

CHAPTER 3- SUSTAINABLE REGION

Section 3.7 Excess Soil Management

The proper management of *excess soil* is critical to protect human health and the environment as our communities continue to grow. *Excess soil* is soil that is not required at a construction or development site and must be moved to a new location. In some cases, *excess soil* may be temporarily stored at another location before being brought to a final receiving site. Recent changes to Provincial legislation, beginning with the Excess Soil Management Policy Framework (2016) proposed a number of policy changes to create a life-cycle management approach to *excess soil* management. This includes placing greater responsibility on source sites, where soil is excavated and recognizing opportunities for *excess soil* re-use.

The manner for which *excess soil* is managed and disposed of has implications for greenhouse gas emissions, with trucks moving *excess soil* across communities. Other issues include the quality of *excess soil*, and the need to protect the environment, water, and agriculture. The beneficial re-use of *excess soil* locally can contribute to climate change mitigation goals and overall sustainability of soil.

The policies of Chapter 3.7 are intended to implement best management practices of *excess soil* for a beneficial re-use purpose where appropriate.

Best Management Practices for Excess Soil

Management of Excess Soil – A Guide for Best Management Practices (BMP) was prepared by the Province to provide guidance for handling excess soil when it is excavated, transported, received at a new site and where soil can be reused for a beneficial purpose.

The BMP is for municipalities, conservation authorities, and project site owners/operators.

3.7.1 Recognize and manage excess soil for new development, site alteration and infrastructure

- 3.7.1.1 *Excess soil* shall be managed in accordance with Ontario Regulation 406/19 under the *Environmental Protection Act*.
- 3.7.1.2 Best management practices for *excess soil* generated and fill received during *development, site alteration, including infrastructure development*, shall be implemented to ensure that:
 - a) *Excess soil* generated is to be reused on-site or locally to the maximum extent possible;
 - b) *Temporary storage sites* are encouraged to be permitted close to soil reuse sites to reduce transportation and environmental impacts such as greenhouse gas emissions; and
 - c) *Excess soil* placement at receiving sites are required to demonstrate that the activity will not have a negative impact on

existing land uses, the natural environment, surrounding land uses and cultural heritage resources.

- 3.7.1.3 A *soil management plan*, meeting Provincial best practices is to be prepared as part of the *Planning Act* application process for new *development*.

3.7.2 Provide direction to local municipalities managing excess soil

- 3.7.2.1 Local municipalities are encouraged to develop or update site alteration and fill by-laws in accordance with the *Municipal Act*.
- 3.7.2.2 Local municipalities shall incorporate best management practices for the management of *excess soil* generated and fill received during *development* or *site alteration*, including *infrastructure* development, to ensure that:
- a) Any *excess soil* is reused on-site or locally to the maximum extent possible;
 - b) Local official plans and zoning by-laws identify appropriate sites for *excess soil* storage and processing; and
 - c) Site plan approval is utilized for new or expanding soil storage or processing sites.

Soil Management Plans

Soil management plans are outlined in the Provincial BMPs for Excess Soil. A Soil Management Plan outlines the condition of the soil at the source site, to ensure soil suitability during construction projects and recommends the following:

- Detailed sampling and analysis plan for all excavated soil
- Estimated volume of excess soil to be managed off-site
- Site plan identifying areas to be excavated
- List of potential receiving sites for *excess soil*