place a notification system to alert drivers the wait time will be more than five minutes to control idling to the minimum. **D. Reynolds** noted that the intent within the facility is to get the truck in, have the work completed, then out as quickly and efficiently as possible and minimize idling as much as possible.
- A participant enquired whether bypass exit lanes are incorporated into the design for trucks in the event they cannot collect a container once they have entered the facility. **G. Graham** stated that all trucks exit through the same outgate process, which allows CN to confirm they have left the terminal; in the event of an incident it is important to know who is in the terminal; there is no bypass lane because there is no case where the driver enters the facility without being able to complete the transaction; the goal through the app is to allow the transportation company to correct an issue prior to dispatching the driver to go to the terminal rather than the driver having to resolve the issue upon arrival at the gate. **D. Reynolds** added that

CN's gate reservation system helps address the impact of potential delays and idling. **G. Graham** stated there is a reservation system to enable drivers to set a specific time to enter the facility; this enables the facility to prepare accordingly to service the truck entering the facility and allows the driver to plan their day; without this system this could cause line-ups during peak times; this reduces idling on site.

- **E. Thome** enquired about facilities for drivers, as referenced in previous meetings. **D. Reynolds** stated there have been discussions among the design team about potential options adding that some initiatives in other locations have proven problematic; the team continues to review how to provide facilities for drivers that are efficient while remaining in working order.
 - A participant enquired how long a truck is in the terminal. **G. Graham** stated that the industry standard is one hour, with typically 45 minutes inside the terminal.
 - A participant enquired how many trucks could pass through the terminal in a day as well as how many at peak times. **D. Reynolds** stated that the [conditions](#) limit the number of trucks entering the facility; the traffic study looked at the experiences at other facilities and incorporated applications such as the reservation system to model what can be expected at the Milton facility in terms of peaks and peak flows.
 - A participant enquired about the distance from the road to the entrance. **D. Reynolds** stated the drive from Britannia Road to the queuing area is approximately 1.8km.
- **T. Flynn** stated that the slide deck had been shared with Committee members in advance for their review and for members to raise questions or ask for further information based on their review.
 - **D. Reynolds** thanked **G. Graham** for participating in the meeting [departed 6:45 p.m.].
 - **Ongoing monitoring**
 - **D. Reynolds** shared highlights of recent construction activities and ongoing activities during the temporary shutdown of construction, including:
 - around Lower Base Line including shoring work to protect the mainline during excavation, culvert work to ensure safe water flow; the Britannia gate entrance where clearing and preparation of the access road was being done until construction paused [March 1, 2024];
 - plans going forward centre around continuing to meet the conditions for approval, and to ensure there are no issues from an environmental standpoint such as erosion protection controls are being maintained on site, replacing silt fences, ensuring straw bales are intact, ensuring erosion is not occurring in locations on site, appropriate pumping is happening in the event of big rainfall to ensure waters flow properly and the silt bags are installed where necessary and implemented properly;
 - a flag person remains in place in the Lower Base Line for safety reasons to limit trespassing as much as possible and risk of an incident, even though the embankment is very high safety remains a priority;
 - follow up programs will continue, such as air quality and water monitoring programs will continue.
 - **F. Moreau** provided an overview on the discovery of a sea lamprey during the fish rescue during the Indian Creek realignment; sea lamprey is a parasitic fish that attaches itself onto other fish and feeds off the host, which leads to infection and death of fish; the sea lamprey was humanely euthanized with clove oil diluted with water; Department of Fisheries and Oceans (DFO), Ministry of Environment, Conservation, and Parks, and Conservation Halton were contacted about the discovery; DFO is adding Indian Creek as a candidate location for their lampreycide control program, an annual

program they implement around the Great Lakes to control this invasive species population; the product they use kills the larva and in the process the larva stays in the creek and decomposes naturally.

- A participant enquired about which agency will be handling ongoing monitoring.
F. Moreau stated there are ongoing monitoring programs that includes continuous sampling to ensure the species is not there; CN will follow up with DFO to understand better their follow-up measures as part of the lampreycide program.
- A participant commented that this invasive species would not likely have been discovered had work not been in place, and thus is an example of a contribution to the greater environment that this project is making.
- **Site Environmental Protection (Soil, Water, Country Foods)**
 - **Soil Analysis Update**
 - **F. Moreau** provided an overview of the [Technical Data Report \(TDR\) Soil Chemical Analysis \(Appendix E.13\)](#) that was submitted as part of the 2015 EIS, which involved 49 samples to test the soil quality [the report was shared with the Committee as part of the meeting materials]; soil analysis used both provincial and federal standard; the results indicated that the soil was classified as non-hazardous and considered suitable for reuse on site, in accordance with provincial and federal guidelines for commercial and industrial uses; the study resulted in the soil management plan to guide the management of the soil during grading activities as well as to inform the inspection and maintenance of the erosion and sediment control during construction; the plans also helped with the design and the implementation of the stormwater management system, which provides water quality control during the operations.
 - **T. Flynn** enquired if any soil was taken off site. **F. Moreau** stated that all soil is being reused on site, used mostly for noise berms and mitigation measures with regards to visual aspects such as tree plantings. **D. Reynolds** noted that the locations of the testing locations are identified in the TDR that was circulated.
 - A participant enquired about the landscape plan. **D. Reynolds** stated that the plan is still under development and can be shared when available.
 - **F. Moreau** stated there is an environmental monitor to monitor the construction activities, inspect erosion and sediment control, and ensure compliance with all the plans that we have in place; water quality is also monitored for any indication of potential effects from construction activities that may happen; the contractor is also responsible for identifying and testing any soil that is suspected of being potentially contaminated during excavation and to determine if the soils are suitable for reuse on site; to date, no contaminated soil or suspected contaminated soil has been identified through construction.
 - **Soil, Water, Country Foods Follow Up Programs**
 - **F. Moreau** provided an overview of ongoing monitoring through construction and operation:
Surface Water Follow-Up Program: focusses water quality and quantity programs and water courses drainage on site but also out of the site; parameters being monitored are linked to soil disturbances such as like agricultural contaminants, turbidity, suspended solids.
Stormwater Follow-Up Program: looks at water quality from the terminal discharged to the environment after runoff drains from the terminal that includes grid separators, swales, and stormwater management ponds.

Groundwater Follow-Up Program: looks at water quality samplings in the wells that we have within the terminal and around of the terminal as well as changes to the water table.

Country Foods Follow-Up Program: monitors changes in the cabinet and soil adjacent to the projects.

- **F. Moreau** noted that these follow-up programs, combined with the mitigation measures during construction and during operation, serve to inform and ensure that CN is made aware of any contamination offsite as a result of project activities; should there be any spills or anything that isn't immediately dealt once the terminal is operational the likelihood of soil and outside contamination is extremely low.
- A participant enquired about mitigation measures of paved surfaces to contain any contamination. **D. Reynolds** referenced the treatment process system that will treat water landing the site; the first pass will be the oil grid separators, then go through grass swales that lead into storm water management ponds; both the stormwater management ponds are in place to take any water that lands in the facility and hold it there if anything falls out of it and it will get released in a controlled manner back out into the creek; in addition to the measures in the facility, there is a bypass system so that anything that falls outside of the facility, the water will flow around the terminal or through the terminal without interacting with the water that lands inside, which preserves it from getting contaminated.
- A participant enquired if soil testing was done in the area where the track was removed for realignment. **D. Reynolds** confirmed there are boreholes along the line. **T. Flynn** referred to pages 31 to 33 in the [TDR](#) [Appendix E.13] for more information on those locations.
- **D. Reynolds** provided an overview of aerial views of the Project site, identifying key areas of work progress on site over time.

9. Parking Lot Questions/Issues/Other Business

- **T. Flynn** led a discussion about a future site visit; a discussion ensued about preferences on days of the week and times and whether to continue with in person meetings following site tours or to do them at different times. **T. Flynn** will connect with the Committee in a separate email for input and preferences. .
- **T. Flynn** discussed arranging site tours of Brampton and Milton specifically for new Committee members.

10. Adjournment

- **T. Flynn** thanked all members for their continued interest and participation in the Committee and for their input during the meeting. **T. Flynn** thanked **C. Carroll** for her participation on the Committee.
- Next meeting: 6 June 2024 with a site tour and meeting time to be confirmed.
- The meeting concluded at 7:00 p.m.