

City Council**Notice of Motion**

MM37.25	ACTION			Ward:All
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Request for staff report on plan to stop illegal dumping of Toronto fill - by Councillor Glenn De Baeremaeker, seconded by Councillor Kristyn Wong-Tam

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Planning and Growth Management Committee. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Glenn De Baeremaeker, seconded by Councillor Kristyn Wong-Tam, recommends that:

1. City Council request the Chief Planner and Executive Director, City Planning, in consultation with appropriate staff, to report to the October 22, 2013 Planning and Growth Management Committee meeting on the appropriate mechanism in which to incorporate a mandatory Material Management Plan requirement, as part of any major excavation or development / building permit approval so as to mitigate illegal dumping of materials from Toronto development projects within other GTA municipalities and to ensure excess fill materials are managed in a sustainable and legislatively accountable manner.
2. City Council request that the report contain an examination of available guidelines, including:
 - a. The material management guidelines from CLAIRE (Contaminated Land: Applications in Real Environments) at <http://www.claire.co.uk>
 - b. “Best Management Practices for Handling Excess Soils in Ontario” by The Residential and Civil Construction Alliance of Ontario, November 2012.
 - c. The draft Ministry of the Environment guidelines “Soil Management – A Guide for Best Management Practices”, and available comments.

and a review of the process in other jurisdictions such as:

- d. The Soil Management Plan of the New Jersey – New York Gas Pipeline Expansion Project (<http://www.yesgaspipeline.org>).

- e. Soil Risk Management Plan by Geomatrix for Terminal One Site in Richmond California (<http://www.ci.richmond.ca.us/DocumentCenter/Home/View/8360>).

Summary

The City of Toronto produces significant quantities of excess fill through brownfield redevelopment, transit construction projects, condo and office tower construction and infrastructure projects.

There is documented evidence that excess fill originating in Toronto is being deposited in greenfield sites within and adjacent to the GTA. Some fill has been found to contain unacceptable levels of contaminants when tested at the receiving site.

The attached National Post article entitled, “Why can't they find a home for the soil? Contractors agree Toronto's dirt policy is a mess” (National Post, June 29, 2013, Peter Kuitenbrouwer) highlights that jurisdictions such as the Netherlands and Quebec consider excess fill as an asset. The Netherlands uses excess fill to create “soil banks” which both protect the environment from illegal dumping and also generate a revenue stream for local municipalities.

(Submitted to City Council on July 16 and 17, 2013 as MM37.25)

Background Information (City Council)

Member Motion MM37.25

(June 28, 2013) National Post article by Peter Kuitenbrouwer referred to in MM37.25 (<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-60224.pdf>)