

Issue at a glance:
**Supporting Municipal-
Indigenous Relations
and Housing Growth**





The City calls on the Ministry of Municipal Affairs and Housing to develop clear guidance and resources for builders on Indigenous engagement and accommodation requirements.

A provincially decentralized approach to Indigenous relations has led to confusion about municipal obligations. This has created increasingly adversarial conditions between some First Nations and municipalities, causing significant delays to growth and requiring regular provincial intervention.

A photograph of a dirt path leading into a dense forest. The path is on the left side of the frame, and the forest is filled with green trees and bushes. The lighting is soft, suggesting a sunny day with some shade.

Moving Forward: Opportunities for Provincial Support

Meaningful consultation and accommodation remains essential and is central to reconciliation.

The City of Guelph calls on the Ministry of Municipal Affairs and Housing to develop consistent provincial guidance outlining obligations and best practices for developers and municipalities navigating First Nations

accommodation requests. Working with private sector development proponents to navigate ongoing challenges, and establishing a clear framework moving forward will eliminate the barriers to thousands of shovel-ready housing units, and support healthy and productive municipal-Indigenous relations in the long term.

Overview: Municipalities and Indigenous Consultation

The Crown has a duty to consult, and when appropriate, to accommodate Indigenous Nations where activities may adversely impact Aboriginal or treaty rights. While municipalities do not hold

the Duty to Consult (DtC) themselves, they are often delegated consultation responsibilities as part of various provincially-mandated processes:

Municipal Indigenous Consultation Pathways Across Regulated Processes in Ontario:

Process	Indigenous Consultation Requirements	Governing legislation and guidelines	Overseeing Ministry
Archaeological Assessments	Formal consultation with Indigenous communities is required for municipalities as part of field-based archaeological assessments (Stage 3 and onwards*). This may include review of documentation and monitoring of field work. *The City of Guelph also engages with Indigenous rightsholders in both Stage 1 & 2 as a best practice	Ontario Heritage Act, 1990 Standards and Guidelines for Consultant Archaeologists (2011)	Ministry of Citizenship and Multiculturalism
Municipal Class Environmental Assessments (MCEAs)	Formal consultation with Indigenous communities is required for municipalities as part of MCEAs for major infrastructure projects. This may include discussions and review of alternative solutions and design options, and verification of environmental impact statements.	Environmental Assessment Act, 1990; Municipal Engineers Association MCEA User Guide (2023)	Ministry of the Environment, Conservation, and Parks
Planning Act Processes	Early and meaningful engagement by project proponents with Indigenous communities is required as part of planning and development applications. This may look like discussion of project impacts, and various accommodations considered by the project proponents. Some municipal planning policy changes (i.e. Official Plan Updates) are subject to formal consultation requirements.	Planning Act, 1990 Provincial Planning Statement (2024)	Ministry of Municipal Affairs and Housing

Overall, consultation requirements and guidelines are divided across several different ministries, and contain varying degrees of detail leaving aspects open to individual interpretation. As a result, various municipalities and First Nations have established different expectations and approaches to consultation and accommodation, creating opportunities for confusion, conflict and delays.

MMAH Challenges: Accommodation Requests and Housing Impacts

Over the past year, several private sector development proponents in Guelph (and across Ontario) have received extensive feedback from some First Nations throughout the Indigenous engagement process as outlined in the Provincial Planning Statement (2024). The scope of these accommodation requests has exceeded those historically brought forward by First Nations, and many of these requests fall outside the authority of a municipality to enforce .

Recently, these requests have included:

- Requests for compensation for the loss of natural area due to a new development, including both financial compensation and/or in-kind affordable housing contributions for First Nation members.
- Significant changes to ecological area studies and enhanced natural heritage requests, including seeking new multi-year, multi-season natural heritage studies.
- Implementing additional environmental protections and buffers which exceed local policy requirements.

While this engagement is mandated under the Provincial Planning Statement, 2024 (PPS), these requirements are limited to “early engagement”. As a result, there is uncertainty both amongst City staff and developers on how to address these expanded requests, and what constitutes early and meaningful engagement.

With no clear guidance on how to move forward, some proponents have paused work on their projects, and others are using a variety of approaches to seek a resolution. As of August 2026, there were at least **1,013 potential housing units** at risk of delay in Guelph due to substantial Indigenous requests associated with their planning applications. There are also upcoming developments which are highly likely to be subject to comments and accommodations requests in the near future.

The current uncertainty is creating delays to getting housing built, and without a shared frame of reference of each party’s rights and obligations, there are risks of legal challenges and relationship deterioration.

1,013 Future housing units impacted by accommodation requests as of August 2026



 Future units (100s) at Official Plan Amendment / Zoning Bylaw Amendment Stage

 Future units (100s) at Draft Plan of Subdivision Stage





1 Carden Street
Guelph, ON N1H 3A1

519-822-1260
TTY 519-826-9771

intergovernmental.relations@guelph.ca
guelph.ca

Accessible formats available upon request.