

**CITY OF WHITEHORSE**  
**REGULAR Council Meeting #2014-08**

**DATE:** Monday, April 7, 2014  
**TIME:** 5:30 p.m.

**Mayor** Dan Curtis  
**Deputy Mayor** Mike Gladish  
**Reserve Deputy Mayor** Betty Irwin

## **AGENDA**

**CALL TO ORDER** 5:30 p.m.

**AGENDA:** Adoption

**PROCLAMATION:**

**MINUTES:** Regular Council Meeting #2014-06 dated March 24, 2014  
Special Council Meeting #2014-07 dated March 31, 2014

**DELEGATIONS:**

**PUBLIC HEARING:** Bylaw 2014-13 – Zoning Amendment (Hillcrest Plan)

**COMMITTEE**

**REPORTS:**

**City Operations** – *Councillors Curteanu & Stockdale*

Contract Award – Grader

Contract Award – Track Excavator

**Community Services** – *Councillors Cameron & Gladish*

**Public Health & Safety** – *Councillors Stockdale & Cameron*

**Development Services** – *Councillors Irwin & Streicker*

Transportation Demand Management Plan Final Report

Contract Award – Ogilvie Street Reconstruction Project

**Corporate Services** – *Councillors Streicker & Irwin*

Re-budgeting Capital Expenditures

Authorize Travel – Association Yukon Communities

**City Planning** – *Councillors Gladish & Curteanu*

Report on Public Hearing – Zoning Amendment (37-14<sup>th</sup> Avenue)

**NEW & UNFINISHED**

**BUSINESS:**

**BYLAWS:** 2014-15 – Write-off Uncollectible Accounts 3<sup>rd</sup> Reading  
2014-18 – Fees & Charges Amendment 3<sup>rd</sup> Reading  
2014-19 – City Manager Bylaw 3<sup>rd</sup> Reading  
2014-10 – Zoning Amendment (37-14<sup>th</sup> Avenue) 2<sup>nd</sup> & 3<sup>rd</sup> Reading

**ADJOURNMENT:**

MINUTES of **REGULAR** Meeting #2014-06 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, March 24, 2014, 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 Brian Crist  
Director of Community and Recreation Services Linda Rapp  
Acting Director of Corporate Services Valerie Anderson  
Director of Development Services Mike Gau  
Acting Director of Infrastructure and Operations Dave Muir  
Fire Chief Clive Sparks

Mayor Curtis called the meeting to order at 5:30 p.m.

**CALL TO ORDER**

**2014-06-01**

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

**AGENDA**

Carried Unanimously

**2014-06-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated March 10, 2014  
be adopted as presented.

**MINUTES**

March 10, 2014

Carried Unanimously

**PUBLIC HEARING**

Mayor Curtis called three times for anyone to appear to address Bylaw 2014-10, a bylaw to amend the zoning at 37 – 14<sup>th</sup> Avenue in Porter Creek to allow for the development of a living suite in the Restricted Residential Detached zone.

**BYLAW 2014-10**  
ZONING AMENDMENT  
37 – 14<sup>th</sup> Avenue

Mike Henney spoke against the proposed amendment. He stated the opinion that the existing zoning is appropriate and was established only two years ago after appropriate public consultation.

MIKE HENNEY  
Opposed

Cam Kos spoke against the bylaw. He noted that there was extensive community consultation before the present zoning was established, and asked Council to retain the existing zoning for the area.

CAM KOS  
Opposed

There were three submissions received, one in favour and two opposed to the proposed amendment.

Submissions Received

Mayor Curtis declared the public hearing for Bylaw 2014-10 closed, and advised that a report on public input will come forward to the City Planning Standing Committee meeting on March 31, 2014.

Public Hearing Closed

## **COMMITTEE REPORTS**

### **City Operations Committee**

There was no report from the City Operations Committee.

No Report

### **Community Services Committee**

Mayor Curtis proclaimed Friday, March 21, 2014 to be International Day for the Elimination of Racial Discrimination in the City of Whitehorse

PROCLAMATION

The Committee was advised that the Canada Games Centre was the recipient of the 2014 Mayor's Award for Barrier-free Access. The Games Centre was nominated for this award by the Challenge Resource Group.

MAYOR'S AWARD FOR  
BARRIER-FREE ACCESS

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

#### **2014-06-03**

It was duly moved and seconded  
THAT the 2014 Capital Budget be amended by increasing project number 440c00311 Pumper Replacement by \$65,000.00, funded from the Equipment reserve; and

BUDGET AMENDMENT  
AND CONTRACT AWARD  
FOR FIRE APPARATUS

THAT the purchase of one rescue/pumper fire apparatus from Safetek Emergency Vehicles, complete with hydraulic rescue tools as specified, be approved for a cost of \$721,150.00.

Carried Unanimously

On behalf of Council, Mayor Curtis thanked Fire Chief Sparks for his dedicated service to the City and the Fire Department throughout his career, and wished him well in his retirement.

FIRE CHIEF SPARKS  
ACKNOWLEDGED

**Development Services Committee**

**2014-06-04**

It was duly moved and seconded  
THAT Environmental Grant allocations as recommended by the  
review committee be approved in the amount of \$13,750.00 as  
follows:

<u>Grant Recipient</u>	<u>Grant Amount</u>
Raven Recycling Society Loading dock ramp replacement	\$ 3,400.00
WildWise Yukon Copper Ridge bear-lock pilot project	\$ 2,000.00
Yukon Bird Club Lagoon study – lab analysis	\$ 4,000.00
Yukon Fish and Game Association Bee monitoring project	\$ <u>4,350.00</u>
<b>Totals</b>	<b>\$ 13,750.00</b>

ENVIRONMENTAL  
GRANT ALLOCATIONS

Carried Unanimously

**Corporate Services Committee**

**2014-06-05**

It was duly moved and seconded  
THAT Bylaw 2014-19, a bylaw to appoint a city manager and  
delegate certain administrative powers to the position, be brought  
forward for due consideration under the bylaw process.

BRING FORWARD  
CITY MANAGER BYLAW

Carried Unanimously

**2014-06-06**

It was duly moved and seconded  
THAT Bylaw 2014-18, a bylaw to amend the Fees and Charges  
Bylaw, be brought forward for due consideration under the bylaw  
process; and

BRING FORWARD  
FEES AND CHARGES  
AMENDMENT

THAT the 2014 operating and maintenance budget and the 2015 and  
2016 provisional budgets be amended to increase budgeted revenue  
in the amounts of \$34,600, \$42,600 and \$18,600 respectively to  
reflect the changes in the Fees and Charges Bylaw.

Carried Unanimously

**2014-06-07**

It was duly moved and seconded  
THAT Bylaw 2014-15, a bylaw to authorize the write-off of uncollectible accounts, be brought forward for due consideration under the bylaw process.

BRING FORWARD  
WRITE-OFF BYLAW

Carried Unanimously

**City Planning Committee**

There was no report from the City Planning Committee.

No Report

**BYLAWS**

**2014-06-08**

It was duly moved and seconded  
THAT Bylaw 2014-14, a bylaw to amend the Traffic Bylaw to implement a 40 kilometre per hour speed limit in the residential section of the Hillcrest Subdivision in accordance with the recommendations of the Hillcrest Neighbourhood Plan, having been read a first and second time, now be given third reading.

**BYLAW 2014-14**  
AMEND TRAFFIC BYLAW  
(Hillcrest Speed Limit)  
THIRD READING

Carried Unanimously

**2014-06-09**

It was duly moved and seconded  
THAT Bylaw 2014-15, a bylaw to write off uncollectible accounts, be given first reading.

**BYLAW 2014-15**  
WRITE OFF BYLAW  
FIRST READING

Carried Unanimously

**2014-06-10**

It was duly moved and seconded  
THAT Bylaw 2014-15 be given second reading.

SECOND READING

Carried Unanimously

**2014-06-11**

It was duly moved and seconded  
THAT Bylaw 2014-18, a bylaw to amend the Fees and Charges Bylaw, be given first reading.

**BYLAW 2014-18**  
FEES AND CHARGES  
AMENDMENT  
FIRST READING

Carried Unanimously

**2014-06-12**

It was duly moved and seconded  
THAT Bylaw 2014-18 be given second reading.

SECOND READING

Carried Unanimously

**2014-06-13**

It was duly moved and seconded  
THAT Bylaw 2014-19, a bylaw to appoint a city manager and  
delegate certain administrative powers to the position, be given first  
reading.

**BYLAW 2014-19**  
CITY MANAGER BYLAW  
FIRST READING

Carried Unanimously

**2014-06-14**

It was duly moved and seconded  
THAT Bylaw 2014-19 be given second reading.

SECOND READING

Carried Unanimously

There being no further business, the meeting adjourned at 6:07 p.m.

**ADJOURNMENT**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

ADOPTED by resolution at Meeting #2014-

MINUTES of **SPECIAL** Meeting #2014-07 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, March 31, 2014, 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 Brian Crist  
Acting Director of Community and Recreation Services Chris Milner  
Acting Director of Corporate Services Valerie Anderson  
Director of Development Services Mike Gau  
Acting Director of Infrastructure and Operations Dave Muir

Mayor Curtis called the meeting to order at 5:30 p.m.

**CALL TO ORDER**

**2014-07-01**

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

**AGENDA**

Carried Unanimously

**NEW & UNFINISHED BUSINESS**

**2014-07-02**

It was duly moved and seconded  
THAT changes to the existing Collective Agreements between the City of Whitehorse and Public Service Alliance of Canada Locals Y022 and Y023 be ratified in accordance with the Memorandums of Settlement signed on March 20, 2014; and

RATIFY COLLECTIVE  
AGREEMENTS WITH  
PSAC LOCALS  
Y022 AND Y023

THAT the Mayor and City Clerk be authorized to sign the 2013 – 2017 Collective Agreements with Public Service Alliance of Canada Locals Y022 and Y023 when the said documents are properly formatted.

Carried Unanimously

Administration confirmed that the wage increase will be 8% spread over four years, and that both union locals voted heavily in favour of ratifying the agreements.

Discussion

There being no further business, the meeting adjourned at 5:39 p.m.

**ADJOURNMENT**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

## MEMORANDUM

FILE #: Z-03-2014

TO: Mayor and Council

FROM: Administration

DATE: April 7<sup>th</sup>, 2014

SUBJECT: Public Hearing at Regular Council Meeting April 7<sup>th</sup>, 2014

Please be advised there will be a Public Hearing at the Regular Council Meeting of April 7<sup>th</sup>, 2014, to hear from interested parties related to the following zoning amendment application:

**Bylaw 2014-13, a bylaw to amend the zoning in Hillcrest to implement the Hillcrest Neighbourhood Plan.**

On January 13<sup>th</sup>, 2014, City Council adopted the Hillcrest Neighbourhood Plan which is intended to serve as a guiding document for development decisions made in the neighbourhood as it evolves over the next two decades. The planning process was initiated in response to resident concerns about the contrast between the existing residential scale of the neighbourhood and the higher development potential allowed through current zoning.

The Plan recommends modifications to the three residential zones found in Hillcrest (RS–Residential Single Detached, RCTx(a)–Comprehensive Residential Townhouses (modified), and RM–Residential Multiple Housing):

- For RS lots the Plan recommends a height reduction from 10 to 8 metres in the “Steelox” portion of Hillcrest, and 9 metres for other RS lots. Other proposed changes include elevation caps for second storey floors and rooflines, requirements for angled roof designs, and comprehensive landscaping standards (applies to plantings, internal walkways, and paved drive ways).
- For RCTx(a) lots, which applies to 4 duplex lots on Hillcrest Drive, the Plan recommends a reduction in height allowance from 10 to 9 metres, with an added restriction that the roofline cannot start higher than 7 metres.
- For RM lots, the Plan recommends that the zoning be amended to RCM–Comprehensive Residential Multiple Family.

Bylaw 2014-13 received 1<sup>st</sup> Reading on March 10<sup>th</sup>, 2014. Notices were published in the newspapers on March 21<sup>st</sup> and 28<sup>th</sup>, 2014. A total of 197 letters were sent to property owners, covering the entire neighbourhood, as well as properties in the Hillcrest Industrial Area which are within a radius of 100 metres of the subject properties. Yukon Government Lands Department, Kwanlin Dün First Nation, and Ta’an Kwäch’än Council were also notified by mail and email.

Erica Beasley  
Planner II, Planning Services

cc: Director of Development Services  
Manager of Planning Services





## Minutes of the meeting of the City Operations Committee

<b>Date</b>	March 31, 2014
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Jocelyn Curteanu – Chair Councillor Dave Stockdale – Vice Chair Mayor Dan Curtis Councillor Kirk Cameron Councillor Mike Gladish Councillor Betty Irwin Councillor John Streicker
<b>Staff Present</b>	Brian Crist, City Manager Valerie Anderson, Acting Director of Corporate Services Chris Milner, Acting Director of Community and Recreation Services Mike Gau, Director of Development Services Dave Muir, Acting Director of Infrastructure and Operations Richard Graham, Acting Manager of Operations Trent Egglestone, Heavy Equipment Mechanic

Your Worship, the City Operations Committee respectfully submits the following report:

### 1. **Contract Award – Grader Purchase**

The 2014 capital budget includes funds for the purchase of a grader as an addition to the fleet. This additional unit will ensure that the Operations Department has the equipment needed for maintenance operations in accordance with Council policies. Two bids were received in response to the tender issued, and the review committee agreed that the low bid meets specifications and is within the approved budget.

### **Recommendation**

THAT the contract for the supply of one grader complete as specified be awarded to Inland Kenworth in the amount of \$285,525.00.

**2. Contract Award – Track Excavator Purchase**

The 2014 capital budget includes funds for the purchase of a track excavator. This unit is an addition to the fleet and is required to ensure that the City has the equipment needed for year-round maintenance operations. Only one bid was received in response to the tender issued. The review committee unanimously agreed that the sole bid meets specifications and is within the approved budget.

**Recommendation**

THAT the contract for the supply of one track excavator complete as specified be awarded to Inland Kenworth in the amount of \$261,414.00.

**3. Monthly Activity Reports – For Information Only**

Activity Reports for March 2014 were received from the Director of Infrastructure and Operations, and the Engineering, Operations, and Water and Waste Services Departments.



## Minutes of the meeting of the Community Services Committee

<b>Date</b>	March 31, 2014
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Kirk Cameron – Chair Councillor Mike Gladish – Vice-Chair Mayor Dan Curtis Councillor Jocelyn Curteanu Councillor Betty Irwin Councillor Dave Stockdale Councillor John Streicker
<b>Staff Present</b>	Brian Crist, City Manager Chris Milner, Acting Director of Community and Recreation Services Valerie Anderson, Acting Director of Corporate Services Mike Gau, Director of Development Services Dave Muir, Acting Director of Infrastructure and Operations

Your Worship, the Community Services Committee respectfully submits the following report:

**1. Mayor's Poetry Challenge – For Information Only**

Stephen Reid, Michael Reynolds and Joanna Lilley presented examples of their original works in response to the Mayor's Poetry Challenge.

**2. Monthly Activity Reports – For Information Only**

Activity Reports for March 2014 were received from the Director of Community and Recreation Services, Outreach and Events, Parks and Trails, Recreation and Facility Services, and the Transit Services Department.

**Issues Arising from the Activity Reports**

The Committee requested:

- Additional information with respect to meetings with Festival and Special Event Grant applicants;
- Feedback from Yukon Education's transit review;
- A list of the sport tourism activities that have come to the City; and

- Confirmation of the City's participation in the Fairbanks Arctic Winter Games

The Committee commended the 15% increase in transit use over the past year, and looked forward to further reports on the extended evening service, enhanced routes, and the financial impacts of the changes to transit operations.

Administration confirmed that the community clean-up will be on May 7th.



## Minutes of the meeting of the Public Health and Safety Committee

<b>Date</b>	March 31, 2014
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Dave Stockdale – Chair Councillor Kirk Cameron – Vice Chair Mayor Dan Curtis Councillor Jocelyn Curteanu Councillor Mike Gladish Councillor Betty Irwin Councillor John Streicker
<b>Staff Present</b>	Brian Crist, City Manager Valerie Anderson, Acting Director of Corporate Services Chris Milner, Acting Director of Community and Recreation Services Mike Gau, Director of Development Services Dave Muir, Acting Director of Infrastructure and Operations

Your Worship, the Public Health and Safety Committee respectfully submits the following report:

**1. Monthly Activity Report – For Information Only**

Activity reports for March 2014 were received from Bylaw Services and the Fire Department.

**2. New Business – For Information Only**

The Committee commended Bylaw Services for their work controlling traffic during the big hockey tournament last weekend.

The Committee suggested that pamphlets regarding the Bicycle Bylaw be distributed through the bicycle stores.



## Minutes of the meeting of the Development Services Committee

<b>Date</b>	March 31, 2014
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Betty Irwin – Chair Councillor John Streicker – Vice Chair Mayor Dan Curtis Councillor Kirk Cameron Councillor Jocelyn Curteanu Councillor Mike Gladish Councillor Dave Stockdale
<b>Staff Present</b>	Brian Crist, City Manager Valerie Anderson, Acting Director of Corporate Services Chris Milner, Acting Director of Community and Recreation Services Mike Gau, Director of Development Services Dave Muir, Acting Director of Infrastructure and Operations Shannon Clohosey, Manager of Environmental Sustainability Wayne Tuck, Manager of Engineering Services

Your Worship, the Development Services Committee respectfully submits the following report:

### **1. Transportation Demand Management Plan Final Report**

The City has been promoting active transportation and transit use for over a decade, and a Transportation Demand Management (TDM) Plan was commissioned to recommend policies, programs, and practices to change travel behaviour and promote sustainable travel options. Following extensive consultation with the general public, various City departments, and targeted partners such as major employers and community groups, the Plan sets out a 25-year target to shift transportation modes in Whitehorse, and includes a number of recommendations in six key areas. Adoption of the TDM Plan will allow implementation work to begin. The initial focus will be on no-cost and low-cost recommendations, with existing staff resources being utilized wherever possible to enact the plan. It is anticipated that staff from the Transit and Environmental Sustainability Departments will work together on implementation of various plan components. Any recommendations that include budget requirements will come forward to Council as part of the regular budgeting process.

The Committee noted that only nine percent of the City's bus stops have shelters, and suggested that increasing the number of shelters could positively impact transit use. It was also suggested that Building Canada funding could be used for this purpose.

**Recommendation**

THAT the 2014 Transportation Demand Management Plan be adopted as presented.

**2. Contract Award – Ogilvie Street West Reconstruction Project**

The 2014 Capital budget includes funds for the reconstruction of Ogilvie Street from 4<sup>th</sup> Avenue to the escarpment. The project is funded from Gas Tax, City Reserves, and local improvement charges to benefitting property owners. Seven companies picked up the tender documents for the construction project, and four bids were received. The tender review committee unanimously agreed that the low bidder is familiar with the scope of the project and has the knowledge and experience to complete the work. The allocated funds do not include a contingency, so a budget adjustment will be necessary to award the contract as tendered and provide a budget to cover costs that are not evident and may be required during construction.

**Recommendation**

THAT the construction contract for the 2014 Ogilvie Street West Reconstruction Project be awarded to P.S. Sidhu Trucking Ltd. for a net cost to the City of \$3,616,470.00; and  
THAT the 2014 Capital Budget be amended by increasing project 240c00911, Ogilvie Street West Reconstruction in the amount of \$300,000, funded from the Capital Reserve.

**3. Monthly Activity Reports – For Information Only**

Activity reports for March 2014 were received from the Director of Development Services and the Environmental Sustainability Department.



## Minutes of the meeting of the Corporate Services Committee

<b>Date</b>	March 31, 2014
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor John Streicker – Chair Councillor Betty Irwin – Vice Chair Mayor Dan Curtis Councillor Kirk Cameron Councillor Jocelyn Curteanu Councillor Mike Gladish Councillor Dave Stockdale
<b>Staff Present</b>	Brian Crist, City Manager Valerie Anderson, Acting Director of Corporate Services Chris Milner, Acting Director of Community and Recreation Services Mike Gau, Director of Development Services Dave Muir, Acting Director of Infrastructure and Operations

Your Worship, the Corporate Services Committee respectfully submits the following report:

### **1. Re-budgeting Capital Expenditures**

Some of the capital projects included in the 2013 capital budget were not fully completed or were not initiated for a variety of reasons. If these projects are to be completed, funds that were set aside in 2013 have to be re-budgeted into 2014. The Management Group reviewed their outstanding capital projects and identified those that require re-budgeting. It is anticipated that most of the projects being brought forward will be completed this year, with two projects extending into 2015. The majority of the projects are funded from outside sources such as the Building Canada Fund and Gas Tax, and five projects have been identified as needing additional funds in order to complete the project.

The Committee asked for clarification with respect to the budget process and specific projects, and suggested that in future years the re-budget proposals should come forward to a Council and Senior Management meeting before coming to Committee.



## **Recommendation**

THAT the 2014 Capital Budget be amended by re-budgeting 2013 capital expenditures in the amount of \$8,187,317.00

### **2. Authorize Council Travel – Association of Yukon Communities**

Council approval is required for funding or reimbursement of expenses incurred by council members in conjunction with travel outside the City of Whitehorse. Mayor Curtis and Councillors Curteanu, Gladish, Streicker and Stockdale have indicated their intention to attend the Annual General Meeting of the Association of Yukon Communities being held this year in Dawson City.

## **Recommendation**

THAT expenses be authorized as follows for council members attending the 2014 Annual General Meeting of the Association of Yukon Communities in Dawson City in May:

1. Travel expenses for Mayor Curtis;
2. Travel expenses for Councillor Streicker from City Representative travel;
3. Travel expenses for Councillors Curteanu, Gladish and Stockdale from Councillor-initiated travel; and
4. Per Diem expenses for all Councillors from Councillor-initiated travel.

### **3. Monthly Activity Reports – For Information Only**

Activity reports for March 2014 were received from the City Manager, the Director of Corporate Services, and the Business and Technology Systems, Financial Services, Human Resources, and Strategic Communications and Customer Service Departments.



## Minutes of the meeting of the City Planning Committee

**Date** March 31, 2014

**Location** Council Chambers, City Hall

**Committee Members Present**  
Councillor Mike Gladish – Chair  
Councillor Jocelyn Curteanu – Vice Chair  
Mayor Dan Curtis  
Councillor Kirk Cameron  
Councillor Betty Irwin

Councillor Dave Stockdale  
Councillor John Streicker

**Staff Present**  
Brian Crist, City Manager  
Valerie Anderson, Acting Director of Corporate Services  
Chris Milner, Acting Director of Community and Recreation Services  
Mike Gau, Director of Development Services  
Dave Muir, Acting Director of Infrastructure and Operations  
Mike Ellis, Acting Manager of Planning Services

Your Worship, the City Planning Committee respectfully submits the following report:

### 1. **Schwatka Lake Recreation Hub** – For Information Only

Dan Girouard, representing the Yukon Canoe and Kayak Club and other non-profit sport bodies, and Shannon Jones of the Yukon Sailing Association, addressed the Committee to present their vision for a year-round recreational hub that would be located on the south-west side of Schwatka Lake. They explained the potential of the project and outlined current developments, partnerships and challenges. They noted that many people that are eager and ready to offer new ideas and programming to the public of all ages, and requested Council's support so that the project can move forward. For the coming season, the proponents are requesting land on the southwest end of the lake to use for storage containers, safe water access, shelter and bathroom facilities, and parking space. They are looking at long term plans for the area and will be coming back to Council in the future with their proposal. It is anticipated that this program would be self-sustaining through user fees and other revenues. The delegates acknowledged that this process would take time to develop, but requested that Council consider an interim solution to allow temporary structures to be placed this summer. In order to move ahead this year the groups would need to receive permission before June.

The delegates confirmed that they have approached the City first and will approach the Government of Yukon next. Administration confirmed that the land in question is Commissioner's land, which means that coordination between the two levels of government will be required for this sort of proposal to happen in the future.

Administration confirmed that the City issues annual permits to dock users to allow docks each year. However, the Schwatka Lake Area plan is currently being prepared, and recommendations for land use determinations will come forward in the Plan.

## **2. Public Hearing Report – Zoning Amendment, 37 – 14<sup>th</sup> Avenue**

The owner of the lot at 37-14<sup>th</sup> Avenue in Porter Creek has applied for a zoning amendment to allow for the development of a living suite as part of the construction of a home on this property. Living suites are not a permitted use under the existing zoning. At the public hearing on March 24<sup>th</sup>, two people spoke against the proposal. Two written submissions also opposed the amendment. One written submission supported the application and recommended a citywide change to the zoning regulations to allow suites in the Restricted Residential Detached (RR) zone. The opponents contended that approval of this amendment would contravene the infill process that was completed by the city in 2011. In addition, those opposed to this amendment cited impacts on traffic and the individuality of the neighbourhood, and noted that lots permitting the development of living suites are available in other areas of the city.

Increasing density and promoting the creation of secondary suites throughout the city is an important initiative in the Official Community Plan. However, these initiatives are subject to a detailed zoning process and public consultation. In recent years the City carried out planning processes for both infill lots and changes to zoning rules for suites, but the result was that no changes were made to the RR zone. If council supports a change to the RR zone to allow living suites, administration recommends that it be completed in larger context. A citywide amendment for all RR zoned properties could be brought forward in a process that includes consultation with affected property owners and neighbourhood residents. However, the Planning Department has no plans to bring forward a broad change to the RR zone at this time.

### **Recommendation**

THAT Bylaw 2014-10, a bylaw to change the zoning at 37-14<sup>th</sup> Avenue in Porter Creek to allow for the development of a living suite in the Restricted Residential Detached zone, be brought forward under the bylaw process and defeated at second reading.

## **3. Monthly Activity Report – For Information Only**

An activity report for March 2014 was received from the Planning Services Department.

There being no further business, the meeting adjourned at 7:55 p.m.

# CITY OF WHITEHORSE

## BYLAW 2014-15

A bylaw to authorize the write off of un-collectible accounts

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WHEREAS section 233 of the *Municipal Act* (R.S.Y. 2002) provides for the cancellation of tax arrears where such taxes are not secured against land in the municipality; and

WHEREAS section 60 of the *Assessment and Taxation Act* provides for the discharge of certain taxes; and

WHEREAS it has been determined that certain debts outstanding to the account of the City of Whitehorse are un-collectible;

NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. The debts hereinafter described are written off:

<u>Date</u>	<u>Description</u>	<u>Amount</u>
August 31, 2010	Christina Hassard DBA/Childhood Discoveries	\$244.60
January 31, 2012	Megan Ennis	\$168.72
May 31, 2012	Knights of Columbus	\$682.11
February 8, 2012	Robert Knorr	\$168.35
February 28, 2012	Jesse Mckeown	\$316.53
April 30, 2011	Tania Torgerson	<u>\$165.97</u>
	<b>TOTAL:</b>	<b><u>\$1,746.28</u></b>

2. This bylaw shall come into full force and effect upon the final passing thereof.

**FIRST and SECOND READING:** March 24, 2013

**THIRD READING and ADOPTION:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

## Write Off Un-collectible Accounts Bylaw 2014-15

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### Explanatory Notes:

A bylaw is required to write off un-collectible accounts. The accounts outlined in this bylaw are deemed un-collectible for the following reasons:

Christina Hassard DBO  
Childhood Discoveries

Invoice for 2010 Fall Leisure Guide Advertising and accrued finance charges. Client stated that they had issued a payment to the City for this but were unable to produce a payment receipt. As the client stopped all communication with the City, we forwarded this matter to Metropolitan Credit Adjusters on April 19, 2012.

Megan Ennis

Invoice for additional charges on a 2011 facility booking at Mount Macintyre. As the client did not respond to City issued invoice and written correspondence this was forwarded to Metropolitan Credit Adjusters for collection on November 9, 2012.

Knights of Columbus

Invoice for a 2012 facility booking held at Mount Macintyre. As the client did not respond to City issued invoice and written correspondence this was forwarded to Metropolitan Credit Adjusters for collection on January 11, 2013.

Robert Knorr

2011 Property taxes owing on a space leased from the Yukon Government at the Whitehorse Airport. The taxes as outlined in the lease agreement were the responsibility of the lessor. We are unable to locate the client and as a result this file was forwarded to Metropolitan Credit Adjusters for collection on May 4, 2013.

Jesse Mckeown

Utilities left unpaid at time of property sale as a result of error in preparation of reprinted Tax Certificate. The City was unable to locate the client and this matter was forwarded to Metropolitan Credit Adjusters on April 29, 2013.

Tania Torgerson

2011 invoice owing for towing an abandoned vehicle belonging to the client as per Bylaw Services. As the client stopped all communication with the City, we forwarded this matter to Metropolitan Credit Adjusters on February 15, 2012.

# CITY OF WHITEHORSE

## BYLAW 2014-18

A bylaw to amend Fees and Charges Bylaw 98-12

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WHEREAS section 220 of the *Municipal Act* (R.S.Y. 2002) provides that council may by bylaw amend or vary bylaws; and

WHEREAS all City of Whitehorse municipal fees and charges are consolidated into one bylaw; and

WHEREAS it is deemed desirable that the Fees and Charges Bylaw be amended to reflect changes in response to a quarterly operational review;

NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. The fee schedule attached to and forming part of Fees and Charges Bylaw 98-12 is hereby amended by repealing existing Schedules 5, 7 and 9 and substituting therefore new Schedules 5, 7 and 9 attached hereto as Appendix "A" and forming part of this bylaw.
2. This bylaw shall come into full force and effect upon the final passing thereof.

**FIRST and SECOND READING:** March 24, 2014

**THIRD READING and ADOPTION:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

# **CITY OF WHITEHORSE**

## **BYLAW 2014-18**

### **Explanatory Notes:**

The attached bylaw amends the Fees and Charges Bylaw to reflect changes required as per a quarterly operational review. The changes include the following increases, deletions and some minor wording amendments:

- Effective June 1, 2014, an increase the fee for NSF Fees, Cheque Returned Fees and Rejected Pre-Authorized Card Fees from \$35 to \$45. The increase is required to offset the Bank Service Fee of \$7.50 charged to the City for processing these fees and to cover the City's administrative costs. This fee was last increased in 2007.
- An increase of 2% to Development Cost Charges effective July 2014 to keep in line with the Residential Development Cost Charges Bylaw 2012 -12 which states that the Development Cost Charge shall have an annual increase of 2%. The annual increases were designed to account for inflation adjustments and rising construction costs.
- Change the description for the fee for "Parking – Payment in lieu of providing parking space" from "CW zone" to "CC, CPG and CMW zones" to ensure that the fee stays relevant.
- Add a new fee for Industrial, Commercial and Institutional (ICI) customers to recover costs associated with providing a pilot organics collection service to ICI customers. It is important that condominiums and commercial establishments pay fees for waste management not only to recover actual costs but also to recognize in principal that generating waste has a cost. These customers will transition to a private collection service in 2015, so an interim fee will help clients make this transition. If this is not approved, fees cannot be charged for the 2014 ICI Pilot Project. Operational costs would not be recovered, including wages, garage charges and tipping fees.
- The current Memorandum of Agreement between Yukon Community Services and the City expires May 1, 2014. It is proposed that in the new agreement, the fee for sorted loads of domestic waste be increased from the current \$115/tonne to \$145/tonne, which is in line with the January 1, 2014 increase of 26% for in-town domestic waste tipping fees. If this fee is not approved, the effect would be to decrease revenues from current projections.
- An administrative revision is required to re-instate a fee that was mistakenly removed from the Fees and Charges Bylaw 2014-02. The current fee for "Compostable Waste: Organic Material – Small Load at \$5.00" should not have replaced "Compostable Waste: Organic Material – Bagged in Compostable Bags 8-20kg at \$3.00", but should have been added as an entirely new fee.

FEE DESCRIPTION		Bylaw 2014-18 Approved Fee	Final Fee Effective	Final Fee if GST Applicable + 5% GST	UNITS
Advertising	All	various by tender	8-Mar-99		
Autocad custom drafting & plotting		minimum 1/2 hour charge	1-Jan-08	52.50	per hour
Autocad drawing compilation and printing			1-Jan-08	22.60	per sheet
Autocad Plotting			1-Jan-08	8.70	per plot
Blue Print reproductions			1-Jan-08	3.20	per sheet
Book, Lost Graves		special monthly or partial listing	1-Jan-08	10.50	each
Business Licence List		full listing	1-Jan-08	0.30	per page
Business Licence List		Ability to purchase additional household cart	1-Jan-08	47.30	each
Amended by Bylaw 2012-X	Sales		1-Jan-10	210.00	each
Delivery Charge-rentals	Equipment (DPW)-barriacades		1-Jan-08	40.00	per rental
Delivery Charge-rentals	Equipment (DPW)-portable bleachers		1-Jan-08	210.00	per rental
Delivery Charge-rentals	Equipment (DPW)-snow/fencing		1-Jan-08	42.00	per rental
Deposit, Damage	Flag	fully refundable if returned in good condition	28-Jun-99		each
Deposit, Damage	Equipment (DPW)-barriacades	fully refundable if all rental conditions met	22-Jun-98		each
Deposit, Damage	Equipment (DPW)-portable bleachers	fully refundable if all rental conditions met	22-Jun-98		section
Deposit, Damage	Equipment (DPW)-snow/fencing	fully refundable if all rental conditions met	22-Jun-98		roll
Evaluation of restricted / overstrength waste	Flag	roll approx. 50 linear feet, rent includes posts if available	8-Mar-99	actual	each
DVD	copy of recorded meeting		1-Jan-10	6.30	each
Inspection Cost Charge	Construction Value Up To \$500,000.00		1-Jul-13	Based on Engineer's Estimate	
Inspection Cost Charge	Construction Value Up To \$3,000,000.00		1-Jul-13	Based on Engineer's Estimate	
Inspection Cost Charge	Construction Value Above \$3,000,000.00		1-Jul-13	Based on Engineer's Estimate	
IS Consultant Fees			1-Jul-13	Based on Engineer's Estimate	
Land Use Permit		temporary or seasonal land use	23-Feb-09	84.00	each
Local Improvement Search		LIC	22-Jun-98		each
Manual - Contract Tendering			29-Jan-07	26.30	each
Manual - Servicing Standards		manual & changes/revisions to manual to be sold at cost	1-Jan-08	84.00	each
NSF Fees/Cheque return fees/Rejected Pre-authorized credit card fee			1-Jan-08	84.00	each
Official Community Plan			1-Jun-14	45.00	each
Overstrength oil and grease, B.O.D. and T.S.S. surcharge			1-Jan-08	21.00	each
photocopy		at the discretion of administration	8-Mar-99	0.20	per Kg.
Pin	City of Whitehorse	reference Pin Policy (City Clerks)	1-Jan-08	0.30	each
Plan Reproduction		fee plus reproduction cost	1-Jan-08	1.10	each
Property Verification			1-Jan-08	26.30	plus registr-
Service Inspection - Private			29-Jan-07	1.10	Auction cost
Snow Dump Permit		per truck	8-Mar-99	210.00	each
Studies/Reports		at cost with \$10.00 minimum	1-Jan-08		per truck
Tax Search/Certificate			22-Jun-98	cost + gst	each
3rd Party Rate	(materials & shipping costs = shipping surcharge) X 35% Markup		23-Feb-09	63.00	each
Unpaid Accounts Act	All unpaid accounts will be charged interest on the outstanding amounts. Outstanding taxes will be charged under the provisions of the Tax Act		23-Feb-09	Plus GST	each
Use Permit		temporary or seasonal land use	1-Jan-11	2.00%	per month
Wood Stove Approval		copy of approval	22-Jun-98	75.00	each
Zoning Bylaw			22-Jun-98	10.00	each
Zoning Bylaw	individual copy		1-Jan-08	75.00	each
Zoning Bylaw	initial subscription service		1-Jan-08	10.00	each
Zoning Maps			1-Jan-08	50.00	each
Zoning Maps			1-Jan-08	5.00	each



		FEE DESCRIPTION		Bylaw 2014-18		Units
				Approved Fee	Date Fee Effective	
Address Changes	changing a municipal address	no relocation		200.00	22-Jun-98	each
Development Cost Charge	residential, single family	Secondary Suite		2,185.00	1-Jul-14	per dwelling
Development Cost Charge	residential, single family	unserviced County Residential secondary Suite		1,040.00	1-Jul-14	per dwelling
Development Cost Charge	residential, single family	urban serviced lot		3,641.00	1-Jul-14	per dwelling
Development Cost Charge	residential, single family	country residential serviced lot		3,641.00	1-Jul-14	per dwelling
Development Cost Charge	residential, single family	country residential non serviced lot		1,769.00	1-Jul-14	per dwelling
Development Cost Charge	residential, duplex	duplex housing		5,826.00	1-Jul-14	per 2 dwellings
Development Cost Charge	residential, multiple housing	townhouse		2,913.00	1-Jul-14	per dwelling
Development Cost Charge	residential, multiple housing	apartment		2,185.00	1-Jul-14	per dwelling
Development Cost Charge	residential, multiple housing	multiple detached dwellings		2,913.00	1-Jul-14	per dwelling
Development Agreement	Incentive	Minor		75.00	8-Oct-13	each
Development Agreement	Incentive	Standard/Major		200.00	8-Oct-13	each
Development Permit	Conditional Use - \$200 plus applicable	Permitted Use fee.		200.00	22-Jun-98	each +
Development Permit	Designated municipal historic resource			-	27-Jan-03	each
Development Permit	Permitted Use: Non-residential Zone (No new construction)			275.00	29-Jan-07	each
Development Permit	Permitted Use: Non-residential Zone (New Construction)	\$275.00 + 1.10/sq.metre		275.00+	29-Jan-07	each +
Development Permit	Permitted Use: Residential Zone	Multiple Housing & Commercial Use	\$275. base plus \$1.10/sq.metre (new Con)	275.00 +	22-Jun-98	each
Development Permit	Permitted Use: Residential Zone	Multiple Housing & Commercial Use	\$275. (Change of use)	275.00	1-Feb-09	each
Development Permit	Permitted Use: Residential Zone	Secondary commercial uses (change of use)		25.00	1-Feb-09	each
Development Permit	Placement of Sign			25.00	1-Feb-09	each
Development Permit	Schwaka Lake Waterfront Policy Dock Permit			75.00	1-Feb-09	each
Development Permit	Demolition of a Structure	Commercial		275.00	1-Feb-09	each
Development Permit	Demolition of a Structure	Residential		200.00	1-Feb-09	each
Development Permit	Relocation of a Structure			25.00	1-Feb-09	each
Development Permit	Temporary Use Permit	Community Event		25.00	1-Feb-09	each
Development Permit	Temporary Use Permit	Commercial Event/Development		275.00	1-Feb-09	each
Development Permit	Temporary Use Permit	Temporary Use Permit<7 days		25.00	1-Feb-09	each
Development Permit Refund	written request from applicant within 6 months of original date of issue-no permit related work on site has begun-deduction of \$55. or 20			Varies	1-Feb-09	each
Land Management	Development agreement			200.00	29-Jan-07	each
Land Management	Road Closure Bylaw			500.00	29-Jan-07	each
Land Management	Subdivision Approval Extension			250.00	29-Jan-07	each
Official Community Plan Amendment Fee	(OCP Amendment Fee)			500.00	1-Feb-05	each
Parking	Payment in lieu of providing parking space	Space in the CC, CPG and CMW Zones		18,706.00	13-Nov-01	each space
Parking	Payment in lieu of providing parking space	space in the CM1 and CM2 zones		7,967.00	13-Nov-01	each space
Subdivision Application	Condominium (non refundable fee)	\$50.00 per unit being created to a maximum of \$500.00		50.00	8-Jan-01	each
Subdivision Application	Consolidation (non refundable fee)			50.00	22-Jun-98	each
Subdivision Application	Subdivision (non refundable fee)	min. charge \$250. max. charge \$1000.	ea lot \$100	100.00	22-Jun-98	each
Subdivision Application	Property line adjustment or realignment (non refundable fee)	ea adjustment/realignment \$50		50.00	8-Jan-01	each
Variance, Board or Appeal	non refundable fee each appeal			500.00	1-Feb-05	each
Zoning Amendment	Designated municipal historic resource			1,500.00	8-Oct-13	each
Zoning Amendment				-	27-Jan-03	each

		Bylaw 2014-18		UNITS
		Approved Fee	Date Fee Effective	
Waste	Curbside Collection	10.30	1-Jan-14	unit/month
Waste	Curbside Collection	22.60	1-Jan-14	unit/month
Waste	Organics Collection	8.00	1-May-14	per month
Waste	Organics Collection	4.00	1-May-14	per month
Waste	Compostable Waste	26.00	1-May-13	tonne
Waste	Compostable Waste	5.00	1-Jan-14	per load
Waste	Recyclable Waste	0.00	1-Jul-00	no charge
Waste	Controlled Waste	7.00	1-May-13	each
Waste	Controlled Waste	15.00	1-May-13	each
Waste	Controlled Waste	160.00	1-May-13	per load
Waste	Controlled Waste	35.00	1-May-13	each
Waste	Controlled Waste	10.00	1-May-13	each
Waste	Controlled Waste	15.00	1-May-13	each
Waste	Controlled Waste	23.50	1-May-13	each
Waste	Controlled Waste	87.00	1-Jan-14	tonne
Waste	Controlled Waste	0.00	30-May-12	each
Waste	Controlled Waste	0.00	28-Jun-99	each
Waste	Controlled Waste	23.90	1-Jan-08	each
Waste	Controlled Waste	70.55	1-Jan-08	tonne
Waste	Controlled Waste	charged per item as per relevant category		
Waste	Controlled Waste	15.00	1-May-13	each
Waste	Controlled Waste	40.00	1-May-13	each
Waste	Residual Waste	5.00	1-May-13	1 to 8 bags
Waste	Residual Waste	10.00	1-May-13	each
Waste	Residual Waste	20.00	1-May-13	each
Waste	Residual Waste	87.00	1-Jan-14	tonne
Waste	Residual Waste	145.00	1-May-14	tonne
Waste	Residual Waste	15.00	1-May-13	cubic metre
Waste	Mixed Waste	250.00	23-Feb-09	tonne
Waste	Mixed Waste	250.00	1-May-13	tonne
Waste	Mixed Waste	250.00	23-Feb-09	tonne
Waste	Mixed Waste	250.00	1-Jan-10	tonne
Waste	Mixed Waste	30.00	1-May-13	cubic metre
Waste	Banned Landfill Waste	5.00	1-Jan-12	each
Waste	Banned Landfill Waste	10.00	1-Jan-12	each
Waste	Banned Landfill Waste	15.00	1-Jan-12	each
Waste	Banned Landfill Waste	15.00	1-Jan-12	each
Waste	Banned Landfill Waste	30.00	1-Jan-12	each
Waste	Banned Landfill Waste	20.00	1-Jan-12	each
Waste	Banned Landfill Waste	40.00	1-Jan-12	each
Waste	Banned Landfill Waste	1.00	1-Jan-12	each
Waste	Banned Landfill Waste	10.00	1-Jan-12	each
Waste	Banned Landfill Waste	40.00	1-Jan-12	each
Waste	Other	actual	22-Jun-98	each
Waste	Other	100.00	1-Jan-10	per inspection
Waste	Other	actual	28-Jun-99	each
Waste	Other	actual	28-Jun-99	each
Waste	Other	actual	28-Jun-99	each
Waste	Other	250.00	23-Feb-09	each
Waste	Permit	0.00	30-May-12	
Waste	Permit	0.00	30-May-12	
Waste	Permit	0.00	30-May-12	
Waste	Permit	100.00	23-Feb-09	each
Waste	Compost Sale	55.00	1-May-12	cubic yard

# CITY OF WHITEHORSE

## BYLAW 2014-19

A bylaw to establish the position of chief administrative officer, appoint a person to the position, establish the terms and conditions of employment, and delegate certain administrative powers to the position.

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WHEREAS section 183 of the *Municipal Act* (R.S.Y. 2002) provides that the council of a municipality must establish by bylaw the position of chief administrative officer and appoint a person or persons to the position; and

WHEREAS section 188 of the *Municipal Act* provides that council shall by bylaw establish the terms and conditions of employment of the chief administrative officer, including remuneration, benefits, expenses, hours of work, and manner of appointment, promotion, discipline, dismissal, and rules of conflict of interest; and,

WHEREAS council deems it proper and expedient to appoint a chief administrative officer and to enter into a contract of employment with that person;

NOW THEREFORE the council of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. This bylaw may be cited as the "**City Manager Bylaw**".

### **Definitions**

2. In this bylaw,

“city” means the City of Whitehorse.

“city manager” means the chief administrative officer of the city.

“council” means the council of the city.

“designated municipal officer” means a person appointed by council as a municipal officer under the provisions of the *Municipal Act*.

“mayor” means the duly elected mayor of the city.

3. Where the term "chief administrative officer", "city manager", "manager", or "municipal manager" is used in any other bylaw of the city, then that term shall be deemed to refer to the position of city manager or the person appointed to that position pursuant to this bylaw, as the context requires.

### **Creation of Office**

4. The position of chief administrative officer is hereby established and shall be referred to as the city manager.

## City Manager Bylaw 2014-19

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### Appointment of City Manager

5. The city manager shall be appointed pursuant to this bylaw and shall hold office at the pleasure of council and in accordance with the terms and conditions of employment stated in this bylaw, as contractually agreed to by the city manager pursuant to a letter dated February 25, 2014.
6. The city manager shall be selected by council solely on the basis of executive and administrative qualifications with special reference to experience in or knowledge of accepted practice in respect to the duties of the office hereinafter set forth.
7. **Christine Smith** of 41 Pelly Road, Whitehorse YT, is hereby appointed city manager for the city commencing April 14, 2014.

### Powers and Duties

8. The city manager is the administrative head of the city. She shall report to council and shall be responsible for the proper administration of all affairs of the city. To that end, the city manager shall:
  - (1) make reasonable efforts to inform herself of city bylaws, resolutions, policies, procedures, administrative directives, practices and programs that apply to issues she must address in her role;
  - (2) to the best of her information and actual knowledge, comply with all applicable city bylaws, resolutions, policies, procedures, administrative directives, practices and programs;
  - (3) sign-off having read certain city bylaws, resolutions, policies, procedures, administrative directives, practices and programs as amended by the city from time to time;
  - (4) ensure that the bylaws, resolutions, policies, procedures, administrative directives, practices and programs of the city are implemented and enforced;
  - (5) advise and inform council on city operations and affairs;
  - (6) notify council if any action or inaction by council or the city administration is contrary to a bylaw or resolution of council or a provision of the *Municipal Act*, or any other applicable legislation;
  - (7) exercise the powers, duties and functions of any designated municipal officer when necessary;
  - (8) be responsible for policy research and development on matters referred by council, and on matters arising from the administration of the affairs of the city;
  - (9) submit to council the city's annual estimates of revenue and expenditure (the budget), ensure the estimates reflect priorities defined by council policies and city administrative directives, and be responsible for the administration of the budget after adoption;

## City Manager Bylaw 2014-19

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- (10) to the best of her information and actual knowledge, ensure the preparation and awarding of contracts are in compliance with council policies and city administrative directives;
  - (11) monitor the internal and external affairs of the city for the purpose of informing council of anticipated policy requirements;
  - (12) work closely with the mayor and council in developing proposals for council's review; and
  - (13) carry out any other duties as may be assigned by council from time to time, or as are assigned by the *Municipal Act* or by any other applicable legislation.
9. Subject to section 10 of this bylaw, the city manager may delegate any of her duties, powers and functions to an officer or employee of the city in a manner consistent with the best interests of the administration of the city, but she may not delegate or relinquish her overall responsibility for results, or her accountability to council.
10. Except as is specifically required by any applicable legislation, bylaw, policy, or administrative directive, the city manager shall not delegate her performance of the following duties:
- (1) personally attending all meetings of council unless absent with leave of the mayor, in which case an acting city manager is appointed by the mayor for the meeting;
  - (2) when requested by council, attending and participating in discussions at all meetings of committees and boards appointed by council unless absent with leave of the mayor;
  - (3) when requested by council, taking part in the discussion of any matter coming before any meeting of council; and
  - (4) receiving notice of all regular and special meetings of council and all meetings of boards and committees appointed by council.
11. The city manager is hereby empowered to authorize the expenditure of funds up to the maximum authorized by bylaw in the annual operating and maintenance budget and in accordance with the thresholds, limits and principles contained within council's Purchasing and Sales Policy.
12. Council may, by resolution, delegate to the city manager the power to authorize the expenditure of funds for budgeted items in excess of those limits prescribed pursuant to section 11 of this bylaw and for specified approved projects, subject to the terms of the bylaw adopting the annual operating and maintenance budget.
13. In the case of an accident, disaster or other circumstance creating a public emergency, the city manager, in consultation with the mayor, may make such purchases, award such contracts, or make such other arrangements as are necessary to meet the emergency, but the city manager shall report on her actions, with an itemized statement of all expenditures, to the next meeting of council.

## City Manager Bylaw 2014-19

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14. The city manager shall be responsible for directing, managing, and supervising the officers and employees of the city. Subject to any bylaw or contract of employment or collective agreement, the city manager has the authority to appoint, discipline, suspend, or dismiss any employee and, where authorized by council, may appoint, suspend, discipline or dismiss any designated municipal officer. In the case where a designated municipal officer of the city is suspended for more than five working days, or where any employee or designated municipal officer is dismissed, the city manager shall report the suspension or dismissal and reasons for it to council.

### Conflict of Interest

15. The city manager shall sign and provide to the city the *Oath of Office and Secrecy*, attached hereto as Schedule "A" and forming part of this bylaw, before commencing employment.
16. The city manager shall at all times act in the best interests of the city and comply with the *Employee Code of Conduct Policy* adopted by resolution of council and amended from time to time.

### Compensation

17. The city manager shall be entitled to the following compensation during the first year of employment:
- (1) annual base salary of \$175,000, less statutory deductions;
  - (2) contributions to the city's Group Registered Retirement Savings Plan as follows:
    - (a) upon the commencement date of employment, the city manager shall enrol in the city's Group RRSP Plan;
    - (b) all monies remitted on behalf of the city manager shall be immediately vested with the city manager;
    - (c) the city manager cannot withdraw from the Group RRSP Plan until termination of employment or retirement from her employment with the city, with the exception of withdrawals for home ownership, Lifetime Learning Plan, and/or settlement from marriage break-ups;
    - (d) the annual base salary is inclusive of a mandatory 6.0% contribution by the city manager to the Group RRSP Plan;
    - (e) the city will contribute an amount equivalent to an additional 12.0% of the annual base salary to the Group RRSP on behalf of the city manager;
    - (f) the city manager may elect to contribute additional amounts out of her annual base salary to the Group RRSP subject to the terms of the city's Group RRSP Plan and applicable tax laws;

## City Manager Bylaw 2014-19

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- (g) the terms of the city's Group RRSP Plan and the city manager's entitlement to contributions may be amended from time to time by the city at its sole discretion; and
  - (3) eligibility to earn an annual performance bonus in an amount up to a maximum of 3% of annual base salary payable at the sole discretion of the council.
18. The city shall conduct a performance evaluation and review of the city manager on an annual basis, including a review of the city manager's base salary. Any proposed increase arising from the city manager's performance evaluation and review (a performance increase) will be at the sole discretion of council and must be approved by council.
19. In addition to any performance increase, the city manager's base salary shall increase on January 1 of each year following the city manager's effective date of commencement of employment by an amount equal to the percentage increase given to management employees pursuant to Schedule "A" of the Management and Management Staff Bylaw, as amended from time to time, or any bylaw replacing such bylaw.
20. The city manager shall be entitled to the Yukon Bonus and Long Service Bonus pursuant to the terms stated in the Management and Management Staff Bylaw.

### Expenses

21. The city manager shall be reimbursed for reasonable expenses incurred on behalf of the city subject to appropriate verification and section 11 of this bylaw.
22. The city manager shall undertake an ongoing program of professional development, related to the her position and shall be reimbursed for expenses incurred in accordance with funds approved during the normal budget process.
23. The city shall pay the cost of reasonable annual membership dues for the city manager. In the opinion of council, such memberships must relate to the city manager's position with the city.

### Benefits and Leaves

24. Subject to the terms stated in the Management and Management Staff Bylaw and all governing policies and plans as amended from time to time by the city, the city manager shall be entitled to the following benefits contained in the Management and Management Staff Bylaw:
- General Holidays
  - Illness
  - Medical and Group Insurance
  - General Provisions
  - Vacation Leave
  - Leave of Absence
  - Health Spending Allowance
  - General Provisions

## **City Manager Bylaw 2014-19**

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For clarity, in lieu of overtime pay the city manager will be entitled to the two additional standard work weeks of annual vacation leave each year contained in the Management and Management Staff Bylaw for Schedule "A" employees.

### **Hours of Work**

25. The city manager acknowledges that the operation of the city occurs twenty-four hours per day and seven days per week. The city manager shall ensure that either she or a delegate approved by the mayor is available to work as necessary at any time on an on-call basis.
26. Regular office hours of the city manager shall be 8:30 a.m. to 4:30 p.m., Monday to Friday, or as council may from time to time determine in accordance with the operating and administrative requirements of the city. The city manager is expected to work additional hours as necessary to fulfil the duties and responsibilities of the position, including attending at meetings and events.
27. The city manager is not entitled to overtime pay and her salary and benefits fully compensate her for all hours worked including those in excess of eight hours a day or 40 hours a week.
28. If the city manager is absent from duty without prior authorization from the mayor or council or pursuant to the policies and procedures applicable to leave entitlements contained in the Management and Management Staff Bylaw, then the city manager shall communicate the reason for her absence to the mayor as soon as reasonably possible.
29. If the city manager is absent from duty without authorization, she shall forfeit pay for the period of absence in question unless leave with pay in respect of such absence is agreed to by the mayor or council.

### **Discipline, Suspension and Termination of Employment**

30. Termination of employment for the purposes of this bylaw is also deemed to be the revocation of the appointment of the city manager.
31. Subject to the terms of this bylaw or any other applicable legislation, the discipline, suspension and termination of employment of the city manager shall be governed by the ordinary rules of contract.
32. The city may discipline the city manager for any material breach of this bylaw or any other city bylaw or resolution, any material breach of any of the city's policies, procedures, administrative directives and practices, and any other conduct deemed by the city to be inappropriate for a city manager.
33. When imposing discipline on the city manager, the city shall attempt to correct behaviour through the application of progressive discipline. However, it is within the sole discretion of the city to determine the level of discipline appropriate under each circumstance including to apply verbal warnings, written warnings, demotions, and suspensions with or without pay.



## City Manager Bylaw 2014-19

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34. Pursuant to section 180 of the *Municipal Act*, the mayor has a duty to suspend the city manager when necessary.
- (1) Pursuant to section 189 of the *Municipal Act*, the city manager may appeal in writing to council within five working days of her suspension.
  - (2) After hearing the city manager and others as council deems necessary, council shall extend, reduce, or confirm the suspension, or overturn the suspension and reinstate the city manager.
  - (3) The city's internal procedural obligations pursuant to this provision shall be fully discharged, and the rights of the city manager fully and fairly satisfied if the city manager has been provided written notice summarizing the reasons for the suspension and the opportunity to provide written submissions to council prior to a decision being made.
  - (4) This provision does not restrict any lawful rights of the city manager to initiate a claim to the courts of the Yukon that her employment has been wrongfully dismissed based on the decision of the mayor or council arising from this provision.
35. The employment relationship between the city and the city manager may be terminated as follows:
- (1) By written agreement between the city and the city manager.
  - (2) By the city manager, upon providing one month's written notice of resignation to the city. The city may waive such notice in whole or in part and if it does so then the city manager shall be entitled to payment of salary in lieu of any of the remaining one month's notice.
  - (3) By the city manager retiring if she elects to do so upon achieving a combined age and years of service of 75, subject to a minimum ten years of service requirement. The city manager must provide one month's written notice of retirement to the city. If eligible pursuant to the requirements stated in this paragraph and any applicable administrative directive, the city manager will be entitled to a severance payment in accordance with the formula contained in section 35(5) of this bylaw.
  - (4) By the city, at any time without any notice or pay in lieu of notice, for cause. Cause shall include, but not be limited to:
    - (a) conduct by the employee that brings or has the potential to bring the city or its representatives into public disrepute or ridicule;
    - (b) unauthorized disclosure of confidential information or documents received or obtained by city manager in the course of her employment without the written consent of council;
    - (c) use of such confidential information or documentation referred to in section 35(4)(b) hereof for the city manager's benefit or gain;

## City Manager Bylaw 2014-19

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- (d) significant or repetitive breaches of the city's bylaws, resolutions, policies, procedures, administrative directives, or practices; and
- (e) any conduct that would constitute just cause for termination pursuant to the common law governing employment contracts.

The city shall suspend the city manager pending a determination of whether there is cause for termination of employment. The city manager may appeal in writing to council within five working days of her suspension. The city manager shall be entitled to an opportunity to be heard by council prior to a decision being made to terminate for cause. The city's internal procedural obligations pursuant to this provision shall be fully discharged and the rights of the city manager fully and fairly satisfied if the city manager has been provided with a written notice summarizing the reasons for the potential termination for cause and the opportunity to provide written submissions to council prior to the decision to terminate for cause being made. This provision does not restrict any lawful rights of the city manager to initiate a claim to the courts of the Yukon that her employment has been terminated without cause.

- (5) By the city, for any reason at its sole discretion, on a without-cause basis, by providing the city manager six months' notice during the first year of employment and thereafter two additional weeks of notice for each completed year of employment to a maximum notice of twelve months. The city may at its sole discretion provide notice as written working notice, payment of base salary in lieu of notice, or any equivalent combination of written notice and base salary in lieu of notice. All of the city's obligations related to the employment of the city manager and this bylaw are fully discharged and the rights of the city manager fully and fairly satisfied upon the city providing the notice or pay in lieu of notice pursuant to this provision.
- 36. It is within the sole discretion of the city to elect to continue all or any part of the remuneration and benefits of the city manager during a period of suspension pursuant to this bylaw including any suspension that is under appeal.
  - 37. If the employment relationship is terminated in accordance with section 35 of this bylaw, all remuneration and benefits shall cease immediately upon the effective date of termination unless expressly stated otherwise in this bylaw or agreed to in writing by the city, and the city manager shall have no further legal claim of any kind against the city arising out of the termination of her employment or arising out of this bylaw.
  - 38. It is within the sole discretion of the city to enter into a contractual arrangement with a candidate for the city manager position governing reimbursement of reasonable moving expenses upon termination of employment by the city on a without-cause basis.

## City Manager Bylaw 2014-19

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### Bylaw Repeal

39. Bylaw 2013-55, including any amendments thereto, is hereby repealed.

### Coming Into Force

40. This bylaw shall come into full force and effect on and from the date of adoption thereof.

**FIRST and SECOND READING:** March 24, 2014

**THIRD READING and ADOPTION:**

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Mayor

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City Clerk

# City Manager Bylaw 2014-19

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## SCHEDULE "A"

### OATH OF OFFICE AND SECRECY

I, **Christine Smith** of 41 Pelly Road, Whitehorse, solemnly and sincerely swear that I will faithfully and honestly fulfil the duties that devolve upon me by reason of my employment in the public service of the City of Whitehorse and that I will not, without due authority in that behalf, disclose or make known any matter that comes to my knowledge by reason of such employment.

SO HELP ME GOD.

\_\_\_\_\_  
Christine Smith

Sworn before me at the City of Whitehorse,  
in the Yukon Territory, this \_\_\_\_\_ day  
of March, 2014.

\_\_\_\_\_  
A Notary Public or Commissioner for Oaths  
in and for the Yukon Territory

# CITY OF WHITEHORSE

## BYLAW 2014-10

A bylaw to amend Zoning Bylaw 2012-20

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WHEREAS section 289 of the *Municipal Act* provides that a Zoning Bylaw may prohibit, regulate and control the use and development of land and buildings in a municipality; and

WHEREAS section 294 of the *Municipal Act* provides for amendment of the Zoning Bylaw; and

WHEREAS it is deemed desirable to amend City of Whitehorse Zoning Bylaw 2012-20;

NOW THEREFORE the Council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Section 9.14 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 9.14.6 (a) as follows:  

“9.14.6 a) Lot 1691, Plan 2011-0141, located at 37-14<sup>th</sup> Avenue, is designated RRx with the special provision that living suites are permitted as a secondary use.”
2. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of Lot 1691, Plan 2011-0141, from RR-Restricted Residential Detached to RRx<sup>a</sup>-Restricted Residential Detached (modified), as indicated on the sketch attached hereto as Appendix “A” and forming part of this bylaw.
3. This bylaw shall come into force and effect upon the final passing thereof.

**FIRST READING:** February 17, 2014

**PUBLIC NOTICE:** February 28, 2014 & March 7, 2014

**PUBLIC HEARING:** March 24, 2014

**SECOND READING:**

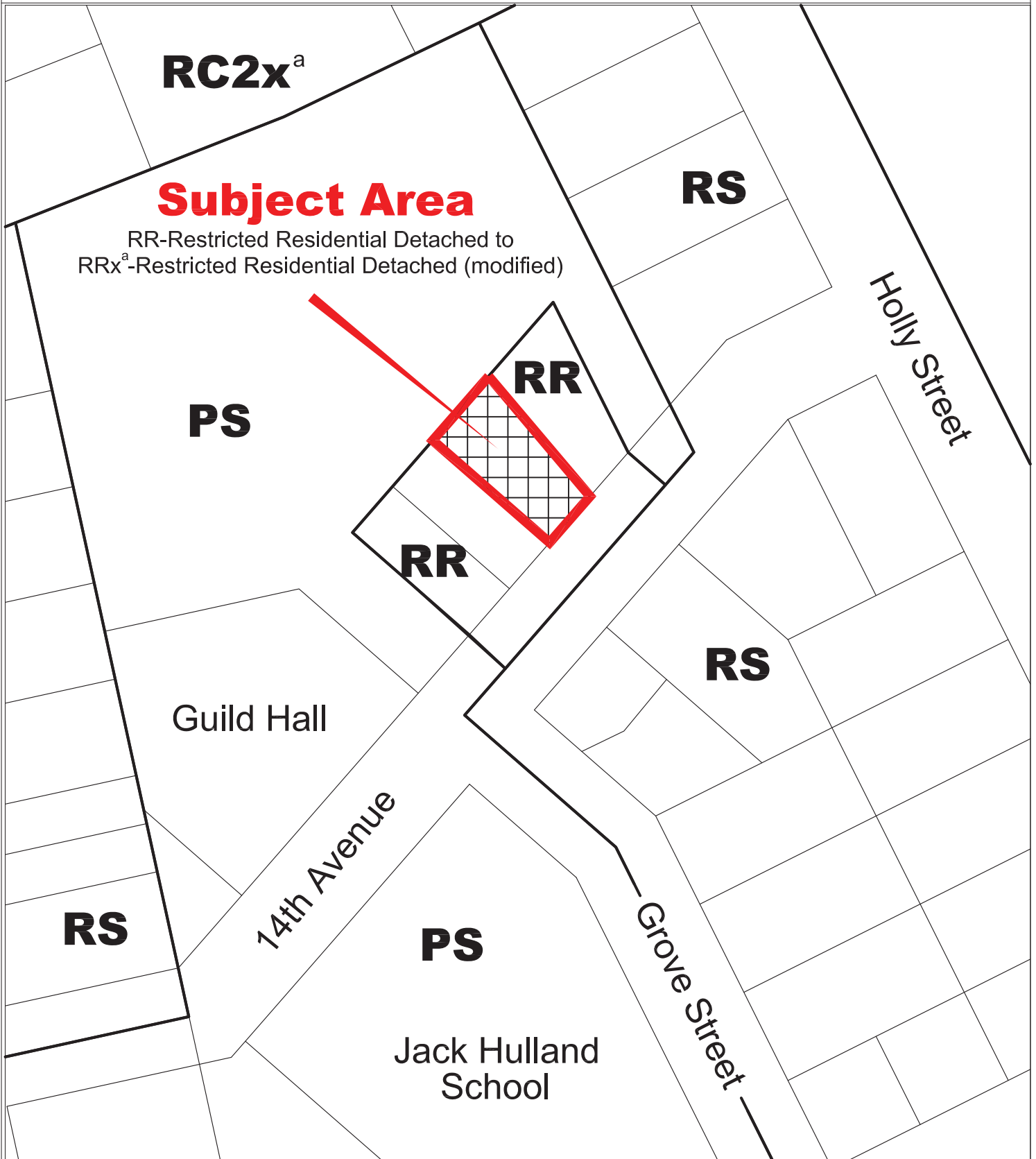
**THIRD READING and ADOPTION:**

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Mayor

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City Clerk



**Bylaw 2014-10**

A bylaw to amend the zoning of 37-14th Avenue (Lot 1691, Plan 2011-0141), from RR-Restricted Residential Detached to RRx<sup>a</sup>-Restricted Residential Detached (modified) to allow for the construction of a living suite.

**LEGEND**

 SUBJECT AREA