

CITY OF WHITEHORSE
REGULAR Council Meeting #2020-25

DATE: December 7, 2020
TIME: 5:30 p.m.

Mayor Dan Curtis
Deputy Mayor Dan Boyd
Reserve Deputy Mayor Jocelyn Curteanu

AGENDA

CALL TO ORDER 5:30 p.m.

AGENDA Adoption

PROCLAMATIONS

MINUTES Regular Council Meeting #2020-24 dated November 23, 2020

DELEGATE SUBMISSIONS Active Trails Whitehorse Association

PUBLIC HEARING Bylaw 2020-34 Zoning Amendment (1308 Centennial Street)

STANDING COMMITTEE REPORTS

Corporate Services Committee – *Councillors Roddick and Curteanu*

Public Input Report – Capital Budget (2021-2024)

Third Quarter Capital Variance Report

Third Quarter Operating Variance Report – For Information Only

City Manager Bylaw Amendment

Disposal of Assets Policy and Amend Land Disposition Policy

Asset Management Policy

Budget Amendment & Contract Award – Marwell Lift Station Pump Replacement

City Planning Committee – *Councillors Hartland and Cabott*

Public Hearing Report – OCP Amendment (Whistle Bend Future Area C)

City Operations Committee – *Councillors Cabott and Hartland*

Lease Agreement – Office Space Alternative

Contract Award – Waste and Cardboard Removal Services

Community Services Committee – *Councillors Boyd and Stick*

New Trail Plan

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

Contract Award – Fire Services Review

Emergency Management Plan

Development Services Committee – *Councillors Curteanu and Roddick*

NEW AND UNFINISHED BUSINESS

Council Donation – Whitehorse Firefighters Charitable Society

BYLAWS

2020-10	OCP Amendment (Tank Farm Phase 1)	3 rd Reading
2020-36	Capital Budget (2021 to 2024)	2 nd & 3 rd Reading
2020-31	OCP Amendment – Whistle Bend Future Area C	2 nd Reading
2020-37	City Manager Bylaw Amendment	1 st & 2 nd Reading
2020-14	Lease Agreement – Office Space Alternative	1 st Reading

ADJOURNMENT

MINUTES of **REGULAR** Meeting #2020-24 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, November 23, 2020, in Council Chambers, City Hall.

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

ALSO PRESENT: Acting City Manager Mike Gau
Director of Community and Recreation Services Jeff O’Farrell
Director of Corporate Services Valerie Braga
Director of Development Services Mike Gau
Acting Director of Human Resources Lindsay Schneider
Director of Infrastructure and Operations Peter O’Blenes
Manager of Legislative Services Catherine Constable

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

CALL TO ORDER

2020-24-01

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

AGENDA

Carried Unanimously

Mayor Curtis proclaimed November 25th to December 10th to be the **16 Days of Activism Against Gender-based Violence Campaign** in the City of Whitehorse.

PROCLAMATIONS

2020-24-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated November 09, 2020 be adopted as presented.

MINUTES

November 09, 2020

Carried Unanimously

DELEGATE SUBMISSIONS

Keith Lay provided a submission on the proposed Capital Budget that asked for additional details with respect to a number of proposed projects. He also suggested that the budget should allocate funding for the completion of some of the initiatives outlined in the Chadburn Lake Management Plan and for the development of the next regional park management plan.

KEITH LAY – Capital
Budget Submission

PUBLIC HEARING

Mayor Curtis advised that public hearing was scheduled at this meeting to hear any submissions with respect to Bylaw 2020-31, a bylaw to amend the Official Community Plan to allow for the development of the area known as Whistle Bend Future Area C.

Since the meeting was not open to in-person public participation, Council relied on written submissions with respect to this bylaw. The public was advised how they could comment on the bylaw through public announcements, notice on the City's website, and on signs posted at each site, as well as by notices on social media.

BYLAW 2020-31
OCP AMENDMENT
Whistle Bend
Future Area C

Nine written submissions were received: three were opposed, five raised concerns, and one submission had general comments on the issue.

Mayor Curtis declared the public hearing for Bylaw 2020-31 closed and advised that no further submissions would be considered by council except the report provided by administration.

PUBLIC HEARING
CLOSED

PUBLIC INPUT SESSION

Mayor Curtis advised that public input was scheduled at this meeting to hear any submissions with respect to Bylaw 2020-36, a bylaw to adopt a capital expenditure program for 2021 to 2024.

Since the meeting was not open to in-person public participation, Council relied on written submissions with respect to this bylaw. The public was advised how they could comment on the bylaw through public announcements, notice on the City's website, and on signs posted at each site, as well as by notices on social media.

BYLAW 2020-36
CAPITAL BUDGET
2021 to 2024 Capital
Expenditure Program

Six written submissions were received with respect to various aspects of the proposed capital budget.

Mayor Curtis declared the public input session for Bylaw 2020-36 closed and advised that a report on the input received would be presented at the next Standing Committee meeting.

PUBLIC INPUT
SESSION CLOSED

COMMITTEE REPORTS

Corporate Services Committee

The Operations Building is the first and largest component of the City's Building Consolidation Project. In 2017 council passed a bylaw authorizing the borrowing of funds for the Operations Building.

BORROWING OF FUNDS
For Information Only

Bylaw 2017-35 authorized borrowing in an amount not to exceed 18.8 million dollars over a 20-year amortization period at a rate not to exceed 2.653%.

The City is now ready to enter into a borrowing agreement to finance a portion of the construction costs. Based on updated cost projections, reserves levels, and borrowing costs, administration has updated the preliminary financing plan for the Building Consolidation Project.

The revised budget of 54.6 million dollars for the Operations Building component will be funded via three means, Gas Tax, reserves funding and borrowing. The City will have the ability to pay off the loan at any time.

A committee member expressed concerns over borrowing when the City has strong reserves.

BORROWING OF FUNDS
For Information Only
(Continued)

2020-24-03

It was duly moved and seconded
THAT the 2020 to 2023 Capital Expenditure Plan be amended by increasing the 2020 budget for project number 320c00910 in the amount of \$200,000, funded by Gas Tax to cover the additional costs; and

THAT the 2021 and 2022 Provisional Operating Budgets be decreased by \$42,500 and \$85,000 respectively, to reflect the anticipated energy savings; and

THAT Council authorize Administration to award the contract for the 2020 CGC Waste Heat Recovery Upgrade to Budget Plumbing & Heating Inc. for a net cost to the City of \$494,333.00 plus GST.

Carried Unanimously

BUGDET AMENDMENT
AND CONTRACT AWARD
Waste Heat Recovery
Upgrades – Canada
Games Centre

A committee member raised the issue of tax rate classifications for different land designations and requested that this be discussed in the forthcoming operating budget process.

TAX CLASSIFICATIONS
For Information Only

City Planning Committee

There was no report from the City Planning Committee.

No Report

City Operations Committee

2020-23-04

It was duly moved and seconded THAT administration be authorized to set the weighting for local content at ten points in the request for proposals for design and construction administration services for the renovation of the Transit Building located at 139 Tlingit Street.

LOCAL CONTENT
WEIGHTING
Transit Building Renovation
Request for Proposals

Carried Unanimously

A council member asked for a report from administration between the design phase and the tendering of the construction contract that provides details on the biomass unit that will be installed as part of this renovation project.

Discussion

In response to a question raised regarding snow clearing for bike paths, administration advised that city practices are outlined in the Trail Maintenance Policy and the Snow and Ice Control Policy.

SNOW CLEARING FOR
BIKE PATHS
For Information Only

Community Services Committee

There was no report from the Community Services Committee.

No Report

Public Health and Safety Committee

2020-23-05

It was duly moved and seconded THAT proposed Action #8 in the City of Whitehorse Wildfire Risk Reduction Strategy and Action Plan 2021-2024 be adopted as presented; and

WILDFIRE RISK
REDUCTION STRATEGY
AND ACTION PLAN

THAT the remainder of the City of Whitehorse Wildfire Risk Reduction Strategy and Action Plan 2021-2024 be adopted as a guiding document.

In response to questions raised, administration confirmed that it is not typical to break out a portion of the strategy in this manner, but research has indicated that other administrations do this.

Proceeding in this manner is proposed to give administration a mandate to talk to other governments regarding land and fuel management as a beginning point for future actions. Action #8 is pulled out to create a new program for the City that will lead to an agreement that sorts out the responsibilities of all partners.

Discussion

Mayor Curtis suggested that Councillor Cabott may be in a conflict of interest situation on this issue due to her involvement with the Yukon Environmental and Socio-economic Assessment Board. Discussion

A Council member stated that this is not the correct time and place to speak to the conflict issue, and Councillor Cabott elected not to respond to the mayor’s statement. Point of Order

A Council member apologized for using the word weak with respect to the course of action proposed at the Standing Committee meeting. It was explained that the intent was to focus on attempts to make the recommendations stronger. The member also suggested that timelines should be included as well as requirements for reporting back to council. Discussion

2020-23-06

It was duly moved and seconded THAT the motion be amended to add a third clause that reads, “THAT administration report back to Council within three months with an update on actions including timelines where possible.” Amendment

Carried Unanimously

The main motion as amended was then voted on. Carried Unanimously Vote on Main Motion

In response to a question raised, administration confirmed that the use of face masks would be mandatory at the Canada Games Centre and Takhini Area. The decision was made after the Chief Medical Officer of Health required the mandatory use of face masks at all schools in response to the increasing spread of the COVID-19 virus. FACE MASKS REQUIRED IN CITY PUBLIC SPACES For Information Only

A Committee member noted that the discussion on mandatory face masks began with a query regarding how we can get delegations back into council chambers. Administration confirmed that various options are being considered for allowing council to interact with delegations. Discussion

A committee member noted that a bill banning conversion therapy has been passed by the Government of Yukon, and commended those who advocated for it. CONVERSION THERAPY For Information Only

Development Services Committee

2020-23-07

It was duly moved and seconded
THAT the allocation of Environmental Grants in the amount of
\$5,946.96 be approved.

<u>Grant Recipient</u>	<u>Grant Amount</u>	
l;aurore boreale		
French Language Articles	\$3,500.00	ENVIRONMENTAL GRANT ALLOCATIONS
Morrison Hershfield		
Covered bike parking	\$1,000.00	
Selkirk Elementary School Council		
Safe Dark Commuting Project	<u>\$1,446.96</u>	
Total Grant Allocations	\$5,946.96	
	Carried Unanimously	

BYLAWS

2020-23-08

It was duly moved and seconded
THAT Bylaw 2020-35, a bylaw to authorize an agreement for the lease
of accommodation space for the City of Whitehorse, having been read
a first and second time, now be given third reading.

Carried Unanimously

There being no further business, the meeting adjourned at 6:34 p.m.

ADJOURNMENT

Mayor

Assistant City Clerk

ADOPTED by resolution at Meeting #2020-

MEMORANDUM

FILE #: Z-12-2020

TO: Mayor and Council

FROM: Administration

DATE: December 7, 2020

SUBJECT: Public Hearing at Regular Council Meeting December 7, 2020

Please be advised there will be a Public Hearing at the Regular Council Meeting of December 7, 2020, to hear from interested parties related to the following Zoning Bylaw amendment:

Bylaw 2020-34, a bylaw to amend the zoning at 1308 Centennial Street in the Porter Creek neighbourhood to allow for the development of an eight-unit multiple residential complex.

The City has received an application to amend the zoning of 1308 Centennial Street. The owner intends to construct a multi-family development on the subject lot. The current zoning is RS-Residential Single Detached, which does not permit multiple family housing, so an amendment to the zoning is required. The proposed zoning for the lot is RM-Residential Multiple Family (modified) which is intended for higher density multiple housing.

The adjoining lot at 1306 Centennial Street was rezoned in 2019 to Residential Multiple Housing (modified) to allow for an apartment complex with special modifications restricting the height to 13 m and maximum density to 9 units. Bylaw 2020-34 may place similar restrictions on this parcel as well.

The OCP designation for the subject lot supports the proposed zoning amendment. This application was reviewed by the Development Review Committee (DRC) on October 07, 2020 and no substantial issues were raised. Bylaw 2020-34 received First Reading on November 09, 2020. Notices were published in the newspapers on November 13 and November 20, 2020. A total of 33 letters were sent to property owners within 100 m of the parcel as stipulated in the Zoning Bylaw. Yukon Government Land Client Services, Kwanlin Dün First Nation, Ta'an Kwäch'än Council, and the Porter Creek Community Association were notified by email.

Sidharth Agarwal
Planner II

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



Minutes of the meeting of the Corporate Services Committee

Date	November 30, 2020	2020-25
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Stephen Roddick – Chair Councillor Jocelyn Curteanu – Vice-Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Laura Cabott Councillor Samson Hartland Councillor Jan Stick	
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 Lindsay Schneider, Acting Director of Human Resources Peter O’Blenes, Director of Infrastructure and Operations Catherine Constable, Manager of Legislative Services Brittany Dixon, Acting Manager of Financial Services	

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

1. Public Input Report – 2021 to 2024 Capital Expenditure Program

At the public input session for Capital Budget Bylaw 2020-36, six delegate submissions were received on various aspects of the budget.

Two submissions questioned the City’s plans to reduce Green House Gas emissions and reduce toxic particulate matter in the air. They also asked about capital projects to reflect the declaration of a climate emergency. The City has developed a set of climate change capital ranking criteria that awards priority points to projects that promote the reduction of corporate and community emissions as well as projects that are required as a result of climate change. These criteria encourage administration to consider a project’s impact on climate change mitigation and adaptation, and allows the City to begin monitoring progress on expected results.

The City was encouraged to increase the budget allocation for waste carts to allow for the purchase of bear-resistant bins. The submission also asked Council to allocate a

portion of the budget for waste carts to a pilot program for bear-resistant bin testing, and encouraged the inclusion of bear-resistant infrastructure in the building project for the Robert Service Campground. The City is collaborating with WildWise Yukon and the Government of Yukon to purchase automated bear-resistant carts through an existing capital program. The effectiveness of the carts will be monitored and data will be gathered to inform future decisions. A pilot project is planned for 2022. Design is under way for the new campground building and amenities to provide a bear-safe building will be assessed. The City will also continue to educate the public on bear aware best practices.

The City was encouraged to advance priority projects for the bicycle network plan and to include cyclists in conceptual and detailed plans for infrastructure projects. Several projects for the Bicycle Network Plan are included in 2021 with additional projects scheduled for 2022. A Committee member asked that the comments about snow clearing be captured in the review of the Snow and Ice Control Policy.

Council was encouraged to include a project for the implementation of the first five initiatives identified in the Chadburn Lake Park Management Plan, and to add a project for the development of the next regional park management plan. Implementation of the Chadburn Lake Park Management Plan was delayed in 2020 due to departmental capacity. Administration anticipates bringing this project forward into 2021 through the re-budget process. Due to staff capacity, administration is not recommending the development of the next regional park management plan at this time. The issue will be re-examined project for future budget cycles.

Additional suggestions and comments were received with respect to a number of issues, including support for projects such as the Range Point playgrounds and the website redesign project. The complete submissions have been forwarded to the various departments for consideration.

The recommendation of the Corporate Services Committee is

THAT Bylaw 2020-36, a bylaw to adopt the 2021 to 2024 Capital Expenditure Program, be brought forward for second and third reading under the bylaw process.

2. Third Quarter Capital Variance Report

As part of the City's third quarter variance reporting there is a requirement for managers to review their planned capital spending. Managers were also asked to identify projects that have been significantly impacted by the Covid-19 pandemic.

Most projects are proceeding as planned and a few have been successfully completed under budget. Other projects are either expected to carry forward into 2021 through the capital re-budget process or will be cancelled as they have been re-scoped and resubmitted as part of the next capital budget.

A budget amendment is required in order to reduce the 2020 capital budget by \$117,420 with most of the funds returning to reserves.

A Committee member suggested that future budgets combine the two appendices with items that are currently listed in Appendix B marked as “subject to approved funding”. It was suggested that this would make budget presentations easier for the public to understand and eliminate the large increase in total budget that happens when Appendix B projects are added to the overall budget total as the funding becomes available.

The recommendation of the Corporate Services Committee is

THAT amendments totalling \$117,420 be authorized to reduce the 2020 to 2023 Capital Expenditure Program.

3. Third Quarter Operating Variance Report – For Information Only

The 2020 third quarter operating variance projection shows that total revenues are expected to be under budget by \$2,359,868 and expenses will be under budget by \$1,719,767.

A tracking system was implemented to monitor direct costs incurred due to the Covid-19 pandemic. Additional costs to the City in the form of unrealized revenues have been forecasted to the end of the year based on actual losses and the current phase of reopening in the Yukon. Some expense reductions resulted from delaying hiring of seasonal or casual employees and through the cancellation of hosted events.

Operating projections to December 31, 2020 as compared to the revised budget indicate an operating deficit of \$640,101.

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

In response to questions raised, administration advised that the deficit could increase by the end of the year due to Covid-19, as this report was prepared at the end of the third quarter, before the second wave began.

4. City Manager Bylaw Amendment

In September 2020 Council adopted a new bylaw setting out the terms and conditions of employment for management and confidential exclusion employees. In accordance with the management portion of this bylaw, a number of changes to the City Manager Bylaw are required, particularly with respect to the modified hours of work.

The recommendation of the Corporate Services Committee is

THAT Bylaw 2020-37, a bylaw to amend the City Manager Bylaw to reflect changes due to the new Management and Confidential Exclusion Bylaw, be brought forward for consideration under the bylaw process.

5. Disposal of Assets Policy and Land Disposition Policy

The new Procurement Policy will take effect on January 1, 2021. The disposal of City assets has been guided by the Purchasing and Sales Policy that will be repealed when the Procurement Policy takes effect. Therefore, a new policy needs to be adopted.

The proposed Disposal of Assets Policy provides guidance regarding internal re-purposing, public sale, and donation of assets no longer useful to the City. A consideration in the drafting has been how tangible assets are accounted for in the City's financial records. Council involvement in the disposal of City premises and in authorizing donations of assets valued at greater than \$10,000 is proposed.

A specific issue that the proposed policy addresses is the disposal of City buildings and associated land. If this policy is adopted, a consequential amendment to the current Land Disposition will be required.

The recommendation of the Corporate Services Committee is

THAT the Disposal of Assets Policy dated November 2020 be adopted as presented;
and

THAT a consequential amendment to the current Land Disposition Policy be adopted as presented.

6. Asset Management Policy

The City of Whitehorse possesses approximately \$454 million worth of assets. The decisions to acquire, maintain, and dispose of City assets require up to date inventories and accurate cost estimates of asset lifecycles. Asset management systems help to better manage existing assets and make sound investment decisions for the future. An asset management policy provides an overarching document for the creation of an asset management system. Council listed the adoption of an asset management policy as one of its strategic priorities for 2020.

The proposed Asset Management Policy establishes Council's support for the development and implementation of the City's Asset Management System, and sets out the principles on which the system will be based and the process for its ongoing development and management.

The Asset Management System developed under the proposed policy will enable the City to better manage the infrastructure that delivers service to the community in a way that considers current and future needs, manages risks and opportunities, and uses resources effectively to achieve the highest return on investment.

The recommendation of the Corporate Services Committee is

THAT the Asset Management Policy dated November 2020 be adopted as presented.

7. Budget Amendment – Marwell Lift Station Pump Replacement

In the fall of 2020 a detailed assessment of the pumps at the Marwell Lift Station found that two were damaged. The backup pump was installed to replace one, and it was determined that the second pump could be refurbished. Purchase of a new backup pump and refurbishment of one pump requires a budget increase of \$200,000.

Smith Cameron Process Solutions has been identified as the sole source supplier for the new pump. It is the only Canadian distributor for the brand of pump that can be installed in the lift station without the need for extensive renovation or replacement of the mounting base within the lift station. The supply time for the new pump is 16-18 weeks. The refurbishment has been authorized by the city manager and the refurbished pump is expected to be returned to the City by the end of December.

The Purchasing and Sales Policy does not make allowances to exempt this type of procurement from the public tendering process. A council resolution is required to waive a public bidding process in this case.

Water and Waste Services is investigating system modifications to reduce the impact of sand and grit on the Marwell lift station and increase the operating life of the pumps. Operational efforts to maximize the effectiveness of the existing sand and grit removal system are under way.

The budget increase is proposed to be funded by Gas Tax. An application has been submitted and a transfer payment agreement is expected. The budget increase will be funded by reserves until the transfer payment agreement is received.

The recommendation of the Corporate Services Committee is

THAT the 2020 to 2023 capital budget be amended by increasing the 2020 Marwell Lift Station Pump Replacement Project, in the amount of \$200,000, funded by the Water and Sewer Reserve; and

THAT administration be authorized to waive the public bidding process for the supply of a new standby waste water pump; and

THAT administration be authorized to award the contract for the purchase of a new standby waste water pump to Smith Cameron Process Solutions for a net cost to the city of \$114,820.00 plus GST.

8. Conflict of Interest – For Information Only

Councillor Cabott advised that, in response to the Mayor's suggestion at the previous meeting that she was in conflict of interest, she is not in a conflict regarding the Wildfire Action Plan as chair of the Yukon Environmental and Socio-economic Assessment Board (YESAB). She explained that she takes her responsibilities seriously and had considered the legalities, including the federal legislation that established the YESAB and the Board's conflict of interest rules.

Councillor Cabott noted that most of the activities proposed in the Wildfire Action Plan don't require a YESAB assessment. The Whitehorse designated office might have to do assessments, but those would be done independently of the YESAB and therefore no potential conflict exists.

Mayor Curtis apologized to Councillor Cabott and stated that he had no excuses for his behaviour the previous week.



Minutes of the meeting of the City Planning Committee

Date	November 30, 2020	2020-25
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 - 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 Mélodie Simard, Manager of Planning and Sustainability Services Myles Dolphin, Manager of Strategic Communications	

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

1. Public Hearing Report – OCP Amendment – Whistle Bend Future Area C

Administration brought forward potential amendments to the Official Community Plan to allow the Whistle Bend Future Area C to proceed to the zoning and subdivision process. At the public hearing a total of nine submissions were received. Three were opposed, five expressed concerns, and one provided general input on the subject.

Almost all submissions were concerned with impacts on recreational trails. The concerns pertain to potential loss of trails, maintaining them in their natural state and providing adequate screening between the trails and the development. While many of the existing trails on the periphery of the proposed Area C either lie within the proposed greenspace setbacks or outside the development area, additional accessible paved trails are being proposed on the northern side of the development. If the OCP is amended, there will be opportunities for more detailed trail planning work through subsequent planning processes.

One submission expressed concern regarding potential impact to 'Jet Power Hill' that is used for tobogganing and other recreational activities. Area C does not include this area and is unlikely to impact recreation activities on the hill. Measures would be considered during detailed design to avoid conflicts between vehicle traffic and recreational users.

Some submissions expressed concern regarding the potential environmental impacts to the creek that runs along the western perimeter of the proposed development, as well as the associated wildlife and vegetation. The Yukon Environmental and Socio-economic Assessment Board reviewed the proposed concept for Area C and recommended that the project be allowed to proceed. The assessment report took potential environmental and socio-economic impacts into account and provided suitable mitigation and monitoring measures. These recommendations will be further reviewed at the neighbourhood construction and subdivision stages.

Some concerns were expressed about the proposed conversion of greenspace and wilderness area to development areas. The proposal strikes a balance between preservation and the need to provide additional opportunities for housing in the city. The preliminary design for Area C preserves existing trail networks and areas of high environmental sensitivity, and creates 15.5 hectares of public greenspace with new accessible trails in an area previously set aside for a private recreation facility.

Additional concerns were raised with respect to noise, traffic, safe bike routes, transit service and the erosion of the neighbourhood concept planned for Whistle Bend.

The Official Community Plan amendment is seeking Council's consideration of whether the proposed development of Area C is appropriate given the surrounding land uses and community needs. If Council decides to approve this amendment, there will be opportunities for more detailed planning work to address specific concerns. The best way to address these concerns is through subsequent zoning amendment, subdivision approval and development agreement with the Government of Yukon.

The recommendation of the City Planning Committee is

THAT Bylaw 2020-31, a bylaw to amend the Official Community Plan to allow for the development of the area known as Whistle Bend Future Area C, be brought forward for second reading under the bylaw process.



Minutes of the meeting of the City Operations Committee

Date	November 30, 2020	2020-25
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Laura Cabott – Chair Councillor Samson Hartland – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Stephen Roddick Councillor Jan Stick	
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 Myles Dolphin, Manager of Strategic Communications	

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

1. Lease Agreement – Office Space

The Building Consolidation Project has progressed to the point where the majority of City employees have relocated from the Municipal Services Building to the Whitehorse Operations Building. Three work units remain in need of new locations to allow the closure of the Municipal Services Building.

In response to a request for proposals issued for leased office space, only one proposal was received. However, an agreement could not be reached with the proponent and the request for proposals was cancelled.

An existing lease with Sport Yukon for offices in the Sport Administration Building was then renewed, and administration began actively approaching landlords who advertised their leases to determine whether they would be interested in a three-year lease.

The location of the proposed lease space is zoned CIM–Mixed Commercial Industrial, where offices are a conditional use. Following first reading of Bylaw 2020-14, a conditional use process will begin with subsequent bylaw readings introduced to coincide with conditional use approval by Council.

The recommendation of the City Operations Committee is

THAT Bylaw 2020-14, a bylaw to authorize a lease agreement for additional office space, be brought forward for consideration under the bylaw process.

2. Contract Award – Waste and Cardboard Removal (Recreation Facilities)

A tender was issued for the supply of waste and cardboard removal services for four of the City's recreational facilities. Only one bid was received in response to the tender issued. An internal review committee agreed that the bidder is familiar with the scope of work and has the knowledge and experience to complete the work successfully. The prices submitted are reasonable and within budget.

The recommendation of the City Operations Committee is

THAT administration be authorized to award the contract for Waste and Cardboard Removal Services for four recreation facilities to PNW Waste Removal for a net cost to the City of \$ \$109,383.25 plus GST.



Minutes of the meeting of the Community Services Committee

Date	November 30, 2020	2020-25
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Dan Boyd – Chair Councillor Jan Stick – Vice-Chair Mayor Dan Curtis Councillor Laura Cabott Councillor Jocelyn Curteanu Councillor Samson Hartland Councillor Stephen Roddick	
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 Myles Dolphin, Manager of Strategic Communications	

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

1. Trail Plan Update

The Trail Plan update was developed through a five-phase process, that included background review and research, engagement, mapping, implementation items, a draft, and final plan review. With a ten year-year horizon, the updated Trail Plan is a long range planning document that identifies strategic priorities and directs the City in future trails-related initiatives, policies, and actions. The project included an extensive government, stakeholder and public engagement process.

The 2020 Trail Plan update provides staff and Council with a point of reference that will help inform future decision-making, set priorities, and identify the resources that are required to manage the growing community’s diverse trail needs. To this end, the Plan identifies and recommends adaptive management strategies, trail improvements and growth opportunities.

Adopting the Trail Plan as a guiding document provides general direction from Council to administration to proceed with budget decisions and work planning that may be required for specific recommendations of the Trail Plan to be implemented.

In response to questions raised, administration confirmed that a top priority will be to identify the bylaws and policies that need to be updated.

The recommendation of the Community Services Committee is

THAT the 2020 Trail Plan be adopted as a guiding document.



Minutes of the meeting of the Public Health and Safety Committee

Date	November 30, 2020	2020-25
Location	Council Chambers, City Hall	
Committee Members Present	Councillor Jan Stick – Chair Councillor Dan Boyd – Vice Chair Mayor Dan Curtis Councillor Laura Cabott Councillor Jocelyn Curteanu Councillor Samson Hartland Councillor Stephen Roddick	
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 Myles Dolphin, Manager of Strategic Communications	

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

1. Proclamation – For Information Only

Mayor Curtis proclaimed December 1, 2020 to be World AIDS Day in the City of Whitehorse.

2. Contract Award – Consulting Services – Fire Services Review

Only one submission was received in response to a request for proposals issued for consulting services to complete a comprehensive Fire Services review. An internal review committee determined that the proposal meets the specified criteria and the proponent has the knowledge and experience to complete the work successfully, and the proposed fee is within budget.

The recommendation of the Public Health and Safety Committee is

THAT administration be authorized to award the consulting services contract for a Fire Services Review to Emergency Management and Training Inc. in the amount of \$76,104.00 plus GST.

3. Emergency Management Plan

The purpose of an Emergency Management Plan is to serve as a foundational document to guide municipal staff in their roles as members of the Emergency Operations Centre. It also provides a framework for planning, response and recovery from an emergency event, or for the provision of essential services. It is intended to be a flexible management tool that can be used and adapted to meet the needs of an emergency or crisis support operation.

A new Emergency Management Plan has been created in alignment with accepted industry best practices. It replaces the previous plan adopted in 1996. Administration recommends that the plan be adopted as a guiding document to provide general direction from Council to administration, with the understanding that it will be reviewed regularly and may require adjustments in response to specific emergency situations.

Mike Gladish provided a delegation submission regarding the proposed Emergency Management Plan on behalf of Citizens for a Firesmart Whitehorse. The submission contended that there is a need to be prepared for the next fire season, and asked if training will begin promptly so that all staff know their roles in an emergency. Mr. Gladish cited three additional plans that relate to emergency preparedness, and noted that none of these documents refer to a specific evacuation plan for Whitehorse residents. They also do not reference what citizens can do if a major fire threatens the City. Mr. Gladish stated that Citizens for a Firesmart Whitehorse are concerned about this lack of information as well as the lack of information available to assist individuals in making their own evacuation plans.

A Committee member requested that a response be prepared to address the concerns raised by Mr. Gladish.

The recommendation of the Public Health and Safety Committee is

THAT the 2020 Emergency Management Plan be adopted as a guiding document.

4. Sidewalk Clearing – For Information Only

A Committee member reminded residents and business owners of the need to keep the sidewalks adjacent to their properties cleared of snow and ice. This is important for public safety and is also a requirement of the Maintenance Bylaw.



Minutes of the meeting of the Development Services Committee

Date	November 30, 2020	2020-25
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 - 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 Development Services Committee.

ADMINISTRATIVE REPORT

TO: Mayor and Council
FROM: Administration
DATE: December 7 th , 2020
RE: Council Donation to Whitehorse Firefighters Charitable Society

ISSUE

Council donation of the use of the Mt. McIntyre facility for the Share the Spirit Yukon Christmas Hamper program

HISTORY

The Whitehorse Firefighters Charitable Society (WFCS) annually hosts a Share the Spirit Yukon Christmas Hamper program. Typically, this includes having volunteers attend “Elf Central” to help wrap gifts for children, an engaging element of the program for both the public and hamper recipients.

Despite the impact of the COVID-19 pandemic, WFCS is receiving enquiries from the public to volunteer for gift wrapping in 2020. The WFCS board has identified a space at Mt. McIntyre Recreational Facility that would enable the activity to continue while observing all necessary safety protocols. It is proposed that the wrapping would occur on December 18th, 4 to 9 pm, in preparation for delivery of the hampers on December 19th, 2020.

ALTERNATIVES

1. Approve the requested donation to WFCS, funded from the council donations account.
2. Do not approve the requested donation.

ANALYSIS

If Council approves this donation, WFCS intends to use the money it will save to purchase gifts for children and families. The hourly rate for rental of the Mt. McIntyre space is \$47.62 (plus GST), therefore the total amount of the requested donation is \$238.10 (plus GST). Sufficient funds are available in the Council donations account.

To address any potential liability risk to the City, Administration proposes that WFCS be asked to provide a safety management plan for the event, that will be subject to prior confirmation by Administration.

RECOMMENDATION (a mover and seconder are required)

THAT, subject to prior City approval of a safety management plan for the proposed use of the Mt. McIntyre space, Council approve a donation to Whitehorse Firefighters Charitable Society in the amount of \$238.10 (plus GST), funded from the council donations account.

CITY OF WHITEHORSE
BYLAW 2020-10

A bylaw to amend the Official Community Plan

WHEREAS section 289 of the *Municipal Act* provides that a municipality shall by bylaw adopt an official community plan in accordance with Part 7, Division 1 of the Act; and

WHEREAS section 285 of the *Municipal Act* provides for amendment of an official community plan; and

WHEREAS it is deemed desirable and expedient that the 2010 Official Community Plan be amended to allow for phase 1 of the redevelopment of the area known as the Tank Farm;

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

1. Official Community Plan Bylaw 2010-10 is hereby amended by deleting existing policies 8.4.4 and 8.4.5.
2. Official Community Plan Bylaw 2010-10 is hereby amended by deleting existing policy 10.7.9 and substituting therefore a new policy 10.7.9 as follows:

“10.7.9 The White Pass Tank Farm near Valleyview is established as a Direct Control District, pursuant to section 291 of the *Municipal Act*. This will allow Council to directly control the use and development of the land and buildings within the area. As part of the development of this site the following development restrictions are applied to Lot 429, Group 804, Plan 26170 LTO, or any future lots subdivided from Lot 429:

- a) Granular material may be relocated from one area of the site to another, but no material may be removed from the site, unless authorized through a future amendment to the Zoning Bylaw and/or a Development Agreement;
- b) No processing of material, such as washing or crushing, shall be undertaken on-site, unless authorized through a future amendment to the Zoning Bylaw and a Development Agreement; and
- c) Detailed plans for material management and/or relocation of material within the Tank Farm property shall be authorized through a future amendment to the Zoning Bylaw and a Development Agreement.”

OCP Amending Bylaw 2020-10

3. Map 2 of Official Community Plan Bylaw 2010-01 is hereby amended by changing the designation of a portion of Lot 429, Group 804, Plan 26170 LTO, known as the Tank Farm Phase 1, from Residential–Urban to Mixed-Use–Industrial/Commercial, as indicated on the sketch attached hereto as Appendix “A” and forming part of this bylaw.
4. This bylaw shall come into force and effect upon the final passing thereof.

FIRST READING: March 30, 2020
PUBLIC NOTICE: April 3 and April 10, 2020
PUBLIC HEARING: April 27, 2020
AMENDMENT: July 13, 2020
SECOND PUBLIC NOTICE: July 17 and 24, 2020
SECOND PUBLIC HEARING: August 10, 2020
SECOND READING: September 14, 2020
EXECUTIVE COUNCIL MEMBER APPROVAL: December 3, 2020
THIRD READING and ADOPTION:

Mayor

Assistant City Clerk



December 3, 2020

Mayor Dan Curtis
City of Whitehorse
2121 2nd Avenue
Whitehorse, YT Y1A 1C2

Dear Mayor Curtis:

RE: Submission of Amendment to Official Community Plan for Approval

Thank you for submitting Bylaw # 2020-010, a bylaw to amend Whitehorse's Official Community Plan, for my approval.

I am pleased to advise that there were no significant concerns raised in our inter-departmental review of the bylaw. As such, I am pleased to issue approval of the bylaw pursuant to s. 282 of the *Municipal Act*. Please note that approval to proceed to third reading with this bylaw is not an expression of Yukon Government's approval of, or commitment to, any development noted within the Official Community Plan.

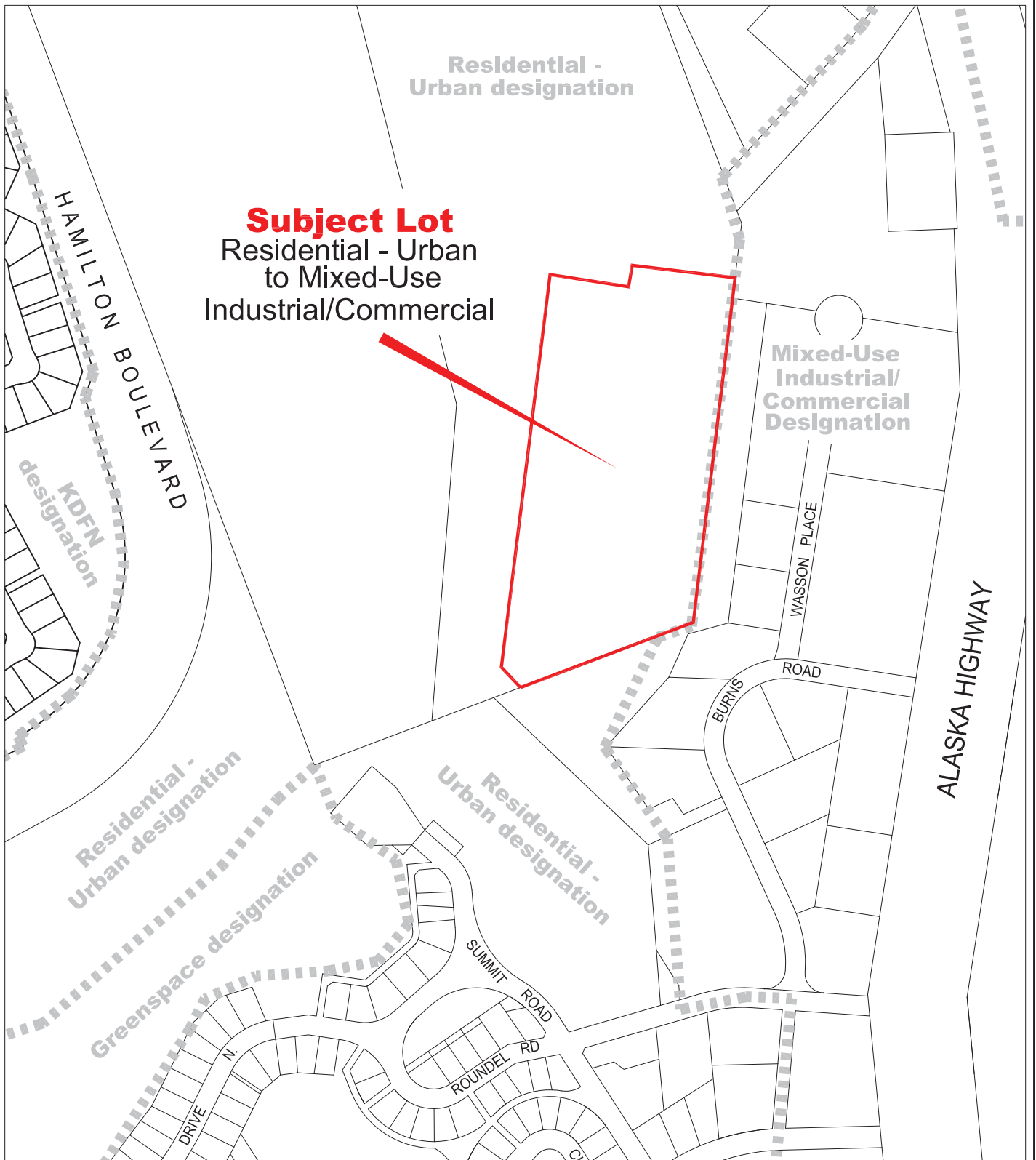
Please retain this letter as part of the bylaw documentation. It is the official record of my approval as required by legislation.

Again, thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Streicker".


John Streicker
Minister of Community Services



BYLAW 2020-10

A bylaw to change the OCP designation of a portion of Lot Lot 429, Group 804, Plan 26170 LTO (Tank Farm) from Residential - Urban to Mixed-Use - Industrial/Commercial.

LEGEND

 SUBJECT AREA

CITY OF WHITEHORSE

BYLAW 2020-36

A bylaw to adopt a capital expenditure program for the years 2021 to 2024

WHEREAS section 238 of the *Municipal Act* (R.S.Y. 2002) provides that council shall by bylaw cause a multi-year capital expenditure program to be prepared and adopted; and;

WHEREAS section 239 of the *Municipal Act* provides that council may by bylaw establish a procedure to authorize and verify expenditures that vary from the capital expenditure program;

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

1. The 2021 to 2024 capital expenditure program attached hereto as Appendix "A" and forming part of this bylaw is hereby adopted.
2. No expenditure may be made that is not provided for in the 2021 to 2024 capital expenditure program unless such expenditure is approved as follows:
 - (1) By resolution of council to a maximum expenditure of \$500,000.00; or
 - (2) By bylaw for expenditures in excess of \$500,000.00.
3. Expenditures authorized in accordance with sections 2(1) and 2(2) of this bylaw that result in an increase in total expenditures above what was approved in the capital expenditure program may be subsequently approved through an umbrella bylaw at year end.
4. The Director of Corporate Services is hereby authorized to re-allocate funds between approved capital projects to a maximum expenditure of \$100,000.00.
5. A list of potential capital projects subject to confirmation of funding is attached hereto as Appendix "B" and forms part of this bylaw.
 - (1) Capital projects listed in Appendix "B" of this bylaw may be added to the approved capital expenditure program upon approval of the specific external funding agreement for such projects, whether such agreements are approved by resolution of council or by the City Manager.

Capital Budget Bylaw 2020-36

6. Capital projects added to the approved capital expenditure program in accordance with section 5(1) of this bylaw may be subsequently approved through an umbrella bylaw at year end.

7. This bylaw shall come into full force and effect on January 1, 2021.

FIRST READING: November 9, 2020

PUBLIC NOTICE: November 9 & 13, 2020

PUBLIC INPUT: November 23, 2020

SECOND READING:

THIRD READING and ADOPTION:

Mayor

Clerk

CITY OF WHITEHORSE
2021-2024 CAPITAL EXPENDITURE PROGRAM
APPENDIX A
APPROVED



	2021	2022	2023	2024	Total
	Capital	Capital	Capital	Capital	All Years
	Budget	Budget	Budget	Budget	
CITY MANAGER					
APPROVED					
100C00120 CORPORATE RE-ORGANIZATION	75,000				75,000
TOTAL APPROVED	75,000				75,000
DIRECTOR, CORPORATE SERVICES					
APPROVED					
120C00115 ASSET MANAGEMENT	380,000	380,000	380,000	380,000	1,520,000
TOTAL APPROVED	380,000	380,000	380,000	380,000	1,520,000
STRATEGIC COMMUNICATIONS					
APPROVED					
201C00121 CITY OF WHITEHORSE WEBSITE REDESIGN PROJECT - PHASE 2	115,000				115,000
TOTAL APPROVED	115,000				115,000
LEGISLATIVE ADMIN					
APPROVED					
220C00116 RECORDS MANAGEMENT	263,000				263,000
220C00121 2021 MUNICIPAL ELECTION PILOT PROJECT	250,000	35,000	35,000	250,000	570,000
TOTAL APPROVED	513,000	35,000	35,000	250,000	833,000
ENGINEERING SERVICES					
APPROVED					
240C00410 ASPHALT SURFACE OVERLAY PROGRAM	3,521,000	2,290,000			5,811,000
240C00618 DOWNTOWN RECONSTRUCTION: STRICKLAND STREET (3RD-ESCAPMENT)				500,000	500,000
240C01118 LIVINGSTONE TRAIL LAGOON INFLUENT CHAMBER REPLACEMENT		2,500,000			2,500,000
240C01120 IMPROVEMENTS TO MAINTENANCE HOLE #35			75,000		75,000
240C01221 THOMPSON ROAD TEMPORARY TRAFFIC CIRCLE AND MEDIAN	50,000				50,000
240C01410 STORM SEWER UPGRADES	55,000				55,000
240C01621 SNOW DUMP MANAGEMENT PLAN	100,000				100,000
240C01821 UTILITY BYLAWS UPDATE	200,000				200,000
TOTAL APPROVED	3,926,000	4,790,000	75,000	500,000	9,291,000
FINANCIAL SERVICES					
APPROVED					
260C00109 OFFICE FURNITURE	75,000	50,000	50,000	50,000	225,000
TOTAL APPROVED	75,000	50,000	50,000	50,000	225,000
HUMAN RESOURCES & SAFETY SERVICES					
APPROVED					
280C00221 HUMAN RESOURCE MANAGEMENT SYSTEM & EMPLOYEE SATISFACTION SURVEY	90,000				90,000
TOTAL APPROVED	90,000				90,000
BUSINESS & TECHNOLOGY SYSTEMS					
APPROVED					
300C00110 SOFTWARE ACQUISITION	82,100	45,500	35,600	36,400	199,600
300C00111 SOFTWARE LICENSING RENEWALS	576,300	618,500	730,200	673,000	2,598,000
300C00112 SECURITY CAMERAS	38,500	24,300	27,900	44,600	135,300
300C00113 ENTERPRISE RESOURCE PLANNING (ERP) DEVELOPMENT	100,000	40,000	40,000	40,000	220,000
300C00118 RADIO AND LOCATION EQUIPMENT	37,300	38,100	139,000	39,900	254,300
300C00119 TRANSIT REALTIME PASSENGER INFO AND ELECTRONIC PAYMENTS	21,900	21,900	21,900	21,900	87,600
300C00120 COMPUTER INFRASTRUCTURE - NETWORK AND COMM LINKS	390,500	300,900	313,400	612,400	1,617,200
300C00121 FIRE DEPARTMENT RADIO UPGRADES	230,000	135,000	210,000		575,000
300C00219 CANADA GAMES CENTRE PUBLIC INFO DISPLAY UPGRADES		55,000			55,000
300C00220 COMPUTER INFRASTRUCTURE - SERVERS AND STORAGE	88,700	322,400	80,300	163,100	654,500
300C00320 COMPUTER INFRASTRUCTURE - USER DEVICES AND SUPPORT	182,700	115,200	153,700	343,700	795,300
300C00520 MUNICIPAL ELECTION VOTER LIST SYSTEM	40,000				40,000
TOTAL APPROVED	1,788,000	1,716,800	1,752,000	1,975,000	7,231,800
BUILDING & FLEET MAINTENANCE					
APPROVED					
320C00110 ONE TON TRUCK REPLACEMENT	100,000	115,000	105,000	105,000	425,000
320C00111 MAJOR BUS REPAIRS	75,000	80,000	80,000	80,000	315,000
320C00114 PUMP HOUSE BUILDINGS REPAIRS		50,000			50,000
320C00120 ADDITIONAL PICKUP - UTILITY STATIONS LEADHAND	55,000				55,000
320C00221 REPLACEMENT MUNICIPAL USE HEAVY DUTY TRACTOR		200,000			200,000

CITY OF WHITEHORSE
2021-2024 CAPITAL EXPENDITURE PROGRAM
APPENDIX A
APPROVED



	2021	2022	2023	2024	Total
	Capital	Capital	Capital	Capital	All Years
	Budget	Budget	Budget	Budget	
320C00318 BUILDING CONSOLIDATION PLAN - MUNICIPAL SERVICES BUILDING DEMOLITION	500,000	2,000,000			2,500,000
320C00321 ELECTRIC FORKLIFT - OPERATIONS & WATER AND WASTE SERVICES	80,000				80,000
320C00419 CITY HALL LOCAL AREA NETWORK (LAN) ROOM AIR CONDITIONING		25,000			25,000
320C00420 ROBERT SERVICE CAMPGROUND BUILDING	2,905,000				2,905,000
320C00421 ADDITIONAL VAN - OPERATIONS BUILDING MAINTENANCE	75,000				75,000
320C00610 MAJOR EQUIPMENT REPAIRS	100,000	100,000	105,000	110,000	415,000
320C00613 FIVE TON TRUCK REPLACEMENT			200,000		200,000
320C00713 ADDITIONAL RIDE-ON SWEEPER		95,000			95,000
320C00811 FUEL TANK REMOVAL/REPLACEMENT		25,000	25,000		50,000
320C00921 CLASS T MACHINE ROOM UPGRADES	75,000	350,000			425,000
320C01117 BUILDING CONSOLIDATION PLAN - SERVICES BUILDING	16,340,000	2,710,000			19,050,000
320C01209 MOBILE SWEEPER REPLACEMENT	365,000				365,000
320C01311 AQUATIC CENTRE MAINTENANCE	75,000	75,000	75,000	75,000	300,000
320C01317 BCP - OFFICE ALTERNATIVE	197,000	197,000	197,000	197,000	788,000
320C01709 PICKUP TRUCK REPLACEMENT	185,000	135,000	140,000	140,000	600,000
320C02109 VAN REPLACEMENT	74,000	77,500	75,000		226,500
320C02410 SKID STEER LOADER REPLACEMENT		72,500			72,500
320C02809 HEAVY TRUCK REPLACEMENT	310,000				310,000
320C03110 LOADER REPLACEMENT			415,000		415,000
750C01411 FLOORING REPAIRS - FACILITIES	50,000		50,000		100,000
TOTAL APPROVED	21,561,000	6,307,000	1,467,000	707,000	30,042,000
BYLAW SERVICES					
APPROVED					
400C00220 PARKING TECHNOLOGIES OPTIONS ANALYSIS AND RECOMMENDATION		500,000			500,000
TOTAL APPROVED		500,000			500,000
FIRE					
APPROVED					
440C00209 SELF-CONTAINED BREATHING APPARATUS (SCBA) AIR MANAGEMENT REPLACEMENT/UPGR	25,000	50,000			75,000
440C00210 TECHNICAL RESCUE	25,000	25,000	25,000	25,000	100,000
440C00218 EMERGENCY MANAGEMENT PLAN REVIEW	60,000				60,000
440C00309 TURNOUT GEAR REPLACEMENT	46,935	46,935			93,870
440C00414 URBAN INTERFACE STRUCTURAL PROTECTION EQUIPMENT	10,000	10,000			20,000
440C00419 HAZMAT EQUIPMENT PURCHASE	72,000	10,000	10,000	10,000	102,000
TOTAL APPROVED	238,935	141,935	35,000	35,000	450,870
OPERATIONS					
APPROVED					
500C00109 TRAFFIC CONTROLLER CABINET	60,000	75,000	50,000	50,000	235,000
500C00110 SMALL EQUIPMENT REPLACEMENT	55,000	55,000	60,000	50,000	220,000
500C00115 REPLACEMENT UPS BATTERIES	5,000	5,000	5,000	5,000	20,000
500C00116 MAJOR SIDEWALK REPAIRS		50,000		50,000	100,000
500C00121 PERMANENT CROSSWALKS - FRONT AND MAIN STREET	25,000				25,000
500C00409 PARA RAMP INFILLS	30,000	35,000	35,000	35,000	135,000
500C00609 GUIDE RAIL & JERSEY CURB REPLACEMENT	62,000		65,000		127,000
500C00709 UNPAVED ROAD MAINTENANCE		75,000		75,000	150,000
500C01109 WASTE OIL RECLAMATION		350,000			350,000
TOTAL APPROVED	237,000	645,000	215,000	265,000	1,362,000
TRANSIT SERVICES					
APPROVED					
580C00121 TRANSIT DRIVER PROTECTION SYSTEM	150,000				150,000
TOTAL APPROVED	150,000				150,000
ENVIRONMENTAL SUSTAINABILITY					
APPROVED					
600C00221 ENERGY TRACKER SOFTWARE MIGRATION	20,800				20,800
TOTAL APPROVED	20,800				20,800
WATER AND WASTE SERVICES					
APPROVED					
650C00320 EMERGING POLLUTANTS: WASTEWATER TREATMENT	35,000	65,000	250,000		350,000
650C01217 COMMERCIAL WATER METER REPLACEMENTS	30,000	30,000	30,000	30,000	120,000

CITY OF WHITEHORSE
2021-2024 CAPITAL EXPENDITURE PROGRAM
APPENDIX A
APPROVED



	2021	2022	2023	2024	Total
	Capital	Capital	Capital	Capital	All Years
	Budget	Budget	Budget	Budget	
650C01409 HYDRANT INFILL	50,000	50,000	50,000	50,000	200,000
650C02219 RIVERDALE AQUIFER SEWER CAMERA INSPECTIONS	100,000				100,000
TOTAL APPROVED	215,000	145,000	330,000	80,000	770,000
PLANNING SERVICES					
APPROVED					
720C00216 6TH AVE CONTAMINATION REMEDIATION	500,000				500,000
720C00318 ZONING BYLAW REWRITE	25,000				25,000
TOTAL APPROVED	525,000				525,000
PARKS AND TRAILS					
APPROVED					
740C00121 CITY OF WHITEHORSE PUBLIC ART COLLECTION	40,000	40,000			80,000
740C00221 WHISTLE BEND PHASE 3 PLAYGROUND	350,000				350,000
740C00309 PLAYGROUND EQUIPMENT REPLACEMENT	65,000	65,000	65,000	65,000	260,000
740C00409 TRAIL PLAN IMPLEMENTATION	75,000	75,000	75,000	75,000	300,000
740C00609 GREY MOUNTAIN CEMETERY EXPANSION	470,000				470,000
TOTAL APPROVED	1,000,000	180,000	140,000	140,000	1,460,000
RECREATION & FACILITY SERVICES					
APPROVED					
750C00811 WELLNESS CENTRE EQUIPMENT	40,000	40,000	40,000	40,000	160,000
TOTAL APPROVED	40,000	40,000	40,000	40,000	160,000
TOTAL APPROVED - APPENDIX A	\$ 30,949,735	\$ 14,930,735	\$ 4,519,000	\$ 4,422,000	\$ 54,821,470

CITY OF WHITEHORSE
2021-2024 CAPITAL EXPENDITURE PROGRAM
APPENDIX B
APPROVED - SUBJECT TO EXTERNAL FUNDING APPROVAL



	2021	2022	2023	2024	Total
	Capital	Capital	Capital	Capital	All Years
	Budget	Budget	Budget	Budget	
ENGINEERING SERVICES					
APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL					
240C00114 BRIDGE DECK REPAIRS	600,000				600,000
240C00120 SANITARY MAIN REPLACEMENT: RAY STREET	200,000				200,000
240C00121 GALENA WATERMAIN IMPROVEMENTS	1,550,000				1,550,000
240C00209 HILLCREST RECONSTRUCTION	800,000				800,000
240C00217 WATERMAIN IMPROVEMENTS - THIRD & BLACK		30,000	380,000		410,000
240C00219 WELL 6 PUMP REPLACEMENT	300,000				300,000
240C00220 SCHOOL ZONE IMPROVEMENTS	520,000		300,000		820,000
240C00221 ASPHALT PATHS REHABILITATION		100,000		100,000	200,000
240C00309 RURAL ROADS SURFACING	600,000		600,000		1,200,000
240C00311 RANGE ROAD SOUTH LIFT STATION	2,400,000				2,400,000
240C00312 BRIDGE INSPECTIONS		50,000			50,000
240C00320 UTILITY STATIONS AND FORCE MAIN CONDITION ASSESSMENT	380,000				380,000
240C00321 DOWNTOWN RECONSTRUCTION: WOOD & STEELE ST 1ST-2ND AVE		320,000	3,000,000		3,320,000
240C00417 RANGE ROAD AND TWO MILE HILL INTERSECTION UPGRADES		200,000	3,700,000		3,900,000
240C00515 DOWNTOWN RECONSTRUCTION - JARVIS ST EAST (FRONT-2ND)		650,000			650,000
240C00619 TRAFFIC SIGNALS - FOURTH & MAIN STREET	335,000				335,000
240C00620 TRAFFIC SIGNALS - SECOND & MAIN STREET			500,000		500,000
240C00621 MCINTYRE DRIVE TRAFFIC CALMING	200,000	1,600,000			1,800,000
240C00710 STORM SEWER IMPROVEMENT 4TH AND BAXTER	460,000				460,000
240C00720 HAMILTON BOULEVARD & FALCON DRIVE SOUTH ROUNDABOUT	50,000	1,400,000			1,450,000
240C00721 SECOND & FOURTH AVENUE INTERSECTION IMPROVEMENTS				750,000	750,000
240C00816 MACDONALD ROAD INFRASTRUCTURE IMPROVEMENTS				9,000,000	9,000,000
240C00820 HAMILTON BOULEVARD & HERON DRIVE ROUNDABOUT		500,000	5,000,000		5,500,000
240C00821 CHILKOOT WAY ACTIVE TRANSPORTATION IMPROVEMENTS		950,000			950,000
240C00921 RANGE ROAD SOUTH ASPHALT PATH EXTENSION	365,000				365,000
240C01014 DOGWOOD STREET RECONSTRUCTION				3,100,000	3,100,000
240C01016 DOWNTOWN RECONSTRUCTION - ALEXANDER STREET WEST (4TH-ESC)			250,000	8,000,000	8,250,000
240C01021 HOLLY STREET CULVERT REHABILITATION				200,000	200,000
240C01111 RANGE ROAD NORTH RECONSTRUCTION		200,000	4,800,000		5,000,000
240C01116 WATER & SEWER STUDY (CITY WIDE)	500,000				500,000
240C01121 SELKIRK STREET STORM SEWER OUTFALL	1,000,000				1,000,000
240C01219 ASPHALT PATH CROSSING IMPROVEMENTS	120,000				120,000
240C01220 ARKELL STORM SEWER OUTFALL IMPROVEMENTS		150,000			150,000
240C01321 LANEWAY PAVING - BLACK & ALEXANDER - THIRD TO FOURTH AVENUE				140,000	140,000
240C01420 SCHWATKA LAKE WEST SHORE AREA IMPROVEMENTS	650,000				650,000
240C01421 LEWES BOULEVARD BUS LANE	45,000	250,000			295,000
240C01521 WHISTLE BEND TOWN SQUARE CONSTRUCTION		5,800,000			5,800,000
240C01721 GROUNDWATER MONITORING WELL INSTALLATIONS	300,000				300,000
240C02609 SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) PROGRAM		320,000		1,060,000	1,380,000
TOTAL APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL	11,375,000	12,520,000	18,530,000	22,350,000	64,775,000
BUSINESS & TECHNOLOGY SYSTEMS					
APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL					
300C00221 WATER AND WASTE SERVICES COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEM (CMMS)	50,000	250,000			300,000
300C00720 CITY FIBER OPTIC NETWORK EXPANSION		150,000	155,000	108,000	413,000
TOTAL APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL	50,000	400,000	155,000	108,000	713,000
BUILDING & FLEET MAINTENANCE					
APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL					
320C00215 ICE RESURFACER REPLACEMENT	430,500			438,000	868,500
320C00319 TRANSIT BUS MIDLIFE REFURBISHMENTS	165,000	165,000	170,000		500,000
320C00521 TRANSIT & PARKS BUILDING TLINGIT STREET BIOMASS HEATING UPGRADES	75,000	600,000			675,000
320C00621 CANADA GAMES CENTRE VARIABLE SPEED DRIVES AND CONTROLS ENERGY UPGRADE	40,000				40,000
320C00717 CONDENSER/WATER TOWER REPLACEMENT	430,000				430,000
320C00721 FRANK SLIM BUILDING VENTILATION ENERGY UPGRADE	50,000				50,000
320C00821 TAKHINI ARENA AIR SEALING ENERGY UPGRADE	30,000				30,000
320C00910 WASTE HEAT RECOVERY - CGC	325,000				325,000
320C00919 FLEET MANAGEMENT STUDY		50,000	75,000		125,000
320C01016 REPLACEMENT TRANSIT BUSES	1,200,000			1,300,000	2,500,000
320C01019 CANADA GAMES CENTRE UPGRADE			4,500,000		4,500,000
320C01021 CGC COMPRESSOR REPLACEMENT		150,000			150,000
320C01119 MT. MCINTYRE UPGRADE	700,000	8,000,000			8,700,000
320C01121 BUILDING CONSOLIDATION PLAN - WATER & WASTE SERVICES COLD STORAGE WAREHOUSE	1,400,000				1,400,000
320C01219 TAKHINI ARENA UPGRADE	20,000		4,000,000		4,020,000
320C01713 TAKHINI ARENA FURNACES	175,000				175,000
320C02016 HERITAGE BLDG ROOF REPLACEMENT	305,000				305,000
TOTAL APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL	5,345,500	8,965,000	8,745,000	1,738,000	24,793,500
TRANSIT SERVICES					
APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL					
580C00115 TRANSIT SHELTERS & BENCHES	80,000			80,000	160,000
TOTAL APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL	80,000			80,000	160,000
ENVIRONMENTAL SUSTAINABILITY					
APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL					
240C01316 GROUNDWATER PROTECTION PLANNING & IMPLEMENTATION	540,000				540,000
TOTAL APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL	540,000				540,000

CITY OF WHITEHORSE
2021-2024 CAPITAL EXPENDITURE PROGRAM
APPENDIX B
APPROVED - SUBJECT TO EXTERNAL FUNDING APPROVAL



	2021	2022	2023	2024	Total
	Capital	Capital	Capital	Capital	All Years
	Budget	Budget	Budget	Budget	
WATER AND WASTE SERVICES					
APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL					
650C00121 2023-2033 SOLID WASTE MANAGEMENT PLAN	385,000				385,000
650C00221 WASTEWATER LAGOON REPAIRS	200,000				200,000
650C00321 LIVINGSTONE LAGOON DESLUDGING	30,000	900,000			930,000
650C00421 SELKIRK PH SECOND BARRIER TREATMENT	250,000	1,000,000	2,000,000		3,250,000
650C00521 WASTE MANAGEMENT FACILITY MONITORING WELLS REPAIRS	50,000	150,000			200,000
650C00618 POT HOLE LAKE SERVICE UPGRADE	460,000				460,000
650C00721 WASTE MANAGEMENT FACILITY ALTERNATIVE DAILY COVER GRIZZLY PLATES	98,800				98,800
650C00818 WHISTLE BEND LIFT STATION STANDBY PUMP	50,000				50,000
650C00819 TRANSFER STATION UPGRADES	750,000	2,200,000			2,950,000
650C00918 LIVINGSTONE TRAIL ENVIRONMENTAL CONTROL FACILITY SITE UPGRADE	200,000				200,000
650C01118 RESIDENTIAL/COMMERCIAL ORGANICS & WASTE CARTS			95,000		95,000
TOTAL APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL	2,473,800	4,250,000	2,095,000		8,818,800
ECONOMIC DEVELOPMENT					
APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL					
700C00120 ECONOMIC DEVELOPMENT STRATEGY	75,000				75,000
TOTAL APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL	75,000				75,000
PLANNING SERVICES					
APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL					
720C00121 COMMERCIAL & INDUSTRIAL LAND PLANNING AND DESIGN	670,641				670,641
TOTAL APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL	670,641				670,641
PARKS AND TRAILS					
APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL					
740C00120 WHISTLE BEND PHASE 4 AND 6 PLAYGROUND EQUIPMENT	600,000				600,000
740C00516 RANGE POINT PLAYGROUND	150,000				150,000
TOTAL APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL	750,000				750,000
RECREATION & FACILITY SERVICES					
APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL					
750C00121 SKI STADIUM IMPROVEMENTS - STUDY & CONCEPT	20,000				20,000
750C00220 PEDWAY - MT. MCINTYRE & CANADA GAMES CENTRE CONNECTOR		200,000	1,800,000		2,000,000
750C00221 CANADA GAMES CENTRE PARKING LOT UPGRADES	75,000				75,000
750C00320 OUTBUILDING CONSOLIDATION - MT.MCINTYRE RECREATION CENTRE		600,000	4,400,000		5,000,000
TOTAL APPROVED SUBJECT TO EXTERNAL FUNDING APPROVAL	95,000	800,000	6,200,000		7,095,000
TOTAL APPROVED SUBJECT TO EXTERNAL FUNDING - APPENDIX B	\$ 21,454,941	\$ 26,935,000	\$ 35,725,000	\$ 24,276,000	\$ 108,390,941

CITY OF WHITEHORSE

BYLAW 2020-31

A bylaw to amend the Official Community Plan

WHEREAS section 289 of the *Municipal Act* provides that a municipality shall by bylaw adopt an official community plan in accordance with Part 7, Division 1 of the Act; and

WHEREAS section 285 of the *Municipal Act* provides for amendment of an official community plan; and

WHEREAS it is deemed desirable and expedient that the 2010 Official Community Plan be amended to allow for development of a 56.3-hectare area known as Area C as part of the Whistle Bend neighbourhood.

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

1. Map 1 of the Official Community Plan Bylaw 2010-01 is hereby amended by changing the 56.3-hectare area known as Future Area C from Recreation Area and Green 'Connections' Area to Designated Development Area as indicated in Appendix "A" forming part of this bylaw.
2. Map 2 of Official Community Plan Bylaw 2010-01 is hereby amended by changing the designation of a 56.3-hectare area known as Future Area C from Greenspace to Residential-Urban as indicated in Appendix "B" forming part of this bylaw.
3. Map 5 of Official Community Plan Bylaw 2010-01 is hereby amended to extend the area identified as Undeveloped Public Land to include the 56.3-hectare area known as Future Area C as indicated in Appendix "C" forming part of this bylaw.
4. This bylaw shall come into force and effect upon the final passing thereof.

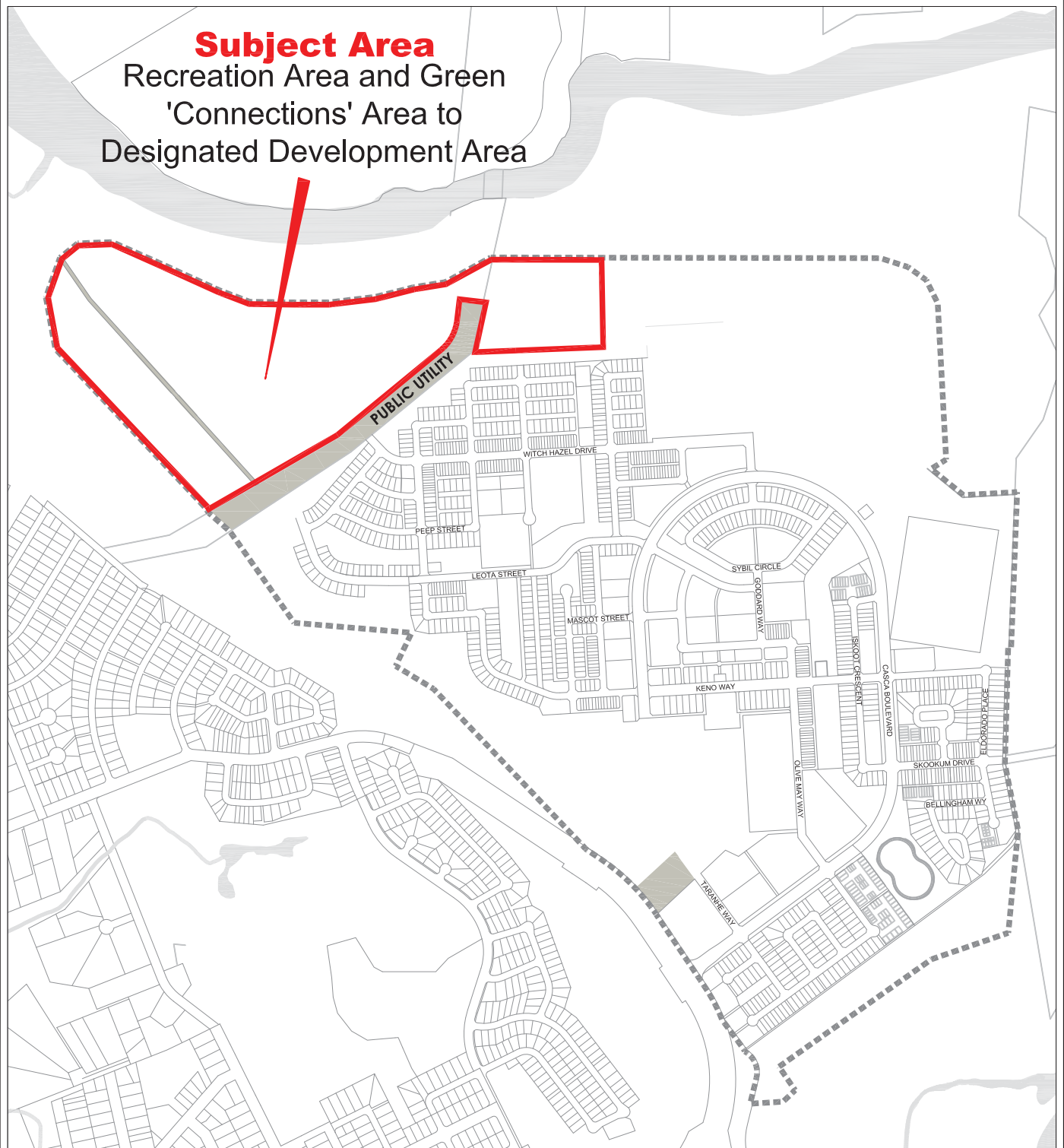
FIRST READING: October 26, 2020
PUBLIC NOTICE: October 30 and November 6, 2020
PUBLIC HEARING: November 23, 2020
SECOND READING:
EXECUTIVE COUNCIL MEMBER APPROVAL:
THIRD READING and ADOPTION:

Mayor

Assistant City Clerk




Subject Area
Recreation Area and Green
'Connections' Area to
Designated Development Area



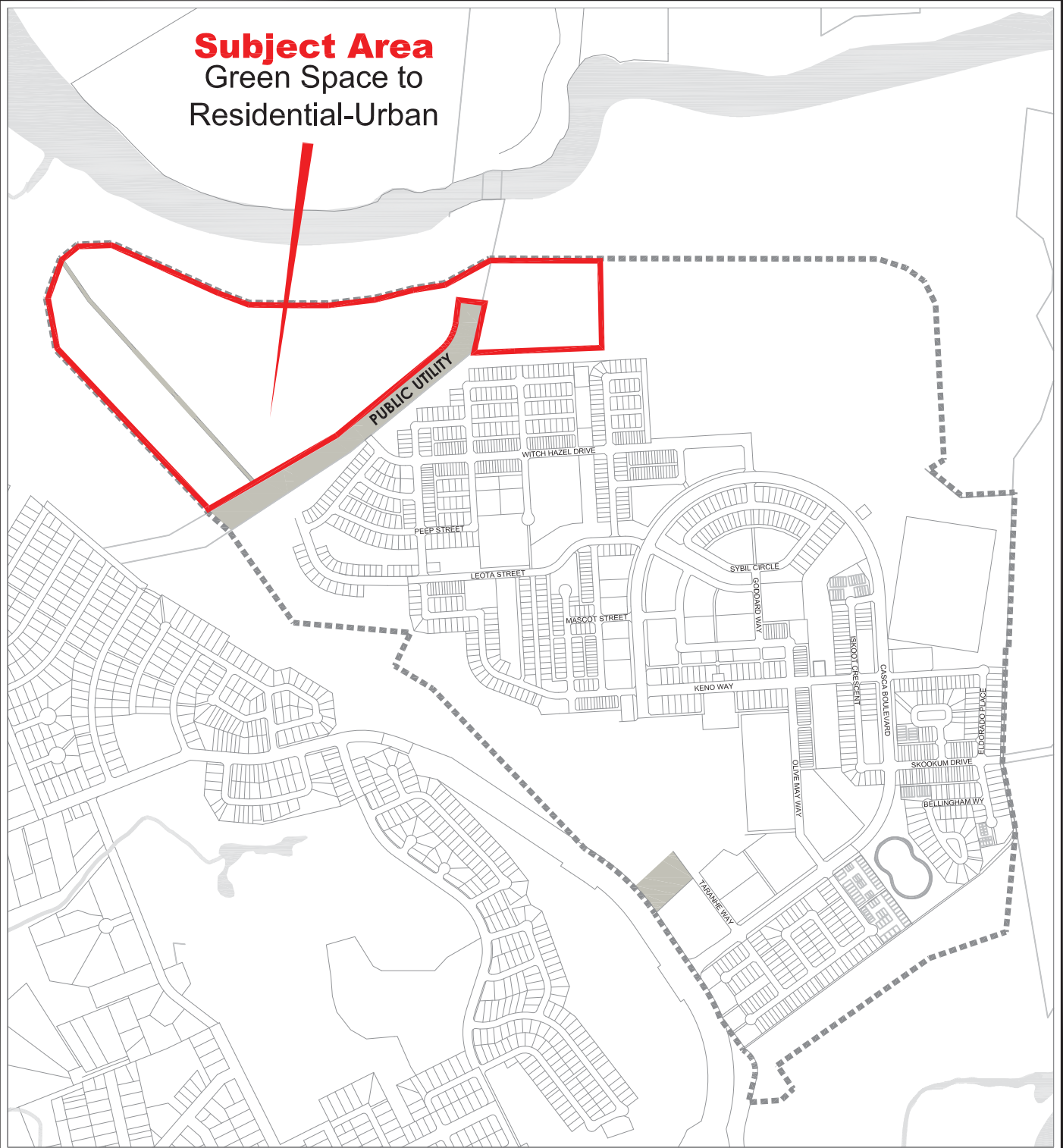
BYLAW 2020-31
A bylaw to amend the Official Community Plan, Map 1 - Green
Space Network Plan to change an area identified as Recreation
Area and Green 'Connections' Area to Designated Development
Area.

LEGEND

 SUBJECT AREA




Subject Area
Green Space to
Residential-Urban



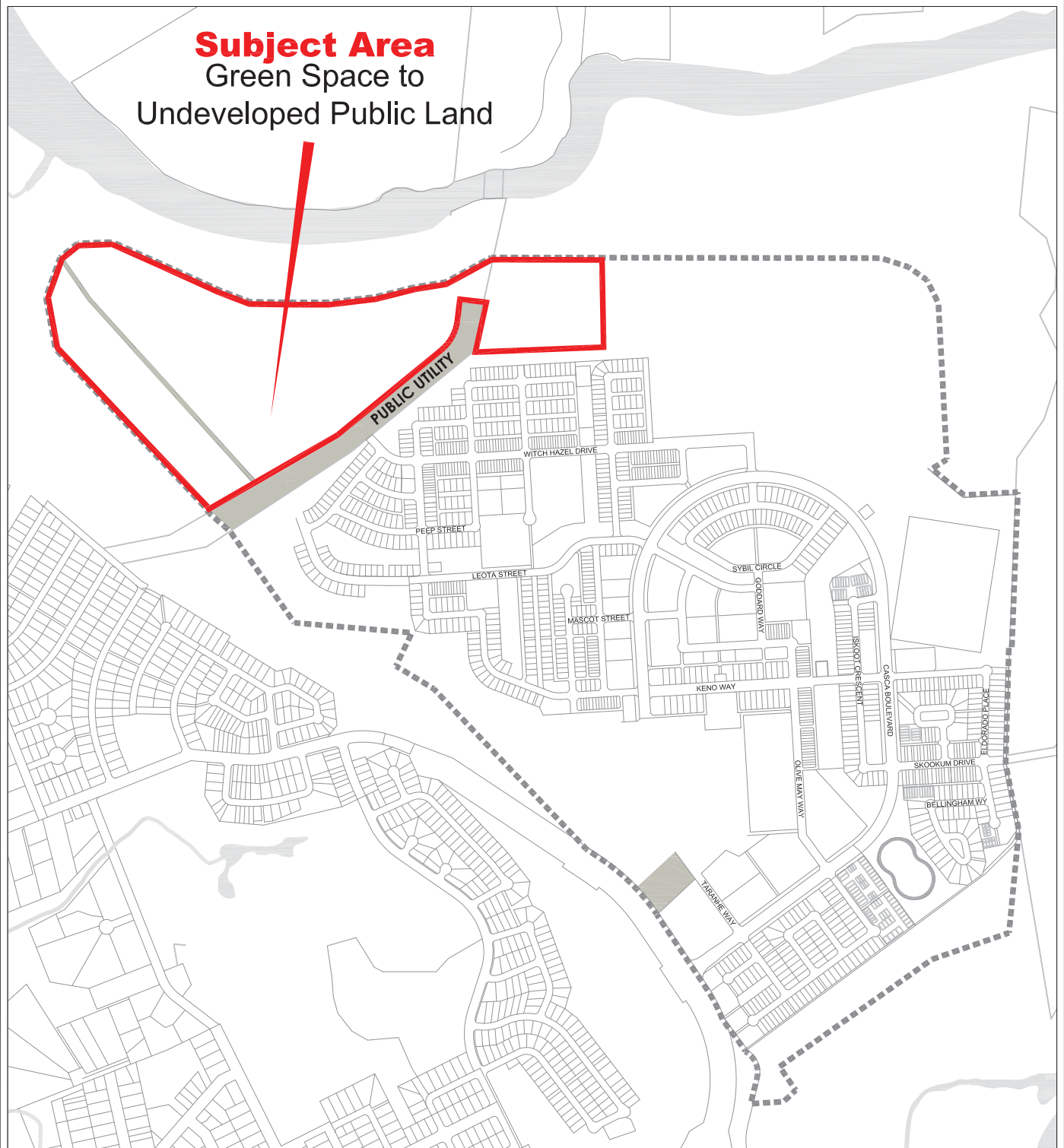
BYLAW 2020-31
A bylaw to amend the Official Community Plan, Map 2 - Area Land
Use Designations to change the designation of an area from
Greenspace to Residential - Urban.

LEGEND

 SUBJECT AREA




Subject Area
Green Space to
Undeveloped Public Land



BYLAW 2020-31
A bylaw to amend the Official Community Plan, Map 5 - Urban Residential Growth Plan to identify an area as Undeveloped Public Land.

LEGEND

 SUBJECT AREA

CITY OF WHITEHORSE

BYLAW 2020-37

A bylaw to amend City Manager Bylaw 2018-17.

WHEREAS Bylaw 2020-30, a new employment bylaw for the City's Management and Confidential Exclusion employees, was adopted by Council on September 28, 2020; and

WHEREAS adoption of Bylaw 2020-30 necessitates amendment of certain provisions of City Manager Bylaw 2018-17;

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

1. City Manager Bylaw 2018-17 is hereby amended as follows:
 - (1) Replace all references to the Management and Management Staff Bylaw with "Management and Confidential Exclusion Bylaw".
 - (2) Replace the preamble statement in section 16 with a new statement that reads, "The base salary for the city manager shall be between \$196,728 and \$205,272 per annum."
 - (3) Replace subsection 16(1)(f) with a new subsection that reads "General Provisions, excepting section 119."
 - (4) Replace section 24 with a new section that reads, "The regular office hours of the city manager shall be 8:30 a.m. to 4:30 p.m., consistent with the operating hours of city hall, or as council may from time to time determine in accordance with the operating and administrative requirements of the City. The city manager is expected to work additional hours as necessary to fulfil the duties and responsibilities of the position, including attending meetings and events."
 - (5) Replace section 25 with a new section that reads, "The city manager shall be paid on the same basis as the hours outlined in the Management and Confidential Exclusion Bylaw for management employees. The city manager is not entitled to overtime pay and her salary and benefits fully compensate her for all hours worked."
2. This bylaw shall come into full force and effect upon final passage thereof.

FIRST and SECOND READING:

THIRD READING and ADOPTION:

Mayor

Assistant City Clerk

CITY OF WHITEHORSE

BYLAW 2020-14

A bylaw to authorize a lease agreement for office space.

WHEREAS section 265 of the *Municipal Act* (2002) provides that council may pass bylaws for municipal purposes respecting the municipality's leasing of any real or personal property; and

WHEREAS council deems it desirable to enter into an agreement with 535644 Yukon Inc. for the lease of office space for a three-year period from February 1, 2021 to and including January 31, 2024;

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

1. The City of Whitehorse is hereby authorized to enter into a three-year lease agreement with 535644 Yukon Inc. with respect to Unit 6, Condominium Corporation 19, Whitehorse, Yukon, located at 151 Industrial Road, comprising approximately 428 square metres in area.
2. The Mayor and Assistant City Clerk are hereby authorized to execute on behalf of the City of Whitehorse the Lease Agreement attached hereto as Appendix "A" and forming part of this bylaw.
3. This bylaw shall come into full force and effect upon the final passing thereof.

FIRST READING:

SECOND READING:

THIRD READING and ADOPTION:

Mayor

Assistant City Clerk

LEASE AGREEMENT BYLAW 2020-14

APPENDIX "A"

THIS LEASE AGREEMENT made the _____ day of January, 2021.

BETWEEN:

535644 Yukon Inc., a company having its head office at 6A-151
Industrial Road, Whitehorse, Yukon Y1A 2V3
(The "Landlord")

AND:

The City of Whitehorse,
a municipality duly incorporated pursuant to the provisions of the
Municipal Act
(The "Tenant")

IN CONSIDERATION OF the Landlord leasing certain premises to the Tenant, the Tenant leasing those premises from the Landlord and the mutual benefits and obligations set forth in this Lease, the receipt and sufficiency of which consideration is hereby acknowledged, the Parties to this Lease (the "Parties") agree as follows:

1. **INTENT OF LEASE**

1.1 ***Semi-Gross Lease***

It is the intent of this Lease and agreed to by the Parties that rent for this Lease will be on a semi-gross rent basis meaning the Tenant will pay the Rent and certain utilities, and the Landlord will be responsible for other service charges related to the Premises and the operation of the Building save as specifically provided in this Lease to the contrary.

1.2 ***Leased Premises***

The Landlord agrees to rent to the Tenant the office space described as Unit 6, Whitehorse Condominium Corporation #19, Whitehorse, Yukon, comprising approximately 428 square meters, together with 4 parking spaces located at the front and 4 parking spaces located at the back of the business and to be designated for the exclusive use of the Tenant (the "Premises").

1.3 ***Common Areas***

The Landlord grants to the Tenant, its employees, agents and invitees, the right in common with the Landlord and all the others having a like right, the free use of those lands, areas, building, improvements, facilities, utilities, equipment, installations and public parking areas which serve or are for the useful benefit of Whitehorse Condominium Corporation #19 ("Common Areas and Facilities").

1.4 ***Permitted Use***

The Landlord agrees to rent to the Tenant the Premises for use as a business office with relevant business to business use. A residential use is not permitted under this Lease.

2. TERM

The term of the Lease commences February 1, 2021 and continues until and includes January 31, 2024 (the "Term").

3. OPTION TO RENEW

The Tenant, not otherwise in default of this agreement, is hereby given the first and sole option to renew this lease for two additional consecutive one (1) year terms, upon the terms and conditions contained herein, excepting this right of renewal, by giving written notice to the Landlord of its intention to renew at least three (3) months prior to the expiration of the Term granted herein.

4. RENT

Subject to the provisions of this Lease, the Tenant will pay the Landlord rent of \$5,800.00, payable per month, for the Premises (the "Rent"), without setoff, abatement or deduction. In addition to the Rent, the Tenant will pay for any fees or taxes arising from the Tenant's business. The Tenant will pay the Rent on or before the first day of each and every month of the Term to the Landlord.

The rent amount is a semi-gross rent including taxes, insurance, water and sewer charges, and ground maintenance.

No acceptance by the Landlord of any amount less than the full amount owed will be taken to operate as a waiver by the Landlord for the full amount or in any way to feateffect or affect the rights and remedies of the Landlord to pursue the full amount.

The Tenant shall pay to the Landlord interest at the prime commercial lending rate of the Canadian Imperial Bank of Commerce plus 4% per annum on all payments of rent, and other sums required to be paid under this lease from the date upon which the same were due until actual payment thereof.

5. USE AND CARE

Except as otherwise agreed between the Parties the Tenant will open the whole of the Premises for business to the public fully fixtured, stocked and staffed on the date of commencement of the Term and throughout the Term, and will continuously occupy and utilize the entire Premises in the active conduct of its business.

The Tenant covenants that the Tenant will carry on and conduct its business from time to time carried on upon the Premises in such manner as to comply with all statutes, bylaws, rules and regulations of any federal, territorial, municipal or other competent authority and will not do anything on or in the Premises in contravention of any of them.

The Tenant shall take good care of the Premises and keep the same in a tidy and healthy condition at all times during the Term of the Lease.

The Tenant shall ensure that snow is removed from pedestrian access and egress to and from the unit and premises shall be kept at the highest standards.

The Tenant will not make (or allow to be made) any noise or nuisance which, in the reasonable opinion of the Landlords disturbs the comfort or convenience of other tenants.

The Tenant will not engage in any illegal trade or activity on or about the Premises.

The Landlord covenants that on paying the Rent and performing the covenants contained in this Lease, the Tenant will peacefully and quietly have, hold, and enjoy the Premises for the agreed term.

6. POSSESSION BY THE TENANT

The Landlord will deliver up vacant possession of the Premises to the Tenant at the beginning of the Term.

7. GENERAL PROVISIONS

7.1 *Over-holding*

Should the Tenant remain in possession of the Premises with the consent of the Landlord after the expiration of this lease without any further written agreement a new tenancy from month to month will be created between the Landlord and the Tenant which will be subject to all the terms and conditions of this Lease but will be terminable upon either party giving one month's notice to the other party.

If the Tenant continues to occupy the Premises without the written consent of the Landlord after the expiration or other termination of the Term, then, without further written agreement, the Tenant will be a month-to-month tenant at a minimum monthly rental equal to twice the Base Rent and subject always to all of the other provisions of this Lease insofar as the same are applicable to the month-to-month tenancy and a tenancy from year to year will not be created by implication of law.

7.2 *Notices*

Any notice required to be given hereunder by any party shall be deemed to have been well and sufficiently given if mailed by prepaid, registered mail, emailed, faxed to or delivered at the address of the other party hereinafter set forth:

If to the Landlord:

535644 Yukon Inc.
42 Dawson Road
Whitehorse, Yukon Territory Y1A 5T6
Attention: Fraser Smith
Email Address: fraser@northernclimate.com

If to the Tenant:

The City of Whitehorse
2121 Second Avenue
Whitehorse, Yukon Territory, Y1A 1C2
Attention: Manager, Operations
Email Address: operationsadmin@whitehorse.ca

A notice shall be deemed to have been received, if delivered, on the date of delivery and if mailed as aforesaid then on the fifth business day following the posting thereof, provided that in the event of disruption of internet connection or postal services a notice shall be given by one of the other methods of communication.

7.3 Destruction or Damage to Premises.

If during the Term or any renewal thereof the Premises or the Building shall be destroyed or damaged by any cause whatsoever the following rules shall apply:

- (1) If the Premises are unfit in part for occupancy by the Tenant the rent shall abate in part only in the proportion that the Premises are unfit; or
- (2) If the Premises are wholly unfit for occupancy by the Tenant the rent shall be suspended until the Premises have been rebuilt, repaired or restored.

8. PARKING

The Tenant shall have full and unfettered discretion in assigning and restricting use of all parking that form part of the Premises.

9. TENANT IMPROVEMENTS

The Tenant will provide details of any planned improvements, alterations or significant changes to the Premises and obtain written permission from the Landlord before commencing any alterations, improvements or changes, which permission shall not be unreasonably withheld.

The Landlord grants permission for certain improvements by entering into this agreement including: removal of non-structural partitions and installation of a reception counter adjacent to the main entry; construction of an interior stairwell connecting the main floor and second floor; the installation of an additional enclosed office on the second floor; and the installation of all required equipment and cabling for the Tenant to connect to their private Fiber Optic Network.

10. LANDLORD IMPROVEMENTS

Prior to the Tenant's possession of the Premises the Landlord will provide a mechanical ventilation system to the Premises compressing a heat recovery ventilator integrated with the existing heating system in such a manner that follows accepted engineering practices and governing regulations, and will cause all other heating, cooling and ventilation equipment to be serviced and made ready for operation by the Tenant (the "Landlord Improvements").

11. HAZARDOUS MATERIALS

The Tenant will not keep or have on the Premises any article or thing of a dangerous, flammable, or explosive character that might unreasonably increase the danger of fire on the Premises or that might be considered hazardous by any responsible insurance company.

12. LIABILITY INSURANCE

The Tenant shall provide and maintain public liability insurance in the amount of three million (\$3,000,000.00) dollars for the protection against any claims in any way relating to the Premises, in which public liability insurance both the Landlord and the Tenant shall be designated as the insured, which policy shall provide that the same cannot be cancelled without at least 15 days prior written notice to the Landlord and the Tenant shall deposit with the Landlord a certificate of such insurance at or prior to the commencement of the Term and thereafter within 10 days following the renewal of any such policy.

13. ASSIGNMENT AND SUBLETTING

The Tenant will not assign this Lease, or sublet or grant any concession or license to use the Premises or any part of the Premises. An assignment, subletting, concession, or license, whether by operation of law or otherwise, will be void and will, at Landlord's option, terminate this Lease.

14. VACANT POSSESSION (SURRENDER OF PREMISES)

The Tenant shall at the expiration or earlier termination of this lease; peaceably surrender and deliver up vacant possession of the Premises in the condition as they were at the commencement of this Lease, reasonable use and wear are excepted.

15. DISTRESS (NON-PAYMENT)

If and whenever the Tenant is in default of payment of any money, whether hereby expressly reserved or deemed as rent, or any part of the rent, the Landlord may, without notice or any form of legal process, enter upon the Premises and seize, remove and distress against the goods and chattels of the Tenant it may use such force as it may deem necessary for that purpose and for gaining admittance to the Premises without being liable in any action in respect thereof, or for any loss or damage occasioned thereby and the Tenant hereby expressly releases the Landlord from all actions, proceedings, claims or demands whatsoever for or on account of or in respect of any such forcible entry or any loss or damage sustained by the Tenant in connection therewith.

16. RIGHTS OF RE-ENTRY

If the Landlord reenters the Premises or terminates this Lease then after reentry, the Landlord may terminate the Lease on giving 5 days written notice of termination to the Tenant. Without this notice, reentry of the Premises by the Landlord or its agents will not terminate this Lease.

17. ABANDONMENT

If at any time during the Term, the Tenant abandons the Premises or any part of the Premises, the Landlord may, at its option, enter the Premises without being liable for any prosecution for such entering and without becoming liable to the Tenant for damages, or for any payment of any kind whatever, and may, at the Landlord's

discretion, as agent for the Tenant, re-let the Premises, or any part of the Premises, for the whole or any part of the then unexpired Term, and may receive and collect all rent payable by virtue of such re-letting, and, at the Landlord's option, hold the Tenant liable for any difference between the Rent that would have been payable under this Lease during the balance of the unexpired Term, if this Lease had continued in force, and the net rent for such period realized by the Landlord by means of the re-letting.

If the Landlord's right of reentry is exercised following abandonment of the premises by the Tenant, then the Landlord may consider any personal property belonging to the Tenant and left on the Premises to also have been abandoned, in which case the Landlord may dispose of all such personal property in any manner the Landlord will deem proper and is relieved of all liability for doing so.

18. **UTILITIES, SERVICES, AND COMMON AREA UPKEEP**

18.1 ***Utilities***

The Landlord shall provide water, sewer and power to the Premises to the extent reasonably necessary for the Tenant to carry on its business. The Tenant shall provide all fuel oil to heat the Premises, along with electricity waste collection, telecommunications and security monitoring to the extent reasonably necessary for the Tenant to carry on its business.

18.2 ***17.3 Common Areas***

The Landlord shall maintain the Common Areas and Facilities in good condition.

19. **WAIVER**

Any waiver by the Landlord of any failure by the Tenant to perform or observe the provisions of this Lease will not operate as a waiver of the Landlord's rights under this Lease in respect of any subsequent defaults, breaches or nonperformance and will not defeat or affect in any way the Landlord's rights in respect of any subsequent default or breach.

20. **GOVERNING LAW**

It is the intention of the Parties to this Lease that the tenancy created by this Lease and the performance under this Lease, and all suits and special proceeding under this Lease, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the Yukon Territory, without regard to the jurisdiction in which any action or special proceeding may be instituted.

21. **BINDING AGREEMENT**

This lease shall be binding upon and enure to the benefit of the parties hereto and their respective successors and permitted assigns as the case may be.

22. **TIME OF ESSENCE**

Time shall be of the essence of this lease.

23. **CHANGES TO AGREEMENT**

No provision of this lease shall be deemed to have been changed unless made in writing signed by the Landlord and Tenant, and if any provision is unenforceable or invalid for any reason whatever, such unenforceability or invalidity shall not affect the remaining provisions of this lease and such provisions of this lease and such provisions shall be severable from the remainder of this lease.

This Lease will constitute the entire agreement between the Landlord and the Tenant. Any prior understanding or representation of any kind preceding the date of this Lease will not be binding on either party to this Lease except to the extent incorporated in this Lease. In particular, no warranties of the Landlord not expressed in this Lease are to be implied.

IN WITNESS WHEREOF the parties hereto have hereunto executed this lease as of the day and year first above written.

THE CORPORATE SEAL OF)
535644 Yukon Inc. was hereunto)
affixed in the presence of:)
))
))
))
_____)
Fraser H. Smith, President)
535644 Yukon Inc.)

CS

THE CORPORATE SEAL OF)
The City of Whitehorse was hereunto)
affixed in the presence of:)
))
))
_____)
Dan Curtis, Mayor)
))
))
_____)
Norma Felker, Assistant City Clerk)

CS

CORPORATE SIGNING AUTHORITY
AFFIDAVIT

CANADA) I, Fraser H. Smith,
)
YUKON TERRITORY) of the City of Whitehorse, in the Yukon Territory,
)
TO WIT:) MAKE OATH AND SAY AS FOLLOWS:

- 1) I am the President of 535644 Yukon Inc. (the "Corporation").
- 2) I am the person who subscribed my name and affixed the corporate seal of the Corporation to the attached instrument.
- 3) I am authorized by the Corporation to subscribe my name and affix the corporate seal to the attached instrument.
- 4) The Corporation exists as of the date hereof.

SWORN BEFORE ME)
at the City of Whitehorse, in the)
Yukon Territory, this _____)
of December, 2020.)

Fraser H. Smith, President

A Notary Public in and for)
The Yukon Territory)

Name of Notary Public)