



Project Clean Dirt



Site Alteration By-Law Project

The Ontario Soil Regulation Task Force (OSRTF) is a collection of environmental NGOs and citizens groups helping to find sustainable and responsible solutions for excess soil management. The dumping of excess construction soil from condo excavations, transit projects, redeveloped industrial lands, and other sources threatens the rural landforms, soil, and water quality. The multi-pronged solution involves federal, provincial, and municipal jurisdictions.

Lakeridge Citizens for Clean Water (LCCW), an OSRTF member who has been working on this issue since 2010, is spearheading this project to improve municipal by-laws.

OSRTF and LCCW have developed a proposal for improved municipal site alteration by-laws. Starting this fall, they will be presenting to municipal governments in Ontario a package consisting of:

- a Site Alteration By-Law Model,
- the Fill Agreement Model,
- the Fill Management Plan (FMP) Model , and
- a Guidance Document.

The Agreement and FMP Models are specific to large scale fill receiving sites that accept over 1000 cubic metres of soil, however, typically the applications are for much greater volumes. Two reviews of by-laws from municipalities around the GTA found that most municipalities have limited or no means to deal with the soil quality concerns and industrial scale of commercial fill operations. A commercial fill operation can bring into their rural areas hundreds of trucks a day loaded with soil that has a good chance of being contaminated. A site will typically accept anywhere between 100,000 cubic metres to millions of cubic metres, and there are many such active sites in southern Ontario.

We reviewed several current large fill agreements and site alteration by-laws in southern Ontario and pulled out the very best parts out of those documents for our Models. We reconciled our Models to the MOECC Best Management Practices regarding the Movement of Excess Soils. We have incorporated over 5 years of dedicated research on fill issues into the documents which are the result of several months of work and hundreds of volunteer hours. Our drafts have been peer reviewed by technical consultants, professional engineers, and professional geoscientists in the industry and by legal counsel. We also sought comments from senior hydrogeologists and planning staff with Conservation Authorities, municipal officials, farming organizations, environmental NGOs, and MOECC representatives.

The Site Alteration By-Law Project is just one prong of a multipronged approach that also includes a call for a Clean Soil Act to fill loopholes and weaknesses in existing provincial legislation and regulation, and for changes in the federal Aeronautics Act regulations to improve the ability of municipalities to regulate fill at aerodromes.

The protection of the environment and citizens must be first and foremost when regulating fill receiving sites. More information can be found at www.osrtf.ca and at the Lakeridge Citizens for Clean Water website, www.lakeridgecitizens.ca for details of our work and research on excess soils issues.