

POTENTIAL FOR PARTNERSHIPS

INDIGENOUS COMMUNITIES, MUNICIPALITIES AND ENVIRONMENTAL GROUPS COLLABORATING TOGETHER

(Preliminary Findings)

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Acknowledgements

At the Alliance of Canadian Land Trusts (ACLT), we express our gratitude for the lands, sky, and waters stretching across Canada, and the animals and plants who call it home. We are grateful for their beauty and bounty, and we thank Indigenous peoples who were and are the traditional guardians of this land. We are grateful for the land, sharing of knowledge, medicine, and much more.

Canada has been home since time immemorial to the ancestors of the First Nations, Métis people, and Inuit. As a national organization, ACLT operates in various parts of Canada, and we acknowledge that many of ACLT's employees and volunteers are settlers working and living on traditional territories of the First Peoples of this land.

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Positionality and Report Review

The author, Ian Attridge, is a settler guest of Celtic heritage living and working in Nogojiwanong (Peterborough, Ontario) in the territory of the Michi Saagiig Nishnaabeg. As an ecologist and lawyer, he has founded and operated a land trust, and advised many land trusts on their organizations and land projects. He has written extensively and helped develop the legal and incentive framework for land securement and holding in Ontario and beyond. He currently chairs the Board of the Ontario Land Trust Alliance and supports Indigenous land trusts and communities through ACLT and other efforts.

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This report has been prepared to provide preliminary findings on its subject matter: collaboration opportunities around land among Indigenous communities, municipalities, and environmental organizations, such as land trusts. The perspectives of Indigenous people, municipalities, environmental organizations, their network associations, and others familiar with the subject have not yet been fully reflected in the report. The report, its recommendations and applications could undoubtedly benefit from such perspectives. Accordingly, the Alliance of Canadian Land Trusts plans to make this report publicly available and seek consultation and discussion with others to round out and enhance the report.

Please contact ACLT at info@acoc.ca for more details.

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I. Background

This report explores opportunities and challenges for environmental organizations to partner with Indigenous communities and municipalities in what is now known as Canada. It is primarily based on research into examples of municipal reconciliation plans and strategies, and municipal duties and practices to consult with and accommodate Indigenous communities.

The research and report have been conducted by the [Alliance of Canadian Land Trusts](#) (ACLT), whose mission is to support and empower land trusts across Canada to be vibrant, unified, and effective in advancing land conservation. The report has been developed under the joint Municipal Protected Areas Project (MPAP), delivered by a Coalition led by Nature Canada and includes the Alliance of Canadian Land Trusts and their partners: Land Trust Alliance of British Columbia (LTABC), the Ontario Land Trust Alliance (OLTA), and Réseau de milieux naturels protégés (RMN), BC Nature, Ontario Nature, and Wildlands League.

The Coalition's focus is to:

1. Work with pilot municipalities across Canada that have demonstrated a readiness to create or increase their protected areas;
2. Help expand or establish new protected areas under municipal jurisdiction;
3. Raise general awareness to contribute towards international and federal targets of conserving 30% of terrestrial lands and inland waters by the year 2030^[1] within municipal master plans;
4. Help municipalities to add their protected areas and OECMs to the national database in order to contribute to Canada's 25x25 and 30x30 conservation goals;
5. Promote the importance of urban and peri-urban protected areas for human health and biodiversity;
6. Promote Indigenous conservation efforts in conjunction with municipal actors; and
7. Develop civic pride for conservation contributions of communities to the national effort.

Central to this report is the role of environmental non-governmental organizations, with a focus on land-based organizations such as land trusts, their partner organizations, and their network associations. A land trust is typically a not-for-profit, charitable, or equivalent organization that works to hold and care for lands for the long-term conservation of nature, cultural heritage, or other public purposes in their communities. As private yet not-for-profit organizations and charities, they rely substantially on private donations, government grants, and volunteers to carry out their work. They are distinctive as conservation organizations since they focus on land holding and care (often called securement and stewardship^[2]), including the donation of land title

[1] Under the Convention on Biological Diversity, the [Kunming-Montreal Global Biodiversity Framework](#) identifies this "30x30" objective in its Target 3, which is supported by the Canadian government.

[2] The words land "holding" and "care" was chosen, because they are more aligned with Indigenous relationships with land. They imply an equal relationship with land, and less acquisition and dominion over land. Such terms are now suggested by the [ACLT](#), among others.

and restrictions through associated incentives. This may be for a variety of purposes, as typically set out in their founding documents. These purposes may be for the protection or conservation of: natural and ecologically significant sites and features; agricultural lands and practices; working forests; outdoor recreation such as trails; and culturally significant lands. Indigenous land trusts may have similar purposes, as well as additional goals important to their communities, such as cultural and language revival, ceremony, education, and other community-focused activities.

Community land trusts are somewhat different, focusing on community-based housing and tenant participation in governance. The ACLT and the Canadian Network of Community Land Trusts are both recently formed. The provincial alliances in British Columbia, Ontario, and Quebec participate in ACLT and support regional and local area land trusts. ACLT and the provincial alliances include about 150 regional and local land trusts across the country. Other environmental organizations, such as Nature Canada and its affiliated provincial and local organizations, play key roles in advocacy, education, and land care.

The notion of “conservation^[3]” has a history and a transition as it applies to the role of land trusts and other environmental organizations. In the early days of colonization and settlement, “fortress” conservation often involved strict prohibitions on most human activities and use of an area, such as in a national or provincial park. Extensive restrictions, monitoring and enforcement were applied, and Indigenous communities were often removed from such areas^[4]. Sometimes these were forcible removals; other times barriers, were erected through physical prevention of access, harassment, requiring permissions, or laying repeated charges. Inherent (“Aboriginal”) and treaty rights to harvest, travel, and conduct ceremonies were typically not honoured, disconnecting Indigenous peoples from the land, food, medicines, cultures, and the ability to share and pass on knowledge with future generations. This was based on Western society’s notion of separation from and superiority over nature, although access for privileged settlers and their impacts on the natural world were often overlooked^[5].

This conservation approach contrasts with Indigenous approaches and relationships with lands. Varying among Nations and communities, there were and are laws, teachings, and protocols for harvesting natural materials, accessing or passing through certain areas, and protecting important sites. Federal laws for “Indians”, parks and ceremonies long prevented Indigenous communities’ uses in such areas and beyond. This is a troubling legacy of “fortress conservation”, colonialism, and discriminatory systems, policies and practices over the centuries, yet part of the truth that can open possibilities of reconciliation.

[3] These have different informal and legal terms, such as Conservation Easements, Conservation Easement Agreements, Conservation Covenants, and Servitudes.

[4] As examples, see removals from Riding Mountain and Wood Buffalo National Parks, as documented in The Indigenous Circle of Experts, [We Rise Together](#), 2018. Other park experiences are discussed in: Robert Jago, “[Canada’s National Parks Are Colonial Crime Scenes](#)”, in: *The Walrus*, 2023.

[5] For example, the railways, roads, town sites, and resorts of Banff, Jasper, and Riding Mountain National Parks.

Today, things are starting to change. The future of conservation in Canada is increasingly Indigenous-led due to: decades of resistance, numerous reports, growing public awareness, and the efforts of Indigenous practitioners and scholars. This shift is supported by initiatives such as the Indigenous Circle of Experts' [We Rise Together](#) report, Indigenous Protected and Conserved Areas, Indigenous Guardians, the [Conservation through Reconciliation Partnership](#), and the [Indigenous Leadership Initiative](#), along with the contribution from various conservation organizations. Indigenous knowledge is being recognized and shared, concepts of “ownership” and “management” are shifting, and Indigenous leadership, goals, knowledge, and guidance are becoming more prominent. The federal government's United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) Act Action Plan has committed to Indigenous harvesting and other practices in National Parks^[6]. Conservation is increasingly about restoring relationships and respect with the land, waters, and people of a place, incorporating active and sustainable land-based activities and learning.

Municipalities are evolving in their relationships with Indigenous people. Since the release of the Truth and Reconciliation Commission's (TRC) final report in 2015, and further spurred by the 2021 public disclosure of many potential graves of children who never made it home from residential schools, municipalities, their constituents, and associations have significantly increased their attention and engagement with the TRC's Calls to Action for truth and reconciliation.

In this shifting context, new opportunities are emerging for Indigenous communities, municipalities, and environmental groups to collaborate around land and achieve mutual goals. The following sections of this report document some of this emerging context and highlight opportunities, challenges and recommendations.

[6] Department of Justice Canada, [The United Nations Declaration on the Rights of Indigenous Peoples Act Action Plan](#), 2023, Action #35, p.34.

II. Relationships among Indigenous Communities, Municipalities, and Environmental Organizations

Indigenous communities, municipalities, and environmental organizations have a variety of connections and evolving relationships, influenced by changes in intentions, context, law, and personalities. These connections can range from close collaborations and partnerships, such as joint development of reconciliation plans and strategies (see section below) or joint land use and management bodies and plans. Examples of the latter include:

- The Municipal District and Town of Slave Lake (AB) and Sawbridge First Nation forming a regional Tri-Council and adopting a joint Tri-Council Regional Growth Plan after a wildfire in 2011;
- The City of Pitt Meadows (BC) and Katzie First Nation developing an excellent working relationship despite uncertainty of land ownership under treaty negotiations; and,
- The Eeyou Istchee and municipalities in northern Quebec conducting joint land use on shared lands through equal positions on the regional government council^[7].

In some cases, relationship agreements have been signed between one or more municipalities and local Indigenous communities to foster a respectful and collaborative relationship and to implement the TRC Calls, UNDRIP, or other directions of mutual interest. As examples, Halton Region (ON) and the Mississaugas of the Credit First Nation signed such an agreement in 2022^[8], and both Curve Lake and Hiawatha First Nations along with multiple municipalities in the Peterborough, ON region signed on to “Ezhi-Wijikiwendiyang” (how we are friends), Friendship Accord on economic, consultation, and youth engagement matters^[9]. Indeed, guidance for such agreements and a template have been suggested by the Association of Municipalities of Ontario, recognizing that, “municipal governments are not able to address outstanding rights and claim issues, but we are able to be better neighbours and partners with Indigenous friends and communities”^[10].

In other locations, there may be simple awareness with little basis for a relationship, or limited collaboration on services. Less populated territories may not have municipalities or environmental groups, and some relationships may be strong among two parties but have not yet involved the third element of this triad.

As noted above, the concept behind the MPAP project is to enhance and explore possibilities for cooperation, collaboration, and conservation. In this section, we begin with a review of municipal reconciliation efforts as they particularly relate to land, thereby reflecting Indigenous-municipal directions and setting the stage for land trusts and other partners to consider supportive

[7] Examples cited in: Federation of Canadian Municipalities, [First Nation-Municipal Land Use Planning Tool](#).

[8] [Learning Report for 7GenCities Learning + Practice Community](#), 2024, at p.73.

[9] Ezhi-Wijikiwendiyang, [Treaty 20 Friendship Accord](#). Meetings occurred since 2016 and the Accord was formally signed in 2019 by the First Nations, County, Townships, and the regional economic development agency, in the presence of the Lieutenant-Governor of Ontario.

[10] AMO, [Indigenous-Municipal Relationship Agreements: A Guide for Municipal Leaders](#), 2021, at p.1.

roles. The second part of this review examines emerging guidance on the municipal duty and practice to consult and accommodate Indigenous communities. This can create opportunities for environmental groups and land holding entities, and planning organizations to play roles in delivery of solutions.

A. Overview of Municipal Reconciliation Plans

The Truth and Reconciliation Commission (TRC) presented its final report in 2015 with 94 Calls to Action. The TRC's work and report significantly increased public awareness of the history of residential schools and their cultural genocide, impacting Indigenous individuals, families, communities, and generations. The report included 5 Calls to Action specifically directed towards municipalities, with 8 others addressing all governments, and thus including municipalities. Many other Calls could also have applications in municipalities, as well.

The influence of the TRC's report on municipalities was often substantial. Soon after the report's release, many municipalities began examining their histories, colonizing roles and benefits, and relationships with local Indigenous communities. Programs, projects, and protocols were re-examined. In numerous instances, "reconciliation" committees and eventual "reconciliation" plans, strategies, workplans, and implementation actions were developed. For this report, the plans and strategies from 18 large and smaller municipalities in most provinces and territories in Canada were examined. This research focused on southern Canada where more land is privately owned, but there are also examples in the territories. Some plans are more elaborate, where there was municipal capacity and experience, and most were developed through collaboration with local Indigenous communities, including both rights-holders and urban Indigenous organizations.

For some municipalities, considerations other than the TRC Calls came into play and were woven into their "reconciliation plan". The UNDRIP, Canadian and British Columbia's legislation and actions to implement UNDRIP^[1], the National Inquiry into Missing and Murdered Indigenous Women and Girls, other relevant inquiries or significant sources, and recommendations by Indigenous communities, municipal staff or the public were often incorporated.

Interestingly, many plans and strategies have little direct mention of land and actions addressing its implementation. This is undoubtedly due to the TRC's focus on both residential schools and broader reconciliation concepts that embrace and affect land but do not specifically identify land applications (e.g. #43 governments adopt and implement UNDRIP, or #47 renunciation of the Doctrine of Discovery and terra nullius). The TRC's work and influential summary report in 2015 launched a country-wide discussion on reconciliation, and this was picked up as a framework for municipal reconciliation planning. Consequently, plans and strategies were often organized to directly align with those TRC Calls to Action that directly mentioned or could be applied by municipalities, such as those identified by the Federation of Canadian Municipalities, other

[1] [United Nations Declaration on the Rights of Indigenous Peoples Act, 2021](#) (Canada), S.C. 2021, c.14; and [Declaration on the Rights of Indigenous Peoples Act](#) (BC), S.B.C. 2019, c.44.

municipal bodies, or community organizations^[12]. Plans and strategies often demonstrate longer-term commitments and wider considerations and discussions. In some municipalities, it would seem that taking action through projects and events is more prominent than plans for action. For example, Saskatoon have lots of activity, resources, and partnerships, but less of a consolidated plan.

While a land focus may not have been as prominent, there are still a considerable number of land-based actions in municipal reconciliation plans. These are compiled and summarized below, and details from each plan can be found in Appendix A.

Land elements in municipal reconciliation plans include:

- Indigenous Recognition
 1. Indigenous communities recognized: as original land holders, inherent or treaty rights-holders, Indigenous jurisdiction, consent and continuing responsibilities, self-determination on governance, use and access to sites, history, and issues.
 2. Lands and features recognized: as cultural, spiritual, or actual beings.
 3. Land history recognized: Indigenous culture, displacement, shared on signs and in city documents.
- Cultural Heritage and Practices
 4. Land for heritage: heritage and archaeological sites, protocols, appropriate designation and interpretation, cemeteries, and information sharing.
 5. Land for cultural practices: ceremony, sacred fires, smudging and pipe ceremonies, healing, care and stewardship practices.
 6. Access and use of cultural sites: barrier removal, access to resources and water, protection, privacy, non-interference, exclusive access, safety, restoration.
 7. Land for Indigenous gathering: outdoors, indoor locations and spaces.
 8. Indigenize public spaces: community centres, recreation centres, museums, art institutions, parks; place names, art, Indigenous language, Elders' presence, knowledges, signs, programs, education, commemoration, affordable access and space, welcoming and safe, traditional, and contemporary contexts.
 9. Land for Indigenous food uses: restoration, gardens, traditional harvesting sites, Indigenous farmers' market, food businesses, ethnobotany research.

[12] For example: Women Transforming Cities, The TRC Calls to Action in BC Municipalities: Progress, Barriers, and Opportunities to Accelerate Implementation, 2023.

- Conservation and Parks
 10. Land for conservation or protection: municipal, legal, and Indigenous jurisdiction measures, Indigenous knowledges for land care and addressing climate change.
 11. Land for environmental restoration: identify and address toxic sites, analyze, and address environmental racism.
- Economic and Housing Purposes
 12. Land access for economic purposes: urban reserves, economic development, employment.
 13. Land for Indigenous housing: affordable housing, needs of unhoused people.
- Land Processes
 14. Land for giving back: priority parcels and types to be transferred to Indigenous communities, parks.
 15. Roles in municipal land leasing: understanding of uses, having a say in leasing, requiring certain operations, dedicated spaces, cultural competency training
 16. Roles in municipal land transfers: co-developing plans, framework to guide land acquisition and transfer processes, share information.
 17. Roles in land use and relationship planning: require Traditional Knowledge and land use studies in certain areas, governance for National Urban Park, share planning and information.
 18. Roles in municipal land stewardship: Indigenous teams, worldviews, protocols, knowledges, languages, and practices.
 19. Revenue sharing from lands: develop revenue sharing options, such as property taxes, developer fees, etc., and recognize uncompensated lost lands.

These land-based directions can engage Indigenous communities and municipalities in a wide scope of possibilities and actions. Many of these also fall within areas of interest and expertise for lands trusts, whether they are focused on conservation, Indigenous, or community housing goals. Land trusts and their partners may assist in identifying priorities, facilitate transfers, act as intermediaries or land holders. Further, land trusts' roles in such activities can inform and inspire opportunities for similar considerations on lands in their own hands.

B. Guidance on Municipal Consultation

Canadian courts have established that, under the Canadian Constitution, a “Crown” government has a duty to consult and accommodate Indigenous peoples where their rights may be affected. This is established for the federal, provincial, and territorial governments, but has sometimes been interpreted or applied to municipalities. Provincial and territorial governments have provided some guidance and processes for municipalities regarding the need to consult and accommodate Indigenous interests, including those interests related to land. Municipalities may

also feel pressure and scrutiny from their citizens, civic organizations, and community partners to enhance their responsibilities and relationships. Regardless of Canadian state law, Indigenous nations have exercised both their inherent rights to self-government and those recognized by the state under the *Indian Act* to frame their requirements for consultation and accommodation.

This duty to consult is an important connection point among Indigenous communities and municipalities that can build understanding, relationships, and reconciliation. Land trusts may bring perspectives, opportunities, tools, incentives, and skills to contribute to these interactions and assist in finding accommodation solutions to identified concerns. Dealing with mostly “private” lands, and with Crown government funding and laws, land trusts and municipalities may see this duty to consult beginning to be extended in state law to them as private land holders. Further, Indigenous protocols, land trusts and charitable standards and practices point towards the need for “respect and responsibility” in these relationships with lands and, thus, for land trusts and partners to engage in consultation processes with Indigenous communities^[13].

Consultation can have benefits for the multiple parties involved:

Importance of Consultation

- For Aboriginal People
 - Consultation signals respect for Aboriginal rights.
 - Consultation provides the opportunity for Aboriginal People to protect their rights.
- For the Crown
 - Consultation provides the opportunity to uphold the “honor of the Crown”
 - Engaging in consultation can result in a longer term commitment to build a sustainable relationship and reconcile the ongoing issues originating from the past.
- For Third Parties
 - Consultation improves commercial certainty, predictability, and timeliness of decisions
 - Consultation activities can create mutually beneficial relationships with First Nations^[14]

Accordingly, the sections below will summarize the legal framework, provincial/territorial and sectoral guidance, and Indigenous protocols for consultation, along with their implications and opportunities for environmental groups and land trusts to play roles in such processes.

[13] Larry Innes, Ian Attridge, and Skeena Lawson, *Respect and Responsibility: Integrating Indigenous Rights and Private Conservation in Canada—A Guide for Land Trusts and Other Non-Governmental Organizations* (Guelph, ON: Conservation through Reconciliation Partnership), 2021.

[14] Hill Sloan Associates Inc., *First Nation Consultation Framework*, 2008, p. 6.

[15] *Haida Nation v. British Columbia (Minister of Forests)* (2004), 2004 SCC 73 (S.C.C.); *Taku River Tlingit First Nation v. British Columbia (Project Assessment Director)* (2004), 2004 SCC 74 (S.C.C.).

I. State Legal Framework

The duty to consult and accommodate Indigenous rights is well established in Canadian law. The Supreme Court of Canada in several cases^[15] has elaborated on this legal principle, and higher and lower courts have examined whether a particular process has met the evolving standard for such consultation. This duty arises from the need to uphold the honour of the Crown and move towards reconciliation, and thus for the Crown to be fair and include meaningful consultation. The scope and practice of this duty lies along a spectrum, depending on the strength of the proven or claimed rights and the severity of actual or potential infringement by a project on these rights. The sufficiency of the practice of the duty is frequently in dispute and brought before initial and appellate courts for resolution.

Courts have primarily held that this duty to consult and accommodate applies to “the Crown”, namely the federal, provincial, and territorial governments. The Crown has ultimate responsibility for the substance of consultation but may delegate procedural aspects to a project proponent or third party.

Some courts have extended this duty to also apply to municipalities^[16] and land use tribunals^[17], and have reviewed the adequacy of consultation with Indigenous communities^[18]. This is in part because municipalities are within the jurisdiction of, and thus created, controlled, and regulated by, provincial authority under the Constitution^[19]. However, there is still legal debate on such positions and the context may be shifting as reconciliation takes on a higher public priority. Thus, whether and to what extent there is a Constitutional and/or statutory requirement for municipal consultation with Indigenous communities in various contexts, there are nonetheless growing expectations of and pathways for municipalities to work with Indigenous communities. It thus remains prudent, practical and ethical to do so.

Such a legal duty in the Constitution and in legislation is also bolstered in both international and domestic law through the concept of “free, prior, and informed consent” (FPIC) as part of the fundamental principles of the United Nations Declaration on the Rights of Indigenous Peoples. FPIC is particularly referenced in UNDRIP’s articles 10, 19, 29 and 32, with article 32(2) reading:

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to

[16] A full legal analysis is not provided here. Some examples of finding a municipal duty to consult are: assuming the duty applies towards affected Indigenous people before approving a subdivision – *John Voortman & Associates Ltd v Haudenosaunee Confederacy Chiefs Council*, [2009] OJ No 1350, 83 RPR (4th) 102; the duty may be satisfied by a municipal planning process but only where the strength of the claim of Indigenous rights is weak – *Brantford (City) v Montour*, 2010 ONSC 6253; however, see the contrary position of B.C.’s Court of Appeal – *Neskonlith Indian Band v. The City of Salmon Arm et al.*, 2012, BCCA 379.

[17] *Burleigh Bay Corporation v. North Kawartha (Township)*, 2017 CarswellOnt 15629, 1 OMBR (2d) 361, where the Ontario Municipal Board (now the Ontario Land Tribunal) identified consultation principles, the need to identify the right involved and adequacy of consultation, and that the Board may itself play a role in consultation where Indigenous interests are represented in the tribunal’s process.

[18] For example, see the tribunal reviews of the adequacy (and low standards) of consultation in: *Burleigh Bay*, above; and *Cardinal v Windmill Green Fund LPV*, 2016 ONSC 3456; *Brothers Real Estate Ltd. v. Ottawa (City)*, 2020 CarswellOnt 8757, 9 OMTR 385 (LPAT); *CAMPP Windsor Essex Residents Association v Windsor (City)*, 2019 CarswellOnt 20198 (LPAT); all as reviewed in Donya Yarahmadi, [Municipal Duty to Consult and Land Use Planning Law in Ontario](#), 2021.

[19] Constitution Act, 1867 (formerly, the *British North America Act*), section 92(16) (local matters).

the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization, or exploitation of mineral, water, or other resources.

Beyond international law, there are emerging domestic applications of UNDRIP that will increasingly apply it and FPIC to relations with Indigenous peoples in Canada. The federal government and B.C. governments are currently developing mechanisms to implement their own UNDRIP legislation. Ontario has an older, unpassed Bill that proposed implementation mechanisms^[20], while other provinces and territories may well apply UNDRIP to various overarching or individual laws or practices going forward. Indeed, UNDRIP frames the wider scope of reconciliation in Canada, expanding beyond the residential school mandate of the Truth and Reconciliation Commission's work and report.

Law can be seen as coming with a heavy weight of enforcement behind it. Despite the discussion of state and Indigenous law above and below, we should also remember that law and practice more fundamentally reflect our values. The need for consultation and free, prior, and informed consent is something bigger than enforceable law; it reflects ongoing respect and responsibility among peoples seeking to live well and sustainably together in one place^[21]. As UBC law professor Alexandra Flynn has written:

... municipal governments should focus on respectful, reciprocal relationship-building as a legal standard in land-use decision-making, not benevolent colonialism's notion of the duty to consult which is said by the Supreme Court to be rooted in the 'honour of the Crown'. Crucially, Indigenous communities themselves have affirmed the importance of the municipal role in relationship-building, regardless of the Court's pronouncements of the ontology on the Crown^[22].

2. Provincial, Territorial and Sectoral Guidance

As noted above, municipalities are creatures of the provinces and territories. Of course, there is considerable scope of municipal local authority, including land use planning, land management, infrastructure, housing, cultural heritage, recreation, community and emergency services, and the like. It is thus not surprising that provinces and territories have provided legal frameworks and practical guidance on how to implement both provincial^[23] and local responsibilities to Indigenous communities in various contexts. The federal government also has considerable experience with consultation protocols and will establish these protocols with Indigenous communities

[20] Ontario Bill 76, [United Nations Declaration on the Rights of Indigenous Peoples Act, 2019](#); the Bill was referred to a Standing Committee in 2021, but was not enacted by that Legislature's session.

[21] See Innes et al., *Respect and Responsibility*, 202.

[22] Alexandra Flynn, [Indigenous-Municipal Legal Relationships: Moving Beyond the Duty to Consult and Accommodate](#), 25:2 Rev Const Stud., 2021, at p.2.

[23] For example: BC, [Consulting with First Nations](#); AB, [Indigenous Consultations in Alberta](#); SK, [First Nation and Métis Consultation Policy Framework](#); MB, [Interim Provincial Policy For Crown Consultations with First Nations, Métis Communities, and Other Aboriginal Communities](#); ON, [Duty to Consult with Aboriginal Peoples in Ontario](#); QC, [Interim Guide for Consulting the Aboriginal Communities](#); NS, [Consultation with the Mi'kmaq of Nova Scotia](#).

where there are sufficient federal consultations underway and also where provincial or territorial governments are actively involved in related consultations^[24].

This is the case for the duty to consult and accommodate Indigenous rights. Provinces and territories, to varying degrees and interpretations, have provided general guidance to municipalities in several contexts, including for developing Indigenous relations and for land use planning^[25]. Additional direction, examples and resources have also been made available by municipal organizations, such as regional, provincial, and national municipal associations^[26].

The Association of Municipalities of Ontario (AMO) recognizes that there is confusion around the duty to consult by municipalities and takes the position that, at least in Ontario, municipalities do not have a constitutional duty to consult, although they may play a role in discharging procedures on behalf of the Crown to meet its duty. This position is because they argue that municipalities do not have the full knowledge, capacities nor scope of powers to settle rights and accommodate all aspects of relations with Indigenous communities, and in many cases their actions are subject to provincial (or territorial) approvals^[27]. AMO's position paper is intended to foster a productive conversation between the Crown, Indigenous and municipal governments and to emphasize the need for provincial leadership and clearer guidance. This conclusion is supported in other analyses^[28].

A second context for consultation is the land use planning process, which necessarily involves identifying interests and plans as well as knowledges and consultation. This can be described as follows:

There are a number of ways to understand the connection between Ontario land use planning practices and the Crown's duty to consult. First, the space organized by municipal land use planners in Ontario is quite often of great interest to First Nations whose municipal boundaries overlap with their traditional territories. Second, municipal land use activities often trigger certain processes that involve the provincial or federal governments, thereby engaging the Crown. Third, municipal planners are beginning to realize that they need to be made more aware of the role they play in practicing and implementing the duty to consult and recognizing the history of First Nations overall. For example, with colonisation, First Nations peoples in Canada were relegated

[24] Canada, [Strengthening Partnerships: Consultation Protocols](#).

[25] For example: Ontario Ministry of Municipal Affairs and Housing, [Municipal-Aboriginal Relationships: Case Studies](#) (Toronto: Queen's Printer of Ontario), 2009.

[26] For example: Association of Municipalities of Ontario, [Municipal Governments and the Crown's 'Duty to Consult': Towards a Process that Works for Local Communities](#), 2019; Alberta Urban Municipalities Association, [A Municipal Guide to the TRC's Calls to Action](#), 2021; Federation of Canadian Municipalities, [Indigenous Partnership](#) webpage and resources.

[27] Association of Municipalities of Ontario, [Municipal Governments and the Crown's 'Duty to Consult': Towards a Process that Works for Local Communities](#), 2019; also see AMO's webpage on the topic. This rationale was also articulated in *Neskonlith Indian Band v. The City of Salmon Arm et al.*, 2012, BCCA 379.

[28] Clara MacCallum Fraser and Leela Viswanathan, "[The Crown Duty to Consult and Ontario Municipal-First Nations Relations: Lessons Learned from the Red Hill Valley Parkway Project](#)", in: *Canadian Journal of Urban Research*, Vol. 22(1), 2013, Supplement pages 1-19. Other discussions of the existence of such a municipal duty to consult can be found in: Felix Hoehn & Michael Stevens, "Local Governments and the Crown's Duty to Consult" (2018), 55:4 Alta L Rev 971; and Angela D'Elia Decembrini & Shin Imai, "Supreme Court of Canada Cases Strengthen Argument for Municipal Obligation to Discharge Duty to Consult: Time to Put Neskonlith to Rest" (2019), 56:3 Alta L Rev 935.

largely to reserve areas, while settler communities resided in increasingly urban areas—a planning process referred to as municipal colonialism by Stanger-Ross (2008)^[29].

As an example, planning decisions in Ontario shall be consistent with the overarching Provincial Policy Statement (PPS), established under the *Planning Act*. The PPS: envisions and identifies the important and distinctive role in planning of Indigenous communities, their unique relationships with the land and its “resources”, the contribution of Indigenous communities’ perspectives and traditional knowledge, the importance of consulting with Aboriginal communities on planning matters affecting Aboriginal or treaty rights, and that planning authorities like municipalities are encouraged to engage and build relationships with Indigenous communities to facilitate knowledge-sharing and inform decision-making; further, the PPS requires municipal engagement and coordination with Indigenous communities on land use matters, consideration of Indigenous interests in cultural heritage and archaeological resources, and consultation on provincial performance indicators^[30]

The Canadian Institute of Planners, the Ontario Professional Planners Institute, and other planning organizations have provided articles, studies, training, and related materials to foster both an appropriate land use consultation process as well as to bring an Indigenous lens to land use planning and community needs^[31]. In the essay, *Municipal Duty to Consult and Land Use Planning Law in Ontario* (2021), Donya Yarahmadi outlines the legal framework for the duty to consult and land use planning, reviews land use planning decisions relating to Indigenous interests, and (like others) recommends clarification of the relationship between the duty to consult and land use planning mechanisms in Ontario.

Some municipalities have acknowledged their need or duty to consult and have developed policies to fulfill these responsibilities. One example is the City of Kawartha Lakes (ON), through their First Nations Consultation Policy. For some municipalities, this duty to consult and the areas and subjects to which consultation should apply will be identified in their reconciliation strategies and plans, or in related strategic and policy documents. These may include fields such as environmental and cultural assessment, conservation, archaeology, land transfers, or regional health planning, among others.

[29] MacCallum Fraser and Viswanathan, 2013, as above, at p.7.

[30] Ontario, [Provincial Policy Statement, 2020](#), Part IV, and sections 1.2.2, 2.6.5, and 4.8. Note that the Ontario government has strengthened such expressions in recent revisions; it also has proposed revising and renaming it as the “Provincial Planning Statement”, expected in the spring of 2024.

[31] Canadian Institute of Planners, [Policy on Planning Practice and Reconciliation](#), 2018, [reconciliation webpage](#), and *PlanCanada* publication (Indigenous Planning Practices, 2008; Indigenize Planning, 2013; Indigenous Planning, 2016); Ontario Professional Planners Institute, [Indigenous Perspectives in Planning: Report of the Indigenous Planning Perspectives Task Force, June 2019](#), and [Indigenous Planning Perspectives webpage](#); [Shared Path Consultation Initiative, How are Official Plans Currently Including Indigenous Rights and Communities?](#), 2020; Leela Viswanathan et al., “Are We There Yet? Making Inroads to Decolonize Planning Knowledge and Practices in Southern Ontario” (2013) 53:2 *Plan Canada* 20; David J. Sinson & P. Leigh Whyte, “Update on the Duty to Consult” (2016) 31:1 *Ontario Planning Journal* 22; Tanya Chung-Tiam-Fook, [Civic-Indigenous Placekeeping and Partnership Building Toolkit](#), *Future Cities and Evergreen*, 2022, among others.

3. Indigenous Protocols

The Canadian Constitution and the courts recognize the rights of Indigenous communities to self-governance. The scope of this right, and its interaction with federal and provincial laws, continues to evolve. Regardless of state recognition, Indigenous peoples continue to assert their own authority and inherent (Aboriginal) and treaty rights in their own territories.

This inherent and state authority has been applied by some Indigenous communities to set out protocols for consultation, either in general and/or for particular subject areas. This report does not provide a comprehensive review of such consultation protocols, but a few examples may serve to illustrate the concept. They point to the need for environmental organizations and municipalities to consider any such protocols that may apply in their territories of interest.

Some examples of individual or collective First Nations establishing consultation protocols include, among others:

- [BC] Simpcw First Nation Consultation and Accommodation Guidelines, 2006; Hupacasath First Nation Territory Land Use Plan—Phase 2, 2004;
- [AB] Horse Lake First Nation Consultation Policy, 2007;
- [SK] FSIN Consultation Policy;
- [ON] Bkejwanong Territory (Walpole Island First Nation) Environmental Policies, Guidelines and Information for External Project Proponents, 2006; Curve Lake First Nation, Consultation and Accommodation Standards, and Archaeological Protocol, 2016; Chiefs of Ontario—Checklist for Consultation and Engagement, n.d.;
- [QC] Consultation Protocol of First Nations of Quebec and Labrador; and,
- Joint First Nations and government consultation protocols^[32].

An analysis of some of these protocols has identified five important elements for consultation as developed by First Nations: consultation principles, consultation procedures and steps, consultation plans, accommodation and impact benefit agreements, and resources and funding^[33]. Municipalities, environmental organizations and land trusts may be able to contribute to the achievement of each of these, in appropriate ways, both internally and in their external relations and partnerships.

[32] Hill Sloan Associates Inc., [First Nation Consultation Framework](#), 2008, pp. 11-12. Additional examples are hyperlinked here.

[33] Hill Sloan Associates Inc., above, pp. 16-17.

III. Potential for Partnerships around Land

The summary reviews in earlier sections of consultation and reconciliation frameworks have provided a context for considering opportunities for collaboration and partnership among Indigenous communities, municipalities, and environmental organizations. In this section, the focus will be on the opportunities, and challenges, of collaboration around land-based activities, with some emphasis on conservation-oriented applications that are of particular interest to many land trusts.

The relationships may build from initial contact, to trust and partnership. Indeed, this is a pattern that was at times followed in early European-Indigenous encounters, although certainly not always and less so as colonial patterns were imposed over the decades and centuries. As both truth and reconciliation emerge, a return to healthier, more respectful relationships and roles may become more possible.

Municipal-Indigenous relationships face a number of challenges. They exist primarily within Canada's current colonial constitutional and governance structures. The federal government has limited roles with respect to municipalities but leads responsibilities to Indigenous communities, while the provincial and territorial governments take the lead in forming and guiding municipalities. Indigenous and municipal communities and governments, as well as community partners like land trusts, have to deal with multiple levels of Canadian governments. This convoluted situation can present limitations, conflicts, and confusion that reduce, delay, or distort collaboration. Intergovernmental relationships and cooperation are thus particularly important in this context.

Other challenges also exist. Our collective history and prospects remain so affected by colonialism, systemic issues, and inequity that it leaves us all with considerable work to do to rebuild trust and constructive relationships. This process involves sensitive topics of worldviews, culture, and the lands, waters, and the wealth and well-being they bring. Along with these come calls and movements for Land Back and reparations that must be addressed. Of course, this can all become very political and messy, with both reluctance and reimagining along this journey.

As discussed above, joint initiatives such as reconciliation plans, going beyond the duty to consult to a responsibility to seek consent, co-visioning, co-owning and co-managing lands provide pathways to bring community interests together with diverse talent and resources. Land conservation and thoughtful uses can provide ways to find “common ground” and help overcome governance, colonialism, and other challenges.

A. Land Trust Roles and Contributions

The first set of collaboration opportunities revolves around one of the core mandates of land trusts (and municipal reconciliation plans), namely to conserve ecological features and areas through land holding and care. Land trusts bring to the table their understanding and creative experience of options, land transactions, tax and funding considerations, as well as community

connections. Nonetheless, there is often a “fortress” conservation approach and limited understanding of Indigenous and municipal needs and contributions that may serve as barriers or cause reticence towards certain forms of collaboration.

Among others, some supportive roles that both conventional conservation and Indigenous land trusts can play include:

- Identifying, researching, and mapping important ecological and cultural areas;
- Assisting in strategies for fostering Land Back through identifying priorities, tools, and resources;
- Applying expertise in land acquisition/holding to facilitate transfers and Land Back;
- Exploring co-holding or co-management arrangements;
- Holding lands on behalf of an Indigenous community, where timing or legal conditions currently do not enable the community to do so itself^[34];
- Connecting communities with professionals and expertise to independently advise them through technical steps in the land holding process (e.g. appraisers, planners, lawyers, accountants, etc.);
- Advocating for reconciliation actions in settler communities and organizations, including with municipalities;
- Bringing together volunteers to assist in land care activities, such as tree planting, invasive plant control, stream restoration, harvesting, cultural restoration, and the like; and,
- Assisting in fundraising through eligibility, grants, and community connections.

These strengths might be applied where Indigenous or municipal communities identify the opportunity for land to be returned to Indigenous care. Land trusts and environmental partners may be able to facilitate this process, particularly where smaller municipalities may not be familiar with potential mechanisms or professional services. Or perhaps, where there are Indigenous or municipal concerns about funding needs or future uses, land trusts may be able to bring their experience, grant eligibility, and concepts such as conservation easement agreements or split receipts into the plan to assist in bringing it to successful fruition.

A second set of opportunities for partnerships arises from the recognition and revitalization of cultural heritage and practices on lands. Consultation may identify barriers or sensitive sites. Some of the reconciliation plans elaborate on these aspects more than others, ranging through cultural and community gathering sites, restoring ceremony and traditional practices, language and naming, food and medicine gathering, and the like. Some land trusts and heritage organizations have cultural heritage as an explicit or implied aspect of their purposes, while others may consider revising their legal purposes to enable fuller collaboration in this area around

[34] See, for example, arrangements for SISENEM (Halibut Island) in BC to be purchased from the vendors by The Land Conservancy and then transferred to the [WSÁNEĆ Lands Trust Society](#), once the latter was established; or the [growing partnership](#) between the Nature Trust of New Brunswick and the Peskotomuhkati Recognition Group Inc. to hold lands on behalf of the latter Indigenous community.

land holding and care. More community organizations are exploring how they might provide access or co-care for lands to address Indigenous cultural needs and knowledges, possibly on lands held by a land trust or by municipalities.

A third area is the potential for partnerships around housing and more intensive human uses of lands. Municipalities and Indigenous communities have repeatedly raised the need to increase housing, particularly in ongoing ways to make this truly affordable to those most in need. Some municipalities and other government agencies have made the review of currently retained and/or surplus lands for housing a priority. Commercial and employment opportunities have also been identified in reconciliation plans, increasingly in the context of urban reserves mixed among urban “private” lands (such as in Vancouver, Saskatoon, and Winnipeg).

Building housing and/or providing land for it may be quite a stretch for most conservation oriented land trusts, but there may be connections to their mandates, such as to conserve natural features or provide gardens on lands adjacent to affordable housing to support higher densities and residents’ recreation and mental health. The growing number of community land trusts^[35] are quite adept at working with governments, communities, funders, and other partners to bring more housing and affordability into play. There may well be opportunities for conservation and community land trusts to work together on shared land projects, such as for purchased or “trade” lands (i.e. without donation or tax program restrictions and/or originally intended for future disposition). Community land trusts may also benefit from the success of conservation land trusts in holding, caring for, and interpreting natural or cultural elements on housing sites to benefit residents and surrounding, including Indigenous, communities.

B. Municipal Roles and Contributions

Municipalities have important local- and land-related roles that are enabling, applied, and regulatory, within provincial and territorial frameworks. These may have conventional practices and scope but also can be exercised in creative and enabling ways, such as through agreements and partnerships with Indigenous communities and environmental organizations.

Municipalities may play roles similar to those of land trusts, where they have relevant experience, interests, and political or administrative will. Strategic and reconciliation directions, particularly in relation to land, can provide the guidance needed to drive such roles. One recent resource for this with considerable Indigenous and municipal input is Tanya Chung-Tiam-Fook’s Toolkit^[36], which focuses on civic-Indigenous engagement tools and principles of cultural competency, organization-wide Indigenous inclusion and reconciliation actions, public spaces and municipal bylaws, and leadership and governance.

[35] See the [Canadian Network of Community Land Trusts](#), with some 41 community land trust organizations, a vibrant level of [activity](#), recent national conference, and political savvy.

[36] Tanya Chung-Tiam-Fook, [Civic-Indigenous Placekeeping and Partnership Building Toolkit](#), Future Cities and Evergreen, 2022.

Municipalities can support Indigenous-based, environmental and/or land holding through various roles and mechanisms, including:

- Foster land acquisition, holding, and Land Back, including partial land interests such as conservation easement agreements and leases;
- Access to lands for Indigenous community for conservation purposes;
- Provide priority to Indigenous and environmental organizations in disposition of municipal or others' lands (such as municipalities' priority roles in federal, provincial, or territorial land transfer processes);
- Clean up or rehabilitate contaminated lands and avoid or reduce further contamination from industrial and municipal operations;
- Identify and conserve significant cultural and ecological sites (e.g. parks and protected areas, portages, trails, burial sites, villages, and harvesting sites);
- Enable harvesting, cultural uses, and ceremony on municipal sites;
- Contribute to land care, stewardship planning, and implementation;
- Enable and model co-management or co-stewardship partnerships;
- Seek out and apply Indigenous knowledge and conservation best practices;
- Assist with funding and facilitate financial support (e.g. property tax and municipal fee incentives, exemptions, reductions, rebates, charitable donations);
- Learn, respect, support, and engage with Indigenous governance, law, and protocols;
- Research and share municipal histories of Indigenous relations and land conservation, including parks donations;
- Recognize, consult on, and support Indigenous and environmental knowledge, perspectives and land holding interests in land use planning;
- Reflect Indigenous and conservation interests, knowledge and approaches in impact assessments for development and infrastructure;
- Weave in Indigenous design, art, language, naming, and practices into municipal facilities;
- Research and share information;
- Influence neighbouring and wider-scale municipalities and associations, including through appointments to agencies;
- Conduct social procurement practices and hirings in ways that support Indigenous and local contractors and employees;
- Foster cultural heritage protection tools and engagement, including through Indigenous and conservation lenses; and,
- Carry out training, education, modelling, and public reporting to support capacity.

IV. Recommendations and Conclusion

Building on this research and discussion, a number of recommendations are made below to foster both local and wider geographical collaborations around land by and among Indigenous communities, municipalities and environmental organizations.

A. Recommendations

General recommendations for all participants:

1. Become familiar with local Indigenous communities, environmental organizations, community partners, and municipalities, and their geographies, histories, and interests.
2. Engage with local Indigenous communities, environmental organizations, community partners, and municipalities as you develop your, and they their, land-related plans.
3. Identify your own land interests (types, locations, tenures, roles, care, etc.) in order to enable conversations and collaborations.

For individual municipalities and related entities:

4. Move from one-off projects and events to more comprehensive and durable commitments, plans, strategies, and their implementation.
5. Develop land surplus and disposition practices that formally or informally engage with Indigenous communities and organizations and land trusts as to their interests and how such lands may contribute to their land-based plans.
6. Develop land tax reduction or rebate programs to better support Indigenous and land trust land holdings.
7. Explore land ownership, co-ownership, and co-management, and access arrangements with Indigenous communities.
8. Develop enhanced practices and guidance for consultation and consent with Indigenous communities.

For individual environmental organizations and land trusts:

9. Develop cross-cultural competencies and understandings of local Indigenous history and needs in order to be more prepared for collaborations and longer-term partnerships.
10. Engage with strategic, reconciliation and land use and land relationship planning by Indigenous communities and municipalities in order to bring forward appropriate land holding, care, and conservation perspectives and opportunities.
11. Explore opportunities for collaboration with Indigenous communities and municipalities to both carry out and streamline processes for Land Back.
12. Advocate for reconciliation strategies or plans and for more inclusive land holding laws, pathways, and incentives.

13. Consider, experiment with, and apply appropriate Indigenous access, knowledges, practices, and shared ownership or care of land trust and other partners' lands.

For environmental network organizations and partners:

14. Advocate for recognition of Indigenous protocols and more inclusive land holding laws, pathways, and incentives across the full scope of Indigenous, environmental, cultural, and land trust interests.
15. Carry out training and experiences to foster cross-cultural understanding of Indigenous peoples.
16. Invest in the resources, time and relationships, and develop materials and share examples, to support and demonstrate collaborations among environmental organization, Indigenous communities, and municipalities.

B. Conclusion

From the preliminary findings of this report, and its multiple examples of reconciliation plans, consultation requirements, and collaborations, it is clear that there is plenty of potential for partnerships between and among Indigenous communities, municipalities and environmental organizations. Such arrangements can leverage these groups' distinctive skills and roles, particularly where they have developed fuller understandings and relationships with Indigenous and local communities. Political, legal, and worldview differences will interplay, yet converging interests and new views and imperatives for conservation can and are bringing these communities together. Models and guidance (some shared here), along with recommended roles and the work ahead, will help further shape more of this collaboration in these distinct yet intersecting communities.

We have much more to discuss and explore. The time is right for further progress on this journey together. Our roots may be of different forms and lengths yet may they all reach into the Earth and find and support health, connection, and purpose.

Appendix A: Land in Municipal Reconciliation Plans

The table below documents a sampling of some municipal reconciliation or related plans and strategies, with a focus on those key elements addressing lands. Other elements of these plans and strategies may relate to relationships, culture, practices, and finances that will also influence lands and waters. Beyond the plans, other and more recent actions and ongoing work may also be occurring. The municipalities are organized in jurisdictions from west to east then north in Canada.

Among others, additional guidance and summaries of reconciliation and Indigenous rights actions by Canadian municipalities can be found in:

Alberta Urban Municipalities Association (AUMA), [A Municipal Guide to the TRC's Calls to Action](#) (2021)

Alcantara, C., & Nelles, J. *A Quiet Evolution: The Emergence of Indigenous-Local Intergovernmental Partnerships in Canada* (2016). Toronto, Ontario: University of Toronto Press.

Bamford et al. [Stronger Together: A Toolkit for First Nations Municipal Community Economic Development](#). The Federation of Canadian Municipalities, Cando, and Indigenous and Northern Affairs Canada. (2015)

Evergreen and Future Cities Canada, [Civic-Indigenous Placekeeping and Partnership Building Toolkit](#) (2022)

Federation of Canadian Municipalities (FCM), [Municipal-Aboriginal Partnerships in Land Management](#) (2005)

Federation of Canadian Municipalities (FCM), [Pathways to Reconciliation](#), 2016

Ontario Ministry of Municipal Affairs and Housing, [Municipal-Aboriginal Relationships: Case Studies](#)

MUNICIPALITIES PLANS ITEMS

(as quoted, paraphrased, or summarized)

Vancouver, BC

Report on City of Reconciliation (2014)

UNDRIP Strategy (2022)

Foundational Calls to Action, and further Calls to Action with themes:

1. Social, Cultural, Economic Well-Being;
2. Ending Indigenous-Specific Racism and Discrimination;
3. Self-Determination and Inherent Right of Self-Government; and
4. Rights and Title of Indigenous People.

1.3 Develop opportunities to support the redevelopment of Nations' cultural institutions displaced or destroyed through colonization, including land-based sites for cultural practice, materials for cultural production and places of learning.

1.6 Prioritize access to cultural sites for Nations. This includes: barrier removal, access to water, access to other resources, priority access, expand lands for cultural practice and protection.

1.10 Support Indigenous food sovereignty that follow Nations' own stewardship knowledge and practices, and support community-led initiatives to heal the lands and restore access to healthy food systems.

1.11 Identify priority areas for environmental restoration and protection to support restoration and practice of cultural use and cultural values.

1.12 Restore access for Nations to traditional harvesting sites for ongoing cultivation and stewardship.

1.18 Customize policies to prioritize access to economic spaces and opportunities for Nations, such as commercial leasing, City-owned properties and parks.

2.1-2.5 Review hazardous industrial projects from the lens of Indigenous rights, Indigenous ways of knowing, and Indigenous-specific environmental racism. Identify proximity to First Nations reserves and cultural sites. Address findings, prevent further impacts, co-develop policy to assess current industrial development and permitting, engage Nations in City's environmental initiatives to ensure they address environmental racism, and regularly review and update Nations on the City's infrastructure (e.g. stormwater and sewage).

2.6-2.9 Develop policy and work with local Nations and partners on Indigenous-centred housing.

2.10 Make institutional lease renewal conditional on operational requirements, such as dedicated spaces at private schools, cultural safety programs for staff, and reconciliation curricula.

2.11 Identify ways to ensure Nations are informed about leases and have input on what is occurring on the land.

2.12 Co-develop with Nations a plan for City land transfers (e.g. before transferring land for any purpose).

3.1-3.4 Identify options for revenue sharing with Nations through property taxes, developer fees, and other means. This recognizes enormous wealth from uncompensated, expropriated, and unceded lands.

3.8 Work with Nations to identify priority parcels of land which are culturally, economically, and socially significant to be repatriated with the end goal of having those lands given back. Ensure that this process connects and aligns with Park Board land back work with the Nations.

3.9 Identify ways for Nations to have a say on leases signed by the City.

4.3 Enable the recognition of landscape features as cultural, spiritual, or actual beings, including non-human. Indigenous jurisdiction may include legal and other recognition and protections of Nation lands, waters, and non-human relatives in the territory.

4.6 Recognizing Nations as rights and title holders, follow consent-based approaches to reconciliation.

4.7 Identify ways to support Nations to practice their traditions on the land, including: Indigenous culture and displacement history on the landscape and in City documents; mechanisms for co-management and transfer of title of parks and protected areas to Nations; Nation exclusive access to cultural sites for privacy and without interference; restore self-determined cultural practices and food sovereignty by addressing contaminants; restore ecologies of traditional harvesting sites, on land and foreshore and intertidal areas, and support and follow Nation self-determination on governance, use, and access to those sites.

4.8 Work with Nations to identify sites of cultural significance and find ways to return those sites to Nations' jurisdiction.

4.9 Develop policies and practices which look at a range of spaces such as community centres, parks, recreation centres, art institutions, etc. and prioritize providing governance, affordable access and space for Nations and Urban Indigenous spaces for cultural practice and culturally safe community programming.

4.10 Expand supports to return the original languages to the land, through naming, grants for cultural programming, and public education.

4.11 Prioritize Nations' public art and other cultural programming within cultural recognition, in ways that allow for self-determination over cultural expression on the land and in the public realm.

4.12 Identify ways to support Nations to create cultural learning and healing centres/programs for education, training, and sharing of traditional knowledge, laws, languages, and cultures of these lands.

Other actions:

- City established UNDRIP Task Force in partnership with the Musqueam, Squamish, and Tsleil-Waututh Nations.
- Developing a 5-year action plan to implement the Strategy.

Surrey, BC

All Our Relations Social Innovation Strategy (2017)

Strategic Objectives:

1. Create and strengthen partnerships that will benefit urban Indigenous people.
2. Expand the urban Indigenous leadership capacity in Surrey.
3. Improve and grow programs and services for urban Indigenous people.
4. Increase education and understanding about the urban Indigenous community in Surrey.
5. Increase funding for urban Indigenous programs and services.

Goal 10: Indigenize public spaces.

Strategy: Partner with the City of Surrey to increase Indigenous art in City Hall, city-owned buildings, and public spaces.

Strategy: Advocate for the City of Surrey to consult local Coast Salish First Nations on appropriate ways to recognize their connections to the land (e.g. signage and designation of heritage sites etc.).

Goal 32 Build an appropriate space (or spaces) for the Aboriginal community to gather.

Strategy: Convene a Working Group to explore options for construction or acquisition of appropriate spaces.

Other actions:

- Established the [Surrey Urban Indigenous Leadership Committee \(SUILC\)](#) as a coalition of organizations for advocacy for Indigenous people living in Surrey.

Edmonton, AB

Indigenous Framework Final Report [n.d.]

Informed by UNDRIP, MMIWG Calls for Justice, and the TRC's Calls to Action.

Guiding Principles: relationships, celebrations, agreements, renewal.

City staff roles: listener, connector, advocate, partner.

City department commitments:

6. Support the journey of reconciliation,
7. In partnership eliminate systemic racism and discrimination that Indigenous Peoples face,
8. Identify and implement ways to make City spaces and buildings welcoming and safe and Indigenous Peoples can see themselves reflected there,

9. Support staff to build relationships that honour the framework and increase staff's knowledge of Indigenous cultures, traditions, and worldviews;
10. Host and participate in events where leadership and staff can build relationships and celebrate with Indigenous Peoples;
11. Identify and remove systemic barriers to City employment and create career development opportunities;
12. Ensure that Indigenous Peoples and City staff are informed and engaged on actions relating to the Indigenous Framework.

[Indigenous Framework Annual Report 2022](#)

Other actions:

- Naming of bridges and a City area, dedicated Indigenous space in library, recognition of key Indigenous events.
- Co-planned, designed, and oversaw the construction of Kihcihkaw askî in Whitemud Park, guided by an Elder Council, that is land for Indigenous ceremonies and practices.
- Established Indigenous Relations Office.

Calgary, AB

[White Goose Flying Report \(2016\)](#)

Correlated to 48 of the TRC's 94 Calls by owning, encouraging, and partnering on actions.

Stream B: Spiritual Healing, Culture and Arts Commemoration.

p.15: Business Units ... work collaboratively to seek real estate, appropriate infrastructure, public buildings, gardens and parkland for Indigenous ceremonial, cultural, commemorative activities, as well as healing;

acknowledge and respect Calgary's Indigenous archaeological sites.

Other actions:

- Established Calgary Aboriginal Urban Affairs Committee as an advisory body.
- Council directed Administration to work with the Indigenous community to co-create an Indigenous governance model for the City.
- A community group is organizing around setting up an "[Indigenous Gathering Space](#)".

Lethbridge, AB

Reconciliation Implementation Plan 2017-2027 (2017)

Calls To Action: Direct Municipal Action Recommended

TRC 47: Explore ... the exercise of Treaty and inherent rights within the City of Lethbridge, including locations where these activities can safely take place.

Update the Heritage Management Plan to incorporate Indigenous heritage, including heritage sites and access and proper protocol for designation of Indigenous heritage sites.

Calls To Action: Community Support Recommended

TRC 48: Explore potential partnerships ... for the protection and restoration of significant sites found within and near to the City, including applying for grants to conduct this work.

Require all new Area Structure Plans prepared by the City that include or border undeveloped top-of bank lands to conduct a Traditional Knowledge and Land Use Study (or similar).

TRC 92: Explore opportunities for job creation, joint economic development opportunities (including the potential for urban reserves) and greater collaboration with Blackfoot Nations and Urban Indigenous agencies around employment.

Other actions:

- Participates in the Lethbridge Indigenous Sharing Network and Reconciliation Lethbridge.
- Hosts week of events to promote reconciliation.
- Adopted 'Oki', the Blackfoot word for "greetings", as the City's official greeting.

Canmore (Town), AB

Canmore Commitments to TRC Calls to Action – 2021 Update (2021)

Town designates to work with the Stoney Nakoda Nation to identify lands for cultural ceremonies within the Town boundary.

Other actions:

- Town has an internal TRC working group.
- Incorporating Treaty 7 history and languages into Town's naming policy and on signage.
- Including Indigenous books, art and imagery into public spaces and social programs.

Saskatoon, SK

City of Saskatoon 2022-2025 Strategic Plan (2022)

City Council Priorities: I. Reconciliation, Diversity, Equity, and Inclusion (REDI).

Develop and implement actions to enhance inclusivity within public engagement processes and activities.

Other actions:

- Co-chairs [Reconciliation Saskatoon](#), a community of different organizations, that foster a citywide conversation about reconciliation.
- Posts a calendar of Indigenous and ally events.
- Is considering adopting UNDRIP.
- Is a partner in developing a National Urban Park with Indigenous and community partners that will build on the Wanuskewin Heritage Park and its Northern Plains peoples' history.

Regina, SK

Reconciliation Regina Community Action Plan (2019)

This is more of a process to develop an action plan. In October 2023, Regina's executive committee endorsed the development of an Indigenous framework that would center Indigenous perspectives, values, and priorities in all of the city's services.

Other actions:

- Has a dedicated [Indigenous Procurement Policy](#).

Winnipeg, MB

Winnipeg Indigenous Accord (2017)

Contains a Vision, Commitments, and Principles.

Principle 8. Supporting Indigenous peoples' cultural revitalization and integrating Indigenous knowledge systems, oral histories, laws, protocols, and connections to the land into the reconciliation process are essential.

Other actions:

- Identified and assessed accommodation for smudge and pipe ceremonies.
- Planted traditional medicine gardens to provide space for ceremonies, medicines.
- City cemeteries now coordinate with other cemeteries to assist families.

Reconciliation Action Plan (2018)

This plan addresses the TRC Calls to Action and is a direct result of a relationship and collaboration between the City, the Indigenous communities in Ottawa, and many community partners. It includes 14 actions in the areas of:

13. Culture.
14. Employment.
15. Children's services.
16. Education and awareness building.

Action 12. Promote a standard process to honour Algonquin Unceded Territory at the opening of City events.

Moving Forward: explore, identify, and repurpose highly visible dedicated spaces at Ottawa City Hall and other municipal buildings and public spaces for commemoration, education, and awareness within both traditional and contemporary contexts.

Other actions:

- Recognizes that city is built on unceded Anishinaabe Algonquin territory.
- Co-chairs Aboriginal Working Committee with Ottawa Aboriginal Coalition.

Urban Indigenous Strategy (2019)

Three themes: Land (p.21), Spirit, and People.

Land theme has 10 actions:

- Adopt UNDRIP.
- Enhance Aboriginal Advisory Committee and consultation.
- Improve meaningful consultation on municipal projects, plans, and approvals.
- Listen to and respect Elders' and traditional knowledge.
- Establish and maintain a piece of land for ceremonial and spiritual activities.
- Educate about traditional territories, UNDRIP, and Doctrine of Discovery.
- Create more access to traditional foods.
- Establish outreach and access to conservation areas.

Urban Indigenous Strategy Implementation Plan (2021)

Ecological, Archaeology, and Natural Heritage deliverables, including consultation, traditional ecological knowledge, conservation area access, signs for Indigenous names, and improved City-First Nations work on archaeology (p.16).

Other actions:

- Developed Hamilton Indigenous Community Advisory Panel.
- Implemented the Hamilton Indigenous Climate Change Action Plan that addresses climate change impacts on Indigenous communities and reflects Indigenous knowledge and perspectives.

Reconciliation Action Plan (2022)

Actions for Justice

15. Support Indigenous Placekeeping

- Strategy includes access to land for ceremony, stewardship, and other cultural activities.
- Decolonizing City processes that create access barriers (languages, co-management, diversity).
- Address sacred fire barrier issues.
- Specific division responsibilities.

18. Improve Access to Traditional Foods and Medicines

- Host traditional food and medicine circle.
- Hire an Indigenous land stewardship team.
- Create an Indigenous farmers' market.
- Access to land for food programming.
- Support Indigenous food businesses.

19. Return Land and Stewardship Rights

- Prioritize Indigenous worldviews of land protection and leadership for climate resiliency.
- Develop a framework to guide land acquisition and disposal processes affecting Indigenous communities (diversity, advance stewardship, control, and ownership).
- Co-develop protocols, practices, and agreements on Indigenous use and access to City lands.
- Facilitate transfer of stewardship, control, and ownership to Indigenous organizations.

Other actions:

- Established the Aboriginal Affairs Committee and Indigenous Affairs Office.
- Adopted UNDRIP (2013).
- Ceremonial naming of public lanes to honour two former chiefs.
- Identifying residential school records.

Reconciliation Strategy 2020-2025 (2020)

The Strategy encompasses seven objectives: 1 Develop a government-to-government relationship; 2 Improve the visibility of the Indigenous presence in the City of Montreal; 3 Support the urban Indigenous community; 4 Improve the feeling of safety of Indigenous people in Montreal; 5 Support Indigenous cultural development in the urban environment; 6 Assist the economic development of the Montreal Indigenous community; 7 Promote the protection of natural spaces and environments according to the 7th Generation Principle. Sources for the Strategy include the TRC and Public Inquiries and reports on racism and discrimination.

- Objective 2 aims to better highlight the Indigenous presence within Montreal's urban landscape, focuses on three identified areas of interest: 1) The archaeological heritage, 2) the toponymy and other urban markers, and 3) historical and cultural encounters.

Commitments: Highlight certain key historic and contemporary Indigenous locations, especially by assigning Indigenous place names (toponyms); Celebrate the historic place of Indigenous peoples within the territory that became Montreal ... inform the public about the history of Indigenous peoples, their cultural diversity, and the issues of discrimination they face ... presentation and promotion of various elements of Indigenous cultures, including their culinary traditions ...

- Objective 3 Commitments: Support the cooperative efforts of the urban Indigenous community. ... contact the Indigenous organizations concerned during public consultations ... Support culturally safe programs offered by Indigenous organizations ... Support the creation of culturally adapted gathering places designed in collaboration with the community
- Objective 4 Commitments: Encourage development of inclusive spaces and places adapted to the needs of Indigenous homeless people ...
- Strategic objective 7 is focused on three main areas of environmental protection for the next seven generations: Indigenous knowledge, natural spaces, and the major parks as well as environmental education.

Commitments: ... consult Indigenous communities affected during the implementation of City projects ... Include Indigenous perspectives and knowledge in the communications, strategies, and action plans to combat climate change ... Develop research partnerships in ethnobotany regarding the health of Indigenous communities ... Develop programming aimed at disseminating Indigenous knowledge about environmental protection and the management of changes due to global warming ... Integrate traditional Indigenous knowledge related to existing ecosystems on the Island of Montreal into the development and preservation of Montreal's major parks ...”

Other actions:

- Council endorsed UNDRIP (2017) and to add UNDRIP to City Charter.
- Appointed a Commissioner of Indigenous Relations.
- Has ad hoc committee on Indigenous toponymy (place names).

Saint John, NB

Conceptual Framework for Truth and Reconciliation (2021)

Nothing on land

Other actions:

- A Truth and Reconciliation Working Group has been formed to coordinate Truth and Reconciliation efforts in the City.

Charlottetown, PE

Strategic Plan 2022-2026 (2022)

We are committed to ... Reconciliation with the Province's First Peoples.

Halifax, NS

No strategy; see [Indigenous Services](#)

Other actions:

- Adopted land acknowledgement and its version of the FCM statement of reconciliation (2015).
- Promotes Indigenous events.
- Established the [Commemoration of Edward Cornwallis and the Recognition and Commemoration of Indigenous History \(Task Force\)](#).

Whitehorse, YT

Moving Forward Together, 2016

- Advised the Yukon and federal governments that Whitehorse was willing to play a role in protecting cemeteries or other sites, sought Indigenous input on Cemetery Bylaw changes, offered to share cemetery and land ownership records, under TRC Calls 75-77.
- Other actions: proclamation of National Indigenous History Month for June, land acknowledgement in staff signatures, Southern Tutchone language added to Welcome sign and stop signs, artwork in a bus shelter, collaborations with local First Nations.

Whitehorse 2040 Official Community Plan, 2023

Includes sections on Truth and Reconciliation (sections 4.6-4.11):

- Implement local First Nation Self-Government Agreements, address TRC Calls to Action, renew 2018 Declaration of Commitment, establish a reconciliation framework and implementation plan.
- Collaborate with First Nations to advance the decolonization of place names.

Other Actions:

- Permanently raised First Nations' flags.
- Added name of city hall in the local language.
- Added Every Child Matters crosswalk.
- Statement on National Day for Truth and Reconciliation.

Yellowknife, NT

Reconciliation Framework, 2021

Goal: All of the City's work on reconciliation needs to be directed at building positive, respectful relationships with Indigenous peoples and a welcoming community for all. Everything else flows to and from this goal.

Principles: Relationship building in all ways, Involve Indigenous people through following actions: learning, unlearning, relearning, Special Recognition, Participate, Learn from mistakes.

Also guided by TRC's Principles of Reconciliation.

Reconciliation Action Plan 2023

Walking Together–What We Heard Report, 2023

Other Actions:

- 2015 Council adopted the TRC Calls.
- 2019 MOU of City with Yellowknife's Dene First Nation on working together.
- The City invited Indigenous and non-Indigenous community members to Walking Together - Reconciliation Gathering 2022 on August 31, 2022.
- Language promotion and use.
- Joint economic development plan with local First Nation.