

CITY OF WHITEHORSE
REGULAR Council Meeting #2022-12

DATE: Tuesday, May 24, 2022

TIME: 5:30 p.m.

Mayor Laura Cabott
Deputy Mayor Ted Laking
Reserve Deputy Mayor Kirk Cameron

AGENDA

CALL TO ORDER 5:30 p.m.

AGENDA Adoption

PROCLAMATIONS

MINUTES Regular Council meeting dated May 9, 2022
Special Council meeting dated May 16, 2022
Special Council meeting dated May 17, 2022

DELEGATIONS

PUBLIC INPUT Conditional Use Application 44A Stope Way
Conditional Use Application – KM 1.5 Chadburn Lake Road

STANDING COMMITTEE REPORTS

Public Health and Safety Committee – *Councillors Cameron and Curteanu*

Corporate Services Committee – *Councillors Friesen and Cameron*

Fees and Charges Amendment – Transit Fares
Budget Amendment – Residential/Commercial Organics & Waste Carts
Budget Amendment – Range Road Lift Station

City Planning Committee – *Councillors Boyd and Laking*

Draft Official Community Plan Public Engagement – For Information Only
Public Hearing Report – Zoning Amendment 1 Drift Drive
Conditional Use Application - KM 1.5 Chadburn Lake Road – For Information Only
Conditional Use Application - 44A Stope Way – For Information Only

Development Services Committee – *Councillors Curteanu and Murray*

Amendments to Pop-Up Patio Program

City Operations Committee – *Councillors Laking and Boyd*

Community Services Committee – *Councillors Murray and Friesen*

NEW AND UNFINISHED BUSINESS

BYLAWS

2022-18	Land Disposition, 2020 2 nd Avenue / Lowe Street	2 nd & 3 rd Reading
2022-12	Zoning Amendment – 1 Drift Drive	2 nd & 3 rd Reading

ADJOURNMENT

MINUTES of **REGULAR** Meeting #2022-09 of the Council of the City of Whitehorse called for 5:30 p.m. on Monday, May 9, 2022, in Council Chambers, City Hall.

PRESENT: Mayor Laura Cabott
Councillors Dan Boyd
Kirk Cameron
Jocelyn Curteanu
Michelle Friesen
Ted Laking
Mellisa Murray

ABSENT:

ALSO PRESENT: Interim City Manager Jeff O'Farrell
Acting Director of Community Services Landon Kulych
Director of Corporate Services Valerie Braga
Director of Development Services Mike Gau
Director of Operations Tracy Allen
Manager of Legislative Services Wendy Donnithorne

Mayor Cabott called the meeting to order at 5:30 p.m.

CALL TO ORDER

2022-09-01

It was duly moved and seconded
THAT the Agenda be amended to add a new item of business with
respect to the Parking Patio Project, and that it be dealt with as the
second item under New and Unfinished Business.

AMEND AGENDA

Carried Unanimously

2022-09-02

It was duly moved and seconded
THAT the Agenda be adopted as amended.

ADOPT AGENDA

Carried Unanimously

2022-09-03

It was duly moved and seconded
THAT the minutes of the Regular Council meeting dated April 25, 2022
be adopted as presented.

MINUTES

April 25, 2022

Carried Unanimously

STANDING COMMITTEE REPORTS

Public Health and Safety Committee

Administration provided an update on the Escarpment slide which occurred on Saturday April 30th along Robert Service Way, immediately south of Downtown. A large section of the escarpment released, tearing out the White Pass train tracks, a guard rail, and a light standard as it crossed the Robert Service Way and the Millennium trail before coming to a stop on the Yukon River ice. Several small slides followed the initial slide. It was estimated that the volume of debris from the slide was between 3,000 and 4,000 cubic metres.

ESCARPMENT SLIDE
Robert Service Way – For
Information Only

It was noted by Administration that additional maintenance would be provided on other transportation routes to support more commuters, that further geohazard risk assessment was already planned for the escarpment area, and that it is too early to know what the required capital investment will be as a result of the slides.

Councillor Laking raised the issue of continued property crime activity in the community and noted the advocacy role of the City and importance of the issue reflected in Council strategic priorities. Administration noted that preliminary work has been done and is now positioned to move ahead. The Mayor provided an additional update on recent meetings with government and agency partners, where the City's commitment to support crime prevention efforts was reinforced and its request that the focus be broadened out to neighborhoods and subdivisions in addition to downtown.

UPDATE ON CRIME
PREVENTION – For
Information Only

Councillor Cameron noted that the first week of May is Emergency Preparedness Week, a national awareness initiative that encourages people to take simple steps to become better prepared to face a range of emergencies. He noted that this year's theme is to Plan, Prepare, and Be Aware which is meant to help people take action to protect themselves and their families during emergencies. All citizens were encouraged to know the risks, to make a plan, and prepare an emergency kit. It was noted as especially important here with the two main risks being flooding and fires as we head into summer.

EMERGENCY
PREPAREDNESS WEEK –
For Information Only

Corporate Services Committee

Councillor Murray presented a Notice of Motion to create a framework, including budget and terms of reference,

NOTICE OF MOTION

.../Continued

(Continued)

for a new Inclusivity Advisory Committee, to be brought forward to the next Regular Council meeting on May 9, 2022.

NOTICE OF MOTION

2022-09-04

It was duly moved and seconded
THAT Council formally reconfirm the City's membership in the Coalition of Inclusive Municipalities.

COALITION OF
INCLUSIVE
MUNICIPALITIES

Carried Unanimously

City Planning Committee

2022-09-05

It was duly moved and seconded
THAT Council approve an RCM2 Zone Housing Development Incentive with respect to the construction of 18 apartment style housing units at 190 Olive May Way in Whistle Bend.

DEVELOPMENT
INCENTIVE APPLICATION
190 Olive May Way

Carried Unanimously

2022-09-06

It was duly moved and seconded
THAT Council direct that Bylaw 2022-18, a bylaw to authorize the sale and disposition of a portion of the road right-of-way as shown on Plan 19005 LTO adjacent to Lot 1, Block C, Plan 19005 LTO (2050 2nd Avenue/Lowe Street), be brought forward for consideration under the bylaw process.

SALE AND LAND
DISPOSITION
2020 2nd Avenue/Lowe
Street

Carried Unanimously

2022-09-07

It was duly moved and seconded
THAT Council direct that Bylaw 2022-17, a bylaw to amend the zoning of 151 Black Street to allow for an office use to fully occupy the ground floor, a development providing a single use, and a reduction of glazing requirements as required under current design guidelines, be brought forward for consideration under the bylaw process.

ZONING AMMENDMENT
151 Black Street

Carried Unanimously

Administration provided updates on key commercial land parcels including Tlingit Street which is anticipated to come back to Council in fall 2022 with options for potential disposition.

COMMERCIAL LAND –
For information only

.../continued

(Continued)

In addition, it was noted the Whitehorse Operations Building adjacent lands, which will be designated in the Official Community Plan and then subject to further planning.

COMMERCIAL LAND –
For Information Only

It was also noted that there were several areas that continue to be subject to decisions for residential use such as Wasson Place, and that future plans for this area, which is owned by Yukon government, will be part of the required “Tank Farm” Master Plan.

Ryan West presented a petition showing community support to designate the 98 Hotel as a historic site. Mr. West also provide details about the hotel’s background and history as the rationale for his proposal. He also clarified in response to Committee questions, that he does not represent the owners and they are neither for or opposed to a formal designation. He also understood that a designation may protect both the building and business from alternation if it was sold in future.

HISTORIC SITE
DESIGNATION -
98 Hotel – For Information
Only

Development Services Committee

Forest Pearson presented a new vision and concepts for the City Hall renovation project, which included moving the transit hub into the core of the downtown at 3rd and Main at the site of the current parking lot. This could see City offices with potential housing above, and developing 3rd Avenue into a “green street” with enhanced transit and pedestrian infrastructure as a community asset. It could also redirect transit off of 2nd Avenue and allow for more progressive development of the area. In response to questions from the Committee, Mr. Pearson added that the “green street” corridor on 3rd Avenue could be from Black Street to Lowe Street, and allow for some limited vehicle access for residents, and noted that single lane streets have been said to “fragment” communities.

CITY HALL PROJECT
VISION – For Information
Only

City Operations Committee

There was no report from the City Operations Committee

No Report

Community Services Committee

Councillor Friesen wanted to showcase the great experience that was had by members at the “pickleball” event at the Canada Games Centre over the weekend, noting that it was not only a very fun and physical event, and highly recommended, but also recognized the positive and enthusiastic City staff coaching the event.

PICKLEBALL WEEKEND
EVENT – For Information
Only

Councillor Murray recognized May, 2022 as Asian Heritage Month, and a time to recognize the important contributions of Asian people to the City and community.

ASIAN HERITAGE MONTH
– For Information Only

Councillor Laking recognized May, 2022 as Jewish Heritage Month, and a time to recognize the important contributions of Jewish people to the City and community.

JEWSIH HERITAGE
MONTH – For Information
Only

Councillor Friesen recognized the upcoming Red Dress Day on Thursday, May 5, 2022, a day to commemorate murdered and missing Indigenous women and girls in the Yukon and across Canada.

RED DRESS DAY
May 5, 2022– For
Information Only

NEW AND UNFINISHED BUSINESS

2022-09-08

Following discussion by Council, it was duly moved and seconded, THAT Council direct Administration to create the framework including the budget and draft terms of reference, for the Inclusivity Advisory Committee to include the following, but are not limited to:

1. Make recommendations to Council on the use of gender neutral and non-discriminatory language in City Bylaws;
2. Advise Council on the inclusiveness and effectiveness of existing programs and services;
3. Advise Council on the implementation of the Coalition of Inclusive Municipalities toolkits and resources; and
4. Make recommendations to Council on strategies and initiatives to provide an inclusive, diverse, positive and healthy environment within the City of Whitehorse and our community.

INCLUSIVITY ADVISORY
COMMITTEE

Carried Unanimously

2022-09-09

Following discussion by Council, it was duly moved and seconded, THAT Council approve amendments to Section 2.10.6 and 2.10.7 and as required of the Lease, Encroachment and Property Use Policy to set location and space criteria for parking patios in the downtown area as follows:

PARKING PATIO POLICY
AMENDMENTS

1. That parking patios be a maximum width of 1.8m for parallel parking stalls and 4.0m for angled parking stalls, measured from the curb face; and

.../Continued

2022-09-09 (Continued)

2. That parking patios are prohibited from 2nd and 4th Avenues; and
THAT Administration be directed to update the Lease, Encroachment
and Property Use Policy to reflect these changes, which will take
effect immediately upon Council approval.

PARKING PATIO POLICY
AMENDMENTS
Continued

Carried Unanimously

There being no further business, the meeting adjourned at 6:40 p.m.

ADJOURNMENT

Mayor

City Clerk

ADOPTED by Resolution at Meeting #2022 -

MINUTES of SPECIAL Meeting #2022-10 of the Council of the City of Whitehorse called for 6:30 p.m. on Monday, May 16, 2022 or immediately following Standing Committee, whichever comes first, in Council Chambers, City Hall.

PRESENT: Mayor Laura Cabott
Deputy Mayor Ted Laking
Councillors Dan Boyd
Kirk Cameron
Jocelyn Curteanu
Michelle Friesen*
Melissa Murray*

ABSENT:

ALSO PRESENT: Interim City Manager Jeff O'Farrell
Acting Director of Community Services Krista Mroz
Acting Director of Development Services Mélodie Simard
Director of Corporate Human Resources Lindsay Schneider
Director of Operations Tracy Allen
Manager of Legislative Services Wendy Donnithorne

*electronic participation

Mayor Cabott called the meeting to order at 7:38 p.m.

CALL TO ORDER

2022-10-01

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

AGENDA

Carried Unanimously

2022-10-02

It was duly moved and seconded
THAT Bylaw 2022-21 a bylaw to amend Schedule 11 of the Fees and
Charges Bylaw to temporarily suspend the collection of transit bus
fares until July 1, 2022 be given first reading.

BYLAW 2022-21
Amend Fees and Charges
Bylaw (Transit Fares)

FIRST READING

Carried Unanimously

2022-10-03

It was duly moved and seconded
THAT Bylaw 2022-21 be given second reading.

BYLAW 2022-21
SECOND READING

Carried Unanimously

2022-10-04

It was duly moved and seconded
THAT Bylaw 2022-17 a bylaw to a bylaw to amend the zoning of 151
Black Street to allow for an office use to fully occupy the ground floor,
a development providing a single use, and a reduction of glazing
requirements as required under current design guidelines be given first
reading.

BYLAW 2022-17
FIRST READING

Carried Unanimously

2022-10-05

It was duly moved and seconded
THAT Bylaw 2022-18 a bylaw to authorize the sale and disposition of
approximately 41.92 m² of land for a corner lot enlargement to 2050
2nd Avenue.

BYLAW 2022-18
FIRST READING

Carried Unanimously

There being no further business, the meeting adjourned at 7:50 p.m.

ADJOURNMENT

Mayor

City Clerk

ADOPTED by Resolution at Meeting #2022-

MINUTES of SPECIAL Meeting #2022-11 of the Council of the City of Whitehorse called for 12:00 p.m. on Monday, May 17, 2022, in Council Chambers, City Hall.

PRESENT: Mayor Laura Cabott*
Deputy Mayor Ted Laking
Councillors Dan Boyd*
Kirk Cameron
Jocelyn Curteanu*
Melissa Murray*

ABSENT: Councillor Michelle Friesen

ALSO PRESENT: Interim City Manager Jeff O'Farrell
Director of Corporate Human Resources Lindsay Schneider
Manager of Legislative Services Wendy Donnithorne

*electronic participation

Deputy Mayor Laking called the meeting to order at 12:00 p.m.

CALL TO ORDER

2022-11-01

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

AGENDA

Carried Unanimously

2022-11-01

It was duly moved and seconded
THAT Bylaw 2022-21 a bylaw to amend Schedule 11 of the Fees and Charges bylaw to temporarily suspend the collection of transit bus fares until July 1, 2022 having been read a first and second time be given thir reading.

BYLAW 2022-21
THIRD READING

Carried Unanimously

There being no further business, the meeting adjourned at 12:06 p.m.

ADJOURNMENT

Mayor

City Clerk

ADOPTED by Resolution at Meeting #2022-

MEMORANDUM

FILE #: PB-02-2022

TO: Mayor and Council

FROM: Administration

DATE: May 24, 2022

SUBJECT: Public Input Session at Regular Council Meeting May 24, 2022

Please be advised there will be a Public Input Session at the Regular Council Meeting of May 24, 2022, to hear from interested parties related to the following Conditional Use application:

Application for Conditional Use approval to allow a major home-based business use at 44A Stope Way.

An application has been received to allow for use of an attached garage for storage and sorting coffee beans for Firebean Coffee Roaster. Use of an attached garage for a home-business Section 6.10.1 (a) of the Zoning Bylaw specifies that if a home-based business uses an attached garage, it must be considered a major home-based business which is a conditional use in residential single detached zoning under Section 9.15.4 and so must be approved by Council.

A total of 64 letters were sent to property owners within a 100 metre radius of the site. Yukon Government Land Client Services, Kwanlin Dün First Nation, Ta'an Kwäch'än Council, were notified by mail and email. A notice of the proposed development was placed in the local newspapers on May 6, 2022.

Micah Olesh
Development Officer

cc: Director of Development Services
Manager of Land and Building Services

MEMORANDUM

FILE #: PB-02-2022

TO: Mayor and Council

FROM: Administration

DATE: May 24, 2022

SUBJECT: Public Input Session at Regular Council Meeting May 24, 2022

Please be advised there will be a Public Input Session at the Regular Council Meeting of May 24, 2022, to hear from interested parties related to the following Conditional Use application:

Application for Conditional Use approval to allow an expansion of an existing Outdoor Participant Recreation Services use at km 1.5 Chadburn Lake Road.

An application has been received to expand an existing use at km 1.5 Chadburn Lake Road. Yukon Breeze Sailing Society wishes to install three additional shipping containers and a fenced area within their existing licence of occupation area, in order to accommodate growth in their programming. Section 4.10.4 of the Zoning Bylaw states that any intensification of an existing conditional use must be approved by Council.

Yukon Government Land Client Services, Kwanlin Dün First Nation, Ta'an Kwäch'än Council, were notified by mail and email. A notice of the proposed development was placed in the local newspapers on May 6, 2022.

Darcy McCord
Senior Development Officer

cc: Director of Development Services
Manager of Land and Building Services



Minutes of the meeting of the Public Health and Safety Committee

Date	May 16, 2022	2022-09
Location	Council Chambers, City Hall	
	Councillor Kirk Cameron – Chair	
	Councillor Jocelyn Curteanu – Vice-Chair	
Committee Members Present	Mayor Laura Cabott	
	Councillor Dan Boyd	
	Councillor Michelle Friesen**	
	Deputy Mayor Ted Laking	
	Councillor Mellisa Murray**	
Absent		
	Jeff O'Farrell, Interim City Manager	
	Lindsay Schneider, Director of Corporate HR	
Staff Present	Krista Mroz, Acting Director of Community Services	
	Mérodie Simard, Acting Director of Development Services	
	Tracy Allen, Director of Operations	
	Wendy Donnithorne, Manager of Legislative Services	

** Indicates electronic participation

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

1. New Business – Excessive Activities on Trails Around McIntyre Creek

Councillor Cameron noted that there are significant problems with damage being done to trails in McIntyre Creek and around the end of Pine Street, and requested an update on how the City is working to control the excessive activities on trails around McIntyre Creek. Administration confirmed that Bylaw is conducting foot patrols and officers are working modified shifts on ATVs. Administration also noted that they have not reached out to the RCMP, but a new motorized trail map is being released to provide public education on requirements for valid driver's licenses, license plates, insurance, and "safe ATV" cards; signage will also be specifically posted at the top of Pine Street.



Minutes of the meeting of the Corporate Services Committee

Date	May 16, 2022	2022-09
Location	Council Chambers, City Hall Councillor Michelle Friesen ** Councillor Kirk Cameron – Chair	
Committee Members Present	Mayor Laura Cabott Councillor Jocelyn Curteanu Councillor Dan Boyd Deputy Mayor Ted Laking Councillor Mellisa Murray**	
Staff Present	Jeff O'Farrell, Interim City Manager Lindsey Schneider, Director of Corporate HR Krista Mroz, Acting Director of Community Services Mélodie Simard, Acting Director of Development Services Tracy Allen, Director of Operations Jason Bradshaw, Manager of Transit Services Ira Webb, Manager Water and Waste Services Michael Abbot, Associate Manager Engineering Services Wendy Donnithorne, Manager of Legislative Services	

** Indicates electronic participation

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

1. **Fees and Charges Amendment – Transit Fares**

Administration presented the Corporate Services Committee with a proposal to put in an immediate temporary measure to suspend transit fares in the city, in response to the impacts on transportation routes due to the closure of Robert Service Way.

As members were aware, on April 30th an escarpment slide occurred along Robert Service Way, immediately south of Downtown. Robert Service Way has been closed since due to the ongoing safety concern to the public. It is currently anticipated that reopening of the road will not occur until June.

As a result of the closure of Robert Service Way traffic has been redirected to enter and

exit the downtown using Two Mile Hill which has created traffic impacts. Commuters are being encouraged to adjust their travel routes and times of travel, carpool, use active transportation, work from home where possible, and use Whitehorse Transit. In an effort to help mitigate resulting congestion and delays, Administration is proposing to temporarily suspend transit fees until July 1, 2022 to encourage use of transit.

A committee member inquired about the expected loss of revenue, and how the City could make up the loss. Administration noted that it would be difficult to estimate but it is predicted to be somewhere between \$50,000 and \$60,000; funds would be taken from the reserves to make up for the loss. A committee member also questioned if the temporary suspension of transit fees would apply to the Handy Bus. Administration confirmed that it would apply to both regular bus service and Handy Bus services.

The recommendation of the Corporate Services Committee is

THAT Council direct that Bylaw 2022-21, a bylaw to amend Appendix A, Schedule 11 (Transit) of the Fees and Charges Bylaw to suspend the collection of fees for bus fares until July 1, 2022 be brought forward for consideration under the bylaw process.

2. Budget Amendment – Residential/Commercial Organics & Waste Carts

The Committee was presented with a proposal from Administration recommending the City make its planned order of organics and waste carts a year earlier, in 2022, to ensure there isn't a shortfall.

The City provides curbside collection of waste and organics to all eligible premises and also provides organics collection to small volume commercial organics producers. Both of these programs utilize 240L waste carts. The number of carts provided in recent years has continued to increase due to significant population growth, continued expansion of the commercial organics program and replacement of existing carts when required. To ensure that waste collection service levels can be maintained, an order of carts is recommended in 2022 instead of the planned procurement in 2023 to prevent a potential shortfall.

The most recent order of carts was placed in late 2020 and an estimate of the remaining current inventory is 240 black garbage carts and 162 organics carts. Given the long lead time of supplies and materials Administration is recommending an order be placed in 2022. Ordering a full load of carts provides economy of scale on shipping costs and will provide enough inventory to last until 2024 when a new capital request will be required.

A Committee member inquired about the shipping time for the carts, and if the residential and commercial organics carts were the same size. Administration verified that the shipping time on the carts was between 60 and 90 days, and the organics carts are ordered in both small and large volume sizes.

The recommendation of the Corporate Services Committee is

THAT Council direct the 2022 – 2025 Capital Expenditure Program be amended by moving the approved budget for Residential/Commercial Organics & Waste Carts #650c01118 in the amount of \$95,000 from 2023 to the 2022 fiscal year.

3. Budget Amendment – Range Road Lift Station Replacement Project

In 2020, an engineering feasibility assessment was completed for a new lift station by an engineering consulting firm to explore improvement options and determine costing. The assessment explored three options and determined that the best solution is the full replacement of the lift station with a pre-manufactured “wet well” and a small building to house the electrical equipment. A preliminary cost assessment of \$2,400,000 was identified for the project.

Detailed design progressed in 2021 and prior to tendering for construction the pre-tender cost estimate determined that an estimated additional budget of \$500,000 was required to complete the project. Council approved this additional budget on February 14, 2022.

The Committee questioned the significant increase in the required budget for the project. Administration explained that the increase in cost was due a higher cost of materials and labour, as well as fewer bids received for the project. Administration noted that when they reached out to companies to inquire why they did not bid, they were told there was already too much work this year, as one of the main reasons. It was also noted that the project would represent significant Canada Community-Building (previously Gas Tax) funding for this and next year. The committee also questioned the option of potentially waiting to proceed and was interested in additional information about the cost of maintenance compared to cost of upgrades, and the potential risk of waiting and maintaining the lift station, for example, for another two years.

The recommendation of the Corporate Services Committee is

THAT Council direct the 2022 to 2025 Capital Expenditure program be amended by increasing the budget for the Range Road South Lift Station project #240c00311 in the amount of \$1,500,000, funded from the Capital Reserve until an amended Canada Community-Building-Fund Transfer Payment Agreement has been approved.



Minutes of the meeting of the City Planning Committee

Date	May 16, 2022	2022-09
Location	Council Chambers, City Hall	
	Councillor Dan Boyd – Chair	
	Deputy Mayor Ted Laking – Vice-Chair	
Committee Members Present	Mayor Laura Cabott	
	Councillor Kirk Cameron	
	Councillor Jocelyn Curteanu	
	Councillor Michelle Friesen**	
	Councillor Mellisa Murray**	
Staff Present	Jeff O'Farrell, Interim City Manager	
	Lindsay Schneider, Director of Corporate HR	
	Krista Mroz, Acting Director of Community Services	
	Mélodie Simard, Acting Director of Development Services	
	Tracy Allen, Director of Operations	
	Wendy Donnithorne, Manager of Legislative Services	
	Pat Ross, Manager Land and Building Services	
	Mélodie Simard, Manager Planning and Sustainability	

** Indicates electronic participation

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

1. Draft Official Community Plan – Public Engagement For Information Only

The committee was provided with an update on the engagement plan for the Draft Whitehorse Official Community Plan.

For background, the Official Community Plan guides decision making for the City by setting the long-term vision, guiding principles and supporting policies for growth and City services. The current OCP was completed in 2010 with various amendments since that time.

In November 2018, the City launched an OCP review process called “Whitehorse 2040”. Since launching the project, the City has completed a number of studies and provided many opportunities for input, including through surveys, open houses and engagement with various government partners with both First Nations and Yukon governments.

The OCP is adopted by Council through a bylaw process, typically following robust public engagement. With this principle in mind, the OCP project team will provide the

community various online and in person engagement opportunities to provide input on the Draft OCP during the May 16th to June 5th engagement period. These include open houses at Mount McIntyre Recreation Center and Northlight Innovation Center, online presentations and public input sessions, and an online survey.

Following the engagement period, a report will be produced summarizing public input. This report will inform possible changes to the Final Draft OCP which will be brought to Council for consideration and the bylaw process.

Committee members inquired if the public was still able to provide input by writing in rather than electronically submitting the survey, and if there are online engagement opportunities as well. Administration confirmed they have paper copies of surveys to fill out as well as an online survey, and comment boards at open houses. There will be presentations from staff and consultants available online as well as in person at the open houses.

2. Public Hearing Report – Zoning Amendment – 1 Drift Drive

The Committee was advised and provided information about an application to rezone a property located at 1 Drift Drive in Copper Ridge, from Restricted Residential Detached to Residential Single Detached. The Residential Single Detached zone permits a broader range of housing options, including duplexes, triplexes, and residential care homes as primary uses, and bed and breakfasts and living suites as secondary uses.

A public hearing for this item was held on April 25, 2022 and no delegates registered for, or spoke to, the item at the public hearing.

One email from the Kwanlin Dün First Nation Heritage, Lands and Resources Department (KDFN-HLR) was received. KDFN-HLR stated they have no concerns with the rezoning.

The recommendation of the City Planning Committee is

THAT Council directs Bylaw 2022-12, a bylaw to amend the zoning at 1 Drift Drive to allow for a living suite, be brought forward for second and third readings under the bylaw process.

3. Conditional Use Application – KM 1.5 Chadburn Lake Road For Information Only

In addition to hearing from the Yukon Breeze Sailing Society about their application and sailing program, the committee was presented with information on the conditional use application being made by the Society.

Yukon Breeze Sailing Society originally received conditional use approval to establish an Outdoor Participant Recreation Services use at the site in 2015. The Society subsequently obtained a License of Occupation from the Government of Yukon. The original application was to place two shipping containers, install a dock and modify the shoreline to improve access to the dock. The society now wishes to install three additional shipping containers and a fenced area within the existing license area, in order to accommodate growth in their programming. Section 4.10.4 of the Zoning Bylaw states that any intensification of an existing conditional use must be approved by Council.

The application was reviewed by the Development Review Committee on March 23, 2022. Members of the committee raised concerns about the aesthetic impacts of additional shipping containers within a natural setting, as well as concerns about fencing in an area both from an aesthetic standpoint as well as making exclusive use of public open space.

In accordance with section 4.8 of Zoning Bylaw 2012-20, a public input session has been scheduled for the Regular Council meeting on May 24, 2022. Government of Yukon, Kwanlin Dün First Nation and the Ta'an Kwäch'än Council were notified by mail and email. A notice of the proposed development was placed in local newspapers on May 6, 2022.

Committee members questioned what the regulations on the use of sea cans are, if the structure could reasonably be placed in the location suggested, and if they would remain year round. Administration confirmed that the structures could be placed in the suggested location, and that in 2015 the use of sea cans was approved on the condition they were painted green. Administration also confirmed that this would be a five-year license of occupation and that the sea cans would remain year round.

4. Conditional Use Application – 44A Stope Way For Information Only

The Committee was presented with an application for conditional use approval to allow for a major home-based business at 44A Stope Way in Copper Ridge. The location is currently zoned RS, or Residential Single Detached. Major home-based businesses are permitted as a conditional use in the RS zone, requiring a Council decision.

This item was discussed at the April 13th meeting of the Development Review Committee (DRC). The proposal also originally included a detached accessory building for roasting the beans, however the proponents withdrew this element from their application in response to concerns raised about potential smoke impacts generated by the roasting activity. The DRC had no other concerns. The attached garage space will be used for packaging beans for retail sales at shops around Whitehorse. Some additional traffic will be incurred for drop-off and pick up of the beans which will be kept to a minimum and only between 9 am and 5 pm. The garage will be modified to include two sinks.

In accordance with Section 4.8 of Zoning Bylaw 2012-20, a public input session has been scheduled for the Regular Council meeting on May 24, 2022. A total of 64 letters were sent to property owners within a 100 metre radius of the site. Governments of Yukon, Kwanlin Dün First Nation and the Ta'an Kwäch'än Council were also notified by mail and email. A notice of the proposed development was placed in local newspapers on May 6th, 2022.

Committee members inquired if the approval of this application would have any effects on the flow of traffic, or if any equipment would be stored on site. Administration advised that there would be no significant impacts on traffic, as it is limited to two clients and one employee at a time. Administration also noted that there is no room on site to store equipment and that the roasting occurs outside of city limits.



Minutes of the meeting of the Development Services Committee

Date	May 16, 2022	2022-09
Location	Council Chambers, City Hall	
	Councillor Jocelyn Curteanu - Chair	
	Councillor Mellisa Murray **	
Committee Members Present	Mayor Laura Cabott	
	Councillor Dan Boyd	
	Councillor Kirk Cameron	
	Councillor Michelle Friesen **	
	Deputy Mayor Ted Laking	
Staff Present	Jeff O'Farrell, Interim City Manager	
	Lindsay Schneider, Director of Corporate HR	
	Krista Mroz, Acting Director of Community Services	
	Mélodie Simard, Acting Director of Development Services	
	Tracy Allen, Director of Operations	
	Pat Ross, Manager Land and Building Services	
	Wendy Donnithorne, Manager of Legislative Services	

**Indicates electronic participation

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

1. Amendment to Pop-up Patio Program

The Committee was presented with the additional and anticipated improvements for the Parking Patios in the City.

At the May 9, 2022 Council meeting, Council passed a Resolution to amend the Lease, Encroachment and Property Use Policy to enable Pop-up Patios in parallel parking spaces and prohibit these patios on 2nd Avenue and 4th Avenue.

Administration is now proposing additional amendments to the Lease, Encroachment, and Property Use Policy that would provide additional specificity with regards to design and installation of pop-up patios.

Administration has also been in discussions with the Government of Yukon (YG) regarding funding for sidewalk cafés and Pop-up Patios resulting in a draft Transfer

Payment Agreement (TPA) that would provide \$150,000 for the 2022 café and patio season to be administered by the City.

Committee members inquired whether these amendments would have an impact on any current patios and if there is a plan on how to implement the funding. Administration confirmed that there would be no impact on any current patios and that there would be a short application to be brought in with the development application. It was also noted that program criteria would ensure the funding was fairly distributed, and that the funding was for this year only; any unused funding would be returned to the Yukon Government.

The recommendation of the Development Services Committee is

THAT Council direct that amendments to Section 2.10 of the Lease, Encroachment and Property Use Policy be brought forward for approval; and

THAT Council adopt the Pop-up Parking Patio and Sidewalk Café proposed granting program.

2. National Climate League and Climate Reality Project Canada

Sarah Newton invited Council to join the new northern chapter of the National Climate League (NCL), and shared a presentation on the “Climate Reality Project Canada.” The presentation gave information on the importance of municipal action in creating and maintaining policies that work toward a more sustainable future for Canada as a whole.

The Committee was asked to participate by submitting data on thirty-one different indicators to an open source database available to all. This was said to be a good way to hold elected officials accountable to their climate commitments. Individuals are encouraged to use this information submitted by different municipalities across Canada to advocate and lobby for policies that help improve the lives of people in their community.

A Committee member inquired about the time commitment required to participate in this program, and how the funding for the program was provided. It was noted that the time requirement was not known, but estimated to be between two and three hours a month; the funding is provided by the Federal Government.

3. Climate Change

Matthew Trikett provided his input on how the City can address climate change. The suggestions provided were a ban on selling chemicals, to stop painting crosswalks, to get rid of Christmas lights, and to open a battery station.

4. Yukon Breeze Sailing Society – Amendment to License of occupation

Ben Hancock requested an amendment to the Yukon Breeze Sailing Society's (YBS) license of occupation.

Since 2011 the YBS society has been hosting kids camps and lessons at Schwatka Lake. They have received funding for two people boats and a second safety boat. They are requesting the permission to construct storage for the additional boats and to create

a fenced area. They are looking to use sea cans with murals painted on them as storage.

The YBS Society emphasized the community need for additional kids camps and lessons, and a racing clinic. It was noted that these additional activities would align with both the City's Recreation Plan and Sustainability Plan.

The Committee asked about the storage and fencing plan. It was noted that the fence would be a chain link fence approximately five feet high; the storage would be sea cans as they would take less space and ground work than building a more permanent building. It was also noted that the murals on the sea cans would be painted by school kids, or those attending sailing camps.



Minutes of the meeting of the City Operations Committee

Date	May 16, 2022	2022-09
Location	Council Chambers, City Hall	
Committee Members Present	Deputy Mayor Ted Laking Councillor Dan Boyd – Chair Mayor Laura Cabott Councillor Kirk Cameron Councillor Jocelyn Curteanu Councillor Michelle Friesen** Councillor Mellisa Murray**	
Staff Present	Jeff O'Farrell, Interim City Manager Lindsay Schneider, Director of Corporate HR Krista Mroz, Acting Director of Community Services Mélodie Simard, Acting Director of Development Services Tracy Allen, Director of Operations Wendy Donnithorne, Manager of Legislative Services	

**Indicates electronic participation

Your Worship, there is no report from the City Operations Committee.



Minutes of the meeting of the Community Services Committee

Date	May 16, 2022	2022-09
Location	Council Chambers, City Hall	
	Councillor Mellisa Murray **	
	Councillor Michelle Friesen **	
Committee Members Present	Mayor Laura Cabott	
	Councillor Dan Boyd	
	Councillor Kirk Cameron	
	Councillor Jocelyn Curteanu	
	Deputy Mayor Ted Laking - Chair	
Staff Present	Jeff O'Farrell, Interim City Manager	
	Krista Mroz, Acting Director of Community Services	
	Valerie Braga, Director of Corporate Services	
	Lindsay Schneider, Director of Corporate HR	
	Mélodie Simard, Acting Director of Development Services	
	Tracy Allen, Director of Operations	
	Wendy Donnithorne, Manager of Legislative Services	

**Indicates electronic participation

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

1. New Business – AYC Annual General Meeting

The Association of Yukon Communities held their 2022 annual general meeting May 13th and 14th 2022, where Councillor Ted Laking was elected President of the Association.

2. Whitehorse Woofers

Val Bowen and Carol foster presented the Committee with a request for space to host dog sports and agility classes.

They host four to six agility classes per week, run by volunteers; there is a large waiting list and they are looking to expand their class capacity.

It was noted that for the past thirteen years they have been using the Takhini area, but the current renovations are preventing the use of the facility. They have not been able to find a large fenced outdoor space, or a large indoor space to run their classes.

The Committee inquired if they had looked into other organizations or spaces to host their classes, or other funding opportunities for the program. It was noted that they had not looked into other organizations, and they were not aware of any other funding opportunities for this program.

There being no further business, the meeting adjourned at 7:37 PM.

CITY OF WHITEHORSE

BYLAW 2022-18

A bylaw to authorize the sale and disposition of approximately 41.92 m² of land for a corner lot enlargement to 2050 2nd Avenue.

WHEREAS section 265 of the *Municipal Act* (R.S.Y. 2002) provides that Council may by bylaw authorize the sale and disposition of any real property; and

WHEREAS it is deemed desirable that a portion of land located in Downtown on the north westerly corner of 2nd Avenue and Lowe Street be sold and disposed;

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

1. The City of Whitehorse is hereby authorized to sell and dispose a portion of Road on Plan 19005 LTO comprising a total area of approximately 41.92 m² in Downtown Whitehorse, as shown on the sketch attached hereto as Appendix "A" and forming part of this bylaw;
2. The parcel will be sold for the sum of \$23,500.00, representing fair market value as determined by independent market value appraisal, to the owner of the adjacent Lot 1, Block C, Plan 19005 LTO, on the condition that the lot enlargement area shall be consolidated with Lot 1, Block C, Plan 19005 LTO.
3. The Mayor and Clerk are hereby authorized to execute on behalf of the City of Whitehorse all documentation required for the completion of the sale and transfer of ownership of the said lands in an expeditious manner; and
4. This bylaw shall come into full force and effect on the final passing thereof.

FIRST and SECOND READING:

THIRD READING and ADOPTION:

Mayor

City Clerk




CITY OF WHITEHORSE
BYLAW 2022-18
APPENDIX 'A'



BYLAW 2022-18

A bylaw to authorize the sale and disposition of a portion of ROAD for a lot enlargement to Lot 1, Block C, Plan 19005 LTO.

LEGEND

 SUBJECT AREA

LAND SALE AGREEMENT dated this _____ day of _____, 2022.

BETWEEN:

THE CITY OF WHITEHORSE

(the "Vendor")

- and -

3542 YUKON LIMITED

(the "Purchaser")

W H E R E A S:

A. The Vendor is the owner of property legally described as:

Road, Whitehorse, Yukon, Plan 19005 LTO

("Road")

B. The Purchaser is the registered owner of property legally described as:

Lot 1, Block C, Whitehorse, Yukon, 19005 LTO

(the "Purchaser's Lands")

C. The Vendor has agreed to sell and the Purchaser has agreed to purchase a portion of Road comprising **42 square metres**, more or less, immediately adjacent to the Purchaser's Lands", shown as "Enlargement Area" on Appendix "A" attached hereto.

(the "Property").

IN CONSIDERATION OF the premises, and the covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. SALE AND PURCHASE

1.1 The Vendor hereby agrees to sell and the Purchaser hereby agrees to purchase the Property on an "as is, where is" basis for the price and on the terms and conditions herein contained.

2. DEPOSIT

- 2.1 The sum of **Two Thousand, Three Hundred Fifty and 00/100 (\$2,350.00) Dollars**, being a non-refundable deposit (herein referred to as the "Deposit") on account of the Purchase Price, is hereby acknowledged by the Vendor. The Deposit shall be applied against the Purchase Price for the Property upon the Closing Date. If the Purchaser elects not to complete the transaction contemplated in this Agreement of Purchase and Sale by the Closing Date, the Deposit shall be forfeited to the Vendor.

3. PURCHASE PRICE

- 3.1 The purchase price shall be the sum of **Twenty-Three Thousand, Five Hundred and 00/100 (\$23,500.00) Dollars, plus Goods and Services Tax (the "Purchase Price")**, payable on the following terms, namely cash on closing, of which the Deposit shall form a part (the "Balance Due on Closing"). The Balance Due on Closing shall be paid in the form of a certified cheque, bank draft or solicitor's trust cheque.
- 3.2 The Purchaser agrees to pay for the cost of the consolidation application, legal survey and legal costs required to describe the Property to allow for the consolidation of the Property with the Purchaser's Lands.

4. COMPLETION AND TERMINATION

- 4.1 The Balance Due on Closing shall be paid and the sale shall be completed by **September 30, 2022** or such other date as agreed by the parties in writing (the "Closing Date"). In the event that the transaction is not completed on or before **September 30, 2022**, this Agreement shall terminate and be null and void.

5. POSSESSION

- 5.1 The Purchaser is to have vacant possession of the Property at 2:00 p.m. on the Closing Date.

6. ADJUSTMENTS

- 6.1 There shall be no adjustments with respect to rents, taxes, utilities, licenses, insurance and all other items normally adjusted between a vendor and a purchaser on the sale of land in the Yukon Territory. The Purchaser shall be responsible for taxes and insurance from and after the Closing Date.

7. CONDITIONS PRECEDENT

- 7.1 The Vendor's obligation to complete the sale of the Property is subject to the following conditions precedent:
- 7.1.1 The Purchaser shall own the Purchaser's Lands immediately adjacent to the Property; and

- 7.1.2 The Purchaser shall take title to the Property and the transfer from the Vendor to the Purchaser shall be submitted for registration at the Land Titles Office prior to the Closing Date; and
- 7.1.3 City Council agreeing to proceed with the sale of the Property by a land disposition bylaw and subdivision approval being issued by the City of Whitehorse with respect to the consolidation of the Property with the Purchaser's Lands.
- 7.2 The Purchaser acknowledges and agrees that the Vendor is under no obligation to fulfill the conditions precedent set out in paragraph 7.1.3 hereof and City Council may exercise their discretion and refuse to pass the land disposition bylaw and the City of Whitehorse approving authority for subdivision may refuse to issue subdivision approval for consolidation.

8. CONSOLIDATION

- 8.1 The Purchaser agrees to consolidate the Property with the Purchaser's Lands.

9. COSTS

- 9.1 The Purchaser shall pay their own legal fees. The Purchaser shall pay all fees in connection with the registration of the Transfer of Land. The Purchaser shall pay all survey costs to obtain any plan necessary to register the Transfer of Land and complete the consolidation of the Property with the Purchaser's Lands. The Purchaser agrees to pay all other costs to consolidate the Property with the Purchaser's Lands, without adjustment or credit.

10. ENCUMBRANCES

- 10.1 The Property shall be transferred by the Vendor free and clear of all encumbrances except restrictive covenants, reservations and exceptions in the original grant from the Crown and easements in favour of utilities and public authorities.

11. RISK

- 11.1 Provided that the Purchaser has not constructed any improvements on the Property prior to the Closing Date, the Property will be and remain at the risk of the Vendor until 2:00 p.m. on the Closing Date. After that time, the Property and any improvements thereon will be at the risk of the Purchaser.
- 11.2 If, after entering into a further written agreement with the Vendor, the Purchaser has commenced construction of any improvements on the Property prior to the Closing Date, the Property and any improvements thereon will be and remain at the risk of the Purchaser until 2:00 p.m. on the Closing Date.

12. GOVERNING LAW

- 12.1 This Agreement shall be governed by and construed in accordance with the laws of the Yukon Territory.

13. CLOSING

- 13.1 Closing of the purchase and sale shall proceed to completion on the basis of reasonable undertakings settled between the Vendor and the Purchaser or the Purchaser's solicitor. Failing such agreement, tender of documents or money in the form of a certified cheque, bank draft or solicitor's trust cheque may be made at the Land and Building Services Department located at Unit #6 – 151 Industrial Road (Calcite Business Centre), Whitehorse, Yukon, Y1A 2V3 or such other address or location as the Vendor may provide in writing to the Purchaser, on the Closing Date at the hour of 10 o'clock in the forenoon.

14. TIME OF THE ESSENCE

- 14.1 Time shall be of the essence hereof, and unless the balance of the cash payment is paid or such formal agreement to pay the balance as may be necessary is entered into on or before the Closing Date, the Vendor may at the Vendor's sole option, cancel this agreement, and in such event any amounts paid by the Purchaser shall be absolutely forfeited to the Vendor on account of damages, without prejudice to the Vendor's other remedies.

15. REPRESENTATIONS

- 15.1 There are no representations, warranties, guarantees, promises or agreements other than those contained herein, all of which contained herein will survive the completion of the sale.

16. RESIDENT OF CANADA

- 16.1 The Vendor warrants and represents that it is resident of Canada for the purposes of the *Income Tax Act* (Canada).

17. COUNTERPART AND FAX

- 17.1 This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which shall together constitute one and the same document. Delivery of a faxed or electronic copy of the Agreement or any amendment thereto shall be deemed to constitute sufficient delivery thereof.

18. ASSIGNMENT

- 18.1 This Agreement is not assignable by the Purchaser, except to a person who purchases the Purchaser's Lands immediately adjacent to the Property.

19. NUMBER AND GENDER

- 19.1 Wherever the singular or the masculine is used in this Agreement, the same shall be construed as meaning the plural or the feminine or the body corporate or politic where the context or the parties so require.

20. FURTHER ASSURANCES

20.1 The parties hereto shall execute such further documents and do such other things as may be necessary or desirable to give effect to the intent of this Agreement.

21. ENTIRE AGREEMENT

21.1 The provisions herein constitute the entire agreement between the parties and there are no representations or warranties, express or implied, statutory or otherwise and no agreements collateral hereto other than as expressly set forth or referred to herein.

22. AMENDMENTS

22.1 No modification, variation or amendment of any provision of this Agreement shall be made except by a written agreement and no waiver of any provision hereof shall be effective unless in writing.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first above written.

THE CITY OF WHITEHORSE

Per:

Laura Cabott, Mayor

City Clerk

c/s

OWNER:

Lot 1, Block C, Whitehorse, Yukon, 19005 LTO

3542 Yukon Limited

Per:

c/s

Leona Commons, Authorized Signatory

Witness (if no corporate seal)

CITY OF WHITEHORSE

BYLAW 2022-12

A bylaw to amend Zoning Bylaw 2012-20

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 Whitehorse Zoning Bylaw be amended to allow for a greater range and mix of housing on 1 Drift Drive

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

1. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of Lot 788, Plan 2004-0087 LTO, located at 1 Drift Drive, from RR–Restricted Residential Detached to RS-Residential Single Detached, as indicated on Attachment 1 and forming part of this bylaw.
2. This bylaw shall come into force and effect upon the final passing thereof.

FIRST READING:

PUBLIC NOTICE:

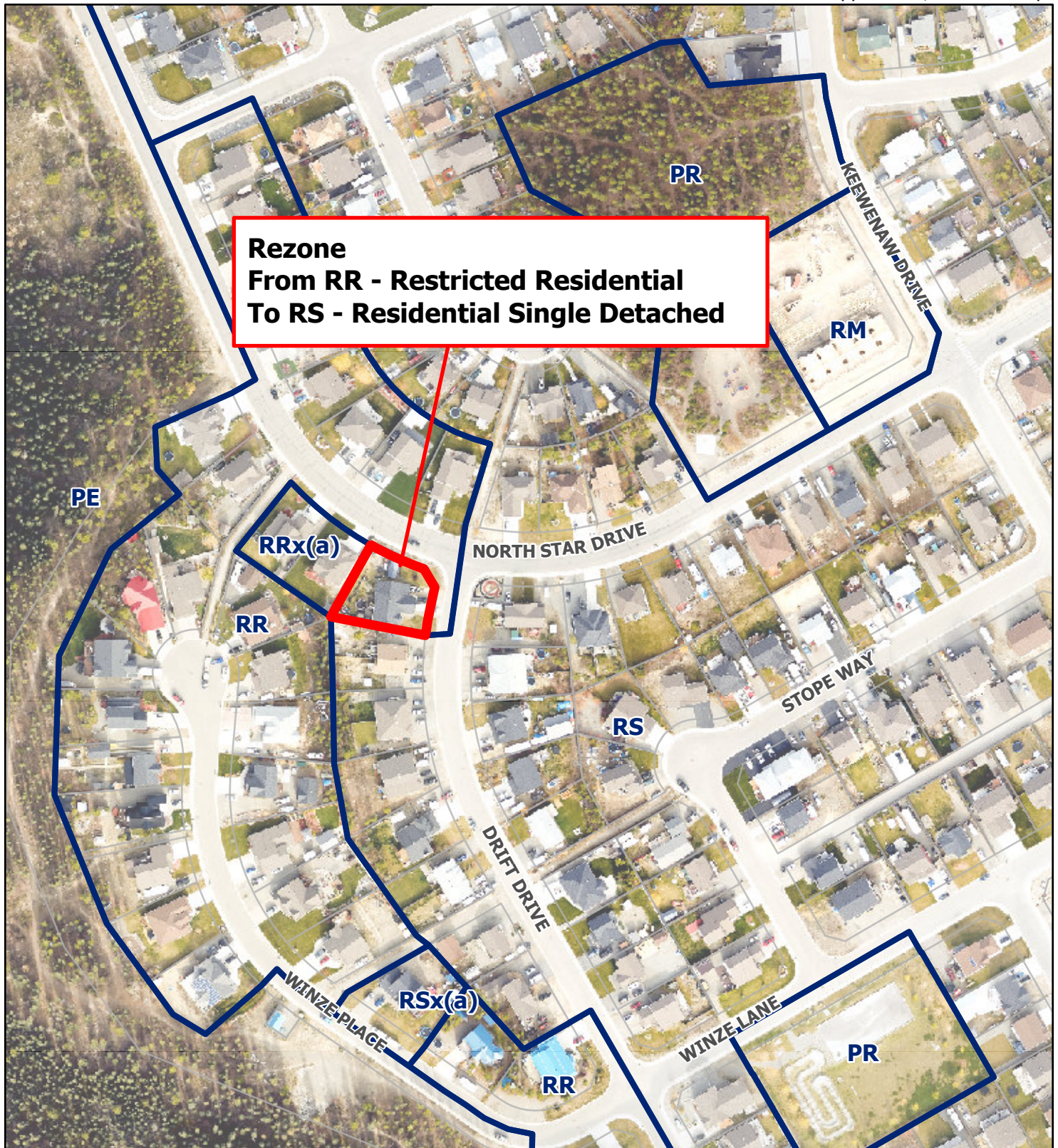
PUBLIC HEARING:

SECOND READING:

THIRD READING and ADOPTION:


Mayor

City Clerk



DATE:
March 28, 2022

FILE NO:
Z-03-2022

 1 Drift Drive

CITY OF WHITEHORSE - PLANNING AND SUSTAINABILITY SERVICES

Bylaw 2022-12

A Bylaw to amend the Zoning of 1 Drift Drive from RR to RS to allow for more housing options.

