

MINUTES of **REGULAR** Meeting #2013-23 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, November 25, 2013, in Council Chambers, City Hall.

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

ABSENT: Councillor Jocelyn Curteanu

ALSO PRESENT: City Manager Brian Crist
Director of Community and Recreation Services Linda Rapp
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

2013-23-01

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

AGENDA

Carried Unanimously

Mayor Curtis proclaimed December 1st to 7th, 2013 to be **Disability Awareness Week** and December 3rd, 2013 to be **International Day of Persons with Disabilities** in the City of Whitehorse.

PROCLAMATION

2013-23-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated November 12, 2013 be adopted as presented.

MINUTES

November 12, 2013

Carried Unanimously

PUBLIC INPUT

Mayor Curtis called three times for anyone to appear to address the conditional use application for an over-size caretaker residence at 33 Levitch Drive in the Whitehorse Copper Subdivision.

CONDITIONAL USE
Over-size Caretaker Suite
33 Levitch Drive

The proponent, Alan Lebedoff, spoke in favour of the application. He advised that the proposed caretaker residence will be a single-family home and noted that the property is located close to other residential areas that also do not have typical amenities such as transit service, or water, sewer and waste collection services.

Alan Lebedoff
Proponent

Mr Lebedoff noted that there are eight other caretaker residences in the subdivision, and that the property is located in close proximity to developed trails and greenbelts. He asked Council to look at a more creative approach to discouraging large residences on industrial properties with very low industrial uses. He suggested that they might look at a minimum amount of industrial building space for every square metre of caretaker space, as this would allow for strong and valid applications to proceed. Mr. Lebedoff stated that this caretaker residence will provide a cost effective and efficient use of existing buildings and land, and encouraged Council to approve the application.

Alan Lebedoff
Proponent
(Continued)

Mayor Curtis declared the public input session closed and advised that a report will come back to Standing Committee on December 2nd.

Public Input Closed

PUBLIC HEARING

Mayor Curtis called three times for anyone to appear to address 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. There was no one present to address the bylaw.

BYLAW 2013-51

Zoning Amendment
6th Avenue Lots

One written submission was received that raised no objection to the application but expressed concern about possible impacts on the adjacent multi-use trail.

Submissions Received

Mayor Curtis declared the public hearing for Bylaw 2013-51 closed and advised that a report will come back to Standing Committee on Monday, December 2nd.

Public Hearing Closed

COMMITTEE REPORTS

City Operations Committee

2013-23-03

It was duly moved and seconded
THAT Sewer and Storm Utility Bylaw 2013-56 be brought forward for
due consideration under the bylaw process

BRING FORWARD
SEWER AND STORM
UTILITY BYLAW

Carried Unanimously

2013-23-04

It was duly moved and seconded
THAT Water Utility Bylaw 2013-57 be brought forward for due
consideration under the bylaw process

BRING FORWARD
WATER UTILITY BYLAW

Carried Unanimously

Community Services Committee

The Committee commended Parks and Recreation and Bylaw staff for the excellent work done on Remembrance Day and at the Spruce Bog craft fair.

Staff Commended

The public was advised that Yukon Electric has done some clearing at the west end of Hawkins Street and has cut some of the trees into firewood that is available to anyone who can use it.

Firewood Available
For Information Only

Public Health and Safety Committee

The Committee was advised that the International Day of Persons with Disabilities will be on December 3, 2013.

Disability Awareness
For Information Only

Development Services Committee

2013-23-05

It was duly moved and seconded THAT Bylaw 2013-46, a bylaw to provide for local improvement charges with respect to the Ogilvie Street West Reconstruction Project, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
OGILVIE STREET WEST
LOCAL IMPROVEMENT
BYLAW

Carried Unanimously

2013-23-06

It was duly moved and seconded THAT Environmental Grant allocations totalling \$9,850.00 be approved as recommended by the grant review committee, funded from the 2013 operating budget:

<u>Grant Recipient</u>	<u>Amount</u>
Recreation and Parks Association of the Yukon (RPAY) <i>Cycle Smart for Yukon Kids Project</i> Workshop materials, bicycle rental, transportation of bicycles, and instructor fees	\$5,000.00
Evergreen Home and Construction <i>602/604 Main Street Solar Panel Project</i> Solar Panel System Installation	\$4,850.00

ENVIRONMENTAL
GRANT ALLOCATIONS

Carried Unanimously

Corporate Services Committee

Mayor Curtis called three times for anyone to appear to provide input into the 2014 – 2017 Capital Budget.

PUBLIC INPUT INTO
CAPITAL BUDGET

Philip Fitzgerald, representing the Whitehorse Chamber of Commerce, thanked Council and the City for the open house held last month as well as the opportunity to provide feedback on the 2014 Capital Budget. He expressed concern with the presentation and content of the proposed budget with respect to the lack of any reference to the 2013 capital budget and the lack of detail on identified funding sources. Mr. Fitzgerald also noted that the Chamber is also interested in seeing the City utilize local suppliers. He asked that the budget, when approved, contain information on expenses that were deferred from previous years and the identified sources of funding for the capital expenditures. He also asked the City to work with the Chamber in identifying ways to utilize local suppliers wherever possible.

PHILIP FITZGERALD
Chamber of Commerce

Simon Bromley, representing the Skate-for-life Alliance, encouraged Council to include funding in the Capital Budget to assist with the development of a new skateboard park on the site of the existing facility near F. H. Collins High School. He advised that some of the existing equipment can be moved to a proposed new skateboard park in the Copper Ridge Subdivision, but a new and improved facility at the current site is needed to provide for all skill levels in a growing sport. Mr. Bromley confirmed that the Alliance is working to obtain funding from other sources, and that a sponsorship recognition program is also in the works. It has been estimated that the cost of the new facility will be approximately \$500,000.00, and when it is completed it will become an asset to the City. Mr. Bromley noted that a three-stage implementation plan is proposed, and a meeting has been scheduled on Thursday, November 28 at the Canada Games Centre for a public design session for a new park.

SIMON BROMLEY
Skate-for-Life Alliance

Keith Lay addressed the Committee to express concern that Gas Tax funding is being used for the construction of new trails, but there is no funding for ongoing maintenance of the trail network. He suggested that the City consider switching to concrete trails instead of asphalt, as the initial cost is higher but the long term maintenance and extended life of concrete would be a benefit. Mr. Lay also suggested more public consultation on trail route selection, and that the proposed parks framework should be expedited with prompt implementation.

KEITH LAY
Trails

2013-23-07

It was duly moved and seconded
THAT Bylaw 2013-55, a bylaw to appoint an interim City Manager,
be brought forward for due consideration under the bylaw process.

BRING FORWARD
INTERIM CITY
MANAGER BYLAW

Carried Unanimously

2013-23-08

It was duly moved and seconded
THAT Bylaw 2013-54, a bylaw to provide for miscellaneous
amendments to the Fees and Charges Bylaw, be brought forward for
due consideration under the bylaw process; and
THAT the 2014 and 2015 provisional operating and maintenance
budgets be amended to increase budgeted revenues in the amounts
of \$387,200 and \$386,000 respectively to reflect the changes in the
Fees and Charges Bylaw.

BRING FORWARD
FEES AND CHARGES
AMENDMENT BYLAW

Carried Unanimously

2013-23-09

It was duly moved and seconded
THAT the 2013-2016 Capital Budget be amended with respect to a
number of capital projects as follows, with funding in the amount of
\$1,437,067.00 returning to various reserves and \$380,000.00 in
outside source funding released for application to 2014 projects.

1. **Capital Reserve** – amend the funding of the following projects
with \$232,926 in funding returning to the Capital Reserve:

201c00113 Press Conference Centre Return to Reserve	-\$10,000
240c00313 Range Road North BST Complete under budget	-\$25,000
240c00410 Asphaltic Surface Overlay Program Return to Reserve	-\$87,926
240c02010 Downtown Reconstruction–6 th Ave Deferred to 2014	-\$100,000
500c00112 Carts Whistle Bend Return to Reserve	-\$10,000

AMEND 2013 – 2016
CAPITAL BUDGET
3RD Quarter Variance

.../continued

2013-23-09 (Continued)

2. **Equipment Reserve** – amend the funding of the following projects with \$218,139 in funding returning to the Equipment Reserve:

320c00110 One Ton Replacements Return to Reserve	-\$58,000
320c00413 Replacement Car Over Budget	\$5,561
320c01709 Pickups Return to Reserve	-\$48,000
320c02113 1 Ton Pump Service Truck Return to Reserve	-\$7,700
320c02809 Purchase of Dump Truck Return to Reserve	-\$110,000

3. **Land Bank Reserve** – amend the funding of the following projects with \$88,000 in funding returning to the Land Bank Reserve:

720c00612 Motorways Environmental Evaluation Return to Reserve	-\$88,000
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AMEND 2013 – 2016
CAPITAL BUDGET
3RD Quarter Variance
(Continued)

4. **DCC Reserve**– amend the funding of the following projects with \$26,605 in funding returning to the Development Cost Charges Reserve:

750c00511 Divider Walls – CGC Late Bookings Return to Reserve	-\$26,605
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5. **Computer Reserve** – amend the funding of the following project with \$30,000 in funding returning to Computer Reserve:

300c00213 Performance Management Software Return to Reserve	-\$30,000
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6. **Recreation Facility Reserve** – amend the funding of the following projects with \$65,000 in funding remaining in the Recreation Facility Reserve:

320c01112 Refinish Flexihall Flooring Deferred to 2014	-\$75,000
320c01813 Kids Club Expansion CGC Over Budget	\$10,000

.../continued

2013-23-09 (Continued)

7. **Water and Sewer Reserve** – amend the funding of the following projects with \$770,250 in funding remaining in the Water & Sewer Reserve:

240c00213 Hillcrest Water Supply Deferred to 2014	-\$800,000
650c01709 Utility Security Cameras Over Budget	\$29,750

8. **Gas Tax** – amend the funding of the following projects with \$251,000 in funding returning to Gas Tax available for other projects:

320c00513 Compost Equipment Return to Gas Tax	-\$76,000
500c00113 Landfill Cell 5 Development Return to Gas Tax	-\$175,000

AMEND 2013 – 2016
CAPITAL BUDGET
3RD Quarter Variance
(Continued)

9. **Territorial Capital Grants** – amend the following projects with \$129,000 in Territorial Capital Grants not required:

240c00313 Range Road North BST Complete under budget	-\$25,000
720c00210 Stevens Quarry Subdivision Complete under budget	-\$22,000
720c00311 Porter Creek Extension “D” Complete under budget	-\$82,000

Carried Unanimously

City Planning Committee

Ione Christiansen addressed the Committee to advise that the official launch of the Whitehorse History Book is scheduled for November 29th. On behalf of the Society, Ms. Christiansen thanked the City for the support received and the funding provided through the Heritage Grant that Council approved to aid in getting this project to completion. She advised that the Special Edition of the book is anticipated to be available for the official launch date, but in the meantime copies of the book are available at Mac’s Fireweed Books. The Committee commended the Society for their work on this book and thanked all those involved for the time and effort expended on this very worthwhile and important project.

WHITEHORSE HISTORY
BOOK LAUNCH
For Information Only

The owner of the property located at 33 Levitch Drive in the Whitehorse Copper Subdivision has applied for conditional use approval for a caretaker residence larger than the size permitted as a secondary use. In the Service Industrial zone, a caretaker residence over 120 m² in size is a conditional use subject to Council approval. An opportunity for public input into this application has been scheduled for the regular Council meeting on November 25th.

Kristen Innes-Taylor addressed the Committee on behalf of the property owner in support of the application.

The Committee discussed the application and requested additional information on other structures in the area and the history of the changes in regulations over the years with respect to caretaker accommodations.

Administration confirmed that the current regulations are intended to discourage the practice of people living in industrial zones, as these are areas that typically lack the amenities suitable for residential use. Administration confirmed that this application is for caretaker accommodations that are approximately twice the size permitted under existing regulations. However, the conditional use process is in place so that property owners with larger spaces approved under previous regulations would not be deemed non-conforming, and also allows persons who need larger spaces an avenue to apply.

CONDITIONAL USE
APPLICATION FOR
OVER-SIZE CARETAKER
RESIDENCE
33 Levitch Drive
For Information Only

BYLAWS

2013-23-10

It was duly moved and seconded
THAT Bylaw 2013-46, a bylaw to authorize a work of local improvement with respect to the reconstruction of Ogilvie Street West, be given second reading.

Carried Unanimously

BYLAW 2013-46
LOCAL IMPROVEMENT
Ogilvie Street West
SECOND READING

2013-23-11

It was duly moved and seconded
THAT Bylaw 2013-46, a bylaw to authorize a work of local improvement with respect to the reconstruction of Ogilvie Street West, having been read a first and second time, now be given third reading.

Carried Unanimously

BYLAW 2013-46
LOCAL IMPROVEMENT
Ogilvie Street West
THIRD READING

2013-23-12

It was duly moved and seconded
THAT Bylaw 2013-49, a bylaw to authorize the disposition of a parcel
of land located at 67 Wann Road, be given first reading.

Carried (5 – 1)

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

OPPOSED: Councillor Streicker

BYLAW 2013-49

LAND DISPOSITION
67 Wann Road

FIRST READING

Recorded Vote

Mayor Curtis confirmed that the initial request for a postponement of these land disposition bylaws came from him, as it has not yet been possible to arrange a Mayor's Meeting with respect to the sale of these two properties. He reminded Council that they directed administration to pursue the sale of various properties, including those located at 67 Wann Road and 706-708 Ogilvie Street. However, the housing market has changed since that direction was given, and it is desirable that the issue be explored further before proceeding. Since the bylaw process is already started, it makes sense to postpone further readings until the public has been consulted further on the matter.

Discussion

2013-23-13

It was duly moved and seconded
THAT second reading of Land Disposition Bylaw 2013-49 be
postponed to March 24, 2014.

Carried Unanimously

POSTPONE
SECOND READING
OF BYLAW 2013-49

2013-23-14

It was duly moved and seconded
THAT Bylaw 2013-50, a bylaw to authorize the disposition of a parcel
of land located at 706 – 708 Ogilvie Street, be given first reading.

Carried (5 – 1)

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

OPPOSED: Councillor Streicker

BYLAW 2013-50

LAND DISPOSITION
706-708 Ogilvie Street

FIRST READING

Recorded Vote

2013-23-15

It was duly moved and seconded
THAT second reading of Land Disposition Bylaw 2013-50 be
postponed to March 24, 2014.

Carried Unanimously

POSTPONE
SECOND READING
OF BYLAW 2013-50

2013-23-16

It was duly moved and seconded
THAT Bylaw 2013-54, a bylaw to amend the Fees and Charges Bylaw,
be given first reading.

Carried Unanimously

BYLAW 2013-54

FEES AND CHARGES
AMENDMENT

FIRST READING

2013-23-17

It was duly moved and seconded
THAT Bylaw 2013-54 be given second reading.

Carried Unanimously

SECOND READING

2013-23-18

It was duly moved and seconded
THAT Bylaw 2013-55, a bylaw to appoint an Interim City Manager, be
given first reading.

Carried Unanimously

BYLAW 2013-55

INTERIM CITY MANAGER

FIRST READING

2013-23-19

It was duly moved and seconded
THAT Bylaw 2013-55 be given second reading.

Carried Unanimously

SECOND READING

2013-23-20

It was duly moved and seconded
THAT Bylaw 2013-56, a bylaw provide for the operation, maintenance
and control of sewerage and drainage systems for the City of
Whitehorse, be given first reading.

Carried Unanimously

BYLAW 2013-56

SEWER AND STORM
UTILITY BYLAW

FIRST READING

2013-23-21

It was duly moved and seconded
THAT Bylaw 2013-56 be given second reading.

Carried Unanimously

SECOND READING

2013-23-22

It was duly moved and seconded
THAT Bylaw 2013-57, a bylaw provide for the operation, maintenance
and control of a water distribution system for the City of Whitehorse,
be given first reading.

BYLAW 2013-57

WATER UTILITY BYLAW
FIRST READING

Carried Unanimously

Council members noted that there are no provisions in the Water Utility
Bylaw for the protection of the City's water source, and administration
confirmed that wellhead protection is covered by other legislation.
Administration is working on developing our own wellhead protection
plan in addition to the protections provided by both Territorial legislation
and Federal guidelines.

Discussion

2013-23-23

It was duly moved and seconded
THAT Bylaw 2013-57 be given second reading.

SECOND READING

Carried Unanimously

There being no further business, the meeting adjourned at 6:30 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 #2013-24 dated December 9, 2013