

MINUTES of **REGULAR** Meeting #2012-11 of the council of the City of Whitehorse called for 7:30 p.m. on Monday, June 25, 2012, in Council Chambers, City Hall.

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

ALSO PRESENT: Acting City Manager Brian Crist
Acting Director of Administrative Services Valerie Anderson

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

CALL TO ORDER

2012-11-01

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

AGENDA

Carried Unanimously

2012-11-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated May 28, 2012
be adopted as presented.

MINUTES

May 28, 2012

Carried Unanimously

PUBLIC HEARING

Mayor Buckway called three times for anyone to appear to address
Bylaw 2012-20, the 2012 Zoning Bylaw.

BYLAW 2012-20

Cameron Kos suggested that fence height should be adjusted to conform to lengths of available lumber, noting that the increase in height would also afford more privacy. With respect to the height limits in the downtown, he suggested that the parkade zone seems to be oddly out of place. Mr. Kos also expressed concerns about changes to RS zones including decreasing minimum lot size to an odd number size; reducing the minimum lot width by one metre, and cutting the required rear yard setback in half, which could potentially impact sunlight and privacy for neighbours.

CAMERON KOS

Mr. Kos also stated the opinion that it is very important to maintain the basic zoning in an area so that the makeup of the street when people purchase property is going to be the makeup of the street in the future. He expressed concern that the change to remove a minimum frontage requirement for the multi-family zone would impact potential development on the Fir Street lots that were rezoned last year. Mr. Kos also noted that group homes have been renamed to residential care homes and suggested that this should be included in the definitions.

CAMERON KOS
(Continued)

Kristiane Woods spoke in favour of changes to the Animal Control Bylaw to allow chickens. She stated that she purchased chickens assuming the bylaw was already in place, and was notified by bylaw that she could not keep them. She suggested that nutritional reasons, the promotion of food security, and bringing the family closer to a food source are reasons why backyards chickens are a very good way to go in Whitehorse. Ms. Woods explained that some of her neighbours were disturbed, and she feels that the disturbance was caused more by dogs who responded to the new scents in the area.

KRISTIANE WOODS

Jonathan Lucas advised council that the proposed minimum lot size for agricultural zones is too large. To encourage agriculture in the city, he suggested that the minimum be reduced to two acres or less.

JONATHAN LUCAS

James Murray advised council that the amendment regarding chickens is a positive change. He reminded council that Canada is a signatory to the Human Rights Declaration that says growing one's own food is a human right.

JAMES MURRAY

Peter Blum advised that he supports the changes to the Animal Control Bylaw with respect to allowing chickens in urban residential areas. He endorsed the statements made by previous delegates regarding the minimum noise levels associated with chickens and reiterated that his only objection is to allowing roosters in any area of the municipality.

PETER BLUM

There were 37 written submissions received with respect to the Zoning Bylaw, and 11 submissions were received with respect to the Animal Control Bylaw.

Submissions Received

Mayor Buckway called three times for anyone to appear to address Bylaw 2012-25, a bylaw to change the zoning at 600 Drury Street in the Downtown area to allow for the development of an apartment building. There was no one present to address the bylaw and no submissions were received.

BYLAW 2012-25
ZONING AMENDMENT
600 DRURY STREET

COMMITTEE REPORTS

Tourism & Economic Development Committee

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

No Report

Administrative Services Committee

2012-11-03

It was duly moved and seconded
THAT the audited City of Whitehorse 2011 Financial Statements be approved as presented; and

2011 FINANCIAL
STATEMENTS

THAT the Water and Sewer Fund surplus of \$254,487 be directed to the Water and Sewer Reserve; and

THAT the General Fund surplus of \$481,711 be directed to the Contingency Reserve.

Carried Unanimously

Councillor Pillai declared a conflict of interest with the next item of business and left Council Chambers during discussion of the matter.

Conflict Declared

2012-11-04

It was duly moved and seconded
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.

BRING FORWARD
FEES & CHARGES
AMENDMENTS

Carried Unanimously

Councillor Pillai returned to Council Chambers.

Conflict Over

2012-11-05

It was duly moved and seconded
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

BRING FORWARD
2012 COMMUNITY
SERVICE & MUNICIPAL
CHARGES GRANTS

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

Carried Unanimously

2012-11-06

It was duly moved and seconded
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;

SUPPORT FOR
FCM INITIATIVE

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 Premier of the Yukon, to the Yukon Minister of Community Services, to MP Ryan Leef, to the Federation of Canadian Municipalities and to the Association of Yukon Communities.

Carried Unanimously

2012-11-07

It was duly moved and seconded

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

AUTHORIZE TRAVEL
AND PER DIEM
EXPENSES
(*Municipal Act* Review
Committee Meetings)

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.

Carried Unanimously

City Planning Committee

2012-11-08

It was duly moved and seconded

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

BRING FORWARD
ZONING AMENDMENT
FOR RAVEN'S RIDGE
PHASE 2

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

Carried Unanimously

Council discussed issues regarding sub-surface rights, the need for a secondary access, and the need for the hydro-geological study to be completed before the bylaw is brought forward for third reading.

Discussion

2012-11-09

It was duly moved and seconded

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.

BRING FORWARD
ZONING AMENDMENT
FOR 9 GIBBONS PLACE

Carried Unanimously

Administration confirmed that there have been no complaints from the neighbours regarding this business during the time that it has been operating.

Discussion

2012-11-10

It was duly moved and seconded
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

AUTHORIZE MINOR
DEVELOPMENT
INCENTIVES AND
REVISED POLICY

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

Carried Unanimously

Council noted that these incentives perform a dual purpose in that they encourage development of additional rental space in the City and also ensure that these spaces meet all the requirements of the Zoning Bylaw and the Building and Plumbing Bylaw.

Discussion

2012-11-11

It was duly moved and seconded
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

BRING FORWARD
LEASES FOR MOUNT
MCINTYRE RECREATION
CENTRE SPACES

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.

Council discussed the existing policy for 50% cost recovery in City facilities and reminded the public that the negotiations that took place were done at Council's direction.

Discussion

2012-11-12

It was duly moved and seconded
THAT consideration of the leases for space in the Mount McIntyre Recreation Centre be delayed for a period of at least one month to allow time for further negotiations.

Motion to Postpone

Carried (6 – 1)

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

Recorded Vote

OPPOSED: Councillor Roberts

2012-11-13

It was duly moved and seconded
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.

BRING FORWARD
LEASE FOR SPECIAL
WASTE TRANSFER
STATION

Carried (6 – 1)

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

Recorded Vote

OPPOSED: Councillor Cameron.

Administration confirmed that only one objection was received, and the
objector was advised that the City was responding to an unsolicited
proposal by providing lease space. This response is in keeping with
existing policy, and any proponent has the option of bringing forward a
proposal. Council discussed whether proposals such as this are in
some way circumventing the tender process.

Discussion

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.

Planning Department
Commended
For Information Only

City Operations Committee

2012-11-14

It was duly moved and seconded
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

CONTRACT AWARD
SELKIRK PUMP STATION
OFFSITE WORKS

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

Carried Unanimously

Administration confirmed that contracts are evaluated in accordance
with established policy, and that contract law will apply if there are
issues arising with completion of the contract.

Discussion

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

Update Requested

Community Services Committee

2012-11-15

It was duly moved and seconded
THAT Council approve free transit service and Canada Games
Centre access for participants in the 2012 Women's World Fast-pitch
Championships being held in Whitehorse from July 10 to July 22;
and

AUTHORIZE SUPPORT
FOR 2012 WOMEN'S
WORLD FASTPITCH
CHAMPIONSHIPS

THAT the participants in the said championships be required to show
their accreditation passes in order to receive free service.

Carried (6 – 1)

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

Recorded Vote

OPPOSED: Councillor Cameron

A councillor commented that there is a contradiction between providing
free service to an outside group while there are gaps in service to
citizens such as no evening or Sunday service.

Discussion

Public Health and Safety Committee

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.

PETER BLUM
Amendments to the
Animal Control Bylaw
(For Information Only)

2012-11-16

It was duly moved and seconded
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.

BRING FORWARD
A.T.V. BYLAW

Carried Unanimously

Administration confirmed that bicycle patrols are being conducted by
an officer that issues tickets.

Bicycle Patrols
For Information Only

BYLAWS

2012-11-17

It was duly moved and seconded
THAT Bylaw 2012-30, a bylaw to provide for the collection, disposal,
storage and transportation of waste in the City of Whitehorse, having
been read a first and second time, now be given third reading.

BYLAW 2012-30
WASTE MANAGEMENT
THIRD READING

2012-11-18

It was duly moved and seconded
THAT Waste Management Bylaw 2012-30 be amended as follows:

1. Amend the definition of Compostable Waste to read:
“Compostable Waste means organic material of plant or animal
origin as set out in Schedule “B” to this bylaw, but which does
not include personal hygiene products, pet faeces, pet litter or
ashes”;
2. Change the words “animal faeces” in sections 31 and 38 to read
“pet faeces”;
3. Amend Schedule “A” (Voluntary Fines) so that sections 31 and
38 read “pet faeces”;
4. Amend section 3 of Schedule “B” (Compostable Waste) to read:
“Human hair, pet hair, fur, feathers, chicken manure and
compostable bedding”;
5. Amend section 6 of Schedule “D” (Controlled Waste) to read:
“Manure, kennel material, excreta and fish processing material,
excluding chicken manure and compostable bedding”; and
6. Amend section 13 of Schedule “F” (Residual Waste) to read:
“Pet faeces, including litter box filler (kitty litter)”

Amendment

Carried Unanimously

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

Vote on Main Motion

Council commended the work done on the Waste Management Bylaw.

Discussion

2012-11-19

It was duly moved and seconded
THAT Bylaw 2012-06, a bylaw to change the zoning of a parcel of land
adjacent to Raven’s Ridge Phase 1 to allow for the development of
additional country residential lots, be given second reading.

BYLAW 2012-06
ZONING AMENDMENT
RAVEN’S RIDGE 2
SECOND READING

Carried Unanimously

2012-11-20

It was duly moved and seconded
THAT Bylaw 2012-27, a bylaw to authorize a lease agreement with
KBL Environmental Ltd., be given first reading.

Carried Unanimously

BYLAW 2012-27

KBL LEASE AGREEMENT

FIRST READING

2012-11-21

It was duly moved and seconded
That Bylaw 2012-27 be given second reading.

Carried Unanimously

SECOND READING

The electronic connection with Councillor Cameron was lost at this
point in the meeting.

Electronic Participation
Severed

2012-11-22

It was duly moved and seconded
THAT Bylaw 2012-31, a bylaw to authorize community service grants
and grants for taxes and other municipal charges for the year 2012,
be given first reading.

Carried Unanimously

BYLAW 2012-31

GRANTS FOR MUNICIPAL
CHARGES &
COMMUNITY SERVICE

FIRST READING

2012-11-23

It was duly moved and seconded
THAT Bylaw 2012-31 be given second reading.

Carried Unanimously

SECOND READING

2012-11-24

It was duly moved and seconded
THAT Bylaw 2012-33, a bylaw to amend the Fees and Charges
Bylaw with respect to mid-year changes, be given first reading.

Carried Unanimously

BYLAW 2012-33

FEES & CHARGES
AMENDMENT

FIRST READING

2012-11-25

It was duly moved and seconded
THAT Bylaw 2012-33 be given second reading.

Carried Unanimously

SECOND READING

2012-11-26

It was duly moved and seconded
THAT Bylaw 2012-21, a bylaw to regulate the control, operation and
use of all-terrain vehicles in the City of Whitehorse, be given first
reading.

Carried Unanimously

BYLAW 2012-21

A,T,V. BYLAW

FIRST READING

2012-11-27

It was duly moved and seconded
THAT Bylaw 2012-34, a bylaw to change 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 given first reading.

Carried Unanimously

BYLAW 2012-34

ZONING AMENDMENT
9 GIBBONS PLACE

FIRST READING

There being no further business, the meeting adjourned at 9:33 p.m.

ADJOURNMENT

ORIGINAL MINUTES SIGNED BY:

"Dave Austin"

Dave Austin, Deputy Mayor

"Robert I. Fendrick"

Robert I. Fendrick, FCGA, City Clerk

ADOPTED by resolution at Meeting #2012-12 dated July 9, 2012