

CITY OF WHITEHORSE
REGULAR Council Meeting #2021-09

DATE: Monday, May 10, 2021
TIME: 5:30 p.m.

Mayor Dan Curtis
Deputy Mayor Laura Cabott
Reserve Deputy Mayor Stephen Roddick

AGENDA

CALL TO ORDER 5:30 p.m.

AGENDA Adoption

PROCLAMATIONS

MINUTES Regular Council meeting dated April 26, 2021

DELEGATIONS

PUBLIC HEARING Bylaw 2021-21 Road Closure (Lane Right-of-way – City Hall)
Bylaw 2021-24 Zoning Amendment (Development Permits/Drainage)

STANDING COMMITTEE REPORTS

Development Services Committee – *Councillors Curteanu and Roddick*

Pop-up Patio Program – Bylaw and Policy Amendments

Corporate Services Committee – *Councillors Roddick and Curteanu*

Yukon-City Agreement – Selkirk Storm Water Outfall

Forthcoming Procurements – For Information Only

Urban Electrification Local Improvement – 14 Langholz Road

Quarterly Progress Reports – For Information Only

City Planning Committee – *Councillors Hartland and Cabott*

Subdivision Approval – KDFN Settlement Parcels (Marwell)

City Operations Committee – *Councillors Cabott and Hartland*

Community Services Committee – *Councillors Boyd and Stick*

Joint Use Agreement Renewal

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

NEW AND UNFINISHED BUSINESS

BYLAWS

2021-19	Joint Use Agreement Renewal	1 st & 2 nd Reading
2021-27	Sidewalk Café and Pop-up Patio	1 st & 2 nd Reading
2021-30	Urban Electrification (14 Langholz Road)	1 st & 2 nd Reading

ADJOURNMENT

MINUTES of **REGULAR** Meeting #2021-08 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, April 26, 2021, in Council Chambers, City Hall.

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

ALSO PRESENT: City Manager Linda Rapp
Director of Community and Recreation Services Jeff O'Farrell
Director of Corporate Services Valerie Braga
Director of Development Services Mike Gau
Director of Human Resources Lindsay Schneider
Acting Director of Infrastructure and Operations Jason Everitt
Manager of Legislative Services Wendy Donnithorne
Manager of Parks and Community Development Landon Kulych
Assistant City Clerk Norma Felker
Legislative Services Administrative Assistant Pascaline Etter

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

CALL TO ORDER

2021-08-01

It was duly moved and seconded
THAT the agenda be adopted as amended with the changes being:

- the addition of Kirsten Bradley, Barb Tait and Erik Miller as delegates, all speaking to the E-Bike Regulation Bylaw;
- the deletion of Sara McPhee-Knowles as a delegate; and
- the addition of six submissions to be read into the record with respect to the E-Bike Regulation Bylaw.

AGENDA

Carried Unanimously

2021-08-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated April 13, 2021 be adopted as presented.

MINUTES

April 13, 2021

Carried Unanimously

DELEGATE SUBMISSIONS

- Kylie Campbell expressed concern that the bylaw restricts those who use e-bikes as their primary means of transportation and prevents them from going anywhere but on paved trails. KYLIE CAMPBELL
- Alexander Muradov suggested that the proposed bylaw does not reflect the reality of modern e-bikes, fragments the cycling network, and does not increase public safety. ALEXANDER MURADOV
- Kirsten Bradley stated that the differentiation between e-bikes classes in the proposed bylaw makes no sense and is counter to the opinions expressed by the public during the consultation process. KIRSTEN BRADLEY
- Barbara Tait asked council to consider an inclusive approach that would allow individuals with mobility issues to use e-bikes on all trails. BARBARA TAIT
- Erik Miller suggested that the proposed bylaw unfairly discriminates against lower income residents. He also suggested that speed limits should be applied to trails rather than to bike classes, and urged council to send the bylaw back to committee for revision prior to third reading. T. ERIK MILLER
- Jessica Westman asked council to amend the bylaw to allow the use of e-bikes on all trails. She suggested that the bylaw as written creates an exclusive culture for able-bodied individuals. JESSICA WESTMAN
- Dave Strathers stated that e-bikes should be allowed on all local trails. DAVE STATHERS
- Land Pearson stated that the differentiation between e-bikes classes makes no sense, and suggested that the wattage limit is too restrictive. LAND PEARSON
- Rob Pelletier provided a number of recommendations to improve the proposed bylaw, including increasing the wattage limit and eliminating the differences between classes based on throttle or pedal assist. ROB PELLETIER
- Jean-Paul Molgat stated his support for the bylaw and suggested that accommodation and safety measures should include bike-activated buttons on posts near the curbs at key signalled intersections so that cyclists can activate the signals. He also suggested that a higher priority should be given to the maintenance of trails on a year-round basis. JEAN-PAUL MOLGAT
- Sarah Crane stated her disagreement with the classification of e-bikes and restricting the use of class 2 e-bikes on single-track commuter trails. SARAH CRANE
- Alistair Smith noted that there is a lot of misunderstanding about e-bikes and suggested that limits on the technology should be considered with all due care. ALISTAIR SMITH

Leslie Roberts addressed safety issues for hikers sharing class 4 trails with e-bike users and asked that the bylaw be reconsidered before third reading to exclude e-bikes from class 4 trails.

LESLIE ROBERT

Mayor Curtis thanked all the delegates for taking the time and effort to provide input into the E-Bike Bylaw.

Delegates Thanked

COMMITTEE REPORTS

Corporate Services Committee

Asset management initiatives have been ongoing at the City for many years. In 2019, following Council prioritizing asset management, a consultant was retained to assess the City’s progress and refocus implementation efforts. Despite the impact of the COVID pandemic on City operations, progress continued throughout 2020, culminating in adoption of the Asset Management Policy by Council. One of the requirements of this policy is that progress reporting occur.

ASSET MANAGEMENT
ANNUAL REPORT

For Information Only

Administration presented a report compiled by the Asset Management Steering Committee. The report highlights 2020 corporate asset management efforts in the areas of Steering Committee activities, City policy, staffing, major capital works and 2020 projects.

Mike Gladish addressed the committee to request that council reactivate the Advisory Committee on Racism and Discrimination.

In response to questions raised, administration advised that the original Canadian Coalition of Municipalities Against Racism and Discrimination (CCMARD) advisory committee was disbanded pursuant to the provisions of the Advisory Committee Bylaw adopted in November of 2017. In addition, the focus of the original CCMARD committee was contrary to the *Municipal Act*. The City’s membership in the national CCMARD organization was felt to have lapsed during the time in which that organization was re-branding itself as the Canadian Coalition of Inclusive Municipalities.

ADVISORY COMMITTEE
ON RACISM AND
DISCRIMINATION

For Information Only

In the interval since the committee was disbanded, individual departments have utilized inclusiveness as a lens. However, there is no mandate to consider activating formal advisory committees.

A council member advised that the Canadian Coalition of Inclusive Municipalities assumes that the City of Whitehorse remains an ongoing member, and their information mailing lists will be updated to include mayor and council.

Discussion

City Planning Committee

2021-08-03

It was duly moved and seconded
THAT Bylaw 2021-21, a bylaw to close the remaining portion of lane
right-of-way located adjacent to Lots 6 to 17 in Block 7, Downtown,
known as the site of City Hall, be brought forward for consideration
under the bylaw process.

BRING FORWARD A
BYLAW TO CLOSE
A LANE REMNANT
(City Hall Site)

Carried Unanimously

City Operations Committee

There was no report from the City Operations Committee.

No Report

Community Services Committee

Mayor Curtis proclaimed April 22, 2021 to be ***Earth Day*** in the City of
Whitehorse.

EARTH DAY
PROCLAMATION

Public Health and Safety Committee

There was no report from the Public Health and Safety Committee.

No Report

Development Services Committee

There was no report from the Development Services Committee.

No Report

BYLAWS

2021-08-04

It was duly moved and seconded
THAT Bylaw 2021-22, 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, having been read a first and
second time, now be given third reading.

BYLAW 2021-22
E-BIKE REGULATIONS
THIRD READING

In response to questions raised, administration confirmed that the bylaw
as written permits adaptive mountain bikes anywhere in the trail network.
The definition of adaptive mountain bikes includes a variety of cycles
designed for persons with physical or other challenges.

Discussion

Council members discussed the bylaw in the context of the submissions received, and administration confirmed that the classification system in the bylaw is consistent with the system used in other jurisdictions. The proposed bylaw incorporates regulations that are simple for education and enforcement.

Council members noted that the bylaw needs to be supported by a strong education campaign.

A council member suggested that, since the bylaw deals with an emerging use and evolving technology, a review of how well it is working would be advisable.

Discussion

2021-08-05

It was duly moved and seconded
THAT administration be directed to bring the E-Bike Regulation Bylaw forward for review within two years.

Motion to Require a Review

In response to questions raised, administration advised that a review of the whole bylaw is not pre-scheduled, but reviews of specific sections are conducted at any time an issue arises. If necessary, amendments would be brought forward for consideration.

Discussion

The council member proposing the motion to review noted that the intent was to assure the public that the implementation of the new bylaw is being monitored and data is being gathered regarding the effectiveness of the regulations. In light of the procedures in place, the motion to require a review within a specific time frame was withdrawn.

Motion Withdrawn

Council members generally agreed that the bylaw as written is a good start for dealing with an emerging use.

Discussion

The main motion, being third reading of E-Bike Regulation Bylaw 2021-22, was then voted on.

Vote on Main Motion

Carried Unanimously

2021-08-06

It was duly moved and seconded
THAT Bylaw 2021-23, a bylaw to amend a number of current bylaws to align with the E-bike Regulation Bylaw, having been read a first and second time, now be given third reading.

BYLAW 2021-23
AMEND VARIOUS BYLAWS
THIRD READING

Carried Unanimously

2021-08-07

It was duly moved and seconded
THAT Bylaw 2021-14, a bylaw to permanently close the remaining
portion of lane right-of-way located adjacent to Lots 6 to 17 in Block 7 in
the downtown area, known as the site of City Hall, be given first reading.

Carried Unanimously

BYLAW 2021-21

LANE CLOSURE
(City Hall Site)

FIRST READING

There being no further business, the meeting adjourned at 7:05 p.m.

ADJOURNMENT

MEMORANDUM

FILE #: C-02-2021

TO: Mayor and Council
FROM: Administration
DATE: May 10, 2021
SUBJECT: Public Hearing – Road Closure Bylaw 2021-21

Please be advised there will be a public hearing at the regular council meeting on May 10, 2021, to hear from interested parties related to the following bylaw:

Bylaw 2021-21, a bylaw to close the remaining portion of lane right-of-way located adjacent to Lots 6 to 17 in Block 7 in the Downtown Area (the site of City Hall).

The City of Whitehorse is continuing with its building consolidation project, which has seen construction of a new Operations Building on Range Road and closure of the Municipal Services Building on 4th Avenue and the Fire Hall on 2nd Avenue. Future work includes renovations and new construction at City Hall.

Currently, the existing City Hall and shuttered Fire Hall are constructed across twelve individual lots and a remaining portion of lane right-of-way (Lots 6-17 and portion of Lane, Block 7, Plan 3807 LTO). This legal fabric was established through the original survey for Downtown Whitehorse and the lots were not consolidated when City Hall was constructed.

A portion of the lane located in Block 7 was transferred to the Commissioner of Yukon in 1975 and consolidated with the adjacent five lots underlying the McBride Museum in 2006 (Lot 18, Block 7, Plan 2006-0127).

Administration is now preparing to consolidate Lots 6-17, as well as the remaining portion of the lane, in advance of new development at 2121 2nd Avenue (City Hall). As per Section 276 of the *Municipal Act*, the lane requires a road closure bylaw prior to proceeding with the consolidation.

Bylaw 2021-21 received 1st Reading on April 26, 2021. A notice was published in the newspapers on April 30, 2021 and a notification letter was sent to McBride Museum.

Kinden Kosick
Subdivision & Lands Coordinator

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

MEMORANDUM

FILE #: Z-05-2021

TO: Mayor and Council
FROM: Administration
DATE: May 10, 2021
SUBJECT: Public Hearing – Zoning Amendment Bylaw 2021-24

Please be advised there will be a public hearing at the regular council meeting on May 10, 2021, to hear from interested parties related to the following zoning amendment:

Bylaw 2021-24, a bylaw to amend Zoning Bylaw 2012-20 to enable development application process improvements and manage drainage requirements more effectively.

Proposed Bylaw 2021-24 contains a number of amendments to the Zoning Bylaw to enable Administration to implement a more consistent process for reviewing development permit applications and ensuring better compliance with drainage requirements.

Bylaw 2021-24 received 1st Reading on April 13, 2021. Notices were published in the newspapers on April 16 and 23, 2021. The Government of Yukon Lands Branch, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council were notified by mail and email. The Yukon Contractors Association was notified by email.

Darcy McCord
Senior Development Officer

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



Minutes of the meeting of the Development Services Committee

Date	May 3, 2021	2021-09
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Jocelyn Curteanu – Chair Councillor Stephen Roddick – Vice-Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Laura Cabott Councillor Samson Hartland Councillor Jan Stick	
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 Lindsay Schneider, Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Patrick Ross, Manager of Land and Building Services Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk	

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

1. Pop-up Patio Program – Bylaw and Policy Amendments

In response to the pressures experienced by eating and drinking establishments due to the COVID-19 pandemic, administration is proposing a “Pop-up Patio Program” in the downtown core. In addition to allowing restaurant operators to offset indoor seating restrictions by expanding capacity outdoors, the program aims to stimulate streetscapes, creating a more vibrant and enjoyable experience for people visiting and walking the Downtown.

The proposed Pop-up Patio Program has been reviewed in conjunction with regulations, incentives, and best practices in patio program precedents used in other municipalities across Canada. The program also aligns with a number of the City’s plans and policies.

Existing bylaws do not provide the appropriate authority for pop-up patios to use parking spaces. A new bylaw is being brought forward to permit the change in use of the

roadway and to physically restrict and close off curbside sections of the roadway and re-designate them for commercial use, such as pop-up patios. Applicants will be required to obtain a Temporary Use Development Permit under The City Zoning Bylaw and any other required permits and licenses, such as a liquor license.

The current Lease, Encroachment and Property Use Policy supports cafés on City sidewalks, along with patios and decks on private property. Amendments to the existing policy are being brought forward to allow the Pop-up Patio Program to be included under the guidelines, standards, conditions, liabilities, rights and responsibilities of this policy.

Should the Sidewalk Café and Pop-up Patio Bylaw be adopted, the proposed changes to the Lease, Encroachment and Property Use Policy must also be approved in order to implement and administer the program. Since the bylaw and the policy need to go through the process in tandem, the revised policy will be on the agenda for adoption at the meeting at which the bylaw is scheduled for third reading.

The recommendation of the Development Services Committee is

THAT Bylaw 2021-27, a bylaw to permit the temporary conversion of parking spaces to allow for the construction and use of sidewalk cafés and pop-up patios for commercial use in the Downtown area, be brought forward under the bylaw process; and

THAT the revised Lease, Encroachment and Property Use Policy be brought forward for adoption in conjunction with the adoption of Sidewalk Café and Pop-up Patio Bylaw 2021-27.

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Minutes of the meeting of the Corporate Services Committee

Date	May 3, 2021	2021-09
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Stephen Roddick – Chair Councillor Jocelyn Curteanu – Vice-Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Laura Cabott Councillor Samson Hartland Councillor Jan Stick	
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 Lindsay Schneider, Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Brittany Dixon, Acting Manager of Financial Services Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk	

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

1. Yukon-City Service Agreement – Selkirk Storm Water Outfall Project

Deputy Mayor Cabott declared a conflict of interest and left council chambers during discussion of this issue.

A storm sewer owned and operated by the city runs through the education reserve bordered by Lewes Boulevard and Selkirk Street. This storm sewer also serves the intersection of Lewes Boulevard and Asek Road. Due to new development in the area, the storm sewer has reached its capacity and must be replaced. The Government of Yukon (YG) is preparing to install new storm water infrastructure and has secured federal funding for the full cost of the project. Once completed, this infrastructure will be transferred to the City.

A service agreement has been negotiated with YG that will improve the storm water infrastructure in the area. The design follows industry best practices for storm water

management. Since much of the intersection at Alsek and Lewes will be disturbed to allow for underground installations, the City will take advantage of the opportunity to complete some surface improvements at this intersection. The installation of this storm water infrastructure will also improve the safety of the City's drinking water supply by diverting surface water away from the aquifer.

YG is preparing to tender the construction contract for this project. It is expected that construction will begin this year, with project completion anticipated in 2022.

A delegate submission from Riverdale resident Jenny Trapnell stated that a section of boreal forest along the Millennium Trail was destroyed for this work without notification to residents or trail users. She asked for a response regarding the City's role in protecting the significant environmental, heritage and recreational values of this area.

Administration acknowledged that there were unfortunate communication gaps regarding the clearing project. However, since the clearing included the removal of trees, the work needed to be completed prior to nesting season for birds.

When the project is completed, the area will be revegetated with native grasses. In order to allow for ongoing maintenance access, the trees will not be replaced.

Pedestrian-safe access will be maintained during construction through the use of temporary detours, and a pedestrian bridge over the trench will allow the Millennium Trail to maintain the existing alignment.

Committee members asked for additional details regarding the proposed bridge, and noted the importance of public communications as the project advances. Administration confirmed that YG is planning to install signage to better inform the public with respect to this project.

The recommendation of the Corporate Services Committee is

THAT the mayor be authorized to sign the service agreement with the Government of Yukon with respect to the Selkirk Street Storm Water Outfall Project.

Deputy Mayor Cabott returned to council chambers.

2. Forthcoming Procurements – For Information Only

In accordance with the Procurement Policy that came into effect on January 1, 2021, a list of forthcoming procurements with an anticipated value greater than \$100,000 must be provided to council on a bi-monthly basis.

Department managers were asked to review their capital projects and operating requirements and to provide information on anticipated procurements for the period of May and June 2021. Financial Services presented a list of nine projects.

3. Urban Electrification Local Improvement

In 1989 the City began assisting with the cost of electrifying urban property by financing the work and charging the cost back to the property as a local improvement charge. In order to have an application approved the applicant must have title to the property, current taxes must be paid in full, and the cost of the work must not exceed 75% of the assessed value of the property.

The owners of the property located at 14 Langholz Road in the Wolf Creek subdivision have met all the conditions of the urban electrification program. A bylaw is required to provide for a work of local improvement.

The recommendation of the Corporate Services Committee is

THAT the application under the urban electrification program for Lot 68 in the Wolf Creek Subdivision, Whitehorse Plan No.53574, be accepted; and

THAT Bylaw 2021-30, a bylaw to authorize a local improvement charge for urban electrification at Lot 68, Wolf Creek Subdivision, be brought forward for consideration under the bylaw process.

4. Quarterly Progress Reports – For Information Only

Quarterly progress reports inform Council on the key progress made with respect to its strategic priorities during each quarter. They also provide the anticipated focus of other operational activities not specifically tied to strategic priorities for the next quarter.

The report presented showed the key progress made in January, February and March 2021 in the areas identified as priorities by Council, including environmental stewardship, transportation, infrastructure renewal, public safety, and housing.

The report also listed each department's anticipated operational focus for April, May and June 2021.

Committee members asked for updates, additional information and clarification on a number of issues and specific initiatives, primarily with respect to housing, land development, and transportation.

In response to questions raised, administration will schedule a Council and Administration Roundtable meeting to provide an update on the Commercial/Industrial Land Study.

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Minutes of the meeting of the City Planning Committee

Date	May 3, 2021	2021-09
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Samson Hartland – Chair Councillor Laura Cabott – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Stephen Roddick Councillor Jan Stick	
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 Lindsay Schneider, Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Patrick Ross, Manager of Land and Building Services Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk	

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

1. Subdivision Approval – 226 Tlingit Street – Marwell

Over the past few years, the Kwänlin Dün First Nation (KDFN) has been collaborating with the City and Government of Yukon to develop, adopt, and implement a *Lands Act* and establish a land registry regime that will allow them to provide settlement land to the market through a land lease system. The First Nation is now in a position to move forward on several land development projects.

The Hammerstone Business Park is the first major industrial development that KDFN intends to bring to market. The business park was made possible through the recent redevelopment of Tlingit Street through a partnership between the City and KDFN. The master plan for the development of the business park includes three phases. Phase One was initiated through subdivision applications that were approved administratively in accordance with the Subdivision Control Bylaw.

KDFN has now applied for subdivision approval to allow for the development of eleven lots on Tlingit Street. This represents Phase Two of the Hammerstone Business Park. The proposed subdivision includes nine lots that are accessed and serviced directly from Tlingit Street. The two remaining lots will form the boundaries and provide road access for Phase Three of the development. The entire development area will be zoned Mixed Use Commercial/Industrial.

No road or service infrastructure is being developed as part of this subdivision, and therefore a Development Agreement is not required at this time. Future phases will require roads and deep and shallow utilities, which will require an agreement between the City and KDFN regarding servicing standards. An ongoing maintenance agreement will also be required at that time.

In accordance with the Subdivision Control Bylaw, public use land dedication will not be applied to this subdivision of Settlement Land. Approval of the subdivision will assist in bringing forward properties to meet the demand for commercial and industrial land.

The recommendation of the City Planning Committee is

THAT the subdivision of approximately 9.66 hectares of land for the creation of nine new commercial/industrial lots, a road access corridor, and two future development lots within Lot 226 (Remainder), Group 5, Plan 65109 LTO, Lots 63 to 79, Plan 25657 LTO, and Lot 2, Plan 107878 CLSR, located on Tlingit Street in Marwell, be approved as shown on the proposed subdivision sketch.

2. Housing Survey – For Information Only

A committee member advised that the deadline for completing the Yukon Anti-Poverty Coalition's housing survey is fast approaching, and encouraged everyone to complete the survey in one form or another.

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SKETCH OF PROPOSED SUBDIVISION

WITHIN LOT 226 (REMAINDER), GROUP 5, KWANLIN DUN FIRST NATION SETTLEMENT LAND (OLD VILLAGE), PLAN 68098 CLSR, 65109 LTO, LOTS 63 TO 79, INDUSTRIAL SUBDIVISION, KWANLIN DUN FIRST NATION SETTLEMENT LAND SELECTION C-194B, PLAN 51400 CLSR, 25657 LTO, AND LOT 2, PLAN 107878 CLSR.

CITY OF WHITEHORSE
YUKON

SCALE 1 : 2,000

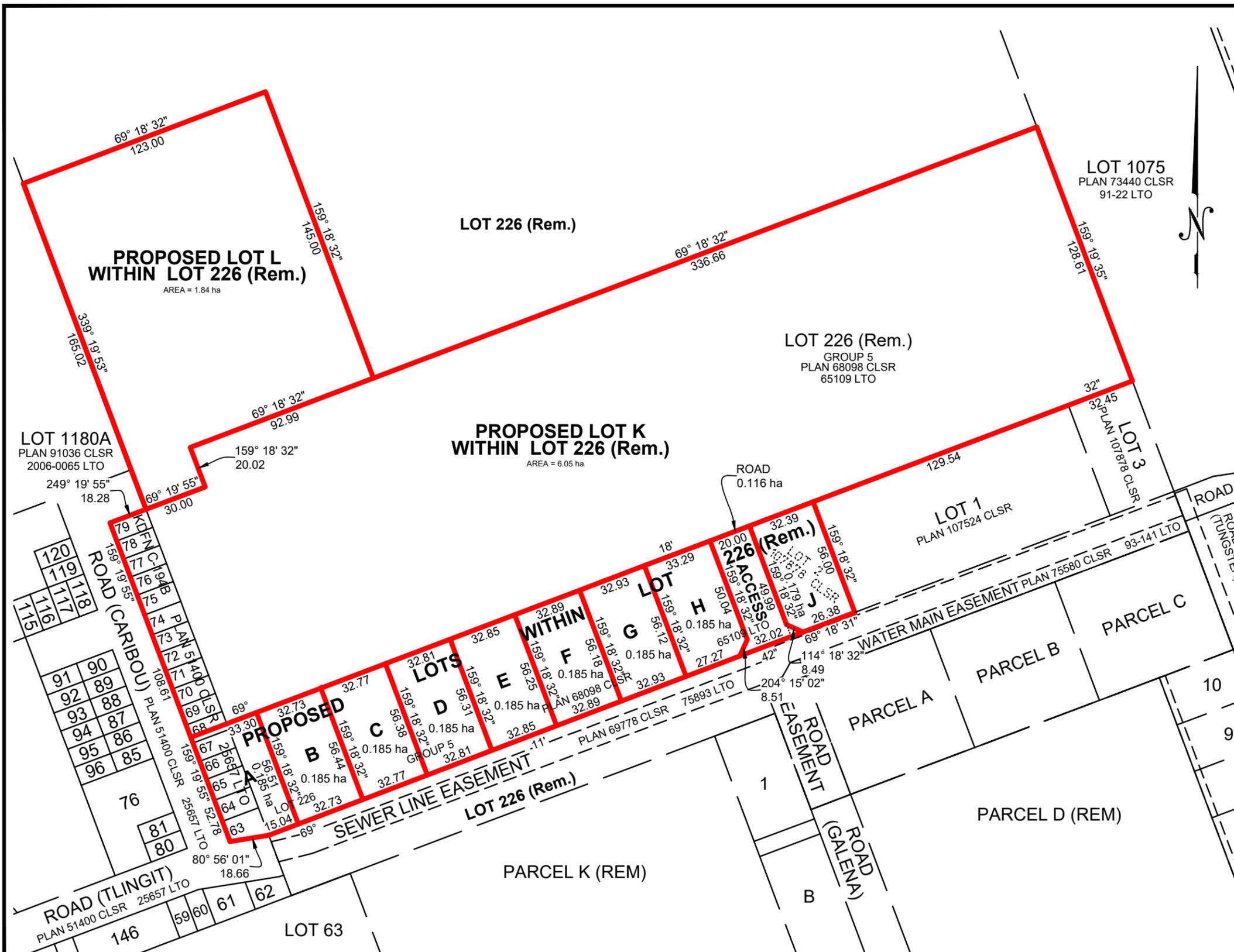


LEGEND

BEARINGS ARE UTM GRID AND ARE DERIVED FROM CADASTRAL DATA PROVIDED BY NATURAL RESOURCES CANADA.

DISTANCES ARE HORIZONTAL AT GROUND LEVEL AND ARE EXPRESSED IN METERS.

LANDS DEALT WITH BY THIS SKETCH SHOWN THUS ———



SUBJECT TO THE LIMITATIONS HEREON:

1. THIS SKETCH IS NOT TO BE USED TO DEFINE PROPERTY BOUNDARIES.

CHALLENGER
GEOMATICS LTD.
302 Jarvis Street
Whitehorse, Yukon Y1A 2H2
(PH) 867-668-6940
email: whitehorse@chalgeo.com

DRAWN BY : NCONROY JOB#: 37764
CHECKED BY : C BLACKWOOD
DECEMBER 10, 2020



Minutes of the meeting of the City Operations Committee

Date	May 3, 2021	2021-09
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Laura Cabott – Chair Councillor Samson Hartland – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Stephen Roddick Councillor Jan Stick	
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 Lindsay Schneider, Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk	

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

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Minutes of the meeting of the Community Services Committee

Date	May 3, 2021	2021-09
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Dan Boyd – Chair Councillor Jan Stick – Vice-Chair Mayor Dan Curtis Councillor Laura Cabott Councillor Jocelyn Curteanu Councillor Samson Hartland Councillor Stephen Roddick	
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 Lindsay Schneider, Acting Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk Teresa Acheson, Customer Service Supervisor	

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

1. Joint Use Agreement Renewal

The City and the Government of Yukon have used a Joint Use Agreement (JUA) to maximize the use of public facilities in the City for many years. The JUA provides a framework for the community to use various public facilities to the maximum extent practicable using a benefits-based approach for space allocations. The JUA covers facility uses outside the core school activities of the Department of Education and the core recreation activities of the City of Whitehorse.

The current agreement expires at the end of August this year. A thorough review and update of the current agreement was recently completed with input from Yukon Government Department of Education and Commission scolaire francophone du Yukon. One agreement will now be used for all three parties.

The agreement is required to be adopted by bylaw in accordance with the *Municipal Act*. A bylaw is therefore being brought forward for consideration.

The recommendation of the Community Services Committee is

THAT Bylaw 2021-19, a bylaw to adopt a joint use agreement to maximize the use of public facilities in the City of Whitehorse, be brought forward for consideration under the bylaw process.

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Minutes of the meeting of the Public Health and Safety Committee

Date	May 3, 2021	2021-09
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Jan Stick – Chair Councillor Dan Boyd – Vice Chair Mayor Dan Curtis Councillor Laura Cabott Councillor Jocelyn Curteanu Councillor Samson Hartland Councillor Stephen Roddick	
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 Lindsay Schneider, Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk	

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

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CITY OF WHITEHORSE

BYLAW 2021-19

A bylaw to authorize the adoption of a Joint Use Agreement

WHEREAS section 265 of the *Municipal Act* (R.S.Y. 2002) provides that council may pass bylaws for municipal purposes respecting the acquisition, sale, management, mortgaging, construction, leasing, renting, or any other dealings with any real or personal property, or any interest in land, buildings or other improvements on land or personal property; and

WHEREAS the City, the Government of Yukon and the Commission scolaire francophone du Yukon have negotiated an agreement to maximize the use of public facilities in Whitehorse for the period September 1, 2021 through August 31, 2024;

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

1. The City of Whitehorse is hereby authorised to enter into a Joint Use Agreement with the Government of Yukon and the Commission scolaire francophone du Yukon with respect to public facilities in the City of Whitehorse. The said agreement is identified as Appendix "A" and forms part of this bylaw.
2. The Mayor and Assistant City Clerk are hereby authorized to execute the Joint Use Agreement identified in section 1 of this bylaw on behalf of the City of Whitehorse.
3. This bylaw shall come into full force and effect upon the final passing thereof.

FIRST and SECOND READING:

THIRD READING and ADOPTION:

Mayor

Assistant City Clerk

YUKON — WHITEHORSE
PUBLIC FACILITIES JOINT USE AGREEMENT
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YUKON — WHITEHORSE
PUBLIC FACILITIES JOINT USE AGREEMENT

BETWEEN:

YUKON GOVERNMENT – Department of Education
As represented by the Minister of Education
(Herein referred to as “Yukon Education”)

AND:

Commission scolaire francophone du Yukon (CSFY)
As represented by the Executive Director
(Herein referred to as “CSFY”)

AND:

THE CITY OF WHITEHORSE
As represented by the Mayor of Whitehorse
(Herein referred to as "the City")

WHEREAS

It is the responsibility of the City to plan, develop, construct, operate and maintain park and recreational land and facilities in the City of Whitehorse.

It is the responsibility of Yukon Education and school boards to develop and deliver educational programs and provide the necessary facilities and sites for these programs.

The Parties support sharing of publicly funded facilities to maximize benefit to students and citizens of Whitehorse.

The Parties are agreeable to the use of their respective public facilities in accordance with the provisions of this Agreement.

The Parties are agreeable to the implementation of a benefits-based approach to the allocation of facility space, reflecting the community's needs, personal and social connectedness, economic vitality, and environmental consciousness.

The Parties agree that success of this Agreement is dependent on continued commitment to the purpose, vision and goals located herein.

The Parties wish to reaffirm their commitment to the principles of the shared use of City facilities and School facilities.

In such regard, and in recognition of the importance of collaboration, the Parties agree to act openly, fairly, and as far as each may legally do so, to execute and deliver to each other such documentation and do such acts as may be required to reasonably carry out the principles of

this Agreement.

The Parties agree that the foregoing Preamble shall form part of this Agreement.

THE PARTIES AGREE AS FOLLOWS:

1. DEFINITIONS

“benefits-based approach” means an evolutionary process that helps reposition, promote, and provide services that are truly essential to the community's needs. It is an abstract concept (rather than a concrete model) used to develop outcome-oriented performance measurement indicators and tools to gauge progress towards becoming a benefits driven vibrant community in the field of recreation.

“Booking Office” means the City of Whitehorse, Recreation and Facility Services Department, Facility Booking Agents.

“designated representative” is the contact person for each facility user or partner.

“facility owner” means Yukon Education or school board who controls the respective school building and grounds and the City who controls the respective municipal public facilities.

“Facility staff” means the employees and contractors of the Parties, providing services and maintaining facilities in this Agreement.

“Facility User” means all users groups and school groups that benefit from and book services in this Agreement.

“Goals” means those fundamental concepts, set out in this Agreement that shall guide the actions and relations of the Parties as they work together to meet the needs of the citizens of Whitehorse.

“Parties” means the entities signing this Agreement collectively and Party shall mean one (1) of the signatories.

“Partners” means any entity that partakes in or benefits from the Agreement.

“public facilities” means all facilities outlined in Appendices used for Joint Use activities.

“Rental Contract” means the formal booking contract, provided by the Booking Office to the designated representative, created and signed off for each Facility user event, outlining the rental terms and conditions, for bookings as per this Agreement.

“school board” means a local board or authority responsible for the provision and maintenance of schools (eg. CSFY).

“school group” is any school group that fits within the eligibility criteria set out in this agreement and books the use of public facilities.

“user group” is any community group or sport governing body that books the use of YG facilities in this agreement.

2. TERMS OF THE AGREEMENT

2.1. This Agreement shall endure from September 1, 2021 through August 31, 2024.

2.2. The Agreement may be extended, cancelled, or revised at any time upon mutual consent.

2.3. The Agreement shall be extended for up to one calendar year from the expiration date specified above if a new agreement has not been put in place.

3. CONTACTS

- 3.1. The contact for Yukon Education is the Director of Operations.
- 3.2. The contact for the City is the Manager of Recreation and Facility Services.
- 3.3. The contact for CSFY is the Communications and Community Relations analyst.

4. PURPOSE

- 4.1. To provide a framework by which selected public facilities within the bounds of the City of Whitehorse can be utilized by the community to the maximum extent practicable using a benefits-based approach for space allocations.
- 4.2. The Agreement covers facility uses outside of the core school activities of Yukon Education and core recreation activities of the City.

5. VISION

- 5.1. Available public facility space is highly utilized for valued community needs, and is allocated fairly, equitably and on the basis of demonstrable needs and benefits to the community, with youth-oriented activities as the highest priority.
- 5.2. Partners subject to the AGREEMENT:
 - respect each other, the facilities and the community;
 - actively work together to resolve allocation and scheduling issues;
 - cooperate and communicate to enhance the community's self-image; and
 - build healthy opportunities for individuals to connect in ways that benefit all.
- 5.3. Progressive partnerships are encouraged as a means of promoting community spirit and community wellness through utilization of public facilities.

6. GOALS & PRINCIPLES

- 6.1. The Parties share the common goal of providing opportunities and activities, for all ages through the promotion and provision of recreation and active living services, essential to a healthy vibrant community. The key principles to this approach are:
 - Advancing community health and well-being through recreation and leisure opportunities
 - Ensuring fair and just access to facilities, both indoors and out
 - Prioritizing access for children and youth

7. PROCESS

- 7.1. After the needs of the facility Owners are met, the facilities indicated in this Agreement will be made available to facility users.
- 7.2. Facilities covered by this agreement are booked through the Booking Office.
- 7.3. Inquiries are evaluated by a measurement system (Assessment Tool), focused on our "Purpose, Vision and Goals," that will determine whether the community is receiving the identified benefits through the offering of the activity.
- 7.4. The Parties will provide facility user monitoring processes that will assist in evaluating the appropriate use of public facilities.

- 7.5. Facility Owners will provide specific rules, security procedures, equipment lists and any changes to the availability dates to the Booking Office.
- 7.6. The Booking Office will provide a copy of the Agreement and Rental Contract to the designated representative and have the designated representative review all pertinent documents, providing signatures and/or initials where required.
- 7.7. The Booking Office will prepare and provide a master list of confirmed public facility bookings to the Parties. Applicable portions of the master list may be provided to each school principal, designated representative and each Facility Owner.

8. ALLOCATION

- 8.1. Allocation deadlines are established to allow reasonable time for facility management, school activity planning, and community use planning.
- 8.2. Facility owners will confirm facility availability.
- 8.3. Facility users will be required to submit requests within the allocation deadlines.
- 8.4. The City will advertise the booking deadlines and confirm facility user schedules within the allocation deadlines.
- 8.5. Allocation Priorities and Deadlines are outlined in the Appendices.

9. FEES

- 9.1. The Parties agree to establish a fee schedule, maintained at a level ensuring facility users have the ability to participate in the JUA.
- 9.2. Fees will be charged to user groups, as outlined in the Appendix B, including but not limited to, cancellation or change fees, key and damage deposits, and janitorial fees or damages as required for cost recovery.
- 9.3. Fees will be charged to school groups, as outlined in Appendix A, including but not limited to, program fees, cancellation or change fees, and extra staffing as required for cost recovery.
- 9.4. Yukon Education will provide a yearly contribution in the amount of \$40,000.00 on September 1 of each year to the City towards the administration costs of the Agreement.
- 9.5. The City will collect all revenues pertaining to this Agreement and disperse any applicable fees to Yukon Education payable to Territorial Treasurer, Box 2703, Whitehorse, Yukon, Y1A 2C6, re. Joint Use Agreement with Yukon Education.

10. MAINTENANCE AND CANCELLATIONS

- 10.1. Future planned maintenance schedules that pertain to facilities in this Agreement will be shared with the Booking Office prior to Allocation timelines.
- 10.2. The Facility owner will establish maintenance standards and conform with generally accepted maintenance practices and provide a mechanism for facility users to report maintenance issues and/or recommendations.
- 10.3. Regular repair and maintenance of any public facility and its operational costs are the complete responsibility of the facility Owner.
- 10.4. Any facility may be withdrawn temporarily for repairs or renovations providing notice at least fourteen (14) days in advance or in the event of an emergency as soon as reasonably practicable.

- 10.5. The Booking Office will contact the designated representative to provide written notice of any facilities withdrawn from use.

11. LIABILITY AND INSURANCE

- 11.1. User Groups must provide proof of three million dollars (\$3,000,000.00) general liability insurance covering the organization. Special requests to waive the insurance requirement must be made in writing to the Booking Office.
- 11.2. Facility users are responsible for any claim, demand, cost, damage, action, suit or proceeding that is, in any manner, based upon, or arising from, or attributable to, its negligence or willful misconduct in relation to the performance of this Agreement or the carrying out of this Agreement by the facility user.
- 11.3. The facility Owner is responsible for the repair of damage caused by a facility user. This does not preclude the facility Owner from securing reimbursement from the facility user, through their liability insurance or damage deposit.
- 11.4. The Booking Office will notify the facility user if the Facility Owner revokes user privileges for failure to adhere to the code of conduct or for infractions listed in this Agreement.

12. CODE OF CONDUCT

Facility Users & Facility staff will conduct themselves with:

- 12.1. mutual respect of each other's goals and needs, recognizing that the facilities are made available for the benefit of all.
- 12.2. respect between facility users and facility staff;
- 12.3. an understanding that facility users are held accountable for the care of the facilities during their use.

Facility users will:

- 12.4. follow the procedures and rules outlined in this Agreement and Appendices.
- 12.5. review all pertinent documents and the designated representative will provide signatures and/or initials where required.
- 12.6. report all maintenance issues through the Booking Office to submit to Facility Owners.

13. CHANGES TO THE AGREEMENT

- 13.1. All appendices can be amended as required by the mutual consent of the Parties and must be agreed to in writing by the contacts.
- 13.2. No provision of this Agreement, shall be deemed to have been changed unless made in writing and signed by each party.
- 13.3. If any provision of this agreement is unenforceable or invalid for any reason, such unenforceability or invalidity shall not affect the remaining provisions and such provisions shall be severable from the Agreement.

IN WITNESS WHEREOF, the Parties hereto have hereunto affixed their seals at the City of Whitehorse, in the Yukon Territory, on the day and year written below.

THE CORPORATE SEAL OF THE CITY OF WHITEHORSE WAS HEREUNTO AFFIXED IN THE PRESENCE OF:

_____	_____	_____
Date	Norma L. Felker Assistant City Clerk	Dan Curtis, Mayor City of Whitehorse

Commission scolaire francophone du Yukon (CSFY)

_____	_____	_____
Date	Witness	Marc Champagne, Executive Director, CSFY

GOVERNMENT OF YUKON – Department of Education

_____	_____	_____
Date	Witness	Nicole, Morgan, Deputy Minister, Department of Education



SCHOOL SWIM / SKATE REQUEST FORM

Whitehorse

Submit forms to the Booking Office – recbookings@whitehorse.ca

Canada Games Centre / Fax: 668-8675 / Phone: 633-8518

School: _____

Phone: _____

Contact: _____

Email: _____

1. List all PD or 'please don't book' days: _____
2. Back to back time slots to accommodate busing? (y / n)
3. Skate times at the same time as swim lessons to fill bus? (y / n)
4. Other requests: _____

Learn to Swim: Grades 2 – 4		
Grade	Estimated # of students (15-24)	Time Preference (am/pm, time of year)

Swim to Survive: Grades 5 – 7		
Grade	Estimated # of students (15-30)	Time Preference (am/pm, time of year)

CDC and Recreational Swim: Grades 2 - 12					
Grade(s)	Number of Students				Time Preference (am/pm, time of year)
	20 - 50	51 – 80	81 – 100	100+	

Recreational Skates: Grades KG - 12	
Grade(s)	Time Preference (am/pm, time of year)

Please add any additional request information to back of page

Schedule A: School Swims & Skates

Facility Booking Agent | Canada Games Centre
P: 633-8518 | F: 668-8675 | recbookings@whitehorse.ca

Whitehorse Lions Aquatic Centre

Canada Games Centre Arenas

<i>Showers / Change Rooms</i>	Male / Female / Family	2 Dressing Rooms / Family Change Room
<i>Times Available</i>	9:00am – 9:45am 9:45am – 10:30am 1:00pm – 1:45pm 1:45pm – 2:30pm	9:00am – 9:45am 9:45am – 10:30am 1:00pm – 1:45pm 1:45pm – 2:30pm
<i>Availability</i>	September – June Tuesday – Friday	September – June Monday – Friday
<i>Function of Use</i>	Swim lessons and rec swims	Skating & Hockey
<i>Restriction Periods</i>	Department scheduled maintenance, programming, and special events.	

City facilities must be booked, approved and confirmed through the City of Whitehorse, Facility Booking Agent by the designated representative, (one person who submits all bookings for the school and continues to liaise with the City concerning the bookings for the school year).

The facility booking request deadline for school year submissions (September to June) is June 1st

1. Access is provided to:

- 1.1 The Child Development Centre providing their use does not impact upon or exclude usage by any other school
- 1.2 The Yukon Home Educators Society
- 1.3 YG – Department of Education Schools
- 1.4 CSFY Schools

2. School swims and skates will be allocated according to the following priorities:

- 2.1 Learn to Swim Lessons (2 grades within each school)
- 2.2 Water Awareness Program
- 2.3 Learn to Swim Lessons for additional grades within each school
- 2.4 Recreational Swim times
- 2.5 Recreational Skate times
- 2.6 Late Requests: Any request submitted to the Facility Booking Agent after the June 1 deadline is subject to availability

Note: Where possible, Swims and Skates may be allocated simultaneously to accommodate school for bussing. The City reserves the right to combine the booking with that of another school, if the number of participants per session is less than ten (10).

Lessons will be allocated a minimum of two (2) weeks prior to the start of the school year, when possible.

School Representatives are welcome to make an appointment with the Booking Office, to review bookings or procedures.

Services Available For Schools

Service	Duration	Grade	Days	Min/ Max	Cost	Notes
Learn to Swim	2 week program (6 Classes)	2-4	Tues – Thurs	15-24 Students	\$36 / student	
Water Awareness Program	1 week program (3 Classes)	4-7	Tues – Thurs	15-30 Students	\$18 / student	
Rec Swim	Single booking	1-12	Fri	20-50 Students	\$3.30 / student	Groups 50+ require 2 weeks notice
Rec Skate	Single Booking	All grades	Mon – Fri	0-300 Students	\$3.90 / skate rental	No cost for participants

Rules and Discipline

1. Participants are expected to follow all facility rules while at the Canada Games Centre.
2. Participants who do not adhere to the rules may be disciplined with a time out, and in more severe circumstances teachers may be required to assist in dealing with discipline issues.
3. Participants are not allowed in the water until a lifeguard is on deck or their swim instructor is present.
4. Participants are not allowed on the ice while maintenance is in progress.
5. Educational assistants may be required to accompany participants with special needs in the pool and should come prepared with swim attire.
6. A supervisor must be on ice surfaces at all times during skate bookings and in the aquatic centre, actively engaged, during swim times (in pool, on pool deck).
7. The Canada Games Centre recommends that all students wear a helmet on the ice. The Canada Games Centre does not have helmets available for use. When there are any pucks or sticks on the ice, everyone on the ice surface is required to wear helmets.

Swimming Lessons

8. Swimming lesson questions or concerns are addressed by staff in the following priority:
 - a. Directly to the attention of the swimming instructor.
 - b. The Aquatic Team Leader or Aquatic Coordinator.
 - c. Inquire with the Facility Booking Agent

School Swim & Skate Booking Procedures

9. At the start of the school year, each school will receive confirmation of their swim/skate times. Please contact the Facility Booking Agent immediately if there are any problems with these times.
10. Schools will be notified in the event of a cancellation.
11. Schools may request to be placed on a waitlist for additional swim/skate times.
12. The Aquatic Coordinator reviews requests for exceptions to established guidelines for school swims.

Schedule A: School Swims & Skates

13. Recreation Swims are designed for groups of 20 or more participants. Groups with less than 20 participants will be invoiced for 20 participants.
14. Schools with over 50 Participants must provide attendance 2 weeks prior to ensure adequate lifeguard staffing.
15. The city cannot accommodate Kindergarten or Grade One classes in Recreational Swims, as all children under 7 must be in arms reach of an adult at all times, with a ratio of 1 adult to 3 children. It is recommended that Grade 2 classes sign up for recreation swims after Christmas Break to ensure that all their students have turned 7.
16. In order to maximize ice time and speed up the skate rental process, teachers should send the skate rental request form to recbookings@whitehorse.ca with at least 24 hours' notice.
17. On the date of the skate, collect rental fees from the children or give the number of skate rentals required to the Reception Desk, and the city will invoice the school.

Cancellations

18. All cancellations must be made in writing to the Booking Office. Failure to provide adequate notice of cancellation will result in the school being invoiced a cancellation fee.
19. Cancellations made on short notice due to circumstances beyond your control (i.e., problems with bussing) will not be invoiced; however, we request to be notified of the cancellation as soon as possible.

School Booking	Minimum Notification Required	Cancellation Fee
School Swim or Skate	More than 14 days' notice	No charge
School Swim or Skate	14 days or less	\$65 Cancellation / No show Fee

Payment

20. All schools will be invoiced monthly, immediate payment at time of booking is accepted for skate rentals.
21. Schools are eligible for the Joint Use rates only during designated Joint Use booking times. Costs are prorated if a lesson set must be adjusted.
22. To ensure accurate numbers, teachers are responsible for confirming the number of students, including students with active memberships, upon arrival to the Canada Games Centre.
23. Schools will be invoiced for the exact number of participants or the specified minimum number when minimums are not met.
24. Students who have memberships will not be subject to additional costs to use the facility during Joint Use time unless registered for lessons (Learn-to-Swim, Swim to Survive). They will still be included in minimum participant requirements.

Other Use of Canada Games Centre

25. Schools wishing to utilize other parts of the facility (i.e. Coca Cola Fieldhouse, Powerade Flexihall, Wellness Centre, Child Play Area or Dasani Running Track) may do so by purchasing wristbands for each student if public drop-in times are available
26. Schools may also rent the Coca Cola Fieldhouse, Powerade Flexihall or meeting rooms for exclusive use.
27. Please contact the Facility Booking Agent regarding usage outside of the Joint Use Agreement.
28. Classes must be aware of the Team Training Guidelines. A Wellness Orientation and a signed Youth Waiver are required prior to the use of the Wellness Centre.

FAQ Regarding School use of the Canada Games Centre (CGC)

Can I join my class in the water during lessons?

Yes! We encourage teacher participation during this time. Feel free to join in on one of the classes and learn with your students. You are required to be actively engaged with the students, in the pool and/or on the pool deck. Those children under discipline should be identified to the instructor upon the first class.

What is the Adult to Child Ratio for children in the pool?

Schools are responsible to provide responsible adults in accordance with the established ratios. Our policy states that all children under the age of 7 must be in arms reach of an adult at all times, with a ratio of 1 adult to 3 children. We recommend that Grade 2 classes sign up for recreation swims after Christmas Break to ensure that all their students have reached the age of 7. All bookings must meet ratios and age requirements or will not be allowed in.

How many students can we bring to the pool for recreation swims?

There may be limited opportunities for recreational swims, so we encourage schools to fill up the bus when coming to the pool. We can easily accommodate 2 classes (max. 50 students) with current staffing and may be able to accommodate larger groups in a whole school swim, with 2 weeks' notice. Failure to notify of a large group may result in your group not being to being accommodated.

The ideal recreation swim accommodates varied grades (i.e. grade 2 and grade 6) to maximize both pools of the Aquatic Centre (younger grades enjoy the Leisure Pool, while older grades enjoy the diving board).

Why do you invoice for students who did not attend?

As part of the joint Use Agreement, the City of Whitehorse is to recover the cost of staffing during school usage times. We have scheduled our lifeguarding/instructing staff based on the average group sizes. Schools are invoiced for the required minimum.

What if my student has a CGC membership?

Students who have memberships will not be subject to additional costs to use the facility during school hours unless participating in a program (Learn-to-Swim, Water Awareness). Proof of valid membership must be presented at Reception upon arrival.

FORM B: School Use Request Form

SCHOOL USE REQUEST FORM (please submit separate form for each group / age / activity)

Submit forms to the Booking Office (BO) – recbookings@whitehorse.ca

Canada Games Centre / Fax: 668-8675 / Phone: 633-8518

Special Permission
Required

Schools are not available on statutory holidays, PD days, during elections, or scheduled maintenance.

Organization:

Activity:

Category:

Non-Profit

Commercial

Private

Political / Religious Event

Summer Camp

Will you be charging admission?

Yes No

Age of Participants:

of Participants:

Will you be selling goods?

Yes No

Main Contact:

Phone (day):

Email Address:

Phone (eve):

Mailing Address:

Postal Code:

Request for School Use

(please print clearly)

Confirmed

To be completed by BO

Preferred School

Area Required

Circle Day/s Mon Tues Wed Thurs Fri Sat Sun

Required

Starting & End Time

Starting & End Date

Additional information about your event or program:

I hereby agree to comply with all rules, regulations and procedures as established by the City of Whitehorse, Department of Education, Commission scolaire francophone du Yukon and the School on behalf of my organization.

Signature of User Group Contact:

Submitted Proof of Insurance:

IMPORTANT DEADLINES

SUMMER BREAK

SCHOOL TERM

Key Return Date: August 31

Key Return Date: June 15

FORM B: School Use Request Form

Request Deadline: April 1

Request Deadline: June 1

Outdoor Field Request Deadline: March 1

Authorized Signature for SPECIAL PERMISSION:

Signature of City
Representative:

Date Received by

Booking Office:

Deadlines for Joint Use Times on School Property

Season	Facility Owner Confirm Facilities / City Advertises Season Deadline	Booking Request Deadline	Other Deadline
School Term	May 1	June 1	Key return date June 15
Christmas Break	September 1	October 1	
March Break	December 1	January 1	
Outdoor Field Season	February 1	March 1	Field User Meeting by April 15
Summer Indoor Season	March 1	April 1	Key return date August 31

Any facility booking requests received after these deadlines are considered Late Requests.

A “Field User Meeting” with representatives from the user groups, the City, Yukon Education, and Highways and Public Works – Facility Management is held annually, by April 15, to allocate field use and discuss issues or concerns.

Priorities for Joint Use Times on School Property

- Activities are prioritized and scheduled according to a balanced approach, in alignment with the Purpose, Vision and Goals in the Joint Use Agreement.
- Youth activities receive preference between the hours of 5:00 pm to 9:00 pm.
- Outdoor CSSC Mercier/ FH Collins Secondary exclusively permits Priorities 1 – 6 below, or Commercial event, for sport specific use, with a priority for high performance athlete development.
- Francophone events receive booking priority in CFSY schools. La Garderie du petit cheval blanc utilize CSFY schools free of charge for daycare services before and after school, on PD days, and during spring break.
- High impact activities (eg. roller blades, floor hockey) will only be permitted on floors scheduled for upcoming maintenance.
- Booking requests after June 1 are subject to availability.

Special Events

Special Event requests received prior to the seasonal deadlines are scheduled in advance of regular bookings to ensure that space is available and that user groups are aware in advance that their space will not be available during the “special event” booked times

1. School Special Event

Schedule B: Allocation Deadlines, Priorities & Fees

Any event organized by the school and occurring in the school for the students of that school.

2. Non-Profit Special Event

Any event organized by a non-profit community organization where no additional monies are collected (tournament, concert or celebration). Each user group is limited to two (2) special events during the school season which would bump a regular user. Priority will be given as follows:

- a) Child / Youth
- b) Adult / Senior
- c) Fundraising Event

3. Each school can submit up to five (5) Late Requests throughout the School Term, each with at least 14 days' notice. The school principal will attempt to offer an alternate location for the regularly scheduled activity before advising the Booking Office to cancel.

Regular Bookings

4. School Regular Bookings

Co-curricular or extra-curricular programs and activities sponsored by Yukon Education, CSFY, school board or school council. These occur outside the regular school day and are considered part of a school's regular program of activities.

5. Child / Youth Activities

Any community program or activity sponsored by a non-profit group, society or organization for individuals below the age of nineteen (19). To be eligible, the activity must be comprised solely of youth under the supervision of a responsible adult.

6. Adult / Senior Activities

Any community program or activity sponsored by a non-profit group, society or organization where the majority of individuals are at or above the age of nineteen (19).

Other Activities

7. Political or Religious Event

A program or activity, sponsored by groups, societies, and organizations (such as a service, bible study, rally, campaign), where the primary aim is political or religious in nature. This does not include recreation or leisure activities sponsored by a group for the public.

8. Public Meeting

An activity, meeting, or event that is open to the public, where there is no exchange of money, and is sponsored by a non-profit group, society or organization.

9. Private Meeting

An activity, meeting or event that is closed to the public, where there is no exchange of money, and sponsored by a non-profit group, society or organization.

10. Commercial Event / Non-Specified Event

Any activity/event sponsored by a group, individual or business where the group, individual or business profits and/or where the public is invited and is required to either pay an admission fee or is encouraged to purchase goods or services offered for sale. Recreation & Cultural events will receive first priority in this category over non-recreational use.

Schedule B: Allocation Deadlines, Priorities & Fees

11. Late requests

Any request submitted to the Booking Office after the June 1 deadline is subject to availability.

Fees

Yukon Education, CSFY, and City of Whitehorse will not charge each other for the use of public facilities covered by the JUA for the purpose of educational, public safety, and recreational activities offered by the Parties.

Yukon Education / CSFY agree to charge for the use of public facilities for community use as set out below. Any other requests for no charge must be submitted through the Booking Office to the Facility Owner for consideration.

Type of Use	Standard Fee	Fee for Commercial use / admission /sales	Fee for Political /Religious Event
Large Gym (PC, Vanier)		\$1000 / day	\$130/ Day
Regular Gym (200 – 600 m2)		\$600 / day	\$80 / day
Small gym, Library or MP room (JH, GMP)		\$270 / day	\$75 / day
Classroom		\$115 / day	\$75 / day
Outdoor Field		\$75 / day	\$40 / day
Summer Camp for Non-Profit Organization	\$40 / day		
Private Meeting	\$75 / day		
Cancellation without notice or No Show	\$75 / day		
Janitorial cleaning fee	\$75 / hour		
Non Profit Special Event & Regular Bookings for Child, Youth, Adult, Senior Activities	No Charge	Commercial rate if admissions or sales	
Damages	As determined by facility owner for repair/replacement		

Schedule C: Public Facilities for Community Use

INDOOR PUBLIC SCHOOL FACILITIES

School	Designation	Gym	w/showers	w/stage	Multipurpose Room	Special Permission *all excluded days and times, and additional facilities below
Christ the King Elementary	Reg	1	1	1		
CSSC Mercier	Reg	1	1			Contact CSFY School Board for all other facilities
École Émilie-Tremblay	Reg	1	1			Classroom, Library
Elijah Smith Elementary	Reg	1	1	1	1	
FH Collins Secondary	Reg	1	1			Classroom, Band Room, Atrium
Golden Horn Elementary	Reg	1				
Grey Mountain Primary	SM	1				
Hidden Valley Elementary	Reg	1	1	1		Classroom
Holy Family Elementary	Reg	1	1	1		
Jack Hulland Elementary	Reg /SM	2	1	1		
Porter Creek Secondary	LG	1	1	1		Classroom, Home Ec, Cafeteria, Library, Bouldering Wall
elkirk Elementary	Reg	1	1	1		
Takhini Elementary	Reg	1	1	1		
Vanier Catholic Secondary	Reg /LG	2	1	1		Classroom, Art Room, Music Room, Library
Whitehorse Elementary	Reg	1	1	1		Activity Room, Room 10 A
Wood Street Centre						3 Classrooms

INDOOR TIMES IN SCHOOL FACILITIES

School Term (Aug – June)	Summer / Christmas & Spring Break
Monday – Friday	
5:00 am – 7:30am	Three (3) schools will be made available for Community use, as determined by Yukon Education
3:30 pm – 5:00 pm – special permission	
5:00 pm – 11:00 pm	
Saturday – Sunday	Sunday – Saturday
8:00 am – 11:00 pm	8:00 am – 11:00 pm

Schedule C: Public Facilities for Community Use

Excluded Days:

School facilities will not be available for use for one week before and after the first and last day of school, on statutory holidays, PD days, and when required for elections (including: school council, municipal, territorial or federal), unless “special permission” is attained.

Temporary restrictions for COVID:

Change rooms and showers are closed (come dressed to play). Water fountains are not available for use, but bottle fill stations are open. Indoor facilities are restricted to the following times:

School Year	Christmas Break & March Break	Summer Break
Monday – Friday 5:00 pm – 9:30 pm	Monday – Friday 9:30 am – 2:30 pm	Saturday – Thursday 8:00 am – 9:30 pm Friday 8:00 am – 2:30 pm

OUTDOOR PUBLIC FACILITIES

School	Outdoor Space
Christ the King Elementary	Soccer Field
École Émilie-Tremblay	Soccer Field
Elijah Smith Elementary	Soccer Field
CSSC Mercier / FH Collins Secondary	Artificial Turf (full field or 2 cross fields) Outdoor Basketball Court Outdoor Classroom Running Track
Grey Mountain Primary	Playground
Hidden Valley Elementary	Soccer Field
Holy Family Elementary	Soccer Field / Ball Diamond
Jack Hulland Elementary	Soccer Field / Ball Diamond
Porter Creek Secondary	Soccer Field Ball Diamond
Selkirk Elementary	Soccer Field / Ball Diamond
Takhini Elementary	Soccer Field / Ball Diamond
Vanier Catholic Secondary	Soccer Field (Vanier) Soccer Field (George White) Ball Diamond
Whitehorse Elementary	Soccer Field / Ball Diamond

Conditions of Use

- Approval for the use of any of these facilities must be received by the City from Yukon Education/CSFY before use.

Schedule C: Public Facilities for Community Use

- Soccer Field / Ball Diamond denotes that only one (1) booking at a time can be scheduled for the soccer field or baseball field as the surfaces overlap.
- Outdoor CSSC Mercier/ FH Collins Secondary can only be booked by multiple groups at the same time if the activities align.

Schedule C: Public Facilities for Community Use

During The School Term

Yukon Education/CSFY make available OUTDOOR facilities at the following times:

Monday to Friday: 5:00pm - 11:00pm.

Saturday and Sunday: 8:00am - 11:00pm.

During The School Summer Break

Yukon Education/CSFY make available OUTDOOR facilities at the following times:

Daily 8:00 am to 11:00 pm.

Request A Booking

The public facilities must be booked, approved and confirmed through the Booking Office by the **designated representative**, (one person who submits all bookings for the facility user and continues to liaise with the City in regard to the bookings for the school year).

1. Any public facility outlined in this agreement can be booked, at any time during the year, if the facility is available on the days and times requested, as determined by review of the master list by the Booking Office, with the provision of five (5) days' notice.

1.1 The Designated Representative can contact the Booking Office at: 633-8518 or recbookings@whitehorse.ca

1.2 The Booking Office, in consultation with the designated representative, will determine the appropriate facility for the facility user.

1.3 The Designated Representative must complete the School Request Form.

1.4 The Booking Office confirms facility availability, which includes contacting a school principal for any special permission requests.

Upon confirmation of facility availability, the Booking Office:

2. Requests proof of \$3 million liability insurance and saves on the user group account.

3. Creates a Rental Contract.

4. Requests fob programming from YG Security, and coordinates pickup arrangements with the designated representative.

5. Requires a \$50.00 deposit for each key/card/fob received by the designated representative. The deposit is subject to the following:

5.1 Designated representative returns key/card/fob on the date specified on the "School Use Request Form." Deposit for each item not returned, on the date specified will result in the loss of the deposit.

5.2 The key/card/fob deposit for user group bookings that are longer than one month will be deposited into a holding account. Deposits for user group bookings that are less than one month will be held (not deposited) by the City and returned when the key/card/fob is returned.

6. Requires a yearly damage deposit of five hundred dollars (\$500.00), payable to the City of Whitehorse. The damage deposit is subject to:

6.1 Damage deposits for user group bookings that are longer than one-month duration are deposited in a holding account. Damage deposits for bookings of less than one month are held (not deposited) by the City and returned if no damages have been assessed;

6.2 Where a user group is deemed responsible for damages to a facility, damages will be assessed by the Facility Owner and billed to the user group(s).

Schedule D: Procedures for Booking Schools

6.3 If the damage deposit is depleted or drawn down during the year, the user group is required to "top up" or post another damage deposit of \$500 prior to confirmation of booking for the upcoming year.

7. Request payment of fees, as applicable, by the designated representative, as per Fee Schedule. Rental will be confirmed upon receipt of payment. Payment must be received at least five (5) days prior to the requirement for space.

Upon completion of the aforementioned procedures, the Booking Office:

8. Confirms the facility user booking with the designated representative.

8.1 Provides a Rental package, which is to be reviewed and signed by the designated representative, indicating that the facility user "understands" and "will abide by" all information contained in the package. The package includes, but is not limited to, a copy of General School Rules, Rental Contract, and School Security Procedures.

8.2 Receives payments and deposits. Hands out keys/fobs and instructions.

8.3 Retains the original signed and confirmed School Use Request Form and save to the facility user's account. Records details of the fob and who received it.

9. Ensures that the schools joint use contact is notified at least five (5) days before the school facility is to be used.

Upon completion of the Rental Contract, the Booking Office:

10. Collects keys/fobs and cancel FOB programming. Returns deposit if no damages.

Throughout the year, the Booking Office sends monthly schedules to schools, property management, janitorial, and receive issues or concerns, such as:

- Access issues
- Incidents
- time not used
- Conflicts that arise

Schedule E: General School Rules

The designated representative is responsible for ensuring that the user group adheres, to the rules found in this appendix and to any other “school specific rules” governing the use of public facilities as provided by the Booking Office.

Each designated representative shall:

Cleaning

1. Leave the facility in the same or better condition than when you arrived. Cleaning supplies are the responsibility of the user group. If the user group is unable to clean up, the designated representative must make alternate arrangements as the school janitors do not clean after user groups.
 - 1.1. Some school gyms may have a dry mop available for use. User Group must return items to original location.
2. Ensure that the facility is left clean for the next facility user group, including, but not limited to:
 - 2.1. Return all equipment to its proper place;
 - 2.2. Place garbage and recycling in proper receptacles;
 - 2.3. Wipe floors, due to spills, muddy shoes etc;
 - 2.4. Return tables, chairs, and desks to their proper places;
 - 2.5. Turn off the lights
3. Report any concerns with cleanliness of the premises, evident upon arrival, to the Booking Office.

Access and Security

4. Ensure that designated parking and emergency vehicle access is maintained at all times.
5. Inform the user group of the booked facility time. Persons are to enter the booked facility during the scheduled times only, via the approved access point(s).
6. Be responsible for the entrance and exit of all group members and/or spectators as per the specific school security procedures. Facility doors are to be secured at all times, do not leave exterior doors propped open.
7. Ensure that users understand that corridors and classrooms not specifically authorized for use are “out of bounds.”

Supervision

8. Be responsible for the supervision of their organization's members, including participants, coaches, volunteers, parents, family, and spectators while in the facility. Adequate supervision must be in place at all times. Where it is deemed necessary by the facility owner or school principal, a user group may be required to provide on-site supervision (exclusive of coaches, referees, or custodians) such as a “Facility User Group Host” and/or security or custodian(s) for an activity, event or program.
9. Supervise all children/youth under the age of nineteen (19).

Use of Equipment

10. Ensure that permission and arrangements have been made with the principal of the school, prior to the use/access of basketball boards, badminton and volleyball standards and nets and soccer nets. All equipment will be set up and put away by the user group.

School Gymnasiums

11. Ensure doors are not propped open.

Schedule E: General School Rules

12. Ensure that outer footwear is removed at the entrance to the school or as designated.
13. Ensure that only non-marking footwear (white or clear-soled running shoes) is permitted.
14. Ensure that food and beverages are not permitted, with the exception of drinking water in closed containers, or other by special permission.
15. Ensure that advertising for any recreational activity or production is not displayed or affixed to any part of a school grounds or premises without prior authorization from the school principal.
16. Ensure that no tape is used on floors except for tape approved for floor use.

Prohibited Substances and Activities

17. Ensure that user groups refrain from using alcohol and illegal substances in any facility or on facility grounds.
18. Ensure that, as per The Smoke-free Places Act (s4) (3), smoking/vaping is not permitted in school facilities or on school grounds.
19. Ensure that prohibited activities do not take place in school facilities or on school grounds, including:
 - 19.1. Indoor activities involving animals
 - 19.2. Activities that involve sleepovers for community use.
 - 19.3. Activities that due to their nature and type of equipment used may lead to damage to public facilities or increase the risk of injury to participant and/or spectators.
 - 19.4. The Booking Office, Yukon Education and facility owners reserve the right to define 'prohibited activities' on a case-by-case basis.

Track & Artificial Turf Field Rules

20. The following are prohibited on synthetic turf:
 - 20.1. Muddy footwear or footwear with metal or screw-in plastic cleats
 - 20.2. Dogs or pets other than service animals
 - 20.3. Beverages (other than water), glass bottles or containers
 - 20.4. Food including gum, seeds, candy
 - 20.5. Smoking or tobacco products of any kind
 - 20.6. Fireworks, candles, flammable liquids or any open flame
 - 20.7. Golf, javelin, bicycles, roller blades, skate boards and scooters
 - 20.8. Chairs, tents, canopies, gazeboes, or flags with spikes
 - 20.9. Chalk or field paint
 - 20.10. Unauthorized vehicles
 - 20.11. Picking or pulling of grass fibers or infill material.

Damages and Losses

21. Be responsible for all damages or losses to the facility as a result of the user's acts or omissions during their period of use. This includes acts by unauthorized persons who may have entered the facility due to lack of security by the user group during or after the period of use.
22. Document and report any damage, evident upon arrival, to equipment or premises to the Booking Office.

Schedule E: General School Rules

23. Document and report any damage to equipment or premises that was a result of an activity of the user group to the Booking Office. Damages will be assessed and the user group will be charged, if applicable.
24. Be responsible for any lost or stolen items belonging to the members of your organization.

Failure to Comply

25. The City may deny or cancel user group bookings immediately for cause. Failure to comply with the following rules governing the use of facilities can result in a loss of privilege of use and/or charges as per established fees.
 - 23.1 Non-payment of damage claims.
 - 23.2 Non-compliance with above listed General School Rules. Previous infractions (cumulative infractions) may be taken into consideration.
 - 23.3 Any illegal activity carried out within the public facility
 - 23.4 Use of facility outside of scheduled hours as stated in the booking contract.
 - 23.5 Failure to use allocated space (three times or more) with or without a minimum of 36 hours' notice to the Booking Office.
26. Premises left in an unacceptable condition as determined by the facility owner, are subject to the janitorial cleaning fee. Failure to report damages or concerns with cleanliness could result in all users of the facility being charged for the date/time in question.

School Facility Booking COVID-19 Requirements

This document forms part of the user group contract 'conditions of use' effective October 21, 2020.

While COVID-19 remains a threat to our local health and safety, the safety of our students, staff and the community is our priority. Permitting user groups to access schools is done so on the basis that COVID-19 precautions will be adhered to by all. By confirming your booking with the City, the User Group agrees to adhere to the requirements outlined below.

As the representative of a user group, you are required to read and confirm that you understand the COVID-19 Operating Guidelines published in on Yukon.ca (<https://yukon.ca/en/recreation-fitness-and-entertainment-guidelines-covid-19>) as they relate to your activities. Capacities must adhere to the <https://yukon.ca/en/covid-19-information> guidelines. You are required to take steps to ensure that participants act in accordance with the COVID-19 operating guidelines. Failure to adhere to guidelines may result in loss of access to our facilities.

- ✓ User groups must practice the 6 steps to staying safe and preventing the spread of COVID-19. (<https://yukon.ca/en/health-and-wellness/covid-19-information/6-steps-staying-safe-covid-19>). Any person who believes that they may have become ill or their child may have become within 14 days of visiting the school must report this immediately to the booking agent who will advise the school.
- ✓ User groups must complete COVID-19 Pre-screening for all user group affiliates for each booking event – to protect staff, patrons, and registrants.
- ✓ User groups are required to maintain records of participants, including contact information, for a minimum of 14 days following use of the school. Public Health officials may request this

Schedule E: General School Rules

information at any time for contact tracing purposes if necessary and will share personal information for the purposes of contact tracing if the need arises. To use facilities, all persons taking part in your activities must consent to the same.

- ✓ User groups are responsible for the proper cleaning/disinfecting of facility space and/or equipment upon arrival. Supplies will be provided with instructions posted.

Modifications currently in effect at Educational Facilities

- During the school year, one external user group booking permitted per week night per available space per school to ensure the safety of students, staff and user groups. Weekends are not available, except as permitted by special permission.
- During school breaks, two external user group bookings permitted per day per available space per school
- Water fountains are not available for use. Where available, water bottle filling stations may be used, otherwise participants should bring a filled water bottle.
- Change rooms are closed (come dressed for activity)
- User group are responsible for disinfecting between cohorts (age bands) as per sport and recreation health and safety guidelines.
- Recommend pick up and drop off for participants where possible to discourage loitering or spectating.
- To ensure our facility can remain open and safe, please obey all rules as presented by the City of Whitehorse and Yukon Government. Failure to follow guidelines and policies could result in immediate removal from the facility and future booking privileges revoked.
- Given the changing circumstances around COVID-19, user group access to Education Facilities may be suspended or amended at any time.

Before Booking

1. Please review Yukon COVID-19 guidelines <https://yukon.ca/en/covid-19-information> prior to booking. Some renters may be required to obtain an approved Operational Plan from CMOH or Sport Governing organization in advance. Large organizations will be required to develop cohorts or mini-leagues.
2. Refer to the following Yukon sport and recreation guidelines for up to date information:
 - [Contact Sport Guidelines for Yukon](#)
 - [Sport & Rec Guidelines for Yukon](#)
3. Please follow guidance provided by your sport's national governing body, and your local sport governing body, so long as these meet the Chief Medical Officer of Health's recommendations for physical distancing, cleaning procedures, and gathering limits.

Schedule E: General School Rules

User Group Recommendations

Use this checklist of recommendations when planning your bookings.

- Prepare a COVID adapted operational plan in line with Sport specific guidelines, mini-league guidelines, Recreation Facility Guidelines, and current Yukon COVID-19 restrictions (include: designated groups/cohorts/mini-league plan, entry and exit protocol, screening protocol, cleaning protocol, and COVID adapted activity plan. Include a physically distanced plan for all activities outside of game play, including facility arrival & departure, arena entry & exit, practices, and change rooms, etc.)
- Contact your insurance provider to confirm coverage for your planned return to play.
- Remind participants to come dressed to play (when possible), and remind them to take all belongings with them when they leave.
- Maintain attendance tracking for all bookings and events, in the event contact tracking is required.
- Do not share water bottles, equipment, towels, etc. Space water bottles along benches and have a hygienic plan to avoid cross-contamination.
- Disinfect equipment before and after use.
- Review your first aid procedures for COVID-19 adapted processes
- Recommend pick up and drop off, and just 1 guardian to assist a child when needed.
- Consider staggered entry/exit times of participants
- Provide updated entry/exit protocol to players including time limit of 15 min before/after rental times before next renter arrives, no loitering within sport specific zones
- Check Yukon COVID-19 guidelines regularly for any new requirements www.yukon.ca/covid-19
- Confirm your cohort bookings and sign your Rental Contracts with the Booking Office.

Schedule E: General School Rules

The benefits-based approach is an evolutionary process that helps reposition, promote, and provide services that are truly essential to the community's needs. It is an abstract concept (rather than a concrete model) used to develop outcome-oriented performance measurement indicators and tools to gauge progress towards becoming a benefits driven vibrant community in the field of recreation.

Activity Type Criteria / Facility Space Allocation Use

<i>Community use of Schools in Whitehorse</i>			
Benefits	Activity Type	Comments	Score
A potential life-long activity			
Activity is a recurring event			
Physical exercise is involved			
Encourages family participation, fun			
A key component is skill development			
Instruction occurs in a supervised environment			
Leadership skill development			
Artistic skill development			
Competitive skill development/exposure			
Interpersonal skill development			
Practice opportunity is provided			
Targets Integration with the disadvantaged			
Main objective of Social/artistic/cultural/economic opportunity to address such things as: cultural interaction; social interaction;; arts/culture appreciation; community awareness; education and awareness; individual expression and spontaneity			
Activity is planned by a community group (3 Sport Registered Non Profit / 2 Other Registered non-profit / 1 Ad hoc Group)			
Spectator potential			
Volunteer involvement			
Community planned and/or operated			
Community contribution to finances to support program			
Activity is part of an umbrella group			
Activity is group focused			
Brings together those who might not otherwise come together			
Builds community identity			
Activity promotes conservation and education of the natural environment			
Unique to that community (neighbourhood focused)			

High value-3 points per criteria

Low value -1 point per criteria

CITY OF WHITEHORSE
BYLAW 2021-27

A bylaw to regulate the temporary closure of a portion of a highway and allow the construction and use of sidewalk cafés and pop-up patios in the City of Whitehorse

WHEREAS section 265(j) of the *Municipal Act* provides that council may pass bylaws subject to the *Highways Act*, for the management and control of municipal highways, including temporary and permanent opening and closing of the roadway, sidewalks, boulevards and all property adjacent thereto; 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 highways, sidewalks, and other public places.

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 "**Sidewalk Café and Pop-up Patio Bylaw**".

DEFINITIONS

2. In this bylaw:

“Applicant” means an applicant for the temporary closure of a portion of a highway for the operation of a sidewalk café or pop-up patio, and for the purposes of this bylaw, also means the person operating the sidewalk café or pop-up patio in the closed area;

“Application” means an application to temporarily close a portion of a highway for the operation of a sidewalk café or pop-up patio;

“Boulevard” means the portion of a highway that extends from the edge of the roadway to the property line of the adjacent property, not including the sidewalk;

“Closed area” means the portion of a highway temporarily closed for the operation of a pop-up patio;

“Council” means the council for the City of Whitehorse;

“Development Officer” means a Development Officer as defined in the City of Whitehorse *Zoning Bylaw*;

“Highway” means all of the road or street shown on a plan of survey registered in the Yukon Land Titles Office, and includes the roadway, boulevard and sidewalk;

“Permit” means a temporary use development permit issued under the *Zoning Bylaw*;

Sidewalk Café and Pop-up Patio Bylaw 2021-27

“Pop-up Patio” means a group of tables, chairs and other accessories situated and maintained on a roadway which includes the temporary conversion of designated parking stalls located on a roadway for the consumption of food and beverages sold to the public from an adjoining business;

“Parking Stall” means any portion of a roadway marked by one or more painted lines, number, meter, pole, sign or other device to indicate that it is intended for the parking of a vehicle;

“Roadway” means the part of a highway that is intended for the passage or parking of vehicles and includes the area from centre line to the curb or edge;

“Sidewalk” means that part of a highway especially adapted to the use of or ordinarily used by pedestrians; and

“Sidewalk Café” means a group of tables, chairs and other accessories situated and maintained on a public sidewalk or boulevard for the consumption of food and beverages sold to the public from an adjoining business.

Authority of the Development Officer

3. The Development Officer is authorized to:
 - (1) Determine the form of application to erect a sidewalk café or pop-up patio;
 - (2) Issue a permit for a term of less than a year which shall temporarily close a portion of the highway shown in the permit for the development and operation of a pop-up patio or a sidewalk cafe;
 - (3) Attach such conditions to the permit as the Development Officer deems advisable;
 - (4) Suspend, amend, revoke or cancel any temporary highway closure made pursuant to this bylaw, without compensation to the applicant, for the following:
 - (a) Contravention of any of the conditions of the application or the conditions of the permit;
 - (b) The closed area being temporarily closed on the basis of incorrect information;
 - (c) The closed area being temporarily closed in error; or
 - (d) The closed area is required for the installation or service of municipal infrastructure.

Application Conditions

4. The City may temporarily close a portion of a highway for a sidewalk café or pop-up patio only when the following conditions are met:
 - (1) An application has been submitted by the applicant in accordance with the application procedures and information requirements, including a

Sidewalk Café and Pop-up Patio Bylaw 2021-27

- sketch plan as required by the Lease, Encroachment and Property Use Policy and accepted as complete by the Development Officer;
- (2) The proposed sidewalk café or pop-up patio to be constructed complies with this bylaw and all other applicable bylaws;
 - (3) The applicant has submitted the prescribed fees as specified in the *Fees and Charges Bylaw*;
 - (4) The applicant provides evidence of a comprehensive general liability insurance policy in the amount of five million dollars; and
 - (5) The City is listed as an insured party in the applicant's liability insurance policy with respect to any loss, claims, actions, damages, costs, liability and expense in connection with loss of life, personal injury, damage to property or any other loss or injury whatsoever arising from the design, construction, maintenance, operation, or removal of the sidewalk café or pop-up patio or from sidewalk or roadway remediation related thereto.
 - (6) The proposed sidewalk café or pop-up patio:
 - (a) can be conducted safely and with a minimum risk of injury to persons, damage to or loss of property;
 - (b) will not inconvenience neighbouring businesses or residents; and
 - (c) will not be a public nuisance;

Permit Conditions

5. All applicants shall obtain a Temporary Use Development Permit pursuant to the City's Zoning Bylaw and such other licenses and permits as are required to erect and operate the sidewalk café or parking patio.
6. All permits are deemed to include the following conditions:
 - (1) The applicant shall comply with this bylaw and all applicable conditions set out in the *Lease, Encroachment and Property Use Policy*;
 - (2) The applicant shall hold a valid City of Whitehorse Business Licence or be exempt from holding a Business Licence;
 - (3) The applicant shall serve Alcoholic beverages only in accordance with the terms a valid Liquor Licence issued by the Yukon Liquor Corporation;
 - (4) The applicant shall submit a request to the City to have the sidewalk café or pop-up patio inspected before use and not use the closed area until the City has approved the use of the closed area;
 - (5) The applicant shall be bound by any waiver and indemnity which forms part of the application for temporary highway closure;
 - (6) The applicant shall remove all modifications made to the closed area upon expiry of the permit; and

Sidewalk Café and Pop-up Patio Bylaw 2021-27

- (7) The applicant shall obtain such other licences and permits as are required to erect and operate the sidewalk café or pop-up patio.
7. This bylaw shall come into full force and effect upon the final passing thereof.

FIRST and SECOND READING:

THIRD READING and ADOPTION:

Mayor

Assistant City Clerk

CITY OF WHITEHORSE
BYLAW 2021-30

A bylaw to authorize a local improvement charge for urban electrification

WHEREAS in 1989 council approved the concept of assisting taxpayers to bring electrical service to their property via the imposition of a local improvement charge; and

WHEREAS the owners of the property located at Lot 68, Wolf Creek Subdivision, Whitehorse YT, have applied under the Urban Electrification Program for a local improvement to assist them in providing power to the property; and

WHEREAS sections 267 to 271 of the *Municipal Act* require that a bylaw to provide for and authorize a local improvement will contain specific information pertaining to the local improvement and the procedures to be followed in passing the bylaw; and

WHEREAS the actual cost of the said construction is estimated to be \$13,500.00 of which \$13,500.00 will be raised by way of a special tax assessment, and

WHEREAS in order to construct and complete the project it will be necessary to fund up to the sum of \$13,500.00 from the City; and

WHEREAS the estimated life of the project exceeds ten years;

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

1. A work of local improvement, being the electrification of the property described as Lot 68, Plan No.53574, Wolf Creek Subdivision, Whitehorse YT Roll #3470006800, property class RSC, located at 14 Langholz Road, is hereby authorized.
2. The parcel of land benefiting from this work of local improvement is as set out in section 1 of this bylaw.
3. The total cost of the local improvement has been determined by ATCO Electric Yukon.
4. The cost of the work is to be paid for by way of a special assessment to be levied on the parcel described in section 1 of this bylaw.
5. For the purposes aforesaid, the sum of up to \$13,500.00 is to be funded by the City.
6. The sum of \$13,500.00 is to be collected by way of a special assessment as provided in section 7 of this bylaw.
7. There is hereby imposed on the land described in section 1 of this bylaw a special assessment under the *Assessment and Taxation Act*. This equates to an annual

Local Improvement for Urban Electrification Bylaw 2021-30

fee in the amount of \$1,538.51 for each of ten years. This sum is the amount necessary to pay the annual amount of interest and principal falling due in each year, computed at the prime business rate of 2.45% as at April 27, 2021. The said special assessment shall be in addition to all other rates and taxes.

- (1) The property owners have the option of paying the total property charge prior to its due date, or of paying the equal annual instalments each of ten years, commencing on July 2, 2022.
 - (2) The property owners may reduce the balance owing on the total property charge by making a lump sum payment in any year during the life of the bylaw. Such lump sum payments shall be accepted only in the month of January each year.
 - (3) The property owners may also pay off the balance owing at any point during the ten-year life of the bylaw.
8. The provisions of this bylaw shall come into full force and effect upon final passage thereof.

NOTICE GIVEN:

May 4, 2021

FIRST and SECOND READING:

THIRD READING and ADOPTION:

Mayor

Assistant City Clerk