

**CITY OF WHITEHORSE**  
**REGULAR Council Meeting #2015-03**

**DATE:** Monday, February 9, 2015

**TIME:** 5:30 p.m.

**Mayor** Dan Curtis  
**Deputy Mayor** John Streicker  
**Reserve Deputy Mayor** Betty Irwin

## **AGENDA**

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

**AGENDA:** Adoption

**PROCLAMATIONS:**

**MINUTES:** Regular Council Meeting #2015-02 dated January 26, 2015

**DELEGATIONS:**

**PUBLIC HEARING:**

**COMMITTEE**

**REPORTS:**

**Corporate Services** – *Councillors Gladish & Curteanu*

**City Planning** – *Councillors Cameron & Stockdale*

Zoning Amendment (Miscellaneous Edits)

Zoning Amendment (Whistle Bend Phase 3)

**City Operations** – *Councillors Irwin & Gladish*

Airport South Water & Sewer Funding & Operation Agreement

**Community Services** – *Councillors Streicker & Irwin*

Parks Maintenance Policy – Revisions

Trails Maintenance Policy – Revisions

Name Change for Group

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

All-Terrain Vehicle & Snowmobile Bylaw Amendments

**Development Services** – *Councillors Curteanu & Cameron*

**NEW & UNFINISHED**

**BUSINESS:**

<b><u>BYLAWS:</u></b>	2015-06 – Amend Procedures Bylaw	3 <sup>rd</sup> Reading
	2015-09 – Amend All-Terrain Vehicle Bylaw	1 <sup>st</sup> & 2 <sup>nd</sup> Reading
	2015-10 – Amend Snowmobile Bylaw	1 <sup>st</sup> & 2 <sup>nd</sup> Reading
	2015-01 – Zoning Amendment (Administrative Edits)	1 <sup>st</sup> Reading
	2015-07 – Zoning Amendment (Whistle Bend Phase 3)	1 <sup>st</sup> Reading

**ADJOURNMENT:**

MINUTES of **REGULAR** Meeting #2015-02 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, January 26, 2015, in Council Chambers, City Hall.

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

ABSENT: Councillor Dave Stockdale

ALSO PRESENT: Acting City Manager Robert Fendrick  
Director of Development Services Mike Gau  
Director of Infrastructure and Operations Brian Crist

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

**CALL TO ORDER**

**2015-02-01**

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

**AGENDA**

Carried Unanimously

**2015-02-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated January 12,  
2015 be adopted as presented.

**MINUTES**

January 12, 2015

Carried Unanimously

**COMMITTEE REPORTS**

**Corporate Services Committee**

**2015-02-03**

It was duly moved and seconded  
THAT Bylaw 2014-35, the 2015 annual Operating Budget and the  
2016 and 2017 provisional budgets, be brought forward for second  
and third reading under the bylaw process, and

THAT Bylaw 2014-36, the Fees and Charges Bylaw reflecting annual  
budget changes, be brought forward for second and third reading  
under the bylaw process, and

THAT Bylaw 2014-37, a bylaw to levy taxes for 2015, be brought  
forward for second and third reading under the bylaw process.

BRING FORWARD  
2015 OPERATING AND  
MAINTENANCE BUDGET  
AND THE FEES AND  
CHARGES BYLAWS

Carried Unanimously

**2015-02-04**

It was duly moved and seconded  
THAT the City Seal be affixed to the 2014 Tax Lien Summary List to  
authenticate the list.

2014 TAX LIEN LIST

Carried Unanimously

**2015-02-05**

It was duly moved and seconded  
THAT the Director of Corporate Services be authorized to sign an  
Information Sharing Agreement with the Deputy Chief Electoral  
Officer of Canada with respect to elector information.

INFORMATION SHARING  
AGREEMENT WITH  
ELECTIONS CANADA

Carried Unanimously

**2015-02-06**

It was duly moved and seconded  
THAT Bylaw 2015-06, a bylaw to amend the Procedures Bylaw, be  
brought forward for due consideration under the bylaw process.

BRING FORWARD  
AMENDMENT TO  
PROCEDURES BYLAW

Carried Unanimously

**2015-02-07**

It was duly moved and seconded  
That the Council and Senior Management Meeting Process Policy  
dated January 2015 be adopted as presented.

CASM MEETING  
PROCESS POLICY

Carried Unanimously

**City Planning Committee**

**2015-02-08**

It was duly moved and seconded  
THAT Bylaw 2014-33, a bylaw to amend the zoning of 7 Roundel  
Road in Hillcrest to allow for the development of a commercial  
garden centre, be brought forward for second and third reading  
under the bylaw process.

BRING FORWARD  
ZONING AMENDMENT  
FOR 7 ROUNDEL ROAD

Carried Unanimously

**City Operations Committee**

There was no report from the City Operations Committee.

No Report

**Community Services Committee**

**2015-02-09**

It was duly moved and seconded THAT the \$4,000.00 Festivals and Special Events Grant authorized for the Adaka Cultural Society under council resolution 2014-24-05 be transferred to the Yukon First Nations Culture and Tourism Association.

AUTHORIZE TRANSFER  
OF GRANT FUNDS  
Adaka Cultural Society

Carried Unanimously

A councillor acknowledged the Rendezvous Kick-off and expressed support for the upcoming festival.

COMMUNITY EVENTS  
For Information Only

The mayor advised that a series of Town Hall Meetings are planned to allow the public opportunities to bring their issues, interests or concerns to council's attention.

TOWN HALL MEETINGS  
For Information Only

**Public Health and Safety Committee**

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

No Report

**Development Services Committee**

There was no report from the Development Services Committee.

No Report

**BYLAWS**

**2015-02-10**

It was duly moved and seconded THAT Bylaw 2015-03, a bylaw to authorize the allocation of various grants for the year 2014, having been read a first and second time, now be given third reading.

**BYLAW 2015-03**  
2014 UMBRELLA  
GRANTS BYLAW  
THIRD READING

Carried Unanimously

**2015-02-11**

It was duly moved and seconded THAT Bylaw 2015-04, a bylaw to amend the 2014 to 2017 Capital Expenditure Program with respect to budget adjustments made throughout 2014, having been read a first and second time, now be given third reading.

**BYLAW 2015-04**  
2014 UMBRELLA  
CAPITAL BUDGET  
AMENDMENTS  
THIRD READING

Carried Unanimously

**2015-02-12**

It was duly moved and seconded  
THAT Bylaw 2015-05, a bylaw to amend the 2014 Operating and Maintenance Budget with respect to budget adjustments made throughout 2014, having been read a first and second time, now be given third reading.

Carried Unanimously

**BYLAW 2015-05**

2014 UMBRELLA  
OPERATING BUDGET  
AMENDMENTS  
THIRD READING

**2015-02-13**

It was duly moved and seconded  
THAT Bylaw 2014-33, a bylaw to change the zoning 7 Roundel Road in Hillcrest to allow for the development of a garden centre, be given second reading.

Carried Unanimously

**BYLAW 2014-33**

ZONING AMENDMENT  
7 ROUNDEL ROAD  
SECOND READING

**2015-02-14**

It was duly moved and seconded  
THAT Bylaw 2014-33, a bylaw to change the zoning of a parcel of land located at 7 Roundel Road in Hillcrest to allow for the development of a garden centre, having been read a first and second time, now be given third reading.

Carried Unanimously

**BYLAW 2014-33**

ZONING AMENDMENT  
7 ROUNDEL ROAD  
THIRD READING

**2015-02-15**

It was duly moved and seconded  
THAT Bylaw 2014-35, a bylaw to adopt the 2015 Operating and Maintenance Budget, be given second reading.

Carried Unanimously

**BYLAW 2014-35**

2015 OPERATING &  
MAINTENANCE BUDGET  
SECOND READING

**2015-02-16**

It was duly moved and seconded  
THAT Bylaw 2014-35, a bylaw to adopt the 2015 Operating and Maintenance Budget and the provisional budgets for 2016 and 2017, having been read a first and second time, now be given third reading.

Carried Unanimously

**BYLAW 2014-35**

2015 OPERATING &  
MAINTENANCE BUDGET  
THIRD READING

**2015-02-17**

It was duly moved and seconded  
THAT Bylaw 2014-36, a bylaw to authorize fees and charges in accordance with the operating budget, be given second reading.

Carried Unanimously

**BYLAW 2014-36**

FEES AND CHARGES  
SECOND READING

**2015-02-18**

It was duly moved and seconded  
THAT Bylaw 2014-36, a bylaw to authorize fees and charges levied by  
the City of Whitehorse in accordance with the operating budget, having  
been read a first and second time, now be given third reading.

Carried Unanimously

**BYLAW 2014-36**  
FEES AND CHARGES  
THIRD READING

**2015-02-19**

It was duly moved and seconded  
THAT Bylaw 2014-37, a bylaw to levy taxes for the year 2015, be given  
second reading.

Carried Unanimously

**BYLAW 2014-37**  
2015 TAX LEVY  
SECOND READING

**2015-02-20**

It was duly moved and seconded  
THAT Bylaw 2014-37, a bylaw to levy taxes for the year 2015, having  
been read a first and second time, now be given third reading.

Carried Unanimously

**BYLAW 2014-37**  
2015 TAX LEVY  
THIRD READING

**2015-02-21**

It was duly moved and seconded  
THAT Bylaw 2015-06, a bylaw to amend the Council Procedures  
Bylaw, be given first reading.

Carried Unanimously

**BYLAW 2015-06**  
AMEND COUNCIL  
PROCEDURES BYLAW  
FIRST READING

**2015-02-22**

It was duly moved and seconded  
THAT Bylaw 2015-06 be given second reading.

Carried Unanimously

SECOND READING

There being no further business, the meeting adjourned at 6:25 p.m.

**ADJOURNMENT**

\_\_\_\_\_  
Mayor

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

ADOPTED by resolution at Meeting #2015-



## Minutes of the meeting of the Corporate Services Committee

<b>Date</b>	February 2, 2015
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Mike Gladish – Chair Councillor Jocelyn Curteanu – Vice Chair Mayor Dan Curtis Councillor Kirk Cameron Councillor Mike Gladish
<b>Absent</b>	Councillor Betty Irwin Councillor Dave Stockdale
<b>Staff Present</b>	Christine Smith, City Manager Robert Fendrick, Director of Corporate Services Linda Rapp, Director of Community and Recreation Services Mike Gau, Director of Development Services Brian Crist, Director of Infrastructure and Operations

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

### 1. **Quarterly Activity Reports** – For Information Only

Activity reports for November 2014 to January 2015 were received from the Director of Corporate Services and the Business and Technology Systems, Financial Services, Human Resources, and Strategic Communications Departments

Administration confirmed that the Legislative Services Manager position was identified in the 2012 Organizational Review and will separate the finance and legislative roles, ensuring accountability for two distinct functions. The position will also contribute to supporting council. A survey of comparative municipalities indicates that Whitehorse is the only city with accountability for both financial and legislative services under the same management position.

Administration confirmed that the new grant policies came into effect on January 1<sup>st</sup>. Further analysis is being done with respect to non-profit lessors of City-owned land, and meetings continue with other non-profit groups, primarily in the museum category.



## Minutes of the meeting of the City Planning Committee

<b>Date</b>	February 2, 2015
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Kirk Cameron – Chair Mayor Dan Curtis Councillor Jocelyn Curteanu Councillor Mike Gladish Councillor John Streicker
<b>Absent</b>	Councillor Betty Irwin Councillor Dave Stockdale
<b>Staff Present</b>	Christine Smith, City Manager Robert Fendrick, Director of Corporate Services Mike Gau, Director of Development Services Brian Crist, Director of Infrastructure and Operations Patrick Ross, Manager of Planning Services

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

### 1. Zoning Amendment – Miscellaneous Edits

A number of amendments to the Zoning Bylaw are proposed to provide clarity to existing regulations and fix errors that have been identified by staff through daily use and review of the bylaw. Changes proposed in this round of amendments include adjustment of definitions, edits to general regulations and development permitting, some specific use edits and changes to permitted uses in specific zones. Also included are modifications to parking regulations and some minor administrative edits.

Edits to specific use regulations include clarifications with respect to coops, garden suites, home-based businesses and amenity spaces. The proposed modifications to parking regulations include accessible parking spaces and parking for small cars. Changes to permitted uses in specific zones include clear guidelines for the Commercial Mixed-use Waterfront Zone, and amendments with respect to housing uses in Public Service and Agriculture zones.



## **Recommendation**

THAT Bylaw 2015-01, a bylaw to amend the Zoning Bylaw with respect to a number of miscellaneous edits, be brought forward for due consideration under the bylaw process.

### **2. Zoning Amendment – Whistle Bend Phase 3**

The planning and engineering pre-design work for Phases 3 to 7 of Whistle Bend was completed in 2013 and the zoning for the area was established. Detailed design work done since then has resulted in several infrastructure layout changes that have impacted the existing zoning. The resulting zoning changes for Phase 3 are now being brought forward for consideration. Phase 3 includes the area inside Casca Boulevard, and the design accommodates a mix of residential uses, a commercial “high street”, institutional development, natural greenspace and parks. The design also includes designated parking lots to accommodate the commercial activity.

Residential lot types include small and large single family lots, townhouse lots, and multiple-family lots. Institutional uses include a lot for seniors housing or a community use such as gardens, and one lot for a continuing care facility. Proposed recreational areas include a Town Square that will be designed at a later date, a neighbourhood park site, an urban plaza adjacent to the town square, and natural “green fingers” that run through the neighbourhood.

The most significant change from the original design is that Phase 3 is now confined to the area inside Casca Boulevard. Changes to the overall phasing plan will delay the construction of expensive infrastructure such as pump houses, and the resulting design changes will mean that some redesign will also be required for future phases.

Anthony DeLorenzo, Anwar Rizvi and Ray Mikkelsen from the Government of Yukon provided details regarding the proposed continuing care facility.

## **Recommendation**

THAT Bylaw 2015-07, a bylaw to change the zoning of the Casca Boulevard area of Whistle Bend, be brought forward for due consideration under the bylaw process.

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

An activity report for November 2014 to January 2015 was received from the Planning and Building Services Department.



## Minutes of the meeting of the City Operations Committee

<b>Date</b>	February 2, 2015
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Mike Gladish – Vice-Chair Mayor Dan Curtis Councillor Kirk Cameron Councillor Jocelyn Curteanu Councillor John Streicker
<b>Absent</b>	Councillor Betty Irwin Councillor Dave Stockdale
<b>Staff Present</b>	Christine Smith, City Manager Robert Fendrick, Director of Corporate Services Mike Gau, Director of Development Services Brian Crist, Director of Infrastructure and Operations

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

### **1. Airport South Water and Sewer Funding and Operation Agreement**

The Yukon Government is the owner of the land and the water and sewer infrastructure in the Airport South area. These utility systems connect with City systems and an agreement has been negotiated to define the responsibilities and services provided by both parties. Under the terms established, the City will carry out operations and maintenance on the system for a three-year period. This time frame will allow both parties to gather data on the expenses and revenues as well as any issues that might affect the operation and ownership of the infrastructure in the long term. The infrastructure was constructed in accordance with the City of Whitehorse Servicing Standards Manual and the Yukon Government will provide the City with inspection reports and as built drawings.

### **Recommendation**

THAT the Director of Infrastructure and Operations be authorized to sign the Agreement on Funding and Operation of the Water and Sewer Development in Airport South.

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

Activity Reports for November 2014 to January 2015 were received from the Director of Infrastructure and Operations and the Engineering, Operations, and Water and Waste Services Departments.

Administration confirmed that the City's Asset Management Project is at the data collection stage. This project is consistent with the work being done by the Government of Yukon in this area, but there is no direct link.



## Minutes of the meeting of the Community Services Committee

<b>Date</b>	February 2, 2015
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor John Streicker – Chair Mayor Dan Curtis Councillor Kirk Cameron Councillor Jocelyn Curteanu Councillor Mike Gladish
<b>Absent</b>	Councillor Betty Irwin Councillor Dave Stockdale
<b>Staff Present</b>	Christine Smith, City Manager Robert Fendrick, Director of Corporate Services Mike Gau, Director of Development Services Brian Crist, Director of Infrastructure and Operations Douglas Hnatiuk, Manager of Parks and Community Development Marc Boulерice, Parks Supervisor

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

### 1. **International Development Week** – For Information Only

Anna Gishler and Magdalena Kaiser addressed the Committee to promote a fund-raising campaign they have initiated to raise \$250.00 for the Free the Children campaign as part of International Development Week. The mission of the campaign is to create a world where all young people are free to achieve their fullest potential as agents of change.

### 2. **Parks Maintenance Policy Revisions**

The City is responsible for the maintenance of several park areas within municipal boundaries. Part of this maintenance responsibility includes regularly scheduled activities to provide a reasonable level of service and a safe environment in which the public can enjoy parks and park activities.

The policy includes maintenance activities with respect to trees and gardens, turf, irrigation, litter pick up, Christmas lights, vandalism repair, banners, and general maintenance based on current and established park priorities. The policy also sets a standard for maintenance that will continue to guide the allocation of resources in these areas.

The Policy has been reviewed and revised to reflect additions, deletions, or changes in service levels that have occurred in the parks area since 2007.

Administration confirmed that compost from the City's compost facility is routinely used as part of the parks maintenance program, and this use will be incorporated into the policy in response to Council's direction in this matter.

### **Recommendation**

THAT the Parks Maintenance Policy dated February 2015 be adopted as amended with the inclusion of additional details with respect to the use of City compost.

### **3. Trail Maintenance Policy Revisions**

The City of Whitehorse is responsible for the maintenance of a network of trails as developed through the 2007 Trail Plan for trails within the City boundaries. This maintenance responsibility includes regularly scheduled activities to provide a reasonable level of service and a safe environment in which the public can enjoy trails and trail activities.

The policy has been reviewed and revised to reflect additions, deletions, or changes in service levels that have occurred in the Trail Network since 2008. The policy is based on current and established trail priorities, and sets standards for maintenance that will continue to guide the allocation of resources in these areas.

Keith Lay, representing the Active Trails Whitehorse Association, expressed concern regarding current definitions in the policy and requested that the definitions be expanded to accurately reflect the various types of trails and the current reality with regard to the use of trails.

Administration confirmed that

- Trail types and categories are differentiated in the policy to indicate the style and profile of the trails;
- Priority 1 trails are candidates for snow clearing, but not all such trails are cleared. Snow clearing for Priority 1 trails is done as deemed appropriate by council, and is dependent on budget; and
- Updated maps for motorized and non-motorized trails are being developed.

### **Recommendation**

THAT the Trails Maintenance Policy dated February 2015 be adopted as presented.

#### **4. Name Change for Grant Recipient**

Romp N' Run, a program administered by April Hanna, was approved for a recreation grant last September. A cheque was subsequently issued to Romp N' Run but Ms. Hanna has been unable to access funds on behalf of the group, as cheque was issued to Romp N' Run, c/o April Hanna and there is no officially registered organization under that name. The Council resolution is utilized as back up for the funding release and the recipient's name must match the resolution. A resolution is required to transfer the funding to the correct name.

#### **Recommendation**

THAT the \$840.00 Recreation Grant authorized for Romp N' Run c/o April Hanna under council resolution 2014-26-06 be transferred to April Hanna c/o Romp N' Run

#### **5. Quarterly Activity Reports** – For Information Only

Activity Reports for November 2014 to January 2015 were received from the Director of Community and Recreation Services, Parks and Community Development, Recreation and Facility Services, and the Transit Services Department.

The Committee commended the increased numbers for the Canada Games Centre and the Transit Service and asked for additional details with respect to the use of the evening bus service.

#### **6. Community Events** – For Information Only

Events including the Available Light Film Festival and the upcoming start of the Yukon Quest were highlighted by Committee members.



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

<b>Date</b>	February 2, 2015
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor John Streicker – Chair Mayor Dan Curtis Councillor Kirk Cameron Councillor Jocelyn Curteanu Councillor Mike Gladish
<b>Absent</b>	Councillor Betty Irwin Councillor Dave Stockdale
<b>Staff Present</b>	Christine Smith, City Manager Robert Fendrick, Director of Corporate Services Mike Gau, Director of Development Services Brian Crist, Director of Infrastructure and Operations Dave Pruden, Manager of Bylaw Services

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

### **1. All-Terrain Vehicle and Snowmobile Bylaw Amendments**

Last fall the Yukon Government amended the *Motor Vehicles Act*. As a result of those amendments many previous requirements for operating a snowmobile or all-terrain vehicle are no longer mandatory in *the Act* and therefore no longer required by the City's existing bylaws. Amendments to the ATV Bylaw and the Snowmobile Bylaw are proposed to close these gaps in the legislation. More particularly, the proposed amendments will ensure that persons operating all-terrain vehicles and snowmobiles in the City of Whitehorse continue to be required to have a valid driver's license, register their vehicles, wear helmets, hold a valid safe-use card, and meet the equipment regulations set out in the *Act* and the Motor Vehicle Equipment Regulations.

Administration confirmed that enforcement of the bylaws in the vicinity of the Alaska Highway will be on the City's trail systems.

Dorothy Lebel spoke in support of the proposed amendments to the Snowmobile Bylaw and suggested that the further amendments should be considered to ensure the protection of green spaces and non-motorized trails.

### **Recommendation**

THAT Bylaw 2015-09, a bylaw to amend the All-Terrain Vehicle Bylaw, be brought forward for due consideration under the bylaw process; and

THAT Bylaw 2015-10, a bylaw to amend the Snowmobile Bylaw, be brought forward for due consideration under the bylaw process

### **2. Quarterly Activity Reports – For Information Only**

Activity reports for November 2014 to January 2015 were received from Bylaw Services and the Fire Department.





## Minutes of the meeting of the Development Services Committee

<b>Date</b>	February 2, 2015
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Jocelyn Curteanu – Chair Councillor Kirk Cameron – Vice Chair Mayor Dan Curtis Councillor Mike Gladish Councillor John Streicker
<b>Absent</b>	Councillor Betty Irwin Councillor Dave Stockdale
<b>Staff Present</b>	Christine Smith, City Manager Robert Fendrick, Director of Corporate Services Mike Gau, Director of Development Services Brian Crist, Director of Infrastructure and Operations

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

**1. Quarterly Activity Reports – For Information Only**

Activity reports for November 2014 to January 2015 were received from the Director of Development Services, and the Economic Development and Environmental Sustainability Departments.

There being no further business, the meeting adjourned at 7:20 p.m.

# **CITY OF WHITEHORSE**

## **BYLAW 2015-06**

A bylaw to amend Procedures Bylaw 2013-22

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WHEREAS section 217(1) of the *Municipal Act* provides that council shall by bylaw make rules for calling meetings and governing its proceedings, the conduct of its members, the appointment of committees, and for the transaction of its business; and

WHEREAS section 217(2) of the *Municipal Act* states that no bylaw relating to council procedures shall be amended except under notice given in writing to the members of the council and openly announced at a regular meeting of council preceding the first reading of the amendment; and

WHEREAS council deems it appropriate to amend the Procedures Bylaw;

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

1. Section 63(1) of Procedures Bylaw 2013-22 is hereby deleted and replaced by new sections 63(1) and 63(2) as follows:

“63 (1) Council members may direct questions to delegates for clarification purposes only. The time period for the delegate to reply to each question shall be limited to five minutes.”

“63 (2) Notwithstanding section 63(1) of this bylaw, any member may appeal whether the question should be allowed, and the chairperson shall cause the appeal to be voted on by the members present.”

2. Bylaw 2013-22 is hereby amended by adding new sections 140 to 146 as follows and renumbering the remaining sections accordingly:

### **“PROCEDURES FOR THE CONDUCT OF APPEALS**

140. Where a matter is appealed to council in accordance with any bylaw or Act, the proceedings shall be heard by council in a committee of the whole meeting.

141. The Mayor shall chair committee of the whole meetings called for the purpose of hearing appeals.

142. A notice of the day, hour, and place of the committee of the whole meeting and the nature of the business to be transacted at the meeting shall be given at least 24 hours before the time of the meeting by posting a copy of the notice at the municipal office and by leaving a copy of the notice for each member of council at the place to which the member has directed such notices to be sent.

**Bylaw 2015-06**  
**Amendment to Procedures Bylaw 2013-22**

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143. No business other than that stated in the notice for such committee of the whole meeting shall be transacted at that meeting.
144. Upon the committee of the whole meeting being called to order the by chairperson, the following shall be the order of business on the agenda unless otherwise determined by unanimous consent of the members present at the meeting:
  - (1) Adoption of the Agenda
  - (2) Presentation from Administration – administration will present the administrative report providing details of the issue, background information, and the reason for the appeal.
  - (3) Questions from Council Members – the chairperson will ask if council members have any questions for administration. Such questions shall be used for clarification or investigation purposes only.
  - (4) Presentation from Appellants – the chairperson will call for delegations to speak to the appeal;
    - (a) Electronic participants, if any, will be asked to speak first;
    - (b) Delegates will be limited to five minutes for their presentations but should be prepared for questions from council members. Questions from council members shall be used for clarification or investigation purposes only;
    - (c) Each delegate will be limited to only one presentation, but delegates will be permitted to respond to questions that may arise.
  - (5) Clarification from Administration – when all delegates have spoken, the chairperson will ask if administration has any clarification to add in response to the presentations from the delegates.
  - (6) Clarification from Appellants – the chairperson will ask the appellants if they have any clarification to add.
  - (7) In-Camera – the committee will go in-camera to deliberate and make a decision, and will leave council chambers for their deliberations.
    - (a) Only members of council and a legal representative, if desired by council, shall be present at the in-camera portion of the meeting.
    - (b) All persons present at the meeting apart from members of council will be invited to remain in council chambers while deliberations take place.

**Bylaw 2015-06**  
**Amendment to Procedures Bylaw 2013-22**

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- (c) If questions arise while council members are deliberating, the committee will return to chambers to ask their questions in open meeting. When council members have the answers they need, they will leave again to continue their deliberations in-camera.
  - (8) Open Meeting – the committee will return to council chambers and revert to open meeting.
  - (9) Announcement – the chairperson will announce that the decision of council will be brought forward for ratification at an open meeting and then communicated in writing to the appellant.
  - (10) Adjournment
145. The decision of council made at the in-camera meeting of the committee of the whole shall be brought forward for ratification at the next regularly-scheduled council meeting.
- (1) Where council's meeting schedule does not permit timely ratification, the decision of council may be ratified at a special meeting called for that purpose at the discretion of council.
146. The appellant will be advised in writing within 60 days of Council's decision on this matter unless a more restrictive time limit is specified in the bylaw or Act that provided for the appeal."
3. This bylaw shall come into full force and effect upon the final passing thereof.

**NOTICE OF INTENT GIVEN:** January 12, 2015  
**FIRST and SECOND READING:** January 26, 2015  
**THIRD READING and ADOPTION:**

\_\_\_\_\_  
Mayor

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

Council Meeting Date: February 9, 2015

Topic: Amend Bylaw 2015-06

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## **SUGGESTED RESOLUTION**

THAT Bylaw 2015-06 be amended before third reading by adding a new section 1 and renumbering the remaining sections accordingly. The new section 1 shall read as follows:

“1. Procedures Bylaw 2013-22 is hereby amended by adding new sections 6 and 7 as follows and renumbering the remaining sections accordingly:

**“CONDUCT OF COUNCIL MEMBERS**

6. All proceedings of council and the transaction of the business of council shall be done in a manner consistent with the principles of the *Code of Conduct for Council Members*.
7. The mayor and councillors will at all times:
  - (1) be respectful of citizens, delegates at meetings, administration and each other, including being respectful of each other’s right to hold different and diverse views; and
  - (2) reserve decisions until after public input, administrative input and council debate are completed; and
  - (3) act with impartiality and integrity; and
  - (4) make all decisions in the best interests of the community as a whole.”

### **TO MAYOR AND COUNCIL:**

***This suggested resolution has been prepared as a guide to assist you. It may not reflect Council members’ opinion on this matter.***

# CITY OF WHITEHORSE

## BYLAW 2015-09

A bylaw to amend the All-Terrain Vehicle Bylaw

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WHEREAS council adopted a bylaw to regulate the control, operation and use of all-terrain vehicles in the City of Whitehorse; and

WHEREAS section 220 of the *Municipal Act* provides for the amendment of bylaws; and

WHEREAS it is deemed necessary and expedient that the All-Terrain Vehicle Bylaw be amended in response to changes in territorial legislation;

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

1. Throughout the body of Bylaw 2012-21, all references to the Manager of Parks and Recreation are hereby changed to read, "Manager of Parks and Community Development".
2. Section 3 of Bylaw 2012-21 is hereby amended by adding three new definitions as follows:

"CERTIFICATE OF REGISTRATION" means a certificate issued under section 45 of the *Motor Vehicle Act* or any future amended provisions dealing with the registration of ATVs.

"OPERATOR'S LICENCE" means a driver's licence issued under the *MVA*, or a class 7 learner's licence under listed conditions;

"PRESCRIBED SAFETY HELMET" means a safety helmet prescribed by the *MVA or MVA Regulations*.
3. Section 3 of Bylaw 2012-21 is hereby amended by deleting the existing definition for "fee" and substituting a new definition as follows:

"FEE" means a fee as set out in the City's Fees and Charges Bylaw as amended from time to time
4. Section 5 of Bylaw 2012-21 is hereby deleted and replaced by a new section 5 as follows:
  5. In addition to satisfying all requirements of the *MVA*, in particular to Part 13.1 relating to operating an off-road vehicle on a maintained roadway, no person shall operate an ATV in any area of the City of Whitehorse unless that person:
    - (1) holds a valid operator's license that has been issued for the operation of a motor vehicle; and

## ATV Amendment Bylaw 2015-09

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- (2) has ensured that there is a current subsisting certificate of registration issued pursuant to the MVA in respect of the ATV, and that the registration plate is attached to the ATV with the current registration sticker affixed; and
  - (3) has a valid policy of public liability/property damage insurance in the minimum amount of \$200,000.00 for the operation of the ATV, for bodily injury or death of any one person, and for loss or damage to property resulting from any one accident, the specifics of which are detailed in the MVA in relation to off-road vehicles being operated on a maintained roadway as defined by the MVA, and the proof of which shall be on an insurance card; and
  - (4) has a valid Safe ATV Card unless such person is not a resident of the City and is in the City's jurisdiction for a period of less than two weeks; and
  - (5) including any passenger, is wearing a prescribed safety helmet attached firmly to his or her head."
5. Sections 7 and 8 of Bylaw 2012-21 are hereby deleted and new sections 7 and 8 substituted therefore as follows:
  - "7. A person who operates an ATV is guilty of an offence if, on demand of a Designated Officer, he or she fails to produce any of the following:
    - (1) a valid operator's license as required by this bylaw;
    - (2) a valid certificate of registration in respect of the ATV;
    - (3) a valid insurance card in respect of the ATV; and
    - (4) a valid Safe ATV Card as required by this bylaw."
  - "8. If a person produces an operator's license, certificate of registration in respect of an ATV, an Insurance Card and/or a Safe ATV Card that is illegible, mutilated, defaced or altered, such person, upon demand of the Designated Officer, shall produce a properly issued duplicate of such card or cards by a date determined by the Designated Officer."
6. Bylaw 2012-21 is hereby amended by adding a new section 9 and renumbering the remaining sections accordingly. The new section 9 shall read as follows:
  - "9. The *MVA Equipment Regulations* apply to ATVs operated within the City of Whitehorse, notwithstanding that the ATV is being operated on a surface other than a maintained roadway, and references to a motor vehicle or vehicle in the *Equipment Regulations* includes an ATV for the purposes of this bylaw, unless a provision specifically excepts or refers to ATVs."
7. Bylaw 2012-21 is hereby amended by adding a new section 20 and renumbering the remaining sections accordingly. The new section 20 shall read as follows:

## ATV Amendment Bylaw 2015-09

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- “20. Any ATV being operated anywhere within the City of Whitehorse shall comply with the requirements in PART 13.1 of the *MVA* respecting the operation of off-road vehicles on a maintained roadway, notwithstanding that the ATV is being operated on a surface other than a maintained roadway.”
8. Schedule “D” of Bylaw 2012-21, the Schedule of Voluntary Fines, is hereby deleted and replaced by a new Schedule “D” attached hereto as Appendix “A” and forming part of this bylaw.
9. This bylaw shall come into full force and effect upon final passage thereof.

**FIRST and SECOND READING:**

**THIRD READING and ADOPTION:**

\_\_\_\_\_  
Mayor

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



# ATV Amendment Bylaw 2015-09

APPENDIX "A"

## SCHEDULE "D" VOLUNTARY FINES

<u>Authority</u>	<u>Description of Offence</u>	<u>Penalty</u>
Section 5 (1)	Operate ATV without valid operator's license	\$300.00
Section 5 (2)	Operate ATV without certificate of registration	\$300.00
Section 5 (3)	Operate ATV without insurance	\$500.00
Section 5 (4)	Operate ATV without Safe ATV card	\$150.00
Section 5 (5)	Operate ATV without a helmet	\$300.00
Sections 7 & 8	Fail to produce required documents or duplicates	\$150.00
Section 9	Fail to have required equipment	\$150.00
Section 10	Tow without rigid tow bar	\$150.00
Section 11	No capable operator on towed ATV	\$150.00
Section 12	Operate ATV with no exhaust suppression or with altered exhaust	\$150.00
Section 13	Operate ATV on motorized multi-use trail outside prescribed season	\$300.00
Section 14	Operate ATV in prohibited area	\$300.00
Section 14	Operate ATV in prohibited area (second offence)	\$500.00
Section 15	Operate ATV on private property without permission	\$150.00
Section 16 (1 – 4)	Operate ATV for snow clearing contrary to bylaw	\$50.00
Section 17 (1)&(2)	Driver not proceeding by most direct route	\$150.00
Section 17 (1)&(2)	Driver not proceeding by most direct route (second offence)	\$300.00
Section 17 (3)	Fail to drive as near as practical to right hand edge of roadway	\$150.00
Section 17 (4)	Drive over 30 kilometres per hour on roadway	\$150.00
Section 17 (4)	Drive over 30 kilometres per hour on roadway (second offence)	\$300.00
Section 17 (5)	Drive ATV in area without permit or permission	\$300.00
Section 20	Fail to comply with ATV operating requirements	\$150.00
Section 21	Operate ATV without due care and attention	\$300.00
Section 22	Fail to pass in safe manner	\$500.00
Section 23 (1)	Fail to operate at a reasonable and safe speed	\$150.00
Section 23 (2)	Operate at a speed greater than 50 kilometres per hour	\$150.00
Section 24 (1)	Fail to bring ATV to complete stop	\$150.00
Section 24 (2)	Fail to cross roadway safely	\$150.00
Section 24 (3)	Fail to yield to pedestrians or traffic before crossing roadway	\$150.00
Section 24 (4)	Fail to cross roadway at an angle of 90 degrees	\$500.00
Section 25	Fail to yield right of way to pedestrians	\$150.00
Section 27	Operate ATV within 500 metres of residence at night	\$150.00
Section 28	Cause damage with ATV	\$300.00
Section 29	Place object that creates hazard	\$500.00
Section 32	Erect device that interferes with traffic control device	\$500.00
Section 33	Hold special event without permit	\$300.00

## ATV Amendment Bylaw 2015-09

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<u>Authority</u>	<u>Description of Offence</u>	<u>Penalty</u>
Section 34	Dealership operates ATV in downtown area without permit	\$150.00
Section 36	Fail to abide by conditions of permit	\$150.00
Section 38 (1)	Fail to bring ATV to stop for designated officer	\$500.00
Section 38 (2)	Fail to furnish information to designated officer	\$500.00
Section 38 (3)	Fail to remain stopped	\$500.00
Section 38 (4)	Fail to comply with request or direction of designated officer	\$500.00

# CITY OF WHITEHORSE

## BYLAW 2015-10

A bylaw to amend the Snowmobile Bylaw

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WHEREAS council adopted a bylaw to regulate the control, operation and use of snowmobiles in the City of Whitehorse; and

WHEREAS section 220 of the *Municipal Act* provides for the amendment of bylaws; and

WHEREAS it is deemed necessary and expedient that the Snowmobile Bylaw be amended in response to changes in territorial legislation;

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

1. Throughout the body of Bylaw 2012-01, all references to the Manager of Parks and Recreation are hereby changed to read, "Manager of Parks and Community Development".
2. Section 3 of Bylaw 2012-01 is hereby amended by adding three new definitions as follows:  

"CERTIFICATE OF REGISTRATION" means a certificate issued under section 45 of the *Motor Vehicle Act* or any future amended provisions dealing with the registration of snowmobiles.

"OPERATOR'S LICENCE" means a driver's licence issued under the *MVA*, or a class 7 learner's licence under listed conditions;

"PRESCRIBED SAFETY HELMET" means a safety helmet prescribed by the *MVA or MVA Regulations*.
3. Section 3 of Bylaw 2012-01 is hereby amended by deleting the existing definition for "fee" and substituting a new definition as follows:  

"FEE" means a fee as set out in the City's Fees and Charges Bylaw as amended from time to time
4. Section 5 of Bylaw 2012-01 is hereby deleted and replaced by a new section 5 as follows:
  5. In addition to satisfying all requirements of the *MVA*, in particular to Part 13.1 relating to operating a snowmobile on a maintained roadway, no person shall operate a snowmobile in any area of the City of Whitehorse unless that person:
    - (1) holds a valid operator's license that has been issued for the operation of a motor vehicle; and

## Snowmobile Amendment Bylaw 2015-10

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- (2) has ensured that there is a current subsisting certificate of registration issued pursuant to the MVA in respect of the snowmobile, and that the registration plate is attached to the snowmobile with the current registration sticker affixed; and
  - (3) has a valid Safe Snowmobiler Card unless such person is not a resident of the City and is in the City's jurisdiction for a period of less than two weeks; and
  - (4) has a valid policy of public liability/property damage insurance in the minimum amount of \$200,000.00 for the operation of the ATV, for bodily injury or death of any one person, and for loss or damage to property resulting from any one accident, the specifics of which are detailed in the MVA in relation to off-road vehicles being operated on a maintained roadway as defined by the MVA, and the proof of which shall be on an insurance card; and
  - (5) including any passenger or passenger of a trailer being towed by the snowmobile, is wearing a prescribed safety helmet attached firmly to his or her head."
5. Sections 8 and 9 of Bylaw 2012-01 are hereby deleted and new sections 8 and 9 are substituted therefore as follows:
  - "8. Everyone who operates a snowmobile shall carry a valid operator's license, a valid certificate of registration with respect to the snowmobile, a valid Insurance Card, and a valid Safe Snowmobiler Card with them at all times while operating a snowmobile, and shall produce any or all of these documents for inspection on demand of a Designated Officer.
    - (1) If a person produces an operator's license, certificate of registration in respect of a snowmobile, an Insurance Card and/or Safe Snowmobiler Card that is illegible, mutilated, defaced or altered, such person, upon demand of the Designated Officer, shall produce a properly issued duplicate of such card or cards by a date determined by the Designated Officer."
  - "9. A person who operates a snowmobile is guilty of an offence if, on demand of a Designated Officer, he or she fails to produce any of the following:
    - (1) a valid operator's license as required by this bylaw;
    - (2) a valid certificate of registration in respect of the snowmobile;
    - (3) a valid insurance card in respect of the snowmobile; and
    - (4) a valid Safe Snowmobiler Card as required by this bylaw."
6. Bylaw 2012-01 is hereby amended by adding a new section 10 and renumbering the remaining sections accordingly. The new section 10 shall read as follows:
  - "10. The *MVA Equipment Regulations* apply to snowmobiles operated within the City of Whitehorse, notwithstanding that the snowmobile is being

# Snowmobile Amendment Bylaw 2015-10

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operated on a surface other than a maintained roadway, and references to a motor vehicle or vehicle in the *Equipment Regulations* includes a snowmobile for the purposes of this bylaw unless a provision specifically excepts or refers to snowmobiles.”

7. Bylaw 2012-01 is hereby amended by adding a new section 20 and renumbering the remaining sections accordingly. The new section 20 shall read as follows:  
“20. Any snowmobile being operated anywhere within the City of Whitehorse shall comply with the requirements in PART 13.1 of the *MVA* respecting the operation of off-road vehicles on a maintained roadway, notwithstanding that the snowmobile is being operated on a surface other than a maintained roadway.”
8. Schedule “D” of Bylaw 2012-01, the Schedule of Voluntary Fines, is hereby deleted and replaced by a new Schedule “D” attached hereto as Appendix “A” and forming part of this bylaw.
9. This bylaw shall come into full force and effect upon final passage thereof.

**FIRST and SECOND READING:**

**THIRD READING and ADOPTION:**

\_\_\_\_\_  
Mayor

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

# Snowmobile Amendment Bylaw 2015-10

APPENDIX "A"

## SCHEDULE "D" VOLUNTARY FINES

<u>Authority</u>	<u>Description of Offence</u>	<u>Penalty</u>
Section 5 (1)	Operate snowmobile without valid operator's license	\$300.00
Section 5 (2)	Operate snowmobile without certificate of registration	\$300.00
Section 5 (3)	Operate snowmobile without Safe Snowmobiler card	\$150.00
Section 5 (4)	Operate snowmobile without insurance	\$500.00
Section 5 (5)	Operate snowmobile without a helmet	\$300.00
Section 8 & 8(1)	Fail to produce required documents or duplicates	\$150.00
Section 9 (1)	Fail to produce valid operator's license	\$150.00
Section 9 (2)	Fail to produce valid certificate of registration	\$150.00
Section 9 (3)	Fail to produce valid insurance card	\$150.00
Section 9 (4)	Fail to produce valid Safe Snowmobiler card	\$150.00
Section 10	Fail to have required equipment	\$150.00
Section 11	Tow without rigid tow bar	\$150.00
Section 12	No capable operator on towed snowmobile	\$150.00
Section 13	Operate snowmobile with no exhaust suppression or altered exhaust	\$150.00
Section 15	Operate snowmobile in prohibited area	\$300.00
Section 15	Operate snowmobile in prohibited area (second offence)	\$500.00
Section 16 (1)&(2)	Driver not proceeding by most direct route	\$150.00
Section 16 (1)&(2)	Driver not proceeding by most direct route (second offence)	\$300.00
Section 16 (3)	Fail to drive as near as practical to right hand edge of roadway	\$150.00
Section 16 (4)	Drive over 30 kilometres per hour on roadway	\$150.00
Section 16 (4)	Drive over 30 kilometres per hour on roadway (second offence)	\$300.00
Section 19	Drive snowmobile in area without permit or permission	\$300.00
Section 20	Fail to comply with snowmobile operating requirements	\$150.00
Section 21 (1)	Operate snowmobile contrary to a traffic control device	\$150.00
Section 21 (2)	Operate snowmobile on private property without owner's consent	\$150.00
Section 21 (2)	Operate snowmobile on private property without consent (2 <sup>nd</sup> offence)	\$300.00
Section 21 (3)	Operate a snowmobile so as to create an annoyance to residents	\$150.00
Section 21 (3)	Create an annoyance residents (2 <sup>nd</sup> offence)	\$300.00
Section 22	Fail to pass in safe manner	\$500.00
Section 23	Operate at a speed greater than 50 kilometres per hour	\$150.00
Section 24	Damage vegetation or ground	\$300.00
Section 25 (1)	Fail to bring snowmobile to complete stop	\$150.00
Section 25 (2)	Fail to yield right of way before crossing roadway	\$150.00
Section 25 (3)	Fail to cross roadway at angle of 90 degrees	\$150.00
Section 25 (4)	Fail to cross roadway safely	\$500.00
Section 26	Fail to yield right of way to pedestrians	\$150.00

# Snowmobile Amendment Bylaw 2015-10

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<u>Authority</u>	<u>Description of Offence</u>	<u>Penalty</u>
Section 30	Operate snowmobile in closed area	\$300.00
Section 34	Erect device that interferes with traffic control device	\$500.00
Section 35	Hold special event without permit	\$300.00
Section 36	Dealership operates snowmobile in downtown area without permit	\$150.00
Section 38 & 39	Fail to abide by conditions of permit	\$150.00
Section 38 & 39	Fail to abide by conditions of permit (2 <sup>nd</sup> offence)	\$300.00
Section 40 (1)	Fail to bring snowmobile to stop for designated officer	\$500.00
Section 40 (2)	Fail to furnish information to designated officer	\$500.00
Section 40 (3)	Fail to remain stopped	\$500.00
Section 40 (4)	Fail to comply with request or direction of designated officer	\$500.00

# CITY OF WHITEHORSE

## BYLAW 2015-01

A bylaw to amend Zoning Bylaw 2012-20

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WHEREAS section 289 of the *Municipal Act* (R. S. Y. 2002) 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 certain changes have been identified as being necessary to improve the efficiency of the Zoning Bylaw, and it is deemed desirable that a series of miscellaneous edits be brought forward to amend 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 2.2 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing definitions for (1) amenity area or space, private; (2) household; (3) secondary uses; and substituting new definitions as follows:

“AMENITY AREA OR SPACE, PRIVATE means amenity area or space that is connected to, and intended for exclusive use by the occupants of the unit for which it has been provided including patios, balconies, and sundecks but excluding areas occupied at grade by the buildings, service areas, parking areas or driveways.”

“HOUSEHOLD means one or more persons sharing a single dwelling unit.”

“SECONDARY USES means uses that must be in conjunction with and subordinate to a principal use. Secondary uses require development approval as a separate use unless otherwise exempted from a development permit by this bylaw.”

2. Section 2.2 of Zoning Bylaw 2012-20 is hereby amended by inserting a new definition as follows:

GROSS VEHICLE WEIGHT RATING means the maximum weight a motor vehicle is designed to carry, as specified by the manufacturer, including the net



## Zoning Amendment Bylaw 2015-01

weight of the vehicle with accessories, plus the weight of passengers, fuel, and cargo.”

3. Zoning Bylaw 2012-20 is hereby amended by adding a new section 4.7.2 and renumbering the remaining sections accordingly:

“4.7.2 In no case shall a secondary use be permitted prior to the commencement of a permitted principal use. A secondary use may be permitted concurrently with a principal use, or after a principal use has been established. If a principal use is terminated, all secondary uses shall be terminated.”

4. Zoning Bylaw 2012-20 is hereby amended by deleting the existing section 4.8.2 and substituting a new section 4.8.2 as follows:

“4.8.2 A *Notice of Proposed Development* may include:

- a) the location of the proposed use of the building or site;
- b) a general description of the proposed use or development;
- c) a map showing the proposed development in relation to the lot, the street and the abutting properties;
- d) the date on which the application will be open for public input to City Council; and
- e) the name and contact phone number of the applicant and Development Officer where further information can be obtained.”

5. Zoning Bylaw 2012-20 is hereby amended by deleting the existing section 4.9.1 and substituting a new section 4.9.1 as follows:

“4.9.1 Council may approve, deny, or approve with conditions applications for development permits for conditional uses and provide advice on conformance with the requirements of this bylaw no sooner than 14 days from the date that the *Notice of Proposed Development* has been mailed to property owners, but no later than 90 days from the date the complete application is received by a Development Officer.”

6. Section 4.9 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 4.9.5 as follows:

“4.9.5 Council may consider criteria listed in the following table to evaluate a conditional use application. The table is not meant as an exhaustive list, and other criteria not listed in the table may be considered.

<b>Table 4.9.5 a) Conditional Use Considerations</b>	
<b>Issue</b>	<b>Considerations</b>
<b>Design and character</b>	<ul style="list-style-type: none"> <li>• Compatibility of proposed use with existing uses and character of surrounding area</li> <li>• Similarity of size and design to neighbouring properties and uses</li> </ul>
<b>Parking and traffic</b>	<ul style="list-style-type: none"> <li>• Provision of off-street parking</li> <li>• Increase in traffic volume or change in traffic makeup</li> </ul>
<b>Capacity of infrastructure</b>	<ul style="list-style-type: none"> <li>• Ability of infrastructure to support the proposed use, including vehicle and active transportation infrastructure, public transit, waste collection, water and sewer, electricity and communications infrastructure, parks, schools, school buses, community facilities</li> </ul>
<b>Impact on neighbouring properties</b>	<ul style="list-style-type: none"> <li>• Effect on airborne emissions, odors, smoke</li> <li>• Noise and light impacts</li> <li>• Other health and safety impacts</li> <li>• Sun shadow and wind effects</li> <li>• Hours of operation, compared to existing neighbouring uses</li> <li>• Impact on existing and potential developments in surrounding area</li> <li>• Effect on the amenity of the surrounding area, including views, general atmosphere</li> <li>• Social and economic impact on the community</li> <li>• Benefits to the surrounding area including providing services and amenities</li> </ul>
<b>Mitigating impact</b>	<ul style="list-style-type: none"> <li>• Provision of landscaping, screening, buffer zones or other methods to mitigate potential impacts</li> </ul>
<b>Demonstrated need for the use</b>	<ul style="list-style-type: none"> <li>• Demand for the use in specific area</li> <li>• Demonstrated difficulty finding property capable of supporting the proposed use</li> </ul>
<b>Plans and policies</b>	<ul style="list-style-type: none"> <li>• Consistency with intent and policies of Official Community Plan</li> <li>• Compatibility with the general intent of the Zoning Bylaw and the purpose statement for the specific zone</li> <li>• Compatibility with neighbourhood plans, local area plans, and any other relevant bylaw, policy, regulations and legislation</li> </ul>
<b>Public submissions</b>	<ul style="list-style-type: none"> <li>• Input from individual residents, groups such as residents' association, other orders of government</li> </ul>

7. Zoning Bylaw 2012-20 is hereby amended by deleting the existing section 5.5.2.8 and substituting a new section 5.5.2.8 as follows:

“5.5.2.8 New landscape plantings shall consist of herbaceous and/or woody plant species known to be hardy in the Whitehorse area. Where possible, to provide winter interest, evergreen shrubs and trees and/or deciduous shrubs and trees that have interesting bark, fruit, or form shall be used. A list of recommended woody plant species is provided in *Recommended Woody Plant Species for Whitehorse*, which is available from Planning and Building Services and the Parks and Trails Departments. The minimum size of deciduous trees is 60 mm caliper. The minimum size of coniferous trees is 1.75 m height as measured from ground level. The minimum size of shrubs is #2 pot (2 gallon) or 1.0 m height balled-and-burlapped as measured from ground level.

The ground of the landscape area must be covered with a landscape material, such as, but not limited to turf-seeded, turf-sodded, weed barrier fabric, mulch, decorative pavers, washed gravel, shale or similar treatments and/or flower beds. A Development Officer may require a combination of different landscape ground cover treatments for the purpose of increasing the diversity and appeal of the landscape area. In no instances shall non-organic material be used as the sole landscape ground cover on a site.

Driveways, walkways, parking spaces and utility services boxes may interrupt a landscape planting area. These interruptions will not reduce the area used in calculating landscaping planting areas. Where the calculation of the total number of trees or shrubs required results in a fractional number, the total number of trees and shrubs required shall be the next highest whole number. Landscape plantings shall not obstruct sightlines within a sight triangle. Specific regulations by zone class are included in section 5.5.3.

8. Section 5.5.3.1 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing subsection (i) and substituting a new subsection (i) as follows:

“5.5.3.1 i) Storage areas for goods or materials normally associated with the enjoyment of residential property is permitted only in the rear and interior side yards of any lot in a residential zone. In the case of a corner lot, such storage is not permitted within the front or exterior side yard setback.”

9. Section 5.5.3.1 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection (k) and renumbering the remaining subsections accordingly:

Zoning Amendment Bylaw 2015-01

“5.5.3.1 k) Except for vehicles described in 5.5.3.1 j), no person shall park or store on any part of a residentially zoned lot a vehicle with a gross vehicle weight rating of over 7,257 kg.”

10. Section 5.5.3.1 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection (l) and renumbering the remaining subsections accordingly:

“5.5.3.1 l) Notwithstanding 5.5.3.1 k), one vehicle exceeding the gross vehicle weight rating of 7,257 kg may be parked or stored on a lot in Country Residential zones.

11. Zoning Bylaw 2012-20 is hereby amended by deleting the existing section 5.6.6 and substituting a new section 5.6.6 as follows:

“5.6.6 Steps, eaves, sunlight control projections, canopies, balconies, decks or porches may project into a required yard setback provided that such projections do not exceed 2.0 m in the case of a front, rear, or exterior side yard setback, and 0.6 m in the case of an interior side yard setback. In no case shall an eave be closer than 0.15 m to the property line. In the case of the RC1 zone, any projection may not exceed 2.0 m into any required yard setback. In the RR and RS zones, arctic entries accessing the principal structure may project up to 2.0 m into the front, rear or exterior side yard setback. The projection cannot exceed 6 m<sup>2</sup> gross floor area.”

12. Section 6.5 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing section 6.5.2 and substituting a new section 6.5.2 as follows:

“6.5.2 Coops are only permitted in single detached or duplex housing in the zones specified in Schedule ‘B’ of the Animal Control Bylaw.”

13. Section 6.5 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 6.5.3 as follows:

“6.5.3 Coop regulations in this bylaw do not apply to the RC1 and AG zones.”

14. Section 6.7 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 6.7.5 as follows and renumbering the remaining subsections accordingly:

“6.7.5 Notwithstanding section 6.7.4, in urban residential zones a Development Officer may relax one side yard setback to 0.6 m for garden suites under 4.5 m in height, provided that:

- a) Building entryways and doorways are prohibited on the side of the building facing the reduced side yard setback;

- b) Windows are placed so as to minimize overlook onto adjacent properties; and
- c) Any other additional provisions a Development Officer deems necessary to preserve the privacy of adjacent properties.”

15. Section 6 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing section 6.8 and substituting a new section 6.8 accordingly:

**“6.8 Home-based Businesses**

6.8.1 All home-based businesses shall comply with the following:

- a) No variation from the residential character and appearance of land or buildings shall be permitted;
- b) No exterior storage or operation of the home-based business shall be permitted;
- c) No offensive noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance shall be produced by the home-based business. At all times, the privacy and enjoyment of adjacent dwellings shall be preserved, and the home-based business shall not adversely affect the amenities of the neighbourhood; and
- d) The home-based business shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the neighbourhood within which it is located.

6.8.2 Businesses that are likely to adversely affect the amenity of the neighbourhood, or that make use of municipal services in excess of what is characteristic of a residential use, shall not be permitted as home-based businesses. Such businesses include, but are not limited to: commercial entertainment or recreation; motor vehicle sales, service and repair, rental, or painting; dispatch services for auto oriented services; fleet services; laundry services; welding and metal works; salvaging and recycling; businesses using large power tools and machinery, and/or requiring venting , blowers, or exhaust ports; brewing or distilling.

6.8.3 Not more than one commercial vehicle shall be used in conjunction with the home-based business. Such vehicle shall have a gross vehicle weight rating of no more than 7,257 kg and shall be parked or maintained on the site of a home-based business.

6.8.4 The maximum number of home-based businesses in one dwelling unit is two. The maximum number of major home-based businesses in one dwelling unit is one. Provisions in this bylaw do not accumulate when there is more than one home-based business per dwelling unit.

6.8.5 The operator of a home-based business may attach one non-illuminated fascia sign advertising the business to the principal building, to a maximum size of 0.37 m<sup>2</sup> (4 ft<sup>2</sup>). In the case of a country residential zone, the sign may be placed at the entrance to the driveway.”

16. Section 6 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing section 6.9 and substituting a new section 6.9 accordingly:

**“6.9 Home-based Businesses, Major**

6.9.1 In addition to the general provisions for home-based businesses in section 6.8, all major home-based businesses shall comply with the following:

- a) A major home-based business shall be a conditional use unless otherwise approved by council;
- b) A major home-based business shall be conducted only within a principal building, attached garage or one detached accessory building. If the major home-based business is being operated in an attached garage or detached accessory building, the net floor area of the home-based business use within the garage or building shall be no larger than 50 m<sup>2</sup>;
- c) A major home-based business is not permitted in a multiple housing unit;
- d) A major home-based business shall not normally generate more than two clients to the site at any given time;
- e) No more than one person other than residents of the dwelling shall be engaged on-site in the major home-based business;
- f) The home-based business shall not occupy a required residential parking space as required under section 7 of this bylaw. One additional parking space shall be dedicated for the major home-based business;
- g) No retail sales shall be permitted in a major home-based business, except for sales incidental to the main activity of a major home-based business;
- h) A major home-based business shall not involve the sale or display of any goods on the site other than those goods constituting the finished principal product of the home-based business; and
- i) Notwithstanding 6.8.3, the vehicle associated with a major home-based business in a Country Residential zone may exceed the gross vehicle weight rating of 7,257 kg.
- j) Notwithstanding 6.9.1b), minimal exterior storage is permitted for major home-based businesses in Country Residential zones, provided the materials being stored are screened from view, meet all setback requirements, and are limited to the interior side or rear yard.”

17. Section 6 of Zoning Bylaw 2012-20 is hereby amended by adding a new section 6.10 as follows and renumbering the remaining sections accordingly:

**“6.10 Home-based Businesses, Minor**

6.10.1 In addition to the general provisions for home-based businesses in section 6.8, all minor home-based businesses shall comply with the following:

- a) A minor home-based business shall be a secondary use unless otherwise approved by council;
- b) A minor home-based business shall be conducted only within a principal building and may not be operated from an attached garage or accessory building. An accessory building or attached garage may be used only for minimal storage purposes for the business;
- c) A minor home-based business is permitted as a secondary use in a multiple housing unit;
- d) A minor home-based business shall not normally generate more than one client to the site at any given time;
- e) No person other than residents of the dwelling shall be engaged on-site in the minor home-based business;
- f) The home-based business shall not occupy a residential parking space as required under section 7 of this bylaw; and
- g) No retail sales shall be permitted in a minor home-based business.”

18. Section 6.13 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing section 6.13.4 and substituting a new section 6.13.4 as follows:

“6.13.4 For multiple housing uses in residential zones a minimum of 25% of the lot area shall be developed as amenity space, of which 10% of the lot area must be contiguous, functional space, accessible to all residents, to the satisfaction of the Development Officer. The amenity space shall be designed to encourage enjoyment and recreational uses of the space, such as play areas, picnic areas, sundecks, roof decks, and natural treed areas.”

19. Section 6.13 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing section 6.13.5 and substituting a new section 6.13.5 as follows:

“6.13.5 For multiple housing developments in commercial zones at least 5% of the site shall be developed as contiguous, functional amenity space accessible to all residents, to the satisfaction of the Development Officer. The amenity space shall be designed to encourage enjoyment and recreational uses of the space, such as play areas, picnic areas, sundecks, roof decks, and natural treed areas.”

20. Section 6.13 of Zoning Bylaw 2012-20 is hereby amended by adding a new section 6.13.6 as follows and renumbering the remaining sections accordingly:

“6.13.6 For multiple housing in all zones, in addition to the required amenity space, private amenity space for the exclusive use of occupants shall be provided at a rate of 5% of net rentable area per unit.”

21. Section 7.4 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 7.4.2 as follows and renumbering the remaining subsections accordingly:

“7.4.2 The quantity of required accessible parking spaces provided within a parking lot may be increased above the requirements of section 7.4.1 at the discretion of a Development Officer, if it is deemed that the proposed use merits additional accessible spaces.”

22. Section 7.5 of Zoning Bylaw 2012-20 is hereby amended by adding a new section 7.5.6 as follows and renumbering the remaining sections accordingly:

“7.5.6 In non-accessory parking lots and parking garages, up to 20% of the required parking spaces may be reduced to 2.4 m wide and 4.9 m long, provided that:

- a) All such spaces are contiguous, not intermixed with full size spaces; and
- b) The spaces are clearly marked for small cars, using appropriate signage.”

23. Section 9.7.5 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing subsection (j) and substituting a new subsection (j) as follows:

“9.7.5 j) The corner lot setback is 3.0 m minimum and 9.0 m maximum from each street, and 1.5 m from all other sides.”

24. Section 10 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing section 10.7 and substituting a new section 10.7 as follows:

**“10.7 CMW Mixed Use Waterfront**

**10.7.1 Purpose**

To provide for a compatible mix of low intensity commercial, cultural and residential uses adjacent to the Yukon River waterfront

**10.7.2 Principal Uses**

- a) child care centres
- b) community recreation services



- c) eating and drinking establishments
- d) financial services
- e) health services
- f) hostels
- g) hotels
- h) indoor participant recreation services
- i) institutional services
- j) housing: apartment, residential care homes, supportive
- k) offices
- l) parks
- m) personal service establishments
- n) retail services, convenience
- o) retail services, general
- p) scientific and cultural exhibits
- q) studios

10.7.3 **Secondary Uses**

- a) accessory building/structure
- b) exhibition and convention facilities
- c) home-based businesses, minor

10.7.4 **Conditional Uses**

- a) non-accessory parking
- b) outdoor recreation equipment sales/rentals
- c) pet clinics
- d) spectator entertainment establishments

10.7.5 **Development Regulations**

- a) The minimum lot width is 15.0 m.
- b) The minimum lot area is 464 m<sup>2</sup>.
- c) The maximum floor area ratio is 4.5.
- d) The maximum site coverage is 90%.
- e) The maximum height is indicated in Appendix C.
- f) The minimum front yard setback is 1.0 m.
- g) The minimum side yard setback is 0.0 m.
- h) The setbacks shall be 1.5 m adjacent to the pedestrian walkway labelled on Plan 93845 CLSR, 2008-0034 LTO as Walkway #1, and lighting is to be provided along the walls of the building to light the walkway.
- i) The minimum setback along the Yukon River reserve is 4.6 m.
- j) The minimum rear yard setback is 0.0 m.
- k) For portions of buildings greater than 15 m in height, upper floors are required to be set back at least 2.0 m from property lines.

**10.7.6 Other Regulations**

- a) All developments shall provide for at least two of the uses permitted in this section as principal or conditional uses.
- b) Where multiple-family buildings are developed on the same lot, such buildings shall be sited a minimum of 4.0 metres from each other.
- c) A maximum 50% of the ground floor may be occupied by office use.
- d) A maximum of 50% of the ground floor may be occupied by residential use.
- e) Development in this zone is subject to multiple housing regulations set out in section 6.13.
- f) Fencing is not permitted on lot lines adjacent to the Yukon River Reserve.
- g) Food and beverage services on outdoor patios and the pedestrian portion of First Avenue is permitted and encouraged.
- h) At least 50% of the horizontal distance of each ground floor facade facing a public roadway or pedestrian mall shall be glazed.
- i) The maximum height from sidewalk grade to windowsill height shall be 0.75 m.
- j) Buildings on corner lots are required to have two main facades. For the purposes of this bylaw, lots 41, 43 and 45, Block 316, Plan 2011-0087 LTO, are considered to be corner lots.
- k) Accessory and non-accessory parking is permitted only when a parking area is set back from the Yukon River reserve a minimum of 20.0 m, the setback area is landscaped, and the parking area is hard-surfaced.
- l) Accessory parking is permitted only to the rear of the principal building.
- m) Where there is a rear lane, access to parking areas and loading spaces shall not be permitted directly from streets. Parking areas must be landscaped and hard-surfaced. Where parking areas are located adjacent to a street frontage, a landscaped area of at least 1.0 metre in depth must be provided between sidewalks and parking areas.
- n) In addition to the regulations listed above, all developments are expected to meet the intent of the Design Guidelines for CMW Mixed Use Waterfront in section 10.7.7.
- o) In addition to the regulations listed above, other regulations may apply. These include the general development regulations of section 5 (accessory development, site design, yards, etc.); the specific use regulations of section 6 (vehicle oriented businesses, etc.) the parking regulations of section 7; and the sign regulations of section 8.

**10.7.7 Design Guidelines for CMW Mixed Use Waterfront**

a) Introduction and Intent

The following guidelines will be used in evaluating development permit applications in the CMW zone. The guidelines serve as basis for Development Officer's decision-making, and also assist property owners, design professionals, administrators, decision-makers, and others in preparing, reviewing, and approving developments. The guidelines are not meant to limit the design creativity of the development, but to ensure a minimum aesthetic standard and to provide a framework within which to exercise creative design. Every proposed development will be evaluated based on its consistency with the vision stated for this zone. This includes consideration of thoughtful integration of the proposed development, the development of the site and the design of the proposed building(s). The determination of whether the development satisfactorily meets the design guidelines shall be at the discretion of the Development Officer.

b) Vision

To encourage the development of a thriving, pedestrian-oriented, mixed-use neighbourhood with vibrant activity throughout the day and week, and that provides a unique identity befitting an urban waterfront. Developments should be integrated with and provide pedestrian connections to valued features including the Yukon River edge, the waterfront trail, Shipyards Park, Rotary Park, the Whitehorse Waterfront Trolley and established retail facilities in downtown Whitehorse.

c) Site Design

(1) Site design should provide for a pedestrian scale environment:

- (a) by facilitating pedestrian access and views to Front Street, Downtown, Robert Service Way, Yukon River and the waterfront trail;
  - (b) by providing for protected areas (awnings), seating oriented to the south and west, bicycle parking and an architecturally diverse street edge that provides a transparent storefront link between interior and exterior spaces;
  - (c) Spaces that accommodate active uses such as sidewalk cafes, retailer displays, or public gathering are encouraged.
- (2) New construction should relate to both street edges and the pedestrian mall on Front Street between Black Street and Keish Street.
- (3) Buildings should maintain a continuous alignment along a block.

d) Building Design

- (1) Building Scale: Upper storeys should be set back from the building façade established on the ground storey.
- (2) Building Massing: Building massing should be articulated and properly proportioned (scale, height, relationship to the ground). Where parcels are large, new construction along a street edge should have the appearance of several buildings (maximum facade width should be no greater than 15 m without a visual or material transition). Breaks can also be accommodated by the use of window bays, separate entrances and entry treatments and variation in rooflines.
- (3) Building Composition / Mixed-Use Developments: Buildings fronting onto the pedestrian mall or other streets should be articulated as follows:
  - (a) Ground Storey: Retail and Public Service uses are encouraged at the pedestrian level. Provide for transparent glazing at ground level to provide a strong visual link between interior and exterior spaces. Allow for a minimum 3.0 m clear ceiling height. Provide a covered and protected canopy or cover over entry doors and outdoor seating areas.
  - (b) Above Ground Storey: Office and Residential Uses are encouraged above the ground storey. A separate and direct exterior entry at the ground storey is encouraged. Full or French balconies are encouraged by setting back the façade at the second and/or third storey (and to allow for more sunlight to reach street level).
  - (c) Roof Overhangs and Parapets: Substantial and articulated overhangs are encouraged at roof level to provide for an appropriate top to the building and allow for protection from the elements. Parapets should be articulated to provide an attractive edge transition between building and sky.
- (4) Building Materials and Construction Methods: Construction materials and craftsmanship should be high quality and durable. A rich variety of textures and profiles is encouraged.
  - (a) Exterior Cladding: Acceptable materials include stained wood, acrylic stucco, metal siding (except aluminium), cementitious wood fibre siding, factory finished composite wood siding, brick, stone and concrete block. Vinyl, aluminium, fibreglass or roofing material is strongly discouraged.
  - (b) Material transitions are encouraged between storeys and to highlight specific building features and forms.

- (c) Ground storey windows and doors should consist of aluminum store-front, wood or pressed metal. Vinyl windows are acceptable above the ground storey only.
- (5) Building Transparency: Buildings should have transparent and active storefronts through extensive use of glass and entrances. Open and inviting connections between the inside and outside of the building increase feelings of security and comfort on the street.
- (6) Signage: Signage should be unique and reflect building and retail occupant character. Signage should be oriented to the pedestrian and integrated into the building architecture, form and materials. Signs constructed of natural materials such as metal or wood are preferred.
  - (a) Front-lit signage is encouraged (whether suspended or fixed to building façade). Projecting signs must be no greater than 1.2.m2 and have a maximum width of 1.0 m and cannot extend beyond the first storey of the building. No less than 3.0m of clearance shall be provided between the sidewalk elevation and the lowest point of the projecting sign.
  - (b) Internally or back illuminated signage is discouraged. Neon signage is acceptable as long as it does not cover more than one third of the window surface area.
  - (c) A sign plan should be developed for buildings with multiple occupants.
- (7) Colour and Lighting: As a northern city, Whitehorse faces winters that are long and dark. To encourage visual vibrancy throughout the year, building colour and lighting should convey a dynamic and dramatic setting.
  - (a) Building Colour: Strong colours are encouraged and should, if possible, reflect those found in the Yukon natural environment. In a setting with 6 months of snow cover, colours should provide warmth, visual relief and contrast to the limited colour palette of winter. Light greys, browns, beige or other pastel colours are discouraged.
  - (b) Lighting: Lighting provides significant possible visual impact. With long hours of darkness during winter months, exterior building lighting can provide visual variety and character. Lighting that highlights portions of the building, structure, or exterior siding are encouraged. Hot spot, surface mounted direct flood security lighting (for example, high pressure sodium light fixtures) is strongly discouraged, especially

along street facades and pedestrian walkways. Preferred lighting types include LED, incandescent, fluorescent or metal halide fixtures. Exterior building lighting should be coordinated with building signage.

- (8) Public Building Entries: Buildings should have clearly defined and inviting entries. Private and semi-private areas should be clearly demarcated at grade by changes of level, low planting or setbacks.
- (9) Roof-mounted Mechanical and Communications Equipment: Rooftop mechanical units, satellite dishes, chimneys and other service equipment should be inconspicuously located or screened from public view.”

25. Section 12.4.3 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing subsection (e) and renumbering the remaining subsections accordingly.

26. Section 12.4.4 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection (b) as follows and renumbering the remaining subsections accordingly:

“12.4.4 b) housing: multiple, single detached, duplex”

27. Section 13.1.3 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing subsection (c) and substituting a new subsection (c) as follows:

“13.1.3 c) bed and breakfast lodging (two rooms)”

28. Section 13.1.3 of Zoning Bylaw 2012-20 is hereby amended by deleting the existing subsection (d) and substituting a new subsection (d) as follows:

“13.1.3 d) garden suites”

29. Section 13.1.3 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection (f) as follows and renumbering the remaining sections accordingly:

“13.1.3 f) housing: single detached”

FIRST READING:

PUBLIC NOTICE:

PUBLIC HEARING:

SECOND READING:

Zoning Amendment Bylaw 2015-01

THIRD READING and ADOPTION:

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Mayor

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City Clerk

**CITY OF WHITEHORSE**  
**BYLAW 2015-07**

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 the zoning for Phase 3 of the Whistle Bend Subdivision was established as part of the master plan for multiple phases, and detailed planning has indicated that certain changes are desirable with respect to various zones and zone boundaries; and

WHEREAS Phase 3 of Whistle Bend is vacant and all properties are owned by the Government of Yukon, thus minimizing the impact of zoning changes at this time; and

WHEREAS it is deemed desirable that the City of Whitehorse Zoning Bylaw be amended to establish new zoning for the area known as Whistle Bend Phase 3;

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

1. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by deleting the existing zoning for Whistle Bend Phase 3, located in the area surrounded by Casca Boulevard, and substituting therefore new zoning as indicated on Appendix "A" attached hereto and forming part of this bylaw.
2. For the purposes of clarity, a sketch showing the existing zoning for Whistle Bend Phase 3 is attached hereto as Appendix "B" and forms part of this bylaw:
3. This bylaw shall come into force and effect upon the final passing thereof.

**FIRST READING:**

**PUBLIC NOTICE:**

**PUBLIC HEARING:**

**SECOND READING:**

**THIRD READING and ADOPTION:**

\_\_\_\_\_  
Mayor

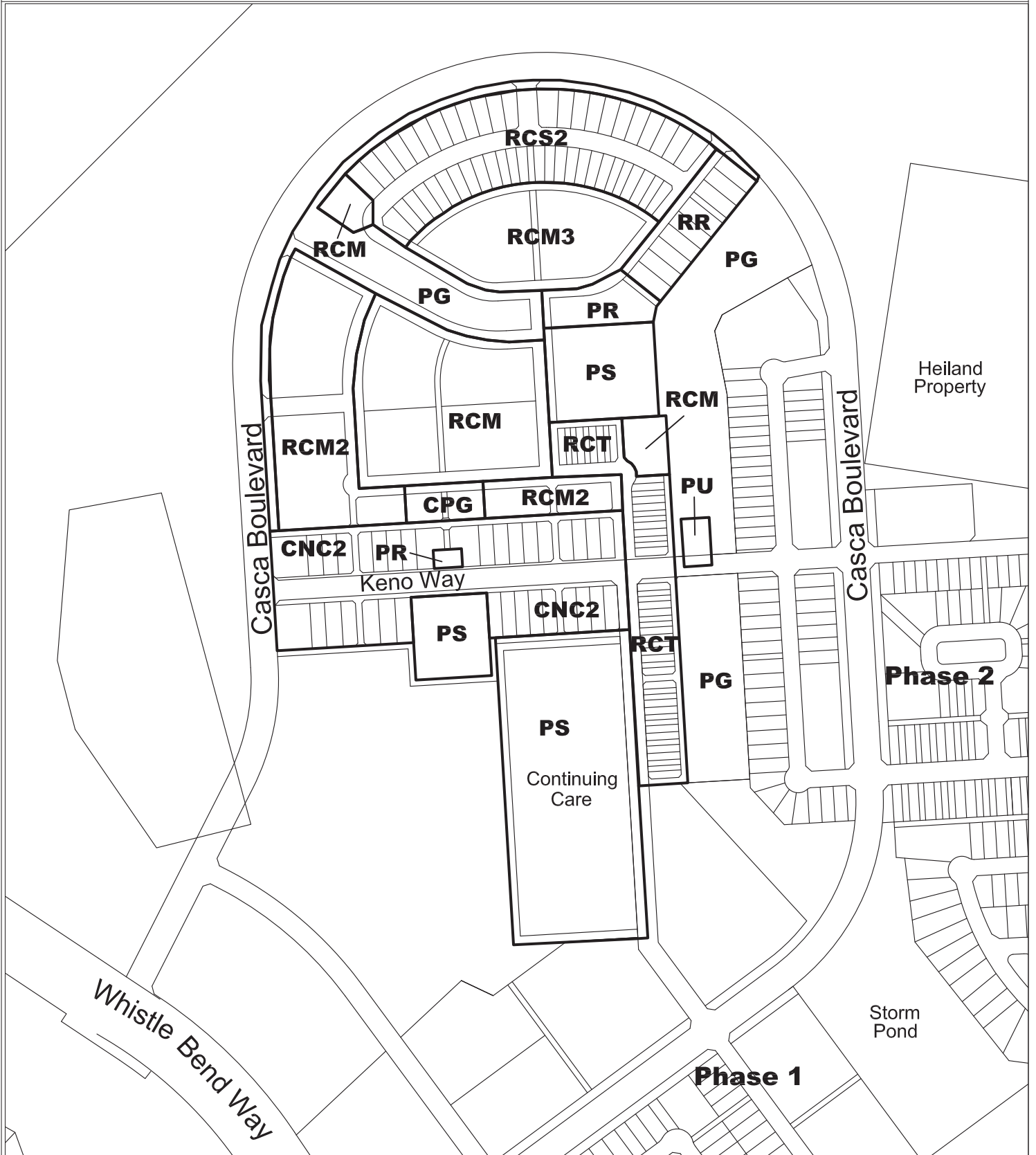
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City Clerk





# Proposed

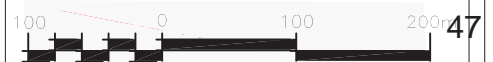
CITY OF WHITEHORSE  
BYLAW 2015-07  
APPENDIX 'A'



## Bylaw 2015-07

A bylaw to amend the zoning Whistle Bend Phase 3, located in the area surrounded by Casca Boulevard. Zoning not included in this bylaw has been excluded from this appendix for clarity.

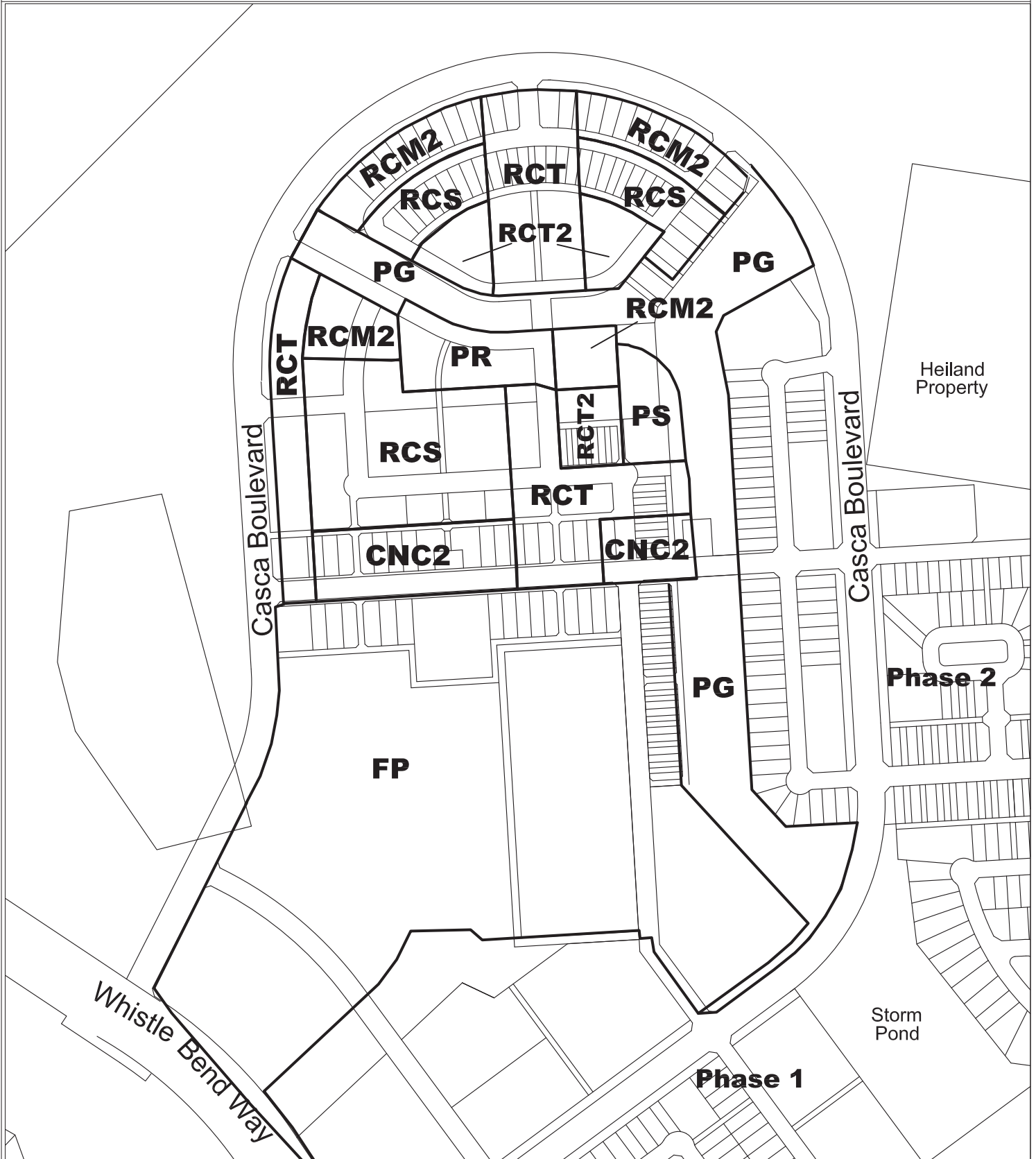
## LEGEND





# Existing

CITY OF WHITEHORSE  
BYLAW 2015-07  
APPENDIX 'B'



## Bylaw 2015-07

A bylaw to amend the zoning of Whistle Bend Phase 3, located in the area surrounded by Casca Boulevard. Zoning not included in this bylaw has been excluded from this appendix for clarity.

## LEGEND

