

## EXECUTIVE SUMMARY

Over the past 30 to 40 years First Nations in Canada have overcome much of the injustice that colonialism caused them in terms of loss of land and rights, and have fought for their rights and self-determination.

Unfortunately, regardless of their right to self-determination and increased involvement in planning their own communities, many First Nations in Canada still face a poor quality of life on-reserve, which includes living in unaffordable, inadequate, and unsuitable housing (core housing need), poor education opportunities, lack of employment and income opportunities, and various physical and mental health concerns.

The purpose of this report was to investigate urban reserve development in Canada to assess how these reserves contribute to First Nation economic development and to determine whether or not urban reserves increase the quality of life and social well-being of First Nation communities. Specifically, the Additions to Reserve (ATR) federal policy that establish urban reserves was reviewed, and case studies were analyzed to illustrate lessons learned.

The research questions that were addressed in this report are:

1. What are urban reserves?
2. What is the *Additions to Reserve* federal policy? How is the ATR implemented and what are the implications of urban reserves for municipal planning and relationships with First Nations?
3. Has the creation of urban reserves through the ATR policy contributed to improved economic and social well-being for First Nations in Canada?

Urban reserves are defined “as a reserve within or adjacent to an urban centre” and are created in one of two ways: (1) When an existing municipality (urban centre) expands into an existing reserve; or (2) When a brand new urban reserve is newly established that borders or is developed within an existing municipality.

The ATR policy allows for Crown land to be converted into reserve status for a particular FN, where the FN may exercise partial jurisdiction. Often these newly designated reserve lands are urban reserves.

The two main methods used in this report are case study analysis and a literature, policy, and document review. This information was supplemented with key informant interviews. Three case studies of urban reserve development were chosen, which allowed for an in-depth understanding of urban reserve development in Canada. The three case studies in the report are:

- ✚ Westbank First Nation urban reserve in Kelowna, British Columbia
- ✚ Muskeg Lake Cree Nation urban reserve in Saskatoon, Saskatchewan
- ✚ Long Plain First Nation in Winnipeg, Manitoba

Each First Nation and municipality took a different approach to urban reserve development and this research suggests that all three approaches have been successful. As urban reserve development has been occurring for almost 30 years, there are now many examples of how to have successful relationships between First Nations and municipalities in terms of procedures, development, tactics, compensation, and so on.

Literature presented in this report showed that urban reserve development creates benefits and challenges for both First Nations and municipalities in Canada. Key findings include:

- ✚ Benefits for First Nations include increased job opportunities, revenue generation, jurisdiction over new reserve land, increased economic self-sufficiency, and increased quality of life.
- ✚ Benefits for municipalities include revenue from urban reserve service provisions, job opportunities, and positive relationships with First Nation peoples.
- ✚ Challenges for the First Nation include high financial risk, limited financial resources, fragmentation of band members as some move closer to urban centres and away from the parent reserve, and discrimination in urban centres.
- ✚ General challenges include:
  - An unclear ATR policy;
  - A long and drawn out process from land purchase to urban reserve creation that often spans several years;
  - Negotiation of land purchase prices from the municipality to the First Nation;
  - and friction during the negotiation of municipal service agreements between the First Nation and municipality

These findings raise a broader question: Do the benefits of urban reserve development outweigh the challenges?

The current ATR policy contains many gaps, which causes extreme time inefficiencies and decreases its effectiveness in processing applications to convert land to reserve status. While there is evidence that the ATR policy does benefit First Nations and surrounding municipalities, in its current form, it is an “outdated and inappropriate tool” that hinders First Nation economic progress.

Some key issues with the policy are:

- ✚ There are many steps to the ATR policy from start to finish, and the First Nation is responsible for initiating the steps (as shown in Figure 12);

- ✦ The three categories under which a First Nation can submit an ATR proposal are restrictive and competitive in nature;
- ✦ Due to poor management of the ATR policy by the federal government, discretion is left up to regional AANDC offices in the processing of ATR applications, and their interpretations of the policy appear to vary.

This report has shown that once implemented, the ATR policy does enhance First Nation economic self-sufficiency. Based on the literature and case study analyses, one can infer that First Nation quality of life is also positively affected by urban reserve development.

However, while the creation of urban reserves may help the current situation by increasing the well-being of First Nations peoples, it is not the answer in and of itself. Simply obtaining land and converting it to reserve status is no guarantee of economic success for a First Nation.