



## Minutes of the meeting of the Development Services Committee

<b>Date</b>	May 3, 2021	2021-09
<b>Location</b>	Council Chambers, City Hall	
<b>Committee Members Present</b>	Councillor Jocelyn Curteanu – Chair Councillor Stephen Roddick – Vice-Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Laura Cabott Councillor Samson Hartland Councillor Jan Stick	
<b>Staff Present</b>	Linda Rapp, City Manager Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Lindsay Schneider, Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Patrick Ross, Manager of Land and Building Services Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk	

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

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

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

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

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

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

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

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

**The recommendation of the Development Services Committee is**

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

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

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## Minutes of the meeting of the Corporate Services Committee

<b>Date</b>	May 3, 2021	2021-09
<b>Location</b>	Council Chambers, City Hall	
<b>Committee Members Present</b>	Councillor Stephen Roddick – Chair Councillor Jocelyn Curteanu – Vice-Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Laura Cabott Councillor Samson Hartland Councillor Jan Stick	
<b>Staff Present</b>	Linda Rapp, City Manager Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Lindsay Schneider, Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Brittany Dixon, Acting Manager of Financial Services Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk	

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

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

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

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

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

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

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

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

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

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

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

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

**The recommendation of the Corporate Services Committee is**

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

Deputy Mayor Cabott returned to council chambers.

**2. Forthcoming Procurements – For Information Only**

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

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

**3. Urban Electrification Local Improvement**

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

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

**The recommendation of the Corporate Services Committee is**

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

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

**4. Quarterly Progress Reports – For Information Only**

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

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

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

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

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

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## Minutes of the meeting of the City Planning Committee

<b>Date</b>	May 3, 2021	2021-09
<b>Location</b>	Council Chambers, City Hall	
<b>Committee Members Present</b>	Councillor Samson Hartland – Chair Councillor Laura Cabott – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Stephen Roddick Councillor Jan Stick	
<b>Staff Present</b>	Linda Rapp, City Manager Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Lindsay Schneider, Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Patrick Ross, Manager of Land and Building Services Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk	

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

**1. Subdivision Approval – 226 Tlingit Street – Marwell**

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

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

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

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

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

**The recommendation of the City Planning Committee is**

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

**2. Housing Survey – For Information Only**

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

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## Minutes of the meeting of the City Operations Committee

<b>Date</b>	May 3, 2021	2021-09
<b>Location</b>	Council Chambers, City Hall	
<b>Committee Members Present</b>	Councillor Laura Cabott – Chair Councillor Samson Hartland – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Stephen Roddick Councillor Jan Stick	
<b>Staff Present</b>	Linda Rapp, City Manager Jeff O'Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Lindsay Schneider, Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk	

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

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## Minutes of the meeting of the Community Services Committee

<b>Date</b>	May 3, 2021	2021-09
<b>Location</b>	Council Chambers, City Hall	
<b>Committee Members Present</b>	Councillor Dan Boyd – Chair Councillor Jan Stick – Vice-Chair Mayor Dan Curtis Councillor Laura Cabott Councillor Jocelyn Curteanu Councillor Samson Hartland Councillor Stephen Roddick	
<b>Staff Present</b>	Linda Rapp, City Manager Jeff O'Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Lindsay Schneider, Acting Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk Teresa Acheson, Customer Service Supervisor	

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

### **1. Joint Use Agreement Renewal**

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

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

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

**The recommendation of the Community Services Committee is**

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

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**Minutes of the meeting of the  
Public Health and Safety Committee**

<b>Date</b>	May 3, 2021	2021-09
<b>Location</b>	Council Chambers, City Hall	
<b>Committee Members Present</b>	Councillor Jan Stick – Chair Councillor Dan Boyd – Vice Chair Mayor Dan Curtis Councillor Laura Cabott Councillor Jocelyn Curteanu Councillor Samson Hartland Councillor Stephen Roddick	
<b>Staff Present</b>	Linda Rapp, City Manager Jeff O'Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Lindsay Schneider, Director of Human Resources Taylor Eshpeter, Acting Director of Infrastructure and Operations Wendy Donnithorne, Manager of Legislative Services Norma Felker, Assistant City Clerk	

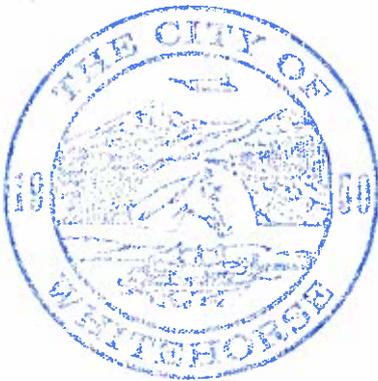
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Your Worship, there is no report from the Public Health and Safety Committee.

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There being no further business, the meeting adjourned at 7:37 p.m.

**Adopted** at the regular council meeting on May 10, 2021.



Dan Curtis, Mayor

Norma L. Felker, Assistant City Clerk