

# PATHWAYS FORWARD FRAMEWORK

A Relationship-based Approach to  
Land Securement, Stewardship,  
and Shared Responsibility

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*Prepared For:*

**THE GREENBELT  
FOUNDATION**

*Developed in  
Collaboration By:*



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# The Pathways Forward: Framework Outline

**A relationship-based approach to land securement, stewardship, and shared responsibility.**

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## Overview

This Framework provides a practical and scalable set of tools that organizations and partners can use to guide future land donations, purchases, severances and easements for trail securement. It helps clarify how to identify appropriate lands, recommendations on how to navigate complex legal and policy considerations, and how to engage respectfully with Indigenous Communities throughout the process.

The following sections outline the original project vision, processes, relationships, and lessons learned that inform and led to the overall Pathways Forward Framework.

## 1. Case Study: The Story of the King Land Donation

In 2023, the King Land Project began with a clear and shared vision. As a collaborative team, Oak Ridges Moraine Land Trust (ORMLT) and Mno Aki Land Trust (MALT) set out to apply a Two Eyed Seeing approach to land securement along the Oak Ridges Moraine Trail in King City.

Building on earlier research, relationship building, and framework development, the intention was to move from theory into practice by securing a donated property along the Trail. This initiative, referred to as the King Land Securement Pilot, was designed to demonstrate how Indigenous and Western conservation approaches could work together in real time and to offer a model that could inspire other landowners to consider land donation as a meaningful legacy.

At the outset, the project was structured to move through land assessment, baseline environmental work, agreement drafting, and land transfer, with the goal of establishing long term stewardship of a property identified as special, unique and establish an new offroad connection to the Greenbelt Trail. The work was to be done in close collaboration with landowners, Indigenous Knowledge Holders, and community partners. Where needed, municipal partners would support trail severances to ensure permanent protection of the corridor. The process was intended to align with the Federal Ecological Gifts Program and to be fully documented as a pilot that could inform future land and trail securement efforts using a Two Eyed Seeing approach.

As the project progressed, it became clear that the work unfolding around the King property was about far more than a single land transaction. Through conversations, site visits, and early engagement, the team found itself navigating the complexity of people, relationships, land priorities, and tensions. This experience surfaced deeper questions around ownership, access, legacy, intentions, and responsibility. As Mary Boyden and Becky Big Canoe reflected, “We

were meant to learn about King, the complexity of people and relationships, land priorities and tensions. When we approach it from a place of relations, it is not just a business transaction.”

While the King land donation is not moving ahead at this time, the work has not stopped. Instead, the project shifted in an important and necessary way. Following discussions with the Greenbelt team and approval of a revised project timeline extending to May 2026, the focus moved toward community engagement, consultation, legal exploration of land securement pathways, and the development of a shared framework. The insights emerging from the King Land Project made it clear that what was being created was not only a pilot for one property, but the foundation for a scalable and adaptable approach to land securement that could be reviewed, guided, and strengthened by First Nations and informed by concurrent work of other groups.

This shift has led to the creation of the *Pathways Forward Framework*. Drawing from early lessons learned, the framework is being developed as a bridged approach that brings together Indigenous and colonial systems, while centering Indigenous perspectives, governance, and responsibilities to land. The team has completed a legal review of seven land securement scenarios, along with a *What Lands and Why* assessment process to support decision making. Core sections of the framework are now in development, including respectful engagement practices, decision making criteria, and parameters for how Indigenous Knowledge can be shared, protected, and governed.

At the same time, training for non Indigenous and Indigenous team leads focused on OCAP principles related to Ownership, Control, Access, and Possession Ownership and ethical knowledge sharing continues. Archaeological and Indigenous legal considerations connected to land and trail development were completed. An engagement proposal was submitted to an Indigenous Champions group, inviting their review and guidance once a preliminary draft of the framework is complete. This review process is intended to support community led input and ensure the framework reflects lived experience, rights, and responsibilities.

What began as a land and trail securement pilot has become something broader and more lasting. *The Pathways Forward Framework* is an outcome of listening, learning, and adjusting course. It reflects the understanding that land securement is not only about protecting spaces, but about building and maintaining relationships, honouring knowledge systems, and creating pathways forward that are grounded in respect, responsibility, and reciprocity. The King Land Project remains central to this work, not as a completed transaction, but as the place where the deeper learnings truly began.

Through this work, we found ourselves unpacking and re-examining core concepts such as ownership and land access, legacy, intentions, and responsibility. As these conversations deepened, Indigenous leaders offered important guidance, noting that Two Eyed Seeing and braiding approaches, while valuable, can still unintentionally place colonial systems in the foreground. We were encouraged instead to move toward a bridged approach, one that more intentionally shifts how decisions are made, centres Indigenous perspectives from the outset, and creates space for Indigenous and Western systems to meet without one dominating the other.

# Case Study Voices & Perspectives

## 1. Interview: Becky Big Canoe

### a. Why Mno Aki Land Trust? Why now?

My journey with land trusts began when I met Sonia (Molodecky) while engaging with the Reconciliation through Engineering initiative of University of Toronto. I was interested in building houses in a natural way that maintains a connection to the land and allows for food preservation. The displacement of First Nations peoples from land is an outcome of our history with Canada, created by issues that include Missing and Murdered Indigenous Women, Indian Act, resource extraction, and broken treaties. I understand the leadership role of Grandmothers regarding food, medicines, teachings, and all interactions with the land. To be able to establish more control over lands for use by Indigenous Peoples, establishing land trusts governed by Grandmothers evolved as a peaceful way to manage lands while working with Canadians.

In my opinion, Grandmothers should be able to simply claim lands and make decisions about it. This is obviously not the case in Canada, but the land trust model allows for Grandmother leadership within our current system. Indigenous Conservation is a worldview that sees human beings in relation to all other beings: plants, animals, elements. We are meant to use the land and to be responsible for it since it offers us life. The Land will let us know how we should use it, whether for food, shelter, or to teach us. As we continue to experience climate change, economic growth, and growing urbanization it is necessary for us to ensure that land is available for us to engage with, according to our ways of knowing. These ways of knowing are meant to be protected by Grandmothers.

### b. The King Property: What has it taught us?

MALT's relationship with the King property has evoked a learning struggle. Our own lack of knowledge of land trust (administratively) and our differing views of conservation (world views), resulted in our board's capacity development which is ongoing. We attracted a network of advisors and teachers which has not only allowed us to begin to learn the land trust process and regulatory framework, but also to support the emergence of an Indigenous Land Trust movement across the country. In spite of the changing dynamics all around us on many levels, we have elected to continue to engage with the land trust model as a preferred means to supporting land access and land use for displaced Indigenous peoples. Land for learning, experiencing, healing, and conserving will be negotiated and maintained by ensuring MALT and future land owners are in agreement about the governance, access and use of lands being donated. The key concept of diplomacy vs ownership in these relationships is necessary. Land donations that are made free and clear are not taken back when we operate from this view.

The concept of Land Back has also been clarified for MALT through the relationships built by the King property. If we were all aware of our history in Canada, we would have been able to fix our relationships sooner. We are learning our history now though, and we are all becoming more interested in working together from our strengths. Let the option of land trust be part of our new story together. MALT Land Trust is working towards a national education and awareness campaign to bring this shared solution to Indigenous people and Canadians.

### c. Two-Eyed Seeing Foundations

Two Eyed Seeing brings world views together as collaborators and partners. It does not combine these knowledges into a new, distinct knowledge. Science and Indigenous Knowledge are unique from each other and are able to respect each other. When Science and Indigenous Knowledge look at a piece of land and ask, “what do we want from this resource?”, we will find answers that benefit not only ourselves in the now time, but also the future generations. An example we might consider is whether or not to spray. We consider the collateral and cumulative effects around the property, as well as the science and economic benefits to make a decision. The two-eyed seeing approach offers more answers to “Are there better ways?”

Our options for a pathway forward, once we understand our history and the benefits of working together, will lead to better shaped policy and less performative responses to the Truth and Reconciliation Commissions calls to action. This benefits all Canadians and takes its leadership from the Greenbelt’s engagement and reciprocal relationship with the Williams Treaty First Nations.

“If knowing the real story of what has taken place historically was taught from the beginning of understanding, then we wouldn’t be in the situation we are now” - Becky Big Canoe

Learning must be reciprocal. To support ongoing reflection and learning, Appendix E includes a *Facets* research article co-authored by Becky Big Canoe that shares key lessons and insights from past Two-Eyed Seeing experiences and collaborative work with Indigenous Peoples.

## 2. Interview: Sonia Molodecky

The King property is centrally located between three (3) First Nations in the Williams Treaty area. It is located on the historic and strategic Carrying Trail, with significant history and documented archeology. Establishing a land trust on this site offers an opportunity to tell the history and story of the Greenbelt from the perspectives of the original peoples of that place and in their own voices.

Connecting the stories of the First Nation people in this location where it is 1) accessible, and 2) within a huge population center of an affluent region of Ontario, is a model that makes reconciliation available to a huge population. By entrusting this story to MALT

Land Trust, the result would be a true narrative in the interest of sharing and learning within the crux of the first nations of the region. Again, this is a model for Canada to embrace around the country.

The King Property is a location for shared responsibilities and mutual learning. Because of the relationships built on this property, new networks are being established that are creating the foundation for a shift in the way the Greenbelt is understood and how it will be protected into the future. Redefining the rules and accountabilities will mean that the timelines we are used to may be altered, but the outcome will be a breakthrough in the sustainability of our human and resource investments.

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## 2. What Lands and Why

The following sections provide tools, considerations, legal pathways, and Indigenous perspectives that guide land selection and securement.

### Relationships Between People and the Land

The foundation of Indigenous-led land prioritization begins with understanding relationships. Before decisions can be made about land securement, stewardship, or conservation, it is necessary to ask: *What lands? Why these lands?* The answers to these questions extend far beyond ecological value or development pressure alone. They are rooted in relationships, responsibilities, histories, and ongoing connections between people, land, waters, plants, animals, and spirit.

Within this framework, land is not viewed as an isolated asset or commodity, but as part of an interconnected system of relationships that must all be considered together. These relationships include those between the land and the people, the people and the land, the animals and the land, the people and the animals, the plants and the animals, and the broader ecological and cultural systems that connect them all. Each relationship carries meaning, responsibility, and teachings that help inform how land should be cared for and protected.

This relational approach also requires consideration of the broader context surrounding a property or landscape, including treaty relationships, Indigenous rights, cultural histories, active land use, governance structures, legal considerations, and the intentions behind land securement efforts. Understanding these layers helps move the conversation beyond land acquisition alone and toward a more holistic and respectful approach to stewardship and decision-making.

As Becky Big Canoe reflected during this work:

*“When we approach land from a place of relations, it is not just a business transaction.” - Becky Big Canoe, Georgina Island*

This insight became a guiding principle throughout the development of the Pathways Framework and continues to shape how land prioritization and securement are approached within this model.

## **Walking the Land**

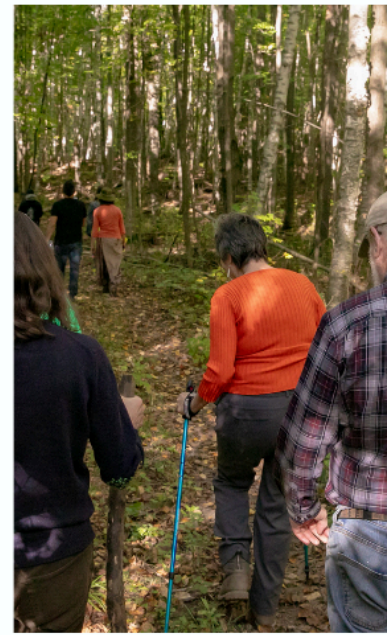
Walking the land is an essential first step within the Pathways Framework. Before formal assessments, reports, or land securement discussions begin, there must first be an opportunity to spend time on the land, build connections, and begin forming relationships with the place itself and with the people connected to it. Walking the land creates space for listening, learning, observing, and understanding in ways that cannot be achieved through mapping, documentation, or technical assessment alone.

Within this framework, walking the land serves as a foundation for future assessment and decision-making. It allows participants to better understand the unique ecological systems, cultural significance, histories, community relationships, and responsibilities connected to a property or landscape. It also creates opportunities for stories, teachings, and knowledge to be shared directly through experience and presence on the land.

This process encourages a broader understanding of value and significance beyond conventional conservation criteria. Through walking the land, participants may begin to recognize relationships between waters, plants, wildlife, medicines, migration routes, gathering areas, ceremonial spaces, historical use, and community connections that may not otherwise be visible within traditional assessment processes.

Walking the land also requires approaching knowledge-sharing with care and responsibility. Indigenous Knowledge shared during land walks, gatherings, conversations, or cultural teachings must be treated respectfully and in accordance with OCAP principles. Participants and organizations involved in this work must clearly understand their responsibilities regarding the collection, use, storage, sharing, and protection of information shared by Indigenous Peoples and communities.

Importantly, walking the land is not intended to function as a one-time consultation activity or procedural requirement. Rather, it is part of an ongoing relationship-building process that helps establish trust, reciprocity, and a deeper understanding of the land before decisions are made about its future stewardship or protection.



## King Land Gathering and ‘Walking the Land’, October 2024

*Photo Credits: McFadden and Atkinson*

The development of this section was also informed by ongoing review, discussion, and training using the publication *Respect and Responsibility: Integrating Indigenous Rights and Private Conservation in Canada, 2021* co-written by our project advisor Ian Attridge.

*This report is intended to help readers understand the current state of law and policy concerning what are often still referred to as “Aboriginal rights” within Canadian law, or more appropriately, as “Indigenous rights” in accordance with both Indigenous preferences and international legal conventions, as they apply to the conservation of private lands.*

This resource helped guide conversations around Indigenous rights, relationship-building, private conservation practices, and the responsibilities associated with land stewardship and engagement. Please see Appendix F for the full publication reference.

### **Land Considerations**

The following considerations emerged through discussions with Indigenous advisors, Knowledge Keepers, project partners, and community members throughout the development of the Pathways Framework. These considerations are intended to support a broader understanding of land significance when exploring potential land securement opportunities, trail connections, stewardship areas, or conservation priorities.

Importantly, these considerations are not intended to create a hierarchy of value or importance. Indigenous perspectives shared throughout this project emphasized that lands, waters, plants, animals, and ecosystems all hold purpose, relationships, and responsibilities. The intent of this framework is not to rank one landscape or feature above another, but rather to encourage a

more holistic understanding of the interconnected relationships that contribute to the significance of a place.

The following *Combined Land Considerations* by category may help guide land walks, conversations, assessments, and future stewardship discussions:

<b>Area of Consideration</b>	<b>Examples and Reflections</b>
<b>Food and Medicine Growing Potential</b>	Areas that support food sovereignty, medicines, harvesting, seed saving, or traditional growing practices.
<b>Traditional Materials and Resources</b>	Availability of culturally important materials such as birch, cedar, spruce, balsam, medicines, berries, or other traditional resources.
<b>Habitat for Culturally Significant Species</b>	Areas connected to species that hold cultural, ceremonial, ecological, or teaching significance.
<b>Ceremonial and Knowledge Sharing Spaces</b>	Areas connected to ceremony, gathering, teaching, storytelling, cultural practices, or opportunities for intergenerational knowledge exchange.
<b>Unique Bioregions and Ecosystems</b>	Wetlands, forests, grasslands, waterways, migration corridors, rare ecosystems, or ecologically distinct areas.
<b>Seasonal and Land-Based Uses</b>	Areas used or valued seasonally for gathering, harvesting, teaching, travel, ceremony, or community activities.
<b>Medicinal and Ceremonial Ecosystems</b>	Ecosystems that support culturally important medicines, ceremonial practices, or traditional healing relationships.
<b>Acknowledged Sacred Sites and Cultural Areas</b>	Areas recognized as sacred, historically significant, spiritually important, or culturally sensitive.
<b>Plants, Animals, and Natural Relationships</b>	Presence of medicines, culturally important flora and fauna, keystone species, pollinators, wildlife habitat, and interconnected ecological relationships.
<b>Historical and Ongoing Community Connections</b>	Areas connected to treaty relationships, travel routes, gathering places, traditional use, oral histories, or ongoing community relationships.

For this Framework, these considerations are intended to complement ecological assessments, archaeological reviews, and land securement evaluations by ensuring that cultural relationships,

responsibilities, and Indigenous perspectives remain part of the conversation throughout the process.

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### **3. Knowledge Sharing & Data Governance**

This work emerged as an instrumental learning opportunity for ORMLT and other land trust partners to deepen their understanding of where Indigenous perspectives, worldviews, and foundational principles come from. It helped create an important bridge to knowledge, offering both context and actionable ways to apply the Pathways Framework through a relationship-based approach to land securement.

#### **Exploration of the Concepts of Ownership, Land Access, Legacy, and Intentions that surfaced during the project.**

A key part of this learning journey included completing the *Fundamentals of OCAP* training, which provided a clear understanding of the principles of Ownership, Control, Access, and Possession (OCAP) and how these principles affirm First Nations' inherent rights to govern information about their peoples, lands, and communities. This learning also highlighted the historical misuse of Indigenous data and reinforced the importance of ethical, consent-based information practices grounded in self-determination, trust, and respect.

As this work evolved, it became increasingly clear that concepts such as ownership, land access, legacy, and intentions must be reconsidered through a broader and more relational lens. Moving forward, land securement efforts connected to the Oak Ridges Moraine Trail must recognize the necessity of *free, prior, and informed consent*, the value of transparent data and knowledge-sharing agreements, and the responsibility of all involved organizations to ensure that First Nations retain decision-making authority over information, relationships, and lands that affect them.

By integrating Indigenous ways of knowing alongside Western conservation science, OCAP provides a governance framework that ensures Indigenous knowledge is respected, protected, and not extracted or misused during land securement processes. This includes how ecological data, cultural knowledge, mapping, monitoring information, and stewardship records are gathered, managed, shared and stored.

In practice, applying OCAP principles within this framework means co-developing land securement strategies, conservation easements, and long-term stewardship plans with Indigenous and First Nations as equal partners. It requires ensuring that Indigenous communities retain authority over how their knowledge, histories, and data are received, interpreted, used, stored, and shared in support of land protection efforts. Clear and transparent data-sharing agreements are essential, establishing mutual understanding around ownership, permissions, access, storage, and, where appropriate, the return or destruction of materials.

Embedding these principles into the land securement process strengthens trust, supports reconciliation, and contributes to more durable, respectful, and culturally grounded conservation outcomes across the Oak Ridges Moraine and Greenbelt.

As organizations engage with First Nations and receive cultural, historical, ecological, or community-held knowledge, the following questions should be considered as part of ethical and responsible practice:

## **Key Questions When Receiving and Handling Information from First Nations**

- Have we clearly acknowledged that First Nations retain ownership of the knowledge, information, and materials being shared?
- Have we received explicit permission to collect, digitize, store, or share this information?
- Do we know who holds the appropriate authority to provide consent or permissions on behalf of the community?
- Have we discussed and documented expectations regarding access, use, sharing, storage, retention, and, if requested, destruction or return of digital or physical materials?
- Are our information management practices aligned with OCAP® principles and the community's specific protocols and expectations?
- Have we created space for ongoing dialogue and consent, recognizing that permissions and relationships may evolve over time?

Approaching information sharing with care and accountability is not simply an administrative step; it is an essential part of building respectful relationships and ensuring that Indigenous knowledge is protected, honoured, and stewarded according to the wishes of the communities who hold it.

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## **4. The Four Elements Approach**

The Pathways Framework recognizes that successful land securement begins long before legal agreements, assessments, or stewardship plans are developed. It begins with relationships. Those with the land, with the people connected to the land, and with the responsibilities that arise from those relationships. The Four Elements has been developed to help ground land securement practices in ceremony, relationship-building, Indigenous worldviews, and circular ways of knowing and decision-making.

Throughout the King Land Project, project partners learned that creating meaningful and lasting conservation outcomes requires more than technical expertise or transactional processes. It requires gathering together, sharing stories, listening to one another, and building a collective understanding of the land and its significance. As Becky Big Canoe reflected, *“This is the basis of consultation. Sharing the stories and knowledge of the people who came together.”*

The framework draws inspiration from experiences during the King Land Project, including the Land Opening gathering, where project partners, community members, and landowners came

together around ceremony, fire, storytelling, and shared meals. The presentation of a Ribbon Shirt, the honouring of the family's stewardship of the land, the sharing of tea and feast foods, and time spent walking the property all contributed to a deeper understanding of the relationships that existed before any discussions of land securement occurred. These experiences reinforced the importance of approaching land conservation not simply as the protection of a place, but as the nurturing of relationships that connect people, lands, waters, plants, animals, and future generations.



King Land Opening, October 2024

*Photo Credits: McFadden and Atkinson*

## **Our Project Journey**

### **The Land Opening**

1. Gathering and Ceremony
2. Fire and presentation of the Ribbon Shirt
3. Honouring the gift of land and history of stewardship
4. Feast, tea, and storytelling

### **Building Relationships with the Land**

1. Walking the land, photo/video reflections, fire circle, feast and storytelling

2. Key insight:  
*“This is the basis of consultation—sharing the stories and knowledge of the people who came together.” – Becky Big Canoe*

### **Indigenous Knowledge Holders**

1. Discussions with Nancy Rowe, Elder from New Credit First Nation to learn about the historical context of the land, sharing of stories
2. Conversations and Interviews with members of Williams Treaty First Nations
3. Conversations with other Land Trusts members, research of best practices, document review
4. Conversations and Interviews with MALT and ORMLT project advisors, board and team members.

### **Relationship Building through Worldview Differences**

1. Dialogue between land owner and MALT Grandmother Council regarding land use expectations and access to land
2. Negotiations to solve differences in perspectives
3. Resolution to give the relationship more time to solve its differences before proceeding with acquisition.

## The Circular Approach



This Circular Approach to land acquisition from an Indigenous-led process presents itself as a circle. Beginning with the vision of sharing responsibility for lands in the Greenbelt between all stakeholders, it moves to acknowledging all the relationships that exist when decisions about land are being made, into establishing frameworks that serve all rights holders, before being able to move forward with confidence that land acquisitions will continue to be governed in the best interests of the land and all its constituents. As a circular model, it continues in its cycle as new information, considerations, and dynamics become apparent. It takes into consideration that *change is the constant* and with change may come the need to renew relationships.

This approach evolved through Mno Aki's relationship with the King property and with our growing capacity in the realm of land trust from an Indigenous perspective. As stated by Mary Boyden, "Relationships form Indigenous perspectives - connections between Land, Water, People, Air and all Nature". This circular model encourages us to continually revisit

relationships, responsibilities, knowledge and intentions throughout the land securement journey.

This approach also recognizes the importance of understanding the history of a place and the Nations connected to it. Learning from Elders, Knowledge Keepers, and local communities helps situate land securement efforts within the broader context of treaty relationships, cultural histories, and ongoing stewardship responsibilities. For this reason, the framework recommends working within treaty territories and engaging First Nations leadership, Knowledge Keepers, community members, and rights holders as partners throughout the process.

The Four Elements Approach is intended to complement legal, ecological, and planning processes by providing a foundation rooted in respect, reciprocity, responsibility, and relationship. It offers a way to ensure that land securement efforts remain grounded in the values and connections that give meaning to the land itself.

In our story with the King property, it was in the third element of the approach regarding world views and establishing frameworks that respect them, where we needed to make the decision to take a step back from the acquisition to assess our own capacity, perspectives, goals and accountabilities before continuing the dialogue. Instead of seeing this as a failure we have been able to forge new relationships and to re-establish our priorities as a land trust.

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## **5. Opportunities for Land Securement**

Through our work, consultations, and research, we identified seven potential scenarios for trail securement. These pathways have been further refined to include opportunities for Indigenous participation, feedback, cultural review, and ongoing engagement at key stages of the process. Each scenario has been carefully reviewed through both Indigenous and non-Indigenous legal perspectives to better understand the legal requirements, considerations, and implications associated with its implementation.

The following section provides a summary of these seven land securement opportunities, including key descriptions and considerations to support informed decision-making.

More detailed implementation checklists, engagement tools, and supporting resources are included in Appendix A to guide organizations and partners through the practical steps of each pathway.

### **Summary of the 7 Land Securements Scenarios Available for Trail Securement**

#### **Scenario 1: Fee Simple (FS) Land Donation through the Ecological Gifts Program**

A landowner donates full ownership of a property to a land trust under the Ecological Gifts Program (EGP). The land trust assumes long-term ownership and stewardship responsibility, ensuring permanent protection of natural features while securing the trail corridor. This scenario

may be of interest to First Nations where fee simple ownership enables co-stewardship, Indigenous-led land management, cultural access, and potential land return models, including future transfer to or shared governance with an Indigenous Land Trust. While EGP provides strong ecological protection and tax benefits, federal program requirements may limit flexibility unless Indigenous interests are intentionally embedded in governance and stewardship agreements.

### **Scenario 2: Fee Simple Trail Section Donation (Non-Ecological Gifts Program)**

A landowner donates only the portion of their property required for the Trail, without using the EGP. The land trust gains full ownership of the trail corridor, securing permanent public access and stewardship. This approach may support Indigenous involvement in trail planning, cultural interpretation, and place-based education, and offers greater flexibility to incorporate Indigenous stewardship practices and agreements reflecting Treaty relationships, given the absence of federal EGP constraints.

### **Scenario 3: Fee Simple Purchase**

The land trust purchases a full property outright to protect natural features and secure the Trail. This provides the highest level of control over land use and trail management but requires significant upfront capital and long-term stewardship capacity. Fee simple ownership may be of interest to First Nations where it creates pathways for future shared ownership, co-management, or land transfer, particularly for lands of cultural, ecological, or historical significance, when paired with intentional relationship-building.

### **Scenario 4: Fee Simple Trail Section Purchase**

The land trust purchases only the land needed for the Trail corridor, reducing acquisition costs while ensuring permanent trail access and protection. This scenario may be of interest to First Nations where it supports secure access to culturally significant travel routes, collaborative stewardship of the trail corridor, and opportunities for Indigenous-led interpretation, though broader land-based opportunities may be limited by the narrower footprint.

### **Scenario 5: Conservation Easement Agreement (CEA) via the Ecological Gifts Program**

A landowner retains ownership but grants a Conservation Easement under the EGP that permanently protects natural features and secures trail access. This option balances private ownership with long-term conservation and provides tax benefits to the landowner, while requiring ongoing monitoring by the land trust. This scenario may align with Indigenous interests where easement terms explicitly recognize Treaty Rights, cultural access, and Indigenous participation in stewardship and monitoring, though federal EGP requirements necessitate careful drafting to ensure flexibility.

### **Scenario 6: Conservation Easement Agreement or Trail Easement Donation (Non-Ecological Gifts Program)**

A landowner donates a conservation or trail easement outside of the EGP framework, securing long-term trail access and/or ecological protection. This approach offers greater flexibility in easement terms and enforcement, and may be of interest to First Nations where it allows for

recognition of Indigenous law, knowledge systems, access rights, and stewardship roles, supporting relationship-based agreements without federal constraints.

A sample template for a *Conservation Easement Agreement or Trail Easement* has been included in Appendix C.

### **Scenario 7: Purchase Land → Sever Trail Section → Sell Remainder to Offset Cost**

The land trust purchases a larger parcel, legally severs the portion required for the Trail, and sells the remaining land to recover part of the acquisition cost. This approach can be financially strategic while securing permanent trail protection, but requires careful planning and regulatory approvals. It may be of interest to First Nations where the retained trail section or remaining lands support shared stewardship, cultural access, or future Indigenous ownership, and where acquisition is explicitly linked to reconciliation and land-based relationship outcomes.

### **Land Securement using the Ecological Gifts Program:**

Any land securement undertaken through the Ecological Gifts Program requires strict compliance with all federal requirements, appraisal standards, reporting obligations, and administrative procedures established under the *Income Tax Act* and related regulations. Non-compliance, whether through inaccurate or inflated appraisals, failure to disclose relevant information, unauthorized changes to the property, or any contravention of program rules, may result in significant penalties. These include a penalty of up to 50% of the tax credit or deduction claimed if the ecological gift is disposed of or the conservation covenant is breached without authorization from Environment and Climate Change Canada (*Income Tax Act*, s. 207.31), a 25% gross-negligence penalty for false statements or omissions (s. 163(2)), and a penalty of up to 100% of any overstated value where an appraisal is intentionally inflated (s. 163(2.2)). Additional consequences may include reassessment of tax benefits, revocation of the ecological gift certification, and repayment of all tax advantages received. Full adherence to the Program's requirements is therefore essential to avoid substantial legal and financial consequences.

### **Ecological Gift Program Appraisals**

When working with an accredited appraiser for a valuation of a property donation (easement or fee simple) to be submitted under the Ecological Gifts Program, it is essential to evaluate whether the report meets the Program's standards for accuracy, defensibility, and professional rigor. The following considerations outline the key elements that must be assessed to determine whether an appraisal is reasonable, appropriate, and sufficiently supported. These criteria help ensure that valuation conclusions are based on sound methodology, relevant evidence, and a clear understanding of the property's characteristics, constraints, and highest and best use. For more information please visit: [Ecological Gifts Program : guidelines for appraisals.: CW66-392/2019E-PDF - Government of Canada Publications - Canada.ca](#)

### **Considerations for the Appraisal: Reasonable/Appropriateness Review**

1. *Consideration of the situation, appraisal techniques, influencing factors, evidence presented, etc.*
2. There are no unsupported assumptions (such as assumed access or zoning changes)
3. There are no hypothetical conditions, except where necessary for a reasonable analysis of the property

4. Title restrictions, zoning and other land use controls have been identified
5. Valuation approach(es) are explained and supported
6. Conclusions regarding highest and best use are well supported
7. Adequate number of comparable sales are presented to draw conclusions about the value of land in a particular area
8. Comparable sales are actually comparable to the subject property:
  - a. similar in size
  - b. same highest and best use
  - c. similar attributes such as access, services, view, waterfront, frontage, forested or farmland etc.
9. The differences between the comparable sales and subject property must be explained and accounted for in an appropriate manner, e.g. quantitative and/or qualitative adjustment, ranking, weighting, etc.
  - a. Include a map/aerial imagery illustrating location and shape of each comparable
10. Information is provided regarding the appraiser's qualifications, market knowledge and experience
11. In the case of an update, provide explanation and/or evidence of what was done to verify that there were no material changes to the property since the original inspection, e.g. the property was revisited, the donor/recipient were interviewed, etc.
12. Is the report a well written comprehensive account of the subject property and area? Or is it poorly written (copy and paste errors) and contains poor resolution maps or photocopied real estate and financial reports?
13. Are the appraiser's conclusions reasonable? Are they supported? Do they make sense when you consider what you know about the subject property and its location?
14. Do the conclusions follow naturally from what is written in the body of the report?

## **Legal Considerations: Summary of Legal Pathways for Each Scenario**

*This section is informed by consultations and interviews with Trish Cowie - Indigenous Legal Counsel, Burgandy Dunn - Legal Counsel, and Aileen Barclay - Director of Conservation and Operations, Oak Ridges Moraine Land Trust.*

As this framework explores pathways for land securement within Ontario, it is essential to recognize that each legal scenario exists within a broader context of Indigenous rights, treaty relationships, and colonial legal systems. While the legal mechanisms outlined in this framework can support conservation and stewardship goals, they must also be approached with humility and an understanding of their limitations. Land acquisition, title transfer, and conservation agreements are rooted in colonial systems that do not necessarily align with First Nations laws, treaty understandings, or cultural relationships with land.

This tension must be acknowledged openly. From many Indigenous perspectives, land is not something to be owned, but something to which people belong and for which they hold responsibilities as caretakers.

Efforts to secure and protect land through existing legal tools may be well intentioned, but they do not replace or diminish Indigenous rights, title, or responsibilities to those lands and waters. Rather, this work should be understood as part of an evolving effort toward greater inclusivity, respect, and reconciliation within the constraints of existing systems.

The following considerations emerged through legal consultation and are recommended as guiding principles across all land securement pathways.

## **Terminology and Rights Holders**

The use of terminology, including the broad term *Indigenous*, may require careful consideration depending on the regional and political context. In Ontario, significant tensions currently exist regarding distinctions between First Nations and Métis rights assertions. The area of focus for this framework lies within the Williams Treaties territory and includes the treaty relationships of the Mississaugas of the Credit First Nation. Wherever possible, the voices and perspectives of recognized rights holders within the specific treaty territory should guide engagement, consultation, and policy development.

## **Recognizing Treaty Territories and First Nation Rights**

First Nation rights and treaty relationships should be considered from the earliest stages of every land securement process, including during initial property identification and assessment.

Recommendations include:

- Identifying and documenting the treaty territory associated with each property under consideration.
- Identifying the closest First Nation communities and their relevant consultation departments.
- Incorporating treaty and territorial mapping into all seven land securement pathways.
- Using recognized treaty maps and community-validated territorial boundaries, rather than relying solely on generalized public mapping tools.
- Where territories overlap, ensuring all relevant First Nations are acknowledged and engaged appropriately.
- Considering whether First Nations wish to receive early notice of pending or potential land securement opportunities.

## **Environmental and Cultural Significance**

Indigenous relationships with land and water are deeply connected to spirituality, identity, and cultural continuity. Unlike Western conservation frameworks, which often prioritize or rank lands according to ecological metrics, Indigenous perspectives may understand all lands as inherently significant and often emphasize belonging to the land, reciprocal responsibilities, and relational stewardship rather than possession or control.

For example:

- Areas identified by Western science as containing “invasive species” may be approached differently through an Indigenous lens, prompting questions such as *Why is this species here? What is its role or message?*
- The cumulative effects of development across southern Ontario increase the importance of protecting all remaining natural spaces, particularly wetlands.
- Protecting ecological systems is directly connected to protecting Indigenous rights, cultural practices, and community wellbeing.

## **Historical and Political Context**

The historical relationship between Canada, Ontario, and First Nations, including loss of indigenous lands, language loss, and disruption of cultural practices, must be recognized as essential context for this work. In some cases, traditional knowledge, place names, and cultural histories may be difficult to recover or may have been permanently lost. This reality reinforces the need for respectful engagement and careful stewardship of any knowledge shared.

## **Indigenous Engagement and Archaeological Review**

Indigenous Values Assessments should not be treated as a one-time step. It may need to be revisited throughout the land securement process, particularly following archaeological assessments or when new information emerges.

Recommendations include:

- Integrating Indigenous cultural engagement and valuation at multiple stages of each securement pathway.
- Ensuring archaeological findings are reviewed through both technical and Indigenous cultural lenses.
- Creating opportunities for First Nations to guide how culturally significant findings are interpreted and addressed.

## **Knowledge Sharing and Culturally Significant Species**

First Nations may choose to share information related to culturally important keystone species, sacred areas, or ecological indicators as part of the engagement process. Such information should only be requested and received within strong, clearly defined data-sharing agreements aligned with OCAP principles.

These agreements should ensure:

- Confidence that information will be stored, protected, and used respectfully.
- Clear permissions regarding access and future sharing.
- Community control over how sensitive ecological or cultural information informs land securement decisions.

## **Archaeological Review and Walking the Land**

Walking the land emerged as a foundational part of the Pathways Framework and the King Land Project process. Beyond ecological assessment, walking the land created opportunities to better understand the relationships, histories, uses, and meanings connected to a place. Through these site visits and conversations with the landowner and project partners, it became clear that certain areas of the property held unique personal, cultural, ecological, and historical significance that the landowner hoped to protect. This experience reinforced the importance of approaching land securement not only as a technical process, but as a relational and place-based practice shaped by multiple perspectives, values, and intentions.

One of the key learnings from the King Land Project was the importance of integrating archaeological review early in the land securement process. Archaeological assessments can provide valuable insight into historical and cultural land use while also helping identify areas of potential significance to First Nations communities. At the same time, discussions throughout this project highlighted that archaeological work should not be approached solely as a regulatory requirement, but as part of a broader process of respectful engagement and shared stewardship.

As part of this work, a Phase 1 Archaeological Review was completed to support future planning considerations. A detailed summary of this work is included in Appendix B: *Planning for Archaeology Report*.

Consultations and discussions throughout the project identified several important recommendations and considerations for future land securement initiatives:

- Archaeological review should be introduced early within all land securement pathways, and ideally as part of the preferred trail route planning and considered alongside environmental, cultural, and relationship-based assessments.
- Where possible, archaeological processes and reviews should include or be guided by First Nations participation and leadership.
- Engagement related to archaeological review should occur through appropriate Lands, Consultation, or Cultural Heritage departments within First Nations communities, recognizing capacity limitations and respecting existing community protocols.
- Project budgets should account for the costs associated with Indigenous engagement, archaeological review, and ongoing consultation processes.
- First Nations should be approached as rights holders, decision-makers, and regulators alongside provincial and federal authorities.
- Reports such as archaeological assessments, ecological studies, and environmental reports should be made available to First Nations communities where requested, with clear processes for respectful data sharing and storage.
- Organizations undertaking land securement work should consider maintaining accessible report databases or annual reporting processes that allow First Nations to review information collected within their territories as capacity and interest evolve over time.
- Data sharing practices related to archaeological and cultural information should align with OCAP principles and respect community expectations regarding access, ownership, storage, and future use of information.

The project also highlighted the importance of recognizing the differences that may exist between landowner intentions, active land use, ecological priorities, and Indigenous perspectives regarding the significance of a site. These conversations reinforced that understanding a property requires more than technical assessment alone. It requires listening, relationship-building, and creating space for multiple ways of understanding the land to inform future stewardship and securement decisions.

## 6. Community Review and Feedback

### Recommendations and Next Steps

As part of this project, we received a summary report from sessions held with five of the seven Williams Treaties First Nations communities, with conversations facilitated and led by Ne'ikaanigaana Inc. This engagement formed an important part of the review process for the 7 Land Securement scenarios and the broader "What Lands and Why" considerations developed within the Pathways Framework.

Guidance was specifically sought from Elders and the Williams Treaties First Nations (WTFN) Champions Group to inform and strengthen emerging land securement pathways. Feedback focused on three key areas:

- Review of the seven land securement scenarios
- Reflections on combined land consideration criteria
- Recommendations for improving community engagement approaches

A detailed summary of this engagement is included in Appendix D: *Land Securement Engagement Summary Report*.

### Feedback About Engagement

Through these discussions, important feedback emerged. A clear distinction was made between *consultation* and meaningful engagement. It was noted that there is growing fatigue and mistrust associated with consultation processes, particularly where past engagements have led to loss of land, limited outcomes, or unmet expectations. In contrast, relationship-building was identified as the necessary foundation moving forward. The emphasis was placed on the importance of creating space for ongoing dialogue, trust-building, and meaningful connection rather than transactional or one-time consultation processes.

This shift in emphasis also raised important questions for the next phase of the work, including:

- Do we need to step back and reassess our current approach(es)?
- Are there barriers within our process that are limiting meaningful engagement?
- How do land trusts ensure they are engaging in the right way, with the right people, at the right time?
- What is required to support better conversations that lead to informed and shared decision-making?

These reflections point to the need for continued learning and adaptation in how land securement processes are designed and implemented.

### Insights on Community Engagement and Responsibility

In closing discussions, members of MALT reflected on experiences in other regions, noting that in some northern communities consultation has become a routine process with limited participation, often involving a small group of consistent voices. This raised an important question: *what else needs to happen to support broader and more meaningful community involvement?*

A key consideration is understanding who constitutes “your team” within community contexts. This may include Elders, Knowledge Keepers, local leaders, and individuals with lived experience and cultural credibility on the ground. Engagement must recognize that no single person speaks for an entire community, and that responsibility is collective, not individual.

It was emphasized that meaningful engagement requires offering space for all voices to be heard, while respecting community protocols for how decisions are made and who is involved in those processes. This reinforces the importance of relationship-based approaches that move beyond consultation toward sustained engagement, shared responsibility, and trust-building over time.

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## **7. Elevating Indigenous Perspectives and Future Considerations**

Throughout the development of the Pathways Framework, project partners identified opportunities to strengthen Indigenous participation, review, and shared decision-making across all stages of the trailand securement process. A consistent theme that emerged was the importance of building flexibility into governance structures so the framework can evolve alongside growing relationships, community interest, and First Nations capacity.

Within existing land trust processes, board approvals often represent key decision-making milestones. Discussions throughout this project highlighted the importance of considering how Indigenous voices and perspectives may also be included at these stages. This could include creating opportunities for First Nations representatives or advisors to participate in review processes where appropriate, or ensuring that additional Indigenous review and screening opportunities are built into each stage of the pathway alongside existing organizational approvals.

The project team also discussed the potential role of the Williams Treaties First Nations (WTFN) Champions Group as an advisory body that could help support ongoing review, guidance, and relationship-building throughout future trail and land securement initiatives. Ensuring that Indigenous review opportunities are prioritized at multiple stages of the process will help maintain flexibility and allow the framework to adapt as relationships deepen and capacity within Nations continues to grow.

Another key area of discussion involved the long-term stewardship of protected properties. Participants emphasized the importance of moving beyond traditional “management” language toward more relational approaches grounded in partnership and shared responsibility. As a result, consideration should be given to the development of co-management or “Relationship Plans” with interested First Nations wherever interest and capacity exist. These plans may evolve over time and could support future assertions of First Nations stewardship, governance, or co-management responsibilities as communities determine appropriate.

Additional recommendations and considerations identified through this work include:

- Providing notice and property acquisition updates to relevant rights holders throughout the land securement process.
- Creating additional opportunities for Indigenous review or cultural screening, particularly following the completion of archaeological, ecological, or environmental reports.
- Allowing flexibility within the framework to incorporate additional engagement or review steps as First Nations capacity and interest expand over time.
- Considering the use of covenants or agreements registered on title, where appropriate, that acknowledge Aboriginal title, rights, interests, or ongoing land use relationships.
- Exploring restrictive covenants where appropriate, such as limitations on severance or land-use changes without consultation or permission from relevant First Nations.
- Considering mechanisms such as Options to Purchase registered on title for the benefit of First Nations where appropriate and desired by the parties involved.
- Supporting ongoing collaboration with related initiatives and engagement work already underway through Greenbelt partners and First Nations communities to avoid duplication and build alignment.

This work reinforced that relationship-building cannot be treated as a single step within the process, but rather as an ongoing responsibility that must continue before, during, and after land securement occurs. Creating adaptable pathways for Indigenous participation, review, and stewardship will help ensure that future conservation efforts are more collaborative, respectful, and responsive to the rights, interests, and knowledge systems connected to these lands.

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## 8. Summary of The Pathways Securement Process

While the process outlined below offers a starting point, it should be viewed as an evolving model rather than a fixed prescription. Ongoing guidance from First Nations communities, Elders, Knowledge Keepers, and the WTFN Champions Group will be essential to ensuring the process remains relevant, respectful, and effective for local implementation.

Throughout the development of this framework, participants consistently emphasized that relationship-building must come before action. As Becky Big Canoe reflected, meaningful engagement cannot begin with predetermined outcomes or requests. Communities must first understand the purpose, intentions, and potential impacts of a project before leadership engagement can be meaningful. Education, transparency, and trust-building are foundational steps that require time and commitment.

Participants also noted that many First Nations communities have experienced generations of consultation processes that have not always resulted in meaningful change or positive outcomes. As a result, trust cannot be assumed, nor can engagement be rushed. Building relationships requires patience, consistency, and a willingness to listen and learn. As was shared during discussions, "there is no clock" on relationship-building. The work must proceed at the pace necessary to establish genuine trust and mutual understanding.

The following three stages summarize the *Pathways Securement Process* as it is currently envisioned. Together, they are intended to support informed decision-making, respectful

engagement, and collaborative stewardship while recognizing that each community, property, and opportunity will require its own unique approach.

## 1. Initial Engagement and Relationship Building

The first stage focuses on creating the relationships necessary to support future conversations and decision-making. Activities may include:

- Early conversations and information sharing
- Identifying Elders, Knowledge Keepers, leadership, community representatives, and local champions
- Establishing trust, transparency, and shared intentions
- Understanding community priorities, interests, and concerns
- Following appropriate protocols for ceremony, invitations, gatherings, and cultural engagement
- Creating opportunities for education, dialogue, and relationship-building before formal requests or decisions are sought
- Respecting and adhering to the data sovereignty principles of OCAP

## 2. Land Identification and Scoping

Once relationships have been established, attention can turn toward understanding the land itself and the broader context surrounding potential securement opportunities. Activities may include:

- Applying the "What Lands and Why" considerations to trail and land securement planning and prioritization
- Mapping archeological, ecological, cultural, community, and treaty contexts
- Conducting site visits and Walking the Land activities
- Identifying archeological, ecological, cultural, historical, and community values
- Undertaking preliminary archaeological, environmental, and cultural assessments where appropriate
- Exploring opportunities, challenges, and potential stewardship goals

## 3. Joint Assessment and Decision-Making

The final stage focuses on collaborative evaluation and decision-making regarding land securement opportunities and future stewardship approaches. Activities may include:

- Applying the *Four Elements Model*
- Reviewing the *7 Land Securement Scenarios*
- Using the *Combined Land Considerations* and assessment criteria
- Considering legal, archeological, ecological, cultural, and community factors
- Co-developing or adopting a recommended securement approach
- Identifying opportunities for stewardship, relationship plans, or co-management arrangements where appropriate

## **9. Mno Aki, The Responsibility of Leadership**

Throughout the development of the Pathways Framework, MALT reflected on the many conversations, local experiences, teachings, and resources that shaped this work. A clear theme emerged: the realities of land access, stewardship, conservation, and connection to the land differ greatly across Ontario, yet the decisions being made today will influence future generations across all regions.

In Southern Ontario and across the Greenbelt and Oak Ridges Trail, much of the land has already been altered by dense population growth, urbanization, infrastructure expansion, and development pressures. Access to land for harvesting, ceremony, medicines, and cultural practices has become increasingly limited. Green spaces continue to shrink, ecological systems become fragmented, and trail connectivity is often shaped by competing development interests. In many places, the ability to freely access and interact with the land in meaningful ways has already been significantly reduced.

For the Greenbelt area, the perspectives and lived experiences of Indigenous Champions, Knowledge Keepers, Elders, and local communities are essential in helping guide a stronger and more responsible path forward. Their voices provide critical insight into local conservation priorities, cultural relationships, access needs, and stewardship responsibilities that may otherwise be overlooked within conventional land planning systems.

This work also reinforced an important reality: decisions made along the Oak Ridges Trail and Greenbelt will influence and set precedent for future trail securement projects, conservation strategies, and land use decisions across Ontario and beyond. The approaches, relationships, policies, and legal tools established today may shape how future generations understand conservation, access, stewardship, and Indigenous relationships with land across the country.

Looking ahead, even in two generations, we recognize that future communities may inherit an entirely different ‘Greenbelt’, landscape, and ecological system than the one that exists today.

The lessons learned through this work, both the successes and shortcomings will not remain isolated to one project or one region. They will continue to ripple outward, informing and amplifying future approaches to land stewardship, conservation, and relationship-building across Canada.

The responsibility of leadership, therefore, is not only to protect land in the present moment, but to act with foresight, humility, and accountability for the generations and landscapes still to come.

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## **10. Summary List of Technical Tools & Resources**

The following list includes the key tools and resources referenced throughout the Pathways Framework. Each tool is further detailed and fully documented in the corresponding Appendices, which provide additional guidance, templates, and supporting information for implementation.

- Ecological Gifts Program Handbook – Tax credits, incentives, and land donation pathways
  - 7 Land Securement Scenarios – Summary of legal pathways and associated legal review
  - Planning for Archaeology Study – Phase 1 findings and Phase 2 requirements
  - Sample Land Securement Agreement – Template for conservation and trail securement
  - OCAP Language and Data Sharing Template – Sample agreement outlining data ownership, access, and sharing protocols (see Appendix B: Planning for Archaeology Study)
  - Sample Interview Guide – Supporting tool aligned with the Four Elements Model and engagement process by MALT
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## **11. Appendices**