

**CITY OF WHITEHORSE**  
**REGULAR Council Meeting #2015-15**

**DATE:** Monday, July 27, 2015

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

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

## **AGENDA**

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

**AGENDA:** Adoption

**PROCLAMATIONS:**

**MINUTES:** Regular Council Meeting #2015-14 dated July 13, 2015

**DELEGATIONS:** Michael Janssen-Breidahl – Canada 150 Funding Application

**PUBLIC HEARING:**

**COMMITTEE**

**REPORTS:**

**Development Services** – *Councillor Stockdale & Curteanu*

**Corporate Services** – *Councillors Gladish & Curteanu*  
Election Procedures Bylaw

**City Planning** – *Councillor Curteanu & Stockdale*

Public Hearing Report – Rezoning 102-104 Lambert Street  
Major Development Incentive – 303 Alexander Street

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

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

Joint Use Agreement  
Use of City Parks and Paved Trails Policy  
Canada 150 Funding Application

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

**Committee of the Whole** – *Mayor Curtis*

Tank Farm Subdivision – Public Use Land Dedication Appeal

**NEW & UNFINISHED**

**BUSINESS:**

Travel Authorization  
City Manager Salary Adjustment

**BYLAWS:**

2015-21 – Amend City Manager Bylaw

2015-22 – Council Remuneration Bylaw (2015-2018 Term)

2015-16 – Zoning Amendment (102-104 Lambert Street)

2015-24 – Joint Use Agreement (City-Yukon Public Facilities)

2015-30 – Election Procedures Bylaw

3<sup>rd</sup> Reading

3<sup>rd</sup> Reading

2<sup>nd</sup> & 3<sup>rd</sup> Reading

2<sup>nd</sup> & 3<sup>rd</sup> Reading

1<sup>st</sup> & 2<sup>nd</sup> Reading

**ADJOURNMENT:**

MINUTES of **REGULAR** Meeting #2015-14 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, July 13, 2015, in Council Chambers, City Hall.

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

ALSO PRESENT: City Manager Christine Smith  
Acting Director of Community and Recreation Services Douglas Hnatiuk  
Acting Director of Corporate Services Valerie Anderson  
Director of Development Services Mike Gau  
Acting Director of Infrastructure and Operations Dave Albisser  
Manager of Bylaw Services Dave Pruden

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

**CALL TO ORDER**

**2015-14-01**

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

**AGENDA**

Carried Unanimously

Mayor Curtis announced that:

- July 15 is the 10<sup>th</sup> anniversary of the Rotary Centennial Bridge; and
- Whitehorse is the current holder of the Capital Cup as a result of defeating Juneau in an annual tennis tournament

**ANNOUNCEMENTS**

**2015-14-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated June 29, 2015  
be adopted as presented.

**MINUTES**

June 29, 2015

Carried Unanimously

**PUBLIC HEARING**

Mayor Curtis called three times for anyone to appear to address Bylaw 2015-16, a bylaw to change the zoning of the parcel of land located at 102-104 Lambert Street in the downtown area to allow for an outdoor recreation equipment sales/rental operation. There was no one present to address the bylaw in person.

**BYLAW 2015-15**

ZONING AMENDMENT  
102-104 Lambert Street

Four written submissions were received, one in support of the bylaw, one raising some concerns, and two opposed.

Submissions Received

The submissions against the bylaw were petitions, one signed by 24 residents of Closeleigh Manor at 100 Lambert Street and one signed by 34 Whitehorse residents and six persons from other communities.

Mayor Curtis declared the public hearing closed and advised that no further submissions on the issue will be considered by council except that provided by administration

Public Hearing Closed

**COMMITTEE REPORTS**

**Development Services Committee**

There was no report from the Development Services Committee

No Report

**Corporate Services Committee**

Bill Curtis from Biathlon Yukon addressed the Committee with respect to the 2015 Municipal Charges Grants. He requested that Council consider a late application for the grant as Biathlon Yukon was not aware that they had to apply under the newly adopted policy.

BIATHLON YUKON  
For Information Only

Murray Martin presented a handmade gift to council in appreciation of their efforts on behalf of the community.

MURRY MARTIN  
For Information Only

**2015-14-03**

It was duly moved and seconded THAT Bylaw 2015-22, a bylaw to provide for remuneration for mayor and councillors for the 2015 to 2018 term of office, be brought forward for due consideration under the bylaw process.

BRING FORWARD  
REMUJNERATION  
BYLAW FOR 2015-2018  
TERM OF COUNCIL

Carried Unanimously

**2015-14-04**

It was duly moved and seconded THAT Bylaw 2015-21, a bylaw to amend the City Manager Bylaw, be brought forward for due consideration under the bylaw process

BRING FORWARD  
AMENDMENT TO  
CITY MANAGER BYLAW

Carried Unanimously

**City Planning Committee**

There was no report from the City Planning Committee.

No Report

**City Operations Committee**

There was no report from the City Operations Committee

No Report

**Community Services Committee**

**2015-14-05**

It was duly moved and seconded  
THAT the mayor be authorized to sign a letter agreement confirming that the City of Whitehorse is interested in being a host community for the 2016 Rogers Hometown Hockey event.

LETTER AGREEMENT  
FOR 2016 ROGERS  
HOMETOWN HOCKEY

Carried Unanimously

Committee members highlighted a number of recent community events including Yukon River Quest, Adäka Cultural Festival, Pride Parade, Canada Day festivities, and Independence Day celebrations in Juneau, Alaska

COMMUNITY EVENTS  
For Information Only

**Public Health and Safety Committee**

There was no report from the Public Health and Safety Committee

No Report

**BYLAWS**

**2015-14-06**

It was duly moved and seconded  
THAT Bylaw 2015-19, a bylaw to permit, license, and regulate the owners and operators of vehicles for hire in the City of Whitehorse, having been read a first and second time, now be given third reading.

**BYLAW 2015-19**  
VEHICLE FOR HIRE BYLAW  
THIRD READING

Carried Unanimously

Administration confirmed that the City is required to ensure the provision of accessible transportation to all persons in accordance with case law and the *Yukon Human Rights Act*. The bylaw recognizes the financial impact on businesses by allowing for a shared vehicle and, for existing providers, an extended timeline for implementation.

Discussion

**2015-14-07**

It was duly moved and seconded  
THAT Bylaw 2015-20, a bylaw to govern the use of parks and public open space in the City of Whitehorse, having been read a first and second time, now be given third reading.

**BYLAW 2015-20**  
PARKS AND PUBLIC  
OPEN SPACE BYLAW  
THIRD READING

Carried Unanimously

**2015-14-08**

It was duly moved and seconded  
THAT Bylaw 2015-26, a bylaw to amend the Fees and Charges  
Bylaw in accordance with second quarter adjustments, having been  
read a first and second time, now be given third reading.

Carried Unanimously

**BYLAW 2015-26**  
FEES AND CHARGES  
AMENDMENT  
THIRD READING

**2015-14-09**

It was duly moved and seconded  
THAT Bylaw 2015-21, a bylaw to amend the City Manager Bylaw, be  
given first reading.

Carried Unanimously

**BYLAW 2015-21**  
CITY MANAGER BYLAW  
AMENDMENT  
FIRST READING

**2015-14-10**

It was duly moved and seconded  
THAT Bylaw 2015-21 be given second reading.

Carried Unanimously

SECOND READING

**2015-14-11**

It was duly moved and seconded  
THAT Bylaw 2015-22, a bylaw to provide for the remuneration to be  
paid to the mayor and councillors for the 2015 to 2018 term of office,  
be given first reading.

Carried Unanimously

**BYLAW 2015-22**  
COUNCIL REMUNERATION  
2015-2018 Term  
FIRST READING

**2015-14-12**

It was duly moved and seconded  
THAT Bylaw 2015-22 be given second reading.

Carried Unanimously

SECOND READING

There being no further business, the meeting adjourned at 6:10 p.m.

**ADJOURNMENT**

\_\_\_\_\_  
Mayor

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

ADOPTED by resolution at Meeting #2015-



## Minutes of the meeting of the Development Services Committee

<b>Date</b>	July 20, 2015
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Dave Stockdale – Chair Councillor Jocelyn Curteanu – Vice Chair Mayor Dan Curtis Councillor Mike Gladish Councillor Betty Irwin Councillor John Streicker
<b>Staff Present</b>	Christine Smith, City Manager Mike Stevely, Acting Director of Corporate Services Linda Rapp, Director of Community and Recreation Services Wayne Tuck, Acting Director of Development Services Dave Albisser, Acting Director of Infrastructure and Operations

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

### **1. Yukon Convention Bureau Update – For Information Only**

Ed Peart and Alida Munro provided an update on the activities of the Yukon Convention Bureau, noting that there have been a number of successful events this year and about nine more are scheduled in September, October, and early November. They confirmed that the Bureau provides extensive services to planners attempting to set up conferences in Whitehorse. Mr. Peart thanked the City for its support for the Bureau, including their financial contribution.



## Minutes of the meeting of the Corporate Services Committee

**Date** July 20, 2015

**Location** Council Chambers, City Hall

**Committee Members Present**  
Councillor Mike Gladish – Chair  
Councillor Jocelyn Curteanu – Vice Chair  
Mayor Dan Curtis  
Councillor Betty Irwin  
Councillor Dave Stockdale  
Councillor John Streicker

**Staff Present**  
Christine Smith, City Manager  
Mike Stevely, Acting Director of Corporate Services  
Linda Rapp, Director of Community and Recreation Services  
Wayne Tuck, Acting Director of Development Services  
Dave Albisser, Acting Director of Infrastructure and Operations  
Norma Felker, Assistant City Clerk/Returning Officer

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

### **1. 2015 Election Procedures Bylaw**

The *Municipal Act* regulates the conduct of municipal elections. However, council is required to pass a bylaw in each election year to establish procedures specific to the conduct of the election in Whitehorse. The bylaw being brought forward includes provisions for proxy voting, establishes the time and place for the submission of nominations, provides for a Board of Revision, and sets the honorariums to be paid to election officials. The bylaw also provides for the establishment of polling places and sets the hours for special polls. In conjunction with the bylaw previously adopted to provide for the use of an automated vote counting system for this election, the proposed bylaw addresses all of the variables specific to the municipal election in Whitehorse.

Administration confirmed that

- eligible voters who are not on the list of electors will be able to swear in at the polls;
- options for identification will be clarified and advertised; and
- there will be many more polling places than have been used in past elections, with most being located in places where eligible electors may reasonably be expected to congregate

**Recommendation**

THAT Bylaw 2015-30, a bylaw to regulate the conduct of the municipal election in the City of Whitehorse, be brought forward for due consideration under the bylaw process





## Minutes of the meeting of the City Planning Committee

<b>Date</b>	July 20, 2015
<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 Mike Gladish Councillor Betty Irwin Councillor John Streicker
<b>Staff Present</b>	Christine Smith, City Manager Mike Stevely, Acting Director of Corporate Services Linda Rapp, Director of Community and Recreation Services Wayne Tuck, Acting Director of Development Services Dave Albisser, Acting Director of Infrastructure and Operations Patrick Ross, Manager of Planning Services

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

### **1. Public Hearing Report – Zoning Amendment (102-104 Lambert Street)**

The owner of a lot located between Second Avenue and Front Street in the downtown area has applied to rezone the property to allow for the development of an outdoor recreation equipment sales and rental operation. No one appeared to speak to the application at the public hearing. Five written submissions were received, one in favour, one raising concerns, and three opposed. Two of the submissions opposed to the bylaw were petitions against the proposed use, citing traffic and parking concerns, impacts on the enjoyment of property at Closeleigh Manor, and impacts on the heritage value of the historic buildings on the property.

The proponent's plan to relocate and use the historic buildings on the property is in line with City heritage policy, and is more desirable than allowing the buildings to remain unoccupied and continuing to deteriorate. The proponent also plans to have a residence on site for employees that will help to discourage theft and vandalism in the area. The current and proposed zoning of the site permits numerous uses that could generate noise and increased traffic in the area.

The application complies with the Official Community Plan designation of the area that supports retail and tourist-oriented developments and encourages the perseveration of

heritage structures. If the rezoning is approved, any new developments on the site will be required to meet all of the general regulations in the zoning bylaw, including parking, screening, landscaping and hard-surfacing.

**Recommendation**

THAT Bylaw 2015-16, a bylaw to amend the zoning of 102 – 104 Lambert Street from CC–Core Commercial to CM2 – Mixed Use Commercial 2 to allow for an outdoor recreation equipment sales and rental operation, be brought forward for second and third reading under the bylaw process

**2. Development Agreement – Major Development Incentive**

The Development Incentives Policy encourages specific development in the City, including rental housing, mixed-used development, and supportive housing. Developments that meet specified criteria are eligible for a yearly monetary grant in the amount that the developer owes in annual municipal taxes as a result of improvements on the property. Major development incentives are authorized through a development agreement with Council and implemented through a grant to the property owner after taxes have been paid in full. The incentive is maximized when the development is completed quickly, and both assessment and mill rate influence the maximum incentive available

The owner of the property located at 303 Alexander Street in the downtown area has applied for a major development incentive with respect to a project that includes six residential units, three storeys of office space, underground parking, and improvements to the city-owned boulevard along Alexander Street. This project meets the criteria under the policy, and a development agreement is being brought forward for Council approval.

**Recommendation**

THAT the Mayor and City Clerk be authorized to sign a Development Agreement with 535756 Yukon Inc. for a major development incentive with respect to a development at 303 Alexander Street.



## Minutes of the meeting of the City Operations Committee

<b>Date</b>	July 20, 2015
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Betty Irwin – Chair Councillor Mike Gladish – Vice Chair Mayor Dan Curtis Councillor Jocelyn Curteanu Councillor Dave Stockdale Councillor John Streicker
<b>Staff Present</b>	Christine Smith, City Manager Mike Stevely, Acting Director of Corporate Services Linda Rapp, Director of Community and Recreation Services Wayne Tuck, Acting Director of Development Services Dave Albisser, Acting Director of Infrastructure and Operations

Your Worship, there is no report from the City Operations Committee



## Minutes of the meeting of the Community Services Committee

**Date** July 20, 2015

**Location** Council Chambers, City Hall

**Committee Members Present**  
Councillor John Streicker – Chair  
Councillor Betty Irwin – Vice Chair  
Mayor Dan Curtis  
Councillor Jocelyn Curteanu  
Councillor Mike Gladish  
Councillor Dave Stockdale

**Staff Present**  
Christine Smith, City Manager  
Mike Stevely, Acting Director of Corporate Services  
Linda Rapp, Director of Community and Recreation Services  
Wayne Tuck, Acting Director of Development Services  
Dave Albisser, Acting Director of Infrastructure and Operations  
Douglas Hnatiuk, Manager of Parks and Community Development  
Marc Boulerice, Parks Supervisor  
Teresa Acheson, Acting Manager of Recreation and Facility Services

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

### **1. Joint Use Agreement**

The Joint Use Agreement provides the framework for the coordinated use of municipal recreation facilities by schools during school hours in return for community use of school facilities for social, cultural, recreational, educational and sport activities during evenings and weekends. The Joint Use Agreement has been in place since the 1970's and has evolved over time. All parties agree that public facilities in the City should be utilized to the maximum extent feasible, and to achieve that end worked to establish a mutual exchange of the use of public facilities for the benefit of the citizens of Whitehorse. All parties are also agreeable to the use of their respective public facilities in accordance with the provisions of the Joint Use Agreement and to the implementation of a benefits-based approach to the allocation of facility space, reflecting the community's needs, personal and social connectedness, economic vitality, and environmental consciousness.

A thorough review of the Joint Use Agreement was completed in 2011 with input from all stakeholders, and a three-year agreement was subsequently adopted. The

agreement being brought forward at this time is essentially the same as the agreement in place with some minor updates to the language used. The Government of Yukon contributes \$30,000.00 annually to the City to help offset the administration cost of the Joint Use Agreement.

### **Recommendation**

THAT the Whitehorse–Yukon Joint Use Agreement for the period from September 1, 2015 through August 31, 2018 be approved as presented; and

THAT Bylaw 2015-24, a bylaw to authorize the Whitehorse–Yukon Public Facilities Joint Use Agreement, be brought forward for due consideration under the bylaw process

## **2. Use of City Parks and Paved Trails Policy**

The City owns and operates a number of parks and paved trails, and permitted uses of these facilities are regulated by council policy. The existing Parks Use Policy has been in place since 2009. The City has an interest in maximizing the sustainable use of public parks and paved trails, which includes commercial use and the ability to book a space for temporary and exclusive private use, so long as public use is not over-encumbered. In response to national trends that require management of municipal parks and paved trails in the context of protecting the public's interest in spontaneous use, a new policy has been developed that is proactive, reasonable and easy to implement.

Administration confirmed that the intent of the policy is to increase the use of parks and trails, and the insurance requirements move the liability and risk to the private sector rather than the City where applicable.

### **Recommendation**

THAT the Use of City Parks and Paved Trails Policy dated July 2015 be adopted as presented.

## **3. Canada 150 Funding Application**

Federal funds have been made available through a program entitled "Canada 150 Community Infrastructure Program". These funds are to be allocated towards capital community infrastructure projects that will be substantially completed by no later than July 2018. The program supports the renovation, expansion and rehabilitation of existing infrastructure that provides community and cultural benefits for the public.

The City has been working with community organizations to develop projects that could be considered for this funding, and the Pioneer Cemetery and Cenotaph Relocation project was rated as the most suitable submission at this time. City administration will continue to work with community organizations to prepare annual capital budget submissions for 2016.

Administration confirmed that if the project goes ahead with the assistance of Canada 150 funding, the City must supply 25% of the project costs. This means that the project will be subject to approval through the budget process.

### **Recommendation**

THAT the Pioneer Cemetery and Cenotaph Relocation project be approved as the City's application for 2015 Canada 150 Funding.

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

Committee members highlighted a number of community events including:

- Filipino Association picnic at Marsh Lake
- Orienteering Association event
- Historic Site designation for the Old Log Church
- Elks Club convention

#### **5. Road Relay – For Information Only**

A committee member advised that a group of women from Juneau wishes to participate in the Klondike Trail of '98 Road Relay and has requested the City's assistance in forming a team. Persons interested are asked to contact the Parks and Community Development office.



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

**Date** July 20, 2015

**Location** Council Chambers, City Hall

**Committee Members Present**  
Councillor Dave Stockdale – Chair  
Councillor John Streicker – Vice Chair  
Mayor Dan Curtis  
Councillor Jocelyn Curteanu  
Councillor Mike Gladish  
Councillor Betty Irwin

**Staff Present**  
Christine Smith, City Manager  
Mike Stevely, Acting Director of Corporate Services  
Linda Rapp, Director of Community and Recreation Services  
Wayne Tuck, Acting Director of Development Services  
Dave Albisser, Acting Director of Infrastructure and Operations

Your Worship, there is no report from the Public Health and Safety Committee



## Minutes of a meeting of the Committee of the Whole

<b>Date</b>	June 9, 2015
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Mayor Dan Curtis Councillor Jocelyn Curteanu Councillor Mike Gladish Councillor Dave Stockdale Councillor John Streicker
<b>Absent</b>	Councillor Betty Irwin
<b>Guests</b>	Debbie Hoffman – Lackowicz and Hoffman Rita David – Lackowicz and Hoffman
<b>Staff Present</b>	Christine Smith, City Manager Valerie Anderson, Acting Director of Corporate Services Mike Gau, Director of Development Services Patrick Ross, Manager of Planning Services Cathy Small, Land Development Supervisor

Your Worship, the Committee of the Whole respectfully submits the following report:

### **1. Appeal of Public Use Land Dedication Requirement**

An application to subdivide Lot 430 in the Tank Farm Area into two lots was conditionally approved by administration on March 13<sup>th</sup>, 2015. The requirement for public use land dedication was determined to be within the constraints of the enabling legislation, and since no part of the lands were identified or deemed suitable for public use, payment-in-lieu for one parcel was imposed. The applicant has appealed the decision of the Development Officer to require public use land dedication as a condition of subdivision approval and requests that Council defer PULD for both new lots until development occurs on the site.

In accordance with existing legislation, after hearing the appeal Council may deny the appeal or may allow the appeal by varying the requirement for public use land dedication.

The letter of appeal was read into the record as the proponent was unable to attend.



Upon completion of presentations from all parties, Councillor Gladish declared a conflict and recused himself from Council's deliberations. Committee members left Chambers to consider their decision in-camera. Thereafter the Committee returned to Chambers and reverted to open meeting.

Participants were advised that a decision in writing would be released within 60 days, and then the meeting was adjourned.

It was the decision of Council that public use land dedication for both parcels should be deferred.

All decisions made in-camera must be ratified in an open meeting.

### **Recommendation**

THAT the appeal by 46447 Yukon Inc. with respect to the requirement for public use land dedication as a condition of subdivision approval for the property located at Lot 430, Plan 26176 be allowed; and

THAT pursuant to section 316(1)(a) of the *Municipal Act*, payment of the public use land dedication cash-in-lieu fees with respect to subdivision approval for Lot 430, Plan 26176 be deferred until development occurs on the site.

## **ADMINISTRATIVE REPORT**

<b>TO:</b> Mayor and Council
<b>FROM:</b> Administration
<b>DATE:</b> July 27, 2015
<b>RE:</b> Travel Authorization

### **ISSUE**

Authorization of travel expenses for Mayor Curtis

### **ALTERNATIVES**

Authorize the request for travel expenses

Deny the request for travel expenses

### **ANALYSIS**

Council's Expense Policy requires a council resolution to approve all requests for funding or reimbursement of expenses incurred in conjunction with travel outside the City of Whitehorse.

Mayor Curtis has indicated his intention to attend the Change of Command ceremonies for HMCS Whitehorse that will take place in Victoria on August 7<sup>th</sup>.

### **RECOMMENDATION**

THAT travel expenses be authorized for Mayor Curtis to attend the Change of Command ceremonies for HMCS Whitehorse to be held in Victoria BC in August 2015.

## **ADMINISTRATIVE REPORT**

<b>TO:</b> Mayor and Council
<b>FROM:</b> Administration
<b>DATE:</b> July 27, 2015
<b>RE:</b> City Manager Salary Adjustment

### **ISSUE**

Adjust the base annual salary for the city manager

### **REFERENCE**

- *Municipal Act*
- Bylaw 2014-19 – City Manager Bylaw

### **HISTORY**

The City Manager Bylaw provides that 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..

### **ALTERNATIVES**

1. Approve the proposed increase in salary
2. Do not approve the increase

### **ANALYSIS**

Following the 2015 performance review mandated for the city manager, amendments to the bylaw were brought forward to establish a pay range and provide for ongoing salary adjustments. However, both the existing and proposed bylaws require a resolution of council to authorize a salary adjustment.

### **RECOMMENDATION**

THAT the base annual salary for the city manager be increased by \$5,000.00, retroactive to April 14, 2015.

# **CITY OF WHITEHORSE**

## **BYLAW 2015-21**

A bylaw to amend the City Manager Bylaw

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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 amend the current City Manager Bylaw with respect to the compensation provisions provided therein;

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

1. City Manager Bylaw 2014-19 is hereby amended by deleting the existing sections 17 and 18 and substituting therefore new sections 17 and 18 as follows:
  - “17. The salary range for the city manager shall be \$175,000 to \$195,000 per annum.
    - (1) Upon the commencement date of employment, the city manager shall enrol in the City’s Group RRSP Plan
      - (a) all monies remitted on behalf of the city manager shall be immediately vested with the city manager;
      - (b) 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;
      - (c) the annual base salary is inclusive of a mandatory 6.0% contribution by the city manager to the Group RRSP Plan;
      - (d) 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;
      - (e) 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;

## Bylaw 2015-21 – Amending the City Manager Bylaw

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- (f) 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.
  - (2) The city manager is eligible 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 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 resolution of council."
2. This bylaw shall come into full force and effect on and from the date of adoption thereof.

**FIRST and SECOND READING:** July 13, 2015

**THIRD READING and ADOPTION:**

\_\_\_\_\_  
Mayor

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

# CITY OF WHITEHORSE

## BYLAW 2015-22

A bylaw to provide for remuneration to be paid to the mayor and councillors

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WHEREAS section 173 of the *Municipal Act* (2002) provides that council may by bylaw establish the types, rates and conditions of payments to be made to members of council;

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

### Short Title

1. This bylaw may be cited as the “**Council Remuneration Bylaw**”.

### Annual Remuneration

2. The basic annual remuneration for the mayor for the 2015 – 2018 term of office shall be eighty-seven thousand nine hundred forty-two dollars (\$87,942.00), effective from October 27, 2015 to October 29, 2018 inclusive.
3. The basic annual remuneration for each councillor during the 2015 – 2018 term of office shall be twenty thousand four hundred ninety-six dollars (\$20,496.00), effective from October 27, 2015 to October 29, 2018 inclusive.
4. The annual remuneration shall be paid bi-weekly and, where a member of council fails for any reason to serve in the respective office for a full twelve months, the remuneration shall be pro-rated on a bi-weekly basis for the period served.
5. One-third of the total annual remuneration shall be paid as remuneration for necessary expenses incidental to the discharge of the duties of the office of mayor or councillor.

### Remuneration Increases

6. Following the completion of 18 months in office, council shall review the council remuneration bylaw and may, by bylaw, amend the remuneration for the next term of council based on the average Consumer Price Index for Whitehorse for the previous three year period. This average shall be applied annually. The review of the bylaw shall be completed within a six month period so that the remuneration for the next term of council is established before the final year of the current council's term.

### Additional Benefits for Councillors

7. Councillors are entitled to Extended Health Care, Dental Care, Weekly Accident Indemnity, Accidental Death and Dismemberment Insurance, a Childcare Allowance, and the Employee Assistance Program.

## **Mayor and Council Remuneration Bylaw 2015-22**

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- (1) Premiums for Extended Health Care and Dental Care will be paid 90% by the employer and 10% by the councillor.
- (2) Dental coverage includes 100% basic unlimited and 50% major restorative to a yearly maximum of \$2,500.00 per person.
- (3) Weekly Accident Indemnity coverage in the amount of \$300.00 per week is available to councillors injured in an accident who are gainfully employed on a full-time basis immediately before the date of injury.
- (4) Accidental Death and Dismemberment (\$100,000.00 Policy) includes 24 hour coverage.
- (5) Councillors with dependents living in their home who are younger than 13 years of age will be eligible to claim a childcare allowance for all official meetings of council. For the purposes of the 2015 – 2018 term of office:
  - (a) The childcare allowance will be equal to the established minimum wage as at May 1, 2015, and the rate shall be \$10.30 per hour; and
  - (b) Official meetings shall include Standing Committee and Regular Council meetings, Council and Senior Management meetings, and all training, meetings, events or business functions where the attendance of council members is required by the mayor or council.

### Additional Benefits for the Mayor

8. A vehicle allowance in the amount of \$450.00 per month is included in the base annual remuneration for the mayor.
9. The mayor is entitled to the benefits of the Management and Confidential Employee Bylaw and is considered a contract employee entitled to Extended Health Care, Dental Care, Short Term Disability, Long Term Disability, Group Life Insurance, Accidental Death and Dismemberment Insurance, and the Employee Assistance Program.
  - (1) Premiums for Extended Health Care, Dental Care, and Group Life Insurance will be paid 90% by the employer and 10% by the mayor.
  - (2) Dental coverage includes 100% basic unlimited, 50% major restorative to a yearly maximum of \$2,500.00 per person, and 50% orthodontic to a lifetime maximum of \$1,500.00 per person.
  - (3) Group Life/Accidental Death and Dismemberment is two times the annual salary rounded up to the next highest thousand.
  - (4) Short Term Disability (Weekly Indemnity) coverage is 100% employer paid. The mayor qualifies after the third day of illness and a physician's statement is required.
  - (5) The mayor pays 100% of the premium for Long Term Disability coverage. Payments will be based upon 65% of the first \$3,500.00 monthly earnings and 55% of the remaining monthly earnings to a maximum benefit of \$4,000.00 per month.

## **Mayor and Council Remuneration Bylaw 2015-22**

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- (6) The mayor is entitled to time off with pay for periods of absence of three working days or less by reason of bonafide non-occupational illness or accident, medical, dental and optical appointment, or illness of a member of the mayor's immediate family.
- (7) The mayor is entitled to the above-noted benefits as per the Management and Management Staff Employee Bylaw, but is not entitled to any of the other benefits outlined in the bylaw. With respect to vacation time, the mayor is permitted to take paid personal leave as he or she sees fit and therefore, at the end of the mayor's term of office, there will not be any entitlement to a vacation pay-out.

### Appointment of Deputy Mayor

10. Council shall annually, by resolution, appoint councillors to perform the duties of deputy mayor and reserve deputy mayor.

### Additional Payments for Councillors

11. In addition to the annual remuneration provided for in section 3 of this bylaw, a councillor shall be paid an honorarium for periods when the councillor is engaged in representing the city at any business function, event, meeting or training where such representation has been approved in advance by the mayor or council. The honorarium shall be paid as follows:
  - (1) For periods of between one and four hours: : \$100.00
  - (2) For periods of four hours or more \$150.00
12. No honorarium shall be paid to councillors representing the city for periods of less than one hour.
13. The honorarium provided for in section 11 of this bylaw shall be paid with respect to periods when a councillor:
  - (1) represents the City at business functions, events, meetings or training as authorized by the mayor or council; or
  - (2) is required to be absent from the City for six or more hours for the purpose of travelling to and from and representing the city at a business function; event, meeting or training; or
  - (3) is required to act as deputy mayor during the absence of the mayor.

### Expenses

14. Prior approval of council is required for funding or reimbursement of expenses incurred in conjunction with travel by council members outside of the City of Whitehorse.
15. Council members shall be reimbursed for travel expenses in accordance with the City of Whitehorse Travel Expenses Administrative Directive.



## Mayor and Council Remuneration Bylaw 2015-22

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16. The Council Expense Policy identifies the types of expenses that are eligible for funding and sets out the approval process.

### Bylaw Repeal

17. Bylaw 2012–32, including all amendments thereto, is hereby repealed.

### Coming Into Force

18. This bylaw shall come into full force and effect on and from the 27th day of October, 2015.

**FIRST and SECOND READING:** July 13, 2015  
**THIRD READING and ADOPTION:**

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Mayor

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City Clerk

# CITY OF WHITEHORSE

## BYLAW 2015-16

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 it is deemed desirable that the City of Whitehorse Zoning Bylaw be amended to allow for the development of an outdoor recreation equipment sales and rental operation;

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 changing the zoning of Lots 6/7, Block 4, Plan 3807 LTO, located at 102 and 104 Lambert Street in the Downtown area, from CC–Core Commercial to CM2–Mixed Use Commercial 2, as indicated on the sketch attached hereto as Appendix “A” and forming part of this bylaw.
2. This bylaw shall come into force and effect upon the final passing thereof.

**FIRST READING:** June 15, 2015  
**PUBLIC NOTICE:** June 19 & June 26, 2015  
**PUBLIC HEARING:** July 13, 2015  
**SECOND READING:**  
**THIRD READING and ADOPTION:**

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Mayor

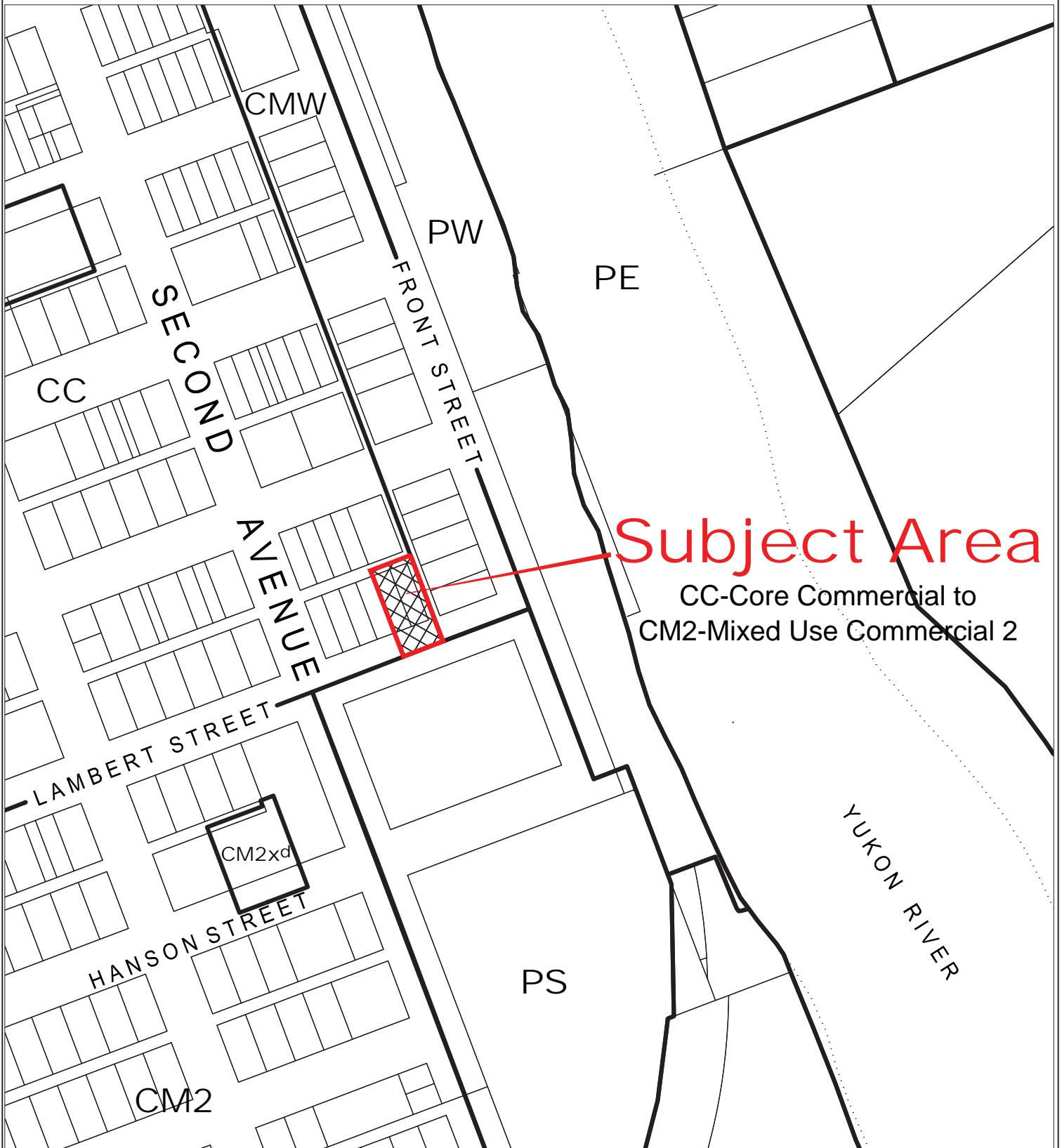
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City Clerk



0 m      75 m      150 m

CITY OF WHITEHORSE  
ZONING BYLAW 2015-16  
APPENDIX 'A'



**Subject Area**

CC-Core Commercial to  
CM2-Mixed Use Commercial 2

**Bylaw 2015-16**

A Bylaw to amend the zoning of 102/104 Lambert St, located at Lots 6/7, block 4, plan 3807 LTO, from CC-Core Commercial to CM2-Mixed Use Commercial 2, to allow for Outdoor Recreation Equipment Sales/Rental.

**LEGEND**



SUBJECT AREA<sub>26</sub>

**CITY OF WHITEHORSE**

**BYLAW 2015-24**

A bylaw to authorize the adoption of a Joint Use Agreement

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WHEREAS section 265 of the *Municipal Act* (R.S.Y. 2002) provides that council may pass bylaws for municipal purposes respecting the acquisition, sale, management, mortgaging, construction, leasing, renting, or any other dealings with any real or personal property, or any interest in land, buildings or other improvements on land or personal property; and

WHEREAS the City and the Government of Yukon have negotiated an agreement to maximize the use of public facilities in Whitehorse for the period September 1, 2015 through August 31, 2018;

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

1. The City of Whitehorse is hereby authorised to enter into a Joint Use Agreement with the Government of Yukon with respect to Yukon and Whitehorse public facilities. The said agreement is identified as Appendix "A" and forms part of this bylaw.
2. The Mayor and City Clerk are hereby authorized to execute the Joint Use Agreement identified in section 1 of this bylaw on behalf of the City of Whitehorse.
3. This bylaw shall come into full force and effect upon the final passing thereof.

**FIRST and SECOND READING:**

**THIRD READING and ADOPTION:**

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Mayor

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City Clerk

**WHITEHORSE YUKON**  
**PUBLIC FACILITIES JOINT USE AGREEMENT**

THIS AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, 2015

Effective: September 1, 2015 through August 31, 2018

BETWEEN:

**YUKON GOVERNMENT – Department of Education**  
As represented by the Minister of Education  
(Herein referred to as "Department of Education")

PARTY OF THE FIRST PART

AND:

**THE CITY OF WHITEHORSE**  
As represented by the Mayor of Whitehorse  
(Herein referred to as "the City")

PARTY OF THE SECOND PART

WHEREAS both parties agree that public facilities within Whitehorse should be utilized to the maximum extent feasible; and

WHEREAS both parties are desirous of establishing a mutual exchange of the use of public facilities for the benefit of citizens of Whitehorse and students of all Department of Education schools; and

WHEREAS both parties are agreeable to the use of their respective public facilities in accordance with the provisions of the Whitehorse Yukon Public Facilities Joint Use Agreement (JUA); and

WHEREAS both parties are agreeable to the implementation of a benefits-based approach to the allocation of facility space, reflecting the community's needs, personal and social connectedness, economic vitality, and environmental consciousness.

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## **THE PARTIES AGREE AS FOLLOWS:**

### **MISSION**

The purpose of the Joint Use Agreement (JUA) is to provide a framework by which selected school buildings and grounds, controlled or operated by Department of Education and selected public facilities controlled by the City can be used by the community to the maximum extent practicable using a benefits-based approach for space allocations.

The JUA makes provisions for use of the facilities, subject to the “Mission, Vision and Values” and all applicable terms and conditions contained in the JUA.

The JUA covers facility uses **outside** of the core school activities of Department of Education and core recreation activities of the City.

The JUA covers public facilities within the boundaries of the City.

### **VISION**

Available public facility space is highly utilized for valued community needs, and is allocated fairly, equitably and on the basis of demonstrable needs and benefits to the community, with youth-oriented activities as the highest priority.

All parties subject to the JUA, respect each other, the facilities and the community; actively work together to resolve allocation and scheduling issues; cooperate and communicate to enhance the community's self-image and build healthy opportunities for individuals to connect in ways that benefit all. Progressive partnerships are encouraged as a means of promoting community spirit and community wellness through utilization of public facilities.

### **VALUES**

The JUA values the repositioning, promotion and provision of services, essential to the community's needs, which are truly essential to becoming a benefits-driven vibrant community in the field of recreation. The principles of this approach include the following:

- Recreation and active living are essential to personal health – a key determinant of health status.
- Recreation and active living are key to balanced human development-helping Canadians reach for their potential.
- Recreation and parks are essential to quality of life.
- Recreation reduces self-destructive and anti-social behavior.
- Recreation and parks build strong families and healthy communities.
- Pay now or pay more later! Recreation reduces health care, social services and police/justice costs.
- Recreation and parks are significant economic generators in every community.
- Parks, open spaces and natural areas are essential to ecological survival.

Community needs are defined and/or determined through a collaborative community effort involving all possible partners. This approach provides for innovation and leadership in all walks of life and can be key in nurturing culture and self-esteem while increasing health, wellness and the quality of life for individuals in the community. Its approach is to recognize and incorporate the following:

- Reflecting community needs
- Ensuring social connectedness
- Building community spirit
- Building healthy opportunities
- Promoting economic revival; and
- Developing progressive partnerships

## 1. CODE OF CONDUCT

Department of Education and the City agree that success is dependent on the continued commitment to the intent of this joint user agreement as well as:

- participation by user groups reflecting the diversity of the community and assuring opportunities for gender equity and inclusiveness;
- mutually respectful of each other's values and needs, recognizing that the facilities are made available for the benefit of *all*. Facility users and facility staff are respectful of each other;
- an understanding that facility users are held accountable for the care of the facilities during their use.

## 2. DEFINITIONS

In this Agreement:

- a) “facility booking agent” means the City of Whitehorse, Recreation and Facility Services Department representative.
- b) “facility operators” means the selected school buildings and grounds controlled or operated by Department of Education and selected public facilities controlled by the City.
- c) “fundraising event” means any event sponsored by a non-profit group, society, or organization to which the public is invited and is required to either pay an admission fee or is encouraged to purchase goods or services offered for sale. All profit is turned back to the non-profit group, society or organization. See Appendix F for Fee Schedule.
- d) “public facilities” means all Department of Education facilities outlined in Appendix B and all City facilities outlined in Appendix C.
- e) “user(s)” or “user groups” are any facility booking group or sport governing body using “public facilities” as defined above.



f) “designated representative” is the contact person for the user group.

### **3. FACILITY ALLOCATION POLICY**

Department of Education and the City agree:

- 3.1. to implement a benefits-based philosophy to facility allocation, according to identified priorities and to develop a measurement system (Appendix G – Assessment: Benefits-Based Approach), focused on our “Mission Vision and Values,” that will determine whether the community is receiving the identified benefits through the offering of the activity.
- 3.2. to make available to user groups, after the needs of the facility owners are met, the facilities indicated in “Appendix B: Department of Education Public Facilities Available for Community Use” and “Appendix C: City of Whitehorse Public Facilities Available for School Use.”
- 3.3. the Department of Education is to provide to the City confirmation of facility availability dates for the following schedules:
  - Fall schedule (September to June) by May 1
  - Summer schedule (July, August) by May 1
  - Christmas Break schedule by November 1
  - March Break schedule by February 1
  - Outdoor Facility schedule by April 1
- 3.4. that youth activities receive booking preference and primary time allocations between the hours of 5:00 pm to 9:00 pm are reserved for youth activities, programs and events.
- 3.5. to develop a shared facility booking calendar and distribute to all applicable parties.
- 3.6. that all Appendices, by mutual consent of each party, can be amended as required.
- 3.7. that all user groups providing their facility booking requests for the up and coming year by June 1 will be given priority over facility booking requests received after June 1.
- 3.8. that any facility may be withdrawn temporarily from the JUA for repairs or renovations. The City will contact the designated representative and provide written notice fourteen (14) days in advance or verbal notice “as soon as reasonably practicable” in the case of an emergency.
- 3.9. to allocate public facilities (see Appendix B & C) in decreasing order of priority. Activities will be prioritized and scheduled according to a balanced approach, in alignment with the “Mission, Vision and Values.” Priority will be given as indicated and defined below:

## **Department of Education of Public Facilities allocation for Community Use:**

“Special Event” requests:

As outlined below and received prior to the June 1 deadline are scheduled in advance of the regular bookings for the year to ensure that space is available and that the regular user groups are aware, in advance, that their space is not available during the “special event” booked times.

1. School Special Event:  
Any event organized by the school and occurring in the school.
2. Non Profit Special Event  
Any event organized by a non-profit community organization where no additional monies are collected (tournament, concert or celebration). Each user group is limited to two (2) special events during the school season which would bump a regular user. Priority will be given as follows:
  - a) Child / Youth
  - b) Adult / Senior
  - c) Fundraising Event (definition moved to definition page)

Regular Bookings:

3. School Regular Bookings:  
Co-curricular or extra-curricular programs and activities sponsored by Department of Education, school board or school council. These are scheduled outside the regular school day and are a part of a school’s regular program of activities.
4. Child / Youth Activities:  
Any community program or activity sponsored by a non-profit group, society or organization for individuals below the age of nineteen. The program must be comprised solely of youth under the supervision of a responsible adult.
5. Adult / Senior Activities:  
Any community program or activity sponsored by a non-profit group, society or organization where the majority of individuals are above the age of eighteen (18).

Other Activities

6. Political or Religious Event:  
Any event or program of activities sponsored by groups, societies, and organizations (such as a service, bible study, rally, campaign) where the primary aim is political or religious in nature or where the event is used for fund raising to support the group’s goals and objectives. This does not include recreation or leisure activities that are sponsored by a religious group for the general public. See Appendix F for Fee Schedule.

7. Public Meeting:

An activity, meeting or event that is open to the general public, at which there is no exchange of money, and is sponsored by a non-profit group, society or organization.

8. Private Meeting

An activity, meeting or event that is closed to the general public, at which there is no exchange of money, and sponsored by a non-profit group, society or organization. See Appendix F for Fee Schedule.

9. Non Specified Event – Contact the Facility Booking Agent

a) Commercial Event:

Any event sponsored by a group, individual or business where the group, individual or business profits and to which the public is invited and is required to either pay an admission fee or is encouraged to purchase goods or services offered for sale. See Appendix F for Fee Schedule.

10. Late requests

Any request submitted to the Facility Booking Agent after the June 1 deadline is subject to availability.

**City of Whitehorse Public Facilities Allocation for School Use:**

1. Learn to Swim (2 grades within each school)
2. Swim Patrol (Grade 6 and 7)
3. Learn to Swim for additional grades within each school
4. Whole School Swims
5. Recreational Swim times
6. Recreational Skate times
7. Late Requests: Any request submitted to the Facility Booking Agent after the June 1 deadline is subject to availability

**4. PROCEDURES**

Department of Education and the City agree:

- 4.1 that the use of any facility covered by this agreement will be booked through the City of Whitehorse, Recreation and Facility Services Department, Facility Booking Agent.
- 4.2 that user groups will follow the procedures outlined in “Appendix D: Department of Education Procedures for Booking Public Facilities” and “Appendix E: Procedures and Rules Governing Yukon School Use of City Public Facilities”.
- 4.3 that user groups will follow the rules outlined in “Appendix A: School Booking Form and School Rules,” as well as any rules provided by a specific schools, (which will be provided by each school to facility booking agent), to be distributed

by the Facility Booking Agent and reviewed by and signed by each designated representative.

- 4.4 that maintenance standards shall be determined by the facility operator and shall conform with generally accepted maintenance practices and provide a mechanism for user groups to report maintenance issues and/or recommendations.
- 4.5 that each will develop user group monitoring processes that will assist in the evaluation of the appropriate use of public facilities by the user groups. Evaluation to be based upon the JUA, "Appendix A: School Booking Form and School Rules" and Appendix D and Appendix E and any other documents deemed appropriate.

Department of Education agrees:

- 4.6 to prepare and provide to the City "Department of Education Rules Governing the Use of Public Facilities." Appendix A: School Booking Form and School Rules"

The City agrees:

- 4.7 to provide a copy of the JUA and all appropriate Appendices to the designated representative and have the designated representative review all pertinent documents, providing signatures and/or initials where required.
- 4.8 to prepare and provide a master list of confirmed public facility bookings to the Department of Education. Applicable portions of the master list may be provided to each school principal, designated representative and each supervisor of a City public facility.
- 4.9 to advertise, by May 1st of each year, prior to the start of the September booking period, that bookings are being accepted for use of public facilities for activities, programs, and events during the upcoming school year.

## **5. LIABILITY**

- 5.1. Each user group shall be responsible for any claim, demand, cost, damage, action, suit or proceeding that is, in any manner, based upon, or arising from, or attributable to, its negligence or wilful misconduct in relation to the performance of this JUA or the carrying out of this JUA by the user group, as outlined in "Appendix A: Appendix D: Department of Education Rules Governing the Use of Public Facilities, Damages and Losses and "Appendix E: Procedures and Rules Governing Yukon School Use of City Public Facilities."
- 5.2. The Department of Education and the City agree that user groups must provide proof of two million dollars (\$2,000,000.00) general liability insurance covering the organization. Special requests to waive the insurance requirement can be made to Department of Education through the Facility Booking Agent in writing.

## 6. CHARGES

Department of Education and the City agree:

- 6.1 that they will not charge each other for the use of all public facilities covered by the JUA.
- 6.2 to establish a fee schedule, maintained at a level ensuring user groups have the ability to participate in the JUA, as set out in “Appendix F: Fee Schedule for Use of Public Facilities for Department of Education and City.”
- 6.3 the City will remit to Department of Education, on an ongoing basis, all revenues derived from the rental of the public facilities depicted in Appendix B.
- 6.4 that regular repair and maintenance of any public facility and its operational costs are the complete responsibility of the facility operator. The facility operator shall be responsible for the repair of damage caused by a user group. This does not preclude the facility operator from securing reimbursement from the user group, as per “5. Liability” of this JUA.
- 6.5 Department of Education will provide a yearly contribution in the amount of \$30,000.00 on the 1st of September of each year to the City towards the administration costs of the JUA.

## 7. CHANGES TO AGREEMENT

- 7.1. No provision of this JUA, with the exception of the Appendices, shall be deemed to have been changed unless made in writing and signed by the City of Whitehorse and the Department of Education. Changes to the Appendices must also be made in writing. If any provision is unenforceable or invalid for any reason, such unenforceability or invalidity shall not affect the remaining provisions of this JUA and such provisions shall be severable from the remainder of this JUA.

## 8. TERMS OF THE JUA

This JUA shall endure from **September 1, 2015 through August 31, 2018**. However, the JUA may be extended, cancelled, or revised at any time upon mutual consent, or shall be considered to be ongoing until a new agreement has been put in place, which may be up to one calendar year from the expiration date specified above.

## 9. CONTACTS

Department of Education and/or the City may make written requests for changes to this JUA through the Manager of Recreation and Facility Services, City of Whitehorse or Director of Finance, Yukon Government Department of Education.

IN WITNESS WHEREOF, the parties hereto have hereunto affixed their seals at the City of Whitehorse, in the Yukon Territory, on the day and year written below.

**GOVERNMENT OF YUKON – Department of Education**

PER:

\_\_\_\_\_  
Date (dd/mm/yyyy)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Judy Arnold, Deputy Minister  
Department of Education

**THE CORPORATE SEAL OF THE CITY OF WHITEHORSE WAS HEREUNTO  
AFFIXED IN THE PRESENCE OF:**

\_\_\_\_\_  
Date (dd/mm/yyyy)

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

\_\_\_\_\_  
Dan Curtis, Mayor  
City of Whitehorse

**APPENDIX A: School Facility Booking Form, including General School Rules**



**SCHOOL FACILITY BOOKING FORM**  
 Recreation and Facility Services  
 Canada Games Centre / Fax: 668-8675 / Phone: 633-8518

<b>SPECIAL PERMISSION</b> REQUIRED <input type="checkbox"/>
--

<b>Organization:</b>		<b>Activity:</b>	
<b>Age of Participants:</b>		<b># of Participants:</b>	
		<b>Will you be charging an admission fee:</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Main Contact:</b>		<b>Phone (day):</b>	
<b>Email Address:</b>		<b>Phone (eve):</b>	
<b>Mailing Address:</b>		<b>Postal Code:</b>	

	Request for School Use (please print clearly)	Confirmed To be completed by the Facility Booking Agent	The School is <b>NOT</b> available on the following dates: *All Statutory Holidays and Christmas, Spring, & Summer Breaks *See Special Events School Calendar for additional dates
School			<b>Occupancy Fee (if applicable)</b> Make cheque payable to <b>Territorial Treasurer</b> # of days x cost \$ per day:
Area Required			
Circle Day/s Required	Mon Tues Wed Thurs Fri Sat Sun		
Starting Time			
Finishing Time			
Starting Date			
Finishing Date			

**Additional Information:**

I hereby agree to comply with all rules, regulations and procedures as established by the City of Whitehorse, Department of Education, and the School on behalf of my organization.

Signature of User Group Contact: \_\_\_\_\_ Received Proof of Insurance:

Authorized Signature for SPECIAL PERMISSION: \_\_\_\_\_

Signature of City Representative: \_\_\_\_\_ Date Received by Facility Booking Agent: \_\_\_\_\_  
 To be completed by the Facility Booking Agent

<b>Date:</b>		<b>Key Return Date:</b>		<b>Security Code:</b>	
<b>Key/Card Issued To:</b>		<b>Key/Card #(s):</b>			
<b>Key Deposit:</b>	\$	<b>Payment Type:</b>	<b>Holding</b> <input type="checkbox"/> <b>Deposited</b> <input type="checkbox"/>		
<b>\$500.00 Damage Deposit Received</b> <input type="checkbox"/>		<b>Payment Type:</b>	<b>Holding</b> <input type="checkbox"/> <b>Deposited</b> <input type="checkbox"/>		
<b>Key/Card Returned:</b>		<b>Summer Key Return Date: August 31</b>	<b>Fall/Winter Key Return Date: June 30</b>		
<b>Key/Card Deposit Refunded</b> <input type="checkbox"/>	<b>All keys/cards/fobs must be returned by these dates or deposits will be forfeited</b>				
	<b>Summer Booking Deadline: May 1</b>		<b>Fall/Winter Booking Deadline: June 1</b>		

## **Department of Education's GENERAL SCHOOL RULES**

The designated representative shall be responsible for ensuring that the user group adheres, at a minimum, to the rules found in this appendix and to any other "school specific rules" governing the use of public facilities as provided by the City of Whitehorse, Facility Booking Agent. Please ensure that facility is left in the same or better condition than when you arrived.

**Each designated representative shall:**

### **Access and Security**

1. ensure that designated parking and emergency vehicle access is maintained at all times.
2. inform the user group of the booked facility time. Persons are to enter the booked facility during the scheduled times only, via the approved access point.
3. be responsible for the entrance and exit of members of the user group and/or spectators from the public facility as per the specific school security procedures. Facility doors are to be secured at all times.
4. ensure that users understand that corridors and classrooms not specifically authorized for use are "out of bounds."
5. ensure that each user group completes the "facility specific log book" upon arrival/departure.

### **Supervision**

6. be responsible for the supervision of their organization's members and spectators of the event being conducted. Adequate supervision must be in place at all times. Where it is deemed necessary by the Facility Booking Agent or school principal, a user group may be required to provide on-site supervision (exclusive of coaches, referees, or custodians) such as a "Facility User Group Host" and/or additional security or custodian(s) for an activity, event or program.
7. Supervise all children/youth under the age of 19.

### **Prohibited Substances and Activities**

8. ensure that user groups refrain from using alcohol and illegal substances in any facility or on facility grounds.
9. ensure that smoking is not permitted in school buildings, facilities, on school grounds or in vehicles carrying students under the age of 19. This is in compliance with territorial legislation passed May 2008, "The Smoke-free Places Act" (S4) (3).
10. Prohibited activities include:
  - a. Indoor activities involving animals
  - b. Activities that involve sleepovers in facilities and/or grounds
  - c. Activities that due to their nature and type of equipment used may lead to damage to public facilities or increase the risk of injury to participant and/or spectators.

The Facility Booking Agent, Department of Education and facility operators reserve the right to determine what are considered 'prohibited activities' that fall under 'c)' on a case by case basis.

### **School Gymnasiums**

11. ensure that outer footwear is removed at the entrance to the school.
12. ensure that only shoes with non-marking soles (white or clear-soled running shoes) are permitted.
13. ensure that food and beverages are not permitted, with the exception of drinking water in closed containers.
14. advertising for any recreational activity or production is not to be displayed or affixed to any part of a school grounds or premises without prior authorization from the school principal.



**Use of Equipment**

- 15. ensure that permission and arrangements have been made with the principal of the school, prior to the use/access of basketball boards, badminton and volleyball standards and nets and soccer nets. All equipment will be **set up** and **put away** by the user group.

**Damages and Losses**

- 16. be responsible for all damages or losses to the facility as a result of the user's acts or omissions during their period of use. This includes acts by unauthorized persons who may have entered the facility due to lack of security by the user group during or after the period of use.
- 17. document and report any damage, evident upon arrival, to equipment or premises to the Facility Booking Agent.
- 18. document and report any damage to equipment or premises that was a result of an activity of the user group to the Facility Booking Agent. Damages will be assessed and the user group will be charged, if applicable.
- 19. be responsible for any lost or stolen items belonging to the members of your organization.

**Cleaning**

- 20. shall report any concerns with cleanliness of the premises, evident upon arrival, to the Facility Booking Agent.
- 21. ensure that the facility is left clean for the next facility user group, including, but not limited to:
  - a) return all equipment to its proper place;
  - b) place garbage in proper recycling receptacles;
  - c) wipe floors, if required, due to spills, muddy shoes etc;
  - d) return tables, chairs, and desks to their proper places; and
  - e) turn off the lights

Cleaning supplies are the responsibility of the user group. If the user group is unable to clean up, the designated representative will make alternate arrangements as the school janitors will **not** cleanup for user groups.

- 22. If the premises are left in an unacceptable condition as determined by the facility owner, the user group will be charged for janitorial services needed to clean the facility. A minimum of one hour janitorial services will be charged to the facility user group if the Department of Education facility (school) requires cleaning/organizing by the facility owner prior to the commencement of the regularly intended use of the facility (school gyms, school classrooms).

**Loss of Facility Use Privilege**

- 23. The City may deny or cancel user group bookings immediately for cause. Failure to comply with the following rules governing the use of facilities can result in a loss of privilege of use and/or charges as per Appendix E.
  - 23.1 Non-payment of damage claims.
  - 23.2 Non-compliance with this appendix, "Department of Education Rules Governing the Use of Public Facilities. May cumulate infractions (previous performance).
  - 23.3 Any illegal activity carried out within the public facility
  - 23.4 Use of facility during unscheduled hours as stated in the booking contract.
  - 23.5 Failure to use allocated space or complete the facility log book (three times or more) with or without a minimum of 36 hours' notice to Facility Booking Agent. Groups who do not complete the log book will be assessed and charged.

Initials of User Group Designated Representative: \_\_\_\_\_

**NOTE: Initials indicate: review complete, compliance agreed upon and copy received.**

**APPENDIX B: Department of Education Public Facilities for Community Use**

1. Subject to this JUA, Department of Education makes available the following **INDOOR** public facilities for community use:

Updated June 2015				
SCHOOL	CLSRMS	GYM SHOWERS	STAG	OTHER ROOMS
Christ the King Elementary		1 w/showers	1	
Golden Horn Elementary		1		*Library
Elijah Smith Elementary		1 w/showers	1	Multi-purpose * Library
F.H. Collins Secondary	*3	1 w/showers	1	*Library
Grey Mountain Primary				*Cafeteria Activity
Hidden Valley Elementary		1 w/showers	1	*Library
Holy Family Elementary		1 w/showers	1	
Jack Hulland Elementary		2 gyms 1 w/showers	1	*Library
Porter Creek Secondary	*	1 w/showers	1	*Cafeteria
Selkirk Elementary		1 w/showers	1	
Takhini Elementary		1 w/showers	1	*Library
Vanier Catholic Secondary	*	2 gyms 1 w/shower	1	*Mezzanine
Whitehorse Elementary		1 w/showers	1	Activity Room
Wood Street Centre	*			

**\*Special Permission** - For information on what areas and activities are considered "Special Permission," please contact the Facility Booking Agent.

**NOTE:** For information on the JUA with École Emile Tremblay, please contact the Facility Booking Agent. Requests for additional space will be considered and/or approved on a case by case basis by the Facility Booking Agent.

2. Department of Education will make available the aforementioned public facilities, provided they are not required by the school, at the following times:

2.1 September to June Bookings:

Elementary and Secondary Schools:

- a) Monday to Friday inclusive:  
5:00am - 7:30am and  
3:30pm - 11:00pm  
Note: 3:30pm - 5:00pm require special permission
- b) Saturday and Sunday: 8:00am - 11:00pm.

2.2 Summer, Christmas, and Spring Break School Bookings:

Department of Education will make three (3) schools available during the summer break, Christmas Break and Spring Break and will ensure the applicable school principals are notified. School facilities will be available from:

Monday to Sunday: 8:00am - 11:00pm.

2.3 School facilities noted above in Clause 1 will not be available for use on statutory holidays and when required for elections, including: school council, municipal, territorial or federal, unless "special permission" is attained. For the purpose of this clause, statutory holidays will include:

New Year's Day	Easter Sunday	Canada Day	Thanksgiving	Boxing Day
Heritage Day	Easter Monday	Discovery Day	Remembrance Day	
Good Friday	Victoria Day	Labour Day	Christmas Day	

Information regarding school availability and booking can be obtained by contacting the Facility Booking Agent.

6. Subject to this JUA, Department of Education makes available the following **OUTDOOR** public facilities:

<i>Updated June 2015</i>				
SCHOOL GROUNDS	SOCCER FIELD	BALL DIAMONDS	OVERLAP	TRACK
Christ the King Elementary	1			
Golden Horn Elementary				
Elijah Smith Elementary	X			
F.H. Collins Secondary	2			X
Hidden Valley Elementary	X			
Holy Family Elementary	X	1	X	
Jack Hulland Elementary	X	1	X	
Porter Creek Secondary	X	1	X	
Selkirk Elementary	X	1	X	
Takhini Elementary	X	1	X	
Vanier Catholic Secondary	2	1		
Whitehorse Elementary	X	1	X	

**NOTE:** "Overlap" denotes that only 1 booking at a time can be scheduled for the soccer field or baseball field as the surfaces overlap.

**NOTE:** A "Field User Meeting" with representative from the user groups, the City, Department of Education and Highways and Public Works – Facility Management will be held annually, by April 15, to allocate field use. Approval for the use of any of these facilities must be received by the City from Department of Education prior to commencement of use.

7. Department of Education makes available, during the school term, the OUTDOOR facilities at the following times:
- a) Monday to Friday inclusive: 5:00pm - 11:00pm.
  - b) Saturday and Sunday: 8:00am - 11:00pm.
8. Department of Education makes available, during the school summer break, OUTDOOR facilities at the following times: Daily from 8:00 am to 11:00 pm.

**APPENDIX C : City of Whitehorse Public Facilities Available for Yukon School Use**

1. Subject to this JUA, the City of Whitehorse makes the following public facilities available for school use:

Facility	Showers Change	Meeting Rooms	Times Available	Viewing/ Bleachers	Parking	Availability	Facility Suitability	Restriction Periods
Whitehorse Lions Aquatic Centre	Male/female	1 (seats 15)	9:00- 10:30 am. 1:00- 2:30 pm.	25 seating	Yes	Sept- June Tuesday- Friday	Aquatic Activities	Pool Maintenance Rec Program Times Special Events
Canada Games Centre Ice	Male/Female	None	9:00- 10:30 am. 1:00- 2:30 pm.	270 seats 300 temp.	Yes	Sept- April Monday- Friday	Ice Activities	Arena Maintenance Rec Program Times Special Events

2. The Child Development Centre will have access to the Canada Games Centre Ice and the non-lesson times at the Whitehorse Lions Aquatic Centre providing their use does not impact upon or exclude usage by any other school.
3. The Yukon Home Educators Society will have access to the Canada Games Centre Ice and the Whitehorse Lions Aquatic Centre. Should the number of participants per session be less than ten (10), the City reserves the right to combine the booking with that of another school.
4. YG – Department of Education Schools will have access to the Canada Games Centre ice and Whitehorse Lions Aquatic Centre.

## **APPENDIX D: Department of Education Procedures for Booking Public Facilities**

The procedures outlined below pertain to the public facilities listed in Appendix B. The public facilities must be booked, approved and confirmed through the City of Whitehorse, Facility Booking Agent by the **designated representative**, (one person who submits all bookings for the organization and continues to liaise with the City in regard to the bookings for the school year) of the **user group**.

The following are the four (4) facility booking request deadlines:

- Deadline for Fall submissions (September to June) is June 1<sup>st</sup>
- Deadline for Summer submissions (July and August) is April 1<sup>st</sup>
- Deadline for Christmas Break is October 1<sup>st</sup>
- Deadline for Spring Break is January 1<sup>st</sup>

Note: Any public facility outlined in this agreement can be booked, at any time during the year, if the facility is available on the days and times requested, as determined by review of the master list by the Facility Booking Agent, with the provision of five (5) days' notice.

1. Designated Representative will contact the City of Whitehorse, Facility Booking Agent at: 633-8518 or [recbookings@whitehorse.ca](mailto:recbookings@whitehorse.ca)
2. Facility Booking Agent, in consultation with the designated representative, will determine the appropriate facility for the user group.
3. Designated Representative will attain and complete "Appendix A: School Facility Booking Form and School Rules."
4. Facility Booking Agent to confirm facility availability.

### **Upon confirmation of facility availability, the Facility Booking Agent will:**

5. provide an information package, which is to be reviewed and initialed by the designated representative. Designated representative initials indicate that the user group "understands" and "will abide by" all information contained in the package. The package will include, but is not limited to a copy of "Appendix A: Facility Booking Form and School Rules" and "User Group "Specific" Contract."
6. request a "\$50.00 deposit for each key/card/fob received by the designated representative. The deposit will be subject to the following:
  - 6.1. Designated representative to return key/card/fob on the date specified on the "School Facility Booking Form." Deposit for each not returned, on the date specified will result in the loss of the deposit.
  - 6.2. The key/card/fob deposit for user group bookings that are longer than a month's duration will be cashed and deposited in a holding account. Deposits for user group bookings that are less than a month's duration will be held (not cashed) by the City and returned when the key/card/returned.

7. request from all user groups a yearly damage deposit of five hundred dollars (\$500.00), payable to the City of Whitehorse. The damage deposit will be subject to the following:
  - 7.1. Damage deposits for user group bookings that are longer than a month's duration will be cashed and deposited in a holding account. Damage deposits for bookings of less than a month in duration will be held (not cashed) by the City and returned if no damages have been assessed;
  - 7.2. Where a user group is found to be responsible for damages to a facility, damages will be assessed by Department of Education and forfeited from the damage deposit (\$500). The user group will be billed for any additional damage costs.
  - 7.3. Payment for damages by a user group will be made to the Territorial Treasurer. Administration of invoicing for damages will be administered through the Facility Booking Agent.
  - 7.4. If the damage deposit is depleted or drawn down during the year, the user group is required to "top up" or post another damage deposit of \$500 prior to confirmation of booking for the upcoming year.
8. request payment of the rental fee, if applicable, by the designated representative, as per Appendix F: Yukon Government and City of Whitehorse Fee Schedule for Use of Public Facilities." Rental will be confirmed upon receipt of payment. Payment must be received at least five (5) days prior to the requirement for space. Payment must be by cash, cheque, or money order payable to the Territorial Treasurer.
9. Upon completion of the aforementioned procedures the Facility Booking Agent
  - 9.1. confirm the user group booking with the designated representative.
  - 9.2. retain the original signed and confirmed school facility booking form, JUA and appendices.
  - 9.3. provide one copy of the signed and confirmed school facility booking form, JUA and appendices to the designated representative.
  - 9.4. ensure that the schools joint use contact is notified at least five (5) days before the school facility is to be used.

## Appendix E: Procedures and Rules Governing YUKON SCHOOL Use of City Public Facilities

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**Facility Booking Agent**  
Canada Games Centre  
P: 633-8518 F: 668-8675  
[recbookings@whitehorse.ca](mailto:recbookings@whitehorse.ca)

The procedures outlined below pertain to the public facilities listed in Appendix C. The public facilities must be booked, approved and confirmed through the City of Whitehorse, Facility Booking Agent by the **designated representative**, (one person who submits all bookings for the organization and continues to liaise with the City in regard to the bookings for the school year) of the school.

The facility booking request deadline is:

- Deadline for Fall submissions (September to June) is June 1<sup>st</sup>





## Booking Request Form for CGC: Sept 2015 – June 2016

**School:** \_\_\_\_\_ **Phone:** \_\_\_\_\_  
**Contact:** \_\_\_\_\_ **Email:** \_\_\_\_\_

If you have known school close days, time constraints or other request information which will aid in booking your school, without conflicts, please add to right hand boxes. Request examples: need a time slot because of distance, want/don't want lessons back to back in both afternoon times, need lessons in different seasons, want lessons in specific month

**Learn to Swim:** programs for Grades 2 – 6  
 (2 Academic Grades per school will be accommodated)

Learn to Swim Fill in grade	Predicted # students	Time(AM/PM) Preference	Additional Request / Info
Grade			
Grade			
Grade			
Grade			
Grade			

**Swim Patrol:** programs for Grades 6 – 7

Swim Patrol Fill in grade	Predicted # students	Time(AM/PM) Preference	Additional Request / Info
Grade			
Grade			
Grade			
Grade			
Grade			

**Recreational Swims & Skates:** Grades 1 - 12

Indicate total number of times desired for your school. 2 classes per time slot are encouraged.

	Fall	Winter	Spring	Predicted Student #'s	Additional Request / Info
Recreational Swims					
Recreational Skates					
Whole School Swims (2 successive swim slots)					

*Please add any additional request information to back of page.*

## 2015/2016 School Bookings at a Glance:

### Learn to Swim: Grades 2 - 6

**Times:** 9:00am – 9:45am  
9:45am – 10:30am  
1:45pm – 2:30pm

**Days:** Tuesday - Friday (8 classes)

**Cost:** \$47.00 per participant

**Ratio:** Ratio: 1:8

**Min/Max** 15 students / 24 students

**Notes:** Learn-to-Swim programs include I Can Swim Stages 1-3.  
Book up to 2 Grades per school  
Some classes may be 7 lessons due to stat holidays or special events. These will be prorated to \$41.00 per participant.

### Swim Patrol: Grades 6 & 7

**Times:** 9:00am – 9:45am  
9:45am – 10:30am  
1:45pm – 2:30pm

**Days:** Tuesday – Friday (4 classes)

**Cost:** \$24.00 per participant

**Ratio:** 1:12

**Mix/Max** 15 students / 24 students

**Notes:** Requests for 8 lesson set may be accommodated depending upon availability.

### Recreational Skate

**Times:** 9:00am – 9:45am  
9:45am – 10:30am  
1:00pm – 1:45pm  
1:45pm – 2:30pm

**Days:** Monday - Friday

**Cost:** Free of charge

**Skate Rental:** \$3.60 per pair

### Recreational Swim: Grades 1 - 12

**Times:** 9:00am – 9:45am  
9:45am – 10:30am  
1:00pm – 1:45pm  
1:45pm – 2:30pm

**Days:** Tuesday to Friday

**Cost:** \$3.25 per participant

**Min/Max** 20 students / 50 students

**Notes:** Note: Students with memberships will not be invoiced. Whole school swims are 9:00am – 10:30am or 1:00pm – 2:30pm with a minimum 51 students.

**Cancellations:** The following outlines the minimum notification required for cancellation of school booking.

School Booking	Cancellation Notification Required	Cancellation Fee
Recreational Swim	<b>72 hours</b> prior to booking	Invoiced for 15 participants
Recreational Skate	<b>24 hours</b> prior to booking	Flat Fee \$50.00
Whole School Swims	<b>72 hours</b> prior to booking	Invoiced for 51 participants
Swim Lessons and Swim Patrol	<b>2 weeks</b> prior to booking	Invoiced for 15 participants
Amendments made after agreement signed		\$5.00

**All cancellations must be made in writing (fax, email, or letter).** Failure to provide adequate notice of cancellation will result in the school being invoiced a cancellation fee\*. *Cancellations made on short notice due to circumstances beyond your control (i.e., problems with bussing) will not be invoiced; however we request to be notified of the cancellation as soon as possible.*

## **Payment Policies**

***School representatives are welcome to book an appointment to review all bookings and policies.***

- All schools will be invoiced; we are unable to accept cash.
- Schools eligible for the school rate only during designated school booking times.
- For invoicing purposes, teachers are responsible for confirming number of students upon arrival to the Canada Games Centre to ensure accurate numbers.
- Your school will be invoiced for the exact number of participants or the specified minimum number, when minimums are not met.
- There will be no correction in prices after the invoices have been sent.

## **Additional Information**

- Schools wishing to utilize other parts of the facility (i.e. Coca Cola Fieldhouse, Flexihall, Wellness Centre and track) may do so by purchasing wristbands for each student
- Schools may also rent the Coca Cola Fieldhouse, PowerAde Flexihall or meeting rooms for exclusive use.
- The Child Play Area is a wristband area. Please contact the Facility Booking Agent regarding use of this area.
- Students who have memberships will not be subject to additional costs to use the facility during school hours unless signing up for a program (Learn-to-Swim, Swim Patrol)
- Classes making use of our Wellness Centre/Track must be aware of the team/group training guidelines for that area. Please contact a Fitness Specialist at 633-8502 for information and to arrange an orientation for your students.

## **Pool/Arena Booking Policies**

- Groups who wish to bring more than 24 participants or who wish to bring participants of varied ages (i.e. Yukon Home Educators Society) must receive approval from the Aquatic Coordinator.
- School booking times will include 9:00 - 9:45 am, 9:45 - 10:30 am, 1:00 - 1:45 pm and 1:45 - 2:30 pm. Tuesday through Friday.
- Learn-to-Swim programs will be allocated first, and then Swim Patrol followed by recreational swim/skate times.
- Lessons will be allocated a minimum of 2 weeks prior to the start of the school year.
- At the start of the school year, each school will receive confirmation of their swim/skate times. Please contact the Facility Booking Agent immediately if there are any problems with these times.
- Schools will be notified in the event of a cancellation.
- If you require additional swim times, please ask to be placed on a waitlist.
- Educational assistants may be required to accompany participants with special needs in the pool and should come prepared with swim attire.

## **Recreational Swimming/Skating**

- Pool bookings are designed for groups of 20 or more participants. Groups with less than 20 participants will be invoiced for 20 participants. Schools are strongly encouraged to bring more than one class at a time.
- Recreation swims are available for grades 1 - 12 only. We cannot accommodate Kindergarten classes at this time, as our policy states that all children under 6 must be in arms reach of an adult at all times, with a ratio of 1 adult to 3 children. It is recommended that Grade 1 classes sign up for recreation swims after Christmas break to ensure that all their students have turned 6.
- A supervisor must be on ice surfaces at all times during skate bookings and in the aquatic centre during swim times (in pool, pool deck or viewing area)
- It is recommended that all students wear a helmet on the ice. The Canada Games Centre does not have helmets available for use.
- Skate Rentals. In order to maximize ice time and speed up the skate rental process, teachers should collect rental fees from the children or give the number of skate rentals required to the CSR and we will invoice the school as usual.
- Educational assistants may be required to accompany participants with special needs in the pool and should come prepared with swim attire.

## **Priorities of Use**

According to the Pool allocation policy that governs the priorities of pool use, the Learn to Swim programs receive a higher priority than the recreational swimming sessions. Based on this requirement all swimming lesson times and PE times will be allocated first, followed by the allocation of recreational times.

## **Rules and Discipline**

- Participants are expected to follow all facility rules while at the Canada Games Centre
- Participants who do not adhere to the rules may be disciplined with a time out, and in more severe circumstances teachers may be required to assist in dealing with discipline issues.
- Participants are not allowed in the water until a lifeguard is on deck or their swim instructor is present.

## **To Address Questions/Concerns with Swimming Lessons**

- Please bring all lesson questions or concerns directly to the attention of the swimming instructor.
- Questions or concerns that cannot be resolved may be brought to the attention of the Aquatic Team Leader or Aquatic Coordinator present directly following the lesson.
- In the event that no one is available please inquire at the front desk for another supervisory staff member.

***These policies and procedures are subject to change. All schools will be notified in writing of any changes.***

## FAQ's

### *Can I join my class in the water during lessons?*

Yes! We encourage teacher participation during this time. Feel free to join in on one of the classes and learn with your students. If the need arises you may be required to supervise on deck any students who are under discipline.

### *What is the Adult to Child Ratio for children in the pool?*

Our policy states that all children under 6 must be in arms reach of an adult at all times, with a ratio of 1 adult to 3 children. We recommend that Grade 1 classes sign up for recreation swims after Christmas break to ensure that all their students have turned 6. All bookings must meet ratios and age requirements.

### *How many students can we bring to the pool for recreation swims?*

There may be limited opportunities for recreational swims, so we encourage schools to fill up the bus when coming to the pool. We can easily accommodate 2 classes (50 students) with current staffing and may be able to accommodate larger groups in a whole school swim, with appropriate notice. The ideal recreation swim is accommodates varied grades (i.e. grade 2 and grade 6) to maximize both pools of the Aquatic Centre (Younger grades enjoy the Leisure Pool, while older grades enjoy the diving board).

### *Why do we get invoiced for students not there?*

As part of the joint Use Agreement, the City of Whitehorse is to recover the cost of staffing during school usage times. We have scheduled our lifeguarding/instructing staff based on the average group sizes.

### *Are other areas at the Canada Games Centre part of the Joint Use Agreement?*

The Joint Use Agreement only includes swimming and skating at the Canada Games Centre. Schools wishing to use other parts of the facility (i.e. Coca Cola Fieldhouse, PowerAde Flexihall, Wellness Centre and Dasani Running Track) may do so by purchasing wristbands for each student. Schools wanting to rent the Coca Cola Fieldhouse, PowerAde Flexihall or meeting rooms for exclusive use can do so by calling the Facility Booking Clerk at 633-8518.

### *What if my student has a CGC membership?*

Students who have memberships will not be subject to additional costs to use the facility during school hours unless signing up for a program (Learn-to-Swim, swim patrol). Proof of valid membership must be presented to a CSR at the time of booking.

### *Wellness Centre and Track Use*

Classes making use of our Wellness Centre/Track must be aware of the team/group training guidelines for that area. Please contact our fitness specialist at 633-8502 for information and to arrange an orientation for your students.

**Appendix F: Fee Schedule for Use of Public Facilities for Department of Education and City**

1. YG – Department of Education agrees to charge for the use of public facilities under its jurisdiction

Commercial Event	fifteen (15) cents per square foot of booked space per calendar day
Political Event / Religious Event	Two (2) cents per square foot of booked space per calendar day
Private Meeting	\$75.00
Cancellation of space without notice as specified or Absentee	\$75.00
Summer Camps for Non-Profit Organizations	\$200.00 flat rate per week (Mon-Fri)
Area used left unclean	\$75.00
Non Profit Special Event & Regular Bookings for Child, Youth, Adult, Senior Activities	No Charge

2. City of Whitehorse agrees to charge for the use of public facilities under its jurisdiction as set out below established through the 'Fees and Charges Bylaw':

- a. Canada Games Centre ATCO ice                      No Charge
- b. Whitehorse Lions Aquatic Centre                      Staff Costs and instructional fees

## **APPENDIX G: Assessment: Benefits-based Approach to Recreation Use, Active Living and Space Allocation of Public Facilities**

The benefits-based approach is an evolutionary process that helps reposition, promote, and provide services that are truly essential to the community's needs. It is an abstract concept (rather than a concrete model) used to develop outcome-oriented performance measurement indicators and tools to gauge progress towards becoming a benefits driven vibrant community in the field of recreation.

### **Activity Type Criteria / Facility Space Allocation Use**

City of Whitehorse Recreation and Facility Services Department			
<b>Benefits</b>	<b>Activity Type</b>	<b>Comments</b>	<b>Score</b>
A potential life-long activity			
Activity is a recurring event			
Physical exercise is involved			
Encourages family participation, fun			
A key component is skill development			
Instruction occurs in a supervised environment			
Leadership skill development			
Artistic skill development			
Competitive skill development/exposure			
Interpersonal skill development			
Practice opportunity is provided			
Integrates the disadvantaged			
Social/artistic/cultural/economic opportunity incorporated into activity to address such things as and create opportunities for: cultural interaction; social interaction; group interaction; arts/culture appreciation; community awareness; education and awareness; individual expression and spontaneity			
Activity is planned by a community group			
Spectator potential			
Volunteer involvement			
Community planned and/or operated			
Community contribution to finances to support program			
Activity is part of an umbrella group			
Activity is group focused			
Brings together those who might not otherwise come together			
Builds community identity			
Activity promotes conservation and education of the natural environment			
Unique to that community (neighbourhood focused)			

**High value-3 points per criteria**

**Low value -1 point per criteria**

# CITY OF WHITEHORSE

## BYLAW 2015-30

A bylaw to establish regulations and procedures for a municipal election

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WHEREAS section 53 of the *Municipal Act* provides that council may by bylaw establish polling places and mobile polls, and otherwise regulate the conduct of a election, subject to that *Act*; and

WHEREAS section 63 of the *Municipal Act* requires that council establish a Board of Revision and prescribe the fees to be paid to the members of such Board; and

WHEREAS section 56 of the *Municipal Act* provides that council shall by bylaw:

- (1) Establish the date, time and place for making nominations;
- (2) Establish places at which polls will be held if a poll is required;
- (3) Set hours during which special polls shall be open; and
- (4) Delegate to the Returning Officer the power to appoint Deputy Returning Officers.

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

### SHORT TITLE

1. This bylaw may be cited as the "**2015 Election Procedures Bylaw**".

### INTERPRETATION

2. In this bylaw,

"BOARD OF REVISION" means the group of persons appointed by council to review all applications to revise the preliminary list of electors for the 2012 municipal election.

"CITY" means the corporation of the City of Whitehorse.

"COUNCIL" means the elected council of the City of Whitehorse.

"DEPUTY RETURNING OFFICER" means a person who has been appointed and sworn in by the Returning Officer to assist in the running of a municipal election and to perform the duties of the Returning Officer in his/her absence.

"ELECTION OFFICIALS" means the City Clerk, Returning Officer, Deputy Returning Officers and Poll Clerks.

"ELECTOR" means a person qualified to vote in a municipal election pursuant to section 48 of the *Municipal Act*.

"IDENTIFICATION" means documentation that includes the birth date of the holder and a current residential address.

"MOBILE POLL" means a poll that has been established in order that an elector may cast his or her vote while residing in a hospital, extended care facility, senior citizens'



# 2015 Election Bylaw 2015-30

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home or correctional institute. In addition, a mobile poll may attend at the residence of an elector incapable of attending at a poll by reason of physical incapacity.

"POLL CLERK" means a person who has been sworn in by the Returning Officer and/or Deputy Returning Officer to monitor and control proper procedures of the election at each and every polling place.

"RETURNING OFFICER" means the person appointed by bylaw to be responsible for the administration of the election.

3. Except as otherwise provided in this bylaw and in Automated Vote Counting System Bylaw 2015-15, the 2015 municipal election in the City of Whitehorse shall be conducted in accordance with the provisions of Part 3 of the *Municipal Act*.

## ELECTION OFFICIALS

4. The Returning Officer for the 2015 municipal election shall appoint deputy returning officers and poll clerks in sufficient number to assist in the holding of the election.
5. During their employment for the election, election officials shall refrain from any active or public support for or criticism of any candidate.
6. The following honorariums shall be paid to persons acting as election officials, other than full time employees of the City of Whitehorse:

(1) Deputy Returning Officer	\$ 273.00
(2) Poll Clerk	\$ 234.00
(3) Attending a training session	\$ 25.00
(4) Fuel Allowance for Driver Only, Mobile Polls	\$ 25.00

## NOMINATION PLACE AND TIME

7. Thursday, September 24, 2015 between the hours of 10:00 a.m. and 12:00 noon is hereby established as the designated date and time where the Returning Officer shall receive the candidates' nomination papers.
8. Council Chambers in City Hall, located at 2121 Second Avenue, is hereby designated as the place where the Returning Officer shall receive the candidates' nomination papers.
9. Notwithstanding sections 7 and 8 herein, candidates may arrange an appointment with the Returning Officer or alternate returning officer to file nomination papers between the date of the nomination notice and 10:00 a.m. on nomination day. Nominations will not be accepted prior to 8:30 a.m. on Monday, September 14, 2015.

## POLLING DAY

10. Polling day for the 2015 municipal election shall be Thursday, October 15, 2015.

## ADVANCE POLL

11. An advance-polling place shall be established in the front foyer at the Second Avenue entrance to City Hall.

## 2015 Election Bylaw 2015-30

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12. The advance poll shall be open on Thursday, October 8, 2015 between the hours of 8:00 a.m. and 8:00 p.m.

### SPECIAL BALLOTS

13. Pursuant to the *Municipal Act*, a person may be entitled to vote by special ballot if they are qualified to do so, have applied for and received a special ballot from the Returning Officer, and have returned the special ballot to the Returning Officer before 2:00 p.m. on polling day.
14. In addition to the qualifications for a special ballot prescribed in the *Municipal Act*, electors who hold a proxy certificate shall qualify for a special ballot.

### PROXY VOTING

15. An elector who is going to be absent from the City of Whitehorse during the 2015 municipal election may appoint another elector as a proxy voter to vote in his or her place at the election.
16. An elector who wishes to appoint a proxy must be included in the list of electors and have reason to believe that voting may not be possible because he or she may be absent from the City of Whitehorse.
17. To appoint a proxy, an elector shall apply to the Returning Officer for a proxy application.
18. Upon receipt of a request to appoint a proxy, the Returning Officer shall issue a proxy application to qualified electors. The elector shall complete and sign the application and have his or her appointed proxy consent to the appointment by completing and signing the appropriate section of the application.
19. Upon receipt of the properly completed proxy application, the Returning Officer shall verify that:
  - (1) The elector is entitled to appoint a proxy voter because he or she is going to be absent from the City of Whitehorse; and
  - (2) The names of the elector and the proxy voter both appear on the list of electors for the 2015 municipal election.
20. If the proxy application meets the requirements of section 19 of this bylaw, the Returning Officer shall issue a proxy certificate.
21. The proxy voter (that is, the holder of the proxy certificate) shall be required to vote the proxy by Special Ballot rather than at the regular or advance poll. Special Ballots will be available at City Hall at any time between 12:00 noon on Wednesday, September 30, 2015 and 2:00 p.m. on Thursday, October 15, 2015.
22. The proxy voter shall be required to deliver the proxy certificate to the Deputy Returning Officer at City Hall, and shall verify by statutory declaration made before the Deputy Returning Officer that he or she has not already voted in the election as a proxy voter, and that, to the best of his or her knowledge, the elector is absent from the City of Whitehorse.

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## Withdrawal of Proxy Certificate

23. An elector may withdraw a proxy certificate by delivering a "Withdrawal of Proxy Certificate" to the Returning Officer. However, the withdrawal is of no effect if the proxy has been exercised.

## POLLING PLACES

24. The Returning Officer shall establish polling places in various sectors of the municipality for the convenience of electors residing therein, and in places of public assembly or where electors may reasonably be presumed to gather or visit during the course of their normal activities on polling day.
25. The polling places shall be in premises of convenient access, including access for persons with disabilities.
26. A conspicuous sign identifying the polling place shall be maintained in place outside each polling place during the time that the poll is open.
27. Voting compartments shall be provided for the use of electors in marking their ballots, along with a hard smooth surface and a suitable pen.
28. Except as specifically provided under the proxy provisions of this bylaw, an elector shall vote at only one polling place.

## HOURS OF THE POLLS

29. Except as otherwise provided in this bylaw, regular polls shall be open on polling day between the hours of eight o'clock in the forenoon and eight o'clock in the afternoon (8:00 a.m. to 8:00 p.m.).
  - (1) The poll at the YG Main Administration Building shall be open between the hours of 8:00 a.m. and 5:30 p.m.
  - (2) The poll at City Hall on polling day shall be open between the hours of 8:30 a.m. and 4:30 p.m.
  - (3) Mobile polls at various institutions shall be open in accordance with a schedule arranged in advance by the Returning Officer in consultation with staff at these institutions.
  - (4) A mobile poll shall be established to attend upon request at the residences of electors incapable of attending at a poll by reason of physical incapacity. Such mobile poll shall operate between the hours of 8:30 a.m. and 7:30 p.m. on polling day

## MOBILE POLLS

30. Mobile polls shall be established to attend at the Whitehorse General Hospital, Norman D. Macaulay Lodge, Thomson Centre, Copper Ridge Place, and the Whitehorse Correctional Institute at which electors who reside in the said institutions on polling day may cast their vote.
  - (1) Eligible electors who work at or may be visiting at an institution where a mobile poll has been established may cast their vote at such mobile poll.

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31. Except as provided in sections 29(3) and 29(4) of this bylaw and in relevant provisions of the *Municipal Act*, mobile polls shall be conducted in the manner provided by the *Municipal Act* for the conduct of other polls in an election.

### BOARD OF REVISION

32. Pursuant to the provisions of the *Municipal Act*, a Board of Revision consisting of seven members is hereby established. The seven members of the said Board shall be appointed by resolution of council.

(1) A member of council or an employee of the municipality shall not be a member of the Board of Revision.

33. The Board of Revision shall sit between the hours of 10:00 a.m. and 6:00 p.m. on Wednesday, September 23, 2015 in the Pioneer Heritage Room at City Hall.

34. Members of the Board of Revision shall be paid a flat rate of Two Hundred Forty Dollars (\$240.00) for sitting on the Board for the purpose of revising the preliminary list of electors.

### COMING INTO FORCE

35. This bylaw shall come into full force and effect on and from the final passing thereof.

**FIRST and SECOND READING:**

**THIRD READING and ADOPTION:**

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Mayor

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City Clerk