

CITY OF WHITEHORSE
REGULAR Council Meeting #2021-07

DATE: Tuesday, April 13, 2021
TIME: 5:30 p.m.

Mayor Dan Curtis
Deputy Mayor Jan Stick
Reserve Deputy Mayor Jocelyn Curteanu

AGENDA

CALL TO ORDER 5:30 p.m.

AGENDA Adoption

PROCLAMATIONS

MINUTES Regular Council meeting dated March 22, 2021

DELEGATIONS Active Trails Whitehorse Association – E-Bike Bylaw

PUBLIC HEARING

STANDING COMMITTEE REPORTS

Corporate Services Committee – Councillors Roddick and Curteanu

Capital Expenditure Plan Amendment – Lift Station #1 Upgrades
Scope Change – Service Building Project
Resolution for Presentation to AYC Annual General Meeting
Corporate Re-Organization – For Information Only
Council Grant – Donation of Compost

City Planning Committee – Councillors Hartland and Cabott

Public Hearing Report – Zoning Bylaw Amendment – 107 Range Road
Public Hearing Report – Zoning Bylaw Amendment – Periodic Revisions
Zoning Bylaw Amendment – Development Application Improvements and
Drainage Plan Requirements

City Operations Committee – Councillors Cabott and Hartland

Community Services Committee – Councillors Boyd and Stick

E-Bike Regulation Bylaw and Related Bylaw Amendments

Public Health and Safety Committee – Councillors Stick and Boyd

Development Services Committee – Councillors Curteanu and Roddick

NEW AND UNFINISHED BUSINESS

BYLAWS

2021-10	Re-budgeting 2020 Capital Expenditures	3 rd Reading
2021-20	Fees and Charges Amendment (Quarterly Changes)	3 rd Reading
2021-13	Zoning Bylaw Amendment (107 Range Road)	2 nd & 3 rd Reading
2021-14	Zoning Bylaw Amendment (Periodic Revisions)	2 nd & 3 rd Reading
2021-22	E-Bike Regulation Bylaw	1 st & 2 nd Reading
2021-23	Bylaw Amendments Related to E-Bike Regulations	1 st & 2 nd Reading
2021-24	Zoning Bylaw Amendment (Process Improvements)	1 st Reading

ADJOURNMENT

MINUTES of **REGULAR** Meeting #2021-06 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, March 22, 2021, in Council Chambers, City Hall.

PRESENT: Deputy Mayor Jan Stick
Councillors Dan Boyd
Laura Cabott
Jocelyn Curteanu
Samson Hartland
Stephen Roddick

ABSENT: Mayor Dan Curtis

ALSO PRESENT: City Manager Linda Rapp
Acting Director of Community and Recreation Services Krista Mroz
Director of Corporate Services Valerie Braga
Acting Director of Development Services Mélodie Simard
Acting Director of Human Resources Lindsay Schneider
Acting Director of Infrastructure and Operations Jason Everitt
Manager of Legislative Services Wendy Donnithorne
Assistant City Clerk Norma Felker
Administrative Assistant, Legislative Services Pascaline Etter

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

CALL TO ORDER

2021-06-01

It was duly moved and seconded
THAT the agenda be adopted as amended with the change being the
addition of a delegate submission from All Genders Yukon Society with
respect to the Election 2021 Procedures Bylaw.

AGENDA

Carried Unanimously

Deputy Mayor Stick proclaimed April 7, 2021 to be Green Shirt Day for
Organ Donor Awareness and Registration in the City of Whitehorse.

PROCLAMATIONS

2021-06-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated March 8, 2021
be adopted as presented.

MINUTES

March 8, 2021

Carried Unanimously

PUBLIC HEARING

Deputy Mayor Stick advised that, since the meeting was closed to in-person public participation due to the COVID-19 pandemic, pre-arranged audio-only presentations from delegates would be used. Otherwise, council would rely on written submissions with respect to Bylaw 2021-13, a bylaw to amend the zoning at 107 Range Road to allow for the development of an eating and drinking establishment with a drive-through component.

BYLAW 2021-13

ZONING AMENDMENT
107 Range Road

Zoë Morrison participated as an audio-only delegate, speaking on behalf of the proponent in support of the application. Ms. Morrison pointed out that the current zoning predates the development of the Copper Ridge Subdivision and the Canada Games Centre. A restaurant at this location would be within walking distance for several neighbourhoods as well as a number of businesses that have been developed in the area. She also noted that it is important to spread uses throughout a community.

ZOË MORRISON
In Support

A written submission from Keith Lay was read into the record. Mr. Lay expressed his opposition to the proposed amendment on the basis that permitting a drive-through would be contrary to the vision statement and goals of the Sustainability Plan, one of the principles of the Official Community Plan, and the 2014 Transportation Demand Management Plan. Mr. Lay stated the opinion that, since council declared a Climate Change Emergency, it has no option but to deny additional drive-through establishments in any part of the City.

KEITH LAY
Opposed

22 additional written submissions were received, 13 in support, eight opposed, and one with neutral commentary. A petition was received in support of the proposed rezoning with 302 signatures, and another petition supporting a particular tenant had 1,920 signatures attached. Both petitions contained duplicates and were signed by non-residents.

Submissions Received

Deputy Mayor Stick declared the public hearing for Zoning Amendment Bylaw 2021-13 closed and advised that no further submissions would be received on the subject except the report from administration. That report is tentatively scheduled to come forward on April 6, 2021.

Public Hearing Closed

Deputy Mayor Stick advised that pre-arranged audio-only presentations and written submissions from delegates would be used for the public hearing for Bylaw 2021-14, a bylaw to amend the Zoning Bylaw with respect to a number of periodic revisions..

BYLAW 2021-14

ZONING AMENDMENT
Periodic Revisions

There were no audio-only delegates and no submissions were received.

Submissions Received

Deputy Mayor Stick declared the public hearing for Zoning Amendment Bylaw 2021-14 closed and advised that no further submissions would be received on the subject except the report from administration. That report is scheduled to come forward on April 6, 2021.

Public Hearing Closed

COMMITTEE REPORTS

Corporate Services Committee

2021-06-03

It was duly moved and seconded
THAT Bylaw 2021-10, a bylaw to amend the 2021 to 2024 capital expenditure program by re-budgeting 2020 capital expenditures in the amount of \$32,980,778 be brought forward for consideration under the bylaw process.

BRING FORWARD
RE-BUDGET BYLAW
FOR 2020 CAPITAL
EXPENDITURES

Carried Unanimously

A council member noted that the proposed re-budgets mean that about 60% of the 2020 budget was unspent. It was suggested that the budget process needs to be better aligned with what can reasonably be expected to be achieved.

Discussion

Administration advised that the majority of the re-budgets are due to the impact of the COVID-19 pandemic and could not have been anticipated. It is expected at this time that 2021 projects will proceed as scheduled.

2021-06-04

It was duly moved and seconded
THAT Bylaw 2021-20, a bylaw to amend the Fees and Charges Bylaw in accordance with first quarter changes, be brought forward for consideration under the bylaw process.

BRING FORWARD
FEES AND CHARGES
AMENDMENT FOR
1ST QUARTER CHANGES

Carried Unanimously

2021-06-05

It was duly moved and seconded
THAT the City Seal be affixed to the 2020 Tax Lien Summary List to authenticate the list.

AUTHENTICATE THE
2020 TAX LIEN LIST

Carried Unanimously

Administration confirmed that the list will be updated right up until it is forwarded to the newspapers for publication.

Discussion

2021-06-06

It was duly moved and seconded
THAT a grant in the amount of \$575 be approved to Safe at Home for bus tickets to be used in the 2021 Point in Time Count, funded from the council donation account.

COUNCIL GRANT –
SAFE AT HOME POINT
IN TIME COUNT

Carried Unanimously

A committee member requested that an update on the Services Building project be provided to an upcoming Standing Committee meeting.

SERVICES BUILDING
For Information Only

City Planning Committee

2021-06-07

It was duly moved and seconded
THAT Bylaw 2021-11, a bylaw to amend the zoning at 410 Cook Street to reduce the minimum parking requirements to allow for micro-unit housing development, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
ZONING AMENDMENT
BYLAW 2021-11
410 Cook Street

Carried Unanimously

Some council members expressed concerns regarding potential impacts on parking in the downtown area. The consensus was to bring the bylaw forward under the bylaw process, and to continue discussion of the pros and cons of the issue when the bylaw is on the floor for second reading.

Discussion

City Operations Committee

2021-06-08

It was duly moved and seconded
THAT administration be authorized to commence the procurement of the 2021 Rural Roads Surfacing project number 240c00309.

COMMENCE
PROCUREMENT
RURAL ROADS
SURFACING PROJECT

Carried Unanimously

Council members commented on the importance of this program, but noted some concerns with respect to the width of the intersections in certain rural neighbourhoods, including Mount Sima and Mary Lake.

Discussion

2021-06-09

It was duly moved and seconded
THAT administration be authorized to commence the procurement of construction services for the Schwatka Lake West Shore Area Improvements project number 240c01420.

COMMENCE
PROCUREMENT
SCHWATKA LAKE WEST
SHORE IMPROVEMENTS

Carried Unanimously

A committee member reminded businesses and residents to ensure that bike racks remain usable when they are doing snow clearing.

SNOW CLEARING
For Information Only

Community Services Committee

There was no report from the Community Services Committee.

No Report

Public Health and Safety Committee

A committee member requested an update on the anticipated duration of the brush burning currently under way in the Tank Farm area.

TANK FARM BURNING
For Information Only

Development Services Committee

There was no report from the Development Services Committee.

No Report

NEW AND UNFINISHED BUSINESS

2021-06-10

It was duly moved and seconded
THAT the regular council meeting scheduled for Monday, April 12th be rescheduled to Tuesday, April 13th to facilitate the participation of council members and staff in the Territorial election.

RESCHEDULE REGULAR
COUNCIL MEETING
Territorial Election

Carried Unanimously

BYLAWS

2021-06-11

It was duly moved and seconded
THAT Bylaw 2021-16, a bylaw to establish regulations and procedures for the 2021 municipal election, having been read a first and second time, now be given third reading.

BYLAW 2021-16
ELECTION REGULATIONS
THIRD READING

2021-06-12

It was duly moved and seconded
THAT section 35 of Bylaw 2021-16 be amended by adding new subsections (1) and (2) as follows:

- “(1) Eligible electors who do not have the required identification and whose names do not appear on the list of electors may be issued a ballot provided that
- (a) they sign a solemn declaration that they are an eligible elector, and

Amendment

.../continued

2021-06-11 (Continued)

- (b) they are accompanied by an eligible elector whose name appears on the list of electors and who
 - (i) provides the required identification; and
 - (ii) vouches for the elector by signing a solemn declaration that the said elector is eligible to vote.
- (2) A registered elector may vouch for the eligibility of no more than one unregistered elector."

Amendment
(Continued)

Carried Unanimously

Council members commented on the inclusion of provisions for additional voting options due to the likelihood that the City will still be dealing with pandemic restrictions when citizens go to the polls this October.

Council members expressed satisfaction that the bylaw provides clear rules to enable residents to vote that are consistent with those in other jurisdictions, including the *Yukon Elections Act*. It was also noted that the amendment formalizes past practice with respect to eligible electors who do not have identification.

Discussion

A council member thanked All Genders Yukon Society for providing written support for the inclusive language used in the bylaw, and expressed the hope that the this bylaw will be used as a model for the development of future bylaws and policies.

The main motion, being third reading of Election 2021 Procedures Bylaw 2021-16 as amended, was then voted on.

Vote on Main Motion

Carried Unanimously

2021-06-13

It was duly moved and seconded
THAT Bylaw 2021-17, a bylaw to repeal out-dated or redundant bylaws, having been read a first and second time, now be given third reading.

BYLAW 2021-17
BYLAW REPEAL
THIRD READING

Carried Unanimously

2021-06-14

It was duly moved and seconded
THAT Bylaw 2021-18, a bylaw to update the *Municipal Act* references in a number of current bylaws, having been read a first and second time, now be given third reading.

BYLAW 2021-17
UPDATE REFERENCES
IN CURRENT BYLAWS
THIRD READING

Carried Unanimously

2021-06-15

It was duly moved and seconded
THAT Bylaw 2021-11, a bylaw to amend the zoning at 410 Cook Street
by reducing the minimum parking requirements for a micro-unit rental
housing development, be given second reading.

BYLAW 2021-11

ZONING AMENDMENT
410 Cook Street

SECOND READING

Defeated (3 – 3)

Council members supporting the proposed bylaw spoke of the urgent
need for affordable housing and the fact that council has identified
affordable housing as a priority. It was also noted that the City has a
number of tools available to mitigate parking issues that may arise as
a result of this development.

Council members not supporting the bylaw noted that the lack of on-
site parking forces residents to use on-street parking for their vehicles.
Parking has been identified as an issue in the downtown area for many
years, and reducing parking requirements for this development will
exacerbate the existing issues.

Discussion

Council members noted that the potential for more development and
increased densification in the immediate area is high. The parking
issues already being experienced will continue to grow since people
need vehicles for more than commuting to work.

It was also noted that council was not supplied with data to support the
assertion that the project requires a reduction in parking spaces in
order to be viable.

IN FAVOUR Deputy Mayor Stick, Councillors Curteanu and Roddick
OPPOSED Councillors Boyd, Cabott and Hartland

Recorded Vote

2021-06-16

It was duly moved and seconded
THAT Bylaw 2021-10, a bylaw to amend the 2021 to 2024 capital
expenditure plan by re-budgeting 2020 capital expenditures, be given
first reading.

BYLAW 2021-10

RE-BUDGET BYLAW
FIRST READING

Carried Unanimously

2021-06-17

It was duly moved and seconded
THAT Bylaw 2021-10 be given second reading.

SECOND READING

Carried Unanimously

2021-06-18

It was duly moved and seconded
THAT Bylaw 2021-20, a bylaw to amend the Fees and Charges Bylaw
in accordance with first quarter changes, be given first reading.

Carried Unanimously

BYLAW 2021-20

FEES AND CHARGES
FIRST READING

2021-06-19

It was duly moved and seconded
THAT Bylaw 2021-20 be given second reading.

Carried Unanimously

SECOND READING

Deputy Mayor Stick advised that no meeting of council is scheduled
for Monday, March 29. The next meeting will be a standing committee
meeting on Tuesday, April 6th.

NEXT MEETING
For Information Only

There being no further business, the meeting adjourned at 6:58 p.m.

ADJOURNMENT

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Minutes of the meeting of the Corporate Services Committee

Date	April 6, 2021	2021-07
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Stephen Roddick – Chair Councillor Jocelyn Curteanu – Vice-Chair Deputy Mayor Jan Stick Councillor Dan Boyd Councillor Laura Cabott Councillor Samson Hartland	
Absent	Mayor Dan Curtis	
Staff Present	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 Jason Everitt, Acting Director of Infrastructure and Operations Lindsay Schneider, Acting Director of Human Resources Mélodie Simard, Manager of Planning and Sustainability Services Wendy Donnithorne, Manager of Legislative Services Wayne Tuck, Senior Projects Engineer Arcadio Rodriguez, Senior Technologist, Water and Waste Services Norma Felker, Assistant City Clerk	

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

1. Capital Expenditure Plan Amendment – Lift Station #1 Upgrades

Lift Station #1 is a major component of the City's wastewater collection system. The station was built in the 1970s and is nearing the end of its useful life. A full retrofit of the station will be scheduled in the next two to three years. However, some of the identified deficiencies worsened in early 2021, and immediate repairs are required, including the replacement of one of the station's pumps. There is a high risk of catastrophic failure of the lift station if the interim repairs are delayed.

A committee member asked about options for the purchase of standby pumps so that spares are on hand, thereby eliminating the recurring need for urgent purchases.

The recommendation of the Corporate Services Committee is

THAT the 2021 to 2024 capital expenditure plan be amended by adding a new capital project for the acquisition of a pump for the Lift Station #1 Upgrades project in the amount of \$90,000, funded by the Water and Sewer Reserve until a Gas Tax Transfer Payment Agreement is received.

2. Scope Change – Building Consolidation Plan Service Building Project

An expansion to City Hall is required for the relocation of departments from the Municipal Services Building. This expansion, known as the Service Building project, was approved by Council in 2014, and in 2019 a design option was chosen. It was subsequently determined that renovating the existing City Hall would require more structural changes than anticipated to meet new building codes, and the costs would exceed the 2020 budget.

In response to the cost increase, three structural design approaches were investigated and costed. Demolishing the 1966 City Hall and replacing it with a new structure is the lowest cost option, but it still exceeds the current budget by 3.5 to 4 million dollars. This option will also provide a more efficient layout for service to the public and will result in an energy efficient building that includes undeveloped floor space for future growth.

If the scope of the project is not amended as proposed, the tendering and construction completion dates may be compromised, and the community benefits and cost savings of the project may not be realized.

Committee members expressed concern about the rising cost of the project and discussed some options that might minimize the projected increase.

The recommendation of the Corporate Services Committee is

THAT the 2021 to 2024 capital expenditure program be amended by changing the scope of the Building Consolidation Plan Service Building project to include the demolition of the existing 1966 City Hall; and

THAT Administration be directed to bring forward the corresponding Cost “B” estimate as soon as it is prepared in order for Council to consider an amendment to the 2021-2024 capital budget.

3. Resolution for Presentation to the AYC Annual Meeting

The Association of Yukon Communities annually invites communities to submit resolutions they feel require the support of the membership at the annual general meeting. Council members have proposed that this year the City of Whitehorse jointly submit a resolution with the City of Dawson. The proposed resolution acknowledges the historical and present-day racism and discrimination that threatens our communities, and commits AYC to providing its members with anti-racism and other related training and education on an annual basis.

The draft resolution also encourages member communities to provide such education and training for elected officials, staff and volunteers that represent their communities, and to conduct a review of their bylaws and policies with an equity and inclusivity lens. The resolution also encourages member communities to explore participation in the Canadian Coalition of Inclusive Municipalities.

The recommendation of the Corporate Services Committee is

THAT the anti-racism resolution drafted in conjunction with the City of Dawson be forwarded to the Association of Yukon Communities for consideration by the membership at the 2021 Annual General Meeting.

4. Corporate Re-organization – For Information Only

A corporate re-organization project was approved in the 2021 to 2024 capital expenditure plan. A number of changes to the corporate structure combined with work-load re-balancing have been identified to address the greatest needs and gaps. The significant changes are:

- Creating a Property Management department that includes Building Maintenance and vertical infrastructure. Moving the Building Maintenance function from the Infrastructure and Operations division will allow for more future planning in that division.
- Establishing a Corporate Human Resources division to support all other departments. The upcoming bargaining processes for three collective agreements will have a significant impact on resources in this area.
- Moving Transit Services to the Development Services division provides a fit with sustainability, energy/GHG reduction, and neighbourhood planning.
- Community and Recreation Services becomes Community Services, and some efficiencies should occur with Bylaw and Fire in the same division and the same building.
- The Wildland Fire Risk Reduction Strategy will initially be led by Legislative Services due to the need for policy and bylaw development before implementing other actions.

No additional funding is required as changes can be covered in the initial stages using re-allocated funding from existing and project funds already anticipated and budgeted.

5. Council Grant – Donation of Compost

The Yukon Anti-Poverty Coalition is organizing a pilot project for a Ground Share program in Whitehorse. The pilot project will assess the potential benefits of connecting Whitehorse residents who would like to grow food but may not have the financial means, necessary skills, materials, tools, or access to usable land, with landowners who have under-utilized privately owned space who would like to see their land used for food production.

The Coalition is asking for 100 complimentary bags of compost valued at \$500 for this pilot project. The compost will be used to minimize a barrier to participating and also as a tool to increase the likelihood of a successful harvest.

This pilot project will support better planning for community organizations and governments to assess their progress in building a robust local food system that is sustainable, resilient, and accessible.

The recommendation of the Corporate Services Committee is

THAT a grant of \$500 be approved to the Yukon Anti-Poverty Coalition for use in the 2021 Ground Share pilot project, funded from the Council donation account.



Minutes of the meeting of the City Planning Committee

Date	April 6, 2021	2021-07
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Samson Hartland – Chair Councillor Laura Cabott – Vice Chair Deputy Mayor Jan Stick Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Stephen Roddick	
Absent	Mayor Dan Curtis	
Staff Present	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 Jason Everitt, Acting Director of Infrastructure and Operations Lindsay Schneider, Acting Director of Human Resources Patrick Ross, Manager of Land and Building Services Wendy Donnithorne, Manager of Legislative Services Mélodie Simard, Manager of Planning and Sustainability Services Norma Felker, Assistant City Clerk	

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

1. Public Hearing Report – Zoning Amendment – 107 Range Road

The owner of the property located at 107 Range Road has applied for a zoning amendment to permit a drive-through component as part of the development of an eating and drinking establishment.

Community input received at the public hearing included 21 written and two verbal submissions, with 14 in support, 11 opposed, and one expressing concerns.

Some of the submissions in support cited access to a food service establishment for nearby residents and workers, additional services for highway traffic, and a reduction of traffic congestion in the downtown area. However, many of these submissions also mentioned a specific commercial tenant.

Two petitions of support were also received with more than 2,200 signatures. Both petitions cited a specific commercial tenant, and the one with the largest number of signatures did not address the zoning amendment under consideration.

Comments of opposition or concern stated that the proposal contradicts existing City plans, policies and objectives and would encourage highway commercial development. They also spoke to unforeseen impacts related to drive-throughs and the timing of the Official Community Plan update that is currently under way.

Administration has concluded that the proposed use is not in line with the intent and objectives of the current OCP, Sustainability Plan, Transportation Demand Management Plan and the Downtown Retail and Entertainment Strategy. Additionally, as part of the new OCP development process, the OCP policies will be reviewed with respect to the impacts of land use changes and to provide further policy clarity.

The recommendation of the City Planning Committee is

THAT Bylaw 2021-13, a bylaw to amend the zoning at 107 Range Road to permit a drive-through component for an eating and drinking establishment, be brought forward to second reading and defeated.

2. Public Hearing Report – Zoning Amendment – Periodic Revisions

Administration has proposed a number of amendments to the Zoning Bylaw to improve regulations, clarify wording, correct omissions, and implement minor changes. These amendments have arisen through day-to-day use of the bylaw. A comprehensive group of zoning bylaw edits is typically brought forward on a periodic basis, and the last such edits were adopted in 2019.

At the public hearing for the periodic revisions bylaw, one submission was received. The writer contended that the Official Community Plan (OCP) should not retroactively impact the zoning bylaw. The OCP is adopted by bylaw, and policy statements within the document are binding. The OCP states that there shall be a density maximum of 60 units per hectare for the area along Centennial Road. The proposed bylaw adds a regulation to the zoning bylaw that matches the maximum density policy listed in the OCP.

No additional submissions were received and no other issues were raised.

The recommendation of the City Planning Committee is

THAT Bylaw 2021-14, a bylaw to amend the Zoning Bylaw with respect to a number of periodic revisions, be brought forward for second and third reading under the bylaw process.

3. Zoning Amendment – Development Application Process and Drainage Plan Amendments

Administration is bringing forward a number of amendments to the Zoning Bylaw to implement a more consistent process for reviewing development permit applications and ensure better compliance with drainage requirements.

The proposed amendments clarify the requirements for a complete development permit application, and enable up-front fee collection. The bylaw amends the existing formulas for calculating landscaping and hard-surfacing requirements, and establishes standards for demonstrating compliance with drainage and servicing requirements.

A committee member noted that security deposits for landscaping and hard-surfacing can be quite onerous for developers since the funds can be tied up for a considerable length of time. Administration was asked to explore options for the potential use of bonds and for the payment of interest on funds used as security for required development. It was noted that the *Landlord and Tenant Act* contains a calculator that could be used for this purpose.

The recommendation of the City Planning Committee is

THAT Bylaw 2021-24, a bylaw to amend the Zoning Bylaw to improve the development application process and manage drainage requirements more effectively, be brought forward for consideration under the bylaw process.



Minutes of the meeting of the City Operations Committee

Date	April 6, 2021	2021-07
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Laura Cabott – Chair Councillor Samson Hartland – Vice Chair Deputy Mayor Jan Stick Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Stephen Roddick	
Absent	Mayor Dan Curtis	
Staff Present	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 Jason Everitt, Acting Director of Infrastructure and Operations Lindsay Schneider, Acting Director of Human Resources Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk	

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



Minutes of the meeting of the Community Services Committee

Date	April 6, 2021	2021-07
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Dan Boyd – Chair Deputy Mayor Jan Stick Councillor Laura Cabott Councillor Jocelyn Curteanu Councillor Samson Hartland Councillor Stephen Roddick	
Absent	Mayor Dan Curtis	
Staff Present	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 Jason Everitt, Acting Director of Infrastructure and Operations Lindsay Schneider, Acting Director of Human Resources Doug Spencer, Manager of Bylaw Services Wendy Donnithorne, Manager of Legislative Services Landon Kulych, Manager of Parks and Community Development Meagan Wilson, Projects and Trail Development Coordinator Norma Felker, Assistant City Clerk	

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

1. E-Bike Regulation Bylaw and Related Bylaw Amendments

An emerging trail activity in Whitehorse is the use of e-bikes and e-mobility devices, and this use was noted and considered during the public engagement process for developing a new Trail Plan in 2020. The proposed bylaw was developed in response to a Trail Plan action to “update relevant policies and bylaws to legitimize the use of e-bikes and other e-mobility devices on trails.” The bylaw takes into account current municipal, territorial and federal legislation as well as developments in other jurisdictions.

Minor adjustments were made to the E-Bike Bylaw after further consultation with user groups, including adding a definition for motorized multiple-use trails and clarifying where the use of Class 2 e-bikes is permitted.

Should the E-Bike Regulation Bylaw be adopted, changes to three other current bylaws will be required to bring them into alignment with the e-bike regulations. A bylaw to make such consequential amendments to the three bylaws has been prepared with the expectation that the two bylaws will go through the bylaw process in tandem. If the two bylaws are adopted, Administration will initiate a public education campaign, providing retailers and the general public with information concerning e-bike and e-mobility device usage in the City.

The recommendation of the Community Services Committee is

THAT Bylaw 2021-22, the E-Bike Regulation Bylaw, be brought forward for consideration under the bylaw process; and

THAT Bylaw 2021-23, a bylaw to amend a number of current bylaws to align with the E-Bike Regulation Bylaw, be brought forward for consideration under the bylaw process.



Minutes of the meeting of the Public Health and Safety Committee

Date	April 6, 2021	2021-07
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Dan Boyd – Chair Deputy Mayor Jan Stick Councillor Laura Cabott Councillor Jocelyn Curteanu Councillor Samson Hartland Councillor Stephen Roddick	
Absent	Mayor Dan Curtis	
Staff Present	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 Jason Everitt, Acting Director of Infrastructure and Operations Lindsay Schneider, Acting Director of Human Resources Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk	

Your Worship, there is no report from the Public Health and Safety Committee.



Minutes of the meeting of the Development Services Committee

Date	April 6, 2021	2021-07
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Jocelyn Curteanu – Chair Councillor Stephen Roddick – Vice-Chair Councillor Dan Boyd Councillor Laura Cabott Councillor Samson Hartland Councillor Jan Stick	
Absent	Mayor Dan Curtis	
Staff Present	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 Jason Everitt, Acting Director of Infrastructure and Operations Lindsay Schneider, Acting Director of Human Resources Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk	

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

■

CITY OF WHITEHORSE

BYLAW 2021-10

A bylaw to amend the 2021 to 2024 Capital Expenditure Program

WHEREAS section 238 of the *Municipal Act* (R.S.Y. 2002) provides that council shall by bylaw adopt an annual operating budget and a multi-year capital expenditure program; and

WHEREAS section 241 of the *Municipal Act* provides that no expenditure shall be made that increases total expenditures above what was approved in the annual capital budget or operating budget unless such expenditure is approved by bylaw; and

WHEREAS it is necessary to increase the 2021 to 2024 capital expenditure program to provide for the re-budgeting of 2020 capital projects;

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

1. The 2021 capital budget is hereby increased in the amount of \$32,980,778 to provide for the re-budgeting of 2020 capital projects as detailed in Appendix "A" attached hereto and forming part of this bylaw.
2. This bylaw shall come into full force and effect upon final passing thereof.

FIRST and SECOND READING: March 22, 2021

THIRD READING and ADOPTION:

Mayor

Assistant City Clerk

Department	Job ID		Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Strategic Communications	201c00120	WEBSITE REDESIGN	Project continuing into 2021. Project expected to be completed by end of April 2021. Rebudgeted funds will be spent on website redesign	50,000	16,253	33,747	33,747
Legislative Admin	220c00116	RECORDS MANAGEMENT	The project will proceed in earnest when a staff person is hired. Recruitment efforts in 2020 did not result in a successful candidate. The job description is currently under review and reclassification, and the position is expected to be filled in 2021.	185,582	11,575	174,007	174,007
Legislative Admin	220c00220	POLICY DEVELOPMENT	SProject continues with a staff person in HR and consultants working on the project. Anticipate HR policies to be completed by end of 2021.	323,400	44,674	278,726	278,726
Engineering Services	240c00119	MARWELL LIFT SANITARY FORCEMAIN REPAIR	The tender was cancelled in 2020, since the sole bid was significantly over budget. The project will be retendered in 2021, with job to be completed Q4 2021 / Q1 2022	250,000	17,961	232,039	232,039
Engineering Services	240c00209	HILLCREST RECONSTRUCTION	Public engagement with Hillcrest delayed until the completion of the LIC Bylaw update	50,000	-	50,000	50,000
Engineering Services	240c00213	HILLCREST WATER SUPPLY	This is a Yukon Government lead project with a City contribution. The work was substantially completed in 2020 with some minor surface repair work remaining to be completed in 2021.	965,000	845,841	119,159	119,159

Department	Job ID		Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Engineering Services	240c00317	DOWNTOWN RECONSTRUCTION - ALEXANDER ST EAST (2-4TH)	Contract is in place with a landscaping contractor. Contractor was not able to complete the work in 2020. Contract has been amended for a 2021 project completion date.	275,712	4,205	271,507	271,507
Engineering Services	240c00418	DOWNTOWN RECONSTRUCTION: COOK ST WEST (4TH TO ESCARPMENT)	Multi-year project. A contract is in place for construction of underground and surface works to be completed in 2021.	9,263,602	1,098,529	8,165,073	8,165,073
Engineering Services	240c00513	MARWELL EAST - TLINGIT ST	Multi-year project. Construction contract is in place for underground and surface works. Landscaping design has been initiated in early 2021.	6,667,855	3,519,359	3,148,496	3,148,496
Engineering Services	240c01020	PUCKETT GULCH STAIRS REHABILITATION	Construction was commenced in the fall of 2020, continued into the winter and was substantially completed in 2020. Some minor surface regrading and cleanup is required in 2021 to complete the contract.	650,000	417,165	232,835	232,835
Engineering Services	240c01118	LIVINGSTONE TRAIL LAGOON INFLUENT CHAMBER REPLACEMENT	Design was advanced to 95% in 2020, then put on hold until non-destructive testing was completed on the force main to validate the design. The remaining 5% of design will be completed in early 2021 by the City's engineering consultant.	87,001	66,258	20,743	20,743
Engineering Services	240c01216	TRANSPORTATION STUDY (CITY WIDE)	Multi-year project. A contract is in place with an engineering consulting firm and the anticipated completion date is March 2022.	450,000	127	449,873	449,873

Department	Job ID		Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Engineering Services	240c01410	STORM SEWER UPGRADES	Most of the 2020 work was completed, however one of the 2020 locations is carrying forward to 2021, as the design was more challenging than anticipated.	233,651	108,389	125,262	125,262
Engineering Services	240c01420	SCHWATKA LAKE WEST SHORE AREA IMPROVEMENTS	Design commenced in 2020 and a contract is in place with a consultant for the design work. Design is anticipated to be completed early 2021 with construction in Summer 2021.	50,000	19,668	30,332	30,332
Engineering Services	240c01520	MAIN STREET ESCARPMENT GEOHAZARD MITIGATION	The supply of the berm material is being coordinated with the Cook Street Reconstruction project. A contract is in place for construction in 2021.	460,000	16,454	443,546	443,546
Engineering Services	240c02609	SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) PROGRAM	Multi-year program. A tender is ready to be released early 2021 for three water and waste water facilities.	501,050	309,559	191,491	191,491
Director, Corporate Services	120c00115	ASSET MANAGEMENT	COVID-19 delayed project implementation as steering committee members were not able to participate. In 2021 staff will be hired and an aggressive project plan developed. Once the program as been fully implemented, the project will move to the operating budget.	470,301	-	470,301	470,000
Financial Services	260c00120	IMPLEMENTATION OF ASSET RETIREMENT OBLIGATIONS STANDARD	The Public Standard Accounting Board (PSAB) has delayed the implementation of this reporting regulation to 2023 due to COVID-19. In 2021 these funds will be allocated to the development of the processes required to implement reporting. This project will be complete by 2022.	50,000	-	50,000	50,000

Department	Job ID		Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Financial Services	260c00220	INSURANCE APPRAISAL SERVICES	This project began in 2020 though the bulk of the appraisal work will be carried out and completed in 2021.	60,000	6,651	53,349	53,349
Business & Technology Systems	300c00109	COMPUTER INFRASTRUCTURE	The project's supply chain, sourcing of equipment, and resource availability were affected by COVID-19. The remaining budget will be used for servers, Wi-Fi, and firewall replacement. This is a budget that funds ongoing needs.	799,937	371,926	428,011	428,011
Business & Technology Systems	300c00110	SOFTWARE ACQUISITION	OH&S case system is still in progress. The amount will be spent on the licenses and implementation of the system. Now that the Bylaw case system has been successfully completed, the OH&S case system will begin implementation in 2021. This is budget also funds other ongoing software needs.	136,951	74,922	62,029	62,029
Business & Technology Systems	300c00111	SOFTWARE LICENSING RENEWALS	The remaining funds will need to be rebudgeted to 2021 to cover for the upcoming Microsoft licensing term renewal at the end of 2021. It will be used to cover for Microsoft license count differential (growth in license needs). This is a budget that funds ongoing needs.	693,276	591,876	101,400	84,900
Business & Technology Systems	300c00112	SECURITY CAMERAS	Water and Waste camera replacement are still pending due to limited network connectivity options and resourcing/capacity issues. The funds will be spent on replenishment of old security camera equipment and Landfill gatehouse cameras. This is a budget that funds ongoing needs.	106,504	11,700	94,804	94,804
Business & Technology Systems	300c00113	ENTERPRISE RESOURCE PLANNING (ERP) DEVELOPMENT	Vendor delivery and performance was affected by COVID-19. There are ongoing discussions and consultations with various City Departments to collect and gather additional system requirements. The rebudgeted amount will be needed to fund the potential implementation of additional modules, upgrades, fixes and enhancements. This is a multi-year project with multi-year budgets.	173,384	16,448	156,936	156,936

Department	Job ID		Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Business & Technology Systems	300c00117	LAND AND BUILDING SERVICES RECORDS DIGITIZATION	The project encountered difficulties in hiring Records Management staff within legislative department and lands & building due to COVID-19. The rebudgeted funds will be used to determine records digitization strategy and select a vendor to implement the project. This is a multi-year project with multi-year budgets.	112,929	587	112,342	112,342
Business & Technology Systems	300c00118	RADIO AND LOCATION EQUIPMENT	The project's supply chain, sourcing of equipment, and resource availability were affected by COVID-19. The rebudgeted funds will be spent on handheld and vehicle radios that various departments (non-Fire Dept.) are using. This is a budget that funds ongoing needs.	240,866	118,949	121,917	121,917
Business & Technology Systems	300c00119	TRANSIT REALTIME PASSENGER INFO AND ELECTRONIC PAYMENTS	The project's supply chain, vendor contract negotiations, and resource availability were affected by COVID-19. The rebudgeted funds will be spent to commence the project and install automated passenger counting equipment in City buses. This is a multi-year project with multi-year budgets.	131,900	-	131,900	131,900
Business & Technology Systems	300c00120	COMPUTER INFRASTRUCTURE - NETWORK AND COMM LINKS	The project's supply chain, sourcing of equipment, and resource availability were affected by COVID-19. The rebudgeted funds will be spent on replacement network equipment. This is a budget that funds ongoing needs.	393,200	143,995	249,205	249,205
Business & Technology Systems	300c00212	PAPERLESS DOCUMENT MANAGEMENT	The project is awaiting outcome of the Records Management pilot that will provide direction on how these funds will be spent going forward. If the pilot is successful, additional software license and more consulting hours will be needed in 2021. This phase of the project is targeted for completion in Dec 2021.	16,449	-	16,449	16,449
Business & Technology Systems	300c00218	BYLAW INCIDENT REPORTING SOFTWARE	The department/sponsor requested additional systems enhancements post implementation. The rebudgeted funds will be spent on systems enhancements to be implemented by the systems vendor. This phase of the project is targeted for completion in Dec 2021.	39,425	35,000	4,425	4,425

Department	Job ID	Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Business & Technology Systems	300c00220	COMPUTER INFRASTRUCTURE - SERVERS AND STORAGE The project's supply chain, sourcing of equipment, and resource availability (staff redeployment) were affected by COVID-19. The rebudgeted funds will be spent on consulting to ensure server and storage infrastructure are well maintained. This is a budget that funds ongoing needs.	112,400	90,359	22,041	10,200
Business & Technology Systems	300c00320	COMPUTER INFRASTRUCTURE - USER DEVICES AND SUPPORT The project's supply chain, sourcing of equipment, and resource availability (staff redeployment) were affected by COVID-19. The rebudgeted funds will be spent on employee computer equipment and Bylaw's license plate recognition system replacement. This is a budget that funds ongoing needs.	409,800	171,109	238,691	238,691
Business & Technology Systems	300c00420	IT STRATEGY FOR THE CITY OF WHITEHORSE The project was delayed due to COVID-19 as the consultant was unable to travel onsite. Consultations are being done remotely. The rebudgeted funds will be spent on remaining consulting hours to draft the final report and recommendations. This project is targeted for completion in Dec 2021.	40,000	20,566	19,434	19,434
Business & Technology Systems	300c00620	GROUP PORTAL CONSULTATION The project's resource availability was affected by COVID-19 - staff were redeployed. Consultation with the new Council will be done after Oct 2021. The rebudgeted funds will be used for obtaining software support and maintenance. This project is targeted for completion in Dec 2021.	30,000	-	30,000	30,000
Building & Fleet Maintenance	320c00114	PUMP HOUSE BUILDINGS REPAIRS Project was slightly delayed in 2020 due to COVID-19 with rebudgeted funds for remaining work to do at Two Mile Booster on the roof. Work is seasonal and will be completed Summer 2021.	29,989	13,888	16,101	16,101
Building & Fleet Maintenance	320c00115	MOBILE STEAMER REPLACEMENT A purchase order was issued in 2020, awaiting delivery in 2021. Rebudget will be spent on equipment purchase. Expected delivery July 2021	495,000	285	494,715	494,715

Department	Job ID		Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Building & Fleet Maintenance	320c00220	ADDTL 1 TON SERVICE TRUCK- WATER SEWER SYSTEM MAINTENANCE FGE	A purchase order was issued in 2020, awaiting delivery in 2021. Rebudgeted amount was spent on equipment purchase. Already delivered February 2021	110,000	60	109,940	109,940
Building & Fleet Maintenance	320c00317	GARBAGE/COMPOST PACKER REPLACEMENT	A purchase order was issued in 2020, awaiting delivery in 2021. Rebudgeted amount will be spent on equipment purchase. Expected delivery December 2021 / January 2022 (manufacturing delays)	648,000	-	648,000	648,000
Building & Fleet Maintenance	320c00420	ROBERT SERVICE CAMPGROUND BUILDING	Design work in progress and design to be completed in 2021. Construction tender to be released in Q3 2021. Construction work not likely to be completed until 2022	250,000	25,223	224,777	224,777
Building & Fleet Maintenance	320c00910	WASTE HEAT RECOVERY - CGC	Construction in progress throughout 2020. Project proceeding as planned with expected completion date in 2021	653,128	36,404	616,724	616,724
Building & Fleet Maintenance	320c01016	REPLACEMENT TRANSIT BUSES	A purchase order was issued in 2020, awaiting delivery in 2021. Rebudgeted funds to be spent on 2 new buses. Expected delivery May 2021	2,200,000	1,099,200	1,100,800	1,100,000
Building & Fleet Maintenance	320c01114	ENERGY UPGRADES - CANADA GAMES CENTRE	Project near completion at end of 2020; re-budgeted funds were already spent on finalizing the project - project completed during Q1 2021.	70,179	60,011	10,168	10,168

Department	Job ID		Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Building & Fleet Maintenance	320c01117	BUILDING CONSOLIDATION PLAN - SERVICES BUILDING	Design work progress delayed with award, COVID-19 impact. Council provided an update on March 4th 2021 - expected completion date 2024	4,104,178	357,959	3,746,219	3,700,397
Building & Fleet Maintenance	320c01217	BCP - TRANSIT/PARKS BUILDING RENOVATIONS	Delayed due to Operations Building Construction delays. Anticipate RFP for design in Q2 2021. Design work to be completed Q4 2021 with construction to be done in FY2022/2023	750,000	-	750,000	750,000
Building & Fleet Maintenance	320c01317	BCP - OFFICE ALTERNATIVE	Project delayed due to Operations Building delays. Moving, renovations and leases now underway in early 2021.	98,500	14,718	83,782	83,782
Building & Fleet Maintenance	320c01509	TRANSIT HANDY BUS REPLACEMENT	A purchase order was issued in 2020, awaiting delivery in 2021. COVID-19 Delays - vendor delayed in delivery due to global manufacturing delays. Expected delivery June 2021	240,000	24	239,976	239,976
Building & Fleet Maintenance	320c01516	KULAN SATELLITE STN UPGRADES	Other priorities delayed progress on this project. It is anticipated that detailed design and cost estimate will be completed in 2021	137,043	32,257	104,786	104,786
Building & Fleet Maintenance	320c01709	PICKUP TRUCK REPLACEMENT	A purchase order was issued in 2020, awaiting delivery in 2021. COVID-19 Delays - vendor delayed in delivery due to global manufacturing delays. Expected delivery April 2021	120,000	168	119,832	119,832

Department	Job ID		Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Building & Fleet Maintenance	320c01712	ENVIRONMENTAL ASSESSMENTS - SURPLUS PROPERTIES	Delayed by Operations Building delays. Some progress made in 2021, more progress will be made as properties change use. More progress will be made as properties become vacant and the work can be completed. Hazardous material assessments cannot be completed until buildings are vacant.	75,736	35,590	40,146	40,146
Building & Fleet Maintenance	320c01716	BCP - FIRE HALL #1 BUILDING	Majority of job completed in 2020. Rebudgeted funds will go towards final completion including landscaping, signage, art work, flag poles, consultants & engineering. Expected completion Q2 2021	1,757,127	1,550,010	207,117	150,000
Building & Fleet Maintenance	320c01810	BCP - OPERATIONS BUILDING	Construction delayed due to COVID-19. Rebudget funds to go towards job completion including fit out, access road, consultant, management. Expected completion Q3 2021	7,872,206	3,262,137	4,610,069	3,980,629
Building & Fleet Maintenance	320c02016	HERITAGE BLDG ROOF REPLACEMENT	Design complete in 2020. Rebudgeted funds to be tendered 2021 for construction - expected Q2 2021	52,761	24,288	28,473	28,473
Bylaw Services	400c00220	PARKING TECHNOLOGIES OPTIONS ANALYSIS AND RECOMMENDATION	Project commenced in Fall 2020 due to slight delays due to COVID-19. Rebudget amounts will be spent on consulting. Invoicing has now begun with expected project completion in May 2021	50,000	-	50,000	50,000
Fire	440c00209	SELF-CONTAINED BREATHING APPARATUS (SCBA) AIR MANAGEMENT REPLACEMENT/UPGRADE	Additional units and replacement components have been ordered to ensure that a full transition has occurred. A full replacement was not considered in the initial scope of the project as confidence in pricing was low and a desire to remain within budget was preferable. This re-budgeted amount will ensure a full transition within budget parameters. These funds are committed, but as a result of a delayed delivery schedule, the units have not been received or paid for.	503,991	411,111	92,880	92,880

Department	Job ID		Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Fire	440c00309	TURNOUT GEAR REPLACEMENT	Ongoing annual commitment to the recycling of turnout gear along with additional gear requirements for new casual or volunteer members. Budget variances are largely due to pricing fluctuations in this product. The project is an annual obligation, with no defined end date.	49,122	46,376	2,746	2,746
Fire	440c00320	FIRE SERVICE REVIEW	This project was delayed due to COVID-19. The project has commenced and these funds are required for 2021 to satisfy the contractual obligations with the consultant.	80,000	50	79,950	79,950
Operations	500c00110	SMALL EQUIPMENT REPLACEMENT	A PO was issued in 2020 and the units were delivered in February 2021.	89,244	29,296	59,948	50,000
Operations	500c00116	MAJOR SIDEWALK REPAIRS	Ongoing major sidewalk repairs across the City. Project was delayed due to weather and limited resources (staff) in 2020. Job expected to be complete Summer 2021	118,107	40,573	77,534	77,534
Operations	500c00409	PARA RAMP INFILLS	Ongoing Para ramp infills across the City. Project was delayed due to weather and limited resources (staff) in 2020. Job expected to be complete Summer 2021	41,390	18,563	22,827	22,827
Transit Services	580c00119	TRANSIT - ALTER EXISTING ROUTE NETWORK AND SCHEDULES	Project was not completed in 2020 due to delays however implementation will commence in 2021.	50,000	12,958	37,042	37,042

Department	Job ID		Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Water and Waste Services	500c00209	LANDFILL UPGRADES	Project not performed in 2020 due to increased work load due to the COVID-19 pandemic at the Waste Management Facility, and personnel shortage. Planned expenditures include upgrades to the electric fence, signage and road improvements. Planned completion date: Dec 31, 2021.	95,753	836	94,917	94,917
Water and Waste Services	650c00119	RESERVOIR CLEANING	Project was not completed in 2020 due to travel restrictions caused by the COVID-19 pandemic. The contractor (Advanced Diving) is from Alberta. Planned expenditures: Cleaning of three drinking water reservoirs by specialized diving company. Planned completion: Dec 31, 2021.	88,445	88	88,357	88,357
Water and Waste Services	650c00120	GROUND PENETRATING RADAR	A ground penetrating radar was acquired in 2020. The remaining funds will be used to purchase ancillary devices and parts, for the optimum operation of the radar. Planned expenditures in 2021 include the purchase of ancillary parts and equipment for the radar. Planned completion: Dec 31, 2021.	50,000	34,036	15,964	15,964
Water and Waste Services	650c00319	LTECF DISCHARGE LINE UPGRADE	The project was not completed in 2020 as the contractors market was saturated during the COVID-19 pandemic. Planned expenditures in 2021 include upgrades to the LTECF discharge line. Planned completion: Dec 31, 2021.	70,853	32	70,821	70,821
Water and Waste Services	650c00320	EMERGING POLLUTANTS: WASTEWATER TREATMENT	This is a multi-year project, spanning from 2020 to 2023. Planned expenditures in 2021 include emerging contaminants testing, engineering assessment and implementation of a pilot system. Planned completion: Dec 31, 2023.	70,000	8,471	61,529	61,529
Water and Waste Services	650c00410	SMALL LIFT STATION UPGRADES	Upgrades and retrofits were partially completed in 2020, due to work load and personnel vacancies. Planned expenditures include the acquisition of parts for upgrades. Planned completion: Dec 31, 2021.	30,844	21,252	9,592	9,592
Water and Waste Services	650c00420	SMALL LIFT STATIONS BACKUP GENERATOR	The procurement of the generator was delayed in 2020 due to negotiations with the selected vendor. The generator has been ordered and the invoice will be paid in 2021. Planned expenditures include paying the invoice to the selected vendor for the generator. The planned completion date is Dec 31, 2021.	93,500	-	93,500	93,500

Department	Job ID	Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Water and Waste Services	650c00618	POT HOLE LAKE SERVICE UPGRADE The project was not completed in 2020 due to market saturation of both contractors and consultants, COVID-19 pandemic. Planned expenditures include an exfiltration test, detailed design and rehabilitation work of the Pot Hole Lake will be completed in 2021. Planned completion: Dec 31, 2021.	81,201	-	81,201	81,201
Water and Waste Services	650c00620	MARWELL LIFT STATION PUMP REPLACEMENT One new pump was purchased and another one retrofitted in 2020. Also consultant services (Marwell Sand Traps Assessment) were retained in 2020 for this project. Planned expenditures in 2021 include purchasing one more pump. A Gas Tax amendment was submitted for additional \$200,000 to cover the payment of the pump in 2021. Planned completion: Dec 31, 2021.	330,000	181,269	148,731	51,269
Water and Waste Services	650c00819	TRANSFER STATION UPGRADES A consultant prepared an assessment and preliminary design in 2020 and detailed design will continue in 2021; to upgrade the transfer station at the Waste Management Facility. Planned expenditures in 2021 include a detailed design to be created by a consultant. Planned completion: Dec 31, 2021.	234,388	137,195	97,193	97,193
Water and Waste Services	650c01019	METAL PILE - ONE YEAR The project procurement started in 2020 and the completion of the procurement process and award will continue in 2021. Planned expenditures in 2021 include an award contract for the collection of metals from the Waste Management Facility. Planned completion: Dec 31, 2021.	348,884	10,540	338,344	338,344
Water and Waste Services	650c01217	COMMERCIAL WATER METER REPLACEMENTS This is a multi-year project. The 2020 work did not proceed at the anticipated level due to high work load in other areas, due to the COVID-19 pandemic.. Planned expenditures in 2021 include procurement and installation of water meters for commercial buildings. Planned completion: multi-year.	74,152	-	74,152	74,152
Water and Waste Services	650c01409	HYDRANT INFILL This is a multi-year project. There was no work performed in 2020 due to high work load in other areas, a result of the COVID-19 pandemic. Planned expenditures in 2021 include continuing with the hydrant infill program. Planned completion: Multi-year project.	5,000	-	5,000	5,000

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Water and Waste Services	650c01818	SWAP IMPLEMENTATION	The project will continue with ancillary expenses related to the implementation of the Solid Waste Action Plan. Planned expenditures in 2021 include materials related to the SWAP implementation. Planned completion: Dec 31, 2021.	1,915	1,346	569	569
Water and Waste Services	650c02118	COMPOST FACILITY EXPANSION	The project was substantially completed in 2020. Some seasonal deficiencies will be completed and inspections will be performed in the spring of 2021, after the snow disappear from the ground. Planned expenditures: Additional materials, equipment, inspection, deficiencies, and invoices will be purchased / paid in 2021. Planned completion: Dec 31, 2021.	3,843,667	2,570,351	1,273,316	1,273,316
Planning Services	720c00120	WHISTLE BEND TOWN SQUARE DETAILED DESIGN	This project was delayed due to staff capacity during COVID-19 as is now led by Engineering. The project is expected to be completed in 2021. Budget will be used for design.	140,000	-	140,000	140,000
Planning Services	720c00216	6TH AVE CONTAMINATION REMEDIATION	Project was not completed due to delays with review of the funding application by FCM. Rebudgeted funds will be spent on consultant services to do remediation planning. It is expected that funding will be secured by end of March and project will be completed by mid-summer.	75,000	7,238	67,762	67,762
Planning Services	720c00220	TANK FARM MASTER PLAN	This project was delayed due to ongoing discussions with primary landowner. Project is expected to be completed in 2022. Funds will primarily be used for consultants, project management and engagement.	150,000	339	149,661	149,661
Planning Services	720c00318	ZONING BYLAW REWRITE	This project is tied to the OCP review, which was delayed because of COVID-19 and staff turnover. This project is now expected to be completed late 2023. Funding will be used for consultants, project management and engagement.	100,000	-	100,000	100,000

Department	Job ID		Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Planning Services	720c00319	INDIGENOUS LANGUAGES PLACE-NAME INCORPORATION	This is an intergovernmental project, which was delayed due to staff capacity in our and partner governments during COVID-19. This project is on hold until capacity is confirmed and therefore timelines for completion cannot be confirmed.	49,825	-	49,825	49,825
Planning Services	720c00614	NEIGHBOURHOOD SIGN CREATION & REFURBISHMENT	Project delayed due to vendor & staff capacity issues (COVID-19). Minimal amount rebudgeted to be spent summer 2021	12,350	6,315	6,035	6,035
Planning Services	720c00618	CHADBURN LAKE PARK IDENTITY/BRANDING	This is an intergovernmental project, which was delayed due to staff capacity in our and partner governments during COVID-19. This project is on hold until capacity is confirmed and therefore timelines for completion cannot be confirmed.	29,823	-	29,823	29,823
Planning Services	720c00815	OFFICIAL COMMUNITY PLAN REVIEW - 2018	The project experienced delays due to COVID-19 and staff turnover and is now expected to be completed under the next Council (2022). Funds will be used towards staffing, consultants, and public engagement.	103,339	32,539	70,800	70,800
Parks and Trails	740c00119	SHIPYARDS PARK SKATING LOOP DRAINAGE	This project is linked to Jumpstart Playground site preparation which was delayed due to COVID-19. The Jumpstart team could not travel. Landscape alterations will address water pooling in the area. Project will be completed in 2021	40,000	-	40,000	40,000
Parks and Trails	740c00220	WHISTLE BEND TREE REPLACEMENT	Staff planted as many trees as possible in 2020. The re-budgeted amount will be spent on more trees that currently require replacement and their planting. This project will be completed in 2021.	45,000	8,305	36,695	36,695

Department	Job ID		Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Parks and Trails	740c00320	LONG LAKE IMPROVEMENTS	The concept design was completed in 2020. Re-budgets will be spent on amenities such as a dock. Project will be completed in 2021.	110,000	5,006	104,994	107,974
Parks and Trails	740c00417	SHIPYARDS PARK ELECTRICAL POSTS AND OUTLET REPLACEMENT.	Electrical posts were purchased in 2020. Installation will coincide with the Jumpstart Playground site preparation which was delayed due to COVID-19. Project to be completed in 2021.	20,000	9,341	10,659	10,659
Parks and Trails	740c00420	JUMPSTART PLAYGROUND AT SHIPYARDS PARK	Jumpstart Playground installation was delayed due to COVID-19. The Jumpstart installers were unable to travel. Re-budget amount will be spent on site preparations for the new playground. Project to be completed in 2021.	120,000	-	120,000	120,000
Parks and Trails	740c00609	GREY MOUNTAIN CEMETERY EXPANSION	Project began in 2020. Purchase order has been issued for the design. Project to be completed in 2021.	30,000	-	30,000	30,000
Parks and Trails	740c01115	REPLACE IRRIGATION SYSTEM AT ROTARY PARK	The project was not completed due to project lead capacity. Funds will be spent on design, supply and install of irrigation. Project will commence in 2021.	198,000	-	198,000	198,000
Parks and Trails	740c01315	WHISTLE BEND PLAYGROUNDS	Coordination with Whistle Bend community association has delayed finishing. The playground equipment has now been purchased and the funds will be used to install. Project will be completed in 2021	34,927	2,973	31,954	31,954

Department	Job ID		Reason for Re-Budget Request	2020 Total Revised Budget	2020 YTD Actuals	Funds Available for Re-budget	Re-Budget Amount Requested
Parks and Trails	740c05310	DOWNTOWN STREET UPGRADES - PARKS	Concrete and brick work design was not ready in time for 2020 implementation. Funds will be spent on main street upgrades including brickwork, clock tower, and tree well power infrastructure. Project will be complete in 2021	26,505	5,380	21,125	21,125
Recreation & Facility Services	750c00118	AQUATIC ACOUSTICS REPLACEMENT	Agreement is in place to conduct the assessment. Unable to start the contract because of COVID-19 restrictions regarding outside workers. All funds will be used if restrictions are removed. Completion is expected by September.	15,000	-	15,000	15,000
Recreation & Facility Services	750c00418	ACCESSIBLE PLAYGROUND CANADA GAMES CENTRE	Unable to complete in 2020 because of COVID-19 restrictions however the procurement process was completed in 2020 and the contract is in place. Expected completion date is July 2021.	200,000	-	200,000	200,000
Recreation & Facility Services	750c00419	CGC CHANGEROOM LOCKER UPGRADES	Lockers were delayed as a result of COVID-19 restrictions. Lockers were purchased and shipped in 2020, and arrived in 2021. Expected to be installed by March 30, 2021.	60,000	20,770	39,230	60,000
Recreation & Facility Services	750c00811	WELLNESS CENTRE EQUIPMENT	Some equipment was unavailable for purchase due to COVID-19. Expect to complete this project by October 2021.	42,334	35,446	6,888	6,888
TOTAL ALL JOBS				\$ 52,146,581	\$ 18,320,322	\$ 33,826,259	\$ 32,980,778

CITY OF WHITEHORSE
BYLAW 2021-20

A bylaw to amend Fees and Charges Bylaw 2014-36

WHEREAS section 220 of the *Municipal Act* provides that council may by bylaw amend or vary bylaws; and

WHEREAS all City of Whitehorse municipal fees and charges are consolidated into one bylaw; and

WHEREAS it is deemed desirable that the Fees and Charges Bylaw be amended to reflect changes required as a result of a quarterly review;

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

1. The fee schedule attached to and forming part of Fees and Charges Bylaw 2014-36 is hereby amended by repealing existing Schedules 9 and 11, and substituting therefore new Schedules 9 and 11, attached hereto as Appendix "A" and forming part of this bylaw.
2. This bylaw shall come into full force and effect on and from final passage thereof.

FIRST and SECOND READING: March 22, 2021

THIRD READING and ADOPTION:

Mayor

Assistant City Clerk

CITY OF WHITEHORSE BYLAW 2021-20

Explanatory Notes:

The attached bylaw amends the Fees and Charges Bylaw to reflect changes required per a quarterly operational review.

The changes include new fees, fee increases, deletion of redundant fees, and amendments to fee descriptions to provide clarity.

The changes are highlighted and are detailed as follows:

Schedule 9

- Amend the Development Permit Refund deduction from 20% to 50% to match the existing Zoning Bylaw and extend the deductions to applications in progress
- Revise the fee description of new development to allow for minor changes during the review process and to save administrative time processing small refunds
- Delete the “Development Permit – Relocation of a Structure” fee and combine with “Development Permit – Demolition of a Structure” fee with a minimum impact on revenue
- Delete, consolidate and clarify some Development Permit fees and their descriptions related to Change of Use and New Development

Schedule 11

- Add new transit advertising penalty fees related to vinyl application bus wrap to recover costs associated with cancellations and non-renewal bus advertising contracts.
- Add new transit Group Pass fees for the duration of the entire education semester (5-months) to give more options for students and to reduce administration time and costs of issuing monthly passes

FEE DESCRIPTION				Bylaw 2020-06		Bylaw 2021-20		Units
				Approved	Date Fee	Approved	Date Fee	
				Fee	Effective	Fee	Effective	
Address Changes	changing a municipal address	no relocation		200.00	22-Jun-98	200.00	22-Jun-98	each
Development Cost Charge	residential, single family	unserviced Country Residential secondary Suite		1,040.00	1-Jul-14	1,040.00	1-Jul-14	per dwelling
Development Cost Charge	residential, single family	urban serviced lot		3,641.00	1-Jul-14	3,641.00	1-Jul-14	per dwelling
Development Cost Charge	residential, single family	country residential serviced lot		3,641.00	1-Jul-14	3,641.00	1-Jul-14	per dwelling
Development Cost Charge	residential, single family	country residential non serviced lot		1,769.00	1-Jul-14	1,769.00	1-Jul-14	per dwelling
Development Cost Charge	residential, duplex	duplex housing		5,826.00	1-Jul-14	5,826.00	1-Jul-14	per 2 dwellings
Development Cost Charge	residential, multiple housing	townhouse		2,913.00	1-Jul-14	2,913.00	1-Jul-14	per dwelling
Development Cost Charge	residential, multiple housing	apartment		2,185.00	1-Jul-14	2,185.00	1-Jul-14	per dwelling
Development Cost Charge	residential, multiple housing	multiple detached dwellings		2,913.00	1-Jul-14	2,913.00	1-Jul-14	per dwelling
Development Cost Charge	Approved Development Incentive	Suite Development Incentive		-	24-Feb-20	-	24-Feb-20	per dwelling
Development Cost Charge	Approved Development Incentive	Neighbourhood Density Development Incentive	To a maximum of \$50,000 in regular DCCs	-	24-Feb-20	-	24-Feb-20	per dwelling
Development Cost Charge	Approved Development Incentive	RCM2 Development Incentive		-	24-Feb-20	-	24-Feb-20	per dwelling
Development Cost Charge	Approved Development Incentive	Rental and Supportive Housing Development Incentive		-	24-Feb-20	-	24-Feb-20	per dwelling
Development Agreement	Approved Development Incentive	Rental and Supportive Housing Development Incentive		200.00	24-Feb-20	200.00	24-Feb-20	each
Development Permit	Conditional Use - \$500 plus applicable Permitted Use fee.			500.00	1-Jan-15	500.00	1-Jan-15	each +
Development Permit	Designated municipal historic resource			-	27-Jan-03	-	27-Jan-03	each
Development Permit	Permitted Use: Non-residential Zone- (No new construction) Change of Use	Change of Use with new zoning requirements: All zones		275.00	29-Jan-07	275.00	1-Apr-21	each
Development Permit	Permitted Use: All Zones Change of Use	Change of Use: no zoning requirements without new zoning requirements: All zones		75.00	1-Jun-17	75.00	1-Apr-21	each
Development Permit	Permitted Use: Residential Zone New Development	single, duplex, triplex & townhouse New Use: Single detached & duplex housing; triplex & townhouse housing where each unit is on a separate fee-simple lot, living suite or garden suite		75.00	1-Jan-19	75.00	1-Apr-21	each unit
Development Permit	Permitted Use: Non-residential Zone(New Construction) \$275.00 + 1.10/sq.metre New Development	New Use and/or new Gross Floor Area (GFA): All other uses: \$275.00 + \$1.10/m2 GFA; Minor change to plans for application in progress resulting in revised GFA being <10% more or less than original GFA - no fee change (i.e. no refund if less, no additional charge if more)		275.00+	29-Jan-07	275.00+	1-Apr-21	each +
Development Permit	Permitted Use: Residential Zone	Multiple Housing & Commercial use	\$275 - base plus \$1.10/sq. meter (new Con) -----	275.00+	22-Jun-98			each
Development Permit	Permitted Use: Residential Zone	Multiple Housing & Commercial use	\$275 - (Change of use) -----	-----275.00	1-Feb-09			each
Development Permit	Secondary Use of a Residence	Home-based Business, Bed and Breakfast Lodging, Family Day		30.00	1-Jan-19	30.00	1-Jan-19	each

FEE DESCRIPTION				Bylaw 2020-06		Bylaw 2021-20		Units
				Approved	Date Fee	Approved	Date Fee	
				Fee	Effective	Fee	Effective	
Development Permit	Permitted Use: Residential Zone	Secondary Living Suite or Garden Suite		75.00	1-Jan-19			each
Development Permit	Placement of Sign			25.00	1-Feb-09	25.00	1-Feb-09	each
Development Permit	Schwatka Lake Waterfront Policy Dock	Annual permit		300.00	1-May-16	300.00	1-May-16	each
Development Permit	Schwatka Lake Waterfront Policy Dock	Refundable deposit		1,500.00	1-May-16	1,500.00	1-May-16	each
Development Permit	Demolition/Relocation of a Structure	Demolition Structure (<75 m2)		75.00	1-Jun-17	75.00	1-Apr-21	each
Development Permit	Demolition/Relocation of a Structure	Commercial		275.00	1-Feb-09	275.00	1-Apr-21	each
Development Permit	Demolition/Relocation of a Structure	Residential		200.00	1-Feb-09	200.00	1-Apr-21	each
Development Permit	Relocation of a Structure			25.00	1-Feb-09			each
Development Permit	Temporary Use Permit	Community Event		25.00	1-Feb-09	25.00	1-Feb-09	each
Development Permit	Temporary Use Permit	Commercial Event/Development		275.00	1-Feb-09	275.00	1-Feb-09	each
Development Permit	Temporary Use Permit	Temporary Use Permit<7 days		25.00	1-Feb-09	25.00	1-Feb-09	each
Development Permit	Mobile food Vendor on public site	Annual permit		275.00	1-May-15	275.00	1-May-15	each
Development Permit	Mobile food Vendor on public site: ele	Monthly permit fee for electricity		50.00	1-May-15	50.00	1-Apr-21	each monthly
Development Permit Refund	written request from applicant within 6 months of original date of issue no permit related work on site has begun deduction of \$55. or 20% of fee whichever is MORE- Development Permit Refund	Denied or withdrawn applications, or written request from applicant within 6 months of original approval date (provided no permit-related work on site has occurred) - deduction of the greater of \$55.00 or 50% of fee. The conditional use application fee is not refundable.		Varies	1-Feb-09	Varies	1-Apr-21	each
Land Management	Development agreement			200.00	29-Jan-07	200.00	29-Jan-07	each
Land Management	Road Closure Bylaw			500.00	29-Jan-07	500.00	29-Jan-07	each
Land Management	Subdivision Approval Extension			250.00	29-Jan-07	250.00	29-Jan-07	each
Official Community Plan (OCP)	OCP Amendment Fee	Text or mapping changes to the OCP		2,000.00	1-Jan-20	2,000.00	1-Jan-20	each
Parking	Payment in lieu of providing parking space	Space in the CC, CPG and CMW Zones		18,706.00	13-Nov-01	18,706.00	13-Nov-01	each space
Parking	Payment in lieu of providing parking space	space in the CM1 and CM2 zones		7,967.00	13-Nov-01	7,967.00	13-Nov-01	each space
Subdivision Application	Condominium (non refundable fee)	\$50.00 per unit being created to a maximum of \$500.00		50.00	8-Jan-01	50.00	8-Jan-01	each
Subdivision Application	Consolidation (non refundable fee)			50.00	22-Jun-98	50.00	22-Jun-98	each
Subdivision Application	Subdivision (non refundable fee)	min. charge \$250. max. charge \$1000.	ea. lot \$100	100.00	22-Jun-98	100.00	22-Jun-98	each

FEE DESCRIPTION				Bylaw 2020-06		Bylaw 2021-20		Units
				Approved	Date Fee	Approved	Date Fee	
				Fee	Effective	Fee	Effective	
Subdivision Application	Property line adjustment or realignment (non refundable fee)	ea. adjustment/realignment \$50		50.00	8-Jan-01	50.00	8-Jan-01	each
Variance, Board of-Appeal	non refundable fee each appeal			500.00	1-Feb-05	500.00	1-Feb-05	each
Zoning Amendment	Zoning Bylaw Amendment	Text or mapping changes to the Zoning Bylaw		2,000.00	1-Jan-20	2,000.00	1-Jan-20	each
Zoning Amendment	Designated municipal historic resource			-	27-Jan-03	-	27-Jan-03	each
OCP / Zoning Amendment	Combination OCP / Zoning Amendmer	Similar text/mapping amendments to the OCP & Zoning Bylaw		3,000.00	1-Jan-20	3,000.00	1-Jan-20	each

FEE DESCRIPTION				Bylaw 2019-12		Bylaw 2021-20		Final Fee 5% GST Inc	Unit
				Approved	Date Fee	Approved	Date Fee		
				Fee	Effective	Fee	Effective		
Bus Fares	Adult Monthly Pass	Age 19-59		62.00	1-Jan-08	62.00	1-Jan-08	no gst	each
Bus Fares	Adult Single-cash	Age 19-59		2.50	1-Jan-08	2.50	1-Jan-08	no gst	each
Bus Fares	Adult Ticket (sold in strips of 10)	Age 19-59		23.00	1-Jan-08	23.00	1-Jan-08	no gst	each strip
Bus Fares	Day Pass	Age 5 and over		5.00	1-Apr-15	5.00	1-Apr-15	no gst	each
Bus Fares	Disabled Handy Bus-Cash	Handy Bus disabled customers that meet the eligibility requirements of Handy Bus Service		2.50	1-Jan-08	2.50	1-Jan-08	no gst	each
Bus Fares	Disabled Handy Bus-Monthly Pass	Handy Bus disabled customers that meet the eligibility requirements of Handy Bus Service		26.00	1-Jan-08	26.00	1-Jan-08	no gst	each
Bus Fares	Disabled Handy Bus-Ticket (strip of 10)	Handy Bus disabled customers that meet the eligibility requirements of Handy Bus Service		10.00	1-Jan-08	10.00	1-Jan-08	no gst	each strip
Bus Fares	Disabled Conventional Bus	Conventional Bus disabled customers that meet the eligibility requirements of Handy Bus Service		free	1-Jul-03	free	1-Jul-03	-	each
Bus Fares	Pre-schooler:4 and under accompanied by an adult (2 per adult)		proof of age may be required	free	22-Jun-98	free	22-Jun-98	-	each
Bus Fares	Senior Monthly Pass	Age 60 and over		26.00	1-Jan-08	26.00	1-Jan-08	no gst	each
Consolidated	Senior Single-cash	Age 60 and over		2.50	1-Jan-08	2.50	1-Jan-08	no gst	each
Bus Fares	Senior Ticket (strips of 10)	Age 60 and over		10.00	1-Jan-08	10.00	1-Jan-08	no gst	each strip
Bus Fares	Youth Monthly Pass	Age 5-18		40.00	1-Jan-08	40.00	1-Jan-08	no gst	each
Bus Fares	Youth Single-cash	Age 5-18		2.50	1-Jan-08	2.50	1-Jan-08	no gst	each
Bus Fares	Youth Ticket (sold in strips of 10)	Age 5-18		15.00	1-Jan-08	15.00	1-Jan-08	no gst	each strip
Bus Fares	Superpass Monthly	Superpass -ADULT		54.25	1-Jul-18	54.25	1-Jul-18	no gst	each
Bus Fares	Superpass Monthly	Superpass -YOUTH		35.00	1-Jan-15	35.00	1-Jan-15	no gst	each
Bus Fares	Superpass Monthly	Superpass -SENIOR		22.75	1-Jan-15	22.75	1-Jan-15	no gst	each
Bus Fares	Superpass Monthly	Superpass -DISABILITY		22.75	1-Jan-15	22.75	1-Jan-15	no gst	each
Group Pass	College	0%-10% (0-55) of students participating		248.00	1-Jan-13	248.00	1-Jan-13	no gst	each
Group Pass	College	10%-20% (56-110) of students participating	0% Transit Discount	248.00	1-Jan-13	248.00	1-Jan-13	no gst	each
Group Pass	College	20%-30% (111-165) of students participating	20% Transit Discount	198.40	1-Jan-13	198.40	1-Jan-13	no gst	each
Group Pass	College	30%-40% (166-220) of students participating	20% Transit Discount	198.40	1-Jan-13	198.40	1-Jan-13	no gst	each
Group Pass	College	40%-50% (221-275) of students participating	35% Transit Discount	161.20	1-Jan-13	161.20	1-Jan-13	no gst	each
Group Pass	College	50%-60% (276-330) of students participating	35% Transit Discount	161.20	1-Jan-13	161.20	1-Jan-13	no gst	each
Group Pass	College	60%-70% (331-385) of students participating	50% Transit Discount	124.00	1-Jan-13	124.00	1-Jan-13	no gst	each
Group Pass	College	70%-80% (386-440) of students participating	50% Transit Discount	124.00	1-Jan-13	124.00	1-Jan-13	no gst	each
Group Pass	College	80%-90% (441-495) of students participating	75% Transit Discount	62.00	1-Jan-13	62.00	1-Jan-13	no gst	each
Group Pass	College	90%-100% (496-550) of students participating	75% Transit Discount	62.00	1-Jan-13	62.00	1-Jan-13	no gst	each

FEE DESCRIPTION				Bylaw 2019-12		Bylaw 2021-20		Final Fee 5% GST Inc	Unit
				Approved	Date Fee	Approved	Date Fee		
				Fee	Effective	Fee	Effective		
Group Pass	Education	0% of eligible students or employees participating	0% Transit Discount	40.00	1-May-12	40.00	1-May-12	no gst	each
Group Pass	Education	25% of eligible students or employees participating	10% Transit Discount	36.00	1-May-12	36.00	1-May-12	no gst	each
Group Pass	Education	50% of eligible students or employees participating	15% Transit Discount	34.00	1-May-12	34.00	1-May-12	no gst	each
Group Pass	Education	75% of eligible students or employees participating	20% Transit Discount	32.00	1-May-12	32.00	1-May-12	no gst	each
Group Pass	Education	100% of eligible students or employees participating	25% Transit Discount	30.00	1-May-12	30.00	1-May-12	no gst	each
Group Pass	Education - Semester	0% of eligible students or employees participating	0% Transit Discount			200.00	1-Apr-21	210.00	each
Group Pass	Education - Semester	25% of eligible students or employees participating	10% Transit Discount			180.00	1-Apr-21	189.00	each
Group Pass	Education - Semester	50% of eligible students or employees participating	15% Transit Discount			170.00	1-Apr-21	178.50	each
Group Pass	Education - Semester	75% of eligible students or employees participating	20% Transit Discount			160.00	1-Apr-21	168.00	each
Group Pass	Education - Semester	100% of eligible students or employees participating	25% Transit Discount			150.00	1-Apr-21	157.50	each
Group Pass	Employers 5-25 Participants	0% of employees participating	0% Transit Discount	62.00	1-Jun-12	62.00	1-Jun-12	no gst	each
Group Pass	Employers 5-25 Participants	25% of employees participating	3.75% Transit Discount	59.68	1-Jun-12	59.68	1-Jun-12	no gst	each
Group Pass	Employers 5-25 Participants	50% of employees participating	7.50% Transit Discount	57.35	1-Jun-12	57.35	1-Jun-12	no gst	each
Group Pass	Employers 5-25 Participants	75% of employees participating	11.25% Transit Discount	55.03	1-Jun-12	55.03	1-Jun-12	no gst	each
Group Pass	Employers 5-25 Participants	100% of employees participating	15.0% Transit Discount	52.70	1-Jun-12	52.70	1-Jun-12	no gst	each
Group Pass	Employers 26-50 Participants	0% of employees participating	0% Transit Discount	62.00	1-Jun-12	62.00	1-Jun-12	no gst	each
Group Pass	Employers 26-50 Participants	25% of employees participating	5% Transit Discount	58.90	1-Jun-12	58.90	1-Jun-12	no gst	each
Group Pass	Employers 26-50 Participants	50% of employees participating	10% Transit Discount	55.80	1-Jun-12	55.80	1-Jun-12	no gst	each
Group Pass	Employers 26-50 Participants	75% of employees participating	15% Transit Discount	52.70	1-Jun-12	52.70	1-Jun-12	no gst	each
Group Pass	Employers 26-50 Participants	100% of employees participating	20% Transit Discount	49.60	1-Jun-12	49.60	1-Jun-12	no gst	each
Group Pass	Employers over 50 Participants	0% of employees participating	0% Transit Discount	62.00	1-Jun-12	62.00	1-Jun-12	no gst	each
Group Pass	Employers over 50 Participants	25% of employees participating	6.25% Transit Discount	58.13	1-Jun-12	58.13	1-Jun-12	no gst	each
Group Pass	Employers over 50 Participants	50% of employees participating	12.50% Transit Discount	54.25	1-Jun-12	54.25	1-Jun-12	no gst	each
Group Pass	Employers over 50 Participants	75% of employees participating	18.75% Transit Discount	50.38	1-Jun-12	50.38	1-Jun-12	no gst	each
Group Pass	Employers over 50 Participants	100% of employees participating	25% Transit Discount	46.50	1-Jun-12	46.50	1-Jun-12	no gst	each
Group Pass	Youth - Employers 5-25 Participants	0% of employees participating	0% Transit Discount	40.00	1-Jul-13	40.00	1-Jul-13	no gst	each
Group Pass	Youth - Employers 5-25 Participants	25% of employees participating	3.75% Transit Discount	38.50	1-Jul-13	38.50	1-Jul-13	no gst	each
Group Pass	Youth - Employers 5-25 Participants	50% of employees participating	7.50% Transit Discount	37.00	1-Jul-13	37.00	1-Jul-13	no gst	each

FEE DESCRIPTION				Bylaw 2019-12		Bylaw 2021-20		Final Fee 5% GST Inc	Unit
				Approved	Date Fee	Approved	Date Fee		
				Fee	Effective	Fee	Effective		
Group Pass	Youth - Employers 5-25 Participants	75% of employees participating	11.25% Transit Discount	35.50	1-Jul-13	35.50	1-Jul-13	no gst	each
Group Pass	Youth - Employers 5-25 Participants	100% of employees participating	15.0% Transit Discount	34.00	1-Jul-13	34.00	1-Jul-13	no gst	each
Group Pass	Youth - Employers 26-50 Participants	0% of employees participating	0% Transit Discount	40.00	1-Jul-13	40.00	1-Jul-13	no gst	each
Group Pass	Youth - Employers 26-50 Participants	25% of employees participating	5% Transit Discount	38.00	1-Jul-13	38.00	1-Jul-13	no gst	each
Group Pass	Youth - Employers 26-50 Participants	50% of employees participating	10% Transit Discount	37.00	1-Jul-13	37.00	1-Jul-13	no gst	each
Group Pass	Youth - Employers 26-50 Participants	75% of employees participating	15% Transit Discount	34.00	1-Jul-13	34.00	1-Jul-13	no gst	each
Group Pass	Youth - Employers 26-50 Participants	100% of employees participating	20% Transit Discount	32.00	1-Jul-13	32.00	1-Jul-13	no gst	each
Group Pass	Youth - Employers over 50 Participants	0% of employees participating	0% Transit Discount	40.00	1-Jul-13	40.00	1-Jul-13	no gst	each
Group Pass	Youth - Employers over 50 Participants	25% of employees participating	6.25% Transit Discount	37.50	1-Jul-13	37.50	1-Jul-13	no gst	each
Group Pass	Youth - Employers over 50 Participants	50% of employees participating	12.50% Transit Discount	35.00	1-Jul-13	35.00	1-Jul-13	no gst	each
Group Pass	Youth - Employers over 50 Participants	75% of employees participating	18.75% Transit Discount	32.50	1-Jul-13	32.50	1-Jul-13	no gst	each
Group Pass	Youth - Employers over 50 Participants	100% of employees participating	25% Transit Discount	30.00	1-Jul-13	30.00	1-Jul-13	no gst	each
Advertising	Bench Back	monthly	21"x69" ad panel	82.50	1-Jan-13	82.50	1-Jan-13	86.60	each
Advertising	Bench Back	yearly	21"x69" ad panel	825.00	1-Jan-13	825.00	1-Jan-13	866.30	each
Advertising	Exterior King panels, side of bus	monthly	139"x30" ad panel	275.00	1-Jan-13	275.00	1-Jan-13	288.80	each
Advertising	Exterior King panels, side of bus	yearly	139"x30" ad panel	2,750.00	1-Jan-13	2,750.00	1-Jan-13	2,887.50	each
Advertising	Interior panel	monthly	11"x21" ad panel	33.00	1-Jan-13	33.00	1-Jan-13	34.70	each
Advertising	Interior panel	yearly	11"x21" ad panel	352.00	1-Jan-13	352.00	1-Jan-13	369.60	each
Advertising	Shelters	monthly	47 1/4" x 68 1/2"	385.00	1-Jul-13	385.00	1-Jul-13	404.30	each
Advertising	Shelters	yearly	47 1/4" x 68 1/2"	3,850.00	1-Jul-13	3,850.00	1-Jul-13	4,042.50	each
Advertising	Vinyl application bus wrap	Side of the bus: 12 Months	Top Runner, One Panel or Lower portion	1,650.00	31-Mar-19	1,650.00	31-Mar-19	1,732.50	each
Advertising	Vinyl application bus wrap	Full 1 side of the Bus: 12 Months	1 side of the bus less areas required clear for safety	3,850.00	31-Mar-19	3,850.00	31-Mar-19	4,042.50	each
Advertising	Vinyl application bus wrap	Full Bus Wrap 1st Year: 12 Months	Full Bus Wrap, less areas required clear for safety	7,700.00	31-Mar-19	7,700.00	31-Mar-19	8,085.00	each
Advertising	Vinyl application bus wrap	Full Bus Wrap Renewal: each 12 month interval after the 1st Year	Full Bus Wrap, less areas required clear for safety	5,133.33	31-Mar-19	5,133.33	31-Mar-19	5,390.00	each
Advertising	Vinyl application bus wrap	Side of the bus: Late cancellation, non-renewal, monthly fee (10%)	Top Runner, One Panel or Lower Portion			165.00	1-Apr-21	173.30	each
Advertising	Vinyl application bus wrap	Full 1 side of the Bus: Late cancellation, non-renewal, monthly fee (10%)	1 side of the bus less areas required clear for safety			385.00	1-Apr-21	404.30	each
Advertising	Vinyl application bus wrap	Full Bus Wrap: Late cancellation, non-renewal, monthly fee (10%)	Full Bus Wrap, less areas required clear for safety			770.00	1-Apr-21	808.50	each
Advertising	Back face of bus passes	yearly	Includes Adult 300, Youth 400, Seniors 100	1,980.00	1-Jan-13	1,980.00	1-Jan-13	2,079.00	each

CITY OF WHITEHORSE

BYLAW 2021-13

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 City of Whitehorse Zoning Bylaw be amended to allow for the development of an eating and drinking establishment with a drive-through component as a principal use at 107 Range Road, located adjacent to the Alaska Highway and the Erik Nielsen Whitehorse International Airport;

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

1. Section 10.3.7 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection (g) as follows:

“10.3.7 g) Lot 1304 QUAD 105D/11, Plan 2019-0030 LTO, located at 107 Range Road, is designated CHx(g) with the special modifications being that:

- (1) Offices are permitted on the first storey as conditional use.
- (2) Eating and drinking establishments, including a drive-through component, are permitted as a principal use.

Notwithstanding the above, the CH zone shall apply in its entirety.”

2. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of Lot 1304 QUAD 105D/11, Plan 2019-0030 LTO, located at 107 Range Road, from CHx(c)–Highway Commercial modified (c) to CHx(g)–Highway Commercial modified (g), as indicated on the sketch attached hereto as Appendix “A” and forming part of this bylaw.

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

FIRST READING:

February 22, 2021

PUBLIC NOTICE:

February 26 & March 5, 2021

PUBLIC HEARING:

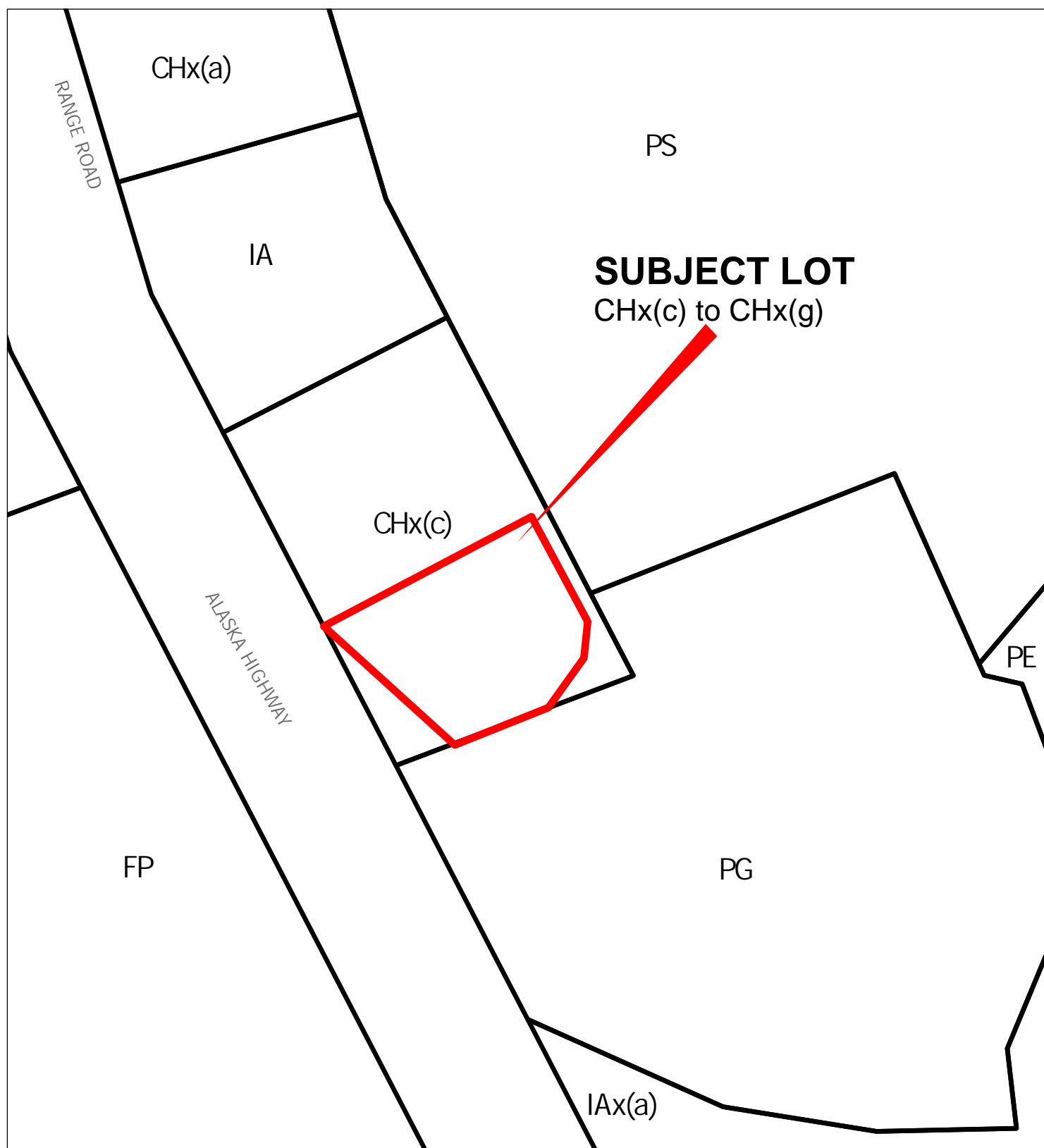
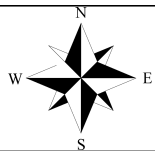
March 22, 2021

SECOND READING:

THIRD READING and ADOPTION:

Mayor

Assistant City Clerk



BYLAW 2021-13

A bylaw to amend the zoning at 107 Range Road to permit eating and drinking establishments including a drive-through component

LEGEND



Subject Area

CITY OF WHITEHORSE

BYLAW 2021-14

Amending Zoning Bylaw 2012-20 with respect to a number of periodic revisions.

Explanatory Notes

The attached bylaw amends the Zoning Bylaw to reflect issues identified through daily use of the document.

Explanations of the proposed amendments are noted below. The numbers at the beginning of each explanatory paragraph refer to the corresponding amendment numbers in the enactment section of this bylaw.

Section 1: General Administration

1. & 2. Delete reference to public infrastructure in s. 1.6.1 and add new section 1.6.2 that allows for smaller lots with reduced regulations for public infrastructure, such as wells, substations, pump houses, etc., when not adjacent to residential zones.

Section 2: Definitions

3. Amend the following definitions for clarity:
 - Floor Area, Gross – clarify that the internal components of a building, such as living suites, are measured using the centreline of internal walls.
 - Public Infrastructure – reclassify electrical substations as a public utility that requires a permit, instead of public infrastructure, which does not.
 - Walkways – clarify that they are not necessarily for public use when established on private property.
4. Delete definitions for amateur antenna structure and internal sidewalk that are not used in the bylaw but covered by other defined terms/regulations. Add new definitions for the terms Awning and Canopy that are found in the bylaw but not currently defined.

Section 4: Accessory Structures

5. Clarify when a permit would not be needed for installing canopies and awnings, as well as the construction, maintenance, and repair of public infrastructure and utilities.

Section 5: General Development Regulations

6. Corrections to the “yard” and “setback” references in this sentence to clarify that setback applies to both the front and side yards.
7. Clarify the height regulations of structures such as satellite dishes, photovoltaic panels, or radio masts that are permitted as accessory structures in residential zones.

Explanatory Notes for Zoning Amendment Bylaw 2021-14

8. Introduce new regulations for placement of canopies and awnings that include size, ability to project over public sidewalks, and insurance requirements.
9. Clarify that existing gateway landscaping requirements along major roads and highways also applies to frontage roads.
10. to 18. Remove reference to 'internal sidewalks' from the bylaw and replace it with 'walkways' which is a defined term. This change occurs throughout the bylaw and impacts other sections as well, including numerous charts.

Remove the requirement to develop a patio from numerous sections and tables.
19. Simplify wording for when landscape plans are required by listing what zones they are not required in.
20. Allow for eaves to project to property line where there is a zero lot line setback.
21. Allow vehicle access from the front or side of a multiple housing lot for developments that have an internal road network, allowing for better circulation and fire access.

Section 6: Specific Use Regulations

22. Add a maximum height for garden suites in the AG-Agriculture zone that is the same as country residential zones. This regulation is missing from the bylaw.
23. Make better use of land in multiple housing developments by allowing a small portion of required 25% amenity space to be attributed to private amenity space.
24. Adding new regulations on how sea cans/shipping containers may be used.

Section 7: Parking Requirements

25. Add missing parking/hard-surfacing requirement for RS2-Residential Single Detached 2 zone, as it was left out of an existing list of zones unintentionally.
26. Create less onerous parking space requirements for commercial storage developments as they don't have a large staff component requiring parking.
27. Clarify the minimum size and location for small car parking spaces and specify that they must be grouped within parking lots.

Section 8: Signage Regulations

28. Reduce notice time for property owners to remove illegally placed signage, from 30 days to 24 hours before enforcement action may commence by the City.

Section 9: Residential/Commercial Zone Regulations

29. Delete the minimum setback between principal and accessory structures in the RCS-Comprehensive Residential Single Family zone as this is already addressed through accessory development regulations. Reduce the minimum rear yard setback for single storey developments in the RCS-Comprehensive Residential

Explanatory Notes for Zoning Amendment Bylaw 2021-14

Single Family zone to allow a larger footprint.

30. Exclude mobile homes from the required 7.5 m setback from park boundaries and rely on setbacks established from 'pad site' boundaries.
31. Add a missing minimum lot width in the RR-Restricted Residential zone.
32. Replace "sidewalk" reference with "walkway" term. (Consistent with 10. to 18.)
33. & 34. Clarify the side yard setbacks for triplexes in the RS-Residential Single Family and RS2-Residential Single Family 2 zones.
35. Allow 'personal service establishments' in Marwell, per the approved Marwell Plan, which recommends an expanded range of commercial uses.
36. Adding a missing maximum density along Centennial Street that is established through policy in the OCP but not included in the Zoning Bylaw.

Mapping Edits

37. Change the zoning of a City owned parcel of land in Range Point (located at 900 Range Road) from FP-Future Planning to PR-Parks and Recreation to allow the installation of a playground, an approved capital budget item.
38. Change the zoning of a small parcel of City owned land in Ingram (located at 116 Mallard Way) from RCT-Comprehensive Residential Townhouses to PR-Parks and Recreation, as per the previous planning work for the Ingram neighbourhood.
39. Change the zoning of a small portion of a lot located on Caribou Road that is incorrectly zoned from PE-Environmental Protection to CIM-Mixed Use.

CITY OF WHITEHORSE

BYLAW 2021-14

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 City of Whitehorse Zoning Bylaw be amended with respect to a number of periodic revisions;

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

1. Section 1 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 1.6.2 and substituting therefore a new subsection 1.6.2 as follows:
“1.6.2 Notwithstanding section 1.6.1, ‘Fire Smart’ projects, reclamation of former mine sites, and remediation of land containing contaminated material shall be permitted in any zone.”
2. Section 1 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 1.6.3 as follows:
“1.6.3 Public infrastructure shall be permitted in all zones. Notwithstanding the provisions of this bylaw and the Subdivision Control Bylaw, the minimum area and width of lots used for public walkways or public infrastructure may be less than required. The Development Officer may reduce setback requirements for public infrastructure unless it is directly adjacent to a residentially zoned property and the public infrastructure is >5 m² in area, in which case the public infrastructure must adhere to the setbacks of the adjacent residential zone.”
3. Section 2 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing definitions for “floor area, gross”, “public infrastructure”, “public utilities” and “walkway”, and substituting therefore new definitions as follows:
“FLOOR AREA, GROSS” means the sum of the horizontal areas of each storey of the building measured from the centreline of interior walls or exterior faces of the exterior walls, providing that in the case of a wall containing windows, the glazing line of the windows may be used. The gross floor area measurement excludes attached garages, attics, balconies, breezeways, carports, porches, and terraces.”

“PUBLIC INFRASTRUCTURE” means a system, works, or equipment, whether owned or operated by or for the City, or by a corporation or commission under agreement with or under franchise from the City or under a Territorial or Federal statute, which furnishes services and facilities available to or for the use of all the inhabitants of the City, including water, sewer, gas, and storm lines, electrical and telecommunication lines and towers, public roads, and drainage ditches and swales.”

“PUBLIC UTILITIES” means buildings, facilities, or equipment, whether owned or operated by the City or by a corporation or commission under agreement with or under franchise from the City or under a Territorial or Federal statute, which furnishes services and facilities available to or for the use of all the inhabitants of the City, including but not limited to landfills and waste treatment facilities, sewage treatment facilities, pump houses and stations, water treatment plants, electrical production facilities and substations, and drainage ponds.”

“WALKWAY” means an appropriately surfaced path designed for use by pedestrian and/or bicycle traffic.”

4. Section 2 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing definitions for “amateur radio antenna” and “internal sidewalk” and adding two new definitions as follows:

“AWNING” means a projection supported solely from the building, constructed with a fabric or plastic skin stretched over a frame used for shelter from the weather.”

“CANOPY” means a projection outward from the face of the building, primarily designed to provide shelter from the weather.”

5. Section 4 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsections 4.2.1 f) and 4.2.1 i) and substituting therefore new subsections 4.2.1 f) and 4.2.1 i) as follows:

“4.2.1 f) erection of any fence, wall or gate not exceeding the height specified in the applicable zone, or any canopy or awning not overhanging public property;”

“4.2.1 i) installation, maintenance or repair of public infrastructure.”

6. Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 5.1.2 b) and substituting therefore a new subsection 5.1.2 b) as follows:

“5.1.2 b) not be located in the front or exterior side yard setbacks;”

7. Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 5.1.3 and substituting therefore a new subsection 5.1.2 i) as follows:

“5.1.2 i) in the case of a satellite dish, a radio or television mast, or energy generation structures, not be higher than the height permitted for any structure in that zone.”

8. Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 5.2 and substituting therefore a new subsection 5.2 as follows:

“5.2 Canopies and Awnings

- 5.2.1 All canopies and awnings shall be constructed in accordance with the National Building Code. They shall be self-supporting from the building face to which they are attached and designed to direct runoff and snow away from the sidewalk below.
- 5.2.2 Canopies and awnings may overhang a public sidewalk in zones where the front yard setback is 1.0 m or less. All canopies or awnings which overhang a public sidewalk, street, or other City property require a development permit. Where such canopies and awnings extend beyond the property line over a public sidewalk, the minimum vertical clearance shall be 2.6 m measured from the sidewalk, and the maximum extension shall be no more than 3.0 m or 80% of the width of the sidewalk, whichever is less.
- 5.2.3 With every application for a development permit for a canopy or an awning overhanging public property the owner shall:
- a) file with the City in a form satisfactory to the City, a public liability and property damage insurance policy with the City of Whitehorse named as additional insured, in the minimum principal amount of \$ 3,000,000.00 inclusive of limits in respect of a loss sustained by one or more persons or damage to property;
 - b) execute the policy under seal by an insurance company registered to do business within the Yukon Territory, indemnifying against liabilities, claims, actions, loss, damages, judgements, costs, and expenses which may accrue or be suffered by installation, manner of suspension or alteration;
 - c) ensure the maintenance and use of the awning or canopy in respect of which the application for their permit has been made; and
 - d) maintain such insurance in force until the awning or canopy has been taken down and removed.”

9. Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 5.5.2.5 and substituting therefore a new subsection 5.5.2.5 as follows:

- “5.5.2.5 The required vegetation calculated for landscape plantings or vegetative buffers in any zone shall be doubled for any property accessed from Two Mile Hill, Robert Service Way, Alaska Highway, North Klondike Highway, or any connecting frontage roads.”

- 10.** Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 5.5.2.12 and substituting therefore a new subsection 5.5.2.12 as follows:

“5.5.2.12 Walkways shall provide for on-site pedestrian circulation with adequate connections with parking lots, public sidewalks, etc. Commercial and multiple family residential developments shall provide connections to adjacent active transportation networks. Attention shall be paid to ensure adequate drainage and shelter from wind, and to discourage ice and snow accumulation on walking paths in winter. See also section 7 of this bylaw.”

- 11.** Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsections 5.5.3.1 a), b) and n) and substituting therefore new subsections 5.5.3.1 a), b) and n) as follows:

“5.5.3.1 a) All single detached, duplex, triplex, and townhouse housing, where each dwelling is on a separate fee simple lot, shall have a walkway connecting the house to the sidewalk or street, and complete landscaping in the front yard to a minimum grass or xeriscape standard with at least one tree or three shrubs, which must be installed within two years of issuance of the first occupancy approval. Where a lot fronts on two streets, the landscaping standard shall apply to both frontages. Landscaping will be completed in accordance with section 5.5.3 of this bylaw.”

“5.5.3.1 b) All multiple housing developments shall have walkways and complete landscaping of the front yard, to be installed within two years of the issuance of the first occupancy approval. Where a lot fronts on two streets, the landscaping standard shall apply to both frontages. Landscaping will be completed in accordance with section 5.5.3 of this bylaw.”

“5.5.3.1 n) Walkways are required in all comprehensive residential zones, RD, RM, RP, and RR zones, and shall provide for on-site pedestrian circulation with adequate connections with parking areas, public sidewalks, etc. Primary walkways in RCM, RCM2, RCM3, RM and RP zones shall be hard-surfaced and a minimum of 1.5 m in width.”

- 12.** Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting from subsection 5.5.3.1 Summary Table – Residential Zones the existing rows titled “Specific Landscaping Requirements” and “Walkways and Patios”, and substituting therefore new rows as follows:

Specific Landscaping Requirements	RCM, RCM2, RCM3	RCS, RCS2, RCS3	RCT, RCT2	RD	RM	RP	RR	RS, RS2
Walkways	√	-	√	√	√	√	-	-

13. Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 5.5.3.2 f) and substituting therefore a new subsection 5.5.3.2 f) as follows:

“5.5.3.2 f) Walkways are required in all commercial zones and shall provide for on-site pedestrian circulation with adequate connections with parking areas, public sidewalks, active transportation routes, etc. Primary walkways in all commercial zones shall be hard-surfaced and a minimum 1.5 m in width.”

14. Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting from subsection 5.5.3.2 Summary Table – Commercial Zones the existing row titled “Walkways and Patios”, and substituting therefore a new row as follows:

Walkways	√	√	√	-	√	*	√	√	√
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15. Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 5.5.3.3 e) and substituting therefore a new subsection 5.5.3.3 e) as follows:

“5.5.3.3 e) Walkways are not required in industrial zones. Where provided, walkways and patios shall provide for on-site pedestrian circulation with adequate connections with parking areas, etc.”

16. Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting from subsection 5.5.3.3 Summary Table – Industrial Zones the existing rows titled “Vegetative Buffers” and “Walkways and Patios”, and substituting therefore a new row as follows:

Walkways	-	-	-	-
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17. Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 5.5.3.4 e) and substituting therefore a new subsection 5.5.3.4 e) as follows:

“5.5.3.4 e) Walkways are not required in public/institutional zones but when constructed shall provide for on-site pedestrian circulation with adequate connections with parking areas, public sidewalks, etc. Primary walkways in all public/institutional zones shall be hard surfaced and a minimum of 1.5 m in width.”

18. Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting from subsection 5.5.3.4 Summary Table – Public/Institutional Zones the existing row titled “Walkways and Patios”, and substituting therefore a new row as follows:

Walkways	-	-	-
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19. Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 5.5.4 and substituting therefore a new subsection 5.5.4 as follows:

“5.5.4 Landscape Plan Requirements

A landscape plan shall be included in all development permit applications for new developments, except for those in the following zones:

RC1	Country Residential 1
RC2	Country Residential 2
CR	Commercial Recreation
PE	Environmental Protection
PG	Greenbelt
PR	Parks and Recreation
AG	Agriculture
FN	First Nation
FP	Future Planning”

20. Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 5.6.6 and substituting therefore a new subsection 5.6.6 as follows:

“5.6.6 Steps, eaves, sunlight control projections, awnings, canopies, balconies, decks, or porches may project into a required yard setback, provided that such projections do not exceed 2.0 m in the case of a front, rear, or exterior side yard setback, and 0.6 m in the case of an interior side yard setback. In no case shall an eave be closer than 0.15 m to the property line, except where the setback is 0.0m and the roof slopes away from the property line or the roof drainage is being directed away from the property line to the satisfaction of the Development Officer. In the case of the RC1 zone, any projection may not exceed 2.0 m into any required yard setback. In the RR, RS, and RS2 zones, arctic entries accessing the principal structure may project up to 2.0 m into the front, rear or exterior side yard setback, provided the projection does not exceed 6 m² gross floor area.”

21. Section 6 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 6.4.1 a) and substituting therefore a new subsection 6.4.1 a) as follows:

“6.4.1 a) Where a residential development abuts a lane, there shall be no vehicular access from the front of the lot and no parking or vehicle storage in the front yard. In the case of multiple housing developments that are accessed by an internal road network, access may be permitted from the front or side of the lot.”

22. Section 6 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 6.7.1 c) and substituting therefore a new subsection 6.7.1 c) as follows:
- “6.7.1 c) have a maximum height of 7.0 m in urban residential areas and 8.0 m in country residential and agriculture areas.”
23. Section 6 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 6.14.4 and substituting therefore a new subsection 6.14.4 as follows:
- “6.14.4 For multiple housing uses in residential zones a minimum of 25% of the lot area shall be developed as amenity space, of which:
- a) 10% of the lot area must be contiguous, functional, fenced space, accessible to all residents, to the satisfaction of the Development Officer.
 - b) For developments other than apartment housing, up to 5% of the lot area may be allocated as private amenity space, provided the area is at grade, and is in addition to the minimum private amenity space requirement for the unit to which the space is allocated.
 - c) The amenity space shall be suitably landscaped and designed to encourage enjoyment and recreational uses of the space, such as play areas, picnic areas, sundecks, roof decks, and natural treed areas.”
24. Section 6 of Zoning Bylaw 2012-20 is hereby amended by adding a new section 6.20 as follows and renumbering the remaining sections accordingly:
- “6.20 Shipping Containers/Sea Cans**
- 6.20.1 Shipping containers/sea cans may be placed temporarily on a property for the purpose of storing materials or equipment in any zone, for a period of 9 months or less, but only in conjunction with an active building permit.”
- 6.20.2 In industrial zones or the CIM zone, shipping containers/sea cans that are accessory to another permitted use and used primarily for cold storage do not require a development permit. If a shipping container/sea can is altered in any way, or becomes part of a larger structure it is no longer exempt from permitting and must adhere to the regulations in this bylaw.
- 6.20.3 In non-industrial zones, shipping containers/sea cans are considered accessory buildings or structures and development must adhere to the regulations set out in section 5.1 of this bylaw.”

- 25.** Section 7 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 7.2.1 and substituting therefore a new subsection 7.2.1 as follows:

“7.2.1. Every off-street parking, loading and unloading space, and access to it provided or required, including areas contained within publicly owned road right-of-way, shall be hard-surfaced when the adjacent public street or lane is hard-surfaced. Where the access to any parking, loading, or unloading space is hard-surfaced after the development is complete, the owner or occupant shall hard-surface such space and the area contained within City owned land to which a curb crossing permits applies within one year, unless otherwise specifically permitted under this bylaw. This regulation does not apply to single family or duplex development in the RC1, RC2, RP, RS, and RS2 zones.”

- 26.** Section 7 of Zoning Bylaw 2012-20 is hereby amended by adding new rows to Table 7.3.6 b) Commercial Parking Requirements as follows:

Self-Contained or individually accessed Commercial Storage	1	33 m ² dedicated office space	N/A	N/A	N/A
Indoor or stacked Commercial Storage	1	33 m ² dedicated office space	1	2000 m ² GFA	N/A

- 27.** Section 7 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsections 7.5.5 and 7.5.6, substituting therefore a new subsection 7.5.5, and renumbering the remaining subsections accordingly. The new subsection 7.5.5. shall read as follows:

“7.5.5 Where at least 10 parking spaces are provided, up to 10% of required accessory or non-accessory parking spaces (not including parallel parking spaces) may be reduced to a minimum area of 13.45 m², provided that:

- a) all such spaces are contiguous and not intermixed with full size spaces; and
- b) the spaces are clearly marked for small cars, using appropriate signage.”

- 28.** Section 8 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 8.6.2 and substituting therefore a new subsection 8.6.2 as follows:

“8.6.2 Where the City orders the removal of a sign, it shall give notice in writing to the property owner or permit holder no less than 24 hours prior to the ordered removal date.”

- 29.** Section 9 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsections 9.6.5 j) and 9.6.5 k) and substituting therefore a new subsection 9.6.5 j) as follows:
- “9.6.5 j) the minimum rear yard setback is 11.0 m for the principal building. In the case that the principal building is one storey, the rear yard setback may be reduced to 6.0 m.”
- 30.** Section 9 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 9.13.5 c) and substituting therefore a new subsection 9.13.5 c) as follows:
- “9.13.5 c) the minimum setback from a park boundary to the placement of recreation or service areas (except for waterfront recreation), any accessory building or structure (except signs), garbage disposal area, part of any private sewage disposal system (except those placed underground) is 7.5 m.”
- 31.** Section 9 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 9.14.4 a) as follows and renumbering the remaining subsections accordingly:
- “9.14.4 a) the minimum lot width is 14.0 m”
- 32.** Section 9 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 9.14.5 a) and substituting therefore a new subsection 9.14.5 a) as follows:
- “9.14.5 a) All single detached houses shall install a hard-surfaced driveway, walkway, and complete landscaping of the front yard in accordance with section 5.5.2.8 of this bylaw within one year of issuance of the occupancy permit. Where a lot fronts on two streets, the landscaping standard shall apply to both frontages.”
- 33.** Section 9 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 9.15.5 j) (3) and substituting therefore a new subsection 9.15.5 j) (3) as follows:
- “9.15.5 j) (3) for a duplex or triplex on a single lot the side yard setback shall be 3 m on both sides”
- 34.** Section 9 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 9.16.5 j) (3) and substituting therefore a new subsection 9.16.5 j) (3) as follows:
- “9.16.5 j) (3) for a duplex or triplex on a single lot the side yard setback shall be 3 m on both sides”

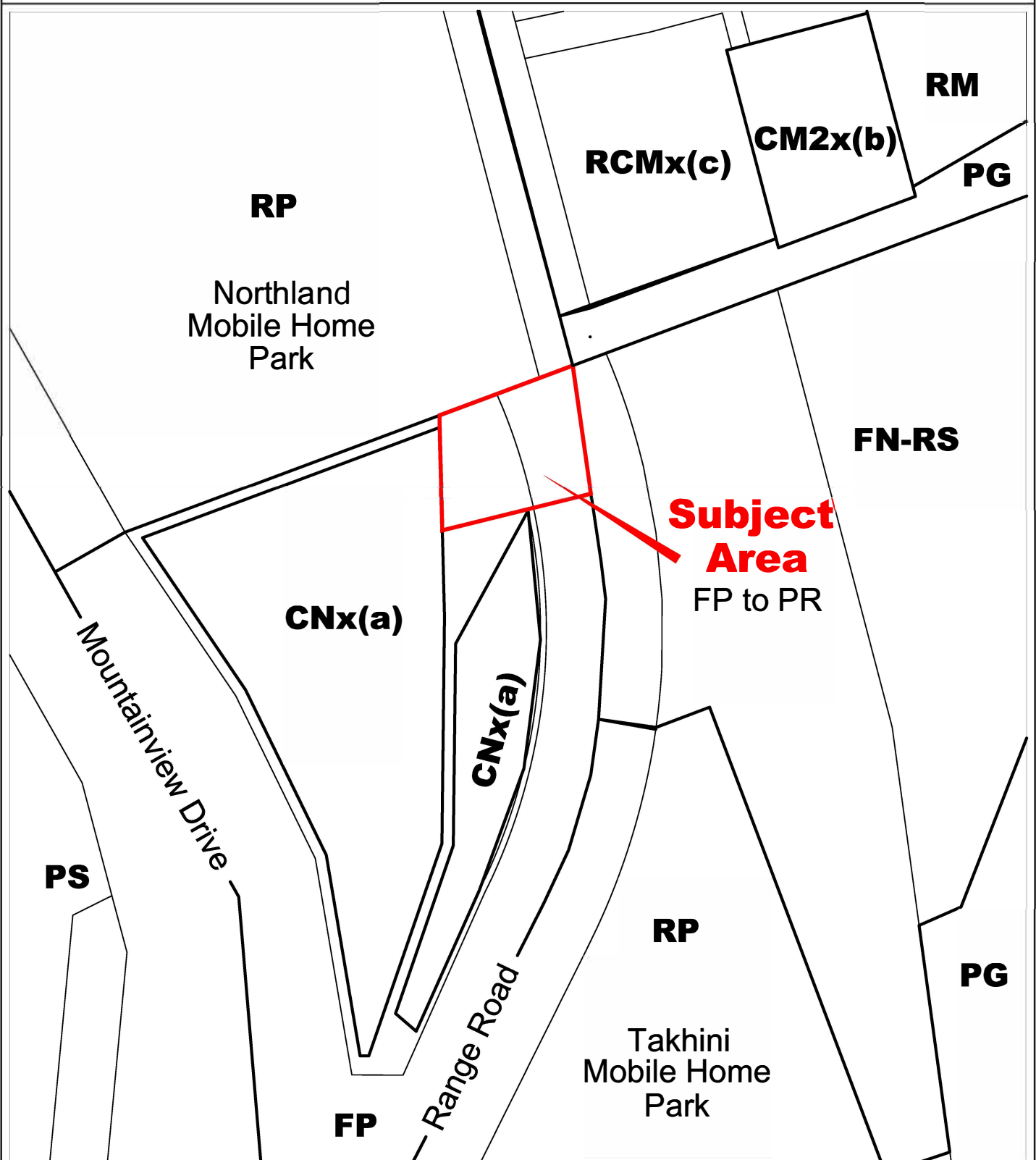
Zoning Amendment Bylaw 2021-14

35. Section 10 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.4.2 aa) as follows and renumbering the remaining subsections accordingly:
“10.4.2 aa) personal service establishments (Marwell only)”
36. Section 10 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.6.7 a) (6) as follows:
“10.6.7 a) (6) The maximum density is 60 u/ha.”
37. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of a 480 m² portion of Lot 1546 (PUL), Quad 105D/14, Plan 2012-0159 LTO (located at 900 Range Road in the Range Point neighbourhood) from FP--Future Planning to PR--Parks and Recreation, as indicated on the sketch attached hereto as Appendix “A” and forming part of this bylaw.
38. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of Lot 78, Plan 2010-0115 LTO (located at 116 Mallard Way in the Ingram neighbourhood) from RCT--Comprehensive Residential Townhouses to PR--Parks and Recreation, as indicated on the sketch attached hereto as Appendix “B” and forming part of this bylaw.
39. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of a 0.328 ha portion of Lot 1180A Quad 105D/11 Plan 2006-0065 LTO (located on Caribou Road) from PE--Environmental Protection to CIM--Mixed Use Commercial/Industrial, as indicated on the sketch attached hereto as Appendix “C” and forming part of this bylaw.
40. This bylaw shall come into full force and effect upon final passage thereof.

FIRST READING: February 22, 2021
PUBLIC NOTICE: February 25 and March 4, 2021
PUBLIC HEARING: March 22, 2021
SECOND READING:
THIRD READING and ADOPTION:

Mayor

Assistant City Clerk



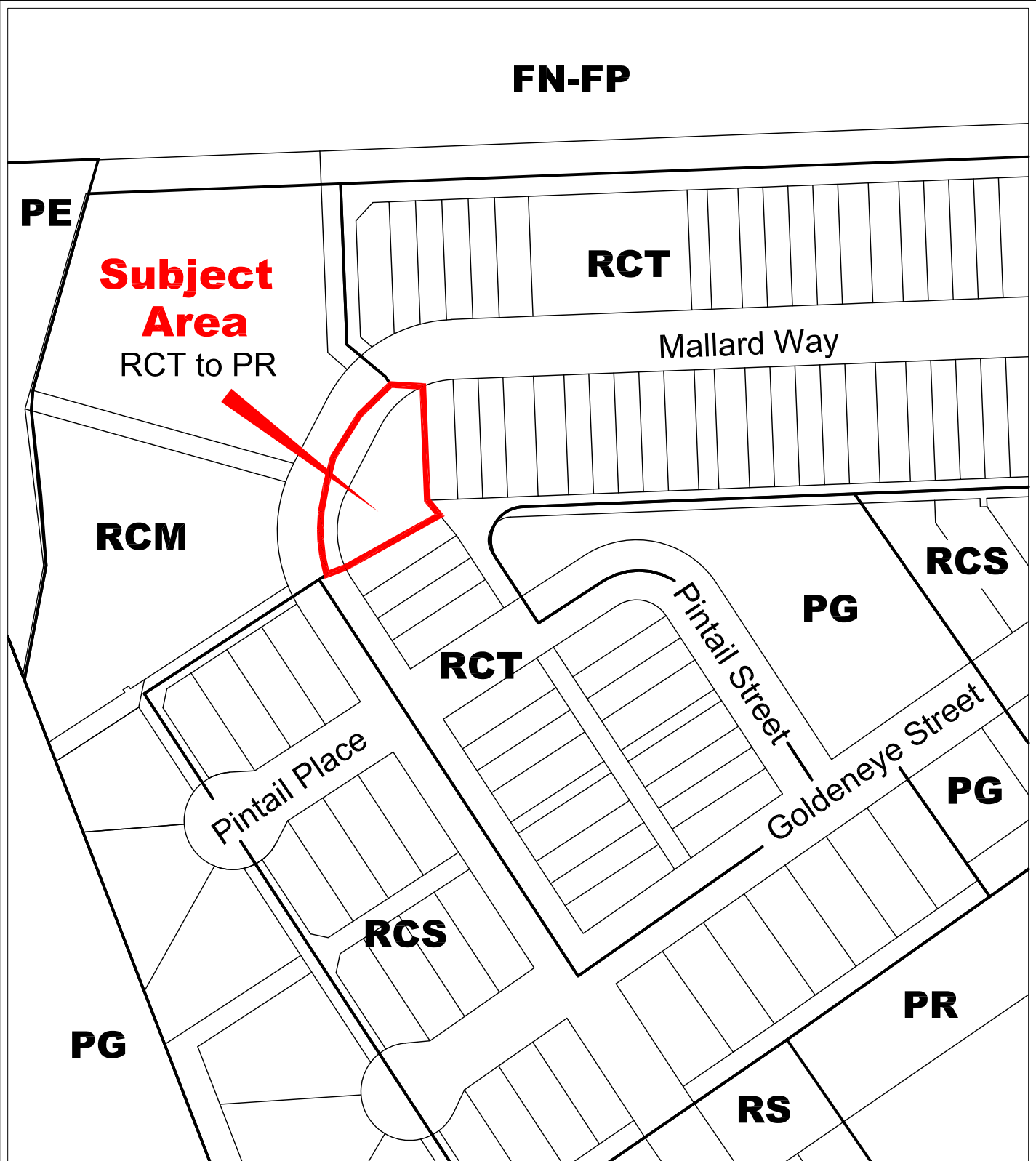
Bylaw 2021-14

A bylaw to make several administrative edits to the Zoning Bylaw.

LEGEND




SUBJECT AREA

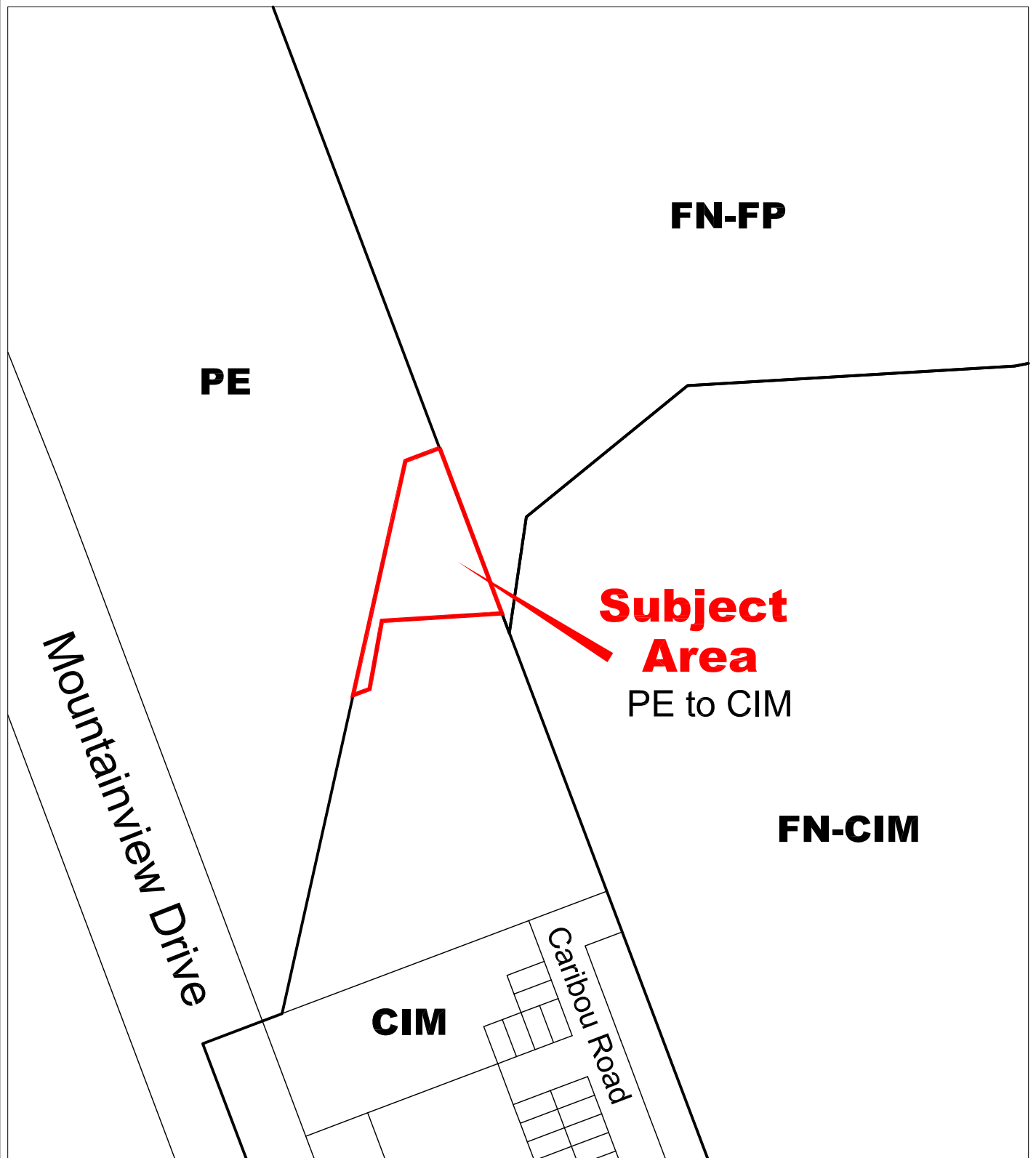


Bylaw 2021-14

A bylaw to make several administrative edits to the Zoning Bylaw.

LEGEND


 **SUBJECT AREA**



Bylaw 2021-14

A bylaw to make several administrative edits to the Zoning Bylaw.

LEGEND

 SUBJECT AREA

CITY OF WHITEHORSE

BYLAW 2021-22

A bylaw to regulate the control, use and operation of electric bicycles, adaptive mountain bikes, electronic mobility devices and e-scooters in the City of Whitehorse

WHEREAS section 265(a) of the *Municipal Act* (R.S.Y. 2002) provides that council may pass bylaws for the safety, health, and welfare of people and the protection of persons and property; and

WHEREAS section 265(i) of the *Municipal Act* provides that council may, subject to the *Motor Vehicles Act*, pass bylaws for the use of Motor vehicles or other vehicles, on or off highways, and the regulation of traffic; and

WHEREAS section 266(a) of the *Municipal Act* provides that, without restricting section 265, a council may in a bylaw passed under this division regulate, control, or prohibit; and

WHEREAS section 126(1) of the *Motor Vehicles Act* provides that a municipality may, with respect to highways under its direction, control and management, make bylaws controlling and regulating the use of all highways, sidewalks, and other public places and delegating to the chief constable or municipal manager any powers in connection therewith including delegating to the municipal manager the power to prescribe where traffic control devices are to be located, which shall be deemed to be made by bylaw of the municipality, and that records of all such locations shall be kept and be open to public inspection during normal business hours; and

WHEREAS section 126(2) of the *Motor Vehicles Act* provides that a municipality may make bylaws for the purposes of controlling or preventing the riding of bicycles on any sidewalk, controlling and regulating the operating of bicycles on highways and other public places, and providing for the seizure or impounding for a period not exceeding 60 days of any bicycle used or operated in contravention of any bylaw; and

WHEREAS section 126(4) of the *Motor Vehicles Act* provides that a municipality may make bylaws prohibiting, controlling and regulating the use of vehicles, including vehicles operated exclusively off-highway, on land that is not a highway; and

WHEREAS section 249(2) of the *Motor Vehicles Act* provides that a municipality may by bylaw confer on an officer or employee of the municipality the powers of a peace officer under any of sections 36, 50, 86, 106, 114, 130, 133-136, 181, 203, 217, 230, and 232 of the *Motor Vehicles Act*; and

WHEREAS more people are using electric bicycles as a means of transportation, and the City of Whitehorse promotes this healthy and sustainable form of transportation and strives to be a cycling friendly community;

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

SHORT TITLE

1. This bylaw may be cited as the "**E-Bike Regulation Bylaw**".

E-Bike Bylaw 2021-22

DEFINITIONS

2. For the purposes of this bylaw:

“aMTB” (Adaptive mountain bike) means a wheeled recreational cycle designed to be operated by an individual who is unable to use a two-wheeled bicycle due to a disability, special need(s), and/or any other physical or neurological challenge, and includes, but is not limited to: a hand cycle, recumbent leg cycle, or tandem bicycle. An aMTB may have Pedal assist and/or direct Throttle power from an electric motor.

“Bicycle helmet” means a form of CSA approved or equivalent protective head gear specifically designed for bicycle operators to be worn on the head, secured by manufacturer’s straps and fasteners;

“Bicycle lane” means a lane on a highway or portion of highway that has been so designated by authorized signs or painted markings and is primarily used by bicycles, and does not include a turning lane where there are dashed lines painted on the Roadway or signage indicating the lane is a turning lane.

“Bicycle trailer” means any single or two-wheeled device which has been specifically designed and manufactured to tow behind a bicycle and is attached to a bicycle by means of a rigid tow bar;

"Central business district" means the area bounded on the north by the northern street line of Wood Street, on the east by the eastern street line of Front Street, on the south by the southern street line of Elliott Street, and on the west by the western street line of Fifth Avenue;

"City" means the City of Whitehorse;

"Council" means the council of the City of Whitehorse;

“e-bike” means a bicycle with an electric motor mounted either at the bottom bracket (mid-drive) or at either wheel hub, which provides power to the bicycle’s drivetrain. Engagement of the motor varies from pedal feedback over a specific wattage to direct Throttle control.

“e-mobility device” means a self-balancing transport device powered by an electric motor which uses the shifting weight of the rider to balance the device, and includes devices such as a hoverboard, electric unicycle, and electric skateboard.

“e-scooter” means a vehicle that is equipped with a standing surface and is designed to be operated by a single user from a standing position, has one or more electric motors, has steering handlebars, possesses not more than 3 wheels, and is capable of being propelled by muscular power;

“Head light” means a forward facing light mounted on the bicycle or the operator that emits a white light that is visible to persons and/or vehicles at a distance of no less than 200 metres;

“Impassable” means impracticable or unsafe to cross or travel along;

E-Bike Bylaw 2021-22

“Motorized multiple use trails” means those trails designed and designated by the City to be used by motorized vehicles including ATVs and snowmobiles as identified in the Trail Plan;

“Motor vehicle” means a motor vehicle as defined in the MVA, except where otherwise specified in this bylaw

“*Motor Vehicles Act*” or “MVA” means the Yukon *Motor Vehicles Act* and Regulations as may be amended from time to time;

“Night time” means the period commencing at sunset and ending at the following sunrise and includes daylight hours where atmospheric conditions reduce visibility to less than 200 metres;

“Nominal power” means the maximum continuous power output that an e-bike can produce without overheating the motor;

“Officer” means a City Bylaw Services Constable, employee of the City of Whitehorse, or any Peace Officer as defined by the MVA

“Ordinary walking speed” means the speed at which a person would ordinarily walk, and includes a fast-paced walk but excludes running or jogging;

“Pedal assist” means a mode of power engagement that requires pedalling input from the user to engage the motor;

“Prepared crossing” means that portion of a Sidewalk that intersects or crosses a bike path, or a cross-walk that adjoins a bike path.

“Roadway” means that portion of a street improved, designed or intended for use by vehicles or Motor vehicles, such as bicycles, cars, trucks and vans;

“Sidewalk” means that part of a street designed or intended for use by pedestrians;

“Tail light” means a rear facing light mounted on the bicycle or the operator that emits a red light or red flashing light that is visible to persons and/or vehicles at a distance of no less than 200 metres;

“Throttle” means a mode of power engagement that allows the user to engage the motor via a switch on the handlebar of the E-bike regardless whether the user is providing pedaling input;

“Trail” means a trail which meets the criteria for any of the classes of trail set out in Schedule “A” of this bylaw, and includes, without limiting the generality of the foregoing, a trail adopted by the City pursuant to the Trail Maintenance Policy, as amended, from time to time;

“Whitehorse Transit” means a Motor vehicle operated by or for the City of Whitehorse Transit System.

E-Bike Bylaw 2021-22

E-bike Classification

3. The City will employ existing e-bike classifications and industry standards to maintain consistency with adjacent jurisdictions and manufacturer standards. Three categories of e-bike classifications will apply:
 - (1) “Class 1 e-bike” means a bicycle equipped with an electric motor that provides assistance only when the rider is pedalling (pedal assist) and that ceases to provide assistance when the bicycle reaches 32 kilometres per hour and has a maximum continuous wattage output of 500 watts. For the purposes of this bylaw, a Class 1 e-bike is not considered a Motor vehicle
 - (2) “Class 2 e-bike” means a bicycle equipped with an electric motor that can be used exclusively to propel the bicycle (throttle equipped) and that ceases to provide assistance when the bicycle reaches 32 kilometres per hour. For the purposes of this bylaw, a Class 2 e-bike is not considered a Motor vehicle.
 - (3) “Class 3 e-bike” means a bicycle equipped with a Pedal or Throttle assist electric motor with a Nominal power output rating of 750 Watts or less and that ceases to provide assistance when the bicycle reaches 45 kilometres per hour. For the purposes of this bylaw, a Class 3 e-bike is not considered a Motor vehicle
4. An Adaptive Mountain Bike (aMTB) is not considered a Motor vehicle for the purposes of this bylaw.

OPERATION

5. All e-bikes shall be equipped with brakes on each wheel or on each axle, and be capable of bringing the e-bike to a full stop from an operating speed of 32 kilometres per hour within nine metres.
6. All electrical terminals on an e-bike, e-scooter, e-mobility device, or aMTB must be completely insulated or covered.
7. This bylaw shall not apply to an Officer, an enforcement officer appointed by the Federal Government of Canada, or an enforcement officer appointed by the Government of Yukon, who is acting in the course of lawful duties.
8. A person operating an e-bike, e-scooter, e-mobility device or aMTB upon a highway shall have the same rights and duties as a driver of a vehicle as prescribed in the *Motor Vehicles Act* of the Yukon Territory and the City *Traffic Bylaw*, with such modifications as are necessary.
9. A person shall not operate an e-bike, e-scooter, e-mobility device or aMTB, ride as a passenger on an e-bike, e-scooter, e-mobility device, or aMTB or ride as a passenger in a Bicycle trailer without wearing a Bicycle helmet.
10. A parent or guardian of a person under the age of 16 years shall not authorize or knowingly permit that person to operate or ride as a passenger on an e-bike, e-scooter, e-mobility device, or aMTB unless the person is wearing a Bicycle helmet.

E-Bike Bylaw 2021-22

11. Class 1 e-bikes and aMTBs are permitted on all Trails and Bicycle lanes.
12. Class 2 e-bikes, e-scooters and e-mobility devices are permitted only on Type 1 Trails described in Schedule "A" of this bylaw, motorized multiple-use trails, and Bicycle lanes.
13. Class 3 e-bikes are permitted only on Roadways, Bicycle lanes, motorized multiple use trails and the Two Mile Hill multiple use trail.
14. A person shall not operate an e-bike, e-scooter, e-mobility device or aMTB on a Sidewalk or marked crosswalk except:
 - (1) at a lane crossing;
 - (2) at a Prepared crossing;
 - (3) in an unmarked crosswalk;
 - (4) to cross over a crosswalk while traveling in a bike lane or traffic lane;
 - (5) where a Bicycle lane on the Roadway adjacent to the Sidewalk or marked crosswalk is impassable; or
 - (6) where a cyclist or e-device user would be forced to travel in a lane of traffic on the Roadway adjacent to the Sidewalk due to the edge or shoulder of the Roadway being impassable.
15. When permitted to operate an e-bike, e-scooter, e-mobility device or aMTB on a Sidewalk pursuant to section 14 of this bylaw, a person commits an offense of unsafe operation of an e-bike on a Sidewalk if the person:
 - (1) operates the e-bike, e-scooter, e-mobility device or aMTB so as to suddenly leave a curb or other place of safety and move into the path of a vehicle that is so close as to constitute an immediate hazard; or
 - (2) operates the e-bike, e-scooter, e-mobility device or aMTB at a speed greater than Ordinary walking speed when approaching or entering a crosswalk, approaching or crossing a driveway, or crossing a curb cut or pedestrian ramp when a Motor vehicle is approaching the crosswalk, driveway, curb cut or pedestrian ramp.
16. A person operating an e-bike, e-scooter, e-mobility device or aMTB in a Prepared crossing or on a Sidewalk as permitted by section 14 of this bylaw shall:
 - (1) yield the right of way to pedestrians;
 - (2) give an audible signal by voice, bell or other signalling device before overtaking another crossing or Sidewalk user; and
 - (3) pass pedestrians at a speed no greater than Ordinary walking speed.
17. Notwithstanding any other provision in this bylaw, a person shall not operate an e-bike, e-scooter, e-mobility device or aMTB on a Sidewalk in the Central business district.

E-Bike Bylaw 2021-22

18. A person operating an e-bike, e-scooter, e-mobility device or aMTB on a Trail or on a Sidewalk as permitted in section 14 of this bylaw shall:
 - (1) yield the right of way to pedestrians;
 - (2) exercise due care and attention to avoid colliding with any other Trail or Sidewalk user;
 - (3) exercise reasonable consideration for any other Trail or Sidewalk user; and
 - (4) slow down and pass other Trail and Sidewalk users in a safe manner,
19. Notwithstanding any other provisions of this bylaw, unless a person operating an e-bike, e-scooter, e-mobility device or aMTB can provide more than one metre of separation when overtaking another Trail user, the person operating an e-bike shall give an audible signal by voice, bell or other signalling device before overtaking another Trail user.
20. A person shall not operate an e-bike, e-scooter, e-mobility device or aMTB upon a Roadway while wearing headphones or any other manufactured device capable of transmitting sound, over or in close proximity to both ears, unless the device is designed and worn for the purpose of improving the wearer's ability to hear.
21. A person shall not operate an e-bike, e-scooter, e-mobility device or aMTB upon a Roadway or Trail when there is signage indicating such use is prohibited.
22. An e-bike, e-scooter, e-mobility device or aMTB shall yield the right of way to a Motor vehicle when entering any Roadway from a Trail unless indicated otherwise by a traffic control device.
23. Every e-bike, e-scooter, e-mobility device or aMTB operated on a Roadway at any time during the Night time hours shall be equipped with:
 - (1) At least one Head light; and
 - (2) At least one red Tail light.
24. A person shall not tow anything behind an e-bike other than a Bicycle trailer, and such Bicycle trailer shall:
 - (1) be equipped with a red reflector, Tail light, or orange flag at the rear;
 - (2) be equipped with a Tail light when operated on a Roadway at Night time; and
 - (3) not exceed the manufacturer's occupancy limit.

MOTOR VEHICLES SHARING THE ROADWAY

25. A person operating and making a turn with a Motor vehicle on a Roadway shall yield to an e-bike, e-scooter, e-mobility device or aMTB being operated on the Roadway.

E-Bike Bylaw 2021-22

26. An operator of a Motor vehicle shall not pass an individual that is operating an e-bike, e-scooter, e-mobility device or aMTB that is travelling in the same direction as the Motor vehicle on the Roadway, on the shoulder, or in an adjacent Bicycle lane unless the operator leaves at least one metre of open space between the Motor vehicle and the bicyclist.

ENFORCEMENT

27. An Officer may stop any person operating an e-bike, e-scooter, e-mobility device or aMTB if that Officer has reasonable and probable grounds to believe that the person is acting in contravention of this bylaw.
28. Every person operating an e-bike, e-scooter, e-mobility device or aMTB shall, immediately when signalled or requested by an Officer acting under section 27 of this bylaw,
- (1) bring the e-bike, e-scooter, e-mobility device or aMTB to a stop;
 - (2) furnish any information respecting the person's identity, to the satisfaction of the Officer;
 - (3) remain stopped until such time as the Officer permits him or her to leave; and
 - (4) comply with any request or direction of the Officer.

POWERS OF A PEACE OFFICER

29. Every Officer has the powers of a peace officer under any of sections 36, 50, 86, 106, 114, 130, 133-136, 181, 203, 217, 230, and 232 of the MVA, with such modifications as are necessary, while engaged in the lawful execution of duties under this bylaw.
30. An Officer may, enter upon any land in any area of the city without warrant, except a dwelling house, if the Officer has reasonable and probable grounds to believe that such entry is reasonably necessary for any of the following purposes:
- (1) To prevent the continuation of an offence under this bylaw;
 - (2) To obtain particulars of ownership of an e-bike, e-scooter, e-mobility device or aMTB involved in an offence committed under this bylaw;
 - (3) To determine the identity of the operator of an e-bike, e-scooter, e-mobility device or aMTB involved in an offence committed under this bylaw;
 - (4) To collect or preserve evidence of an offence committed under this bylaw; or
 - (5) Any other valid law enforcement purpose relating to this bylaw

E-Bike Bylaw 2021-22

31. An Officer may seize and impound any e-bike, e-scooter, e-mobility device, or aMTB being operated in contravention of this bylaw for a maximum of ten days or until determination of the charges respecting such violation:
 - (1) if the operator of the e-bike, e-scooter, e-mobility device or aMTB fails or refuses to produce identification to the satisfaction of the Officer; or
 - (2) after a charge has been laid for a breach of this bylaw and the Officer has reasonable and probable grounds to believe that there are safety concerns associated with the continuation of such breach.
32. An e-bike, e-scooter, e-mobility device or aMTB that has been impounded under this bylaw shall not be released until the person claiming the e-bike, e-scooter, e-mobility device or aMTB provides photo identification and pays all costs associated with the impoundment including:
 - (1) all fines; and
 - (2) all impoundment fees as prescribed in the Fees and Charges Bylaw;
33. Where an e-bike, e-scooter, e-mobility device or aMTB has been impounded and is not claimed within six months from the date of seizure, the Manager of Bylaw Services may direct its disposal by public auction, and where an Officer has determined the value of such e-bike, e-scooter, e-mobility device or aMTB to be less than \$100.00, the Manager of Bylaw Services may direct that it be disposed of at the City of Whitehorse Waste Management Facility or scrap yard.

COMMITTING AN OFFENCE

34. Anyone who violates any provision of this bylaw, fails to do anything required by any provision of this bylaw, or permits anything to be done in contravention of this bylaw is guilty of an offence and subject to the penalties set out in this bylaw
35. A person who commits an offence under this bylaw is, in addition to any other punishment, liable upon summary conviction to:
 - (1) a set fine, under section 20 of the *Summary Convictions Act*, in respect of an offence specified in Schedule "B" of this bylaw; or
 - (2) a fine not exceeding ten thousand dollars where proceedings are commenced pursuant of the *Summary Convictions Act* of the Yukon.
36. The fine imposed against a person who has previously been convicted of an offence under this bylaw shall increase for any second and subsequent convictions for any offence under this bylaw.
37. Where a person is convicted of an offence under this bylaw the Judge may, in addition to any other measure imposed on the person, order that the person pay restitution in accordance with the applicable legal test in section 738 of the *Criminal Code of Canada*, as amended.

E-Bike Bylaw 2021-22

38. Where an offence is committed or continues on more than one day, it shall be deemed to be a separate offence for each day on which the offence is committed or continued.
39. Should a person owning or occupying real property within the City refuse or neglect to pay any fines that have been levied pursuant to this bylaw, the Officer may inform such person in default that, if these charges are unpaid on the thirty-first day of December on the same year, they shall be added to, and form part of, the taxes payable in respect of that real property as taxes in arrears.

COMING INTO FORCE

40. This bylaw shall come into full force and effect on and from the final passing thereof.

FIRST and SECOND READING:
THIRD READING and ADOPTION:

Mayor

Assistant City Clerk

E-Bike Bylaw 2021-22

SCHEDULE “A”

TRAIL TYPES

There are four general types of Trails found within the municipal boundaries of Whitehorse. Type 1 Trails have the highest amount of traffic with multiple users and Type IV Trails have the least amount of traffic with specific users.

Type I Trails

Type 1 Trails are double-track trails paved with asphalt or chip seal. Typical use includes pedestrian and cycling with limited motorized use. Type I Trails:

- (1) Are within the city core and connecting neighbourhoods;
- (2) Provide a two to three metre tread width;
- (3) Have trailhead signage and enroute signage installed where appropriate;
- (4) Have difficulty and distance markers installed where appropriate;
- (5) Have interpretive signage installed at established points of interest where appropriate;
- (6) Have benches and viewing platforms installed where appropriate; and
- (7) Provide lighting for night-time use if appropriate.

Type II Trails

Type II Trails are surfaced single-track or double-track trails. Typical uses include pedestrian and cycling with limited motorized use. Type II Trails:

- (1) Have a single-track tread width up to one metre;
- (2) Have a double-track tread width up to two metres;
- (3) Are machine built;
- (4) Have boardwalks and bridges installed if appropriate;
- (5) Have embedded trail obstacles removed;
- (6) Have trailhead signage and enroute signage installed where appropriate;
- (7) Have difficulty and distance markers installed where appropriate;
- (8) Have interpretive signage installed at established points of interest where appropriate;
- (9) Have benches and viewing platforms installed where appropriate; and
- (10) The typical difficulty rating is easy (green circle).

E-Bike Bylaw 2021-22

Type III Trails

Type III Trails are unsurfaced single-track and double-track trails. Typical use includes hiking and mountain biking with limited motorized use. Type III Trails:

- (1) Have a single-track tread width of 50 to 70 centimetres;
- (2) Have a double-track tread width of up to two metres;
- (3) Have trailhead signage and enroute signage installed where appropriate;
- (4) Have difficulty and distance markers installed where appropriate; and
- (5) Have difficulty rating ranges from easy (green circle) to extreme (double black diamond).

Type IV Trails

Type IV Trails are hinterland trails. Typical use includes hiking and mountain biking. Type IV Trails:

- (1) Plan for a tread width between 30 to 50 centimetres;
- (2) Have minimal trailhead and enroute signage installed if appropriate;
- (3) Have terrain that is sometimes rough with minimal tree grubbing and soil removed;
- (4) Has no high impact users such as horses or motorized vehicles; and
- (5) Have difficulty rating ranges from moderate (blue square) to extreme (double black diamond).

E-Bike Bylaw 2021-22

SCHEDULE "B" SET FINES

Authority (Bylaw Section)	<u>Description of Offence</u>	<u>Penalty</u>
5	Inadequate brakes	\$50.00
6	Electrical terminals not completely insulated or covered	\$50.00
9	Operate, etc. without helmet	\$50.00
10	Permit operation, etc. without helmet	\$50.00
12, 13	Operate where unauthorized	\$50.00
14	Operate on sidewalk or marked crosswalk	\$50.00
15	Operate on sidewalk in unsafe manner	\$50.00
16	Fail to yield, etc.	\$50.00
17	Operate on sidewalk in central business district	\$50.00
18	Fail to yield, etc.	\$50.00
19	Fail to give audible signal before overtaking another trail user	\$50.00
20	Operate while wearing headphones, etc.	\$50.00
21	Operate contrary to signage	\$50.00
22	Fail to yield to motor vehicle when entering roadway from trail	\$50.00
23	Operate without head light or tail light	\$50.00
24	Improper towing	\$50.00
25	Fail to yield	\$100.00
26	Unauthorized pass	\$100.00
28	Fail to stop, etc. for Officer	\$300.00

CITY OF WHITEHORSE
BYLAW 2021-23

A bylaw to amend a number of current bylaws to align with the E-Bike Regulation Bylaw.

WHEREAS section 220 of the *Municipal Act* provides that the power to adopt a bylaw or pass a resolution includes the power to amend or repeal the bylaw or resolution unless the Act or any other Act expressly provides otherwise; and

WHEREAS a bylaw to regulate electric bicycles and similar vehicles is being brought forward under the bylaw process; and

WHEREAS it is deemed desirable and expedient that a number of current bylaws be updated to reflect the adoption of the E-Bike Regulation Bylaw;

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

1. Section 3 of All-Terrain Vehicle Bylaw 2018-27 is hereby amended by deleting the existing definition for ATV and substituting therefore a new definition as follows:

“ATV” means a motorized wheeled vehicle designed and manufactured for off-road travel including, but not limited to, three wheelers, four wheelers, six wheelers, amphibious machines, off road or hybrid two wheeled vehicles but excludes, at all times, automobiles, class 1, 2 and 3 e-bikes, adaptive mountain bikes (aMTB) and e-mobility devices.

2. Section 2 of Bicycle Bylaw 2013-35 is hereby amended by adding a new definition as follows:

“e-bike” means a bicycle with an electric motor mounted either at the bottom bracket (mid-drive) or at either wheel hub, which provides power to the bicycle’s drivetrain. Engagement of the motor varies from pedal feedback over a specific wattage to direct throttle control.

3. Section 2 of Parks and Public Open Space Bylaw 2015-20 is hereby amended by deleting the existing definitions for Motorized Vehicle, Vehicle, and Wheeled Conveyance and substituting therefore new definitions as follows:

“MOTORIZED VEHICLE” means any conveyance that is powered by or capable of being powered by means other than human power, including solar, electric, or combustion engine including automobiles, snowmobiles, and all-terrain vehicles, excluding e-bikes and e-mobility devices.

“VEHICLE” means any motorized vehicle or non-motorized vehicle including a trailer or camper and excluding a bicycle, e-bike, electric mobility device, wheelchair or mobility device.

“WHEELCHAIR” means a chair with wheels, used in instances where walking is impossible or difficult due to illness, injury or disability.

Amending Various Bylaws – Bylaw 2021-23

4. Section 2 of Parks and Public Open Space Bylaw 2015-20 is hereby amended by adding new definitions as follows:

“E-BIKE” means an electric motor-assisted bicycle as defined in the City of Whitehorse E-Bike Bylaw as amended from time to time.

“E-MOBILITY DEVICE” means a self-balancing transport device powered by an electric motor which uses the shifting weight of the rider to balance the device, and includes a hoverboard, electric unicycle, and electric skateboard.

“MOBILITY DEVICE” means any device designed to assist the mobility of a person with a physical disability.
5. Section 19 of Parks and Public Open Space Bylaw 2015-20 is hereby amended by deleting existing subsection (4) and substituting therefore a new subsection (4) as follows:

“19. (4) yield to slower traveling City trail users, pedestrian, wheelchairs and mobility devices.”
6. Section 49 of Parks and Public Open Space Bylaw 2015-20 is hereby amended by deleting existing subsections (2) and (3) and substituting therefore new subsections (2) and (3) as follows:

“49. (2) A vehicle, bicycle, e-bike or e-mobility device, if a charge has been laid for a breach of this bylaw and the Designated Officer has reasonable and probable grounds to believe that there are safety concerns associated with the continuation of such breach; or

(3) A vehicle, bicycle, e-bike or e-mobility device which has been abandoned.”
7. Section 50 of Parks and Public Open Space Bylaw 2015-20 is hereby amended by deleting the existing preliminary statement and substituting therefore a new preliminary statement as follows:

“50. The City may retain custody of a seized and impounded vehicle, bicycle, e-bike or e-mobility device until.”
8. This bylaw shall come into full force and effect upon final passage thereof, subject to the passing of E-Bike Regulation Bylaw 2021-22.

FIRST and SECOND READING:

THIRD READING and ADOPTION:

Mayor

Assistant City Clerk

CITY OF WHITEHORSE

BYLAW 2021-24

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 City of Whitehorse Zoning Bylaw be amended to improve the development application process and manage drainage requirements more effectively;

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

1. Section 2.2 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing definition of lot grading certificate and substituting therefore a new definition as follows:

“LOT GRADING CERTIFICATE” means a plan representing the existing surface elevations and surface grades of a lot and which complies with the requirements set out in the *City of Whitehorse Development Guidelines*. A Lot Grading Certificate is prepared and duly signed and certified by a registered Surveyor or Professional Engineer.”

2. Section 4.4 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing subsection 4.4.1 f) and substituting therefore a new subsection 4.4.1 f) as follows:

“4.4.1 f) be accompanied by a set of plans in duplicate, at an appropriate metric scale containing:

- (1) a north arrow and the scale of each drawing;
- (2) the legal property description and municipal address;
- (3) lot dimensions and other reference features such as the location of easements, existing buildings, and fences relative to property lines;
- (4) the location of public sidewalks, hydro poles, light standards, boulevard trees, fire hydrants and other related features;
- (5) the location of all existing and proposed improvements on the lot including site access and egress, front, side and rear yard dimensions, location and dimensions of buildings, parking, loading and garbage collection areas;
- (6) the location of all existing and proposed landscaping features including trees, shrubs, and groundcover throughout the site, and any natural features to be retained;

Zoning Amendment Bylaw 2021-24

- (7) drainage details including existing and proposed elevations at lot corners, building perimeter, grade breaks, and edge of surface treatments, direction and percentage of grades, main floor/top of slab elevation(s), location of downspouts and direction of discharge, and the location of all proposed structures to manage drainage including swales, ditches, retaining walls, rock sumps, connection to existing storm mains, and/or storm sewer interceptors for areas with high contamination potential;
 - (8) the location, size, and material of all existing and proposed services on the property;
 - (9) floor plans and elevation drawings of all proposed buildings, and structures including any additions;
 - (10) the location, size, and placement of signs and future signs in all commercial, institutional and industrial zones;
 - (11) proposed impacts or improvements to the boulevard including remediation, revegetation, landscaping, construction of drainage infrastructure, paving, or other treatment; and
 - (12) any other information required by the Development Officer.”
- 3. Section 4.5 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing subsection 4.5.1 b) and renumbering the remaining subsections accordingly.
- 4. Section 4.5 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing subsection 4.5.1 f) and substituting therefore a new subsection as follows:
 - “4.5.1 f) as-built or record drawings for any existing infrastructure, servicing, or other site elements;
- 5. Section 4.5 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 4.5.1 i) and substituting therefore a new subsection 4.5.1 i) as follows:
 - “4.5.1 i) any other information required by the Development Officer, such as fire-flow calculations, water model report, or transportation impact assessment; and”
- 6. Section 4.6 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 4.6.4 and substituting therefore a new subsection 4.6.4 as follows:
 - “4.6.4 Where in the opinion of a Development Officer, an application has been substantially revised by the applicant, prior to reconsideration of the application, the applicant shall withdraw the application and submit a new application. A substantial revision includes, but is not limited to, an increase or decrease of the proposed Gross Floor Area by 10% or more. Refunds for withdrawn applications shall be issued in accordance with the formula prescribed in the Fees and Charges Bylaw.”

Zoning Amendment Bylaw 2021-24

7. Section 4.14 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 4.14.1 f) and substituting therefore a new subsection 4.14.1 f) as follows:

“4.14.1 f) the required maintenance of open space, preservation of sun exposure to abutting properties, lot grading and landscaping, including but not limited to, the planting or preservation of trees or other site features to mitigate development impacts, location of fencing and screening, choice of fencing and screening material and location of garbage receptacles and lights;”

8. Section 5.5.2 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 5.5.2.3 and substituting therefore a new subsection 5.5.2.3 as follows:

“5.5.2.3 The proposed lot grading shall respect the natural contour of the land to the extent possible, minimize the necessity to use retaining walls, and ensure drainage away from buildings and abutting properties. Erosion control measures shall be used during construction to prevent the pollution, degradation, or siltation of natural areas, watercourses and roads.

Drainage control measures, retaining walls and lot grading shall be built in accordance with the current version of the *National Building Code of Canada* and the *City of Whitehorse Development Guidelines*.

If the property is located in a subdivision in which an engineered Subdivision Grading Plan has been approved by the City as part of subdivision approval, the lot must be graded to the design elevations corresponding to such approved plan to the satisfaction of the Development Officer.

To confirm the elevations and grading of the lot, a Development Officer may require the property owner to produce the as-built main floor elevation(s) and/or a Lot Grading Certificate or Record Drawings in the form and substance acceptable to the Development Officer, prior to issuance of the first occupancy approval for the property, or another time frame stipulated by the Development Officer.

Where a Lot Grading Certificate is required and cannot be provided prior to issuance of the first occupancy approval for a reason accepted by the Development Officer, the property owner shall provide a security in accordance with section 4.19 to ensure the required Lot Grading Certificate is provided within the time frame specified by the Development Officer.

The value of the security shall be equal to \$3,000 plus \$1/m² of lot area.

Where a Lot Grading Certificate satisfactory to the Development Officer is not provided within the time frame stipulated by the Development Officer, the security is forfeited pursuant to section 4.19.”

Zoning Amendment Bylaw 2021-24

9. Section 5.5.5 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 5.5.5.2 and substituting therefore a new subsection 5.5.5.2 as follows:

“5.5.5.2 The value of the landscaping security shall be calculated based on the minimum number of trees or shrubs required for the development. The security shall be equal to \$1,250 per tree and \$750 per shrub. For single detached and duplex housing, and townhouse developments where each unit is on a separate fee simple lot, the security shall be a flat rate of \$1,000 per lot.”
10. Section 5.5 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 5.5.8 and substituting therefore a new subsection 5.5.8 as follows:

“5.5.8 Record Drawing Security

Installation of all civil works on a development shall be done in accordance with the current version of the *National Building Code of Canada*, the *City of Whitehorse Servicing Standards Manual*, all applicable bylaws, and the *City of Whitehorse Development Guidelines*, to the satisfaction of the City Engineer. A Development Officer may require that the property owner provide Record Drawings in the form and substance acceptable to the City Engineer within 60 days of the issuance of the first occupancy approval for the development, or another time frame stipulated by the Development Officer.”
11. Section 5.5.8 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 5.5.8.2 and substituting therefore a new subsection 5.5.8.2 as follows:

5.5.8.2 The value of the security shall be equal to \$1,000 plus \$1.00 per square metre of lot area.
12. Section 7.2 of Zoning Bylaw 2012-20 is hereby amended by deleting existing subsection 7.2.9 and substituting therefore a new subsection 7.2.9 as follows:

“7.2.9 The value of the security shall be equal to \$2,800 per required parking space. For developments where parking spaces are provided within an enclosed building (excluding residential garages), the security may be calculated based on 125% of the projected cost to install all hard-surfacing required outside of the building. If, in the opinion of the Development Officer, the projected hard-surfacing costs are low, the Development Officer may establish an appropriate hard-surfacing cost figure for the purposes of determining the value of the hard-surfacing and the Development Officer’s calculation shall be determinative. For single detached and duplex housing, and townhouse developments where each unit is on a separate fee simple lot, the hard-surfacing security shall be a flat rate of \$1,000 per lot.”
13. This bylaw shall come into full force and effect upon final passage thereof.