

PG29.11	ACTION	Amended		Ward: All
---------	--------	---------	--	-----------

Management of Excess Soil from Large Redevelopment and Construction Projects

Committee Recommendations

The Planning and Growth Management Committee recommends that:

1. City Council reaffirm its previous request to the Ministry of the Environment to enact regulations to ensure that excess soil placement is provincially regulated in a manner that is consistent across the province and in accordance with the provisions of the Environmental Protection Act.
2. City Council request that Soil Management Plans prepared by a Qualified Person for large redevelopments generating excess soil requiring off-site management be considered for the next review of the Tier 1 or Tier 2 Toronto Green Standard.
3. City Council request the Deputy City Manager Cluster B to consult with affected Divisions on the feasibility and implications of a policy to require soil management plans prepared by a Qualified Person for large City-owned projects and projects undertaken by City of Toronto Agencies and Corporations generating excess soil requiring removal from the site and report back to the Executive Committee.
4. City Council request the Deputy City Manager Cluster B to report back to the Executive Committee on the feasibility of creating of a "Soil Bank" similar to already existing models in the Netherlands and other jurisdictions such as Peel Region.
5. City Council request the Deputy City Manager Cluster B to report in the Spring 2014 on a process to require all developers to identify the location and municipality where the soil from an excavation site will be dumped through a negotiated construction management plan.
6. City Council request that the process also provide for a notification system to inform host municipalities of a developer's intent.
7. City Council adopt the confidential instructions to staff in Attachment 1 of the report (November 20, 2013) from the City Solicitor.
8. The recommendations contained in Attachment 1 of the report (November 20, 2013) from the City Solicitor be made public if City Council directs the requirement of Material Management Plans. The rest of the legal advice contained in Attachment 1 of the report (November 20, 2013) from the City Solicitor should remain confidential as it pertains to solicitor-client privilege.

Origin

(November 7, 2013) Report from the Chief Planner and Executive Director, City Planning

Summary

This report responds to a request from City Council to report on mechanisms to incorporate mandatory soil management plans for large redevelopment and construction projects generating excess soil requiring off-site management. Best practices for the management of excess soil are described. The City does not have any specific authority to require soil management plans under existing legislation.

The report makes recommendations to ensure that excess soil is managed in a safe and consistent manner across the province and to consider including soil management plans prepared by a Qualified Person in the Tier 2 Toronto Green Standard and for City-owned projects generating excess soil requiring off-site management.

The City Solicitor is providing a separate confidential report on potential legal issues associated with City regulation of excess soil.

Background Information

(November 7, 2013) Report from the Chief Planner and Executive Director, City Planning Division on Management of Excess Soil from Large Redevelopment and Construction Projects (<http://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-64073.pdf>)

Communications

(December 4, 2013) Letter from Larry Corrigan (PG.New.PG29.11.1)

(December 3, 2013) Letter from Ellen Greenwood, Greenwood and Associates (PG.New.PG29.11.2)

Speakers

Josh Garfinkel, EarthRoots

Carmela Marshall

David Harper, President, Canadian Brownfield Network (CBN)

Ian McLaurin, Ontario Soil Regulation Task Force

Ellen Greenwood, Ontario Environment Industry Association

Larry Corrigan, Councillor, Township of Scugog

Alan J. Durand

Councillor De Baeremaeker