



Council Member Motion
For the Governance and Priorities Committee Meeting of December 3, 2015

To: Governance and Priorities Committee **Date:** December 3, 2015
From: Councillors Alto and Thornton-Joe, and Mayor Helps
Subject: Repatriating a Lekwungen Sacred Site

Overview:

The City of Victoria recently committed to undertake the Calls to Action identified by the Truth and Reconciliation Commission as being within municipal government authority.

A confluence of circumstances now provides a unique opportunity to act on that commitment.

The Esquimalt and Songhees People have acknowledged and welcomed the City's commitment to act on the recommendations of the Truth and Reconciliation Commission.

The Songhees and Esquimalt People have identified repatriation, for their traditional uses, of the sacred site atop what is known as Beacon Hill, as a meaningful demonstration of the City's commitment to reconciliation.

The City has determined that rebuilding the Checkers Pavilion would be a major remediation project, due to its advanced state of decay and disrepair.

2017 marks the 150th anniversary of the founding of Canada, celebrations of which have been encouraged by the federal government, including promises of funding to support those celebrations.

Repatriation of a portion of the Beacon hilltop to the Lekwungen People for their traditional use, to coincide with Canada's 150th anniversary, would balance celebrations of local Indigenous and post-contact histories, while providing the opportunity to access federal 150th anniversary project funding.

The Truth and Reconciliation Commission stated, 'knowing the truth about what happened in residential schools in and of itself does not necessarily lead to reconciliation'. Action is needed. Returning the use of the 'Beacon' hilltop to local First Nations for their traditional use is a tangible, powerful act of reconciliation.

Background:

For thousands of years, the land atop what is now commonly known as Beacon Hill has been a place of historical, cultural and sacred significance to the Esquimalt and Songhees People.

The Lekwungen People actively shaped the landscape in this area by cultivating camas and other native plants for food. Their land management practices created the open meadows admired by the arriving British. In 1842, the Lekwungen lost control of their land.

Beacon Hill Park was turned over to the City in 1882, after years of dispute between the municipal corporation, the Privy Council in London and the legislative council. The park remains in trust to the City, and trust documents prohibit the sale of goods or services in the park.

A portion of the 'Beacon' hilltop is currently occupied by a cross-shaped glassed-in lookout building, constructed on the site of the old flagpole on the hill, completed in 1936. Known as the 'Checkers Pavilion', this building has not been in active use since the 1970s. In 1995, it was boarded up and labelled 'unsafe to enter'.

Nearby, land for re-burial of First Nations remains has been set aside on traditional lands of the Lekwungen People, on the slope immediately to the southeast of the hilltop. At this site, remains of First Nations people uncovered during excavations throughout the City will be reinterred in this ancient reburial ground, marked by cairns, the location of which was identified through consultations with local First Nations.

Before the Truth and Reconciliation Commission undertook its work, the City of Victoria had already taken significant steps to recognize the importance of local First Nations residents and history. For example, to recognize his efforts at relationship building, Chiefs of the Songhees and Esquimalt Nations presented a former Mayor with a hand-made personal drum. Spindle whorls are scattered throughout the City, marking important places in Lekwungen territory, recognizing the economic trading history of the First Nations in this region. Spirit Square, honouring local First Nations' history, occupies the western half of city hall's Centennial Square precinct.

The Songhees and Esquimalt First Nations were formally included in creating Victoria's Official Community Plan. For the first time, Songhees and Esquimalt Chiefs met with City Council at an official Council meeting. Public meetings at City Hall begin by recognizing that Council deliberations take place on the traditional territories of the Songhees and Esquimalt People. Meeting rooms in City Hall bear the names of the Songhees and Esquimalt Nations. The language of all City Proclamations has been amended to recognize the City of Victoria in the traditional territories of the Esquimalt and Songhees First Nations. The whole of City Council witnessed the signing of an Agreement in Principle that foreshadowed the first local modern agreement since the Douglas Treaty.

Victoria City Hall hosted the first public showing of the 'Witness Blanket', made from hundreds of items reclaimed from Residential Schools, churches, government buildings and traditional and cultural structures from across Canada, created as a national monument to recognize the atrocities of the Indian Residential School era, honour the children, and symbolize ongoing reconciliation.

Much has been done. Much is left to do. Repatriating the 'Beacon' hilltop to the Esquimalt and Songhees People for their traditional use is the next step.

Objective 2: Engage and Empower the Community

2015 OUTCOME:

- Improved relationship with nearby First Nations. (Ongoing)

Objective 7: Facilitate Social Inclusion and Community Wellness

Motion:

RESOLVED that the City of Victoria return to the Esquimalt and Songhees People a portion of their traditional territories, that being the area on which the 'Checkers Pavilion' now rests, for their use as a site to build a traditional Long House, to be used for First Nations cultural and educational activities, in perpetuity,

FURTHER RESOLVED that City staff be directed to work with the Songhees and Esquimalt People to (1) complete the raising of a First Nations Long House on this site before the end of 2017, to complement the celebration of Canada's 150th anniversary; (2) collaborate with the Esquimalt and Songhees people in applying for federal and provincial government funding support; and (3) provide advice and expertise to the project,

FURTHER RESOLVED that City deconstruct the existing Checkers Pavilion and prepare the site as necessary for Long House construction,

FURTHER RESOLVED that Council direct staff to expend the balance of funds remaining in the 2015 Strategic Priorities Fund (up to \$32,000) to deconstruct the existing Checkers Pavilion (estimated cost: approximately \$15,000) and pay for such other related costs as necessary to expedite the start of this initiative.

Respectfully submitted,



Councillor Marianne Alto



Councillor Charlayne Thornton-Joe



Mayor Lisa Helps

Attached:

Letter from Chief Ron Sam, Songhees Nation

Letter from Chief Andy Thomas, Esquimalt Nation

'Frequently Asked Questions'



ESQUIMALT NATION

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November 23, 2015

City of Victoria
Mayor Helps and Council
1 Centennial Square
Victoria, BC V8W 1P6

Dear Mayor Helps and Council,

Re: Checkers Pavilion Site

We understand that the City of Victoria has recently committed to undertake some Calls to Action that are relevant to municipalities within the Truth and Reconciliation Commission report. I would like to recommend a meaningful action that the City of Victoria can undertake as a demonstration of your commitment to reconciliation.

For thousands of years, the land atop what is now known as Beacon Hill has been a place of historical, cultural and sacred significance to the Lekwungen people – the Esquimalt and Songhees Nations. The City may want to consider returning to us a portion of our traditional territories, that being the space on which the Checkers Pavilion now rests.

Imagine the powerful action of giving back this space and working with the two Nations to recreate a First Nations longhouse on this ancient site. This building could then be used for cultural activities in which our young people may learn and demonstrate traditional carving and other skills, and from which all people may learn and share the history and stories of the Lekwungen people.

If the site were prepared and the structure built to open in 2017, it could coincide with Canada's 150th anniversary, would balance the local celebration of Indigenous and immigrant/settler histories, and open a door to potential federal government funding set aside for such sesquicentennial observances.

This kind of collaboration would foster a renewed relationship between the City of Victoria and the Lekwungen people.

Yours truly,

Chief Andy Thomas



SONGHEES NATION

Nov 20, 2015

Mayor and Council
City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

Dear Mayor and Council
Re: Checkers Pavilion Site

We understand that the City of Victoria has recently committed to undertake the municipally relevant Truth and Reconciliation Commission's Calls to Action. Before you is a unique opportunity to act on that commitment.

For thousands of years, the land atop what is now commonly known as Beacon Hill has been a place of historic, cultural and sacred significance to our people.

As a bold demonstration of your commitment to reconciliation, consider returning to the Lkwungen People a portion of our traditional territories, that being the space on which the 'Checkers Pavilion' now rests.

Songhees Nation welcomes the opportunity to work with Esquimalt Nation and the City to recreate a First Nations longhouse on this ancient site, in which our young people may learn and demonstrate traditional carving skills, and from which all people may learn and share the history and stories of our Nations.

Let this collaboration celebrate a renewed relationship between the City and the Lkwungen People.

Sincerely

Chief Ron Sam

cc: Chief Andy Thomas, Esquimalt Nation

Frequently Asked Questions about Repatriating part of Beacon hilltop to the Lekwungen People

Q: Is the City transferring title and ownership of the land?

A: No. The City retains modern title to the land, including its absolute fee simple ownership. The City will enable perpetual use of the area now approximately occupied by the 'Checkers Pavilion' for the purposes of building a traditional First Nations Long House.

Q: Why deconstruct the Checkers Pavilion?

A: The condition of the pavilion makes its rehabilitation impractical and cost prohibitive.

Q: How much will it cost to deconstruct the Checkers Pavilion?

A: The cost of deconstruction is estimated to be \$10,000 – \$15,000.

Q: What will the new building be used for?

A: First Nations have indicated a desire to use the Long House for traditional carving and cultural activities, in particular to provide a space to train the next generation of carvers in those traditional arts.

Q: Will the new building be open to the public?

A: Yes. The public will be welcome to observe the activities in the Long House, except for occasions of cultural significance. One of the concepts behind the initiative is to provide an opportunity for broad learning about modern and historical First Nations activities on the site.

Q: How large is the site to be used?

A: The current footprint of the Checkers Pavilion is approximately 2,000 square feet. The Long House will occupy about the same area, but may be a different footprint shape, as the site and design allow.

Q: What about parking?

A: A small parking area is already onsite, and the hilltop is already accessible by vehicle. That use will remain.

Q: Will there be access for people with disabilities?

A: Building a new Long House will provide the opportunity to create a structure accessible by people with mobility challenges, an improvement on current accessibility.

Q: Will there be any commercial activity on the site?

A: No.

Q: What about the Beacon Hill Trust? Doesn't it prohibit this kind of initiative?

A: No. The Trust prohibits the sale of goods and services in the Park, which is not planned for this initiative. Moreover, repatriating this land to its first stewards, the Lekwungen People, returns the land use to a time preceding the date and application of the Trust.

Q: Isn't the Checkers Pavilion a symbol of our local heritage?

A: The 'Beacon' hilltop is an ancient, sacred site for local First Nations. Commemorating First Nations' history on this site will be a bold recognition of First Nations' heritage. In addition, a commemorative marker could be erected nearby, to honour the area's use by post-contact non-First Nations people – such as a celebratory display to recognize the more recent history of the site, from the Hudson's Bay Charter in the early 19th century to present day.

Q: Hasn't the city asked some experts about the future use of Checkers Pavilion?

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A: In 2003/04 the City of Victoria commissioned Commonwealth Historic Resource Management Limited to produce a Heritage Landscape Management Plan for Beacon Hill Park. One of its management guidelines states that *'the long term policies for Beacon Hill Park call for the retention of the Beacon Hill Pavilion. Since the Pavilion (lookout) had been evaluated as a resource with Very Good significance, the present Management Plan continues this recommendation. Therefore the Lookout should be protected and rehabilitated for an appropriate use (perhaps its original uses – as a lookout and for playing checkers).* In 2004, the interpretation of 'original uses' included only those considered in the last 80 years. Returning a portion of the hilltop to the Lekwungen People acknowledges pre-1936 'original uses', the historical heritage of local First Nations. The same 2003/04 Plan notes that *'(This) plan is based on the premise that heritage conservation is the responsible management of change.'* In 2015, managing change responsibly requires respect for pre-contact heritage, and powerful, demonstrable acts of reconciliation.

Q: Aren't we going too far in reconciling with First Nations? What about our other history?

A: The City of Victoria exists as a demonstration and testament to our post-contact non-First Nations history and heritage. The City has policies protecting non-First Nations heritage. This initiative is an opportunity to honour and protect local First Nations heritage.

Q: Do the Esquimalt and Songhees People want this to happen?

A: Yes. The Chiefs of both Nations have written letters of recommendation and support, and stated their hope that their Nations and the City will work together to make this happen by 2017.

Q: Why specify just the Songhees and Esquimalt people? Why not other First Nations?

A: While the City celebrates all First Nations' cultures and history, our local First Nations, the Lekwungen, include the Songhees and Esquimalt, and it is to their traditional uses that the hilltop is being returned.

Q: Will the Skwin'ang'eth Se'las Development Company (SSDCo.) be involved in the project? If so doesn't that mean they are assuming economic development opportunities are part of the project?

A: SSDCo has a three-part focus to its mandate: a) incubating new businesses, b) skills and capacity development, and c) the promotion of culture. There have been preliminary discussions with SSDCo about assisting with the project as useful in the realm of its third focus, promoting culture. Using their expertise does not mean that commercial activities are planned. Building this traditional Long House as a forum for promoting First Nations culture will add indirect economic benefit to the Nations and the City, as it is another opportunity to draw local residents and visitors to the City to learn about First Nations history and culture.

Q: What are the five 'Calls to Action' from the Truth and Reconciliation Commission that apply to municipalities?

A: The TRC 'Calls to Action' for local governments, that the TRC believes are within the authority of a municipal government, are:

#43: We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.

#47: We call upon federal, provincial, territorial, and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as

Frequently Asked Questions about Repatriating part of Beacon hilltop to the Lekwungen People

the Doctrine of Discovery and terra nullius, and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts.

#57: We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills- based training in intercultural competency, conflict resolution, human rights, and anti-racism.

#75: We call upon the federal government to work with provincial, territorial, and municipal governments, churches, Aboriginal communities, former residential school students, and current landowners to develop and implement strategies and procedures for the ongoing identification, documentation, maintenance, commemoration, and protection of residential school cemeteries or other sites at which residential school children were buried. This is to include the provision of appropriate memorial ceremonies and commemorative markers to honour the deceased children.

#77: We call upon provincial, territorial, municipal, and community archives to work collaboratively with the National Centre for Truth and Reconciliation to identify and collect copies of all records relevant to the history and legacy of the residential school system, and to provide these to the National Centre for Truth and Reconciliation.