

# **CITY OF WHITEHORSE – STANDING COMMITTEES**

Monday, April 3, 2023 – 5:30 p.m.

Council Chambers, City Hall

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## **CALL TO ORDER**

## **ADOPTION OF AGENDA**

## **PROCLAMATIONS** Green Shirt Day (Organ Donor Awareness – April 7)

## **DELEGATIONS**

1. Yukon Fire Fitness Association – Myron Penner, Anna Kirkwood
2. Wildfire Awareness Society – Stu Clark, Florian Boulais, Sandy Johnston, Dave Loeks, Ione Christensen

## **COMMUNITY SERVICES COMMITTEE**

1. New Business

## **PUBLIC HEALTH AND SAFETY COMMITTEE**

1. Emergency Preparedness Joint Briefing – For Information Only
2. New Business

## **CORPORATE SERVICES COMMITTEE**

1. Commencement Report – Selkirk Design Secondary Treatment
2. Commencement Report – Cold Storage and Biomass Enclosure
3. Resolutions for the AYC Annual General Meeting
4. The Federation of Canadian Municipalities Annual Conference and Trade Show 2023 Council Travel
5. New Business

## **CITY PLANNING COMMITTEE**

1. Public Hearing Report - Zoning Amendment – 2 Klondike Road
2. Public Hearing Report - Zoning Amendment – 123-125 Keno Way
3. Public Hearing Report - Zoning Amendment – 18-22 Metropolit Lane
4. New Business

## **DEVELOPMENT SERVICES COMMITTEE**

1. Lease, Encroachment, and Property Use Policy Amendment – Food Truck Season
2. Land Disposition – Puckett's Gulch
3. New Business

## **CITY OPERATIONS COMMITTEE**

1. New Business

## **NEW AND UNFINISHED BUSINESS**



## **PROCLAMATION**

### **GREEN SHIRT DAY**

### **FOR ORGAN DONOR AWARENESS AND REGISTRATION**

**April 7, 2023**

WHEREAS on April 6, 2018, the Humboldt Broncos bus crash took the lives of 16 people; and

WHEREAS Humboldt Broncos defenceman Logan Boulet succumbed to his injuries from that crash, and his parents honoured his wish to donate his organs; and

WHEREAS what happened following this selfless act became known in Canada as the “Logan Boulet Effect” as over 100,000 people registered to become organ donors; and

WHEREAS **Green Shirt Day** honours and recognizes the victims and families of that fatal crash, and continues Logan’s legacy by inspiring Canadians to register as organ donors; and

WHEREAS the City of Whitehorse encourages everyone to wear green on April 7<sup>th</sup>, to honour the Logan Boulet Effect;

NOW THEREFORE I, Mayor Laura Cabott, do hereby proclaim April 7, 2023 to be **Green Shirt Day for Organ Donor Awareness and Registration** in the City of Whitehorse

Laura Cabott  
Mayor

**CITY OF WHITEHORSE**  
**COMMUNITY SERVICES COMMITTEE**  
**Council Chambers, City Hall**



**Chair:** Michelle Friesen

**Vice-Chair:** Kirk Cameron

April 3, 2023

Meeting #2023-07

- 
1. New Business

**CITY OF WHITEHORSE**  
**PUBLIC HEALTH AND SAFETY COMMITTEE**  
**Council Chambers, City Hall**



**Chair:** Jocelyn Curteanu

**Vice-Chair:** Mellisa Murray

April 3, 2023

Meeting #2023-07

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1. Emergency Preparedness Joint Briefing – For Information Only

Presented by

Acting Fire Chief, Jason Wolsky

Regional Protection Manager, Wildland Fire Management, Keith Fickling

Director, Community Services, EMO, Greg Blackjack

2. New Business



## **ADMINISTRATIVE REPORT**

<b>TO:</b>	Public Health and Safety Committee
<b>FROM:</b>	Administration
<b>DATE:</b>	April 3, 2023
<b>RE:</b>	Emergency Preparedness Joint Briefing – For Information Only

### **ISSUE**

To provide an update on the status of Municipal Emergency Preparedness in conjunction with key partners.

### **REFERENCE**

- [Municipal Emergency Management Plan](#)
- [Public Safety Protection Plan](#)
- [Bylaw 2013-36 \(Emergency Measures Bylaw\)](#)
- [Municipal Act](#)
- [Civil Emergency Measures Act](#)

### **HISTORY**

The City of Whitehorse is responsible for the coordination of municipal emergency preparedness in accordance with the requirements of the City's Emergency Measures Bylaw, the Yukon *Municipal Act*, and the *Civil Emergency Measures Act*.

Due to the broad and expansive requirements of this responsibility, all Divisions within the City must contribute to this effort in the identification of significant risks, hazards and exposures within their sphere of influence. Examples of critical risks requiring specific response or recovery plans may include critical water and sewer infrastructure, communications and network assets, transportation emergencies, health and safety risks, and so on. Natural and climate related emergencies along with threats external to the City (but having an impact on citizens) require close coordination and integration with external partners.

The design and maintenance of the City's Municipal Emergency Management Plan (the Plan) along with supporting plans and other tools necessary for effective operations are "evergreen" in nature, and undergo regular review to ensure processes are updated to accepted standards. In the event that an actual crisis does not occur requiring the activation of the Plan, then an annual review should occur to evaluate the Plan and identify areas of improvement. In the event that the Plan is activated, an "After Action Review" is conducted post-incident, to identify areas of improvement and required update.

Regular training and testing of the Plan and processes are necessary to ensure that designated staff are familiar with their roles and responsibilities, and agencies can easily merge and collaborate where required.

The current Plan was reviewed and revised in 2020, with the introduction of a supporting plan, the "Public Safety Protection Plan" introduced and presented to Council

on June 23, 2020. The Public Safety Protection Plan was designed to focus on the elements necessary for public protection and focus on such actions as “Shelter-In-Place” as well as evacuation. Efforts to communicate this document are ongoing.

The “Crisis Communications Plan” is currently under review and changes are being made to ensure that current crisis communications tools such as “Whitehorse Alert” are referenced and adopted within the strategy.

## **ANALYSIS**

The broad scope of emergency preparedness planning and execution cannot occur in isolation, but must involve all Divisions within the City as well as through close integration and alignment with our external partners.

Two key partners in this endeavour are Yukon Government Emergency Measures and Wildland Fire Management. Through close coordination we can ensure that synergies are achieved in training, communications, action coordination and sharing of resources occur with minimal conflict.

Current efforts underway to strengthen emergency planning and resilience include:

### **City of Whitehorse**

- Emergency plans, such as the Crisis Communications Plan and Public Safety Protection Plan are being reviewed and updated where needed.
- Training plans are underway to update skillset of the City’s Emergency Operations Centre team members.
- The City is updating public facing emergency related messaging and resources. The latest information can be found at [Whitehorse.ca/emergency](http://Whitehorse.ca/emergency). For example: 72-hour emergency kits
- Staff are currently in conversations on slide monitoring, citizen safety/notification and logistical considerations for the spring melt.
- Joint exercises are being considered to enhance working partnerships across multiple levels of government.
- The City will conduct a Whitehorse Alert awareness campaign, which will include a test of the system this spring, and provide new users an opportunity to register and familiarise themselves with the system.
- Efforts remain underway to further meet our obligations of the Wildfire Risk Reduction Strategy by working to appropriate a dedicated resource to lead this critical project.
- The City has obtained 3 years of funding from the federal Climate Change Preparedness in the North program to develop a FireSmart Coordination Program.
- This will provide resources to implement a key element of the City’s Wildfire Risk Reduction Strategy in partnership with other governments, and develop a program to assist residents in mitigating the risk of wildfire affecting their properties.

## **Yukon Wildland Fire Management**

- Wildland Fire Management (WFM) prepares for the fire season by having resources in place ready to respond to incidents as required.
  - During the season, Wildland Fire Management's meteorologist and fire behavior specialists actively monitor current and short-term forecast weather to ensure appropriate response to fires.
  - Wildland Fire Management has a number of tools in place to keep Yukoners up-to-date on fire danger ratings and wildfire activity, such as the wildfire map on [www.yukon.ca](http://www.yukon.ca).
- WFM's prevention and mitigation program has made progress on the Whitehorse South Fuel Break to reduce the overall risk of wildfire to the community.
  - Since 2020, 200 hectares have been contracted on the Copper Haul Road section of the fuel break and will be completed by November 2023. About 150 more hectares will be treated by mid-2025. Planning is underway for the fuel break's next phase, which will extend north from the Mount Sima ski hill.
  - By the end of this year, 134,000 aspen seedlings will have been planted across 75 hectares of the Whitehorse South fuel break.
- Prescribed burning has taken place each year to reduce risk to specific areas inside city limits. These sites have traditionally been grassy fields and have been treated in the spring. This year, prescribed burning is planned to remove slash from areas in the Whitehorse South Fuel Break. This work may take place at any time during the fire season when safe conditions exist.
- FireSmart Funding Program - the YG FireSmart Funding Program provides financial and technical support to eligible organizations to implement wildfire hazard reduction projects. These projects typically involve reducing forest fuels on public and First Nation Settlement Lands that are near Yukon communities.

## **Yukon Emergency Measures Organization**

- The role of Emergency Measures Organization (EMO) is to coordinate Government of Yukon departments and agencies in the prevention and mitigation, preparedness, response, and recovery from disasters and emergencies.
- This includes actively collaborating with communities, municipalities, First Nations, federal departments, industry and volunteers to enhance emergency-management readiness and capacity across the Yukon.
- The ability to train and exercise regularly and collectively help in being more effective and resilient to emergencies together as they may occur.
- Personal emergency preparedness is a cornerstone of emergency management, and the EMO leads public awareness campaigns to encourage Yukoners to identify and prepare for risks.
- Seasonal readiness meetings are underway to support communities, First Nations and emergency response partners in information sharing related to any upcoming flood and fire seasons and support is being provided for development and planning for community and territorial emergency response plans.

- The Alert Ready program is used to broadcast emergency public alerts on radio, television and wireless devices. A committee is currently established to look at process and activation of Alert Ready.
- Initial planning is under way for Operation Nanook which will take place in October 2023.

**CITY OF WHITEHORSE**  
**CORPORATE SERVICES COMMITTEE**  
**Council Chambers, City Hall**



**Chair:** Kirk Cameron

**Vice-Chair:** Ted Laking

April 3, 2023

Meeting #2023-07

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1. Commencement Report – Selkirk Design Secondary Treatment  
Presented by Mike Firlotte, Manager, Water and Waste Services
  2. Commencement Report – Cold Storage and Biomass Enclosure  
Presented by Peter O'Blenes, Manager, Property Management
  3. AYC Resolutions  
Presented by Wendy Donnithorne, Manager, Legislative Services
  4. The Federation of Canadian Municipalities Annual Conference and Trade Show  
2023 Council Travel  
Presented by Wendy Donnithorne, Manager, Legislative Services
  5. New Business

## **ADMINISTRATIVE REPORT**

<b>TO:</b>	Corporate Services Committee
<b>FROM:</b>	Administration
<b>DATE:</b>	April 3, 2023
<b>RE:</b>	Commencement Report - Selkirk Design Secondary Treatment

### **ISSUE**

Council approval is required to commence the procurement for the design of the Selkirk Pump House Second Barrier/Second Source Treatment.

### **REFERENCE**

- Procurement Policy
- 2022-2024 Capital Expenditure Plan – Project 650c00421 Selkirk PH Second Barrier Treatment Project.

### **HISTORY**

Drinking water in the Yukon is regulated under the *Public Health and Safety Act* by the Yukon Government (YG). The City currently withdraws 100% of its drinking water from the Selkirk Aquifer through seven production wells. Current treatment consists of using chlorine for disinfection before distributing it throughout the City.

Over the past few years, the City has detected changes in the quality of the ground water source. The changes observed indicate that the Selkirk Aquifer is likely under the influence of ground water (GUDI). Based on the regulations identified under the Yukon's *Public Health and Safety Act*, if a drinking water source is considered "GUDI" then additional treatment barriers (processes) as well as disinfection is required and as such, upgrades to the City's current system would be required.

In 2022, the City completed a pre-design report to identify recommended upgrades to the current groundwater treatment system at Selkirk Pumphouse. These upgrades would be required to meet changing source water quality. Based on the scope and estimated costs of the recommended upgrades, Council directed Administration to revisit the proposed upgrades to ensure the most economically viable solution is selected that will meet the intended goals. Administration has completed the review and is proposing a revised project scope to be further refined during detail design.

The revised upgrades will also provide water supply redundancy which the City currently does not have. Completion of this project will provide the ability to withdraw water from both the Selkirk Aquifer and Schwatka Lake will allow the City of Whitehorse to have a robust supply of drinking water. Increased urban development within the City's municipal boundary (e.g. Whistle Bend) may place additional stress to the current groundwater supply. Thus, the upgrades will provide a reliable second source of drinking water supply and the ability to relief the stress on the aquifer. Finally, the upgrades to the treatment plant will provide a tangible alternative of water supply backup during emergency response scenarios. Emergency situations may occur when the groundwater production wells get damaged (e.g. mechanical or

electrical) or rendered inoperable (e.g. chemical contamination by fuel spills, or biological contamination by coliform bacteria and Giardia through GUDI interaction or raw sewage leaks). This project is included in the approved 2022-2025 Capital Expenditure Program, and a Canada Community-Building Fund Transfer Payment Agreement is in place for the full amount. \$1,000,000 of the approved design budget was approved as part of 2023-2026 Capital Expenditure Program and the remaining portion of the budget is currently proceeding through the re-budget process before Council.

## **ALTERNATIVES**

1. Authorize Administration to commence the procurement for the Selkirk Pump House Second Barrier / Second Source Treatment Design; or
2. Refer the matter back to Administration.

## **ANALYSIS**

The pre-design report originally proposed to upgrade the City's system by adding a multi-barrier treatment system that would also allow the City the full flexibility to:

- Use the existing Selkirk Aquifer as the primary water source;
- Use Schwatka Lake as the primary water source; and
- Use a blend of both Schwatka Lake and Selkirk Aquifer as the water source.

Based on current regulations, the pre-design concept has been simplified, allowing operational flexibility and efficiency, with the ability to add components at a later date that may be required if water quality changes in the future. The simplified system would still meet the regulatory requirements as well as still provide additional redundancy.

The simplified water treatment plant will be classified as EOCP level 2 (instead of level 4). This system would be efficient and easy to operate, for which level 2 operators would be more feasible to hire. Also, existing City operators (with level 1 certification) would transition more easily into the required level 2 for the upgraded treatment plant.

The cost estimate of the simplified second barrier/second source system construction was reassessed at \$ 39.0 million. Funding for construction has not been sourced at this time and will likely require a combination of territorial and federal support. Operating O&M costs are estimated to an additional \$1.2 million over the current \$2.1 million for water system operating costs and a rate increase will be required once the facility is in operation. The current design budget is \$2,000,000 and funding has been approved for design.

The risk of not proceeding with the project could adversely impact the ability of the City to provide safe and quality drinking water to its customers. Boil water advisories could become prevalent and trying to implement a rushed solution would be costlier and challenging than implementing a proactive solution.

### Purchasing

A Request for Proposal (RFP) will be issued within the City's public procurement platform and the proponent with the best overall score (proponent team, experience, methodology, and price) will be eligible for contract award.

### Procurement Policy Principles

**Compliance:** The RFP will follow City policy and procedures for procurements.

**Supplier Access, Transparency, and Fairness:** The RFP will be publicly available on the City's e-procurement platform, [www.whitehorse.bonfirehob.ca](http://www.whitehorse.bonfirehob.ca)

**Best Value:** The RFP will be publicly advertised and awarded to the lowest compliant bidder that can meet the specifications set by the City.

**Efficient and Effective Procurement:** The procurement of construction services for infrastructure projects has been successfully completed numerous times in the past by the City.

**Local Procurement:** Local contracting expertise is known to exist for this type of work.

**Sustainable Procurement:** The RFP document will be available electronically, and only electronic submission will be accepted.

<u><b>Tentative Project Schedule</b></u>	
<b>Item</b>	<b>Proposed date(s)</b>
Issue solicitation document	July 2023
Issue Purchase Order/Contract	August 2023
Start of Design	August 2023
Completion of Design	December 2025

### **ADMINISTRATIVE RECOMMENDATION**

THAT Council authorize Administration to commence the procurement for the Selkirk Secondary Treatment Engineering Design Project.



## **ADMINISTRATIVE REPORT**

<b>TO:</b>	Corporate Services Committee
<b>FROM:</b>	Administration
<b>DATE:</b>	April 3, 2023
<b>RE:</b>	Commencement Report – Cold Storage and Biomass Enclosure

### **ISSUE**

Council approval to commence the procurement for construction of Water and Waste Services Cold Storage Warehouse project

### **REFERENCE**

- Procurement Policy 2020-03
- 2022 - 2025 Capital Expenditure Program: Project 320c01121 – Water and Waste Services Cold Storage Warehouse.

### **HISTORY**

In accordance with Section 3.1.1 of the Procurement Policy, Council authorisation is required prior to the commencement of procurements with an estimated value of \$500,000 or more and of procurements less than \$500,000 that are deemed to be of significant risk, involve security concerns or may be of significant community interest.

The Whitehorse Operations Building (WOB) construction achieved substantial completion in July of 2020. Storage for Water and Waste Services was originally contemplated in the design of WOB, and an enclosure to allow for a biomass heating system is also required; construction of this space is now proposed to move forward.

This project is included in the approved 2022-2025 Capital Expenditure Program, and a Canada Community-Building Fund Transfer Payment Agreement is in place for the full amount. The \$1,749,752 balance of the project budget is currently proceeding through the re-budget bylaw process before Council.

### **ALTERNATIVES**

1. Authorize Administration to commence the procurement for construction of Water and Waste Services Cold Storage project; or
2. Refer the matter back to Administration for further analysis.

### **ANALYSIS**

Completing this project will allow Water and Waste Services to relocate warehouse activities currently at 9043 Quartz Road to the WOB site, reducing the department's number of operational sites and maximizing the use of WOB. Design work is nearly complete for the construction tender. The proposed development will contain storage areas for materials and equipment, a heated work area for a Warehousing Person

and temperature sensitive goods, and an enclosure to house a biomass fuel storage heating plant in the future.

Council's authorization will provide for construction of the project to start no later than the summer of 2023.

#### Purchasing

A Request for Tender (RFT) will be issued for construction, the lowest compliant bid will be eligible for the contract award. Purchase approval will be obtained in accordance with the Procurement Policy.

#### Procurement Policy Principles

**Compliance:** The RFT will follow City policy and procedures for procurements.

**Supplier Access, Transparency, and Fairness:** The RFT will be publicly available on the City's e-procurement platform, [www.whitehorse.bonfirehub.ca](http://www.whitehorse.bonfirehub.ca)

**Best Value:** The RFT will be publicly advertised and awarded to the lowest compliant bidder that can meet the specifications set by the City.

**Efficient and Effective Procurement:** The procurement of construction services for infrastructure projects has been successfully completed numerous times in the past by the City.

**Local Procurement:** Local contracting expertise is known to exist for this type of contract.

**Sustainable Procurement:** The RFT document will be available electronically, and only electronic submission will be accepted.

#### Tentative Project Schedule

<b><u>Tentative Project Schedule</u></b>	
<b>Item</b>	<b>Proposed date(s)</b>
Issue construction solicitation document	May 2023
Issue construction Purchase Order/Contract	June 2023
Start of construction Project	July 2023
Substantial Performance	January 2024
Total Completion	May 2024

#### **ADMINISTRATIVE RECOMMENDATION**

THAT Administration be authorized to commence the procurement for construction of the Water and Waste Services Cold Storage Warehouse project.

## **ADMINISTRATIVE REPORT**

<b>TO:</b>	Corporate Services Committee
<b>FROM:</b>	Administration
<b>DATE:</b>	April 3, 2023
<b>RE:</b>	City of Whitehorse Resolutions for the AYC Annual General Meeting

### **ISSUE**

Submission of Resolutions to be considered by the membership at the 2023 Annual General Meeting (AGM) of the Association of Yukon Communities (AYC).

### **REFERENCES**

- *Municipal Act*

### **HISTORY**

The AYC annually invites municipalities to submit Resolutions on topics that would benefit from AYC discussion and support. Council members have suggested that the City of Whitehorse submit three Resolutions this year as follows:

1. That Yukon Government conduct a comprehensive review of the *Municipal Act*;
2. That Yukon Government review the *Municipal Act* for the purpose of allowing permanent residents to vote in municipal elections; and
3. That the federal government triple the Yukon's Canada Community Building funding (CCBF).

In addition, the following Resolutions are currently under discussion as potential co-sponsored Resolutions with other municipalities:

1. [Co-sponsored with the City of Whitehorse and the Village of Teslin]  
That the Yukon Government create a territorial "disaster financial assistance program" to help municipalities respond to natural disasters and better support municipalities with long-term mitigation projects to address the impacts of natural disasters and climate change on infrastructure; and
2. [Co-sponsors to be determined]  
That the Yukon Government ensure meaningful and respectful consultation and advance notification to municipalities on territorial decisions that may impact municipalities, in a timely manner.

### **ALTERNATIVES**

1. Approve the Resolutions and potential co-sponsored Resolutions for the purposes of submitting to AYC for discussion at the AGM; or
2. Do not approve the Resolutions.

## **ANALYSIS**

### *Comprehensive Review of Yukon's Municipal Act*

The needs of Yukon municipalities are evolving, and the *Municipal Act* may not be serving these needs as well as it did in the past. While YG plans to make targeted amendments in the next year, a comprehensive review of the Act has not happened since 2012. Agreement to a more fulsome review would allow municipalities and YG to identify existing gaps in the legislation as well as address specific community issues and sections that require updating.

### *Review of Permanent Resident Voting Rights under the Municipal Act*

A number of Canadian municipalities have requested that their provincial governments explore options to extend voting privileges in municipal elections to permanent residents. Both Nova Scotia and New Brunswick have seen private member bills introduced to allow permanent residents to vote, although neither passed.

A permanent resident has been given permanent resident status by immigrating to Canada, but is not a Canadian citizen. Permanent residents have most social benefits that citizens receive including health care, can apply for Canadian citizenship and have protection under law and the Canadian Charter. Permanent residents must pay taxes and respect all laws at the federal, provincial and municipal levels. Currently, permanent residents cannot vote, hold public office or certain high level security positions.

Proponents for allowing permanent residents to vote maintain that such a change could increase voter turnout, encourage permanent residents to stay in their new community, and contribute their perspectives in the local government decision making process. It would recognize the importance of their contributions and value to the community.

### *Yukon's Canada Community Building Funding*

Yukon communities have historically utilized the Canada Community Building Funding (CCBF) for investments in infrastructure. As Yukon communities are growing and evolving, they require increased funding to keep up with demands on infrastructure.

By tripling the funding available to Yukon municipalities through the CCBF, Yukon municipalities would be able to better address infrastructure deficits in their communities.

### *Yukon Disaster Financial Assistance Fund and Mitigation Projects*

In recent years, the Yukon has been confronted with a number of natural disaster situations. The creation of a territorial disaster financial assistance fund would assist Yukon communities with the urgent financial demands of being confronted with a natural disaster such as wildfire, landslides or flooding.

As a result of these natural disasters, Yukon municipalities have also experienced disruptions to transportation and communications infrastructure. Long-term mitigation projects would help Yukon municipalities to minimize the destruction and/or disruption to community infrastructure resulting from natural disasters.

*Governance – YG Consultation and Communication with Municipal Governments*

In the past, YG has made program decisions for which Yukon municipalities felt they were not properly or meaningfully consulted with. Decisions for Yukon communities are most effective when consultation occurs that involves both sets of decisions makers, and recognizes the unique challenges that each Yukon municipality faces. Proper consultation can produce policy and program decisions that better reflect community interests and needs and the various decisions makers that are involved.

*Next Steps*

In order for Resolutions to be accepted by AYC, they must first be supported by a Council Resolution made by the sponsoring municipality.

The proposed City of Whitehorse AYC Resolutions and potential co-sponsored Resolutions and supporting materials will be prepared and submitted in the required formats to the AYC once Council has considered them.

**THE ISSUE BEFORE COUNCIL IS**

THAT Council approve Resolutions as set out in this Administrative Report for submission to the Association of Yukon Communities AGM in May 2023, by the City of Whitehorse, or to be co-sponsored with other municipalities, and for further discussion with Association of Yukon Community members.

## **ADMINISTRATIVE REPORT**

<b>TO:</b>	Corporate Services Committee
<b>FROM:</b>	Administration
<b>DATE:</b>	April 3, 2023
<b>RE:</b>	The Federation of Canadian Municipalities Annual Conference and Trade Show 2023 Council Travel

### **ISSUE**

Authorization of travel expenses for Councillors Friesen and Murray to attend the Federation of Canadian Municipalities Annual Conference and Trade Show

### **REFERENCE**

- Council Remuneration Bylaw
- Travel Administrative Directive 2012-02
- Council Expense Policy

### **HISTORY**

Council's Expense Policy and Remuneration Bylaw require prior approval by Council for all requests for funding or reimbursement of expenses incurred in conjunction with travel by the Mayor and members of Council outside the City of Whitehorse.

### **ALTERNATIVES**

1. Authorize the requests for travel expenses; or
2. Deny the requests for travel expenses.

### **ANALYSIS**

The Federation of Canadian Municipalities is hosting its Annual Conference and Trade Show in Toronto, Ontario from May 25<sup>th</sup> to 28<sup>th</sup>, 2023. Councillors Friesen and Murray have expressed interest to attend in person.

The travel expenses for the conference are anticipated to be within Council's 2023 travel budget allocation.

### **ADMINISTRATIVE RECOMMENDATION**

THAT travel expenses be authorized for Councillors Friesen and Murray to attend the Federation of Canadian Municipalities Annual Conference and Trade Show being held in Toronto, Ontario.

**CITY OF WHITEHORSE**  
**CITY PLANNING COMMITTEE**  
**Council Chambers, City Hall**



**Chair:** Ted Laking

**Vice-Chair:** Michelle Friesen

April 3, 2023

Meeting #2023-07

- 
1. Public Hearing Report – Zoning Amendment – 2 Klondike Road  
Presented by Mathieu Marois, Senior Planner, Planning and Sustainability Services
  2. Public Hearing Report – Zoning Amendment – 123-125 Keno Way  
Presented by Mathieu Marois, Senior Planner, Planning and Sustainability Services
  3. Public Hearing Report – Zoning Amendment – 18-22 Metropolit Lane  
Presented by Mathieu Marois, Senior Planner, Planning and Sustainability Services
  4. New Business

## **ADMINISTRATIVE REPORT**

<b>TO:</b> Planning Committee
<b>FROM:</b> Administration
<b>DATE:</b> April 3, 2023
<b>RE:</b> Second Public Hearing Report – 2 Klondike Road

### **ISSUE**

Second Public Hearing Report on a bylaw to amend the zoning of 2 Klondike Road and a portion of Lot 309, Plan 21330 LTO from PS – Public Services and PG – Greenbelt to CNCx – Comprehensive Neighbourhood Commercial (modified) to allow for a boundary realignment and consolidation of five lots.

### **REFERENCES**

- 2015-2025 Housing Action Plan for Yukon
- 2040 Official Community Plan
- Council Procedures Bylaw 2021-12
- Zoning Bylaw 2012-20
- Location Map (Attachment 1)
- Proposed Zoning Amendment Bylaw 2022-49 (Attachment 2)

### **HISTORY**

The applicant has applied to rezone five lots, known municipally as 2 Klondike Road, from PS – Public Services to CNCx – Comprehensive Neighbourhood Commercial (modified). The applicant is also proposing to rezone a portion of the PG – Greenbelt lot to the east to CNCx (modified).

The subject site was the former location of the Macaulay Lodge which was an extended care facility. The building has been demolished and is now vacant. The applicant intends to sell the subject site through a public process following the zoning and consolidation processes.

Bylaw 2022-49 received First Reading on November 28, 2022. The first Public Hearing took place on January 16, 2023. Following the first Public Hearing, Council directed that Administration hold a second Public Hearing due to the additional proposed special modifications.

The proposed special modifications were as follows:

1. Gas bars are not permitted;
2. Supportive housing is permitted as a secondary use; and
3. Commercial uses shall be on the ground floor with residential uses on upper floors.



Notices of the second Public Hearing were sent out in accordance with the Zoning Bylaw 2012-20, including:

- Newspaper advertisements were posted in the Whitehorse Star and Yukon News on February 24 and March 3, 2023;
- Email notifications were sent to the YG Land Management Branch, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council;
- Mail notifications were sent to property owners within 100 m of the subject site; and
- A notice sign was placed on the subject site.

A second Public Hearing for this item was held on March 13, 2023. Written submissions from two members of the public were received. Two members of the public spoke at the Public Hearing as well as a representative from the Yukon Council on Aging (YCOA), all in opposition.

### **ALTERNATIVES**

1. Proceed with the second and third readings under the bylaw process; or
2. Do not proceed with the second and third readings.

### **ANALYSIS**

The following matters were raised in the public input submissions:

- Lack of affordable senior housing options;
- Concerns with the process and transparency; and
- Lack of commercial justification.

#### **Lack of affordable senior housing options**

Concerns were raised with the lack of affordable senior housing options in the city. It was noted that there are currently close to 300 people on the waiting list for senior housing. Submitters noted that there is already enough commercial uses in the area and that senior housing is the highest and best use of the site.

The previous use on the site, the Macaulay Lodge, was considered as supportive housing under the Zoning Bylaw. Neither senior housing nor affordable housing are controlled uses in the Zoning Bylaw. The City does not directly provide housing, but the City does have a role in housing and land development through zoning, permitting, and incentives where it can encourage development.

A special modification was added to the proposed amendment following the first Public Hearing to permit supportive housing as a secondary use. This special modification allows for the development of a larger-scale residential care facility. It cannot however guarantee that senior housing will be provided on site. It is at the discretion of the landowner to develop their land as they desire within the confines of the Zoning Bylaw.

Notwithstanding this, with the recent adoption of the new Whitehorse 2040 Official Community Plan (OCP), the Zoning Bylaw will undergo an update and there is an opportunity to further evaluate how the City can address the lack of affordable and senior housing forms through the Zoning Bylaw.

### **Concerns with the process**

A member of the public raised concerns that the applicant is not being clear with its rationale for selling the subject site and flagged that the applicant was being treated differently than an average citizen through the rezoning process.

Any land owner in the city, or an authorized agent of an owner, can apply to rezone their land. Section 15 of the Zoning Bylaw describes rezoning application requirements and the rezoning process. The applicant submitted a zoning amendment application for the subject site as per the requirements. Administration assessed the application material and considered that due process was followed and all requirements were met in order to process the application.

City Council's role in a rezoning decision is to consider the potential impacts that may result from rezoning. Considerations can include, but are not limited to compliance with the OCP and other City plans and policies, compatibility with surrounding land uses, concerns raised, and the impacts on traffic and services among others.

It is up to the applicant to dispose of their land as they consider appropriate. The City cannot prevent any landowner from selling their land or dictate to whom it is sold. Comments on the intended land disposition are therefore not relevant to this application.

Submitters also commented that nearby landowners were not notified of the proposed changes. Applicants are not required to consult with the public as part of the rezoning process. Public notification is a City responsibility and occurred through the standard Zoning Bylaw Amendment process, where property owners within 100 m of the subject site were notified by mail for both the first and second Public Hearings.

### **Lack of commercial justification**

Submitters also asserted that the rezoning application is incomplete as it does not provide justification for the proposed commercial uses. The OCP encourages the transition of existing residential neighbourhoods to more complete communities through the development of mixed-use Urban Centres. The subject site is within the Riverdale Urban Centre. Urban Centres consist of higher density residential and commercial uses co-located in a central area. More specifically, the OCP notes that lots in or near Urban Centres will be rezoned to allow for commercial and multi-family residential uses. Furthermore, the OCP supports the construction of supportive and affordable housing, with a preference for affordable housing given to locations within walking distance of Urban Centres.

Administration did not require the applicant to undertake a commercial assessment for the zoning amendment as the appropriateness of locating commercial uses in this location was undertaken as part of identifying Urban Centres in the OCP.

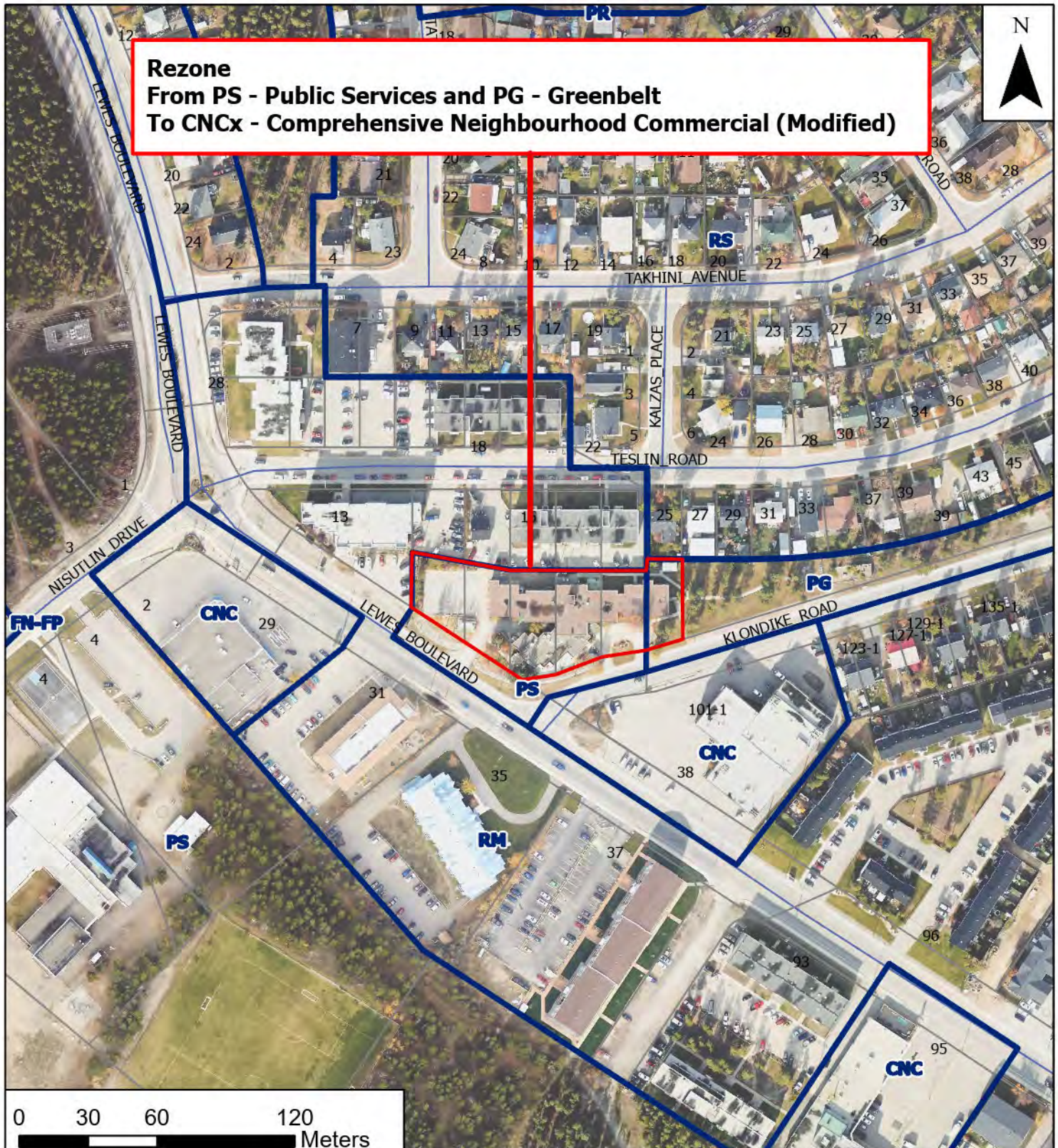
### **Summary**

Allowing supportive housing as a secondary use and requiring that mixed-use developments have commercial uses on the ground floor and residential uses on upper floors will fulfil the intent of the OCP to create a more complete neighbourhood.

### **ADMINISTRATIVE RECOMMENDATION**

THAT Council direct that Bylaw 2022-49, a bylaw to amend the zoning of 2 Klondike Road, be brought forward for second and third reading under the bylaw process.






DATE:

October 10, 2022

FILE NO:

Z-21-2022

 Subject Site

## CITY OF WHITEHORSE - PLANNING AND SUSTAINABILITY SERVICES

**Bylaw 2022-49**

A Bylaw to amend the zoning of 2 Klondike Road and a portion of Lot 309, Plan 21330 LTO from PS - Public Services and PG - Greenbelt to CNCx - Comprehensive Neighbourhood Commercial (Modified).





**CITY OF WHITEHORSE**  
**BYLAW 2022-49**

A bylaw to amend Zoning Bylaw 2012-20

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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 Whitehorse Zoning Bylaw be amended to allow for a boundary realignment and consolidation of five lots to be sold by the Government of Yukon for commercial and residential uses.

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

1. Section 10.9 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.9.7 c) as follows:

“c) Lots 19-23, Plan 29528 LTO, and a portion of Lot 309, Plan 21330 LTO, located at 2 Klondike Road in the Riverdale area, is designated CNCx(c) with the special modifications being:

- (1) Gas bars are not permitted;
- (2) Housing: supportive is permitted as a secondary use; and

Notwithstanding section 10.9.6 c) of this bylaw, the following provision applies:

- (3) Commercial uses shall be on the ground floor with residential uses on upper floors.”

2. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of a portion of Lot 309, Plan 21330 LTO from PG-Greenbelt to CNCx(c)-Comprehensive Neighbourhood Commercial, and Lots 19-23, Plan 29528 LTO from PS-Public Services to CNCx(c)-Comprehensive Neighbourhood Commercial. Modified as indicated on “Appendix A” and forming part of this bylaw.
3. This bylaw shall come into force and effect upon the final passing thereof.

**FIRST READING:**

**PUBLIC NOTICE:**

**PUBLIC HEARING:**

**SECOND READING:**

**THIRD READING and ADOPTION:**

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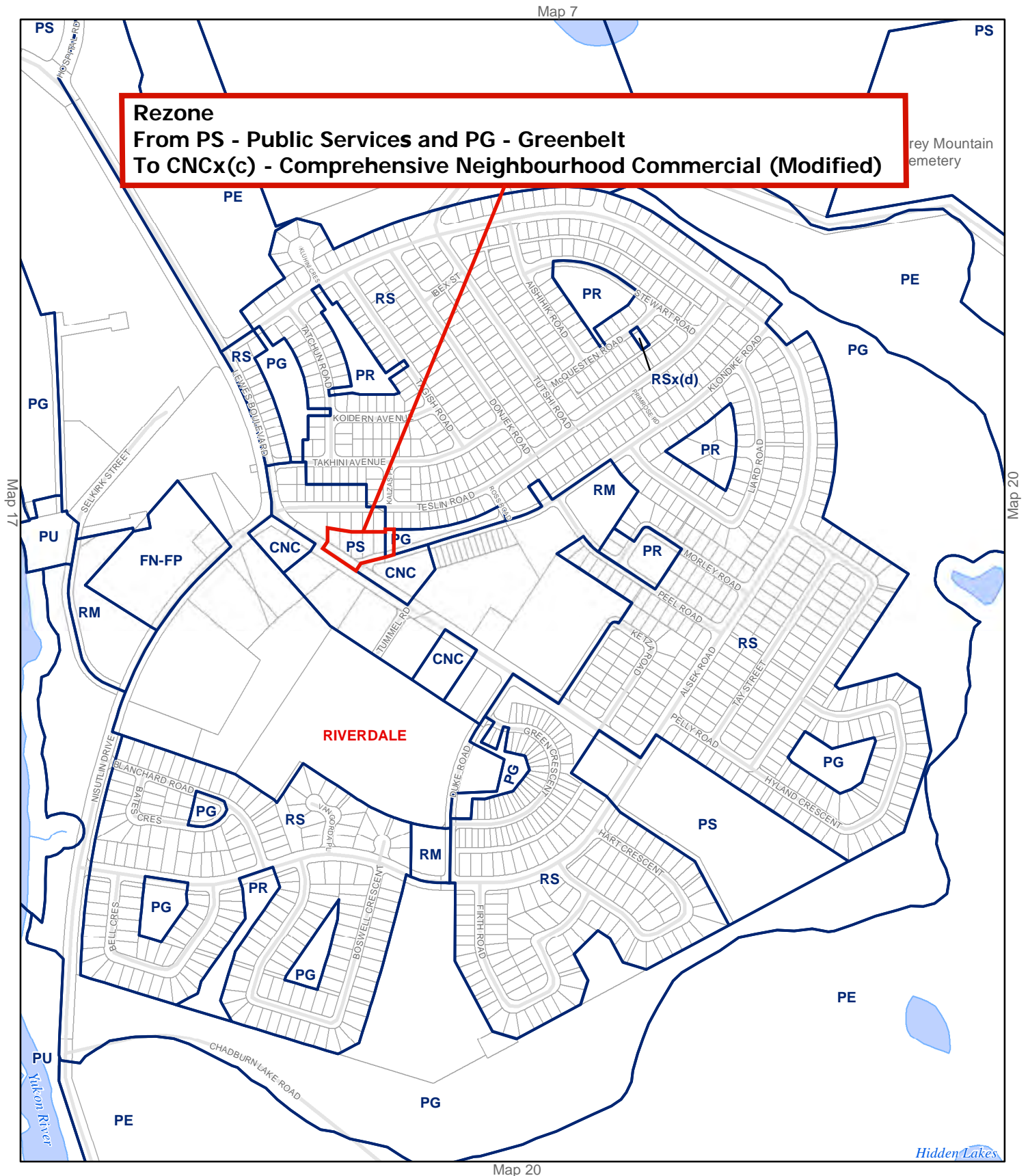
Laura Cabott, Mayor

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Wendy Donnithorne, City Clerk

# MAP 15

RIVERDALE  
Appendix A, Bylaw Map  
Bylaw 2022-49



Where a letter appears in brackets following a zoning designation, e.g. RSx(a), the letter corresponds to the 'special restrictions' subsection for that zone.

0 370  
Meters

Projection: NAD 1983 UTM Zone 8

Consolidation date:  
December 17, 2021

Hidden Lakes

## **ADMINISTRATIVE REPORT**

<b>TO:</b>	Planning Committee
<b>FROM:</b>	Administration
<b>DATE:</b>	April 3, 2023
<b>RE:</b>	Public Hearing Report – Zoning Amendment – 123-125 Keno Way

### **ISSUE**

Public Hearing Report on a bylaw to amend the zoning of 123 and 125 Keno Way, from CNC2-Comprehensive Neighbourhood Commercial 2 and CNC2x(c)-Comprehensive Neighbourhood Commercial 2 (modified) to CNC2x(d)-Comprehensive Neighbourhood Commercial 2 (modified), to enable the construction of a mixed-use development.

### **REFERENCE**

- Zoning Bylaw 2012-20
- Location Map (Attachment 1)
- Proposed Zoning Bylaw Amendment 2023-06 (Attachment 2)

### **HISTORY**

The owner of 123 and 125 Keno Way has applied to amend the zoning of the subject lots to allow for the development of a mixed-use building that would cross the shared property line. The proposed development would include an eating and drinking establishment on the ground floor adjacent to a pocket park and child care centres on the ground floor and second floor.

Bylaw 2023-06 received First Reading on February 13, 2023. Public Hearing notifications were sent out in accordance with the Zoning Bylaw 2012-20, including:

- Newspaper advertisements were posted in the Whitehorse Star and Yukon News on February 24 and March 3, 2023;
- Email notifications were sent to the Government of Yukon Land Management Branch, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council;
- Mail notifications were sent to property owners within 100 m of the subject site; and
- A notice sign was placed on the subject site.

A Public Hearing for this amendment was held on March 13, 2023. Nobody registered for, or spoke to, the amendment at the Public Hearing.

### **ALTERNATIVES**

1. Proceed with the second and third readings under the bylaw process; or
2. Do not proceed with the second and third readings.

## **ANALYSIS**

No issues with this zoning amendment application were raised as part of the Public Hearing process and Administration has no concerns about the change in the proposed zoning.

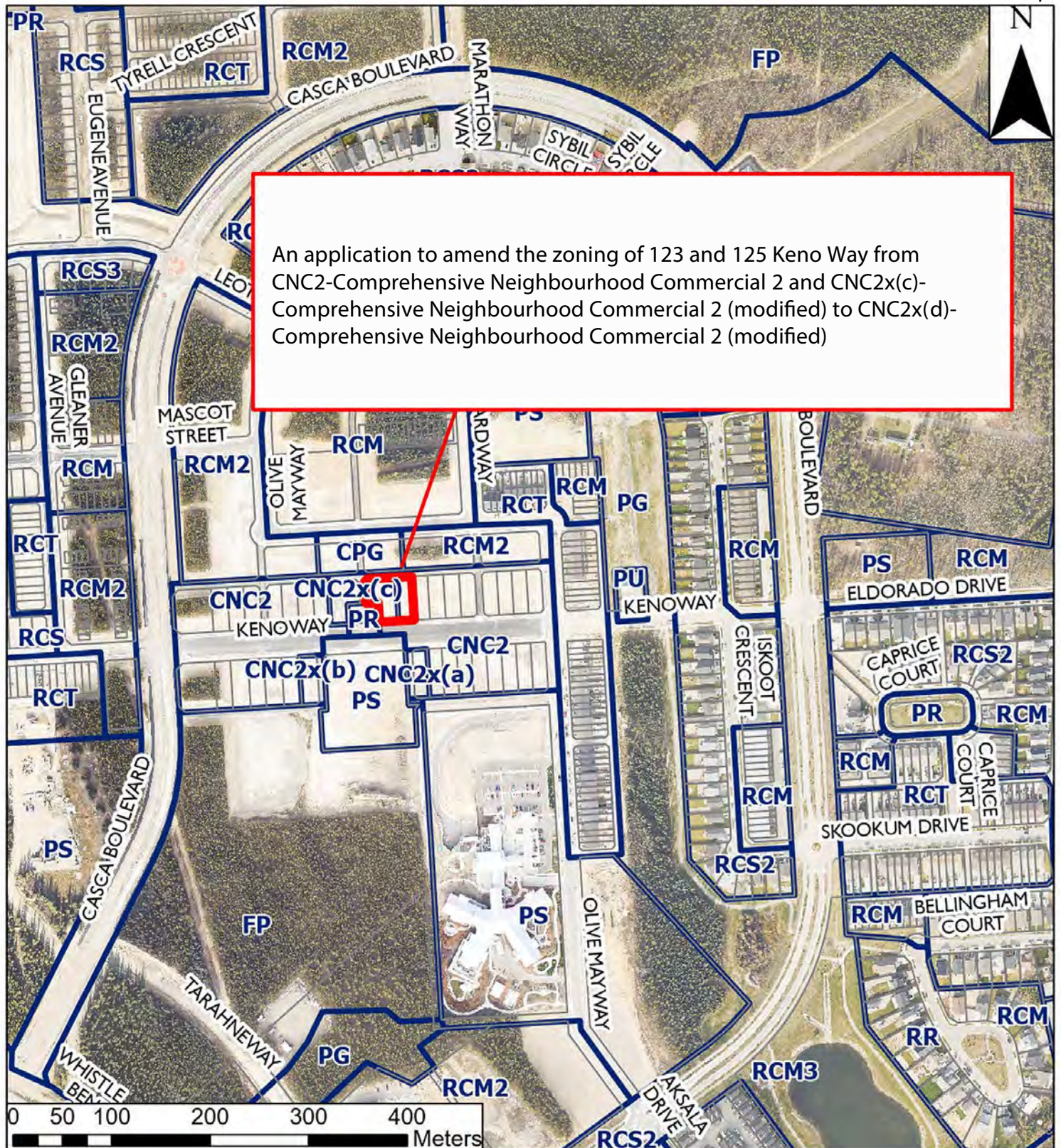
## **Next Steps**

The applicant intends to consolidate the subject lots following the rezoning due to communal elements within the proposed building design. A consolidation of the lots would require the abandonment of one of the two existing service lines and associated road work. These technicalities are not considered to relate to the proposed zoning amendment and can be addressed by the applicant at the Subdivision and Development Permit stages. If the applicant does not proceed with consolidation, the lots can still be developed into a mixed-use development, as long as there are no communal elements within the building.

## **ADMINISTRATIVE RECOMMENDATION**


THAT Council direct that Bylaw 2023-06, a bylaw to amend the zoning of 123 and 125 Keno Way, to enable the construction of a mixed-use development, be brought forward for second and third reading under the bylaw process.





DATE:  
January 23, 2023

FILENO  
Z-01-2023

 123 & 125 Keno Way

CITY OF WHITEHORSE - PLANNING AND SUSTAINABILITY SERVICES

Bylaw 2023-06

An application to amend the zoning of 123 and 125 Keno Way from CNC2-Comprehensive Neighbourhood Commercial 2 and CNC2x(c)-Comprehensive Neighbourhood Commercial 2 (modified) to CNC2x(d)-Comprehensive Neighbourhood Commercial 2 (modified) .





# CITY OF WHITEHORSE

## BYLAW 2023-06

A bylaw to amend Zoning Bylaw 2012-20

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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 Whitehorse Zoning Bylaw be amended to allow for the development of a mixed-use development at Lots 529 and 530, Whistle Bend Subdivision, municipally known as 123 and 125 Keno Way;

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

1. Section 10.10.7 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.10.7 d) as follows:
  - “d) Lots 529 and 530, located at 123 and 125 Keno Way in the Whistle Bend Subdivision, are designated CNC2(d) with the special modifications being:
    - (1) Only eating and drinking establishments, retail services (general or convenience), and personal service establishments are permitted on the first storey within 20 metres of the western side boundary adjoining Lot 532 and within 30 metres of the western side boundary adjoining Lot 531;
    - (2) Outdoor seating will be established in association with any eating and drinking establishment; and

Notwithstanding section 6.6.4 of this bylaw, the following provision applies:

  - (3) Child care centres shall be permitted in multiple housing when they are located in part on the ground floor and have direct access to enclosed, outdoor play space”
2. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of 123 and 125 Keno Way from CNC2 – Comprehensive Neighbourhood Commercial 2 and CNC2x(c) – Comprehensive Neighbourhood Commercial 2 (modified) to CNC2x(d) – Comprehensive Neighbourhood Commercial 2 (modified), as indicated on Appendix A and forming part of this bylaw.

3. This bylaw shall come into force and effect upon the final passing thereof.

**FIRST READING:**

**PUBLIC NOTICE:**

**PUBLIC HEARING:**

**SECOND READING:**

**THIRD READING and ADOPTION:**

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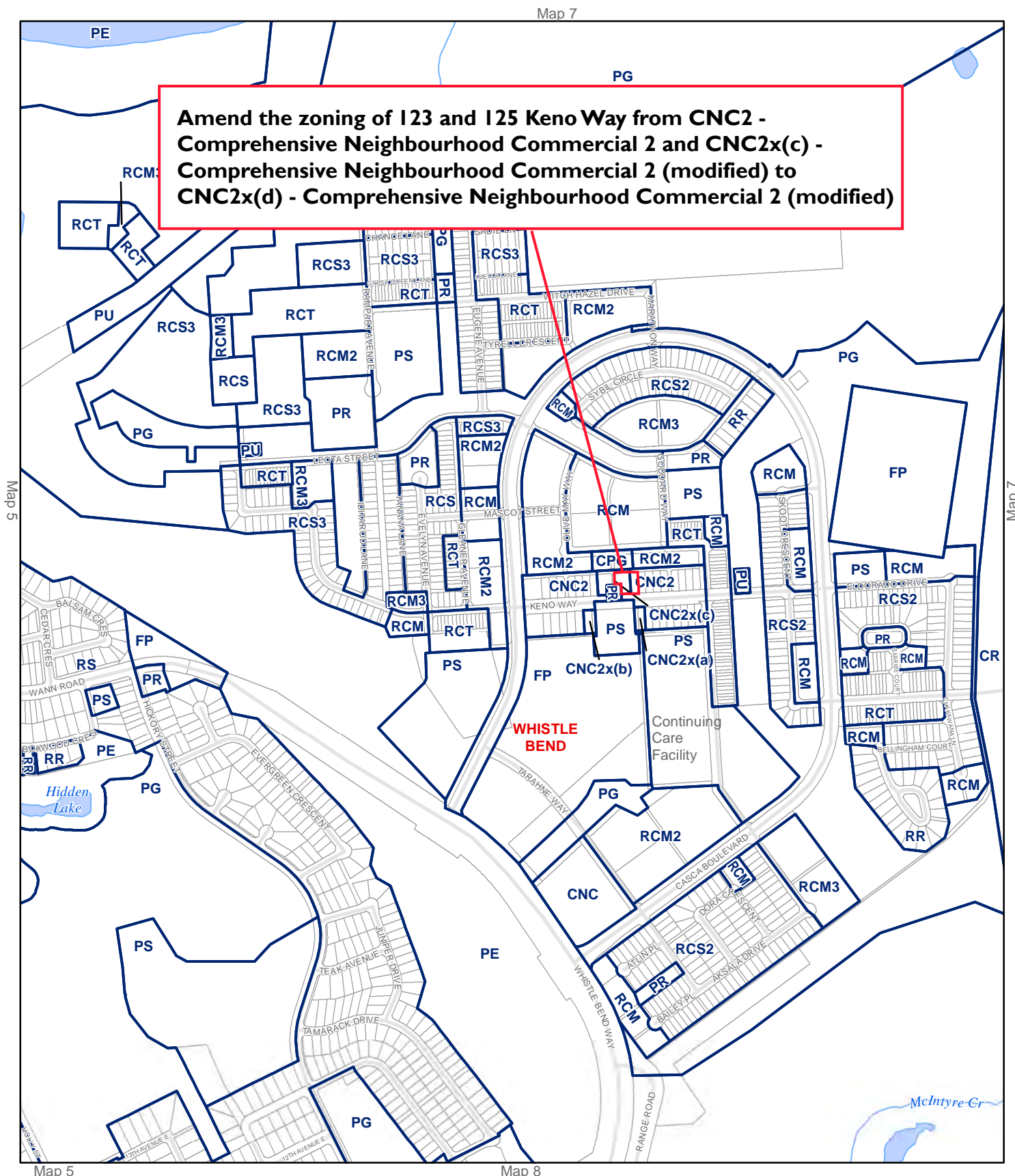
Laura Cabott, Mayor

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Wendy Donnithorne, City Clerk

# MAP 6

WHISTLE BEND  
Appendix A, Bylaw Map  
Bylaw 2023-06



Where a letter appears in brackets following a zoning designation, e.g. RSx(a), the letter corresponds to the 'special restrictions' subsection for that zone.



0 440  
Meters

Projection: NAD 1983 UTM Zone 8

Consolidation date:  
December 17, 2021

## **ADMINISTRATIVE REPORT**

<b>TO:</b>	Planning Committee
<b>FROM:</b>	Administration
<b>DATE:</b>	April 3, 2023
<b>RE:</b>	Public Hearing Report – Zoning Amendment – 18-22 Metropolit Lane

### **ISSUE**

Public Hearing Report on a bylaw to amend the zoning of 18-22 Metropolit Lane, from CH – Highway Commercial to CIMx - Mixed Use Commercial/Industrial (modified) to enable a greater number and variety of uses and development potential.

### **REFERENCE**

- Zoning Bylaw 2012-20
- Location Map (Attachment 1)
- Proposed Zoning Bylaw Amendment 2023-10 (Attachment 2)

### **HISTORY**

The owner of 18, 19, 20, and 22 Metropolit Lane has applied to amend the zoning of the four lots from CH – Highway Commercial to CIMx – Mixed Use Commercial/Industrial (modified) to enable a greater number and variety of uses and development potential on these properties.

A tree nursery (i.e. general contractor services) with a warehouse and caretaker residence is proposed on 22 Metropolit Lane. Due to the proximity to Lot 22 and other CIM-zoned land, 18, 19, and 20 Metropolit Lane are also included in the rezoning to create an area with a single, consistent zone.

The special modifications prohibit Restricted Retail Services, to align with adjacent properties, and require a minimum lot area of 0.5 ha for 18, 19, and 20 Metropolit Lane and a minimum lot area of 0.38 ha for 22 Metropolit Lane to align with the existing lot sizes and to prevent further subdivision of the lots.

Bylaw 2023-10 received First Reading on February 13, 2023. Public Hearing notifications were sent out in accordance with the Zoning Bylaw 2012-20, including:

- Newspaper advertisements were posted in the Whitehorse Star and Yukon News on February 24 and March 3, 2023;
- Email notifications were sent to the Government of Yukon Land Management Branch, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council; and
- Mail notifications were sent to property owners within 100 m of the subject site; and
- A notice sign was placed on the subject site.

A Public Hearing for this amendment was held on March 13, 2023. No one registered for, or spoke to, the amendment at the Public Hearing.

### **ALTERNATIVES**

1. Proceed with the second and third readings under the bylaw process; or
2. Do not proceed with the second and third readings.

### **ANALYSIS**

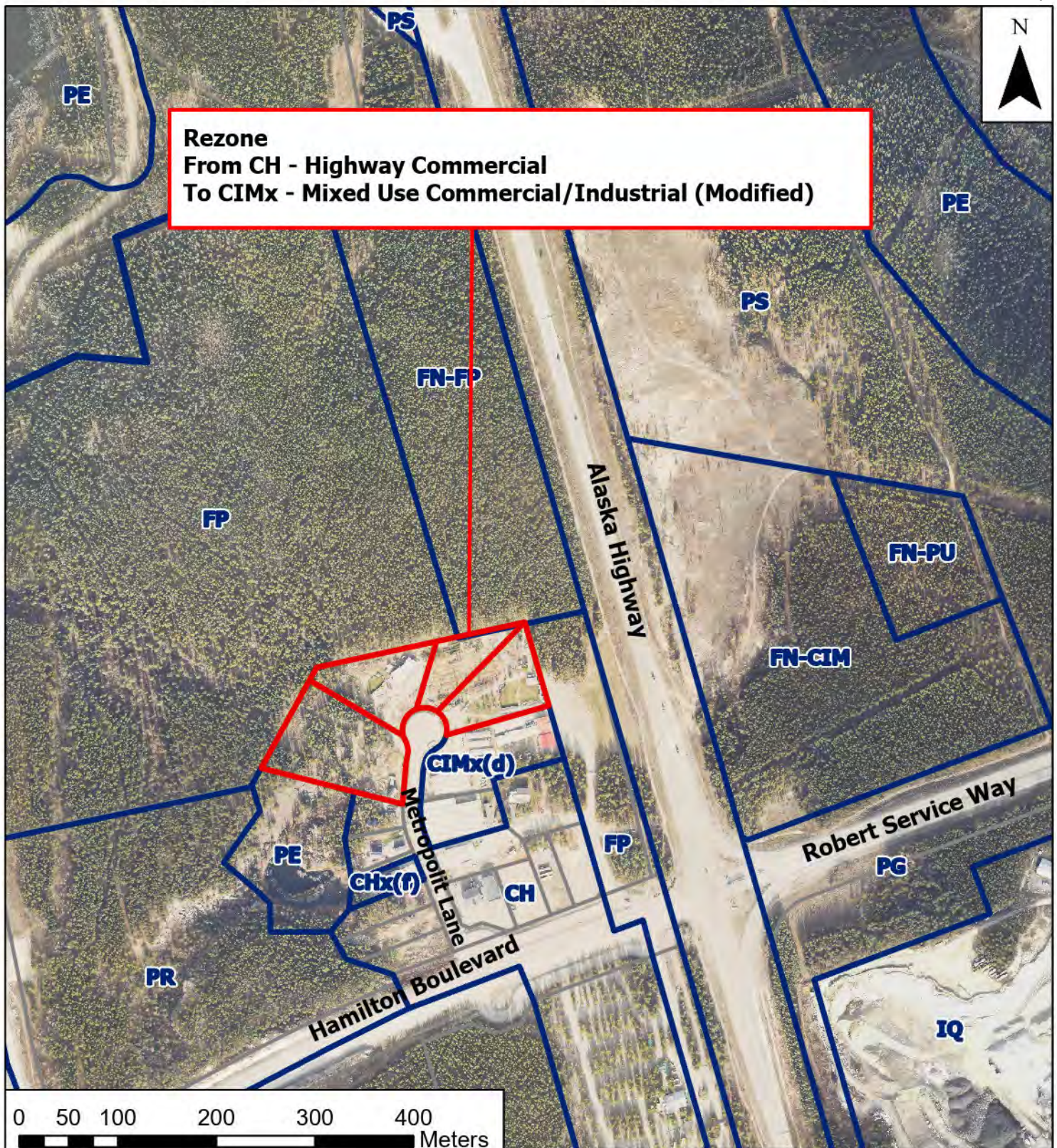
No issues with this zoning amendment application were raised as part of the public hearing process and Administration had no concerns about the change in the proposed zoning.

If the rezoning is successful, the applicant intends to apply for a development permit for a conditional use to allow for a caretaker residence on 22 Metropolit Lane between 121 m<sup>2</sup> and 297 m<sup>2</sup> in size.

### **ADMINISTRATIVE RECOMMENDATION**

THAT Council direct that Bylaw 2023-10, a bylaw to amend the zoning of 18-22 Metropolit Lane to enable a greater number and variety of uses and development potential, be brought forward for second and third reading under the bylaw process.





DATE:

January 11, 2023

FILE NO:

Z-02-2023



Subject Site

## CITY OF WHITEHORSE - PLANNING AND SUSTAINABILITY SERVICES

**Bylaw 2023-10**

A proposal to amend the zoning of 18, 19, 20, and 22 Metropolit Lane from CH - Highway Commercial to CIMx - Mixed Use Commercial/Industrial (Modified).





# CITY OF WHITEHORSE

## BYLAW 2023-10

A bylaw to amend Zoning Bylaw 2012-20

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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 Whitehorse Zoning Bylaw be amended to allow a greater number and variety of uses and development potential at Lot 1160-10, Lot 1160-11, Lot 1160-12, and Lot 1160-13, Quad 105D/11, municipally known as 18, 19, 20, and 22 Metropolit Lane;

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

1. Section 10.4.8 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.4.8 f) as follows:
  - “f) Lot 1160-10, Lot 1160-11, Lot 1160-12, and Lot 1160-13, Quad 105D/11, municipally known as 18, 19, 20, and 22 Metropolit Lane, are designated CIMx(f) with the special modifications being:
    - (1) Retail Services, Restricted shall not be permitted; and

Notwithstanding section 10.4.5 b) of this bylaw, the following provisions apply:

    - (2) The minimum lot area is 0.5 ha for Lot 1160-10, Lot 1160-12, and Lot 1160-13, Quad 105D/11, known municipally as 18, 19, 20 Metropolit Lane.
    - (3) The minimum lot area is 0.38 ha for Lot 1160-11, Quad 105D/11, known municipally as 22 Metropolit Lane.
2. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of 18, 19, 20, and 22 Metropolit Lane from CH–Highway Commercial to CIMx(f)–Mixed Use Commercial/Industrial (Modified), as indicated on “Appendix A” and forming part of this bylaw.

3. This bylaw shall come into force and effect upon the final passing thereof.

**FIRST READING:**

**PUBLIC NOTICE:**

**PUBLIC HEARING:**

**SECOND READING:**

**THIRD READING and ADOPTION:**

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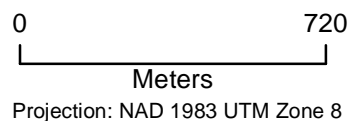
Laura Cabott, Mayor

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Wendy Donnithorne, City Clerk



AIRPORT, LOBIRD  
ROBERT SERVICE WAY



**CITY OF WHITEHORSE**  
**DEVELOPMENT SERVICES COMMITTEE**  
**Council Chambers, City Hall**



**Chair:** Mellisa Murray

**Vice-Chair:** Dan Boyd

April 3, 2023

Meeting #2023-07

- 
1. Lease, Encroachment, and Property Use Policy Amendment – Food Truck Season

Presented by Stephanie Chevalier, Economic Development Coordinator, Planning and Sustainability Services

2. Land Disposition – Puckett's Gulch

Presented by Kinden Kosick, Subdivision and Lands Coordinator, Land and Building Services

3. New Business

## **ADMINISTRATIVE REPORT**

**TO:** Development Services Committee  
**FROM:** Administration  
**DATE:** April 3, 2023  
**RE:** Lease, Encroachment, and Property Use Policy Amendment – Food Truck Season

### **ISSUE**

Amendments to the City's Lease, Encroachment, and Property Use Policy are required to allow a Development Officer the discretion to extend the term of Mobile Food and Retail Vendor's seasonal terms.

### **REFERENCE**

- Lease, Encroachment, and Property Use Policy
- 2018 Downtown Plan

### **HISTORY**

The City of Whitehorse's Mobile Food Vendor Program encourages and promotes food truck vending within the Downtown core. The designated sites are located on public lands because of their high visibility and suitability for food vending.

A number of vendors have approached the City about the possibility of vending before May 1<sup>st</sup>, to take advantage of potential early Spring warm weather. Per 2.10.57 of the Lease, Encroachment, and Property Use Policy, Mobile Food and Retail Vendors can only operate on public sites between May 1<sup>st</sup> and October 31<sup>st</sup> each year.

### **ALTERNATIVES**

1. Approve the amendment to the Lease, Encroachment, and Property Use Policy; or
2. Do not amend the Policy.

### **ANALYSIS**

The mobile food vendor program is a fast-growing contributor to economic growth in the City of Whitehorse, providing outdoor restaurant services, promoting community walkability and vibrancy, and supporting entrepreneurship, supply chains, and job growth.

Due to the nature of operating outdoors, Mobile Food Vendors are generally restricted to operating when the temperature allows. Granting the Development Officer discretion to extend the term of a Mobile or Retail vendors term will allow vendors to take advantage of early spring or late fall warm temperatures and increase their revenues. A two to four-week extension of a vendor's term represents a 10 to 20 percent increase in their operating season.

2.10.56 of the Lease, Encroachment and Property Use Policy gives Development Officers the discretion to extend the term of Sidewalk Cafes and pop-up patios temporary use development permits. Granting Development Officers the same discretion for the term of Mobile Food and Retail Vendors will give operators the potential to take advantage of more operating days and provide the City with the flexibility to consider any site-specific impacts of extended terms for these vendors.

#### **ADMINISTRATIVE RECOMMENDATION**

THAT section 2.10.57 of the Lease, Encroachment and Property Use Policy be amended to read as follows:

“2.10.57      Mobile Food and Retail Vendor seasonal terms begin on May 1st and expire on October 31st of each year unless otherwise extended beyond this period at the discretion of the Development Officer. All structures must be permanently removed by the end of the term.”

## **ADMINISTRATIVE REPORT**

<b>TO:</b> Planning Committee
<b>FROM:</b> Administration
<b>DATE:</b> April 3, 2023
<b>RE:</b> Land Disposition – Puckett’s Gulch

### **ISSUE**

Council consideration of an amendment to the Downtown Escarpment Land Use Policy and a Bylaw to authorize the sale of a 0.753 portion of Lot 423, Group 5 (804), Plan 26830 LTO and Lot 1183, Quad 105D/11, Plan 2001-0273 LTO.

### **REFERENCES**

- [Zoning Bylaw 2012-20](#)
- [Downtown Escarpment Land Use Policy](#)
- Erik Neilson Whitehorse International Airport Puckett’s Gulch Airside Road Realignment Geotechnical Evaluation and Stability Assessment (Tetra Tech)
- Attachment 1 - Location Sketch
- Attachment 2 - Appendix A – Downtown Whitehorse Escarpment Control Zone
- Attachment 3 - Proposed Disposition Bylaw 2023-16

### **HISTORY**

The Government of Yukon (YG) is working to bring the Erik Neilson Whitehorse International Airport into compliance with federal aviation safety standards set out in the Canadian Aviation Regulations, which includes extension of one of the current runways. In addition to extending the runway, YG is proposing to move the airside road, airport perimeter fence, and a section of the Airport Trail in order to come into compliance with applicable standards. YG is also proposing to relocate a City sanitary sewer line around the runway to tie-in to an existing sanitary sewer line within Puckett’s Gulch.

The current property boundary does not leave sufficient space to complete these necessary modifications. As such, YG has requested that the City transfer portions of two adjacent City-owned lots to allow for the project to be located within lands owned by YG.

In October 2022, Council approved an amendment to the Zoning Bylaw to amend the zoning of a portion of three parcels in the Puckett’s Gulch/Airport area from PE-Environmental Protection to IA-Airport to facilitate a future land subdivision and land transfer in support of this project.

In December 2022, YG contracted a geotechnical engineering consultant to undertake a geotechnical assessment of Puckett’s Gulch and the impacts that the proposed project would have on slope stability, the Moderate Geohazard Zone specified in the Zoning Bylaw, and the Downtown Escarpment Land Use Policy.

In reviewing the initial application from YG, it was noted that the project area was within the Downtown Whitehorse Escarpment Control Zone (the “Control Zone”) as specified in the Downtown Escarpment Land Use Policy. Per the Policy, disposition within the

Control Zone shall be by lease or land use permit only, which precludes the necessary improvements proposed by YG. As such, Administration is proposing amendments to the Downtown Escarpment Land Use Policy in conjunction with consideration of Land Disposition Bylaw 2023-16.

### **ALTERNATIVES**

1. Approve the amendment to the Downtown Escarpment Land Use Policy and bring forward Bylaw 2023-16 to authorize the disposition of land or;
2. Do not proceed with the policy amendments or bylaw process and retain City ownership.

### **ANALYSIS**

#### **Downtown Escarpment Land Use Policy**

The Policy states that development within the Control Zone should promote use by the general public, must preserve all natural vegetation, and can only be disposed of through lease or land use permit. The policy further states that Council approves all applications for development within the Control Zone.

The airport improvements project area, comprised of portions of Lots 18 (REM), Group 5 (804), Plan 20502 LTO (already owned by YG), Lot 423 (REM), Group 5 (804), Plan 26830 LTO, and Lot 1183, Quad 105D/11, Plan 2001-0273 LTO, is proposed to be removed from the Downtown Whitehorse Escarpment Control Zone, which is shown in Appendix A of the policy (see Attachment 2). The total area proposed for exclusion is approximately 3.12 ha and is generally located at the top of the escarpment slope.

If Council approves the amendment to the Control Zone, the excluded parcels could then be used for airport related activities without any further approvals from the City, subject to the Council approval of Bylaw 2023-16. Administration would also need to approve a subdivision application prior to transfer of the City-owned land to YG.

#### **Geotechnical Investigation**

YG’s consultant undertook a geotechnical and site stability assessment of the escarpment in the Puckett’s Gulch area in late 2022. Their work included a drilling program, soil index testing, and installation of on-site monitoring wells.

The key conclusions of that report are summarized as follows:

- Care must be taken when excavating within and trafficking on saturated soft fine-grained soil layers. The consultant has included recommendations for developing an excavation and construction monitoring plan considering the site-specific conditions.
- Adequate surface water and groundwater management, both during construction and at project completion, are key factors in maintaining stable excavations, slopes and working surfaces.
- Given that the recommendations provided herein are satisfied, the proposed change in slope geometry and material do not negatively impact the slope stability.

- At this point, the results of the comparative slope stability analysis completed herein do not overrule or impact the recommendations and guidance provided within separately completed Whitehorse escarpment geohazard studies.

Per the key recommendations presented by YG’s consultant, there are no concerns with slope stability as a result of the proposed airport improvement activities in the subject area, so long as the recommendations of the report are followed. Therefore, there are no geotechnical concerns with excluding the subject area from the Control Zone, or the subsequent disposition of land to YG.

Administration is also working to complete an assessment of the entire escarpment area, which may result in further amendments to the Escarpment Policy later in 2023. This work will not impact the conclusions or recommendations of the consultant’s report.

### **Land Disposition Policy**

The City’s Land Disposition Policy states that land will be sold at market value as determined by an appraisal completed by an independent appraiser unless otherwise directed by Council. However, Administration is recommending that this parcel be transferred to YG for nominal value (\$1.00), which is integrated into the proposed bylaw, as it will be retained by YG for public use as airport improvements and operation primarily related to public safety.

### **Infrastructure and Easements**

There is currently a City-owned sanitary sewer main that is located underneath the runway that will be relocated to the north as part of this airport improvements project.

If Council approves this disposition, the next step in this process is an administrative subdivision approval. Administration would work with YG to establish easements and/or licenses of occupation to protect City infrastructure as necessary. These agreements would be captured as a condition of subdivision approval and registered on title, as required.

### **Active Transportation Planning**

Through the zoning amendment Public Hearing process, it was identified that there is public support to retaining and enhancing the airport trail located at the top of the escarpment. There was public suggestion that a potential land swap could create additional area for trail development.

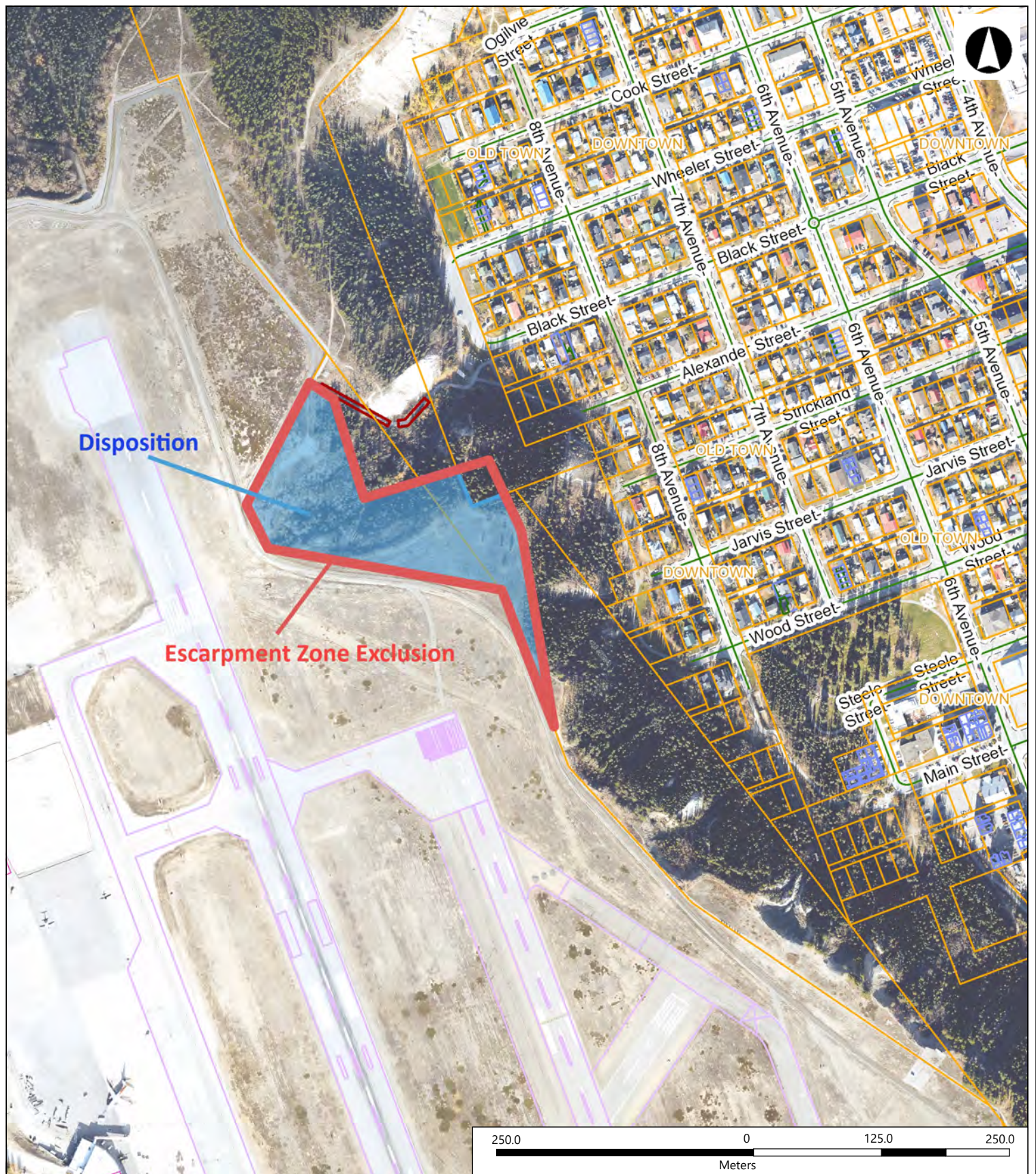
A land swap in this area is very complicated, as it would include survey of the entire airport parcel. This land is subject to federal regulation and the required survey work would be a significant undertaking from a practical and financial perspective. As such, protection for the trail can be considered through a separate process, such as an easement on YG property, should the City determine this is desirable.

**ADMINISTRATIVE RECOMMENDATION**

THAT Council amend the Downtown Escarpment Land Use Policy, by deleting the existing Appendix A and replacing it with a new Appendix A; and

THAT Council direct that Bylaw 2023-16, a bylaw to authorize the disposition of an approximately 0.753 ha portion of Lot 423 (REM), Group 5 (804), Plan 26830 LTO and Lot 1183, Quad 105D/11, Plan 2001-0273 LTO, be brought forward for consideration under the bylaw process.





SCALE:  
1: 5,000

DATE:  
April 3, 2023

FILE:  
S-14-2022

DWN BY:  
KK

REV NO:  
1

## CITY OF WHITEHORSE - LAND AND BUILDING SERVICES

### Attachment 1 - Location Sketch

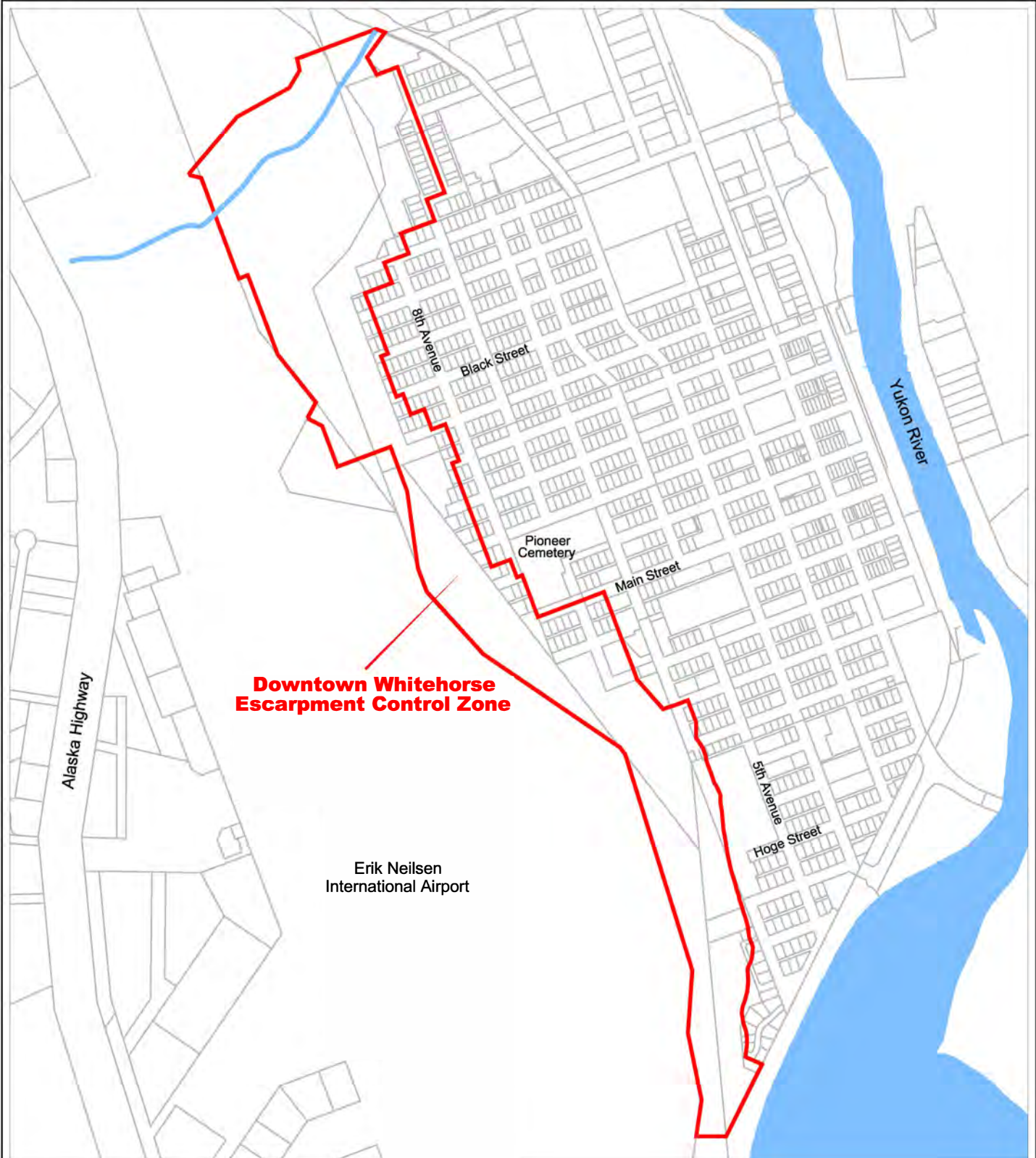
Amendment to the Downtown Land Use Escarpment Policy Control  
Zone / Disposition of City land to facilitate airport improvements








Attachment 2 DOWNTOWN  
ESCARPMENT LAND USE  
POLICY APPENDIX 'A'



**DOWNTOWN WHITEHORSE ESCARPMENT CONTROL ZONE**  
CITY OF WHITEHORSE - LAND AND BUILDING SERVICES  
APRIL 3, 2023

LEGEND

 SUBJECT AREA

## CITY OF WHITEHORSE

### **BYLAW 2023-16**

A bylaw to authorize the sale and disposition of approximately 0.753 ha portion of Lot 423, Group 5 (804), Plan 26830 LTO to the Government of Yukon.

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WHEREAS section 265 of the *Municipal Act* (R.S.Y. 2002) provides that Council may by bylaw authorize the sale and disposition of any real property; and

WHEREAS it is deemed desirable that an undeveloped portion of land in the Puckett's Gulch area be sold and disposed;

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

1. The City of Whitehorse is hereby authorized to sell and dispose a portions of Lot 423, Group 5 (804), Plan 26830 LTO, and Lot 1183, Quad 105D/11, Plan 2001-0273 LTO, Whitehorse, Yukon, comprising a total area of approximately 0.753 ha, as shown on the sketch attached hereto as Appendix "A" and forming part of this bylaw;
2. The parcel will be offered for sale at nominal value (\$1.00) to the Government of Yukon.
3. The Mayor and Clerk are hereby authorized to execute on behalf of the City of Whitehorse all documentation required for the completion of the sale and transfer of ownership of the said lands in an expeditious manner; and
4. This bylaw shall come into full force and effect on the final passing thereof.

**FIRST and SECOND READING:**

**THIRD READING and ADOPTION:**

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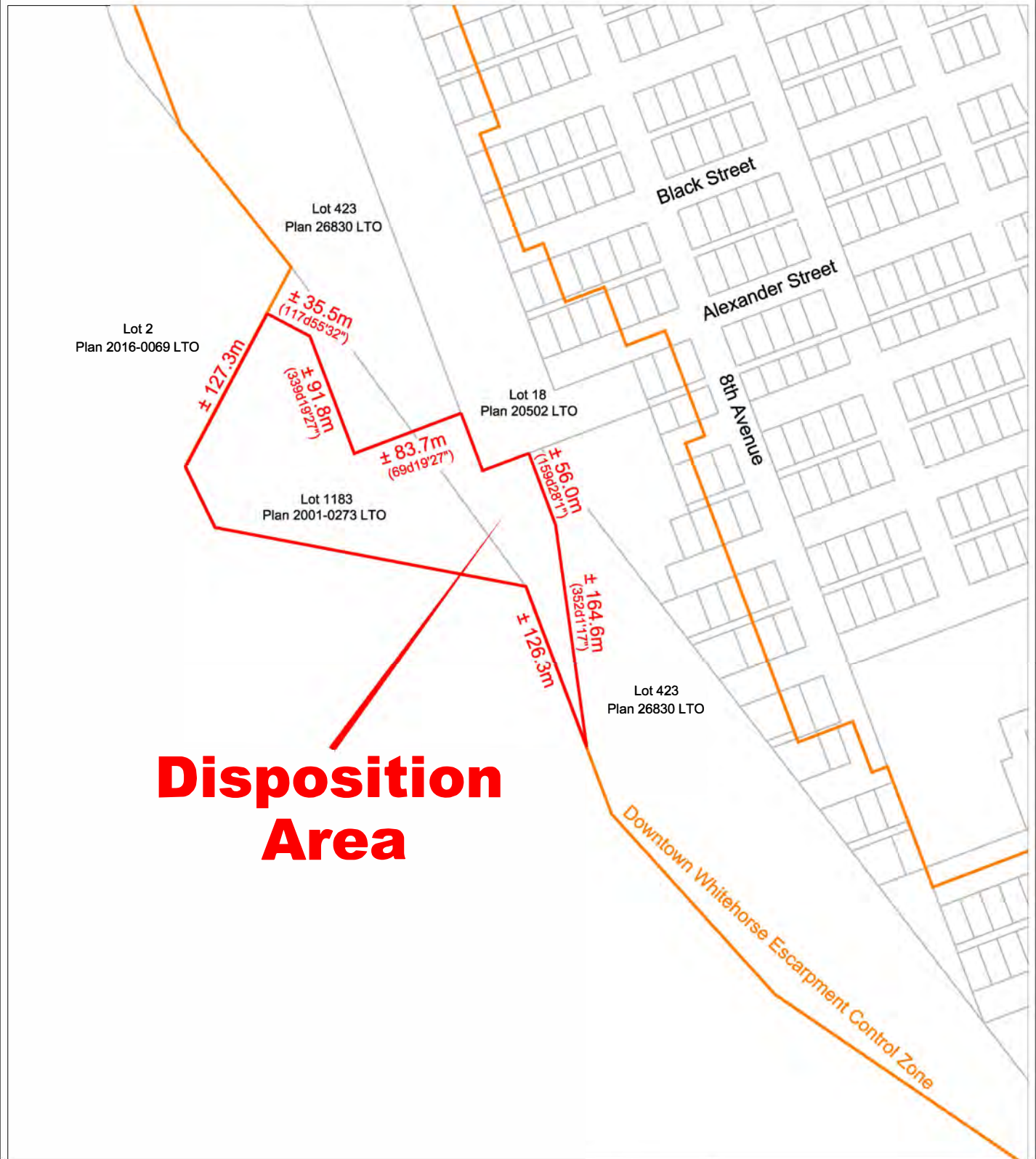
Laura Cabott, Mayor

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Wendy Donnithorne, City Clerk




CITY OF WHITEHORSE  
BYLAW 2016-25  
APPENDIX 'A'



**BYLAW 2023-16**

Disposition of approximately 0.753 ha portion of City owned lots (Lot 423, Plan 26830 LTO and Lot 1183, Plan 2001-0273) for the development of a runway extension and other airport improvements.

LEGEND

 SUBJECT AREA

**CITY OF WHITEHORSE**  
**CITY OPERATIONS COMMITTEE**  
**Council Chambers, City Hall**



**Chair:** Dan Boyd

**Vice-Chair:** Jocelyn Curteanu

April 3, 2023

Meeting #2023-07

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1. New Business