

CITY OF WHITEHORSE – STANDING COMMITTEES

Monday, May 17, 2021 – 5:30 p.m.

Council Chambers, City Hall

CALL TO ORDER

ADOPTION OF AGENDA

PROCLAMATIONS

DELEGATE SUBMISSIONS

DEVELOPMENT SERVICES COMMITTEE

1. Infrastructure Reconstruction and Local Improvement Policy
2. New Business

CORPORATE SERVICES COMMITTEE

1. New Business

CITY PLANNING COMMITTEE

1. Public Hearing Report – Lane Right-of-Way – City Hall Consolidation
2. Public Hearing Report – Zoning Bylaw Amendment – Process Improvements
3. New Business

CITY OPERATIONS COMMITTEE

1. New Business

COMMUNITY SERVICES COMMITTEE

1. Spring Recreation Grant Allocations
2. New Business

PUBLIC HEALTH AND SAFETY COMMITTEE

1. Implementing Downtown Speed Reductions
2. New Business

CITY OF WHITEHORSE
DEVELOPMENT SERVICES COMMITTEE
Council Chambers, City Hall



Chair: Jocelyn Curteanu

Vice-Chair: Stephen Roddick

May 17, 2021

Meeting #2021-10

-
1. Infrastructure Reconstruction and Local Improvement Policy
Presented by Director Mike Gau
 2. New Business

ADMINISTRATIVE REPORT

TO: Development Service Committee
FROM: Administration
DATE: May 17, 2021
RE: Infrastructure Reconstruction and Local Improvement Policy

ISSUE

Policy changes are required to modernize and affirm the City's approach to funding and carrying out local neighborhood infrastructure renewal projects.

REFERENCE

- *Municipal Act*
- Local Improvement Policy (2011)
- L.I.C. Rules Bylaw (2011-21)
- 2021-2024 Capital Expenditure Program
- Infrastructure Reconstruction and Local Improvement Policy (Proposed)

HISTORY

As part of the City's infrastructure renewal program the City replaces water, sewer and road infrastructure in neighbourhoods throughout the municipality using a funding arrangement following the Local Improvement Policy (the Policy). The Policy aims to apportion costs between the public and benefitting property owners where it is deemed that property owners receive a greater benefit than the general public. This process results in a portion of the surface work be paid by benefitting property owners as a Local Improvement Charge (LIC). This charge is based on a standard rate for surface work for a similar improvement and apportioned by the frontage length of property, as laid out in the L.I.C. Rules Bylaw.

Per the *Municipal Act* and the Policy, an objection process is provided so if the majority of affected property owners file an objection notice, the proposed charges are defeated. Council may choose to proceed with the project without the charges included and use other funding sources.

Infrastructure renewal projects are budgeted in the City's four-year capital expenditure program and aim to replace City assets at or near the end of their life. These projects benefit all city residents as part of the sustainable management of the City's assets, by reducing the City's operation and maintenance costs, and avoiding costs that would arise from possible infrastructure failure.

Over the years, the City has applied various funding approaches to support LICs, working with neighborhoods across the city to coordinate and carry out local improvement projects. This has included a combination of upgrades on City infrastructure and improvements to affected resident properties as part of overall projects. On a case by case basis, and in an effort to make projects affordable and more efficient, projects at times have been able to combine work on public infrastructure and resident properties as part of the overall project.

Through the existing LIC process, property owners have contributed a share of the cost of the public surface works through an LIC. The proposed new policy is based on the governance and fiscal management principle that public funds will be used for public improvement projects and private property owners are responsible for improvements and upgrades for the benefit of their own properties.

Further, in the interest of fairness and affordability, the new policy recognizes that requiring property owners to pay both an LIC for improvements on public property and 100% of the cost on their private property may be onerous. Therefore, the new policy would establish that property owners only pay for the infrastructure work on their own property and no longer pay LICs for essential infrastructure on public property.

LICs paid for by private property owners would continue to exist for discretionary improvement projects. The policy also provides for an opt-in loan program for works on private property to mitigate the initial financial impact.

The review of the existing practices and Policy involved a multi-department internal committee to ensure all aspects of infrastructure renewal are considered. The committee included staff from senior management, Engineering Services, Planning and Sustainability Services, Financial Services, and Legislative Services.

As part of this process a jurisdictional scan was completed. The jurisdictional scan revealed that there is a variety of approaches to funding infrastructure reconstruction and local improvement projects. Municipalities use a mix of levies, LICs, property taxes and external funding to pay for infrastructure renewal.

The proposed new policy reflects an approach which is common across Canada and is consistent with the framework of the Yukon's *Municipal Act*.

ALTERNATIVES

1. Release the proposed Infrastructure Reconstruction and Local Improvement Policy for public consideration and a planned public engagement process.
2. Refer the proposed policy back to Administration.

ANALYSIS

Proposed Policy Changes

The new policy is based on the fundamental principle that public funds (City or external funding sources) are used for public improvements and initiatives with improvements on private property the responsibility of property owner. The new policy also proposes to retain the local improvement charge objection process set out in the *Municipal Act* only for non-essential improvements on public land.

There are two new categories proposed in the new policy:

- 1) Infrastructure Reconstruction Projects and
- 2) Discretionary Local Improvement Charges.

Category 1: Infrastructure Reconstruction Projects

The proposed policy would no longer consider the replacement of essential basic City infrastructure assets as “local improvement projects” and therefore no longer utilize LICs for such projects. These projects would be considered “Infrastructure Reconstruction Projects”. For these projects public funds (City and/or external funding sources) would pay for all costs on public property including water, sewer, roads, commuter pathways and associated essential improvements.

A public consultation process would remain, but the City would control final approval of design, control timing of construction, and improve certainty of projects which is important while external funding is available. Projects will continue to be prioritized using engineering reports and reports about the condition of existing infrastructure from ongoing maintenance work.

Affordability and Choice

As described, improvements on private property would be completely paid for by private property owners benefitting from the project. In areas where properties are large, infrastructure costs to owners may be greater than what the LICs are for work on public land under the current policy. To help mitigate this impact to property owners, it is proposed that an infrastructure loan be offered which may encourage buy-in. This loan would be paid back similarly to how current LICs are applied to taxes over a period of time.

If property owners “opt-in” to doing their upgrades at the same time the City is doing the work on public land, the City would add this work to its project. It is anticipated that this will have a number of benefits for property owners including saving costs and having to acquire their own contractors. Other benefits include limiting disruption from having contractors mobilize multiple times, or two contractors working at the same time in the same area, and if the work is done after the City’s project is finished, avoiding tearing up new surface infrastructure to connect to City mains.

The proposed policy retains the property owner’s ability to choose to upgrade their private infrastructure during the City project, or not. Owners can opt-out from work on their property and choose to do the work later or leave it for future property owners.

Category 2: Discretionary Local Improvement Projects

The proposed policy provides for citizen driven projects to be considered by the City and largely follow the existing LIC framework including the objection notice process. Eligible projects would include non-essential surface upgrades including landscaping, decorative lighting and road or alley surface upgrades. A new expression of interest process is included in the policy for property owners to confirm preliminary property owner support and for the Engineering Services department to advance the design, subject to budget approval.

In new developments these discretionary improvements are paid for 100% by lot purchasers. The new policy proposes apportionment of costs relative to the perceived benefit to property owners versus public funds.

Budget Planning Implications

Planned local improvement projects are listed below that are included in the 2021-2024 Capital Expenditure Program which have budgeted for LIC recoveries as shown.	
Area/Status	Budgeted LIC Recovery Amount
Cook Street (underway, completion 2021)	\$632,409
Galena Road (tender fall 2021, construction 2022)	\$300,000
Hillcrest Neighbourhood (design 2021)	Not Budgeted
Jarvis Street (construction 2022)	\$50,000
Alexander Street (construction 2024)	\$600,000
MacDonald Road (construction 2024)	\$2,400,000
Dogwood Street (construction 2024)	\$200,000

The Cook Street improvement project has an approved LIC bylaw based on the current Policy and the project is underway. It is proposed that no changes to the approved charges be considered. However, the budget for the remaining projects will need to be changed for the 2022-2025 Capital Expenditure Program. The LIC recoveries do not apply to private property improvements so the amounts identified may be eligible for external funding.

Impacts to Property Owners

The new policy would affect property owners differently financially depending on the physical characteristics of their property. Compared to what they would have paid under the existing policy for LICs, residential property owners downtown would on average pay slightly less because the front yards have short service runs, are flat, and are relatively simple projects.

Under the new policy commercial property owners on average would have greater savings as the buildings are very close to property lines making their private-side costs low, whereas the LIC calculations under the current policy require 66.66% of the cost of the surface construction which is relatively much higher in comparison.

In a residential subdivision setting, such as Hillcrest, property owners on average will have higher private-side servicing costs, compared to what the current Policy would result in. New LIC calculations would be required if the current LIC process were to remain and would result in higher costs in Hillcrest than previously estimated in 2017, when the LIC borrowing bylaw was defeated by property owners through the objection process.

Proposed Public Input Opportunities

The proposed policy will apply to all eligible reconstruction and local improvements city-wide and therefore Administration is planning an online public engagement forum be held June 1 to explain the new policy and to hear from all interested residents, with the deadline for input June 14. Input received will be addressed in a report at the Standing Committee meeting July 5 followed by a council decision on July 12. Notification of the forum, contact information for additional information, and the deadline for submissions will be announced

on the City's social media with additional notice sent to the Downtown Residents Association and the Hillcrest Community Association

Option to Retain Existing Policy

If Council chooses to retain the existing Policy going forward, in practice, public funds would no longer be used for improvements on private property in keeping with sound fiscal management, the principles for use of public funds for public benefit, and specific requirements and criteria of external funding partners.

As a consequence, continuing to use the existing Policy would result in property owners paying LICs following the *Municipal Act* process, along with all additional costs for any private side improvements.

Given the additional costs to property owners, there could be less support for projects relying on LICs, and some may be less likely undertake improvements or upgrades to their properties. As a result, this may impact the City's objectives to improve and upgrade the overall infrastructure network where bleeders and leaky pipes may exist on and off private property.

ADMINISTRATIVE RECOMMENDATION

THAT Council direct that the proposed Infrastructure Reconstruction and Local Improvement Policy be released for public consideration and a planned public engagement process; and

THAT the proposed policy be brought forward for consideration at the regular council meeting on July 12, 2021, following the report to Standing Committee addressing the input received through the public engagement process.

DRAFT COUNCIL POLICY



Infrastructure Reconstruction and Local Improvement Policy

Policy Number:	2021-
Approved by:	Council Resolution #<u>2021-</u> dated
Effective date:	___ 2021
Departments:	Engineering Services, Financial Services

PURPOSE

The purpose of this policy is to set out the policy directions, programs and processes related to infrastructure construction, reconstruction and local improvements in the City of Whitehorse.

SCOPE

This policy applies to construction or reconstruction of surface and sub-surface infrastructure in localized areas or neighbourhoods.

The policy includes, in Part A, two sections addressing different categories of projects:

- City-initiated projects for construction or reconstruction in existing neighbourhoods with City-owned infrastructure that is nearing or has reached the end of its useful life; and
- Discretionary enhancement of City-owned surface infrastructure at the request of benefiting property owners.

The policy does not apply to small-scale repair and maintenance of existing infrastructure that may be carried out by various City departments.

The policy is established when external sources of funding for infrastructure are available. In the event the external sources of funding cease to be available, this policy will be updated or replaced.

DEFINITIONS

“**City**” means the City of Whitehorse.

“**City sanitary services**” means facilities owned by the City within a City right-of-way, serving more than one property, for the conveyance of waste water and sewage.

“**City infrastructure**” may include, and is not limited to, roads, City sanitary services, City water services, sidewalks, curb and gutters, and street lighting.

“**City water services**” means facilities owned by the City within a City right-of-way, serving more than one property, for the distribution of potable water.

“**Council**” means the elected council of the City of Whitehorse.

“expression of interest” (EOI) means a non-legal document that the City provides to a property owner requesting a discretionary local improvement on behalf of a group of benefitting owners who would be responsible for payment of a local improvement charge, to sign indicating support.

“external sources of funding” means funding available from external agencies including the federal and territorial governments, through funding programs such as Gas Tax and the Investing in Canada Infrastructure Program.

“financing arrangements” means a local improvement charge or an infrastructure loan, as applicable.

“infrastructure loan” means a loan provided to a property owner to assist with covering the costs of installing new, or renewing existing, infrastructure on the owner’s property to enable connection to City-owned infrastructure which provides water and sanitary services to the property.

“local improvement charge” means a local improvement tax, charged by bylaw pursuant to s. 267 of the *Municipal Act*, against a privately-owned property to recover costs associated with an infrastructure project that has primary benefit to an area of the municipality rather than to the whole municipality.

“private sanitary service” means facilities for the conveyance of waste water and sewage from a single developed property.

“private water services” means facilities for the conveyance of potable water to a single developed property.

“private-side work” means infrastructure renewal construction undertaken on privately-owned property.

“reconstruction” means construction required to rebuild an existing City infrastructure asset, which may include the addition of new assets.

AUTHORITIES

1. Council has approval authority for:
 - a) This policy and any replacement or future amendments thereto;
 - b) City budget allocations associated with infrastructure projects; and
 - c) Bylaws establishing financing arrangements associated with individual private properties.
2. Administration prioritizes infrastructure reconstruction, expansion or enhancement projects, subject to approval of related budgets by Council.

PART A – CATEGORIES OF INFRASTRUCTURE PROJECTS

Section 1 – Infrastructure Reconstruction

The City's surface and sub-surface infrastructure in an area or neighbourhood requires replacement when it nears or reaches the end of its useful life. In addition, instances may arise wherein the City undertakes new infrastructure construction on its own initiative.

Examples of this surface and sub-surface infrastructure include and are not limited to:

- Roads;
- Sidewalks;
- Curbs and gutters;
- Water services, sanitary and storm sewer pipes; and
- Street lighting.

3. Principles:

- a) Reconstruction of infrastructure nearing or at the end of its useful life and construction of new infrastructure benefits all city residents:
 - as part of the sustainable management of the City's assets;
 - by reducing the City's operation and maintenance costs; and
 - avoiding costs that would arise from infrastructure failure.
- b) External sources of funding for reconstruction of City infrastructure will be used while they are available to supplement City reserves. If external sources of funding cease to be available, the associated costs on infrastructure and reconstruction would be borne collectively by city property owners under new policy developed to address that circumstance.
- c) Grants and public funds will be used to pay for infrastructure reconstruction on City-owned land, however they are not available to be used for work on private property. Individual property owners will be responsible for related costs on their private property for individual connection to City water and sanitary services.

4. Planning:

- a) As part of sound asset management planning, the City will determine when an infrastructure reconstruction project is needed and will include the project in an annual Capital Expenditure Plan. While external sources of funding remain available, the City will apply to the applicable funding programs to cover the costs of the project.
- b) In planning the project, the City will consider input from the affected neighbourhood, but ultimately is responsible for determining the reconstruction standards based on considerations such as public health and safety, environmental and climate change considerations, servicing standards as set out in the City's current Servicing Standards Manual, and

the City's evolving priorities and policy initiatives such as active transportation, densification, emergency preparedness, accessibility etc.

5. Voluntary Financing Program for Private Water & Sanitary Services on Private Property:

During a reconstruction project, the City will provide a voluntary infrastructure loan program to affected property owners to enable them to undertake related private water and sanitary service renewal on their private property. The City will offer to coordinate reconstruction on both the public and private sides of the property line in an effort to keep property owners' costs down. If a property owner chooses to opt-in, the private-side work would be carried out by the City's contractor, which is expected to result in efficiencies and cost savings for the property owner.

- a) Access to this financing program will only be offered at the time of the reconstruction project, as the private-side work will be planned and tendered as part of the City's reconstruction project.
- b) An infrastructure loan agreement will be required for work on private property to confirm the property owner's agreement to the timing of construction, access to the property and loan conditions.
- c) The amount of the loan will cover the costs for work specifically required to connect to the City's underground services including related preparatory site work such as removal of decks and landscaping, and backfilling post-installation. It will not cover associated restoration work such re-landscaping or rebuilding of decks or patios.
- d) The City will provide each affected property owner with an estimate of the costs for connection to water and sanitary services for their property, to help them determine whether to participate in the loan program. The amount of the loan will equal to the actual costs following construction for each property up to the amount provided in the estimate. The property owner will be responsible to pay any additional cost outside of the loan per the terms and conditions of an infrastructure loan agreement.
- e) Amounts loaned will, if default takes place, be recovered by the City as a charge against the subject property, which will be authorized by bylaw passed pursuant of s.344 of the *Municipal Act* at the time the tender for the reconstruction work is awarded. Loan payments will commence the year following construction completion and will be based on the actual cost of construction.
- f) The loan will be noted on the tax certificate for each of the affected properties.

Section 2 – Discretionary Local Improvements

A discretionary local improvement is a project requested by property owners in an area or neighbourhood to provide surface infrastructure improvements or enhancements above the existing standard in the neighbourhood.

Examples of discretionary local improvements may include but are not limited to:

- Streetscape improvements, including landscaping, and decorative street lighting;
or
- Road or alley surface upgrading.

6. Principles:

- a) A discretionary local improvement benefits nearby properties more than the municipality as a whole, therefore it is paid for by benefiting property owners via a local improvement charge.
- b) Sections 269 to 271 of the *Municipal Act* set out a process whereby affected property owners have the opportunity to register objections to the project and to the related levy of a local improvement charge.
- c) The City will respond to requests for discretionary local improvements only as its operational capacity permits.

7. Process:

- a) This type of local improvement is initiated by property owners who wish to have improvements carried out near or adjacent to their properties. This may be initiated by an Expression of Interest (EOI) which is used to indicate that a number of property owners are in support before the City will proceed further.
- b) When a discretionary local improvement proceeds, the City will develop a project description including time lines and costs, which will be shared with all affected property owners.
- c) Sections 269 to 271 of the *Municipal Act* set out a process whereby a property owner may provide a written objection to the project and the associated local improvement charge. An objection must be provided within 30 days of receipt of the project description. If the majority of affected property owners object, the project will not proceed.

8. Cost Determination and Payment Term:

- a) The term of the local improvement charge will vary depending on the nature of the local improvement project. The term is related to the useful life of the improvement and the overall cost, and unless otherwise specified by Council, will be 20 years or less.
- b) The City will develop a cost estimate for the local improvement and develop a method for calculating property owner benefit to which to apply apportioned cost sharing as applicable.
- c) Costs for streetscape improvements will be apportioned as follows:
 - Decorative Street Lighting: 0% City & 100% property owners
 - Landscaping - Local Road: 0% City & 100% property owners
 - Landscaping – Collector Road: 25% City & 75% property owners
 - Landscaping – Arterial Road: 100% City & 0% property owners

- d) Costs for other local improvement projects will be apportioned as follows:
- Alley paving and drainage improvements: 25% City & 75% property owners
 - Road surface upgrades – Local Road: 10% City & 90% property owners
 - Road surface upgrades – Collector Road: 25% City & 75% property owners
 - Other improvements requested by a specific area and deemed by Council to be a greater benefit to that area: apportionment to be determined

PART B – FINANCING ARRANGEMENTS

Where the City enters into financing arrangements with property owners related to an infrastructure project, the City borrows funds for the purpose. The costs of borrowing are then passed on to property owners through, as applicable, a local improvement charge or payments owing on an infrastructure renewal loan charge (“financing arrangements”), levied along with the annual property tax payable.

Because borrowing small amounts negatively impacts overall City service levels, the City will not consider a local improvement charge where the total cost of the project is \$75,000 or less. The City may consider participating with property owners on a project below that threshold amount, if property owners obtain an alternative funding source.

9. Interest Rate and Term:

- a) The interest rate will be based on the City’s cost of borrowing, including an additional 1.5% administration fee.
- b) The term of the financing arrangement will be determined based on the scope and costs of the infrastructure project, but unless otherwise specified by Council will not exceed 20 years. (Also see section 10 b) of this policy.)

10. Eligibility:

- a) Applicants must have title to the subject property.
- b) The amount of any loan must not exceed 75% of the assessed value of the property.
- c) All current property taxes must be paid in full.

11. Application Form

Eligible property owners must submit an application that includes:

- Name, mailing address and address of the subject property.
- Acknowledgement from all registered owners of the property that financing will be repaid via a charge added to the annual property tax levy for a designated term, with interest calculated at the lending rate obtained by the City plus 1.5%.

12. Payment Options:

- a) Payment options include:
- A full pay-out option, which avoids future interest charges. This option can be activated at any time during the term of the financing arrangement.
 - An option to 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.
 - Annual payments including interest charges, for which notice is provided together with the property tax notice.
- b) Financing arrangements stay with the property. If the property is sold, the remaining payments become the responsibility of the new owner.
- c) All such financing arrangements must be approved by bylaw passed pursuant to s. 344 of the *Municipal Act*.

REPEAL OF EXISTING POLICY

13. The Local Improvement Charges Policy adopted by council resolution 2011-08-04, including any amendments thereto, is hereby repealed.

References

Municipal Act, RSY 2002, c.154 (or applicable successor legislation)

History of Amendments

Date of Council Decision	Reference (Resolution #)	Description
		Initial Approval Date

APPENDIX A – Expression of Interest (template)

CITY OF WHITEHORSE
CORPORATE SERVICES COMMITTEE
Council Chambers, City Hall



Chair: Stephen Roddick

Vice-Chair: Jocelyn Curteanu

May 17, 2021

Meeting #2021-10

-
1. New Business

CITY OF WHITEHORSE
CITY PLANNING COMMITTEE
Council Chambers, City Hall



Chair: Samson Hartland

Vice-Chair: Laura Cabott

May 17, 2021

Meeting #2021-10

-
1. Public Hearing Report – Lane right-of-way – City Hall Consolidation
Presented by Manager Patrick Ross
 2. Public Hearing Report – Zoning Bylaw Amendment – Process Improvements
Presented by Manager Patrick Ross
 3. New Business

ADMINISTRATIVE REPORT

TO: Planning Committee
FROM: Administration
DATE: May 17, 2021
RE: Public Hearing Report – Lane right-of-way – City Hall Consolidation

ISSUE

Public hearing report on the permanent closure of lane right-of-way in the Downtown area.

REFERENCES

- *Municipal Act (2015)*
- Appendix A & Location Sketch
- Bylaw 2021-21 (Road Closure)

HISTORY

Administration is preparing to consolidate Lots 6-17, Block 7, as well as the remaining portion of lanes within Block 7, 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 MacBride Museum.

A Public Hearing was held on May 10, 2021. Due to the COVID-19 pandemic, Council Chambers was closed to in-person public participation. However, the public could call in to the meeting to provide input. Written input could also be received through e-mail and posted to the City website.

One written submission was received and the following issues were raised:

- Fire suppression concerns and the safety of guests to the museum
- Emergency egress from museum buildings would potentially be compromised
- Retention of lanes as part of new developments

ALTERNATIVES

1. Proceed with second and third reading under the bylaw process.
2. Do not proceed with second and third reading.

ANALYSIS

Fire suppression and safety of guests to the museum

The submission received stated that the proposed design for City Hall is not public so it is unclear how consolidation of the lane would impact the adjacent property.

The new City Hall design is not expected to significantly expand Council chambers portion of the building to the east as the only construction being proposed for the east side of the building is additional insulation.

It is estimated that the distance between the existing City Hall building and the adjacent MacBride Museum buildings is currently seven metres, which exceeds National Building Code limiting distance criteria. This area is expected to remain as an open, landscaped area. Vehicular access is also limited to this area as there is existing utility infrastructure located at the Steele Street end of the current lane right-of-way.

Additionally, the City Hall parking lot accessed from Wood Street will be retained as part of the new City Hall design. Therefore, there will no change to the existing parking lot area on City property adjacent to the old log building located at the north end of the MacBride Museum property. This parking lot would allow for fire department access to the west side of the MacBride Museum property in the event of a fire.

Emergency egress from museum buildings would potentially be compromised

The submission received stated concern regarding emergency egress from museum buildings in the event of fire if the laneways are closed.

The National Building Code requires that a building exit lead to an open public thoroughfare or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare.

There is currently an access/egress corridor on the MacBride Museum property located on the west side of the administration building and the new gallery building. The corridor leads to a gate at the Steele Street property line. This corridor provides one option for emergency egress from the museum buildings and will not be impacted or compromised by new development on the City Hall property.

The MacBride Museum property is fenced with a 6-foot chain-link fence along its entire westerly property line. As such, in the event of a fire, it is very unlikely that emergency egress could be provided to the adjacent, undeveloped lane right-of-way based on the property's current configuration of fencing.

Retention of lanes as part of new developments

The submission stated that a number of recent projects in the Downtown area have retained the public laneways within blocks.

Lanes have been developed and are in active use are typically retained as part of new development initiatives as they provide legal access to properties within a block. Applications to close portions of lanes can be made to the City as part of new development proposals, however the final decision to close a lane rests with the City.

There are examples where lanes within blocks Downtown have not been developed and have been closed to accommodate development. These include the Government of Yukon Legislature, the Yukon Visitor Information Centre, Yukon Justice Building, the Elijah Smith Building, the Sternwheeler Hotel (old Westmark Hotel), and the MacBride Museum.

ADMINISTRATIVE RECOMMENDATION

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 in the Downtown Whitehorse, be brought forward for second and third reading under the bylaw process.



SCALE: NTS	DWN. BY: KK
DATE: April 6, 2021	R.No: 0
FILE No:	

CITY OF WHITEHORSE - LAND & BUILDING SERVICES

LOCATION SKETCH - BYLAW 2021-21
 Permanent Closure of remaining portion of Lane (Block, 7, Plan 3807 LTO)



ADMINISTRATIVE REPORT

TO: Planning Committee
FROM: Administration
DATE: May 17, 2021
RE: Public Hearing Report – Zoning Bylaw Amendment – Process Improvements

ISSUE

Public hearing report for an administrative-led amendment to Zoning Bylaw 2012-20 to enable development application process improvements and manage drainage requirements more effectively.

REFERENCE

- Zoning Bylaw 2012-20
- *Municipal Act*
- Development Guidelines
- Official Community Plan (2010)
- Bylaw 2021-24

HISTORY

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. A summary of the proposed amendments was presented to Council at a CAR meeting on March 18, 2021.

Bylaw 2021-24 received first reading on April 13, 2021. Notices were published in the newspapers on April 16 and 23, 2021. The Government of Yukon Lands Department, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council were notified by mail. Information about the proposed amendment was sent to the Yukon Contractors Association by email on March 25, 2021. No letters were sent to property owners as there are no mapping amendments.

A Public Hearing was held on May 10, 2021. Due to the COVID-19 pandemic, Council Chambers was closed to in-person public participation, but options were in place for the public to provide input, including audio-only participation. Written input could also be received through e-mail and be posted to the City's website.

No input was received and no issues were raised.

ALTERNATIVES

1. Proceed with the bylaw as presented under the bylaw process.
2. Refer the bylaw back to Administration for further review.

ADMINISTRATIVE RECOMMENDATION

THAT Bylaw 2021-24, a bylaw to amend the Zoning Bylaw to enable improvements to the development application process and manage drainage requirements more effectively, be brought forward for second and third reading under the bylaw process.

CITY OF WHITEHORSE
CITY OPERATIONS COMMITTEE
Council Chambers, City Hall



Chair: Laura Cabott

Vice-Chair: Samson Hartland

May 17, 2021

Meeting #2021-10

1. New Business

CITY OF WHITEHORSE
COMMUNITY SERVICES COMMITTEE
Council Chambers, City Hall



Chair: Dan Boyd

Vice-Chair: Jan Stick

May 17, 2021

Meeting #2021-10

-
1. Spring Recreation Grant Allocations
Presented by Program Lead Hand Keri Rutherford
 2. New Business

ADMINISTRATIVE REPORT

TO: Community Services Committee
FROM: Administration
DATE: May 17, 2021
RE: Spring Recreation Grant Allocations

ISSUE

Approval of the grant recommendations for Spring Recreation Grant allocations

REFERENCE

Recreation Grant Policy

Recreation Grant Appendix A

HISTORY

Council policy governs the allocation of recreation grants. The Recreation Grant Task Force met on April 15, 2021 to discuss and compile recommendations for funding in accordance with the Recreation Grant Policy.

A total of \$250,000.00 is available for two granting sessions in 2021. The funding available for this session for all Recreation Grant categories is \$175,000.00 plus any refunds received.

The total amount received by the City for 2021 through the Community Lottery Fund was \$197,176.00. The City continues to acknowledge Lotteries support in City advertising.

ALTERNATIVES

1. Approve the allocation of the grants as recommended by the Task Force
2. Refer the matter back to Administration

ANALYSIS

The Recreation Grant Task Force received and reviewed 32 applications totalling \$171,774.27 in requests. Applications were submitted under the new Recreation Grant Policy and the four new funding categories: Ongoing Projects and Initiatives, New Projects and Initiatives, Training and Leadership Development, and Operational Support. The evaluation of the applications was conducted using the new matrix and eligibility criteria.

Council has the authority to deny any of the recommendations brought forward by the Task Force. The result of denied recommendations is that some projects might not proceed.

Per the Community Lotteries guidelines, any requests that are O&M related are ineligible for funding. This means that all of the O&M requests received are funded using the City's contribution of \$52,824.00.

The applications received, together with the recommendations of the Task Force, and any applicable conditions, are listed in the attached summary sheet identified as Appendix A.

\$146,587.27 is recommended for allocation by the Recreation Grant Task Force and is within the amount of funding available.

Where funding recommendations do not reflect the full amount of funding requests, it is because certain elements of an application may be fundable under another program or the condition of the application.

ADMINISTRATIVE RECOMMENDATION

THAT Council approve the allocation of \$146,587.27 for Recreation Grants as recommended by the Recreation Grant Task Force.

Appendix A – Spring 2021-Recreation Grant Recommendations

#	Applicant	Priority/Type	Project	Amount Requested	Last Funded	Accountability Received	Amount Recommended
1	Alpine Ski Association	Ongoing Projects	Cabin 55-Leveling, Deck,	\$7,000.00	N/A	N/A	\$7,000.00
2	Boreal Adventure Running	Ongoing Projects	COVID signage for race	\$600.00	Spring 2019 \$750.00	yes	\$600.00
3	Canadian Ski patrol	Ongoing Projects	Nordic Toboggan	\$1,978.67	Spring 2018 \$1334.00	yes	\$1,978.67
4	Fetal Alcohol Syndrome Society Yukon	Ongoing Projects	Out and About program	\$7,000.00	Fall 2020 \$5500.00	Yes	\$7,000.00
5	Flatwater North	Ongoing Projects	Racking Equipment	\$3,106.95	Spring 2020 \$1108.00	Yes	\$3,106.95
6	Friends of Mount Sima	New Projects	Explorer camps	\$2,000.00	Spring 2020 \$10,000.00	Yes	\$2,000.00
7	Jazz Yukon	Ongoing Projects/Training and Leadership Development	Jazz in the Hall	\$2,400.00	Spring 2020 \$1800.00	Yes	\$2,400.00
8	Larrikin Entertainment Ensemble	New Projects and Initiatives	Theatrical Production	\$7,000.00	Spring 2020 \$5000.00	Yes	\$7,000.00
9	Mary Lake Community Association	Ongoing Projects and Initiatives	Gilles Lapres Park work	\$3,000.00	New Applicant	New Applicant	\$3,000.00
10	Midnight Sun Fencing	New Projects and Initiatives	Initial Fencing Club Equipment	\$6,687.00	New Applicant	New Applicant	\$5,500.00
11	Music Yukon	Ongoing Projects and Initiatives	Arts in the Park	\$5,000.00	Spring 2020 \$8000.00	Yes	\$5,000.00
12	Northern Steel Fighting	New Projects and Initiatives	Northern Knights' Equipment	\$1,861.65	New Applicant	New Applicant	\$1,861.65
13	Special Olympics Yukon	Ongoing Projects and Initiatives	Golf Program	\$2,100.00	Spring 2020 \$2300.00	Yes	\$2,100.00

14	Tennis Yukon	Ongoing Projects and Initiatives	Outhouse	\$1,100.00	New Applicant	New Applicant	\$1,100.00	
15	The Heart of Riverdale	Ongoing Projects and Initiatives	Facility Fees/Admin and advertising	\$7,000.00	Spring 2020 \$12,000.00	Yes	\$7,000.00	
16	Victoria Faulkner Women's Centre	Ongoing Projects and Initiatives	Mom and Kids Program	\$7,440.00	Spring 2019 \$5,110.00	Yes	\$7,440.00	
17	Whitehorse Concerts	Ongoing Projects and Initiatives	Classical Music Series	\$2,500.00	Spring 2020 \$2,500.00	Yes	\$2,500.00	
18	Whitehorse Cross Country Ski Club	New Projects and Initiatives	2 sit ski	\$3,000.00	Spring 2020 \$10,000.00	Yes	\$3,000.00	
19	Whitehorse Curling Club	New Projects and Initiatives	Equipment replacement	\$1,500.00	Fall 2020 \$1,500.00	Yes	\$1,500.00	
20	Yukon Arts Centre	Ongoing Projects and Initiatives	Youth Arts Education and Transportation Program	\$7,000.00	Spring 2020 \$7,800.00	Yes	\$7,000.00	
21	Yukon Conservation Society	Ongoing Projects and Initiatives	Advertising, events and Admin	\$5,350.00	Spring 2020 \$4,500	Yes	\$5,350.00	
22	Yukon Music Camp	Ongoing Projects and Initiatives	Ongoing projects	\$7,000.00	Spring 2020 \$7,000.00	Yes	\$7,000.00	
23	Yukon Transportation Museum Society	Ongoing Projects and Initiatives	Program support	\$7,000.00	Spring 2019 \$15,000.00	Yes	\$7,000.00	
Total amount requested \$101,624.27								
Total amount available \$125,000.00								\$97,437.27

Appendix A – Spring 2021-Recreation Grant Recommendations – Operational Support

#	Applicant	Priority/Type	Project	Amount Requested	Last Funded	Accountability Received	Amount Recommended
1	Boreal Adventure Running	Operational Support	Wage for logistics Coordinator for race	\$1,200.00	Spring 2019 \$750.00	yes	\$1,200.00
2	Biathlon Yukon	Operational Support	Operation and Maintenance	\$4,200.00	Spring 2020 \$3800.00	Yes	\$4,200.00
3	Freedom Trails	Operational Support	Support with wages	\$4,000.00	Spring 2020 \$3500.00	Yes	\$4,000.00
4	Friends of Mount Sima	Operational Support	Operation and Maintenance	\$10,000.00	Spring 2020 \$10,000.00	Yes	\$4,500.00
5	Golden Age Society	Operational Support	Operation and Maintenance	\$5,000.00	Fall 2020 \$2,304.00	Yes	\$4,500.00
6	Japanese Canadian Association	Operational Support	Rental support	\$3,000.00	New Applicant	New Applicant	\$3,000.00
7	Mountain View Golf Course	Operational Support	Electrical maintenance	\$5,000.00	Spring 2020 \$6000.00	Yes	\$4,500.00
8	Special Olympics Yukon	Operational Support	Electrical	\$750.00	Spring 2020 \$2300.00	Yes	\$750.00
9	The Guild Society	Operational Support	Utility Support	\$12,000.00	Spring 2019 \$7950.00	Yes	\$4,500.00
10	The Heart of Riverdale	Operational Support	Facility Fees/Admin and advertising	\$5,000.00	Spring 2020 \$12,000.00	Yes	\$4,500.00
11	Yukon Church Heritage Society	Operational Support	Operation and Maintenance	\$5,000.00	Spring 2020 \$5,500.00	Yes	\$4,500.00
12	Yukon Music Camp	Operation Support	Operation and Maintenance	\$5,000.00	Spring 2020 \$7,000.00	Yes	\$4,500.00
13	Yukon Transportation Museum Society	Ongoing Projects and Initiatives/O&M	Operations and maintenance	\$5,000.00	Spring 2019 \$15,000.00	Yes	\$4,500.00
			\$70,150.00				
							\$49,150.00

CITY OF WHITEHORSE
PUBLIC HEALTH AND SAFETY COMMITTEE
Council Chambers, City Hall



Chair: Jan Stick

Vice-Chair: Dan Boyd

May 17, 2021

Meeting #2021-10

-
1. Implementing Downtown Speed Reductions
Presented by Transportation Engineer Stephan Baer
 2. New Business

ADMINISTRATIVE REPORT

TO: Public Health and Safety Committee
FROM: Administration
DATE: May 17, 2021
RE: Implementing Downtown Speed Reductions

ISSUE

Amendments to the Traffic Bylaw and the capital budget are required to implement Downtown speed limit reductions.

REFERENCE

- Administrative Report (February 15, 2021)
- Second Avenue Corridor Study (Stantec, 2020)
- Memorandum on Safety Interventions and Downtown Speed Reduction (Toole, 2020)
- 2021-2024 Capital Expenditure Plan 2020-36

HISTORY

On February 15, 2021, Administration presented the *Memorandum on Safety Interventions and Downtown Speed Reduction* (Toole, 2020) for information only at a Committee Meeting. The memorandum provides a literature and evidence-based approach to setting the regulatory speed limits for Downtown. The area of Downtown included in the implementation of the speed reduction is encompassed by Robert Service Way at the south end and extends to the intersection of Second and Fourth Avenues at the north end. Two of the suitable options considered as part of this study included:

Option 1:

- 40 km/hr on major arterials: 2nd Avenue and 4th Avenue
- 30 km/hr on local streets and elsewhere in Downtown.

Option 2:

- 40 km/hr on all Downtown streets

The proposed changes represented by both options are in alignment with up-to-date speed management and regulation practices that consider setting regulatory speed limits based on adjacent land use context and consideration of the human's body ability to absorb impacts in the event of a collision.

Administration is bringing forward an amendment to the Traffic Bylaw to implement the regulatory speed limit reductions reflected in Option 2, 40km/hr on all Downtown streets, and a capital budget request to implement the bylaw changes.

ALTERNATIVES

1. Approve amendments to the Traffic Bylaw that reflect a blanket 40km/hr Downtown speed reduction and amend the 2021-2024 Capital Expenditure Plan to approve the creation of a new capital project for implementation of the Downtown speed limit reductions.
2. Approve amendments to the Traffic Bylaw that reflect a hybrid 40 km/hr Downtown speed reduction on arterial roads and 30 km/hr on local roads and amend the 2021-2024 Capital Expenditure Plan to approve the creation of a new capital project for implementation of the Downtown speed limit reductions.
3. Refer the proposed changes back to Administration for further analysis.

ANALYSIS

Implementation of a Hybrid 40 km/hr on Arterials and 30 km/hr on Local Streets

The implementation plan recommended by the Memorandum on Safety Interventions and Downtown Speed Reduction was further reviewed by City Engineering staff, members of the Government of Yukon — Department of Highways and Public Works, the RCMP Whitehorse detachment, and the RCMP – Yukon Traffic Services for practicality, feasibility, and enforceability.

To avoid over-signage, the original implementation plan proposed by Toole Design Group proposed gateway signage to indicate the default speed limit with exceptions for the Downtown.

Upon further analysis and investigation, it was deemed that this plan may not be enforceable as proposed. Per the existing Yukon *Motor Vehicles Act*, regulatory speed limit signage is required at all locations where the regulatory speed limit changes. This would require the installation of 78 new regulatory speed signs, with the majority requiring new posts.

Implementation of a blanket 40 km/hr Regulatory Speed Limit Reduction in Downtown

Administration recommends implementation of a blanket regulatory speed limit reduction from 50 km/hr to 40 km/hr in the Downtown. Existing school zone speed limits of 30 km/hr will remain at that limit.

Proceeding with a speed reduction from 50 km/hr to 40 km/hr will provide significant road safety benefits. These road safety benefits are anticipated to be realized on arterials in the Downtown with higher operating speeds, notably 2nd Avenue. The reduction in regulatory speed limits across the Downtown is anticipated to result in a reduction of excess speeding, thereby reducing the probability of a collision resulting in a serious injury or fatality.

From an implementation perspective, it is also more practical, enforceable and feasible than other options at this time. This option provides a more uniform and easily understood new speed limit that can be communicated with limited signage and it is a practical speed that may reflect current speeds on most north-south downtown streets.

Proceeding with the 40km/hr blanket speed limit reduction does not limit future options. Should there be continued or additional public interest in a further reduction of Downtown speed limits or as part of the Transportation Master Planning process, a further reduction of some or all speed limits to 30km/hr could be considered.

Implementation Budget

To aid implementation of the Downtown speed limit reductions, \$5000 is proposed for signage installation and \$1,500 is proposed for an education and communications campaign to bring awareness to road users of the new speed limit changes.

Implementation Timeline

It is anticipated that the speed limit changes could be in place by mid-July 2021, pending the adoption of the Traffic Bylaw amendment and signage installation.

ADMINISTRATIVE RECOMMENDATION

THAT Council direct that Bylaw 2021-31, a bylaw to amend the Traffic Bylaw to implement speed limit changes in the Downtown, be brought forward for consideration under the bylaw process; and

THAT Council amend the 2021-2024 Capital Expenditure Plan and approve the creation of a new capital project to install the regulatory signage and develop an education and communications campaign for the Downtown Speed Reductions project in the amount of \$6,500.00, funded from the general reserve.

CITY OF WHITEHORSE
BYLAW 2021-31

A bylaw to amend Traffic Bylaw 2013-34

WHEREAS section 124 of the *Motor Vehicles Act* (RSY 2002) provides that a municipality may by bylaw prescribe a maximum speed other than 50 kilometres per hour for all or part of a highway subject to its jurisdiction; and

WHEREAS section 125 of the *Motor Vehicles Act* provides that a municipality may authorize the placing, erecting, or marking of traffic control devices at any locations considered necessary for controlling highways subject to its jurisdiction; and

WHEREAS it is deemed desirable and expedient that the City of Whitehorse Traffic Bylaw be amended to reduce speed limits in the Downtown area;

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

1. Traffic Bylaw 2013-34 is hereby amended by deleting the existing Schedule “B” and substituting therefore a new Schedule “B”, attached hereto as Appendix “A” and forming part of this bylaw.
2. This bylaw shall come into force and effect upon the final passing thereof.

FIRST and SECOND READING:
THIRD READING and ADOPTION:

Mayor

Assistant City Clerk

Traffic Bylaw Amendment Bylaw 2021-31

APPENDIX "A"

Schedule "B"

OPERATION OF VEHICLES

1. No person shall drive at a greater rate of speed than **30 kilometres per hour** on the following highways between the designated points:
 - (1) on Alsek Road between Duke Road and Blanchard Road;
 - (2) on Mount Sima Road from the ski hill parking lot northward towards the downtown core of the City, for a distance of 600 metres;
 - (3) on Prospector Road from the Alaska Highway to that point where the roadway enters private property;
 - (4) on Sumanik Drive from Hamilton Boulevard to Mount McIntyre Recreation Centre.
 - (5) on Valleyview Drive along its entire length.

2. No person shall drive at a greater rate of speed than **30 kilometres per hour** on the following streets within the McIntyre Subdivision:

Hanna Crescent	McCandless Crescent	McClennan Road
McCrimmon Crescent	McIntyre Drive	Murphy Road
O'Brien Place	O'Brien Road	

3. No person shall drive at a greater rate of speed than **30 kilometres per hour** on the following streets within the Takhini North neighbourhood:

Antwerp Street	Arnhem Road
Carpiquet Road	Cassino Street
Nijmegen Road	Normandy Road North
Ortona Avenue	Rhine Way

4. No person shall drive at a greater rate of speed than **40 kilometres per hour** on the following **downtown** streets, unless otherwise posted within a school or playground zone:

2nd Avenue	3 rd Avenue	4th Avenue	5th Avenue
6th Avenue	7th Avenue	8th Avenue	Alexander Street
Baxter Street	Black Street	Cook Street	Drury Street
Elliott Street	Front Street	Hanson Street	Hawkins Street
Hoge Street	Jarvis Street	Jeckell Street	Keish Street
Lambert Street	Lowe Street	Main Street	Ogilvie Street
Ray Street	Rogers Street	Steele Street	Strickland Street
Taylor Street	Wheeler Street	Wood Street	

.../continued

Traffic Bylaw Amendment Bylaw 2021-31

5. No person shall drive at a greater rate of speed than **40 kilometres per hour** on the following highways between the designated points:
- (1) on Miles Canyon Road from the Alaska Highway to Robert Service Way
 - (2) on Robert Service Way between 4th Avenue and 2nd Avenue
6. No person shall drive at a greater rate of speed than **40 kilometres per hour** on the following streets within the Hillcrest Subdivision:
- Burns Road between Hillcrest Drive and Roundel Road
Chalet Crescent
Dalton Trail
Hillcrest Drive between Park Lane and Burns Road
Kluane Crescent
Park Lane
Roundel Road between Summit Drive and Burns Road
Summit Road
Sunset Drive North
Sunset Drive South
7. No person shall drive at a greater rate of speed than **40 kilometres per hour** on the following streets within the Porter Creek Subdivision:
- Juniper Drive Teak Avenue Tamarack Drive
8. No person shall drive at a greater rate of speed than **40 kilometres per hour** on the following streets within the Whistle Bend Subdivision:
- | | |
|------------------|---------------|
| Aksala Drive | Atlin Place |
| Chakawana Lane | Bailey Place |
| Bellingham Court | Caprice Court |
| Casca Boulevard | Dora Crescent |
| Eldorado Road | Keno Way |
| Iskoot Crescent | Olive May Way |
| Skookum Drive | Tarahne Way |
9. No person shall drive at a greater rate of speed than **60 kilometres per hour**:
- (3) on Hamilton Boulevard between Falcon Drive South and the Alaska Highway intersection at the top of Two Mile Hill;
 - (4) on Robert Service Way between the Miles Canyon Access Road intersection and the Fourth Avenue intersection;
 - (5) on Two Mile Hill between the Second Avenue Extension and the Alaska Highway; and
 - (6) on Whistle Bend Way between Mountainview Drive and Casca Boulevard.

.../continued

Traffic Bylaw Amendment Bylaw 2021-31

10. No person shall drive at a greater rate of speed than **70 kilometres per hour** on the following highways between the designated points:
- (1) on the Hamilton Boulevard Extension between the Alaska Highway and Falcon Drive South;
 - (2) on Mountainview Drive from Tlingit Road to a point 100 metres south of Twelfth Avenue;
 - (3) on Robert Service Way between the Alaska Highway and the intersection at Miles Canyon Access Road.