

Recent Developments in First Nation Community Economic Development

Noon Hour Series on Aboriginal Issues and
Initiatives

Presentation by Andrew Beynon November 19, 2014

This presentation sets out the personal views of Andrew Beynon and do not necessarily represent positions of the Department of Aboriginal Affairs and Northern Development or Government of Canada.

Presentation Overview

- To briefly describe the broad direction for land reforms that contribute to improve economic development on reserve.
- To provide an overview of a map-based approach to land use planning that demonstrates its importance and the benefits land use planning offers First Nation communities.
- To demonstrate how we can connect economic development, infrastructure, and emergency management planning processes through land use planning and how this leads to more effective and efficient community development.

Our goal

“Opportunity ready” First Nations



Communities with stable,
efficient and predictable
investment climates

where economic development projects
can operate at the speed of business

The Governance Spectrum



Federal
Stewardship

Indian Act
IOGA
FNCIDA

Delegated
Authority

RLEMP
(RLAP & 53/60)

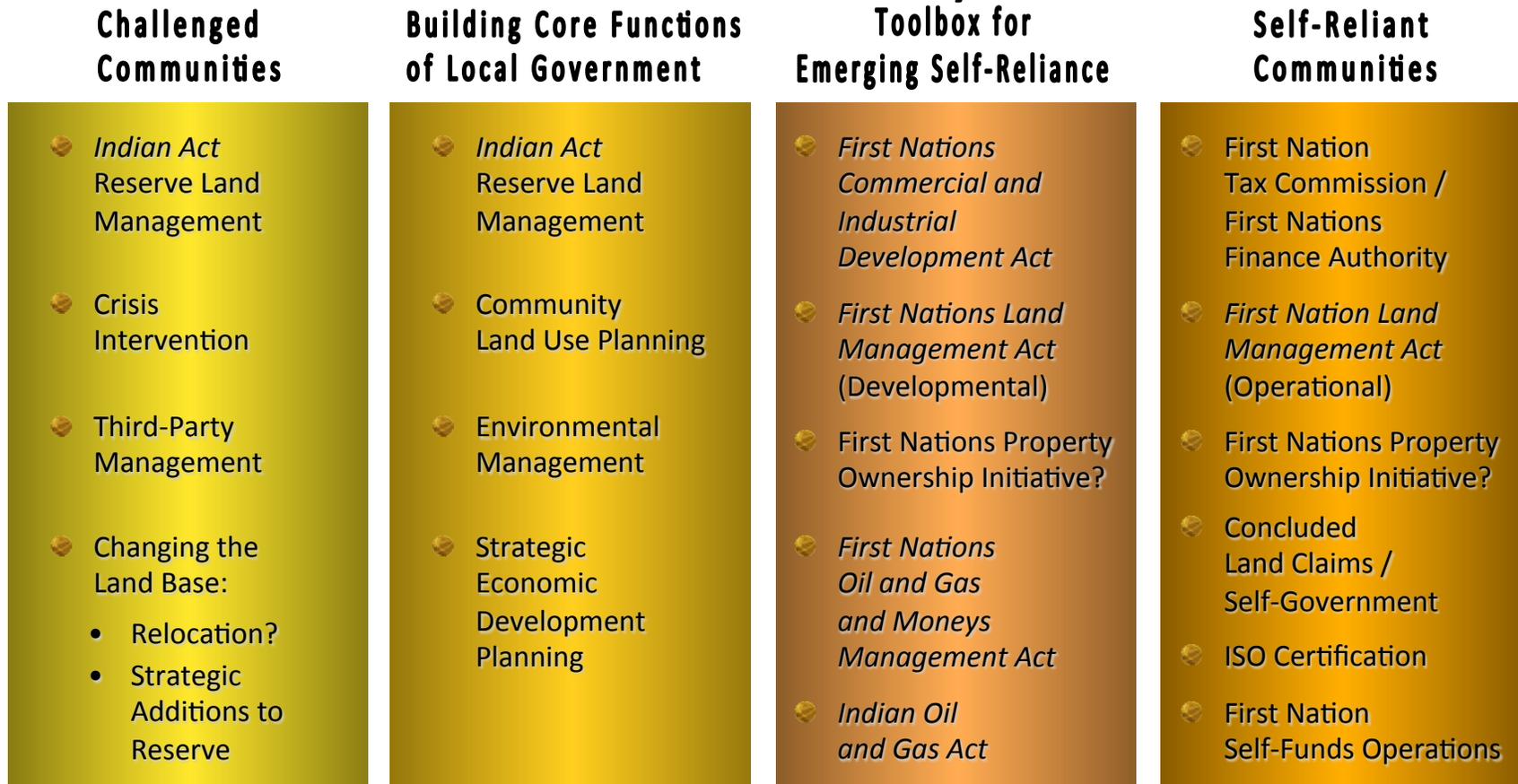
Sectoral
Self-Government

FNLMA
FNOGMMA

Comprehensive
Self-Government

**AANDC manages First Nation lands and helps
First Nations move along the governance spectrum at a time and pace of
their own choosing**

Lands Modernization: Pathway to Self-Reliance



Background

- First Nations communities with integrated land management and economic development plans are better prepared to pursue economic opportunities and community development.
- In our experience, Comprehensive Community Plans are rarely precise enough on land and environmental issues to unlock community and economic development opportunities. In some cases, communities that previously developed Comprehensive Community Plans without land use planning, have had to revise their community plans to include land use planning.

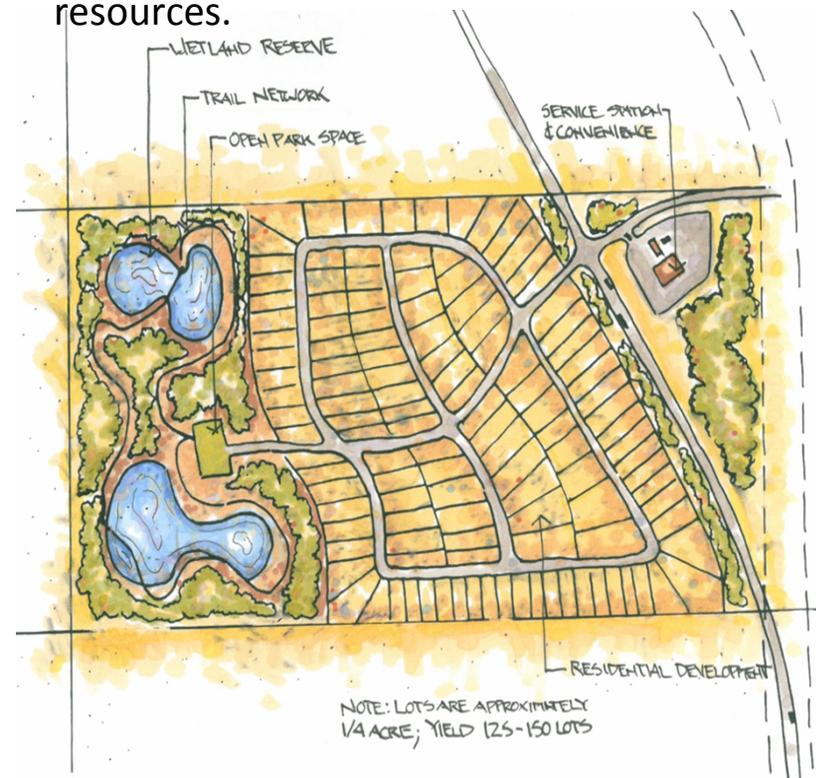
Background cont.

- A map based land use plan can be tied into a broader comprehensive community plan but only if the precision of the land use plan is maintained. Ideally, a map based land use plan serves to guide economic development, environmental controls, infrastructure and emergency management.
- Recent reports from NALMA and the House of Commons also identified **Land Use Planning** as a key factor contributing to the economic success of First Nations.

Enhancing community development through planning

- Practical map-based approach to community development that focuses on economic development, land and resources, infrastructure and emergency management.
- An easy to understand map-based plan can serve as a general guide for First Nation's governments and individuals, while detailed surveys may be needed in the future for specific parcels of land and individual projects.
- The goal is to encourage land use planning led by First Nations in order for Canada to be more effective at delivering economic development, infrastructure and emergency management programs.

- Ideally, effective land use planning is First Nation led with broad membership support but also developed in partnership with Canada to take into account Canada's programs and available resources.



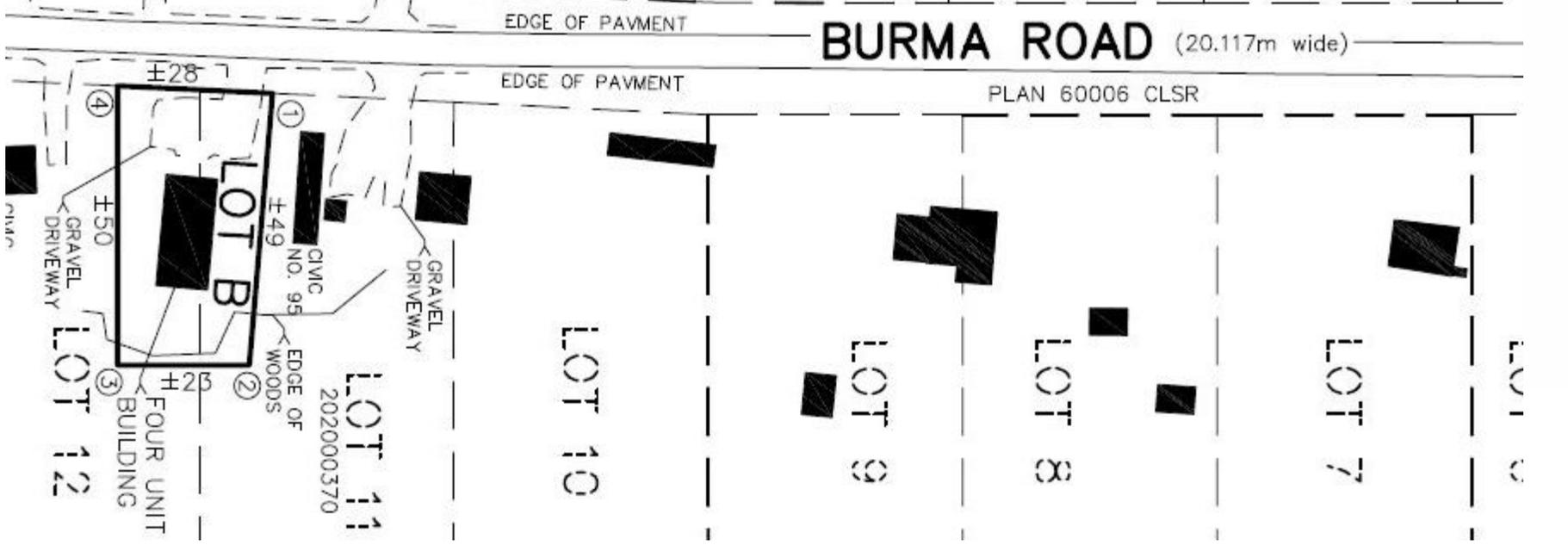
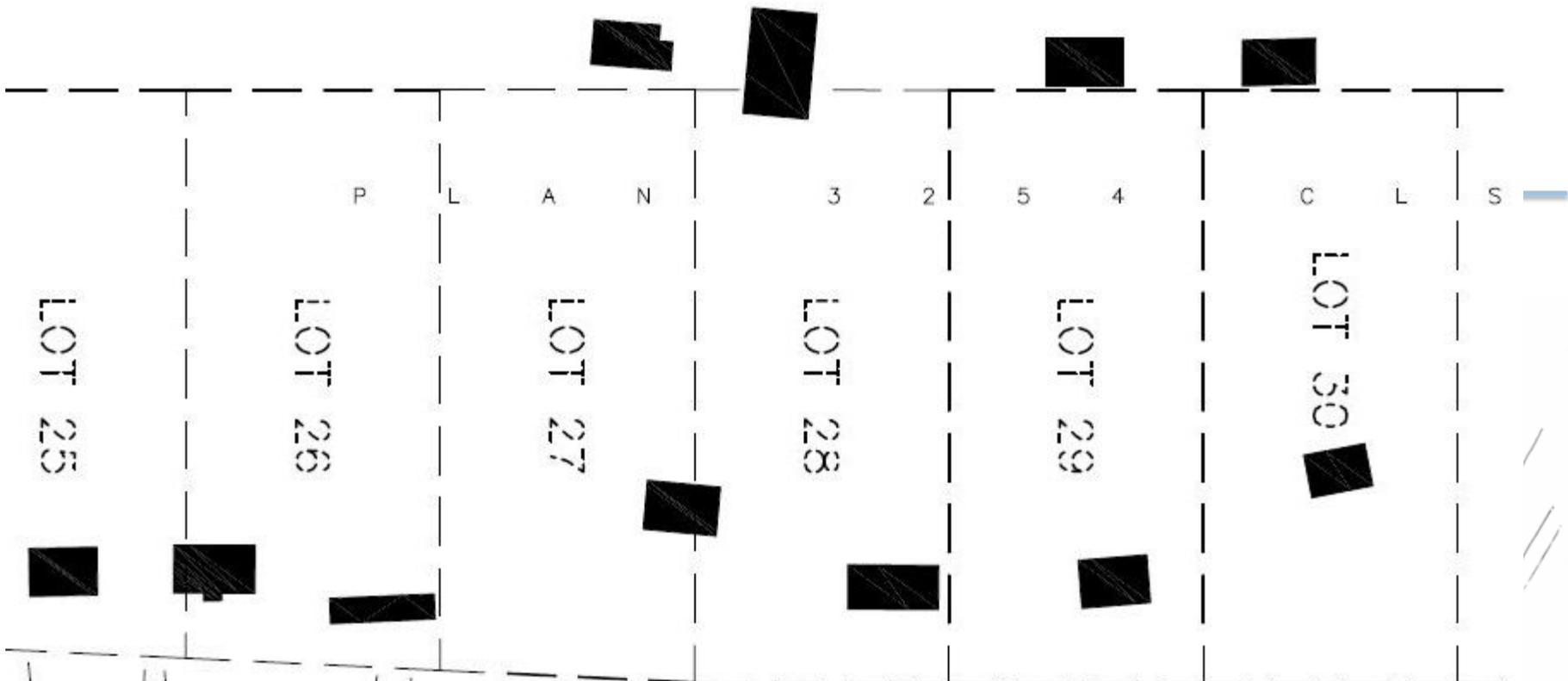
Example from Mistawasis First Nation

Risks of Developing Without a Land Use Plan

- Development without a land use plan can slow community and economic development because of issues such as:
 - **Inefficient use of resources as infrastructure was not built to support future plans.**
 - **Incompatible use of adjacent lands**
 - **Lack of transparency and certainty that keeps investors from doing business in the community.**
 - **Potential for business interests to dominate community interests when making decisions about competing land uses.**
 - **Increased exposure to costly hazards, such as flooding, if infrastructure was built in flood-prone areas.**
 - **Challenges to emergency response.**
 - **Risks to community safety and viability and an inability to obtain insurance.**

- For example, when the Okanagan Indian Band attempted to develop prime lakefront property, they had to replace recently constructed infrastructure like service pipes because the pipes could not accommodate the extra development.

- Ideally, land use planning can be a cost effective tool to avoid these risks.



Map-Based Land Use Planning

- Map-based land use planning begins with **extensive community consultation** and results in a map of reserve lands with areas designated for specific uses (e.g. residential, commercial, conservation) to guide future development.
- Similar to other planning processes, community consultation is critical to ensure that: the land use plan reflects members' views, the plan has legitimacy with members, the plan is used by the First Nation and that future development has community support.
- Land use planning allows communities to assess current land uses and identify areas for potential development to unlock new economic opportunities while at the same time, preserve culturally and historically significant land.
- Moreover, land use planning helps formalize information about community resources by providing a **detailed inventory of lands, existing infrastructure, resources and environmental considerations**.

Improving Internal Coordination

- There are clear benefits to ensuring capital planning and emergency management planning align with, or are integrated in, Land Use Plans:
 - **Decreased infrastructure costs by avoiding costly mistakes regarding the scale and location of infrastructure so it will serve future needs for economic development and emergency management.**
 - **Faster land transactions as opposed to a series of disconnected land designations**
 - **Identification of contaminated sites and reduce the risk of constructing infrastructure or development projects on contaminated or environmentally sensitive lands.**
 - **Decreased impact of emergencies and disasters by designing communities that are better able to prevent disasters and better respond to emergencies.**
 - **Potential to improve coordination with other governments at the local, provincial and national level.**

On-Reserve vs. Off-Reserve Land Use Planning

- There are significant gaps between land use planning on-reserve compared to land use planning in other jurisdictions (NALMA 2013) and this creates challenges for community and economic development.

On-Reserve	Off-Reserve
<ul style="list-style-type: none">•Land use planning is voluntary.•Minimal compliance or enforcement mechanisms (e.g. \$100 fine for violation of Indian Act regulations).•There is a regulatory gap with respect to zoning, planning and enforcement.•Some First Nations have invested their own source revenues in planning but nationally there are many gaps in funding for planning.	<ul style="list-style-type: none">•Land use planning may be a mandatory requirement under provincial and territorial laws.•Land use plans are guided by comprehensive provincial and local government laws.•Planning costs recovered from property taxes, development charges and other sources.•Redress, appeal and enforcement mechanisms in place.

Beardy's & Okemasis First Nation

- This plot of land is near Highways 11 and 212. More than 2200 cars pass by each day.
- Beardy's has a small gas bar on site but expansion plans now include a highway service centre with a new gas station, convenience store, restaurant, truck stop and rest area with a trail network.
- Preliminary drawings for the development were completed by Urban Systems with the land use plan

