

CITY OF WHITEHORSE
REGULAR Council Meeting #2021-19

DATE: Monday, September 13, 2021
TIME: 5:30 p.m.

Mayor Dan Curtis
Deputy Mayor Jocelyn Curteanu
Reserve Deputy Mayor Stephen Roddick

AGENDA

CALL TO ORDER 5:30 p.m.

AGENDA Adoption

PROCLAMATIONS

MINUTES Regular Council meeting dated August 9, 2021
Special Council meeting dated August 30, 2021

DELEGATIONS

PUBLIC HEARING Bylaw 2021-26 – Zoning Amendment (105 Titanium Way)

STANDING COMMITTEE REPORTS

Development Services Committee – *Councillors Curteanu and Roddick*

Corporate Services Committee – *Councillors Roddick and Curteanu*

Upcoming Procurement (September and October) – For Information Only

City Planning Committee – *Councillors Hartland and Cabott*

Public Hearing Report – Zoning Amendment Whistle Bend Phase 8 & Adjacent Lands
Whistle Bend Phase 6 Subdivision Approval

City Operations Committee – *Councillors Cabott and Hartland*

Snow and Ice Control Policy Updates

Community Services Committee – *Councillors Boyd and Stick*

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

NEW AND UNFINISHED BUSINESS Reschedule September 20th Council Meeting

BYLAWS

2021-24 Zoning – Development Application Updates 3rd Reading
2021-33 Zoning Amendment – WB Phase 8 & Adjacent Lands 2nd & 3rd Reading

ADJOURNMENT

MINUTES of **REGULAR** Meeting #2021-16 of the Council of the City of Whitehorse called for 5:30 p.m. on Monday, August 9, 2021, in Council Chambers, City Hall.

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

ALSO PRESENT: Acting City Manager Valerie Braga
Acting Director of Community Services Landon Kulych
Director of Development Services Mike Gau
Acting Director of Operations Jason Everitt
Manager of Legislative Services Wendy Donnithorne
Assistant City Clerk Norma Felker
Council Services Clerk Freda Smith

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

CALL TO ORDER

2021-16-01

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

AGENDA

Carried Unanimously

2021-16-02

It was duly moved and seconded
THAT the minutes of the regular Council meeting dated July 26, 2021
be adopted as presented.

MINUTES

July 26, 2021

Carried Unanimously

COMMITTEE REPORTS

Development Services Committee

There was no report from the Development Services Committee.

No Report

Corporate Services Committee

There was no report from the Corporate Services Committee.

No Report

City Planning Committee

The Development Approval Process service review was completed in 2019 with the goal of developing best practices for serving the public, increasing efficiencies in process, and reducing liabilities through changes to the existing protocols and systems.

To date, several process improvements have been implemented, such as an online option for fee payments, an online option for requesting hard-surfacing and landscaping inspection requests, and the introduction of technical review reports issued to developers that clearly lay out requirements and recommendations to be addressed prior to the issue of a development permit.

Consultation with industry and key stakeholders will be carried out prior to the implementation of changes that impact standard development application processes. Administration recognizes that successful operational and process changes involve consultation with general contractors and residential homebuilders in the community. This will continue to include targeted consultation with the Yukon Contractor’s Association, professional survey firms, civil engineering firms and local professional architects.

DEVELOPMENT
APPROVAL PROCESS
IMPROVEMENTS
For Information Only

Committee members discussed the need for changes to the way information is made available in order to improve communications. It was suggested that a consultation plan should be developed, and also that an industry or business advisory committee could be considered.

A member shared comments from the Whitehorse Chamber of Commerce about the lack of adequate time available for review of matters before Council with agenda packages being distributed on the Friday before a Monday meeting.

A Council member noted that the proposed bylaw does not seem to differentiate between large and small developments, and suggested that the level of detail required could be an unnecessary burden for developers working on a small project such as a single family home. Administration confirmed that the bylaw is applicable to all new developments, with specific requirements reflect the type and scale of development.

Discussion

In response to questions raised, Administration advised that the Yukon government’s recent cancellation of tenders for Whistle Bend Phase 7 was done to allow additional time to work on boundary realignments for Phases 7 and 8. It is anticipated that Phase 7 construction work will be tendered over the winter and construction will begin in the spring of 2022. Delays in the release of new housing lots are not expected.

HOUSING AVAILABILITY
For Information Only

City Operations Committee

There was no report from the City Operations Committee.

No Report

Community Services Committee

2021-16-03

It was duly moved and seconded
THAT transit service improvements to Whistle Bend beginning in
August 2021 be approved as recommended.

TRANSIT SERVICE TO
WHISTLE BEND

Carried (6 – 1)

A Council member spoke to the need for a more aggressive approach
to promote increased transit use. It was suggested that a cost-neutral
approach may not be ambitious enough to make the kind of difference
required to limit the impacts of climate change.

Discussion

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

Recorded Vote

A Committee member suggested that more work needs to be done to
encourage citizens to use the transit system and incentivize alternative
transportation as recommended in the Transportation Demand
Management Plan. It was also suggested that large employers could
be more actively encouraged to implement programs to promote the
use of public transit by their employees.

INCENTIVIZING
TRANSIT USE
For Information Only

Public Health and Safety Committee

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

No Report

BYLAWS

2021-16-04

It was duly moved and seconded
THAT *Bylaw 2021-34*, a bylaw to amend *Election 2021 Procedures*
Bylaw 2021-16 to dispense with the requirement for a List of Electors
and Board of Revision for the 2021 Municipal Election in the City of
Whitehorse, having been read a first and second time, now be given
third reading.

BYLAW 2021-34
ELECTION PROCEDURE
Board of Revision
THIRD READING

Some Council members commented on the amount of consultation that has already been done on this issue the need for industry to also make themselves familiar with requirements and suggested that additional efforts in this regard is unlikely to be of significant value.

2021-16-07

It was duly moved and seconded
THAT third reading of Bylaw 2021-24, a bylaw to amend the Zoning Bylaw to provide for improvements to the Development Permit application process, be postponed to the first regular Council meeting in September.

Motion to Postpone

Carried (4 – 3)

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

Recorded Vote

Mayor Curtis advised that Council will be in recess until September. The next meeting will be a Standing Committee meeting on Tuesday, September 7, 2021.

RECESS ANNOUNCED
For Information Only

There being no further business, the meeting adjourned at 6:35 p.m.

ADJOURNMENT

MINUTES of **SPECIAL** Meeting #2021-17 of the Council of the City of Whitehorse called for 5:30 p.m. on Monday, August 30, 2021, in Council Chambers, City Hall.

PRESENT: Mayor Dan Curtis
Councillors Laura Cabott
Jocelyn Curteanu – Electronic Participation
Samson Hartland
Jan Stick – Electronic Participation
Stephen Roddick

ABSENT: Councillor Dan Boyd

ALSO PRESENT: Acting City Manager Jeff O’Farrell
Acting Director of Community Services Landon Kulych
Director of Corporate Services Valerie Braga
Director of Development Services Mike Gau
Acting Director of Operations Jason Everitt
Manager of Legislative Services Wendy Donnithorne
B & TS Specialist Charles Young

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

CALL TO ORDER

2021-17-01

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

AGENDA

Carried Unanimously

DELEGATIONS

Kate Mecham, Executive Director of Safe at Home Society, explained the supportive housing initiative planned for 4151 – 4th Avenue, subject to approval of an application to the federal Rapid Housing Initiative program. With the support of the City and the Yukon Housing Corporation, the Society plans to purchase the former High Country Inn and renovate the property to produce 55 stand-alone supportive housing units, with the target clientele being primarily Indigenous youth and vulnerable women.

KATE MECHAM
Safe at Home
For Information Only

Mary Cameron, President of the Yukon Housing Corporation, explained the involvement of the Corporation in the proposed supporting housing initiative. If the funding application is approved, the intent is that the Government of Yukon would supply the additional funding required for the purchase and renovation of the existing facility. Ownership of the property would be transferred to Yukon Housing, and the supportive services would be provided by the Safe at Home Society.

MARY CAMERON
Yukon Housing

If the funding application is approved, a public awareness program will be initiated by Safe@Home to ensure that the surrounding neighbourhood is aware of the future plans for the building.

2021-17-02

It was duly moved and seconded
THAT Administration be directed to submit an application under the Rapid Housing Initiative program to support the future transfer of funds to the Yukon Housing Corporation for the *Safe at Home Society's* 4151 – 4th Avenue supportive housing project.

SUBMIT APPLICATION
TO RAPID HOUSING
INITIATIVE PROGRAM

Carried Unanimously

Council members spoke in support of the proposed project and for community engagement and noted that, if the funding application is approved, the many additional steps required before the project comes to fruition including several that will be subject to approval by the incoming Council.

Discussion

There being no further business, the meeting adjourned at 6:25 p.m.

ADJOURNMENT

MEMORANDUM

FILE #: Z-10-2021

TO: Mayor and Council

FROM: Administration

DATE: September 10, 2021

SUBJECT: Public Hearing at Regular Council Meeting September 13, 2021

Please be advised there will be a Public Hearing at the Regular Council Meeting of September 13, 2021, to hear from interested parties related to the following Zoning Bylaw amendment:

Bylaw 2021-26, a bylaw to amend the zoning at 105 Titanium Way, in Marwell to allow for the development of additional live/work caretaker residences.

The City has received an application to amend the zoning of 105 Titanium Way in Marwell. The subject lot is 0.37 ha, and the current zoning is CIMx(a) – Mixed Use Commercial/Industrial (modified). There is an existing building in the southern half of the subject lot, which has a caretaker suite. The current zoning permits one caretaker residence per lot. The applicant requests a rezoning to permit three additional live/work caretaker units for a second building on the subject lot.

Bylaw 2021-26 received First Reading on July 26, 2021. Notices were published in the newspapers on January 29 and February 5, 2021. A total of 53 letters were sent to property owners within 100 m of the parcel as stipulated in the Zoning Bylaw. Yukon Government Land Client Services, Kwanlin Dün First Nation, Ta'an Kwäch'än Council, and the Downtown Residents Association were notified by email.

Zane Hill
Senior Planner

cc: Director of Development Services
Manager of Planning and Sustainability Services



Minutes of the meeting of the Development Services Committee

Date	September 7, 2021	2021-18
Location	Council Chambers, City Hall	
Committee Members Present	Deputy Mayor Jocelyn Curteanu – Chair Councillor Stephen Roddick – Vice-Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Laura Cabott Councillor Samson Hartland	
Absent	Councillor Jan Stick	
Staff Present	Jeff O’Farrell, Acting City Manager Doug Spencer, Acting Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Patrick Ross, Acting Director of Development Services Lindsay Schneider, Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Wendy Donnithorne, Manager of Legislative Services Freda Smith, Acting Assistant City Clerk	

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

1. Safe Consumption Site – For Information Only

A Committee member raised concerns about consultation with the community, selection of the location for the site and asked about zoning requirements for the facility. Administration confirmed a change of use was applied for which is allowed under the defined uses for the current zoning, with approval provided in mid-late August. It was noted the City became aware of the specifics of the type of facility at generally the same time as residents. A Committee member asked how residents will be kept informed on the process. It was noted that YG Health and Social Services conducted community information sessions August 21 and no other consultations were known to be planned. Residents were being encouraged to contact their MLA or HSS for additional information.



Minutes of the meeting of the Corporate Services Committee

Date	September 7, 2021	2021-18
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Stephen Roddick – Chair Deputy Mayor Jocelyn Curteanu – Vice-Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Laura Cabott Councillor Samson Hartland	
Absent	Councillor Jan Stick	
Staff Present	Jeff O'Farrell, Acting City Manager Doug Spencer, Acting Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Patrick Ross, Acting 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 Freda Smith, Acting Assistant City Clerk	

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

1. Upcoming Procurements (September and October) – For Information Only

In accordance with Section 3.5.1 of the Procurement Policy, a list of forthcoming procurements with an anticipated value greater than \$100,000 will be provided to Council on a bi-monthly basis.

Managers have been asked to review their capital projects and operating requirements and to provide information on their anticipated procurements over \$100,000 for the period of September to October 2021. Financial Services presented a list of three projects: Water Bylaws Update, Rotary Parks Irrigation Replacement and Hillcrest Reconstruction Project

A Committee member asked why the Rotary Park Irrigation System project was being brought forward as a priority at this time, when it is not reflected on the 2021 Capital

Budgets list. Administration confirmed it would follow up on this and the previous ranking. Administration also confirmed that the "Poppy Shack" (grass roofed maintenance building) may be replaced as part of this infrastructure project and a member asked Administration to consider keeping the building.

It was also noted that the Hillcrest Reconstruction project will have four phases and will begin 2023 and is estimated to be completed by 2026. This will include additional engagement with the community on the final design.



Minutes of the meeting of the City Planning Committee

Date	September 7, 2021	2021-18
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Samson Hartland – Chair Councillor Laura Cabott – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Deputy Mayor Jocelyn Curteanu Councillor Stephen Roddick	
Absent	Councillor Jan Stick	
Staff Present	Jeff O’Farrell, Acting City Manager Doug Spencer, Acting Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Patrick Ross, Acting Director of Development Services Lindsay Schneider, Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Wendy Donnithorne, Manager of Legislative Services Karmen Whitbread, Senior Planner Freda Smith, Acting Assistant City Clerk	

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

1. Public Hearing Report – Whistle Bend Phase 8 and Adjacent Lands

The basic concept for Whistle Bend was developed in 2006, and a Master Plan for the neighbourhood was approved in 2009 for the development of phases 1 to 7.

In 2020, the City completed the planning and preliminary engineering work for three new development areas in Whistle Bend – Areas A, B and C. Area C was selected as the next development area. Council approved an OCP amendment in January 2021 to allow residential development in Area C.

Area C has three phases – 8, 9 and 10, and Administration is now bringing forward zoning for Phase 8 for Council’s consideration. Zoning amendments for Phases 9 and 10 are anticipated to be brought forward in late 2021/ early 2022. The Yukon

government (YG) has confirmed that it is undertaking detailed engineering for all phases within Area C.

No written or verbal submissions were received and no one appeared at the Public Hearing. No issues were raised

Phase 8 design ensures a mix of housing forms, tentatively including 17 lots for single-detached homes, 47 lots for townhouses and three lots for multi-family residential, accommodating approximately 90 homes. The approximate 154 homes could accommodate approximately 370 people based on the average number of people per household in Whitehorse. The actual development potential will be confirmed through detailed engineering and the subsequent subdivision of the area.

If Council approves this amendment, the City and YG can move forward with detailed engineering design and the subdivision process. Construction for Phase 8 is anticipated to begin in Spring/Summer 2022.

A Committee member raised questions regarding the status of the old sewage lagoon near the development area. Administration confirmed that a remediation plan was in place and the site had been decommissioned.

The recommendation of the City Planning Committee is

THAT Bylaw 2021-33, a bylaw to amend the zoning for Phase 8 and adjacent lands of Whistle Bend, be brought forward for second and third reading under the bylaw process

2. Subdivision Approval – Whistle Bend Phase 6

The City of Whitehorse has been working with Yukon Government (YG) on the development of the Whistle Bend Subdivision. As part of this process, Council and Administration have issued a number of subdivision approvals between 2009 and 2019.

The *Municipal Act* and Subdivision Control Bylaw 2012-16 establish that subdivision approvals are valid for one year and may be extended at the request of the applicant for one further year. The subdivision approval for Phase 6 of the neighbourhood was granted by Council on September 5, 2018. An extension was granted until September 5, 2020.

Construction of Phase 6 is incomplete, and with no further extension of the original approval available under the bylaw, the subdivision needs to be approved again by Council.

The application area consists of approximately 14.5 hectares of land, comprising the former CBC tower site and vacant Yukon government land. The application area has a variety of zones resulting in 102 single family/duplex lots, 65 townhouse lots, four multi-family lots, one park lot and two public utility lots. All of the proposed lots conform to the applicable zoning regulations of Zoning Bylaw 2012-20.

The application area consists of approximately 14.5 hectares of land, comprising the former CBC tower site and vacant Yukon government land. The application area has a

variety of zones resulting in 102 single family/duplex lots, 65 townhouse lots, four multi-family lots, one park lot and two public utility lots. All of the proposed lots conform to the applicable zoning regulations of Zoning Bylaw 2012-20.

The Development Agreement, which was a condition of the original subdivision approval, has been completed under the provisions of Development Agreement Regulations Bylaw 2012-15. A new agreement is not required for this subdivision approval.

Public Use Land Dedication, street naming, and Residential Development Cost Charges were also addressed through the original application process and no changes are being proposed to Phase 6 through this application for additional subdivision approval.

A Committee member inquired about the street names in the subdivision. Administration confirmed that the Whistle Bend street names were based on the theme of historic northern steamships, based on feedback from a planning charrette. The Committee member suggested more diversity and representation for street names including female and First Nations names should be considered going forward.

The recommendation of the City Planning Committee is

THAT approval of the subdivision of approximately 14.5 hectares of land for the creation of new residential lots, one park lot, two public utility lots, lanes and roads for the area known as Whistle Bend Phase 6, as shown on the proposed subdivision sketch.



Minutes of the meeting of the City Operations Committee

Date	September 7, 2021	2021-18
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Laura Cabott – Chair Councillor Samson Hartland – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Deputy Mayor Jocelyn Curteanu Councillor Stephen Roddick	
Absent	Councillor Jan Stick	
Staff Present	Jeff O’Farrell, Acting City Manager Doug Spencer, Acting Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Patrick Ross, Acting Director of Development Services Lindsay Schneider, Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Wendy Donnithorne, Manager of Legislative Services Richard Graham, Manager of Operations Freda Smith, Acting Assistant City Clerk	

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

1. Snow and Ice Control Policy Updates

The City’s Snow and Ice Control was last updated in 2015. In the past 6 years there have been numerous additions made to the City’s road network which are not yet captured in the Policy.

New additions to the network come from the growth of the City through development of roads and trails that are serviced under the Policy, as well as re-prioritization of certain roadways as a result of changes due to transit service relocations and to prioritize for snow and ice control based on required access and safety.

There is no reduction in services through the changes to the policy for Whitehorse neighbourhoods. This update is required to ensure that current roadways that are designated as Priority 1 and Priority 2 are clearly indicated.

Other changes to the Snow and Ice Control Policy are housekeeping updates to the language and formatting of the original policy into the new format. Because the formatting was overhauled, a track changes version is not provided due to the amount of markup. Yellow highlights are sections that have been moved or summarized. Other than the key changes listed below, no additional substantive changes are being proposed at this time.

In the longer term, a comprehensive review and update is anticipated for this Policy, including a review of service and priority levels and snow dump facilities.

Priority 1 and 2 roadways are prioritized based on the following factors:

Priority 1 Roadways: Freeways, major arterial roads, emergency routes, major bus routes, roads with steep grades, and, during the spring melt, areas with known drainage problems.

Priority 2 Roadways: Remainder of the arterial roads and bus routes, major industrial roads, roads in the Central Business District, roads adjacent to schools and to prioritized City owned facilities, prioritized City owned parking lots, and emergency routes within priority 2 zones.

It should be noted that these additions are current as of the time of this update, and that roadways added after adoption will be captured through future policy updates.

Olive May Way, Keno Way and Casca Boulevard and lanes in Whistle Bend used for curbside collection are being recommended for addition to the Snow and Ice Control Policy. Olive May Way and Keno Way have been constructed since the last policy update.

Construction on Casca Boulevard had been completed by the time of the last policy update, although its priority for snow and ice control has changed.

Administration is now recommending these streets be added to the Snow and Ice Control Policy consistent with the criteria to designate their priority level, as they require priority maintenance and attention.

Committee members had various questions about the policy, including about the frequency and plowing of lanes, how trails are designated for regular maintenance under the policy, and whether school bus routes were included along with transit.

A member asked about the comprehensive review anticipated for the policy, and anticipated time frame (three to five years) with the concern that the policy is falling behind the infrastructure and objectives. Administration confirmed that a new Council can direct the Policy to be brought forward as a priority sooner.

The recommendation of the City Operations Committee is

That approval of the addition of new streets and lanes and changes to service priority levels in the Snow and Ice Control Policy; and

That the revised Snow and Ice Control Policy be adopted as recommended.



Minutes of the meeting of the Community Services Committee

Date	September 7, 2021	2021-18
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Dan Boyd – Chair Mayor Dan Curtis Councillor Laura Cabott Deputy Mayor Jocelyn Curteanu Councillor Samson Hartland Councillor Stephen Roddick	
Absent	Councillor Jan Stick	
Staff Present	Jeff O’Farrell, Acting City Manager Doug Spencer, Acting Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Patrick Ross, Acting Director of Development Services Lindsay Schneider, Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Wendy Donnithorne, Manager of Legislative Services Freda Smith, Acting Assistant City Clerk	

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

1. Winter/Spring Maintenance of Paved Paths – For Information Only

Nathan Miller addressed Council speaking to the importance of active transportation and requesting a better balance of snow and ice removal and trail maintenance for all active transportation routes. A key point was that the City was increasing and greatly improving development of active transportation infrastructure but not keeping up with maintenance to make it more useable year round. Mr. Millar noted that the Downtown Residents Association had developed a proposal for the creation of one or more additional categories of trails / routes to be included for regular maintenance.



Minutes of the meeting of the Public Health and Safety Committee

Date September 7, 2021 2021-18

Location Council Chambers, City Hall

Committee Members Present
Councillor Dan Boyd – Chair
Mayor Dan Curtis
Councillor Laura Cabott
Councillor Jocelyn Curteanu
Councillor Samson Hartland
Councillor Stephen Roddick

Absent Councillor Jan Stick

Staff Present
Jeff O'Farrell, Acting City Manager
Doug Spencer, Acting Director of Community and Recreation Services
Valerie Braga, Director of Corporate Services
Patrick Ross, Acting Director of Development Services
Lindsay Schneider, Director of Human Resources
Taylor Eshpeter, Acting Director of Infrastructure and Operations
Wendy Donnithorne, Manager of Legislative Services
Freda Smith, Acting Assistant City Clerk

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

There being no further business, the meeting adjourned at 6:56 p.m.

Council Meeting Date: **September 13, 2021**

Topic: **Re-schedule Council Meeting**

SUGGESTED WORDING FOR RESOLUTION

I MOVE THAT the Standing Committee meeting scheduled for Monday, September 20th be rescheduled to Tuesday, September 21st to facilitate the participation of Council members and staff in the federal election.

TO MAYOR AND COUNCIL:

This suggested wording has been prepared as a guide to assist you. It may not reflect Council members' opinion on this matter.

CITY OF WHITEHORSE
BYLAW 2021-24

A bylaw to amend Zoning Bylaw 2012-20

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

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

WHEREAS it is deemed desirable that the *City of Whitehorse Zoning Bylaw* be amended to improve the development application process and manage drainage requirements more effectively;

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

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

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

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

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

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

Zoning Amendment Bylaw 2021-24

- (6) the location of all existing and proposed landscaping features including trees, shrubs, and groundcover throughout the site, and any natural features to be retained;
 - (7) drainage details including existing and proposed elevations at lot corners, building perimeter, grade breaks, and edge of surface treatments, direction and percentage of grades, main floor/top of slab elevation(s), location of downspouts and direction of discharge, and the location of all proposed structures to manage drainage including swales, ditches, retaining walls, rock sumps, connection to existing storm mains, and/or storm sewer interceptors for areas with high contamination potential;
 - (8) the location, size, and material of all existing and proposed services on the property;
 - (9) floor plans and elevation drawings of all proposed buildings, and structures including any additions;
 - (10) the location, size, and placement of signs and future signs in all commercial, institutional and industrial zones;
 - (11) proposed impacts or improvements to the boulevard including remediation, revegetation, landscaping, construction of drainage infrastructure, paving, or other treatment; and
 - (12) any other information required by the Development Officer.”
3. Section 4.5 of *Zoning Bylaw 2012-20* is hereby amended by deleting the existing subsection 4.5.1 b) and renumbering the remaining subsections accordingly.
4. Section 4.5 of *Zoning Bylaw 2012-20* is hereby amended by deleting the existing subsection 4.5.1 f) and substituting therefore a new subsection 4.5.1 f) as follows:
“4.5.1 f) as-built or record drawings for any existing infrastructure, servicing, or other site elements;
5. Section 4.5 of *Zoning Bylaw 2012-20* is hereby amended by deleting existing subsection 4.5.1 i) and substituting therefore a new subsection 4.5.1 i) as follows:
“4.5.1 i) any other information required by the Development Officer, such as fire-flow calculations, water model report, or transportation impact assessment; and”

Zoning Amendment Bylaw 2021-24

6. Section 4.6 of *Zoning Bylaw 2012-20* is hereby amended by deleting existing subsection 4.6.4 and substituting therefore a new subsection 4.6.4 as follows:

“4.6.4 Where in the opinion of a Development Officer, an application has been substantially revised by the applicant, prior to reconsideration of the application, the applicant shall withdraw the application and submit a new application. A substantial revision includes, but is not limited to, an increase or decrease of the proposed Gross Floor Area by 10% or more. Refunds for withdrawn applications shall be issued in accordance with the formula prescribed in the *Fees and Charges Bylaw*.”

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

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

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

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

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

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

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

Zoning Amendment Bylaw 2021-24

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

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

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

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

“5.5.5.2 The value of the landscaping security shall be calculated based on the minimum number of trees or shrubs required for the development. The security shall be equal to \$1,250 per tree and \$750 per shrub. For single detached and duplex housing, and townhouse developments where each unit is on a separate fee simple lot, the security shall be a flat rate of \$1,000 per lot.”

10. Section 5.5 of *Zoning Bylaw 2012-20* is hereby amended by deleting existing subsection 5.5.8 and substituting therefore a new subsection 5.5.8 as follows:

“5.5.8 Record Drawing Security

Installation of all civil works on a development shall be done in accordance with the current version of the *National Building Code of Canada*, the *City of Whitehorse Servicing Standards Manual*, all applicable bylaws, and the *City of Whitehorse Development Guidelines*, to the satisfaction of the City Engineer.

A Development Officer may require that the property owner provide Record Drawings in the form and substance acceptable to the City Engineer within 60 days of the issuance of the first occupancy approval for the development, or another time frame stipulated by the Development Officer.”

11. Section 5.5.8 of *Zoning Bylaw 2012-20* is hereby amended by deleting existing subsection 5.5.8.2 and substituting therefore a new subsection 5.5.8.2 as follows:

5.5.8.2 The value of the security shall be equal to \$1,000 plus \$1.00 per square metre of lot area.

Zoning Amendment Bylaw 2021-24

12. Section 7.2 of *Zoning Bylaw 2012-20* is hereby amended by deleting existing subsection 7.2.9 and substituting therefore a new subsection 7.2.9 as follows:

“7.2.9 The value of the security shall be equal to \$2,800 per required parking space. For developments where parking spaces are provided within an enclosed building (excluding residential garages), the security may be calculated based on 125% of the projected cost to install all hard-surfacing required outside of the building.

If, in the opinion of the Development Officer, the projected hard-surfacing costs are low, the Development Officer may establish an appropriate hard-surfacing cost figure for the purposes of determining the value of the hard-surfacing and the Development Officer’s calculation shall be determinative. For single detached and duplex housing, and townhouse developments where each unit is on a separate fee simple lot, the hard-surfacing security shall be a flat rate of \$1,000 per lot.”

13. This bylaw shall come into full force and effect upon final passage thereof.

FIRST READING:	April 13, 2021
PUBLIC NOTICE:	April 16 and 23, 2021
PUBLIC HEARING:	May 10, 2021
SECOND READING:	August 9, 2021
THIRD READING and ADOPTION:	

Mayor

Assistant City Clerk

CITY OF WHITEHORSE
BYLAW 2021-33

A bylaw to amend Zoning Bylaw 2012-20

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

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

WHEREAS it is deemed desirable that the City of Whitehorse Zoning Bylaw be amended to establish zoning for the area known as Whistle Bend phase 8 and adjacent lands; and

WHEREAS phase 8 of Whistle Bend and the adjacent lands are vacant and all properties are owned by the Government of Yukon, thus minimizing the impact of zoning changes at this time;

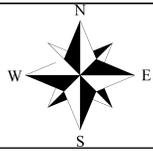
NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of an approximately 4-hectare parcel of vacant Commissioner's Land, known as Whistle Bend phase 8, a 3.6-hectare portion of Utility R/W 98-04 LTO YT, and a 4.6-hectare portion of vacant Commissioner's Land adjacent to phases 5 and 6 of Whistle Bend, from FP-Future Planning and PG-Greenbelt to RCS-Comprehensive Residential Single Family, RCM-Comprehensive Residential Multi-family, RCT-Comprehensive Residential Townhouses, RCM3-Cottage Cluster Homes, PU-Public Utilities and PG-Greenbelt, as indicated on Appendix "A" attached hereto and forming part of this bylaw.
2. This bylaw shall come into force and effect upon the final passing thereof.

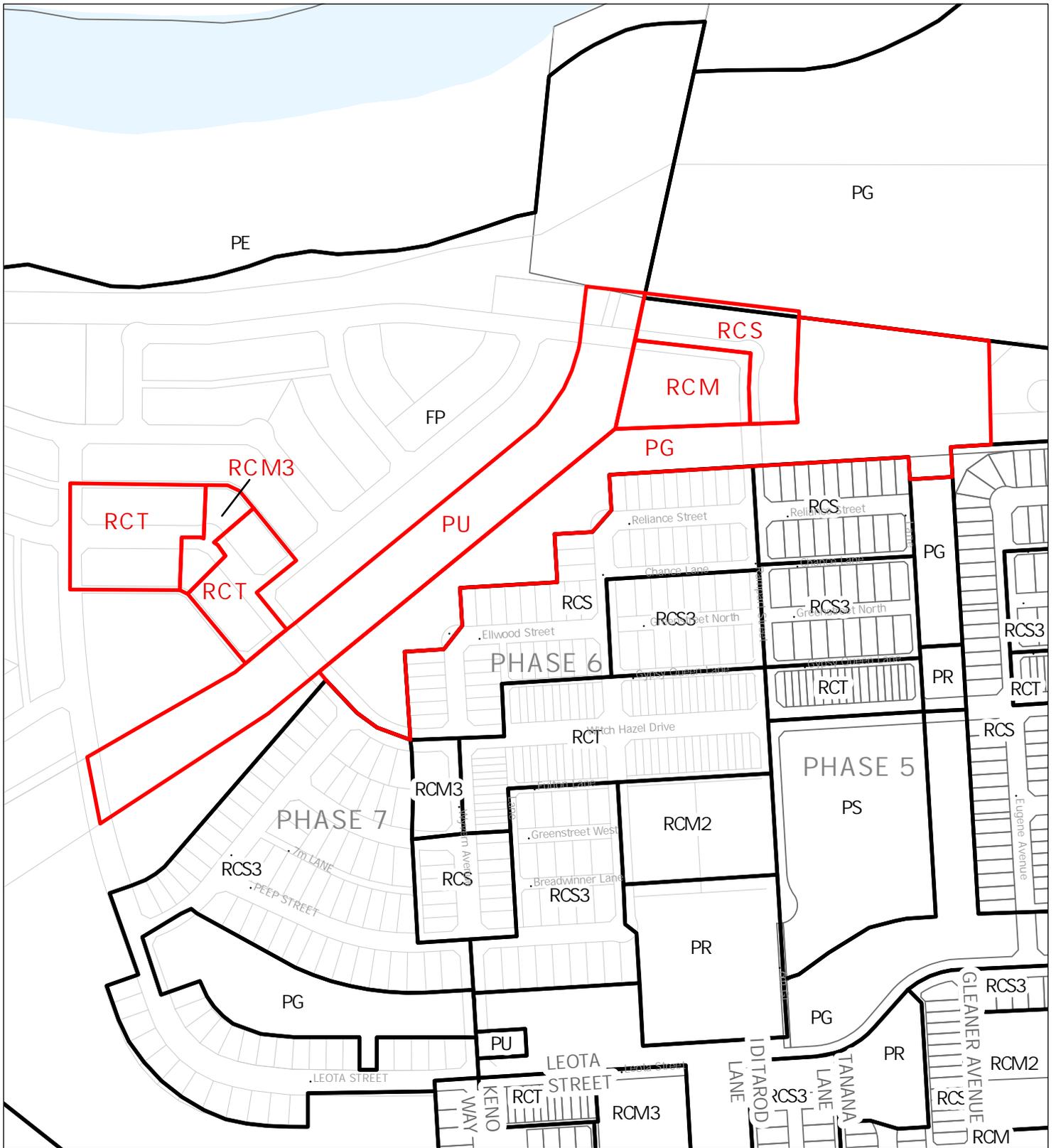
FIRST READING: June 28
PUBLIC NOTICE: July 2 & 9, 2021
PUBLIC HEARING: July 26, 2021
SECOND READING:
THIRD READING and ADOPTION:

Mayor

Assistant City Clerk



CITY OF WHITEHORSE
BYLAW 2021-33
APPENDIX 'A'



BYLAW 2021-33
A bylaw to amend the zoning for phase 8 of Whistle Bend and adjacent land

LEGEND



Zoning being Amended