



Shared Path
Consultation
Initiative

REPORT ON LAND ACKNOWLEDGEMENT

City of Richmond Hill

PURPOSE

A land acknowledgement is an opportunity for the wider society to remember, recognise, and rebuild a relationship with those communities who first had a relationship with this land...

Submitted

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INTENTIONS

It is our understanding that the City of Richmond Hill Strategy and Government Relations staff have reached out to various First Nations to discuss the creation of a Land Acknowledgement (L.A.). Not everyone who responded to the initial drafts of the L.A. were pleased with the results. Thus, there is a desire to resolve these issues to rebuild better relationships.

In May of 2022, the Shared Path Consultation Initiative (SPCI or Shared Path) was contacted with a request to undertake engagements, gather feedback, and finalise a Land Acknowledgement text. An agreement was reached, and a contract signed in June of 2022. Since then, the Executive Director of Shared Path has moved on to another organisation. In the interim, the responsibilities for this work have been taken up by board members and friends of Shared Path.

LAND ACKNOWLEDGEMENT WORDING

We are gathering on lands that have been home to First Nations Peoples from time immemorial. We acknowledge that what we now call Richmond Hill is on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation and the Mississauga and Chippewa Nations of the Williams Treaty. We also recognize that we are on part of the traditional territories of the Haudenosaunee and the Huron Wendat.

We would also like to acknowledge all First Nation, Inuit and Métis peoples from across North America, also known as Turtle Island, who now reside in the City of Richmond Hill. We are committed to rebuilding constructive and cooperative relationships.

HISTORY OF LAND ACKNOWLEDGEMENTS

Since the 1700s, the Mohawk community of Kanasatake had requested recognition of their claims to land near Oka, Quebec. Despite this, the municipality built a nine-hole golf course in 1961 on land used by the community as a commons area and burial ground. In 1989, the mayor of Oka announced the further expansion of its municipal golf and the construction of luxury condominiums course onto Mohawk territory. This led to a 78-day armed standoff and the subsequent creation of the Royal Commission on Aboriginal Peoples who released its final five-volume, 4,000-page report in 1996.

One of RCAPs recommendations was the creation of a Truth and Reconciliation Commission to address the effects of the Indian School system built by the federal government. It was formed in 2008 and ninety-four calls-to-action were released in 2015. Acknowledgements of the wider society's occupation of the traditional territories of those who were here first, have become more common since then.

These statements recognize relationships and, when done in the spirit of truth and reconciliation, set intentions for creating and maintaining respectful, reciprocal relationships. For this reason, it is key to understand the rationale and implications for why each Nation (or organization) is consulted as part of the process.

APPROPRIATE OCCASIONS FOR LAND ACKNOWLEDGEMENTS

The appropriate use of a Land Acknowledgement is as an accompaniment to the Royal Anthem, the National Anthem, or formal prayer that is used to open ceremonial &/or official occasions under the auspices of the City of Richmond Hill. The informal use of such a statement would only be considered if

it served as a reminder of the relationship it is recognising, e.g., a planning meeting in which fundamental land rights are at stake. If so, then it would be something to be discussed rather than as a mere preamble.

IDENTIFYING RIGHTS HOLDERS AND STAKEHOLDERS

Rights Holders

In recognition of the Land, one is recognising the communities to whom that Land belongs. There are several provisos. First, is the fact that both pre and post contact, these communities shifted across the landscape creating multiple interests in specific territories. Second, while specific treaties were signed with specific communities, and certain lands were specifically reserved for them, the interest of these communities is in the whole territory traditional to their settlement and livelihood. Third, while not all communities signed treaties, they still maintain Aboriginal Rights*. Fourth, as indicated, some communities also have Treaty Rights*. Fifth, both Aboriginal and Treaty Rights are now guaranteed in Sections 25 & 35 of the *Constitution Act, 1982*. Sixth, since then numerous court cases (*Sparrow, 1990; Delgamuukw, 1997; Haida, 2004, Taku River, 2004; Mikisew Cree, 2005; Hiawatha, 2006, Tsilhqot'in, 2014; Lil'wat & Squamish, 2014; SON, 2017; Peel, 2019*) have instantiated these rights, particularly consultation & accommodation regarding the use of their territory. Seventh, that the Free, Prior, and Informed Consent regarding the use of land traditional to Indigenous Peoples, as stipulated in the *United Nations Declaration of Indigenous Peoples, 2007*, has been accepted by the federal government. Eighth, are the Inherent Rights, granted by the Creator, to sovereignty and self-determination, that many communities regard as underlying all others. Such communities are rightly regarded as “rights holders”.

Stakeholders

Since the mid-nineteenth century the processes of resource extraction, land clearing, and municipal growth have disrupted traditional livelihoods. This, along with the legislative regulation of native peoples, have dislocated many into towns and cities. This may have been to settlements within their traditional territories, but over time economic opportunities have drawn them to many new places. While they still retain Aboriginal Rights, and now have a stake in this new setting, they remain guests of the communities in whose traditional territory they have located. Even if they are born and raised in the municipality, they are as all other newcomers. Such people are rightly regarded as “stakeholders”.

Differences

Though the two groups can overlap, depending on their location and their level of rights, the essential distinctions are:

1. Rights holders have rights & benefits. These are tied to Aboriginal Rights but are also linked to the Treaty Rights of a given First Nation &/or the territory traditional to that First Nation, or the territory traditional to a particular Metis community. This also includes the cultural heritage of that territory.
2. Stakeholders have programmes & services. These are tied to Aboriginal Rights, but are not specifically tied to a treaty, territory, or the cultural heritage of that territory.

Aboriginal Rights

This refers to inherent privilege. It includes protecting the Environment that supports community survival, and those areas of cultural significance that sustain its connection to the land. It encompasses hunting, fishing, trapping, and harvesting medicinal and food plants. It honours burial and other sacred sites and strengthens the community's spiritual relationship with the land. This also refers to the community's ability to govern itself and participate in all governance and operational decisions about the management of resources and the use of land. *

Treaty Rights

This refers to the sovereignty privilege granted by every Treaty to which a First Nation is a signatory to. By extension, it may include Modern Treaties, Settlement Agreements, Self-government agreements, etc. with any Aboriginal community. *

**Source: Beausoleil First Nation, Consultation and Accommodation Community Guide, draft 24 April 2017 (see Module 1 - Distinct Societies & Unique Cultures 1st edition [<https://www.inciteplanning.com/services>])*

Draft Phrasing

The phrases regarding the Huron Wendat and Haudenosaunee are in recognition of their Aboriginal, territorial, and cultural interests in Richmond Hill. The references to the Williams Treaty First Nations are in recognition of their Aboriginal and Treaty rights. The Mississaugas of the Credit First Nation have all of these. The listing of First Nations, the Metis, and Inuit is a stakeholder's reference alluding to constitutional recognition.

Consultation Table

Table 1: List of groups contacted and rationale for why each group should be consulted.

Group	Aboriginal Rights	Treaty Rights	Traditional Territory	Cultural Heritage	Stakeholder Privilege
Beausoleil First Nation	✓	✓			
Georgina Island First Nation	✓	✓			
Rama First Nation	✓	✓			
Alderville First Nation	✓	✓			
Curve Lake First Nation	✓	✓			
Hiawatha First Nation	✓	✓			
Scugog Island First Nation	✓	✓			
Mississaugas of the Credit First Nation	✓	✓	✓	✓	
Six Nations	✓	✓	✓	✓	
Nation Huronne-Wendat	✓		✓	✓	
Metis Nation of Ontario	✓			✓	
Jay Shea	✓				✓
Matt Bergman	✓				✓

CONSULTATION PROCESS

SPCI Mission

Shared Path’s process for undertaking any contractual consultation work is grounded in our mission statement and guiding principles. We exist to facilitate and support Indigenous and local governments, institutions, and organizations, to navigate the challenges of an emerging truth and reconciliation landscape. We do this by conducting research, facilitating relationship-building opportunities, and developing educational resources for a variety of audiences in the planning field.

What that means in practice is that we are a third party, not representative of any government, industry, institution, First Nation, or Indigenous community (Metis or urban). We rely on the experience, expertise, and resources of our Board, staff and many volunteers.

SPCI Principles

Shared Path’s guiding principles are:

- Respect for Indigenous ways of knowing, worldviews, and epistemologies
- Reciprocal relationships between Indigenous and non-Indigenous governments & institutions
- Embracing consultation and accommodation processes and procedures

Connecting

Project leads contacted each First Nation and the Metis Nation of Ontario through existing relationships. They made it clear that Shared Path was contracted to follow through on the work started by Richmond Hill staff last year. They reviewed feedback provided during the consultation of the initial land acknowledgement proposed last year, provided context for why Richmond Hill was reaching out a second time, and ask for additional thoughts.

Table 2: List of groups contacted and response to proposed wording.

Group	contact	response	adjust	accept
Beausoleil First Nation	✓			
Georgina Island First Nation	✓			
Rama First Nation	✓			
Alderville First Nation	✓			
Curve Lake First Nation	✓			
Hiawatha First Nation	✓			
Scugog Island First Nation	✓			
Mississaugas of the Credit First Nation	✓	✓	✓	✓
Six Nations	✓			
Nation Huronne-Wendat	✓			
Metis Nation of Ontario	✓			
Jay Shea	✓	✓		
Matt Bergman	✓	✓		

Reciprocity

In the spirit of reciprocity, and in recognition that consultation preys on the community's resources, Shared Path will ensure that each Nation consulted receives our standard honorarium of \$200 per consultation session.

Our Team

Shared Path leadership includes Indigenous and non-Indigenous professionals, as well as current and former First Nation Chiefs. It is through these relationships with many consultation staff, elders, and elected officials that our organization can provide guidance to local governments on specific questions pertaining to land. The following folks all assisted in this effort:

Carolyn King – President of SPCI

David Stinson – Board Member of SPCI

Marty Cooper – Staff from ASI

Dali Carmichael – Staff of SPCI

Morgan Peters – Former Executive Director of SPCI

MOVING BEYOND THE LAND ACKNOWLEDGEMENT

In some ways, writing a Land Acknowledgement without a context of relationships with First Nations is akin to writing marriage vows for someone you never intend to live with. None-the-less, this attempt at an acknowledgement can begin to rebuild relationships with the rights holders who graciously host the City of Richmond Hill. One step in this direction might use the occasion of the recent municipal election as an opportunity to visit some of the First Nations to thank them for hosting Richmond Hill. This should be done by the Mayor, and perhaps a councillor, along with a senior staff or two. It could be a short deputation to their Chief and Council.

Beyond that there are upcoming celebrations in some communities, as well as Richmond Hill that may serve as social occasions to get to know one another better. There are also training opportunities that SPCI can provide for Richmond Hill's staff and leadership.

TIMELINE

- 12 May 2022- Richmond Hill staff contact Shared Path Consultation Initiative with a request to undertake engagements with Indigenous groups to gather feedback and finalize text of a Richmond Hill Land Acknowledgement.
- 13 June 2022- Purchase agreement finalized for Shared Path work.
- 15 June 2022 - Indigenous Matters Paper discussed the key issues raised during this early Engagement with Indigenous communities. It asks good questions:
 - Which Indigenous peoples do we currently consult with, and for what purposes? (e.g., development applications, parks planning, infrastructure planning, archaeological resources)
 - How can we incorporate appropriate Treaty rights into our Official Plan?
 - What is the hierarchy of the planning framework when accounting for Indigenous interests as they relate to land treaties? More specifically, do treaty rights trump provincial plans and policies? Should our understanding be acknowledged in the Official Plan? If so, where?
 - The City is presently consulting on a Land Acknowledgement, should this statement also be included in the Official Plan?
- 7 July 2022 – SPCI Executive Director announces a change in employment. SPCI board agrees to fulfill the terms of the contract.
- 10 August 2022 – Richmond Hill staff first meeting with Shared Path Board to discuss issues.
- 14 September 2022 – 2nd meeting between Richmond Hill staff and SPCI Board. Discussed timelines, issues, and reasons for a L.A.
- 23 September 2022 – SPCI discusses draft language.
- 24 October 2022 – SPCI discusses contacts.
- 26 October 2022 – 3rd meeting between Richmond Hill staff and SPCI Board. Discussed timelines, contacts, and report content.
- 6 December 2022 – Fourth meeting between Richmond Hill staff and SPCI Board. Discussed consulting drafting team.
- 13 December 2022 – SPCI drafting team discusses L.A. content.
- 9 January 2023 - SPCI drafting team discusses L.A. content.
- 10 January 2023 – 5th meeting between Richmond Hill staff and SPCI Board. Discussed new draft, consulting, and timelines.
- 20 January 2023 – 6th meeting between Richmond Hill staff and SPCI Board. Discussed new draft and consulting.
- 26 January 2023 – 7th meeting between Richmond Hill staff and SPCI Board. Update on timing.
- 31 January 2023 – 8th meeting between Richmond Hill staff and SPCI Board. Update on report and consultation.
- 13 February 2023 – 10th meeting between Richmond Hill staff and SPCI Board. Update on report and consultation.
- 21 February 2023 – Mayor of Richmond Hill attends MCFN 11th Annual Historical Gathering.