

Staff Report 2022-0130

Meeting Date: March 22, 2022

Subject: Proposed Indigenous Community Engagement Protocol

Submitted By: Sally Drummond, Heritage Resource Officer, Strategic Policy Planning, Planning Services

RECOMMENDATION

That in response to the 2015 Truth and Reconciliation Commission of Canada's Calls for Action, the Indigenous Community Engagement Protocol, titled "A Guide to Meaningful Engagement with Indigenous Neighbours, July 2021" ("the Protocol"), attached as Schedule A to Staff Report 2022-0130, be approved as the Town's approach to Indigenous community engagement;

That staff be directed to use the Protocol as a guiding document for updated policies for Indigenous engagement with respect to land use planning matters in the new Town of Caledon Official Plan;

That a new capital project of \$50,000 to support implementation of the Protocol and related Indigenous engagement and liaison initiatives funded from the Tax Funded Operating Contingency Reserve, be approved; and

That staff report back regarding recommendations for a corporate framework in support of reconciliation with Indigenous communities.

REPORT HIGHLIGHTS

- Caledon is part of the Treaty Lands and Territory of the Mississaugas of the Credit First Nation following the Ajetance Purchase of 1818 (Treaty 19). It is also part of the traditional Territory of the Huron-Wendat and Haudenosaunee peoples and the Anishnabek of the Williams Treaties, and of interest to the Métis Nation of Ontario.
- The 2015 Truth and Reconciliation Commission of Canada's Calls for Action to advance the reconciliation process with Aboriginal peoples included actions for municipal governments.
- Collaborative development with Mississaugas of the Credit First Nation of an Indigenous Community Engagement Protocol (the Protocol) is the Town of Caledon's first step in respectfully advancing reconciliation.
- The intent of the Protocol is to establish a framework for fostering deeper relationships between Town staff and Indigenous communities and written documentation regarding expectations for proactive and meaningful engagement, to help staff better understand and incorporate Indigenous interests and priorities as they relate to municipal activities.
- Staff will seek to include diverse Indigenous perspectives and expectations in the Protocol through further outreach and engagement with other Indigenous communities whose traditional territory and interests include Caledon.

- The Protocol is intended as a 'living document' to be reviewed regularly and refined based on continued collaboration with Indigenous communities and learned experience.
- The Protocol is considered a guiding document in Caledon's Official Plan Review and will inform policy development.
- The Protocol will be used by staff for municipal infrastructure and land use planning projects requiring Indigenous engagement as well as other cooperative initiatives.
- The Protocol identifies further steps to reconciliation with Indigenous communities that may be explored in development of other municipal initiatives.
- Successful implementation of the Protocol will require corporate coordination and staff training. A staff working group is being established to manage development of Indigenous engagement policies, procedures and training.
- Protocol implementation, training and potential increased project costs associated with Indigenous engagement have not been considered in the 2022 budget. A budget of \$50,000 is requested to support implementation of the Protocol.

DISCUSSION

This staff report was first brought forward to Planning and Development Committee on December 6, 2021, at which time it was referred back to staff for further consultation with Mississaugas of the Credit First Nation.

Background

The Town of Caledon is situated on lands that are home to many Indigenous people from across Turtle Island (North America). It is part of the Treaty Lands and Territory of the Mississaugas of the Credit First Nation following the Ajetance Purchase of 1818 (Treaty 19). It is also part of the traditional Territory of the Huron-Wendat and Haudenosaunee peoples and the Anishnabek of the Williams Treaties, and of interest to the Métis Nation of Ontario.

The [2015 Truth & Reconciliation Commission of Canada's Calls to Action](#) to advance the reconciliation process with Aboriginal peoples include several calls to action that are specific to municipal governments (refer to Calls to Action numbers 43, 47, and 57).

To respectfully advance reconciliation, the Town will need to foster deeper relationships with Indigenous Nations and Peoples, ones that are not solely based on legislative requirements for consultation. Understanding more about the history of this land and its Indigenous Peoples will help the Town be better neighbours and partners with them. This relationship-building needs to occur at the staff level as well as the Council level.

To this end, staff initiated the development of an Indigenous Community Engagement Protocol in collaboration with Mississaugas of the Credit First Nation (MCFN). The dual purpose of the Protocol is to establish:

- a framework for fostering deeper relationships with Indigenous communities having treaty lands and traditional territory and interests in Caledon that support a shared understanding of how to work together better; and,

- written documentation regarding meaningful engagement that promotes incorporation and respect of the voice and diversity of Indigenous communities in Town policies, operations and development processes.

The Protocol was co-developed by staff from multiple departments and individuals from MCFN's Department of Consultation and Accommodation (DOCA) through a series of discussions and information exchange over 2020 and 2021, facilitated by consultants. MCFN helped the Town better understand Indigenous interests and priorities as they relate to municipal activities, and provided input on its own expectations for proactive and meaningful engagement. Staff met with Chief Laforme from Mississaugas of the Credit First Nation in December 2021 to review the Protocol and confirm the support of the MCFN Council.

In addition to MCFN's input, it is intended that the Protocol will include additional Indigenous perspectives and expectations through future outreach and engagement with other Indigenous communities with traditional territory and interests in Caledon, including Six Nations of the Grand River, Haudenosaunee Confederacy Chiefs Council, Huron-Wendat Nation and Métis Nation of Ontario.

Goals

The goals of the Protocol are to:

- improve awareness and knowledge
- collaborate towards a shared understanding
- identify culturally appropriate planning and implementation activities
- integrate Indigenous community-led processes, expertise, knowledge, and priorities
- proactively identify barriers and solutions
- integrate mechanisms for continual improvement

Audience/Users

The Protocol was developed for use by Town staff to engage with Indigenous communities. In practice, it provides a framework for meaningful engagement that can be applied to an array of municipal matters ranging from land use planning and infrastructure development to cultural activities.

This Protocol may also serve as a useful resource for the Town's project partners and other community agencies that work within the Town to enhance knowledge of how to engage, build and sustain a good working relationship with Indigenous communities that have shared interests with the Town.

The Protocol is organized around the following four sections:

1. Historical Perspectives

An important aspect of meaningful engagement is having an informed understanding of our shared histories and perspectives. Indigenous peoples have diverse histories,

identities, customs and ways of interacting with the land. This section entails summaries of individual Indigenous Nations' histories, as provided by them, and the Town's own post-contact history.

2. Policies and Projects

This section identifies the types of activities currently undertaken by the Town that have legislative requirements for Indigenous consultation, such as environmental assessments and land use planning matters.

The Protocol also identifies municipal activities and initiatives that offer broader outreach and engagement opportunities with Indigenous communities, such as Town-sponsored cultural events, public art, environmental stewardship, naming of public spaces and assets, and sports/healthy living programming.

3. Meaningful Engagement

Meaningful engagement is intended to raise awareness and build understanding among all parties so that informed input and decision-making can occur. The goal is for the engagement process between Town staff and Indigenous communities to be mutually beneficial. Through co-development of the Protocol with MCFN, the following guiding principles were identified as the foundation for meaningful engagement:

- Meaningful: meaningful relationships take time and effort to maintain
- Respect: respect and understanding are the foundation of meaningful relationships
- Trust: trust reinforced through transparency and accountability
- Change: change requires collaboration, co-development, and coordination

This section outlines the Town and MCFN's understanding of meaningful engagement and identifies the key parameters of the engagement lifecycle. These include early outreach to Indigenous communities to share project details; building knowledge through sharing draft reports and incorporating Indigenous input; providing project updates and clarifying how Indigenous input has been incorporated; documenting engagement efforts and outcomes.

The section also addresses the importance of continually building on shared experiences to identify challenges and successes and productive ways to improve the engagement process. This will be achieved through establishing regular meetings with Indigenous communities at specific times of the year to discuss projects, communication efforts and outcomes, and refinements to the Protocol.

Ensuring staff awareness, understanding and careful use of the Protocol will be critical to the Town's success in fostering deeper relationships with Indigenous communities.

Community-Specific Engagement

This section outlines the engagement interests and expectations of individual Indigenous communities based on their direct input. These community-specific engagement expectations will inform staff in preparing for and undertaking Indigenous consultation. Establishing clear boundaries and expectations provides a basis upon which to build productive relationships.

In brief, MCFN's engagement expectations address such matters as recognition of MCFN Treaty Lands and Traditional Territory, honour, respect, early notice of projects, capacity funding, full participation, protection of the cultural and natural environment, cooperation and collaboration, accommodation, long term relationship agreements, and refusals/consent. Input from other Indigenous communities will be sought through future outreach and consultation.

Current Indigenous Engagement

To date, the Town has engaged with Indigenous communities on a variety of infrastructure and policy planning projects, such as environmental assessments and master plans, as well as heritage signage projects. Engineering staff have established memorandums of understanding with several First Nations regarding the retention of Indigenous Field Liaison Representatives during Town-initiated archaeological assessments. The Town has been less consistent about when and how engagement occurs for land use planning matters.

The Town will be engaging with MCFN on a variety of community initiatives, a current example of which is the Bolton Downtown Revitalization project.

The Protocol is considered a guiding document for updated policies for Indigenous engagement with respect to land use planning matters in the new Town of Caledon Official Plan; it will also inform the Indigenous community engagement process for the Official Plan Review.

Next Steps

Protocol Implementation

The next step in implementing the Protocol with MCFN will be to schedule bi-annual meetings to discuss Town projects. This will require prior consultation and coordination between staff and the MCFN.

Further development of the Protocol will entail outreach and engagement by staff with other Indigenous communities with traditional territory and interests in Caledon, including Six Nations of the Grand River, Haudenosaunee Confederacy Chiefs Council, Huron-Wendat Nation and Métis Nation of Ontario.

Corporate Process Beyond the Protocol:

The Protocol is only an initial step in the Town's path to reconciliation with Indigenous Nations and Peoples, and more work will be required. The Protocol identifies a number of further steps for the Town to explore, including:

- Indigenous awareness and competency training for municipal staff.
- Acknowledgement and celebration of Indigenous histories, achievements and ways.
- Shifting the narrative through diversity and inclusion in employment and procurement practices.
- Establishing an Indigenous working committee to co-define and monitor future steps.
- Collaborating with urban Indigenous Peoples and coordinating with local and regional support networks to understand and address needs.
- Collaborating on community awareness / education programming.

To successfully implement the Protocol corporate-wide and move forward with other reconciliation initiatives such as those identified above, staff education and training and the development of corporate procedures is required.

Staff have established a working group to develop a corporate strategy for Indigenous engagement within the broader lens of diversity, equity and inclusivity. This work will build upon the framework established by the Protocol for application throughout the Town's operations and services.

FINANCIAL IMPLICATIONS

Implementation of the Protocol will require staff training on Indigenous history, reconciliation and engagement, project budgeting for Indigenous community consultation and engagement, and outreach to other Indigenous communities. This training, outreach and the management of on-going Indigenous reconciliation initiatives will require dedicated corporate resources and consultant support. These matters were not considered in the 2022 budget. Staff request a budget of \$50,000 funded from the Tax Funded Operating Contingency Reserve to support development of Indigenous-related staff training, consultant retention and project-related costs incurred through implementation of the Protocol. The current uncommitted balance in the Tax Funded Operating Contingency Reserve is \$6,717,772.04.

Further financial implications could be identified as Staff work closely with the Indigenous Communities on creating a collaborative relationship and will report back to Council as required.

COUNCIL WORK PLAN

Sustainable Growth

- Complete the Official Plan Review including designation areas for employment, residential area growth (Mayfield West and Bolton Residential Expansion Study) and Comprehensive Zoning By-law review

Connected Community

- Preserve heritage and natural areas

Improved Service Delivery

- Apply a diversity lens (age, language, culture) throughout the Town's operations and services

ATTACHMENTS

Schedule A: Proposed Indigenous Community Engagement Protocol titled "Town of Caledon: A Guide to Meaningful Engagement with Indigenous Neighbours", Wood Environment & Infrastructure Solutions, July 2021