

MINUTES of **REGULAR** Meeting #2013-21 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, October 28, 2013, in Council Chambers, City Hall.

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

ABSENT: Councillor Kirk Cameron

ALSO PRESENT: 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 5:30 p.m.

**CALL TO ORDER**

**2013-21-01**

It was duly moved and seconded  
THAT the agenda be adopted as amended with the addition of John  
Talsma as a delegate speaking to the Humane Society Lease.

**AGENDA**

Carried Unanimously

**2013-21-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated October 7,  
2013 be adopted as presented.

**MINUTES**

October 7, 2013

Carried Unanimously

**2013-21-03**

It was duly moved and seconded  
THAT the minutes of the special council meeting dated October 21,  
2013 be adopted as presented.

**MINUTES**

October 21, 2013

Carried Unanimously

**DELEGATIONS**

Hoby Irwin, Linda Priestly and John Talsma, representing the Yukon Humane Society, spoke in favour of the proposed lease agreement for property adjacent to the Mae Bachur Animal Shelter. They advised that the Society provides a service to governments as well as the general public, and depends significantly upon fund raising and other assistance provided by volunteers. They noted that the shelter has space challenges and is essentially undersized for today's needs. The addition of more outdoor space will greatly assist the Society's on-going operations, and will also aid in the prevention of medical challenges that are a natural result of over-crowding. Mr Talsma advised that a significant amount of fill was donated and the site was graded by volunteers in order to provide healthy living space for shelter animals. He also noted that fencing and equipment has been arranged so that the site can be properly protected if the lease is approved.

HUMANE SOCIETY  
Lease Agreement

**COMMITTEE REPORTS**

**Community Services Committee**

The Mayor proclaimed October 20 to 26, 2013 to be National Teen Driver Safety Week in the City of Whitehorse.

PROCLAMATIONS  
For Information Only

The Mayor proclaimed October 21 to 26, 2013 to be Waste Reduction Week in the City of Whitehorse.

Christina Craig, representing the Yukon Anti-Poverty Coalition, and Judy Graves, an advocate for homeless individuals in Vancouver for over 20 years, thanked the Committee for the City's on-going support, and the work that the City has undertaken with respect to homelessness. Ms. Craig provided a summary of the events planned for Poverty and Homelessness Action Week in Whitehorse, and advised that Yukon Housing is developing a Housing Action Plan, including a housing symposium to be held prior to year-end. Ms. Graves advised that other jurisdictions have had success in supporting the homeless with partnerships between municipal, provincial, and First Nation governments

YUKON ANTI-POVERTY  
COALITION  
For Information Only

Council commended the Sourdough Rendezvous events and spoke in favour of the City entering a float in next year's Rendezvous parade. Administration confirmed that a possible float entry is being reviewed, and that the Society has indicated its satisfaction with the Shipyards Park venue for the majority of their events. It was noted that there is always a need for more volunteers to facilitate Rendezvous events.

FESTIVALS AND EVENTS  
GRANT ALLOCATIONS  
Discussion

**2013-21-04**

It was duly moved and seconded THAT the Festivals and Special Events grant allocations for January to June, 2014 be approved as presented in the amount of \$84,440.00, including both cash and in-kind support, funded by the 2014 Operating Budget:

<u>Grant Recipient</u>	<u>Allocation</u>	
Adaka Cultural Society		
• Adaka Cultural Festival	\$4,000.00	
• In-kind	\$3,540.00	
Chinese Canadian Association of Yukon		
• 2014 Chinese New Year Party	\$1,500.00	
Nakai Theatre Ensemble		
• Nakai Theatre's Homegrown Festival	\$4,000.00	
Yukon Educational Theatre		
• Burning Away the Winter Blues	\$1,500.00	FESTIVALS AND EVENTS
• In-kind	\$2,500.00	GRANT ALLOCATIONS
Yukon Film Society		
• Available Light Film Festival	\$4,000.00	
Yukon Quest International Association		
• Quest Sled Dog Race	\$4,900.00	
• In-kind	\$11,150.00	
Yukon Sourdough Rendezvous		
• Rendezvous Festival	\$15,000.00	
• In-kind	\$30,850.00	
Yukon Sourdough Rendezvous		
• 50 <sup>th</sup> Anniversary Queen Candidate Reunion	\$1,500.00	
<b>Total Funds:</b>	<b>\$36,400.00</b>	
<b>Total In-kind:</b>	<b>\$48,040.00</b>	

Carried Unanimously

Council thanked administration for the work done on the proposed terms of reference and commended the community engagement involved in the preparation of this document. It was also noted that the Persons with Disabilities Advisory Committee has commended the new Advisory Committee and looks forward to future relations.

CCMARD ADVISORY  
COMMITTEE TERMS  
OF REFERENCE  
Discussion

**2013-21-05**

It was duly moved and seconded  
THAT the Terms of Reference for the Canadian Coalition of  
Municipalities Against Racism and Discrimination Advisory  
Committee dated October 2013 be adopted as presented.

TERMS OF REFERENCE  
FOR CCMARD  
ADVISORY COMMITTEE

Carried Unanimously

**Public Health and Safety Committee**

On behalf of the Food Bank, a Council member thanked the City for the  
funding assistance provided by this program, and also thanked  
administration and the public for their participation.

FOOD FOR FINES  
Discussion

**2013-21-06**

It was duly moved and seconded  
THAT a grant of parking meter ticket fines issued from December 6 -  
13 inclusive, to a total not exceeding \$6,000.00, be approved to local  
charities providing food bank or meal preparation services as part of  
the 2013 City of Whitehorse Christmas Food For Fines Promotion.

CHRISTMAS FOOD FOR  
FINES PROMOTION

Carried Unanimously

**Development Services Committee**

There was no report from the Development Services Committee.

No Report

**Corporate Services Committee**

The Committee noted the positive steps being taken with respect to  
the budgeting process, including open budget meetings for the  
Capital Budget and the open house for the Operating Budget

BUDGET ISSUES  
For Information Only

**City Planning Committee**

**2013-21-07**

It was duly moved and seconded  
THAT the Conditional Use application for 'indoor participant  
recreation services' to allow for the operation of a dog obedience  
training school at 3 Glacier Road in the MacRae Industrial  
Subdivision be approved with the following conditions:

CONDITIONAL USE  
APPLICATION  
3 Glacier Road, MacRae

1. THAT no outdoor training activities are permitted; and
2. THAT class size is restricted to a maximum of 12 dogs at any given time.

Carried Unanimously

Administration confirmed that the proposed use of this lease area will not conflict with the Kwanlin Dün First Nation's plans for adjacent lands. Council commended the Society and the work of the volunteers to facilitate this lease and the operations of the animal shelter.

HUMANE SOCIETY  
LEASE AGREEMENT  
Discussion

**2013-21-08**

It was duly moved and seconded  
THAT Bylaw 2013-38, a bylaw to authorize a lease agreement with Humane Society Yukon, be brought forward for due consideration under the bylaw process.

BRING FORWARD  
HUMANE SOCIETY  
LEASE AGREEMENT

Carried Unanimously

**2013-21-09**

It was duly moved and seconded  
THAT Bylaw 2013-48, a bylaw to dispose and transfer Lot AH 8, Group 804, located on Range Road, by sale agreement to Driving Force Investments Inc. to allow for a lot expansion, be brought forward for due consideration under the bylaw process.

BRING FORWARD  
LAND DISPOSITION  
Driving Force/Range Road

Carried Unanimously

**2013-21-10**

It was duly moved and seconded  
THAT Bylaw 2013-51, a bylaw to change the zoning of five lots located adjacent to 6098 Sixth Avenue from Mixed Use Commercial 1 to Mixed Use Commercial 2, be brought forward for due consideration under the bylaw process.

BRING FORWARD  
ZONING AMENDMENT  
Sportees/Sixth Avenue

Carried Unanimously

Administration confirmed that the Heritage Restoration Incentive is targeted for initiatives that restore the structural integrity and character of the City's heritage resources, and periodic maintenance procedures such as painting are not eligible for funding under current policy. Council discussed the historical value of Hullah House and the need to preserve structures that reflect the history of the City.

HULLAND HOUSE  
RESTORATION  
INCENTIVE  
Discussion

**2013-21-11**

It was duly moved and seconded  
THAT a Heritage Restoration Incentive in the amount of \$1,398.50 be approved from the Heritage Fund to assist with restoration costs for the municipal historic site known as Hullah House, located at 704 Wood Street in the Downtown area.

HERITAGE  
RESTORATION  
INCENTIVE  
Hullah House

**2013-21-12**

It was duly moved and seconded  
THAT the Heritage Restoration Incentive for Hulland House be increased to the full amount requested by the applicant. Amendment

Defeated (5 – 1)

IN FAVOUR: Councillor Stockdale

OPPOSED: Mayor Curtis, Councillors Curteanu, Gladish, Irwin and Streicker Recorded Vote

The MAIN MOTION was voted on and CARRIED UNANIMOUSLY. Vote on Main Motion

**City Operations Committee**

**2013-21-13**

It was duly moved and seconded  
THAT Bylaw 2013-52, a bylaw to amend the Waste Management Bylaw with respect to the disposition of cardboard, be brought forward for due consideration under the bylaw process. BRING FORWARD  
AMENDMENT TO WASTE  
MANAGEMENT BYLAW  
Cardboard Disposition

Carried Unanimously

**NEW & UNFINISHED BUSINESS**

**2013-21-14**

It was duly moved and seconded  
THAT the following Deputy Mayor Appointments be approved for the period from November 1, 2013 to October 31, 2014:

Councillor Stockdale	November 1 to December 31, 2013	DEPUTY MAYOR AND RESERVE DEPUTY MAYOR APPOINTMENTS
Councillor Streicker	January 1 to February 28, 2014	
Councillor Gladish	March 1 to April 30, 2014	
Councillor Curteanu	May 1 to June 30, 2014	
Councillor Irwin	July 1 to August 31, 2014	
Councillor Cameron	September 1 to October 31, 2014	

AND THAT the following Reserve Deputy Mayor appointments be approved for the period from November 1, 2013 to October 31, 2014:

Councillor Irwin	November 1, 2013 to April 30, 2014
Councillor Gladish	May 1 to October 31, 2014

Carried Unanimously

**2013-21-15**

It was duly moved and seconded  
THAT the following Chair and Vice-Chair appointments be approved  
for Standing Committees for the period from November 1, 2013 to  
October 31, 2014:

<u>Committee</u>	<u>Chair</u>	<u>Vice-Chair</u>
Corporate Services	John Streicker	Betty Irwin
City Planning	Mike Gladish	Jocelyn Curteanu
Development Services	Betty Irwin	John Streicker
City Operations	Jocelyn Curteanu	Dave Stockdale
Community Services	Kirk Cameron	Mike Gladish
Public Health & Safety	Dave Stockdale	Kirk Cameron

Carried Unanimously

STANDING COMMITTEE  
CHAIR & VICE-CHAIR  
APPOINTMENTS

**2013-21-16**

It was duly moved and seconded  
THAT the following Council member appointments to various ad hoc  
committees be approved for the period from November 1, 2013 to  
October 31, 2014:

<u>Committee</u>	<u>Members</u>
Association of Yukon Communities	(1) Mayor Curtis (2) Councillor Streicker
Canadian Capital Cities Organization	Councillor Gladish
Advisory Committee on CCMARD	Councillor Curteanu
Finance Committee	(1) Councillor Streicker (2) Councillor Cameron
Northern Lynn Canal Neighbours Summit	Councillor Cameron
Persons with Disabilities Advisory	Councillor Curteanu
Trail and Greenways Committee	Councillor Gladish
Whitehorse Chamber of Commerce	Mayor Curtis
Whitehorse Housing Authority	Councillor Irwin

COUNCIL MEMBER  
APPOINTMENTS TO  
AD-HOC COMMITTEES

Carried Unanimously

**2013-21-17**

It was duly moved and seconded  
 THAT the following administrative appointments to various committees  
 be approved for the period from November 1, 2013 to October 31,  
 2014:

<u>Committee</u>	<u>Member</u>
Advisory Committee on CCMARD	Linda Rapp
Finance Committee	(1) Robert Fendrick (2) Valerie Anderson (3) Lindsay Schneider
Great Northern Ski Society	Douglas Hnatiuk
Planning Group on Homelessness	Linda Rapp
Reciprocal Insurance Exchange	Valerie Anderson
Trail and Greenways Committee	(1) Douglas Hnatiuk (2) Shannon Clohosey (3) David Pruden
Yukon Energy Partners	Shannon Clohosey
Yukon Intergovernmental Committee on Environmental Sustainability	Shannon Clohosey

ADMINISTRATIVE  
 APPOINTMENTS TO  
 COMMITTEES

Carried Unanimously

**2013-21-18**

It was duly moved and seconded  
 THAT the following Special Committee appointments be approved for  
 the period from November 1, 2013 to October 31, 2014:

<u>Committee</u>	<u>Members</u>
Budget Committee	Mayor and all Council
City Manager's Evaluation	Mayor and all Council
Emergency Measures Commission	Mayor Curtis Current Deputy Mayor

SPECIAL COMMITTEE  
 APPOINTMENTS

Carried Unanimously

**2013-21-19**

It was duly moved and seconded  
 THAT the Council Code of Conduct Policy dated October 2013 be  
 adopted as presented.

COUNCIL CODE OF  
 CONDUCT POLICY

Carried Unanimously



**2013-21-20**

It was duly moved and seconded

THAT the Standing Committee meeting scheduled for December 16, 2013 and the regular Council meeting scheduled for December 23, 2013 be cancelled; and

THAT a summer recess be scheduled for the period from August 17 to 30, 2014.

Carried Unanimously

CANCEL DECEMBER  
MEETINGS AND  
SCHEDULE 2014  
SUMMER RECESS

**BYLAWS**

**2013-21-21**

It was duly moved and seconded

THAT Bylaw 2013-35, a bylaw to regulate the control, use and operation of bicycles in the City of Whitehorse, having been read a first and second time, now be given third reading.

**BYLAW 2013-35**

BICYCLE BYLAW

THIRD READING

**2013-21-22**

It was duly moved and seconded

THAT section 2 of Bylaw 2013-35 be amended by adding six new definitions as follows:

“head light” means a light mounted on the front of the bicycle that emits a white light in front of the bicycle, which is visible to persons and/or vehicles at a distance of no less than 200 metres;

“impassable” means impracticable or unsafe to cross or travel along;

“night time” means the period commencing at sunset and ending at the following sunrise and includes daylight hours where atmospheric conditions reduce visibility to less than 200 metres;

“ordinary walking speed” means the speed at which a person would ordinarily walk, and includes a fast paced walk, but excludes running or jogging;

“prepared crossing” means that portion of a sidewalk that intersects or crosses a bike path, or a cross-walk that adjoins a bike path.

“tail light” means a light mounted on the rear of the bicycle that emits a red light or red flashing light to the rear of the bicycle, which is visible to persons and/or vehicles at a distance of no less than 200 metres.

Carried Unanimously

Amendment # 1

**2013-21-23**

It was duly moved and seconded  
THAT section 2 of Bylaw 2013-35 be amended by deleting the  
existing definition for “sidewalk” and substituting therefore a new  
definition as follows:

Amendment # 2

“sidewalk” means that part of a roadway designed or intended for  
use by pedestrians;

Carried Unanimously

**2013-21-24**

It was duly moved and seconded  
I MOVE THAT section 8 of Bylaw 2013-35 be deleted and replaced  
by new sections 8 to 11 as follows, with the remaining sections being  
renumbered accordingly:

“8. A person shall not operate a bicycle on a sidewalk or marked  
crosswalk except:

- (1) at a lane crossing;
- (2) at a prepared crossing;
- (3) in an unmarked crosswalk;
- (4) to cross over a crosswalk while traveling in a bike lane or  
traffic lane;
- (5) where a bicycle lane on the roadway adjacent to the  
sidewalk is impassable; or
- (6) where a cyclist would be forced to travel in a lane of  
traffic on the roadway adjacent to the sidewalk due to the  
edge or shoulder of the roadway being impassable.”

Amendment # 3

“9. When permitted to operate a bicycle on a sidewalk pursuant to  
section 8 of this bylaw, a person commits an offense of unsafe  
operation of a bicycle on a sidewalk if the person:

- (1) operates the bicycle so as to suddenly leave a curb or  
other place of safety and move into the path of a vehicle  
that is so close as to constitute an immediate hazard; or
- (2) operates the bicycle at a speed greater than ordinary  
walking speed when approaching or entering a  
crosswalk, approaching or crossing a driveway, or  
crossing a curb cut or pedestrian ramp when a motor  
vehicle is approaching the crosswalk, driveway, curb cut  
or pedestrian ramp.”

.../continued

**2013-21-24** (Continued)

- “10. A person operating a bicycle in a prepared crossing or on a sidewalk as permitted by section 8 of this bylaw shall:
- (1) yield the right of way to pedestrians;
  - (2) give an audible signal by voice, bell or other signalling device before overtaking another crossing or sidewalk user; and
  - (3) pass pedestrians at a speed no greater than ordinary walking speed.
- “11. Notwithstanding any other provision in this bylaw, a person shall not operate a bicycle on a sidewalk in the central business district.”

Carried Unanimously

**2013-21-25**

It was duly moved and seconded  
THAT existing section 11 of Bylaw 2013-35 be deleted and replaced by new sections 13 and 14 as follows, with the remaining sections being renumbered accordingly:

- “13. A person operating a bicycle on a trail or on a sidewalk as permitted in section 8 of this bylaw shall:
- (1) yield the right of way to pedestrians;
  - (2) exercise due care and attention to avoid colliding with any other trail or sidewalk user;
  - (3) exercise reasonable consideration for any other trail or sidewalk user; and
  - (4) slow down and pass other trail and sidewalk users in a safe manner.”
- “14. Notwithstanding any other provisions of this bylaw, unless a person operating a bicycle can provide more than one metre of separation when overtaking another developed trail user, the person operating a bicycle shall give an audible signal by voice, bell or other signalling device before overtaking another developed trail user.

Amendment # 4

Carried Unanimously

**2013-21-26**

It was duly moved and seconded  
THAT existing section 14 of Bylaw 2013-35 be deleted and replaced  
by new sections 18 and 19 as follows, with the remaining sections  
being renumbered accordingly:

- “18. Every bicycle operated on a roadway at any time during the  
night time hours shall be equipped with:
- (1) at least one head light; and
  - (2) at least one red tail light.
- “19. A person shall not tow anything behind a bicycle other than a  
bicycle trailer, and such bicycle trailer shall:
- (1) be equipped with a red reflector, tail light or orange flag  
at the rear;
  - (2) be equipped with a tail light when operated on a roadway  
at night time; and
  - (3) not exceed the manufacturer’s occupancy limit.

Amendment # 5

Carried Unanimously

**2013-21-27**

It was duly moved and seconded  
THAT Schedule “A” of Bylaw 2013-35 be deleted and a new  
Schedule “A” substituted therefore as presented.

Amendment # 6

Carried Unanimously

The MAIN MOTION, being third reading of Bicycle Bylaw 2013-35 as  
amended, was then voted on and CARRIED UNANIMOUSLY.

Vote on Main Motion

**2013-21-28**

It was duly moved and seconded  
THAT Bylaw 2013-47, a bylaw to authorize a lease agreement with the  
Yukon Literacy Coalition with respect to the heritage property known as  
Pioneer Hotel 2, having been read a first and second time, now be  
given third reading.

**BYLAW 2013-47**

LEASE AGREEMENT  
Yukon Literacy Coalition

THIRD READING

Carried Unanimously

**2013-21-29**

It was duly moved and seconded  
THAT Bylaw 2013-38, a bylaw to authorize a lease agreement with the  
Yukon Humane Society, be given first reading.

Carried Unanimously

**BYLAW 2013-38**

LEASE AGREEMENT  
Yukon Humane Society

FIRST READING

**2013-21-30**

It was duly moved and seconded  
THAT Bylaw 2013-38 be given second reading.

Carried Unanimously

SECOND READING

**2013-21-31**

It was duly moved and seconded  
THAT Bylaw 2013-48, a bylaw to authorize the disposition of a parcel  
of land on Range Road to allow for a lot expansion, be given first  
reading.

Carried Unanimously

**BYLAW 2013-48**

LAND DISPOSITION  
Driving Force-Range Road

FIRST READING

**2013-21-32**

It was duly moved and seconded  
THAT Bylaw 2013-48 be given second reading.

Carried Unanimously

SECOND READING

**2013-21-32**

It was duly moved and seconded  
THAT Bylaw 2013-52, a bylaw to amend the Waste Management  
Bylaw with respect to the disposition of cardboard, be given first  
reading.

Carried Unanimously

**BYLAW 2013-52**

AMEND WASTE  
MANAGEMENT BYLAW

FIRST READING

**2013-21-33**

It was duly moved and seconded  
THAT Bylaw 2013-52 be given second reading.

Carried Unanimously

SECOND READING

**2013-21-34**

It was duly moved and seconded  
THAT Bylaw 2013-51, a bylaw to change the zoning of five lots  
adjacent to the Sportees property on Sixth Avenue to provide for  
consistent zoning in the area, be given first reading.

**BYLAW 2013-51**

ZONING AMENDMENT  
Sportees – Sixth Avenue

FIRST READING

Carried Unanimously

There being no further business, the meeting adjourned at 7:10 p.m.

**ADJOURNMENT**

*ORIGINAL DOCUMENT SIGNED BY:*

"Dan Curtis"

Dan Curtis, Mayor

"R. I. Fendrick"

Robert I. Fendrick, FCGA, City Clerk

ADOPTED by resolution at Meeting #2013-22 dated November 12, 2013