



March 2, 2023

MEMO TO : Park Board Commissioners

FROM : Donnie Rosa - General Manager, Parks and Recreation

SUBJECT : **Señákw Development Overview – Board Briefing Memo**

Dear Commissioners,

The purpose of this memo is twofold. First, it provides Commissioners with an overview of past In Camera Board decisions and other previously confidential correspondence related to the Señákw development. Summaries of the decisions and correspondence are included below. Further detail can be found in Appendices A, B and C.

As well, the memo provides an overview of a past In Camera Board decision to initiate a collaborative master planning process for Vanier Park between the Park Board and the Musqueam, Squamish and Tsleil-Waututh Nations. The future master plan would be undertaken separately from the Squamish Nation's Señákw Development and the associated Services Agreement between the City and Squamish Nation. This decision is provided in Appendix D.

Señákw Development Site and the Squamish Nation's Proposed Road

“Señákw Development Site – Introduction, Initial Considerations and First Steps” In Camera Board Report and Decision, February 24, 2020 (Appendix A)

This report recommended “that the Board approve, in principle, a new road within Vanier Park, immediately adjacent to the Señákw development site, subject to adequate consultation with Musqueam and Tsleil-Waututh governments, in order to allow the Squamish Nation to make their development viable”. Given that this area of the park is leased from the Government of Canada, the report noted that, pending a Board decision, staff would work with the City's legal department to help clarify the Park Board's degree of involvement. It was anticipated in the report that the legal department may recommend that Squamish Nation lead these discussions.

Appended to this Board report is a memo provided to the Board December 18, 2019. This provides an initial overview of the proposed development and the Squamish Nation's interest in entering into a Services Agreement with the City of Vancouver. The memo also includes a summary of the context of the Señákw development site, noting the sensitivity that should be taken in discussions with the Musqueam, Squamish and Tsleil-Waututh Nations.

“Squamish Nation Road Proposal – Vanier Park” Confidential Memo, April 4, 2022 (Appendix B)

This April 2022 memo provides an update to the Board on the legal agreements required to facilitate the Squamish Nation's proposed access road from Chestnut Avenue to the Señákw development site. In this memo, staff communicated that the decision to grant road access and to undertake engagement with Musqueam Indian Band and Tsleil-Waututh Nation rested solely with the Government of Canada. It notes that, as the lease of Vanier Park is for park purposes, the Park Board does not have authority to grant the Nation the right to a road through the park for



development purposes. However, the lease does reserve the right to use of the park and to licence the use of the park for certain non-park purposes for the Government of Canada, as the landlord.

“Squamish Nation Road Proposal at Vanier Park” Confidential Memo, May 20, 2022 (Appendix C)

This May 2022 memo provides a further update to the Board noting that the Government of Canada and the Squamish Nation intended to enter into a licence (the “Head Licence”) and it would include above grade (road) and below grade (utility) rights. The memo also notes that, as contemplated in the Services Agreement between the City and Squamish Nation, the Squamish Nation will transfer rights to the City in order for the City to maintain the road and underground city-owned infrastructure.

None of these agreements required changes to the Vanier Park lease between the Government of Canada and the City (administered by the Park Board). The Park Board was not a signatory of any agreements related to the proposed road.

Vanier Park Master Planning

“Vanier Park and Cultural Spaces Master Planning Principles” In Camera Decision, June 22, 2020 (Appendix D)

Early in the development of the Services Agreement between the City and the Squamish Nation, Park Board and City staff identified a need to undertake a master planning process for Vanier Park in order to proactively consider the changing context brought about by the Señákw Development. Beyond the new road proposed by the Squamish Nation, any other significant changes to the park in response to the development would be considered through this future process. The master plan would be separate from work related to the Señákw Development and the associated Services Agreement.

On June 22, 2020, at an *in camera* meeting, the Park Board approved a series of Planning Principles as a framework for initiating a collaborative master planning process for Vanier Park between the Park Board and the Musqueam, Squamish and Tsleil-Waututh Nations. This work would be undertaken jointly with the City of Vancouver’s Arts, Culture and Community Services department (ACCS), who have jurisdiction over the cultural spaces within the park. As with other park master plans of this scale and complexity, staff have undertaken initial outreach to the Nations.

Undertaking a full Vanier Park master planning process and associated public and stakeholder engagement is not currently prioritized for funding through the 2023-2026 Capital Plan. Funding and timing is being considered through Park Board-wide prioritization process.



Next Steps

Park Board staff continue to support the City on the implementation of the Services Agreement between the City of Vancouver and the Squamish Nation particularly in relation to the interface between the development site and Vanier Park.

Staff will update the Board when more information is available.

Regards,

A handwritten signature in black ink, appearing to be "Donnie Rosa". The signature is somewhat stylized and scribbled.

Donnie Rosa *(they/she)*
General Manager - Parks and Recreation

/ka/ef/ds

Copy to: PB Leadership Team
Katy Amon, Senior Planner
Doug Shearer, Manager of Planning, Policy and Environment
PB Communications
Ben Pollard, Director of Business Planning and Project Support
Branislav Henselmann, Managing Director of Cultural Services



December 18, 2019

MEMO TO : Park Board Commissioners

FROM : Malcolm Bromley
General Manager, Vancouver Board of Parks and Recreation

SUBJECT : **Se'ṇàkw Development and Vanier Park – Board Briefing Memo**

Dear Commissioners,

The purpose of this memo is to provide you with background information on the proposed Se'ṇàkw development and adjacent Vanier Park in preparation for the Squamish Nation and Westbank Corporation briefing scheduled for this evening.

Proposed Development Overview

The Se'ṇàkw development will be a comprehensive mixed-use community over 10.48 acres, anticipated to add between 5,500-6,000 new residential units in eleven towers constructed in multiple phases, as well as offices, retail and amenities, at the southwest end of the Burrard Bridge. Initial occupancy projections are for approximately 10,000 new residents. The project is on Squamish Nation land, which means that the City does not have authority over the project in terms of approvals or taxation. Squamish Nation has indicated that they will want to enter into a Service Agreement with the City, similar to what was done with Musqueam Indian Band.

On December 10, 2019, Squamish Nation members approved this project to move forward, with Westbank Development Corporation as their partner. The project is on an accelerated timeline, with construction proposed to begin in 2021 and full occupancy by 2025. The proposed construction timeline could be challenging given the significant City and Park Board resources required. Projects of this scale typically take 3-5 years in the planning and design stage prior to starting construction.

Context of the Site

The həṇqəmiṇəm and Skwxwú7mesh speaking peoples have occupied the site since time immemorial. In 1869, the Colonial Government set aside land around the Se'ṇàkw village. After the [Indian Act](#) was passed in 1876, and with the Joint Indian Reserve Commission established by the Provincial and Federal governments to deal with land allotments to Indigenous people in BC, a reserve was plotted out for the Indigenous peoples living at this location. In 1877, the Joint Reserve Commission expanded the area set aside to ~80 acres as Kitsilano Indian Reserve No. 6.

However, after further settlement began in the Vancouver area, the Indigenous peoples were forced to relocate to other nearby villages. Both in 1886 and 1902, portions of the reserve were expropriated by the Federal government for railway purposes. In 1913, the Provincial government induced the residents to relocate by coercing them to sell, an action which was later found to be illegal. Many families were placed on a barge and towed to other communities in the [Burrard Inlet](#) area.



In 2002, as a result of a BC Court of Appeal ruling (the “CPR Decision”), a settlement was reached and 10.48 acres of land previously possessed by the Canadian Pacific Railway was restored to Indian Reserve status for the use and benefit of Squamish Nation.

While the matter was settled in federal court, that forum is just one of multiple forms of law in operation among the affected parties. The court proceedings were damaging for the relations between the Nations as they fought each other for the legitimacy of their Rights and Title over ancestral lands in the eyes of the system that expropriated their territory in the first place.

While the three Nations and the Park Board are engaging in good faith relations in the planning and operations throughout Vancouver, this relationship and the fraught events outlined in this document are relatively recent and should be approached with care and sensitivity.

Vanier Park

The site of the Seṇàkw development is immediately adjacent to Vanier Park. Preliminary proposals have shown proposed changes to the park including the introduction of new roads to service the development.

Current State

Vanier is a waterfront park, 21 hectares in size, making it the 7th largest park in the Park Board’s system. According to the [2018 Park Board Park Provision Study](#) 3,700 people live within an 8 minute walk of Vanier Park. As illustrated in Figure 1 (attached), the park is comprised of a number of features:

- large lawn areas with public art, including Welcome Figure by Squamish Nation artist Darren Yelton and Gate to the Northwest Passage sculpture by Alan Chung Hung;
- ponds;
- public beach access (adjacent to Hadden Park);
- forested area with trails (2 hectares);
- section of the seaside greenway;
- forested bike pump track;
- Cultural Harmony Grove – commemorating Vancouverites whom have contributed to intercultural unity;
- publicly accessible docks (2) and associated public parking:
 - East Dock provides docking and launching for non-motorized boating;
 - West Dock and boat launch ramp provides docking and launching for motorized boating (the only public motorized boat launch in Vancouver);
- Burrard Marina (Park Board operated) and associated parking and boat storage (motorized and non-motorized).

The park is also home to a number of civic and cultural facilities including the Museum of Vancouver, Planetarium, Vancouver Academy of Music (lease with Park Board) and City of Vancouver Archives building (Archives operations will relocate to Level 7 of the Vancouver Public Library’s Central Library in 2022). In the summer, the park plays host to Bard on the Beach.



Park Tenure

As shown in Figures 2 and 3 (attached), Vanier Park is situated on leased/licensed Federal and Provincial crown land. The majority of the park has been leased for park purposes until 2064 (Federal) and 2042 (Provincial). Remaining portions of the park have been leased to the City without stipulations for park use. Any significant changes to the park or park use (e.g., new roads) will need to be approved by not only the Park Board and City, but by the land owners.

Significant changes to the park requested by Squamish Nation would likely require Crown led consultation with Musqueam, Squamish and Tsleil-Waututh governments. The Park Board may also wish to consult with the Nations on any changes to the park requested by Squamish Nation as part of their ongoing intergovernmental relationship.

Next Steps

Park Board staff are currently working with the City of Vancouver's project working group staff to undertake preliminary project planning for the Se'nàkw Development and establish project resources requirements and a project governance structure, similar to a typical exercise undertaken in the planning of all major sites in the City of Vancouver (e.g. Oakridge Mall redevelopment, North East False Creek etc.). Park Board staff will participate on the City's project working group and will participate in, among other studies, a needs assessment to respond to the new development. This will provide an assessment of transportation access and connectivity (vehicular, walking, rolling and cycling), along with anticipated indoor and outdoor parks and recreation amenities in the neighbourhood and area around Vanier Park that will be needed to meet demand from the new residents and other related service.

Park Board staff also anticipate the need for park and recreation planning at Vanier Park in order to both respond proactively to the changing context and demand on the park, and to address any proposals from Squamish Nation for modifications to the park.

Regards,

A handwritten signature in black ink, appearing to read "Malcolm Bromley".

Malcolm Bromley
General Manager - Vancouver Board of Parks and Recreation

/dh/ka/rs/ds/clc

Copy to: PB Senior Leadership Team
PB Se'nàkw Project Team
PB Communications

Figure 1: Vanier Park Current State

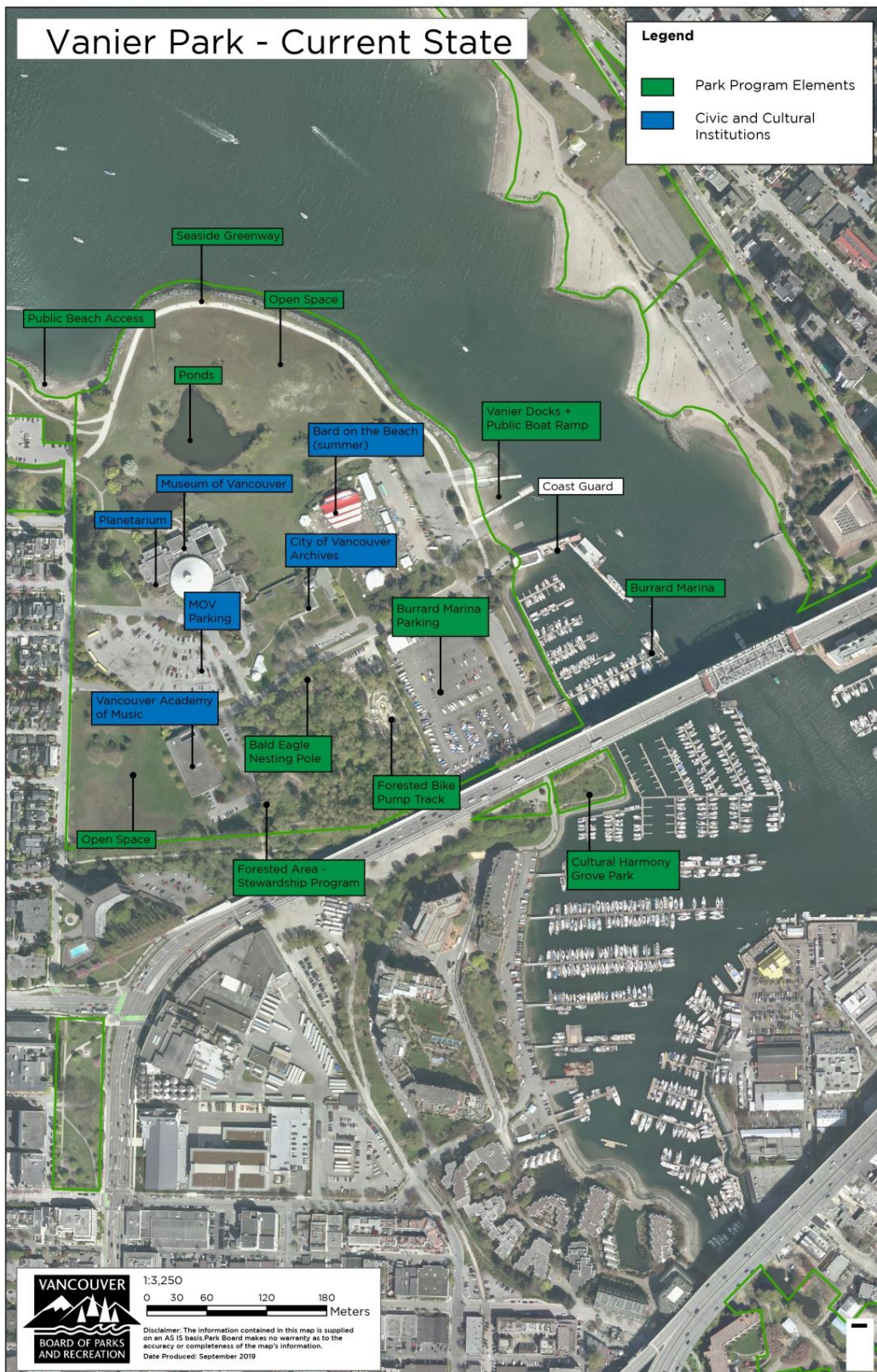


Figure 2: Vanier Park Property Ownership

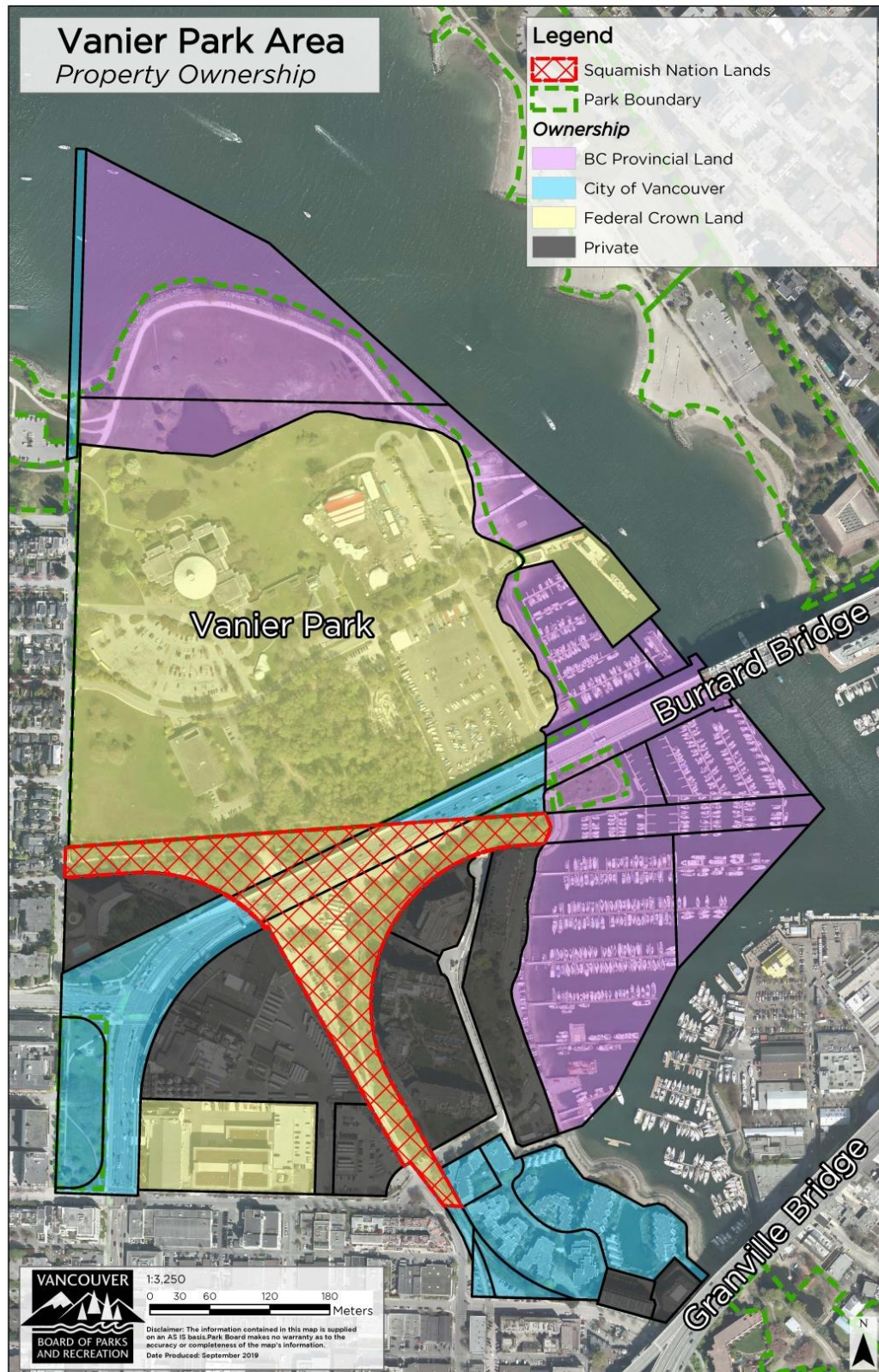
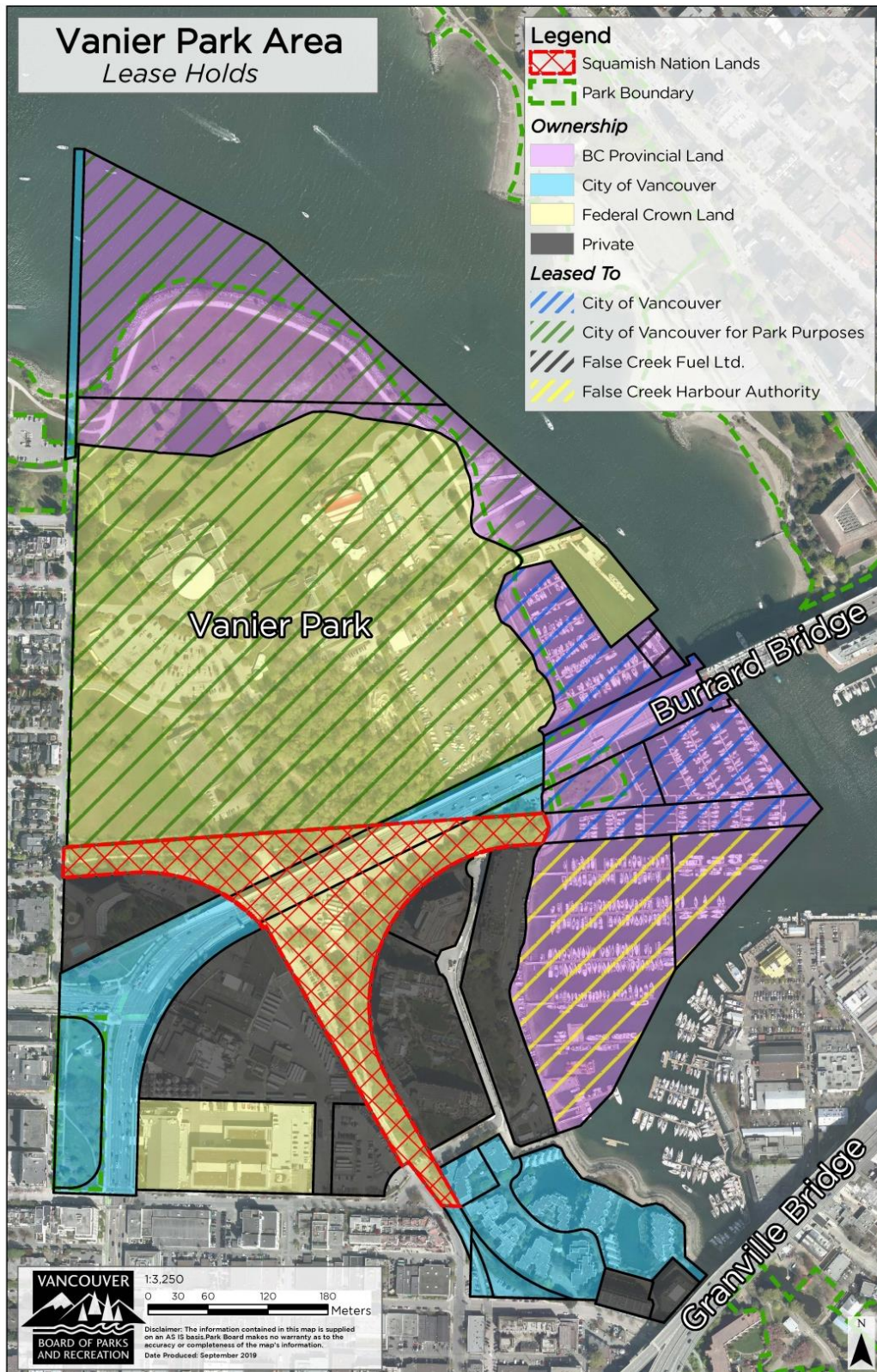


Figure 3: Vanier Park Leaseholds





February 21, 2020

TO: Park Board Chair and Commissioners
FROM: General Manager – Vancouver Board of Parks and Recreation
SUBJECT: Señákw Development Site - Introduction, Initial Considerations and First Steps

RECOMMENDATION

THAT the Vancouver Park Board approve, in principle, a new road within Vanier Park, immediately adjacent to the Señákw development site, in order to facilitate that site's development by the Squamish Nation, subject to adequate consultation with Musqueam and Tsleil-Waututh governments.

REPORT SUMMARY

Staff recommend that the Board approve in principle a new road within Vanier Park, immediately adjacent to the Squamish Nation's Señákw development site, in order to facilitate the development's viability. In light of the Park Board's reconciliation efforts, staff believe that the Board should consider granting approval in order to aid Squamish Nation in realizing the economic potential of their site. Given the extensive development planned for the site, Vanier Park would also benefit from the physical separation that would be afforded by this proposed new road.

Staff further recommend that the approval be subject to adequate consultation with Musqueam and Tsleil-Waututh governments, the details of which are to be determined. Vanier Park is situated on leased/licensed Federal and Provincial crown land. Any significant changes to the park or park use (e.g. a new road) will need to be approved by not only the Park Board and City, but by the land owners and would likely require Crown led consultation with Musqueam, Squamish and Tsleil-Waututh governments. Approving the report recommendation would set the stage for the Squamish Nation to move forward with Board support in this consultation and approval process with other levels of government.

IN CAMERA RATIONALE

This report is recommended for consideration by the Park Board in the In Camera agenda as it relates to Section 165.2 (1) of the *Vancouver Charter*:

(k) negotiations and related discussions respecting the proposed provision of an activity, work or facility that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the city if they were held in public

BOARD AUTHORITY / POLICY / PREVIOUS DECISIONS

As per the [Vancouver Charter](#), the Park Board has exclusive jurisdiction and control over all areas designated as permanent and temporary parks in the City of Vancouver, including any structures, programs and activities, fees, and improvements that occur within those parks.

On January 11, 2016, the Park Board approved eleven broad and inclusive [Reconciliation Strategies](#) to respond to the Truth and Reconciliation Commission's Calls to Action. The first strategy called for the Park Board's adoption of UNDRIP as a reference framework for Park Board's reconciliation initiatives.

On April 16, 2018, the Park Board endorsed the [Reconciliation Mission, Vision, and Values](#) to guide and support the implementation of the eleven Reconciliation Strategies and related goals.

On July 23, 2018, the Park Board received and acknowledged the [Initial Findings for a Park Board Colonial Audit](#) and directed staff to identify both short term and long term opportunities and specific ways to improve Park Board policies and practices with regard to Reconciliation.

On July 23, 2018, [Park Board Commissioners unanimously approved](#) Reports 1 and 2 of VanPlay, Vancouver's Parks and Recreation Master Plan. Goal 9 of Report 2 is to: "seek truth as a foundation of reconciliation, with Musqueam, Squamish and Tsleil-Waututh Nations."

BACKGROUND

As outlined in the Board briefing memo (Appendix A) issued on December 18, 2019, the Señákw development will be a comprehensive mixed-use community over 4.25 hectares/10.48 acres, anticipated to add between 5,500-6,000 new residential units in eleven towers as well as offices, retail and amenities, at the southwest end of the Burrard Bridge. The subject site is Squamish Nation land, which means that the City does not have authority over the project in terms of approvals or taxation. Squamish Nation has indicated that they will want to enter into a Service Agreement with the City.

Additional history and context is available in Appendix A.

DISCUSSION

The site of the Señákw development is immediately adjacent to Vanier Park. Given the geometry of the development site, a road within the park, adjacent to the site, is required to make the project's form of development viable. The width and design of the road are unknown at this time, but Park Board staff have been advised by City staff that one of the primary purposes is to facilitate fire access to the development. High traffic volumes are not anticipated. This proposed road would be utilized to service the portion of the development that is west of the Burrard Street bridge, and another road east of the Bridge (and not on park land) will service the larger portion of the site (see Figure 1).



Figure 1: A Proposed New Road in Vanier Park

CONSIDERATIONS

The Park Board would not typically entertain the idea of building a road in a park to benefit an adjacent development. In light of the Park Board’s reconciliation work, staff believe that the Board should consider this request in order to aid Squamish Nation in realizing the economic potential of their site. Given the extensive development planned for the development site, Vanier Park would likely also benefit from the physical separation and park access that would be afforded by the proposed road.

As shown in Appendix A, Figures 2 and 3, Vanier Park is situated on leased/licensed Federal and Provincial crown land. Any significant changes to the park or park use (e.g., this proposed road) will need to be approved by not only the Park Board and City, but by the land owners. Significant changes to the park requested by Squamish Nation such as this would likely require Crown led consultation with Musqueam, Squamish and Tseil-Waututh governments. Approving the recommendation in this report would set the stage for the Squamish Nation to move forward with Board support in this consultation and approval process at other levels of government.

CONCLUSION AND NEXT STEPS

Staff recommend that the Board approve in principle a new road within Vanier Park, immediately adjacent to the Senákw development site, subject to adequate consultation with Musqueam and Tseil-Waututh governments, in order to allow the Squamish Nation to make their development viable.

Pending a Board decision, staff will work with the City's legal department to help clarify the Park Board's degree of involvement in the approval process with Federal and Provincial Crown governments as well as representatives of Musqueam, Squamish, and Tsleil-Waututh governments. It is anticipated that the City's legal department may recommend that Squamish Nation lead these discussions.

As outlined in Appendix A, Park Board staff anticipate a need for future park planning at Vanier Park in order to accommodate the growing population and changing context in which the park is situated. Staff will continue to work with Squamish Nation to ensure that the proposed new road is designed in a manner which will ensure current park use and future park planning are not compromised. Park Board staff will also continue to engage with City staff and the Squamish Nation in determining impacts from the Se'nàkw development on existing park board amenities and will collaborate with City staff on a needs assessment to respond to the new development.

General Manager's Office
Vancouver Board of Parks and Recreation
Vancouver, BC

Prepared by:
Katy Amon, Planner II, Planning, Policy and Environment

/KA



Señákw Development Site - Introduction, Initial Considerations & First Steps

Excerpted from In Camera Minutes 2020-02-24

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Report Recommendation

THEREFORE BE IT RESOLVED THAT the Vancouver Park Board approve, in principle, a new road within Vanier Park, immediately adjacent to the Señákw development site, in order to facilitate that site's development by the Squamish Nation, subject to adequate consultation with Musqueam and Tsleil-Waututh governments.

CARRIED UNANIMOUSLY



April 4, 2022

MEMO TO : Park Board Commissioners

FROM : Donnie Rosa - General Manager, Vancouver Board of Parks and Recreation

SUBJECT : **Squamish Nation Road Proposal - Vanier Park – Board Briefing Memo**

Dear Commissioners,

The purpose of this memo is to provide an update on the Squamish Nation's proposed access road from Chestnut Avenue to the Señákw Development Site. This road is proposed to traverse a portion of Vanier Park that is leased federal Crown land. The Government of Canada has recently agreed in principle to a request from the Squamish Nation for a non-exclusive, renewable licence in order for them to construct a road to allow public access to the reserve lands and then keep the licence until such time as they are able to add the road area to their Kitsilano No. 6 Reserve (under the federal Additions to Reserve Policy).

Background

As outlined in the confidential Board briefing memo issued on December 18, 2019 (attached as Appendix A), the Señákw development is proposed to be a comprehensive, mixed-use community on 4.25 hectares/10.48 acres at the southwest end of the Burrard Bridge. It is anticipated to add up to 12 towers with approximately 6,000 new residential units as well as offices, retail and amenities. The Señákw development site is located on Indian Reserve land, which means that the City of Vancouver does not have authority over the project in terms of land use approvals or taxation. The Squamish Nation and the City are entering into a Service Agreement for services including water, sewer and other infrastructure.

Additional history and context are available in Appendix A. It should be noted that the events outlined in the Appendix are relatively recent, and should be approached and discussed with care and sensitivity in consideration of those still experiencing their effects.

The Señákw development site is immediately adjacent to Vanier Park. Preliminary proposals included the introduction of a new road to provide access to the development, off Chestnut Avenue, just within the boundary of the park. As shown in Figures 2 and 3 of Appendix A, Vanier Park is situated on leased federal and provincial Crown land. The majority of the park is leased for park purposes until 2064 (federal) and 2042 (provincial).

Road Proposal

Park Board staff have been working with the Squamish Nation and the Government of Canada to better understand the approvals process for the proposed access road within Vanier Park in order to help inform the Park Board's level of involvement in the process.

The lease of Vanier Park to the City is for park purposes and so only the Park Board has administration, jurisdiction, and control over City/Park Board interests as tenants under the lease. Since the lease is for park purposes, the Park Board does not have the authority to grant the Nation the right to a road through the park for development purposes. However, the lease does reserve for the Government of Canada, as the landlord, the right to use of the park and to licence



the use of the park for certain non-park purposes and so, the Government of Canada has the right to permit the Nation to use the proposed area for a road serving Señákw even though the Park Board does not.

Staff understand that the Government of Canada has recently agreed in principle to grant a non-exclusive, renewable licence to the Squamish Nation in order for them to construct a road to the reserve lands. The Government of Canada has indicated that it wishes to structure the licence so that the public would be able to use this road, which is proposed to include a sidewalk and cycling infrastructure, to access the park and Seawall. The Government of Canada and the Squamish Nation intend to work together to meet the federal government's requirements for consultation with other Nations.

Next Steps

Park Board staff will continue to work with the Government of Canada and the Squamish Nation to ensure that the proposed road is designed in a manner that protects current park uses and does not preclude future park planning options.

Outside of the proposed road, Park Board staff anticipate a need for future park planning at Vanier Park in order to accommodate the growing population and changing context. A master planning process for Vanier Park undertaken with the Musqueam, Squamish and Tsleil-Waututh Nations (MST) will be important to respond to the changing context brought about in part by the proposed Señákw development. This work should include the City's Arts, Culture and Community Services Department in order to consider the many City-owned cultural facilities housed within and adjacent to Vanier Park. Development of this work program will include the establishment of a detailed planning process including key objectives, public/stakeholder and Musqueam, Squamish and Tsleil-Waututh Nations rights holder engagement planning. Staff will request funding to support this work in the 2023-2026 Capital Plan.

Regards,

A handwritten signature in black ink, appearing to read 'Donnie Rosa', with a long horizontal flourish extending to the right.

Donnie Rosa (*they/she*)
General Manager - Vancouver Board of Parks and Recreation

/ka/ef/rs/ds/clc

Copy to: PB Leadership Team
PB Señákw Project Team
PB Communications



December 18, 2019

MEMO TO : Park Board Commissioners

FROM : Malcolm Bromley
General Manager, Vancouver Board of Parks and Recreation

SUBJECT : **Señákw Development and Vanier Park – Board Briefing Memo**

Dear Commissioners,

The purpose of this memo is to provide you with background information on the proposed Señákw development and adjacent Vanier Park in preparation for the Squamish Nation and Westbank Corporation briefing scheduled for this evening.

Proposed Development Overview

The Señákw development will be a comprehensive mixed-use community over 10.48 acres, anticipated to add between 5,500-6,000 new residential units in eleven towers constructed in multiple phases, as well as offices, retail and amenities, at the southwest end of the Burrard Bridge. Initial occupancy projections are for approximately 10,000 new residents. The project is on Squamish Nation land, which means that the City does not have authority over the project in terms of approvals or taxation. Squamish Nation has indicated that they will want to enter into a Service Agreement with the City, similar to what was done with Musqueam Indian Band.

On December 10, 2019, Squamish Nation members approved this project to move forward, with Westbank Development Corporation as their partner. The project is on an accelerated timeline, with construction proposed to begin in 2021 and full occupancy by 2025. The proposed construction timeline could be challenging given the significant City and Park Board resources required. Projects of this scale typically take 3-5 years in the planning and design stage prior to starting construction.

Context of the Site

The həńqəmiñəm and Skwxwú7mesh speaking peoples have occupied the site since time immemorial. In 1869, the Colonial Government set aside land around the Señákw village. After the [Indian Act](#) was passed in 1876, and with the Joint Indian Reserve Commission established by the Provincial and Federal governments to deal with land allotments to Indigenous people in BC, a reserve was plotted out for the Indigenous peoples living at this location. In 1877, the Joint Reserve Commission expanded the area set aside to ~80 acres as Kitsilano Indian Reserve No. 6.

However, after further settlement began in the Vancouver area, the Indigenous peoples were forced to relocate to other nearby villages. Both in 1886 and 1902, portions of the reserve were expropriated by the Federal government for railway purposes. In 1913, the Provincial government induced the residents to relocate by coercing them to sell, an action which was later found to be illegal. Many families were placed on a barge and towed to other communities in the [Burrard Inlet](#) area.



In 2002, as a result of a BC Court of Appeal ruling (the “CPR Decision”), a settlement was reached and 10.48 acres of land previously possessed by the Canadian Pacific Railway was restored to Indian Reserve status for the use and benefit of Squamish Nation.

While the matter was settled in federal court, that forum is just one of multiple forms of law in operation among the affected parties. The court proceedings were damaging for the relations between the Nations as they fought each other for the legitimacy of their Rights and Title over ancestral lands in the eyes of the system that expropriated their territory in the first place.

While the three Nations and the Park Board are engaging in good faith relations in the planning and operations throughout Vancouver, this relationship and the fraught events outlined in this document are relatively recent and should be approached with care and sensitivity.

Vanier Park

The site of the Señákw development is immediately adjacent to Vanier Park. Preliminary proposals have shown proposed changes to the park including the introduction of new roads to service the development.

Current State

Vanier is a waterfront park, 21 hectares in size, making it the 7th largest park in the Park Board’s system. According to the [2018 Park Board Park Provision Study](#) 3,700 people live within an 8 minute walk of Vanier Park. As illustrated in Figure 1 (attached), the park is comprised of a number of features:

- large lawn areas with public art, including Welcome Figure by Squamish Nation artist Darren Yelton and Gate to the Northwest Passage sculpture by Alan Chung Hung;
- ponds;
- public beach access (adjacent to Hadden Park);
- forested area with trails (2 hectares);
- section of the seaside greenway;
- forested bike pump track;
- Cultural Harmony Grove – commemorating Vancouverites whom have contributed to intercultural unity;
- publicly accessible docks (2) and associated public parking:
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- Burrard Marina (Park Board operated) and associated parking and boat storage (motorized and non-motorized).

The park is also home to a number of civic and cultural facilities including the Museum of Vancouver, Planetarium, Vancouver Academy of Music (lease with Park Board) and City of Vancouver Archives building (Archives operations will relocate to Level 7 of the Vancouver Public Library’s Central Library in 2022). In the summer, the park plays host to Bard on the Beach.



Park Tenure

As shown in Figures 2 and 3 (attached), Vanier Park is situated on leased/licensed Federal and Provincial crown land. The majority of the park has been leased for park purposes until 2064 (Federal) and 2042 (Provincial). Remaining portions of the park have been leased to the City without stipulations for park use. Any significant changes to the park or park use (e.g., new roads) will need to be approved by not only the Park Board and City, but by the land owners.

Significant changes to the park requested by Squamish Nation would likely require Crown led consultation with Musqueam, Squamish and Tsleil-Waututh governments. The Park Board may also wish to consult with the Nations on any changes to the park requested by Squamish Nation as part of their ongoing intergovernmental relationship.

Next Steps

Park Board staff are currently working with the City of Vancouver's project working group staff to undertake preliminary project planning for the Seḥákw Development and establish project resources requirements and a project governance structure, similar to a typical exercise undertaken in the planning of all major sites in the City of Vancouver (e.g. Oakridge Mall redevelopment, North East False Creek etc.). Park Board staff will participate on the City's project working group and will participate in, among other studies, a needs assessment to respond to the new development. This will provide an assessment of transportation access and connectivity (vehicular, walking, rolling and cycling), along with anticipated indoor and outdoor parks and recreation amenities in the neighbourhood and area around Vanier Park that will be needed to meet demand from the new residents and other related service.

Park Board staff also anticipate the need for park and recreation planning at Vanier Park in order to both respond proactively to the changing context and demand on the park, and to address any proposals from Squamish Nation for modifications to the park.

Regards,

A handwritten signature in black ink that reads 'Malcolm Bromley'.

Malcolm Bromley
General Manager - Vancouver Board of Parks and Recreation

/dh/ka/rs/ds/clc

Copy to: PB Senior Leadership Team
PB Se'nákw Project Team
PB Communications

Figure 1: Vanier Park Current State

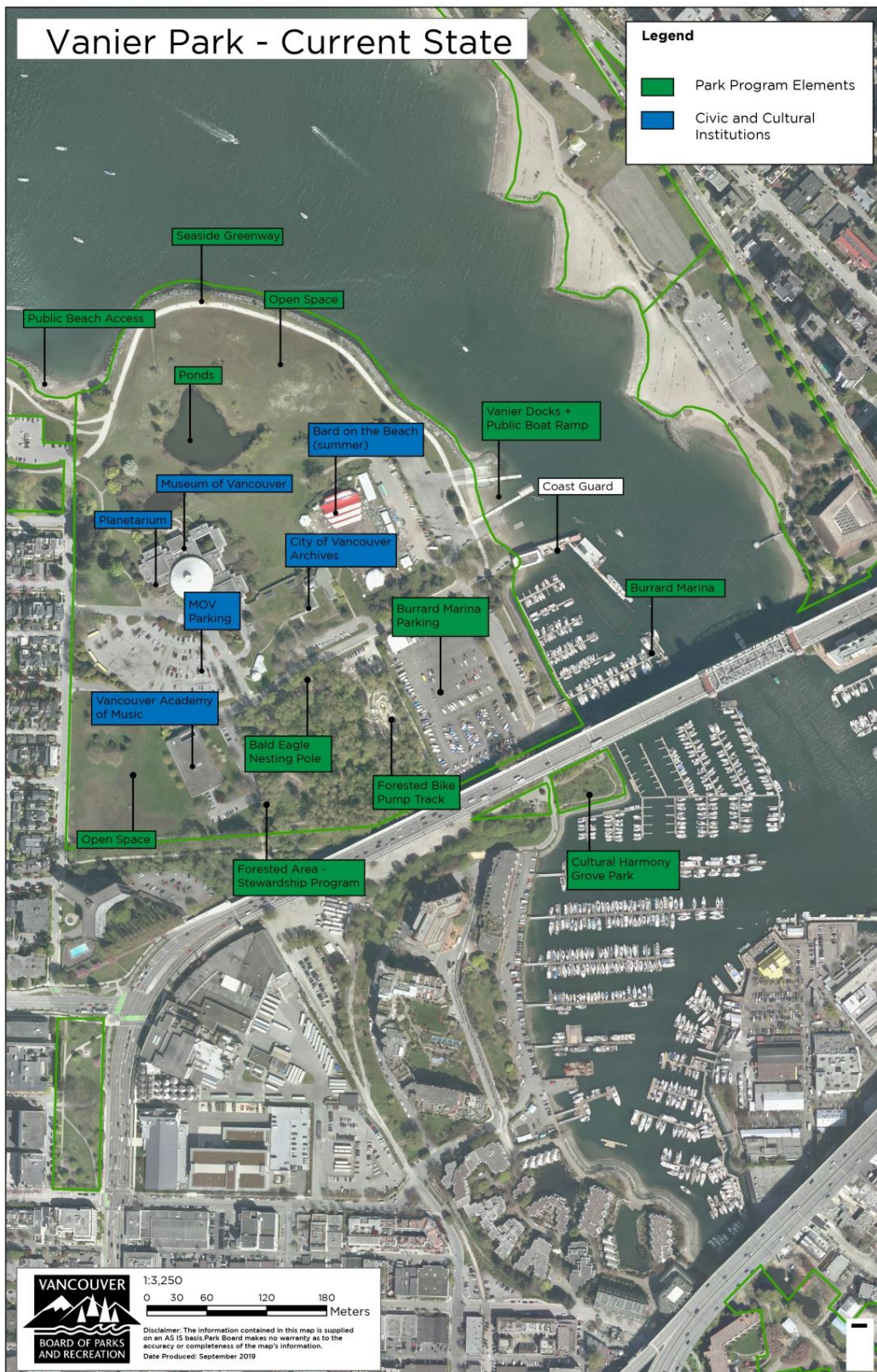


Figure 2: Vanier Park Property Ownership

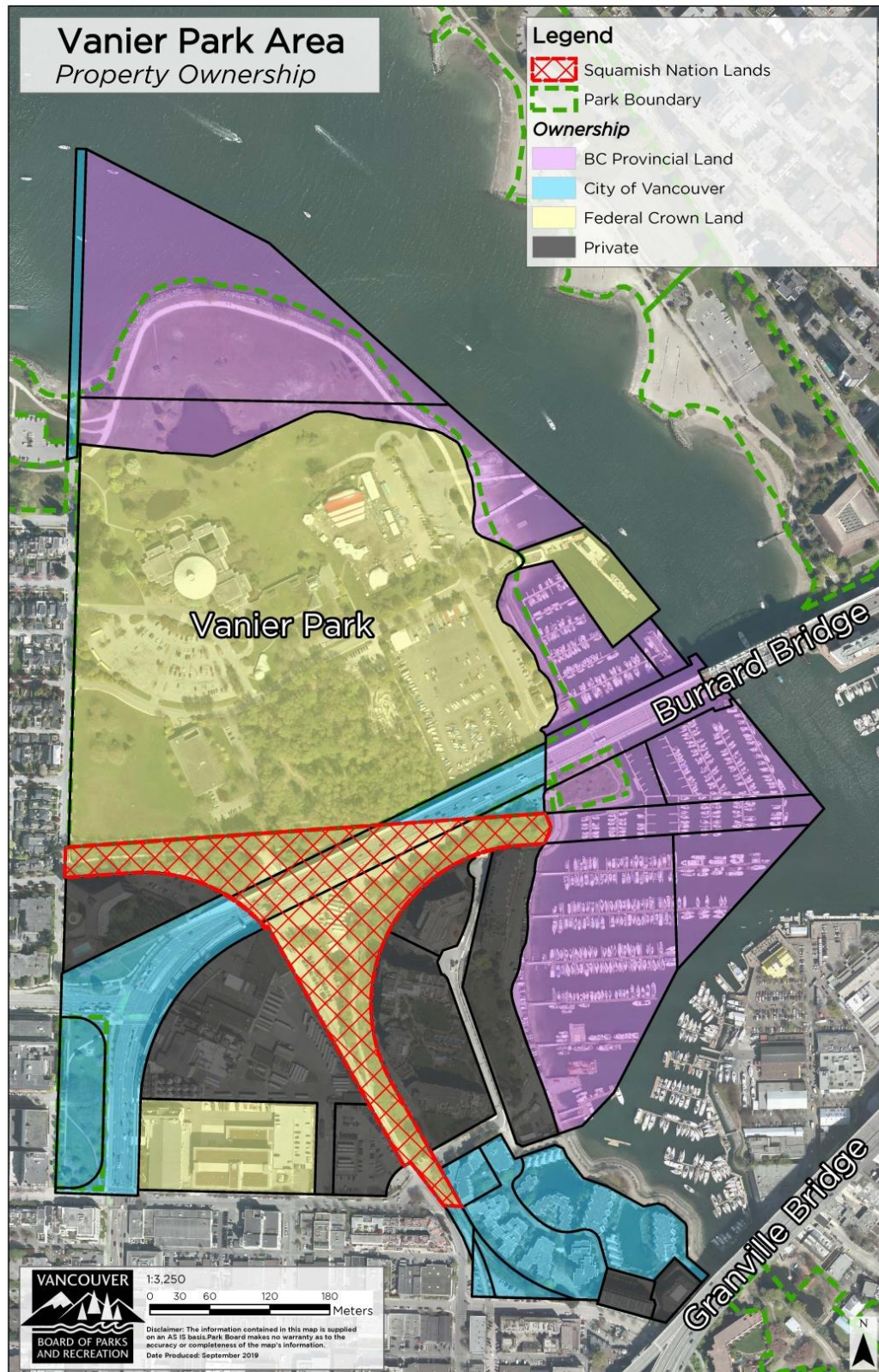
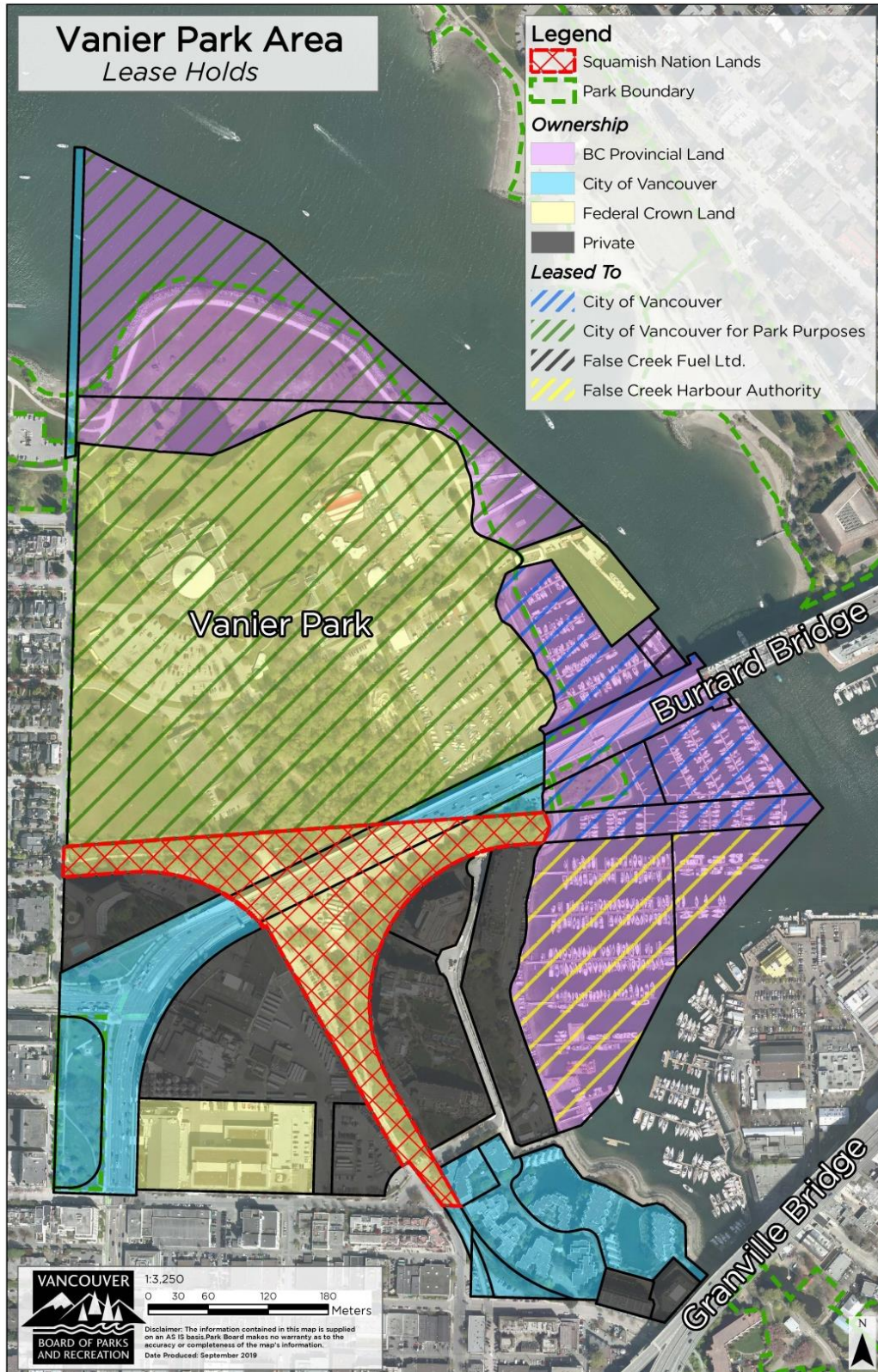


Figure 3: Vanier Park Leaseholds



May 20, 2022

MEMO TO : Park Board Commissioners

FROM : Donnie Rosa - General Manager, Parks and Recreation

SUBJECT : **Squamish Nation Road Proposal at Vanier Park – Board Briefing Memo**

Dear Commissioners,

The purpose of this memo is to provide the Board with an update on the legal agreements to facilitate the Squamish Nation’s proposed access road from Chestnut Avenue to the Señákw development site, as well as detailing a related change to Vanier Park. This road is proposed to traverse a portion of Vanier Park that is leased federal Crown land.

Background

As outlined in the confidential Board briefing memo issued on April 4, 2022 (see attached), the Government of Canada has agreed in principle to grant a non-exclusive, renewable licence (the “Head Licence”) to the Squamish Nation in order for them to construct a road to the Señákw development site as well as install a storm sewer under that road. The Vanier Park Lease allows the Government of Canada, as the landlord, the right to permit the Nation to use the proposed area for a road and storm sewer serving Señákw. Please see Figure 1 for an illustration of the licence area.



Figure 1: Proposed licence sub areas (shown in pink, orange and light blue)



Discussion

Additional details are now known beyond the information shared in the April 4th memo. None of these updates will require changes to the Vanier Park Lease. At the time of issuance of this memo, the agreements referenced below have not yet been completed and signed.

Señákw Services Agreement

The proposed Señákw Services Agreement between the City and Squamish Nation is being developed in response to the Nation's request to provide municipal services that are needed to support the Señákw Development. The Services Agreement is anticipated to be the first agreement signed and provides for the other agreements, including those outlined below, to be signed shortly afterward.

Head Licence: Sub-Areas

The proposed Head Licence between the Government of Canada and the Squamish Nation contemplates three distinct areas within the licensed area, each with different access rights:

- a) *Road Sub-Area: 20m wide x 316m long, to be used for road, access and infrastructure purposes as previously described to the Board;*
- b) *Storm Sewer Sub-Area: 6m wide x approximately 476m long, underground rights only, to accommodate a City storm sewer, extending beyond the road sub-area towards the seawall; and*
- c) *Temporary Turnaround Sub-Area: a small portion (not larger than 6m wide, length to be determined but not anticipated to be longer than 25m) of the Storm Sewer Sub-Area to be used for a temporary vehicle turnaround including for emergency vehicles. The licence to use this turnaround area will end once a through road has been constructed through the development site in a future phase of work.*

Sub-Licence

In order for the City to maintain the road and underground City-owned infrastructure, as contemplated under the Services Agreement, the Head Licence allows the Squamish Nation to transfer the Squamish Nation's rights to the City through a sub-licence.

Regrading within the Park

Park Board staff have been working with involved parties to ensure that the proposed road is designed in a manner that protects current park uses as well as maintaining flexibility for future park planning. To accommodate a narrower road licence area, a limited amount of regrading will need to occur within the park, immediately adjacent to the road licence area. Staff are reviewing this to ensure that the transition between the park and the Vanier Park Road has as little impact on the park as possible. Park Board staff will collaborate with project partners on informing and working with any site tenants who may be temporarily or permanently impacted by these works.

Next Steps

The Squamish Nation is leading public communications related to the Services Agreement, the Head Licence and the Sub-Licence. The Nation will hold a ceremonial signing event for the Services Agreement on May 25. Shortly after this, it is anticipated that the agreement will be officially finalized, signed and made public. Staff will update the Board at that time.



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Park Board staff will continue to work with the Government of Canada, the Squamish Nation and City staff to ensure that the proposed road is designed and maintained in a manner that protects current park uses and does not preclude future park planning options.

Regards,

A handwritten signature in black ink, appearing to be 'Donnie Rosa', written over a circular stamp or watermark.

Donnie Rosa *(they/she)*
General Manager - Vancouver Board of Parks and Recreation

/ka/ef/kc/ko/ds

Copy to: PB Leadership Team
PB Señákw Project Team
PB Communications



April 4, 2022

MEMO TO : Park Board Commissioners

FROM : Donnie Rosa - General Manager, Vancouver Board of Parks and Recreation

SUBJECT : **Squamish Nation Road Proposal - Vanier Park – Board Briefing Memo**

Dear Commissioners,

The purpose of this memo is to provide an update on the Squamish Nation's proposed access road from Chestnut Avenue to the Señákw Development Site. This road is proposed to traverse a portion of Vanier Park that is leased federal Crown land. The Government of Canada has recently agreed in principle to a request from the Squamish Nation for a non-exclusive, renewable licence in order for them to construct a road to allow public access to the reserve lands and then keep the licence until such time as they are able to add the road area to their Kitsilano No. 6 Reserve (under the federal Additions to Reserve Policy).

Background

As outlined in the confidential Board briefing memo issued on December 18, 2019 (attached as Appendix A), the Señákw development is proposed to be a comprehensive, mixed-use community on 4.25 hectares/10.48 acres at the southwest end of the Burrard Bridge. It is anticipated to add up to 12 towers with approximately 6,000 new residential units as well as offices, retail and amenities. The Señákw development site is located on Indian Reserve land, which means that the City of Vancouver does not have authority over the project in terms of land use approvals or taxation. The Squamish Nation and the City are entering into a Service Agreement for services including water, sewer and other infrastructure.

Additional history and context are available in Appendix A. It should be noted that the events outlined in the Appendix are relatively recent, and should be approached and discussed with care and sensitivity in consideration of those still experiencing their effects.

The Señákw development site is immediately adjacent to Vanier Park. Preliminary proposals included the introduction of a new road to provide access to the development, off Chestnut Avenue, just within the boundary of the park. As shown in Figures 2 and 3 of Appendix A, Vanier Park is situated on leased federal and provincial Crown land. The majority of the park is leased for park purposes until 2064 (federal) and 2042 (provincial).

Road Proposal

Park Board staff have been working with the Squamish Nation and the Government of Canada to better understand the approvals process for the proposed access road within Vanier Park in order to help inform the Park Board's level of involvement in the process.

The lease of Vanier Park to the City is for park purposes and so only the Park Board has administration, jurisdiction, and control over City/Park Board interests as tenants under the lease. Since the lease is for park purposes, the Park Board does not have the authority to grant the Nation the right to a road through the park for development purposes. However, the lease does reserve for the Government of Canada, as the landlord, the right to use of the park and to licence



the use of the park for certain non-park purposes and so, the Government of Canada has the right to permit the Nation to use the proposed area for a road serving Señákw even though the Park Board does not.

Staff understand that the Government of Canada has recently agreed in principle to grant a non-exclusive, renewable licence to the Squamish Nation in order for them to construct a road to the reserve lands. The Government of Canada has indicated that it wishes to structure the licence so that the public would be able to use this road, which is proposed to include a sidewalk and cycling infrastructure, to access the park and Seawall. The Government of Canada and the Squamish Nation intend to work together to meet the federal government's requirements for consultation with other Nations.

Next Steps

Park Board staff will continue to work with the Government of Canada and the Squamish Nation to ensure that the proposed road is designed in a manner that protects current park uses and does not preclude future park planning options.

Outside of the proposed road, Park Board staff anticipate a need for future park planning at Vanier Park in order to accommodate the growing population and changing context. A master planning process for Vanier Park undertaken with the Musqueam, Squamish and Tsleil-Waututh Nations (MST) will be important to respond to the changing context brought about in part by the proposed Señákw development. This work should include the City's Arts, Culture and Community Services Department in order to consider the many City-owned cultural facilities housed within and adjacent to Vanier Park. Development of this work program will include the establishment of a detailed planning process including key objectives, public/stakeholder and Musqueam, Squamish and Tsleil-Waututh Nations rights holder engagement planning. Staff will request funding to support this work in the 2023-2026 Capital Plan.

Regards,

A handwritten signature in black ink, appearing to read 'Donnie Rosa'.

Donnie Rosa (*they/she*)
General Manager - Vancouver Board of Parks and Recreation

/ka/ef/rs/ds/clc

Copy to: PB Leadership Team
PB Señákw Project Team
PB Communications



December 18, 2019

MEMO TO : Park Board Commissioners

FROM : Malcolm Bromley
General Manager, Vancouver Board of Parks and Recreation

SUBJECT : **Señákw Development and Vanier Park – Board Briefing Memo**

Dear Commissioners,

The purpose of this memo is to provide you with background information on the proposed Señákw development and adjacent Vanier Park in preparation for the Squamish Nation and Westbank Corporation briefing scheduled for this evening.

Proposed Development Overview

The Señákw development will be a comprehensive mixed-use community over 10.48 acres, anticipated to add between 5,500-6,000 new residential units in eleven towers constructed in multiple phases, as well as offices, retail and amenities, at the southwest end of the Burrard Bridge. Initial occupancy projections are for approximately 10,000 new residents. The project is on Squamish Nation land, which means that the City does not have authority over the project in terms of approvals or taxation. Squamish Nation has indicated that they will want to enter into a Service Agreement with the City, similar to what was done with Musqueam Indian Band.

On December 10, 2019, Squamish Nation members approved this project to move forward, with Westbank Development Corporation as their partner. The project is on an accelerated timeline, with construction proposed to begin in 2021 and full occupancy by 2025. The proposed construction timeline could be challenging given the significant City and Park Board resources required. Projects of this scale typically take 3-5 years in the planning and design stage prior to starting construction.

Context of the Site

The həńqəmiñəm and Skwxwú7mesh speaking peoples have occupied the site since time immemorial. In 1869, the Colonial Government set aside land around the Señákw village. After the [Indian Act](#) was passed in 1876, and with the Joint Indian Reserve Commission established by the Provincial and Federal governments to deal with land allotments to Indigenous people in BC, a reserve was plotted out for the Indigenous peoples living at this location. In 1877, the Joint Reserve Commission expanded the area set aside to ~80 acres as Kitsilano Indian Reserve No. 6.

However, after further settlement began in the Vancouver area, the Indigenous peoples were forced to relocate to other nearby villages. Both in 1886 and 1902, portions of the reserve were expropriated by the Federal government for railway purposes. In 1913, the Provincial government induced the residents to relocate by coercing them to sell, an action which was later found to be illegal. Many families were placed on a barge and towed to other communities in the [Burrard Inlet](#) area.



In 2002, as a result of a BC Court of Appeal ruling (the “CPR Decision”), a settlement was reached and 10.48 acres of land previously possessed by the Canadian Pacific Railway was restored to Indian Reserve status for the use and benefit of Squamish Nation.

While the matter was settled in federal court, that forum is just one of multiple forms of law in operation among the affected parties. The court proceedings were damaging for the relations between the Nations as they fought each other for the legitimacy of their Rights and Title over ancestral lands in the eyes of the system that expropriated their territory in the first place.

While the three Nations and the Park Board are engaging in good faith relations in the planning and operations throughout Vancouver, this relationship and the fraught events outlined in this document are relatively recent and should be approached with care and sensitivity.

Vanier Park

The site of the Señákw development is immediately adjacent to Vanier Park. Preliminary proposals have shown proposed changes to the park including the introduction of new roads to service the development.

Current State

Vanier is a waterfront park, 21 hectares in size, making it the 7th largest park in the Park Board’s system. According to the [2018 Park Board Park Provision Study](#) 3,700 people live within an 8 minute walk of Vanier Park. As illustrated in Figure 1 (attached), the park is comprised of a number of features:

- large lawn areas with public art, including Welcome Figure by Squamish Nation artist Darren Yelton and Gate to the Northwest Passage sculpture by Alan Chung Hung;
- ponds;
- public beach access (adjacent to Hadden Park);
- forested area with trails (2 hectares);
- section of the seaside greenway;
- forested bike pump track;
- Cultural Harmony Grove – commemorating Vancouverites whom have contributed to intercultural unity;
- publicly accessible docks (2) and associated public parking:
 - East Dock provides docking and launching for non-motorized boating;
 - West Dock and boat launch ramp provides docking and launching for motorized boating (the only public motorized boat launch in Vancouver);
- Burrard Marina (Park Board operated) and associated parking and boat storage (motorized and non-motorized).

The park is also home to a number of civic and cultural facilities including the Museum of Vancouver, Planetarium, Vancouver Academy of Music (lease with Park Board) and City of Vancouver Archives building (Archives operations will relocate to Level 7 of the Vancouver Public Library’s Central Library in 2022). In the summer, the park plays host to Bard on the Beach.



Park Tenure

As shown in Figures 2 and 3 (attached), Vanier Park is situated on leased/licensed Federal and Provincial crown land. The majority of the park has been leased for park purposes until 2064 (Federal) and 2042 (Provincial). Remaining portions of the park have been leased to the City without stipulations for park use. Any significant changes to the park or park use (e.g., new roads) will need to be approved by not only the Park Board and City, but by the land owners.

Significant changes to the park requested by Squamish Nation would likely require Crown led consultation with Musqueam, Squamish and Tsleil-Waututh governments. The Park Board may also wish to consult with the Nations on any changes to the park requested by Squamish Nation as part of their ongoing intergovernmental relationship.

Next Steps

Park Board staff are currently working with the City of Vancouver's project working group staff to undertake preliminary project planning for the Seḥákw Development and establish project resources requirements and a project governance structure, similar to a typical exercise undertaken in the planning of all major sites in the City of Vancouver (e.g. Oakridge Mall redevelopment, North East False Creek etc.). Park Board staff will participate on the City's project working group and will participate in, among other studies, a needs assessment to respond to the new development. This will provide an assessment of transportation access and connectivity (vehicular, walking, rolling and cycling), along with anticipated indoor and outdoor parks and recreation amenities in the neighbourhood and area around Vanier Park that will be needed to meet demand from the new residents and other related service.

Park Board staff also anticipate the need for park and recreation planning at Vanier Park in order to both respond proactively to the changing context and demand on the park, and to address any proposals from Squamish Nation for modifications to the park.

Regards,

A handwritten signature in black ink that reads "Malcolm Bromley".

Malcolm Bromley
General Manager - Vancouver Board of Parks and Recreation

/dh/ka/rs/ds/clc

Copy to: PB Senior Leadership Team
PB Se'nákw Project Team
PB Communications

Figure 1: Vanier Park Current State

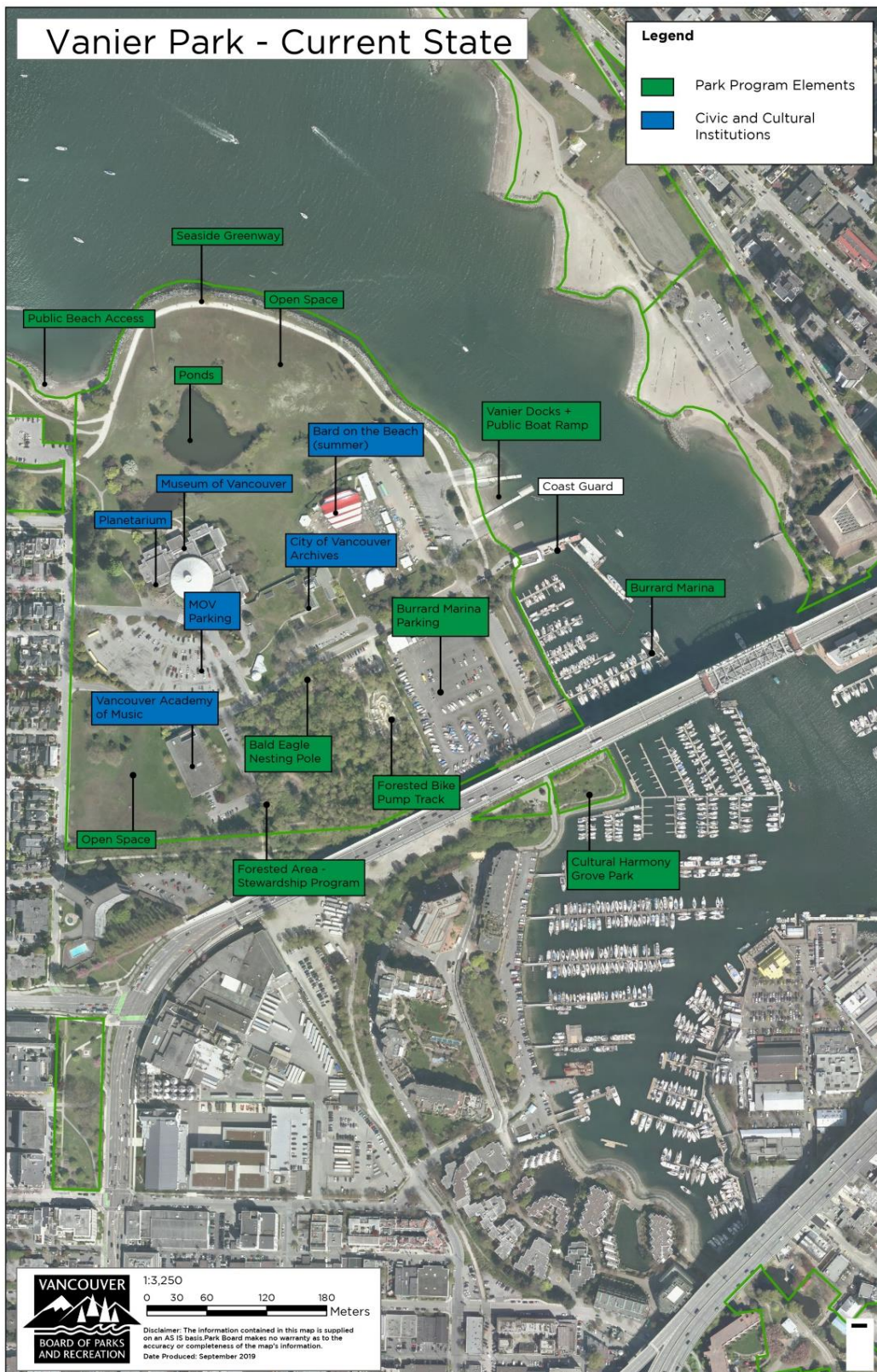


Figure 2: Vanier Park Property Ownership

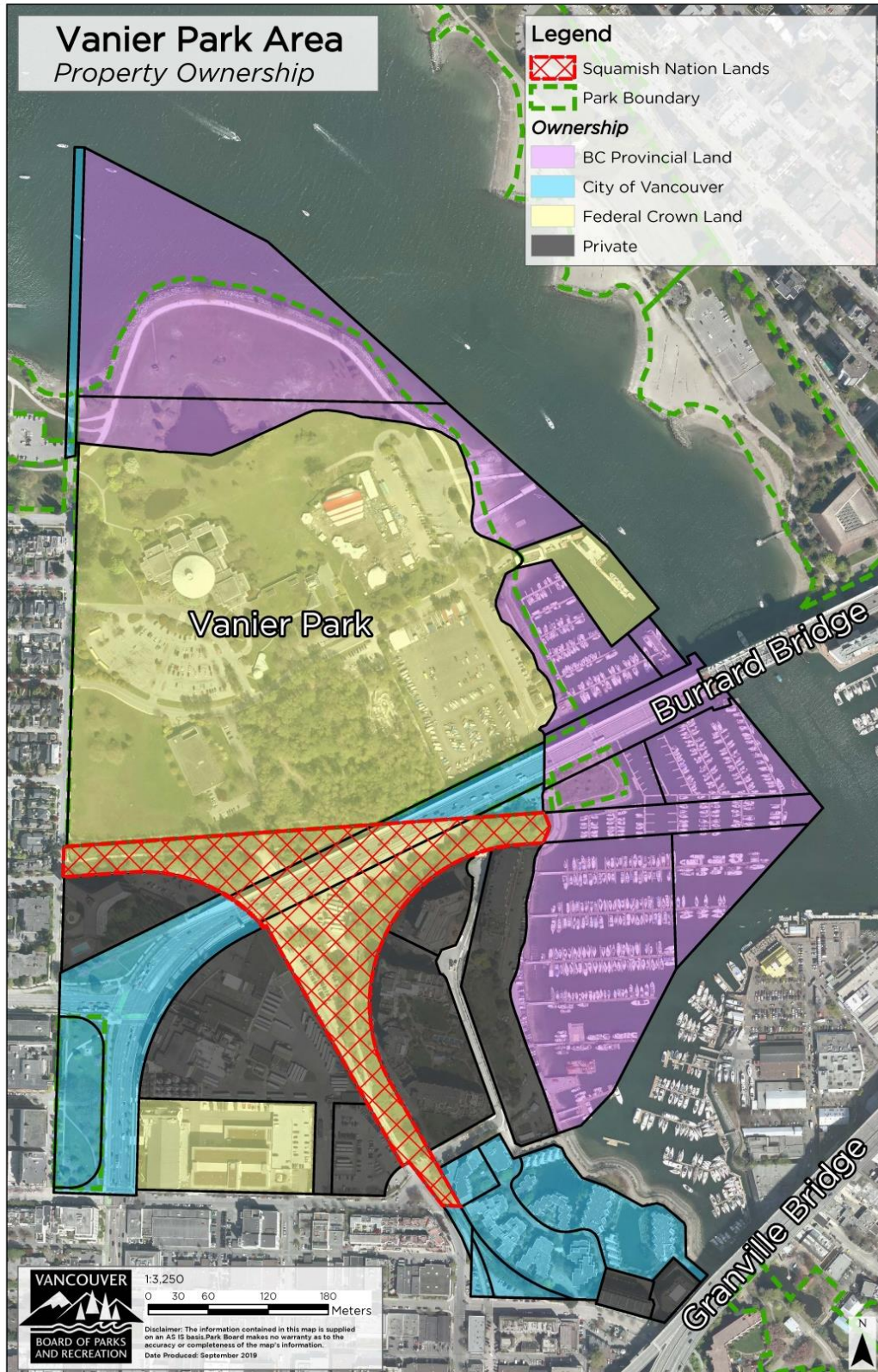
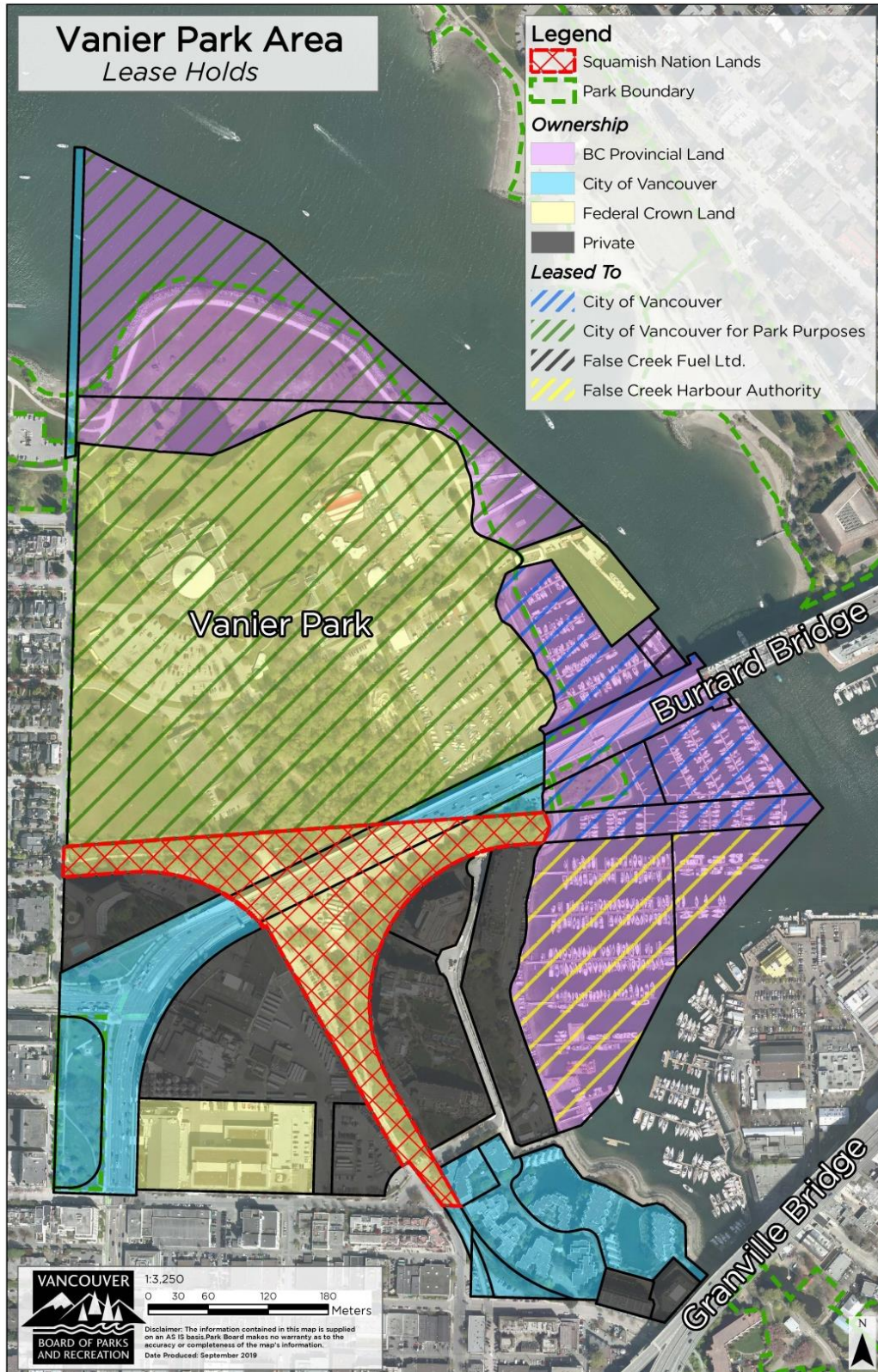


Figure 3: Vanier Park Leaseholds





Vanier Park and Cultural Spaces Master Planning Principles

Excerpted from In Camera Minutes June 22, 2020

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Report Recommendation

THEREFORE BE IT RESOLVED THAT the Vancouver Park Board approve the proposed Vanier Park and Cultural Spaces Master Planning Principles outlined in this report as a framework for initiating a joint master planning process with the Musqueam, Squamish, and Tseil-Waututh Nations and City of Vancouver.

CARRIED UNANIMOUSLY