

MINUTES of **REGULAR** Meeting #2018-21 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, September 24, 2018, in Council Chambers, City Hall.

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

ABSENT: Councillor Robert Fendrick

ALSO PRESENT: City Manager Linda Rapp  
Director of Community and Recreation Services Lindsay Schneider  
Director of Corporate Services Valerie Braga  
Director of Development Services Mike Gau  
Director of Infrastructure and Operations Peter O'Blenes  
Acting Manager of Strategic Communications Myles Dolphin  
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**

**2018-21-01**

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

**AGENDA**

Carried Unanimously

**2018-21-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated September 10, 2018 be adopted as presented.

**MINUTES**

September 10, 2018

Carried Unanimously

**PROCLAMATIONS**

Mayor Curtis proclaimed September 28 to 30 to be **Culture Days** in the City of Whitehorse.

CULTURE DAYS

Mayor Curtis proclaimed October 2018 to be **United Way Month** in the City of Whitehorse.

UNITED WAY MONTH

Mayor Curtis proclaimed October 1 to 7, 2018 to be **Mental Illness Awareness Week** and October 10, 2018 to be **World Mental Health Day** in the City of Whitehorse.

MENTAL ILLNESS  
AWARENESS WEEK and  
MENTAL HEALTH DAY

**COMMITTEE REPORTS**

**Development Services Committee**

There was no report from the Development Services Committee.

No Report

**Corporate Services Committee**

**2018-21-03**

It was duly moved and seconded  
THAT Bylaw 2018-51, a bylaw to amend the Fees and Charges  
Bylaw with respect to third quarter updates, be brought forward for  
consideration under the bylaw process; and

BRING FORWARD  
FEES AND CHARGES  
AMENDMENT

THAT the 2018 operating and maintenance budget be amended  
upon adoption of Bylaw 2018-51 to decrease landfill revenue in the  
amount of \$13,750.00 with the deficit being funded from the general  
reserve.

Carried Unanimously

**City Planning Committee**

**2018-21-04**

It was duly moved and seconded  
THAT Bylaw 2018-48, a bylaw to amend the zoning of a 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 second and third reading under the bylaw process.

BRING FORWARD  
BYLAW 2018-48

Carried Unanimously

**2018-21-05**

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

BRING FORWARD  
BYLAW 2018-49

Carried Unanimously

Councillor Curteanu declared a conflict with Bylaw 2018-50 and left  
Council Chambers during discussion of the matter.

Conflict Declared

**2018-21-06**

It was duly moved and seconded  
THAT Bylaw 2018-50, a bylaw to amend the zoning of 1181 and  
1191 Front Street, be brought forward for second and third reading  
under the bylaw process; and

THAT Bylaw 2018-50 be amended at second reading to:

1. Add a new subsection 10.7.8 (b) for 1181 Front Street as follows:
  - a. any portion of buildings greater than 12.5 metres in height must be set back a minimum of 7.6 metres from the property line adjacent to the Yukon River Reserve of Lot 20 (Remainder), Group 804, Plan 8406 CLSR; and
  - b. for buildings greater than 15 metres in height, a minimum of 50% of the gross floor area must be comprised of a hotel.
2. Specify on Zoning Bylaw 2012-20 Appendix C map titled "Downtown Heights" that 1181 Front Street has a maximum height allowance of 20 metres and 1191 Front Street has a maximum height allowance of 15 metres.

BRING FORWARD  
AND AMEND  
BYLAW 2018-50

Carried (3 – 2)

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

Recorded Vote

Councillor Curteanu returned to Council Chambers.

Conflict Over

**2018-21-07**

It was duly moved and seconded  
THAT Bylaw 2018-52, a bylaw to authorize a lease agreement with  
Alkan Air Ltd. for the operation of a float plane base on Schwatka  
Lake, be brought forward for consideration under the bylaw process.

BRING FORWARD  
LEASE AGREEMENT  
BYLAW FOR FLOAT  
PLANE BASE

Carried Unanimously

**2018-21-08**

It was duly moved and seconded  
THAT Bylaw 2018-31, a bylaw to authorize a lease agreement with  
6169 NWT Ltd. for the operation of a hazardous waste facility at the  
City's Waste Management Facility, be brought forward for  
consideration under the bylaw process.

BRING FORWARD  
LEASE AGREEMENT  
BYLAW FOR SPECIAL  
WASTE FACILITY

Carried Unanimously

Kirk Cameron addressed the Committee to congratulate Council on the work done during this term of office. In particular he cited Council's relationship with local First Nations and the business community as well as Council's efforts to support the growth and vitality of the downtown area.

COUNCIL  
CONGRATULATED  
For Information Only

Yolande Vachon echoed Mr. Cameron's congratulations and expressed the hope that growth in the downtown area would not have a negative impact on existing businesses.

### **City Operations Committee**

There was no report from the City Operations Committee.

No Report

### **Community Services Committee**

Janna Swales, Executive Director of the Transportation Museum, addressed the Committee to thank Council for the grant funding provided to the museum and for the City's ongoing support. She provided a summary of recent activities at the museum and announced new extended operating hours.

TRANSPORTATION  
MUSEUM UPDATE  
For Information Only

#### **2018-21-09**

It was duly moved and seconded  
THAT Bylaw 2018-53, a bylaw to authorize a lease agreement with Steamboat Vending for the provision of vending services at the Canada Games Centre, be brought forward for consideration under the bylaw process.

BRING FORWARD  
LEASE AGREEMENT  
FOR VENDING SERVICES

Carried Unanimously

### **Public Health and Safety Committee**

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

No Report

### **BYLAWS**

#### **2018-21-10**

It was duly moved and seconded  
THAT Bylaw 2018-29, a bylaw to amend the Waste Management Bylaw to align with the new Yukon Designated Materials Regulation, be given third reading.

**BYLAW 2018-29**  
AMEND WASTE  
MANAGEMENT BYLAW  
THIRD READING

Carried Unanimously

**2018-21-11**

It was duly moved and seconded  
THAT Bylaw 2018-54, a bylaw to amend the Joint Use Agreement to add École Émilie-Tremblay to the list of Whitehorse public facilities, be given third reading.

Carried Unanimously

**BYLAW 2018-54**  
AMEND JOINT USE  
AGREEMENT BYLAW  
THIRD READING

**2018-21-12**

It was duly moved and seconded  
THAT Bylaw 2018-48, a bylaw to amend the zoning of a parcel of vacant Commissioner's Land located in the Mount Sima Industrial Subdivision, be given second reading.

**BYLAW 2018-48**  
ZONING AMENDMENT  
MT. SIMA SOLAR FARM  
SECOND READING

**2018-21-13**

It was duly moved and seconded  
THAT Bylaw 2018-48 be amended at second reading by adding new sections 1 and 2 and renumbering the existing sections accordingly.  
The new sections 1 and 2 shall read as follows:

1. Section 2.2 of Zoning Bylaw 2012-20 is hereby amended by adding the following new definition:  
  
"SOLAR FARM" means an installation or area of land in which photovoltaic solar panels are installed and operated in order to generate electricity for connection to the electrical grid."
2. Section 12.5 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 12.5.7 as follows:

"12.5.7 Special Modifications

Amendment

- a) A parcel of vacant Commissioner's Land located adjacent to Lot 58-3, Plan 96798 CLSR, in the Mount Sima Industrial Area is designated PUX(a) with the special modifications being:
  - (1) If the principal use is a public utility, the only utility category permitted is a solar farm; and
  - (2) The only allowable secondary uses are accessory buildings/structures and a caretaker residence; and
  - (3) No conditional uses are permitted.

Carried Unanimously

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

Vote on Main Motion

**2018-21-14**

It was duly moved and seconded  
THAT Bylaw 2018-48, a bylaw to amend the zoning of a parcel of vacant Commissioner's Land located in the Mount Sima Industrial Subdivision, having been read a first and second time, now be given third reading as amended.

Carried Unanimously

**BYLAW 2018-48**  
ZONING AMENDMENT  
MT. SIMA SOLAR FARM  
THIRD READING

**2018-21-15**

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

Carried Unanimously

**BYLAW 2018-49**  
ZONING AMENDMENT  
7 Bennett Road  
SECOND READING

**2018-21-16**

It was duly moved and seconded  
THAT Bylaw 2018-49, a bylaw to amend the zoning of a vacant parcel of Commissioner's Land in the Kulan Industrial area to allow for a lot expansion at 7 Bennett Road, having been read a first and second time, now be given third reading.

Carried Unanimously

**BYLAW 2018-49**  
ZONING AMENDMENT  
7 Bennett Road  
THIRD READING

Councillor Curteanu declared a conflict with respect to Bylaw 2018-50 and left Council Chambers during discussion of the bylaw.

Conflict Declared

**2018-21-17**

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, be given second reading.

Council members spoke to the pros and cons of the decision regarding an increase in the height of buildings on the waterfront. The primary reason cited against increasing the height of buildings close to the river was the strong opposition to blocking access to the waterfront expressed during the development of the current Official Community Plan and Zoning Bylaw. Reasons to support the proposed bylaw included a lack of hotel space, the potential economic benefits to the whole community, and improved First Nation relations.

Discussion

**2018-21-18**

It was duly moved and seconded  
THAT Bylaw 2018-50 be amended at second reading by deleting the existing section 1 and substituting therefore new sections 1 and 2 and renumbering the remaining section accordingly. The new sections 1 and 2 shall read as follows:

- 1. Section 10.7.8 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection (b) as follows:

“10.7.8 (b) Lot 40-2, Block 316, Plan 2012-0161 LTO, located at 1181 Front Street, is designated CMWx(b) with the special modifications being:

- (1) any portion of buildings greater than 12.5 metres in height must be set back a minimum of 7.6 metres from the property line adjacent to the Yukon River Reserve of Lot 20 (Remainder), Group 804, Plan 8406 CLSR; and
- (2) for buildings greater than 15 metres in height, a minimum of 50% of the total gross floor area of that building must be comprised of a hotel.”

Amendment

- 2. Appendix C of Zoning Bylaw 2012-20 titled “Zoning Bylaw 2012-20 Downtown Heights” is hereby amended to specify that 1181 Front Street (Lot 40-2, Block 316, Plan 2012-0161 LTO) has a maximum height allowance of 20 metres and 1191 Front Street (Condominium 200, Plan CC200 LTO) has a maximum height allowance of 15 metres.

Carried (3 – 2)

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

Recorded Vote

The main motion as amended was voted on and carried (3 – 2).

Vote on Main Motion

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

Recorded Vote

**2018-21-19**

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 allowable building height, having been read a first and second time, now be given third reading as amended.

**BYLAW 2018-50**  
ZONING AMENDMENT  
1181 & 1191 Front Street  
THIRD READING

Carried (3 – 2)

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

Recorded Vote

Councillor Curteanu returned to Council Chambers

Conflict Over

**2018-21-20**

It was duly moved and seconded  
THAT Bylaw 2018-31, a bylaw to authorize a lease agreement with  
6169 NWT Ltd. for the operation of a hazardous waste facility at the  
City's Waste Management Facility, be given first reading.

**BYLAW 2018-31**

LEASE AGREEMENT  
Hazardous Waste Facility

FIRST READING

Carried Unanimously

**2018-21-21**

It was duly moved and seconded  
THAT Bylaw 2018-31 be given second reading.

SECOND READING

Carried Unanimously

**2018-21-22**

It was duly moved and seconded  
THAT Bylaw 2018-51, a bylaw to amend the Fees and Charges  
Bylaw in accordance with third quarter updates, be given first  
reading.

**BYLAW 2018-51**

FEES AND CHARGES  
AMENDMENT

FIRST READING

Carried Unanimously

**2018-21-23**

It was duly moved and seconded  
THAT Bylaw 2018-51 be given second reading.

SECOND READING

Carried Unanimously

**2018-21-24**

It was duly moved and seconded  
THAT Bylaw 2018-52, a bylaw to authorize a lease agreement with  
Alkan Air for the operation of a float plane base on Schwatka Lake,  
be given first reading.

**BYLAW 2018-52**

LEASE AGREEMENT  
Alkan Air Float Plane Base

FIRST READING

Carried Unanimously

**2018-21-25**

It was duly moved and seconded  
THAT Bylaw 2018-52 be given second reading.

SECOND READING

Carried Unanimously



**2018-21-26**

It was duly moved and seconded  
THAT Bylaw 2018-53, a bylaw to authorize a lease agreement with  
Steamboat Vending for the provision of vending services at the  
Canada Games Centre, be given first reading.

Carried Unanimously

**BYLAW 2018-53**

LEASE AGREEMENT  
Steamboat Vending  
FIRST READING

**2018-21-26**

It was duly moved and seconded  
THAT Bylaw 2018-53 be given second reading.

Carried Unanimously

SECOND READING

There being no further business, the meeting adjourned at 6:22 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 #2018-22 dated October 9, 2018