

MINUTES of **REGULAR** Meeting #2012-09 of the Council of the City of Whitehorse called for 7:30 p.m. on Monday, May 14, 2012, in Council Chambers, City Hall.

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

ABSENT: Councillor Florence Roberts

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**

Mayor Buckway advised that tonight marks the last meeting that Dennis Shewfelt will attend as City Manager. Council members thanked Dennis for his service to the community and to council, and wished him well in his future endeavours.

Farewell to City Manager  
For Information Only

**2012-09-01**

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

**AGENDA**

- Carried Unanimously -

**2012-09-02**

It was duly moved and seconded  
THAT the minutes of regular Council Meeting #2012-08 dated April 23, 2012 be adopted as presented.

**MINUTES**

April 23, 2012

- Carried Unanimously -

**DELEGATIONS**

Darol Stuart and Dianne Williams addressed Council to request support for their rezoning application. They explained that they relied on a contractor who did not follow the regulations, and when they did call for inspections the inspector did not adequately follow up on the issues arising from the previous lapses. Ms. Williams advised that they tried to site the building as best as possible considering the lot's layout, and noted that it would cause undue financial hardship to fix what amounts to a minor problem. They asked Council to approve the zoning amendment.

DAROL STUART &  
DIANNE WILLIAMS  
Rezoning 34 Roundel

**PUBLIC HEARING**

Mayor Buckway called three times for anyone to appear to address Bylaw 2012-06, a bylaw to amend the zoning of land to allow for the development of Raven's Ridge Phase 2.

**BYLAW 2012-06**  
RAVEN'S RIDGE 2  
REZONING APPLICATION

Jim Coyne advised that his company is in possession of Crown Grants for the purpose of developing and extracting mineral resources in the area. He stated that any rezoning in the area would affect the economic well-being of his company and suggested that he would require compensation if the development goes ahead.

Jim Coyne

Mark Radke spoke on behalf of the developer to advise that they would be pleased to negotiate access for Mr. Coyne if required. Mr. Radke stated that the owner of sub-surface rights has the ability to access the property but is not entitled to unfettered access, and certainly not without mitigating and repairing any damage. Mr. Radke cited the precedent set with the Eagle's Eye development and encouraged three-way dialogue with Raven's Ridge, the City, and Mr. Coyne.

Mark Radke

Cam Kos expressed concern regarding access to the Alaska Highway from the development.

Cam Kos

Three submissions were received, all opposed or with concerns.

Submissions Received

Mayor Buckway called three times for anyone to appear to address Bylaw 2012-19, a bylaw to amend the zoning at 19 Wann Road in Porter Creek to allow for a multiple housing development.

**BYLAW 2012-19**  
19 WANN ROAD  
REZONING APPLICATION

Cam Kos noted that a certain amount of work is already taking place on the lot, and asked for clarification as to why the developer is being allowed to work on the site before the rezoning has been approved.

Cam Kos

Larry Turner spoke on behalf of Crocus Glen Developments to advise that his company already has a development permit for the site. He noted that work is proceeding in accordance with the current zoning of the property, and the application before council is intended to address the issue of building heights in the development. If the zoning amendment is not approved, the development will still proceed with some modifications to comply with existing regulations. Mr. Turner asserted that neither he nor his company has had any separate dealings with council on this project.

Larry Turner

No written submissions were received with respect to this application.

Submissions Received

**COMMITTEE REPORTS**

**Tourism & Economic Development Committee**

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

ACTIVITY REPORT  
For Information Only

**Administrative Services Committee**

**2012-09-03**

It was duly moved and seconded  
THAT the 2012 Capital Budget be amended by re-budgeting 2011  
capital expenditures in the amount of \$11,981,175.00 to reflect the  
2012 re-budgets as follows:

Organizational Review	\$ 40,000	
Selkirk Pump House	2,786,576	
Livingstone Trail Lagoon Odour Mitigation	2,303,942	
Downtown Reconstruction – Black Street West	277,043	
Rural Roads Resurfacing	466,327	
Asphaltic Surface Overlay	371,820	
Porter Creek Lagoon Remediation	73,326	
Raven's Ridge Transit Turnaround	32,881	
Selkirk Well Development	130,967	
Downtown Reconstruction: Hanson Street West	36,157	
Storm Sewer Upgrades	8,352	2012 CAPITAL RE-BUDGETS
Intersection Upgrade – Alaska Highway & Two Mile Hill	289,642	
2011 Infill Residential Lot Servicing	35,407	
1st Ave/Waterfront Underground	41,458	
Industrial Road Reconstruction: Two Mile to Quartz	103,770	
Lift Station Wet Well Upgrades (Clyde Wann Lift)	376,406	
Asphalt Paths	194,915	
SCADA	752,384	
Waste Heat Recovery CGC	281,676	
Sidewalk Upgrades	95,475	
Waste Oil Reclamation	96,690	
Tangible Capital Assets	35,134	
Computer Infrastructure	49,161	
Software Acquisition	1,278	
Software Licensing Renewals	26,296	

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**2012-09-03** (Continued)

ERP Final Phase	\$ 155,237
Web Maintenance	9,320
Mobile Sweeper	250,000
Vactor Replacement	\$415,000
Interpretive signage along river corridor	10,000
Bufflehead Park	16,702
Playground Equipment – 14 <sup>th</sup> Avenue at Elm Street	44,524
Lazulite Park	4,800
Paved Trails Resurfacing	60,009
Erosion Control	8,409
Rotary Park Upgrades	90,725
PSB Landscaping	21,683
Security Cameras CGC	14,660
Blinds for Concourse Windows	32,456
Flooring Repairs CGC – Facilities	27,913
Wellness Accessible Equipment CGC – Facilities	7,117
Parking Improvements CGC – Facilities	66,771
Field House Underlay Replacement CGC – Facilities	20,501
Zoning Bylaw Rewrite	8,274
Residential Intensification	78,971
Stevens Quarry Subdivision	36,159
Whistle Bend Next Phases	333,120
Porter Creek D Extension	431,360
Shipyards Park Heritage and Landscaping	193,270
Landscaping Strickland and Ogilvie	224,723
Hillcrest Reconstruction Project – Planning	30,000
Landfill Upgrades	145,579
Pump House & Recirculation Stations	74,319
Small Lift Station Upgrades	140,000
Hydrant Infill	36,039
Utility Security Cameras	77,115
Service Card Replacement	9,336
<b>Total Re-Budget</b>	<b>\$11,981,175</b>

2012 CAPITAL  
RE-BUDGETS  
(Continued)

- Carried Unanimously -

Administration confirmed that funds being carried over do generate investment income. A council member suggested that penalties should apply when projects are delayed due to contractor issue.

Discussion

**2012-09-04**

It was duly moved and seconded  
THAT the installation of a secondary water and sewer service at 305 Hawkins Street be authorized for the Blood Ties Four Directions Steve Cardiff House; and

THAT a grant to Blood Ties Four Directions in an amount not to exceed \$15,000.00, funded from council's donations account, be approved for the purpose of providing water and sewer services to the Tiny House Project at 305 Hawkins Street; and

AUTHORIZE WATER  
& SEWER SERVICES  
TINY HOUSE PROJECT

THAT the donations account budget be increased in the amount of \$15,000.00, funded from the Water and Sewer Reserve; and

THAT the owners of the property at 305 Hawkins Street be required to enter into a development agreement with the City with respect to the future use of the secondary services in the event of Blood Ties Four Directions no longer occupying the site.

- Carried Unanimously -

**2012-09-05**

It was duly moved and seconded  
THAT travel expenses for Mayor Buckway, and travel and per diem expenses from councillor-initiated travel funds for Councillor Stockdale, be authorized for their attendance at the 2012 annual conference of the Federation of Canadian Municipalities to be held in Saskatoon in June.

AUTHORIZE TRAVEL  
F.C.M. CONFERENCE

- Carried Unanimously -

Activity reports for the month of April 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 asked for an update on the issue of the City becoming the Community Entity to administer federal funding for the Homelessness Partnering Strategy.

Homelessness Partnering  
Strategy

The Committee noted the positive comments from the community with respect to the City's investment in Mount Sima and the additional attraction that the WildPlay Park will provide for the community. It was noted that there also have been numerous negative comments as well.

Mount Sima Investment

**City Planning Committee**

**2012-09-06**

It was duly moved and seconded  
THAT Bylaw 2012-17, a bylaw to amend the zoning at 34 Roundel  
Road to allow for reduced side and rear yard setbacks, be brought  
forward under the bylaw process and defeated at second reading.

BRING FORWARD  
ZONING AMENDMENT  
FOR 24 ROUNDEL ROAD  
AND DEFEAT

- Carried (5 – 1) -

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

ACTIVITY REPORT  
For Information Only

Issues Arising from Report

Administration confirmed that:

- The Building and Plumbing Bylaw adopts the National Building Code but surpasses those minimum requirements in many areas;
- The Whistle Bend YESAB study is on track, with the connector road to the Alaska Highway being studied as part of the next phases of the development; and
- The revenue numbers from the Planning Department are estimated as best as possible on a conservative basis while accounting for land releases.

Building Code Standards

Whistle Bend YESSAB

Revenue Numbers

**City Operations Committee**

**2012-09-07**

It was duly moved and seconded  
THAT the existing landfill operational contracts with Arctic Backhoe,  
Raven Recycling and General Waste Management be extended for  
an additional two year period ending June 30, 2014, with all other  
terms and conditions of the original contracts remaining unchanged.

EXTEND EXISTING  
LANDFILL CONTRACTS  
TO 2014

- Carried Unanimously -

Council asked for more information regarding the Consumer Price  
Index estimate contained in these contracts.

**2012-09-08**

It was duly moved and seconded  
THAT the contract for the supply of 10mm crushed sand be awarded to Skookum Asphalt Ltd. In the amount of \$105,577.00; and

CONTRACT AWARD  
ROAD MAINTENANCE  
SUPPLIES

THAT the contract for the supply of winter road salt be awarded to Canadian Lynden Transport Corporation in the amount of \$125,850.00.

- Carried Unanimously -

**2012-09-09**

It was duly moved and seconded  
THAT the contract for the supply of two new one-ton trucks, complete as per tender specifications, including options, be awarded to Whitehorse Motors for a net cost of \$135,929.00; and

CONTRACT AWARD  
ONE-TON TRUCKS

THAT the capital budget for Project #320c00110 be increased in the amount of \$5,929.00, funded from the Equipment Reserve for a budget total of \$135,929.00.

- Carried Unanimously -

**2012-09-10**

It was duly moved and seconded  
THAT the contract for the supply of four new pickup trucks, including listed options and complete as per tender specifications, be awarded to Whitehorse Motors for a net cost of \$141,046.00.

CONTRACT AWARD  
PICKUP TRUCKS

- Carried Unanimously -

**2012-09-11**

It was duly moved and seconded  
THAT the contract for Energy Assessments and Analysis of City Facilities be awarded to ICF Marbek for a cost to the City of \$100,000.00.

CONTRACT AWARD  
ENERGY AUDITS

- Carried Unanimously -

Activity reports for the month of April 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 details on the currently approved Building Canada projects

Building Canada Projects

New Business

The Committee noted that other Yukon municipalities have expressed interest in some of the surplus equipment that the City is disposing of as part of the equipment replacement policy. Administration explained that the disposal of surplus equipment is guided by policy and is a public process. The suggestion was made that communities interested in getting information about equipment disposals could check the “notify” box on the City’s website to receive information on availability in a timely manner.

Disposal of City  
Equipment  
For Information Only

**Community Services Committee**

Steve Robertson, representing the Whitehorse Food Bank, addressed the Committee to provide an update on the activities of the local food bank and raise awareness of hunger issues and the ongoing need for food bank services. He noted that the theme for this year’s Hunger Awareness Week is “Give it up for Hunger”, and encouraged Whitehorse citizens to skip a meal during this week of awareness and to help make a positive impact on the issue of hunger across the country. The Committee commended the initiative and the volunteers at the local food bank for their dedication, and advised that they would forgo lunch at Wednesday’s noon meeting and donate the funds that would have been spent to the food bank.

HUNGER AWARENESS  
WEEK  
For Information Only

**2012-09-12**

It was duly moved and seconded  
THAT the revised Handy Bus policy dated May 2012 be adopted as presented.

ADOPT REVISED  
HANDY BUS POLICY

- Carried Unanimously -

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

ACTIVITY REPORTS  
For Information Only

Issues Arising from Reports

The Committee asked for more information on the revenue figures from indoor facilities, and also requested an analysis of trends and information on strategies for membership sales.

Indoor Facilities Revenues

The Committee commended the Transit Department on the excellent performance in ridership and revenues with the new system, and also commended the new pilot project with the Department of Education.

Transit Ridership



New Business

Mayor Buckway acknowledged receipt of a letter from Tennis Yukon thanking the City of Whitehorse for services and assistance that facilitate the activities of the club at the Mount McIntyre Recreation Centre.

Tennis Yukon

The Committee asked for more information about the public's access to the tennis courts and noted that the fees have gone up significantly since the Tennis Club took over operations. Administration confirmed that the public does have access to the courts, but Tennis Yukon is now responsible for maintaining the courts and the new fees are there to off-set the costs.

Public Access to  
Tennis Courts

The Committee asked for information on the impact of beaver activities along the Millennium Trail.

Beaver Activity on Trails

**Public Health and Safety Committee**

**2012-09-13**

It was duly moved and seconded  
THAT a 2013 Capital project in the amount of \$625,000.00 be pre-approved for replacement of a Fire Pumper.

CAPITAL BUDGET  
COMMITMENT FOR  
NEW FIRE PUMPER

- Carried Unanimously -

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

ACTIVITY REPORTS  
For Information Only

Issues Arising from Reports

The Committee asked for more information on the types of ticketing taking place with respect to trail enforcement.

Trail Enforcement

New Business

Administration confirmed that the City is actively working with the Government of Yukon to find facilities to store equipment for the Search and Rescue organization.

Search & Rescue Storage

**NEW & UNFINISHED BUSINESS**

**2012-09-14**

It was duly moved and seconded  
THAT Bylaw 2012-22, a bylaw to regulate the 2012 municipal  
election in the City of Whitehorse, be brought forward for due  
consideration under the bylaw process.

BRING FORWARD  
2012 ELECTION  
PROCEDURES BYLAW

- Carried Unanimously -

Council discussed the need for additional polling stations as a way to  
address the issue of voter turnout, and expressed satisfaction with the  
proposed proxy and identification provisions of the bylaw.

Discussion

Administration confirmed that the bylaw proposes to expand the  
availability of mobile polls, and that the special ballot process allows  
voters a 16 day window in which they may cast their ballots.

**BYLAWS**

**2012-09-15**

It was duly moved and seconded  
THAT Bylaw 2012-17, a bylaw to amend the zoning at 34 Roundel  
Road in Hillcrest to allow for reduced rear and side yard setbacks, be  
given second reading.

**BYLAW 2012-17**  
ZONING AMENDMENT  
34 Roundel Road

SECOND READING

- Carried (4 – 2) -

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

Recorded Vote

Council members discussed their reasons for supporting or not  
supporting the bylaw, including the issues surrounding precedents and  
sending the message to the public that it is easier to get forgiveness  
than it is to get permission. It was noted that there were earlier  
opportunities for the City to stop the work on the project, and that the  
proponents should not be penalized for a series of errors that were  
made by others as well as by themselves.

Discussion

Council urged the public to follow the steps as set out in building and  
development permits.

**2012-09-16**

It was duly moved and seconded  
THAT Bylaw 2012-17, a bylaw to amend the zoning at 34 Roundel Road in Hillcrest to allow for reduced rear and side yard setbacks, having been read a first and second time, now be given third reading.

- Carried (4 – 2) -

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

**BYLAW 2012-17**

ZONING AMENDMENT  
34 Roundel Road

THIRD READING

Recorded Vote

**2012-09-17**

It was duly moved and seconded  
THAT Bylaw 2012-22, a bylaw to establish regulations and procedures for the 2012 municipal election, be given first reading

- Carried Unanimously -

**BYLAW 2012-22**

ELECTION PROCEDURE

FIRST READING

**2012-09-18**

It was duly moved and seconded  
THAT Election Procedures Bylaw 2012-22 be given second reading.

SECOND READING

**2012-09-19**

It was duly moved and seconded  
THAT Election Procedures Bylaw 2012-22 be amended to add at least one additional polling division, and if only one division is added, to ensure that the additional polling place is established in the Riverdale Subdivision.

- Carried (4 – 2) -

Amendment

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

Recorded Vote

The MAIN MOTION as amended was then voted on and CARRIED UNANIMOUSLY.

Vote on Main Motion

**2012-09-20**

It was duly moved and seconded  
THAT Bylaw 2012-26, a bylaw to amend the capital budget bylaw to provide funding for the Mount Sima Ski Hill, be given first reading.

- Carried Unanimously -

**BYLAW 2012-26**

BUDGET AMENDMENT  
(Mount Sima Ski Hill)

FIRST READING

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

Recorded Vote

OPPOSED: Councillor Irwin

**2012-09-21**

It was duly moved and seconded  
THAT Bylaw 2012-26 be given second reading.

SECOND READING

- Carried Unanimously -

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

Recorded Vote

OPPOSED: Councillor Irwin

Dennis Shewfelt stated that it has been an honour and a privilege to work for the City of Whitehorse, and expressed the opinion that a lot of good things were accomplished during his tenure. He commended the senior management and management teams at the City and thanked all staff for their good work in the best interest of the community.

Farewell from City Manager

There being no further business, the meeting adjourned at 9:30 p.m.

**ADJOURNMENT**

ORIGINAL MINUTES SIGNED BY:

*"Kirk Cameron"*

\_\_\_\_\_  
Kirk Cameron, Deputy Mayor

*"Robert I. Fendrick"*

\_\_\_\_\_  
Robert I. Fendrick, FCGA, City Clerk

ADOPTED by resolution at Meeting #2012-10 dated May 28, 2012