

**CITY OF WHITEHORSE**  
**REGULAR Council Meeting #2018-20**

**DATE:** Monday, September 10, 2018  
**TIME:** 5:30 p.m.

**Mayor** Dan Curtis  
**Deputy Mayor** Dan Boyd  
**Reserve Deputy Mayor** Betty Irwin

**AGENDA**

**CALL TO ORDER** 5:30 p.m.

**AGENDA** Adoption

**PROCLAMATIONS**

**MINUTES** Regular Council Meeting #2018-19 dated August 6, 2018

**DELEGATIONS**

**PUBLIC HEARING** Bylaw 2018-48 – Zoning Amendment (Mount Sima Road)  
Bylaw 2018-49 – Zoning Amendment (7 Bennet Road)  
Bylaw 2018050 – Zoning Amendment (Front Street Height)

**COMMITTEE  
REPORTS**

**Development Services Committee** – *Councillors Irwin and Curteanu*

**Corporate Services Committee** – *Councillors Hartland and Woodcock*

Second Quarter Capital Variance Report

Second Quarter Operating Variance Report – For Information Only

**City Planning Committee** – *Councillors Fendrick and Irwin*

Public Hearing Report – Zoning Amendment (8 Metropolit Lane)

**Operations Committee** – *Councillors Boyd and Hartland*

Waste Management Bylaw Amendment

Contract Award – Selkirk Pump House Site Works

**Community Services Committee** – *Councillors Curteanu and Fendrick*

Amend Joint Use Agreement (Francophone School Board)

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

**NEW AND UNFINISHED BUSINESS** Appoint Board of Revision Members

<b><u>BYLAWS</u></b>	2018-431	Zoning Amendment (8 Metropolit Lane)	2 <sup>nd</sup> & 3 <sup>rd</sup> Reading
	2018-29	Amend Waste Management Bylaw	1 <sup>st</sup> & 2 <sup>nd</sup> Reading
	2018-54	Amend Joint Use Agreement	1 <sup>st</sup> & 2 <sup>nd</sup> Reading

**ADJOURNMENT**

MINUTES of **REGULAR** Meeting #2018-19 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, August 6, 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: City Manager Linda Rapp  
Acting Director of Community and Recreation Services Dave Pruden  
Director of Corporate Services Valerie Braga  
Acting Director of Development Services Patrick Ross  
Director of Infrastructure and Operations Peter O'Blenes  
Acting Manager of Strategic Communications Myles Dolphin  
Acting Manager of Recreation and Facility Services Teresa Acheson  
Manager of Legislative Services Catherine Constable  
Assistant City Clerk Norma Felker

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

**CALL TO ORDER**

**2018-19-01**

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

**AGENDA**

Carried Unanimously

**2018-19-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated July 23, 2018  
be adopted as presented.

**MINUTES**  
July 23, 2018

Carried Unanimously

**2018-19-03**

It was duly moved and seconded  
THAT the minutes of the special council meeting dated August 2, 2018  
be adopted as presented.

**MINUTES**  
August 2, 2018

Carried Unanimously

**PUBLIC HEARING**

Mayor Curtis called three times for anyone to appear to address Bylaw 2018-43, a bylaw to amend the zoning at 8 Metropolit Lane in the Yukon Gardens Business Park to allow a child care centre as a principal use.

**BYLAW 2018-43**  
ZONING AMENDMENT  
8 Metropolit Lane

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

No Submissions

Mayor Curtis declared the public hearing 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**

There was no report from the Development Services Committee.

No Report

**Corporate Services Committee**

**2018-19-04**

It was duly moved and seconded THAT the 2018 to 2021 capital expenditure program is hereby amended by approving the creation of a new capital project for Curling Club Electrical Upgrades in the amount of \$8,016.00, funded by reducing project 750c00218, the Sanitary Turf Cleaner project.

BUDGET AMENDMENT  
CURLING CLUB  
ELECTRICAL UPGRADES

Carried Unanimously

**2018-19-05**

It was duly moved and seconded THAT Administration is hereby authorized to award the contract for the supply, implementation and support of Checkpoint data centre firewall to iON United Inc. in the amount of \$84,900.00 plus GST for one-time supply and implementation costs and \$283,500.00 plus GST for annual support, maintenance, and license subscription costs covering the following five-year period.

CONTRACT AWARD  
DATA CENTRE FIREWALL

Carried Unanimously

**2018-19-06**

It was duly moved and seconded  
THAT Administration is hereby authorized to award the contract for the supply, implementation, and support of F5 Reverse Proxy Servers to iON United Inc. in the amount of \$73,700.00 plus GST for one-time supply and implementation costs and \$58,000.00 plus GST for annual support and maintenance costs covering the following five-year period.

CONTRACT AWARD  
REVERSE PROXY AND  
APPLICATION PROTECTION

Carried Unanimously

**2018-19-07**

It was duly moved and seconded  
THAT the quarterly progress reports for May, June and July 2018 are hereby accepted as presented, and Administration is authorized to update the strategic priorities charts accordingly.

QUARTERLY  
PROGRESS REPORTS

Carried Unanimously

**City Planning Committee**

**2018-19-08**

It was duly moved and seconded  
THAT the subdivision of approximately 14.5 hectares of land for the creation of new residential lots, lanes, roads and a park for the area known as Whistle Bend Phase 6 is hereby approved as shown on the proposed subdivision sketch, subject to the condition that the Government of Yukon enter into a Development Agreement with the City of Whitehorse for the construction of underground utilities, roads and lanes to service the proposed subdivision area and other areas of the Whistle Bend Subdivision.

SUBDIVISION APPROVAL  
WHISTLE BEND PHASE 6

Carried Unanimously

**2018-19-09**

It was duly moved and seconded  
THAT Bylaw 2018-50, a bylaw to amend the zoning of 1181 and 1191 Front Street to increase the maximum building height to 20 metres, be brought forward for consideration under the bylaw process.

BRING FORWARD  
ZONING AMENDMENT  
BYLAW 2018-50  
(1181 & 1191 Front Street)

Carried (6 – 1)

Council members discussed the pros and cons of the development proposed for these parcels and noted that public input received prior to this application strongly supports limiting building height near the waterfront. The prevailing view was to bring the bylaw forward and get more input from the public during the bylaw process.

Discussion

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

Recorded Vote

**2018-19-10**

It was duly moved and seconded  
THAT Bylaw 2018-48, a bylaw to amend the zoning of a 1.5 hectare parcel of vacant Commissioner's Land located in the Mount Sima Industrial Subdivision to allow for the development of a solar farm, be brought forward for consideration under the bylaw process.

BRING FORWARD  
ZONING AMENDMENT  
BYLAW 2018-48  
(Mount Sima Solar Farm)

Carried Unanimously

Administration confirmed that the proposed solar farm would be the primary use, and a caretaker suite could not be constructed on the site until the primary use is established.

Discussion

**2018-19-11**

It was duly moved and seconded  
THAT Bylaw 2018-49, a bylaw to amend the zoning of a parcel of vacant Commissioner's land to allow for a lot expansion at 7 Bennett Road in the Kulan Industrial Area, be brought forward for consideration under the bylaw process.

BRING FORWARD  
ZONING AMENDMENT  
BYLAW 2018-49  
(7 Bennet Road)

Carried Unanimously

**2018-19-12**

It was duly moved and seconded  
THAT Bylaw 2017-38, a bylaw to amend the zoning for Phase 6 of Whistle Bend, be brought forward for second and third reading under the bylaw process.

ZONING AMENDMENT  
BYLAW 2018-38  
(Whistle Bend Phase 6)

Carried Unanimously

**2018-19-13**

It was duly moved and seconded  
THAT Bylaw 2018-41, a bylaw to amend the zoning of portions of a parcel of City-owned land in the Motorways area to allow for the development of a fire station and the expansion of an existing electrical substation, be brought forward for second and third reading under the bylaw process, and

ZONING AMENDMENT  
BYLAW 2018-41  
(Motorways Fire Station)

THAT Bylaw 2018-41 be amended at second reading to include the additional special modification that a 3.0 m vegetative buffer is not required.

Carried Unanimously

Administration confirmed that there is no room for a buffer between the subject lot and adjacent properties due to the siting of the existing building. Council members noted that other developers would need to be afforded the same consideration in a similar situation.

Discussion

Administration provided an update on a development on privately-owned land at the intersection of 14<sup>th</sup> Avenue and Centennial Street in Porter Creek. The development is being monitored to ensure the protection of the riparian area of the adjacent creek.

DEVELOPMENT AT  
14<sup>TH</sup> AND CENTENNIAL  
For Information Only

**City Operations Committee**

**2018-19-14**

It was duly moved and seconded  
THAT Administration is hereby authorized to award the contract for the supply of one Wheel Loader Mounted Snow Blower to Industrial Machine Inc. for a net cost to the City of \$142,125.00 plus GST.

CONTRACT AWARD  
SNOW BLOWER

Carried Unanimously

**2018-19-15**

It was duly moved and seconded  
THAT Administration is hereby authorized to award the contract for the Hart Crescent Recirculation Station Upgrade project to Arcrite Northern Ltd. for a net cost to the City of \$139,777.77 plus GST.

CONTRACT AWARD  
HART CRESCENT  
RECIRCULATION  
STATION UPGRADES

Carried Unanimously

**2018-19-16**

It was duly moved and seconded  
THAT Administration is hereby authorized to award the contract for the Porter Creek Force Main Repair project to Castle Rock Enterprises for a net cost to the City of \$476,145.00 plus GST.

CONTRACT AWARD  
PORTER CREEK FORCE  
MAIN REPAIRS

Carried Unanimously

Administration advised that the project should be complete in October.

Discussion

**2018-19-17**

It was duly moved and seconded  
THAT Administration is hereby authorized to award the contract for the Livingstone Trail Environmental Control Facility Desludging project to Lambourne Environmental Ltd. for a net cost to the City of \$471,916.00 plus GST.

CONTRACT AWARD  
ENVIRONMENTAL  
CONTROL FACILITY  
DESLUDGING

Carried Unanimously

**2018-19-18**

It was duly moved and seconded  
THAT the 2018 to 2021 capital expenditure program is hereby amended by increasing the 2018 project 650c00817, Landfill Excavation Phase 2 West, in the amount of \$300,000.00, funded by Federal Gas Tax.

BUDGET AMENDMENT  
LANDFILL EXCAVATION  
PHASE 2 WEST

Carried Unanimously

**Community Services Committee**

There was no report from the Community Services Committee.

No Report

**Public Health and Safety Committee**

There was no report from the Public Health and Safety Committee.

No Report

**BYLAWS**

**2018-19-19**

It was duly moved and seconded  
THAT Bylaw 2018-46, a bylaw to adopt an agreement with the Government of Yukon to maximize the joint use of public facilities in the City of Whitehorse, having been read a first and second time, now be given third reading.

**BYLAW 2018-46**  
JOINT USE AGREEMENT  
THIRD READING

Carried Unanimously

**2018-19-20**

It was duly moved and seconded  
THAT Bylaw 2018-47, a bylaw to adopt collective agreements with Public Service Alliance of Canada Locals Y022 and Y023 for the period from September 1, 2017 to August 31, 2021, having been read a first and second time, now be given third reading.

**BYLAW 2018-47**  
COLLECTIVE AGREEMENTS  
THIRD READING

Carried Unanimously

**2018-19-21**

It was duly moved and seconded  
THAT Bylaw 2018-38, a bylaw to amend the zoning for Whistle Bend Phase 6, be given second reading.

**BYLAW 2018-38**  
ZONING AMENDMENT  
Whistle Bend Phase 6  
SECOND READING

Carried Unanimously

**2018-19-22**

It was duly moved and seconded  
THAT Bylaw 2018-38, a bylaw to amend the zoning for Whistle Bend Phase 6, having been read a first and second time, now be given third reading.

Carried Unanimously

**BYLAW 2018-38**  
ZONING AMENDMENT  
Whistle Bend Phase 6  
THIRD READING

**2018-19-23**

It was duly moved and seconded  
THAT Bylaw 2018-41, a bylaw to amend the zoning of portions of a parcel of City-owned land in the Motorways area to allow for the development of a fire station and the expansion of an existing electrical substation, be given second reading.

**BYLAW 2018-41**  
ZONING AMENDMENT  
Motorways Fire Station  
SECOND READING

**2018-19-24**

It was duly moved and seconded  
THAT Bylaw 2018-41 be amended by deleting the existing Special Modifications subsection (a) and substituting therefore a new subsection (a) as follows:

- “(a) Portions of Lots 29 to 33, Lot 38 and Lane 3, Block 316 in Downtown Whitehorse, Plan 2008-0034 LTO, located in the Motorways area, are designated PUX with the special modifications being:
- (1) the interior side yard setback is reduced to 2.6 m; and
  - (2) a 3.0 m vegetative buffer between the public utilities zone and residential or commercial zones is not required.”

Amendment

Carried Unanimously

The main motion as amended was voted on and carried unanimously.

Vote on Main Motion

**2018-19-25**

It was duly moved and seconded  
THAT Bylaw 2018-41, a bylaw to amend the zoning of portions of a parcel of City-owned land in the Motorways area to allow for the development of a fire station and the expansion of an existing electrical substation, having been read a first and second time, now be given third reading as amended.

Carried Unanimously

**BYLAW 2018-41**  
ZONING AMENDMENT  
Motorways Fire Station  
THIRD READING



**2018-19-26**

It was duly moved and seconded  
THAT Bylaw 2018-48, a bylaw to amend the zoning of a parcel of vacant Commissioner's land in the Mount Sima Industrial Area to allow for the development of a solar farm, be given first reading.

Carried Unanimously

**BYLAW 2018-48**

ZONING AMENDMENT  
Mount Sima Solar Farm

FIRST READING

**2018-19-27**

It was duly moved and seconded  
THAT Bylaw 2018-49, a bylaw to amend the zoning of a parcel of vacant Commissioner's land in the Kulan Industrial Area to allow for a lot expansion at 7 Bennett Road, be given first reading.

Carried Unanimously

**BYLAW 2018-49**

ZONING AMENDMENT  
7 Bennett Road

FIRST READING

**2018-19-28**

It was duly moved and seconded  
THAT Bylaw 2018-50, a bylaw to amend the zoning at 1181 and 1191 Front Street to increase the maximum allowable building height to 20 metres, be given first reading.

Carried (6 – 1)

**BYLAW 2018-50**

ZONING AMENDMENT  
1181 & 1191 Front Street

FIRST READING

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

Recorded Vote

Mayor Curtis reminded the public that Council will be in recess for the remainder of the month of August. The next meeting will be a Standing Committee meeting on Tuesday, September 4, 2018.

Reminder of Recess  
For Information Only

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

**ADJOURNMENT**

## MEMORANDUM

FILE #: Z-14-2018

TO: Mayor and Council  
FROM: Administration  
DATE: September 10, 2018  
SUBJECT: Public Hearing at Regular Council Meeting September 10, 2018

---

Please be advised there will be a Public Hearing at the regular council meeting on September 10, 2018 to hear from interested parties related to the following zoning amendment:

**Bylaw 2018-48, a bylaw to amend the zoning of a 1.5 hectare (15,000 m<sup>2</sup>) parcel of vacant Commissioner's land located off of Mount Sima Road from FP–Future Planning to PU–Public Utilities for a proposed solar farm.**

Nomad Contracting and Electrical Services (Nomad) has applied for a zoning amendment for a portion of vacant Commissioner's land located in the Mount Sima Industrial Subdivision. The area is located immediately north of 72 Mount Sima Road, which is a privately owned parcel not related to this application.

The Principal Use of the site would be a solar farm, consisting primarily of solar panels which would be connected to the electrical grid for sale to the public utility. Supplementary structures may include a caretaker residence and other accessory buildings. Land clearing and construction of a driveway access would also need to occur. If approved by City Council, Nomad would enter into a lease agreement with the Government of Yukon for the use of this parcel.

The application has been reviewed under the *Yukon Environmental and Socio-Economic Assessment Act* (YESAA). The project was recommended to proceed subject to two minor terms and conditions.

Bylaw 2018-48 received 1<sup>st</sup> Reading on August 6, 2018. Notices were published in the newspapers on August 17 and 24, 2018. Yukon Government Lands Branch, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council were notified by mail. Letters were sent to 44 property owners within 1,000 metres (1 km) and a notification sign was placed in the area.

Ben Campbell  
Planner II  
Planning and Sustainability Services

## MEMORANDUM

FILE #: Z-13-2018

TO: Mayor and Council  
FROM: Administration  
DATE: September 10, 2018  
SUBJECT: Public Hearing at Regular Council Meeting September 10, 2018

---

Please be advised there will be a Public Hearing at the regular council meeting on September 10, 2018 to hear from interested parties related to the following zoning amendment:

**Bylaw 2018-49, a bylaw to amend the zoning of a vacant parcel of Commissioner's land, adjoining to 7 Bennett Road in Kulan Industrial Area, from PE-Environmental Protection to IS-Service Industrial**

12567 Yukon Inc. (Kingcat Contracting) has submitted an application to the City to amend the zoning of approximately 0.4 ha of vacant Commissioner's land to accommodate a lot expansion. The subject parcel is located in Kulan Industrial Area, at the rear of the property at 7 Bennett Road, which is owned by the applicant. The request is to change the zoning of the parcel from PE-Environmental Protection to IS-Service Industrial. If approved, the applicant intends to purchase the land and consolidate it with the adjoining property, which is zoned IS. The total property size would measure approximately 1.6 ha. Areas of steep slope that require environmental protection have been excluded from the proposed expansion area.

Bylaw 2018-49 received First Reading on August 6, 2018. Notices were published in the newspapers on August 17 and 24, 2018. A zoning amendment notification sign was placed on the property. A total of 8 letters were sent to property owners within an approximately 100 m radius of the property. Notifications were also sent to Yukon Government Land Management Branch, Kwanlin Dün First Nation (KDFN), and Ta'an Kwäch'än Council.

Erica Beasley  
Planner II  
Planning and Sustainability Services Department

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

## MEMORANDUM

FILE #: Z-10-2018

TO: Mayor and Council  
FROM: Administration  
DATE: September 10, 2018  
SUBJECT: Public Hearing at Regular Council Meeting September 10, 2018

---

Please be advised there will be a Public Hearing at the regular council meeting on September 10, 2018 to hear from interested parties related to the following zoning amendment:

**Bylaw 2018-50, a bylaw to amend the zoning of 1181 and 1191 Front Street to increase the maximum building height allowance to 20 metres.**

River's Edge Partnership Ltd. (River's Edge), owner of 1181 and 1191 Front Street, has applied to amend the zoning of the properties to increase the maximum building height allowance to 20 metres. The properties are located on the east side of Front Street, between Keish and Ogilvie Streets. Currently, the properties have a maximum building height allowance of 15 metres for portions of the properties fronting onto Front Street and 12.5 metres for portions fronting along the waterfront trail corridor.

An increase to the building height is being requested in order to make future developments financially feasible and to help address parking issues by constructing underground or at-grade parking. River's Edge is proposing to construct a number of new buildings on these parcels including a potential 100-room hotel development and mixed-use residential/commercial buildings.

Bylaw 2018-50 received 1<sup>st</sup> Reading on August 6, 2018. Notices were published in the newspapers on August 17 and 24, 2018. Yukon Government Lands Branch, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council were notified by mail. The Downtown Residents Association was also notified by email. Letters were sent to 17 property owners within 100 metres and a notification sign was placed in the area.

Ben Campbell  
Planner II  
Planning and Sustainability Services



## Minutes of the meeting of the Development Services Committee

<b>Date</b>	September 4, 2018
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Betty Irwin – Chair Councillor Jocelyn Curteanu – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Samson Hartland Councillor Roslyn Woodcock
<b>Absent</b>	Councillor Robert Fendrick
<b>Staff Present</b>	Linda Rapp, City Manager Lindsay Schneider, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Geoff Quinsey, Acting Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services Myles Dolphin, Acting Manager of Strategic Communications Norma Felker, Assistant City Clerk

---

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



## Minutes of the meeting of the Corporate Services Committee

<b>Date</b>	September 4, 2018
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Samson Hartland – Chair Councillor Roslyn Woodcock – Vice-Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Betty Irwin
<b>Absent</b>	Councillor Robert Fendrick
<b>Staff Present</b>	Linda Rapp, City Manager Lindsay Schneider, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Geoff Quinsey, Acting Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services Myles Dolphin, Acting Manager of Strategic Communications Norma Felker, Assistant City Clerk Brittany Dixon, Manager of Financial Services

---

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

### **1. Second Quarter Capital Variance Report**

As part of the City's second quarter variance reporting there is a requirement for Managers to review their planned capital spending. Most projects are proceeding as planned and a few have been successfully completed under budget.

A budget amendment is required in order to reduce the 2018 capital budget by \$121,900 with most of the funds that will not be expended being grants from the Yukon Government.

### **The recommendation of the Corporate Services Committee is**

THAT the following amendments to the 2018 to 2021 capital expenditure plan be authorized:

1. Amend the funding of the completed and under budget Replacement Transit Buses project with \$53,195 remaining unexpended against YG Gas Tax contribution agreements;
2. Amend the funding of the completed and under budget Transit Handy Bus Replacement project with \$5,000 remaining unexpended against YG Gas Tax contribution agreements;
3. Amend the funding of the cancelled Force Main Condition Assessments with \$55,000 remaining in the Water and Sewer Reserve; and
4. Amend the funding of the cancelled Ponderosa Street Sustaining Station Upgrades with \$8,705 remaining in the Water and Sewer Reserve.

**2. Second Quarter Operating Variance Report – For Information Only**

The 2018 second quarter variance projection shows that total operating revenues will be over budget by \$1,169,439 and expenses will be over budget by \$591,977. Therefore, operating projections to December 31, 2018 as compared to the revised budget indicate an operating surplus of \$577,462.

Sale of land revenue is higher than anticipated due primarily to the sale of the Motorways lot. Wages and benefits are expected to come in lower than anticipated due primarily to corporate vacancies.

Overall department spending is controlled. Based on the total operating budget, the second quarter positive variance is well within 1% of the City's total operating budget.



## Minutes of the meeting of the City Planning Committee

<b>Date</b>	September 4, 2018
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Betty Irwin – Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Samson Hartland Councillor Roslyn Woodcock
<b>Absent</b>	Councillor Robert Fendrick
<b>Staff Present</b>	Linda Rapp, City Manager Lindsay Schneider, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Geoff Quinsey, Acting Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services Myles Dolphin, Acting Manager of Strategic Communications Norma Felker, Assistant City Clerk Mélodie Simard, Manager of Planning and Sustainability Services

---

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

### **1. Request for Zoning Amendment for Medical Cannabis Sales**

Lee Goodwin addressed the Committee to request that Council consider amending the Zoning Bylaw to the retail sale of medical marijuana in the downtown area. He noted that many people who use cannabis products for medical purposes have mobility issues and the Marwell location is not an area of convenient access. Mr. Goodwin stated that he would like to establish a sales office for medical marijuana in the old Canadian Tire building on Ogilvie Street, but understands that an amendment to the Zoning Bylaw is required to allow that to happen.



**2. Public Hearing Report – Zoning Amendment – 8 Metropolit Lane**

The owner of 8 Metropolit Lane has authorized an application to rezone the property to allow for the development of a child care centre. The present zoning is Highway Commercial and child care centres are not a permitted use in this zone.

There was no one present to speak to the application at the public hearing, and no written submissions were received. No issues were raised. If this amendment is approved, the applicant will finalize the purchase of the lot and proceed through the development approval process for a child care centre.

**The recommendation of the City Planning Committee is**

THAT Bylaw 2018-43, a bylaw to amend the zoning of 8 Metropolit Lane to allow for a child care centre as a principal use, be brought forward for second and third reading under the bylaw process.



## Minutes of the meeting of the City Operations Committee

<b>Date</b>	September 4, 2018
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Dan Boyd – Chair Councillor Samson Hartland – Vice Chair Mayor Dan Curtis Councillor Jocelyn Curteanu Councillor Betty Irwin Councillor Roslyn Woodcock
<b>Absent</b>	Councillor Robert Fendrick
<b>Staff Present</b>	Linda Rapp, City Manager Lindsay Schneider, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Geoff Quinsey, Acting Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services Myles Dolphin, Acting Manager of Strategic Communications Norma Felker, Assistant City Clerk Taylor Eshpeter, Assistant City Engineer

---

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

**1. Amend the Waste Management Bylaw (e-waste)**

The Yukon Government is expected to amend its Designated Materials Regulation as of October 1, 2018 to include both electronic and electrical materials. The changes mean that electronic and electrical products will more readily be diverted from the landfill. The existing Waste Management Bylaw needs to be amended to address the handling of these materials in accordance with the new regulations.

**The recommendation of the City Operations Committee is**

THAT Bylaw 2018-29, a bylaw to amend the Waste Management Bylaw to align with the new Yukon Designated Materials Regulation, be brought forward for consideration under the bylaw process.

**2. Contract Award – Selkirk Pump House Site Works**

The 2018 capital budget includes funds for site works for the Selkirk Pump House. The project includes the construction of an asphalt access road, asphalt parking in front of the building's main entrance, and an asphalt pad at the workshop overhead door.

Only one bid was received in response to the tender issued. The sole bidder has the knowledge, skills and experience to complete the work successfully, and the price submitted was reasonable.

**The recommendation of the City Operations Committee is**

THAT Administration be authorized to award the contract for the 2018 Selkirk Pump House Site Works project to Skookum Asphalt Ltd. for a net cost to the City of \$122,870.85 plus GST.



## Minutes of the meeting of the Community Services Committee

<b>Date</b>	September 4, 2018
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Jocelyn Curteanu – Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Samson Hartland Councillor Betty Irwin Councillor Roslyn Woodcock
<b>Absent</b>	Councillor Robert Fendrick
<b>Staff Present</b>	Linda Rapp, City Manager Lindsay Schneider, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Geoff Quinsey, Acting Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services Myles Dolphin, Acting Manager of Strategic Communications Norma Felker, Assistant City Clerk Krista Mroz, Manager of Recreation and Facility Services

---

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

**1. Proclamations – For Information Only**

Mayor Curtis proclaimed the month of September 2018 to be *Prostate Cancer Awareness Month* in the City of Whitehorse.

**2. Amend Joint Use Agreement (Francophone School Board)**

The Joint Use Agreement for Yukon and Whitehorse public facilities was approved by bylaw in July 2018. The Agreement includes all public schools in Whitehorse with the exception of École Émilie-Tremblay. This school was not included because it is under the jurisdiction of a separate school system and the timing didn't work in coordinating both at the same time.

An agreement has now been reached with the Commission scolaire francophone du Yukon to include École Émilie-Tremblay. An amendment to the Joint Use Agreement is required to include École Émilie-Tremblay in the list of shared public facilities.

**The recommendation of the Community Services Committee is**

THAT Bylaw 2018-54, a bylaw to amend the Joint Use Agreement to add École Émilie-Tremblay, be brought forward for consideration under the bylaw process.



## Minutes of the meeting of the Public Health and Safety Committee

<b>Date</b>	September 4, 2018
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Roslyn Woodcock – Chair Councillor Dan Boyd – Vice Chair Mayor Dan Curtis Councillor Jocelyn Curteanu Councillor Samson Hartland Councillor Betty Irwin
<b>Absent</b>	Councillor Robert Fendrick
<b>Staff Present</b>	Linda Rapp, City Manager Lindsay Schneider, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Geoff Quinsey, Acting Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services Myles Dolphin, Acting Manager of Strategic Communications Norma Felker, Assistant City Clerk

---

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

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

## **ADMINISTRATIVE REPORT**

<b>TO:</b> Mayor and Council
<b>FROM:</b> Administration
<b>DATE:</b> September 10, 2018
<b>RE:</b> Appoint Board of Revision for the 2018 Municipal Election

### **ISSUE**

Appoint members of the Board of Revision.

### **REFERENCE**

*Municipal Act* section 63  
Election Procedures Bylaw 2015-30

### **HISTORY**

The Board of Revision sits for the purpose of revising the preliminary list of electors. For this election the preliminary list is based on the list of electors provided by Elections Canada.

Eligible electors who are not on the preliminary list may apply to the Board of Revision to be added to the list or to have information contained on the list corrected.

Traditionally, members of the Board of Revision are long-standing citizens of the community who are familiar with a large number of residents. Pursuant to the Election Procedures Bylaw, members of the Board of Revision will be paid a flat fee of \$240.00 for serving on the Board.

The Election Procedures Bylaw prescribes a Board of Revision consisting of not less than five citizens and sets 10:00 a.m. to 6:00 p.m. on Wednesday, September 26 as the period in which the Board will sit.

### **ALTERNATIVES**

No alternatives are available; the Board of Revision is required under the *Municipal Act*.

### **RECOMMENDATION**

THAT Pamela Bangart, Steve Gedrose, Michael Racz, Carlyne Thompson and Barbara Zaccarelli be appointed to the 2018 Board of Revision.

**CITY OF WHITEHORSE**  
**BYLAW 2018-43**

A bylaw to amend Zoning Bylaw 2012-20

---

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 allow for the development of a child care centre in the Yukon Gardens Business Park;

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

1. Section 10 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.3.7 (f) as follows:  
    "10.3.7 (f) Lot 1160-16, Plan 2010-0044 LTO, located at 8 Metropolit Lane in the Yukon Gardens Business Park, is designated CHx with the special modification being that child care centres are allowed as a principal use."
2. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of Lot 1160-16, Plan 2010-0044 LTO, located at 8 Metropolit Lane, from CH--Highway Commercial to CHx(f)--Highway Commercial (modified), as indicated on the sketch attached hereto as Appendix "A" and forming part of this bylaw.
3. This bylaw shall come into force and effect upon the final passing thereof.

**FIRST READING:** July 9, 2018  
**PUBLIC NOTICE:** July 13 & 20, 2018  
**PUBLIC HEARING:** August 6, 2018  
**SECOND READING:**  
**THIRD READING and ADOPTION:**

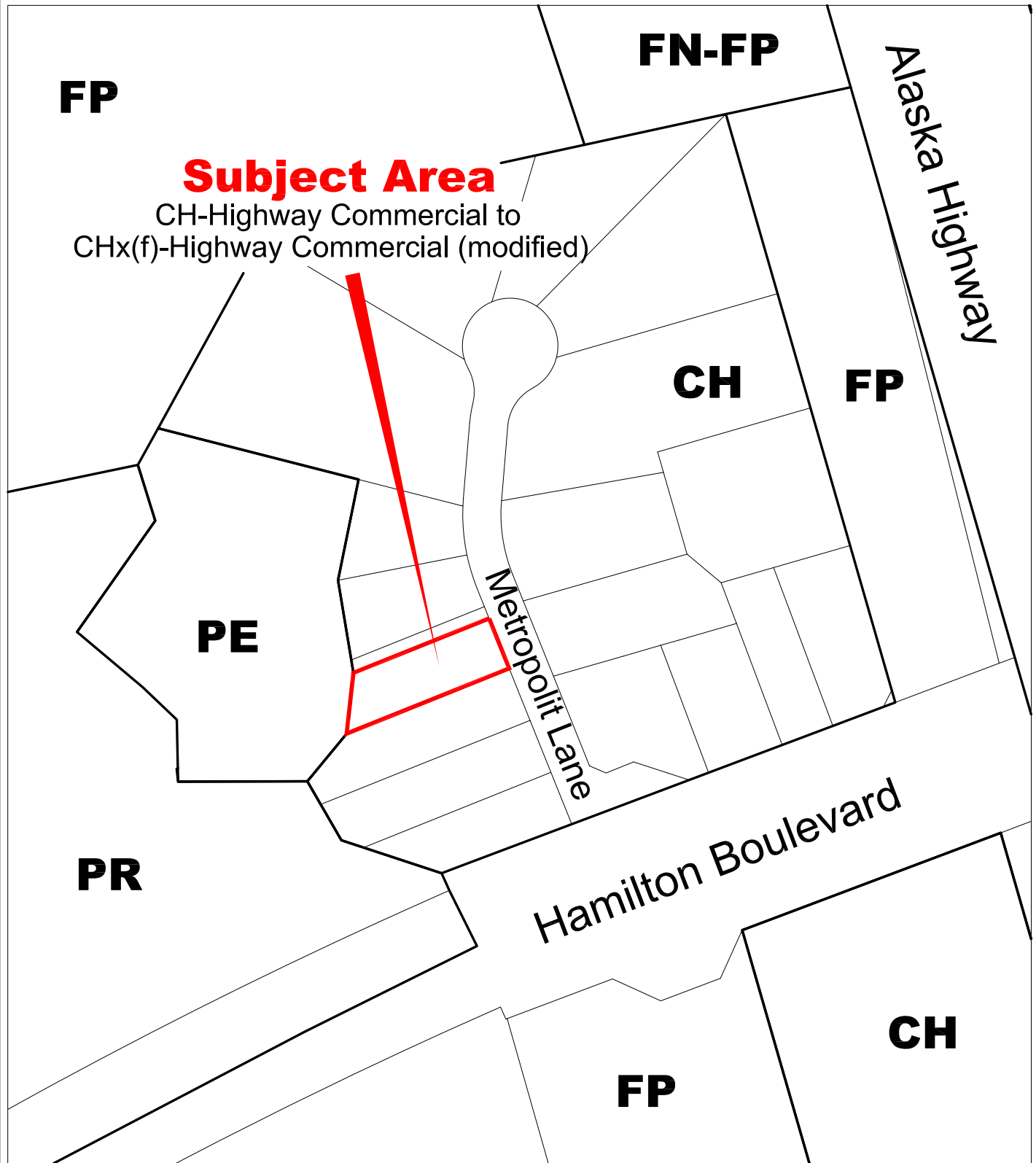
---

Mayor

---


City Clerk





Bylaw 2018-43  
A bylaw to amend the zoning of 8 Metropolit Lane from CH to CHx(f) to allow a child care centre as a principal use.

**LEGEND**

 SUBJECT AREA

**CITY OF WHITEHORSE**

**BYLAW 2018-29**

A bylaw to amend Waste Management Bylaw 2018-05

---

WHEREAS council adopted the Waste Management Bylaw to establish, operate, maintain and control a waste collection and disposal system in the City of Whitehorse, and

WHEREAS section 220 of the *Municipal Act* (R.S.Y. 2002) provides that council may by bylaw amend or vary bylaws; and

WHEREAS it is deemed desirable that the Waste Management Bylaw be amended to align with the new Yukon Designated Materials Regulations with respect to electrical and electronic waste;

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

1. Bylaw 2018-05 is hereby amended by deleting the existing Schedules “D” and “E” and substituting therefore new Schedules “D” and “E” attached hereto as Appendix “A” and forming part of this bylaw.
2. This bylaw shall come into force and effect on October 1, 2018 or the date on which the Yukon Designated Materials Regulation becomes effective, whichever is the later.

**FIRST and SECOND READING:**

**THIRD READING and ADOPTION:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

# Bylaw 2018-29

## A Bylaw to Amend the Waste Management Bylaw

---

APPENDIX "A"

### SCHEDULE "D"

#### CONTROLLED WASTE

"CONTROLLED WASTE" means such waste as defined in this bylaw.

The following items shall be deemed to be controlled waste for the purposes of this bylaw:

1. Bulky items including without limitation:
  - (1) bed springs and mattresses;
  - (2) wooden furniture;
  - (3) wooden fencing.
2. Carcasses and animal parts, excluding slaughter waste, including without limitation:
  - (1) domestic pets (non-euthanized);
  - (2) large game carcasses and hides;
  - (3) road killed animals;
  - (4) commercial fish waste;
  - (5) euthanized animals.
3. Construction and demolition waste generated as a result of construction, renovation, repair, plumbing or demolition activities including without limitation:
  - (1) cupboards and counter tops;
  - (2) carpet and underlay;
  - (3) porcelain sinks and toilets;
  - (4) plastic and fibreglass fixtures;
  - (5) gyproc;
  - (6) planking and siding;
  - (7) polystyrene or fibreglass insulation;
  - (8) treated wood;
  - (9) any other item identified by the designated officer from time to time.
4. Bricks, masonry, concrete.
5. Uncontaminated soil and soil contaminated with other controlled waste.
6. Grubbing material including, without limitation:
  - (1) roots, stumps, embedded logs;
  - (2) branches and bushes greater than 1.5 cm in diameter.
7. Manure, kennel material, excreta and fish processing material, excluding chicken manure and compostable bedding.

.../continued

# Bylaw 2018-29

## A Bylaw to Amend the Waste Management Bylaw

---

### **Schedule “D” – Controlled Waste (Continued)**

8. Special Waste as defined by the *Environment Act* Special Waste Regulations, including without limitation:
  - (1) asbestos segregated and prepared for disposal in accordance with the Occupational Health Regulations of the *Occupational Health and Safety Act* RSY 2002, c.159;
  - (2) cold incinerator ash verified by laboratory analysis to not be a special waste.
  
9. Large Metal Recovery Waste, including without limitation;
  - (1) Scrap metal including, without limitation:
    - (a) filing cabinets;
    - (b) hot water tanks;
    - (c) metal roofing;
    - (d) metal fencing including chain-link fencing;
    - (e) metal desks and other metal furniture;
    - (f) metal wiring;
    - (g) propane tanks with valves removed;
    - (h) purged fuel tanks cut in half;
    - (i) cleaned and purged barrels with lids removed;
    - (j) sheet iron;
    - (k) vehicle parts with all fluids removed.
  - (2) Items containing ozone depleting substances, as defined by the *Environment Act* Ozone Depleting Substances Regulation, including without limitation:
    - (a) fridges;
    - (b) freezers;
    - (c) air-conditioning units.
  - (3) White goods including, without limitation:
    - (a) dishwashers;
    - (b) stoves, ranges, and ovens;
    - (c) washing machines and clothes dryers.
  - (4) Any other item identified by the designated officer from time to time;
  
10. Tires off-rim
  - (1) Rim above 39 inches: subject to tipping fees per the Fees and Charges Bylaw
  - (2) Rim 39 inches or less: as listed in the *Environment Act* Designated Materials Regulation

.../continued

# Bylaw 2018-29

## A Bylaw to Amend the Waste Management Bylaw

---

### **Schedule "D" – Controlled Waste (Continued)**

11. Clean, uncontaminated corrugated cardboard.
12. Clean wood waste including, without limitation, unpainted pallets and untreated, unstained, unpainted, and unglued dimensional lumber (largely spruce, pine or fir).
13. Compostable waste from commercial organic waste producing establishments.
14. Any other item identified by the designated officer from time to time.

# Bylaw 2018-29

## A Bylaw to Amend the Waste Management Bylaw

---

### **SCHEDULE "E"**

#### **BANNED LANDFILL WASTE**

"BANNED LANDFILL WASTE" means such waste as defined in this bylaw.

The following items shall be deemed to be banned from the landfill for the purposes of this bylaw:

1. Bio-medical waste, as defined by the Special Waste Regulations of the *Environment Act*, including without limitation:
  - (1) dressings, bandages or other infected material;
  - (2) hypodermic needles.
2. Slaughter waste.
3. Hazardous waste, as defined by the Special Waste Regulations of the *Environment Act*, including without limitation:
  - (1) aerosols and empty aerosol containers;
  - (2) antifreeze and brake fluid;
  - (3) cleaning chemicals;
  - (4) fluorescent light ballasts manufactured prior to 1980;
  - (5) fluorescent light bulbs;
  - (6) gasoline, propane, solvents and waste oil;
  - (7) herbicides and pesticides;
  - (8) pharmaceuticals;
  - (9) rechargeable batteries and non-rechargeable alkaline batteries;
  - (10) vehicle batteries;
  - (11) paint and paint products;
  - (12) other products labelled as corrosive, toxic, reactive, explosive, oxidizing, poisonous, infectious, or flammable.
4. Highly combustible and explosive material, including without limitation:
  - (1) ammunition, dynamite or other explosives;
  - (2) celluloid cuttings and cellulose motion picture film;
  - (3) chemicals, acids or other combustible residues;
  - (4) oil or gasoline soaked rags and containers;
  - (5) empty motor oil containers and filters;
  - (6) propane tanks with the valve on;
  - (7) fuel tanks that have not been purged.
5. Liquid waste, including without limitation:
  - (1) raw sewage or industrial sludge;
  - (2) septic tank pumpings and wash water;
  - (3) sump waste, as defined in the city's Sewer and Water Bylaw.

.../continued

# Bylaw 2018-29

## A Bylaw to Amend the Waste Management Bylaw

---

### **Schedule "E" – Banned Landfill Waste (Continued)**

6. Electronic Waste as listed in the *Environment Act* Designated Materials Regulation, including without limitation:
- (1) Desktop computers
    - (a) Computer towers
    - (b) Servers
    - (c) All bundled keyboard, mice cables and internal components
  - (2) Portable computers
    - (a) Laptops
    - (b) Netbooks & notebooks
    - (c) Tablets
    - (d) All bundled keyboard, mice cables and internal components
  - (3) Computer accessories / peripherals (wired & wireless devices)
    - (a) Keyboards
    - (b) Mice
    - (c) HDMI Switches
    - (d) Modems and Hubs
    - (e) External storage drives
    - (f) Routers
    - (g) Remote control sold separately
    - (h) Trackballs
  - (4) Desktop printers, fax machines and copiers
    - (a) Desktop scanners
    - (b) Desktop copiers
    - (c) Desktop fax machines
    - (d) Desktop printers
    - (e) Includes multifunction copy, scan, fax and print devices
  - (5) Display including all-in-one computers
    - (a) Televisions
    - (b) Monitors
    - (c) Interactive electronic white boards
    - (d) Cash registers (if monitor is included)

.../continued

# Bylaw 2018-29

## A Bylaw to Amend the Waste Management Bylaw

---

### **Schedule "E" – Banned Landfill Waste (Continued)**

- (6) Cellular devices and pagers
  - (a) Cellular phone
  - (b) Cellular phones offering camera, video recording and/or audio functions
  - (c) Smart phones (cell-enabled)
  - (d) Cell-enabled PDAs utilizing touchscreen technology
  - (e) Cell-enabled handheld devices
  - (f) Pagers
  - (g) Cell Phone Signal Boosters
  
- (7) Non-cellular telephones and answering machines
  - (a) VoIP phones
  - (b) VoIP home phone services
  - (c) Satellite phones
  - (d) Telephone amplifiers
  - (e) Telephone recording device
  - (f) VoIP phone adapters
  - (g) Speakers/Conference phones
  
- (8) Personal or portable image/audio/video systems
  - (a) MP3 player
  - (b) Portable CD players
  - (c) Portable stereos
  - (d) Audio recorders
  - (e) Tape or radio players
  - (f) Docking Stations
  - (g) Microphones
  - (h) Digital Photo Frames
  - (i) Guitar Amplifiers
  - (j) Calculators (non-printing and printing)
  - (k) Printing Label Makers
  - (l) Barcode Scanners
  - (m) Hand-Held GPS devices
  - (n) Projectors
  - (o) Cameras (digital and video)
  - (p) Baby monitors (video and audio)
  - (q) Fish finders
  - (r) Headphones/headsets
  - (s) E-books and E-readers
  - (t) Weather stations
  - (u) Clock radios and portable radios AM and FM

.../continued



# Bylaw 2018-29

## A Bylaw to Amend the Waste Management Bylaw

---

### **Schedule "E" – Banned Landfill Waste (Continued)**

- (9) Home audio video systems
  - (a) Stereo
  - (b) Speakers
  - (c) DVD player
  - (d) Video Gaming Systems
  - (e) Karaoke machines
  - (f) Satellite TV Systems
  - (g) TV Set-Top Box
  - (h) TV Converters (analogue-to-digital converter)
  - (i) Security Systems (cameras, monitor, DVR, Mouse)
  - (j) Amplifiers
  - (k) Data projector
  - (l) VCR
  
- (10) Home Theatre in a Box category
  - (a) Disc player
  - (b) Speaker
  - (c) Amplifier
  
- (11) Aftermarket Vehicle audio/video systems for installation in a vehicle
  - (a) Aftermarket Vehicle Stereos
  - (b) Aftermarket GPS Devices
  - (c) Remote starters
  - (d) Radar Detectors
  - (e) Amplifiers
  - (f) Equalizers
  - (g) Audio video components
  
- 7. Electrical products as listed in the *Environment Act* Designated Materials Regulation, including without limitation:
  - (1) Kitchen countertop motorized appliances
    - (a) Blenders, mixers, food processors
    - (b) Juice extractors
    - (c) Coffee grinders
    - (d) Food Dehydrators
    - (e) Fondue Fountains
    - (f) Vacuum Sealers

.../continued

# Bylaw 2018-29

## A Bylaw to Amend the Waste Management Bylaw

---

### **Schedule "E" – Banned Landfill Waste (Continued)**

- (2) Kitchen countertop heating and cooking appliances
  - (a) Toasters, toaster ovens, fryers, hot plates
  - (b) Bread maker
  - (c) Induction cookers
  - (d) Pressure cookers
  - (e) Waffle irons
  
- (3) Kitchen countertop appliances for making hot beverages
  - (a) Coffee makers
  - (b) Kettles
  - (c) Espresso makers
  
- (4) Countertop Microwaves ovens
  
- (5) Time measurement devices
  - (a) Alarm clocks
  - (b) wall clocks
  - (c) Timers
  
- (6) Weight measurement devices
  - (a) Bathroom scales
  - (b) Food scales
  - (c) Luggage scales
  
- (7) Garment Care Appliances
  - (a) Shavers for clothes
  - (b) Portable heated towel racks with plug
  - (c) Irons and steamers
  
- (8) Air Treatment Appliances
  - (a) Portable fans
  - (b) Heaters
  - (c) Aromatherapy Diffusers with a cord
  - (d) Humidifiers
  
- (9) Personal Care Appliances
  - (a) Tooth care appliances
  - (b) Shavers
  - (c) Hair Cutting and Drying appliances
  - (d) Hair straighteners

.../continued

# Bylaw 2018-29

## A Bylaw to Amend the Waste Management Bylaw

---

### **Schedule "E" – Banned Landfill Waste (Continued)**

- (10) Full size Floor Cleaning Devices
  - (a) Floor vacuums
  - (b) Carpet cleaners, robotic vacuums
- (11) Small Floor Cleaning Devices
  - (a) Handheld vacuums
  - (b) Stick vacuums
- 8. 45 gallon drums with contents not purged or with lid on.
- 9. Radioactive waste.
- 10. Waste from international air travel.
- 11. Contaminated soil containing a contaminant which is in an amount, concentration, or level in excess of that prescribed by regulation or allowed under a permit.
- 12. Vehicles including all-terrain vehicles and snowmobiles.
- 13. Incinerator ash that is special waste.
- 14. Any other item identified by the designated officer from time to time.

# CITY OF WHITEHORSE

## BYLAW 2018-54

A bylaw to amend the Joint Use Agreement for public facilities

---

WHEREAS section 265 of the *Municipal Act* (R.S.Y. 2002) provides that council may pass bylaws for municipal purposes respecting the acquisition, sale, management, mortgaging, construction, leasing, renting, or any other dealings with any real or personal property, or any interest in land, buildings or other improvements on land or personal property; and

WHEREAS the City and the Government of Yukon have negotiated an agreement to maximize the use of public facilities in Whitehorse for the period September 1, 2018 through August 31, 2021; and

WHEREAS it is deemed desirable that the Joint Use Agreement be amended to include École Émilie-Tremblay;

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

1. The Joint Use Agreement with the Government of Yukon with respect to Yukon and Whitehorse public facilities is hereby amended to include École Émilie-Tremblay.
2. The Mayor and Assistant City Clerk are hereby authorized to execute on behalf of the City of Whitehorse the Joint Use Agreement with the Commission scolaire francophone du Yukon attached hereto as Appendix "A" and forming part of this bylaw.
3. This bylaw shall be deemed to have been in full force and effect on September 1, 2018.

**FIRST and SECOND READING:**

**THIRD READING and ADOPTION:**

---

Mayor

---

Clerk

**YUKON — WHITEHORSE  
CSFY PUBLIC FACILITIES JOINT USE AGREEMENT**

THIS AGREEMENT made this \_\_\_\_\_ day of September, 2018

Effective: September 1, 2018 through August 31, 2021

BETWEEN:

**Commission scolaire francophone du Yukon (CSFY)**  
As represented by directeur général  
(Herein referred to as "CSFY")

AND:

**The City of Whitehorse**  
As represented by the Mayor of Whitehorse  
(Herein referred to as "the City")

WHEREAS both parties agree that public facilities within Whitehorse should be utilized to the maximum extent feasible; and

WHEREAS both parties are desirous of establishing a mutual exchange of the use of public facilities for the benefit of citizens of Whitehorse and students of all Department of Education and CSFY schools; and

WHEREAS both parties are agreeable to the use of their respective public facilities in accordance with the provisions of the Whitehorse Yukon Public Facilities Joint Use Agreement (JUA); and

WHEREAS both parties are agreeable to the implementation of a benefits-based approach to the allocation of facility space, reflecting the community's needs, personal and social connectedness, economic vitality, and environmental consciousness

THE PARTIES AGREE AS FOLLOWS:

**ADOPTION OF THE JUA**

To fully adopt all portions of Bylaw 2018-46, the JUA between the Government of Yukon-Department of Education and the City of Whitehorse, with the following additions:

- 1.1. "public facilities" means CSFY facility École Émilie-Tremblay (EET) plus all Department of Education facilities outlined in Appendix C and all City facilities outlined in Appendix D.

- 1.2. That community events for the Francophone community will have booking priority to use EET's facility.
- 1.3. La Garderie du petit cheval blanc will be using EET's facility free of charge to offer daycare services before and after school, on PD days and during spring break.
- 1.4. That CSFY and its schools can benefit from all services under the JUA.
- 1.5. That CSFY will be responsible for providing specific school rules, equipment lists, and changes to availability dates for EET, to the facility booking agent.

### **CHANGES TO THE JUA**

- 1.6. All appendices can be amended as required by the mutual consent of CSFY, Department of Education and the City, and must be agreed to in writing by the contacts.
- 1.7. No provision of the respective JUAs, shall be deemed to have been changed unless made in writing and signed by the City, the Department of Education and/or the CFSY.
- 1.8. If any provision of the JUAs is unenforceable or invalid for any reason, such unenforceability or invalidity shall not affect the remaining provisions and such provisions shall be severable from the JUAs.

### **TERMS OF THE JUA**

- 1.9. This JUA shall endure from September 1, 2018 through August 31, 2021.
- 1.10. This JUA may be extended, cancelled, or revised at any time upon mutual consent.
- 1.11. This JUA shall be extended for up to one calendar year from the expiration date specified above if a new agreement has not been put in place.

**CONTACTS**

- 1.12. The contact for Commission scolaire francophone du Yukon is the Communications and Community Relations analyst.
- 1.13. The contact for the Department of Education is the Director of Operations.
- 1.14. The contact for the City is the Manager of Recreation and Facility Services.

All other terms and conditions shall remain the same.

IN WITNESS WHEREOF, the parties hereto have hereunto affixed their seals at the City of Whitehorse, in the Yukon Territory, on the day and year written below.

**Commission scolaire francophone du Yukon (CSFY)**

PER:

Date	Witness	Marc Champagne, directeur général, CSFY
------	---------	--

**THE CORPORATE SEAL OF THE CITY OF WHITEHORSE WAS  
HEREUNTO AFFIXED IN THE PRESENCE OF:**

Date	Norma L. Felker Assistant City Clerk	Dan Curtis, Mayor City of Whitehorse
------	---	---