

MINUTES of **REGULAR** Meeting #2020-14 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, June 15, 2020, in Council Chambers, City Hall.

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

ABSENT: Councillor Stephen Roddick

ALSO PRESENT: City Manager Linda Rapp
Director of Community and Recreation Services Jeff O'Farrell
Director of Corporate Services Valerie Braga
Director of Development Services Mike Gau
Director of Infrastructure and Operations Peter O'Blenes
Acting Director of Human Resources Lindsay Schneider
Manager of Legislative Services Catherine Constable

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

CALL TO ORDER

2020-14-01

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

AGENDA

Carried Unanimously

2020-14-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated May 25, 2020 be
adopted as presented.

MINUTES

May 25, 2020

Carried Unanimously

PUBLIC HEARING

Mayor Curtis called three times for anyone to appear to speak to Bylaw 2020-18, a bylaw to amend the zoning of a portion of the property located at 5048 5th Avenue to remove single detached and duplex housing as principal uses on the site.

BYLAW 2020-18

ZONING AMENDMENT
5th and Rogers Parcel

No written submissions were received with respect to this bylaw.

No Submissions

Mayor Curtis declared the public hearing closed and advised that no further submissions on the issue will be considered by council except the report provided by administration.

Public Hearing Closed

Mayor Curtis called three times for anyone to appear to speak to Bylaw 2020-21, a bylaw to amend the zoning at 604 Black Street by reducing the setbacks to allow for the development of an additional housing unit above an existing garage.

BYLAW 2020-21
ZONING AMENDMENT
604 Black Street

One written submission was received in support of the bylaw.

Submission Received

Mayor Curtis declared the public hearing closed and advised that no further submissions on the issue will be considered by council except the report provided by administration.

Public Hearing Closed

STANDING COMMITTEE REPORTS

City Planning Committee

The entire Tank Farm property is designated as Residential Urban in the Official Community Plan. The owners of the property have applied to change the land use designation of the south-eastern portion of the site to facilitate industrial-commercial development.

In the public hearing process, 69 submissions were received, three in support, eight expressing concerns, and 58 opposed. Concerns raised included the contention that the proposed land use designation is inappropriate, that greenspace, buffers and recreation areas will be impacted, and the impacts of quarrying-type activities.

The subject area is immediately adjacent to development on Burns Road and Wasson Place, that is already designated as Mixed-Use Industrial-Commercial. The designation provides for light commercial/ industrial activity such as storage, light manufacturing and warehousing, which can be largely accommodated within an enclosed building. This means that the proposed designation is appropriate, and a limitation of uses could be applied during the zoning process to mitigate concerns over industrial uses.

PUBLIC HEARING REPORT
O.C.P. AMENDMENT
TANK FARM PHASE 1
For Information Only

Through the subdivision process, ten percent of the subdivision parcel must be dedicated to public use. This will ensure that greenspace, buffers and recreation areas such as trails will be publicly owned. Much of the area that has been impacted is privately owned land designated for future development. Although it may seem like a passive recreation area to the public, it is not designated greenspace.

The majority of the public input submissions were focused around concerns related to quarrying-type activities on the site that would be disruptive to residents in surrounding areas with respect to traffic, noise and dust impacts.

.../continued

The proponent has stated that there will be no quarrying of the site to provide material for other locations but re-grading will be required. The remediation work on the site removed vegetation, topsoil, and underlying material, resulting in the destabilization of the existing slopes. Re-grading the site to an elevation similar to Wasson Place will address these issues and create a stable buffer slope between the subject area and the remainder of the Tank Farm property.

This OCP Amendment is the first piece of the public approval process for the Tank Farm project. If Council agrees that commercial/industrial type uses are acceptable in this location, the details of how this is to be achieved would be implemented through the Zoning Bylaw amendment process and a Development Agreement registered through the subdivision approval process.

Following the public hearing the proponent started hauling granular material from the site without authorization from the City. Administration proposes that until this matter is explored further and addressed, the advancement of the proposed amendment through the bylaw process should be paused. Nevertheless, Administration remains of the view that from a planning perspective the OCP amendment proposal is sound and is the best land use designation for the subject area.

Committee members asked a number of questions regarding the quarrying-type activities on the site. The answers will be provided on the City's website as part of the Council Questions process.

It was duly moved and seconded and carried unanimously:

THAT Bylaw 2020-10, a bylaw to amend the Official Community Plan land use designation of a portion of the Tank Farm site from Residential Urban to Mixed-Use Industrial-Commercial, be referred back to Administration for further review and analysis.

2020-14-03

It was duly moved and seconded
THAT Bylaw 2020-15, a bylaw to amend the zoning of a portion of Lot 29 in the Mt. Sima Industrial Subdivision to allow for potential expansion of existing industrial lots, be brought forward for second and third reading under the bylaw process.

Carried Unanimously

PUBLIC HEARING REPORT
O.C.P. AMENDMENT
TANK FARM PHASE 1
For Information Only
(Continued)

BRING FORWARD
ZONING AMENDMENT
BYLAW 2020-15
(Lot 29 Mount Sima)

City Operations Committee

There was no report from the City Operations Committee.

No Report

Community Services Committee

There was no report from the Community Services Committee.

No Report

Public Health and Safety Committee

Two written submissions were received requesting permission for restaurants to use city-owned spaces for outdoor seating for restaurants. The submissions stated that even though the Chief Medical Officer of Health has allowed restaurants to re-open, the social distancing requirements are too onerous to make it economically feasible for some establishments to do so. The requests are to allow the restaurants to use adjacent spaces or parking spots, or in some locations to allow for street closures so that the roadway can be set up for restaurant patrons.

In response to questions raised, Administration advised that there are many aspects to be considered, including accessibility and liability issues. It was also noted that allowing patio spaces to expand into on-street parking areas is not permitted under the *Motor Vehicles Act*. There is a process in place through the Land and Building Department to allow the use of sidewalk space as long as accessibility issues are addressed, but there is a fee for this as a development officer is required to review the plans, do an on-site visit and prepare a report for the Development Review Committee. Temporary street closures are also allowed for short periods.

REQUESTS TO USE
CITY SPACES FOR
LOCAL BUSINESSES
OPERATIONS
For Information Only

It was noted that there are other businesses affected by the pandemic that do not have the option of moving out onto an adjacent street or sidewalk. Administration will look into the various options available and report back to Council.

A council member commented that administration has taken this issue as a priority and applicants are being assisted. It is anticipated that it will come forward at the next Standing Committee meeting.

Discussion

Development Services Committee

A Committee member suggested that a Council and Administration Roundtable Meeting be scheduled to allow council members an opportunity to examine a range of options to facilitate recovery from the COVID-19 pandemic. It was noted that many communities are putting policies and procedures in place to support citizens and businesses, and while this is not on Council's list of strategic priorities, it will be necessary for Council and Administration to adapt to the current circumstances

FACILITATING RECOVERY
FROM THE PANDEMIC
For Information Only

Corporate Services Committee

2020-14-04

It was duly moved and seconded
THAT administration be authorized to amend the 2020 to 2023 capital expenditure program to fund the 2020 Appendix 'B' project Transit – Alter Existing Route Network and Schedules in the amount of \$50,000 from the capital reserve until an approved Gas Tax Transfer Payment Agreement has been received.

BUDGET AMENDMENT
TRANSIT ROUTE PLAN

Carried Unanimously

2020-14-05

It was duly moved and seconded
THAT the appointment of Councillor Jan Stick as a City representative to the Association of Yukon Communities be rescinded; and
THAT Councillor Jocelyn Curteanu be appointed as a City representative to the Association of Yukon Communities for a term to expire on October 31, 2020.

COUNCIL MEMBER
APPOINTMENTS TO AYC

Carried Unanimously

Some members of the Committee spoke to the issue of racism in the context of the violence occurring in the United States in response to the death of George Floyd and the *Black Lives Matter* protests. They expressed disappointment and sympathy for those impacted by the violence and thanked local leaders who have spoken out against racism.

ISSUES OF RACISM
For Information Only

NEW AND UNFINISHED BUSINESS

2020-14-06

It was duly moved and seconded
THAT Administration be authorized to:

1. Award the contract for the Cook Street Reconstruction Project to P.S. Sidhu Trucking for a net cost to the City of \$5,187,550.00 plus GST; and
2. Award Stage 2 of the contract for consulting services for the Cook Street Reconstruction project to Associated Engineering Ltd. for a net cost to the City of \$444,845.00 plus GST; and
3. Waive the public bidding process and award the contract for the supply and installation of street lights for the Cook Street Reconstruction Project to ATCO Electric Yukon for a cost not to exceed \$61,760.00.

CONTRACT AWARDS
COOK STREET
RECONSTRUCTION
PROJECT

Carried Unanimously

On May 25, 2020 Councillor Cabott gave notice that she would bring forward at the next regular meeting of council on June 15th, 2020 a motion respecting evaluation criteria for local content on all requests for proposals. In accordance with the Procedures Bylaw, the motion is now being brought forward for Council's consideration.

NOTICE OF MOTION
Councillor Cabott

2020-14-07

It was duly moved and seconded

WHEREAS the COVID-19 global pandemic has caused health and safety measures to be put in place which have led to significant negative impacts on Whitehorse businesses; and

WHEREAS Whitehorse businesses need support to manage through this difficult and uncertain time; and

WHEREAS the Consulting Services Selection Procedures Policy adopted July 11, 2011 sets guidelines to be applied by administration on requests for proposals to retain consulting services; and

WHEREAS the said policy specifically provides that in instances where Council has expressed a desire to set the assigned weightings, the department manager will provide a written recommendation to Council regarding the assigned weights;

EVALUATION CRITERIA
FOR LOCAL CONTENT
ON REQUESTS FOR
PROPOSALS

BE IT RESOLVED THAT

1. The weight allocation for the evaluation criteria for local content on all requests for proposals be set at 20 points; and
2. Where a written recommendation is provided to Council for which the local content evaluation is less than 20 points, Council shall consider and then either approve the recommendation or confirm the full 20 points; and
3. This direction shall remain in place until March 31, 2021 or until such earlier time as determined by resolution of Council.

Council members discussed the proposed motion in the context that it is applying a policy that is already available to council. It was suggested that the motion could reflect examining the criteria on a project basis rather than an overall change to the existing policy.

Many members noted that the 2019 figures indicate that local firms were awarded jobs in all consulting services procurements, and suggested that council's focus should be on the Procurement Policy in conjunction with the Whitehorse Chamber of Commerce.

Discussion

The suggestion was made that the motion be postponed to allow time to consider language and what this change would mean administratively.

