# CITY OF WHITEHORSE – STANDING COMMITTEES

Monday, October 5, 2026 – 5:30 p.m.

Council Chambers, City Hall

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**CALL TO ORDER**

**ADOPTION OF AGENDA**

**PROCLAMATIONS** Dyslexia Awareness Month (October 2026)

**DELEGATIONS**

**CITY OPERATIONS COMMITTEE** – *Councillors Morris and Boyd*

1. New Business

**COMMUNITY SERVICES COMMITTEE** – *Councillors Gallina and Melnychuk*

1. New Business

**PUBLIC HEALTH AND SAFETY COMMITTEE** – *Councillors Boyd and Gallina*

1. New Business

**CORPORATE SERVICES COMMITTEE** – *Councillors Melnychuk and Middler*

1. 2025 City of Whitehorse Annual Report – For Information Only
2. New Business

**CITY PLANNING COMMITTEE** – *Councillors Middler and Hamilton*

1. Public Hearing Report – Official Community Plan Amendment – Mineral Exploration
2. Official Community Plan and Zoning Bylaw Amendment – Mineral Exploration and Development Framework
3. New Business

**DEVELOPMENT SERVICES COMMITTEE** – *Councillors Hamilton and Morris*

1. Mineral Staking Prohibition Extension
2. New Business

# PROCLAMATION

## DYSLEXIA AWARENESS MONTH

## October 2026

**WHEREAS** dyslexia is a neurobiological learning disability that affects approximately 10% to 20% of Canadians, including both children and adults in areas such as learning, reading, writing, and spelling; and

**WHEREAS** dyslexia affects a diversity of individuals and can lead to significant educational, social, and emotional challenges when left unaddressed; and

**WHEREAS** the City of Whitehorse supports the Whitehorse LDAY Centre for Learning, the Learning Disabilities Association of Canada and the “Mark it Read” campaign, a national initiative to raise awareness to support those who are navigating dyslexia and foster a more inclusive, empathetic and supportive society;

**NOW, THEREFORE I,** Mayor Kirk Cameron, do hereby proclaim the month of October 2026 to be Dyslexia Awareness Month in the city of Whitehorse.

Kirk Cameron
Mayor

**CITY OF WHITEHORSE**

# CITY OPERATIONS COMMITTEE

**Council Chambers, City Hall**

**Chair**: Lenore Morris **Vice-Chair**: Dan Boyd

October 5, 2026 Meeting #2026-18

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1. New Business

**CITY OF WHITEHORSE**

# COMMUNITY SERVICES COMMITTEE

**Council Chambers, City Hall**

**Chair**: Paolo Gallina **Vice-Chair**: Eileen Melnychuk

October 5, 2026 Meeting #2026-18

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1. New Business

**CITY OF WHITEHORSE**

# PUBLIC HEALTH AND SAFETY COMMITTEE

**Council Chambers, City Hall**

**Chair**: Dan Boyd **Vice-Chair**: Paolo Gallina

October 5, 2026 Meeting #2026-18

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1. New Business

**CITY OF WHITEHORSE**

# CORPORATE SERVICES COMMITTEE

**Council Chambers, City Hall**

**Chair**: Eileen Melnychuk **Vice-Chair**: Anne Middler

October 5, 2026 Meeting #2026-18

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1. 2025 City of Whitehorse Annual Report – For Information Only
   Presented by Michael Prowse, Manager, Legislative Services

2. New Business

# ADMINISTRATIVE REPORT

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|---|---|
| **TO**: | Corporate Services Committee |
| **FROM**: | Administration |
| **DATE**: | October 5, 2026 |
| **RE**: | 2025 City of Whitehorse Annual Report – For Information Only |

## ISSUE

The City's 2025 Annual Report was released to the public on September 28, 2026.

## REFERENCE

- 2025 Annual Report

## HISTORY

The City of Whitehorse prepares an Annual Report each year following guidelines established by the Government Finance Officers Association. The 2025 Annual Report has been released to the public and is being presented to Council for information.

## ANALYSIS

The 2025 Annual Report provides the public with the City's financial information as well as an overview of the City's key activities, and progress on Council's six Strategic Priorities: supporting growth and sustainability; investing in infrastructure; good government; service and organizational excellence; quality of life, well-being and connection; and community safety and resilience.

The report highlights significant events and initiatives from 2025, including the City's 75th anniversary, the 20th anniversary of the Canada Games Centre, renovations to the Mount McIntyre Recreation Centre, preparations for the 2026 Arctic Winter Games, the introduction of curbside recycling, and the establishment of Chasàn Chùa Territorial Park.

The Annual Report also includes the City's independently audited financial statements, which were approved by Council in June 2026, key financial and statistical information.

The report also recognizes the City's receipt of the Canadian Award for Financial Reporting from the Government Finance Officers Association for its 2024 Annual Report, recognizing the City's standard of financial reporting. The City has received this award annually for over 20 years.

Overall, the Annual Report provides a consolidated record of the City's work over the past year and supports transparent reporting to Council and the community.

**CITY OF WHITEHORSE**

# CITY PLANNING COMMITTEE

**Council Chambers, City Hall**

**Chair**: Anne Middler **Vice-Chair**: Jenny Hamilton

October 5, 2026 Meeting #2026-18

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1. Public Hearing Report – Official Community Plan Amendment – Mineral Exploration
   Presented by Dylan Harris, Senior Planner, Planning and Sustainability Services

2. Official Community Plan and Zoning Bylaw Amendment – Mineral Exploration and Development Framework
   Presented by Dylan Harris, Senior Planner, Planning and Sustainability Services

3. New Business

# ADMINISTRATIVE REPORT

| | |
|---|---|
| **TO**: | City Planning Committee |
| **FROM**: | Administration |
| **DATE**: | October 5, 2026 |
| **RE**: | Public Hearing Report – Official Community Plan Amendment – Mineral Exploration |

## ISSUE

A Public Hearing Report on a bylaw to amend the Official Community Plan (OCP) to enable limited forms of Mineral Exploration within select areas currently designated as Greenspace.

## REFERENCES

- Whitehorse 2040 Official Community Plan
- Zoning Bylaw 2025-37
- *Municipal Act SY 2024, c. 6*
- 1998 Mineral Potential Map of the City of Whitehorse
- 1999 Yukon River Corridor Plan
- 2000 Defining Ecologically-Based Significant Wildlife Areas for the City of Whitehorse
- 2014 Regional Parks Plan
- 2022 The Canadian Critical Minerals Strategy
- 2025-2028 City of Whitehorse Strategic Priorities
- YESAB File 2025-0031 – Quartz Exploration – Whitehorse Copper Project
- YESAB Designated Office Evaluation Report
- Yukon Government-YESAA Decision Document-Quartz
- Yukon Government Mining Land Use Approval-Class 3 (LQ00611)
- Administrative Report - Zoning Amendment – 163 Collins Lane (October 6, 2025)
- Public Input Submissions (Part 1)
- Public Input Submissions (Part 2)
- 2020 National Building Code of Canada
- 2002 Official Community Plan
- 2010 Official Community Plan
- Kwanlin Dün First Nation (KDFN) Submission
- Ta'an Kwäch'än Council (TKC) Submission
- Revised Proposed Bylaw 2026-25 Redline (Attachment 1)
- Process Summary - Permitting - Mineral Exploration (Attachment 2)

## HISTORY

An application was received to amend the OCP to enable limited forms of Mineral Exploration on existing claims within the Future Planning designation. Mineral Exploration is understood as the practice of using a diamond drill to remove core samples from subsurface layers to assess mineral potential. Mineral exploration is one of the first steps in determining if Mineral Development (mining) is viable in a given area.

Bylaw 2026-25 proposes to amend the OCP in three (3) interrelated ways:

1. Creation of new Glossary terms that define:
    - Mineral Exploration;
    - Disturbed Area;
    - Established Access; and
    - Temporary Equipment Access.
2. The addition of new policy within the Future Planning designation that enables limited Mineral Exploration to occur.
3. An amendment to OCP Map 1–Greenspace Network Plan and Parks and Map 5–Land Use Designations to change 0.78 $km^2$ of land currently listed as Greenspace to Future Planning.

The intent of the proposed amendment is to enable holders of valid mineral tenure to undertake limited scope exploration drilling within the Future Planning designation provided:

- Exploration occurs within a Disturbed Area;
- Work areas can be reached using Established Access; and
- Temporary Equipment Access is utilized to position drilling equipment.

Bylaw 2026-25 received First Reading on July 7, 2026. Public Hearing notifications were sent out in accordance with the Official Community Plan and *Municipal Act*, including:

- Newspaper advertisements were posted in the Yukon News on July 17 and July 24, 2026;
- Mail notifications were sent to property owners within 1 km of the subject sites;
- Email notifications were sent to Kwanlin Dün First Nation (KDFN), Ta'an Kwäch'än Council (TKC), the Government of Yukon (YG) Land Management Branch, and all community associations;
- Three notice signs were placed at the Mary Lake community mailboxes on Fireweed Drive, the Wolf Creek community mailboxes on Dawson Road, and at the intersection of McLean Lake Road and Copper Haul Road;
- A Public Service Announcement was released on July 16, 2026; and
- The YG Minister of Community Services was notified through email on July 17, 2026 and provided copies of the proposed bylaw and newspaper ads per section 280 (3) of the *Municipal Act*.

Following first reading, the applicant requested a revision to remove approximately 2 ha of lands to be redesignated from Greenspace to Future Planning in the vicinity of Mary Lake. The request was presented to Council on August 3 and the revision to the application was subsequently approved by Council on August 10, 2026.

A public hearing for this item was held on August 24, 2026. 848 written submissions were received, and 37 members of the public spoke to the item at the public hearing.

858 unique submissions were received as some people provided a written submission as well as spoke at the public hearing.

In addition to submissions received during the Public Hearing process, Council requested that 80 written submissions received about the proposed amendment prior to First Reading also be included in the Public Hearing Report. Eleven delegates spoke to this item at the regular Council Meeting of July 7, 2026 prior to the formal opening of the public input process. The applicant and two delegates also spoke at the Standing Committee Meeting on August 3, 2026 when modification to proposed mapping associated with this application was presented to Council.

### Kwanlin Dün First Nation (KDFN)

A letter in support of the subject OCP amendment was received from Chief Sean Smith on behalf of KDFN. The full letter is included as part of public input submissions.

The letter states strong support for the proposed map and text amendment to the OCP that enables responsible Mineral Exploration. Mineral Exploration within KDFN is described as important as it helps improve understanding of the land and its mineral potential. This information supports informed decision making while creating opportunities for KDFN citizens and the Yukon economy. KDFN indicates they have developed a respectful and transparent relationship with the applicant, built on meaningful engagement.

### Ta'an Kwäch'än Council (TKC)

A letter in support of the subject OCP amendment was received from Chief Ruth Massie on behalf of TKC. The full letter is included as part of public input submissions.

The letter states mineral exploration has occurred in TKC's traditional territory for over 100 years. TKC reviews and comments on mineral exploration activities, supports the Yukon economy, and especially supports the development and creation of opportunities for its citizens. As stewards of the land since time immemorial, TKC encourages and supports responsible mineral exploration. TKC has built a relationship founded on trust, respect and open transparent communication with the applicant. TKC stated the applicant has been responsive to their concerns and that meaningful engagement took place through the environmental assessment, permitting and consultation process for the Whitehorse Copper project (Class 3 approvals).

## ALTERNATIVES

1. Amend the bylaw at second reading and proceed with the bylaw process; or
2. Do not amend the bylaw at second reading and proceed with the bylaw process.

## ANALYSIS

For the purposes of the analysis, matters raised have been organized by comments in opposition or with concerns to the proposed amendment and comments in support.

Approximately 313, or 36 per cent, of submissions were in opposition or had concerns with the proposed amendment. Approximately 545, or 64 per cent, of submissions are in support of the proposed amendment.

**Process Summary – Permitting**

Many comments received in the Public Hearing related to environmental assessment and permitting outside of the City's jurisdiction. Attachment 2 provides an summary of these processes as well as the previous and current OCP amendment sought by applicant to the City.

**Opposition and concerns**

The following matters were raised in the public input submissions and at the public hearing in opposition or with concerns to the proposed amendment:

1. Validity of the OCP Amendment
2. Policies and Designation Changes
3. Impacts to the Environment
4. Impacts to Recreational Opportunities
5. Fuel Break
6. Conflict with Residential Uses
7. Process and Oversight
8. Not in Public Interest
9. Other

**1. Validity of OCP Amendment**

Public input submissions voiced concerns or were in opposition to the proposed amendment due to the purpose and process of developing the OCP, specifically:

- The OCP 2040 reflects a hard-fought community vision, built through extensive public engagement, that deliberately limits incompatible industrial activities within city limits. Redesignating Greenspace and Environmentally Sensitive Areas (ESA) as Future Planning to accommodate expanded mineral exploration would undermine that vision and public confidence in that process;
- The OCP exists so that the City, and the people who live here, decide what happens within city limits. Amending it in response to a single proponent's request sets a precedent that weakens that authority for every future decision;
- The OCP was intended to provide long-term certainty, consistency and transparency for future land use planning;
- It is essential that Council preserve its ability to make independent land use decisions through the OCP, zoning bylaws, and the *Municipal Act*, rather than creating a process that could make municipal planning subordinate to territorial mining approvals;
- Significant changes to the OCP should occur only through a transparent, community-wide planning process that clearly demonstrates a broad public benefit, not through an application driven by the interests of a single proponent;
- It seems like the OCP is a living document when convenient, but a base-level guidance document at other times. The OCP should be a major vision of where the city is going;

- The potential disruption to wildlife, risks to the watershed, increased industrial traffic, and degradation of quiet residential neighbourhoods conflict directly with the foundational goals of the OCP;
- OCP policy 16.13 iii. states "continue an appropriate moratorium on mineral staking." This policy should be upheld;
- If Council is comfortable with a mine in the subject area, then it should redesignate the area as suitable for that level of industrialization. If not, then it should reject this proposal. There is no societal benefit to exploration if a mine is not suitable there; and
- The OCP is only two years old.

### *Analysis*

Public input submissions voiced concerns for changing OCP policies given the document was adopted in 2023. Section 16 provides procedural guidance when undertaking an amendment. Policy 16.7 provides direction on what considerations should be given by Council when assessing an application for amendment including alignment with the vision of the OCP, the rationale for undertaking the amendment outside of a comprehensive review, stakeholder input and potential impacts of the proposed amendment. In effect, provided an applicant submits a complete application and pays the associated fee, Administration will process that application and bring it to Council for their consideration. There is no mechanism for Administration to refuse a complete application based on when the OCP came into effect.

It is Administration's understanding the amendment was driven by an emerging interest in Mineral Exploration as a land use that is not adequately addressed in current OCP policy. As a result, an amendment has been applied for by an applicant to address this issue, which is enabled under current legislation and bylaw and is subject to a public hearing. The decision as to whether an amendment to the OCP ought to be approved rests with Council. Current legislation and OCP policy are designed to ensure that proposed changes to the OCP undergo scrutiny in a transparent manner and are subject to public input, as has occurred through this bylaw process. Answering the question "should we amend the OCP" is the purpose of the amendment process. Public input is a key consideration of Council when deciding whether an OCP amendment is appropriate. It is Administration's view that proper process has been followed, which will inform the public and equip Council with the analysis needed to make their best decision. The territorial prohibition on mineral staking extends through July of 2027. The subject application will be unaffected by changes to the staking prohibition as the claims proposed for exploration are currently valid and in good standing.

### *Administrative Recommendation*

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

## 2. Policies and Designation Changes

Public input submissions voiced concerns or were in opposition to the proposed amendment due to conflict with specific OCP policies, the redesignation of Greenspace

to Future Planning, and the overarching nature of the proposed amendment, specifically:

Master plan requirement

- OCP sections 13.22 and 13.23 require a Master Plan for any development over 1.5 ha. Together, the OCP and the City's Land Use Master Plan Policy describes what that full process looks like, with significant meaningful public consultation and engagement that documents how public concerns were actually addressed. That process exists for a reason. It is how a proposal gets properly vetted and how public trust is built before land use expectations change;

Greenspace land use designation

- Opposition to redesignating Greenspace to facilitate mining activities;
- The best use of the subject area is Greenspace, now and into the future;
- OCP policy 15.5.2 states that "uses that may be suitable for inclusion in areas designated as Greenspace include, but are not limited to, trails, and parks and related facilities". This policy should be upheld;
- It is difficult to preserve land for future generations once protections for greenspace are weakened;
- Natural areas are a critical community asset and deserve to be valued alongside infrastructure, commercial development, and housing;
- The definition of “greenspace” should be reviewed to better reflect their true values within an urban setting. They are not empty spaces to be held for future development, but hold ecological, cultural, and human well-being values that also contribute to our City and should be protected;
- A site visit to the subject area that is proposed to be redesignated from Greenspace/ESA to Future Planning showed an environment that has been disturbed from old copper mining but is recovering. There is greenery, aspen, shrubs, cranberries, and lichen growing in the area. It is not a barren landscape or brownfield; it is a recovering habitat;
- The argument that some of the land in question is disturbed because it has been impacted by human activity in the past is largely irrelevant. Where natural vegetation and forest growth are occurring, the greenspace is already providing real value as greenspace (e.g., carbon capture, wildlife habitat, recreational opportunities). Greenspace does not have to be pristine to provide significant value in its OCP designation;
- There is no proposed reciprocal action such as offsetting the area of lost Greenspace with an equivalent gain elsewhere. It is another incremental net loss of natural habitat;
- A mining claim is not a land use plan. Valid mineral tenure should not mean automatic land-use compatibility. Valid mineral tenure does not mean exploration is appropriate within city limits or in greenspaces, ESAs, close to residences, wildlife corridors, or in watersheds. While the bylaw only enables temporary exploration (not mining) under a Temporary Use Permit, it sets a precedent that mineral tenure can override existing OCP designations;

- Neither the City nor the applicant have presented any information on the surface water, groundwater, wildlife use, wetlands, erosion potential, or recreation use in the areas of proposed redesignations. Before changing the protections currently afforded to these lands, the City should be able to clearly demonstrate what environmental, wildlife, hydrological, and cumulative impact assessments have been completed specifically for the affected areas;
- The existing Greenspace designation in the subject area is the result of years of research, planning, and consultation. The report, Defining Ecologically-Based Significant Wildlife Areas for the City of Whitehorse, describes the wildlife and habitat values of the Mary Lake area. This report was authored by a team of experts in fish and wildlife, habitat, and ecosystem research. This work confirmed the Greenspace and ESA designations in the 2010 and subsequent OCPs and the 2014 Regional Parks Plan. The OCP land use designations for the Mary Lake and Wolf Creek areas are the result of multi-year public planning processes, including public consultations;

Future Planning land use designation

- The proposed amendment does not align with the Future Planning OCP policies 15.4, 15.4.1, and 15.4.2;
- Concerns that mineral activities could be permitted in close proximity to other neighbourhoods. This is not just a Mary Lake subdivision issue. Any area designated as Future Planning could be subject to drilling and mineral exploration;
- Areas designated as Future Planning are to be reserved from development until such a time that careful and deliberate consideration is given to adjust their designations. Changing the allowable activities within an area designated as Future Planning does not provide that careful and deliberate contemplation of long-term use and the consequences thereof. The proposed amendment would circumvent any meaningful planning in a rushed and improvised manner;

Proposed definitions

- Objections to adding definitions for “Established Access”, “Disturbed Area”, “Mineral Exploration”, and “Temporary Equipment Access” to the Glossary;
- Concerns with changing the definition of mineral exploration to benefit the mining industry at the expense of residents and environment;
- The addition of the proposed definitions is not a minor change, in particular the definition of Disturbed Area. If the definition of Disturbed Area is adopted, it is questionable if anywhere in the city is considered undisturbed. It is concerning that the new fuel break, which qualifies as a disturbed area under the proposed definition, intended to protect neighbourhoods from devastation, is now being used as rationale to change the current Greenspace designation to Future Planning. This shift in the OCP potentially renders any disturbed area open to mineral exploration and the disturbance that entails;
- The proposed definition of Disturbed Area essentially opens a pathway from Future Planning toward natural resource extraction activity, not just for the three claim areas named in this application, but for every area designated as Future

Planning in the city with valid mineral tenure. This is a citywide policy change moving through as a single-project amendment. This change does not use the Natural Resource Extraction designation the OCP already defines; It reaches Natural Resource Extraction-type activity through the back door of a Future Planning definition instead, without any of the safeguards the OCP already built for this. A change of this size deserves a comprehensive, methodical review of the City's collective vision;

Proposed policies

- The proposed policies 15.4.7 through 15.4.10 contain no setback provision. Development officers can only impose and enforce conditions that are grounded in policy. If setbacks are not written into policy, it is not a condition a development officer can attach to a Temporary Use Permit;
- Proposed policy 15.4.9 requires reclamation "in accordance with applicable territorial authorization and City standards." Do written City reclamation standards for mineral exploration currently exist? If they do not, the clause has no municipal content;

*Wolf Creek Park*

- Wolf Creek Park has been “coming” since 2010, when the OCP first flagged it as land worth protecting. The City built a regional parks framework around that promise. There is still no management plan to actually define and protect the park, while a proposed bylaw moves to open nearby Greenspace and ESAs to mineral exploration instead. The protection came first on paper and the follow-through never came at all;
- The proposed amendment is in conflict with the proposed Wolf Creek Park. Mining activities should not be permitted in an area that the City has identified for future public park use; and
- Before changing the OCP to allow mineral exploration, the Wolf Creek Park, identified in the 2014 Regional Park Plan, needs to be finalized.

### *Analysis*

OCP policy 13.22 requires that development of all sites over 1.5 ha undergo a master planning exercise prior to a zoning amendment or subdivision. Under the proposed amendment, the type of exploration does not trigger subdivision or a zoning amendment, therefore a master plan is not required. If an applicant wishes to exceed the allowed intensities of exploration enabled by this amendment, a zoning bylaw amendment would be necessary, triggering the master plan requirement if the work area is greater than 1.5 ha.

Numerous public input submissions opposed the redesignation of Greenspace areas, as it would reduce the amount of Greenspace areas now and into the future. Administration acknowledges redesignation is not to be taken lightly. Mineral Exploration is not an appropriate land use in Greenspace. The question before Council is whether it is appropriate to change the designation of a specific 0.78 $km^2$ area from Greenspace which contains some ESA land, to Future Planning to enable Mineral Exploration. Previous analysis has provided rationale that the proposed area for the

map amendment has been impacted by previous mineral activity and wildfire mitigation and that it was reasonable to consider redesignation of this specific area. Current OCP policy does not contain explicit policy on whether a professional independent study is required when applying for redesignation. As a result, Administration attempted to provide a balanced recommendation in the original Administrative Report that limits development impact while acknowledging policy limitations. New policy in the proposed Framework does require submission of independent environmental study when applying to redesignate Greenspace land. Administration is also in the process of developing a capital project that aims to improve the accuracy of Greenspace / ESA mapping in the OCP in response to ongoing development pressures within the city.

OCP policy 15.4 states “Future Planning Areas are intended to identify areas in the city that may be suitable for future development but need additional planning work to determine their most suitable mix of uses.” Two policies guide development in Future Planning, and they focus on limiting high impact, permanent uses that could fragment future development potential. The OCP does not stipulate what kind of uses are appropriate in the long term in Future Planning Areas. The intent of this designation is to enable investigative work and associated planning to determine what is appropriate in these locations. In the 2010 OCP, Future Planning policy 11.6 stated:

> *Where areas of high mineralization underlie land designated as Future Planning, uses related to mineral exploration may be permitted subject to City bylaws and other regulatory requirements (Environmental Assessment Legislation, Yukon Water Act, etc.)*

While drafting the current OCP, attempts were made to simplify previous Future Planning policy 11.6. In doing so, policy 13.3 was added to the Land Management section which says:

> *Any mineral development, including to maintain existing mineral claims in good standing, or for remediation or reclamation activities, is subject to all applicable legislation, regulatory requirements, and City bylaws.*

This policy change resulted in lack of designation-specific policy direction. Renewed interest in Mineral Exploration has brought attention to this policy change. The proposed amendment constrains exploration in Future Planning to where existing claims or grants are present, significantly limiting where exploration can occur and would result in a return to a similar policy approach as drafted in the 2010 OCP.

Proposed OCP definitions specify what exploration activities are permitted and in what manner they are allowed to occur. Mineral Exploration and Mineral Development are not currently defined in the OCP or Zoning Bylaw. The manner in which mineral exploration sites can be accessed is also currently undefined. Adding use definitions and access methodology is necessary to effectively regulate these activities. As stated above, the Disturbed Area definition was primarily developed to inform the proposed OCP map amendment. Reference to Disturbed Area is only made in the proposed Future Planning policies. A Disturbed Area outside of mapped Future Planning areas would not allow Mineral Exploration. The only designations that currently allow Mineral Exploration are Natural Resource Extraction and Industrial.

The proposed amendment does propose redesignation of some land within the conceptual boundary of Wolf Creek Park. Establishment of the park, including formalization of the boundary will require execution of a parks planning process. Enabling exploration of current claims in this work area has the potential to provide additional information that can inform a future Wolf Creek Park plan. The proposed amendment does not preclude a future redesignation of these lands back to Greenspace if that is identified as appropriate during park planning.

The subject OCP amendment does not impose necessary setback requirements. The location of exploration activity depends on where existing mineral claims and grants are located, which exceed 500 m from residential uses in all instances approved under YESAB YG Class 3 approval.

Reclamation standards are outlined in the YG Land Use permissions (2.23, 2.24 and 2.25). City Temporary Use permits contain conditions that require work sites be reclaimed to pre-work conditions.

***Administrative Recommendation***

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

## 3. Impacts to the Environment

Public input submissions expressed concerns or are in opposition to the proposed amendment due to the potential negative impacts it could have on wildlife, habitat, water, and exposure to toxins.

Concerns and opposition to the proposed amendment due to potential impacts to the environment include:

Wildlife and habitat

- Removal of the Greenspace land use designation could cause degradation or disruptions to ESAs, important habitat and ecosystems, and wildlife corridors;
- Industrializing nearby Future Planning zones will displace wildlife, disrupt critical corridors and increase the risk of human-wildlife conflicts on the edges of residential neighbourhoods;
- The subject areas contain caribou, moose, deer, black bears, grizzly bears, grouse, rabbits, wolves, foxes, porcupines, weasels, minks, coyotes, kestrels, martens, and lynx who rely on the greenspace which should be protected;
- Moose use multiple locations in the subject area as a nursery in the spring and their habitat could be impacted;
- The lake is a vital nesting area for waterfowl, and is full of ducks, swans, loons, beavers, and other birds and will potentially lose their habitat if the proposed amendment is approved;
- The subject area supports Southern Lakes caribou including the Carcross caribou herd and serves as an important wildlife corridor. The recovery of the caribou population recently stabilized after 30 years. Concerns that exploration and mining will make the subject area uninhabitable for these caribou;

- The ecosystems in the area of the Whitehorse Copper Belt are central to the community for climate resilience and should be protected;
- Greenspaces provide ecological services, including helping to regulate flooding, keep the air clean, and provide a buffer for wildlife and other threats who would otherwise be even more of a nuisance in residential areas;
- Class 3 permits are designated for projects with a moderate to high risk of causing adverse environmental impacts. Allowing high-impact exploration to encroach into municipal greenspaces compromises the shared responsibility to protect local watersheds and wildlife corridors;
- Mining activities will impact forest fires;
- Activities on surrounding lands can affect water, habitat connectivity, wildlife movement and the integrity of the larger Chasàn Chùa Territorial Park area. Allowing industrial disturbance immediately outside of the Park would undermine the purpose of establishing its long-term protection;

Water

- The water table as well as the quality and quantity of drinking water could be impacted if mining activities are permitted;
- Well water contamination from tailing piles exposed to rain and spring run-off;
- Copper mining can present significant environmental risks because the mining process can expose large quantities of sulphide-bearing rock and waste material to oxygen and water. This can result in acid rock drainage, which can mobilize and release metals such as lead, mercury, copper and other potentially toxic elements into groundwater and surface water;
- The proposed amendment is in conflict with OCP sections 7.17 through to 7.20 regarding water protection;

Air quality

- Mining activities could increase indoor radon gas exposure in nearby residential properties;
- Mining activities will negatively impact air quality in general;
- Air quality due to strong prevailing winds from the south bringing fine particles of dust that could contain arsenic which is contained within the geology of the area;
- Mining activities release toxic chemicals, potentially heavy metals and small dust particles into the environment that could potentially cause severe public health risks, such as respiratory illnesses, for the nearby residents and the city itself;

Cumulative effects

- The cumulative impacts of current and future projects in the area on wetlands, wildlife, habitat connectivity, and the broader Chasàn Chùa landscape should be considered;
- The cumulative effects of small exploratory drilling including land clearing, equipment access, dust, noise, fragmented habitat, and water contamination should be considered;

Site restoration

- Condition in which previous exploration projects in the area have left their sites - with debris, environmental spillage, disturbed ground, and visible impacts - will continue if future mining activities are permitted;
- Companies should be held to a much higher standard of site restoration and stewardship due to the disturbance and mess left by previous exploration projects;
- The constant mechanical whine of generators and heavy water-pumping infrastructure of other mineral exploration projects in the area has created a localized level of continuous disturbance that has effectively fractured the local habitat;
- Potential spills; and
- Significant costs to restore previously disturbed areas.

***Analysis***

The proposed amendment would enable low impact exploration activities as defined in OCP policy and definitions. The proposed redesignation area is limited to 0.78 $km^2$ of land currently designated Greenspace. Administration acknowledges this land is part of a broader, interconnected ecosystem which contains a diversity of flora and fauna. Administration is also of the position these lands have been substantially impacted by past mineral exploration and development activities. Most recently these lands have been impacted by necessary wildfire mitigation work. Administration has determined that enabling temporary use of these lands for low impact mineral exploration given current ground conditions is reasonable in this limited instance. The proposed amendment does not enable permanent land use nor does it permit Mineral Development, commonly known as mining. Permission of temporary use Mineral Exploration does not preclude future regeneration of these lands.

The City lacks the capacity to address technical wildlife management considerations and relies on other government process to address these important issues. The proposed amendment does not enable the full extent of approved Class 3 exploration activities. The proposed amendment does not permit trail or road construction, does not permit removal of the vegetative mat but does enable selective tree cutting allowances Only rubber tracked drilling equipment can be used under this amendment.

The Yukon Environmental and Socio-economic Assessment Board (YESAB) recommendation associated with this application acknowledges The Designated Office determined that the Project will result in, or is likely to result in, significant adverse effects to wildlife habitat, aquatic resources, other land uses, and heritage resources that can be mitigated and recommended terms and conditions." The recommendation states further "…the Designated Office determined that the Project is likely to have significant adverse environmental and socioeconomic impacts in or outside the Yukon that can be mitigated by those terms and conditions." YESAB subsequently recommended the Project be allowed to proceed, subject to specified terms and conditions.

Land use permissions granted by YG have integrated YESAB comments and contain numerous conditions specific to wildlife impact mitigation. These conditions require:

- Maintenance of wildlife logs that are shared with KDFN and TKC annually and shared with YG Land Management Branch;
- That project activities shall not occur in Wildlife Key Areas for winter range woodland caribou between October 21 and April 15;
- Project activities shall not occur in the Cub / Cowley area between February 1 and April 15 to protect lichen habitat;
- Mandatory buffers around raptor nests;
- Mandatory fish screens on water intake pumps; and
- Mandatory maintenance of appropriate flow and depth in all watercourses.

In regard to air quality, the subject amendment would enable low impact mineral exploration. It is Administration's understanding that exploration of this nature poses minimal impact on air quality. The City does not possess expertise in the emerging science related to radon exfiltration from exploration drilling. It is Administration's understanding that radon poses a human health risk when elevated levels are within residential buildings. As in many Canadian municipalities, radon testing is recommended to understand radon risk in a given dwelling. The building code contains building solutions to reduce indoor radon levels to safe exposure thresholds.

In the event Mineral Development is proposed in the future, detailed review by multiple levels of government would be required to protect against air pollution. Municipal considerations regarding air quality would likely focus on appropriate setbacks. Distances from a mine to adjacent uses would need to be determined through independent scientific study.

The City is not equipped to address macro level environmental considerations, sometimes referred to as cumulative effects. In these instances, the City relies on YESAB and YG to impose conditions that can address broader environmental concerns.

Proposed OCP Future Planning policy 15.4.9 requires that "…reclamation shall be completed in accordance with applicable territorial authorization and City standards." A standard condition of a Temporary Use Permit for Mineral Exploration is the site must be returned to the condition prior to work occurring. Condition 2.23-2.25 in the YG Land Use Approval sets detailed requirements regarding site reclamation.

***Administrative Recommendation***

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

## 4. Impacts to Recreational Opportunities

Public input submissions voiced concerns or are in opposition to the proposed amendment due to the potential negative impacts it could have on recreational opportunities, including:

- Mineral exploration will disrupt recreational areas used for activities such as skiing, snowshoeing, snowmobiling, kick sledding, traditional activities, walking,

biking, berry picking, swimming, paddling, connection to land, horseback riding, birdwatching, and raising children;

- Location of proposed mineral exploration will impact a high-use recreational trail. The greenspace in the area is heavily used due to its connection with the Trans Canada Trail;
- Trails in the area have already had access restricted in the past for similar exploration activities so there are concerns that trail access will continue to be restricted if mineral exploration is permitted;
- These greenspaces contribute to a healthy lifestyle for residents in the city and should be protected;
- The damage already done to the trails by nearby mining activities make them dangerous and difficult to navigate;
- The proponent intends to use Swanstrom's Trail to access drilling sites. This is a well-used year-round recreational trail. The narrow, dirt single lane road used to access the Gem/Keewenaw site presents safety issues with steep grades and blind corners;
- Public access to Copper Haul Road will be impacted;
- Recreational activities and mining or mineral exploration are not compatible; and
- Reducing the amount of greenspace will impact the addiction and depression struggles in the city.

***Analysis***

It is acknowledged the introduction of Mineral Exploration as a land use may impact recreational use of some public lands. It is also acknowledged that well used trail networks have been developed and maintained over time in proposed work areas despite not being established as "formal City trails." Mineral Exploration as proposed is a temporary land use. Potential disruption to recreational areas would be time limited. Reclamation requirements imposed through both City and YG permits will ensure proposed work areas are returned to their pre-existing conditions.

Condition 2.19 in the YG Land Use Approval requires the applicant to maintain a Complaint Management system that includes installation of large signage at the Cub / Cowley target area, with information as to how to submit formal concerns. This system shall include dispute resolution processes, and records must be submitted to YG annually. Any complaints related to unmitigated damage of trails or unauthorized access may be submitted to the City and YG to be addressed through established enforcement mechanisms in accordance with issued permits.

***Administrative Recommendation***

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

## 5. Fuel Break

Public input submissions had concerns or are in opposition to the assessment that the fire break is disturbed land. The public input submissions raised the following points:

- Assessment that the fire break is “Disturbed Land” and not Greenspace or Environmentally Sensitive Areas (ESAs). While the surface trees are currently disturbed, the project is not complete. A large part of the project is about forest conversion - changing the forest from conifer trees to deciduous trees. The forest conversion process will take several years to see the full changes. These areas are in fact Greenspaces and should remain designated as such in the OCP;
- OCP section 13.6 states: "Wildfire fuel abatement is permitted, as appropriate, in any land use designation, subject to applicable bylaws and environmental guidelines." Further, OCP section 15.5.1 states that “Greenspace areas are [to be] primarily kept in their natural state, with minimal disturbance or development [and that] the only exception will be for wildfire fuel abatement activities.” These policies demonstrate that fuel abatement activities were anticipated and supported by Council through the OCP without the need for a separate rezoning process. The existence of fuel abatement treatments should therefore not be interpreted as evidence that the area is suitable for industrial development or mineral exploration;
- Fuel breaks are listed as an acceptable activity in Greenspaces. Referring to those same fuel breaks as a reason that those areas should no longer be protected is inappropriate;
- If the fuel break area is redesignated, it seems like the fuel break was just an excuse for more development and will diminish public trust in future fire smarting and fuel breaking efforts. The fire break was established after significant neighbourhood consultation; and
- Nearby residents accepted the work on the fuel break as a necessary protection for the whole city and have tolerated with the noise, disturbance, and changes to the natural area because it benefits everyone. Mineral exploration or mining does not meet the same standard.

***Analysis***

Administration acknowledges the fuel break is designed to help mitigate wildfire risk in Whitehorse. Public input submissions stated that fuel break areas were intentionally established as wildfire protection measures and that fuel abatement activities were contemplated by the OCP as compatible with Greenspace designations. Public submissions noted that the fuel break remains a forest in transition, with ongoing regeneration and forest conversion activities intended to create a more resilient landscape over time. As such, many respondents questioned whether the presence of fuel management activities should be considered evidence that these lands are no longer functioning as Greenspace.It is understood the Fuel Break is a forest in re-generation and will return to form as a treed greenspace in the future.

Administration assessed the proposed change of designation in limited areas cleared for the fuel break in the context of Mineral Exploration as a temporary land use. The logic being that current levels of disruption to these areas could enable temporary Mineral Exploration to occur with minimal additional impact given current on the ground conditions. The concept of “Disturbed Area” was developed to categorize lands proposed for OCP map amendment that had been impacted by previous mineral activity and clear cutting. The “Disturbed Area” definition does not enable exploration work on

lands meeting this definition outside of Future Planning. The applicant has proposed to re-designate a select 0.78 km squared or land, which included some portions of the fuel break.

Exploration work can yield information that can inform long term planning decisions. Regardless of what information is gained, any mineral activity more intensive than low impact exploration in these areas would require Council approval in the form of an OCP amendment, re-zoning and potentially master planning.

Yukon Government Land Use approval condition 2.20 requires the applicant to notify the Yukon Government of proposed work that will impact Wildland Fire Management, including to established silviculture, and to collaborate on strategies for progressive reclamation of these work areas. Condition 2.24 states "the operator shall be responsible for restoring completed Wildland Fire Management fuels management sites to the condition found prior to exploration operations." This condition ensures publicly funded fuel break work will not be negatively impacted by proposed exploration activities.

OCP policy 13.6 states "Wildfire fuel abatement is permitted, as appropriate, in any land use designation, subject to applicable bylaws and environmental guidelines." This policy grants broad allowances to undertake wildfire fuel abatement. Since establishment of the Fuel Break, questions have emerged related to how development can interact with the Fuel Break. Administration is currently reviewing this matter and is exploring the creation of a Fuel Break policy and mapping in the OCP. These changes would aim to formally establish the Fuel Break as both necessary infrastructure and greenspace.

Many pieces of public input opposed the use of "Fire Smarting" in the Disturbed Area definition. Fire Smarting is now understood to mean the selective thinning of forested areas to limit wildfire risk. Administration feels it is reasonable to revise this definition, to remove the term "Fire Smart" from the disturbed area definition. It was not the intent to include selective forest thinning within the definition of Disturbed Area.

***Administrative Recommendation***

Based on the above input, Administration recommends a **modification** to the definition of Disturbed Area by removing the term "fire smart clearing."

## 6. Conflict with Residential Uses

Public input submissions expressed concerns or are in opposition to the proposed amendment due to the potential conflict with nearby residential uses, including:

- Potential increase in noise, vibrations, and dust;
- Proposed amendment threatens the quality of life of surrounding residents;
- Damage to residential roadways as the subdivision roads were not built for heavy vehicles and many are already in poor condition. Increased traffic and parking on or near roadways will accelerate the need for road repair and replacement;
- Increased traffic and pedestrian safety;
- Property values will decrease;

- Proposed mineral exploration activities are too close to residential areas;
- Noise from current mineral exploration activities in the area is above the allowable noise limit however Bylaw Services could not intervene since the activities were taking place just outside city limits;
- Current mineral exploration activities by the applicant have already disrupted the peace and quality of life of nearby residents. Allowing these activities even closer will further disrupt the peace and quality of life;
- The City should not have expanded residential subdivisions into the subject area if it was going to allow mining activities there; and
- Suggestion that a 600 m buffer be implemented between mining activities and residential uses.

### *Analysis*

Nuisance factors are a primary consideration when contemplating introduction of new land uses in a given area. In the context of this application, it is important to assess the impact of proposed Mineral Exploration and not speculate regarding the potential impacts of Mineral Development. The proposed amendment before Council is to consider limited scope Mineral Exploration as a temporary land use. Noise impacts are typically addressed through minimum setback requirements. Administration is proposing a minimum setback requirement of 500 m from a residential use in its proposed Mineral Exploration and Development Framework (Framework). Despite the proposed Framework not yet being approved by Council, subject work areas identified by the proponent exceed the proposed 500 m setback. The 500 m setback is the most stringent setback currently applied in the OCP and is used to buffer residential uses from heavy industrial activity. Limitations on equipment mobilization between the hours of 7 am and 11 pm will also limit noise impacts.

YG permitting sets maximum vehicle weight allowances on existing roads to prevent potential damage. Conditions further impose reclamation obligations if damage does occur. Concerns related to property value depreciation are speculative and Administration cannot determine if property values will be impact by proposed exploration work. Administration believes current buffering and operating conditions applied to project approval will limit potential conflicts. It should also be noted the proposed amendment does not enable the full scale of Class 3 Mineral Exploration that is currently being undertaken outside of city limits. The proponent's proposed exploration activities that would be enabled under this amendment would in some ways, be at reduced intensity in comparison to full allowances under Class 3 permit.

### *Administrative Recommendation*

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

## 7. Process and Oversight

Public input submissions voiced concerns or are in opposition to the proposed amendment due to the general process, lack of information or studies to support the

amendment, timing of the amendment prior to the completion of other regulatory work, and Council authority. Specific arguments include:

Lack of transparency

- The process included inadequate public engagement, accountability, transparency, fairness, due process, undue influence, private company pressure on Administration and Council, questionable practices related to changing designations without professional or public input;
- The process that led to this proposal is questionable. It is questionable as to why Administration was working with the proponent to develop the proposed OCP amendment and what rationale led Administration to provide a favourable recommendation to Council;
- The interests of a private company should not come before the interests of the public;

Administrative report (June 29, 2026) and presentation

- A complete explanation is needed of what is meant by “limited forms of mineral exploration”, as stated in the June 29th Administrative Report;
- The size of the land under discussion is 0.81 $km^2$ which seems like a small number but is equivalent to approximately 95 acres. To include such an odd number in a document for the public is misleading. It could have been presented this way so a reader might assume this is a small request when in fact it is not.
- Administration provided inadequate and confusing information packages. The maps are ambiguous and almost deliberately misleading. Residents along the western portion of the city are likely unaware that this proposed amendment may have any impact on them;
- Residents have requested the underlying spatial data, shapefiles or equivalent, for the proposed boundaries, so that the proposal can be overlaid against the existing Greenspace and ESA layers, watercourses, wetlands, fuel breaks, and trail networks, and compared between the original and revised versions. Those requests were declined, on the basis that the City is not able to provide them. The only party in this process able to perform that analysis is the applicant, not residents;

Flawed methods of evaluating redesignation

- In the June 29th Administrative Report, staff reported they conducted careful policy and mapping reviews and field investigations, and concluded these lands were ‘significantly disturbed’ and did not warrant protection. Yet no technical environmental or recreational assessments were conducted to support their conclusions;
- At the July 10 Council meeting, Administration acknowledged it did not know the original rationale behind the City's Greenspace and ESA designations. It suggested the designations may have been related to slope angle and proximity to water. These parcels were not protected recently or arbitrarily. Their designations are the result of decades of planning, environmental studies, public consultation, and Council decisions. Building on the 1999 Yukon River Corridor

Plan, large areas around Mary Lake have been identified as Greenbelt since the 2002 OCP and some of these lands have been included within the proposed Wolf Creek Regional Park since 2010;

- The level of studies conducted to assess the proposed amendment and the short- and long-term socio-economic and environmental impacts of such a change;
- A noise analysis should be conducted to evaluate whether the City's noise bylaw applies to mineral exploration drilling and associated equipment, what exemptions exist, whether hours of operation can be conditioned on a Temporary Use Permit, and which department is responsible for enforcement and response;
- No information or studies on the surface water, groundwater, wildlife use, wetlands, erosion potential, or recreation use in the areas of proposed changes was provided;
- A financial cost benefit analysis should be completed on the cost of mining. It is unlikely that there are economic benefits over a 20+ year term and that the environmental destruction that comes with mining outweighs all of its potential benefits;

Council authority

- The *Municipal Act* gives the City clear authority to regulate and prohibit land uses. Section 289(1) states that a zoning bylaw may "prohibit, regulate, and control the use and development of land and buildings in a municipality." This means that the existence of a valid mineral claim does not eliminate the City's responsibility or authority to determine whether and how that land use fits within the City's land use planning framework.
- Council is not being asked to choose between regulating mining and having no legal authority over it. Council has that authority. The question is how strongly it chooses to exercise it in the public interest;
- City Council and the Mayor are in roles that are supposed to support the people and the public. It seems they are pushing political agendas and ignoring the concerns of the public;
- This decision will impact not only current residents, but future generations;
- Lack of trust in the ability for the City to properly regulate and enforce good mining practices;
- How much authority the City will have going forward. The proponent asked for wording that would let a territorial mining permit count as automatic approval under City rules, no matter what the City's own bylaw said. It is surprising this was even asked for. Concerns that the City’s authority may get chipped away if the proposed amendment is approved;

Other mining regulations underway

- YG is currently in the process of completely rewriting the territory's mining regulations. The City should defer any decisions on this amendment until the new overarching regulations are finalized. This would allow Council to see how the

new regulations are written, evaluate their standards, and ensure municipal bylaws align with modern territorial frameworks;

- The City is developing a broader Mineral Exploration and Development Framework. Council should complete that broader framework prior to making applicant-driven changes to the OCP;
- This process seems to completely circumvent the Mineral Exploration and Development Framework project;
- Two surveys have been completed as part of the Mineral Exploration and Development Framework project and an overwhelming number of responses indicate that residents throughout the city want more restrictions on mineral exploration, not less. 62% of respondents said mineral exploration should be banned outright within the city. A further 15% said restrictions needed to be increased;

Other processes or policy documents

- The City should have participated in the YESAB process and stated that the proposed activities would not be permitted on lands designated as Greenspace or ESAs within the city limits;
- YESAB says the project will have a moderate to severe impact;
- The 2025-2028 Strategic Priorities do not mention advancing mineral exploration, but it does prioritize protecting the natural environment and enhancing recreational activities; and
- The City of Whitehorse Sustainability Plan 2015–2050 does not mention mining, mines, or mineral development. One of the goals it identifies is Healthy Environment and Wilderness, that will not be met by allowing mineral exploration.

***Analysis***

Administration is obligated to follow the process for OCP amendments outlined in the *Municipal Act*, with specific requirements for public notifications and a public hearing. These obligations have been met in the context of this application. Applicant-initiated OCP amendments are not required to undertake broader public engagement processes. The scope of the application was the result of numerous discussions between Administration and the applicant. The size of proposed area for redesignation was significantly reduced from approximately 3.2 $km^2$ to 0.81 $km^2$ based on these discussions. Provision of best advice from Administration to an applicant, based on discussions is standard practice and occurs regardless of who the applicant is.

As stated previously, when a complete application is submitted and the associated fee is paid, Administration must process that application expeditiously. Administration is unable to refuse or delay applications in anticipation of new Territorial mineral legislation coming into effect nor can it delay the subject application based on proposed Framework timelines.

The term “limited forms of exploration” means exploration methods as defined in the amendment, within the Future Planning designation, inclusive of the proposed map amendment. “Limited forms” does not allow the full extent of permitted Class 3 exploration authorized by YG. Mapping data was provided by Administration to the

public to the best extent possible. It is acknowledged that accessibility of mapping data needs to improve. Administration is working to develop a capital project to improve Greenspace and ESA mapping in the OCP.

The June 29, 2026 Administrative report advised it was reasonable to consider redesignation of land that had been impacted by previous mineral, quarry, and wildfire mitigation work without the need for an independent study. The changes proposed in the June 29th amendment would enable mineral exploration in all Future Planning areas with existing mineral tenure, provided work is in alignment with OCP policy and definitions.

Greenspace policy 15.5.4 in the OCP states:

> *"All development in Greenspace may be subject to environmental or other reports that identify measures required to protect environmentally sensitive areas and avoid or mitigate impacts to Whitehorse's ecosystems."*

Environmental Stewardship policy 7.1.2. states:

> *"Development will be limited in environmentally sensitive areas. Only uses that are shown as needing to cross an environmentally sensitive area or be in an environmentally sensitive area because they cannot occur elsewhere. These exceptions will be based on the findings of professionally prepared studies or reports."*

Both of the above polices provide clear guidance on the ability to request independent studies when development is occurring within the Greenspace / ESA designations. These policies are less clear when an application is challenging the current designation based on site condition and history, seeking to change the designation from Greenspace / ESA to Future Planning. Based on this specific request, the policies above, and onsite conditions, Administration determined considering redesignation of a precisely defined area of impacted Greenspace reasonable. Administration recognizes OCP policy limitation in this instance, and has identified the need to explore potential policy changes in the future to address this limitation.

The OCP also contains relevant policy related to mapping. Implementation Policy 16.1 in the OCP states:

> *"all information shown in Map 1 Greenspace Network Plan and Parks…are to be interpreted for general information. Confirmation of exact boundaries may require additional studies or investigations."*

OCP Environmental Stewardship policy 7.1.1 also says:

> *"The City will continue updating mapping of environmental sensitive areas within the city boundary as new information becomes available."*

Administration's recommendation was supported by field visits, review of aerial imagery, GIS mapping data, and review of OCP policies. It is acknowledged that current Greenspace mapping lacks specificity. Upon review of 2010 OCP Greenspace Network Map, greater detail was provided in what constitutes ESAs and "Green Connection Areas." In the 2002 OCP "Physical Constraints and Wildlife Areas" mapping contains even greater detail and explanation of designations applied. The 2002 Physical

Constraints and Wildlife Map illustrates the “mined” area in the GEM site proposed for redesignation as “Developed Area.” Previous OCP mapping is being raised to communicate that current Greenspace mapping seems to have undergone consolidation from previous versions of the document, becoming less specific in its designation. This does not negate the rigour and standing of the current document. It does lead Administration to conclude site by site review of applied designations needs to occur and that current Greenspace mapping needs to be improved. Despite this, Administration was able to provide detailed mapping for areas proposed for redesignation when requested by members of the public. This enabled members of the public to undertake site inspections.

Despite the proposed amendment affecting areas within the Wolf Creek Park conceptual boundary, this does not preclude the area from being planned as park in the future. Redesignation of these lands at a later date through a comprehensive park planning process may occur.

Any exploration work conducted within city limits is subject to all City bylaws, including those related to noise. Interjurisdictional cooperation with YG will be required should noise complaints originating from outside the city impact Whitehorse residents. As stated above, technical review of environmental impacts has been addressed through YESAB review and YG permitting. The proposed amendment would enable low impact Mineral Exploration. In the event Mineral Development is proposed, further study including long term environmental and economic cost benefits analysis will need to be undertaken.

Section 289 of the *Municipal Act* states municipalities are permitted to “…prohibit, regulate, and control the use and development of land and buildings in a municipality”. Land use planning by municipalities is implemented through policies in an OCP and regulations in a zoning bylaw. Council has the authority to regulate and even prohibit certain land uses including those related to Mineral Exploration and Development. Presence of a valid mineral claim or grant within a municipality does not guarantee exploration of that claim can occur under the municipalities’ land use framework. The question before Council is whether this specific OCP amendment to enable limited scope mineral exploration is appropriate. Broader questions related to mineral exploration and development in the city would need to be addressed through a separate amendment to the OCP.

The City did provide input as part of the YESAB review. It is understood by YESAB that proposed work must align with the City’s land use framework including the OCP. Administration was instructed to report back to council with a comprehensive regulatory framework for mineral activity in the city. The current OCP enables both mineral exploration and mineral development in limited instances. A previous OCP amendment seeking to ban mineral exploration and development within city limits was not adopted by Council in spring of 2024.

### *Administrative Recommendation*

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

## 8. Not in Public Interest

Public input submissions had concerns or are in opposition to the proposed amendment due to it not being in the public interest due to poor local retention of jobs and financial benefit, a history of failed mines in the Yukon and remediation costs, the proponent's history in the area, setting a precedence, and suggestions of a mining ban. Points raised include:

Jobs and distribution of financial benefits

- The employment benefits often promised by mining companies. These projects often rely on workers who are brought in from outside the local community, while relatively few long-term, well-paying positions go to local residents. If local people are not the primary beneficiaries, our community is left carrying many of the potential impacts without receiving the economic benefits that are often advertised;
- More than half of the mining workers in the Yukon are not Yukoners, with the majority being fly-in, fly-out workers, generating no tax or employment benefits locally;
- Exploration only profits the developers who hope to sell what they find for a high price to a mine developer or otherwise parlay their action into increased share prices. These economic gains will not benefit local residents, especially those whose quality of life will suffer;
- The only way the promised jobs, investment, and tax revenue would materialize is if a mine were developed. Council is being asked to approve this change on the strength of an economic upside that requires a mine, while simultaneously being told a mine is not really what is being proposed;
- Mining will not equal positive net municipal income. The City must demonstrate how this time will be financially different. Mining is a business with proven specialization in minimizing financial leakage beyond operations and profit;
- Royalties are ridiculously low in the Yukon. In 2025 for $449 million in gold revenue, YG collected one per cent, equalling $33,300 in royalties. Operators are allowed to deduct 100 per cent of exploration, capital expenditures, development, and ongoing operational costs before determining their royalty burden. As a result, a mine can extract billions of pounds of copper and pay $0 in royalties to the territory during years when it does not register a net profit;
- Between 2021 and 2026, YG collected $8,839,543 in quartz mining royalties from major hard rock operations (specifically the Eagle Gold Mine), alongside roughly $33,000 to $36,000 per year in nominal placer gold export royalties (37.5 cents per ounce). Total aggregate mineral royalties for this multi-year span remain under $10 million. The cleanup costs and generous incentives for mining in the Yukon from its taxpayers vastly overshadow any benefits from royalties;

Failed mines and remediation costs

- Yukon has seen numerous mining projects over the years that have failed to deliver lasting economic benefits, with many ending in financial difficulty, environmental concerns, or expensive reclamation efforts. This track record

should encourage caution before supporting additional exploration so close to the city;

- The City and taxpayers could be left with large remediation costs and environmental damage as has happened with other mining projects across the Yukon;
- Exploration companies are often based outside Whitehorse, Yukon, or Canada. They pursue profitable resources and leave; however the residents who live nearby are left with long term impacts to land, water, property values, and quality of life;
- The track record of hard rock mining in the territory, with costly liabilities, must be considered, including the recent Victoria Gold failure;
- The south McQuesten River and the valley below Elsa was contaminated due to previous mining activities;
- The Faro Mine closure has cost taxpayers $2.4 billion for remediation up to 2024, with an additional $1.2 billion projected over the next 25 years;
- The Eagle Mine cleanup is projected to reach upwards of $377.5 million by this fall, including a $220 million payout from YG. This loan may or may not be repaid depending on the possible resale of the mine. The remaining companies holding unpaid bills are “unsecured creditors” waiting on a cumulative $82.7 million. Half of that is owed to Yukon businesses, standing in line behind YG.
- There has never been a successful mine in the Yukon, so we should not accept the risk to develop one within the city;

Proponent’s history in the area

- The proponent was fined for infractions under the Quartz act in the Cowley area . They plead guilty to six charges and had to pay a fine of $43,700;
- Belief that the proponent’s exploration activities continue to damage trails in the areas adjacent to Mary Lake. In the past they have left drilling fluid on the ground surface, have left equipment running unattended, drive heavy equipment on roads never intended for heavy equipment, made a lot of noise, cut excessive number of trees, and have failed to attempt or complete reclamation of any of their drill sites. They also left significant piles of brush and trees, that are a fire hazard and not fire smart to leave in areas that are so close to residential areas;
- The proponent put up "no trespassing" signs restricting access to trails;
- Belief that the proponent has not obtained the necessary social license to conduct activities within Whitehorse.

Precedence and long-term vision

- Allowing one company to explore in the city opens the door to many others. This would set a dangerous precedent;
- The phrase “exploration is not mining” has been used in discussions on this topic but it is a false statement. If commercially viable deposits of desirable minerals are discovered in the exploration phase, the pressure to extract those minerals would be intense and unrelenting. Legal challenges would be inevitable, and the

City would be at a disadvantage for not being more deliberate in the land use designation;

- Concerns about irreversible precedents. Allowing exploration activities in Future Planning areas before defining community boundaries or environmental protections may permanently impact lands needed for future housing, recreation, or conservation;
- It would be illogical, misleading and bad process to approve exploration if subsequent mine development and operation could not ultimately be approved, Mine development and operation that is intended to flow from mineral exploration is incompatible with the use of these areas by residents and other citizens as part of their neighbourhoods and recreational areas;
- Yukon mining legislation is outdated and archaic and does not imagine, let alone address, the technological and societal changes since it was written. Rather than impose the "moderate to high risk" of unwanted mining activity on local residents, our different levels of government should more rigorously apply themselves to bringing that legislation into the 21st Century; and

Prohibition on mineral exploration and mining

- Suggestions that an outright ban of exploration and mining within the boundaries of the city should be implemented.

***Analysis***

OCP section 10-Economy contains policies that broadly support economic development in the city. Policy 10.3 states:

> *"The City will continue to work with partners to support the resource development and mining industry, and Whitehorse's role as its commercial, service and supply centre hub."*

Despite this policy, Administration's recommendation related to this amendment is not driven by economic development considerations. Numerous pieces of public input voiced concerns related to potential jobs not benefitting the local economy and that investment in mining and exploration rarely benefit the area in which it occurs. Although these are valid concerns, they do not directly impact Administration's recommendations related to land use.

Concerns related to potential remediation costs associated with potential future mining are valid but ultimately beyond the scope of this amendment. In the event of a mine proposal in the future, rigorous reclamation planning will be required as part of the assessment process. Proposed policies and permit conditions require remediation of Mineral Explorations to a pre-work state. Comments were received related to past infractions of the applicant. It is Administration's understanding these matters have been resolved through enforcement processes. Future work by any entity undertaking Mineral Exploration in the city will be subject to all Territorial legislation and City bylaws.

Although the subject application has been initiated by one applicant, the allowances granted by this amendment are not specific to any one party. The amendment would facilitate exploration by any proponent, with valid mineral tenure if that work aligns with the OCP. Any future land use application related to Mineral Exploration or Mineral

Development must be assessed on its merits. Mineral Exploration will not be assumed supportable based on previous precedent alone. In the event Mineral Exploration results in identification of valuable resources, future land use applications with subsequent Council decisions are required to progress beyond low impact exploration activities. Council is not obligated to vote in favour of higher impact exploration or development based on a previous decision. Council was presented with the option of approving a ban on Mineral Exploration and Development in the spring of 2024 and Council voted to proceed with an alternative to an outright ban of mineral exploration and development within city limits. Administration was directed to report back with a more comprehensive approach to regulating mineral activity. This direction led to the development of the proposed Mineral Exploration and Development Framework.

***Administrative Recommendation***

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

## 9. Other

Public input submissions expressed concerns or are in opposition to the proposed amendment due the City's "Wilderness City" identity, Wolf Creek Park, rejection of another application, and electricity.

"Wilderness City" identity

- We call ourselves the "Wilderness City" and promote ourselves as such but seem to have little regard for the health benefits of wilderness and preserving green space in town and wilderness and wildlife corridors around us;
- The proposed amendment does not align with the City's "Wilderness City" identity;
- A "Wilderness City" should have wilderness;
- The City website says "Explore Whitehorse, the Wilderness City." The phrase was thought to be a point of collective pride, a call to action to prospective residents, visitors, and passers-through to enjoy the access to wilderness that the Yukon has to offer. Instead, it seems like the phrase is aimed at those who see greenspaces as a barrier to drill and dig;

Defeat of other application

- A zoning amendment application to expand industrial uses into vacant Commissioner's land at 163 Collins Lane was rejected for a third time recently. How many applications have successfully converted greenspace to industrial activity in the last few years? Greenspace should not become new development areas.

Electricity

- The City should lobby Yukon Energy for more sustainable power generation to meet long term demand especially if it wishes to allow for future industrial development; and

- Any construction and operation of exploration and mining activity within and nearby the City would likely include taking advantage of nearby electrical services. Yukon Energy already has electricity shortages in the city during the winter, and we do not need to subsidize yet another increase of mining profiteering with cheap electricity. Residents should be the first in line for electricity; temporary mining endeavours ought to produce their own electricity, share any excess with the grid, and leave the operational generation station with the Yukon after proper mine closure.

***Analysis***

Numerous comments were received that stated enabling Mineral Exploration is contrary to the identify and values of "the Wilderness City." Mineral Exploration and Development is permitted in certain instances under current City bylaws. Proposed amendments would enable low impact exploration in the Future Planning designation. Mineral Exploration is not permitted in remaining Greenspace areas.

Any application to redesignate Greenspace must be evaluated on a case-by-case basis. The proposed amendment does not propose redesignation of Greenspace land to Industrial. Future Planning was deemed the most appropriate designation for the proposed amendment given uses are limited, the designation is investigative in nature, and it does not accommodate more intensive industrial or natural resource extraction type uses.

Some public input voiced concerns related to electricity demand associated with increased Mineral Exploration or Mineral Development. It is acknowledged growth and development are posing ongoing stress to existing infrastructure in Whitehorse. The planned power centre expansion by Yukon Energy is anticipated to provide adequate power supply in short term while longer term, sustainable energy solutions are developed.

***Administrative Recommendation***

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

**Support**

The following matters were raised in the public input submissions and at the public hearing in support of the proposed amendment:

10. History of Mining in the City
11. Information Facilitates Better Planning
12. Provides a clear municipal process
13. Insufficient data to support Greenspace designations
14. Contributes to a diversified economy
15. Project has undergone YESAB review
16. Project is short-term and low impact
17. Proximity to infrastructure
18. Other

## 10. History of Mining in the City

- The original boundaries of the City were expanded to incorporate mines and lands with high mineral potential to support the tax base. This intent should be honoured;
- Previous mining in the city produced roads, trails, and open pits that people use recreationally. The suggestion that those roads and trails can no longer be used for the purpose for which they were built, namely mineral exploration, is inappropriate;
- Crown grants and quartz claims have been kept in good standing since Whitehorse Copper Mines ceased operations in 1982. Exploration activities, including diamond drilling, have occurred sporadically in accordance with all applicable regulations and government oversight;
- The former Whitehorse Copper Mine had a very positive impact on the City both socially and through revenues from municipal taxes;
- The Whitehorse Copper Belt has been mined previously for decades with little impact on the environment. Its rock is rich in calcium and relatively benign; It does not become acidic or create metal leachate. Any real or perceived impacts can be easily mitigated; and
- In 1998, the City consulted YG geoscience office to conduct a mineral potential study to help planning. At that time, the City was advised that past-producing mines and areas of partial development were considered to have the highest mineral potential. The City then built subdivisions over some of the highest mineral potential (ie. Raven's Ridge) and basically ignored the good science that they initiated. All three of the small parcels of land being considered to be redesignated fall within the highest mineral potential ranking.

### *Analysis*

Comments in support of the amendment cited a long history of mineral exploration and mining work in the Whitehorse area. Despite numerous statements that City boundaries were intentionally expanded to capitalize on the revenue generating potential of mining, Administration could not find formal record to confirm these statements. It is acknowledged mineral exploration has occurred in the Whitehorse area for decades and that copper mining was occurring in the city into the early 1980's. Public input submissions referenced mineral potential mapping that was undertaken in the late 1990's, intended to guide planning while protecting high mineral potential areas. The proposed amendment does focus on enabling exploration within areas previously impacted by mining and exploration activity. Proposed work areas were also previously identified as areas of high mineralization in the late 1990's.

### *Administrative Recommendation*

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

## 11. Information Facilitates Better Planning

- Mineral exploration is not mining. It generally involves mapping, surface sampling and drilling to collect geological information. It does not involve mineral extraction, processing or permanent mine infrastructure;
- Exploration improves knowledge of the land and the mineral resource potential. That information supports decisions about the future of the community and our economy;
- The proponent's exploration activities will provide information about mineral volumes and locations. This information will be useful to the City for land use planning in the medium- and long-term. The City will get this information essentially for free; and
- If exploration reveals that the City has mineable deposits of copper, Whitehorse citizens will decide whether to exploit those deposits and how to do that based on the priorities and values of the day. Those priorities and values might be much different in a climate-changed world than those of 2026.

### *Analysis*

Public input submissions stated that mineral exploration produces information that can better guide future land use planning decisions. Although municipal land use planning decisions are not directly informed by the economic potential of a mineral resource within the city, information gained through mineral exploration can help limit potential for land use conflict. Exploration that results in relinquishment of claims can result in land becoming unencumbered, resulting in greater certainty when undertaking long term land use planning. Alternatively, if valuable resources are discovered, policy and regulatory frameworks can be developed to manage that resource in the long term, in alignment with Council direction and informed by the public.

### *Administrative Recommendation*

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

## 12. Provides a Clear Municipal Process

- The proposed amendment would provide a clear municipal process for considering temporary mineral exploration;
- It is worth being clear about what this amendment does and does not enable. Temporary mineral exploration is limited to geological mapping, surface sampling, and drilling to collect rock samples — it does not involve mineral extraction, mineral processing, or permanent infrastructure; and
- Regulatory certainty and a clear, predictable municipal process matter to the industry as a whole. This amendment establishes exactly that: a transparent pathway with strong oversight.

### *Analysis*

Under the current OCP and Zoning Bylaw, Mineral Exploration and Development is not adequately defined, nor does it contain detailed policy and regulation guiding where and

how it is to occur. The proposed amendment provides definitions for Mineral Exploration. It also includes definitions related to access to exploration areas that enable effective regulation of these land uses. Proposed policy in Future Planning grants limited allowances for Mineral Exploration. These changes are an improvement to current OCP policies. Added clarity will better inform both the public and mineral industry on what is acceptable when undertaking Mineral Exploration. Additional work is required to establish a city-wide regulatory framework for Mineral Exploration and Development.

***Administrative Recommendation***

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

**13. Insufficient Data to Support Greenspace Designations**

- Administration admitted that areas designated as Greenspace contain highly disturbed ground and that there are mapping errors in the Greenspace polygons in the OCP;
- The OCP does not take into account the mineral assessment document and valid quartz claims; and
- The area's defacto Industrial status has recently been reinforced by the large-scale clearcut logging being done to create a firebreak to help protect the City. The OCP should reflect this status.

***Analysis***

In the June 29, 2026 report to the City Planning Committee, Administration indicated that based on their review including site inspection, proposed areas for redesignation did not meet the intent of the Greenspace / ESA designation. Greenspace / ESA mapping has evolved since the 2002 and 2010 OCPs, with what appears to be less specificity in the more recent mapping. Administration is in the process of scoping a capital project to improve Greenspace / ESA mapping. Proposed areas for redesignation contain areas that have been impacted by past mining, exploration and reforestation to establish the fuel break. Proposed work areas have been identified in past mapping exercises as areas of high mineral potential. Ongoing planning work is required to best address the diversity of land use considerations in these areas.

***Administrative Recommendation***

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

**14. Contributes to a Diversified Economy**

- Mineral exploration supports local jobs, businesses, and investment in the City and across the Yukon which is beneficial;
- The Yukon's $1.5 billion fiscal dependence on federal transfer payments highlights the importance of developing additional sources of sustainable economic activity and of strengthening the Yukon's own economic capacity;

- Mining and exploration have been and continue to be the largest sector in the Yukon outside of government. Without exploration, there is no future;
- Today there are 34 critical minerals and metals recognized by the federal and territorial governments considered vital for green and the digital economy - as well as being vital to global supply chains. Copper is included in the top six core elements. Copper is used to charge electric vehicles, in household appliances, solar panels, ear buds, and copper wiring used to build housing;
- Copper is increasingly necessary. Our national government is working on Canadian security, resource independence, and broadening our national economy so it is less reliant on one buyer;
- Responsible exploration and mining of the country's critical minerals is a way of developing a more resilient economy able to meet the demands of the future and resist the global geopolitical challenges;
- The project represents a planned investment of approximately $40 million in exploration and environmental work over 18 months;
- The project supports 22 direct jobs, including 12 for Whitehorse residents, and engages 30+ local businesses across contracting, services, hospitality, retail, and community groups; and
- Over the past three years, the proponent has grown from a company valued at approximately $20 million to around $400 million. Much of the work creating that value is happening here in the City.

***Analysis***

OCP policy 10.3 states:

> *"The City will continue to work with partners to support the resource development and mining industry, and Whitehorse's role as its commercial, service, and supply centre hub."*

OCP section 10-Economy contains other broad policies that support economic resiliency and diversity. The proposed amendment generally aligns with policies in section 10 of the OCP. Despite alignment with these policies, tertiary economic benefits are not primary factors driving Administration's recommendation. Comments in support of the subject amendment cite the global demand for critical minerals and their need to facilitate a transition to a green economy. Responsible Mineral Exploration, executed with environmental stewardship can align with high level climate action policies in section 6 of the OCP.

***Administrative Recommendation***

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

**15. <u>Project has Undergone YESAB Review</u>**

- For the Whitehorse Copper Project, exploration is authorized under a Class 3 Quartz Mining Land Use Approval issued following a YESAB environmental assessment and consultation with affected First Nations and government

agencies. The approval includes 98 enforceable, project-specific operating conditions governing environmental protection, operational practices, and reclamation. The proposed amendment was substantially refined through that process, including a significant reduction in the amendment area. The review was substantive, not perfunctory.

***Analysis***

Class 3 exploration requires an environmental assessment by YESAB. All associated requirements for the YESAB review have occurred as part of this project including engagement with KDFN and TKC, public engagement, and environmental assessment. A recommendation in support of the project was issued by YESAB subject to conditions. YG issued a subsequent permit incorporating much of the YESAB recommendations. Detailed analysis describing the YESAB and YG review and conditions is described in several sections above under comments in opposition to the amendment. The YESAB and YG review is a crucial component in the project assessment and addresses some areas of project regulation that fall outside of municipal jurisdiction. The proposed OCP amendment would enable some work permitted under the Class 3 approval, but not all activities. The proposed OCP policies would enable low impact exploration in Future Planning areas subject to more conservative policies and definitions.

***Administrative Recommendation***

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

**16. <u>Project is Short-term and Low Impact</u>**

- The proposed mineral exploration is short-term;
- The proposed mineral exploration is low impact. It leaves no lasting trace on the land and does not change conditions for other future uses of the areas involved; and
- Mineral tenure provides a definite boundary within which mineral exploration may occur. Mineral tenure boundaries should not be interpreted as proposed disturbance footprints or as an indication that work is planned throughout the entire area. Specific targets and work locations are progressively refined as geological information develops.

***Analysis***

An essential distinction when discussing the proposed amendment is that Mineral Exploration is not Mineral Development or mining. The proposed amendment would enable use of rubber tracked equipment to undertake focused exploration drilling in select areas. Under the proposed amendment, operators cannot build new roads or trails, nor can they remove the vegetative mat. The proposed polices enable selective tree cutting but do not enable broad tree clearing. Mineral Exploration under the proposed amendment is only accommodated as a temporary use under Temporary Use Permits. Obligations to fully remediate exploration sites are codified in policy and applied as a condition of the Temporary Use Permit.

***Administrative Recommendation***

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

## 17. Proximity to Infrastructure

- The City has significant environmental and climate change advantages as a production centre for copper compared to other locations in the Yukon. Advantages include reduced greenhouse gas emissions for transportation, chemically simpler and safer extraction and remediation, and cheaper power considerations;
- The proximity to the city should be seen as an advantage and creates an opportunity to set an example of how responsible mining can and should be conducted within the Yukon. Disturbance can be minimized by using preexisting developments and the proximity allows for closer review and inspections on procedures. This has the potential to be advanced as one of the lowest emission projects due to the proximity to current critical infrastructure such as highways and hydroelectricity; and
- The location provides additional logistical advantages, including proximity to existing transportation routes and access toward shipping ports like Skagway.

***Analysis***

Public input in support of the proposed amendment cited the proximity of proposed Mineral Exploration to the city as an asset. Supporters state there is potential for significant reduction in emissions when operating in the city compared to more remote work locations. This concept is in general alignment with OCP policy 10.3, which aims to establish Whitehorse as a service hub for the natural resource and mining industry. Comments related to this application must be taken in reference to Mineral Exploration and not Mineral Development (mining). The subject amendment does not enable Mineral Development.

***Administrative Recommendation***

Based on the analysis above, no changes are recommended to the proposed OCP amendment.

## 18. Other

- Temporary exploration and development in the Copper Belt supports the ‘Whitehorse declaration of a climate emergency’ (September 2019) and the ‘Canadian Critical Minerals Strategy’ (December 2022);
- Information on increased levels of radon in residences due to drilling is inaccurate. Radon generated by exploration drill holes is not something to worry about. An easy solution that should put these fears to bed would be to cement the drill holes;
- The Mineral Exploration and Development Framework that the City is developing does not adequately reflect the realities of the mineral industry. The language used shows no familiarity with the values and regulations being discussed, which does not inspire confidence that planners took steps to be sufficiently informed;

- Many references have been made to previous surveys done on whether residents support mining within city limits. Those surveys revealed a majority of people are not in support however they are statistically insignificant surveys. The number of responses for or against, including in this public hearing process, cannot be used to make a decision; and
- The proponent has gone above and beyond what is required by regulations. They relinquished claims, use track-mounted drill rigs and electrical water pumps, and adopted noise mitigation measures. They seem to have demonstrated genuine regard for concerns and followed through with solutions.

***Analysis***

There were a number of public input submissions that did not warrant their own theme. Comments reiterated the importance of developing a responsible global copper and critical mineral supply to support electrification and decarbonize the economy.

Several comments stated that fears related to radon exfiltration from geotechnical drilling are unfounded, and that hole capping is an effective mitigation technique. It is Administration's understanding there is emerging science on this topic but the City lacks the technical expertise to fully address these comments. As is the case in many Canadian municipalities, testing indoor residential air quality for radon is prudent. In the event indoor radon levels exceed safe concentrations, building code modifications are relatively simple and can effectively mitigate human health risks.

The proposed Framework was criticized for not reflecting the realities of the mineral industry and that terminology used is inaccurate. Although separate from this application, the proposed Framework is scheduled for introduction to the Planning Committee on October 5, 2026. Development of the Framework was informed by existing legislation and policy, government input, public consultation, past mineral exploration permitting experience and a multi-jurisdictional scan. The proposed Framework will be subject to a public hearing where specific concerns can be addressed by those opposed, with Administration responding accordingly.

Criticism of the proposed Framework public input survey methodology was also received. Concerns were voiced that sample sizes were small and results are not statistically significant nor representative of the broader community. Administration acknowledges that with two surveys with sample sizes of approximately 430 and 160 respondents, results are not statistically significant. Despite this limitation, responses received represent the sentiments of many residents and ought to inform policy decisions.

Those in support of the amendment highlight the willingness of the applicant to adapt to concerns and to utilize low impact methods of exploration. Administration acknowledges the applicant has responded to concerns and complaints, developing improved drilling programs more suitable for populated areas.

***Administrative Recommendation***

Based on analysis above, no changes are recommended to the proposed OCP amendment.

## Conclusion

A record number of public input submissions were received as part of the public hearing process for the proposed amendment with input on a variety of topics and themes. In review of all public input submissions, Administration recommends one modification to the proposed amendment to remove the term “fire smart clearing” from the definition of Disturbed Area (Attachment 1).

If Council passes second reading, the proposed amendment will undergo a ministerial review by the Minister of Community Services to ensure all legislated procedures were followed. The ministerial review will take a maximum of 45 days, with 3rd Reading anticipated to take place on December 14, 2026.

## ADMINISTRATIVE RECOMMENDATION

THAT Council direct that Bylaw 2026-25, a bylaw to amend the Official Community Plan to enable limited forms of Mineral Exploration within select areas currently designated as Greenspace, be amended at second reading and proceed through the bylaw process.

# CITY OF WHITEHORSE

# BYLAW 2026-25

A bylaw to amend the Official Community Plan

WHEREAS Section 278 of the *Municipal Act* provides that a municipality shall by bylaw adopt an Official Community Plan in accordance with Part 7, Division 1 of the Act; and

WHEREAS Section 285 of the *Municipal Act* provides for amendment of an Official Community Plan, in accordance with the same approvals as established in Division 1 for the preparation and adoption of an Official Community Plan; and

WHEREAS it is deemed desirable and expedient to amend the 2040 Official Community Plan;

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

1. Section 15 of the Official Community Plan Adopting Bylaw 2022-40 is hereby amended by adding a new subsection and new policies 15.4.7 – 15.4.10 immediately after existing policy 15.4.6ii to read as follows:

**"Mineral Exploration on Valid Mineral Tenure"**

The Whitehorse Copper Belt contains areas of Future Planning designation where valid mineral tenure exists. The following policies apply to Mineral Exploration on valid mineral tenure within the Future Planning designation.

15.4.7 Where valid mineral tenure exists in good standing within the Future Planning designation, Mineral Exploration activities including associated drill site preparation, clearings, and access may be considered a permitted temporary use where conducted in accordance with applicable territorial legislation, including the Quartz Mining Act, and City bylaw, and utilizing Disturbed Areas, Established Access, and/or Temporary Equipment Access as defined in this Plan.

15.4.8 Mineral Exploration activities authorized under this policy are administered through a Temporary Use Permit, which may be renewed annually, in accordance with the Zoning Bylaw. The development officer may impose conditions addressing land use matters in alignment with City bylaw.

15.4.9 Mineral Exploration activities authorized under this policy are temporary in character and reclamation shall be completed in accordance with applicable territorial authorization and City standards.

15.4.10 This policy does not authorize mining or permanent development. All Mineral Exploration activities remain subject to applicable territorial legislation, First Nations consultation requirements, territorial environmental assessment processes, and City bylaw."

2. The Glossary of the Official Community Plan Adopting Bylaw 2022-40 is hereby amended by modifying the existing table by adding definitions for “Established Access”, “Disturbed Area”, “Mineral Exploration”, and “Temporary Equipment Access” in alphabetical order to read as follows:

| Term | Definition |
|---|---|
| Established Access | Established access means any road, route, or cleared corridor that was previously constructed or used for any purpose involving ground disturbance or vegetation clearing, and that is identifiable on the ground by one or more of the following:<br>(a) The vegetative mat is absent in the wheel track or travel surface area, consistent with prior sustained vehicle passage, regardless of vegetative regrowth on the corridor margins or centre;<br>(b) An existing roadbed, compacted surface, or corridor width consistent with prior equipment passage remains identifiable; or<br>(c) Cleared corridor margins, stumpage, or cut vegetation consistent with prior clearing activity are present.<br>Restoration of an established access route to passability by selective removal of regrown vegetation with no movement of rock or earth does not constitute construction of a new route. Where regrowth within an established access corridor can be removed by brushing with no movement of rock or earth, selective removal constitutes restoration of established access and does not require Temporary Equipment Access standards. |
| Disturbed Area | Disturbed Area means land that has been subject to prior ground disturbance or vegetation clearing activity, including but not limited to Mineral Exploration or mining activity, wildland fire management including the fuel break ~~and fire smart clearing~~, quarry or aggregate operations, public utility construction, or any other activity involving ground disturbance or removal of natural vegetation cover, and that has not been formally reclaimed through recontouring, revegetation, or other reclamation measures directed by a regulatory authority.<br>A Disturbed Area is identifiable by one or more of the following:<br>(a) Visible evidence of prior excavation, grading, or earthworks including open pits, waste rock piles, sumps, historical drill collars and associated infrastructure or disturbed ground;<br>(b) Existing roadbed or cleared corridor consistent with prior vehicle use, where the original corridor is identifiable on the |

| | |
|---|---|
| | ground regardless of current vegetative cover; or<br>(c) Removal or absence of natural vegetative mat over a continuous area consistent with prior clearing activity. |
| Mineral Exploration | Mineral Exploration means activities undertaken for the sole or principal purpose of assessing land for its suitability for the production of minerals, including but not limited to drilling and associated drill site preparation, conducted in accordance with a valid authorization issued under the Quartz Mining Act or applicable territorial legislation and City bylaws. |
| Temporary Equipment Access | Temporary equipment access means access to a Mineral Exploration work area on valid mineral tenure in good standing, achieved by rubber-tracked equipment, or by metal-tracked equipment during winter conditions where required for safe operation, where the following standards are met:<br>(a) No movement of rock or earth occurs, except for the removal of individual obstructions necessary for safe equipment operation, with prior notification to the development officer;<br>(b) The vegetative mat remains intact — incidental compression by approved equipment passage does not constitute removal of the vegetative mat;<br>(c) No trees with a stem diameter exceeding 15 centimetres at 1.5 m above ground are felled, except where removal of an individual tree is necessary for safe equipment operation, with prior notification to the development officer;<br>(d) No equipment blade is used to grade the surface or remove the vegetative mat; and<br>(e) Temporary equipment access shall not exceed a maximum width of 5 metres, with the cumulative area of disturbance under a single Temporary Use Permit not exceeding 0.5 hectares, calculated using actual route length and actual disturbed width, to a maximum width of 5 metres. Cutting shall be limited to necessary, selective cutting to achieve temporary access only.<br>Where temporary equipment access does not involve removal of the vegetative mat or alteration of ground slope or grade, deactivation consists of removal of any felled material and restoration of natural drainage where affected, and confirmation that the vegetative mat remains in place and in good condition. Full recontouring and revegetation are not required where grade and slope are unchanged. |

3. The Map 1 – Greenspace Network Plans and Parks forming part of the Official Community Plan Adopting Bylaw 2022-40 is hereby amended by removing an area known as Gem-Keewenaw, and portions of areas known as Chiefs Trend and Arctic Chief-Grafter from the Greenspace or Environmentally Sensitive Areas as indicated on Appendix A and forming part of this bylaw.

4. The Map 5 – Land Use Designation forming part of the Official Community Plan Adopting Bylaw 2022-40 is hereby amended by changing the designation of an area known as Gem-Keewenaw from Greenspace to Future Planning as indicated on Appendix B and forming part of this bylaw.

5. The Map 5 – Land Use Designation forming part of the Official Community Plan Adopting Bylaw 2022-40 is hereby amended by changing the designation of portions of an area known as Chiefs Trend from Greenspace to Future Planning as indicated on Appendix B and forming part of this bylaw.

6. The Map 5 – Land Use Designation forming part of the Official Community Plan Adopting Bylaw 2022-40 is hereby amended by changing the designation of portions of an area known as Arctic Chief-Grafter from Greenspace to Future Planning as indicated on Appendix B and forming part of this bylaw.

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

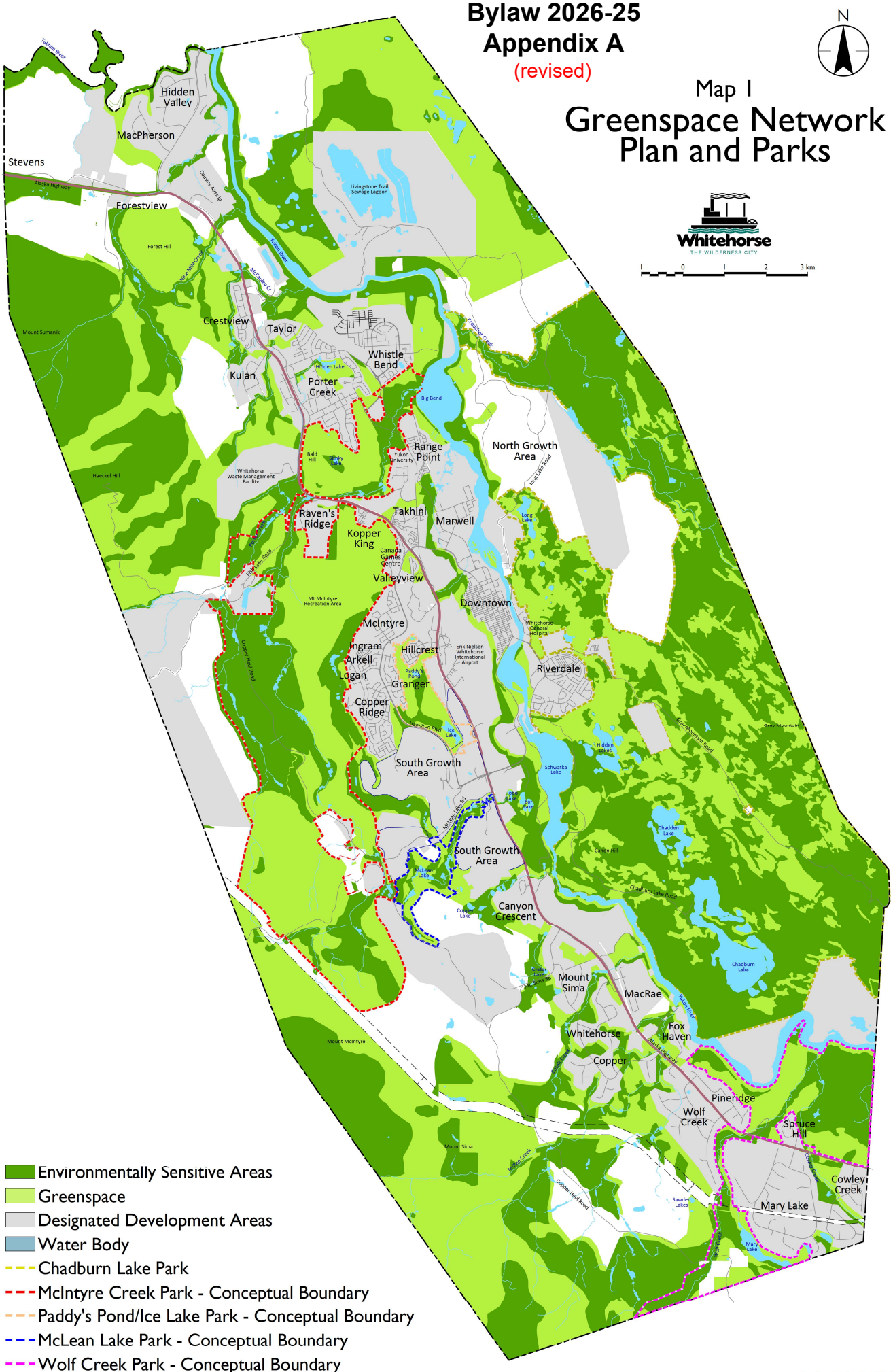
**FIRST READING**: July 7, 2026
**PUBLIC NOTICE**: July 17 and 24, 2026
**PUBLIC HEARING**: August 24, 2026
**SECOND READING**:
**EXECUTIVE COUNCIL MEMBER APPROVAL**:
**THIRD READING** and **ADOPTION**:

_____
Kirk Cameron, Mayor

_____
Corporate Services

# Bylaw 2026-25
# Appendix A
(revised)

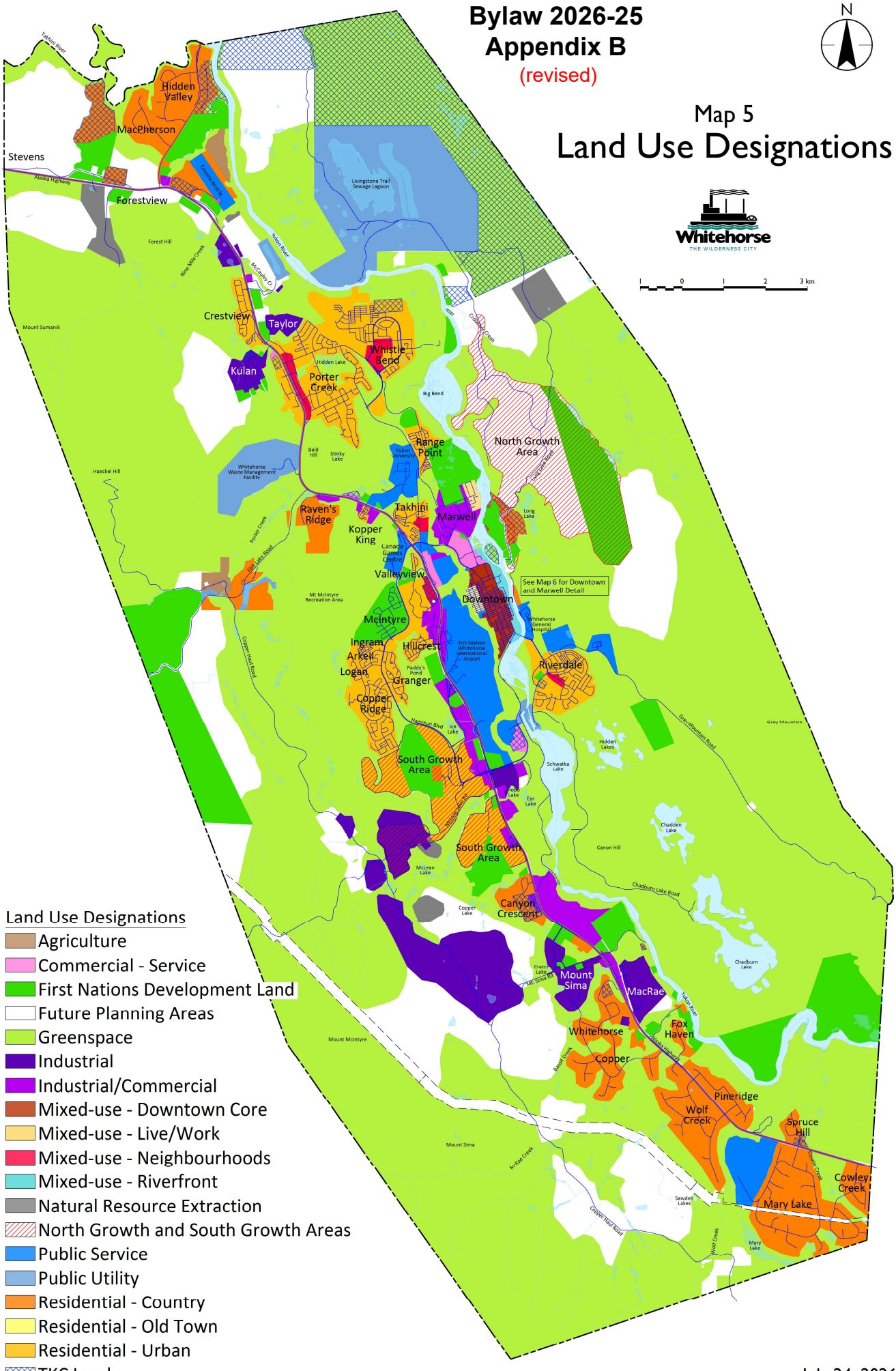
## Map 1
# Greenspace Network Plan and Parks




July 24, 2026

# Bylaw 2026-25
# Appendix B
(revised)

## Map 5
# Land Use Designations




### Land Use Designations

- Agriculture
- Commercial - Service
- First Nations Development Land
- Future Planning Areas
- Greenspace
- Industrial
- Industrial/Commercial
- Mixed-use - Downtown Core
- Mixed-use - Live/Work
- Mixed-use - Neighbourhoods
- Mixed-use - Riverfront
- Natural Resource Extraction
- North Growth and South Growth Areas
- Public Service
- Public Utility
- Residential - Country
- Residential - Old Town
- Residential - Urban
- TKC Lands

July 24, 2026

**Process Summary - Permitting - Mineral Exploration**

The proponent applied for a Class 3 Quartz Mining Land Use Approval in February 2025 for a project known as the Whitehorse Copper Project (the Project). The Project is a quartz exploration program on 159 mineral claims and 6 Crown Grants in four target areas that will be accessed by road including the Copper Haul Road, McLean Lake Road, and Mount Sima Road. The four target areas are known as War Eagle, Arctic Chief/Grafter, Chiefs Trend, and Cub/Cowley. All four target areas are fully or partially within city limits.

The proponent's application included, but was not limited to:

- Up to 400 clearings total with up to 80 000 $m^2$ of vegetative mat cleared in total;
- Use of heavy equipment;
- Up to 480 diamond drilling holes for up to 120 000 m total length;
- Up to 120 reverse circulation holes for up to 30 000 m in total length;
- Use of up to 30 km of existing roads, construction of up to 5 km of new roads, and construction of up to 20 km of new trails;
- Proposed bridge or culvert across Cowley Creek with use up to four times per day;
- Water use of up to 160 $m^3$ per day per watershed;
- Fuel use and storage of up to 800 L of diesel;
- Reclamation of newly disturbed areas on an ongoing basis;
- Monitoring of dust and noise; and
- Activities expected to occur year-round for 5 years, with drill programs expected to occur for 30 to 150 days per year.

<u>YESAB Evaluation</u>

The YESAB Whitehorse Designated Office completed its evaluation of the Project and released an Evaluation Report on October 10, 2025. The scope of the assessment is determined by considering the activities described in the scope of the Project, matters set out in s. 42(1) of YESAA, and by identifying the valued environmental and socio-economic components (VESECs) that may be adversely affected by project activities. Over 100 comments were received during the public comment period.

The Whitehorse Designated Office recommended to the Decision Body, YG, that the Project be allowed to proceed, subject to 24 specified terms and conditions. The Designated Office determined that the Project is likely to have significant adverse environmental and socio-economic effects in or outside of the Yukon that can be mitigated by those 24 terms and conditions.

<u>YESAA Decision</u>

YG was the decision body and therefore reviewed the Evaluation Report completed by the YESAB Whitehorse Designated Office. Per section 75 of YESAA, YG issued a decision document on February 13, 2026 that varied the recommendation and the terms and conditions of the Whitehorse Designated Office. Of the 24 terms and conditions

recommended by the Whitehorse Designated Office, YG agreed with three, changed 14, removed 7, and added three.

YG Permit

On March 27, 2026, YG issued the Class 3 Quartz Mining Land Use Approval to the proponent. The approval contains 15 general requirements, 43 operating conditions and an additional 31 terms and conditions, four reclamation/decommissioning requirements, and five other requirements. The approval stipulates that all work, including restoration, must be complete by March 26, 2031.

First OCP Amendment Application

The proponent applied for an OCP text amendment that was presented to the Planning Committee on April 7, 2026 that would have enabled mineral exploration in any land use designation. If approved, it would have effectively allowed mineral exploration in all areas within the Class 3 approval. The proposed amendment was broad in scope and did not geographically define specific areas proposed for mineral exploration. Council defeated the proposed amendment on April 13, 2026.

Second OCP Amendment Application

The proponent applied for the subject OCP text and map amendment that would enable mineral exploration in three of the four areas approved under the Class 3 approval, with a reduction in the area sizes and intensity.

# ADMINISTRATIVE REPORT

| | |
|---|---|
| **TO**: | City Planning Committee |
| **FROM**: | Administration |
| **DATE**: | October 5, 2026 |
| **RE:** | Official Community Plan and Zoning Bylaw Amendment – Mineral Exploration and Development Framework |

## ISSUE

An application to amend text of the Official Community Plan and Zoning Bylaw to implement a land use framework to regulate Mineral Exploration and Mineral Development in Whitehorse.

## REFERENCE

- Zoning Bylaw 2025-37
- Whitehorse 2040 Official Community Plan
- Quartz Mining Act SY 2003, c. 14
- Yukon Environmental and Socio-economic Assessment Act S.C 2003, c.7
- Prohibition of Entry on Certain Lands (City of Whitehorse) Order O.I.C 2012/145
- Draft Mineral Exploration and Development Framework-February 2026
- Municipal Act, RSY 2002, c. 154
- Active Crown Grants / Mineral Claims and Whitehorse 2040 OCP Designations
- Mineral Exploration and Development Engagement “What We Heard” Report 1
- Mineral Exploration and Development Engagement “What We Heard” Report 2
- Whitehorse 2040 Official Community Plan - Redline Document
- Zoning Bylaw 2025-37 - Redline Document
- Proposed OCP Amendment Bylaw 2026-23 (Attachment 1)
- Proposed Zoning Bylaw Amendment Bylaw 2026-32 (Attachment 2)
- Mineral Exploration and Development Framework Map (Attachment 3)

## HISTORY

Renewed interest in mineral exploration within Whitehorse city limits was a key driver in the development of the Proposed Mineral Exploration and Development Framework (Proposed Framework). In December 2023, a member of the public submitted an application to amend the Official Community Plan (OCP) and Zoning Bylaw to ban mineral exploration and extraction within city limits. In early 2024, Council an OCP amendment to ban mineral exploration and development city-wide. Council did not proceed with second and third reading so that Administration could conduct meaningful engagement with First Nation governments, industry, and the public as well as conduct further research and jurisdictional reviews prior to bringing proposed amendments to Council for consideration. Following the hiring of a consultant in 2025, the City started this review, which culminated with a Proposed Mineral Exploration and Development Framework, which is now ready for Council’s consideration.

New enabling policy in the OCP is the foundation of the Proposed Framework. An accompanying set of regulations in the Zoning Bylaw provides detailed guidance on how Mineral Exploration and Development can occur. A description of the Proposed Framework is provided in the analysis section of this report.

### Quartz Mining Act and Municipal Act

The *Quartz Mining Act* is one of the principal documents that regulates mining and exploration activities in the Yukon. The *Municipal Act* grants local governments jurisdiction over land use, including mining and exploration when those uses are undertaken within their boundaries. Section 289 of the *Municipal Act* states municipalities are permitted to "prohibit, regulate, and control the use and development of land and buildings in a municipality". Neither act takes priority and each simultaneously applies.

### Prohibition of Entry on Certain Lands (City of Whitehorse) Order

Since 2012, entering municipal lands for the purpose of locating a claim, prospecting, or mining for minerals is prohibited in a large portion of the city through the approval of the *Prohibition of Entry on Certain Lands (City of Whitehorse) Order.* No new claims can be staked in the prohibited area. There are many claims that were staked in the prohibited area prior to the *Order* coming into effect. These claims are grandfathered and do not expire so long as they are kept in good standing. A claim can be kept in good standing by undertaking representation work each year or by paying a nominal fee.

### Yukon Environmental and Socioeconomic Assessment Act (YESAA) and Yukon Government Permitting

Under the Yukon Environmental and Socio-Economic Assessment Act (YESAA), some intensities of mineral exploration are subject to review by the Yukon Environmental and Socioeconomic Assessment Board (YESAB).

### Development of the Mineral Exploration and Development Framework

Following the above Council decision, Administration retained a consultant to conduct research including development of a jurisdictional scan. The consultant also assisted in facilitation and analysis of public and government engagement.

#### Public Engagement

An online survey was released for public participation from June 24 to July 28, 2025. A total of 430 respondents completed the survey. The survey was intended to illicit high-level feedback on mineral exploration and development in the city. In addition to the survey, members of the project team met with representatives of the mining and exploration industry on July 31, 2025, to understand perspectives on how mining and exploration should be regulated in the city. The project team also met with members of environmental non-government organizations (ENGO) in a separate meeting on July 31, 2025 to understand conservation perspectives related to mining and exploration. A What We Heard Report summarizing findings from the survey and industry meetings was released on August 29, 2025.

In early February 2026, the Proposed Framework was released to the public. Between February 9 and March 9, 2026, a second online survey was released to elicit comment and gauge understanding related to the Proposed Framework. 167 respondents completed the survey.

Two open houses were held on February 23 and February 26, 2026. Meetings to discuss the Proposed Framework with mining industry professionals and ENGOs were held on February 9, 2026 and February 13, 2026 respectively. A second What We Heard Report summarizing the second phase of public engagement was released on June 5, 2026.

Engagement with Kwanlin Dün First Nation (KDFN)

Members of the project team met with KDFN staff in July 2025 to initiate conversations regarding development of a Proposed Framework. Administration met again with KDFN in February 2026 to discuss the Proposed Framework. KDFN sought clarification as to how Category A Settlement lands would be impacted by the Proposed Framework, given KDFN has the ability to draw legislative authority over subsurface rights in Category A land. The Proposed Framework will not hinder the ability of any First Nation to exercise its land use rights under a self-government agreement, including Category A and B lands. KDFN also identified the need for a map correction to reflect First Nations Settlement Land near Fish Lake Road, which was mistakenly designated as Greenspace.

Engagement with Ta'an Kwäch'än Council (TKC)

A meeting was held with TKC staff in July 2025 and again in January 2026, to discuss the Proposed Framework.

TKC staff indicated a desire for better explanation of how the Proposed Framework interacts with Chasàn Chùa Territorial Park. Confirmation was provided that Chasàn Chùa Territorial Park is predominantly designated as Greenspace, where exploration is not permitted in the Proposed Framework. TKC staff also identified heritage protection as a concern. In response to these comments, Administration confirmed all exploration projects will require Development Review Committee (DRC) review. TKC and KDFN are members of DRC and can participate in review of all mineral applications to ensure appropriate heritage reviews occurs.

TKC staff also questioned whether the Proposed Framework could negatively impact TKC’s ability to undertake gravel extraction. Administration confirmed that no changes to gravel extraction regulations will result from the Proposed Framework. Other concerns included enforcement and cumulative effect. The Proposed Framework will outline inspection powers and standard enforcement tools will be used to ensure compliance. Bonding will be required as part of the Proposed Framework to ensure adequate remediation occurs in the event of delinquency. Unfortunately the City is not equipped to address macro level environmental considerations, sometimes referred to as cumulative effects. In these instances, the City relies on YESAB and YG to impose conditions that can address broader environmental concerns.

In response to concerns, Administration will ensure KDFN and TKC will continue to have the opportunity to participate in the City's DRC when applications related to mineral exploration or development are received.

Engagement with the Government of Yukon (YG)

The Land Planning Branch of the Energy, Mines and Resources Department at YG was sent the Proposed Framework in late 2025 for comment. YG confirmed municipalities cannot restrict where mineral claims are staked but can influence where and how mineral exploration and development occurs through land-use planning. OCPs and zoning bylaws can set permitted levels of exploration activity, define when development permits are required, and establish thresholds that trigger rezoning applications. Proponents may apply to amend the OCP or amend the Zoning Bylaw to allow exploration or mining where the proposed activities do not align with the existing OCP or Zoning Bylaw.

**Development Review Committee and Administrative Review**

On June 24, 2026 the Proposed Framework was reviewed by the DRC. The DRC provided the following comments:

- Consider consistent language between proposed "watercourse setback" and existing "riparian setback";
- Consider if policy should enable requirement of setbacks greater than 100 m from watercourses if justified by environmental study;
- Need trail construction standards;
- Consider security deposits for reclamation of Tier 1 and 2 exploration activities;
- Deposits require standardized calculations based on disturbance area;
- Secondary uses in new Other Mineral Exploration (OME) and Other-Mineral Development (OMD) zones should be limited in scope;
- Temporary accessory structures can be appropriate in this context; and
- Development Areas should be based on defined work area within Yukon Government issued permits.

Following DRC, Administration has incorporated this feedback into proposed OCP policy and Zoning Bylaw regulation. Internal training will occur to ensure consistent application of the Proposed Framework.

**OCP Amendment Proposed Schedule**

The proposed schedule for the OCP amendment is:

| | |
|---|---|
| Planning Committee: | October 5, 2026 |
| First Reading: | October 13, 2026 |
| Newspaper Ads: | October 23 and 30, 2026 |
| Public Hearing: | November 9, 2026 |
| Public Hearing Report: | December 7, 2026 |
| Second Reading: | December 14, 2026 |
| Ministerial Review: | February 8, 2027 (assuming full 45-day review period) |
| Third Reading: | February 8, 2027 |

## ALTERNATIVES

1. Proceed with the proposed OCP and Zoning Bylaw amendment under the bylaw process as outlined in Attachment 1 and Attachment 2; or
2. Do not proceed with the proposed amendment.

## ANALYSIS

Existing OCP policies allow mineral exploration and development in the Natural Resource Extraction and Industrial land use designations. Similarly, zoning regulations allow mineral exploration and development in the Other-Quarry (OQR) zone as a principal use and in the Industrial-Heavy (IHV) zone as a conditional use. Despite these allowances, the City needs greater clarity with respect to its policies and regulations to increase public transparency and limit legal risk when regulating land uses related to mineral exploration and development.

Three (3) primary deficiencies currently exist in the OCP and Zoning Bylaw:

1. Mineral exploration and development have been classified under the same rules as granular resource (gravel, sand, and rock) extraction in current “Natural Resource Development” terminology in the OCP and Zoning Bylaw.
2. Mineral Exploration and Mineral Development are not uniquely defined, failing to acknowledge the significant differences between these two land uses.
3. Current policy and regulation do not adequately address broader land use planning objectives in relation to existing mineral claims and grants.

### Proposed Mineral Exploration and Development Framework

The Proposed Framework applies a “tiered” system to regulate exploration based on land use impact. Broader allowances are given to lower impact forms of exploration. Proposed Framework OCP policies categorize exploration using a tiered system, with increasingly stringent permitting requirements based on intensity of use and potential impact. The Proposed Framework establishes a clear distinction between mineral exploration and mineral development. Mineral exploration refers to drilling practices where rock core is removed for geological study to determine the location, concentration and characteristics of mineral deposits. Mineral exploration is not mining and does not result in large scale mineral extraction and processing of material on site. Mineral development is synonymous with mining. Mining has the potential to pose significant land use impact and is subject to multi-level government regulation. The Proposed Framework relies on mapped OCP designations and their associated policies to determine the appropriate location for Mineral Exploration and Development.

Tier 1-3 exploration would be enabled through Temporary Use Permits as regulated in the Zoning Bylaw. Undertaking more intensive Tier 4 exploration would require applicants to rezone subject lands into a newly proposed Other-Mineral Exploration (OME) zone. Tier 4 exploration may require an OCP amendment to designate the land as Natural Resource Extraction if another designation is currently in place. OCP and Zoning Bylaw amendments are subject to Public Hearing and Council approval.

The Proposed Framework considers Mineral Development (mining) as a Tier 5 activity and establishes land use policies regarding potential location, master planning requirement, buffering and reclamation obligations. Detailed regulations are not provided for mineral development at this time, given technical mining regulations are the purview of YG. In the event a mine is proposed within city limits, additional comprehensive planning work is required. The Proposed Framework defines “Mineral Development” and enables this land use in the Natural Resource Extraction OCP designation only. In addition to municipal bylaw regarding land use, Mineral Development would be subject to all applicable territorial regulations. A Mineral Development project would require rezoning subject lands into a newly proposed Other-Mineral Development (OMD) zone. An OCP amendment may also be required if the subject lands are not already designated as Natural Resource Extraction. OCP and Zoning Bylaw amendments require Public Hearing and Council approval.

The Proposed Framework’s tiered system is more conservative than the class system currently applied by YG through the *Quartz Act*. The class system enables broad exploration activity under a Class 1 permit and notification. Class 2-4 mineral activities are subject to review under YESAA. Current Class 3 approvals that enable Mineral Exploration in Whitehorse permit higher impact activities including new road and trail construction. Approved Class 3 activities would require Tier 4 approval under the City’s Proposed Framework.

**Proposed OCP Amendments**

Several changes to the OCP are required to implement the Proposed Framework (Attachment 1). Proposed changes define Mineral Exploration and Mineral Development, clarify where Mineral Exploration and Mineral Development are appropriate, and empower the creation of detailed regulations in the Zoning Bylaw.

Proposed OCP changes include:

- New definitions for Mineral Development, Mineral Exploration, Principal Land Use and Watercourse;
- A new definition for Granular Resource Extraction and modifications of associated policy to separate Quarry uses from Mineral Exploration and Mineral Development uses in policy;
- Establishment of intensity-based tiers for Mineral Exploration and Development
  - Enables Tier 1, 2 and 3 Mineral Exploration through Temporary Use Permit; and
  - Tier 4 Mineral Exploration and Tier 5 Mineral Development are permitted as a principal use in the Natural Resource Extraction designation and will require a Development Permit and potentially a Development Permit Agreement;
- Direction on where types of mineral activity are permitted based on OCP designation;
- Establishment of a 500 m separation between Mineral Exploration and residential uses;
- Establishment of setback criteria between Mineral Development and residential uses based on independent engineering analysis;

- Establishment of a 100 m setback between Mineral Exploration and watercourses (with the potential to reduce the setback to a minimum of 30 m if an environmental study is prepared);
- New requirement that a reclamation plan be provided as part of Mineral Exploration and Mineral Development applications;
- New requirement that any application to redesignate Greenspace land must include a report prepared by a certified environmental professional that justifies the proposed redesignation and identifies mitigation strategies to address potential environmental impacts; and
- Clarify Master Plan requirement applies when undertaking Tier 4 Mineral Exploration or Tier 5 Mineral Development on sites 1.5 ha or greater in size.

The Proposed Framework would enable Mineral Exploration in new designations including Future Planning, Agriculture, and Public Utilities. The Proposed Framework would increase exploration areas from approximately 1,128 ha to 4,548 ha. Expansion of exploration allowances acknowledge the presence of existing mineral claims and grants. The Proposed Framework enables exploration on existing mineral tenure provided it aligns with OCP policy intent and complies with new policy and regulations that aim to mitigate land use impacts. The Proposed Framework does not propose any OCP mapping changes. All designation areas remain unchanged as part of the Proposed Framework.

Engagement with KDFN and TKC did identify two OCP mapping concerns. A mapping error related to settlement land near Fish Lake Road will be corrected at a later date. Changes to OCP designations within Chasàn Chùa Territorial Park will be addressed as part of future Park Management Planning. Claims holders within Chasàn Chùa Territorial Park have made a commitment to relinquish those claims.

**Proposed Zoning Bylaw Amendments**

Implementation of the Proposed Framework requires several Zoning Bylaw amendments as outlined in Attachment 2. Proposed amendments to the Zoning Bylaw would impose regulation based on equipment type, vegetative cutting, inspection requirement, project duration, trail construction, permitting requirements, OCP land use designation and zoning requirements. City review is based on land use considerations and is after and in addition to YG review under the *Quartz Act*.

Zoning Bylaw amendments are empowered by the proposed OCP amendments. Proposed amendments include:

- Adding geotechnical drilling and well monitoring to the Development Permit Exemptions list;
- Removal of reference to “minerals” in any existing “granular resource” or “natural resource” language;
- A new section under 2.13 Temporary Use Development Permit specifically regulating Tier 1, 2 and 3 Mineral Exploration;
- New definitions including:
  - Geotechnical Drilling;
  - Well Monitoring;

  - Mineral Development;
  - Mineral Exploration;
  - Watercourse;
  - Established Access;
  - Temporary Equipment Access;
  - Exploratory Drilling;
  - Skid Mounted Equipment;
  - Rubber Tracked Equipment;
  - Pre-existing Trail;
  - Reclamation Plan;
  - Tree Limbing;
  - Brushing;
  - Site Inspection Report; and
  - Definition for each of the five mineral activity tiers;
- New *Specific Use Regulations* for Mineral Exploration:
  - Specify application requirements for development permit and require development permit applications include a YESAB decision document and/or YG approval letter;
  - A table specifying:
    - Approved project methods;
    - Vegetative cutting allowances;
    - Inspection requirements;
    - Permitting requirements;
    - OCP designation allowances;
    - Zone allowances;
    - Maximum project duration;
    - Trail construction allowances; and
    - Development Review Committee review;
  - Establishment of a 100 m Watercourse setback (with the potential to reduce the setback to a minimum of 30 m if an independent environmental study supports reduction);
  - Establishment of a 500 m Mineral Exploration setback from residential uses;
  - Establishment of setback criteria for Mineral Development;
  - Requirement that applicants submit surface water monitoring data (where applicable) at time of permit application;
  - Requirement that drill holes be back filled and capped;
  - Requirement for a Spill Response Plan;
  - Prohibition on drawing of water from any naturally occurring watercourse;
  - Requirement for site reclamation; and
  - Requirement for bonding to ensure reclamation in the event of delinquency;
- Two new zones:
  - Other-Mineral Exploration (OME) zone to enable Tier 4-Mineral Exploration;
  - Other-Mineral Development (OMD) zone to enable Tier 5-Mineral Development;
  - New (OME) and (OMD) zones would not be applied to any land initially:

- An applicant would need to submit a zoning bylaw amendment to rezone lands to either of these zones to enable Tier 4 or Tier 5 mineral activity; and
- This ensures a Council decision and public hearing for any Tier 4 or Tier 5 activities is required.

**How would this amendment work?**

Tiers 1, 2, or 3

If the proposed amendment were approved, the following process would occur to evaluate an application to undertake Tier 1, 2 or 3 Mineral Exploration:

- Confirm existing mineral tenure is in place;
- Confirm proposed work aligns with the definition of Mineral Exploration;
- Confirm proposed work aligns with defined Tier of mineral activity;
- Confirm proposed work can be accommodated in subject OCP designation; and
- Confirm proposed work aligns with OCP and Zoning Bylaw requirements.

If all above criteria are met, the City may issue a Temporary Use Permit subject to standard conditions of approval.

Tier 4

The following process would occur to evaluate an application to undertake Tier 4 Exploration:

- Confirm existing mineral tenure is in place;
- Confirm proposed work aligns with defined Tier 4 Mineral Exploration;
- Confirm proposed work is within the Natural Resource Extraction OCP designation. If not, an OCP amendment would be required subject to Council decision;
- If proposed work area exceeds 1.5 ha, the Master Planning process is triggered and must adhere to policies 13.22-13.24 in the OCP;
- If the Master Plan is approved the applicant would then submit the mandatory zoning bylaw amendment to rezone land into the Other-Mineral Exploration (OME) zone. The rezoning application would proceed through bylaw process including a public hearing;
- If rezoning is approved by Council, applicant would apply for a Development Permit;
- Development permit issued subject to alignment with OCP policy, Zoning Regulation, Development Permit Agreement (if applicable) and standard conditions of approval.

Tier 5

The following process would occur to evaluate an application to undertake Tier 5 Mineral Development:

- Confirm existing mineral tenure is in place
- Confirm proposed work aligns with defined Tier 5 Mineral Development
- Confirm proposed work is within a Natural Resource Extraction OCP designation

    - If not, an OCP amendment would be required subject to Council decision
- If proposed work area exceeds 1.5 hectares, Master Planning process is triggered and must adhere to policies 13.22-13.24 in the OCP
- If the Master Plan is approved the applicant would then submit the mandatory zoning amendment to rezone land into the Mineral Development (OMD) zone
    - Rezoning application proceeds through bylaw process including public hearing
- If rezoning is approved by Council, applicant would apply for a Development Permit
- Development permit issued subject to OCP policy, Zoning Regulation, Development Permit Agreement (if applicable) and standard conditions of approval

All City approval processes occur after and in addition to applicable YG and YESAB review and permitting.

### Conclusion

The Proposed Framework attempts to provide a consistent policy and regulatory framework that can be used to effectively guide Mineral Exploration and Mineral Development in the city. The Proposed Framework is informed by current legislation, policy and regulation. Public and government consultation, jurisdictional scans, and lessons learned while permitting mineral exploration in the city were also key inputs into Proposed Framework development. The proposed amendments attempts to balance broad land use objectives outlined in the OCP with an increasing interest in exploration of existing mineral tenure within city limits. The Proposed Framework utilizes powers granted in the *Municipal Act* to regulate Mineral Exploration and Mineral Development as land uses through the OCP and Zoning Bylaw, while providing application pathways for Council consideration of more intensive mineral activities in the future.

## ADMINISTRATIVE RECOMMENDATION

THAT Council direct that Bylaw 2026-23 and Bylaw 2026-32, bylaws to amend the text of the Official Community Plan and the Zoning Bylaw to implement the Mineral Exploration and Development Framework, be brought forward for consideration under the bylaw process

# CITY OF WHITEHORSE

# BYLAW 2026-23

A bylaw to amend the Official Community Plan

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WHEREAS Section 289 of the *Municipal Act* provides that a municipality shall by bylaw adopt an Official Community Plan in accordance with Part 7, Division 1 of the Act; and

WHEREAS Section 285 of the *Municipal Act* provides for amendment of an Official Community Plan, in accordance with the same approvals as established in Division 1 for the preparation and adoption of an Official Community Plan; and

WHEREAS it is deemed desirable and expedient to amend the 2040 Official Community Plan to enable the Mineral Exploration and Development Framework;

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

1. Section 13 of the Whitehorse 2040 Official Community Plan is hereby amended by modifying the existing "Mineral Development" subtitle to read as follows:

   "**Mineral Exploration and Mineral Development**"

2. Section 13 of the Whitehorse 2040 Official Community Plan is hereby amended by adding policy 13.3.1 to read as follows:

   "13.3.1 Mineral Exploration and Mineral Development applications will be evaluated using intensity-based tiers outlined in Table 2, and in accordance with regulation in the Zoning Bylaw."

3. Section 13 of the Whitehorse 2040 Official Community Plan is hereby amended by adding Table 2 Mineral exploration tiers immediately after policy 13.3.1 to read as follows and renumbering subsequent tables accordingly:

**Table 2 Mineral Activity Tiers**

| Mineral Activity Classification | | Mineral Activity Allowances per OCP Designation | Land Use Type |
|---|---|---|---|
| Tier 1 | Low Impact Mineral Exploration | All designations outside the Urban Containment Boundary except in Greenspace and Residential - Country | Temporary Land Use |
| Tier 2 | Low Impact Mineral | All designations outside the Urban Containment Boundary except | Temporary |

| Mineral Activity Classification | | Mineral Activity Allowances per OCP Designation | Land Use Type |
|---|---|---|---|
| | Exploration | Greenspace, Future Planning, and Country - Residential | Land Use |
| Tier 3 | Medium Impact Mineral Exploration | Industrial and Natural Resource Extraction | Temporary Land Use |
| Tier 4 | High Impact Mineral Exploration | Natural Resource Extraction | Principal Land Use |
| Tier 5 | Mineral Development | Natural Resource Extraction | Principal Land Use |

4. Section 13 of the Whitehorse 2040 Official Community Plan is hereby amended by adding policies 13.3.2, 13.3.3, 13.3.4, 13.3.5, 13.3.6, 13.3.7, 13.3.8, 13.3.8.1, 13.3.8.2, 13.3.9, and 13.3.10 to read as follows:

"13.3.2 Mineral Exploration may be permitted as a Temporary Use where both of the following criteria are met:

i. Where valid mineral tenure exists in good standing.
ii. In select OCP designations based on the applicable tier, as outlined in Table 2.

13.3.3 Tiers 1 and 2 Low Impact Mineral Exploration, and Tier 3 Medium Impact Mineral Exploration will require a Temporary Use Development Permit that may be approved in accordance with regulations in the Zoning Bylaw.

13.3.4 Where not permitted, Tier 4 High Impact Mineral Exploration and Tier 5 Mineral Development shall require a Zoning Bylaw amendment to rezone subject lands to the appropriate zone in accordance with regulations in the Zoning Bylaw.

i. Prior to rezoning of land to permit Tier 4 High Impact Mineral Exploration or Tier 5 Mineral Development, a Master Plan shall be required for any proposed work area exceeding 1.5 hectares in area. Master Plans shall be developed in accordance with OCP policies 13.22, 13.23, and 13.24.

13.3.5 Tier 4 High impact Mineral Exploration and Tier 5 Mineral Development are considered Principal Land Uses and shall require a Development Permit that shall be approved in accordance with regulations in the Zoning Bylaw and in alignment with federal requirements, territorial legislation and other City bylaws.

i. A Development Permit Agreement may be required to mitigate impacts and address project-specific considerations.

13.3.6 Where Mineral Exploration (Tiers 1-4) occurs in proximity to residential uses, a 500 metre setback will be required to provide development separation, visual barrier, and noise buffering. The setback will be measured from the subject drill pad to the nearest adjacent residential property line.

13.3.7 Where Tier 5 Mineral Development occurs in proximity to residential uses, a setback will be required to provide development separation, visual barrier, and noise buffering. The buffer areas should be, where practical, vegetated and publicly owned.

i. The setback shall be determined through independent noise and vibration studies conducted by a professional engineer or other qualified professional.
ii. Under no circumstance shall the required setback be less than 500 metres from the property line of the nearest residential use.

13.3.8 Where Mineral Exploration (Tiers 1-4) or Mineral Development (Tier 5) are in proximity to a Watercourse, a Watercourse setback will be required to protect Riparian Areas. Areas along both sides of all rivers, streams, lakes, and wetlands must be protected from development and remain in a natural condition along both sides of all rivers, streams, lakes and wetlands. Government of Canada and Government of Yukon environmental guidelines, and applicable City bylaws must be followed in all cases.

13.3.8.1 For Mineral Exploration (Tiers 1-4), the Watercourse setback shall be 100 metres.

i. An environmental study prepared by a qualified professional is required to consider any potential reduction to the Watercourse setback. The study shall provide justification for the proposed setback and should include strategies that mitigate the impact of the proposed development on the adjacent Watercourse.
ii. For Tiers 1-3, the Watercourse setback shall be measured from the ordinary high-water mark of the Watercourse to the subject drill pad. For Tier 4, the Watercourse setback shall

be measured from the ordinary high-water mark of the Watercourse to the applicable Mineral Exploration zone boundary.

iii. Under no circumstance shall the required Watercourse setback for Mineral Exploration (Tiers 1-4) be less than 30 metres from the ordinary high-water mark.

13.3.8.2 For Mineral Development (Tier 5), an environmental study prepared by a qualified professional will be required to determine the appropriate Watercourse setback. The study shall provide justification for the proposed setback and should include strategies that mitigate the impact of the proposed development on the adjacent Watercourse.

i. The Watercourse setback shall be measured from the ordinary high-water mark of the Watercourse to the applicable Mineral Development zone boundary.

ii. Under no circumstance shall the required Watercourse setback for Mineral Development (Tier 5) be less than 30 metres from the ordinary high-water mark.

13.3.9 A Reclamation Plan, prepared by a qualified professional and to the satisfaction of the City, will be required as part of permit approval for Mineral Exploration or Mineral Development (Tiers 1-5).

13.3.10 In the event new mineral claims are staked within city limits after the date of this amendment, authorization to explore a new claim shall require Council approval.

5. Section 15 of the Whitehorse 2040 Official Community Plan is hereby amended by adding policy 15.5.8 to read as follows:

"15.5.8 Any application to redesignate Greenspace land shall include a professional environmental study that provides justification for the proposed amendment. This report should also include strategies that mitigate the impact of proposed development on Whitehorse's ecosystems."

6. Section 15 of the Whitehorse 2040 Official Community Plan is hereby amended by adding a new subtitle and policy 15.6.11 immediately after policy 15.6.10 to read as follows:

"**Mineral Exploration**

Please refer to Section 13 Mineral Exploration and Mineral Development for additional policies regarding Mineral Exploration.

15.6.11 Tiers 1, 2, and 3 Mineral Exploration may be permitted as a Temporary Land Use in the Industrial designation.

7. Section 15 of the Whitehorse 2040 Official Community Plan is hereby amended by modifying the preamble to subsection 15.12 Natural Resource Extraction to read as follows:

"The Natural Resource Extraction designation is intended to support local and regional economic activity and construction through accommodating the extraction and management of raw materials.

Gravel extraction is fundamental to Whitehorse's local economy as it supplies the foundation for new construction such as buildings and roadways. Having a stable supply of gravel will be required to keep up with housing demand as the population grows.

Notable areas of mineral and gravel potential include the Whitehorse Copper Belt, Sleeping Giant Hill, and McLean Lake. Gravel can supply pit run, crushed basecourse, sub-base, asphalt and concrete aggregate, concrete, bedding sand, and drain rock. These materials are typically used for road and highway development, building foundations, and other forms of construction. It is an essential asset for any community to have significant gravel reserves rather than importing them from other communities or rural areas at great expense.

Mineral Exploration and Development have played formative roles in shaping the socio-economic identity of the Yukon, most notably through the Klondike Gold Rush. Whitehorse continues to serve as the economic and service hub to the broader mining industry in the Yukon. Numerous valid mineral grants and claims exist within city limits. Responsible and well managed Mineral Exploration and Mineral Development may occur within the city subject to alignment with the OCP and Zoning Bylaw."

8. Section 15 of the Whitehorse 2040 Official Community Plan is hereby amended by modifying policy 15.12.1 to read as follows:

"15.12.1 Uses that may be suitable for inclusion in the Natural Resource Extraction designation include:

i. Quarry operations, which is recognized as fundamental to the local economy as it supplies raw materials for new construction;
ii. Mineral Exploration; and
iii. Mineral Development."

9. Section 15 of the Whitehorse 2040 Official Community Plan is hereby amended by adding a new subtitle immediately after policy 15.12.1 to read as follows:

"**Granular Resource Extraction**"

10. Section 15 of the Whitehorse 2040 Official Community Plan is hereby amended by adding a new subtitle, preamble, and policies 15.12.9 and 15.12.10 immediately after policy 15.12.8 to read as follows:

"**Mineral Exploration**

"15.12.9 Tiers 1, 2 and 3 Mineral Exploration may be permitted as a Temporary Land Use in the Natural Resource Extraction designation.

15.12.10 Tier 4 Mineral Exploration may be permitted as a Principal Use in the Natural Resource Extraction designation."

Please refer to Section 13.3 Mineral Exploration and Mineral Development for additional policies regarding Mineral Exploration.

11. Section 15 of the Whitehorse 2040 Official Community Plan is hereby amended by adding a new subtitle, preamble, and policy 15.12.11 immediately after policy 15.12.10 to read as follows:

"**Mineral Development**

15.12.11 Tier 5 Mineral Development may be permitted in the Natural Resource Extraction designation."

Please refer to Section 13 Mineral Exploration and Mineral Development for additional policies regarding Mineral Development.

12. The Glossary of the Whitehorse 2040 Official Community Plan is hereby amended by modifying the existing table by adding definitions for "Granular Resource Extraction", "Mineral Development", "Mineral Exploration", "Principal Land Use", "Temporary Land Use", and "Watercourse" in alphabetical order to read as follows:

| Term | Definition |
|---|---|
| Granular Resource Extraction | Means a land use where gravel, sand, and rock are being removed from the ground and processed on site. This use is also commonly referred to as quarrying. |
| Mineral Development | The construction of a facility or undertaking of work resulting in the removal and production of subsurface minerals on site but excludes exploration work for the sole or principal purpose of assessing land for its suitability for the production of minerals. This use is also commonly referred to as mining. |

| | |
|---|---|
| Mineral Exploration | Mineral Exploration means activities undertaken for the sole or principal purpose of assessing land for its suitability for the production of minerals, including but not limited to drilling and associated drill site preparation, conducted in accordance with a valid authorization issued under the Quartz Mining Act or applicable territorial legislation and City bylaws. |
| Principal Land Use | The primary or predominant use of any lot, building, or structure. |
| Temporary Land Use | Means a use established for a fixed period of time with the intent to discontinue the activity upon the expiration of the fixed time period. Typical development may include fairs, special events, investigation of land, and the use of land for storage of materials or equipment or a site office while construction work is in progress. |
| Watercourse | A naturally occurring body of water that can be classified as a river, stream, lake or wetland. |

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

**FIRST READING**:
**PUBLIC NOTICE**:
**PUBLIC HEARING**:
**SECOND READING**:
**EXECUTIVE COUNCIL MEMBER APPROVAL**:
**THIRD READING** and **ADOPTION**:

_____
Kirk Cameron, Mayor

_____
Corporate Services

# CITY OF WHITEHORSE
# BYLAW 2026-32

A bylaw to amend the Zoning Bylaw 2025-37

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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 City of Whitehorse Zoning Bylaw be amended to enable the Mineral Exploration and Development Framework;

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

1. Section 2 of Zoning Bylaw 2025-37 is hereby amended by modifying existing Table 2: Development Permit Exemptions by adding “Geotechnical drilling” and ”Well monitoring” to in alphabetical order to read as follows and renumbering subsequent exemptions in the Table accordingly:

| Development | | Permit Not Required |
|---|---|---|
| (7) | Geotechnical drilling | Use of drilling equipment to undertake shallow subsurface drilling used to assess land for development feasibility. |
| (16) | Well monitoring | Use of drill equipment to assess the quality of water. |

2. Section 2 of Zoning Bylaw 2025-37 is hereby amended by adding subsection 2.13(4) to read as follows:

“(4) The Development Officer may issue a Temporary Use Development Permit for Mineral Exploration as outlined in this bylaw, provided such development:

(a) is not contrary to the Official Community Plan;

(b) is temporary in nature;

(c) the temporary use permit will be issued for a period of time outlined in Table 13, with the potential to apply for subsequent permits upon satisfactory demonstration that Mineral Exploration activities have been performed in accordance with the approved plans from the previous permit and in accordance with Specific Use Regulation in Part 5 of this bylaw.

(d) subsequent permits may provide new or modified conditions of approval as may be required to ensure compliance with this Bylaw or any other City plans, policies, or bylaws.

(e) the applicant shall restore the site to its original condition, or a condition acceptable to the Development Officer, upon expiration or revocation of the Temporary Use Development Permit.

(f) all Temporary Use Permits shall be approved in accordance with Use Specific Regulations for Mineral Exploration in Part 5 of this bylaw."

3. Section 3 of Zoning Bylaw 2025-37 is hereby amended by adding definitions in subsection 3.1(1) of "Brushing", "Established Access", "Geotechnical Drilling", "Mineral Development", "Mineral Exploration", "Pre-existing Trail", "Reclamation Plan", "Rubber Tracked Equipment", "Site Inspection Report", "Skid Mounted Equipment", "Tier 1-Low Impact Mineral Exploration", "Tier 2-Low Impact Mineral Exploration", "Spill Response Plan", "Tier 3-Medium Impact Mineral Exploration", "Tier 4-High Impact Mineral Exploration", "Tier 5-Mine Development", "Tier 1 Temporary Equipment Access", "Tier 2 Temporary Equipment Access", "Tier 3 Temporary Equipment Access", "Tree Limbing", "Watercourse", and "Well Monitoring" in alphabetical order to read as follows:

"**BRUSHING** means the process of selectively removing herbaceous and woody vegetation by manual or mechanical means. Brusing does not include the practice of Tree Limbing or tree removal."

"**ESTABLISHED ACCESS** means any road, route, or cleared corridor that was previously constructed or used for any purpose involving ground disturbance or vegetation clearing, and that is identifiable on the ground by one or more of the following:

a) The vegetative mat is absent in the wheel track or travel surface area, consistent with prior sustained vehicle passage, regardless of vegetative regrowth on the corridor margins or centre;

b) An existing roadbed, compacted surface, or corridor width consistent with prior equipment passage remains identifiable; or

c) Cleared corridor margins, stumpage, or cut vegetation consistent with prior clearing activity are present.

Restoration of an established access route to pass ability by selective removal of regrown vegetation with no movement of rock or earth does not constitute construction of a new route. Where regrowth within an established access corridor can be removed by brushing with no movement of rock or earth, selective removal constitutes restoration of established access and does not require Temporary Equipment Access standards."

"**GEOTECHNICAL DRILLING** means the use of drilling equipment to undertake shallow subsurface drilling used to assess land for development feasibility. Geotechnical drilling does not include drilling associated with a Mineral Exploration project.

"**MINERAL DEVELOPMENT** means the construction of a facility or undertaking of work resulting in the removal and production of subsurface minerals on site but excludes exploration work for the sole or principal purpose of assessing land for its suitability for the production of minerals. This use is also commonly referred to as mining."

"**MINERAL EXPLORATION** means activities undertaken for the sole or principal purpose of assessing land for its suitability for the production of minerals, including but not limited to drilling and associated drill site preparation, conducted in accordance with a valid authorization issued under the Quartz Mining Act or applicable territorial legislation and City bylaw."

"**PRE-EXISTING TRAIL** means a trail that was in place prior to the application being made, that is not otherwise slated for deactivation. Trail classification shall be the discretion of the Manager of Parks."

"**RECLAMATION PLAN** means a plan outlining how a site that has been disturbed either by development, natural resource extraction or exploration activities, will be returned to its previous state or a condition where it is deemed suitable for redevelopment."

"**RUBBER TRACKED EQUIPMENT** means a vehicle with self-propelled rubber tracks that produces no more than 28 kilopascals of ground pressure."

"**SITE INSPECTION REPORT** means a report submitted to the City confirming current site conditions of a given property. A site inspection report can be required at the beginning and end of a land use process to ensure adequate reclamation has occurred."

"**SKID MOUNTED EQUIPMENT** means equipment including an exploratory drill, mounted on a skid intended to be pushed or pulled into the desired position."

"**SPILL RESPONSE PLAN** means a plan that outlines steps to safely prevent, stop, contain, clean up, and report accidental releases of hazardous materials."

"**TIER 1-LOW IMPACT MINERAL EXPLORATION** means the lowest intensity form of Mineral Exploration that can be conducted within the City of Whitehorse in alignment with OCP policy and Zoning Bylaw regulation."

"**TIER 2-LOW IMPACT MINERAL EXPLORATION** means a low intensity form of Mineral Exploration that can be conducted within the City of Whitehorse in alignment with OCP policy and Zoning Bylaw regulation."

"**TIER 3-MEDIUM IMPACT MINERAL EXPLORATION** means medium intensity form of Mineral Exploration that can be conducted within the City of Whitehorse in alignment with OCP policy and Zoning Bylaw regulation."

"**TIER 4-HIGH IMPACT MINERAL EXPLORATION** means the highest intensity form of Mineral Exploration that can be conducted within the City of Whitehorse in alignment with OCP policy and Zoning Bylaw regulation."

"**TIER 5-MINERAL DEVELOPMENT** means Mineral Development or mining can occur in this tier of land use activity."

"**TIER 1 TEMPORARY EQUIPMENT ACCESS** means access to a Mineral Exploration work area on valid mineral tenure in good standing, achieved by rubber-tracked equipment, or by metal-tracked equipment during winter conditions where required for safe operation, where the following standards are met:

a) No movement of rock or earth occurs, except for the removal of individual obstructions necessary for safe equipment operation, with prior notification to the development officer;

b) The vegetative mat remains intact — incidental compression by approved equipment passage does not constitute removal of the vegetative mat;

c) No trees with a stem diameter exceeding 15 cm at 1.5 m above ground are felled, except where removal of an individual tree is necessary for safe equipment operation, with prior notification to the development officer;

d) No equipment blade is used to grade the surface or remove the vegetative mat; and

e) Temporary equipment access shall not exceed a maximum width of 5 m, with the cumulative area of disturbance under a single Temporary Use Permit not exceeding 0.5 ha, calculated using actual route length and actual disturbed width, to a maximum width of 5 m. Cutting shall be limited to necessary, selective cutting to achieve temporary access only.

Where temporary equipment access does not involve removal of the vegetative mat or alteration of ground slope or grade, deactivation consists of removal of any felled material and restoration of natural drainage where affected, and confirmation that the vegetative mat remains in place and in good condition. Full recontouring and revegetation are not required where grade and slope are unchanged."

"**TIER 2 TEMPORARY EQUIPMENT ACCESS** means access to a Mineral Exploration work area on valid mineral tenure in good standing, achieved by skid mounted, track mounted or truck mounted equipment where the following standards are met:

a) No movement of rock or earth occurs, except for the removal of individual obstructions necessary for safe equipment operation, with prior notification to the development officer;

b) The vegetative mat remains intact — incidental compression by approved equipment passage does not constitute removal of the vegetative mat;

c) No trees with a stem diameter exceeding 15 cm at 1.5 m above ground are

felled, except where removal of an individual tree is necessary for safe equipment operation, with prior notification to the development officer;

d) No equipment blade is used to grade the surface or remove the vegetative mat; and

e) Temporary equipment access shall not exceed a maximum width of 5 m, with the cumulative area of disturbance under a single Temporary Use Permit not exceeding 0.5 ha, calculated using actual route length and actual disturbed width, to a maximum width of 5 m. Cutting shall be limited to necessary, selective cutting to achieve temporary access only.

Where temporary equipment access does not involve removal of the vegetative mat or alteration of ground slope or grade, deactivation consists of removal of any felled material and restoration of natural drainage where affected, and confirmation that the vegetative mat remains in place and in good condition. Full recontouring and revegetation are not required where grade and slope are unchanged."

"**TIER 3 TEMPORARY EQUIPMENT ACCESS** means access to a Mineral Exploration work area on valid mineral tenure in good standing, achieved by skid mounted, track mounted or truck mounted equipment where the following standards are met:

a) No movement of rock or earth occurs, except for the removal of individual obstructions necessary for safe equipment operation, with prior notification to the development officer;

b) The vegetative mat remains intact — incidental compression by approved equipment passage does not constitute removal of the vegetative mat;

c) No trees with a stem diameter exceeding 20 cm at 1.5 m above ground are felled, except where removal of an individual tree is necessary for safe equipment operation, with prior notification to the development officer;

d) No equipment blade is used to grade the surface or remove the vegetative mat; and

e) Temporary equipment access shall not exceed a maximum width of 5 m, with the cumulative area of disturbance under a single Temporary Use Permit not exceeding 0.5 ha, calculated using actual route length and actual disturbed width, to a maximum width of 5 m. Cutting shall be limited to necessary, selective cutting to achieve temporary access only.

Where temporary equipment access does not involve removal of the vegetative mat or alteration of ground slope or grade, deactivation consists of removal of any felled material and restoration of natural drainage where affected, and confirmation that the vegetative mat remains in place and in good condition. Full recontouring and revegetation are not required where grade and slope are unchanged."

"**TREE LIMBING** means the process of selectively removing branches from a standing tree or fallen tree."

"**WATERCOURSE** means a naturally occurring body of water that can be classified as a river, stream, lake or wetland."

"**WELL MONITORING** means the use of drilling equipment to assess the quality of water. Well monitoring is typically undertaken on behalf of a government entity."

4. Section 3 of Zoning Bylaw 2025-37 is hereby amended by modifying the existing definition in subsection 3.1(1) of "INDUSTRIAL (RESOURCES)" to read as follows:

"**INDUSTRIAL (RESOURCES)** means the quarrying, processing, removal and off-site sale of sand, gravel, earth, water, or other similar natural materials."

5. Section 5 of Zoning Bylaw 2025-37 is hereby amended by modifying existing subsection 5.14(2) to read as follows:

"(2) Industrial (resources) developments may be subject to environmental and socio-economic review as part of the applicable legislated assessment process. The City will not approve any development that is contrary to the decision or conditions set out by the authority having jurisdiction."

6. Section 5 of Zoning Bylaw 2025-37 is hereby amended by adding new subsection 5.16 and new regulations 5.16(1) to 5.16(19) to read as follows and renumbering subsequent subsections accordingly:

"**5.16 MINERAL EXPLORATION**

(1) As part of a development permit application the following additional information is required to support Mineral Exploration:

(a) Description of work and estimated Tier of Mineral Exploration;

(b) Anticipated duration of the proposed Mineral Exploration project;

(c) A Reclamation Plan to be implemented upon conclusion of permitted work;

(d) Yukon Environmental and Socio-Economic Assessment Board (YESAB) decision document and subsequent Government of Yukon approval document if applicable; and

(e) Any surface water quality monitoring data as required by other government permit or license.

(2) Mineral Exploration projects may be subject to environmental and socio-economic review as part of the applicable Territorial legislated assessment process. The City will not approve any development that is contrary to the decision or conditions set out by the authority having jurisdiction.

(3) Mineral Exploration and Mineral Development may be approved in accordance with regulations in Table 13.

(4) Tier 4 Mineral exploration shall not be permitted as a Temporary Use.

(5) Tier 4 High Impact Mineral Exploration may be established as a Principal Use in the Other-Mineral Exploration (OME) zone.

(6) Mineral Exploration sites shall be remediated to pre-work site conditions in accordance with an approved Reclamation Plan.

(7) Test pits established as part of Mineral Exploration work shall be filled in to pre-existing grades and checked for slumping the following year.

(8) Where Mineral Exploration is permitted, the applicant shall be required to post security **in accordance with section 2.18** to ensure the City can undertake reclamation work in the event of applicant delinquency.

(a) The value of the security shall be based on a full-cost calculation provided by a qualified third party capable of providing remediation estimates. The calculation shall consider the cost to reclaim the site to a natural condition, including grading and contouring, replacing soil and vegetative cover, and seeding and/or planting new trees/shrubs as required, if the City were to hire a third-party to carry out the work. The security amount may be adjusted annually, taking into account the developer's progress to date and work plan for the following year.

(9) Upon abandonment or termination of operations, reclamation of the site shall begin immediately and be carried out in cooperation with the appropriate authorities. Unless an alternate end use is approved by the City through a separate planning process, the site shall be reclaimed to as natural a state as possible through measures such as slope grading, landscaping, and reforestation. If an alternate end use is approved, the reclamation plan may be revisited accordingly prior to implementation.

(10) When applying for a permit in an area where Mineral Exploration has previously been permitted by the City, the Development Officer may require the applicant to provide a progress report, reports based on activities performed under a previous permit, revised plans, scope of work for the upcoming year, and/or a new security calculation.

(11) Where Mineral Exploration Uses are in proximity to a Watercourse, a 100 m Watercourse setback will be required to protect Riparian Areas.

(a) Areas along both sides of all rivers, streams, lakes, and wetlands must be protected from development and remain in a natural condition along both sides of all rivers, streams, lakes and wetlands.

(b) The Watercourse setback will be measured from the ordinary high-water mark of the river, stream, lake, or wetland to the subject drill pad.

(c) An environmental study prepared by a qualified professional will be required to consider any potential reduction to the Watercourse setback.

i) The study shall provide justification for the proposed reduction in setback. This report should also include strategies that mitigate impact of proposed development on the adjacent Watercourse.

(d) Under no circumstances shall the required Watercourse setback be less than 30 m from the ordinary high-water mark.

(12) Under no circumstances shall Mineral Exploration uses draw water from a naturally occurring watercourse. Water used for Mineral Exploration may be brought to site or drawn from a City approved, non naturally occurring watercourse.

(13) Where Mineral Exploration occurs in proximity to residential uses, a 500 m setback will be required to provide development separation, visual barrier, and noise buffering. The setback will be measured from the subject drill pad to the nearest adjacent residential property line.

(14) Drill holes established for the purpose of Mineral Exploration shall be back filled to the frost line (approximately 1.5 – 2.0 m below grade) and capped using cement or equivalent material to protect against wildlife entrapment and infiltration of surface waters into subsurface environments

(15) Tier 2 Mineral Exploration equipment allowances may be used in Tier 1 areas when drilling occurs between December 1 and February 28

(16) When undertaking Tier 1 Mineral Exploration, supporting vehicles and equipment must rubber tracked, or if wheeled, remain on established roads or pre-existing trails. ATV's, UTV's and snowmobiles may be used for site access.

(17) When undertaking Tier 2 or 3 Mineral Exploration, supporting vehicles and equipment must be track mounted, or if wheeled, remain on established roads or pre-existing trails. ATV's, UTV's and snowmobiles may be used for site access.

(18) A Spill Response Plan must be submitted to the City as part of permit application if onsite fueling or fuel storage is proposed.

(19) Upon receipt of any Mineral Exploration or Mineral Development application, the Development Officer shall notify Kwanlin Dün First Nation and Ta'an Kwäch'än Council in writing and shall request a response within 30 days as to whether the proposed application may impact heritage resources or other land use considerations.

6. Section 5 of Zoning Bylaw 2025-37 is hereby amended by adding new Table 13: Mineral Exploration and Development Regulations immediately after regulation 5.16(19) to read as follows:

**Table 13: Mineral Exploration and Development Regulations**

| | Tier 1-Low Impact Exploration | Tier 2-Low Impact Exploration | Tier 3-Medium Impact Exploration | Tier 4-High Impact Exploration | Tier 5-Mineral Development |
|---|---|---|---|---|---|
| **Approved project methods** | Rubber tracked drilling equipment only | Drilling equipment may be skid mounted, track mounted, or truck mounted | Drilling equipment may be skid mounted, track mounted, or truck mounted | Exploratory drilling of any form may take place by any means in alignment with Territorial approval | Permitted in alignment with the OCP, Zoning Bylaw and Territorial legislation |
| **Vegetative cutting** | Limbing and brushing permitted<br><br>No cutting of trees with stump diameter greater than 15 cm<br><br>Vegetative cutting in accordance with Tier 1 Temporary Equipment Access. | Limbing and brushing permitted<br><br>No cutting of trees with stump diameter greater than 15 cm.<br><br>Vegetative cutting in accordance with Tier 2 Temporary Equipment Access. | Limbing and brushing permitted<br><br>No cutting of trees with stump diameter greater than 20 cm<br><br>Vegetative cutting in accordance with Tier 3 Temporary Equipment Access. | Cutting and clearing up to 2 hectares in area | Determined at Development Permit issuance |
| **Inspection requirements** | Pre and post Site Inspection Report required | Pre and post Site Inspection Report required | Pre and post Site Inspection Report required<br><br>Inspections also required on bi-weekly basis throughout | Pre and post Site Inspection Report required<br><br>Inspections also required on a bi-weekly basis throughout drilling project | Determined at Development Permit issuance |

| | | | | | |
|---|---|---|---|---|---|
| | | | drilling project | | |
| **Permitting requirements** | Temporary Use Permit | Temporary Use Permit | Temporary Use Permit | Development Permit | Development Permit |
| **OCP Designation allowances** | All designations outside the Urban Containment Boundary **except** in Greenspace and Residential - Country | All designations outside the Urban Containment Boundary **except** in Greenspace, Future Planning, and Residential - Country. | Industrial and Natural Resource Extraction | Natural Resource Extraction | Natural Resource Extraction |
| **Zoning Bylaw allowances** | All zones | All zones | All zones | "OME" Mineral Exploration zone | "OMD" Mineral Development Zone |
| **Yukon Government permit** | Class 1 permit | Class 1 permit | Class 1 permit | Class 3 permit | Class 4 permit |
| **Maximum Project duration** | 3 months | 6 months | 1 years | 4 years | Determined at Development Permit |
| **Trail Construction allowances** | No trail or road construction<br><br>Work areas to be accessed by Established Access and Tier 1 Temporary Equipment Access. | No trail or road construction<br><br>Work areas to be accessed by Established Access and Tier 2 Temporary Equipment Access. | Work areas to be accessed by Established Access and Tier 3 Temporary Equipment Access.<br><br>Trail or road construction may be | Trail or road construction may be permitted by the City Engineer on a case-by-case basis. | Determined at Development Permit |

| | | | | | |
|---|---|---|---|---|---|
| | | | permitted by the City Engineer on a case-by-case basis.<br><br>Permissions granted by the City Engineer to enable trail and road construction may exceed Tier 3 Temporary Equipment Access allowances. | | |

7. Section 6 of Zoning Bylaw 2025-37 is hereby amended by adding new subsection 6.27 and regulations 6.27(1) to 6.27(4) to read as follows and renumbering subsequent subsections accordingly:

**"6.27 OTHER – MINERAL EXPLORATION (OME)**

(1) Purpose

To provide a zone for high impact on-site drilling and other exploratory work needed to assess subsurface mineral potential as defined in this bylaw. Mineral exploration is not mining and is separate from Mineral Development as defined in this bylaw.

(2) Principal Uses

(a) Tier-4 High Impact Mineral Exploration

(3) Secondary Uses

(a) accessory structure

(4) Development Regulations

(a) minimum lot area is 2.5 ha

i) in the event land is un-surveyed, "lot area" is to be determined based on the area of permitted work approved by the Government of Yukon

(b) maximum height is 20.0 m

(c) minimum front, side, and rear yard setback is 7.5 m"

8. Section 6 of Zoning Bylaw 2025-37 is hereby amended by adding new subsection 6.28 and regulations 6.28(1) to 6.28(4) to read as follows and renumbering subsequent subsections accordingly:

**"6.28 OTHER – MINERAL DEVELOPMENT (OMD)**

(1) Purpose

To provide a zone for the on-site removal, extraction, and primary processing of mineralized rock, found on or under the site.

(2) Principal Uses

(a) Tier-5 Mine Development

(3) Secondary Uses

(a) accessory structure

(4) Development Regulations

(a) minimum lot area is 2.5 ha

i) in the event land is un-surveyed, "lot area" is to be determined based on the area of permitted work approved by the Government of Yukon

(b) maximum height is 20.0 m

(c) minimum front, side, and rear yard setback is 7.5 m"

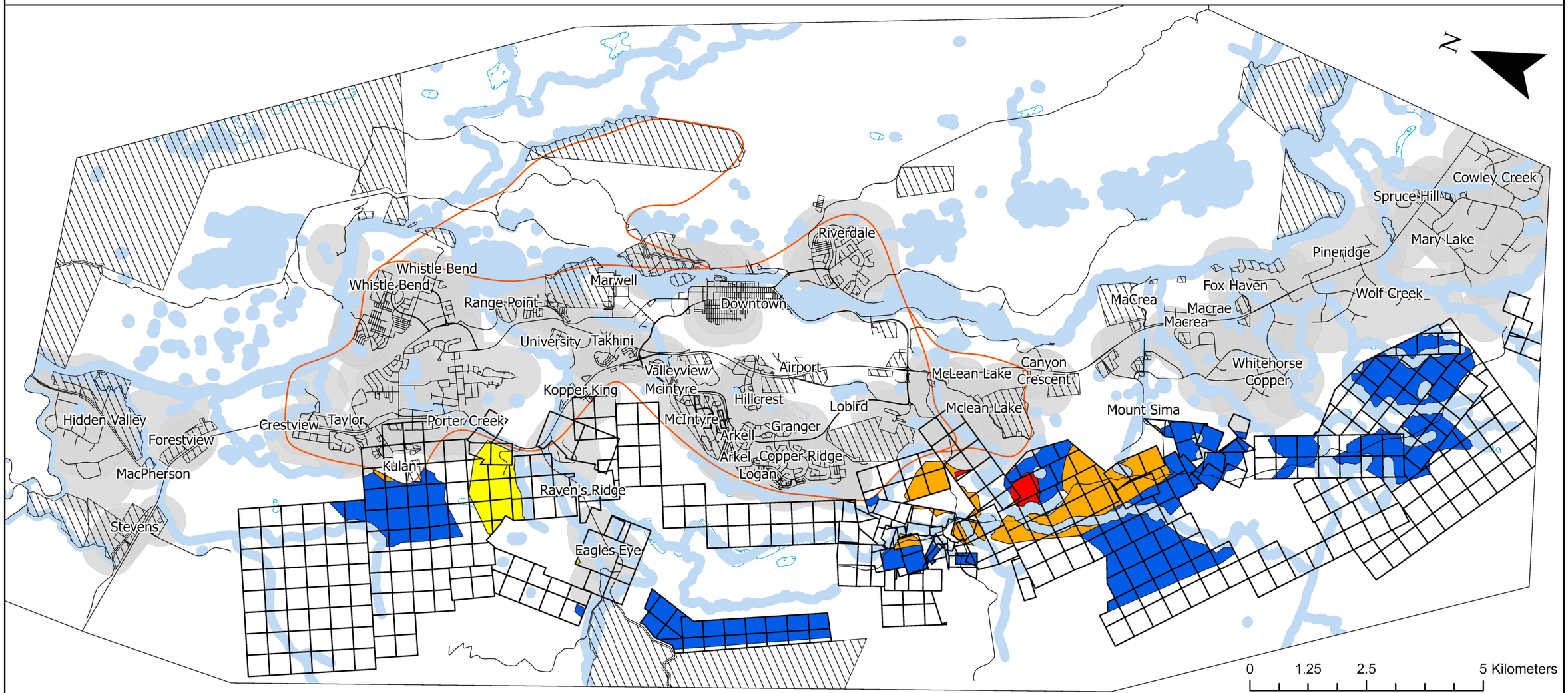
9. This bylaw shall come into force and effect upon the final passing thereof.

**FIRST READING**:
**PUBLIC NOTICE**:
**PUBLIC HEARING**:
**SECOND READING**:
**THIRD READING** and **ADOPTION**:

_____
Kirk Cameron, Mayor

_____
Corporate Services

# City of Whitehorse - Mineral Exploration and Development Framework




## CITY OF WHITEHORSE - PLANNING AND SUSTAINABILITY SERVICES

Each tier represents a combination of designations from the 2040 Official Community Plan.

These combinations are detailed below:
- TIER ONE - Future Planning - Agricultural - Industrial - Nature Resource Extraction - Public Utility
- TIER TWO - Agricultural - Industrial - Natural Resource Extraction - Public Utility
- TIER THREE - Industrial - Natural Resource Extraction
- TIER FOUR/FIVE - Nature Resource Extraction

FILE: Mineral Exploration - City of Whitehorse
DATE: September 25, 2026

**Legend**

- TEIR ONE
- TIER TWO
- TIER THREE
- TIER FOUR/FIVE
- Water 100M SETBACK
- DWELLING 500M SETBACK
- UCB
- Roads
- Claims/CrownGrants
- City Limits
- Settlement Lands
- Watercourses
- Waterbodies
- Wetlands

**CITY OF WHITEHORSE**

# DEVELOPMENT SERVICES COMMITTEE

**Council Chambers, City Hall**

**Chair**: Jenny Hamilton **Vice-Chair**: Lenore Morris

October 5, 2026 Meeting #2026-18

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1. Mineral Staking Prohibition Extension
   Presented by Mélodie Simard, A/Director of Development Services

2. New Business

# ADMINISTRATIVE REPORT

| | |
|---|---|
| **TO**: | Development Services Committee |
| **FROM**: | Administration |
| **DATE**: | October 5, 2026 |
| **RE**: | Mineral Staking Prohibition Extension |

## ISSUE

The Quartz Claim Staking Prohibition is expiring and a decision is required on whether to request a 15-year extension from Government of Yukon

## REFERENCE

- Order In Council 2012/145
- Order In Council 2017/124
- Order In Council 2022/127
- Order In Council 2025/122
- Prohibition Area Map

## HISTORY

In 2009, Government of Yukon (YG) Mineral Resources Branch, the Yukon Geological Survey and City of Whitehorse planning staff worked together to determine areas that might be withdrawn from new mineral staking. This information was incorporated into city-wide public consultation that was conducted as part of the 2010 Official Community Plan (OCP) process. The 2010 OCP was adopted with mineral staking related policy (Policy 1.5.1) which states:

> *"There may be significant mineral resources within City boundaries found within areas with recreational value. The City may request the Yukon Government to place a moratorium on future mineral staking within City Limits in order to determine if a partial or total withdrawal of future mineral staking should be implemented."*

A 5-year prohibition order (Order in Council (OIC) 2012/145) was approved July 19, 2012 by YG. The 5-year time period was established to provide impacted parties the opportunity to assess how management of the excluded areas was working and to consider other factors that could necessitate further change to staking ban boundaries.

On May 23, 2017, Council passed a resolution requesting YG to extend the existing staking prohibition order (OIC 2012/145) for a 5-year period, restricting quartz claim mineral staking in the city of Whitehorse. OIC 2017/124 was approved on July 14, 2017, extending the staking prohibition to July 19, 2022.

On June 13, 2022, Council passed a resolution requesting YG to extend the existing prohibition order (OIC 2017/124) for an additional 5 years. OIC 2022/127 was approved on July 14, 2022, extending the staking prohibition to July 19, 2027.

The City of Whitehorse officially adopted the Whitehorse 2040 Official Community Plan on March 27, 2023 which replaced the 2010 OCP. The mineral staking policy carried forward (Policy 16.13 iii.) stating that the City will work with YG to:

*"Continue an appropriate moratorium on mineral staking in Whitehorse."*

On June 19, 2025, the Chasàn Chùa area was officially designated a territorial park. Along with this designation, a permanent prohibition order (OIC 2025/122) was enacted in the park boundary to prohibit any staking, claiming and mining activity. However, the order does not apply to entry on pre-existing claims.

## ALTERNATIVES

1. Request that YG implement a 15-year extension to the mineral staking prohibition order; or
2. Refer back to Administration for further analysis.

## ANALYSIS

The presence of mineral staking within the municipality has the potential to introduce land-use conflicts and uncertainty and could undermine the City's ability to make long-term planning decisions within its municipal boundary. Mineral claims can create competing interests on lands identified for future planning, infrastructure, recreation, environmental protection, or other community priorities, reducing planning certainty and potentially limiting the City's ability to implement Official Community Plan objectives and make coordinated land use decisions in the public interest. It could result in increased costs for governments, developers, and residents.

Government of Yukon may extend the prohibition order restricting quartz claim mineral staking in the city of Whitehorse which is currently set to expire on July 19, 2027. Previous extensions have been granted following an official request by the City of Whitehorse, supported by Council resolution.

An additional 15-year term is being recommended to align with the Whitehorse 2040 time horizon. The proposed extended prohibition would allow sufficient time to advance and implement major residential, infrastructure, and community development initiatives, while offering clarity for all stakeholders, including the housing and mining sector.

The consequence of not requesting an extension is there would be a period of time where staking could occur in Whitehorse, subject to the provisions of the *Quartz Mining Act*.

## ADMINISTRATIVE RECOMMENDATION

THAT Council pass a resolution requesting the Government of Yukon implement a 15-year extension to the current prohibition order (OIC 2012/145), restricting quartz claim mineral staking in the City of Whitehorse.