

MINUTES of **REGULAR** Meeting #2019-06 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, March 25, 2019, in Council Chambers, City Hall.

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

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  
Manager of Strategic Communications Myles Dolphin  
Acting Manager of Legislative Services Norma Felker

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

**CALL TO ORDER**

**2019-06-01**

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

**AGENDA**

Carried Unanimously

**2019-06-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated March 11, 2019  
be adopted as presented.

**MINUTES**

March 11, 2019

Carried Unanimously

**PUBLIC HEARING**

Mayor Curtis called three times for anyone to appear to address Bylaw 2019-08, a bylaw to amend the Zoning Bylaw to allow for the private retail sale of cannabis and cannabis-containing products.

**BYLAW 2019-08**  
ZONING AMENDMENT  
Cannabis Retail Sales

Dr. Brendan Hanley, Chief Medical Officer of Health, noted that the definition of parks in the proposed bylaw is based on the presence of play structures. He suggested that this definition should be broadened in order to minimize potential effects on youth and vulnerable persons who tend to gather in parks without play structures such as LePage Park. Dr. Hanley also recommended that the hours of availability be reduced as indications are that increased availability will result in increased consumption.

Dr. Brendan Hanley

Thomas de Jager of Yukon Wide Adventures suggested that tourism businesses and attractions should also have buffer areas separating them from potential retail sales. He stated that his business is already impacted by nearby users of cannabis, and suggested that Whitehorse use signage similar to the signage used in Big White.

Thomas de Jager

Yolande Vachon suggested that the City adopt sites for cannabis use as a means of keeping it away from children.

Yolande Vachon

Jordi Mikeli-Jones spoke in support of the bylaw as presented. She stated that she has invested in a property on Wood Street for the purpose of operating a CanaSpace Store, and that location would be directly impacted if the buffer restrictions were extended to include LePage Park. She advised that her business plans include cameras, signage, age restrictions, safety issues and education. In addition, the business would be open for limited hours rather than operating within the hours allowed under Yukon regulations.

Jordi Mikeli-Jones

Jeremy Jones advised that he is a volunteer facilitator with Smart Recovery, and their proposed business on Wood Street will actively promote education and responsible use. He acknowledged that Yukon has a statistically higher usage rate for cannabis, but not necessarily a higher disorder rate. He noted that only two to six percent of cannabis users become addicted, while the rates for alcohol and opiate addiction are significantly higher. He also stated that the prevalence of use only incidentally increases with increased availability.

Jeremy Jones

A total of 13 written submissions were received, one in favour, one opposed, one with no concerns and ten expressing concerns.

Submissions 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

## **COMMITTEE REPORTS**

### **Public Health and Safety Committee**

#### **2019-06-03**

It was duly moved and seconded THAT Bylaw 2019-13, a bylaw to amend the Business License Bylaw with respect to the private retail sale of cannabis and cannabis-containing products, be brought forward for consideration under the bylaw process.

BRING FORWARD  
AMENDMENT TO THE  
BUSINESS LICENSE  
BYLAW (Cannabis Retail)

Carried Unanimously

Some council members expressed concern that the bylaw does not limit the hours of operation for cannabis retail sales. The consensus was to proceed with the bylaw process, with the bylaw receiving only first reading at the start. This will allow time for the receipt of information regarding enforcement issues around business hours.

Discussion

**Development Services Committee**

**2019-06-04**

It was duly moved and seconded  
THAT Bylaw 2019-09, a bylaw to provide for a work of local improvement on a portion of Cook Street from 4<sup>th</sup> Avenue to the escarpment, be brought forward for consideration under the bylaw process.

BRING FORWARD  
LOCAL IMPROVEMENT  
CHARGES BYLAW  
(Cook Street West)

Carried Unanimously

**Corporate Services Committee**

**2019-06-05**

It was duly moved and seconded  
THAT Bylaw 2019-06, a bylaw to amend the 2019 to 2022 capital expenditure program by re-budgeting 2018 capital expenditures in the amount of \$34,190,520, be brought forward for consideration under the bylaw process.

BRING FORWARD  
CAPITAL BUDGET  
AMENDMENT  
(2018 Capital Re-budgets)

Carried Unanimously

**2019-06-06**

It was duly moved and seconded  
THAT Bylaw 2019-12, a bylaw to amend the Fees and Charges Bylaw, be brought forward for consideration under the bylaw process; and  
THAT the 2020 and 2021 Provisional Operating and Maintenance Budgets be increased in the amount of \$5,133, offset by transfers to the General Reserve for the additional revenue.

BRING FORWARD  
FEES AND CHARGES  
BYLAW AMENDMENT  
(1<sup>st</sup> Quarter Changes)

Carried Unanimously

**2019-06-07**

It was duly moved and seconded  
THAT administration be authorized to award the contract for the supply of Network Switches for the new Operations Building and Replenishment project to Atwell Systems Inc. for a net cost to the City of \$192,539.23 plus GST.

CONTRACT AWARD  
NETWORK SWITCHES

Carried Unanimously

In light of a recent tender where the procurement was awarded to an outside firm when there was a very small price difference between the winning bid and that of a local supplier, a Committee member expressed concern that more such unfortunate events could occur before the City's Procurement Policy will be brought forward for consideration.

LOCAL PROCUREMENT  
For Information Only

The Mayor polled Council to see if there was interest in improving opportunities for local business in the short term while the policy review is still pending. There was no consensus on the issue.

Councillor Boyd gave notice that at the next regular council meeting on March 25, 2019 he would bring forward a motion that reads as follows:

NOTICE OF MOTION

"THAT administration be directed to review all potential tenders being considered between the present and the conclusion of the review of the Procurement Policy; and

Local Procurement

THAT administration be directed to present recommendations to Council on the best method to use when proceeding with individual tenders."

**City Planning Committee**

**2019-06-08**

It was duly moved and seconded  
THAT Bylaw 2019-07, a bylaw to amend the Zoning Bylaw with respect to a number of administrative edits, be brought forward for second and third reading under the bylaw process.

BRING FORWARD  
ZONING AMENDMENT  
BYLAW 2019-07

Carried Unanimously

Council members discussed the wording used to name these types of bylaws and the request was made that the issues not be minimized by calling them edits and minor changes. It was noted that items that seem to be of minor importance to some may actually be larger issues to others.

Discussion

One member of council raised concerns regarding the requirement for development permits for accessory development in non-residential zones. Administration confirmed that accessory development in commercial zones is done through permits to enable better tracking, as the intensity of use is difficult to track without this process.

**City Operations Committee**

There was no report from the City Operations Committee.

No Report

**Community Services Committee**

It is just one year until the 2020 Arctic Winter Games open in Whitehorse. Mayor Curtis proclaimed the week of March 18 to 24, 2019 to be Arctic Winter Games Celebration Week in the City of Whitehorse.

On behalf of the Arctic Winter Games 2020 Host Society, Jeane Lassen stated that the Arctic Winter Games are about much more than the sports scheduled for competition. They are about games activities, common community, friends made and memories created.

Ms. Lassen encouraged anyone interested in participating in the 2020 Games to come to the Games office in the Northern Vision Building on Ogilvie Street, and to show their support by purchasing Games wear that is now on sale at Sport Experts.

She presented a brief video introducing the theme song chosen for the 2020 Games and showing highlights of past Games activities.

ARCTIC WINTER GAMES  
2020 – ONE YEAR OUT

For Information Only

A Committee member noted that March 21 is the International Day for the Elimination of Racial Discrimination and, in light of recent acts of destruction resulting from racism and discrimination, all Canadians are encouraged to show solidarity in the face of this plague.

The Canadian Commission for UNESCO is coordinating a social media campaign to raise awareness about racism and discrimination and the role we all play in eliminating it. The campaign focuses on inter-cultural dialogue to learn and draw strength from our differences.

To participate, citizens are encouraged to engage in dialogue with persons of a different ethnicity to learn about their culture, history and interests and then post a video or photo of this encounter on social media with the tag @ccunesco #itstartswithme.

It is hoped that this campaign will help debunk many of the stereotypes and prejudices that may lead to racism and discrimination.

ACTION AGAINST  
RACISM AND  
DISCRIMINATION

For Information Only

The mayor thanked the City's transit drivers for their service in recognition of March 18<sup>th</sup> as Transit Driver Appreciation Day

TRANSIT DRIVER  
APPRECIATION

**NEW & UNFINISHED BUSINESS**

**2019-06-09**

It was duly moved and seconded  
THAT administration be directed to review all potential tenders being considered between the present and the conclusion of the review of the Procurement Policy; and

LOCAL PROCUREMENT  
(Councillor Boyd's  
Notice of Motion)

THAT administration be directed to present recommendations to council on the best method to use when proceeding with individual tenders.

Councillor Boyd stated that he was bringing the motion forward due to the fact that the Procurement Policy could take some time to finalize and Council could be missing out on opportunities to support local business.

Some council members questioned how the proposed motion would address the concerns raised, and expressed concerns that the motion is too wide open, resulting in a lot of work for administration that could cause a halt on some work with potentially large implications.

Discussion

Some members of council expressed support for the idea of giving local businesses better opportunities but also expressed concern with this ad hoc approach.

**2019-06-10**

It was duly moved and seconded  
THAT the motion regarding local procurement be postponed.

Motion to Postpone

Council members discussed the fact that a meeting regarding a revised Procurement Policy is only about a month away. At that time council will have an opportunity to discuss the issues. Some members of council expressed concern about asking administration to take time now to develop recommendations contrary to existing policy. It was noted that working outside existing policy or developing work-arounds with no opportunity for input could potentially result in costly legal challenges.

The motion to postpone was withdrawn.

Motion Withdrawn

The main motion was then voted on and Defeated (3 – 4)

Vote on Main Motion

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

Recorded Vote

A council member advised that a number of parking meters stolen over the winter were discovered destroyed in the forest. It was noted that the cost of replacement would be about \$15,000, not including labour. The hope was expressed that different options to control parking issues are being considered.

DESTROYED METERS  
For Information Only

**BYLAWS**

**2019-06-11**

It was duly moved and seconded  
THAT Bylaw 2019-07, a bylaw to amend the Zoning Bylaw with respect to a number of administrative edits, be given second reading.

Carried Unanimously

**BYLAW 2019-07**  
ZONING AMENDMENT  
(Administrative Edits)  
SECOND READING

**2019-06-12**

It was duly moved and seconded  
THAT Bylaw 2019-07, a bylaw to amend the Zoning Bylaw with respect to a number of administrative edits, having been read a first and second time, now be given third reading.

Carried Unanimously

**BYLAW 2019-07**  
ZONING AMENDMENT  
(Administrative Edits)  
THIRD READING

**2019-06-13**

It was duly moved and seconded  
THAT Bylaw 2019-06, a bylaw to amend the 2019 to 2022 Capital Expenditure Program to provide for the re-budgeting of 2018 capital projects, be given first reading

Carried Unanimously

**BYLAW 2019-06**  
BUDGET AMENDMENT  
(2018 Capital Re-budgets)  
FIRST READING

**2019-06-14**

It was duly moved and seconded  
THAT Bylaw 2019-06 be given second reading.

Carried Unanimously

SECOND READING

**2019-06-15**

It was duly moved and seconded  
THAT Bylaw 2019-12, a bylaw to amend the Fees and Charges Bylaw to reflect changes required as a result of the first quarter review, be given first reading.

Carried Unanimously

**BYLAW 2019-12**  
AMEND FEES/CHARGES  
(1<sup>st</sup> Quarter Changes)  
FIRST READING

**2019-06-16**

It was duly moved and seconded  
THAT Bylaw 2019-12 be given second reading.

SECOND READING

Carried Unanimously

**2019-06-17**

It was duly moved and seconded  
THAT Bylaw 2019-13, a bylaw to amend the Business License Bylaw  
with respect to regulations required for the operation of retail cannabis  
businesses, be given first reading.

**BYLAW 2019-13**  
BUSINESS LICENSE  
BYLAW AMENDMENT  
FIRST READING

Carried Unanimously

**2019-06-18**

It was duly moved and seconded  
THAT Bylaw 2019-09, a bylaw to provide for local improvement  
charges with respect to reconstruction of a portion of Cook Street  
from Fourth Avenue to the escarpment, be given first reading.

**BYLAW 2019-09**  
LOCAL IMPROVEMENT  
(Cook Street West)  
FIRST READING

Carried Unanimously

There being no further business, the meeting adjourned at 7:40 p.m.

**ADJOURNMENT**

ORIGINAL MINUTES SIGNED BY:

"Dan Curtis"

Dan Curtis, Mayor

"N. L. Felker"

Norma L. Felker, Assistant City Clerk

ADOPTED by resolution at Meeting #2019-07 dated April 8, 2019