

Minutes of the Meeting of the  
**ADMINISTRATIVE SERVICES COMMITTEE**  
Monday, February 20, 2012  
Council Chambers, City Hall

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

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

Your Worship:

The Administrative Services Committee respectfully submits the following report:

1. **Authorize Council Travel – Association of Yukon Communities**

Council's Expense Policy requires approval by council resolution for all requests for funding or reimbursement of expenses incurred in conjunction with travel outside the City of Whitehorse. Councillors Cameron and Irwin have indicated their intention to attend the Association of Yukon Communities Board Meeting to be held in Faro.

**RECOMMENDATION**

THAT travel and per diem expenses be authorized as follows for Councillor Cameron and Councillor Irwin to attend the March 2012 Board meeting of the Association of Yukon Communities to be held in Faro:

1. Travel expenses funded from City Representative travel; and
2. Per Diem expenses funded from Councillor-initiated travel

MOVED BY:  
SECONDED BY:

2. **Cancel June Meeting Cycle**

Council has in the past allowed for a summer break by implementing a summer schedule or by cancelling one or more meeting cycles. Council members have indicated that this year it would suit their schedules to cancel the first meeting cycle in June. In accordance with the City's Procedures Bylaw, a resolution of council is required to cancel meetings.

**RECOMMENDATION**

THAT the Standing Committee meeting scheduled for June 4, 2012 be cancelled; and  
THAT the Regular Council meeting scheduled for June 11, 2012 be cancelled.

MOVED BY:

SECONDED BY:

Minutes of the Meeting of the  
**CITY PLANNING COMMITTEE**  
Monday, February 20, 2012  
Council Chambers, City Hall

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

Your Worship:

The City Planning Committee respectfully submits the following report:

1. **Development Cost Charges**

Development Cost Charges (DCCs) are levied against new development to acquire sufficient funds to assist with the expansion of growth-related infrastructure such as roads, waterworks, sewer projects, and parks. These charges are a tool to finance growth-related infrastructure that otherwise would need to be paid from tax revenue. The concept behind DCCs is that growth creates new demand for municipal infrastructure and services, and that growth itself should assist with the funding of growth-related services. The City of Whitehorse has assessed DCCs since 1995, and the current bylaw has been in place since 2001 with only one amendment. Administration is proposing several changes to the DCC Bylaw to reflect changes in construction costs and development regulations. Due to the age of the existing bylaw, standard practice is to bring forward a new bylaw to replace the current legislation.

Administration confirmed that:

- The City's equipment costs have been increasing year over year along with other construction and other maintenance costs;
- The proposed increase in the reserve recognizes that the overall reserve is not increasing at the rate anticipated and is not designed to fill a current short-fall;
- This reserve is not appropriate for uses other than 'growth related' projects and is not to be used to off-set water and sewer billings; and
- Developers will have a choice with respect to paying development cost charges at the time of subdivision or when they apply for a building permit.

The Committee asked for more information on the change-of-use that happened in Takhini subdivision and indicated that it would be desirable to have a specific list of situations for which it would be appropriate to waive the development cost charges.

The Committee also discussed whether there is an inconsistency in increasing development cost charges for the development of living suites while incentives to build them are also being offered.

### **RECOMMENDATION**

THAT Bylaw 2012-12, a bylaw to impose and collect Residential Development Cost Charges, be brought forward for due consideration under the bylaw process

MOVED BY:

SECONDED BY:

## **2. Development Agreement Regulations**

The *Municipal Act* allows the City to set conditions to regulate the development of land, buildings, and structures by entering into development agreements with property owners. The Zoning Bylaw and Subdivision Control Bylaw also allow for development agreements as a condition of approval for development permits and subdivisions. In both cases, development agreements must be registered on the title to the lands. In 2001 Council passed a bylaw to establish the current development agreement review and approval process, and this bylaw has remained unchanged since that time. Administration is now proposing edits to the existing Development Agreement Regulations Bylaw to streamline the review and approval process. The proposed bylaw delegates approving authority to the City's Director of Operations, which will expedite approvals and reduce the number of items going before Council. The bylaw also clarifies the administrative approval process, provides for an appeal to Council, and includes some minor housekeeping amendments for clarification purposes.

Administration confirmed that:

- Council approves developments at the Official Community Plan, Zoning Bylaw, and subdivision stages before they reaches the Development Agreement Stage;
- In accordance with municipal bylaws, administration must follow through with Council's direction on Development Agreements;
- The proposed changes will result in less work for administration and be more expedient by weeks for the proponents, resulting in greater overall timeliness and efficiency for all concerned;
- Council could establish at the zoning stage whether they particularly wanted a Development Agreement to come forward to Council, and administration could also elect to forward a Development Agreement to Council for their consideration;
- Not all conditions are registered on title if they are short-lived enough to be completed so that registering would not be efficient or desirable; and

- The proponent may appeal a decision to Council, and such appeal would be heard at the next available meeting of Council

**RECOMMENDATION**

THAT Bylaw 2012-15, a bylaw to establish development agreement regulations, be brought forward for due consideration under the bylaw process

MOVED BY:

SECONDED BY:

Minutes of the Meeting of the  
**CITY OPERATIONS COMMITTEE**

Monday, February 20, 2012

Council Chambers, City Hall

**Committee Members Present:** Councillor Irwin – Chair  
Councillor Cameron – Vice-Chair  
Mayor Buckway  
Councillor Austin – Electronic Participation  
Councillor Pillai  
Councillor Roberts  
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. **City Compost Facility Public-Private Partnership**

A composting facility has been operating at the landfill for over 15 years as a component of the City's waste diversion initiatives. In 2008, Public Works assumed operations of the compost site with a long-range goal to improve compost production quality and make the product available for public purchase and use. The composting site has been upgraded with funding from the Federal Gas Tax Program, with improvements including new equipment and a new building. A composting business plan was also created. The City also hired a technical advisor on a contract basis to help improve composting operations and obtain or manufacture equipment required to meet composting standards.

After finishing work with the City, this technical advisor went on to form Boreal Composting Enterprises (BCE). In November 2011, BCE submitted an unsolicited proposal to operate the composting facility in a two-year pilot project to produce and market compost in the community. This would reduce involvement of City staff in the day-to-day operations of the composting facility. BCE shares the City's goals to improve and expand waste diversion opportunities by enhancing the creation of compost products and improve financial returns by increasing sales of the compost.

It is proposed that the City and BCE enter into a Public Private Partnership agreement for two years to allow BCE to operate the compost facility and utilize City equipment and the compost building. Under the Gas Tax Agreement, the City is not able to sell or lease funded equipment or buildings to other parties. However, a partnership such as this is permitted. The City would continue to be responsible for capital improvements to the site.

BCE has the proven experience necessary to create quality compost and has direct experience working with the City providing technical advice both in terms of creating quality compost and in developing the business plan. The company has a research and development partnership in place with the Yukon Government Cold Climate Innovation Centre. This partnership arrangement will be of benefit to BCE as they would carry out research at the City facility. The City will benefit as a direct recipient of the research. The City sees an opportunity to enhance its waste diversion goals and to provide a local product for sale to the public and industry.

Administration confirmed that:

- The proposed business plan is in use but not all the initiatives are completed;
- The City will oversee a service contract with this initiative similar to other service contracts. However, an actual contract has to be worked out pursuant to Council's approval of the concept being presented, including legal review and liability concerns;
- The City retains ownership and responsibility for maintenance of the equipment and buildings due to the restrictions imposed by Gas Tax funding. This will be accounted for in the service contract;
- The City retains management rights on the project but any staff hired will be BCE's responsibility;
- The City is considering a capital proposal to expand the project area;
- Any research findings and intellectual rights belong to BCE; the City's interest lies in the expertise being offered as well as the product improvements;
- Marketing and advertising will BCE's responsibility;
- There may be competition with the private sector, although that has not been apparent before.

The committee discussed a number of issues and concerns, including:

- Issues with the past project management approaches that led to bag problems, building cost over-runs, and a lack of sales capacity;
- Including compost as part of City contract policy as applicable, and the need to bring the Yukon Government on board as a customer;
- Applying to outside sources for funding for the possible expansion of the project area; and
- Updating the business plan in order that the project may proceed favourably.

The committee discussed what happens after two years when this contract is complete, and expressed a desire for the City to continue to benefit from this initiative in terms of seeing the true product potential of compost.

**RECOMMENDATION**

THAT the City of Whitehorse be authorized to enter into a public-private partnership agreement with Boreal Composting Enterprises for a two-year pilot project with respect to the operations of the Compost Facility at the landfill site for a cost of \$195,000.00, per annum, inclusive of optional services and exclusive of potential revenue.

MOVED BY:

SECONDED BY:

Minutes of the Meeting of the  
**COMMUNITY SERVICES COMMITTEE**  
Monday, February 20, 2012  
Council Chambers, City Hall

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

**Staff Present:** Dennis Shewfelt, City Manager  
Robert Fendrick, Director of Administrative Services  
Brian Crist, Director of Operations  
Douglas Hnatiuk, Parks and Recreation Services

Your Worship:

The Community Services Committee respectfully submits the following report:

1. **Report on Public Input – Trail Plan Amendments**

The Parks and Recreation Trail Plan document was adopted in 2007. This plan sets a philosophical and managerial framework for long term planning and operations as well as improved mapping accuracy and designations for the most extensive municipal trail network in Canada's North. It is focused on rationalizing the present trail system, nurturing a positive trail culture, public education, and building and maintaining a comprehensive trail system. This plan was based on a ten year horizon. The plan also includes the implementation of an Interdisciplinary Trails and Greenways Committee that would provide an oversight mechanism to ensure balanced representation of user interests and act as a problem solving committee to established neighbourhood-by neighbourhood task force groups. Through the recent Snowmobile Bylaw review, it was identified that trail mapping for motorized routes needs to be updated within the 2007 Trail Plan to better reflect the current motorized trail inventory within Whitehorse.

At the public input session held on February 13, ten people addressed Council to speak to a variety of implementation and committee issues and the quality of the proposed snowmobile map. Due to a recognized need to provide a more understandable map option, the map has been expanded to outline the various community areas of Whitehorse in a series of zoomed-in sub maps. This should respect the need for better clarity and trail map understanding. Groups and individuals also volunteered to participate in stewardship models to get involved in trail maintenance and ongoing trail sustainability.

Administration confirmed that:

- There have been very few conflicts at the Task Force level

- Land-use managers may be better at resolving 'appeal-type' processes as they apply to trails;
- Hearing appeals may not be a good use of volunteer effort, especially when considering technical issues like land use standards;
- Designated trails may be desirable in Riverdale, but local stakeholders have now stepped forward with the recognition that multi-use trails are necessary in the area;
- Rules have to be in place, and when they are the majority of citizens will abide by them, assisted by increased education. Enforcement is considered to be less of a resort than the education component and it has been noted that enforcement has occurred with the assistance of the public;
- The Rotary Centennial Bridge has been discussed as a possible option to cross over the Yukon River. However, if this bridge is designated for motorized uses then additional work on the easement would have to occur with the land owner;
- Permitted use areas and maps will likely be different for ATV and snowmobile users due to different environmental considerations between summer and winter use;
- Local trail decisions that impact individual neighbourhoods will have complete participation by residents and stakeholders from the area. Recommendations on how to proceed may include reference to the proposed Trail Committee; and
- Current legislation allows snowmobile use on the east side of the river in the Riverdale area.

The committee discussed a variety of issues including:

- The proposed cross-jurisdictional bureaucratic makeup of the new Trail Committee as opposed to the membership of the existing Task Forces;
- The different types of users on the multi-use trails, and the need for improved signage; and
- The problematic nature of the Riverdale area with respect to trails and the difficulty of accommodating users getting across the River.

### **RECOMMENDATION**

THAT the implementation of the Whitehorse Trail Committee be approved; and

THAT the 2012 Snowmobile Trail Map be adopted as Appendix V (a) in the 2007 City of Whitehorse Parks & Recreation Trail Plan.

MOVED BY:

SECONDED BY:

## 2. **Transit System Subsidy** – For Information Only

The Committee asked for information on the subsidy rate for the transit system.

Minutes of the Meeting of the  
**PUBLIC HEALTH AND SAFETY COMMITTEE**  
Monday, February 20, 2012  
Council Chambers, City Hall

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

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

**Guests:** Dorothy LeBel – Snowmobile Bylaw  
Peter von Gaza – Snowmobile Bylaw

Your Worship:

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

1. **Report on Public Input – New Snowmobile Bylaw**

On January 30, 2012 the new Snowmobile Bylaw received first reading and a date was established for additional public input before the bylaw was brought forward for additional readings. In total 16 members of the community provided input on the bylaw in person and there were two written submissions. A wide variety of issues were raised, ranging from concerns about new regulations in the bylaw to general concerns about how the bylaw will be enforced and the amounts proposed for fines. In general all of the concerns raised in this additional public input session are reiterations of concerns raised during the consultation and development process. Public education is intended to be a major component in encouraging proper trail etiquette and safe operation of snowmobiles in the City.

Dorothy LeBel reiterated her concerns regarding the bylaw, stating that it is wrong to ignore the intent of the Official Community Plan by moving away from “out-and-away” trails to residential greenbelts and parks. Ms. LeBel noted that greenbelt areas in Riverdale are already being used as motorized playgrounds with resulting vegetation damage, and suggested that this new bylaw will only increase the problem. She asked that, as a minimum measure, section 12 of the bylaw be amended to replace the words, “permitted area” with the words, “designated motorized trail”.

Peter von Gaza commended the Snowmobile Bylaw and the Trail Plan amendments. However, he suggested that areas of high conflict should be identified to facilitate better management.

Administration confirmed that:

- Issues involving snowmobile use at the Cousins Airstrip could be handled under restricted roadways or the proposed Protected Areas Bylaw;
- The City has some jurisdiction with respect to damages that may occur on private property;
- The operation of snowmobiles on private property would only be an issue if the operation is considered to be a nuisance;
- New snowmobiles can be as quiet as or quieter than cars, so the preferred approach is to rely on the 'nuisance' provisions contained in the Maintenance Bylaw rather than dealing with decibel levels; and
- QR codes are accessible by smart phones for trail direction assistance, but reception could be spotty with some 'dead' spots.

The committee discussed a variety of issues, including limitations on noise and/or nuisance, and whether the limits should be the same as those contained in the Maintenance Bylaw.

The committee acknowledged that the bylaw represents an acceptable compromise, as it does not go far enough for some citizens and goes too far for others. However, the committee commended the Bylaw Services Manager for the work done on the bylaw.

### **RECOMMENDATION**

THAT Bylaw 2012-01, a bylaw to regulate snowmobile use in the City of Whitehorse, be brought forward for second and third reading under the bylaw process.

MOVED BY:

SECONDED BY:

Minutes of the Meeting of the  
**TOURISM & ECONOMIC DEVELOPMENT COMMITTEE**  
Monday, February 20, 2012  
Council Chambers, City Hall

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

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

Your Worship:

There is no report from the Tourism and Economic Development Committee

There being no further business, the meeting adjourned at 10:30 p.m.