

CITY OF WHITEHORSE
REGULAR Council Meeting #2018-03

DATE: Monday, February 12, 2018

TIME: 5:30 p.m.

Mayor Dan Curtis
Deputy Mayor Jocelyn Curteanu
Reserve Deputy Mayor Dan Boyd

A G E N D A

CALL TO ORDER 5:30 p.m.

AGENDA: Adoption

PROCLAMATIONS

MINUTES Regular Council Meeting #2018-02 dated January 29, 2018

DELEGATIONS

PUBLIC INPUT Bylaw 2018-07 – Operating and Maintenance Budget (2018 – 2020)

PUBLIC HEARING Bylaw 2018-10 – Zoning Amendment (Cannabis Retail Sales)

**COMMITTEE
REPORTS**

Corporate Services Committee – *Councillors Hartland and Woodcock*

Budget Amendment – Porter Creek Flush System Repair
Council Remuneration for the 2018 to 2021 Term of Office
Quarterly Progress Reports
2017 Council Summaries – *For Information Only*

City Planning Committee – *Councillors Fendrick and Irwin*

Contract Award/Budget Amendment – Whistle Bend Future Planning

Operations Committee – *Councillors Boyd and Hartland*

Contract Award/Budget Amendment – Compost/Waste Packers

Community Services Committee – *Councillors Curteanu and Fendrick*

Public Health & Safety Committee – *Councillors Woodcock and Boyd*

Development Services Committee – *Councillors Irwin and Curteanu*

**NEW /UNFINISHED
BUSINESS**

BYLAWS 2018-06 Amend Subdivision Control Bylaw 3rd Reading
2018-11 Council Remuneration for 2018 to 2021 Term 1st & 2nd Reading

ADJOURNMENT:

MINUTES of **REGULAR** Meeting #2018-02 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, January 29, 2018, in Council Chambers, City Hall.

PRESENT: Mayor Dan Curtis
Councillors Dan Boyd
Jocelyn Curteanu
Robert Fendrick
Samson Hartland
Betty Irwin
Roslyn Woodcock

ALSO PRESENT: Acting City Manager Mike Gau
Director of Community and Recreation Services Jeff O'Farrell
Director of Corporate Services Valerie Braga
Acting Director of Development Services Mélodie Simard
Director of Infrastructure and Operations Peter O'Blenes
Manager of Financial Services Lindsay Schneider
Manager of Legislative Services Catherine Constable
Acting Manager of Strategic Communications Myles Dolphin

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

CALL TO ORDER

2018-02-01

It was duly moved and seconded
THAT the agenda be adopted as amended with the change being the
addition of a delegation from various women's groups speaking to the
Vehicle for Hire Bylaw.

Carried Unanimously

AGENDA

2018-02-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated January 15,
2018 be adopted as presented.

Carried Unanimously

MINUTES

January 15, 2018

DELEGATIONS

A representative from three women's groups advised Council that she
was present as an observer regarding proposed safety enhancements
to the Vehicle for Hire Bylaw.

WOMEN'S GROUPS
Vehicle for Hire Bylaw

COMMITTEE REPORTS

Budget Committee

Mayor Curtis presented the budget speech for the 2018 Operating and Maintenance Budget and the 2019 and 2020 provisional budgets.

OPERATING BUDGET

The 2018 operating budget totals \$77 million dollars and includes a residential tax increase of 2.3% for 2018.

BUDGET SPEECH

Corporate Services Committee

2018-02-03

It was duly moved and seconded
THAT the City Seal be affixed to the 2017 Tax Lien Summary List to authenticate the list.

AUTHORIZE 2017 TAX
LIEN SUMMARY LIST

Carried Unanimously

The Yukon Property Assessment and Taxation Branch values all real property for taxation purposes and each year provides the City with a valuation of all property within municipal boundaries. The City then applies a tax rate to this value to determine the amount of property taxes owing.

The tax rate is established through the City's operating budget process in order to meet projected expenses. As assessments increase the City has traditionally rolled back mill rates to minimize the impact to property owners and prevent over-taxation.

PROPERTY
ASSESSMENTS
For Information Only

The 2018 assessments increased above those established in 2017. The average residential assessment increased by 6.30 percent, and the average non-residential assessment increased by 10.64 percent. This data will be factored into the proposed 2018 property tax rates that will form part of Council's operating budget deliberations.

2018-02-04

It was duly moved and seconded
THAT travel expenses be authorized for Mayor Curtis to attend the annual Arctic Inspiration Prize awards ceremony and other northern events to be held in Ottawa in late January.

AUTHORIZE MAYOR'S
TRAVEL EXPENSES
Arctic Inspiration Prize

Carried Unanimously

City Planning Committee

2018-02-05

It was duly moved and seconded
THAT Bylaw 2017-33, a bylaw to amend the zoning of 6140 Sixth Avenue, be brought forward for second and third reading under the bylaw process; and

THAT Bylaw 2017-33 be amended at second reading to:

1. require that if five dwelling units are built on the lot, only a dwelling configuration of five single-detached units is permitted; and
2. delete the reference to Class 1 bicycle parking not being required.

BRING FORWARD AND
AMEND BYLAW 2017-33

2018-02-06

It was duly moved and seconded
THAT the motion be amended by adding an additional clause that reads, "THAT the \$1,500.00 zoning application fee be granted back to the Blood Ties Four Directions Centre Society."

Amendment

Carried Unanimously

The main motion as amended was voted on and Carried Unanimously.

Vote on Main Motion

2018-02-07

It was duly moved and seconded
THAT Bylaw 2018-06, a bylaw to amend the Subdivision Control Bylaw with respect to First Nation Settlement Lands, be brought forward for consideration under the bylaw process.

BRING FORWARD
AMENDMENT TO
SUBDIVISION CONTROL
BYLAW

Carried Unanimously

City Operations Committee

2018-02-08

It was duly moved and seconded
THAT the construction contract for the Wilson and Thompson Sanitary Sewer Repair project be awarded to Norcope Enterprises for a net cost to the City of \$190,924.50.

CONTRACT AWARD
Construction Contract
Wilson-Thompson
Sewer Repair Project

Carried Unanimously

Community Services Committee

Representatives from the Yukon Anti-Poverty Coalition addressed the Committee to reaffirm their desire to improve access to public transit, regardless of income or mobility issues. The Coalition's key recommendation for public transit is that the City review the gaps and ensure safe access for all citizens. They noted that the living wage calculation includes consideration of public transit, but access to transit is out of reach for a segment of the population. It was also noted that service on Sundays is needed.

ACCESS TO TRANSIT
For Information Only

A delegation from the Yukon College Student Union spoke in support of the Yukon Anti-Poverty Coalition's presentation, stressing that a Sunday service is needed as well as late night service on Saturdays. They noted that the cost of transit poses challenges for students and low income residents, and there is a growing need for affordable transit.

Public Health and Safety Committee

2018-02-09

It was duly moved and seconded
THAT administration is hereby directed to engage stakeholders, industry, and other levels of government in a review of the Vehicle for Hire Bylaw and the recommendations brought forward from the community; and

PROCEED WITH REVIEW
OF VEHICLE FOR HIRE
BYLAW – SAFETY
ENHANCEMENTS

THAT amendments to the current Vehicle for Hire Bylaw be drafted to address the safety concerns that have been raised.

Carried Unanimously

Development Services Committee

There was no report from the Development Services Committee.

No Report

NEW & UNFINISHED BUSINESS

2018-02-10

It was duly moved and seconded
THAT administration is hereby directed to collaborate with Yukon Government and Yukonstruct Makerspace Society to prepare a Challenge Statement for the Smart Cities Challenge.

PREPARE CHALLENGE
STATEMENT FOR SMART
CITIES CHALLENGE

Carried Unanimously

BYLAWS

2018-02-11

It was duly moved and seconded
THAT Bylaw 2018-01, a bylaw to provide for the use of an automated
vote counting system for the municipal election, having been read a
first and second time, now be given third reading.

The *Municipal Act* requires that approval of the Minister be obtained for
any bylaw that proposes taking the votes of electors by means of an
automated vote counting system.

Although the *Act* requires Ministerial approval for such bylaws, it does
not specifically require a bylaw for each election. The Minister has
therefore requested that this bylaw be amended to provide for the use
of an automated vote counting system for future elections and by-
elections as well as for the 2018 election.

In the event that the City chooses to use a different system in the
future, a bylaw subject to ministerial approval would be required to
authorize the use of that different system.

2018-02-12

It was duly moved and seconded
THAT Bylaw 2018-01 be amended as follows in order to provide for the
use of an automated vote counting system for the 2018 municipal
election and future elections and by-elections:

1. Amend the preamble sentence to read, "A bylaw to provide for
the use of an automated vote counting system for municipal
elections in the City of Whitehorse."
2. Amend section 3 to read, "Except as otherwise provided in this
bylaw, municipal elections in the City of Whitehorse shall be
conducted in accordance with the provisions of Part 3 of the
Municipal Act."
3. Amend section 4 to read, "Notwithstanding section 3 of this
bylaw, in accordance with sections 53, 56 and 63 of the
Municipal Act, the City will in each election year bring forward an
election procedures bylaw to otherwise regulate the conduct of
the municipal election. Procedures and precautions to ensure
that each elector votes only once in the election shall be included
in the election procedures bylaw."

.../continued

BYLAW 2018-01

AUTOMATED VOTE
COUNTING SYSTEM

THIRD READING

Explanation

Amendment

2018-02-12 (Continued)

4. Amend section 5 to read, “The City will use a poll-based ballot scanning and tabulation system for the 2018 municipal election and for future municipal elections and by-elections.”
5. Amend section 16 to read, “A sample of a standard ballot form is attached hereto as Appendix “A” and forms part of this bylaw. A ballot similar to this sample will be customized to meet the needs of each election or by-election in the City of Whitehorse.”
6. Amend section 18 to read, “Due to the time constraints imposed by the *Municipal Act*, special ballots for municipal elections may need to be traditional paper ballots. In the event that traditional paper ballots are used for a special ballot poll, that poll will not be subject to the ballot handling provisions of this bylaw.”

Amendment
(Continued)

Carried Unanimously

The main motion as amended was voted on and Carried Unanimously.

Vote on Main Motion

2018-02-13

It was duly moved and seconded
THAT Bylaw 2018-02, a bylaw to authorize the allocation of various grants for the year 2017, having been read a first and second time, now be given third reading.

Carried Unanimously

BYLAW 2018-02
2017 UMBRELLA
GRANTS BYLAW
THIRD READING

2018-02-14

It was duly moved and seconded
THAT Bylaw 2018-03, a bylaw to amend the 2017 to 2020 capital budget to authorize expenditures that vary from the approved capital expenditure program, having been read a first and second time, now be given third reading.

Carried Unanimously

BYLAW 2018-03
2017 UMBRELLA
CAPITAL BUDGET
AMENDMENTS
THIRD READING

2018-02-15

It was duly moved and seconded
THAT Bylaw 2018-04, a bylaw to amend the 2017 to 2019 operating and maintenance budget to authorize expenditures that vary from the approved operating expenditure program, having been read a first and second time, now be given third reading.

Carried Unanimously

BYLAW 2018-04
2017 UMBRELLA
OPERATING BUDGET
AMENDMENTS
THIRD READING

2018-02-16

It was duly moved and seconded
THAT Bylaw 2017-33, a bylaw to amend the zoning at 6140 Sixth Avenue to allow for a tiny house development, be given second reading.

BYLAW 2017-33

ZONING AMENDMENT
Tiny House Development
SECOND READING

2018-02-17

It was duly moved and seconded
THAT section 1 of Bylaw 2017-33 be amended to read as follows:
“Section 9.11 of Zoning Bylaw 2012-10 is hereby amended by adding a new subsection 9.11.7 “Special Restrictions” as follows:

“9.11.7 Special Restrictions

- a) Lot 1, Block 59, Plan 17459 LTO, located at 6140 Sixth Avenue is designated RDx(a) with the special modifications being:
1. the maximum number of dwelling units on the lot is five, and
 2. if five dwelling units are built on the lot, only a dwelling configuration of five single-detached units is permitted.”

Amendment

Carried Unanimously

The main motion as amended was voted on and Carried Unanimously.

Vote on Main Motion

2018-02-18

It was duly moved and seconded
THAT Bylaw 2017-33, a bylaw to amend the zoning at 6140 Sixth Avenue to allow for a tiny house development, having been read a first and second time, now be given third reading as amended.

BYLAW 2017-33

ZONING AMENDMENT
Tiny House Development
THIRD READING

Carried Unanimously

2018-02-19

It was duly moved and seconded
THAT Bylaw 2018-06, a bylaw to amend the Subdivision Control Bylaw with respect to First Nation Settlement Lands, be given first reading.

BYLAW 2018-06

AMEND SUBDIVISION
CONTROL BYLAW
FIRST READING

Carried Unanimously

2018-02-20

It was duly moved and seconded
THAT Bylaw 2018-06 be given second reading.

SECOND READING

Carried Unanimously

2018-02-21

It was duly moved and seconded
THAT Bylaw 2018-07, a bylaw to adopt the 2018 annual operating
and maintenance budget and the provisional budgets for 2019 and
2020, be given first reading.

Carried (5 – 2)

IN FAVOUR Mayor Curtis, Councillors Curteanu, Fendrick, Irwin
and Woodcock
OPPOSED Councillors Boyd and Hartland

BYLAW 2018-07

OPERATING BUDGET
2018 TO 2020

FIRST READING

Recorded Vote

2018-02-22

It was duly moved and seconded
THAT Bylaw 2018-08, a bylaw to levy taxes for the year 2018, be
given first reading.

Carried (5 – 2)

IN FAVOUR Mayor Curtis, Councillors Curteanu, Fendrick, Irwin
and Woodcock
OPPOSED Councillors Boyd and Hartland

BYLAW 2018-08

TAX LEVY FOR 2018

FIRST READING

Recorded Vote

2018-02-23

It was duly moved and seconded
THAT Bylaw 2018-09, a bylaw to amend the Fees and Charges
bylaw in accordance with the operating and maintenance budget, be
given first reading.

Carried Unanimously

BYLAW 2018-09

FEES & CHARGES
AMENDMENT (Budget)

FIRST READING

There being no further business, the meeting adjourned at 6:20 p.m.

ADJOURNMENT

Mayor

City Clerk

ADOPTED by resolution at Meeting #2018-

MEMORANDUM

TO: Mayor and Council
FROM: Administration
DATE: February 12, 2018
SUBJECT: Public Input Session

Please be advised that there will be a public input session at the regular council meeting on February 12, 2018 to hear from interested parties related to the following bylaw:

Bylaw 2018-09, a bylaw to adopt the 2018 annual operating and maintenance budget and the provisional budgets for 2019 and 2020

Bylaw 2018-07 received first reading on January 29, 2018, and was posted on the City's website on January 30th. Copies of the bylaw have been available to the public at City Hall and other municipal facilities since January 30th.

Notices were published in the newspapers on February 2 and February 9.

Lindsay Schneider
Manager of Financial Services

MEMORANDUM

FILE #: Z-01-2018

TO: Mayor and Council
FROM: Administration
DATE: February 12, 2018
SUBJECT: Public Hearing – Zoning Amendment Bylaw 2018-10

Please be advised that there will be a public hearing at the regular council meeting on February 12, 2018 to hear from interested parties related to the following zoning amendment:

Bylaw 2018-10, a bylaw to amend retail service definitions and to allow for the retail sale of cannabis and cannabis-containing products in the Marwell area

In November 2017, the Government of Yukon released its proposed framework for legalizing cannabis in Yukon. This framework was developed in response to the Government of Canada's decision to legalize cannabis at the federal level in July 2018. In the first phase of implementation, the Government of Yukon intends to be the sole authority within Yukon to sell recreational cannabis for commercial purposes. The City of Whitehorse is bringing forward Bylaw 2018-10 to direct, and limit, site eligibility to the Marwell neighbourhood.

Bylaw 2018-10 received first reading on January 15, 2018. Notices were published in the newspapers on January 19 and 26. A total of 118 letters were sent to property owners within Marwell as well as within 100 metres of Marwell. The Yukon Government Land Management Branch, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council were notified by mail.

Ben Campbell
Planner II
Planning and Sustainability Services Department

cc. Director, Development Services
Manager, Planning and Sustainability Services



Minutes of the meeting of the Corporate Services Committee

Date	February 5, 2018
Location	Council Chambers, City Hall
Committee Members Present	Councillor Roslyn Woodcock – Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Robert Fendrick – Electronic Participation Councillor Betty Irwin
Absent	Councillor Samson Hartland
Staff Present	Linda Rapp, City Manager Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services

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

1. **Budget Amendment – Porter Creek Flush System Repair**

In 2017 a leak was discovered in the Porter Creek flush tank system and a consultant was hired to assess the site and develop a repair plan, conceptual design and construction cost estimate. The project cost reflects the complexity of the excavation and backfill portion of the project because the valve chamber is located adjacent to the steep riverbank. Other factors include the depth of the excavation required and the need to stabilize and maintain access to the valve chamber. The pipe repair portion of the project is also complex because of the need to reinforce the system to avoid future failures. There is also significant environmental risk due to the proximity of the river and because the extent of the effluent leak cannot be quantified prior to excavating.

A detailed cost estimate was obtained to ensure that the budget and contingency are set correctly. This will allow tendering and construction to proceed smoothly and ensure that the work is completed as soon as possible.

The recommendation of the Corporate Services Committee is:

THAT the 2018 to 2020 capital expenditure program be amended by adding a new 2018 capital project for design and construction of the Porter Creek Flush System Repair in the amount of \$850,000.00, funded by the Water and Sewer Reserve.

2. Remuneration for the 2018 to 2021 Term of Council

The current remuneration for council members was established in 2015 by applying the Consumer Price Index for Whitehorse to the salaries for the 2012 to 2015 council term, which had been determined by applying CPI to the salaries set for the 2009 to 2012 term. No other increases were applied during any of these terms, and council member salaries have failed to keep pace with inflation.

Canada Revenue Agency rules for 2019 will remove a tax free portion from the salaries for elected officials at all levels of government. In response to that change, the base annual salaries proposed for the next term of office have been adjusted upwards to keep the take-home pay for council members consistent with the current council.

To establish the remuneration for next council's term, administration reviewed comparative data from cities with similar populations in western Canada. For the next mayor, no adjustment to the initial remuneration level would be required. For incoming councillors, rationale exists to set councillor salaries at 36% of the mayor's salary.

The proposed bylaw provides for a base annual salary for the mayor and councillors in accordance with these findings. Additionally, the payment rates are proposed to be adjusted in 2020 and 2021 by applying in January of each of those years the average Consumer Price Index for Whitehorse for the most recently available previous year.

No adjustments to additional benefits or honoraria are proposed. Other changes to the bylaw include incorporating the provisions of the current council expense policy into the bylaw to eliminate overlap and duplication. The bylaw provides clarity with respect to when approval for travel outside the city or for funding or reimbursement of expenses may be provided by the mayor instead of by resolution of council. Additionally, provisions are included to simplify travel authorization within the territory for designated council representatives to the Association of Yukon Communities.

The recommendation of the Corporate Services Committee is:

THAT Bylaw 2018-11, a bylaw to provide for the remuneration to be paid to the mayor and councillors for the 2018 to 2021 term of office, be brought forward for consideration under the bylaw process.

3. Quarterly Progress Reports

Progress reports with respect to strategic priorities for the period from November 1, 2017 to January 31, 2018 were received from the Corporate Services, Development Services, Operations and Infrastructure Services, and Community and Recreation Services Divisions.

The recommendation of the Corporate Services Committee is:

THAT the quarterly progress reports for the period from November 1, 2017 to January 31, 2018 be accepted as presented, and that the strategic priorities charts be updated accordingly.

4. Council Summaries for 2017 – For Information Only

The Procedures Bylaw requires administration to annually provide summary reports on the attendance, expense claims, travel and voting records for each member of council. These reports are intended to provide a report card on the activities of council members and contribute to transparency with respect to the conduct of council.

The summary reports for the 2017 calendar year provide details for all members of council with respect to:

- their attendance record at regular and special council meetings and at standing committee meetings;
- the travel undertaken in the performance of their duties as members of council;
- the expense claims submitted with respect to travel on municipal business; and
- their voting record on issues that came before council for a vote.



Minutes of the meeting of the City Planning Committee

Date February 5, 2018

Location Council Chambers, City Hall

Committee Members Present
Councillor Betty Irwin – Chair
Mayor Dan Curtis
Councillor Dan Boyd
Councillor Jocelyn Curteanu
Councillor Robert Fendrick – Electronic Participation
Councillor Roslyn Woodcock

Absent Councillor Samson Hartland

Staff Present
Linda Rapp, City Manager
Jeff O’Farrell, Director of Community and Recreation Services
Valerie Braga, Director of Corporate Services
Mike Gau, Director of Development Services
Peter O’Blenes, Director of Infrastructure and Operations
Mélodie Simard, Manager of Planning and Sustainability Services

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

1. Contract Award and Budget Amendment – Whistle Bend Future Planning

Two proposals were received in response to a request for proposals issued for completion of a planning and pre-design report for future development areas in Whistle Bend. The proposals were evaluated in accordance with the council policy on procedures for the selection of professional consulting services by an evaluation team consisting of city staff and representatives from the Government of Yukon and the Ta’an Kwäch’än Council.

This project was not included in the 2018 to 2021 capital budget because there was no contribution agreement in place. A contribution agreement with the Government of Yukon has now been finalized, and an amendment to the capital budget is required to allow planning and pre-design for future areas of Whistle Bend to proceed.

All eligible costs associated with this project will be recovered from the Government of Yukon through quarterly invoicing.

The recommendation of the City Planning Committee is:

THAT the 2018-2021 capital expenditure program be amended to include the 2018 Whistle Bend Future Areas Planning and Pre-Design project in the amount of \$300,000.00, funded by the Government of Yukon; and

THAT the contract for the preparation of a planning and pre-design report for the future planning areas of Whistle Bend be awarded to Williams Sale Partnership in the amount of \$243,513.00.



Minutes of the meeting of the City Operations Committee

Date	February 5, 2018
Location	Council Chambers, City Hall
Committee Members Present	Councillor Dan Boyd – Chair Mayor Dan Curtis Councillor Jocelyn Curteanu Councillor Robert Fendrick – Electronic Participation Councillor Betty Irwin Councillor Roslyn Woodcock
Absent	Councillor Samson Hartland
Staff Present	Linda Rapp, City Manager Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Richard Graham, Manager of Operations

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

1. Contract Award and Budget Amendment – Compost/Waste Packers

The 2017 capital budget included funding for a compost/waste packer required to provide compost and waste pickup services for the expanding Whistle Bend subdivision and the proposed expansion of the commercial compost program. The 2018 capital budget includes funding for a packer to replace an aging unit in accordance with the City’s vehicle and equipment replacement administrative directive.

Gas Tax funding has been approved and transfer payment agreements are in place for both the 2017 and 2018 units. If the purchase is approved, the 2017 funding will have to be re-budgeted to 2018 in order for the contract to be awarded.

Eight proposals from three companies were received in response to the request for proposals issued in 2017. Four proposals were rejected as they did not meet the minimum technical requirements. The recommended proposal meets the needs of the city and is within the combined budget.

The recommendation of the City Operations Committee is:

THAT Appendix "A" of the 2018 to 2021 capital expenditure program be amended by re-budgeting \$309,797.98 in unspent funds from 2017 to 2018 in job 320c00112; and

THAT the contract for the supply of two compost/waste packers be awarded to Superior Truck Equipment Inc. in the amount of \$619,252.00.



Minutes of the meeting of the Community Services Committee

Date	February 5, 2018
Location	Council Chambers, City Hall
Committee Members Present	Councillor Jocelyn Curteanu – Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Robert Fendrick – Electronic Participation Councillor Betty Irwin Councillor Roslyn Woodcock
Absent	Councillor Samson Hartland
Staff Present	Linda Rapp, City Manager Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations

Your Worship, there is no report from the Community Services Committee



Minutes of the meeting of the Public Health and Safety Committee

Date	February 5, 2018
Location	Council Chambers, City Hall
Committee Members Present	Councillor Roslyn Woodcock – Chair Councillor Dan Boyd – Vice Chair Mayor Dan Curtis Councillor Jocelyn Curteanu Councillor Robert Fendrick – Electronic Participation Councillor Betty Irwin
Absent	Councillor Samson Hartland
Staff Present	Linda Rapp, City Manager Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations

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



Minutes of the meeting of the Development Services Committee

Date	February 5, 2018
Location	Council Chambers, City Hall
Committee Members Present	Councillor Betty Irwin – Chair Councillor Jocelyn Curteanu – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Robert Fendrick – Electronic Participation Councillor Roslyn Woodcock
Absent	Councillor Samson Hartland
Staff Present	Linda Rapp, City Manager Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations

Your Worship, there is no report from the Development Services Committee

CITY OF WHITEHORSE
BYLAW 2018-06

A bylaw to amend Subdivision Control Bylaw 2012-16

WHEREAS section 311 of the *Municipal Act* provides that council may by bylaw control the subdivision of land within the municipality; and

WHEREAS section 315 of the *Municipal Act* provides that every applicant who applies for subdivision of land shall make provision for the dedication to the public use, in addition to streets and lanes, of ten percent of the land to be subdivided, except under certain conditions identified in this section; and

WHEREAS section 316 of the *Municipal Act* provides that if the dedication of land to the public use under section 315(1) would, in the opinion of the approving authority, serve no practical purpose or for any other reason would be unnecessary or undesirable, the approving authority may direct that the dedication of land to the public use in respect of the proposed subdivision could be deferred or waived in whole or in part; and

WHEREAS it is deemed desirable that the Subdivision Control Bylaw be amended to provide that the requirement for public use land dedication will not apply to First Nation Settlement Lands;

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

1. Section 3 of Subdivision Control Bylaw 2012-16 is hereby amended by adding two new definitions as follows:
“FIRST NATION” means any Yukon First Nation;”
“SETTLEMENT LAND” means land identified as Category A, Category B or Fee Simple Settlement Land in the applicable First Nation’s Final Agreement and is located within the municipal boundaries of the City of Whitehorse;”
2. Section 3 of Subdivision Control Bylaw 2012-16 is hereby amended by deleting the existing definitions for “lot” and “subdivision” and substituting therefore new definitions as follows:
“LOT” means a parcel of land or an area of vacant Commissioner’s Land that is legally defined either by registered plan or description in the registry of the land titles office, or Settlement Land which is legally defined either by registered plan or description in the registry of the land titles office or official plan under the *Canada Lands Surveys Act*,”
“SUBDIVISION” means:
 - (1) the adjusting or realigning of an existing property line, or

Bylaw 2018-06 – A Bylaw to Amend
Subdivision Control Bylaw 2012-16

- (2) a division of a parcel or lot by means of a plan of subdivision, a plan of survey, a plan made pursuant to section 6 of the *Condominium Act*, an agreement or any instrument, including a caveat, transferring or creating an estate or interest in part of the parcel, or
 - (3) the creation of a new parcel from existing parcels of land; or
 - (4) for the purposes of Part I of this bylaw, a division of a lot or parcel by an instrument; the creation of a new parcel or lot from previously un-subdivided land (e.g. new surveys of vacant Commissioner’s Land or Settlement Land); and adjusting or realigning an existing property line;”
3. Subdivision Control Bylaw 2012-16 is hereby amended by adding a new section 54 as follows and renumbering the remaining sections accordingly:
- “54. Notwithstanding section 53 of this bylaw, the City of Whitehorse shall not apply the 10% public use land dedication, or payment in lieu thereof, in respect of First Nation subdivision applications that comprise Settlement Land. Through the subdivision application process, the First Nation and the City of Whitehorse shall identify lands to be set aside by the First Nation for public use in each subdivision application, and shall secure such public use through agreement where applicable.”
4. This bylaw shall come into force and effect upon the final passing thereof.

FIRST and SECOND READING: January 29, 2018

THIRD READING and ADOPTION:

Mayor

City Clerk

CITY OF WHITEHORSE
BYLAW 2018-11

A bylaw to provide for the types, rates and conditions of payments for the mayor and councillors for the 2018 to 2021 term of office

WHEREAS section 173 of the *Municipal Act* (2002) provides that council may by bylaw establish the types, rates and conditions of payments to be made to members of council; and

WHEREAS compensation provided to council members should be:

- Sufficient to encourage competent and community-minded persons to seek the roles; and
- Reflective of the size of our community when compared with other western Canadian communities;

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

Short Title

1. This bylaw may be cited as the “***Council Remuneration Bylaw***”.

Annual Remuneration

2. The basic annual remuneration for the mayor for the 2018 to 2021 term of office shall be one hundred thousand and one hundred dollars (\$100,100.00), effective from October 30, 2018 to December 31, 2019 inclusive.
3. The basic annual remuneration for each councillor during the 2018 to 2021 term of office shall be thirty-six thousand and thirty-six dollars (\$36,036.00), effective from October 30, 2018 to December 31, 2019 inclusive.
4. The annual remuneration shall be paid bi-weekly and, where a member of council fails for any reason to serve in the respective office for a full twelve months, the remuneration shall be pro-rated on a bi-weekly basis for the period served.

Remuneration Increases

5. Effective January 1, 2020, the base annual salary for all members of council shall be adjusted by the average annual Consumer Price Index for Whitehorse (CPI) for 2018, unless that CPI is a negative amount in which case the rate of adjustment will be zero.
6. Effective January 1, 2021, the base annual salary for all members of council shall be adjusted by the average annual Consumer Price Index for Whitehorse (CPI) for 2019, unless that CPI is a negative amount in which case the rate of adjustment will be zero.

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Additional Benefits for the Mayor

7. The mayor is entitled to benefits including Extended Health Care, Dental Care, Short-term Disability, Long-term Disability, Group Life Insurance, Accidental Death and Dismemberment Insurance, and the Employee Assistance Program as detailed herein:
 - (1) Premiums for Extended Health Care, Dental Care, and Group Life Insurance will be paid 90% by the employer and 10% by the mayor.
 - (2) Dental coverage includes 100% basic unlimited, 50% major restorative to a yearly maximum of \$2,500.00 per person, and 50% orthodontic to a lifetime maximum of \$1,500.00 per person.
 - (3) Group Life/Accidental Death and Dismemberment is two times the annual salary rounded up to the next highest thousand.
 - (4) Short Term Disability (Weekly Indemnity) coverage is 100% employer paid. The mayor qualifies after the third day of illness and a physician's statement is required.
 - (5) The mayor will pay 100% of the premium for Long Term Disability coverage. Payments will be based upon 65% of the first \$3,500.00 monthly earnings and 55% of the remaining monthly earnings to a maximum benefit of \$4,000.00 per month.
 - (6) The mayor is entitled to time off with pay for periods of absence of three working days or less by reason of bonafide non-occupational illness or accident, medical, dental and optical appointment, or illness of a member of the mayor's immediate family.
8. The mayor is entitled to the above-noted benefits as per the Management and Management Staff Employment Bylaw, but is not entitled to any of the other benefits outlined in the bylaw. With respect to vacation time, the mayor is permitted to take paid personal leave as he or she sees fit and therefore, at the end of the mayor's term of office, there will not be any entitlement to a vacation pay-out.

Additional Benefits for Councillors

9. Councillors are entitled to benefits including Extended Health Care, Dental Care, Weekly Accident Indemnity, Accidental Death and Dismemberment Insurance, a Childcare Allowance, and the Employee Assistance Program as detailed herein:
 - (1) Premiums for Extended Health Care and Dental Care will be paid 90% by the employer and 10% by the councillor.
 - (2) Dental coverage includes 100% basic unlimited and 50% major restorative to a yearly maximum of \$2,500.00 per person.
 - (3) Weekly Accident Indemnity coverage in the amount of \$300.00 per week is available to councillors injured in an accident who are gainfully employed on a full-time basis immediately before the date of injury.

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- (4) Accidental Death and Dismemberment (\$100,000.00 Policy) includes 24 hour coverage.
- (5) Councillors with dependents living in their home who are younger than 13 years of age will be eligible to claim a childcare allowance for all official meetings of council. For the purposes of this bylaw:
 - (a) The childcare allowance will be set at an hourly rate equal to the established Yukon hourly minimum wage at the time the claim is made; and
 - (b) Official meetings include standing committee and regular council meetings, council and senior management meetings, training related to city business, and all local meetings, events or business functions where council or the mayor and city manager requires the attendance of council members.

Deputy Mayor

10. At the beginning of council's term of office and annually thereafter, council shall appoint councillors to perform the duties of deputy mayor and reserve deputy mayor.

Funding for Reimbursement of Expenses

11. Each year in the annual operating budget council will identify budget dollars to fund or reimburse members of council for expenses incurred in performing their duties as members of council. The current allocation of funding is:
 - (1) Mayor's expenses \$10,500.00
 - (2) Councillor expenses \$28,500.00
12. Eligible expenditures for each councillor may be funded to a maximum of \$3,750.00 annually. Included in this \$3,750.00 is a \$300.00 annual allocation for miscellaneous expenses that do not require approval of the mayor and city manager or a resolution of council.
13. All costs incurred by a councillor that are in excess of his or her annual allocation will be the personal responsibility of the said councillor unless prior approval by council resolution is received authorizing the use of another councillor's unexpended allocation.
14. The \$6,000.00 balance of the council expense budget is to be used to reimburse councillors for expenses incurred when an invitation or obligation of the entire council is delegated to one or more of its members. Unless agreed otherwise by the mayor and city manager or by council resolution, where all members of council have an invitation or obligation to attend a scheduled local meeting or function and no specific council member is delegated to attend on council's behalf, no expenses shall be funded.

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Expenses

15. Eligible expenses include but are not limited to mileage, air fares, registration fees, and meals and lodging. Daily stipends for councillors in accordance with section 21 of this bylaw are also considered to be eligible expenses.
16. For an expense to be funded it must be incurred to assist members of council in performing their duties as council members.
17. Eligible expenditures normally include costs incurred for training, travel, events, functions, promotion, and other direct out-of-pocket expenses. Eligible criteria include training related to city business and expenses related to events or functions that:
 - (1) maintain council's profile in the community;
 - (2) demonstrate council's interest in community issues;
 - (3) maintain and/or enhance council's ability to make informed decisions on community issues;
 - (4) maintain and/or enhance the skills required by individual council members to effectively serve the community;
 - (5) involve liaising with other elected officials;
 - (6) involve representing the City of Whitehorse on city business; and
 - (7) are approved by the mayor and city manager or by council resolution.
18. Prior approval of council is required for funding or reimbursement of expenses incurred in conjunction with travel by members of council outside of the City of Whitehorse.
19. Notwithstanding the provisions of section 18 of this bylaw, where a councillor is designated as a city representative to the Association of Yukon Communities and is expected to attend regularly scheduled meetings that may require travel to other Yukon communities, the mayor and city manager may approve requests for funding or reimbursement of expenses incurred. In such circumstances, the councillor shall give advance notice to all members of council that he or she will be out of town for this purpose.
20. Funding or reimbursement of travel expenses for all members of council will be provided in accordance with the Travel Expenses Administrative Directive.

Daily Stipend for Councillors

21. In addition to the annual remuneration provided for in section 3 of this bylaw, and subject to section 13 herein, councillors are eligible for a daily stipend in accordance with the provisions of this bylaw. The daily stipend may be claimed for periods when councillors are engaged in representing the city at a business function or event, attending non-regular meetings related to city business, or

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- participating in training related to city business. The stipend shall be paid as follows:
- (1) For periods of between one and four hours: \$100.00
 - (2) For periods of four hours or more \$150.00
22. No stipend shall be paid to councillors when they are:
- (1) Representing the city at a function or event, or attending a meeting or participating in training for periods of less than one hour, or
 - (2) Attending noon hour meetings of council and senior management, or
 - (3) Attending regularly scheduled standing committee and council meetings, or special council meetings; or
 - (4) Attending regularly scheduled meetings of committees to which they are appointed as a representative of council.
23. The daily stipend provided for in section 21 of this bylaw shall be paid only with respect to periods when a councillor:
- (1) Represents the city at a business function or event that is authorized or approved in advance by the mayor and city manager or by council resolution; or
 - (2) Attends a pre-scheduled but non-regular evening or weekend meeting of council and senior management, a strategic planning workshop, a legislative workshop, or a council training session; or
 - (3) Is required to be absent from the city for six or more hours for the purpose of travel to represent the city at a business function or event that has been authorized or approved in advance by the mayor and city manager or by council resolution; or
 - (4) Acts as deputy mayor when the mayor is absent.
24. Approval by the mayor and city manager for the payment of a daily stipend applies only to councillors attending local business functions or events as a representative of the city, attending non-regular local meetings related to city business, or participating in local training related to city business. All other approvals require a resolution of council.

Remuneration for the Next Term of Council

25. Following the completion of 18 months in office, council shall review the council remuneration bylaw and establish the types, rates and conditions of payments for the mayor and councillors for the next term of council. Review of the bylaw shall be completed in time for the remuneration for the next term of council to be established by bylaw before the current council begins the final 12 months of their term of office.

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Bylaw Repeal

26. Bylaw 2015–22, including all amendments thereto, is hereby repealed.
27. The Council Expense Policy adopted by resolution 2007-07-06 is hereby repealed.

Coming Into Force

28. This bylaw shall come into full force and effect on and from the 30th day of October 2018.
29. Notwithstanding section 28 of this bylaw, the mayor and councillors elected for the 2018 to 2021 term of council will be required to attend training and orientation sessions prior to being sworn in as council members. The daily stipend provisions of section 21 of this bylaw shall apply to councillors-elect attending such training or orientation sessions.
 - (1) In the event that the mayor-elect is not the incumbent, the daily stipend provisions of section 21 of this bylaw shall also apply to the mayor-elect attending such required training or orientation sessions.

FIRST and SECOND READING:

THIRD READING and ADOPTION:

Mayor

City Clerk