



**Minutes of the Meeting of the
Tourism and Economic Development Committee**

Date: June 18, 2012
Location: Council Chambers, City Hall
Present: Councillor Austin – Chair
Councillor Stockdale – Vice Chair
Deputy Mayor Cameron
Councillor Irwin
Councillor Pillai
Councillor Roberts
Absent: Mayor Buckway
Staff Present: Robert Fendrick, Director of Administrative Services
Brian Crist, Director of Operations

Your Worship, there is no report from the Tourism and Economic Development Committee.



Minutes of the Meeting of the Administrative Services Committee

Date: June 18, 2012

Location: Council Chambers, City Hall

Present: Councillor Roberts - Chair
Councillor Pillai – Vice Chair
Deputy Mayor Cameron
Councillor Austin
Councillor Irwin
Councillor Stockdale

Absent: Mayor Buckway

Staff Present: Robert Fendrick, Director of Administrative Services
Brian Crist, Director of Operations

Your Worship, the Administrative Services Committee respectfully submits the following report:

1. **2011 Financial Statements**

In 2009, the City was required by the Public Sector Accounting Board (PSAB) to adopt revised Public Sector Accounting Standards. The standards require the recognition of all non-financial assets including tangible capital assets, prepaid expenses and inventories of supplies as assets in the financial statements. In addition, revenue from contributed assets, and amortization on tangible capital assets was recorded in the statement of operations.

The 2011 Financial Statements have been finalized and the auditors have completed their review of the statements, supporting schedules and notes. The auditors confirm that these statements present fairly the financial position of the City of Whitehorse as at December 31, 2011.

The Committee noted that decreasing reserves lowers the City's ability to respond to economic changes in the medium term, but in the short-term the City's cash and short-term assets are in good shape to meet day to day cash needs.

Administration explained that increases in Visa user fees reflect the public's demand for this option to pay for all programs and services. However, credit card payments for taxation would be too onerous for the City to institute at this time.

The recommendation is and I move

THAT the audited City of Whitehorse 2011 Financial Statements be approved as presented; and

THAT the Water and Sewer Fund surplus of \$254,487.00 be directed to the Water and Sewer Reserve; and

THAT the General Fund surplus of \$481,711.00 be directed to the Contingency Reserve.

2. **Amend Fees & Charges Bylaw**

Councillor Pillai declared a conflict with respect to the Fees and Charges amendments and left Council Chambers during discussion of the matter.

As part of the annual budget preparation process, the Financial Services Department compiles a list of additions and amendments to the Fees and Charges Bylaw. These amendments are brought forward on a quarterly basis for mid-year amendments as required operationally. The changes proposed at this time include a new employer pass program for Transit, fees reflecting the new Waste Management Bylaw, as well as changes to various facilities fees.

Administration confirmed that the changes to facility fees reflect the new Cost Recovery Policy. Administration also confirmed that the new kitchen fees in the Mount McIntyre facility recognize when only the kitchen and not the Grey Mountain Room is used.

The Committee asked for more information regarding the installation of summer ice, especially with respect to the cost of installation and the kind of revenue commitments required to make it viable.

The recommendation is and I move

THAT Bylaw 2012-33, a bylaw to amend the Fees and Charges Bylaw with respect to mid-year adjustments, be brought forward for due consideration under the bylaw process

Councillor Pillai returned to Council Chambers

3. **Grants for Municipal Charges & Community Services**

Each year Council allocates funds under the Community Service Grants Policy to assist non-profit, religious and/or charitable organizations in the payment of municipal property taxes and utilities. In addition, Council has established a policy of granting property taxes and other specific municipal charges to non-profit charitable and/or recreational organizations that lease municipally owned property through leases and resolutions. Council has also historically deemed museums, the Humane Society and the Downtown Urban Garden Society to be special cases warranting the granting of taxes and other

municipal charges. Last year's list of approved recipients is amended with the addition of the Food Bank Society of Whitehorse and the deletion of Committee on Abuse in Residential Schools, who did not apply this year.

The 2012 budget for Community Service Grants was capped at \$143,000. The amount of funding required to meet the lease and other typical grant considerations based on policy and historical practices results in total grants exceeding this amount. In order to stay within the budget and be consistent with policy direction, it is recommended that the proposed 2012 grant amounts be reduced by 15%. This reduction applies to all applicants under all categories. Council has the authority to vary the grant amount above or below this level if desired.

Administration confirmed that the grant to Habitat For Humanity applies to the construction period for each property. The grant ceases when the title is transferred to a new owner, who then assumes responsibility for taxes, utilities, and any applicable local improvement charges.

The Committee expressed a desire to amend the bylaw to grant the full amount eligible as per usual. Administration was requested to notify recipients that they will be required to amend their budgets next year as the available grant funds will no longer cover the full amount.

The recommendation is and I move

THAT Bylaw 2012-31, a bylaw to authorize grants for municipal charges and community services for the year 2012, be brought forward for due consideration under the bylaw process; and

THAT the variance from budget that resulted in a deficit of \$24,579.51 be funded from the Contingency Reserve.

4. Support for FCM campaign

A crucial federal infrastructure funding program will end when the Building Canada Plan expires in 2014. Any interruption in this funding could have serious consequences for the City of Whitehorse and for projects such as Range Road reconstruction, the next phases of Marwell reconstruction, and the ongoing upgrade of infrastructure in areas such as Hillcrest and Downtown.

The federal government has promised to develop a new infrastructure plan before the 2014 deadline, in partnership with municipalities, provinces and territories.

This resolution is the first step in telling the federal government how important it is that they continue to invest in cities and communities, and that it is essential to have a new infrastructure plan in place when the Building Canada Plan expires in 2014.

The recommendation is and I move

WHEREAS The Building Canada Plan and a number of important federal-provincial transfer agreements vital to Canada's cities and communities will expire in March 2014; and

WHEREAS federal investments over the last few years have helped to slow the decline of our cities and communities, and the Government of Canada has committed to develop a new long-term plan for municipal infrastructure funding in consultation with municipal and provincial/territorial governments; and

WHEREAS a seamless transition from the Building Canada Plan to a new long term plan is necessary to ensure that municipalities can continue planning their capital spending effectively; and

WHEREAS the Federation of Canadian Municipalities (FCM) has launched a campaign to ensure the new plan reflects municipal priorities across the country, and has asked its member municipalities to support the campaign; and

WHEREAS the City of Whitehorse has continuing infrastructure needs that can only be met with through the kind of long-term planning and investment made possible by a national plan;

THEREFORE, BE IT RESOLVED THAT the campaign launched by the Federation of Canadian Municipalities to ensure the new plan reflects municipal priorities across the country be endorsed by the council of the City of Whitehorse; and

THAT the Mayor be authorized to send a letter to the Minister of Transport, Infrastructure and Communities, urging him to work with the Federation of Canadian Municipalities to ensure the new long-term infrastructure plan meets the core infrastructure needs of cities and communities and is fully in place when existing programs expire in 2014; and

THAT a copy of this resolution be sent to the Minister of Transport, Infrastructure and Communities, to the Yukon Premier, to the Yukon Minister of Community Services, to MP Ryan Leef, to the Federation of Canadian Municipalities and to the Association of Yukon Communities.

5. **Authorize Council Travel**

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.

The *Municipal Act* Review Committee will be travelling to various Yukon Communities for the purpose of holding a series of public meetings. Mayor Buckway and Councillor Cameron have indicated their intention to participate on the *Municipal Act* Review Committee and attend these public meetings.

The recommendation is and I move

THAT travel expenses be authorized for Mayor Buckway to participate in the *Municipal Act* Review Committee public meetings; and

THAT travel expenses funded from City Representative travel, and per diem expenses funded from Councillor-initiated travel, be authorized for Councillor Cameron to attend the *Municipal Act* Review Committee public meetings.



Minutes of the Meeting of the City Planning Committee

Date: June 18, 2012

Location: Council Chambers, City Hall

Present: Councillor Pillai – Chair
Councillor Irwin – Vice Chair
Deputy Mayor Cameron
Councillor Austin
Councillor Pillai
Councillor Roberts

Absent: Mayor Buckway

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

Your Worship, the City Planning Committee respectfully submits the following report:

1. **Public Hearing Report - Zoning Amendment (Raven's Ridge)**

Raven's Ridge Developments Ltd. (RRDL) has applied to rezone portions of two lots located immediately east of the existing Raven's Ridge Development in order to develop 16 new country residential lots. At the public hearing on May 14, three written submissions expressed opposition to or concerns about the development. In addition to the applicant, two people appeared at the hearing to express concerns. Issues raised include impacts to the watershed, safety issues regarding the single-road access and the junction with the Alaska Highway, setbacks from McIntyre Creek, and subsurface Crown grants in the area.

Preliminary groundwater results from EBA Consultants indicate that the bedrock aquifer beneath the proposed development is considered to be a hydro-geological sensitive aquifer. This can lead to potential groundwater and well contamination. EBA is currently completing a more detailed hydro-geological study to assess impacts associated with the development.

Concerns were raised over the proposed single-road access and the problems it would cause in emergency situations and evacuations. While it is best practice to have more than one road into a subdivision, this is not a requirement of the City. Due to steep slopes in the north, RRDL is unable to provide a second access. Instead, a public

walkway is being proposed at the northern end which will act as another evacuation route.

Highway accesses fall under the authority of the Yukon Government. When Raven's Ridge Phase 1 was developed, the highway access into the subdivision was approved. At the time, the access was not evaluated for future development and the applicants will need to obtain approvals for the additional traffic generated by the new phase. Discussions with the department indicate that it is highly probable that an acceleration and/or deceleration lane will be required.

The suggestion was made that approval of this zoning amendment be contingent upon the relocation of the road away from the McIntyre Creek riparian setback. The approval of Phase 2 cannot be contingent on moving the road since it has now been constructed and provides the legal access to the lots created in the Phase 1 development. In addition, moving the road may have further impact on the creek.

A concern was raised that this development will impact existing subsurface Crown Grants in the area. These grants were acquired for the purpose of developing and extracting mineral resources contained underground. Disputes over surface and sub-surface rights are covered through a combination of legislation and common law principles. Accordingly, administration has determined that this issue is not zoning related. Furthermore, there are no liability issues for the City in making a zoning decision.

Administration is recommending that this bylaw be brought forward but that a final decision be deferred until the results of the new hydro-geological study are received and analyzed.

Administration confirmed that the Yukon Government is conducting a study of the Alaska Highway in the area, and speed limits will be one of the issues addressed. It was also confirmed that no studies have been done on the impact of the existing access road on the riparian area.

The Committee asked for clarification on the City's liability position with respect to sub-surface rights, and administration confirmed that Crown Grant interests are registered on the title of property, which provides notice to purchasers. It is the City's duty is to provide a process to proponents with sub-surface rights, but at this time none of the City's plans have allowed for mining in Whitehorse. The Committee asked for more information on the legal aspects of the Official Community Plan, the Zoning Bylaw, and sub-surface rights.

The recommendation is and I move

THAT Bylaw 2012-06, a bylaw to change the zoning of portions of Lots 49 and 50, Group 5, Plan 9540 CLSR, to allow for the development of Raven's Ridge Phase 2, be brought forward for due consideration of second reading under the bylaw process; and

THAT third reading of Bylaw 2012-06 be postponed pending the results of the hydro-geological study.

2. Zoning Amendment - 9 Gibbons Place

The owners of 9 Gibbons Place, located in the Verslucce Meadows area of Porter Creek, have applied to rezone their property to legitimize their home-based business. The lot has a single detached house and a detached accessory building that has a permitted garden suite on the upper floor and an un-permitted mechanics business on the ground floor. The applicants are applying to add four new provisions to the existing restricted zoning of the property. These new provisions will allow them to operate their major home-based business as a secondary use from a detached accessory building, with associated exterior storage and more than one commercial vehicle being permitted on the site.

Overall, the activities comprising this home-based business deviate from the intent of the Zoning Bylaw. Home-based businesses are meant to be incidental to the primarily residential nature of neighbourhoods with minimal impacts to neighbours. Generally, the type of operation conducted by the applicant is located in commercial/industrial areas of the City. Additionally, the applicants would need to apply for a special waste permit from Environment Yukon to generate and store used oil.

Administration confirmed that the site has been levelled to mitigate any spillage, but no setbacks are currently in place. The Committee requested that the bylaw include an additional setback requirement with respect to the fuel storage.

The recommendation is and I move

THAT Bylaw 2012-34, a bylaw to amend the zoning at 9 Gibbons Place in Porter Creek to allow for the development of a major home-based business in an accessory building, be brought forward for due consideration under the bylaw process.

3. Development Agreement – Minor Development Incentive

Council approved the Development Incentives Policy in 2011. Under this policy, developments that meet the specified criteria are eligible for a yearly monetary grant from the City. The value of the grant is based on the increase in taxation rate due to the improvements on the property. Development incentives are authorized through a Development Agreement and implemented through a grant to the property owners after they have paid their taxes in full. The term specified as part of the Development Incentives would begin one year after the issuance of a Building Permit. This “phase-in” period is provided as there may be minimal change in the assessed value.

The City has received two separate applications for Minor Development Incentive, one for a garden suite at 5 Buttercup Place in Mary Lake and one for a living suite at 35 Topaz Crescent in Copper Ridge. Both developments meet the criteria for the Minor Development Incentive.

As per the new Development Agreement Regulations Bylaw, administration is recommending that the Director of Operations be given the authority to approve Development Agreements. Similarly, administration is recommending that the Development Incentives Policy be amended to allow the Director of Operations to

approve Standard and Minor Development Incentives. Council will continue to approve Major Development Incentives.

Administration confirmed that these are the first applications for development incentives.

The recommendation is and I move

THAT the Director of Operations be authorized to sign development agreements on behalf of the City of Whitehorse with respect to minor development incentives at 5 Buttercup Place in the Mary Lake Subdivision and 35 Topaz Crescent in the Copper Ridge Subdivision; and

THAT the revised Development Incentives Policy dated June 2012 be adopted as presented.

4. Leases - Mt. McIntyre Recreation Centre

Lease agreements with the Whitehorse Curling Club and the Whitehorse Cross Country Ski Club with respect to separate spaces in the Mount McIntyre Recreation Centre have been in place since 2006. These lease agreements expired in 2011 and both the Curling Club and the Ski Club have been operating under an over-holding status until new leases could be established. New lease agreements have now been negotiated and are being brought forward for Council's consideration. The proposed term of each lease is ten years, expiring in 2022, and each includes options for renewal or for termination.

To arrive at an annual lease rate, each club's building lease area percentage was applied to the overall operating and maintenance costs at a 50% cost recovery level. This resulted in an increase for the Curling Club and a slight decrease for the Ski Club. To achieve the proposed rate for the Curling Club, administration is recommending an annual \$6,000.00 incremental increase to reach the full annual lease rate in year six of the ten-year lease term. After that time, an annual inflationary value of three percent is proposed to be added each year to cover the rising operation and maintenance costs of the building. This annual inflationary value increase will also apply to the Ski Club in each year of the lease term.

Mark Evans and Matt Bustin of the Whitehorse Curling Club addressed the Committee to request that the City not proceed with the Curling Club lease as presented. Mr. Evans stated that the proposed lease is unsustainable and would break the club financially. He also suggested that the lease does not take into consideration the fact that the club maintains the ice area and pays and the associated utility costs. Mr. Evans also expressed dissatisfaction with the City's desire to have two weeks available each year, and noted that the Club's request for free time in the Grey Mountain Room is not included in the current document. Mr. Evans suggested that the proposed term of ten years is too long for the Club to sustain, and asked the City to consider a five year lease with only a three percent increase per year over the current rate paid by the Club.

Lauren Muir of the Yukon Curling Association advised the Committee that the Whitehorse Curling Club makes a significant positive contribution to the community, operating programs for a wide variety of citizens. She encouraged the City to continue to negotiate with the Curling Club to establish a lease that will allow the club to continue operations.

The Committee discussed the proposed lease rates in light of the contribution the Club is making, and the suggestion was made that there might be an opportunity for the Club to help with facility management. Administration confirmed that some dialogue has occurred in this regard.

The Whitehorse Curling Club was encouraged to continue to apply for recreation grant and special event grant funding as applicable.

The recommendation is and I move

THAT Bylaw 2012-23, a bylaw to authorize a lease agreement with the Whitehorse Curling Club, be brought forward for due consideration under the bylaw process; and

THAT Bylaw 2012-24, a bylaw to authorize a lease agreement with the Whitehorse Cross Country Ski Club, be brought forward for due consideration under the bylaw process

5. Lease Agreement - KBL Environmental Ltd.

KBL Environmental Ltd. approached the City in the fall of 2011 to investigate options for leasing City land to operate a special waste management facility. Discussions led to the proposal by KBL to enter into a lease with the City for a parcel of land within the City's waste management facility. The proposed special waste transfer facility will involve the collection of hazardous substances from the public and short term storage thereof for transport off site for processing or disposal at licensed, specialized waste facilities throughout Canada. The site will be located on a 1 hectare parcel of land located adjacent to the gatehouse at the entrance to the waste management facility. The site will be accessed using the existing access road from the Alaska Highway to the gatehouse area. The lease term will be for five years with options for renewal or termination.

Jeff Dirks of KBL Environmental addressed the Committee to provide an overview of his company's goals and objectives with respect to the proposed facility. He explained that the company offers emergency response for spills, recycles materials like glycols and contaminated soils, and provides training opportunities. Approximately 20 positions will be created. Mr. Dirks confirmed that the facility will comply with all regulations, and noted that the application has already received a YESSA approval with certain notification and testing conditions.

Administration confirmed that there is no conflict between the proposed facility and the compost site, and that the site will be well contained, thereby reducing the need for environmental testing.

The recommendation is and I move

THAT Bylaw 2012-27, a bylaw to authorize a lease agreement with KBL Environmental Ltd. with respect to the operation of a special waste management facility, be brought forward for due consideration under the bylaw process.

6. **New Business**

A Committee member commended the Planning and Development Services Department on its cutting edge approach to sustainable building, and commented that the policies promoted by the City of Whitehorse are well ahead of those in place in much of Canada.



Minutes of the Meeting of the City Operations Committee

Date: June 18, 2012

Location: Council Chambers, City Hall

Present: Councillor Irwin – Chair
Deputy Mayor Cameron
Councillor Austin
Councillor Pillai
Councillor Roberts
Councillor Stockdale

Absent: Mayor Buckway

Staff Present: 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 – Selkirk Pump Station Offsite Works**

The existing Selkirk Pump house has been in operation since the early 1950's and its replacement has been a high priority for the past few years. This station is the main distribution and treatment point for the entire city's drinking water system. A complete upgrade is necessary to meet future water demands as Whitehorse's population increases and new areas are developed. The entire replacement project is funded by the Federal Gas Tax program. Eight companies picked up the tender packages and four bids were received. The review committee agreed that the low bidder has the skills and experience to complete the work as tendered. Funds for this portion of the project were included in the 2013 budget, and therefore a budget amendment will be required to complete the work this year.

The Committee expressed some concern regarding the recommended contractor's ability to complete the project as specified. Administration confirmed that there will be measures in place to ensure that the contractor performs the work as specified and in the time allotted.

The recommendation is and I move

THAT the 2012 Selkirk Pump Station Replacement – Offsite Works contract be awarded to Norcope Enterprises for a net cost to the City of \$1,566,892.75; and

THAT the 2012-2015 Capital Budget be amended by increasing project 240c00110, Selkirk Water Pump House, in the amount of \$2,100,000.00 funded from Gas Tax in 2012, and reducing project 240c00110 in 2013 to zero.

2. **New Business**

The Committee asked for an update on the work being done on the Dogwood Lift Station project.



Minutes of the Meeting of the Community Services Committee

Date: June 18, 2012

Location: Council Chambers, City Hall

Present: Councillor Stockdale – Chair
Councillor Roberts – Vice Chair
Deputy Mayor Cameron
Councillor Austin
Councillor Irwin
Councillor Pillai

Absent: Mayor Buckway

Staff Present: Robert Fendrick, Director of Administrative Services
Brian Crist, Director of Operations

Your Worship, the Community Services Committee respectfully presents the following report:

1. **Request for Support – Fast-pitch Championship Participants**

The 2012 Women's World Fast-pitch Championships are being held in Whitehorse this July. The event is bringing in more than 360 participants from many countries around the world. Transportation to and from the venue is being provided for participants, but if they want to go to the Canada Games Centre to run the track, use the weight room or pool, they will need a way to source both access and transportation to the facility. Administration is recommending that accredited participants be given free access to Whitehorse Transit and the Canada Games Centre during the competition.

The Committee asked administration to ensure that the City is recognized for its contribution to this event.

The recommendation is and I move

THAT free transit service and Canada Games Centre access be approved for participants in the 2012 Women's World Fast-pitch Championships being held in Whitehorse from July 10 to July 22; and

THAT the participants in the 2012 Women's World Fast-pitch Championships be required to show their accreditation passes in order to receive free service.



**Minutes of the Meeting of the
Public Health and Safety Committee**

Date: June 18, 2012

Location: Council Chambers, City Hall

Present: Councillor Austin – Chair
Deputy Mayor Cameron
Councillor Irwin
Councillor Pillai
Councillor Roberts
Councillor Stockdale

Absent: Mayor Buckway

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

Your Worship, the Public Health and Safety Committee respectfully submits the following report:

1. **Animal Control Bylaw - For Information Only**

Mr. Peter Blum addressed the Committee to express concern that the proposed changes to the Animal Control Bylaw do not include a ban on roosters in country residential areas. He stated that he is in favour of the new regulations regarding chickens in urban areas, but noted that crowing roosters are too noisy and should be banned throughout the City. He encouraged Council to define roosters as nuisance animals and to amend the bylaw to ban roosters in all country residential zones.

2. **All Terrain Vehicle Bylaw**

The current All-Terrain Vehicle (ATV) Bylaw is 22 years old and needs to be updated to better reflect the current and future needs of the ATV user, other trail users, the community, and the environment. Over the past several years, awareness and concern for the environment within City limits has grown as it relates to the use of ATVs. Additionally, there has been increased concern regarding trail safety for all users. Last fall a Task Force comprised of a variety of groups and stakeholders within the

community began the process of obtaining feedback from the community and providing recommendations to council for the development of a new ATV Bylaw.

The public was given numerous opportunities to participate in the bylaw re-write process. The public was also very much involved in the preparation of the Official Community Plan, the Trail Plan and the Strategic Sustainability Plan, all of which speak to needs and restrictions that were considered in the formulation of the new bylaw. It is important to note that there are a variety of conflicting interests related to activities on the Whitehorse Trail System. Wherever possible, efforts were made to keep the ATV Bylaw consistent with the Snowmobile Bylaw. There will be many people who find the new bylaw too restrictive, and at the same time many others will feel that it does not go far enough.

Safety and education are key components of the new bylaw. Administration is recommending that the bylaw be brought forward for first reading only, followed by a public input session at the regular meeting on July 9. With a report on the public input coming back to Council on July 16, the bylaw could be passed by July 23.

The recommendation is and I move

THAT Bylaw 2012-21, a bylaw to regulate the control, operation and use of all-terrain vehicles in the City of Whitehorse, be brought forward for due consideration under the bylaw process.

3. New Business

Administration confirmed that bicycle patrols are being conducted by an Officer that issue tickets.