

MINUTES of **REGULAR** Meeting #2012-12 of the council of the City of Whitehorse called for 7:30 p.m. on Monday, July 9, 2012, in Council Chambers, City Hall.

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

ABSENT: Mayor Bev Buckway

ALSO PRESENT: Acting City Manager Robert Fendrick
Director of Operations Brian Crist
Manager of Planning and Development Services Mike Gau

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

CALL TO ORDER

2012-12-01

It was duly moved and seconded
THAT the agenda be adopted as amended with the addition of Cam
Kos as a delegate speaking to the 2012 Zoning Bylaw and Fraser
Roberts as a delegate speaking to the rezoning for Raven's Ridge
Phase 2.

AGENDA

Carried Unanimously

2012-12-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated June 25, 2012
be adopted as presented.

MINUTES

June 25, 2012

Carried Unanimously

DELEGATIONS

Deputy Mayor Austin called three times for anyone to address Bylaw
2012-21, the All-Terrain Vehicle Bylaw.

PUBLIC INPUT INTO
A.T.V. BYLAW

Keith Lay advised Council that he has a number of concerns regarding
the proposed ATV bylaw, including:

- The arbitrary dates established for using ATVs on motorized multi-use trails;
- The provisions for pushing an ATV in areas including playgrounds, school yards, cemeteries and private property;

KEITH LAY

.../continued

- Allowing ATVs to drive on roadways;
- The distinction between motorized and non-motorized trails; and
- That there is nothing in the bylaw dealing with passenger use.

KEITH LAY
(Continued)

Mr. Lay stated that he has submitted his concerns in written form and encouraged Council to implement the separation of trail uses and users to reduce conflict issues.

Rick Griffiths expressed concern regarding the notwithstanding clause that allows a person to push an ATV in prohibited locations. He suggested that pushing a vehicle is open to interpretation, and questioned why ATVs would be allowed in such areas in the first place. Mr. Griffiths asked if the “push” provisions would allow people to cross the Rotary Centennial Bridge, and questioned how this portion of the bylaw would be enforced.

RICK GRIFFITHS

Dorothy Lebel stated the opinion that ATV use should not be allowed inside the urban containment boundary. She was critical of ATV use in general, stating that these machines have a high impact on the environment and that ATV accidents are very costly to the health care system. Ms. Lebel expressed concern about allowing ATV use on residential trails, and asked Council to restrict their use to areas outside the urban containment boundary.

DOROTHY LABEL

Gerd Mansberger suggested that many users will push their ATVs through restricted areas, and reminded the public that if they see someone pushing an ATV they should realize that the ATV user is showing respect to people or property.

GERD MANSBERGER

Cam Kos addressed Council to suggest that administration’s response to public input into the new Zoning Bylaw did not adequately address the concerns expressed regarding several issues including:

- Changes to the RS and RM zones;
- Building heights in the Downtown area; and
- The green space maps.

CAM KOS
Zoning Bylaw Issues

Mr. Kos questioned the consistency between parking restrictions and the transit system, the motivation of staff in proposing amendments to suit their workload, and the delegation of authority to staff instead of Council. He suggested that there is no urgent reason to pass the changes to the RS zone as this zoning does not affect Whistle Bend.

Fraser Roberts addressed Council on behalf of H. Coyne and Sons Ltd., the owner of Crown grants giving sub-surface mineral rights on the land affected by the proposed zoning amendment for Raven's Ridge Phase 2. Mr. Roberts noted that they have not received any further information from the City to clarify the relationship between the surface and sub-surface rights where they are held by different owners, and also noted that they have not been approached by the developer. Mr. Roberts asked if the City could help them to understand how H. Coyne and Sons can protect their rights if the proposed rezoning and subsequent subdivision are approved.

FRASER ROBERTS
Raven's Ridge Phase 2

COMMITTEE REPORTS

Tourism & Economic Development Committee

An activity report for the months of May and June 2012 was received from Tourism and Economic Development.

ACTIVITY REPORT
For Information Only

Issues Arising from Report

The Committee thanked the Tourism Supervisor for all the hard work done with special projects over the past few weeks. The Go Media event, the Canada-France exchange, the opening of the Yukon River Quest and the Adäka Cultural Festival were specifically noted. The Committee also commended the support provided to these events by other City departments.

Staff Commended

Administrative Services Committee

2012-12-03

It was duly moved and seconded THAT travel expenses from council representative travel and per diem expenses from councillor-initiated travel be authorized for Councillor Austin to attend the 2012 Canadian Capital Cities Organization Conference to be held in Edmonton, Alberta in August.

AUTHORIZE COUNCIL
TRAVEL
(Canadian Capital Cities)

Carried Unanimously

Activity reports for the months of May and June 2012 were received from the Director of Administrative Services, and the Financial Services, Human Resources, Information Systems and Public Relations Departments.

ACTIVITY REPORTS
For Information Only

Issues Arising from Reports

Administration confirmed that

- the Director has committed to providing the figures from the Arctic Winter Games
- the Employee Life-cycle System captures a series of steps and support services for the complete cycle of an employee from recruitment to termination or retirement
- the term position for e-pay statements is part of the existing budget for Financial Services
- the photo contest referenced is with respect to selecting a photo for the cover of the new Leisure Guide

Various Issues

The Committee asked for more information on the webpage statistics and the implementation of web streaming technology.

New Business

The Committee advised that a new City Manager has been hired. Stan Westby from Powell River B.C. will be starting on August 13.

New City Manager

Cam Kos asked if the advertising of council and committee agendas and zoning amendments, including maps, will come back to the local newspapers after the summer is over. Administration advised that information regarding zoning amendments and other bylaws are posted on the City's website on the morning following their initial presentation at a Standing Committee meeting. It was explained that this in effect gives the public access to the information more quickly than it was previously available. The change to the City's advertising policies was mandated by Council in response to research done on how most citizens are accessing City information

City Advertising

Robert Wells also asked when the information regarding agendas and zoning changes are available to the public. Administration advised that the agenda for the upcoming council or committee meeting is routinely posted by noon on the Friday before the meeting.

Agenda Availability

City Planning Committee

2012-12-04

It was duly moved and seconded
THAT Bylaw 2012-28, a bylaw to amend the Building and Plumbing
Bylaw, be brought forward for second and third reading under the
bylaw process; and

BRING FORWARD
AND AMEND
BYLAW 2012-28

THAT the bylaw be amended at second reading to provide
clarification with respect to chimneys.

Carried Unanimously

2012-12-05

It was duly moved and seconded
THAT Bylaw 2012-20, a bylaw to adopt the 2012 Zoning Bylaw, be
brought forward for due consideration of second and third reading
under the bylaw process; and

BRING FORWARD
AND AMEND
2012 ZONING BYLAW

THAT the 2012 Zoning Bylaw be amended at second reading in
accordance with the administrative recommendations detailed in the
Administrative Report dated July 3, 2012.

Carried Unanimously

2012-12-06

It was duly moved and seconded
THAT Bylaw 2012-29, a bylaw to amend the Animal Control Bylaw,
be brought forward for due consideration of second and third reading
under the bylaw process; and

BRING FORWARD
AND AMEND
BYLAW 2012-29

THAT Bylaw 2012-29 be amended at second reading to add hens
and roosters to the nuisance animal provisions; and

THAT Bylaw 2012-29 be further amended to allow for chicks under
the age of four months to be purchased, provided that chicks that
become roosters are not permitted.

Carried Unanimously

Council members discussed the proposed amendments and the
requirements for neighbours to approve the keeping of hens. It was
noted that the opinions expressed regarding urban chickens were split
very close to 50/50, and therefore the requirement for neighbours'
approval were a good option. Councillor Stockdale noted that he is no
longer contemplating a referendum on the issue.

Discussion

2012-12-07

It was duly moved and seconded
THAT Bylaw 2012-25, a bylaw to change the zoning at 600 Drury
Street in the Downtown area to allow for the development of a rental
apartment building, be brought forward for second and third reading
under the bylaw process.

BRING FORWARD
BYLAW 2012-25

Carried (5 – 1)

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

Recorded Vote

OPPOSED: Councillor Roberts

Administration confirmed that:

- the title on Drury Street is being investigated, and that it would be appropriate for the title to be held by the City;
- the configuration of the lot faces Sixth Avenue and therefore the property might be re-addressed at a later time;
- a development agreement with respect to this property reflects the requirement that the development remain as a rental property for a minimum of ten years; and
- the value of potential incentives would be based on the value of the development.

Discussion

Activity reports for the months of May and June 2012 were received
from Planning and Development Services

ACTIVITY REPORTS
For Information Only

City Operations Committee

Mr. Terry Horsman addressed the Committee to speak to the upgrades to the water and sewer systems in the Marwell area. He advised that his business is located at the end of the road and is the only facility on that road that will not be receiving upgrades in the current reconstruction project. He noted that the property owner behind him has opted out of the process, but that there is a possibility for future growth in the area. Mr. Horsman suggested that completing the current project and paving the road without putting in sewer service for his section would be completely inefficient. He asked Council to look at options to facilitate upgrades for his property.

TERRY HORSMAN
MARWELL WATER &
SEWER SYSTEM
For Information Only

2012-12-08

It was duly moved and seconded
THAT the contract for the 2012 Test Well and Pilot Hole Project be
awarded to Boart Longyear Canada in the amount of \$122,178.06.

CONTRACT AWARD
TEST WELL & PILOT
HOLE PROJECT

Carried Unanimously

2012-12-09

It was duly moved and seconded
THAT the Surface Works Phase 3 contract as part of the 2012
Marwell East Reconstruction Project be awarded to Skookum
Asphalt Ltd. for a net cost to the City of \$644,968.00.

CONTRACT AWARD
MARWELL PHASE 3
SURFACE WORKS

Carried Unanimously

2012-12-10

It was duly moved and seconded
THAT the contract for the supply of one new one-ton truck, complete
with service body and aerial lift as per tender specifications including
options, be awarded to Whitehorse Motors for a net cost to the City
of \$135,499.00

CONTRACT AWARD
SUPPLY OF
ONE-TON TRUCK

Carried Unanimously

2012-12-11

It was duly moved and seconded
THAT the contract for the supply of one single-axle water truck,
complete with tank and accessories as per tender specifications, be
awarded to Inland Kenworth Parker Pacific for a net cost to the City
of \$197,238.00.

CONTRACT AWARD
SUPPLY OF
WATER TRUCK

Carried Unanimously

Activity reports for the months of May and June 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

Administration advised that the Whistle Bend project is on pace for a
land lottery this fall. However, the Yukon Government has the lead
on this project, and will be making any announcements with respect
to this development.

Whistle Bend Project

Community Services Committee

Activity reports for the months of May and June 2012 were received from Parks and Recreation, Indoor Facilities, and the Transit Department.

ACTIVITY REPORTS
For Information Only

Issues Arising from Reports

Administration confirmed that funds from Development Cost Charges have been used for the development of a playground in Takhini South.

Takhini South Playground

The Committee asked for additional information on camp programming utilizing the Mount Sima facilities and on the Yukon Education pass program for Transit.

Camp Programs
Transit Education Pass

A Committee member asked for discussions this fall with respect to possible expansion of the transit service into evening hours.

Transit Service Expansion

Public Health and Safety Committee

Activity reports for the months of May and June 2012 were received from Bylaw Services and the Fire Department.

ACTIVITY REPORTS
For Information Only

NEW & UNFINISHED BUSINESS

2012-12-12

It was duly moved and seconded THAT Bylaw 2012-06, a bylaw to amend 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 third reading under the bylaw process.

BRING FORWARD
BYLAW 2012-06

Carried Unanimously

Administration confirmed that if the rezoning passes the subdivision of the parcel will come to Council for approval. Council discussed the conflict between the surface and sub-surface rights and administration confirmed that the Surface Rights Board is the body that has the responsibility to resolve this issue. However, the owner of the surface rights is entitled to apply for any rezoning. Council asked for more information regarding a previous staking issue at the landfill site, and on past decisions of the Surface Rights Board.

Discussion

2012-12-13

It was duly moved and seconded
THAT the 2012 Capital Budget be amended by adding a new project in the amount of \$12,500.00 to allow for the installation of an accessible lift at the Literacy Centre located within the Canada Games Centre, with funds of \$5,000.00 coming from the Yukon Literacy Coalition and \$7,500.00 from the General Reserve.

CAPITAL BUDGET
AMENDMENT FOR
ACCESSIBLE LIFT AT
THE LITERACY CENTRE

Carried Unanimously

BYLAWS

2012-12-14

It was duly moved and seconded
THAT Bylaw 2012-06, a bylaw to, amend 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, having been read a first and second time, now be given third reading.

BYLAW 2012-06
ZONING AMENDMENT
Raven's Ridge Phase 2
THIRD READING

2012-12-15

It was duly moved and seconded
THAT third reading of Bylaw 2012-06 be postponed to July 23, 2012 to facilitate discussions between both parties with respect to competing surface and sub-surface rights.

Motion to Postpone

Defeated (4 – 2)

The MAIN MOTION was then voted on and CARRIED (4 – 2)

Vote on Main Motion

IN FAVOUR: Deputy Mayor Austin, Councillors Irwin, Roberts and Stockdale

Recorded Vote

OPPOSED: Councillors Cameron and Pillai

2012-12-16

It was duly moved and seconded
THAT Bylaw 2012-27, a bylaw to authorize a lease agreement with KBL Environment Ltd., having been read a first and second time, now be given third reading.

BYLAW 2012-27
LEASE AGREEMENT
(KBL Environment Ltd)
THIRD READING

Carried Unanimously

Councillor Pillai was out of the room at the time of the vote.

Councillor Absent

2012-12-17

It was duly moved and seconded
THAT Bylaw 2012-31, a bylaw to authorize grants for community service and grants for taxes and other municipal charges, having been read a first and second time, now be given third reading.

Carried Unanimously

Council requested that all grant recipients be advised that the grants will almost certainly be reduced next year and that they should adjust their budgets accordingly. Council also asked the grant policy be brought forward for discussion and review.

BYLAW 2012-31

GRANTS
(Municipal Charges &
Community Service)

THIRD READING

Discussion

2012-12-18

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, having been read a first and second time, now be given third reading.

Carried Unanimously

BYLAW 2012-33

AMEND FEES & CHARGES

THIRD READING

2012-12-19

It was duly moved and seconded
THAT Bylaw 2012-25, a bylaw to change the zoning at 600 Drury Street in the Downtown area to allow for the development of a rental apartment building, be given second reading.

Carried (5 – 1)

BYLAW 2012-25

ZONING AMENDMENT
(600 Drury Street)

SECOND READING

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

OPPOSED: Councillor Roberts

Recorded Vote

2012-12-20

It was duly moved and seconded
THAT Bylaw 2012-25, a bylaw to change the zoning at 600 Drury Street in the Downtown area to allow for the development of a rental apartment building, having been read a first and second time, now be given third reading

Carried (5 – 1)

BYLAW 2012-25

ZONING AMENDMENT
(600 Drury Street)

THIRD READING

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

OPPOSED: Councillor Roberts

Recorded Vote

2012-12-21

It was duly moved and seconded
THAT Bylaw 2012-20, the 2012 Zoning Bylaw, be given second
reading.

BYLAW 2012-20

2012 ZONING BYLAW
SECOND READING

2012-12-22

It was duly moved and seconded
THAT the proposed additions to Bylaw 2012-20 with respect to
mineral exploration be omitted pending further review.

Amendment #1

Carried Unanimously

2012-12-23

It was duly moved and seconded
THAT Zoning Bylaw 2012-20 be amended as follows:

1. Replace the definition of "building height" with a new definition that reads: "BUILDING HEIGHT" means the vertical distance measured from the average elevation of the finished grade along the front of the building to the highest point of the roof surface or any parapet thereon if a flat roof; to the deck line of a mansard roof; and to the highest point of the ridge for a gable, hip or gambrel roof. In any zone except CC, chimney stacks, elevator housings, flagpoles, guardrails, roof stairway entrances, skylights, steeples, or ventilating equipment shall not be considered for the purpose of determining the height."
2. Replace the definition of "hen" with a new definition that reads, "HEN" means a female domesticated chick or chicken."
3. Add a new definition for "porch" that reads, "PORCH" means a roofed, open structure projecting from the exterior wall of a building with walls that are open or screened to facilitate use as an outdoor living area."
4. Replace section 4.10.2 (Existing Conditional Uses) with text that reads, "A conditional use approved by City Council for a limited time is only a permitted use for the duration of such time. A conditional use approved by City Council without specification of time is a permitted use of a lot in a manner consistent with uses permitted on the lot."

Amendment #2

.../continued

2012-12-23 (Continued)

- 5. Replace section 4.10.3 (Existing Conditional Uses) with text that reads, “A conditional use under this bylaw that, on the date of the enactment of this bylaw, was either
 - a) an actual existing permitted unconditional use; or
 - b) an actual existing conditional use that was approved by City Council without specification of time and any conditions imposed by City Council either have been fulfilled or, if the conditions are ongoing, are fulfilled as required by the City Council.will be considered a permitted use under this bylaw as long as any conditions imposed by City Council that are ongoing are being fulfilled as required by City Council.”
- 6. Add a new section 4.10.4 that reads, “The nature, scope and extent of a permitted conditional use must be as approved by City Council. Any change or intensification of a permitted conditional use must be approved by City Council in accordance with sections 4.8 and 4.9 of this bylaw. Conditional uses that become permitted principle uses pursuant to section 4.10.3 of this bylaw are not subject to this section.”
- 7. Delete section 5.5.1, which specifies roof-mounted items that are exempt from height calculations in zones other than the CC – Core Commercial zone.
- 8. Change the name of section 5.9 from “Site Planning” to “Site Design”
- 9. Add one additional sentence to the end of section 5.9.2.2 (Landscape Plantings) that reads: “Landscape plantings shall not obstruct sightlines within a sight triangle.”
- 10. Add one additional sentence to the end of section 5.9.2.9 (Drainage) that reads: “Drainage control measures and retaining walls shall be built in accordance with National Building Code regulations.”
- 11. Delete regulation 5.9.3.3 (b), which requires 3m vegetative buffers for most industrial zones.

Amendment #2
(Continued)

.../continued

2012-12-23 (Continued)

12. Amend section 5.9.6 (Guaranteed Landscaping Security) as follows
 - a) Replace section 5.9.6.2 with text that states: “If cash is offered as the landscaping security, it shall be held by the City in a non-interest bearing account until the Development Officer is satisfied that the required landscaping has been installed.”
 - b) Replace section 5.9.6.3 with text that states: “If a Letter of Credit is offered as the landscaping security, it shall be in a form satisfactory to the Development Officer. The initial term of the Letter of Credit shall be two years. The Letter of Credit shall be held by the City until, by confirmation through inspection by the Development Officer, the required landscaping has been installed.”
 - c) Replace section 5.9.6.4 with text that states: “Any Letter of Credit shall allow for partial draws by the City if the landscaping is not completed in accordance with the approved landscape plan(s) within two years of the issuance of an occupancy permit. The City may draw on a cash security or a Letter of Credit and the amount thereof shall be paid to the City for its use absolutely.”
13. Delete section 5.9.7.4 regarding the return of landscaping security.
14. Replace section 6.1.2 (Home-Based Businesses, Minor) with a new section that reads, “No person other than residents of the dwelling shall be engaged on-site in the minor home-based business.”
15. Replace section 6.2.2 (Home-Based Businesses, Major) with a new section that reads, “No more than one person other than residents of the dwelling shall be engaged on-site in the major home-based business.”
16. Replace section 6.4.5 with a new section that reads, “The minimum rear yard setback for garden suites with lane access is 0.6 m.”
17. Replace section 6.13.4(f) with a new section that reads, “Restrictions may be placed on activities such as crushing to reduce noise exposure.”

Amendment #2
(Continued)

.../continued

2012-12-23 (Continued)

18. Amend section 7.2.1 (Hard-surfacing and Marking) by deleting the final sentence and replacing it with a new sentence that reads, "This regulation does not apply to single family or duplex development in the RC1, RC2, RP or RS zones."
19. Add a new subsection 8.3.11 that reads, "Changeable copy signs may only advertise products and services available on-site."
20. Replace section 9.9.5(g) with new text that reads, "The corner lot setback for principal buildings is 2.0 m minimum and 6.0 m maximum from each street, and 1.5 m from all other sides."
21. Replace section 9.9.5(h) with new text that reads, "The minimum rear yard setback is 6.0 m for the principal building."
22. Add "caretaker residences, 121 to 297 m²" to the list of allowable conditional uses in sections 10.4.4 (CIM – Mixed Use Commercial/Industrial zone) and 11.4.4 (IS – Service Industrial zone).
23. Add garden suites as a secondary use in section 10.5.3 (CM1 – Mixed Use Commercial zone) and section 10.6.3 (CM2 – Mixed Use Commercial 2 zone).
24. Add "retail services, general less than 500 m²" as a secondary use in section 11.4.3 (IS – Service Industrial zone) and remove "retail services, convenience" from the list of conditional uses in this zone, section 11.4.4.
25. Amend section 13.1.3 (Secondary Uses, Agriculture Zone) to delete housing: duplex, single detached, and add caretaker residences as an allowable secondary use.
26. Amend section 13.1.4 (Agriculture Zone) to reduce the minimum lot size from 4.0 ha to 2.0 ha.
27. Implement map changes to the FN-First Nations zone as detailed in submissions from the Kwanlin Dün First Nation and listed in a document attached to and forming part of the minutes of this meeting.
28. Modify Map 10 so that public land located to the east of Titanium Way and adjacent to the Yukon River is zoned from CIMx – Mixed Use Commercial Industrial (restricted) to PE – Environmental Protection.

Amendment #2
(Continued)

.../continued

2012-12-23 (Continued)

29. Modify Map 10 so that a portion of the Ta'an Kwäch'än Council parcel C-96, located on Long Lake Road is zoned from FN-RC1 (First Nations – Country Residential 1 interim) to RC1 – Country Residential 1.

30. Modify Map 14 to adjust the zoning boundary between the CM1 – Mixed Use Commercial and PE – Environmental Protection zone for Lot 7, Block 41 Downtown (509 Hawkins Street) to follow the north-south boundary between City title (west side of boundary) and private title (east side of boundary).

Amendment #2
(Continued)

Carried (5 – 1)

IN FAVOUR: Deputy Mayor Austin, Councillors Cameron, Irwin,
Pillai and Roberts

Recorded Vote

OPPOSED: Councillor Stockdale

2012-12-24

It was duly moved and seconded
THAT section 6.4.1(b) of Bylaw 2012-20 be amended to read, “have a maximum gross floor area of 100 m², including basement floor area, except that in the RC1 zone the maximum gross floor area is 150 m².”

Amendment #3

Carried (5 – 1)

IN FAVOUR: Deputy Mayor Austin, Councillors Cameron, Irwin,
Pillai and Roberts

Recorded Vote

OPPOSED: Councillor Stockdale

The MAIN MOTION AS AMENDED was then voted on and CARRIED (5 – 1).

Vote on Main Motion

IN FAVOUR: Deputy Mayor Austin, Councillors Cameron, Irwin,
Pillai and Roberts

Recorded Vote

OPPOSED: Councillor Stockdale

2012-12-25

It was duly moved and seconded
THAT third reading of Zoning Bylaw 2012-20 be postponed to July 23, 2012.

Motion to Postpone
Third Reading of
Bylaw 2012-20

Carried Unanimously

2012-12-26

It was duly moved and seconded
THAT Bylaw 2012-28, a bylaw to amend the Building and Plumbing
Bylaw, be given second reading.

BYLAW 2012-28

AMEND BUILDING &
PLUMBING BYLAW

SECOND READING

2012-12-27

It was duly moved and seconded
I MOVE THAT section 6 of Bylaw 2012-28 be amended by deleting
the proposed section 90 and substituting therefore a new section 90
as follows:

Amendment

“90. Chimneys of naturally aspirated fuel fired appliances shall
remain in the building envelope before exiting the through the
roof.”

Carried Unanimously

The MAIN MOTION AS AMENDED was then voted on and CARRIED
UNANIMOUSLY.

Vote on Main Motion

2012-12-28

It was duly moved and seconded
THAT third reading of Bylaw 2012-28, a bylaw to amend the Building
and Plumbing Bylaw, be postponed to July 23, 2012.

Motion to Postpone

Carried Unanimously

2012-12-29

It was duly moved and seconded
THAT Bylaw 2012-29, a bylaw to amend the Animal Control Bylaw, be
given second reading.

BYLAW 2012-29

AMEND ANIMAL
CONTROL BYLAW

SECOND READING

2012-12-30

It was duly moved and seconded
THAT section 1 of Bylaw 2012-29 be amended by deleting the
existing definition of “hen” and substituting therefore a new definition
that reads,

Amendment

“HEN” means a female domesticated chick or chicken, and for the
purposes of this bylaw shall not include ducks, geese, turkeys,
pheasants, quail or other poultry or fowl.

.../continued

2012-12-30 (Continued)

AND THAT section 1 of Bylaw 2012-29 be amended by adding a new definition that reads,

“ROOSTER” means a male domesticated chick or chicken.

AND THAT Bylaw 2012-29 be amended by adding a new section 2 as follows and renumbering the remaining sections accordingly:

“2. Section 2 of Animal Control Bylaw 2001-01 is hereby amended by deleting the existing definition of “animal” and substituting therefore a new definition as follows:

Amendment
(Continued)

“ANIMAL” means traditionally domesticated animals including, but not limited to, asses, cattle, cats, dogs, horses, mules, sheep and swine, and for the purposes of the nuisance animal provisions of this bylaw, shall include hens and roosters.”

AND THAT Bylaw 2012-29 be amended by adding a new subsection 40(1) that reads,

“40. (1) A permit holder may not at any time keep a rooster.”

Carried Unanimously

The MAIN MOTION AS AMENDED was then voted on and CARRIED UNANIMOUSLY.

Vote on Main Motion

2012-12-31

It was duly moved and seconded THAT Bylaw 2012-29, a bylaw to amend the Animal Control Bylaw, having been read a first and second time, now be given third reading as amended.

BYLAW 2012-29

AMEND ANIMAL
CONTROL BYLAW

THIRD READING

Carried Unanimously

There being no further business, the meeting adjourned at 9:55 p.m.

ADJOURNMENT

ORIGINAL MINUTES SIGNED BY:

“Bev Buckway”

Bev Buckway, Mayor

“N. L. Felker”

Norma Felker, Assistant City Clerk

ADOPTED by resolution at Meeting #2012-13 dated July 23, 2012