

Community-Based Aggregate Resource Management in Ontario: Where is the Hope?

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My Community Testimonial

- Prevailing aggregate resource management (ARM) regime in Ontario
- Two stories:
 - Town of Caledon’s New Local ARM Policies: Official Plan Amendment 161 (OPA 161)
 - Northern Ontario First Nation ARM
- Key lessons

The Prevailing ARM Regime in Ontario

•Joint centralized industry-provincial government control over the resource

•Reinforced by power relationship

•Fuelled by industry-provincial government interest in inexpensive gravel and profits

•Norm of unfettered access close to demand (entrenched in provincial laws)



ARM in Ontario: The Prevailing Regime



Town of Caledon’s Official Plan Amendment 161 (OPA 161)



TOWN OF CALEDON IN THE REGION OF PEEL

Town of Caledon

- Predominately rural (population of 60, 000)
- Rich natural and cultural heritage, small town feel
- Strong culture of stewardship
- Many community groups (air, water, farmland)
- Ex-urban retirees
- Well-to-do, educated and skilled population
- Long-standing tradition of local control over local natural resources

Town of Caledon

- An aggregates town
- Largest series of contiguous gravel deposits in North America
- Major provider of sand and gravel to the Greater Toronto Area



Caledon's OPA 161

- Same local ARM policies in place from 1981 – 2000
- Spring of 1996: Town planners and Council realized the old policies were no longer effective
 - Town: tired of losing battles, very costly
- Spring of 1996, Council, planners decided to write new local mineral resources policies (OPA 161)
 - To be consistent with Provincial laws
 - In a way that maintained community values

Caledon's OPA 161

Around 1996:

- Emergence of Coalition of Concerned Citizens of Caledon (CCC)
- Raison d'être:
- Promote a "balanced" approach to land use planning
- level playing field between industry-economic and community economic, social, and ecological interests



Caledon's OPA 161

Four years later...

- Spring of 2000: OPA 161 was approved by Council
- Immediately appealed to the Ontario Municipal Board
- Three-year battle ensued among aggregate industry, planners, and the Coalition of Concerned Citizens



Caledon's OPA 161

- 2003 approved and adopted
- Small gains...incremental steps:
- Aggregate resource lands divided into Resource and and Reserve areas
 - A phased-in approach to encourage rehabilitation
- Comprehensive Broader Scale Environmental Study
- Assessment of social impacts, along with many others
- Pre-consultation requirements



First Nation Aggregate Resource Management

- Northern Ontario First Nation Community
- Want to develop ARM protocol for extraction within their Homelands, an area of rich natural and cultural heritage
- Respects traditional FN values
- Profitable for FN stakeholders



First Nation Aggregate Resource Management

Work involved:

- Research and consultation
- Mapping of land (hunting routes, movement of animals throughout seasons, culturally and environmentally significant areas, aggregate resources, etc.)
- Dedicated office for processing applications, monitoring and enforcement, etc.
- Hire and train FN staff
- Secure funding for all of the above

First Nation Aggregate Resource Management

Challenges:

- Administrative capacity:
 - Human resources
 - Knowledge and skills
 - Financial resources
 - Other priorities



First Nation Aggregate Resource Management

Challenges:

- Institutional:
 - Understanding how FN land rights interact with Provincial land use and aggregate resource management laws and policies

LAWS
you need to
KNOW

First Nation Aggregate Resource Management

Opportunity for changing the rules of the game:

- Require more collaborative and inclusive management
- Increase aggregate fees and royalties
- Place caps on duration of extraction operations
- Require end use accounting
- Require more stringent rehabilitation requirements
- Establish a Trust for rehabilitation, etc.
- Establish system for dealing with disputes

Key Lessons: Where is the Hope?

- *Existing laws: creative interpretations of provincial law and policy
- *Personalities: brave, skilled people
- *Community, political, financial support
- *Community discourses: irresponsible development, balanced approach to land use planning
- *Openings for public deliberation



Key Lessons: Where is the Hope?

- *Spin-off effects:
 - Diffusion of OPA 161 into other Municipal Official Plan mineral resources policies

Thank-You.

Questions are Welcome!