

Additions to Reserve

Notice

This website will change as a result of the dissolution of Indigenous and Northern Affairs Canada. Consult the new [Crown-Indigenous Relations and Northern Affairs Canada home page](#) or the new [Indigenous Services Canada home page](#).

An Addition to Reserve adds land to existing reserve land of a First Nation or creates a new reserve for First Nations.

What's new?

- [New legislation has come into force. Find out more about the *Addition of Lands to Reserves and Reserve Creation Act*.](#)

Choose a topic:

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What is an Addition to Reserve?

A reserve is a parcel of land where legal title is held by the Crown (Government of Canada), for the use and benefit of a particular First Nation. An Addition to Reserve is a parcel of land added to the existing reserve land of a First Nation or that creates a new reserve. Land can be added adjacent to the existing reserve land (contiguous) or separated from the existing reserve land (non-contiguous). An Addition to reserve can be added in rural or urban settings.

An Addition to Reserve:

- enables Canada to fulfill legal obligations established by specific claim and treaty settlement agreements
- contributes directly to advancing reconciliation and improving the treaty relationship
- can improve community access to land and resources
- can increase community and economic development for First Nations

There are three categories of Addition to Reserves:

1. legal obligations and agreements: where there is a legal obligation or a legal commitment by the Government of Canada to contemplate reserve creation
2. community additions: where a First Nation with an existing reserve needs additional reserve land for purposes such as to accommodate community growth or to use/protect culturally significant sites
3. tribunal decision: where a First Nation seeks to acquire land with compensation awarded by the [Specific Claims Tribunal](#)

To learn more about when an Addition to Reserve can be proposed, consult the [policy directive](#).

How is an Addition to Reserve completed?

In order for a Reserve Creation Proposal to move forward, the following criteria must be satisfied:

- there are no significant environmental concerns
- best efforts have been made to address any concerns of municipal and provincial or territorial governments
- the proposal is cost-effective and any necessary funding has been identified within operational budgets
- third party issues, such as leases and licenses have been identified and addressed
- public access concerns have been addressed

There are four stages to the Addition to Reserve process:

1. [initiation](#)
 - the First Nation submits a Band Council Resolution and Reserve Creation Proposal to the [INAC](#) regional office
2. [assessment and review](#)
 - [INAC](#) reviews the proposal and advises the First Nation in writing of the results, issuing a letter of support to First Nations with successful proposals
3. [proposal completion](#)
 - [INAC](#) and the First Nation work together to create and execute a work plan to complete the proposal
4. [approval](#)
 - the Minister of Indigenous and Northern Affairs approves proposals by Ministerial Order or recommends approval by the Governor in Council for Order in Council proposals

To find out more, contact your [INAC regional office](#).

Engagement on Addition to Reserve Policy

The Government of Canada first created the Addition to Reserve Policy in 1972 to fill a gap, as Additions to Reserve were not addressed in the *Indian Act* or other federal legislation. The policy was last updated in 2001. Since then, a number of challenges were identified.

In 2013, during a public comment period which ran from July to October, a draft revised policy was released to seek feedback from First Nation stakeholders and the broader public on how to further improve the policy and Addition to Reserve process in general.

Feedback was received from 19 First Nation bands and organizations representing over 150 individual First Nations, 33 local governments and municipal organizations, and 7 provincial governments. Stakeholders contributed more than 450 comments and recommendations covering a broad range of topics.

What we heard

Significant feedback and comments from a broad range of stakeholders were received on these topics:

- proposal criteria and categories
- proposal development
- consultation with stakeholders
- proposal review
- First Nation management of new reserves
- length of process
- general comments and questions

New Addition to Reserve/Reserve Creation Policy Directive 2016

In response to this feedback, the Government of Canada issued a new [policy directive](#), effective July 27, 2016. First Nations have been notified of the new policy directive by letter and email.

The new policy directive:

- provides policy direction for reserve creation
- promotes consistent assessment, acceptance and implementation of reserve creation proposals where possible
- considers the interests of all parties and encourages collaboration between First Nations and provincial, territorial and local governments
- streamlines the process for reserve creation proposals

Features of the new policy directive include:

- clearly outlined Reserve Creation Proposal criteria and factors to be considered in the approval process
- provision of a letter by [INAC](#) supporting a successful proposal to the First Nation at an early stage in the process
- promotes consultation and collaboration with First Nations, other Indigenous groups, governments and third parties
- more flexible land selection area
- improved environmental requirements

- development of joint work plans between First Nations and [INAC](#)
- guidance materials for stakeholders that may be affected by the Addition to Reserve proposal
- recognition of Addition to Reserves for economic development purposes

To learn more, consult the new [policy directive](#).

Find out more

- [2001 Addition to Reserve Policy](#)
- [List of completed Additions to Reserve](#)
- [Urban reserves: a quiet success story](#)
- [National Aboriginal Land Managers Association](#)
- [Specific claims](#)

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