

CITY OF WHITEHORSE
REGULAR Council Meeting #2019-04

DATE: Monday, February 25, 2019
TIME: 5:30 p.m.

Mayor Dan Curtis
Deputy Mayor Stephen Roddick
Reserve Deputy Mayor Jan Stick

AGENDA

CALL TO ORDER 5:30 p.m.

AGENDA Adoption

PROCLAMATIONS

MINUTES Regular Council Meeting #2019-03 dated February 11, 2019

PUBLIC HEARING Bylaw 2019-07 – Zoning Amendment (Administrative Edits)

COMMITTEE REPORTS

Public Health & Safety Committee – *Councillors Curteanu and Roddick*
Hazard Identification and Risk Analysis (HIRA) – For Information Only

Development Services Committee – *Councillors Cabott and Boyd*

Corporate Services Committee – *Councillors Hartland and Cabott*

Capital Budget Amendment – 2019 Asphalt Overlay Project

Heritage Fund Grant Application – Heritage Fair

Council Summaries for 2018

Authorize Council Travel – Federation Canadian Municipalities

City Planning Committee – *Councillors Roddick and Stick*

Zoning Amendment – Cannabis Retailing

City Operations Committee – *Councillors Boyd and Hartland*

Community Services Committee – *Councillors Stick and Curteanu*

NEW AND UNFINISHED BUSINESS

BYLAWS 2019-09 Zoning Amendment (Cannabis Retailing) 1st Reading

ADJOURNMENT

MINUTES of **REGULAR** Meeting #2019-03 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, February 11, 2019, in Council Chambers, City Hall.

PRESENT: Mayor Dan Curtis
Councillors Dan Boyd – Electronic Participation
Laura Cabott
Jocelyn Curteanu
Samson Hartland
Stephen Roddick
Jan Stick

ALSO PRESENT: City Manager Linda Rapp
Director of Community and Recreation Services Jeff O’Farrell
Director of Corporate Services Valerie Braga
Director of Development Services Mike Gau
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
Assistant City Clerk Norma Felker

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

CALL TO ORDER

2019-03-01

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

AGENDA

Carried Unanimously

Mayor Curtis proclaimed February 28, 2019 to be ***Rare Disease Day***
in the City of Whitehorse.

PROCLAMATION

2019-03-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated January 28,
2019 be adopted as presented.

MINUTES

January 28, 2019

Carried Unanimously

COMMITTEE REPORTS

Public Health and Safety Committee

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

No Report

Development Services Committee

There was no report from the Development Services Committee.

No Report

Corporate Services Committee

2019-03-03

It was duly moved and seconded
THAT the Breastfeeding in City Premises Policy dated February 2019 be adopted as presented.

BREASTFEEDING IN
CITY PREMISES POLICY

Carried Unanimously

City Planning Committee

2019-03-04

It was duly moved and seconded
THAT Bylaw 2018-55, a bylaw to amend the zoning of a parcel of vacant Yukon land to allow for a lot expansion at 1 Roderick Place in Hidden Valley, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
BYLAW 2018-55
Zoning Amendment
1 Roderick Place

Carried Unanimously

2019-03-05

It was duly moved and seconded
THAT Bylaw 2018-57, a bylaw to allow a child care centre as a principal use at Days Inn, located at 2288 Second Avenue, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
BYLAW 2018-57
Zoning Amendment
Days Inn Child Care Centre

Carried Unanimously

City Operations Committee

There was no report from the City Operations Committee.

No Report

Community Services Committee

2019-03-06

It was duly moved and seconded
THAT the 2018 Rotary Park playground replacement project #740c00217 be re-budgeted to 2019 in the amount of \$217,042; and,
THAT the 2019 to 2022 capital expenditure program be amended by increasing 2019 Rotary Park Playground Replacement project #740c00217 in the amount of \$180,000, funded by Gas Tax.

RE-BUDGET TO 2019
AND INCREASE BUDGET
ROTARY PARK
PLAYGROUND
REPLACEMENT

Carried Unanimously

BYLAWS

2019-03-07

It was duly moved and seconded
THAT Bylaw 2018-55, a bylaw to amend the zoning of a parcel of vacant Yukon land in Hidden Valley to allow for a lot expansion at 1 Roderick Place, be given second reading.

Carried Unanimously

BYLAW 2018-55
ZONING AMENDMENT
1 Roderick Place
SECOND READING

2019-03-08

It was duly moved and seconded
THAT Bylaw 2018-55, a bylaw to amend the zoning of a parcel of vacant Yukon land in Hidden Valley to allow for a lot expansion at 1 Roderick Place, having been read a first and second time, now be given third reading.

Carried Unanimously

BYLAW 2018-55
ZONING AMENDMENT
1 Roderick Place
THIRD READING

2019-03-09

It was duly moved and seconded
THAT Bylaw 2018-57, a bylaw to amend the zoning of Days Inn, located at 2288 Second Avenue, to allow a child care centre as a principal use, be given second reading.

Carried (5 – 2)

BYLAW 2018-57
ZONING AMENDMENT
Days Inn Child Care Centre
SECOND READING

A council member expressed concern about modifying the existing zoning of the property, stating that the current zoning is compatible with other vehicle-oriented uses in the area and therefore not suitable for the proposed use.

Some council members voiced reservations about the distance to parks and green spaces and the number of high-traffic streets that separate the site from appropriate play spaces. Other members spoke about the benefits to children that would accrue through supervised travel to off-site locations.

Discussion

Some council members spoke of the need for increased child care spaces and the precedents that exist with other child care centres that do not have adjacent outdoor play spaces. They also discussed traffic concerns arising from the location of the property.

It was noted that while changing the zoning may allow for the development of a child care centre at this location, regulation of child care services is under the jurisdiction of Yukon Health and Social Services and Environmental Health.

IN FAVOUR Mayor Curtis, Councillors Boyd, Curteanu, Hartland and Roddick
OPPOSED Councillors Cabott and Stick

Recorded Vote

2019-03-10

It was duly moved and seconded
THAT Bylaw 2018-57, a bylaw to amend the zoning of Days Inn, located at 2288 Second Avenue, to allow a child care centre as a principal use, having been read a first and second time, now be given third reading.

BYLAW 2018-57

ZONING AMENDMENT
Days Inn Child Care Centre
THIRD READING

Carried (5 – 2)

IN FAVOUR Mayor Curtis, Councillors Boyd, Curteanu, Hartland and Roddick
OPPOSED Councillors Cabott and Stick

Recorded Vote

2019-03-11

It was duly moved and seconded
THAT Bylaw 2018-59, a bylaw to adopt the 2019 Operating and Maintenance Budget and the Provisional Budgets for 2020 and 2021, be given second reading.

BYLAW 2018-59

OPERATING BUDGET
SECOND READING

Carried (6 – 1)

Some members of council raised issues with respect to the budget, including the increase in staffing. One council member noted that regulations passed by senior governments inevitably lead to higher costs for the City, including the need for additional personnel. It was also noted that additional positions are needed as the community continues to grow.

One council member opposed the growth of local government.

Some concern was expressed about the few members of the public who provided input into the budget, and it was suggested that more work needs to be done to improve public engagement with respect to future budgets.

Discussion

Council members congratulated administration and the previous council for the work done in preparing this budget, and the mayor thanked all municipal employees who continue to provide exemplary service every day.

IN FAVOUR Mayor Curtis, Councillors Boyd, Cabott, Curteanu, Roddick and Stick
OPPOSED Councillor Hartland

Recorded Vote

2019-03-12

It was duly moved and seconded
THAT Bylaw 2018-59, a bylaw to adopt the 2019 Operating and Maintenance Budget and the Provisional Budgets for 2020 and 2021, having been read a first and second time, now be given third reading.

Carried (6 – 1)

IN FAVOUR Mayor Curtis, Councillors Boyd, Cabott, Curteanu,
Roddick and Stick

OPPOSED Councillor Hartland

BYLAW 2018-59

OPERATING BUDGET
THIRD READING

Recorded Vote

2019-03-13

It was duly moved and seconded
THAT Bylaw 2018-60, a bylaw to levy taxes for the year 2019, be given second reading.

Carried (6 – 1)

A council member noted that long-term planning is needed to ensure that tax rates remain as low as possible. This includes the need for asset management. The rates established by this bylaw as well as increases in other fees and charges are necessary to ensure that funding is available when additional resources are needed. This approach prevents the need for departments to request emergency funding.

A council member suggested that tax increases could be limited by targeted fees and charges for users who disproportionately use City services.

IN FAVOUR Mayor Curtis, Councillors Boyd, Cabott, Curteanu,
Roddick and Stick

OPPOSED Councillor Hartland

BYLAW 2018-60

2019 TAX LEVY
SECOND READING

Discussion

Recorded Vote

2019-03-14

It was duly moved and seconded
THAT Bylaw 2018-60, a bylaw to levy taxes for the year 2019, having been read a first and second time, now be given third reading.

Carried (6 – 1)

IN FAVOUR Mayor Curtis, Councillors Boyd, Cabott, Curteanu,
Roddick and Stick

OPPOSED Councillor Hartland

BYLAW 2018-60

2019 TAX LEVY
THIRD READING

Recorded Vote

2019-03-15

It was duly moved and seconded
THAT Bylaw 2018-61, a bylaw to amend the Fees and Charges Bylaw
in accordance with budget changes, be given second reading.

Carried Unanimously

One council member expressed the hope that a low-income transit
pass would be given priority by this council.

Discussion

2019-03-16

It was duly moved and seconded
THAT Bylaw 2018-61, a bylaw to amend the Fees and Charges Bylaw
in accordance with budget changes, having been read a first and
second time, now be given third reading.

Carried Unanimously

There being no further business, the meeting adjourned at 6:55 p.m.

BYLAW 2018-61
FEES AND CHARGES
BYLAW AMENDMENT
SECOND READING

BYLAW 2018-61
FEES AND CHARGES
BYLAW AMENDMENT
THIRD READING

ADJOURNMENT

MEMORANDUM

FILE #: Z-02-2019

TO: Mayor and Council

FROM: Administration

DATE: February 25, 2019

SUBJECT: Public Hearing at Regular Council Meeting February 25, 2019

Please be advised there will be a Public Hearing at the Regular Council Meeting on February 25, 2019, to hear from interested parties related to the following zoning amendment:

Bylaw 2019-07, a bylaw to make numerous administrative amendments to the Zoning Bylaw

Proposed Bylaw 2019-07 contains a number of minor administrative amendments to the Zoning Bylaw to clarify interpretation and otherwise implement minor changes. Most of these changes have arisen from day-to-day use of the bylaw. Administrative edits to the Zoning Bylaw are typically brought forward on a periodic basis. The last general amendments to the Zoning Bylaw were adopted in April 2018.

Bylaw 2019-07 received 1st reading on January 28, 2019. Notices were published in the newspapers on February 1 and 8, 2019.

One of the proposed edits is a zoning change to a parcel in Whistle Bend. A total of 33 letters were sent to property owners within 100 m of that subject property. The Whistle Bend Community Association, Yukon Government Lands Department, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council were also notified by mail of this mapping change.

Kinden Kosick
Planner II

cc: Director of Development Services
Manager of Planning and Sustainability Services
Manager of Land and Building Services



Minutes of the meeting of the Public Health and Safety Committee

Date	February 18, 2019
Location	Council Chambers, City Hall
Committee Members Present	Councillor Jocelyn Curteanu – Chair Councillor Stephen Roddick – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Laura Cabott Councillor Samson Hartland Councillor Jan Stick
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 Myles Dolphin, Manager of Strategic Communications Chris Green, Deputy Fire Chief Norma Felker, Assistant City Clerk

Your Worship, the Public Health and Safety Committee respectfully submits the following report:

1. Hazard Assessment and Risk Analysis Report – For Information Only

Hazard identification and risk analysis is a systematic risk assessment tool used to assess the risk of various hazards. Calian Emergency Management Solutions conducted an assessment of risks or threats to public safety, property or the environment in the Whitehorse region, and their potential impacts. The Hazard Identification and Risk Analysis Report will be used to help emergency management professionals prepare for the worst and most likely risks. It will allow for the creation of exercises, training programs and plans based on the most likely risks identified.

The Strategic Communications Department is preparing information for the public on how to prepare for the most significant hazards identified, as well as how the City would communicate to the public in the event of an emergency arising from the most significant hazards identified.



Minutes of the meeting of the Development Services Committee

Date	February 18, 2019
Location	Council Chambers, City Hall
Committee Members Present	Councillor Laura Cabott – Chair Councillor Dan Boyd – Vice Chair Mayor Dan Curtis Councillor Jocelyn Curteanu Councillor Samson Hartland Councillor Stephen Roddick Councillor Jan Stick
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 Myles Dolphin, Manager of Strategic Communications Norma Felker, Assistant City Clerk

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

1. **Sustainability Plan Update** – For Information Only

In response to a query from a Committee member, administration advised that the Sustainability Plan is used as a lens when evaluating proposed projects. As part of the capital budget ranking system, projects with a high sustainability factor are ranked higher in priority when allocating budget funds.

An orientation session for council members with respect to the Sustainability Plan is scheduled for March 26th.



Minutes of the meeting of the Corporate Services Committee

Date	February 18, 2019
Location	Council Chambers, City Hall
Committee Members Present	Councillor Samson Hartland – Chair Councillor Laura Cabott – Vice-Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Stephen Roddick Councillor Jan Stick
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 Taylor Eshpeter, Manager of Engineering Services Mélodie Simard, Manager of Planning and Sustainability Services Myles Dolphin, Manager of Strategic Communications Norma Felker, Assistant City Clerk

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

1. Capital Budget Amendment – 2019 Asphalt Overlay Project

The City’s Pavement Management System rates the condition of roadways to inform maintenance and repair schedules that give the best return on investment and optimize the lifecycle costs of the road assets. Overlaying asphalt replaces and renews the top running surface of the road, thereby extending its lifecycle.

The scope of the 2019 Asphalt Overlay project was established a few years ago based on the best information available at the time. Since then the deterioration of the road surface on Second Avenue has accelerated and has become a higher priority for resurfacing than other locations identified. Two other high priority locations have also been identified. Administration has determined that the two locations proposed to be removed from the 2019 project can be delayed without significant impact to the assets.

The amended scope for the 2019 overlay project is to overlay Second Avenue from Lowe Street to Ogilvie Street, the roundabout at Elijah Smith School, and the roundabout at Fourth Avenue and Robert Service Way. There is no change to the budget amount.

The recommendation of the Corporate Services Committee is

THAT the 2019 to 2022 capital expenditure program be amended by changing the scope of the 2019 Asphalt Overlay project to remove the locations at Mountainview Drive and Lewes Boulevard and replace them with Second Avenue from Lowe Street to Ogilvie Street, the roundabout at Fourth Avenue and Robert Service Way, and the roundabout on Hamilton Boulevard at Elijah Smith School.

2. Heritage Fund Grant Application – Heritage Fair

The Yukon Historical and Museums Association has applied for \$2,000.00 from the Heritage Fund to support the 2019 Yukon-Stikine Heritage Fair.

The goals of the Heritage Fair are consistent with the awareness component of the Heritage Fund Bylaw. The event provides an opportunity for residents and visitors to learn about and share ideas on topics related to history and heritage, and will help to increase understanding of heritage issues within the greater Yukon community. The Heritage Fair also provides an opportunity to showcase the excellent heritage facilities and resources located in Whitehorse. The City has supported the fair in previous years.

The recommendation of the Corporate Services Committee is

THAT \$2,000 from the Heritage Fund be allocated to the Yukon Historical and Museums Association to support the 2019 Yukon/Stikine Regional Heritage Fair; and

THAT the 2019 operating budget be increased in the amount of \$2,000, funded by the Heritage Fund, to contribute to the costs of the 2019 Yukon/Stikine Regional Heritage Fair.

3. Council Summaries for 2018

The Council 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 2018 calendar year provide details for all council members with respect to these issues. The majority of the information pertains to the previous council, but the November and December records for the current council are included.

The recommendation of the Corporate Services Committee is

THAT the council member summary reports on attendance, expense claims, travel and voting records for the 2018 calendar year be accepted as presented.

4. Authorize Council Travel – FCM Annual Conference

The Council Remuneration Bylaw requires prior approval by council resolution for all requests for funding or reimbursement of expenses incurred in conjunction with travel by members of council outside the City of Whitehorse. The annual conference of the Federation of Canadian Municipalities will be held in Quebec City in early June. Five members of council have indicated their intention to attend this conference.

The recommendation of the Corporate Services Committee is

THAT travel expenses be authorized for Mayor Curtis to attend the annual conference of the Federation of Canadian Municipalities being held in Quebec City in early June;
and

THAT travel and per diem expenses from the councillor-initiated allocation be authorized for Councillors Boyd, Cabott, Curteanu and Roddick to attend the 2019 annual conference of the Federation of Canadian Municipalities in Quebec City.

5. Purchasing and Sales Policy – For Information Only

A Committee member asked for an update on the status of the Purchasing and Sales Policy. The Committee requested that the policy be brought forward for review at an upcoming Council and Senior Management meeting.



Minutes of the meeting of the City Planning Committee

Date	February 18, 2019
Location	Council Chambers, City Hall
Committee Members Present	Councillor Stephen Roddick – Chair Councillor Jan Stick – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Laura Cabott 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 Myles Dolphin, Manager of Strategic Communications Norma Felker, Assistant City Clerk

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

1. Zoning Amendment – Cannabis Retailing

In response to the Government of Canada’s legalization of cannabis, a new zoning bylaw use was created in early 2018 to capture all retail operations selling cannabis or cannabis-containing products. This use is only allowed in the Marwell area with the Yukon Government as the sole vendor for recreational cannabis.

In December 2018 regulations governing the licensing and location for the private sale of cannabis in Yukon were approved and the Yukon Government expects to be in a position to accept applications for new operations in April 2019. In anticipation of the new regulations, Administration met with Yukon Liquor Corporation staff to discuss federal and territorial regulations and research approaches from other cities across Canada. Stakeholder groups were contacted and a public survey was conducted. Input received from the Chief Medical Officer of Health requested consideration of additional City regulations that would help prioritize public health and safety.

Administration is now proposing that 'Retail Sales, Restricted' be permitted as a principal use in five high-intensity commercial and mixed-use zones in the Downtown area. Locations in these zones would be required to have additional setbacks and buffers between cannabis retail stores and locations of concern. In addition, the proposed bylaw would restrict commercial cannabis cultivation and production within Whitehorse until appropriate zones can be identified. Other minor amendments are proposed to ensure compliance with federal and Yukon legislation and regulations.

Jordi Mikeli-Jones addressed the Committee to express support for the setbacks and buffers proposed in the bylaw. She noted that this new industry will provide economic benefits to the community and urged council to proceed with the bylaw process.

The recommendation of the City Planning Committee is

THAT Bylaw 2019-08, a bylaw to amend the zoning bylaw to allow the private retail sale of cannabis and cannabis-containing products, be brought forward for consideration under the bylaw process.



Minutes of the meeting of the City Operations Committee

Date	February 18, 2019
Location	Council Chambers, City Hall
Committee Members Present	Councillor Dan Boyd – Chair Councillor Samson Hartland – Vice Chair Mayor Dan Curtis Councillor Laura Cabott Councillor Jocelyn Curteanu Councillor Stephen Roddick Councillor Jan Stick
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 Myles Dolphin, Manager of Strategic Communications Norma Felker, Assistant City Clerk

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

1. Recycling – For Information Only

Joy Snyder, Executive Director of Raven Recycling, addressed the Committee on behalf of both Raven and P & M Recycling to request that the cap on diversion credits be increased from \$150,000 to \$250,000. She explained that the increase is needed to support the recycling industry while various governments work towards a system that includes extended producer responsibility.

Ms. Snyder noted that the diversion credit system does not respond to fluctuating commodity prices, the City’s strategic goals, new efficiencies or the cost of living. Diversion credits were put in place for the short to medium term, and she stated that they are currently under-funded by the municipality. With the current cap, the more the processors recycle the less they receive since they recycle more than the cap allows.

Ms. Snyder noted that the Yukon government and the City are working hard to build a new system that it is hoped will be in place within five years. In the meantime, recycling processors need the certainty that an increase in the cap would provide.



Minutes of the meeting of the Community Services Committee

Date	February 18, 2019
Location	Council Chambers, City Hall
Committee Members Present	Councillor Jan Stick – Chair Councillor Jocelyn Curteanu – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Laura Cabott Councillor Samson Hartland Councillor Stephen Roddick
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 Landon Kulych, Acting Manager of Parks and Community Development Myles Dolphin, Manager of Strategic Communications Norma Felker, Assistant City Clerk

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

1. Yukonstruct – For Information Only

Lana Selbee, John Glynn-Morris and Chris O’Brien addressed the Committee to provide an update on the activities of the society since their move to new premises on Second Avenue. They highlighted their maker space, school programming, youth and entrepreneurship programming, business support and advice services, and the availability of rental space for events meetings. The society is looking forward to working with the City on the projects such as the development of a new Official Community Plan.

2. Climb Yukon – For Information Only

Samantha Li, Alain Dallaire and Jody Overduin addressed the Committee to encourage consideration of the Canada Games Centre as a venue for a climbing facility. They noted that the City has the primary responsibility for parks and recreation activities, and

climbing was identified in the 2018 Parks and Recreation Master Plan as the most desirable new activity that could be added to the Canada Games Centre.

The delegates provided a brief history of the organization and the benefits of climbing as a fitness activity. In addition to the physical and health benefits to users, a climbing facility would have economic impacts, provide opportunities for community programs, and provide enhanced rescue training opportunities.

The delegates noted that existing climbing facilities in Whitehorse are over used and current programs are at capacity with no opportunity to expand to allow for youth development. Climbing has become a mainstream fitness activity, and Climb Yukon would like to see a venue that would be suitable for the Canada Winter Games.

Climb Yukon has received funding from the Yukon Government for a feasibility study, and the organization is now requesting that council authorize a feasibility study at the Canada Games Centre.

3. Community Events – For Information Only

Mayor Curtis highlighted a number of recent community events including the Arctic Inspiration Prize awards and the Arctic Indigenous Investment Conference. The mayor also thanked the Korean Consul General for his visit to Whitehorse.

There being no further business, the meeting adjourned at 7:50 p.m.

CITY OF WHITEHORSE
BYLAW 2019-08

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 private retail of cannabis and cannabis-containing products;

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

1. Section 2 of Zoning Bylaw 2012-20 is hereby amended by adding new definitions for ‘agriculture, restricted’, ‘substance abuse service provision’ and ‘youth at risk service provision’ as follows:

“AGRICULTURE, RESTRICTED” means the production of cannabis through cultivation, propagation, or harvesting, for either commercial or medical use. Cultivation of personal cannabis is not included.

“SUBSTANCE ABUSE SERVICE PROVISION” means the provision of care for in-patients and out-patients related to substance abuse such as detoxification or counselling services, but excluding housing.

“YOUTH AT RISK SERVICE PROVISION” means the provision of care to youth regarding detoxification, counselling, or related health services, but excluding housing.

2. Section 2 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing definitions for ‘agriculture, hobby’, ‘agriculture, major’, and ‘retail services, restricted’ and substituting therefore new definitions as follows:

“AGRICULTURE, HOBBY” means small scale agricultural activity such as the raising of livestock, horticulture, greenhouses, apiculture, and market gardening, all of which must be accessory to a principal use, but excluding orchards, raising of crops, pasturing of animals, and production of cannabis for commercial use.”

“AGRICULTURE, MAJOR” means agricultural activity such as raising livestock, orchards, horticulture, greenhouses, apiculture, aquiculture, market gardening, and nurseries, but excluding the raising of crops, pasturing of animals, and production of cannabis for commercial use.”

”RETAIL SERVICES, RESTRICTED” means the use of premises for the retail sale of restricted goods to the general public, and includes on-site storage to support the operations of those premises.”

Zoning Amendment Bylaw 2019-08

3. Section 5 of Zoning Bylaw 2012-20 is hereby amended by deleting subsection 4.5.1 h) and substituting therefore a new subsection 4.5.1 h) as follows:

“4.5.1 h) evidence of compliance with or application to obtain approval under any applicable Federal, Territorial, and Municipal laws, bylaws, and other enactments;”

4. Section 6 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 6.16 as follows and renumbering the remaining subsections accordingly:

“6.16 Parks

6.16.1 The lot line of a lot zoned PR–Parks and Recreation that includes a play structure may not be within 100 metres of a Retail services, restricted operation.”

5. Section 6 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 6.18 as follows and renumbering the remaining subsections accordingly:

“6.18 Temporary Shelter Services

6.18.1 The lot line of a Temporary Shelter Services operation may not be within 100 metres of a Retail services, restricted operation.”

6. Section 6 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 6.19 as follows and renumbering the remaining subsections accordingly:

“6.19 Retail Services, Restricted

6.19.1 All Retail services, restricted premises are required to comply with Federal and Territorial regulations and any applications and/or approval documents must be submitted to the City once issued.

6.19.2 To ensure compliance with other Territorial regulations, Retail services, restricted operations may be exempt from glazing requirements in the CC, CCC, CM2, CPG, and CMW zones. Alternate approaches to meet the intent of the glazing requirements may be considered, at the discretion of the Development Officer.

6.19.3 The lot line of a Retail services, restricted operation may not be within 100 metres of a lot zoned PR–Parks and Recreation that includes a play structure.

6.19.4 The lot line of a Retail services, restricted operation may not be within 100 metres of a lot used for Temporary Shelter Services.

6.19.5 The lot line of a Retail services, restricted operation may not be within 100 metres of a lot which provides services to youth at risk or people suffering from substance abuse, as defined in section 2 of this bylaw.

6.19.6 The lot line of a Retail services, restricted operation may not be within 100 metres of another lot used for Retail services, restricted.”

Zoning Amendment Bylaw 2019-08

7. Section 6 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 6.20 as follows and renumbering the remaining subsections accordingly:
“6.20 Substance Abuse Service Provision
6.20.1 A lot providing services to people suffering from substance abuse, as defined in section 2 of this bylaw, may not be within 100 metres of a Retail services, restricted operation.”
8. Section 6 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 6.21 as follows and renumbering the remaining subsections accordingly:
“6.21 Youth at Risk Service Provision
6.21.1 A lot providing services to youth at risk, as defined in section 2 of this bylaw, may not be within 100 metres of a Retail services, restricted operation.”
9. Section 10.1 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.1.2 t) as follows, and renumbering the remaining subsections accordingly:
“10.1.2 t) Retail services, restricted”
10. Section 10.4 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.4.8 e) as follows:
“10.4.8 e) Lot 1300, Quad 105D/11, Plan 2017-0032 LTO (located at 45 Lorne Road in the McCrae Subdivision) is zoned CIMx with the special modification being that retail services, restricted are not permitted.”
11. Section 10.6 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.6.2 z) as follows and renumbering the remaining subsections accordingly:
“10.6.2 z) Retail services, restricted”
12. Section 10.6 of Zoning Bylaw 2012-20 is hereby amended by adding new subsections 10.6.7 a) (5), b) (3), and c) (4) as follows:
“10.6.7 a) (5) Retail services, restricted are not permitted
10.6.7 b) (3) Retail services, restricted are not permitted
10.6.7 c) (4) Retail services, restricted are not permitted”
13. Section 10.7 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.7.2 p) as follows and renumbering the remaining subsections accordingly:
“10.7.2 p) Retail services, restricted”

Zoning Amendment Bylaw 2019-08

14. Section 10.11 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.11.3 o) as follows and renumbering the remaining subsections accordingly:
“10.11.3 o) Retail services, restricted”
15. Section 10.13 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.13.2 cc) as follows and renumbering the remaining subsections accordingly:
“10.13.2 cc) Retail services, restricted”
16. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of Lot 1300, Quad 105D/11, Plan 2017-0032 LTO (located at 45 Lorne Road in the McCrae Industrial Subdivision) from CIM-Mixed Use Commercial/Industrial CIMx(e)-Mixed Use Commercial/Industrial (modified), as indicated on the sketch attached hereto as Appendix “A” and forming part of this bylaw.
17. This bylaw shall come into full force and effect upon final passage thereof.

FIRST READING:

PUBLIC NOTICE:

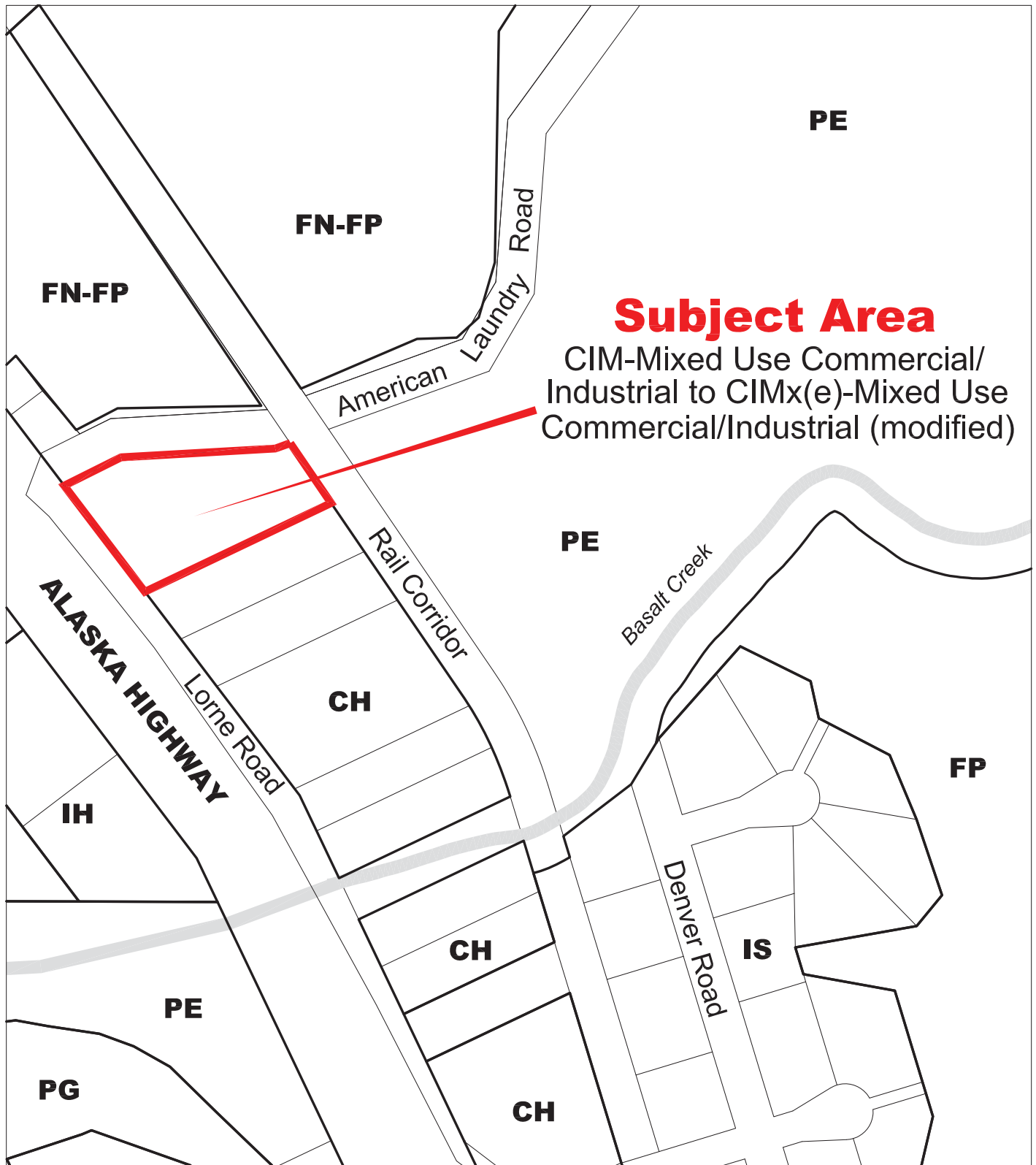
PUBLIC HEARING:

SECOND READING:

THIRD READING and ADOPTION:

Mayor


City Clerk



Subject Area
 CIM-Mixed Use Commercial/
 Industrial to CIMx(e)-Mixed Use
 Commercial/Industrial (modified)

Bylaw 2019-08
 A bylaw to amend the zoning of 45 Lorne Road from CIM-
 Mixed Use Commercial/Industrial to CIMx(e)-Mixed Use
 Commercial/Industrial (modified) to prohibit Retail Sales, restricted.

LEGEND

 SUBJECT AREA