



Guidelines:

For the review of development applications involving contaminated or potentially contaminated sites.

Town of Milton
April 2026

Disclaimer: Guideline documents will be reviewed and updated as necessary to reflect current policies, practices and accepted standards.

1. What is the purpose of this document?

- Provide guidance and framework for stakeholders submitting development applications involving contaminated or potentially contaminated sites.
- Provide guidance to Town staff when reviewing and commenting on development applications where the subject lands are contaminated or potentially contaminated.
- Ensure that the condition of the land subject to a development application is appropriate for the proposed land use.
- Ensure that any land being conveyed to the Town meets all applicable environmental standards and that any change in land use will not pose or increase risk to human health or the environment and does not represent a financial liability to the Town. (i.e., to avoid the Town being transferred property that has a Record of Site Conditions with onerous Certificate of Property Use conditions or risk management measures.)

2. Who should prepare Environmental Site Assessments?

Environmental Site Assessments must be prepared by a Qualified Person (QP) as defined under Ontario Regulation 153/04 (as amended). A Qualified Person is typically:

- A licensed Professional Engineer (P.Eng.), or
- A licensed Professional Geoscientist (P.Geo.)

3. When are Environmental Site Assessments required?

- Development proposals subject to Official Plan Amendment, Zoning By-Law Amendment, Draft Plan of Subdivision, Site Plan Control, Consent application and where lands are to be dedicated to or are being acquired by the Town.
- Where a change in land use to a more sensitive land use is being proposed.
- Site Alteration Permit applications on a case-by-case basis depending on site conditions and the nature of the proposed works.

4. When are Environmental Site Assessments not required?

- Applications for Minor Variance where a change to more sensitive land use is not contemplated (O. Reg. 153/04).
- Draft Plans of Condominium if they have been addressed at the Official Plan, Zoning By-Law, or Site Plan stages.

5. Why do we need to review development applications with respect to contaminated or potentially contaminated Sites?

As a result of Bill 23, More Homes Built Faster Act, 2022, and Bill 185, Cutting Red Tape to Build More Homes Act, 2024, Halton Region was identified as an “upper-tier municipality without planning responsibilities”. In recognition of these changes, the Halton Area Municipalities, including the Town of Milton, and Conservation Authorities prepared a Memorandum of Understanding (MOU) for an Integrated Halton Area Planning System to provide a framework for the coordination of roles and responsibilities related to planning across Halton.

This MOU, dated May 2024, states that the determination of the need for studies/updates, review, approval, and acceptance of Environmental Site Assessments (ESAs), Letters of Reliance, and study updates as well as the confirmation of Records of Site Condition (RSC) in accordance with applicable regulations, guidelines, and Ministry of Environment, Conservation, and Parks (MECP) requirements are the responsibility of the Local Municipality.

As such, the Town has prepared these Guidelines (formerly known as Halton Region Protocol) for reviewing development applications with respect to contaminated or potentially contaminated sites outlining the steps that must be completed and conditions that must be met by an applicant when submitting development applications to the Town.

6. What else should we know about the process of reviewing contaminated or potentially contaminated Sites?

- Development Review is responsible for ensuring the required information is received to facilitate the approval of development applications.
- Development Engineering is responsible for coordinating the review of the environmental information relating to contamination or potential contamination at a site for a development application.
- Development Engineering will determine the need for Environmental Site Assessments (ESAs) and Letters of Reliance, its review and acceptance as well as the need for Records of Site Condition (RSC). Municipal acceptance does not constitute certification or warranty of environmental conditions.

7. Review Process

As requested in Section 8d) of the Pre-Consultation Request Form (please refer to [Development Applications - Town of Milton](#) for additional information regarding pre-

consultation meetings), the applicant is required to complete and submit, with the Pre-Consultation Request Form, the Milton Environmental Site Screening Questionnaire and Declaration (ESSQD).

A copy of the Milton ESSQD is provided as **Attachment #1** of this document.

Development Review circulates the ESSQD to Development Engineering for review prior to the Pre-Consultation meeting. The applicant is notified in the Pre-Consultation meeting whether the development application will require the submission of ESA reports.

If ESA reports are required, the applicant shall submit the reports, as part of the first submission package for review and acceptance. For municipal review purposes, a Phase One ESA shall be dated no more than 18 months from the development application date.

If contamination or potential contamination on the subject lands is identified, the applicant must then determine the course of action required to address and resolve the issues to the satisfaction of the Town.

A flow chart outlining the complete process to review development applications with respect to contaminated or potentially contaminated sites is provided as **Attachment #2** of this document.

8. Peer Review

At the discretion of the Town, submitted ESA reports and Remedial/Risk Assessment reports may be subject to external peer review. The requirement for an external peer review will be determined on a case-by-case basis, and all associated costs will be borne by the Property Owner per Town's User Fee By-Law in effect at the time of the application.

In those instances where an external peer review is required, the Town will rely on the review and recommendations of the Town's environmental peer review consultant. However, the responsibility for ensuring that ESA reports and remedial/risk assessment work (if required) meets the applicable MECP's requirements and that the site is suitable for the intended use or reuse remains solely the responsibility of the Property Owner and their environmental consultant's Qualified Person.

A Qualified Person (QP), other than risk assessment, under Ontario Regulation 153/04 is a licensed professional engineer (P.Eng.) or professional geoscientist (P.Geo.) responsible for conducting and/or supervising Phase I and II ESAs and filing Records of Site Condition (RSC).

In addition to the guideline questions outlined in the Town of Milton - Peer Review Checklist, the peer reviewer will also be asked to consider the following key questions as they relate to the development application:

- Are the ESA, remediation, and risk assessment reports prepared in accordance with applicable Provincial and Regional requirements?
- Do the documents submitted by the applicant provide sufficient evidence to determine the environmental condition of the site and its suitability for the intended land use or is additional investigation required?
- Do you agree with the statements, opinions, and conclusions in the reports pertaining to the environmental condition of the subject lands, including the selected Site Conditions Standards or the property specific standards determined via risk management?
- A copy of the Town of Milton - Peer Review Checklist is provided as **Attachment # 3** of this document.

9. Reliance Letter

- Where environmental reports (e.g., Phase One ESA, Phase Two ESA, Phase Three ESA, Remediation Reports, etc.) are submitted to the Town in support of development applications, applicants must provide a Reliance Letter.
- The Reliance Letter must confirm that the Town of Milton, Halton Region, where applicable (e.g., regional roads widening), and Town's external peer reviewers may rely on the work and conclusions presented in the reports for the purposes of making determinations regarding the property.
- A Reliance Letter Template is included as **Attachment #4** of this document.

10. Environmental Site Screening Questionnaire and Declaration

A completed Environmental Site Screening Questionnaire and Declaration (ESSQD) must be submitted with every Pre-Consultation Request Form (i.e., Official Plan Amendment, Zoning By-Law Amendment, Draft Plan of Subdivision, Site Plan, etc.) The ESSQD must be signed by a Commissioner of Oaths or a lawyer who is licensed to practice law in Ontario.

As part of the ESSQD review, Development Engineering will refer to the Halton Region's Environmental Protection GIS Database (EPGD) which assists in the identification of contaminated or potentially contaminated sites throughout the Region. This database continues to be updated and maintained by the Region and it can be accessed through the external Contaminated Sites Viewer:

https://webgeo2.halton.ca/CSHtml5Viewer/?viewer=PLN_ContaminatedSitesViewerExternal.Halton_ContaminatedSitesViewer_HTML5

Development Engineering will also refer to the Ontario's Environmental Site Registry (ESR) which contains Record of Site Conditions filed under Part XV.1 of the Environmental Protection Act.

Access Environment

- *Above Ground Storage Tanks*
Where above ground storage tanks (ASTs) are indicated on the ESSQD, the Property Owner must provide documentation signed by a Qualified Person that the ASTs have been properly decommissioned in accordance with applicable laws and regulations. This documentation is required prior to approval of the development application or included as a condition within the applicable Agreement.
- *Water Wells*
Where the presence of one or more water wells is indicated on the ESSQD, the Property Owner must provide documentation signed by a Qualified Person that the well(s) has/have been properly decommissioned in accordance with applicable laws and regulations. This documentation is required prior to approval of the development application or included as a condition within the applicable Agreement.
- *Septic Systems*
Where the presence of a septic system on the property is indicated on the ESSQD, the Property Owner must provide documentation signed by a Qualified Person that the septic system has been properly decommissioned in accordance with applicable laws and regulations. This documentation is required prior to approval of the development application or included as a condition within the applicable Agreement.

11. Phase One Environmental Site Assessment

The purpose of a Phase One ESA report is to determine whether there are any Areas of Potential Environmental Concern on the subject property resulting from any past or present Potentially Contaminating Activities.

The Phase One ESA report shall be prepared, sealed, and signed by a Qualified Person, meet the requirements of O.Reg. 153/04 (as amended from time to time), and reflect the **current conditions** of the subject lands (Section 28 O. Reg. 153/04). For municipal review purposes, a Phase One ESA shall be dated no more than 18 months from the development application date. If the information in the report is older than 18 months, then an update to the Phase One ESA will be required with the extent of the Phase One ESA update (e.g., update letter or full report) determined by the proponent's Qualified Person in order to satisfy themselves that the information relied upon in the update provides an accurate assessment of the current environmental conditions.

A Phase One ESA will be required as part of a development application submission if the application is subject to any of the following circumstances:

- The proposal includes a change to more sensitive land use as per defined under O.Reg. 153/04 (as amended).
- The proposal includes lands to be dedicated to the Town, such as parkland, greenbelt dedications, road allowances, etc.
- The ESSQD submitted with the application indicates the potential for contamination on the subject property, or the Property Owner is uncertain of the answers to the questions raised in the questionnaire.
- The subject property abuts a known landfill, existing or former industrial site, and/or a property previously identified as contaminated.

12. Phase Two Environmental Site Assessment

Should the Phase One ESA determine that further investigation is warranted, a Phase Two ESA will be requested that meets requirements in Part VIII and Schedule 'E' of O.Reg. 153/04 (as amended) and must be based on current work per Section 28 of O.Reg. 153/04. A Phase Two ESA is to be completed within 18 months of the date the last work on all the records review, interviews, and site reconnaissance required for Phase One ESA.

In general, a Phase Two ESA involves the collection of soil and groundwater samples and installation of groundwater monitoring wells to determine the physical and chemical characteristics of the subject property and assess whether any Contaminants of Concern are present related to Potentially Contaminating Activities and estimated Areas of Potential Environmental Concern identified in the Phase One ESA.

All contaminated areas of the site that are identified through the Phase Two ESA investigation that exceed applicable Site Condition Standards under O.Reg. 153/04 ("generic standards") must be remediated to the satisfaction of the Town. The Property Owner must file a Record of Site Condition acknowledged by the MECP prior to the approval of the development application. (i.e., Prior to By-Law, or included as a condition within the applicable Development Agreement.)

Non-potable ground water Site Condition Standards may be used only for properties that meet all criteria set out in Part IX, Section 35 O.Reg. 153/04 and after the applicant has notified and received written response by Halton Region.

13. Remedial Action Plan

If a Phase Two ESA indicates that contaminants are present on the property that exceeds the applicable site condition standards, a Remedial Action Plan (RAP) in accordance with O.Reg. 153/04 is required. A RAP may include the use of a Risk Assessment either as an alternative to, or in combination with, physical remediation methods to remove and/or treat contamination in soil and/or groundwater.

A RAP must be prepared, sealed, and signed by a Qualified Person and submitted to the Town prior to remediation taking place. The RAP must clearly describe the remediation approach and provide timelines and schedules for completion of remedial activities, including the plan for confirmation sampling of soil and/or groundwater and post-remediation monitoring (where applicable) to demonstrate that the site meets the applicable standards for the intended land use.

RAPs are implemented under the supervision of a Qualified Person in support of a Record of Site Condition, and they require a Site Alteration Permit.

The satisfactory completion of site remediation works will be a condition of application approval. For Zoning By-Law Amendment applications, a Holding Provision will be placed on the property until such time as the remediation works are completed. In the case of applications for Site Plan Approval the remediation of the site will be a condition of approval.

For all development applications, when the site has been remediated, the Applicant must submit to the Town a copy of the MECP Record of Site Conditions acknowledgement letter.

14. Remediation Report

Upon completion of all remedial activities, a final Remediation Report, that is sealed and signed by a Qualified Person, must be submitted to the Town. The report must confirm that the subject property now conforms to the appropriate MECP criteria and is suitable for the intended land use(s).

The following documentation must also be provided to accompany the Remediation Report:

- A certified statement by the Qualified Person regarding the potential for groundwater migration of contamination from the development lands that may enter onto the lands being dedicated to the Town and confirmation that the Property Owner shall maintain responsibility for any ongoing monitoring and/or remediation of the development lands, if required, to prevent migration of contamination onto the lands being dedicated to the Town.

- As-Constructed drawings, sealed and signed by a Professional Engineer in good standing that clearly and explicitly show cross-sections with final grades, depths of imported fill material, invert elevation, and thicknesses (where applicable) of any risk management measures installed for any lands being dedicated to the Town.

15. Risk Assessment

The Town acknowledges the use of Risk Assessments in accordance with O.Reg. 153/04 as an alternative approach for addressing contaminated sites where remediation may not be feasible. As such, the utilization of risk assessment would be permitted for development sites where no lands are to be conveyed or acquired by the Town. The applicant will be required to provide applicable documentation to the satisfaction of the Town indicating that the approach is a viable alternative and recommended over remediation.

The MECP reviews and approves the Risk Assessment and issues a Certificate of Property Use (CPU) where Risk Management Measures (RMMs) are required to be implemented.

16. Record of Site Condition

A Record of Site Condition (RSC) is a formal submission to the MECP by a Qualified Person, indicating the environmental conditions of the site and its suitability for the proposed use.

An MECP acknowledgement letter confirming that the RSC was filed and accepted on the Environmental Site Registry must be provided to the Town as a condition of approval of the development application.

An RSC will be required where any of the following situations occur:

- The proposed future use(s) of the subject property constitutes a “change of use” to a more sensitive use as per O.Reg. 153/04, s. 14.
- A Phase Two ESA report indicates that the subject lands have been identified as having a contaminant that exceeds applicable Site Condition Standards.

The most sensitive land uses under O.Reg. 153/04 include agricultural, residential, parkland, and institutional, as well as certain types of community uses (as defined in s. 14(10)). Refer to O.Reg. 153/04 under the definitions section and section 14 of the regulation for full descriptions of these land use types.

17. Certificate of Property Use

A Certificate of Property Use (CPU) is a legal document registered on a property's Title that requires specific actions to manage potential environmental risks, ensuring the public's health and safety. A CPU is issued by the MECP for sites that require Risk Management Measures (RMMs) to be implemented in support of the Risk Assessment.

The purpose of the CPU is to ensure that future property owners, property occupants, and municipal officials are aware of any conditions imposed such as:

- Restrictions on building construction or specific types of buildings.
- Requirements to install and maintain barriers or caps on contaminated soil.
- The need for a soil vapour mitigation system in any new buildings.
- Restrictions on the use of groundwater as a source of potable water.
- The requirement to develop and implement a soil management and a health and safety plan for any future activities involving the soil.
- Reporting and monitoring requirements, etc.

18. Requirements for Municipal Land Dedication

Proponents are advised that all land dedicated to the Town shall be free of contamination and suitable for its intended use and shall be certified as such by a Qualified Person, as defined in O.Reg. 153/04 (as amended). Land must also be free of any legal restrictions, encumbrances, or conditions (such as those imposed through a Certificate of Property Use (CPU) or other risk management instruments) that would limit the Town's use, access, or development of the property.

The Town will not accept any land conveyances that pose, or are likely to pose, a risk to human health or the natural environment, or that represents financial or environmental liability to the Town.

Environmental report(s) submitted to the Town must specifically reference the lands to be dedicated to the Town (with legal description and surveyed reference plan) and must be sealed and signed by a Qualified Person (as defined in O.Reg. 153/04).

An updated Phase One ESA shall be required prior to the transfer of lands to the Town. The purpose of the update is to determine whether any **new** Potentially Contaminating Activities (PCAs) have occurred on the subject property or within 250 metres of the site since completion of the previous Phase One ESA, and whether such activities may have resulted in new Areas of Potential Environmental Concern (APECs).

The updated assessment must be completed in accordance with the requirements of Ontario Regulation 153/04, as amended. The submission shall be accompanied by a written certification, signed and sealed by the Qualified Person (QP), confirming that in the QP's professional opinion, and based on the findings of a Phase One ESA and, where warranted, a Phase Two ESA completed in accordance with O. Reg. 153/04 and applicable MECP guidance,

- There are no Contaminants of Concern present at, in, on, or under the lands to be conveyed to the Town at concentrations exceeding the Applicable Site Condition Standards for the intended use; and
- The lands are suitable for conveyance to the Town for their intended purpose (e.g., parkland, right-of-way, servicing block, etc.).

It is noted that the onus is on the Property Owner to ensure that there is either no contamination on the site or that the contamination is not causing, or is not likely to cause, any adverse effects.

19. Official Plan and Policies

- Provincial Policy Statement (2024)

Section 5.3.2 - Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

- Town of Milton Official Plan

Objective 54. Ensure development takes place on sites that are safe from soil contamination.

It is policy of the Town to:

3.4.1.4 Facilitate redevelopment on brownfield sites only when the site is safe from soil contamination.

3.4.1.5 Support the use of applicable guidelines for reviewing development applications with respect to contaminated or potentially contaminated sites.

3.4.1.6 Require conformity with applicable provincial legislation, regulations, and guidelines to determine whether there is any potential contamination on the site and the steps necessary to bring the site to a condition suitable for its intended use.

- Memorandum of Understanding for an Integrated Halton Area Planning System

The parties recognize the need to address site contamination as part of relevant local municipal planning processes.

The determination of the need for studies/updates to studies, review, approval and acceptance of Environmental Site Assessments, Letters of Reliance and study updates as well as confirmation of Records of Site Conditions in accordance with applicable regulations, guidelines and Ministry of the Environment Conservation and Parks requirements will be the responsibility of the local municipality.

20. Legislative Framework

- Environmental Protection Act

The Environmental Protection Act is Ontario's key legislation for environmental protection. The Act grants the MECP broad powers to deal with the discharge of contaminants which cause negative effects. The Environmental Protection Act specifically:

- i. Prohibits the discharge of any contaminants into the environment which cause or are likely to cause negative effects - and in the case of some approved contaminants requires that they must not exceed approved and regulated limits.
- ii. Requires that any spills or pollutants be reported and clean-up in a timely fashion.

The Environmental Protection Act includes, among several items, authorization for the MECP to issue a Control Order where there is an adverse effect on the environment and prescribes the requirements for Environmental Compliance Approvals, Waste Management, and Spills. Record of Site Conditions (RSC) setting out the requirements for the assessment and cleanup of a property and prohibiting certain changes in the use of a property are detailed in Part XV.1 of the Environmental Protection Act. Part XV.2 contains special provisions reducing the potential liability from orders from municipalities and others that may need to undertake certain investigative or other actions related to brownfield sites.

- Planning Act

The Planning Act legislates land use planning in Ontario and describes how land uses may be controlled, and who may control them. Section 2 of the Planning Act states that municipalities shall have regards to:

- (h) the orderly development of safe and healthy communities
- (o) the protection of public health and safety

While Part V, Section 34 relating to contaminated lands; sensitive or vulnerable areas states:

Zoning By-Laws may be passed by the councils of local municipalities:

3.1 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures on land,

- i. that is contaminated,
- ii. that contains a sensitive groundwater feature or a sensitive surface water feature, or
- iii. that is within an area identified as a vulnerable area in a drinking water source protection plan that has taken effect under the *Clean Water Act, 2006*.



Environmental Site Screening Questionnaire and Declaration

The personal information on this form is collected under the authority of the Planning Act, RSO 1990, c.P.13, as amended. The information is used for the purpose of evaluating the development application. Questions about the collection of personal information should be directed to Development Engineering via email: DevelopmentEngineering@Milton.ca

Legal/Municipal Address: _____

Applicant: _____

1. What is the current use of the property? _____
2. What were the previous uses of the property? _____
3. Was the subject property ever used for industrial purposes? Yes No Uncertain
4. Was the subject property ever used for commercial purposes that may have caused contamination? (e.g., gas station, drycleaner, etc.) Yes No Uncertain
5. Has fill ever been placed on the property? Yes No Uncertain
6. Has this property ever had a septic system? Yes No Uncertain
7. Does the property currently use a septic system? Yes No Uncertain
8. Does the property have or ever had a well? Yes No Uncertain
9. Is there any reason to believe that the subject property may be potentially contaminated based on historic use of the property or a neighbouring property within 100 m of the property, including but not limited to: electroplating, the operation of electrical transformer stations, disposal of waste materials, chemical storage, gas stations, automotive repair garages, and/or drycleaning plants? Yes No Uncertain
10. Are/were there any above ground storage tanks on the property? Yes No Uncertain
11. Are/were there any underground storage tanks or buried waste on the property? Yes No Uncertain
12. For existing or previous buildings on the property, are there building materials that may be potentially hazardous to human health? (i.e., asbestos, PCBs, lead-based paints, etc.) Yes No Uncertain



Environmental Site Screening Questionnaire and Declaration

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|---|-----|----|-----------|
| 13. For agricultural properties, were pesticides or herbicides ever applied to the property? | Yes | No | Uncertain |
| 14. Have any buildings on the property ever been heated by fuel oil? | Yes | No | Uncertain |
| 15. Is the land use changing to a more sensitive land use? (e.g., industrial/commercial to residential/institutional) Note: Daycare uses are defined in O.Reg. 153/04 as institutional. | Yes | No | Uncertain |
| 16. Will any lands be dedicated to the Town as part of this application? (e.g., road allowances, channels, SWM ponds, parks, etc.) | Yes | No | Uncertain |
| 17. Have any Environmental Site Assessments (ESAs) been prepared for this site, or is an ESA currently being prepared for this site? If yes, then submit your ESA Report(s) with your application. | Yes | No | Uncertain |
| <i>(Note: Information from previous environmental documents will be considered during application review. However, as required by the Protocol, only ESA reports prepared in compliance with O.Reg. 153/04 will count towards approval requirements.)</i> | Yes | No | Uncertain |
| 18. Has a Record of Site Condition (RSC) been prepared for this property? | Yes | No | Uncertain |



Environmental Site Screening Questionnaire and Declaration

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Certification

I, _____
Registered Property Owner (Print Name)

of the _____
City/Town

in the _____
County/Region

am the registered property owner.

I acknowledge that it is the property owner's responsibility to ensure that the site is in compliance with all applicable acts and regulations. I further acknowledge that the Town of Milton and/or the Regional Municipality of Halton are not responsible for the identification and/or remediation of contaminated sites and/or in any action/proceeding for environmental clean-up or damage. I undertake that I will not sue or claim against the Town of Milton and/or Regional Municipality of Halton.

I hereby declare that the statements made by me in this questionnaire are, to the best of my knowledge and belief, a true and complete representation of the physical conditions, and the present and former uses, of the property. I have the authority to bind the Corporation or Partnership, if applicable.

Declared before me _____
Commissioner of Oaths (Print Name)

in the _____, this _____ day of _____
City/Town Day Month Year

Commissioner of Oaths (Signature)

Registered Property Owner (Signature)

Name/Stamp of Commissioner of Oaths

[*Insert Company Letterhead/Logo*]

[*Insert Date*]

Anita Sparre
Director, Development Engineering
The Corporation of the Town of Milton
150 Mary Street
Milton, ON L9T 6Z5

Re: Reliance Letter for **[*Insert Property Information e.g., municipal address and/or Legal Description, Town's reference number*]** (the "Property")

[*Insert Company Name*] (the "Consultant") has prepared the following report(s) on behalf of **[*Insert Name of Owner/Proponent*]** (the "Client"):

[*Insert title, date and file number of the report(s)*] (the "Report")

We confirm that the representations, assumptions, findings, opinions, and recommendations contained in the Report may be relied upon by **The Corporation of the Town of Milton** (the "Town"), **[*Insert: Halton Region, when applicable, such as where lands are to be conveyed for regional infrastructure*]**, and any external peer reviewers retained by them, as if the Report had been prepared expressly for their use and benefit. This reliance shall apply notwithstanding any statement to the contrary contained in the Report and shall not be subject to any limitation of liability agreed to between the Consultant and the Client.

The Consultant further agrees that, in the event of any inconsistency between this Reliance Letter and any limitation or qualification contained in the Report provided to the Town, the provisions of this Reliance Letter shall prevail.

The Consultant acknowledges and agrees that the Town, Halton Region (if applicable), and their peer reviewers may use the Report for the purpose of evaluating the environmental condition and environmental risk of the Property.

The Consultant confirms that the Report was prepared and completed by, or under the supervision of, a **Qualified Person** as defined under **Ontario Regulation 153/04 (as amended)** and in accordance with environmental laws and regulations applicable at the time the investigation was conducted.

The Consultant further confirms that it maintains, and shall continue to maintain, **Professional Liability Insurance** with a minimum limit of **\$2,000,000 per claim**. Proof of such insurance is attached to this letter.

Yours truly,

[Name of Consultant with Qualified Person designation, title, and contact information]

Town of Milton - Peer Review Checklist



Guideline Question	Findings of the Report	Implications if the concern/issue is not addressed in the technical report
Purpose		
Is the purpose of the work clearly stated?		
Does the purpose set out the appropriate guidance to undertake the study?		
Methodology		
Is the approach technically sound? Is the review of the issues, data and facts objective and appropriate?		
Does the Peer Reviewer identify any technical concerns with the methodology (and assumptions made to inform the methodology) that may compromise the analysis and/or conclusions of the report?		
Information		
Are relevant data and facts clearly and consistently presented in the report?		
Is information gathered from appropriate sources? Is the information useful and accurate? Are there concerns with the quality of the information presented?		
Is the data used critical to the conclusions?		
Is the report thorough, comprehensive and complete? (responses to this question should consider accuracy, appropriateness and timing/seasonality of the data collection (if applicable) Where specific technical reports warrant, there may be a need to consider broader connections (i.e. water inter-relationships) If this is lacking, what broader connections should be considered?		
How comprehensive and complete are the recommended mitigation and monitoring measures proposed? This includes assessing direct and indirect impacts; short and long term aspects		
Identify results of a gap analysis to assess the relative importance of the data gaps and limitations to the project and identify potential options for addressing them.		



(A recommendation from a peer reviewer could be that additional survey and baseline monitoring must be undertaken as the project proceeds, provided the necessary frameworks are in place to direct this data collection and any changes that are triggered).		
Certainty		
Are certainties and uncertainties openly and objectively stated in the report / study?		
Are all assumptions clearly stated? Are the assumptions reasonable? Analysis of assumptions and parameters.		
Are the standards or thresholds commonly accepted in this type of technical area identified and appropriately utilized?		
Issues/Gaps		
Are there additional issues/gaps arising from the review?		
Were the identified issues addressed in the technical report?		
Are there key issues, related to the specific technical report, that have not been considered?		
Mitigation/Monitoring		
Are realistic mitigation measures /rehabilitation plans proposed in the report? Is there sufficient detail?		
Do the proposed measures mitigate the impacts? Is the end result desirable from a technical point of view?		
Will the proposed measures be adequate to address outstanding concerns?		
Conclusion		
Do the conclusions satisfy the applicable policies of the relevant policy documents that need to be consulted as per the specific discipline (i.e., Official Plan, Provincial legislation, standards and guidelines, etc....)? Have implications relating to required jurisdiction and agency approvals including (where applicable) Conservation Authority Permits, CLI-ECA and Environmental Assessments been identified?		



Are the conclusions relevant to the purpose / objective and supported by the work undertaken by the report authors?		
Based on the peer reviewer's opinion, would the same conclusions be determined?		
Adequacy		
Does the applicant's report / study adequately address the stated purpose?		
Is there anything that should, in the peer reviewer's opinion, have been done differently?		

TABLE PREPARED BY:

 Name
 Position
 Company