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

Tanya I. Markvart, PhD Candidate, University of Waterloo



My Community Testimonial

•Prevailing aggregate resource management (ARM) regime in Ontario

•Two stories:

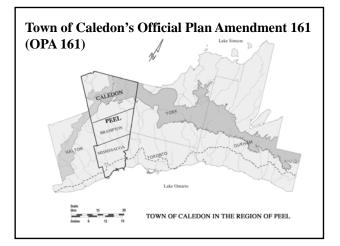
• Town of Caledon's New Local ARM Policies: Official Plan Amendment 161 (OPA 161)

• Northern Ontario First Nation ARM

•Key lessons







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



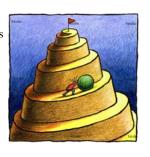
First Nation Aggregate Resource Management Work involved:

- · 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



First Nation Aggregate Resource Management

Opportunity for changing the rules of the game:

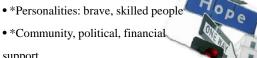
- Require more collaborative and inclusive management
- · Increase aggregate fees and royalties
- · Place caps on duration of extraction operations
- Require end use accounting
- Require more stringent rehabilitation requirements
- Establish a Trust for rehabilitation, etc.
- Establish system for dealing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

Key Lessons: Where is the Hope?

• *Existing laws: creative interpretations of provincial

law and policy

• *Personalities: brave, skilled people



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!