

MINUTES of **REGULAR** Meeting #2012-02 of the Council of the City of Whitehorse called for 7:30 p.m. on Monday, January 30, 2012, in Council Chambers, City Hall.

PRESENT: Mayor Bev Buckway
Councillors Dave Austin
Kirk Cameron
Betty Irwin
Ranj Pillai
Florence Roberts
Dave Stockdale

ALSO PRESENT: City Manager Dennis Shewfelt
Director of Administrative Services Robert Fendrick
Director of Operations Brian Crist

Mayor Buckway called the meeting to order at 7:30 p.m.

CALL TO ORDER

2012-02-01

It was duly moved and seconded
THAT the agenda be adopted as amended with the changes being:

1. Delete item #3 (Blood Ties Four Directions Donation Request) from the Administrative Services Report; and
2. Add Nathan Miller, Bernard Bucholz and Ramona Toth as delegates speaking to the conditional use application for 603-605 Ogilvie Street; and
3. Add Kristina Calhoun as a delegate speaking to the Procedures Bylaw.

AGENDA

- Carried -

PROCLAMATIONS

Mayor Buckway proclaimed February 1st to 29th to be Heart Month in the City of Whitehorse.

HEART MONTH

Mayor Buckway proclaimed the week of February 5th to 11th to be International Development Week in the City of Whitehorse.

INTERNATIONAL
DEVELOPMENT WEEK

2012-02-02

It was duly moved and seconded
THAT the minutes of regular Council Meeting #2012-01 dated January 16, 2012 be adopted as presented.

MINUTES

January 16, 2012

- Carried -

DELEGATIONS

Doug Gilday addressed Council as the proponent for the conditional use application for 603-605 Ogilvie Street. He noted that this location close to the amenities of the downtown area promotes a sustainable lifestyle. Mr. Gilday acknowledged that the proposed design does not conform to the existing buildings in the area, but suggested that it will conform to the houses of the future. He encouraged Council to support the project.

DOUG GILDAY

Hamish Lawrie addressed Council in support of the proposed development on Ogilvie Street. He suggested that new developments will encourage existing home owners to improve their properties in a bid to maintain the unique character of Old Town.

HAMISH LAWRIE

Keith Lay addressed Council to reiterate his concerns regarding the amendment of the 2007 Trail Plan. In particular he expressed concern about the process, and asked Council to either defeat the amendment to the Trail Plan or put it out for public comment before it is adopted.

KEITH LAY

Nathan Miller advised Council that the proposed new developments on Ogilvie and Jarvis Streets are not very compatible with the lifestyle and the tight-knit community established in Old Town. He suggested that neither proposal fits with the mission statement and visioning of the Downtown Plan, and stated that when plans are not followed it undermines the confidence of the citizens. He also suggested that dealing with one conditional use application at a time takes away from the vision of the Downtown Plan.

NATHAN MILLER

Bernard Bucholz reiterated his concerns with the size and scope of the proposed development on Ogilvie Street. He noted that the downtown area is the only location in the City where Council is allowing these big developments on small lots. With the relaxation of setbacks that accompanies these developments, area residents are losing all their views and all their privacy. Mr. Bucholz noted that existing zoning regulations allows this type of dense development, but does not allow individual home owners to increase the density by adding additional living suites. He asked that Council concentrate on levelling the playing field for everyone rather than supporting these large projects.

BERNARD BUCHOLZ

Ramona Toth stated the opinion that the proposed development on Ogilvie Street is not consistent with the vision of the Downtown Plan. She noted that single family development does not have to be from a bye-gone era to conform with the character of the neighbourhood.

RAMONA TOTH

Kristina Calhoun addressed Council to request that they not change the scheduled start time for Council and Committee meetings. She noted that a 5:30 start time interferes with family life and family values. Ms. Calhoun also noted that extended work hours have proven to be detrimental to health and suggested that a break between work hours and meeting time would be beneficial for staff.

KRISTINA CALHOUN

COMMITTEE REPORTS

Administrative Services Committee

2012-02-03

It was duly moved and seconded THAT Bylaw 2011-55, a bylaw to adopt the 2012 to 2015 Capital Expenditure Program, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
CAPITAL BUDGET

- Carried -

Council discussed the pros and cons of moving meeting time forward to 5:30 p.m. and a press release announcing the proposed change was requested to better inform the public and solicit additional input into the matter. Although there was some agreement with the delegate's issue that the early time interferes with family time, there was also discussion that the new time would be more suitable for others and especially for those who use transit. It was pointed out that if the time change is approved, it will come into effect in mid-February. This means that there will be eight months in which the benefits or disadvantages of the new time can be assessed before a new Council is elected in October. A review of the meeting start time would be included in the legislative workshop following the election, and if it is determined to be ineffective, could be changed in short order.

Discussion of the Proposed
Time Change for Meetings

2012-02-04

It was duly moved and seconded THAT Bylaw 2012-07, a bylaw to provide rules governing the proceedings of council and the transaction of the business of council, be brought forward for due consideration under the bylaw process.

BRING FORWARD
PROCEDURES BYLAW

- Carried -

Mayor Buckway encouraged the public to let Council know what they think of the proposed change in meeting time. Council asked that a press release be issued advising of the proposed time change and requesting public input on the issue.

Request for Public Input

City Planning Committee

2012-02-05

It was duly moved and seconded
THAT Bylaw 2011-38, a bylaw to change the zoning of a parcel of land located on the Copper Haul Road to allow for the development of a gravel quarry, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
ZONING AMENDMENT
QUARRY ON
COPPER HAUL ROAD

- Carried -

2012-02-06

It was duly moved and seconded
THAT Bylaw 2011-51, a bylaw to change the zoning of a parcel of land adjacent to 77 Collins Lane in the Mount Sima Subdivision to allow for a lot expansion, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
ZONING AMENDMENT
77 COLLINS LANE

- Carried -

2012-02-07

It was duly moved and seconded
THAT Bylaw 2011-52, a bylaw to amend the zoning at 111 Alusru Way in the Fox Haven Subdivision to allow for the development of a living suite, be brought forward under the bylaw process and defeated at second reading.

BRING FORWARD
ZONING AMENDMENT
111 ALUSRU WAY

- Carried -

2012-02-08

It was duly moved and seconded
THAT the conditional use application for the construction of an eight-unit multiple housing development at 603/605 Ogilvie Street be approved.

APPROVE CONDITIONAL
USE AT 603 – 605
OGILVIE STREET

- Carried -

Council members discussed the pros and cons of both of these downtown developments, and explained their reasons for supporting these two conditional use applications, noting that the developers have followed all the rules currently in place.

Discussion

2012-02-09

It was duly moved and seconded
THAT the conditional use application for the construction of a five-unit multiple housing development at 701 Jarvis Street be approved.

APPROVE CONDITIONAL
USE AT 701 JARVIS

- Carried -

2012-02-10

It was duly moved and seconded
THAT the Mayor and City Clerk be authorized to enter into a Development Agreement with James Duncan and Janet Duncan for development responsibilities associated with the subdivision of Lot 1507, Porter Creek, Plan 76967 LTO, located at 30 Wann Road, Whitehorse, Yukon.

DEVELOPMENT
AGREEMENT
30 WANN ROAD

- Carried -

IN FAVOUR: Mayor Buckway, Councillors Austin, Cameron, Pillai,
Roberts and Stockdale

Recorded Vote

OPPOSED: Councillor Irwin

2012-02-11

It was duly moved and seconded
THAT the Mayor and City Clerk be authorized to enter into a Development Agreement with Paul Balla for development responsibilities associated with the subdivision of Lot 341, Porter Creek, Plan 25445 LTO, located at #36 – 14th Avenue, Whitehorse, Yukon.

DEVELOPMENT
AGREEMENT
36 – 14TH AVENUE

- Carried -

City Operations Committee

2012-02-12

It was duly moved and seconded
THAT the contract for Engineering Services for the Marwell East Reconstruction project be awarded to Associated Engineering Ltd. for a net cost of: \$593,693.00, subject to approval of the 2012 Capital Budget.

CONTRACT AWARD
MARWELL EAST
RECONSTRUCTION
(Engineering Services)

- Carried -

2012-02-13

It was duly moved and seconded
THAT the contract for Consulting Services for the Well Head Protection Plan be awarded to Associated Engineering Ltd for a net cost of: \$81,694.00.

CONTRACT AWARD
WELL HEAD
PROTECTION PLAN
(Consulting Services)

- Carried -

Community Services Committee

2012-02-14

It was duly moved and seconded
THAT the implementation of the Whitehorse Trail Committee be approved; and

IMPLEMENT TRAIL
PLAN COMMITTEE &
ADOPT SNOWMOBILE
TRAIL MAP

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

2012-02-15

It was duly moved and seconded
THAT the implementation of the Whitehorse Trail Committee and the adoption of the Snowmobile Trail Map be postponed to run concurrently with the Snowmobile Bylaw, and

Motion to Postpone

THAT a public input session with respect to the amendment of the Trail Plan be scheduled for Monday, February 13, 2012.

- Carried -

Public Health and Safety Committee

2012-02-16

It was duly moved and seconded
THAT Bylaw 2012-01, a bylaw to regulate the control, use and operation of snowmobiles, be brought forward for due consideration under the bylaw process.

BRING FORWARD
SNOWMOBILE BYLAW

- Carried -

2012-02-17

It was duly moved and seconded
THAT the Persons with Disabilities Advisory Committee Terms of Reference dated January 2012 be adopted as presented; and

THAT Rick Goodfellow, Wendy Springford and Helen Strelloff be appointed to the Persons with Disabilities Advisory Committee for a term to expire on October 31, 2014; and

PERSONS WITH
DISABILITIES
ADVISORY COMMITTEE

THAT Pat Berrel, Jill Campion and Don Hardie be appointed the Persons with Disabilities Advisory Committee for a term to expire on October 31, 2015;

- Carried -

Tourism & Economic Development Committee

There was no report from the Tourism and Economic Development Committee.

No Report

NEW & UNFINISHED BUSINESS

Councillor Cameron submitted a Notice of Motion as follows:

NOTICE OF MOTION

Take notice that I, Councillor Kirk Cameron, will bring forward at the next regular meeting of Council, being February 13, 2012, a motion that reads:

“THAT a moratorium be placed on accepting conditional use applications for multiple family developments in the Old Town neighbourhood until the Zoning Bylaw re-write process currently under way has developed design guidelines that protect the character of Old Town while encouraging re-development; and

MORATORIUM
ON ACCEPTING
CONDITIONAL USE
APPLICATIONS FOR
MULTIPLE FAMILY
DEVELOPMENTS IN
OLD TOWN

THAT design guidelines be established to identify compatible streetscape treatments, define compatible forms of development, and mitigate issues arising from re-development; and

THAT the moratorium be lifted once the design guidelines are adopted into the Zoning Bylaw through the bylaw process.”

2012-02-18

It was duly moved and seconded
THAT the agreement between the City of Whitehorse management and management staff groups be adopted as summarized in the Memorandum of Settlement dated January 2012, and,
THAT administration be directed to prepare the required bylaw in accordance with the Memorandum of Settlement.

ADOPT MEMORANDUM
OF SETTLEMENT FOR
MANAGEMENT AND
MANAGEMENT STAFF

- Carried -

BYLAWS

2012-02-19

It was duly moved and seconded
THAT Bylaw 2011-38, a bylaw to amend the zoning of a parcel of land on the Copper Haul Road to allow for the development of a gravel quarry, be given second reading.

BYLAW 2011-38

ZONING AMENDMENT
COPPER HAUL ROAD
GRAVEL QUARRY

- Carried -

SECOND READING

2012-02-20

It was duly moved and seconded
THAT Bylaw 2011-38, a bylaw to amend the zoning of a parcel of land on the Copper Haul Road to allow for the development of a gravel quarry, having been read a first and second time, now be given third reading.

BYLAW 2011-38

ZONING AMENDMENT
COPPER HAUL ROAD
GRAVEL QUARRY

- Carried -

THIRD READING

2012-02-21

It was duly moved and seconded
THAT Bylaw 2011-51, a bylaw to amend the zoning of a parcel of land in the Mount Sima Industrial Subdivision to allow for a lot expansion at 77 Collins Lane, be given second reading.

BYLAW 2011-51

ZONING AMENDMENT
77 COLLINS LANE

- Carried -

SECOND READING

2012-02-22

It was duly moved and seconded
THAT Bylaw 2011-51, a bylaw to amend the zoning of a parcel of land in the Mount Sima Industrial Subdivision to allow for a lot expansion at 77 Collins Lane, having been read a first and second time, now be given third reading.

BYLAW 2011-51

ZONING AMENDMENT
77 COLLINS LANE

- Carried -

THIRD READING

2012-02-23

It was duly moved and seconded
THAT Bylaw 2011-52, a bylaw to amend the zoning of 111 Alusru Way
in the Fox Haven Subdivision to allow for the development of a living
suite, be given second reading.

- Defeated -

BYLAW 2011-52

ZONING AMENDMENT
111 ALUSRU WAY

SECOND READING

2012-02-24

It was duly moved and seconded
THAT Bylaw 2011-55, a bylaw to adopt a capital expenditure plan for
the years 2012 to 2015, be given second reading.

- Carried -

BYLAW 2011-55

2012-2015 CAPITAL
BUDGET BYLAW

SECOND READING

2012-02-25

It was duly moved and seconded
THAT Bylaw 2011-55, a bylaw to adopt a capital expenditure plan for
the years 2012 to 2015, having been read a first and second time, now
be given third reading.

- Carried -

BYLAW 2011-55

2012-2015 CAPITAL
BUDGET BYLAW

THIRD READING

2012-02-26

It was duly moved and seconded
THAT Bylaw 2012-07, a bylaw to provide rules governing the
proceedings of council and the transaction of the business of council,
be given first reading.

- Carried -

BYLAW 2012-07

PROCEDURES BYLAW

FIRST READING

2012-02-27

It was duly moved and seconded
THAT Procedures Bylaw 2012-07 be given second reading.

SECOND READING

2012-02-28

It was duly moved and seconded
THAT Procedures Bylaw 2012-07 be amended by deleting section 10
and renumbering the remaining sections accordingly.

- Defeated -

Amendment

IN FAVOUR: Mayor Buckway, Councillors Austin, Roberts and Stockdale

Recorded Vote

OPPOSED: Councillors Cameron, Irwin and Pillai

The MAIN MOTION was then voted on and CARRIED.

Vote on Main Motion

2012-02-29

It was duly moved and seconded
THAT Bylaw 2012-01, a bylaw to regulate the control, use and operation of snowmobiles on motorized multiple use trails and in other areas of the City of Whitehorse, be given first reading.

BYLAW 2012-01

SNOWMOBILE BYLAW

FIRST READING

- Carried -

There being no further business, the meeting adjourned at 10:13 p.m.

ADJOURNMENT

ORIGINAL MINUTES SIGNED BY:

"Bev Buckway"

Bev Buckway, Mayor

"Robert I. Fendrick"

Robert I. Fendrick, FCGA, City Clerk

ADOPTED by resolution at Meeting #2012-03 dated February 13, 2012