

**CITY OF WHITEHORSE**  
**REGULAR Council Meeting #2020-13**

**DATE:** May 25, 2020

**TIME:** 5:30 p.m.

**Mayor** Dan Curtis  
**Deputy Mayor** Laura Cabott  
**Reserve Deputy Mayor** Dan Boyd

## **AGENDA**

**CALL TO ORDER** 5:30 p.m.

**AGENDA** Adoption

### **PROCLAMATIONS**

**MINUTES** Regular Council Meeting #2020-12 dated May 11, 2020

### **DELEGATIONS**

### **PUBLIC HEARING**

### **STANDING COMMITTEE REPORTS**

**City Planning Committee** – *Councillors Stick and Hartland*

Zoning Amendment – 5th and Rogers Parcel

**City Operations Committee** – *Councillors Hartland and Cabott*

Contract Awards – Tlingit Street Power and Telecommunications

Contract Award – Tlingit Street Reconstruction Project

Contract Awards – Winter Road Maintenance Supplies

**Community Services Committee** – *Councillors Curteanu and Boyd*

**Public Health and Safety Committee** – *Councillors Roddick and Stick*

**Development Services Committee** – *Councillors Boyd and Curteanu*

**Corporate Services Committee** – *Councillors Cabott and Roddick*

Capital Budget Amendment – Mobile Steamer Replacement

Budget Amendment and Contract Award – Mt. McIntyre Stairs Project

### **NEW AND UNFINISHED BUSINESS**

### **BYLAWS**

2020-18 Zoning Amendment (5<sup>th</sup> and Rogers Parcel) 1<sup>st</sup> Reading

### **ADJOURNMENT**

MINUTES of **REGULAR** Meeting #2020-12 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, May 11, 2020, in Council Chambers, City Hall.

**PRESENT:**

Mayor Dan Curtis  
Deputy Mayor Laura Cabott  
Councillor Dan Boyd

**PRESENT BY PHONE:**

Councillor Jocelyn Curteanu  
Councillor Samson Hartland  
Councillor Stephen Roddick  
Councillor Jan Stick

**STAFF PRESENT:**

Director of Community and Recreation Services Jeff O'Farrell  
Director of Corporate Services Valerie Braga  
Acting Director of Development Services Patrick Ross  
Director of Infrastructure and Operations Peter O'Blenes  
Manager of Legislative Services Catherine Constable

**STAFF PRESENT BY PHONE:**

City Manager Linda Rapp  
Acting Director of Human Resources Lindsay Schneider

Mayor Curtis called the meeting to order at 5:32 p.m.

**CALL TO ORDER**

**2020-12-01**

It was duly moved and seconded  
THAT the agenda be adopted as presented.

**AGENDA**

Carried Unanimously

**2020-12-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated April 27, 2020  
be adopted as presented.

**MINUTES**  
April 27, 2020

Carried Unanimously

**PUBLIC HEARING**

Mayor Curtis advised that a public hearing is scheduled to hear any submissions with respect to Bylaw 2020-15, a bylaw to amend the zoning of a portion of Lot 29 in the Mt. Sima Industrial Subdivision to allow for the expansion of a number of existing industrial lots.

**BYLAW 2020-15**  
ZONING. AMENDMENT  
Mount Sima Lot 29

Mayor Curtis advised that, since tonight's meeting is not open to in-person public participation, Council will rely on written submissions.

The public has been advised how they can comment on this zoning amendment through public announcements, notice on the City’s website and on a sign posted at the site, as well as by notices on social media.

Hearing Process

A total of five written submissions were received, three in favour and two opposed to the proposed rezoning.

Submissions Received

Mayor Curtis declared the public hearing closed and advised that no further submissions on the issue will be considered by council except the report provided by administration.

Public Hearing Closed

**COMMITTEE REPORTS**

**City Planning Committee**

**2020-12-03**

It was duly moved and seconded THAT Bylaw 2020-21, a bylaw to amend the zoning at 604 Black Street to reduce the side and rear yard setbacks in order to allow for the development of a suite above an existing garage, be brought forward for consideration under the bylaw process.

BRING FORWARD  
ZONING AMENDMENT  
604 Black Street

Carried Unanimously

**City Operations Committee**

There was no report from the City Operations Committee.

No Report

**Community Services Committee**

Mayor Curtis proclaimed May 4 to 8, 2020 to be ***Virtual Yukon Mining and Geology Week*** in the City of Whitehorse.

Proclamation

**Public Health and Safety Committee**

In response to a question raised about members of council returning to council chambers for meetings, administration advised that plans are currently being developed to allow for a return to normal practices. In the short term, it is anticipated that a limited return will be set up on a rotational basis so that social distancing can be maintained. Once the preliminary plans are approved, Council members will be advised of the rotation.

UPDATE ON CITY  
RESPONSE TO  
COVID-19 ISSUES  
For Information Only

**Development Services Committee**

In a letter to Mayor and Council dated April 24th, 2020, Gregory Bryce of the Four Seasons Bed and Breakfast at 18 Tagish Road in Riverdale asked council to suspend the requirement for a paid business license for any business that is not operating as a result of the Coronavirus. He also requested that a license be issued without penalty effective on the date that such a business resumes operations.

Mr. Bryce also asked the City to review several other matters related to business licences, and asked if the City devotes any time and effort to regulating licensed businesses after the initial license is issued.

A Committee member recommended that Mr. Bryce also look into federal programs to see what assistance is available to his business at the federal level.

REQUEST FOR RELIEF  
BUSINESS LICENSE FEES  
For Information Only

**Corporate Services Committee**

**2020-12-04**

It was duly moved and seconded  
THAT the Whitehorse City Council 2020 strategic priorities are hereby confirmed; and

THAT the public release of Whitehorse City Council Strategic Priorities 2020 is duly authorized.

Carried Unanimously

CITY COUNCIL'S 2020  
STRATEGIC PRIORITIES

A Committee member commended administration on the changes made to normal procedures in Council Chambers to accommodate necessary restrictions due to the Coronavirus, but noted that it is essential to hear from citizens. Administration advised that many video and voice conferencing options may exist that will allow greater access to citizens. However, staff time and resources are needed to explore the options and find ones that will work in our existing environment. This work has not been designated as an immediate priority.

In the meantime, the temporary procedures adopted by Council appear to be working well and administration has received no negative feedback from the public.

Plans are being developed to facilitate public input on projects such as the Trail Plan and the Transportation Master Plan. The Town Hall meetings that normally happen in the spring will be re-scheduled to the fall.

PUBLIC ENGAGEMENT  
For Information Only

**BYLAWS**

**2020-12-05**

It was duly moved and seconded  
THAT Bylaw 2020-21, a bylaw to amend the zoning at 604 Black Street  
to allow for the development of an additional housing unit above an  
existing garage, be given first reading.

Carried Unanimously

**BYLAW 2020-21**

ZONING AMENDMENT  
604 Black Street  
FIRST READING

There being no further business, the meeting adjourned at 5:53 p.m.

**ADJOURNMENT**



## Minutes of the meeting of the City Planning Committee

<b>Date</b>	May 19, 2020	2020-13
<b>Location</b>	Council Chambers, City Hall	
<b>Committee Members Present</b>	Mayor Dan Curtis Councillor Jan Stick – Chair – Electronic Participation Councillor Samson Hartland – Vice Chair Councillor Dan Boyd – Electronic Participation Deputy Mayor Laura Cabott – Electronic Participation Councillor Jocelyn Curteanu – Electronic Participation Councillor Stephen Roddick	
<b>Staff Present</b>	Linda Rapp, City Manager Jeff O'Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O'Blenes, Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services Hannah McDonald, Planner 2	

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Your Worship, the City Planning Committee respectfully submits the following report:

### 1. **Zoning Amendment – 5<sup>th</sup> and Rogers Parcel**

The 5<sup>th</sup> and Rogers parcel consists of undeveloped land owned by the Government of Yukon. Approximately half of the west side of the site falls within a moderate geo-hazard zone. Construction of a berm along the west side of the property would maximize development potential by protecting the site from slope instability at the base of the escarpment. It is proposed that a paved trail along the base of the escarpment be built on top of the berm. Work is ongoing to determine when the berm will be built.

A portion on the south-west side of the parcel is zoned as Environmental Protection. The remainder is zoned as CM1. As part of the Zoning Bylaw re-write in 2012, a large portion of the downtown area, including this parcel, was zoned as CM1 to implement the Downtown South Master Plan. The Official Community Plan states that any residential development in this area should be multi-family housing. However, the CM1 zone also allows for single detached and duplex housing.

To ensure conformance between the Official Community Plan and the Zoning Bylaw, the proposed amendment would remove single detached and duplex housing as principal uses on the site.

**The recommendation of the City Planning Committee is**

THAT Bylaw 2020-18, a bylaw to amend the zoning of a portion of the property located at 5048 5<sup>th</sup> Avenue to remove single detached and duplex housing as principal uses on the site, be brought forward for consideration under the bylaw process.



## Minutes of the meeting of the City Operations Committee

<b>Date</b>	May 19, 2020	2020-13
<b>Location</b>	Council Chambers, City Hall	
<b>Committee Members Present</b>	Mayor Dan Curtis Councillor Samson Hartland – Chair Deputy Mayor Laura Cabott – Vice-Chair – Electronic Participation Councillor Dan Boyd – Electronic Participation Councillor Jocelyn Curteanu – Electronic Participation Councillor Stephen Roddick Councillor Jan Stick – Electronic Participation	
<b>Staff Present</b>	Linda Rapp, City Manager Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Taylor Eshpeter, Manager of Engineering Services Catherine Constable, Manager of Legislative Services Richard Graham, Manager of Operations	

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Your Worship, the City Operations Committee respectfully submits the following report:

### **1. Contract Awards – Tlingit Street Power and Telecommunications**

The capital budget includes a project for the reconstruction of Tlingit Street from Copper Road to Platinum Road. As part of the reconstruction work, the street lighting will be upgraded and a number of existing power poles will be relocated. These power poles carry ATCO and NorthwesTel infrastructure. Quotes were received from both utility companies to complete the work associated with their infrastructure. As these two utilities will complete the work themselves, a sole source award is required. Since the Purchasing and Sales Policy does not exempt this type of procurement from the public tendering process, a council resolution is required to waive a public bidding process.

The work done by ATCO will include the installation of six poles and related hardware, underground conduit and street light cable. The ATCO quote includes a contribution based on \$1,240 per light. The work with NorthwesTel includes the reconfiguring of copper and coaxial cable lines associated with the relocation of the power poles. Both contracts are time and materials contracts and only work performed will be billed, based on actual costs.

**The recommendation of the City Operations Committee is**

THAT Council authorize Administration to:

1. Waive the public bidding process for the supply of power and telecommunication utilities for the Tlingit Street Reconstruction Project; and
2. Award the contract for the power pole realignments and supply and installation of street lighting for the Tlingit Street Reconstruction Project to ATCO Electric Yukon for a cost not to exceed \$92,210 plus GST; and
3. Award the contract for the reconfiguration of existing copper and coaxial cable for the Tlingit Street Reconstruction Project to NorthweTel for a cost not to exceed \$35,874 plus GST.

**2. Contract Award – Tlingit Street Reconstruction Project**

Three compliant submissions were received in response to a tender issued for the Tlingit Street Reconstruction project. The low bidder is familiar with the scope of the project and has the knowledge and experience to complete the work successfully. The majority of the project is funded by the Investing in Canada Infrastructure Program, and sufficient funds are available in the budget to complete the work.

**The recommendation of the City Operations Committee is**

THAT Administration be authorized to award the contract for the 2020 Tlingit Street Reconstruction Project to Sidhu Trucking for a net cost to the City of \$4,790,555.00 plus GST.

**3. Contract Awards – Winter Road Maintenance Supplies**

The 2020 operating budget includes funds for the supply of crushed sand and road salt required for winter road maintenance. Separate tenders were issued for the supply of crushed sand and the supply and delivery of road salt.

One bid was received in response to the tender for crushed sand. Two compliant bids were received for the supply of road salt. An internal review committee agreed that the low bidders for both tenders meet tender specifications and the prices submitted are reasonable and within budget.

**The recommendation of the City Operations Committee is**

THAT Administration be authorized to award the contract for the supply of 5mm and 10mm crushed sand to Skookum Asphalt (Terus Construction Ltd.) for a net cost to the City of \$229,633.94, plus GST; and

THAT Administration be authorized to award the contract for the supply of road salt to NSC Minerals Ltd. for a net cost to the City of \$174,933.00, plus GST.



## Minutes of the meeting of the Community Services Committee

<b>Date</b>	May 19, 2020	2020-13
<b>Location</b>	Council Chambers, City Hall	
<b>Committee Members Present</b>	Mayor Dan Curtis Councillor Jocelyn Curteanu – Chair – Electronic Participation Councillor Dan Boyd – Vice-Chair – Electronic Participation Deputy Mayor Laura Cabott – Electronic Participation Councillor Samson Hartland Councillor Stephen Roddick Councillor Jan Stick – Electronic Participation	
<b>Staff Present</b>	Linda Rapp, City Manager – Electronic Participation Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services	

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Your Worship, the Community Services Committee respectfully submits the following report:

**1. Community Cleanup and Hazardous Waste Days – For Information Only**

In response to questions raised, administration advised that the annual 20-Minute Makeover has been postponed until at least September because the program is not possible under current restrictions. However, the community cleanup program in which non-profit organizations do the work is still proceeding and all work areas have been assigned.

A Committee member enquired whether the City could assist with a downtown cleanup program in conjunction with the Whitehorse Chamber of Commerce.

Administration confirmed that the Household Hazardous Waste day planned for May has been cancelled, but plans are under way to proceed with the September collection date for household hazardous waste.



## Minutes of the meeting of the Public Health and Safety Committee

<b>Date</b>	May 19, 2020	2020-13
<b>Location</b>	Council Chambers, City Hall	
<b>Committee Members Present</b>	Mayor Dan Curtis Councillor Stephen Roddick – Chair Councillor Jan Stick – Vice Chair – Electronic Participation Councillor Dan Boyd – Electronic Participation Deputy Mayor Laura Cabott – Electronic Participation Councillor Jocelyn Curteanu – Electronic Participation Councillor Samson Hartland	
<b>Staff Present</b>	Linda Rapp, City Manager – Electronic Participation Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services	

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Your Worship, the Public Health and Safety Committee respectfully submits the following report:

**1. Speeding on Takhini Avenue – For Information Only**

Darren Susin submitted a letter to Council asking for permission to retain a number of signs urging drivers to slow down. He explained that a traffic study will be conducted on Takhini Avenue in response to previously raised concerns about speeding, but in the meantime he has tried to address the issue by using home-made signs. However, he has been advised by Bylaw Services that such signs are not permitted.

Mr. Susin asked Council to create an exception for home-made signs that urge people to slow down until something is done to address the issue on a more permanent basis.

**2. Update on City Response to COVID-19 – For Information Only**

The City Manager advised that administration is working on plans for re-opening City facilities. The senior management team has reviewed the Government of Yukon plan and has asked departments to use it as a guideline. Immediate plans being explored are for re-opening service counters and related services in a manner that is safe for both the

public and staff. The Canada Games Centre will use a phased process for re-opening, starting with specific areas only such as the gym, walking track, flexi-hall and outdoor fitness programs. There are challenges involved with day camps and quality programming for kids that mean a plan is not likely to be in place before mid-June.

A committee member noted that the property tax notices say that the deadline for payments is July 2<sup>nd</sup> and asked if any financial analysis has been done at this point to assess the impact that a delayed payment date will have on municipalities. Administration confirmed that nothing has been heard from the Government of Yukon on this issue to date.

Committee members expressed a desire to have council involvement in discussions regarding mitigations, relief, and re-opening plans, including the financial implications of plans being proposed.



## Minutes of the meeting of the Development Services Committee

<b>Date</b>	May 19, 2020	2020-13
<b>Location</b>	Council Chambers, City Hall	
<b>Committee Members Present</b>	Mayor Dan Curtis Councillor Dan Boyd – Chair – Electronic Participation Councillor Jocelyn Curteanu – Vice Chair – Electronic Participation Deputy Mayor Laura Cabott – Electronic Participation Councillor Samson Hartland – Electronic Participation Councillor Stephen Roddick – Electronic Participation Councillor Jan Stick – Electronic Participation	
<b>Staff Present</b>	Linda Rapp, City Manager – Electronic Participation Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services	

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Your Worship, there is no report from the Development Services Committee.



## Minutes of the meeting of the Corporate Services Committee

<b>Date</b>	May 19, 2020	2020-13
<b>Location</b>	Council Chambers, City Hall	
<b>Committee Members Present</b>	Mayor Dan Curtis Deputy Mayor Laura Cabott – Chair – Electronic Participation Councillor Stephen Roddick – Vice-Chair – Electronic Participation Councillor Dan Boyd – Electronic Participation Councillor Jocelyn Curteanu – Electronic Participation Councillor Samson Hartland – Electronic Participation Councillor Jan Stick – Electronic Participation	
<b>Staff Present</b>	Linda Rapp, City Manager – Electronic Participation Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services	

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Your Worship, the Corporate Services Committee respectfully submits the following report:

### **1. Budget Amendment – Mobile Steamer Replacement**

Mobile steamers are a crucial piece of equipment for the work of the Water and Waste Services Department. Mobile steamer unit 6619 was purchased in 1982 and was scheduled to be replaced in 2021. A structural failure occurred in January 2020 that cannot be repaired and the unit is no longer usable.

In response to a request for information issued, administration received details on available specifications and pricing, and the budget estimate has been upgraded to reflect current pricing. If the requested budget amendment is approved, administration will release a tender to replace the failed unit with delivery anticipated early in 2021.

### **The recommendation of the Corporate Services Committee is**

THAT administration be authorized to amend the 2020 to 2023 capital expenditure program to fund 2020 project 320c00115 – Mobile Steamer Replacement in the amount of \$495,000, funded by the Gas Tax program; and

THAT administration be authorized to amend the 2020 to 2023 Capital Expenditure Plan to remove the 2021 project 320c00115 – Mobile Steamer Replacement.

**2. Budget Amendment and Contract Award – Mt. McIntyre Stairs Project**

The 2020 capital budget includes funds for the construction of the Mount McIntyre Stairs project. Five compliant bids were received in response to the tender issued. The low bidder is familiar with the scope of the project and has the knowledge and experience to complete the work successfully.

The prices submitted are higher than estimated, but are considered reasonable in the current market. The construction estimate was completed in mid-2019 and therefore did not take into consideration the potential impacts of COVID-19.

The project is funded by Gas Tax. In order for the work to proceed this year, additional funding is required from the capital reserve. An application to increase the funding has been approved, but the completion of the transfer payment agreement may take several weeks. Administration will reimburse the expenditure from the capital reserve when an amendment to the existing transfer payment agreement is completed.

**The recommendation of the Corporate Services Committee is**

THAT administration be authorized to amend the 2020 to 2023 capital expenditure program by increasing the 2020 Mount McIntyre Stairs project in the amount of \$26,000, funded from the capital reserve to cover the additional costs until an amended Gas Tax Transfer Payment Agreement is received; and

THAT administration be authorized to award the contract for the 2020 Mount McIntyre Stairs Construction Project to PCR Construction Ltd. for a net cost to the City of \$171,160 plus GST.

**3. Assistance to Local Consultants and Contractors – For Information Only**

A Committee member asked how the City can assist local consultants and contractors in the current situation, and noted that the current Selection of Consulting Services Policy provides for council to ask for evaluation criteria weighted in favour of local suppliers. Administration advised that there are no instances where this provision has been applied to the best of current knowledge. This and other issues are part of the current review of the procurement process.

Committee members expressed a desire to find means to support local business and to allow council to weigh in on the local support issue before a tender or proposal call is released. It was suggested that in-depth discussions of the issue are needed, and that administration should look at ways to accelerate the Procurement Policy.

There being no further business, the meeting adjourned at 7:36 p.m.

**CITY OF WHITEHORSE**  
**BYLAW 2020-18**

A bylaw to amend Zoning Bylaw 2012-20

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WHEREAS section 289 of the *Municipal Act* provides that a zoning bylaw may prohibit, regulate and control the use and development of land and buildings in a municipality; and

WHEREAS section 294 of the *Municipal Act* provides for amendment of the Zoning Bylaw; and

WHEREAS it is deemed desirable that the City of Whitehorse Zoning Bylaw be amended to address an issue of non-conformance between the Official Community Plan and the Zoning Bylaw with respect to the property located at 5048 Fifth Avenue in the Downtown area;

NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Section 10.5 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection, 10.5.7 Special Modifications, as follows:

“10.5.7 Special Modifications

- a) Block 340, Plan 2016-0051 LTO, located at 5048 Fifth Avenue, is designated CM1x(a) with the special modification being that single family housing and duplex housing are not allowed as principal uses in this zone.”

2. This bylaw shall come into force and effect upon the final passing thereof.

**FIRST READING:**

**PUBLIC NOTICE:**

**PUBLIC HEARING:**

**SECOND READING:**

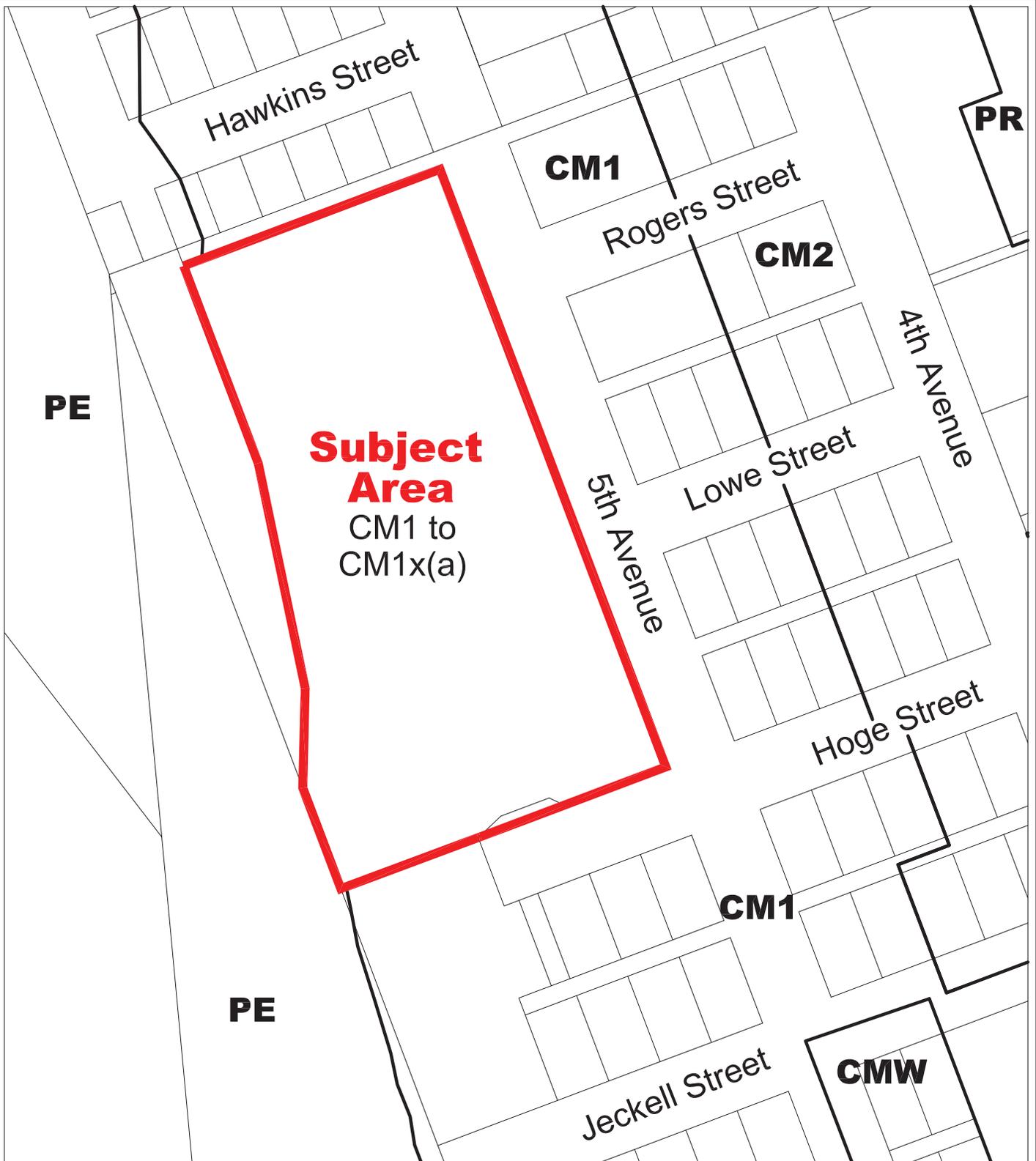
**THIRD READING and ADOPTION:**

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Mayor

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Assistant City Clerk



**Bylaw 2020-18**

A bylaw to amend the zoning of 5048-5th Avenue from CM1-Mixed Use Commercial to CM1x(a)-Mixed Use Commercial (modified) to prohibit single family/duplex housing, and apply a minimum density.

**LEGEND**

 SUBJECT AREA