

MINUTES of **REGULAR** Meeting #2022-22 of the Council of the City of Whitehorse called for 5:30 p.m. on Tuesday October 11, 2022, in Council Chambers, City Hall.

PRESENT: Mayor Laura Cabott
Councillors Dan Boyd
Kirk Cameron
Jocelyn Curteanu
Michelle Friesen
Ted Laking
Mellisa Murray

ALSO PRESENT: City Manager Jeff O'Farrell
Acting Director of Community Services Krista Mroz
Director of Corporate Services Valerie Braga
Director of Development Services Mike Gau
Director of Corporate HR Lindsay Schneider
Director of Operations Tracy Allen
Manager of Legislative Services Wendy Donnithorne

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

CALL TO ORDER

2022-22-01

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

AGENDA

Carried Unanimously

Mayor Cabott advised that there are no proclamations.

PROCLAMATIONS

2022-22-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated September 26,
2022 be adopted as presented.

MINUTES

September 26, 2022

Carried Unanimously

PUBLIC HEARING

Mayor Cabott advised that there are three Public Hearings scheduled
for this evening.

PUBLIC HEARINGS
SCHEDULED

Mayor Cabott called for submissions with respect to the Zoning
Amendment for TKC C-9B. There were two written submissions
received, one submission opposed and one submission with concerns.

Public Hearing
ZONING AMENDMENT
TKC C-9B

Chief Leas summarized the proposed zoning amendment and emphasized the importance of this development for the Ta'an Kwäch'än Council.

Delegate - Amanda Leas,
Chief of Ta'an Kwäch'än
Council, Applicant

Mayor Cabott declared the Public Hearing for the Zoning Amendment with respect to TKC C-9B closed and advised that no further submissions on the issue will be considered by Council.

Public Hearing Closed

Mayor Cabott called for submissions with respect to the Zoning Amendment for TKC C-16B. One written submission was received in opposition.

Public Hearing
ZONING AMENDMENT
TKC C-16B

Four delegates made in person presentations.

Rory MacDonald raised questions and concerns related to the impact that the proposal will have to his property value, the density and accuracy of the proposal map that was distributed, the type of housing, access to Wann Road, neighbourhood improvements such as greenspace, parks, paving, drainage and snow clearing and community safety.

Delegate - Rory Macdonald

Chief Leas summarized the proposal and clarified that the intention is to build single family homes and not mobile homes. She explained that the proposed homes will house Ta'an Kwäch'än Council citizens.

Delegate - Amanda Leas,
Chief of Ta'an Kwäch'än
Council, Applicant

Ronda Morrison was supportive of providing housing, but expressed opposition to rezoning with mobile homes as principle use in the area. She also raised concerns related to Yukon Governments planned highway improvements for the area.

Delegate – Ronda Morrison
Trails North

Natalie Leclerc clarified the process with respect to Ta'an Kwäch'än Council leasing the land and ongoing road and frontage change discussions with the Yukon Government.

Delegate - Natalie Leclerc
Land Use Planning
Coordinator,
Ta'an Kwäch'än Council

Mayor Cabott declared the Public Hearing for the Zoning Amendment with respect to TKC C-16B closed and advised that no further submissions on the issue will be considered by council.

Public Hearing Closed

Mayor Cabott called for submissions with respect to the Zoning Amendment for 12 Sybil Circle. One written submission was received with concerns.

Public Hearing
ZONING AMENDMENT
12 SYBIL CIRCLE

Ralph Shopland addressed the concerns raised in a written submission submitted by a concerned citizen and provided an overview of his proposal.

Delegate – Ralph
Shopland, Applicant

Mayor Cabott declared the Public Hearing for the Zoning Amendment with respect to 12 Sybil Circle closed and advised that no further submissions on the issue will be considered by council.

Public Hearing Closed

STANDING COMMITTEE REPORTS

Public Health and Safety Committee

A Committee member brought forward concerns regarding environmental and public safety issues in the Lodge Pole Lane area, and was provided an update on the actions being taken including ongoing monitoring and orders currently in place.

LODGE POLE LANE –
For Information Only

A Committee member brought forward concerns regarding abandoned vehicles located on Titanium Way. Administration explained there is active enforcement to clear the area and charges for non-compliance.

TITANIUM WAY –
For Information Only

A Committee Member commended the Whitehorse Fire Department for their efforts as well as their fast and impressive response to a recent fire incident on Main Street.

WHITEHORSE FIRE
DEPARTMENT –
For Information Only

Corporate Services Committee

Councillor Laking presented a Notice of Motion to provide the Yukon Breeze Sailing Society a grant to offset the costs of the application fees for their second conditional use application.

NOTICE OF MOTION

City Planning Committee

2022-22-03

Councillor Laking declared a conflict of interest to this item and left the room.

ZONING AMENDMENT
2220 2nd Avenue

It was duly moved and seconded THAT Council direct that Bylaw 2022-27, a bylaw to amend the zoning of 2220 2nd Avenue to allow for a cannabis retail operation more than 100 m of a school, be brought forward to second reading.

Carried (4-2)

- IN FAVOUR Mayor Cabott, Councillors Boyd, Curteanu and Cameron
- OPPOSED Councillors Friesen and Murray

Recorded Vote

2022-22-04

It was duly moved and seconded
THAT Council direct that Bylaw 2022-31, a bylaw to amend the zoning in the Puckett’s Gulch area, be brought forward to second and third reading under the bylaw process

Motion to Amend – Zoning
Amendment – Puckett’s
Gulch

A Council Member felt that the suggestion from the public to enter into a land swap to preserve the trails should be pursued. After further discussion an amendment to enable this was proposed.

Discussion

A Council Member suggested that the Yukon Government should create a climate action or active transportation fund to provide financial resources to trail development in this area.

Mayor Cabott called for a five minute recess.

Recess

After significant discussion it was agreed to bring the last suggestion forward at an upcoming meeting with the Territorial Minister.

Discussion

2022-22-05

It was duly moved and seconded that the motion with respect to amending zoning Bylaw 2022-31 be amended to read:
THAT Council direct that Bylaw 2022-31, a bylaw to amend the zoning in the Puckett’s Gulch Area, be brought forward at second and third reading under the bylaw process and
THAT discussion in regards to relocating the east airport boundary fence back from the escarpment be considered during the land disposition process and bylaw.

ZONING AMENDMENT
Puckett’s Gulch

Carried Unanimously

2022-22-06

It was duly moved and seconded
THAT Council direct that Bylaw 2022-38, a bylaw to amend the zoning of 11 Oak Street to reduce the rear yard setback to allow a garden suite, be brought forward for consideration under the bylaw process.

ZONING AMENDMENT
11 Oak Street

Carried Unanimously

2022-22-07

It was duly moved and seconded
THAT Council approve RCM2 Zone Housing Development Incentive with respect to the construction of 89 apartment housing units at 76 Tyrell Crescent in Whistle Bend.

HOUSING
DEVELOPMENT
INCENTIVE
76 Tyrell Crescent

Carried Unanimously

2022-22-08

OFFICIAL COMMUNITY
PLAN APPROVAL
Motion to Amend

It was duly moved and seconded
THAT Council direct that the proposed “Whitehorse 2040: Official
Community Plan” be amended in accordance with the *Administrative
Recommendations* including housekeeping changes, detailed in the
Administrative Report dated October 3, 2022; and

THAT Council direct that policies in Section 15.9 – Downtown Core be
amended as follows:

- 15.9.7 The maximum building height allowed in the
Mixed Use – Downtown Core designation will
be 25 metres; however, to promote the
concentration of commercial and higher-density
residential uses within the Downtown, buildings
up to 30 metres may be considered within this
designation, east of 4th Avenue.
- 15.9.13 Buildings fronting on Main Street, east of
Fourth Avenue, will be no more than 20 metres
in height, with heights decreasing toward the
riverfront.
- 15.9.14 Buildings fronting on Main Street, west of
Fourth Avenue, will be no more than 25 metres
in height, with heights decreasing toward the
riverfront; and

THAT Council direct that Bylaw 2022-40, a bylaw to adopt the 2022
Official Community Plan, “Whitehorse 2040” be brought forward for
second reading under the bylaw process.

After considerable discussion a number of amendments were
proposed regarding Stevens Quarry, McIntyre Creek, Section 9 –
Housing, Section 11 – Transportation and Mobility, Section 13 – Land
Management, Section 15 – Downtown Core building heights and the
need for a second Public Hearing given the proposed amendments.

Discussion

2022-22-09

MOTION TO EXTEND
COUNCIL MEETING

It was duly moved and seconded
THAT the Regular Council Meeting be extended.

Carried Unanimously

Mayor Cabott also called for a five minute recess to allow time for all
Council Members to receive written copies of the proposed
amendments.

Recess

2022-22-10

It was duly moved and seconded
THAT Council direct that the proposed “Whitehorse 2040: Official Community Plan” be amended in accordance with the *Administrative Recommendations* including housekeeping changes, detailed in the Administrative Report dated October 3, 2022; and

THAT Council direct that Map 5 be updated to replace the Stevens area designation as natural resource extraction with the Future Planning Area designation; and

THAT Council direct that policies in Section 7 – Environmental Stewardship be amended by deleting clauses 7.9.1 (ii); and

THAT Council direct that any necessary housekeeping amendments to maps or other sections be made to remove the concept of a transportation corridor through McIntyre Creek Regional Park; and

THAT Council direct that policies in Section 9 – Housing be amended by adding the following clause as clause 9.7 and all subsequent clauses be renumbered accordingly;

- 9.7 The City will study the impact of short term rentals on the availability of a variety of housing options including affordable rental housing

THAT Council direct that policies in Section 11 – Transportation and Mobility be amended by adding the following clause as clause 11.16 and all subsequent clauses be renumbered accordingly:

- 11.16 The City will collaborate with the Government of Yukon and other landowners to prioritize the planning and implementation of upgrades to the Whitehorse North Transportation Corridor, which includes Quartz Road, Copper Road, and Mountain View Drive; and

THAT Council direct that policies in Section 13 – Land Management be amended by deleting clause 13.2 and all subsequent clauses be renumbered accordingly; and

THAT Council direct that policies in Section 15.9 – Downtown Core be amended as follows:

- 15.9.7 The maximum building height allowed in the Mixed Use – Downtown Core designation will be 25 metres; however, to promote the concentration of commercial and higher-density residential uses within the Downtown, buildings up to 30 metres may be considered within this designation;
- 15.9.13 Buildings fronting on Main Street, east of Fourth Avenue, will be no more than 20 metres in height, with heights decreasing toward the riverfront;

- 15.9.14 Buildings fronting on Main Street, west of Fourth Avenue, will be no more than 30 metres in height.

THAT Administration be directed to hold a second Public Hearing with respect to the proposed Whitehorse 2040 Official Community Plan.

Carried (6-1)

| | | |
|-----------|---|---------------|
| IN FAVOUR | Mayor Cabott, Councillors Cameron, Curteanu, Laking Friesen and Murray | Recorded Vote |
| OPPOSED | Councillor Boyd | |

Development Services Committee

There was no report from the Development Services Committee No Report

City Operations Committee

There was no report from the City Operations Committee. No Report

Community Services Committee

| | |
|--|---|
| <p>A Council Member noted that on October 4, 2022 the Sisters in Spirit vigil and silent walk will be held in Whitehorse. She reported that this campaign began as a result of the Native Women’s Association of Canadas advocacy to establish numbers of missing and murdered indigenous women, girls and gender diverse people in Canada and that the legacy of this work has resulted in an annual event that is recognized across the country.</p> | <p>SISTERS IN SPIRIT – For Information Only</p> |
|--|---|

NEW AND UNFINISHED BUSINESS

| | |
|--|--|
| <p>Councillor Laking declared that he will not be bringing forward a motion to provide a Council grant to the Yukon Breeze Sailing Society at this time.</p> | <p>Council Grant to Yukon Breeze Sailing Society Councillor Laking</p> |
|--|--|

| | |
|--|---|
| <p>Councillor Friesen provided a rationale for her motion regarding City Advertising Policies.</p> | <p>City Advertising Policies Discussion</p> |
|--|---|

After considerable discussion, Councillor Friesen proposed two amendments to her Motion to allow ads already approved to be placed on an ongoing basis and to have Administration discuss specific potential clauses with legal council in developing the policy.

2022-22-11

It was duly moved and seconded
 THAT the motion regarding City Advertising Policies presented by Councillor Friesen be amended as follows:

City Advertising Policies
Councillor Friesen

- 1. THAT City Council direct Administration to bring forward a council ad policy and discuss the following clauses with legal council in developing said policy.
 - a. Advertisements must not promote any form of discrimination or prejudicial treatment of people, groups, or organizations, including on the grounds of, among other things, race, national or ethnic origin, religion, gender identity, sex or sexual orientation, age or disability;
 - b. Advertisements must not contain, directly or by implication, inaccurate, deceptive, or otherwise misleading claims, statements, illustrations, or representations; and
 - c. An advertisement may be rejected by the City if information provided via internet addresses, quick response (QR) codes, social media links, and telephone numbers, that are included in the advertisement and which direct viewers to external sources of information, would otherwise fail to comply with this Policy.

- 2. AND THAT City Council direct Administration to communicate to those who have ad requests in queue that the ads will need to be resubmitted and considered under the new policy once developed with the exception of ads that have already been approved to be placed on an ongoing basis.

Defeated (3-4)

IN FAVOUR Councillors Curteanu, Friesen and Murray
OPPOSED Mayor Cabott, Councillors Boyd, Cameron and Laking

Recorded Vote

BYLAWS

2022-22-12

It was duly moved and seconded
THAT Bylaw 2022-38, a Bylaw to amend the Zoning at 11 Oak Street, be given first reading.

Carried Unanimously

BYLAW 2022-38
ZONING AMENDMENT -
11 OAK STREET
1ST READING

2022-22-13

Councillor Laking declared a conflict of interest and left the room.
It was duly moved and seconded
THAT Bylaw 2022-27 a Bylaw to amend the zoning at 2220 2nd Avenue be given second reading.

Defeated (3-3)

BYLAW 2022-27
ZONING AMENDMENT
2220 2ND AVENUE
2ND READING

IN FAVOUR Mayor Cabott, Councillors Cameron and Boyd
OPPOSED Councillors Curteanu, Friesen and Murray

Recorded Vote

2022-22-14

It was duly moved and seconded
THAT Bylaw 2022-31, a Bylaw to amend the Zoning of a portion of
three lots to allow for the expansion of an airport, be given second
reading.

Carried Unanimously

BYLAW 2022-31
ZONING AMENDMENT
PUCKETT'S GULCH
2nd READING

2022-22-15

It was duly moved and seconded
THAT Bylaw 2022-31, now be given third reading.

Carried Unanimously

BYLAW 2022-31
ZONING AMENDMENT
PUCKETT'S GULCH
3rd READING

2022-22-16

It was duly moved and seconded
THAT Bylaw 2022-33, a Bylaw to amend the Fees and Charges Bylaw
2014-36 now be given third reading.

Carried Unanimously

BYLAW 2022-33
FEES AND CHARGES
AMENDMENT (3rd
QUARTER)
3rd READING

2022-22-17

It was duly moved and seconded
THAT Bylaw 2022-33, a Bylaw to amend the Fees and Charges Bylaw
2014-36 be amended to add a fee of \$50.00 for a one day use for non
– commercial operators be added to Schedule 7 of the Fees and
Charges Bylaw 2014-36.

Carried Unanimously

BYLAW 2022-33
FEES AND CHARGES
AMENDMENT (3rd
QUARTER)
Amendment

The main motion, being third reading to amend the Fees and
Charges Bylaw 2014-36 as amended was then voted on.

Carried Unanimously

Vote on Main Motion

2022-22-18

It was duly moved and seconded
THAT Bylaw 2022-34, a Bylaw to amend Waste Management
Schedule G, Bylaw 2018-05 now be given third reading.

Carried Unanimously

BYLAW 2022-34
WASTE MANAGEMENT
BYLAW SCHEDULE G
UPDATE
3rd READING

There being no further business, the meeting adjourned at 10:54p.m.

ADJOURNMENT

Laura Cabott, Mayor

Rebecca Webber, Assistant City Clerk

ADOPTED by Resolution at Meeting #2022-23

There being no further business, the meeting adjourned at 10:54p.m.

ADJOURNMENT



Laura Cabott, Mayor



Rebecca Webber, Assistant City Clerk

ADOPTED by Resolution at Meeting #2022-23

