

Minutes of the Meeting of the
ADMINISTRATIVE SERVICES COMMITTEE

Monday, March 5, 2012
Council Chambers, City Hall

Committee Members Present: Councillor Roberts – Chair
Mayor Buckway
Councillor Austin
Councillor Cameron
Councillor Pillai – Electronic Participation
Councillor Irwin

Committee Members Absent: Councillor Stockdale

Staff Present: Dennis Shewfelt, City Manager
Robert Fendrick, Director of Administrative Services
Brian Crist, Director of Operations

Guests: Coalition of Municipalities Against Racism & Discrimination:

- Lillian Nakamura Maguire
- Fia Jampolsky, Yukon Human Rights Commission
- Rick Karp, Whitehorse Chamber of Commerce
- Rachael Parks, Bringing Youth Toward Equality (BYTE)
- Jocelyn Curtenau, Canadian Filipino Association
- Regin St. Pierre, Association franco-yukonnaise
- Rod Snow

Your Worship:

The Administrative Services Committee respectfully submits the following report:

1. **Coalition of Municipalities Against Racism and Discrimination**

In 2004 the United Nations Educational, Scientific and Cultural Organization (UNESCO) launched the International Coalition of Cities Against Racism initiative. Since then UNESCO has worked to establish a network of cities in Europe, Asia Pacific and Canada. To date 51 Canadian municipalities have joined. The City has long been a supporter of merit based employment, and the Job Evaluation System satisfies the criteria established in the Yukon *Human Rights Act*. The record of the City demonstrates our commitment to equality, and many of the ten principals endorsed by the Coalition are already being done. There are certain areas, such as policing and supported housing, which are carried out under the watch of others.

Several of the municipalities listed as having joined the Coalition have dedicated staff and financial resources in support of this effort. The City of Whitehorse is not in a position to take such steps. In this regard Administration does not view that another

action plan is necessary step to join the Coalition, as the Official Community Plan, Sustainability Plan, plus other policies, collective agreements and administrative documents all support the equality issues that the Coalition seeks to address. Deferring the decision on joining the Coalition until the next strategic plan is developed in the early part of 2013 is an option. The Cities current statement of values provides for the scope to join the Coalition.

A number of persons spoke in favour of the City of Whitehorse joining the Coalition. Lillian Nakamura Maguire related the experience of her family with respect to actions against Japanese people during World War II, and also mentioned the racist slogans that appeared on a candidate's signs during last year's by-election. She encouraged the City to join the Canadian Coalition of Municipalities against Racism and Discrimination (CCMARD).

Fia Jampolsky from the Yukon Human Rights Commission noted that the City was asked to join the Coalition when it was in the early stages of development in Canada, and suggested that now is the time for the City to embrace this initiative. Ms. Jampolsky stated that racism and discrimination raise barriers that prevent the community from reaching its full potential. She encouraged the City to sign the agreement on March 21st, 2012.

Rick Karp of the Whitehorse Chamber of Commerce stated that a recent act of vandalism in the Chamber's office building contained racist overtones, making it evident that this issue needs to be addressed in the community. Mr. Karp indicated that the City's adoption of this initiative would be consistent with the business community in its efforts against racism.

Rachael Parks from Bringing Youth Toward Equality (BYTE) also encouraged the City to join the Coalition, stating that joining CCMARD is one piece of the answer against racism and discrimination.

Jocelyn Curtenau from the Canadian Filipino Association urged the City to join CCMARD as part of a proactive approach to creating an inclusive society. She suggested that joining the Coalition would show a leadership role in the fight against racism and discrimination, and may promote the reporting of any instances that may occur.

Regin St. Pierre of the Association franco-yukonnaise (AFFY) appeared in support of the City joining the Coalition. Mr. St. Pierre noted that most Yukon francophones live in Whitehorse and that they, represented by AFFY, are in favour of the City making this important declaration against racism and discrimination. He noted that there are many costs to not adopting and accepting CCMARD and many more benefits than costs to making a strong positive commitment and message. He also suggested that there may be synergies with other jurisdictions that have already adopted CCMARD, and that other groups in the community may help move the initiative forward if leadership from the City is provided.

Rod Snow addressed the Committee as a long-time citizen who has done extensive work with individuals and groups that have been subject to racism and discrimination, stating that he felt it was important to come forward as an individual to express support for the City to join CCMARD. He indicated the initiative is about making the community more mature, inclusive, and accepting, noting that community diversity is a net benefit to a community by

bringing differing perspectives to stronger problem solving. Mr. Snow stated that this is an opportunity to show leadership in an area where showing leadership is necessary. He reiterated that a declaration such as joining CCMARD sends a clear message against racism and discrimination in the community, and noted that, given time, the characteristics of an agency's leaders become adopted by the organization itself.

The Committee discussed the implications and responsibilities involved in joining CCMARD, including developing and implementing an action plan. It was suggested that it is appropriate to analyse the issue through the strategic planning process, but that the whole vision and an opportunity to show leadership on these issues may be missed if the City delays joining the Coalition. It was pointed out that joining the Coalition is just a starting point and the time is opportune to sign and join the CCMARD in order to show community members that they are accepted in an open and inclusive manner.

RECOMMENDATION

THAT the City of Whitehorse join the Canadian Coalition Against Racism and Discrimination and authorize the Mayor to sign the documentation on behalf of the City of Whitehorse on March 21, 2012; and

THAT issues relating to the City's participation in the Canadian Coalition of Municipalities Against Racism and Discrimination be added to the next round of strategic planning and the next session for setting strategic priorities.

MOVED BY:

SECONDED BY:

2. Presentation of Resolutions to the Association of Yukon Communities

The Annual General Meeting of the Association of Yukon Communities (AYC) will be held in Dawson City this May. As part of the AGM, AYC invites communities to submit resolutions they feel to be relevant and require support of the AYC membership. The resolutions being proposed this year are with regard to the following issues:

- Provision of Fire Services in Yukon Communities
- Revision of the Yukon Government Beverage Container Regulation
- Revision of the Yukon Government Designated Materials Regulation
- Open dialogue with internet service providers to review the practice of levying cross-town data packet charges

AYC has implemented an award for "Excellence in Municipal Administration and Operations" to recognize outstanding municipal employees. The City of Whitehorse is proposing that Canada Games Centre staff and the Maintenance and Safety staff be nominated for this award in recognition of their outstanding efforts following the fire on June 24, 2011.

The Yukon Sustainable Development Awards are supported by the AYC and Yukon Energy Corporation in order to recognize leadership in sustainable development. The

City of Whitehorse is proposing that the City's Energy Management Project be nominated for this award.

RECOMMENDATIONS

THAT the following resolutions be forwarded to the Association of Yukon Communities for consideration at the Annual General Meeting in May 2012:

- (1) WHEREAS the Government of Yukon is considering assuming responsibility for all fire protection in the Territory with the exception of Whitehorse; and

WHEREAS the City of Whitehorse, as the largest community in the Territory, also has the highest costs for fire protection of all Yukon Communities; and

WHEREAS the City of Whitehorse believes that support provided for fire protection in the Territory should be equitable for all municipalities;

BE IT RESOLVED that the Association of Yukon Communities petition the Government of Yukon to transfer to the City of Whitehorse, specifically allocated for providing fire protection, an amount equal to the cost of providing fire protection for the residents and businesses of Whitehorse.

- (2) WHEREAS the Yukon *Environment Act* contains Beverage Container Regulations that are very effective in promoting recycling in the Territory; and

WHEREAS products currently eligible under the Beverage Container Regulations do not include the vast majority of beverage containers that the communities are encouraged to bring to the recycling depots, including dairy products containers;

BE IT RESOLVED THAT the Association of Yukon Communities petition the Government of Yukon to review the Beverage Container Regulations with the intent to expand the range of materials designated under the regulations; and

BE IT FURTHER RESOLVED THAT the Association of Yukon Communities petition the Government of Yukon to conduct the review of the Beverage Container Regulations through a collaborative process involving community and recycling processor stakeholder groups.

- (3) WHEREAS the Yukon *Environment Act* contains a Designated Materials Regulation to provide for the appropriate transportation and processing of specific materials; and

WHEREAS tires currently eligible under the Designated Materials Regulation are limited to tires of 24.5 inches or less, and there is a demonstrated need to accommodate larger tires; and

WHEREAS the accumulation of electronic waste (e-waste) is an increasing problem for Yukon landfills as such waste contains products that can be harmful to the environment;

BE IT RESOLVED THAT the Association of Yukon Communities petition the Government of Yukon to review the Designated Materials Regulation with the intent to expand the range of materials designated under the regulation; and

BE IT FURTHER RESOLVED THAT the Association of Yukon Communities petition the Government of Yukon to conduct the review of the Designated Materials Regulation through a collaborative process involving community and recycling processor stakeholder groups.

- (4) WHEREAS internet service providers currently levy cross-town packet charges on data within the Territory; and

WHEREAS internet traffic that stays within the Yukon never leaves the local network and therefore should not be subject to such charges; and

WHEREAS this practice is counterproductive to government, business and individual users in the Yukon;

BE IT RESOLVED THAT the Association of Yukon Communities petition the internet service providers to review the practice of levying cross-town packet charges on data within the Territory; and

BE IT FURTHER RESOLVED THAT the Association of Yukon Communities invite the Government of Yukon to join with the communities in their advocacy efforts with respect to the internet service providers' practice of levying cross-town packet charges on data within the Territory.

- (5) WHEREAS in 2011 a fire at the Canada Games Centre resulted in a complete shutdown of the entire complex; and

WHEREAS Games Centre programs were relocated and staff redeployed in short order; and

WHEREAS Games Centre and Maintenance staff not only continued to operate programs but were instrumental in managing the overall remediation work required to deal with the physical damages caused by the fire;

BE IT RESOLVED THAT Canada Games Centre Staff and Maintenance and Safety Services Staff of the City of Whitehorse be considered as a group of employees worthy of collective recognition through the Association of Yukon Communities' "Excellence in Municipal Operations" award program.

- (6) WHEREAS in 2011 the City of Whitehorse began the process of energy management, which involves identifying how energy is used by the corporation, and then ensuring those energy needs are met in the most efficient, low emission, and cost-effective manner; and

WHEREAS the City of Whitehorse has developed an energy monitoring database that allows energy use to be graphed and visualized in different ways, including per energy source, per building, comparing buildings, and comparing energy use to weather data.; and

WHEREAS this database will allow the City of Whitehorse to better plan future energy upgrades to reduce costs and greenhouse gas emissions, to understand the actual impact of those energy upgrades, and to complete an Energy Plan in 2012;

BE IT RESOLVED THAT the City of Whitehorse Energy Management Project be considered for recognition through the Yukon Sustainable Development Awards Program.

MOVED BY:
SECONDED BY:

3. **Monthly Activity Reports** – For Information Only

Activity reports for the month of February 2012 were received from the City Manager, the Director of Administrative Services, and the Financial Services, Human Resources, and Information Systems Departments.

Issues Arising from the Activity Reports

The Committee discussed some issues arising from the launch of the new website, including the need for a clear link to allow citizen access to Mayor and Council, and the new system that routes requests and inquiries efficiently and effectively to expedite solutions to the end user.

A Committee member also noted that there is extensive work being done on the *Municipal Act* Review Committee as well as the Comprehensive Municipal Grant Committee.

Minutes of the Meeting of the
CITY PLANNING COMMITTEE
Monday, March 5, 2012
Council Chambers, City Hall

Committee Members Present: Councillor Irwin —Chair
Mayor Buckway
Councillor Austin
Councillor Cameron
Councillor Pillai – Electronic Participation
Councillor Roberts

Committee Members Absent: Councillor Stockdale

Staff Present: Dennis Shewfelt, City Manager
Robert Fendrick, Director of Administrative Services
Brian Crist, Director of Operations
Mike Gau, Manager of Planning and Development Services
Patrick Ross, Land Development Supervisor

Guests: Andre and Tiffany Eckert-Maret – Land Sale in Takhini North
Dominic Vezina – Land Sale in Takhini North

Your Worship:

The City Planning Committee respectfully submits the following report:

1. **New Subdivision Control Bylaw**

In 2001 Council passed the Subdivision Control Bylaw to control the subdivision of land within the municipality and to delegate the approving authority for certain types of subdivisions to a designated municipal officer. In the same year Council also adopted the Public Use Land Dedication Policy to establish clear guidelines on the dedication of land for public use associated with applications for subdivision in the City. In 2011 Council directed administration to bring forward a new subdivision control bylaw that allows for additional levels of subdivision authority to be delegated to administration, and to include the policy pertaining public use land dedication within the context of the new bylaw. In keeping with standard practice due to the age of the existing bylaw, a new bylaw is being brought forward for consideration. In addition to incorporating existing policy, the proposed bylaw also introduces major and minor subdivisions, incorporates condominium conversions and highway access provisions, and addresses minor housekeeping changes.

Administration confirmed that the appeal process will allow a proponent's concerns to be heard by Council.

The Committee asked administration to include a hydro-geological assessment and/or hydrology report as part of the other information that may be considered necessary to determine the suitability of the land for the proposed subdivision.

RECOMMENDATION

THAT Subdivision Control Bylaw 2012-16 be brought forward for due consideration under the bylaw process

MOVED BY:

SECONDED BY:

2. Moratorium – RC1 to RC2 Rezoning Applications

In 2011 Council approved bylaws amending the zoning of three country residential parcels to allow for the subdivision of the properties. At the Public Hearings for the amendments in Whitehorse Copper, residents raised concerns regarding cumulative impacts of septic systems on water quality and potable water supply. They stated that approving these applications would set a precedent for future rezoning and subsequent subdivisions in country residential area. As the original environmental screening report for Whitehorse Copper contemplated one-hectare lots, there is no information regarding the ability of the water table and soil conditions to accommodate multiple subdivisions in this, or other, country residential neighbourhood.

Last August Council passed a moratorium to stop RC1 to RC2 rezoning applications. This moratorium was for a six month period and expired on February 22, 2012. Administration is now bringing forward an extension to this moratorium so that this issue can be addressed as part of the ongoing Zoning Bylaw Rewrite process.

The Committee asked for more information on the YG well drilling that happened in 2011 in the Whitehorse Copper area.

RECOMMENDATION

THAT the moratorium on accepting applications for rezoning from RC1–Country Residential 1 to RC2–Country Residential 2 be extended until this issue can be dealt with as part of the Zoning Bylaw Rewrite process.

MOVED BY:

SECONDED BY:

3. Land Sale and Transfer (Lot 344 Takhini North)

As part of the redevelopment of the Takhini North area, Council closed portions of existing roads and public lanes within the neighbourhood, including a portion of a public lane leading from Ortona Avenue located between the existing Lot 104 and the new development area. During the City-facilitated design process to create the new subdivision area, the owners of 69 Ortona Avenue approached the City with a request to purchase a portion of the closed lane to provide for a lot enlargement to their existing

Lot 104. In 2009, as part of the Takhini North Expansion, the approved subdivision sketch designated a portion of a closed public lane as a buffer lot to accommodate a potential lot enlargement for the owner of Lot 104.

Six new duplex development lots to the east of the new buffer lot were also created and sold in the land lottery held on March 2, 2010. The Lottery Package provided to applicants did not identify that a potential lot enlargement was being considered in this area, and the neighbourhood map supplied in the lottery package depicted the buffer lot as a green space area. Subsequent to the land lottery, the owner of the adjacent duplex lot became aware of the potential for a lot enlargement in favour of the owner of Lot 104 and also expressed an interest in acquiring a portion of Lot 344.

As a general rule, lot enlargements in established residential areas are not supported by the City. However, exceptions are occasionally made to legitimize historical uses, or to allow lots to reach minimum required lot sizes as dictated by the zoning regulations. In situations where there is more than one adjacent owner to a potential lot enlargement area, the City's policy is to extend the opportunity for a lot enlargement to each adjacent owner equally. Property owners obtaining lot enlargements are required to re-survey their properties at their own expense and pay all costs related to the consolidation of the lot enlargement area with their existing lot. There is also a requirement to sign a Land Sale Agreement identifying the terms, cost and timelines of the purchase transaction.

Administration confirmed that the first conversations with respect to a potential lot enlargement for Lot 104 date back to 2008, which pre-date the current scenario where there is now a new adjacent land owner. Department capacity issues precluded dealing with this enlargement before there was a new property owner on the other side of the enlargement area. Looking at the width constraints has led to the current proposal now before Council.

Committee members discussed the issues surrounding this potential lot enlargement and expressed concern with how the Planning Department processed this opportunity.

Tiffany and Andre Eckert-Maret appeared in support of their application to purchase half of the proposed enlargement area to allow for an expansion of their adjacent lot. They suggested that allowing them this opportunity is the only fair option and stated the opinion that persons should not be allowed to use land that they do not own. Dominic Vezina spoke in support of his application to purchase the entire parcel. He noted that the original application was tailored to include an existing tree and retaining wall as part of his lot expansion, and stated that it would defeat the whole purpose of the original application to divide the parcel at this time.

RECOMMENDATION

THAT Bylaw 2012-14, a bylaw to authorize the sale and transfer of Lot 344 in Takhini North by sale agreement to Dominic Vezina and Isabelle Carrier, be brought forward for due consideration under the bylaw process.

MOVED BY:

SECONDED BY:

4. **Monthly Activity Report** – For Information Only

An activity report for the month of February 2012 was received from Planning and Development Services.

Minutes of the Meeting of the
CITY OPERATIONS COMMITTEE

Monday, March 5, 2012

Council Chambers, City Hall

Committee Members Present: Councillor Irwin – Chair
Councillor Cameron – Vice-Chair
Mayor Buckway
Councillor Austin
Councillor Pillai – Electronic Participation
Councillor Roberts

Committee Members Absent: Councillor Stockdale

Staff Present: Dennis Shewfelt, City Manager
Robert Fendrick, Director of Administrative Services
Brian Crist, Director of Operations

Your Worship:

The City Operations Committee respectfully submits the following report:

1. **Contract Award – Black Street West Underground Utilities**

In 2011 Council approved the local improvement charges bylaw with respect to the reconstruction of Black Street West. Due to the large amount of construction in the Yukon in 2011 it was decided to phase the work over a two-year period. Phase 1 work from 4th Avenue to 6th Avenue was completed in 2011. Eight companies picked up bid packages for the underground utilities portion of the 2012 project, and five bids were received. The Tender Review Committee and City Staff unanimously agreed that: the low bidder is familiar with the scope of the project and has the knowledge and experience to complete the work successfully. Part of the funding for this project related to underground water and sewer work is covered through the Federal Gas Tax Program.

Administration confirmed that this contract is only for the underground portion of the reconstruction project, and that liaison services will be provided to the local residents. It was also confirmed that a roundabout is being considered for the intersection at Sixth Avenue and Black Street, but this would be part of the surface works portion of the reconstruction project and is not part of the contract now before the Committee.

A Committee member suggested that the contingency amount for a project should be set as ten percent of the bid rather than having the bid documents set an arbitrary dollar figure.

RECOMMENDATION

THAT the 2012 Black Street Reconstruction Project – Underground Utilities Phase 2 contract be awarded to Castle Rock Enterprises for a net cost to the City of \$1,762,273.00

MOVED BY:
SECONDED BY:

2. **Monthly Activity Reports** – For Information Only

Activity reports for the month of February 2012 were received from the Director of Operations, Engineering Services, Environmental Services, Maintenance and Safety Services, Public Works and Sustainability.

Issues Arising from the Activity Reports

The Committee asked for more information on the SCADA towers project.

Administration confirmed that nothing has been finalized with respect to the Tlingit Street portion of the Marwell reconstruction project.

Councillor Cameron advised that he will provide Council with a report on his recent attendance at the Federation of Canadian Municipalities Sustainability Conference.

It was duly moved and seconded
THAT the meeting continue past 10:30 p.m.

Carried Unanimously

Minutes of the Meeting of the
COMMUNITY SERVICES COMMITTEE

Monday, March 5, 2012
Council Chambers, City Hall

Committee Members Present: Councillor Roberts – Chair
Mayor Buckway
Councillor Austin
Councillor Cameron
Councillor Irwin
Councillor Pillai – Electronic Participation

Committee Members Absent: Councillor Stockdale

Staff Present: Dennis Shewfelt, City Manager
Robert Fendrick, Director of Administrative Services
Brian Crist, Director of Operations

Your Worship:

The Community Services Committee respectfully submits the following report:

1. **Monthly Activity Reports** – For Information Only

Activity reports for the month of February 2012 were received from Parks and Recreation and the Transit Department.

Minutes of the Meeting of the
PUBLIC HEALTH AND SAFETY COMMITTEE

Monday, March 5, 2012
Council Chambers, City Hall

Committee Members Present: Councillor Cameron – Chair
Councillor Austin – Vice-Chair
Mayor Buckway
Councillor Irwin
Councillor Pillai – Electronic Participation
Councillor Roberts

Committee Members Absent: Councillor Stockdale

Staff Present: Dennis Shewfelt, City Manager
Robert Fendrick, Director of Administrative Services
Brian Crist, Director of Operations

Your Worship:

The Public Health and Safety Committee respectfully submits the following report:

1. **Monthly Activity Reports** – For Information Only

Activity reports for the month of February 2012 were received from Bylaw Services and the Fire Department.

Issues Arising from the Activity Reports

Administration confirmed that the Fire Department provides public education with respect to smoke and carbon monoxide detectors, but does not do inspections in private homes.

Minutes of the Meeting of the
TOURISM & ECONOMIC DEVELOPMENT COMMITTEE
Monday, March 5, 2012
Council Chambers, City Hall

Committee Members Present: Councillor Austin – Chair
Mayor Buckway
Councillor Cameron
Councillor Irwin
Councillor Pillai – Electronic Participation
Councillor Roberts

Committee Members Absent: Councillor Stockdale

Staff Present: Dennis Shewfelt, City Manager
Robert Fendrick, Director of Administrative Services
Brian Crist, Director of Operations

Your Worship:

The Tourism and Economic Development Committee respectfully submits the following report:

1. **Monthly Activity Report** – For Information Only

An activity report for the month of February 2012 was received from Tourism and Economic Development.

2. **Games Volunteers Commended** – For Information Only

A Committee member commended the Volunteer Services at the 2012 Arctic Winter Games and related an anecdote to illustrate how the volunteers are going above and beyond to provide great service.

There being no further business, the meeting adjourned at 10:34 p.m.