

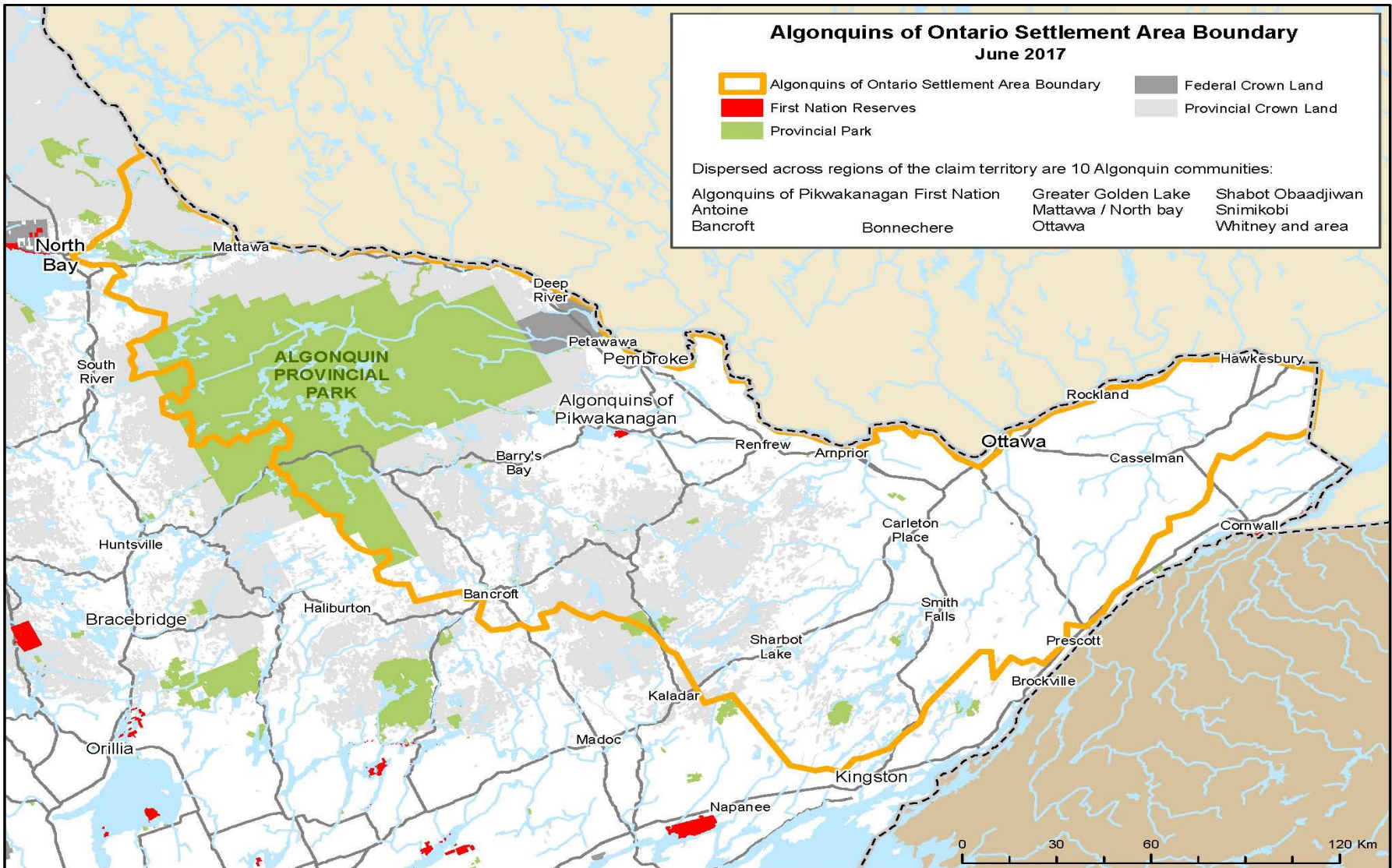
Algonquins of Ontario Treaty Negotiations

Ontario Update December 2019

Ministry of Indigenous Affairs

Ontario 

The Algonquins of Ontario Settlement Area



The Algonquin Land Claim

- The Algonquins of Ontario assert that they have Aboriginal rights and title that have never been extinguished, and that they have continuing ownership to the Ontario portions of the Ottawa and Mattawa River watersheds and their natural resources.
- The Algonquins have a record of 26 petitions and appeals that were presented to the Crown from 1772 to 1983.
- 1985: The Algonquins submitted a petition in the form of a formal land claim to Ontario and Canada.
- The governments of Ontario and Canada reviewed the claim and agreed to enter negotiations with the Algonquins in 1991 and 1992 respectively.
 - Canada is primarily responsible for treaty making.
 - Ontario is primarily responsible for land and natural resources.

Negotiation Milestones

- 2012: The negotiators publicly released a Preliminary Draft Agreement-in-Principle (PDAIP) that included:
 - an amount of Crown land and money recommended for settlement.
 - a defined Algonquin settlement area boundary.
 - understandings regarding the application of Algonquin harvesting rights based on principles of conservation.
 - other elements of the proposed treaty such as the Algonquin role in forestry, provincial park management planning, heritage and culture.
- 2012 – 2015: Consultations with the Algonquin communities, municipalities, non-Indigenous stakeholders and the general public resulted in negotiated revisions and three-party agreement on a Draft Agreement-in-Principle.
- Canada, Ontario and the AOO signed an Agreement-in-Principle in 2016.
- The parties are now in the final phase of negotiating the actual treaty.

The Treaty Negotiation Landscape

- There are 85 municipalities and 14 unincorporated townships in the Algonquins of Ontario (AOO) settlement area, with 1.2 million residents.
- 36 municipalities have Crown land parcels that are proposed for future transfer to the AOO as part of the settlement if the negotiations succeed.
- 59% of land in the AOO settlement area is privately-owned. The rights of private land owners are protected and privately-owned lands will not be expropriated for the settlement of a land claim.
- 19% of the AOO settlement area is Algonquin Provincial Park which will remain a park for the use and enjoyment of all. No Algonquin Park land will be transferred to the AOO.
- The Crown lands proposed for future transfer are approximately 4% of the Crown land base in the AOO settlement area.

Unique Aspects of the Negotiations

- There is no historic treaty with the Algonquin people. This is a matter of addressing unfinished business.
- The negotiations involve a heavily settled area with multiple interests on the provincial Crown lands.
- The AOO includes one First Nation reserve (Pikwakanagan) and nine other member communities that share a common history. There are approximately 9,000 potential AOO beneficiaries.
- The Algonquin traditional territory is divided by the Ontario – Quebec provincial boundary. These negotiations are addressing only the rights assertions of the Algonquins of Ontario.
- The Algonquin assertion of Aboriginal title involves the highest form of Aboriginal rights in Canada.

Negotiation Commitments

- Ontario continues to engage in ongoing consultations with municipalities, stakeholders and the public.
- The Agreement-in-Principle includes commitments for agreements to be negotiated for the continuation or transition of legal interests (eg. land use permits) that exist on the Crown lands proposed for transfer to the AOO.
- The settlement lands are to be owned by the Algonquins of Ontario as private lands that will be subject to municipal land use planning. No new *Indian Act* reserves will be created.
- The land transfers will take place over several years following three-party ratification of the treaty.
- In 2017 Ontario publicly posted a Draft Environmental Evaluation Report, with outreach and consultation via open houses, municipal technical sessions, on-line, written and phone-in feedback. That feedback continues to inform adjustments to the proposed AOO lands package.

Next Steps

- The parties are now engaged in the negotiation of legal understandings based on the concepts laid out in the Agreement-in-Principle to create a practical settlement that will meet the test of time.
- The parties have established a four-year target to achieve an agreement that will include settlement capital, Crown land transfers, understandings regarding Algonquin rights (eg. hunting, fishing, trapping), the proposed establishment of one new provincial park and an addition to another, Algonquin cultural elements, and the parties' roles and responsibilities in the ongoing treaty relationship.
- As part of our commitment to continuing public and stakeholder consultations, Ontario is planning for further public consultation in 2020 on the Crown lands that are proposed for transfer to the AOO.

Municipal Planning - Processes

- Ontario is working with municipalities and the AOO to prepare official plan designations and zoning for the proposed settlement lands in order to facilitate a seamless transfer of Crown lands to Algonquin ownership within the municipal planning and service delivery framework.
- Proposed official plan designations and zoning were published in a Draft Environmental Evaluation Report in 2017.
- The public consultations on the official plan designations and zoning have been designed to mirror Ontario's *Planning Act* requirements.
- The final official plan designations and zoning will come into effect at the date of transfer of the lands and are being prepared by Ontario to avoid downloading costs and processes onto municipalities.

Property Taxation

- Ontario's consultations have clearly indicated the need for a single regime, economies of scale and fairness to all.
- The parties need to consider the long-term and Constitutionally-protected nature of the treaty commitment and the ability of the Algonquins of Ontario to maintain a treaty-based landbase.
- The parties have negotiated exemption from property taxation for the three largest land parcels that are intended for Algonquin traditional activities. This is based on the conditions that:
 - There are no improvements on the lands.
 - Service agreements are negotiated to cover local municipal costs.
- The AOO will be eligible to apply for land owner tax incentive programs (eg. managed forests, conservation lands).

Reconciliation In Action

- Municipalities will be among the most important partners in implementing the treaty, with new opportunities to engage with the Algonquins of Ontario in:
 - Land development.
 - Resource management.
 - Economic development.
 - Social and cultural opportunities.

Contact Information

For further information, please contact:

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