

MINUTES of **REGULAR** Meeting #2013-06 of the council of the City of Whitehorse called for 7:30 p.m. on Monday, March 25, 2013, in Council Chambers, City Hall.

PRESENT: Mayor Dan Curtis  
Councillors Kirk Cameron  
Jocelyn Curteanu  
Mike Gladish  
Betty Irwin  
Dave Stockdale  
John Streicker

ALSO PRESENT: City Manager Stan Westby  
Director of Community and Recreation Services Linda Rapp  
Director of Corporate Services Robert Fendrick  
Director of Development Services Mike Gau  
Director of Infrastructure and Operations Brian Crist  
Manager of Engineering Services Wayne Tuck

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

**CALL TO ORDER**

**2013-06-01**

It was duly moved and seconded  
THAT the agenda be adopted as amended with the following additions:

1. Delegate Kirn Dhillon – SteeloX Area Rezoning;
2. Delegate Louis Gagnon – Lease, Encroachment and Property Use Policy; and
3. A new report under New and Unfinished Business for the award of a contract to supply and deliver a diesel generator and enclosure for the Canada Games Centre.

**AGENDA**

Carried Unanimously

**2013-06-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated March 11, 2013 be adopted as presented.

**MINUTES**

March 11, 2013

Carried Unanimously

**DELEGATIONS**

Jim Gilpin addressed Council in support of the proposed bylaw to amend the zoning of the SteeloX Area of Hillcrest in advance of the neighbourhood planning exercise that is just getting under way. Mr. Gilpin asserted that approximately 80% of the SteeloX residents are in favour of the proposed control and feel that it is required to ensure the integrity and credibility of the upcoming Hillcrest planning process.

JIM GILPIN  
Hillcrest SteeloX Area  
Building Height Limits

Mr. Gilpin suggested that it would send a poor message to possible planning participants if interim development control is not implemented when so many residents have indicated their desire for this measure. Mr. Gilpin noted that when the rezoning for Mr. Dhillon's project was under consideration last fall it was not clear that the height limit would continue to be an issue. The potential size of this project is contributing to the neighbourhood's desire for the implementation of development controls at this time. He also advised that the potential loss of privacy associated with large buildings located next to smaller residences is a primary concern for many.

JIM GILPIN  
Hillcrest Steelex Area  
Building Height Limits  
(Continued)

Kirn Dhillon addressed Council to suggest that they should not be revisiting a decision made by the previous Council as that sends the wrong message to developers and impacts sustainability. He advised that the current zoning for his properties allows for an even more intrusive design than the one he has developed. His design is for two storeys with a split-level basement, with a total height of nine metres including the solar panels. The building will be similar to others in Hillcrest, although not ones located in the Steelex area. Mr. Dhillon also questioned the survey conducted by Mr. Gilpin as he was not contacted. In response to questions from Council, Mr. Dhillon agreed that he would be willing to re-visit his design with the local community.

KIRN DHILLON  
Hillcrest Steelex Area  
Building Height Limits

Louis Gagnon spoke to the proposed Lease, Encroachment and Property Use Policy. He stated that mobile food vendors provide a service to the community, and what he would really wants is to be able to serve his food anywhere and not be restricted to a single space. He noted that his original financing was put in place on the understanding that he would not be so restricted. Mr. Gagnon stated that the policy as proposed does not meet his business needs, and questioned why he is not being offered additional options such as bagged meters.

LOUIS GAGNON  
Lease, Encroachment and  
Property Use Policy

## **PUBLIC HEARING**

Mayor Curtis called three times for anyone to appear to address Bylaw 2013-11, a bylaw to amend the Official Community Plan to allow for the expansion of Cowley Creek and the relocation of the Yukon Horse and Rider Association.

### **BYLAW 2013-11**

O.C.P. AMENDMENT  
Cowley Creek Expansion

Six persons appeared to speak to this amendment, and one additional submission was read into the record. Issues raised by the delegates included concerns regarding impacts on the current life-style, additional traffic through the subdivision, loss of quiet enjoyment, and loss of trail use in the area.

Six Delegates

Some residents stated that they are not opposed to the Yukon Horse and Rider Association using the Speedway site, but are concerned with the access issues through Cowley Creek.

Don Rogers read a submission from Doug Curly, suggesting that this amendment is contrary to the principles of the Official Community Plan and will affect the lifestyle of residents.

DOUG CURLY

Don Rogers expressed concern about the suitability of a portion of the proposed expansion area due to steep slopes and the riparian area. He also raised concerns regarding the access through Cowley Creek and suggested that there should be more time spent on access issues. Mr. Rogers suggested that a parallel access might be a better option.

DON ROGERS

Cam Kos supported the suggestion of a parallel access and noted that there are already several examples of such in the City, including Range Road and Centennial Street.

CAM KOS

Anne Lewis and Sherillynne Himmelsbach spoke on behalf of the Horse and Rider Association, advising that the Association believes that the Speedway site will be an ideal location for their operations. The also advised that the Association is committed to being a good neighbour. Ms. Lewis noted that the conditional use permission given last year for this site has been impacted by the access issues, and stated that the Association is prepared to do all they can to accommodate the concerns of the residents and facilitate this move.

YUKON HORSE AND  
RIDER ASSOCIATION  
DELEGATES

Stephen Burles suggested that another site should be selected that is not in a residential area.

STEPHEN BURLES

Administration advised that 19 written submissions were received, nine in favour, seven opposed, and three raising issues or concerns.

Submissions Received

Mayor Curtis declared the public hearing for Bylaw 2013-11 closed.

Public Hearing Closed

## **COMMITTEE REPORTS**

### **Public Health and Safety Committee**

#### **2013-06-03**

It was duly moved and seconded  
THAT Bylaw 2013-19, a bylaw to regulate the operation of parkades,  
be brought forward for due consideration under the bylaw process.

BRING FORWARD  
PARKADE BYLAW

Carried Unanimously

Sandy Helland addressed the Committee to encourage Council members to use public transit and experience the system first-hand.

Transit Use  
For Information Only

**Tourism & Economic Development Committee**

The Committee was advised that private businesses will be allowed to operate tours on the S. S. Klondike this summer.

S.S. Klondike  
For Information Only

**Administrative Services Committee**

Taylor McLeod addressed the Committee regarding a program called Property Assessed Clean Energy financing. It is a model to help persons and agencies finance energy improvements to boost energy efficiency as well as other benefits. Mr. McLeod outlined the various steps that the City could consider to implement a project of this nature and explained that this is similar to a local improvement charge that the City already uses for street improvements.

Mr. McLeod explained that the benefits of the program include energy efficiency and economic effects. If the City helps to finance these types of initiatives the burden to the home-owner is reduced. The loan is proposed to be tied to the property and not to the person. It was noted that a program of this nature once existed through the Yukon Government and Yukon Housing, but is no longer active. The Committee suggested the delegate contact City administration on this proposal and also the Energy Solution Centre

TAYLOR MCLEOD  
PACE FINANCING  
For Information Only

**2013-06-04**

It was duly moved and seconded

THAT Bylaw 2013-08 a bylaw to adopt the 2013 Annual Operating and Maintenance Budget and the 2014 and 2015 Provisional Budgets, be brought forward for second and third reading under the bylaw process; and

THAT Bylaw 2013-09, a bylaw to amend the Fees & Charges Bylaw with respect to annual budget changes, be brought forward for second and third reading under the bylaw process; and

THAT Bylaw 2013-10, a bylaw to levy taxes for 2013, be brought forward for second and third reading under the bylaw process.

Carried (6 – 1)

IN FAVOUR: Mayor Curtis, Councillors Cameron, Curteanu, Gladish, Irwin and Streicker

OPPOSED: Councillor Stockdale

BRING FORWARD  
OPERATING BUDGET  
FEES & CHARGES AND  
TAX LEVY BYLAWS

Recorded Vote

**City Planning Committee**

**2013-06-05**

It was duly moved and seconded  
THAT Bylaw 2013-18, a bylaw to amend the zoning of the Steelox  
area in Hillcrest, be brought forward for due consideration under the  
bylaw process; and

THAT Public Notice is hereby given that Council intends to pass  
Interim Development Control for the Steelox Area, based on the  
provisions of Bylaw 2013-18, at the next regular meeting of Council  
on April 8, 2013.

BRING FORWARD  
ZONING AMENDMENT  
FOR STEELOX AREA &  
GIVE NOTICE OF INTENT  
TO PASS INTERIM  
DEVELOPMENT  
CONTROL

Council members discussed the pros and cons of proceeding with this  
amendment. It was noted that approving controls would indicate  
support for the planning process, but it was also noted that affordable  
housing is a strategic priority, and changing the rules for developers  
may unfavourably impact future development. The suggestion was  
made that a brief postponement would allow the developer time to  
work on plans that would fit the height limit, and would also allow time  
for more input from the Whitehorse Chamber of Commerce.

Discussion

**2013-06-06**

It was duly moved and seconded  
THAT proceeding with Zoning Amendment Bylaw 2013-18 and the  
associated notice of Interim Development Control for the Steelox  
Area of Hillcrest be postponed to the next regular meeting of Council  
on April 8, 2013.

Motion to Postpone

Carried (5 – 2)

IN FAVOUR: Mayor Curtis, Councillors Cameron, Curteanu, Gladish,  
and Streicker

OPPOSED: Councillors Irwin and Stockdale

Recorded Vote

**2013-06-07**

It was duly moved and seconded  
THAT the Lease, Encroachment and Property Use Policy dated  
March 2013 be adopted as presented; and

THAT the Waterfront Vendor Policy dated June 2000 be repealed.

ADOPT NEW LEASE,  
ENCROACHMENT AND  
PROPERTY USE  
POLICY

Carried Unanimously

Administration confirmed that some of the options suggested to assist mobile food vendors are in violation of the *Motor Vehicles Act*. Council discussed the option of closing a portion of Third Avenue to vehicle traffic, and it was noted that local businesses might suffer from a traffic change, in addition to the loss of revenue from parking meters.

Discussion

**City Operations Committee**

Kevin Hannam and Graham Lang addressed the Committee on behalf of the Yukon Blue Bin Recycling Society to update Council on the activities of the Blue Box Recycling Program and the intent to expand to Porter Creek. It was confirmed that the recycling is sorted at P & M Recycling. Mr. Lang also confirmed that future in-kind support from the City would be welcomed. Currently the service is \$20.00 per month with one cube van; recyclables are shared with the recycling facility and the balance is donated to various causes. It was confirmed that there are 100 to 125 families signed up in Riverdale; and that 200 is the break-even in Riverdale and could be possibly as high as 300 in Porter Creek. Mr. Lang thanked the Council for considering financial support for this initiative.

KEVIN HANNAM &  
GRAHAM LANG  
Blue Box Recycling  
For Information Only

Anne Middler addressed the Committee on behalf of the Yukon Conservation Society to encourage detailed study of Liquid Natural Gas such that the public can understand all the various technical, financial, and societal aspects of LNG implementation in the Yukon. Ms. Middler asserted that it is important to understand all the positive and negative aspects of LNG implementation. Ms. Middler noted that the current Environmental Grant application budgets for a researcher. It was also confirmed that a comparison of other energy supply options is being proposed. It is proposed to start the research immediately and findings are expected to be available by the Fall 2013. A Committee member inquired about the source of this interest that has resulted in the application and Ms. Middler confirmed the YCS has some concerns about LNG as a fuel source and it needs to be studied further to find out whether there are merits to LNG. Ms. Middler confirmed that, if the application is approved, she would be doing the research and has the necessary background to source and amalgamate the materials with interpretation to concise plain language. Ms. Middler confirmed that she feels other agencies will be willing to contribute to the research

ANNE MIDDLEL  
Environmental Grants  
For Information Only

Devon Yacura addressed the Committee to support an application for an Environmental Grant for a bird study project. The project will research the bird population at the Whitehorse Sewage Lagoon compared to other habitats. It will also examine the various compounds in the Lagoon such as drugs and chemicals and the effect of these on the local bird populations. This is a study area that has been largely over-looked. The research is proposed to examine water, sediment, and invertebrate samples. The cost of doing this research is significant due to the quantity of sampling required.

The results may lead to further research if the evidence shows the chemicals are bio-accumulating. Earlier research has revealed the sewage lagoon is very heavily used by nesting birds. Mr. Yacura noted that there is not a lot of legislation in place in terms of clean-up of lagoons. Mr. Yacura indicated that field work would be done this summer with report analysis and report finalization in a year or so. He confirmed that aeration systems are in place at the Lagoon; but this is not expected to have a significant effect on the study of the compounds in the Lagoon. Mr. Yacura noted that there is other research of this type in other parts of the world but not this far North. Mr. Yacura indicated that base line data is the key to monitoring long term compounds. The Committee recommended that Mr. Yacura contact the local First Nations for the traditional knowledge that they may have of the area.

DEVON YACURA  
Environmental Grants  
For Information Only

Andy Lera representing P&M Recycling spoke in favour of an Environmental Grant application to help fund conversion of plastic to oil. This method reduces CO<sub>2</sub> and takes less energy than recycling plastic. This will also be consistent with solid waste reduction and with many environmental goals. The funding is for equipment and a report will be produced to share with the City on the results. The fuel can be used as a heating fuel source. Fuel is being analyzed and an emission analyzer will analyze emissions off the machine as well and emissions from machines processing the resulting fuel. The process used virtually all the plastic, the resulting carbon char can be used for compost. A maximum of 60,000 litres of oil can be produced, although a bigger machine and the entire Yukon's plastic could increase this number. The Cold Climate Innovation Centre will be contributing to this project.

ANDY LERA  
Environmental Grant  
For Information Only

Administration confirmed that some reporting will come back on all projects funded. Grant funds not used in one year are not carried forward to future budget years. This year's applications exceeded the grant funds available.

**2013-06-08**

It was duly moved and seconded  
THAT the “Partner” option be approved as a basis for development  
for continued consultation on the Solid Waste Action Plan.

SOLID WASTE  
ACTION PLAN  
OPTION

Carried Unanimously

**2013-06-09**

It was duly moved and seconded  
THAT the contract for Engineering Services for the Range Road  
North Reconstruction Project be awarded to Associated Engineering  
Ltd. for a net cost of \$215,884.00.

CONTRACT AWARD FOR  
ENGINEERING – RANGE  
ROAD NORTH PROJECT

Carried Unanimously

**2013-06-10**

It was duly moved and seconded  
THAT Environmental Grant allocations be approved in the amount of  
\$13,750.00 as presented:

<u>Grant Recipient</u>	<u>Grant Amount</u>
Centre for Human/Wildlife Conflict Educational Materials	\$ 1,000.00
Yukon Blue Bin Society Printing, postage, advertising and design	\$ 1,675.00
Francis Casaubon/Share the Road Camera Work	\$ 2,400.00
Yukon Bird Club Lab analysis, shipping	\$ 4,000.00
Yukon Conservation Society Researcher Fees	\$ 1,500.00
P & M Recycling Emissions analyzer, shipping, consultant fees	\$ <u>3,175.00</u>
<b>Totals</b>	<b>\$ 13,750.00</b>

ENVIRONMENTAL  
GRANTS

AND FURTHER THAT the Environmental Grant allocation to the  
Yukon Conservation Society is awarded with the stipulation that the  
Society will participate in the Yukon Government’s review of  
Liquefied Natural Gas regulations currently being undertaken.

Carried Unanimously

**2013-06-11**

It was duly moved and seconded  
THAT administration be authorized to enter into negotiations for a lease agreement with Meldon Construction Ltd. for the lease of heated storage space for maintenance equipment; and  
THAT the 2013 Operating and Maintenance Budget be amended in the amount of \$50,000.00 for the lease of heated storage space, funded from the General Reserve.

AUTHORIZE LEASE OF  
STORAGE SPACE FOR  
MAINTENANCE  
EQUIPMENT AND  
AMEND BUDGET  
ACCORDINGLY

Carried Unanimously

**Community Services Committee**

There was no report from the Community Services Committee.

No Report

**NEW & UNFINISHED BUSINESS**

Whitehorse has been named Bike Destination of the Year by *Outside* magazine. Council was advised that the work that the City of Whitehorse has put into the trail network is incredible; and deserves the international recognition it is receiving. The City of Whitehorse Parks and Recreation staff have not only helped enable fabulous trails, but have engaged with the mountain biking club and riders to create a community that locals and visitors want to be a part of.

WHITEHORSE NAMED  
BIKE DESTINATION  
OF THE YEAR  
For Information Only

**2013-06-12**

It was duly moved and seconded  
THAT the meeting continue past 10:30 p.m.

CONTINUE MEETING  
PAST 10:00 P.M.

Carried Unanimously

**2013-06-13**

It was duly moved and seconded  
THAT the contract for the supply and delivery of a Diesel Generator and Enclosure for the Canada Games Centre be awarded to Finning Canada for a net cost of \$577,061.67, exclusive of the annual service agreement costs; and  
THAT the Mayor and City Clerk be authorized to execute a service agreement between the City and Finning Canada once the genset has been installed and is operating.

CONTRACT AWARD FOR  
SUPPLY & DELIVERY OF  
CGC GENERATOR  
& ENCLOSURE

Carried (6 – 1)

IN FAVOUR: Mayor Curtis, Councillors Cameron, Curteanu, Gladish,  
Irwin and Streicker  
OPPOSED: Councillor Stockdale

Recorded Vote

## **BYLAWS**

### **2013-06-14**

It was duly moved and seconded  
THAT Bylaw 2013-15, a bylaw to name the Mary Lake Playground the  
“Gilles Lapres Memorial Playground” having been read a first and  
second time, now be given third reading.

Carried Unanimously

### **BYLAW 2013-15**

NAME MARY LAKE  
PLAYGROUND

THIRD READING

### **2013-06-15**

It was duly moved and seconded  
THAT Bylaw 2013-08, a bylaw to adopt the 2013 Operating and  
Maintenance Budget and the 2014 and 2015 Provisional Budgets, be  
given second reading.

### **BYLAW 2013-08**

OPERATING BUDGET

SECOND READING

A Council member expressed a number of concerns regarding this  
budget and the budget process. It was suggested that there was not  
enough review of the input received from the public, and further  
suggested that the issue of funding for Mount Sima hijacked the whole  
budget process. The use of reserves to balance the budget was also  
discussed.

Discussion

### **2013-06-16**

It was duly moved and seconded  
THAT second reading of the 2013 Operating and Maintenance Budget  
be postponed for two weeks.

Defeated (4 – 3)

Motion to Postpone

IN FAVOUR: Councillors Cameron, Curteanu and Stockdale  
OPPOSED: Mayor Curtis, Councillors Gladish, Irwin and Streicker

Recorded Vote

### **2013-06-17**

It was duly moved and seconded  
THAT the 2013 Operating and Maintenance Budget be amended to  
reduce the tax increase to two percent, and then revisit the budget in  
one month.

Defeated (4 – 3)

Amendment

IN FAVOUR: Councillors Cameron, Curteanu and Stockdale  
OPPOSED: Mayor Curtis, Councillors Gladish, Irwin and Streicker

Recorded Vote

THE MAIN MOTION was then voted on and CARRIED (4 – 3)

Vote on Main Motion

IN FAVOUR: Mayor Curtis, Councillors Gladish, Irwin and Streicker  
OPPOSED: Councillors Cameron, Curteanu and Stockdale

Recorded Vote

**2013-06-18**

It was duly moved and seconded  
THAT Bylaw 2013-08, a bylaw to adopt the 2013 Operating and  
Maintenance Budget and the 2014 and 2015 Provisional Budgets,  
having been read a first and second time, now be given third reading.

**BYLAW 2013-08**  
OPERATING BUDGET  
THIRD READING

Carried (4 – 3)

IN FAVOUR: Mayor Curtis, Councillors Gladish, Irwin and Streicker  
OPPOSED: Councillors Cameron, Curteanu and Stockdale

Recorded Vote

**2013-06-19**

It was duly moved and seconded  
THAT Bylaw 2013-09, a bylaw to amend the Fees and Charges Bylaw  
in accordance with the annual operating budget, be given second  
reading.

**BYLAW 2013-09**  
FEES & CHARGES  
AMENDMENT  
(Budget Changes)  
SECOND READING

Carried (5 – 2)

IN FAVOUR: Mayor Curtis, Councillors Gladish, Irwin, Stockdale and  
Streicker  
OPPOSED: Councillors Cameron and Curteanu

Recorded Vote

**2013-06-20**

It was duly moved and seconded  
THAT Bylaw 2013-09, a bylaw to amend the Fees and Charges Bylaw  
in accordance with the annual operating budget, having been read a  
first and second time, now be given third reading.

**BYLAW 2013-09**  
FEES & CHARGES  
AMENDMENT  
(Budget Changes)  
THIRD READING

Carried (5 – 2)

IN FAVOUR: Mayor Curtis, Councillors Gladish, Irwin, Stockdale and  
Streicker  
OPPOSED: Councillors Cameron and Curteanu

Recorded Vote

**2013-06-21**

**BYLAW 2013-10**

It was duly moved and seconded  
THAT Bylaw 2013-10, a bylaw to levy taxes for the year 2013, be given  
second reading.

2013 TAX LEVY BYLAW  
SECOND READING

Carried (4 – 3)

IN FAVOUR: Mayor Curtis, Councillors Gladish, Irwin and Streicker  
OPPOSED: Councillors Cameron, Curteanu and Stockdale

Recorded Vote

**2013-06-22**

**BYLAW 2013-10**

It was duly moved and seconded  
THAT Bylaw 2013-10, a bylaw to levy taxes for the year 2013, having  
been read a first and second time, now be given third reading.

2013 TAX LEVY BYLAW  
THIRD READING

Carried (4 – 3)

IN FAVOUR: Mayor Curtis, Councillors Gladish, Irwin and Streicker  
OPPOSED: Councillors Cameron, Curteanu and Stockdale

Recorded Vote

**2013-06-23**

**BYLAW 2013-19**

It was duly moved and seconded  
THAT Bylaw 2013-19, a bylaw a bylaw to regulate the operation of  
parkades, be given first reading.

PARKADE BYLAW  
FIRST READING

Carried Unanimously

**2013-06-24**

It was duly moved and seconded  
THAT Bylaw 2013-19 be given second reading.

SECOND READING

Carried Unanimously

There being no further business, the meeting adjourned at 11:35 p.m.

**ADJOURNMENT**

ORIGINAL MINUTES SIGNED BY:

"Dan Curtis"  
Dan Curtis, Mayor

"Robert I. Fendrick"  
Robert I. Fendrick, FCGA, City Clerk

ADOPTED by resolution at Meeting #2013-07 dated April 8, 2013