

MINUTES of **REGULAR** Meeting #2012-05 of the council of the City of Whitehorse called for 7:30 p.m. on Monday, March 12, 2012, in Council Chambers, City Hall.

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

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

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

CALL TO ORDER

2012-05-01

It was duly moved and seconded
THAT the agenda be adopted as amended with the addition of Dominic Vezina, Melissa Atkinson and Rod Snow as delegates.

AGENDA

Carried Unanimously

2012-05-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated February 27, 2012 be adopted as presented.

MINUTES

February 27, 2012

Carried Unanimously

DELEGATIONS

Ms. Tiffany Eckert-Maret addressed Council to request that she be given the opportunity to purchase at least half of Lot 344 in Takhini North to allow for an expansion of her property. She expressed concern that selling the complete parcel to Mr. Vezina would set a precedent where encroaching upon public lands could lead to tenure. She also suggested that the compromise now being proposed is not a fair disposition of the land.

T. ECKERT-MARET
Land Sale, Takhini North

Dominic Vezina spoke in support of the administrative recommendation with respect to the disposition of Lot 344. He stressed that his application for a lot expansion goes back to 2008 and pre-dates any neighbours on the other side of the expansion area. Mr. Vezina suggested that the rules have changed in mid-stream and the resulting change is unfair to him. He encouraged Council to proceed with the land disposition as proposed.

D. VEZINA
Land Sale, Takhini North

Melissa Atkinson spoke in favour of the City joining the Canadian Coalition of Municipalities Against Racism and Discrimination. She encouraged Council to embrace the coalition, and stated that, by joining, the City is making a declaration to and for the community that racism and discrimination are unacceptable.

M. ATKINSON
Coalition Against Racism...

Rod Snow reiterated his support for the City of Whitehorse joining the Coalition of Municipalities Against Racism and Discrimination. He stated that this is an opportunity to send a message to the community, and urged that it be a strong, clear, positive and unanimous message that racism and discrimination have no place in this city.

R. SNOW
Coalition Against Racism...

PUBLIC HEARING

Deputy Mayor Pillai called three times for anyone to appear to address Bylaw 2012-08, a bylaw to amend the zoning at 21 McQuesten Road in Riverdale to allow for the development of a triplex.

BYLAW 2012-08
21 McQuesten Rezoning

Doug MacLean, President of the Riverdale Community Association, noted that some members have commented favourably about this development. It is appreciated that the design fits in with the character of the neighbourhood and that the proposed size is in keeping with existing housing. They also appreciate that the design is energy efficient. Other members of the Association have expressed concerns about the precedent being set, the increases in traffic, safety of children, and increased density on a lot that is smaller than normal. Mr. MacLean noted that the Association cannot speak clearly for Riverdale at this time. There are attractive features to the proposal that make it acceptable for some, but the fact that it will not meet a strict interpretation of the zoning requirements make it unacceptable to others. His preference would be for more discussion on this topic, or that the development be approved with some restrictions. However, with the information and limited consultation that the Association has done so far they cannot say what those restrictions should be.

DOUG MACLEAN
(Riverdale Community
Association)

Erica Heuer, the proponent for this application, advised that she was present to answer any questions Council may have with respect to the proposed development. She advised that the property has lane access and the development will provide an off-street parking spot for each unit of the triplex. Ms. Heuer explained that the plan is to develop homes with a very small footprint and provided some details on the passive house certification that they are hoping to achieve.

ERICA HEUER

Robert Deklerk addressed Council to state his opposition to the proposed amendment. He suggested that approving this application will be the thin edge of the wedge for further changes to zoning regulations in an established neighbourhood. Mr. Deklerk also noted that lanes are not maintained in the winter and therefore parking spots with lane access will not be usable, so this will add more congestion to a narrow and crowded street. He encouraged Council to not approve this application.

ROBERT DEKLERK

Five written submissions were received, all either opposed to the application or expressing concerns.

Submissions Received

Deputy Mayor Pillai called three times for anyone to appear to address Bylaw 2012-09, a bylaw the change the zoning at 18 Azure Road in Crestview to allow for multi-residential development.

BYLAW 2012-09

18 Azure Road Rezoning

Christina Macdonald addressed Council on behalf of the Yukon Conservation Society and stated that the Society is very supportive of the kind of housing that is being proposed as it is in keeping with a number of key sustainability principles. However, the Society is concerned that the development proposes a ten metre corridor around the creek rather than the 60 metre corridor that is identified in the Official Community Plan. Ms. Macdonald explained that riparian areas provide a number of benefits, and the Society is concerned that allowing this exception would set a precedent that could undermine the protection of riparian areas. She encouraged the City to find creative ways to move forward with developments of this kind that allows the compact and affordable housing that the City needs while preserving the kind of riparian protection outlined in the Official Community Plan.

CHRISTINA MACDONALD
(Yukon Conservation
Society)

Deputy Mayor Pillai called three times for anyone to appear to address Bylaw 2012-10, a bylaw to change the zoning of a quarry site at 91345 Alaska Highway to allow for the commercial sale of quarry products. There was no one present to address the bylaw and no submissions were received.

BYLAW 2012-10

91345 Highway Rezoning

COMMITTEE REPORTS

Administrative Services Committee

2012-05-03

It was duly moved and seconded
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

CANADIAN COALITION
AGAINST RACISM AND
DISCRIMINATION

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.

Carried Unanimously

Council members discussed their individual reasons for supporting the resolution and noted that a number of the principles of the coalition are already embraced by the City of Whitehorse. Council commended all the groups and individuals who are supporting this initiative.

Discussion

2012-05-04

It was duly moved and seconded
THAT the following six resolutions be forwarded to the Association of Yukon Communities for consideration at the Annual General Meeting in May 2012:

SIX RESOLUTIONS
FOR CONSIDERATION AT
THE A.Y.C. AGM

- (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;

A.Y.C. RESOLUTION
FIRE PROTECTION

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.

.../continued

2012-05-04 (Continued)

- (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.

A.Y.C. RESOLUTION
BEVERAGE CONTAINER
REGULATIONS

- (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.

A.Y.C. RESOLUTION
DESIGNATED
MATERIALS
REGULATION

.../continued

2012-05-04 (Continued)

- (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.

A.Y.C. RESOLUTION
INTERNET SERVICE
PROVIDERS LEVY ON
CROSS-TOWN DATA

- (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.

A.Y.C. RESOLUTION
NOMINATE STAFF FOR
EXCELLENCE AWARD

- (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

A.Y.C. RESOLUTION
NOMINATE ENERGY
MANAGEMENT PROGRAM
FOR SUSTAINABLE
DEVELOPMENT AWARD

.../continued

2012-05-04 (Continued)

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.

Carried Unanimously

A.Y.C. RESOLUTION
NOMINATE ENERGY
MANAGEMENT PROGRAM
FOR SUSTAINABLE
DEVELOPMENT AWARD
(Continued)

Council acknowledged the enormous contribution of NorthwesTel to the 2012 Arctic Winter Games and apologized for the timing of this proposal.

Discussion

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

ACTIVITY REPORTS
For Information Only

Issues Arising from 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.

Website Issues

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

Territorial Issues

City Planning Committee

2012-05-05

It was duly moved and seconded
THAT Subdivision Control Bylaw 2012-16 be brought forward for due consideration under the bylaw process.

BRING FORWARD
SUBDIVISION CONTROL
BYLAW

Carried Unanimously

2012-05-06

It was duly moved and seconded
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.

EXTEND MORATORIUM
ON RC1 TO RC2
REZONING
APPLICATIONS

Carried Unanimously

2012-05-07

It was duly moved and seconded
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.

BRING FORWARD
BYLAW TO SELL
LOT 344, TAKHINI NORTH

Carried Unanimously

Council members discussed the controversial nature of this land disposition and noted that they could proceed with first reading of the bylaw and postpone second reading to look at options.

Discussion

An activity report for February 2012 was received from Planning and Development Services

ACTIVITY REPORT
For Information Only

City Operations Committee

2012-05-08

It was duly moved and seconded
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

CONTRACT AWARD
BLACK STREET WEST
UNDERGROUND

Carried Unanimously

Council commended the Federal funding for this project.

Discussion

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

ACTIVITY REPORTS
For Information Only

Issues Arising from Reports

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

SCADA Towers

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

Marwell Reconstruction

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

Sustainability Conference

Community Services Committee

Activity reports for February 2012 were received from Parks and Recreation, Indoor Facilities, and the Transit Department.

ACTIVITY REPORTS
For Information Only

Public Health and Safety Committee

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

ACTIVITY REPORTS
For Information Only

Issues Arising from 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.

Detector Education

Tourism & Economic Development Committee

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

ACTIVITY REPORT
For Information Only

Issues Arising from Report

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.

Games Volunteers

Budget Committee

Deputy Mayor Pillai presented the 2012 Operating and the 2013 and 2014 Provisional Budget address. Highlights of the operating budget include a total projected expenditure of \$63 Million, a tax increase of 3%, the hiring two new full-time and three new part-time employees; and funds to maintain new subdivisions

2012 Operating Budget
For Information Only

NEW & UNFINISHED BUSINESS

Council praised City employees, and particularly the staff at the Canada Games Centre, for their outstanding performance during the 2012 Arctic Winter Games. Council also praised the volunteers who worked so well to ensure that the Games were a complete success.

Praise for CGC Staff and
Games Volunteers
For Information Only

BYLAWS

2012-05-09

It was duly moved and seconded
THAT Bylaw 2012-12, a bylaw to impose and collect residential development cost charges, having been read a first and second time, now be given third reading.

Carried Unanimously

BYLAW 2012-12

DEVELOPMENT COST
CHARGES BYLAW

THIRD READING

2012-05-10

It was duly moved and seconded
THAT Bylaw 2012-15, a bylaw to enable the City of Whitehorse to enter into development agreements and set conditions to regulate the development of land, buildings and structures, having been read a first and second time, now be given third reading.

Carried Unanimously

BYLAW 2012-15

DEVELOPMENT
AGREEMENT
REGULATIONS

THIRD READING

2012-05-11

It was duly moved and seconded
THAT Bylaw 2012-14, a bylaw to authorize the sale and transfer of a city-owned lot on Ortona Avenue in Takhini North to allow for a lot expansion, be given first reading.

Carried Unanimously

BYLAW 2012-14

LAND SALE & TRANSFER
(Lot 344, Takhini North)

FIRST READING

2012-05-12

It was duly moved and seconded
THAT second reading of Land Sale Bylaw 2012-14 be postponed to March 26, 2012.

Carried (4 – 3)

Motion to Postpone

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

Recorded Vote

2012-05-13

It was duly moved and seconded
THAT Bylaw 2012-16, a bylaw to regulate the subdivision of land in the
City of Whitehorse, be given first reading.

Carried Unanimously

BYLAW 2012-16

SUBDIVISION CONTROL

FIRST READING

2012-05-14

It was duly moved and seconded
THAT Bylaw 2012-16 be given second reading.

Carried Unanimously

SECOND READING

2012-05-15

It was duly moved and seconded
THAT Bylaw 2012-02, a bylaw to adopt the 2012 annual operating
budget and the 2013 and 2014 provisional budgets, be given first
reading.

Carried Unanimously

BYLAW 2012-02

2012 ANNUAL
OPERATING BUDGET

FIRST READING

2012-05-16

It was duly moved and seconded
THAT Bylaw 2012-03, a bylaw to amend the Fees and Charges Bylaw
with respect to operating budget changes, be given first reading.

Carried Unanimously

BYLAW 2012-03

FEES & CHARGES
BUDGET CHANGES

FIRST READING

2012-05-17

It was duly moved and seconded
THAT Bylaw 2012-04, a bylaw to levy taxes for the year 2012, be given
first reading.

Carried Unanimously

BYLAW 2012-04

2012 TAX LEVY

FIRST READING

There being no further business, the meeting adjourned at 10:05 p.m.

ADJOURNMENT

ORIGINAL MINUTES SIGNED BY:

"Ranj Pillai"

Ranj Pillai, Deputy Mayor

"Robert I. Fendrick"

Robert I. Fendrick, FCGA, City Clerk

ADOPTED by resolution at Meeting #2012-06 dated March 26, 2012