

MINUTES of **REGULAR** Meeting #2018-12 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, June 11, 2018, in Council Chambers, City Hall.

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

ALSO PRESENT: Acting City Manager Jeff O’Farrell  
Director of Corporate Services Valerie Braga  
Director of Development Services Mike Gau  
Acting Director of Infrastructure and Operations Richard Graham  
Manager of Legislative Services Catherine Constable  
Acting Manager of Strategic Communications Myles Dolphin  
Assistant City Clerk Norma Felker

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

**CALL TO ORDER**

**2018-12-01**

It was duly moved and seconded  
THAT the agenda be adopted as amended with the change being the  
addition of Keith Lay as a delegate speaking to the All-Terrain Vehicle  
Bylaw.

**AGENDA**

Carried Unanimously

Mayor Curtis proclaimed the month of June 2018 to be National  
Indigenous History Month in the City of Whitehorse.

**PROCLAMATION**

**2018-12-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated May 22, 2018  
be adopted as presented.

**MINUTES**

May 22, 2018

Carried Unanimously

**DELEGATIONS**

Randy Audette, proponent for an application to amend the zoning at 11  
Tarahne Way in Whistle Bend, spoke in support of the rezoning. He  
reiterated his contention that the density requirements originally  
planned for this property can be met with the proposed development  
since it will provide family-size units.

RANDY AUDETTE  
Zoning at 11 Tarahne Way

Councillor Irwin declared a conflict of interest with respect to the next delegation and left Council Chambers.

Conflict Declared

Paddy Colfer and Dan Moore addressed Council on behalf of the Yukon Humane Society to request that the Society be exempted from the deadline for applications for the 2018 grants for community service and municipal charges. Mr. Colfer explained why their application was late and noted that the Society depends on community support.

HUMANE SOCIETY  
Community Service Grant

Councillor Irwin returned to Council Chambers.

Conflict Over

Keith Lay addressed Council on behalf of Active Trails Whitehorse Association to request that the proposed All-Terrain Vehicle Bylaw be amended before being brought forward under the bylaw process. Mr. Lay suggested that there are several areas in which the bylaw needs clarification, especially with respect to the provisions for exemptions.

KEITH LAY  
All-Terrain Vehicle Bylaw

## **PUBLIC INPUT**

Mayor Curtis called three times for anyone to appear to address an application for conditional use approval to allow for a four-room bed and breakfast lodging at 161 War Eagle Way in Raven's Ridge.

CONDITIONAL USE  
Four-Bedroom B & B  
161 War Eagle Way

Johnathan Kerr, the proponent, spoke in support of the application and stated that the proposed use will support winter tourism.

Johnathan Kerr

No written submissions were received for this application.

No Submissions

Mayor Curtis declared the public input session closed.

Public Input Closed

## **PUBLIC HEARING**

Mayor Curtis called three times for anyone to address Bylaw 2018-30, a bylaw to amend the zoning at 51 Keewenaw Drive in the Copper Ridge Subdivision to allow for the construction of a townhouse development without a commercial component.

**BYLAW 2018-30**  
ZONING AMENDMENT  
51 KEEWENAW DRIVE

Corey Kisser spoke against the proposed development, stating the opinion that it would be out of place in the existing neighbourhood and would negatively impact property values.

Corey Kisser  
Opposed

Sandra Markham spoke against the proposed development, citing potential impacts on traffic, parking and the safety of children using the adjacent playground area. Ms. Markham suggested that there was a lack of planning and research done with respect to this application.

Sandra Markham  
Opposed

Nine written submissions were received with one in support, six opposed and two expressing concerns. Submissions Received

Mayor Curtis declared the public hearing for Bylaw 2018-30 closed and advised that no further submissions on the issue will be considered by Council except the report provided by administration.. Public Hearing Closed

Mayor Curtis called three times for anyone to address Bylaw 2018-34, a bylaw to amend the zoning at 19 McIntyre Drive in the McIntyre Subdivision to allow for the construction of a multi-purpose building. **BYLAW 2018-34**  
ZONING AMENDMENT  
19 MCINTYRE DRIVE

There was no one present to speak to the bylaw and no submissions were received. No Submissions

Mayor Curtis declared the public hearing for Bylaw 2018-34 closed and advised that no further submissions on the issue will be considered by council except the report provided by administration. Public Hearing Closed

**COMMITTEE REPORTS**

**Development Services Committee**

**2018-12-03**

It was duly moved and seconded THAT the City of Whitehorse Bicycle Network Plan 2018 is hereby adopted as presented as a guiding document. ADOPT BICYCLE NETWORK PLAN  
Carried Unanimously

**Corporate Services Committee**

**2018-12-04**

It was duly moved and seconded THAT Bylaw 2018-35, a bylaw to authorize grants for municipal charges and community services for the year 2018, be brought forward for consideration under the bylaw process. BRING FORWARD BYLAW 2018-35  
Carried Unanimously

**2018-12-05**

It was duly moved and seconded THAT Bylaw 2018-17, a bylaw to appoint a city manager and delegate certain administrative powers to the position, be brought forward for consideration under the bylaw process. BRING FORWARD BYLAW 2018-17  
Carried Unanimously

**2018-12-06**

It was duly moved and seconded  
THAT Bylaw 2018-32, a bylaw to regulate the 2018 municipal election  
in the City of Whitehorse, be brought forward for second and third  
reading as presented.

BRING FORWARD  
BYLAW 2018-32

Carried Unanimously

**City Planning Committee**

**2018-12-07**

It was duly moved and seconded  
THAT Bylaw 2018-37, a bylaw to amend the zoning of 11 Tarahne  
Way in Whistle Bend to allow for a reduced-density development, be  
brought forward under the bylaw process and defeated at first  
reading.

BRING FORWARD  
BYLAW 2018-37

Council members discussed the need for rental units and apartment  
style buildings in Whitehorse. The consensus of opinion was that the  
proposal should be allowed to proceed through the bylaw process in  
order to allow for public input on the application.

Discussion

**2018-12-08**

It was duly moved and seconded  
THAT the recommendation of the City Planning Committee be  
amended to read that Bylaw 2018-37, a bylaw to amend the zoning  
of 11 Tarahne Way in Whistle Bend to allow for a reduced-density  
development, be brought forward for consideration under the bylaw  
process.

Amendment

Carried Unanimously

The main motion as amended was voted on and Carried Unanimously

Vote on Main Motion

**2018-12-09**

It was duly moved and seconded  
THAT Bylaw 2018-36, a bylaw to acquire and dispose of a portion of  
Lot 341 in Takhini North, be brought forward for consideration under  
the bylaw process, and

BRING FORWARD  
LAND DISPOSITION  
BYLAW AND AUTHORIZE  
BUDGET AMENDMENT

THAT the 2018 to 2021 capital expenditure program is hereby  
amended by adding a new 2018 project for Takhini North Lot  
Development in the amount of \$70,000.00, funded by the Land Bank  
Reserve.

Carried Unanimously

**2018-12-10**

It was duly moved and seconded  
THAT Bylaw 2018-22, a bylaw to amend the zoning at 21--12<sup>th</sup>  
Avenue in Porter Creek to allow for the construction of a townhouse  
development, be brought forward for second and third reading under  
the bylaw process; and

BRING FORWARD AND  
AMEND BYLAW 2018-22

THAT the bylaw be amended at second reading to cap the number of  
allowable dwelling units on the property at a maximum of five units.

**2018-12-11**

It was duly moved and seconded  
THAT the motion to amend Bylaw 2018-22 be amended to cap the  
number of allowable dwelling units on the property at a maximum of  
five units and cap the allowable height of development on the  
property at a maximum of ten metres.

Amendment

Carried Unanimously

A council member noted that there are still too many unknown factors  
regarding the proposed development at this location.

Discussion

The main motion as amended was then voted on and Carried (6 – 1).

Vote on Main Motion

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

Recorded Vote

OPPOSED Councillor Hartland

The owner of 161 War Eagle Way has applied to construct a six-  
bedroom dwelling on the property in order to operate a four-room  
bed and breakfast lodging. This use requires conditional use  
approval by Council. A public input session has been scheduled for  
the regular council meeting on June 11, 2018.

CONDITIONAL USE  
APPLICATION  
(161 War Eagle Way)  
For Information Only

**City Operations Committee**

**2018-12-12**

It was duly moved and seconded  
THAT Administration is hereby authorized to award the contract for  
the supply of one wheel loader to Finning Canada for a net cost to  
the City of \$358,707.00 plus GST

CONTRACT AWARD  
Supply of Loader

Carried Unanimously

**2018-12-13**

It was duly moved and seconded  
THAT Administration is hereby authorized to award the SCADA  
Consulting Services Design and Construction Supervision contract to  
Dorward Engineering Services Ltd. for a net cost to the City of  
\$80,975.00 plus GST.

CONTRACT AWARD  
SCADA Project

Carried Unanimously

**Community Services Committee**

There was no report from the Community Services Committee.

No Report

**Public Health and Safety Committee**

**2018-12-14**

It was duly moved and seconded  
THAT Bylaw 2018-26, a bylaw to permit, license and regulate the  
owners and operators of Vehicles for Hire in the City of Whitehorse,  
be brought forward for consideration under the bylaw process.

BRING FORWARD  
BYLAW 2018-26

Carried Unanimously

**2018-12-15**

It was duly moved and seconded  
THAT Bylaw 2018-27, a bylaw to regulate the control, operation and  
use of all-terrain vehicles in the City of Whitehorse, be brought forward  
for consideration under the bylaw process.

BRING FORWARD  
BYLAW 2018-27

Carried Unanimously

**2018-12-16**

It was duly moved and seconded  
THAT Bylaw 2018-29, a bylaw to deal with bullying in City facilities,  
be brought forward for consideration under the bylaw process.

BRING FORWARD  
BYLAW 2018-29

Council members noted that the Yukon Human Rights Commission  
has raised significant concerns regarding the proposed bylaw.

Discussion

**2018-12-17**

It was duly moved and seconded  
THAT the proposed Community Standards Bylaw be referred back to  
Administration for a thorough review in light of the concerns raised by  
the Human Rights Commission; and

Motion to Refer  
Bylaw 2018-29  
Back to Administration  
For Further Review

.../continued

**2018-12-17** (Continued)

THAT the proposed bylaw be amended if necessary before being brought forward for consideration under the bylaw process.

Carried Unanimously

Motion to Refer  
Bylaw 2018-29  
Back to Administration  
(Continued)

**BYLAWS**

**2018-12-18**

It was duly moved and seconded  
THAT Bylaw 2018-33, a bylaw to authorize local improvement charges with respect to the electrification of the property located at 35 Cousins Airfield Road, having been read a first and second time, now be given third reading.

Carried Unanimously

**BYLAW 2018-33**  
LOCAL IMPROVEMENT  
(35 Cousins Airfield Road)  
THIRD READING

**2018-12-19**

It was duly moved and seconded  
THAT Bylaw 2018-22, a bylaw to amend the zoning at 21--12<sup>th</sup> Avenue in Porter Creek to allow for a townhouse development, be given second reading.

**BYLAW 2018-22**  
ZONING AMENDMENT  
21 – 12<sup>th</sup> Avenue  
SECOND READING

**2018-12-20**

It was duly moved and seconded  
THAT Bylaw 2018-22 is hereby amended by adding a new section 1 and renumbering the remaining sections accordingly. The new section 1 will read as follows:

“Section 9.12.7 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection (e) as follows:

“9.12.7 (e) Lot 144, Plan 51184 CLSR, Porter Creek Subdivision, located at 21–12<sup>th</sup> Avenue, is designated RMx(e) with the special modifications being that on the land comprising existing Lot 144 the allowable number of dwelling units is a maximum of five units and the allowable building height is a maximum of ten metres.”

Amendment

AND FURTHER THAT the new section 2 is hereby amended to read that the zoning is changed from RS–Residential Single Detached to RMx(e)–Residential Multiple Housing Modified.

Carried (6 – 1)

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

Recorded Vote

The main motion; being second reading of Zoning Amendment Bylaw 2018-22 as amended, was then voted on and Carried (6 – 1).

Vote on Main Motion

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

Recorded Vote

**2018-12-21**

It was duly moved and seconded  
THAT Bylaw 2018-22, a bylaw to amend the zoning at 21– 2<sup>th</sup> Avenue  
in Porter Creek to allow for the construction of a five-unit townhouse  
development, having been read a first and second time, now be given  
third reading as amended.

**BYLAW 2018-22**

ZONING AMENDMENT  
21 – 12<sup>th</sup> Avenue  
THIRD READING

Carried (6 – 1)

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

Recorded Vote

**2018-12-22**

It was duly moved and seconded  
THAT Bylaw 2018-32, a bylaw to establish regulations and procedures  
for the 2018 municipal election, be given second reading.

**BYLAW 2018-32**

ELECTION PROCEDURES  
SECOND READING

**2018-12-23**

It was duly moved and seconded  
THAT section 22 of Bylaw 2018-32 is hereby amended by adding a  
new subsection (1) that reads as follows:

“22. (1) An elector who holds a proxy for another elector may only  
vote for specific candidates as directed by the elector that  
assigned the proxy, and shall not use his or her own  
discretion where no specific direction has been given.”

Amendment

AND FURTHER THAT section 30 of Bylaw 2018-32 is hereby  
amended by adding a new subsection (2) and renumbering the  
remaining subsection accordingly. The new subsection (2) shall read  
as follows:

“30. (2) He or she will vote only as specifically directed by the  
elector who issued the proxy and will not use his or her  
own discretion where no specific direction has been given.”

Carried (6 – 1)



Administration advised that statutory declarations will be required for an elector assigning a proxy and the holder of a proxy certificate. These declarations will be sworn or affirmed before a notary public or election official. The proxy provisions will be further controlled by the requirement that they be exercised by the Special Ballot process at City Hall and will not be accepted at any other polling place.

Discussion

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

Recorded Vote

The main motion, being second reading of Election Procedures Bylaw 2018-32 as amended, was then voted on and carried (6 – 1).

Vote on Main Motion

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

Recorded Vote

**2018-12-24**

It was duly moved and seconded  
THAT Bylaw 2018-32, a bylaw to establish regulations and procedures for the 2018 municipal election, having been read a first and second time, now be given third reading as amended.

**BYLAW 2018-32**  
ELECTION PROCEDURES  
THIRD READING

Carried (6 – 1)

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

Recorded Vote

**2018-12-25**

It was duly moved and seconded  
THAT Bylaw 2018-17, a bylaw to appoint Linda Rapp as City Manager and delegate certain administrative powers to the position, be given first reading.

**BYLAW 2018-17**  
CITY MANAGER  
FIRST READING

Carried Unanimously

**2018-12-26**

It was duly moved and seconded  
THAT Bylaw 2018-17 be given second reading.

SECOND READING

Carried Unanimously

**2018-12-27**

It was duly moved and seconded  
THAT Bylaw 2018-26, a bylaw to permit, license and regulate the  
owners and operators of vehicles for hire in the City of Whitehorse, be  
given first reading.

**BYLAW 2018-26**

VEHICLE FOR HIRE  
FIRST READING

Carried Unanimously

**2018-12-28**

It was duly moved and seconded  
THAT Bylaw 2018-26 be given second reading.

SECOND READING

Carried Unanimously

**2018-12-29**

It was duly moved and seconded  
THAT Bylaw 2018-27, a bylaw to regulate the control, operation and  
use of all-terrain vehicles in the City of Whitehorse, be given first  
reading.

**BYLAW 2018-27**

ALL-TERRAIN VEHICLE  
FIRST READING

Carried Unanimously

**2018-12-30**

It was duly moved and seconded  
THAT Bylaw 2018-27 be given second reading.

SECOND READING

Carried Unanimously

**2018-12-31**

It was duly moved and seconded  
THAT Bylaw 2018-35, a bylaw to authorize grants for community  
service and grants for property taxes and other municipal charges for  
2018, be given first reading.

**BYLAW 2018-35**

COMMUNITY SERVICE &  
MUNICIPAL CHARGES  
GRANTS BYLAW  
FIRST READING

Carried Unanimously

**2018-12-32**

It was duly moved and seconded  
THAT Bylaw 2018-35 be given second reading.

SECOND READING

Carried Unanimously

**2018-12-33**

It was duly moved and seconded  
THAT Bylaw 2018-36, a bylaw to authorize the acquisition and  
disposition of a parcel of land in Takhini North, be given first reading.

**BYLAW 2018-36**

LAND ACQUISITION &  
DISPOSITION  
FIRST READING

Carried Unanimously

**2018-12-34**

It was duly moved and seconded  
THAT Bylaw 2018-36 be given second reading.

SECOND READING

Carried Unanimously

**2018-12-35**

It was duly moved and seconded  
THAT Bylaw 2018-37, a bylaw to change the zoning at 11 Tarahne  
Way in Whistle Bend to allow for a reduced-density development, be  
given first reading.

**BYLAW 2018-37**  
ZONING AMENDMENT  
(11 Tarahne Way)  
FIRST READING

Carried Unanimously

There being no further business, the meeting adjourned at 7:10 p.m.

**ADJOURNMENT**

ORIGINAL MINUTES SIGNED BY:

"Dan Curtis"

Dan Curtis, Mayor

"N. L. Felker"

Norma L. Felker, Assistant City Clerk

ADOPTED by resolution at Meeting #2018-14 dated June 25, 2018