

CITY OF WHITEHORSE
REGULAR Council Meeting #2020-12

DATE: May 11, 2020
TIME: 5:30 p.m.

Mayor Dan Curtis
Deputy Mayor Laura Cabott
Reserve Deputy Mayor Dan Boyd

AGENDA

CALL TO ORDER 5:30 p.m.

AGENDA Adoption

PROCLAMATIONS

MINUTES Regular Council Meeting #2020-11 dated April 27, 2020

DELEGATIONS

PUBLIC HEARING Bylaw 2020-15 Zoning Amendment – Mt. Sima Lot 29

STANDING COMMITTEE REPORTS

City Planning Committee – *Councillors Stick and Hartland*
Zoning Amendment – 604 Black Street

City Operations Committee – *Councillors Hartland and Cabott*

Community Services Committee – *Councillors Curteanu and Boyd*

Public Health and Safety Committee – *Councillors Roddick and Stick*

Development Services Committee – *Councillors Boyd and Curteanu*

Corporate Services Committee – *Councillors Cabott and Roddick*

Council's 2020 Strategic Priorities

NEW AND UNFINISHED BUSINESS

BYLAWS

2020-21 Zoning Amendment (604 Black Street) 1st Reading

ADJOURNMENT

MINUTES of **REGULAR** Meeting #2020-11 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, April 27, 2020, in Council Chambers, City Hall.

PRESENT: Mayor Dan Curtis

PRESENT BY PHONE: Deputy Mayor Dan Boyd
Councillor Laura Cabott
Councillor Jocelyn Curteanu
Councillor Samson Hartland
Councillor Stephen Roddick
Councillor Jan Stick

STAFF 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 Legislative Services Catherine Constable

PRESENT BY PHONE: Acting Director of Human Resources Lindsay Schneider

Mayor Curtis called the meeting to order at 5:35 p.m.

CALL TO ORDER

2020-11-01

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

AGENDA

Carried Unanimously

Mayor Curtis proclaimed May 2, 2020 to be ***Wildfire Community Preparedness Day*** in the City of Whitehorse.

PROCLAMATION

2020-11-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated April 14, 2020
be adopted as presented.

MINUTES
April 14, 2020

Carried Unanimously

PUBLIC HEARING

Mayor Curtis advised that a public hearing is scheduled to hear any submissions with respect to Bylaw 2020-10, a bylaw to amend the Official Community Plan to allow for phase 1 of the redevelopment of the area known as the Tank Farm. The bylaw would change the land use designation of a portion of the Tank Farm from Residential–Urban to Mixed-Use–Industrial/Commercial.

BYLAW 2020-10
O.C.P. AMENDMENT
Tank Farm Phase 1

The Mayor advised that, since tonight’s meeting is not open to in-person public participation, Council will rely on written submissions. The public has been advised how they can comment on this Official Community Plan amendment through public announcements, notice on the City’s website and on a sign posted at the site, as well as by notices on social media.

Hearing Process

A total of 67 written submissions were received, three in favour, 56 opposed, and eight raising concerns.

Submissions Received

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

City Operations Committee

There was no report from the City Operations Committee.

No Report

Community Services Committee

Mayor Curtis proclaimed April 22, 2020 to be **Earth Day** in the City of Whitehorse.

Proclamation

2020-11-03

It was duly moved and seconded THAT the allocation of Category 1 Recreation Grants in the amount of \$67,208.00, Category 2 Recreation Facilities/Parks Grants in the amount of \$30,600.00, and Category 3 Arts/Cultural Facilities Grants in the amount of \$33,925.55 be approved as recommended by the Recreation Grant Task Force.

Category 1 – Recreation Grants

Gwaandak Theatre Society	
Indigenous & Female Play Readings and Mentorship: Directors and Producers	\$3,000.00
Community Choir of Whitehorse Society	
Program assistance and development and Professional Development	\$6,300.00
Jazz Yukon	
Jazz in the Hall	\$1,800.00

SPRING RECREATION
GRANT ALLOCATIONS

.../continued

2020-11-03 (Continued)

Category 1 – Recreation Grants (Continued)

Larrikin Entertainment Ensemble Theatrical production	\$6,000.00
Heart of Riverdale Arts Camp and youth Internship	\$12,000.00
Nakai Theatre 24-hour Challenge	\$3,000.00
Freedom Trails Partial contract fees and wage expenses	\$3,500.00
Flatwater North BBQ and Shelter	\$1,108.00
Yukon Summer Music Camp Yukon Summer Music Camp	\$7,000.00
Special Olympics Golf Program	\$1,500.00
Music Yukon Arts in the Park	\$8,000.00
Whitehorse Concerts Classical Music Series	\$2,500.00
Golden Age Society Operations & Maintenance	\$8,000.00
Yukon Conservation Society Nature Interpretation Program	\$4,500.00
Total Category 1 Allocation	\$68,208.00

SPRING RECREATION
GRANT ALLOCATIONS
(Continued)

Category 2 – Recreation Facility/Parks Grants

Mountain View Golf Club Electrical and Insurance	\$6,000.00
Whitehorse Cross Country Ski Club Operational Expenses	\$10,000.00
Biathlon Yukon Operational Expenses	\$3,800.00
Friends of Mount Sima Society Snowmaking and Chairlift	\$10,000.00
Special Olympics Electrical	\$800.00
Total Category 2 Allocation	\$30,600.00

.../continued

2020-11-03 (Continued)

Category 3 – Arts/Cultural Facilities Grants

Nlaye Ndasadaye Daycare Society		
Music Program		\$2,825.55
Yukon Church Heritage Society		
Old Log Church Museum Operational Expenses		\$5,500.00
Yukon Theatre for Young People Society		
Oliver the musical		\$9,000.00
Yukon Arts Centre		
Youth Arts education and Transportation Program		\$7,800.00
Yukon Conservation Society		
Created at the Canyon		\$850.00
Guild Society		
Utilities Support		\$7,950.00
	Total Category 3 Allocation	\$33,925.55

SPRING RECREATION
GRANT ALLOCATIONS
(Continued)

Spring Recreation Grant Total \$132,733.55

Carried Unanimously

Public Health and Safety Committee

A Committee member thanked City crews for their work on snow clearing and the installation of new signage regarding distancing on City trails. It was noted that a lot of people are using the trails and measures are needed to ensure distancing, particularly on some sections of the Millennium Trail. Administration advised that the signage has been well received and Bylaw constables have been re-deployed to provide a presence on the trails as well as education on the recommendations of the Chief Medical Officer of Health.

UPDATE ON CITY
RESPONSE TO
COVID-19 ISSUES
For Information Only

Development Services Committee

There was no report from the Development Services Committee.

No Report

Corporate Services Committee

2020-11-04

It was duly moved and seconded THAT the 2020 to 2023 capital expenditure program be amended to provide for the creation of a new 2020 capital project for a Downtown Speed Reduction Transportation Engineering Study in the amount of \$15,000, funded by the Capital Reserve.

BUDGET AMENDMENT
DOWNTOWN SPEED
REDUCTION STUDY

Carried Unanimously

2020-11-05

It was duly moved and seconded
THAT the 2020 to 2023 capital expenditure program be amended by increasing the 2020 Rural Roads Surfacing project in the amount of \$35,000, funded by Gas Tax to cover additional costs and; and

BUDGET AMENDMENT
AND CONTRACT AWARD

RURAL ROADS
SURFACING PROJECT

THAT administration be authorized to award the contract for the 2020 Rural Roads Surfacing Project to Skookum Asphalt Ltd. for a net cost to the City of \$419,937.51 plus GST.

Carried Unanimously

Administration confirmed that the usual road maintenance programs will be carried out in other areas of the City this summer.

Discussion

City Planning Committee

There was no report from the City Planning Committee.

No Report

NEW AND UNFINISHED BUSINESS

The 2020 Capital Budget includes funding for consulting services for the design and construction supervision of the Services Building project. Four proposals were received in response to the request for proposals issued. Two proposals did not meet the minimum technical threshold required to continue to stage two of the evaluation process. A third proposal was deemed non-compliant by the evaluation committee. The successful bid is within the approved capital budget.

At its April 14th, 2020 meeting, Council asked for more information regarding the procurement process to date and postponed its decision about the proposed contract award to the regular meeting on April 27, 2020.

PROCUREMENT
PROCESS FOR
CONSULTING SERVICES
FOR THE SERVICES
BUILDING PROJECT

The total project budget is \$20.8 million with the majority of the funds provided by government grants. Timely award of the consultant services contract is required in order to be able to complete the design in time to tender construction in 2021 and complete the work by March 2023, the date specified in the funding agreements with the federal and Yukon governments.

A legal review of the procurement process for this contract determined that the prior involvement of Kobayashi + Zedda Architects in the project is permitted under Canadian procurement law and there is no evidence that any bidder received an unfair advantage in the process. There is no evidence that this procurement was conducted other than in conformance with City policy.

Mayor Curtis polled council members on whether they were ready to proceed with the motion to award the contract.

Discussion

Some members indicated a desire to move in-camera for additional discussions on the matter before proceeding with the motion.

2020-11-06

It was duly moved and seconded THAT pursuant to section 213(3)(e) of the *Municipal Act*, Council go in camera with the senior management team to discuss certain issues with respect to the contract award for consulting services for the Services Building project.

GO IN CAMERA

Carried Unanimously

Council members disconnected from the conference call. Mayor Curtis and the senior management team left Council Chambers for in-camera discussions. For the benefit of the viewing audience, a sign was posted indicating that council was in recess while in-camera discussions took place.

Council Members
Disconnect and the Mayor
Departs Council Chambers

Mayor Curtis returned to Council Chambers and called the roll again to ensure that all members of council were electronically connected.

RETURN TO
OPEN MEETING

Mayor Curtis then announced the return to an open meeting.

2020-11-07

It was duly moved and seconded THAT administration be authorized to award the contract for consulting services for the Services Building Project to Kobayshi & Zedda Architects for a net cost to the City of \$1,467,106.00 plus GST.

CONTRACT AWARD
CONSULTING SERVICES'
SERVICES BUILDING

Carried (6 – 1)

Council members spoke to the issue of fairness and the process used for this procurement, and thanked administration for responding to the questions raised.

Discussion

It was noted that a new Procurement Policy is being developed and that the experience gained in dealing with the issues that arose with this procurement will aid in the development of the new policy.

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

Recorded Vote

BYLAWS

2020-11-08

It was duly moved and seconded
THAT Bylaw 2020-11, a bylaw to officially name the new Fire Hall and
the new Operations Building, having been read a first and second time,
now be given third reading.

Carried (6 – 1)

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

BYLAW 2020-11

NAMING NEW
MUNICIPAL BULDINGS
FIRST READING

Recorded Vote

There being no further business, the meeting adjourned at 6:50 p.m.

ADJOURNMENT

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MEMORANDUM

FILE #: Z-05-2020

TO: Mayor and Council
FROM: Administration
DATE: May 11, 2020
SUBJECT: Public Hearing for Zoning Amendment Bylaw 2020-15

Please be advised there will be a Public Hearing at the Regular Council Meeting of May 11, 2020, to hear from interested parties related to the following zoning amendment:

Bylaw 2020-15, a bylaw to amend the zoning of a portion of Lot 29 in the Mt Sima Industrial Subdivision to allow for several lot expansions.

In 2017, the owners of a property on Mt Sima Road inquired about purchasing a portion of City-owned Lot 29, Plan 2002-061 LTO to allow for an expansion of their industrial lot. This application did not proceed to Council for various reasons. Administration subsequently reviewed the area in question and determined a 2.27 ha portion of Lot 29 was suitable for facilitating several lot expansions.

This amendment was reviewed by the Development Review Committee (DRC) in June 2019 and was brought forward to Council in September 2019. Due to concerns with impacts to the adjacent trail and uncertain status of the Commercial/Industrial Land Demand Study, Council referred this amendment back to Administration for further review.

Administration has received further interest from property owners wishing to expand their lots and a final draft of the Commercial/Industrial Land Study has now been submitted to the City for review. Administration is now bringing back a reduced subject area (from 2.27 ha to 1.02 ha) for rezoning consideration.

Bylaw 2020-15 received 1st Reading on April 14, 2020. Notices were published in the newspapers on April 17 and 24, 2020. A total of 44 letters were sent to property owners within 100 m of that subject property. The Yukon Government Lands Department, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council were also notified.

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 City Planning Committee

Date	May 4, 2020	2020-12
Location	Council Chambers, City Hall	
Committee Members Present	Mayor Dan Curtis Councillor Jan Stick – Chair – Electronic Participation Councillor Samson Hartland – Vice Chair – Electronic Participation Councillor Dan Boyd – Electronic Participation Deputy Mayor Laura Cabott – Electronic Participation Councillor Jocelyn Curteanu – Electronic Participation Councillor Stephen Roddick – Electronic Participation	
Staff Present	Linda Rapp, City Manager – Electronic Participation 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 Hannah McDonald, Planner 2	

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

1. Zoning Amendment – 604 Black Street

The owner of the property at 604 Black Street has applied for a zoning amendment to reduce the side and rear yard setbacks to allow the construction of a suite above an existing garage. The Residential Downtown zone allows for a maximum of four dwelling units per lot. The existing single family home on the property has been converted into a multiple housing development with three units. The suite above the garage would be the fourth unit on the property.

The existing garage currently meets the accessory structure setback requirements for the zone. However, once a dwelling is added as a second storey, the garage transitions from an accessory structure to a principal use structure. This means that the new dwelling construction would have to respect the principal use setbacks of the zone.

Based on minimum lot sizes and other development regulations such as setback requirements, it has proven difficult for downtown residential property owners to maximize their allowable density unless they are willing to completely redevelop the property by demolishing all existing structures.

Many property owners in urban single-family residential areas have looked into converting existing accessory structures into garden suites and have found similar issues around setbacks. These property owners built their accessory structures close to lot lines because the Zoning Bylaw allowed it, but this is now preventing them from adapting these structures into garden suites. If this zoning amendment is approved, Council could also direct Administration to examine broader changes that would allow more property owners to convert accessory structures into garden suites.

The recommendation of the City Planning Committee is

THAT Bylaw 2020-21, a bylaw to amend the zoning at 604 Black Street to reduce the side and rear yard setbacks in order to allow for the development of a suite above an existing garage, be brought forward for consideration under the bylaw process.



Minutes of the meeting of the City Operations Committee

Date	May 4, 2020	2020-12
Location	Council Chambers, City Hall	
Committee Members Present	Mayor Dan Curtis Councillor Samson Hartland – Chair – Electronic Participation Deputy Mayor Laura Cabott – Vice-Chair – Electronic Participation Councillor Dan Boyd – Electronic Participation Councillor Jocelyn Curteanu – Electronic Participation Councillor Stephen Roddick – Electronic Participation Councillor Jan Stick – Electronic Participation	
Staff Present	Linda Rapp, City Manager – Electronic Participation Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services	

Your Worship, there is no report from the City Operations Committee.



Minutes of the meeting of the Community Services Committee

Date	May 4, 2020	2020-12
Location	Council Chambers, City Hall	
Committee Members Present	Mayor Dan Curtis Councillor Jocelyn Curteanu – Chair – Electronic Participation Councillor Dan Boyd – Vice-Chair – Electronic Participation Deputy Mayor Laura Cabott – Electronic Participation Councillor Samson Hartland – Electronic Participation Councillor Stephen Roddick – Electronic Participation Councillor Jan Stick – Electronic Participation	
Staff Present	Linda Rapp, City Manager – Electronic Participation Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services	

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

1. Proclamation – For Information Only

Mayor Curtis proclaimed May 4 to 8, 2020 to be ***Virtual Yukon Mining and Geology Week*** in the City of Whitehorse.



Minutes of the meeting of the Public Health and Safety Committee

Date	May 4, 2020	2020-12
Location	Council Chambers, City Hall	
Committee Members Present	Mayor Dan Curtis Councillor Stephen Roddick – Chair – Electronic Participation Councillor Jan Stick – Vice Chair – Electronic Participation Councillor Dan Boyd – Electronic Participation Deputy Mayor Laura Cabott – Electronic Participation Councillor Jocelyn Curteanu – Electronic Participation Councillor Samson Hartland – Electronic Participation	
Staff Present	Linda Rapp, City Manager – Electronic Participation Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services	

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

1. Update on City Response to COVID-19 – For Information Only

In response to a question raised about members of council returning to council chambers for meetings, administration advised that plans are currently being developed to allow for a return to normal practices. In the short term, it is anticipated that a limited return will be set up on a rotational basis so that social distancing can be maintained. Once the preliminary plans are approved, Council members will be advised of the rotation.



Minutes of the meeting of the Development Services Committee

Date	May 4, 2020	2020-12
Location	Council Chambers, City Hall	
Committee Members Present	Mayor Dan Curtis Councillor Dan Boyd – Chair – Electronic Participation Councillor Jocelyn Curteanu – Vice Chair – Electronic Participation Deputy Mayor Laura Cabott – Electronic Participation Councillor Samson Hartland – Electronic Participation Councillor Stephen Roddick – Electronic Participation Councillor Jan Stick – Electronic Participation	
Staff Present	Linda Rapp, City Manager – Electronic Participation Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services	

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

1. Request for Relief – Business License Fees – For Information Only

In a letter to Mayor and Council dated April 24th, 2020, Gregory Bryce of the Four Seasons Bed and Breakfast at 18 Tagish Road in Riverdale asked council to suspend the requirement for a paid business license for any business that is not operating as a result of the Coronavirus. He also requested that a license be issued without penalty effective on the date that such a business resumes operations.

Mr. Bryce also asked the City to review several other matters related to business licences, and asked if the City devotes any time and effort to regulating licensed businesses after the initial license is issued.

A Committee member recommended that Mr. Bryce also look into federal programs to see what assistance is available to his business at the federal level.



Minutes of the meeting of the Corporate Services Committee

Date	May 4, 2020	2020-12
Location	Council Chambers, City Hall	
Committee Members Present	Mayor Dan Curtis Deputy Mayor Laura Cabott – Chair – Electronic Participation Councillor Stephen Roddick – Vice-Chair – Electronic Participation Councillor Dan Boyd – Electronic Participation Councillor Jocelyn Curteanu – Electronic Participation Councillor Samson Hartland – Electronic Participation Councillor Jan Stick – Electronic Participation	
Staff Present	Linda Rapp, City Manager – Electronic Participation Jeff O’Farrell, Director of Community and Recreation Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services	

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

1. Council’s 2020 Strategic Priorities

Whitehorse City Council meets annually to evaluate the previous year’s performance and confirm its strategic priorities. This year Mayor and Council, along with senior management, met in a facilitated session with a consultant.

Council reviewed successes and areas for improvement from 2019 and confirmed its collective priorities for 2020. Senior management also shared divisional initiatives planned for early 2020. This information was being prepared for release to the public when the COVID-19 reality hit the Yukon. At that time immediate priorities were shifted to a public health emergency response.

Council’s strategic priorities remain a focus for Council and it is important to share these priorities with the public. It is important that the public be aware that some projects and timelines may need to be adjusted due to the City’s response requirements to the COVID-19 pandemic.

The recommendation of the Corporate Services Committee is

THAT the Whitehorse City Council 2020 strategic priorities be confirmed; and
THAT the public release of Whitehorse City Council Strategic Priorities 2020 be authorized.

2. Public Engagement – For Information Only

A Committee member commended administration on the changes made to accommodate the necessary restrictions due to the Coronavirus, but noted that it is essential to hear from citizens. Administration advised that many video and voice conferencing options may exist that will allow greater access to citizens. However, staff time and resources are needed to explore the options and find ones that will work in our existing environment. This work has not been designated as an immediate priority.

In the meantime, the temporary procedures adopted by Council appear to be working well and administration has received no negative feedback from the public. Plans are being developed to facilitate public input on projects such as the Trail Plan and the Transportation Master Plan, and the Town Hall meetings that normally happen in the spring will be re-scheduled to the fall.

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CITY OF WHITEHORSE
BYLAW 2020-21

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 an additional housing unit in an existing structure at 604 Black Street in the Downtown area;

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

1. Section 9.11.7 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 9.11.7 b) as follows:
 "9.11.7 b) Lot 2, Block 131, located at 604 Black Street, is designated RDx(b) with the special modification being that the minimum south-west side yard setback is 1.2 m and the minimum rear yard setback is 2.0 m."
2. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of Lot 2, Plan 131, located at 604 Black Street, from RD–Residential Downtown to RDx(b)–Residential Downtown 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:

PUBLIC NOTICE:

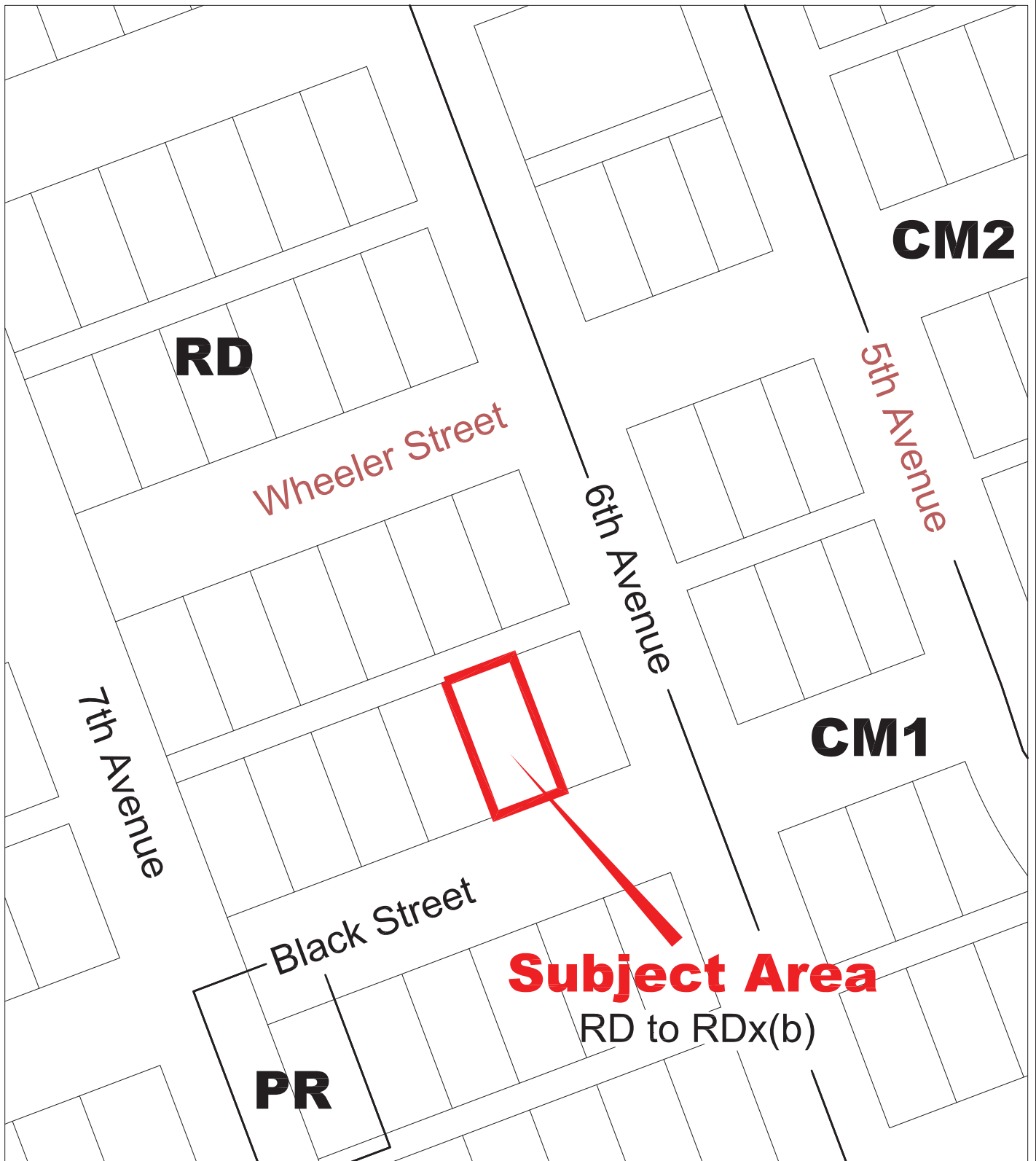
PUBLIC HEARING:

SECOND READING:

THIRD READING and ADOPTION:

Mayor


Assistant City Clerk



BYLAW 2020-21

A bylaw to amend the zoning of Lot 2, Block 131 (604 Black Street) to reduce one side yard setback to 1.2 m and the rear yard setback to 2.0 m to allow for an additional dwelling unit.

LEGEND

 SUBJECT AREA