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The Regional Municipality of Durham Report

To: Community Growth and Economic Development Committee
From: Commissioner of Community Growth and Economic Development
Report: #2026-CG-13
Date: April 7, 2026

Subject:

MSIFN-Durham Bilateral Agreement – Establishing an Indigenous Advisory Circle

Recommendation:

That the Community Growth and Economic Development Committee recommends to Regional Council:

- A) That Regional Council supports the establishment of an Indigenous Advisory Circle to provide advice to Regional Council and staff;
 - B) That the Foundational Framework for the Indigenous Advisory Circle, outlined in Attachment 1 to this report, be received for information; and
 - C) That in accordance with the Foundational Framework, Regional Council appoint a non-voting representative to the Indigenous Advisory Circle.
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Report:

1. Purpose

1.1 The purpose of this report is to:

- a. Outline the rationale for establishing an advisory circle comprised of Williams Treaty First Nations and urban Indigenous representatives, which will create a space for government-to-government relationship building, dialogue and enable opportunities to advise staff and Regional Council in alignment with Item 3.1.7 of the [MSIFN-Durham Bilateral Agreement](#).

- b. Obtain Regional Council support for staff to establish the Advisory Circle and to continue to co-develop and implement the Foundational Framework (terms of reference document) with Indigenous partners.

2. Background

- 2.1 In May 2025, Regional Council approved the signing of a [Bilateral Agreement](#) between Mississaugas of Scugog Island First Nation (MSIFN) and the Region, which upholds the rights of Indigenous peoples and advances reconciliation by creating the foundations for respectful collaboration on mutual areas of interest ([2025-COW-18](#)).
 - a. The intent of the Bilateral Agreement is relationship-building. MSIFN and Regional staff, including the Commissioner of Community Growth and Economic Development, have met regularly to discuss a developing workplan and share opportunities, including joint applications to maximize grant funding.
 - b. This First Nation-municipal partnership is further supported by funding from the [Community Economic Development Initiative](#) (CEDI) program co-led by the Council for Advancement of Native Development Officers (CANDO) and Federation of Canadian Municipalities (FCM).
- 2.2 Item 3.1.7 of the Bilateral Agreement states that the Region will investigate the establishment of an Indigenous Advisory Committee, similar to existing Advisory Committees of Council that provide insight and advice. Staff have been working with partners at MSIFN (including the consulting team at Minogi Corporation, supporting MSIFN consultation) to explore options and scope for the committee (herein referred to as the Indigenous Advisory Circle, or “the Circle”).
- 2.3 The Indigenous Advisory Circle (“The Circle”) is intended to improve and restore right relations between the Region and Indigenous partners. The Circle will do this by sharing insights, identifying priority issues, and working with staff to make recommendations to Regional Council and Committee.
- 2.4 Recommendations may improve Regional plans, projects, programs and services, as well as foster reconciliatory action.

3. Previous Reports and Decisions

- 3.1 [2025-COW-18](#) MSIFN-Durham Bilateral Agreement – Government-to-Government Collaboration between the Mississaugas of Scugog Island First Nation (MSIFN) and the Region of Durham.

4. The Indigenous Advisory Circle as a foundation for reconciliation

- 4.1 The [United Nations Declaration on the Rights of Indigenous Peoples](#) (UNDRIP) is an international instrument, recognized through Canada's federal [UNDRIP Act](#), that affirms the rights of Indigenous peoples to self-determination, cultural identity, participation in decision-making, and protection of their traditional lands and resources. It emphasizes the importance of Indigenous peoples having a meaningful role in government policies and actions that affect them, including consultation and collaboration on issues of mutual concern.
- a. Truth and Reconciliation Commission [Call to Action](#) #43 calls on municipalities and other governments to adopt and implement UNDRIP.
- 4.2 In addition to addressing commitments within the MSIFN-Durham Region Bilateral Agreement, co-creating an Indigenous Advisory Circle with Indigenous partners aligns with the principles within UNDRIP by fostering collaborative processes, increasing effective communication on issues of concern to Indigenous peoples, demonstrating recognition of Indigenous inherent and treaty rights, and moving the Region from ad-hoc consultation towards meaningful relationships.
- 4.3 Other municipalities, like [City of Toronto](#) and [City of Hamilton](#) have implemented Indigenous advisory committees. Similar to other advisory committees and committees of council, Indigenous advisory committees can provide municipalities with vital perspectives and guidance that support culturally informed decision-making, fostering meaningful partnerships and advancing reconciliation through collaborative action and mutual understanding.
- 4.4 In alignment with UNDRIP and the spirit of authentic reconciliation, the structure of the Circle will be co-developed to ensure an approach that is both effective and meaningful. It is crucial for reconciliation to establish a format and process that is culturally safe, and respects community partners. Partners will lead in shaping discussions and recommendations, ensuring that priorities are informed by Indigenous protocols and ways of doing. This partner-led approach will support sustained collaboration and provide greater value to the organizations involved.
- a. The Circle is intended to focus on relationship-building. It is not intended to replace or alter the Region's consultation activities related to the delegated procedural aspects of the Crown's Duty to Consult and Accommodate on certain Regional projects. Formal consultation in such situations will continue through the appropriate channels.

- b. The Circle will be strategic in nature and is not intended to alter or replace other sector-specific collaboration tables and engagement venues in which the Region administrates or participates.

4.5 The Region has consistently sought opportunities to improve and strengthen collaboration and ensure meaningful feedback on Regional programs and projects; to date, we have developed the Braiding Pathways resource guide and toolkit to support meaningful engagement by Regional staff. Local area municipalities have engaged a consultant to design a consultation guide. Implementing an Advisory Circle will further strengthen this work.

5. Framework for implementation

5.1 The attached draft “Foundational Framework” will act as the initial terms of reference for the Circle. It is intended to set the foundation to establish the Indigenous Advisory Circle. The key elements of the framework (members, protocols, scope of activities, etc.) are those necessary to bring together key partners to begin meeting. This approach supports the Circle in being truly Indigenous-led, culturally-safe and focused on the priorities that matter to Indigenous communities.

5.2 The framework was developed with guidance and direction from MSIFN consultation as a starting point and will continue to evolve based on the recommendations of members and emerging priorities. As changes are recommended to the Foundational Framework, staff will coordinate reports to the Community Growth and Economic Development Committee.

5.3 The Indigenous Relations team within the Community Growth and Economic Development department will act as liaison and administrative support for the Circle.

- a. Requests for information from the Circle will be addressed with support from the Region’s internal Indigenous Relations Community of Practice, a group of staff that engages in cross-departmental collaboration to advance reconciliation and provide consistency across the Region’s engagement, consultation and relationship-building practices.
- b. The Circle will report to the Community Growth and Economic Development Committee with the support of staff liaisons.

6. Relationship to Strategic Plan

6.1 This report aligns with/addresses the following Strategic Direction(s) and Pathway(s) in Durham Region's 2025-2035 Strategic Plan:

a. Strong Relationships

- S1. Enhance inclusive opportunities for community engagement and meaningful collaboration.
- S2. Build and strengthen respectful relationships with First Nations, Inuit, Métis, and urban Indigenous communities.
- S3. Collaborate across local area municipalities, with agencies, non-profits, and community partners to deliver co-ordinated and efficient services.

6.2 This report aligns with/addresses the following Foundation(s) in Durham Region's 2025-2035 Strategic Plan:

- a. Processes: Continuously improving processes to ensure we are responsive to community needs.

7. Conclusion

7.1 Implementing the Circle will strengthen relationships, foster inclusive engagement, and support ongoing collaboration with Indigenous partners and local communities.

7.2 The next steps will include continuing conversations with rights-holding First Nations partners to further refine the Framework. Following this, staff will collaborate with partners to hold a culturally appropriate opening meeting with the confirmed members of the Circle. This will support the Region and Indigenous partners welcoming this new journey in a good way.

7.3 Staff will keep Community Growth and Economic Development Committee and Council apprised of changes to the framework and new developments.

7.4 This report was reviewed by Legislative Services and Legal Services.

7.5 For additional information, contact: Debbie Ellis, Manager of Indigenous Relations at debbie.ellis@durham.ca.

8. Attachments

Attachment #1: Foundational Framework

Respectfully submitted,

Original signed by

Sandra Austin
Commissioner of Community Growth and
Economic Development

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer

Indigenous Advisory Circle

Foundational Framework

This framework is intended to provide the foundations for the Indigenous Advisory Circle (“the Circle”) to meet and carry out their intent in a manner that is Indigenous-led and community-driven. The framework may evolve and be revised at the discretion of the voting members of the Indigenous Advisory Circle. This framework is to be understood as the Terms of Reference for the Circle.

1. Acknowledgement

Durham Region is an upper-tier municipality and community that encompasses lands, waters and plant and animal relations from Lake Ontario in the south, to Lake Simcoe and Lake Scugog in the north. From east to west, these relations were cared for by the Michi Saagiig and Chippewa, who have been reciprocally cared for by the lands and waters in this place since time immemorial.

These peoples are now recognized as the rights-holding nations of Mississaugas of Scugog Island First Nation, Alderville First Nation, Curve Lake First Nation, Hiawatha First Nation, Georgina Island First Nation, Beausoleil First Nation, and the Chippewas of Rama First Nation.

Colonization deeply impacted these relationships between Indigenous Peoples and the land, which is now home to many diverse people, industries, and agriculture. One of the ways this relationship was changed was through the signing of the 1923 Williams Treaties, between the seven Williams Treaty First Nations (WTFNs) and the Crown. The original Williams Treaties limited the rights of the Michi Saagiig and Chippewa in many ways, including limiting hunting and fishing, which impacts not only tradition and culture, but survival.

While the Williams Treaties First Nations Settlement Agreement, reached in 2018, recognized the pre-existing rights of the Williams Treaty nations, there have been many decisions that have excluded and ignored the rights of these communities. Without meaningful dialogue these harms will continue to be perpetuated against Indigenous communities.

It is imperative that we collectively change the way things are done – not only to right the wrongs of the past and present, but to create a collaborative shared future that is built on principles of reciprocity and care for the next seven generations of relations - people, lands and waters.

2. Intent of the Indigenous Advisory Circle

The primary intent of the Circle is to foster relationship-building and trust between the Region and Indigenous partners through ongoing dialogue.

Durham Region exists on the traditional and treaty lands of the Williams Treaty First Nations, and as a regional municipality, undertakes work that impacts Indigenous people and communities, from development and investment attraction, to public works projects, to providing health and social services.

In recognition of these impacts as well as the inherent and Treaty rights of Indigenous Peoples, the Region is creating space for the Circle to participate and share their perspectives on self-determined matters of importance and interest.

The Circle is an avenue for Rights-holding First Nations and urban Indigenous communities to share information, provide input and recommendations on Regional policies of interest, consider and propose new Regional policies, projects, or initiatives that may advance the Rights, interests, and well-being of First Nations and Indigenous communities.

The Circle is separate and apart from any consultations that may be undertaken by the Region on behalf of the Crown when a legal Duty to Consult is triggered and the procedural aspects of that duty have been formally delegated to the Region. Meetings of the Circle do not constitute formal consultation for those purposes.

The Circle is rooted in item 3.1.7 of the [Mississaugas of Scugog Island – Durham Region Bilateral Agreement](#) which states that the Region investigate the establishment of an Indigenous Advisory Committee, similar to existing Committees of Council that provide insight and advice.

3. Cultural Protocols

- 3.1 To ensure meetings are centered in spirit and remain culturally safe for attendees, cultural practice and protocols will deeply inform the Circle's structure, meetings, and conventions.
- 3.2 These may include smudging, making efforts to open and close meetings in a good way, or inviting Elders, Knowledge Keepers, and youth to share their sacred perspectives.
- 3.3 **To respect established traditions and maintain the cultural significance of these protocols and practices, they will not be included within this document. This does not undermine their importance and centrality to the Circle's existence.**

4. Scope of Activities

The Circle will undertake activities that foster dialogue on matters of importance and interest to Indigenous people and communities, including, but not limited to:

- 4.1 Sharing advice and insight on community experiences, priorities, aspirations, issues, and concerns;

- 4.2 Providing recommendations on policies, programs and projects of interest as well as advising on procedures, plans, strategies, and operations;
- 4.3 Guiding Reconciliatory action aligned with the Williams Treaties, the United Nations Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission's 94 Calls to Action, and the Royal Commission on Aboriginal Peoples; and
- 4.4 Supporting coordinated action with key partners and Regional staff on current issues.

5. Membership

Composition

The Circle will have an initial composition that will be further refined by the members. The Circle will strive to achieve a balance of voices in its composition. The term "voting" should be understood to refer to decision-making capacity as understood in Indigenous worldviews belonging to the rights-holding members.

The Circle will initially be comprised of:

5.1 Rights-holding Community Voting Members may consist of:

- 1 voting seat for each Williams Treaty First Nation that elects to participate.

5.2 Non-voting Members may be invited, and include:

- The Commissioner of Community Growth and Economic Development or designate (1);
- A member of Regional Council (1);
- An urban Indigenous representative from invited tables or designated organizations (1 each);
- A representative from each Conservation Authority within Durham Region (1 each);
- 2 Regular Regional staff liaisons (2);
- A staff representative from each of Durham Region's 8 local area municipalities (1 each).

5.3 Members may send a designate should they be absent.

5.4 The Circle may also invite individuals in a supporting (non-voting) capacity, including:

- Elders, youth, and knowledge keepers;
- Up to two support staff may attend from each Nation;
- Other Regional Commissioners, directors and staff who may attend per the Circle's request.

Nomination and Selection

5.5 Communities will use their own practices and protocols to nominate individuals to the Circle. Existing members of the Circle will confirm the nomination.

Terms

- 5.6 An individual's membership within the Circle will continue until that individual is no longer nominated by their community or organization, or their role changes in such a way that they can no longer meaningfully participate or speak on behalf of their community or organization.
- 5.7 Members are required to give one month of notice to the Circle, during which the nominating community or organization will nominate a new member, which will be confirmed by the Circle.

6. Meeting Procedures and Governance

Circle co-chairs

- 6.1 Meetings will be led and facilitated by two co-chairs who will be responsible for ensuring each member of the Circle has a voice in the process. Co-chairs will honour the tradition and structure of a circle in their facilitation.
- 6.2 Co-chairs will be nominated annually and confirmed by simple majority of voting members.

Meeting frequency

- 6.3 Circle meetings will be held on a quarterly basis. The Circle may vote to hold interim meetings to respond to pressing issues as required.

Meeting locations(s)

- 6.4 The meeting location will be selected at the discretion of members. The Region will host meetings as requested, at Regional Headquarters (605 Rossland Rd E, Whitby). Meetings may also be held within First Nations and other community spaces.

Knowledge Management

- 6.5 Meeting agendas will be co-developed by the Region at the discretion of Circle Co-chairs.
- 6.6 Decisions will be recorded in meeting minutes, which will be distributed for review in advance of the subsequent meeting.
- 6.7 To respect sacred knowledge and Indigenous protocols, meetings will not be video recorded and may be closed at any time to non-members.
- 6.8 All members will strive to respect the First Nations Information Governance principles of OCAP: Ownership, Control, Access, and Possession. Circle information, including but not limited to reports, agendas, and minutes, shall be understood to be co-owned between the voting members of the Circle. While the Region is the administrative support, all members have the right to access, control, and possess the data generated by and shared within the Circle. This includes guiding how any data and insights, including traditional knowledge, are used either internally or publicly.

7. Responsibilities

- 7.1 All members of the Circle are responsible for:
 - 7.1.1 Engaging in the spirit of respect and reciprocity;
 - 7.1.2 Hearing all voices and perspectives;
 - 7.1.3 Providing information and opportunities to advance shared goals;
 - 7.1.4 Sharing updates and information from the Circle back to their respective communities and organizations and support updates or annual reports to Regional Council.
- 7.2 Regional staff are responsible for:
 - 7.2.1 Providing administrative and meeting support, including drafting and circulating agendas and meeting minutes;
 - 7.2.2 Ensuring cultural protocols are respected and welcomed within Regional spaces;
 - 7.2.3 Liaising with other Commissioners and staff across departments to ensure information is shared and to connect members of the Circle with relevant portfolio leads;
 - 7.2.4 Coordinating presentations and information-sharing on behalf of the Region in response to requests from the Circle;

7.2.5 Developing reports to Regional Council and Committees that include recommendations from the Circle; and

7.2.6 Respecting the Circle as an Indigenous-led entity.