

FORWARD

The Calgary Metropolitan Region (CMR) is located within the boundaries of Treaty 7, which was signed at Blackfoot Crossing in 1877. It is recommended that municipal leadership and administration take time to read the [Order in Council and Treaty text](#) from 1877 to become familiar with the promises that were made by the Crown to First Nations who occupied and stewarded these lands for thousands of years. By becoming more familiar with our shared past, First Nations and municipalities can find new ways of working together toward a shared future.

The Truth and Reconciliation Commission of Canada (TRC) has identified 94 Calls to Action that help chart the course for a more equitable future. Many of the Calls to Action apply to municipal governments, and we encourage all Calgary Metropolitan Region Board (CMRB) member municipalities to review these Calls, engage meaningfully with Indigenous Nations and communities, and identify opportunities to advance reconciliation.

Part of advancing reconciliation is acknowledging the harm done by government policies of the past and implementing mechanisms to address those historical wrongs to enable greater Indigenous prosperity today. Historically, promises or exchanges that were agreed to by First Nations and the Government of Canada were not always honored by the Crown. Additions-to-Reserve (ATR) processes are one mechanism that may be used by First Nations to enable prosperity through land acquisition and designation. Municipalities can support the effective implementation of these mechanisms by engaging with First Nations on a regular basis to understand their interests, develop and strengthen relationships, and identify opportunities for shared prosperity.

The CMRB ATR Framework is intended to state non-binding general principles which may be used as guidance and tools by the municipalities in response to their individual circumstances. It is guided by the principles of the Protocol between the Government of Alberta and the Blackfoot Confederacy (2019), the Protocol between the Government of Alberta and Stoney Nakoda-Tsuut'ina Tribal Council (2020), the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and the Truth and Reconciliation Commission of Canada's Calls to Action; and is consistent with the Canadian Constitution and Alberta law. It is not intended to create any legal rights or responsibilities, or legal binding obligations such as contractual obligations, on the First Nations or the municipalities.

The CMRB ATR Framework identifies a principle-based approach will help create common expectations among member municipalities and First Nations, thereby facilitating more transparent and effective collaboration on this particular pathway toward reconciliation.

Addition-to-Reserve Framework

“Give it back means to restore the livelihood, demonstrate respect for what is shared – the land – by making things right through compensation, restoration of freedom, dignity, and livelihood.”

*–Sylvia McAdam Saysewahum (Cree, Big River Reserve, Treaty 6)
Nationhood Interrupted: Revitalizing nêhiyaw Legal Systems, UBC Press – Purich Publishing Ltd. 2015.*

The Calgary Metropolitan Region is honored to be in the traditional territory of the Siksika, Kainai, and Piikani Nations of the Blackfoot Confederacy; the Tsuut’ina Nation; the Bearspaw, Chiniki, and Goodstoney Nations of the Stoney Nakoda; and the home of Métis Nation of Alberta Districts 1, 4, 5 and 6.

In the spirit of truth and reconciliation the Calgary Metropolitan Region Board (CMRB) is actively working to build meaningful and mutually beneficial long-term relationships with Indigenous Nations and communities in and around the Region.

The CMRB is grateful to members of the ATR Framework Working Group who contributed to the development of this document: Alison Anderson, Matthew Atkinson, Strater Crowfoot, Michelle Grenwich, Desmond Jackson, Michelle Jorgensen, Terry Poucette, Chris Prosser, Jamal Ramjohn, Rob Shotclose, Jordon Copping, Jaime Graves, Andrea Hansen, and Anne Harding.

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1. Statement of Intent

This framework was developed through dialogue and collaboration by representatives from First Nations in and around the Calgary Metropolitan Region (CMR), member municipalities of the Calgary Metropolitan Region Board (CMRB), CMRB staff and external consultants.

The CMRB ATR Framework is intended to state non-binding general principles which may be used as guidance and tools by the municipalities in response to their individual circumstances. It is guided by the principles of the Protocol between the Government of Alberta and the Blackfoot Confederacy (2019), the Protocol between the Government of Alberta and Stoney Nakoda-Tsuut'ina Tribal Council (2020), the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and the Truth and Reconciliation Commission of Canada's Calls to Action; and is consistent with the Canadian Constitution and Alberta law. It is not intended to create any legal rights or responsibilities, or legal binding obligations such as contractual obligations, on the First Nations or the municipalities.

The CMRB itself does not have a role within ATR processes. We believe that having a common principle-based approach will help create common expectations, thereby facilitating more transparent and effective collaboration between First Nations and municipalities. We recognize that each ATR process is unique by virtue of the different geographic location of the selected land, as well as past experiences, expectations, and goals of the initiating First Nation. Each municipality will also be unique in the way that they respond to planned or initiated ATR processes.

Our intent is to provide a starting point for member municipalities to thoughtfully consider how they respond to First Nation initiated ATR processes. While representatives from First Nations have contributed to this document, the application of this document provides direction and guidance to member municipalities and their staff through open lines of communication with First Nations. The document does not intend to direct First Nations.

2. What is Addition-to-Reserve?

An [ATR](#) is a parcel of land added to the existing reserve land of a First Nation or that creates a new reserve. Land can be adjacent to the existing reserve land (contiguous) or separate from the existing reserve land (non-contiguous).

An ATR can be added in rural or urban settings. ATR processes may be initiated in one of three ways:

1. Legal obligations or agreements - when there is a legal obligation or a legal commitment by the Government of Canada

2. Community addition - when a First Nation with an existing reserve needs additional reserve land for specifically defined purposes, including economic development
3. Tribunal decision - when a First Nation seeks to acquire land with compensation awarded by the Specific Claims Tribunal for a variety of defined reasons

First Nations with an interest in lands in and around the CMR have recently settled or brought forward claims through the tribunal process that are likely to result in the creation of new reserve lands within the CMR. Siksika Nation, for example, has proactively shared its intention for ATR with the CMRB as part of the implementation of their Global Settlement Agreement.

3. Roles and Responsibilities

a. Role of the First Nation

An ATR process is initiated by a First Nation (or collection of First Nations) in one of the three ways described in Section 3 (legal obligation/agreement, community addition, or tribunal decision). The First Nation is responsible for selecting and acquiring the desired land for ATR, as well as any development-related costs required to prepare the land for its intended use as a reserve. The First Nation is also responsible for completing the ATR process as outlined by Indigenous Services Canada (ISC).

b. Role of the Government of Canada

The Government of Canada, through ISC, administers the Policy for ATR and is responsible for determining if a First Nation's application meets the criteria outlined in the Policy. Following the guidelines outlined in its [Policy Directive \(10-1\) on Additions to Reserve/Reserve Creation](#), ISC is responsible for developing a joint work plan with the First Nation to move through the ATR process and complete the necessary components.

c. Role of the Municipality

The municipality may be engaged early and proactively to identify land or may be notified by ISC of the ATR proposal and then work with the First Nation towards a Municipal Servicing Agreement (MSA). The municipality has no veto with respect to a proposal, but it is consulted in the proposal process and its support is necessary for effective development of an urban reserve. The municipality is responsible for collaborating with the First Nation to develop and implement the MSA and a communication plan.

4. Guiding Principles

The following guiding principles were developed and refined through dialogue with, and review by, member municipalities and representatives from Bearspaw First Nation and Siksika Nation (all First Nations in and around the CMR were invited to contribute to the development of the framework). The principles set out mutually agreed upon intentions for how municipalities in the CMR will approach ATR processes.

It is important to note that government words of intention for positive relations with First Nations are not always followed through with actions. If a municipality in the CMR chooses to adopt these guiding principles for ATR processes, it is strongly recommended that they consider both Indigenous and Western accountability mechanisms to ensure meaningful actions are taken to match the words of positive intent. Additional context around accountability mechanisms is provided in Section 7.

The application of these principles will look different, depending on the unique circumstances of an ATR process, the initiating Nation, and responding municipality. Section 5 provides some examples of how these principles might be applied.

a. Relationship-focused

- i. CMRB member municipalities share a desire to build long-term mutually beneficial relationships between municipalities and First Nations

b. Early engagement

- i. CMRB member municipalities will strive to be in conversation with First Nations about potential ATR processes as early as practical, supported by ongoing relationships

c. Respectful and reciprocal communications

- i. CMRB member municipalities will communicate with First Nations in a way that is people-centred, human, culturally safe, responsive, timely, transparent, and honest, respecting the cultural protocols of each First Nation

d. Commitment to learn

- i. CMRB member municipalities will make an active effort to learn about the interests of a First Nation initiating an ATR process (specifically, their land use plans, governance structure, servicing concept, and economic development priorities)
- ii. CMRB member municipalities embrace ATR processes as an opportunity to respond to Calls to Action to educate people in Canada about the history and experiences of Indigenous Peoples, specifically Call to Action #57 (education of public servants)

e. Embrace parallel ways

- i. CMRB member municipalities will work together, alongside First Nations, to find opportunities to reflect both Indigenous and Western ways of knowing in the development process and negotiation of agreements, while acknowledging historic and current inequities of power and resources between municipalities and First Nations

f. Work in a good way

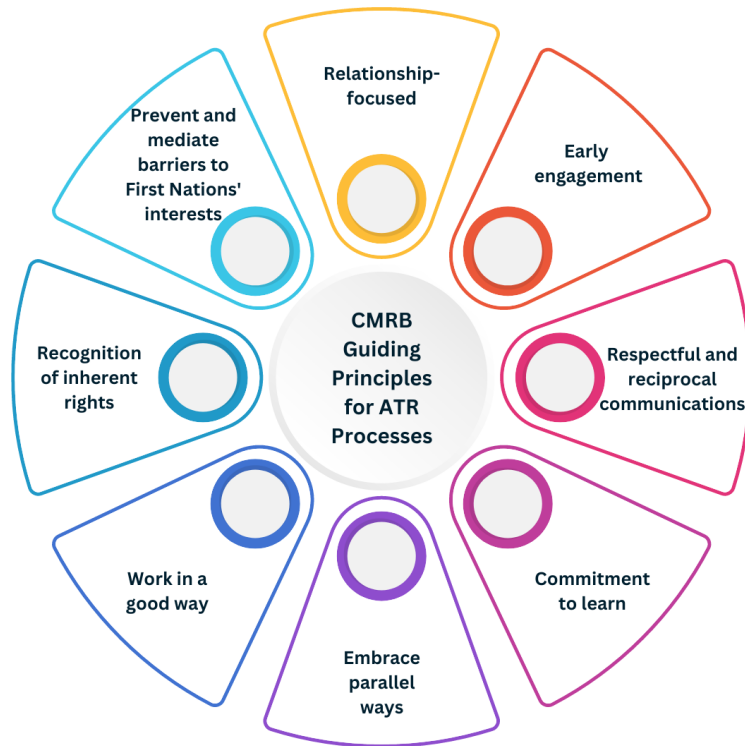
- i. CMRB member municipalities share a commitment to negotiate and resolve disputes with First Nations in good faith, utilizing both Indigenous and Western practices to build and strengthen relationships; we recognize that this may require unlearning and learning as we seek to build relationships

g. Recognition of inherent rights

- i. As enshrined in section 35 of the *Constitution Act, 1982* and in line with articles 3 and 4 of the United Nations Declaration on the Rights of Indigenous Peoples, we recognize and respect the exercise of First Nations' inherent rights

h. Prevent and mediate barriers to First Nations' interests

- i. As part of our shared commitment to help advance reconciliation, CMRB member municipalities will seek to avoid and remove, or mediate, bureaucratic or systemic barriers so that First Nations can advance their interests through ATR processes



5. Guiding Principles in Action

The table below provides examples for each of the eight guiding principles to demonstrate how each principle might be applied to support more effective and meaningful relationships between municipalities and First Nations in the context of the ATR process.

Many of the examples could support multiple principles, demonstrating the interrelated nature of the work. Ultimately, a focus on education to proactively address misconceptions and taking guidance and direction from the First Nation in how to work together will serve municipalities well.

Table 1: Examples of Guiding Principles in Action

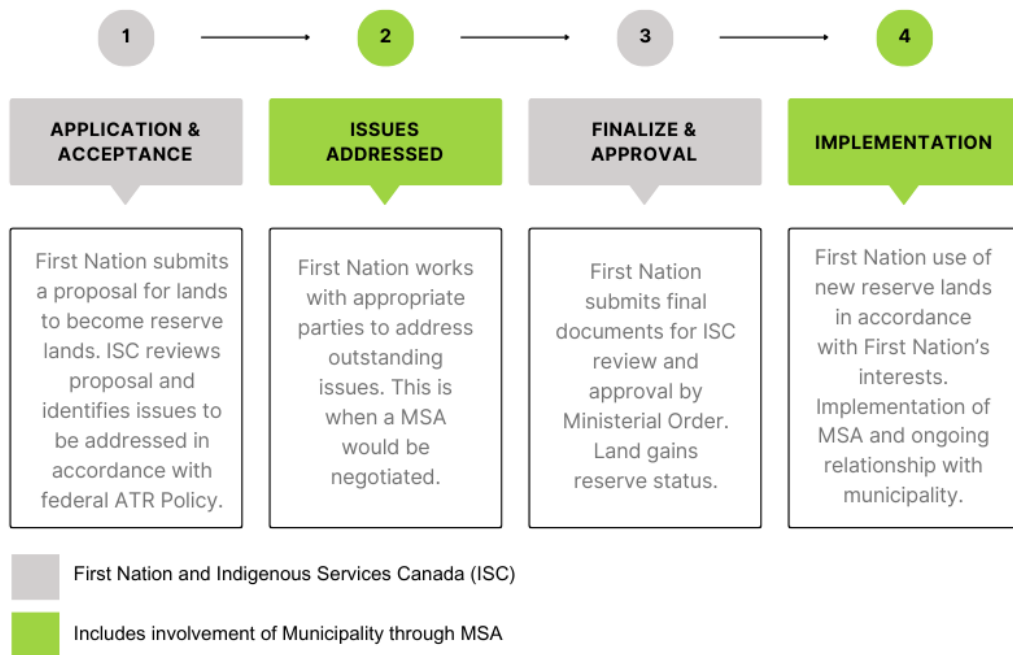
Guiding Principle	Example 1	Example 2
<i>Relationship-focused</i>	The municipality has already initiated a relationship with the First Nation, both at the political and administrative levels. When an ATR process is initiated by the First Nation, a degree of trust has already been established that will provide a foundation for dialogue throughout the process to create a new reserve.	Departments within the municipality have an existing relationship with departments within the First Nation relating to ongoing service agreements. When an ATR process is initiated by the First Nation, both parties can discuss what has worked well and what could have been improved in past interactions and build those lessons into the service agreement for the new reserve.
<i>Early engagement</i>	A municipal official hears, indirectly, that a First Nation has potential ATR interests in their municipality. Rather than wait for this information to be confirmed through formal notification from the federal government, the municipality reaches out to the First Nation to request a meeting to learn about that Nation’s interests in creating a new reserve.	As part of a broader Indigenous relations strategy, municipal officials have annual meetings with First Nation leadership. If a First Nation has an active or recently settled land claim, municipal officials request an update from leadership on the Nation’s interests in ATR and affirm the municipality’s willingness to facilitate and support an ATR process as appropriate, taking their lead from the Nation.
<i>Respectful and reciprocal communications</i>	The municipality provides appropriate training and feedback mechanisms for staff who may be doing work related to ATR processes, ideally delivered by a member of the First Nation, before any such processes are initiated. Training should go beyond standard ‘awareness’ sessions and include concepts and examples of Indigenous ways of knowing and being (i.e. oral tradition, protocols, governance and decision-making, and the importance of words being chosen wisely).	Once the municipality becomes aware of a likely ATR process, municipal officials request a meeting with First Nation officials to discuss and agree upon preferred communication practices. Examples of such practices may include opening each meeting with an acknowledgement of shared values or a blessing, respecting all protocols of the First Nation, meeting in person whenever possible, determining how discussions and decisions will be documented, or how conflict and disagreement will be addressed.

Guiding Principle	Example 1	Example 2
<i>Commitment to learn</i>	The municipality responds to Call to Action #57 from the TRC by ensuring public servants receive appropriate Indigenous-led education about the history and experiences of Indigenous Peoples, with a specific focus on the local context and the municipality's intentions to build meaningful relationships with First Nations and communities and respecting the protocols of each First Nation.	The municipality proactively addresses common misconceptions about First Nations among members of the public, especially those who may be close to a new reserve that is created. Both a public awareness campaign and in person meetings with members of the public done in collaboration with the initiating First Nation are needed to help create open minds and support for ATR.
<i>Embrace parallel ways</i>	The process acknowledges that the initiating First Nation has the right to determine the use and design of ATR lands. This is acknowledged at the outset of the development process with an open and transparent discussion about how MSA negotiations will be conducted to build trust and grow relationships. Discussion topics could include determining meeting locations and formats, outlining meeting protocols, clarifying roles and relationships, clarifying the process and timing of municipal development reviews, establishing the appropriate scope of municipal comments on developments, emphasizing municipal receptiveness to unique designs or design standards.	The development process acknowledges that approving an MSA is a negotiation between a First Nation and a municipality and that, by virtue of that unique relationship, it is not a standard development process for the municipality. The MSA negotiation process includes a dispute resolution mechanism that is informed by the values and practices of the First Nation, rather than using a process that is typical for the municipality.

Guiding Principle	Example 1	Example 2
<i>Work in a good way</i>	<p>All municipal employees and officials who will be involved in the negotiation and implementation of the MSA are given time and resources to learn about the historic and contemporary context of the First Nation from cultural carriers belonging to that First Nation. Building an understanding of foundational concepts such as the spirit, intent, and realities of Treaty 7 will help identify opportunities for common interests within the MSA and ATR process.</p> <p>If a municipality is meeting with First Nations with active or recently settled land claims, they can proactively ensure that First Nation leaders are aware that ATR is an option, and the CMRB has a framework to guide its implementation.</p>	<p>As discussions occur about a potential new reserve, the municipality asks questions about the First Nation's interests so that additional opportunities for mutual benefit can be identified.</p> <p>Throughout the dialogue and at each meeting, the municipality and the First Nation incorporate an opportunity for reflection and feedback to identify strengths in the relationship and potential misunderstandings or areas for improvement. The municipality acts on identified areas for improvement and reports back on progress.</p>
<i>Recognition of inherent rights</i>	<p>For a new reserve being planned in an urban setting for the purpose of the First Nation's economic development, the municipality offers to facilitate meetings and connections with businesses and other groups that could support economic inclusions as directed by or in collaboration with the First Nation, ensuring that basic education about the ATR process is provided to proactively address misconceptions.</p>	<p>For a new reserve that is being planned in a rural setting for the purpose of cultural revitalization, the municipality offers to facilitate meetings and host information sessions with local landowners and businesses to provide basic education about the ATR process and proactively address misconceptions.</p>

Guiding Principle	Example 1	Example 2
<p><i>Prevent and mediate barriers to First Nations' interests</i></p>	<p>In recognition of the potential discrepancy in resources between the municipality and the First Nation, municipal officials plan meetings based on the availability and interests of officials from the First Nation. This may mean that municipal officials adjust their schedules to accommodate a meeting time when it is available. Additional effort is made to ensure that officials who are participating from the First Nation have the information that they need to participate in meetings effectively, including avoiding acronyms, jargon and overly long reports, while also taking time for First Nations' representatives to speak without being constrained by meeting length.</p>	<p>When it becomes clear that an ATR process will be initiated, municipal officials take time to review existing municipal processes relating to an MSA with the lens of making it as simple and smooth as possible. Municipal officials ask First Nation representatives and themselves what potential barriers may be in place for the First Nation from the existing structure, then work with their colleagues and the First Nation to amend processes to mediate or remove those barriers as much as possible.</p>

ATR: Process Overview



Graphic adapted from Indigenous Services Canada (ISC)

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6. Additional Resources

a. Accountability considerations

It is important to note that government words of intention for positive relations with First Nations are not always followed through with actions. If this framework is applied to ATR processes within the CMR, it is important to identify and/or create mechanisms and practices to ensure that the guiding principles are put into action.

To demonstrate respect for Indigenous practice and reflect the guiding principles, municipalities should ask the ATR-initiating First Nation what protocols are most

¹Original table appears in the City of Edmonton's Urban Reserve Strategy (2021)

appropriate to validate the commitments that the municipality and First Nation have made to one another. For example, a Blackfoot oral process may recommend that the commitment/vow could be made through a pipe ceremony that involves leadership from the municipality and the First Nation. From a Blackfoot oral process, a pipe ceremony holds more value than signing a written document because a vow is being made before Creator. Not following through on this vow would then invoke Natural Law.

It should be noted, though, that if a municipality is going to participate in an Indigenous-led ceremony, they should seek guidance from the First Nation about how Western protocols are used to validate the commitments made. For example, if desired by the First Nation, documentation (the pen) should be written in a way that refers to and validates the ceremony (the pipe), rather than the written document being a substitute for or superseding the ceremony.

Once representatives, be they elected officials or administration, have made commitments, it is extremely important that there are processes and mechanisms in place to ensure that promises are kept, with particular attention to oral agreements. If circumstances result in deadlines being missed and actions not being taken, every effort should be made to transparently and openly communicate these circumstances so that everyone is working with the same information and trust may continue to build.

b. Key messages for public awareness about ATR

Proactive communication with the public and responses to questions and concerns about ATR will help to ensure the ATR process goes smoothly. We acknowledge that each municipality will have its own way of communicating with the public; this section is to provide aligned messaging to help staff in their communications. The ATR process will likely be new to the majority of the general public.

This list of questions includes some that you may encounter, with recognition and gratitude to the City of Edmonton's Urban Reserve Strategy for many of the responses:

1. What is ATR?

An ATR is a parcel of land added to the existing reserve land of a First Nation or that creates a new reserve. Land can be adjacent to the existing reserve land (contiguous) or separate from the existing reserve land (non-contiguous).

An ATR can be added in rural or urban settings. ATR processes may be initiated in one of three ways:

- a) Legal obligations or agreements - when there is a legal obligation or a legal commitment by the Government of Canada

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First Nations with an interest in lands in and around the CMR have recently settled or brought forward claims through the tribunal process that are likely to result in the creation of new reserve lands within the CMR. Siksika Nation, for example, has proactively shared its intention for ATR with the CMRB as part of the implementation of their Global Settlement Agreement.

2. How are ATRs created?

The ATR process creates First Nation reserve land within or adjacent to an urban centre. They refer to expansions to a First Nation's reserve lands through a specific federal process known as ATR. Only First Nations are eligible to pursue urban reserves through the ATR process. The ATR process includes roles for First Nations, Federal, and Municipal governments. ISC has defined the process, which must be followed by ISC and the First Nation, and includes the application, review, and ultimately approval phases.

3. Why are governments considering ATR?

While the Treaty text promised that First Nations would be able to continue using the land as they always had (referred to now as inherent rights), successive Canadian Governments sought to limit access of First Nations people to these lands through settlement and development. In the early 1900s, it was common government practice to take additional reserve lands from First Nations through dishonourable and unlawful measures to sell for the benefit and use of White settlers.

ATR processes can be used to address historical wrongs by fulfilling legal obligations from the past and making good on promises or exchanges that were agreed to by First Nations and the Government of Canada. Between 2018 and 2023, there have been nearly 300 approved ATRs to fulfill legal obligations that had not been met, and as of 2023, there are over 1,000 active ATR files.

4. What is the benefit of ATR?

"Benefits [of ATR] to the First Nation can include improved access to resources for economic development opportunities, greater connectivity and ability to provide services to their urban members and improved access to or protection for culturally-significant sites. Municipalities and non-First Nation neighbours can benefit from increased economic activities, investment and employment opportunities and the revitalization of neighbourhoods through new and long-term development. Both First Nations, municipalities, and the broader community can benefit from stronger relationships between First Nations and non-First Nation governments and the population at large. Urban reserves are a tangible action step toward reconciliation." (City of Edmonton)

5. How will the ATR lands be used?

“First Nations may pursue ATR for a variety of reasons. These can include the pursuit of economic development opportunities, the provision of services and other supports to First Nation members located in the region, or for the preservation of culturally-significant sites. Urban reserves have been developed successfully in towns and cities across western Canada for more than 30 years and can take a variety of forms.” (City of Edmonton)

6. Will the First Nation pay taxes on the land and any infrastructure or business on that land?

“City property taxes are not collected [...]. However a fee-for-service is commonly agreed upon that is often roughly equivalent to the amount the municipality would have collected through property taxes.” (City of Edmonton)

7. Will the First Nation pay for municipal services such as waste removal?

“The MSA must spell out how the City will be compensated for providing municipal services to a First Nation urban reserve in exchange for a fee. Because the property will no longer generate property tax revenue for the municipality once converted to urban reserve, the fee for service helps to offset the loss of tax revenue for the municipality and cover the costs of service provision to the urban reserve. This fee can be calculated using a number of different approaches and will be negotiated with the First Nation on a case-by-case basis in consideration of the unique service requirements of each urban reserve.” (City of Edmonton)

8. Will municipal bylaws apply to the ATR lands?

“Bylaw compatibility is a key part of any discussion/negotiation between a First Nation and the City and must be included in any MSA. The provision of municipal services should be tied to bylaw compliance. Agreement on bylaw compatibility is important around issues such as (but not limited to):

- land use or zoning standards
- building and safety standards
- public utilities
- animal control
- health and safety
- traffic regulation
- property maintenance

Bylaw compatibility conversations should be grounded in a ‘good neighbour’ approach. In the vast majority of cases, First Nations simply agree to comply with a municipality’s existing bylaws. However, as the Federation of Canadian Municipalities 26 notes, ‘By-law compatibility does not mean that all the by-laws must be the same, but rather that both parties have considered how well their laws fit together.’” (City of Edmonton)

c. Helpful links

1. [Urban Reserve Initiative Research Findings](#) (City of Edmonton)
2. [Land Management Manual, Chapter 10 - Additions To Reserve/Reserve Creation - 2016](#) (Indigenous Services Canada)
3. [Improving the Economic Success of Urban Additions to Reserve](#) (National Aboriginal Economic Development Board)
4. [ayisiyiniwak: A Communications Guide](#) (City of Saskatoon)
5. [Treaty Texts: Treaty and Supplementary Treaty No. 7](#) (Crown Indigenous Relations and Northern Affairs Canada)
6. [Siksika Nation Global Settlement Agreement Press Release](#) (Siksika Nation)
7. [Opinion: 63 Years Later - The Siksika Land Claim Finally Settled](#) (Calgary Herald)