

MINUTES of **REGULAR** Meeting #2013-14 of the council of the City of Whitehorse called for 7:30 p.m. on Monday, July 22, 2013, in Council Chambers, City Hall.

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

ABSENT: Councillor Mike Gladish

ALSO PRESENT: Acting City Manager Brian Crist
Acting Director of Community and Recreation Services Douglas Hnatiuk
Director of Corporate Services Robert Fendrick
Director of Development Services Mike Gau
Acting Director of Infrastructure and Operations Clive Sparks

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

CALL TO ORDER

Mayor Curtis commended the WHTV Channel 9 team for the success of the promotional video created to advertise the televising of Council meetings.

Promotional Video
For Information Only

2013-14-01

It was duly moved and seconded
THAT the agenda be adopted as amended with the addition of Brock Enderton, Jeanine Myhre and Jason Hoover as delegates speaking to the proposed lease for a communications tower in Copper Ridge, and Scott Boone and Elaine Hanson as delegates speaking to the new Traffic Bylaw.

AGENDA

Carried Unanimously

2013-14-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated July 8, 2013 be adopted as presented.

MINUTES

July 8, 2013

Carried Unanimously

DELEGATIONS

Tracey Twa addressed Council to speak against the installation of a communications tower at 228 Falcon Drive in Copper Ridge and stated that a number of area residents were present to support her opposition to the tower at the proposed location. Ms. Twa advised that these objections are based on the issues that the long term health effects of this type of tower are unknown, that the tower would amount to visual pollution that can reduce the value of adjacent properties, and that the site is too close to a potential school site. Ms. Twa encouraged more consultation with the community and presented a compilation of comments received from area residents.

TRACEY TWA
Copper Ridge Cell Tower

Brock Enderton, representing Bell Mobility Inc., spoke in support of the tower at the proposed location. He advised that information on the tower was presented to local residents and that a public meeting on the issue will take place at the Mount McIntyre Recreation Centre at 7:00 p.m. on Wednesday, July 31st. Mr. Enderton stated that medical opinions do not bring forward any health concerns with respect to this type of tower, and also noted that there is some evidence of an increase in adjacent property values when a cell tower is located in a neighbourhood. He also advised that the radio frequency energy from cell phones is much higher than that from towers, and the strength of that energy increases with distance from the tower. Mr. Enderton stated that the proposed site is a responsible choice considering the significant increase in cell phone traffic in recent months. He also advised that the alternative to the proposed site is the construction of two towers, one of which will be significantly closer to residents.

BROCK ENDERTON
Copper Ridge Cell Tower

Jeanine Myhre and Jason Hoover spoke in support of the cell tower at 228 Falcon Drive. They stated that the tower will be a low-output installation and suggested that using health concerns as an argument against the tower amounts to fear-mongering. They asserted that health concerns are not evident from the studies done, and that the emissions from a microwave oven are more damaging than those from the type of tower being proposed.

JEANINE MYHRE AND
JASON HOOVER
Copper Ridge Cell Tower

Scott Boone asked Council to consider amending the new Traffic Bylaw before giving it third reading to set a 30 kilometres per hour speed zone for all of Takhini North. He noted that this area was designed under the new comprehensive zoning regulations, with narrower roads, and smaller front yards, which means that the residents are often using the street for activities..

SCOTT BOONE
New Traffic Bylaw

Mr. Boone also noted that the traffic circle located at the intersection of Arnhem, Carpiquet, Nijmegen and Normandy was installed as a traffic calming device. He stated that it does not do the job because it is too small and therefore the majority of traffic just treats the intersection as if the circle was not there. He suggested that a four-way-stop intersection would better serve the purpose of calming traffic.

SCOTT BOONE
New Traffic Bylaw
(Continued)

Elaine Hanson asked Council to consider amending the new Traffic Bylaw before giving it third reading to extend the downtown residential parking permits to multi-residential developments. She noted that she finds it very difficult to find space for her vehicle in the vicinity of her downtown condo, and suggested that this type of parking permit would provide a solution to the problem.

ELAINE HANSON
New Traffic Bylaw

PUBLIC HEARING

Mayor Curtis called three times for anyone to appear to address Bylaw 2013-33, a bylaw to change the zoning of the properties located at the northeast corner of Hoge Street and Fourth Avenue to allow for a fence height of 2.13 metres in the front yards.

BYLAW 2013-33

ZONING AMENDMENT
Transition Home Fence

Barbara McInerney, Executive Director of the Yukon Women's Transition Home Society, spoke in favour of the application. She noted that the increased height of the fence is required to ensure the security of residents of both of the transition homes at this location. Ms. McInerney also spoke in favour of the proposed encroachment that will allow for an expansion of the outdoor space for residents.

BARBARA MCINERNEY

No submissions were received with respect to this bylaw.

Submissions Received

Mayor Curtis declared the public hearing closed and advised that a report will come back to the next Standing Committee meeting on August 5th, 2013.

Public Hearing Closed

COMMITTEE REPORTS

Community Services Committee

Mayor Curtis proclaimed the week of July 20 to 28, 2013 to be National Drowning Prevention Week in the City of Whitehorse

PROCLAMATION

Heather McIntyre and Alida Munro of the Yukon Convention Bureau thanked Council for their past support and requested continued funding for 2014. They indicated that the economic impact was about \$4.5 million for the \$20,000.00 provided in 2012. The Bureau also congratulated the City on the Memorandum of Understanding signed with the Government of Yukon to coordinate tourism functions.

HEATHER McINTYRE
Yukon Convention Bureau

Grant Lundy and Rand Center addressed the Committee to provide an update on the community-based project to upgrade the Pioneer Cemetery. Members of the Yukon Order of Pioneers, the Royal Canadian Legion and the RCMP have joined together with a number of downtown residents to clean up the site and work towards restoring the cemetery to its proper function. Mr. Lundy stated that many people are using the site as a dog park, and people in general are treating the cemetery as a park. The goal of their project is to restore the cemetery and have measures in place to keep it in good condition. He thanked the City for the installation of signs prohibiting dogs on the site, and emphasized that this is an on-going project with plenty of work still to be done.

GRANT LUNDY
Pioneer Cemetery
Project Update

Sandy Helland asked Council to expand their plans for increased transit service this fall to providing service 18 hours a day, seven days a week. She suggested that the fare for weekend service should be increased to \$5.00 per ride to offset the costs

SANDY HELLAND
Transit Service

Council welcomed delegates from across the country to the Assembly of First Nations 34th Annual General Assembly taking place in Whitehorse this week

A.F.N. ASSEMBLY
For Information Only

Public Health and Safety Committee

There was no report from the Public Health and Safety Committee.

No Report

Development Services Committee

2013-14-03

It was duly moved and seconded
THAT Bylaw 2013-43, a bylaw to amend the Building and Plumbing Bylaw with respect to a number of minor changes, be brought forward for due consideration under the bylaw process.

BRING FORWARD
BUILDING & PLUMBING
AMENDMENT BYLAW

Carried Unanimously

Corporate Services Committee

Philip Fitzgerald and Rick Karp, representing the Whitehorse Chamber of Commerce, addressed the Committee to express concern regarding the City's financial reporting. They expressed the opinion that taxpayers are entitled to more information from the City, including items such as a glossary of terms and detailed capital reports that explain the potential impact on operating and maintenance budgets. Mr. Fitzgerald indicated that the financial statements for 2012 show that the City increased its assets but reduced expenditures, and asked how a tax increase can be justified when a surplus has been declared. The Chamber requested that the City focus on accountability and provide information to its citizens in a relevant and timely fashion.

WHITEHORSE CHAMBER
OF COMMERCE
Budget Issues
For Information Only

2013-14-04

It was duly moved and seconded
THAT the formation of a Finance Committee be authorized; and
THAT the Terms of Reference for the City Finance Committee be
accepted as presented.

FINANCE COMMITTEE &
TERMS OF REFERENCE

2013-14-05

It was duly moved and seconded
THAT section 5(d) of the Terms of Reference for the City Finance
Committee be amended to read, "up to three members of a
community organization accepted by council (for example the board
of the Whitehorse Chamber of Commerce)..."

Amendment

Defeated (5 – 1)

Council members discussed the proposed wording and the consensus
was to defeat the amendment and discuss the matter at another
meeting before voting on revised wording.

Discussion

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

Recorded Vote

2013-14-06

It was duly moved and seconded
THAT the formation of a Finance Committee and adoption of Terms
of Reference for the Committee be postponed to the next regular
Council meeting.

Motion to Postpone

Carried Unanimously

City Planning Committee

2013-14-07

It was duly moved and seconded
THAT the conditional use application for the development of an eating and drinking establishment consisting of an 80-seat restaurant and a 100-seat seasonal (summer) structure at 5 Fraser Road in the MacRae Industrial Subdivision be approved.

APPROVE CONDITIONAL
USE FOR 5 FRASER
ROAD IN MACRAE

Carried Unanimously

Administration confirmed that off-sales are included as approved secondary uses with respect to retail sales, general and therefore do not require Council's approval as a conditional use.

Discussion

2013-14-08

It was duly moved and seconded
THAT Bylaw 2013-28, a bylaw to amend Zoning Bylaw 2012-20 to allow for the development of a gravel quarry operation adjacent to the Copper Haul Road, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
ZONING AMENDMENT
YELLOW TRUCK
QUARRY OPERATION

Carried Unanimously

Council members discussed the notification given to area residents and agreed that notification requirements were met by the City.

Discussion

2013-14-09

It was duly moved and seconded
THAT Bylaw 2013-40, a bylaw to enter into a lease agreement with Bell Mobility Inc., with respect to a communication tower at 228 Falcon Drive in the Copper Ridge Subdivision, be brought forward for due consideration under the bylaw process.

BRING FORWARD
LEASE AGREEMENT FOR
COPPER RIDGE
COMMUNICATIONS
TOWER

Carried Unanimously

Council members discussed the schedule for the bylaw and the timing of the proposed community meeting on the subject. Administration confirmed that the planned schedule for the bylaw has third reading set for the regular meeting on August 12th. This means that Council will have a report from that public meeting before the bylaw comes forward for third reading. Administration also confirmed that City staff will be present at the community meeting.

Discussion

2013-14-10

It was duly moved and seconded
THAT Bell Mobility Inc. be advised that:

1. The City of Whitehorse is satisfied that Bell has satisfactorily completed its consultation with the City with respect to the proposal to construct a wireless telecommunications facility at 39 MacDonald Road in the Taylor Industrial area of the Porter Creek Subdivision; and
2. The City of Whitehorse concurs with Bell's proposal to construct a wireless telecommunications facility at 39 MacDonald Road, Whitehorse, Yukon Territory, Y1A 4R1, provided it is constructed substantially in accordance with the plans submitted.

CONCURRENCE FOR
COMMUNICATIONS
FACILITY AT
39 MACDONALD ROAD

Carried Unanimously

Administration confirmed that "substantially in accordance" means that minor adjustments to the construction plans may be permitted, but no substantive changes to the design will be permitted. The City will monitor the construction of this installation.

Discussion

2013-14-11

It was duly moved and seconded
THAT Bylaw 2013-39, a bylaw to rename First Avenue as Front Street, be brought forward for due consideration under the bylaw process.

BRING FORWARD
RENAMING BYLAW
FOR 1ST AVENUE

Carried Unanimously

2013-14-12

It was duly moved and seconded
THAT Bylaw 2013-41, a bylaw to authorize an encroachment agreement with the Yukon Women's Transition Home Society, be brought forward for due consideration under the bylaw process.

BRING FORWARD
ENCROACHMENT
AGREEMENT FOR
TRANSITION HOME

Carried Unanimously

Administration confirmed that the proposed encroachment was discussed with all relevant City Departments, and an agreement was reached with the Transition Home Society that will allow the expansion of their outdoor space without compromising the City's utility services in the encroachment area.

Discussion

City Operations Committee

2013-14-13

It was duly moved and seconded
THAT the 2013 construction contract for the Range Road North
Reconstruction Project be awarded to P. S. Sidhu Trucking for a net
cost to the City of \$1,749,007.00.

CONTRACT AWARD FOR
RANGE ROAD NORTH
RECONSTRUCTION

Carried Unanimously

BYLAWS

2013-14-14

It was duly moved and seconded
THAT Bylaw 2013-34, a bylaw to regulate traffic and parking in the City
of Whitehorse, having been read a first and second time, now be given
third reading.

BYLAW 2013-34

TRAFFIC BYLAW

THIRD READING

2013-14-15

It was duly moved and seconded
THAT Bylaw 2013-34 be amended to include multi-residential
developments in the downtown parking permit regulations.

Amendment

Defeated Unanimously

Administration advised that the proposed amendment is essentially the
same motion that was brought forward and defeated at the last regular
meeting, and therefore must be dealt with under the "Motion to
Reconsider" regulations of the Procedures Bylaw. This means that
proper notice must be given of the intention to request that Council
reconsider the decision. Under these circumstances, since the motion
has been seconded and is in the possession of Council, it is necessary
that the motion be defeated.

Explanation of
Council Procedures

Council members discussed the implications of expanding residential
parking permits and the potential impact on downtown businesses.
The consensus was that residential parking in the downtown area is a
larger issue than can be decided at this time, and that care should be
taken to find a fair solution.

Discussion

The MAIN MOTION (Third Reading) was then voted on and CARRIED
UNANIMOUSLY.

Vote on Main Motion

2013-14-16

It was duly moved and seconded
THAT Bylaw 2013-37, a bylaw to authorize a lease agreement with the Whitehorse Curling Club for portions of the Mount McIntyre Recreation Centre, having been read a first and second time, now be given third reading.

Carried (5 – 1)

A member of Council suggested that a year's notice would be more appropriate than a lease of this length. Council asked for more details regarding the amounts associated with the sub-lease provisions.

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

OPPOSED: Councillor Cameron

BYLAW 2013-37

LEASE AGREEMENT
Whitehorse Curling Club

THIRD READING

Discussion

Recorded Vote

2013-14-17

It was duly moved and seconded
THAT Bylaw 2013-28, a bylaw to change the zoning of a parcel of land on the Copper Haul Road to allow for the development of a gravel quarry operation, be given second reading.

Carried Unanimously

BYLAW 2013-28

ZONING AMENDMENT
Yellow Truck Quarry

SECOND READING

2013-14-18

It was duly moved and seconded
THAT Bylaw 2013-28, a bylaw to change the zoning of a parcel of land on the Copper Haul Road to allow for the development of a gravel quarry operation, having been read a first and second time, now be given third reading.

Carried Unanimously

BYLAW 2013-28

ZONING AMENDMENT
Yellow Truck Quarry

THIRD READING

2013-14-19

It was duly moved and seconded
THAT Bylaw 2013-39, a bylaw to re-name of First Avenue as Front Street to better reflect its historical character, be given first reading.

Carried Unanimously

BYLAW 2013-39

RENAME 1ST AVENUE

FIRST READING

2013-14-20

It was duly moved and seconded
THAT Bylaw 2013-39 be given second reading.

Carried Unanimously

SECOND READING

2013-14-21

It was duly moved and seconded
THAT Bylaw 2013-40, a bylaw to authorize a lease agreement with Bell
Mobility Inc. for the installation and maintenance of a communications
tower at 228 Falcon Drive in the Copper Ridge Subdivision, be given
first reading.

Carried Unanimously

BYLAW 2013-40

LEASE AGREEMENT
Copper Ridge
Communications Tower

FIRST READING

2013-14-22

It was duly moved and seconded
THAT Bylaw 2013-40 be given second reading

SECOND READING

2013-14-23

It was duly moved and seconded
THAT second reading of Bylaw 2013-40 be postponed to August 12,
2013.

Defeated (5 – 1)

Motion to Postpone

IN FAVOUR: Councillor Streicker

OPPOSED: Mayor Curtis, Councillors Cameron, Curteanu, Irwin
and Stockdale

Recorded Vote

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

Vote on Main Motion

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

Recorded Vote

OPPOSED: Councillor Streicker

2013-14-24

It was duly moved and seconded
THAT Bylaw 2013-41, a bylaw to authorize an encroachment
agreement with the Yukon Women's Transition Home Society to
authorize a fence and an outdoor amenity area in the Hoge Street
right-of-way, be given first reading.

Carried Unanimously

BYLAW 2013-41

ENCROACHMENT
Transition Home

FIRST READING

2013-14-25

It was duly moved and seconded
THAT Bylaw 2013-41 be given second reading.

SECOND READING

Carried Unanimously

2013-14-26

It was duly moved and seconded
THAT Bylaw 2013-43, a bylaw to amend the Building and Plumbing
Bylaw with respect to a number of minor changes, be given first
reading

Carried Unanimously

BYLAW 2013-43

BUILDING & PLUMBING
Minor Amendments

FIRST READING

2013-14-27

It was duly moved and seconded
THAT Bylaw 2013-43 be given second reading.

Carried Unanimously

SECOND READING

Mayor Curtis advised the public that there will be no meeting next week
and reminded everyone that the new start time for meetings approved
with the adoption of the Procedures Bylaw will come into effect next
month. The Standing Committee meeting on August 5th will begin at
5:30 p.m.

REMINDER OF NEW
MEETING START TIME

For Information Only

There being no further business, the meeting adjourned at 9:40 p.m.

ADJOURNMENT

ORIGINAL MINUTES SIGNED BY:

"Betty Irwin"

Betty Irwin, Deputy Mayor

"R. I. Fendrick"

Robert I. Fendrick, FCGA, City Clerk

ADOPTED by resolution at Meeting #2013-15 dated August 12, 2013