

File No.: 04-1000-20-2020-421

September 15, 2020

s.22(1)

Dear s.22(1)

Re: **Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")**

I am responding to your request of July 14, 2020 for:

1. **Current documentation extending the November 1, 1908 Indenture Lease between His Majesty King Edward VII and the City of Vancouver.**
2. **Agreement(s) between the federal government and the City of Vancouver or the Vancouver Board of Parks and Recreation allowing the Parks Board to close lanes to traffic.**
3. **Agreement(s) between the federal government and the City of Vancouver or the Vancouver Board of Parks and Recreation allowing the Parks Board to close lanes to create bike lanes.**

All responsive records are attached. Some information in the records has been severed, (blacked out), under s.14 of the Act. You can read or download this section here: [http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/96165\\_00](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00).

Please note that there are no responsive records regarding points two and three of your request.

Under section 52 of the Act you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your request. The Act allows you 30 business days from the date you receive this notice to request a review by writing to: Office of the Information & Privacy Commissioner, [info@oipc.bc.ca](mailto:info@oipc.bc.ca) or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number assigned to your request (#04-1000-20-2020-421); 2) a copy of this letter; 3) a copy of your original request for information sent to the City of Vancouver; and 4) detailed reasons or grounds on which you are seeking the review.

Please do not hesitate to contact the Freedom of Information Office at [foi@vancouver.ca](mailto:foi@vancouver.ca) if you have any questions.

Yours truly,

Cobi Falconer, FOI Case Manager, for

[Signature on file]

**Barbara J. Van Fraassen, BA**  
**Director, Access to Information & Privacy**

[Barbara.vanfraassen@vancouver.ca](mailto:Barbara.vanfraassen@vancouver.ca)

*453 W. 12th Avenue Vancouver BC V5Y 1V4*

\*If you have any questions, please email us at [foi@vancouver.ca](mailto:foi@vancouver.ca) and we will respond to you as soon as possible. Or you can call the FOI Case Manager at 604.871.6584.

Encl.

:kt

Stanley Park lease

and related documents  
received from Mike Harris  
Oct 21 92

THIS INDENTURE made the first day of November, 1903.

BETWEEN

HIS MAJESTY KING EDWARD VII acting through  
the Honourable the Minister of Militia and Defence  
for the Dominion of Canada,

OF THE FIRST PART,

AND

CITY OF VANCOUVER,

OF THE SECOND PART.

WHEREAS by Order-in-Council of the 7th day of June,  
1887, the military property at Vancouver, B. C., known as  
"Stanley Park," was authorized to be leased under certain  
conditions to the City of Vancouver for park purposes;

AND WHEREAS by Order-in-Council dated the 31st day  
of August, 1906, amended by Order-in-Council dated the 31st  
August, 1908, the said the Honourable the Minister of Militia  
and Defence was empowered to lease the said property to the  
City of Vancouver for park purposes for a period of ninety-  
nine (99) years renewable (such lease to be made generally  
on the lines of the agreement dated the 31st December, 1875,  
between the Principal Secretary of State for the War Depart-  
ment of the one part and the Directors of Point Pleasant Park,  
Halifax, Nova Scotia, of the other part, whereby the said Point  
Pleasant Park was leased to the said Directors representing  
the City of Halifax).

AND WHEREAS the said property consists of all that  
portion of the City of Vancouver (and the foreshore adjacent  
thereto) bounded by the Western limit of District Lot 185,  
Group One, New Westminster District (as shown on the official  
plan thereof filed in the Land Registry Office at Vancouver)  
and the low-water mark of the waters of Burrard Inlet, the

First Narrows, and English Bay, and being all that peninsula lying to the west and north of said District Lot 135 known as "Stanley Park":

NOW, THEREFORE, it is by these presents consented, covenanted and agreed, and licence is hereby given, that said lands or such parts thereof as shall not at any time or times hereafter be required by His Majesty or His Successors for all or any military uses or purposes defensive, including the erection of forts or batteries or other buildings whatsoever, for all which the exclusive possession and control shall remain in and belong to His Majesty as heretofore, shall and may henceforward be used, occupied, and enjoyed by the City of Vancouver for its use as and for a public park for the term of ninety-nine years (renewable perpetually on the same terms and conditions as herein contained) subject until their determination to any existing leases of portions of said land and to the conditions following, that is to say:-

1. The rent of one dollar per annum shall be paid to the Department of Militia and Defence for the use of the said Park.
2. The Minister of Militia and Defence shall have full power to resume and take possession without compensation of any portion of said lands or any buildings now or hereinafter to be erected thereon whenever it may be required in his judgment for any military purpose whatsoever, including such portion thereof as may be required to be occupied as gardens for any troops quartered thereon.
3. His Majesty's Naval and Military Forces may at any time the General or other officer Commanding require it march through, manoeuvre or otherwise exercise on the said lands or encamp thereon.



4. The existing main road round the peninsula together with any new carriage roads that may be formed shall be maintained and kept in order by the City of Vancouver, PROVIDED however that the use of any roads or any portions thereof may be discontinued with the sanction of the Minister of Militia and Defence.

5. No establishment for the sale of intoxicating liquors etc. shall be erected on the said lands in any form without the sanction of the Minister of Militia and Defence.

6. The said Minister of Militia and Defence shall have power at any time to exercise the right of quarrying stones or cutting down trees or other obstructions in case of military necessity and also of cutting sods for the repair of earthworks.

7. Any Agreement by the City of Vancouver for the pasturing or other occupation of the said lands shall be subject to the right of the Minister of Militia and Defence to resume possession thereof if required for any military use or purpose.

8. The Minister of Militia and Defence and the City of Vancouver shall severally have the right of closing the Park one day in each year against the use thereof by the public.

9. No stone shall be quarried on the said property nor any trees be cut therefrom (except for the purpose of opening out roads thereon) without the sanction of the Minister of Militia and Defence.

10. The City of Vancouver shall with the consent of the Minister of Militia and Defence have the right to lay, make and maintain such reservoirs, pipes and other apparatus on said lands as may, in the opinion of the Council of the

said City, be necessary or expedient for the maintenance, amendment or extension of the water supply of the said City.

11. The Minister of Militia and Defence may re-enter on the said land on breach of any of the covenants entered into as aforesaid by the City of Vancouver and thereupon this agreement and all rights and interests of the City of Vancouver and of the public thereunder shall immediately determine.

IN WITNESS WHEREOF the said the Honourable Minister of Militia and Defence hath hereunto set His Hand and Seal; and the City of Vancouver has hereunto set its corporate Seal by the hand of its Mayor and the City Clerk.

Sgd. F. W. Borden

Minister of Militia and Defence  
for the Dominion of Canada.

Seal  
Militia & Defence

Sgd. Alexander Bethune

Mayor

CITY OF VANCOUVER

Seal  
City of Vancouver

Wm. McQueen  
City Clerk.



THIS INDENTURE made the *first day of June*, 1908,

## B E T W E E N

His Majesty King Edward VII acting through the  
Honourable the Minister of Militia and Defence for the  
Dominion of Canada

of the FIRST PART:

## A N D

The City of Vancouver

of the SECOND PART.

WHEREAS by Order-in-Council of the 7th day of June, 1887, the military property at Vancouver, B.C., known as "Stanley Park", was authorized to be leased under certain conditions to the City of Vancouver for park purposes.

AND WHEREAS by Order-in-Council dated 31st of August, 1906, amended by Order-in-Council dated 31st August, 1908, the said the Honourable Minister of Militia and Defence was empowered to lease the said property to the City of Vancouver, for park purposes for a period of ninety-nine (99) years renewable (such lease to be made generally on the lines of the agreement dated 31st December, 1873, between the Principal Secretary of State for the War Department of the one part and the Directors of Point Pleasant Park, Halifax, Nova Scotia, of the other part, whereby the said Point Pleasant Park was leased to the said Directors representing the City of Halifax.)

AND WHEREAS the said property consists of all that portion of the city of Vancouver (and the foreshore adjacent thereto) bounded by the Western limit of District



the official plan thereof filed in the land Registry Office at Vancouver) and the low water mark of the waters of Burrard Inlet, the First Narrows and English Bay and being all that peninsula lying to the West and North of said District Lot 185 known as "Stanley Park".

NOW THEREFORE it is by these presents consented, covenanted and agreed and license is hereby given that said lands or such parts thereof as shall not at any time or times hereafter be required by His Majesty or His Successors for all or any military uses or purposes defensive including the erection of forts or batteries or other buildings whatsoever, for all which the exclusive possession and control shall remain in and belong to His Majesty as heretofore, shall and may henceforward be used, occupied and enjoyed by the City of Vancouver for its use as and for a public park for the term of ninety-nine years (renewable perpetually on the same terms and conditions as herein contained) subject until their determination to any existing leases of portions of said land and to the conditions following, that is to say:-

1. The rent of One Dollar per annum shall be paid to the Department of Militia and Defence for the use of the said Park.

2. The Minister of Militia and Defence shall have full power to resume and take possession without compensation of any portion of said lands or any buildings now or hereinafter to be erected thereon whenever it may be required in his judgment for any military purpose whatsoever, including such portion thereof as may be required to be occupied as gardens for any troops quartered thereon.



-3-

3. His Majesty's Naval and Military Forces may at any time the General or other Officer Commanding require it march through, manoeuvre or otherwise exercise on the said lands or encamp thereon.

4. The existing main road round the peninsula together with any new carriage roads that may be formed shall be maintained and kept in order by the City of Vancouver, PROVIDED however that the use of any roads or any portions thereof may be discontinued with the sanction of the Minister of Militia and Defence.

5. No establishment for the sale of intoxicating liquors etc., shall be erected on the said lands in any form without the sanction of the Minister of Militia and Defence.

6. The said Minister of Militia and Defence shall have power at any time to exercise the right of quarrying stones or cutting down trees or other obstructions in case of military necessity and also of cutting sods for the repair of earthworks.

7. Any Agreement by the City of Vancouver for the pasturing or other occupation of the said lands shall be subject to the right of the Minister of Militia and Defence to resume possession thereof if required for any military use or purpose.

8. The Minister of Militia and Defence and the City of Vancouver shall severally have the right of closing the Park one day in each year against the use thereof by the public.



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9. No stone shall be quarried on the said property nor any trees be cut therefrom (except for the purpose of opening out roads thereon) without the sanction of the Minister of Militia and Defence.

10. The City of Vancouver shall with the consent of the Minister of Militia and Defence have the right to lay, make and maintain such reservoirs, pipes and other apparatus on said lands as may, in the opinion of the Council of the said City, be necessary or expedient for the maintenance, amendment or extension of the water supply of the said City.

11. The Minister of Militia and Defence may re-enter on the said land on breach of any of the covenants entered into as aforesaid by the City of Vancouver and thereupon this agreement and all rights and interests of the City of Vancouver and of the public thereunder shall immediately determine.

IN WITNESS WHEREOF the said the Honourable Minister of Militia and Defence hath hereunto set His Hand and Seal; and the City of Vancouver has hereunto set its corporate Seal by the hand of its Mayor and City <sup>Clerk</sup> Council.

*J. B. [Signature]*  
Minister of Militia and Defence,  
for the Dominion of Canada.

*Alexander Bethune*

Mayor,

City of Vancouver.

*[Signature]*  
City of Vancouver





THE GOVERNMENT OF  
THE PROVINCE OF BRITISH COLUMBIA

*Shirley*  
DEPUTY CLERK, EXECUTIVE COUNCIL

**Certified Copy of a Minute of the Honourable the Executive  
Council, approved by His Honour the Lieutenant-  
Governor on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.**

To His Honour

The Lieutenant-Governor in Council:

The undersigned has the honour to report:

That His Majesty the King in the right of the Dominion of Canada by Instrument of Lease dated the 1st day of November, 1913, conveyed unto the Corporation of the City of Vancouver all that portion of the City of Vancouver (and the for-shoulder adjacent thereto) bounded by the western limit of District Lot 135, Group 1, New Westminster District, (as shown on the official plan thereof filed in the Land Registry Office, Vancouver) and the low water mark of the waters of Burrard Inlet, the First Narrows and English Bay and being all that peninsula lying to the west and north of said District Lot 135 known as "Stanley Park" in accordance with the terms contained in the said Lease, a copy of which is hereto attached.

That the "Land Registry Act" only permits registration of a charge when the fee has been registered and there is therefore in this case no authority for the Registrar, except by regulations and directions from Your Honour to register the City's title.

That it is in the public interest that provision be made for the registration of the said lease.

**AND TO RECOMMEND**

That under the provisions of Subsection 2 of Section 103 of the "Land Registry Act" the Registrar of the Vancouver Land Registration District be authorized to accept an application for the registration of the said lease and to register the City's title to the lease thereby conveyed (exclusive of the for-shoulder) by entering in the Register His Majesty the King in the right of the Dominion of Canada and over in fee simple of the said land, and to register the lease by endorsement thereon; and that the Registrar be satisfied that a good title-holding and marketable title to the land in question has been established by the said Instrument of Lease.

**AND TO FURTHER RECOMMEND**

That this Order shall apply to the particular lease in question only and shall not be considered as a precedent in future cases, the intention being merely to meet the special circumstances in this case.

**AND TO FURTHER RECOMMEND**

That on the day of the day in question is registered in public records and enjoyment, and to the registration of the City's title to the lease thereby conveyed (exclusive of the for-shoulder) by entering in the Register His Majesty the King in the right of the Dominion of Canada and over in fee simple of the said land, and to register the lease by endorsement thereon; and that the Registrar be satisfied that a good title-holding and marketable title to the land in question has been established by the said Instrument of Lease.



# LAND REGISTRY ACT

**FORM C**

22096

3. Thorvald T. Chase

that I am (collecting) for the San Antonio Agency of The City of Yuma Ariz.

charge by way of a Grant or Lease in perpetuity

over the land hereunder described, and hereby make application under the provisions of the "Land Registry Act" and claim registration of a charge accordingly.

The full name, address, and occupation of the owner is The City of Yonkers

The facsimile is registered in Vol. \_\_\_\_\_ of the Register.

DESCRIPTION OF LAND

MUNICIPALITY OR ASSESSMENT DISTRICT	LOT OR PARCEL	ASSESSMENT OR ADDRESS
Vancouver	all that tract or parcel of land known as "Stanley Park" in the City of Vancouver, Province of British Columbia, New Westminster District.	No fees

**LIST OF DESTROYED**

Date	Parties	Character of Deed
Nov. 1, 1908.	His Majesty King Edward VII. acting through the Honourable the Minister of Militia and Defense for the Dominion of Canada to The City of Vancouver	Grant of Lease in perpetuity.

And I solemnly declare that I have investigated and ascertained the value of the interest covered by the charge, registration or  
which is hereby applied for, and that the true value thereof at the date of this application is \$1.00 dollars  
(in the case of a Debenture, add) and I am duly authorized by the owner to make this application. [In the case of an Security  
add) and I reside in the Province of British Columbia, and am of the full age of twenty-one years.  
And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as  
if made under oath and by virtue of the "General Evidence Act."

DECLARED before me this 31st day of May 1953 at Vancouver British Columbia. (Full Post-office address) City Hall, Vancouver, B.C.

*(Note - Insert from the minute less than the four days, or exactly seven, or suitable interval claimed by, over, or above the last day of the month in which the claim was made.)*



22076

1-1-0-11A

0-20-0.

76-1-6

THIS INDENTURE made the *first day of November, 1908.*

B E T W E E N

His Majesty King Edward VII acting through the  
Honourable the Minister of Militia and Defence for the  
Dominion of Canada

of the FIRST PART:

A N D

The City of Vancouver

of the SECOND PART.

WHEREAS by Order-in-Council of the 7th day of June,  
1897, the military property at Vancouver, B.C., known as  
"Stanley Park", was authorized to be leased under certain  
conditions to the City of Vancouver for park purposes.

AND WHEREAS by Order-in-Council dated 31st of August,  
1908, amended by Order-in-Council dated 31st August, 1908,  
the said the Honourable Minister of Militia and Defence  
was empowered to lease the said property to the City of  
Vancouver, for park purposes for a period of ninety-nine (99)  
years renewable (such lease to be made generally on the  
lines of the agreement dated 31st December, 1873, between  
the Principal Secretary of State for the War Department of  
the one part and the Directors of Point Pleasant Park,  
Halifax, Nova Scotia, of the other part, whereby the said  
Point Pleasant Park was leased to the said Directors  
representing the City of Halifax.)

AND WHEREAS the said property consists of all that  
portion of the City of Vancouver (and the foreshore  
adjacent thereto) bounded by the Western limit of District  
lot 186, Group One New Westminster District (as shown on



-2-

the official plan thereof filed in the Land Registry Office at Vancouver) and the low water mark of the waters of Burrard Inlet, the First Narrows and English Bay and being all that peninsula lying to the West and North of said District Lot 185 known as "Stanley Park".

NOW THEREFORE it is by these presents consented, covenanted and agreed and license is hereby given that said lands or such parts thereof as shall not at any time or times hereafter be required by His Majesty or His Successors for all or any military uses or purposes defensive including the erection of forts or batteries or other buildings whatsoever, for all which the exclusive possession and control shall remain in and belong to His Majesty as heretofore, shall and may henceforward be used, occupied and enjoyed by the City of Vancouver for its use as and for a public park for the term of ninety-nine years (renewable perpetually on the same terms and conditions as herein contained) subject until their determination to any existing leases or portions of said land and to the conditions following, that is to say:-

1. The rent of One Dollar per annum shall be paid to the Department of Militia and Defence for the use of the said Park.

2. The Minister of Militia and Defence shall have full power to resume and take possession without compensation of any portion of said lands or any buildings now or hereinafter to be erected thereon whenever it may be required in his judgment for any military purpose whatsoever, including such portion thereof as may be required to be occupied as gardens for any troops quartered thereon.



-3-

3. His Majesty's Naval and Military Forces may at any time the General or other Officer Commanding require it march through, manoeuvre or otherwise exercise on the said lands or encamp thereon.

4. The existing main road round the peninsula together with any new carriage roads that may be formed shall be maintained and kept in order by the City of Vancouver, PROVIDED however that the use of any roads or any portions thereof may be discontinued with the sanction of the Minister of Militia and Defence.

5. No establishment for the sale of intoxicating liquors etc., shall be erected on the said lands in any form without the sanction of the Minister of Militia and Defence.

6. The said Minister of Militia and Defence shall have power at any time to exercise the right of quarrying stones or cutting down trees or other obstructions in case of military necessity and also of cutting sods for the repair of earthworks.

7. Any Agreement by the City of Vancouver for the pasturing or other occupation of the said lands shall be subject to the right of the Minister of Militia and Defence to resume possession thereof if required for any military use or purpose.

8. The Minister of Militia and Defence and the City of Vancouver shall severally have the right of closing the Park one day in each year against the use thereof by the public.



9. No stone shall be quarried on the said property nor any trees be cut therefrom (except for the purpose of opening out roads thereon) without the sanction of the Minister of Militia and Defence.

10. The City of Vancouver shall with the consent of the Minister of Militia and Defence have the right to lay, make and maintain such reservoirs, pipes and other apparatus on said lands as may, in the opinion of the Council of the said City, be necessary or expedient for the maintenance, amendment or extension of the water supply of the said City.

11. The Minister of Militia and Defence may re-enter on the said land on breach of any of the covenants entered into as aforesaid by the City of Vancouver and thereupon this agreement and all rights and interests of the City of Vancouver and of the public thereunder shall immediately determine.

IN WITNESS WHEREOF the said the Honourable Minister of Militia and Defence hath hereunto set His Hand and Seal; and the City of Vancouver has hereunto set its corporate Seal by the hand of its Mayor and City Council.

*J. W. B. Dineen*

Minister of Militia and Defence  
for the Dominion of Canada.

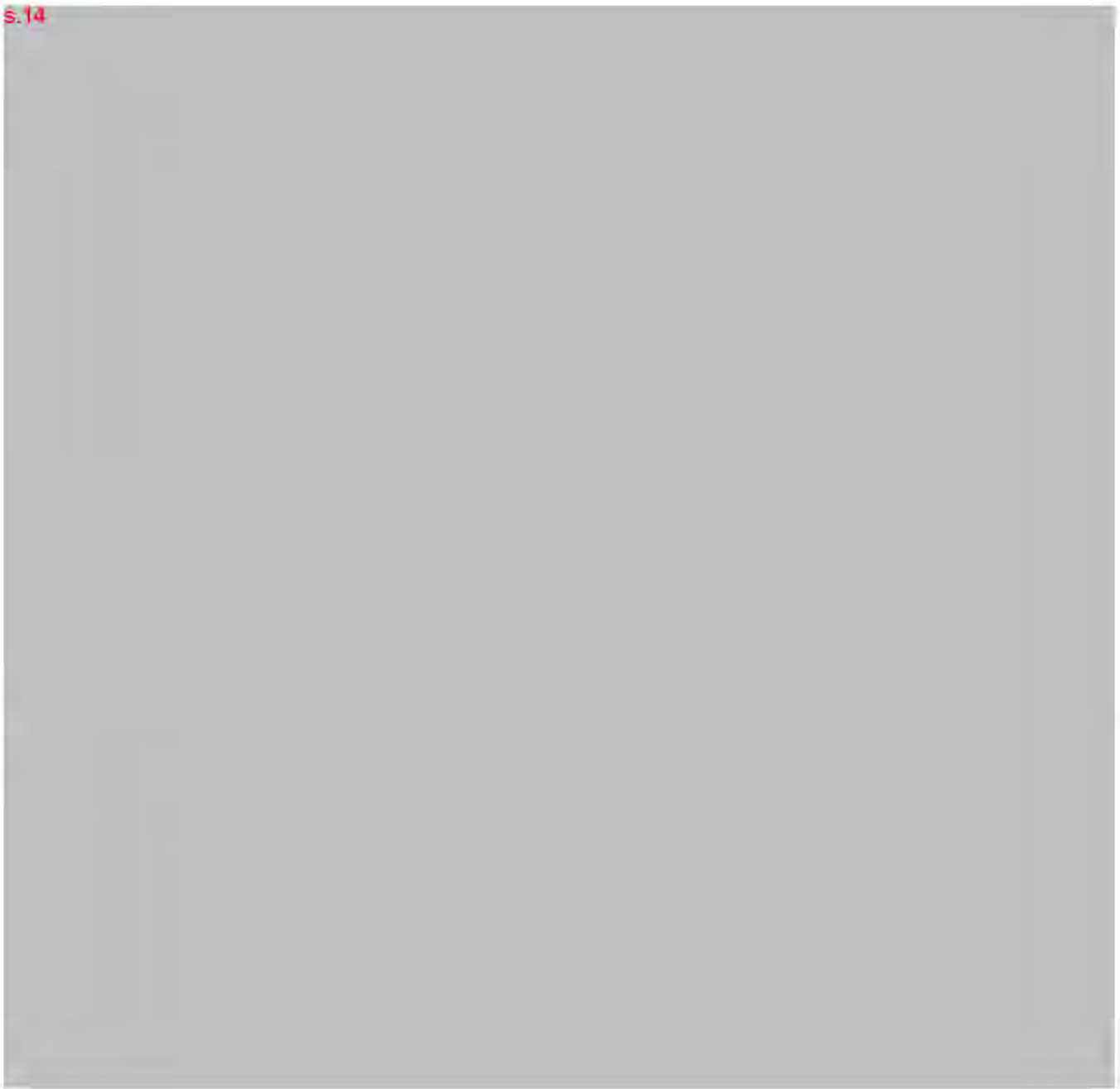
*Alvanor Bethune*

Mayor,

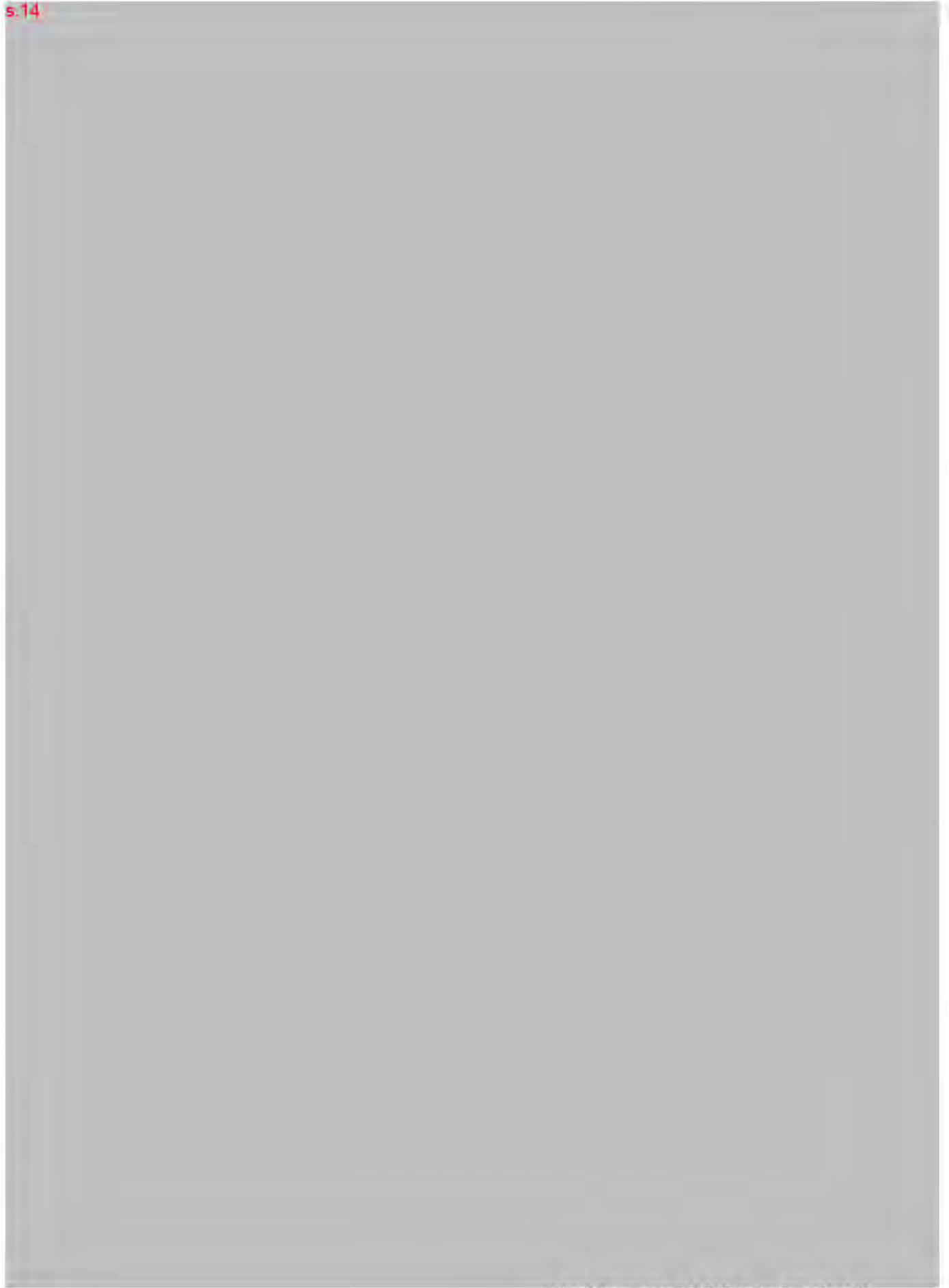
City of Vancouver.

*Wm. M. Quinn*  
*City Clerk*















December 4, 2006

S.E. Langdon  
Field Unit Superintendent  
Coastal British Columbia  
2220 Harbour Road  
Sidney, BC  
V8L 2P6

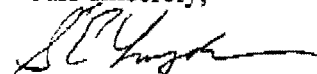
Mr. Jim Lowden  
Director, Stanley Park  
2099 Beach Ave.  
Vancouver, BC  
V6G 1Z4

Dear Jim,

Further to our conversation on December 4, 2006 I would like to confirm that the Stanley Park lease is perpetually renewable and no action is required by the Stanley Parks Board in relation to the renewal. Parks Canada does not intend to pursue any amendments to the lease.

On another matter, following up on our discussions early this year, I am interested in continuing pursuing cooperation on areas of mutual interest between Stanley Park and Parks Canada. I will be in touch after the new year to continue our discussion on that issue.

Yours sincerely,



S.E. Langdon











s.14















OFFICE OF THE MAYOR

SAM SULLIVAN  
MAYOR

CITY OF VANCOUVER

453 WEST 12TH AVENUE

VANCOUVER, B.C.

V5Y 1V4

TELEPHONE: 604-873-7621

FAX: 604-873-7685

July 6, 2007

**BY DOUBLE REGISTERED MAIL AND FAXED**

The Honourable John Baird  
Minister of the Environment  
and Parks Canada

Les Terrasses de la Chaudière  
10 Wellington Street, 28<sup>th</sup> Floor  
Gatineau, Quebec  
K1A 0H3

Dear Minister Baird:

**Re: Leases of Stanley Park and Lost Lagoon, British Columbia  
(Dated November 1, 1908 and December 31, 1912, Respectively)**

On behalf of the City of Vancouver (as the tenant under the Stanley Park and Lost Lagoon Leases) and its residents, I write to formally confirm the City's renewal of these Leases for another 99 years and look forward to your continued support of our park as a Parks Canada designated National Historic Site.

Yours very truly,

Sam Sullivan, Mayor

CITY OF VANCOUVER