

CITY OF WHITEHORSE
REGULAR Council Meeting #2016-16

DATE: Monday, September 12, 2016
TIME: 5:30 p.m.

Mayor Dan Curtis
Deputy Mayor Dan Boyd
Reserve Deputy Mayor Roslyn Woodcock

A G E N D A

CALL TO ORDER 5:30 p.m.

AGENDA: Adoption

PROCLAMATIONS: National Family Week – October 3 to 7, 2016

MINUTES: Regular Council Meeting #2016-15 dated August 8, 2016

DELEGATIONS:

PUBLIC HEARING: Bylaw 2016-28 – Zoning Amendment, Comprehensive Zones

COMMITTEE REPORTS:

- City Operations Committee** – *Councillors Woodcock & Irwin*
Contract Award – Operations Building Water and Sewer Servicing
- Community Services Committee** – *Councillors Hartland & Curteanu*
- Public Health & Safety Committee** – *Councillors Curteanu & Fendrick*
- Development Services Committee** – *Councillors Irwin & Boyd*
- Corporate Services Committee** – *Councillors Boyd & Woodcock*
 - Second Quarter Capital Variance Report
 - Second Quarter Operating Variance Report – *For Information Only*
 - Urban Electrification Local Improvement (38 Harbottle Road)
 - Authorize Mayor's Travel
 - Authorize Council Member's Travel
- City Planning Committee** – *Councillors Fendrick & Hartland*
 - Zoning Amendment – MacBride Museum
 - Encroachment Agreement – MacBride Museum
 - Zoning Amendment – Childcare Centre at Skky Hotel
 - Zoning Amendment – Lobird Trailer Park

NEW & UNFINISHED BUSINESS: Bring Forward OCP Amendment (Norcope Quarry) – *Notice of Motion*

<u>BYLAWS:</u>	2016-22	Management & Management Staff Employment	2 nd & 3 rd Reading
	2016-34	Urban Electrification (38 Harbottle Road)	1 st & 2 nd Reading
	2016-29	Zoning Amendment (MacBride Museum)	1 st Reading
	2016-33	Encroachment Agreement (MacBride Museum)	1 st Reading
	2016-36	Zoning Amendment (Childcare Centre at Skky Hotel)	1 st Reading
	2016-37	Zoning Amendment (Lobird Trailer Park)	1 st Reading

ADJOURNMENT:



PROCLAMATION
NATIONAL FAMILY WEEK
October 3 – 7, 2016

WHEREAS the family is the single most important factor in maintaining social and economic stability in our society; and

WHEREAS the family provides the foundation for a positive future for parents, children, and communities; and

WHEREAS society and all social institutions have a direct or indirect impact on the unity, well-being, health, and stability of the family; and

WHEREAS National Family Week is designed to build community connections and honour those who strengthen families; and

WHEREAS the theme this year is ***Saving for Education – Transforming Lives***, honouring the importance of providing families with literacy resources they need to help their children grow and reach their potential; and

WHEREAS a number of fun and educational family-focused activities have been planned during National Family Week to promote the creation of a healthy and supportive community for all;

NOW THEREFORE I, Mayor Dan Curtis, do hereby proclaim October 3 to 7, 2016 to be ***National Family Week*** in the City of Whitehorse.

Dan Curtis
Mayor

MINUTES of **REGULAR** Meeting #2016-15 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, August 8, 2016, in Council Chambers, City Hall.

PRESENT: Mayor Dan Curtis
Councillors Dan Boyd
Jocelyn Curteanu
Robert Fendrick – Electronic Participation
Samson Hartland
Betty Irwin
Roslyn Woodcock

ALSO PRESENT: City Manager Christine Smith
Director of Community and Recreation Services Linda Rapp
Director of Development Services Mike Gau
Director of Infrastructure and Operations Peter O’Blenes
Chief Financial Officer Valerie Braga
Acting Manager of Legislative Services Norma Felker
Manager of Strategic Communications Jessica Apolloni

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

CALL TO ORDER

2016-15-01

It was duly moved and seconded
THAT the agenda be adopted as amended with the change being the
addition of Al Cushing, CEO of the Yukon Arts Centre, as a delegate
speaking to the review of the Arts Policy.

AGENDA

Carried Unanimously

2016-15-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated July 25, 2016
be adopted as presented.

MINUTES

July 25, 2016

Carried Unanimously

DELEGATIONS

Al Cushing, CEO of the Yukon Arts Centre, addressed Council to suggest that a review of the Arts Policy may be necessary due to the age of the policy, but that it should come forward only after the contract for the construction of the new Operations Building has been awarded. He noted that opening the policy in response to a major project has raised some concerns in the arts community. He encouraged Council to proceed with the art allocation in the current policy.

AL CUSHING
Review of Arts Policy

COMMITTEE REPORTS

City Operations Committee

2016-15-03

It was duly moved and seconded
THAT the construction contract for the McLean Lake Connector Road Surfacing Project be awarded to Skookum Asphalt Ltd. for a net cost to the City of \$292,125.00.

CONTRACT AWARD
McLEAN LAKE
CONNECTOR ROAD
SURFACING PROJECT

Carried Unanimously

2016-15-04

It was duly moved and seconded
THAT the 2016 to 2019 capital budget be amended by adding a new project, Condor Road Station Upgrades in the amount of \$15,225.00, funded by the Government of Yukon.

BUDGET AMENDMENT
CONDOR ROAD
RECIRCULATION
STATION UPGRADES

Carried Unanimously

2016-15-05

It was duly moved and seconded
THAT the contract for the supply of one Utility Tractor be awarded to Inland Kenworth Ltd. the amount of \$197,357.00.

CONTRACT AWARD
SUPPLY OF ONE
UTILITY TRACTOR

Carried Unanimously

Activity Reports for May to July 2016 were received from the Director of Infrastructure and Operations and the Engineering, Operations, and Water and Waste Services Departments.

ACTIVITY REPORTS
For Information Only

Community Services Committee

2016-15-06

It was duly moved and seconded
THAT the 2016 to 2019 capital budget be amended by adding the Countdown to Canada 150 Project in the amount of \$176,000.00, funded by a \$140,000.00 grant from the Department of Canadian Heritage and local sponsorship.

BUDGET AMENDMENT
COUNTDOWN TO
CANADA 150 PROJECT

Carried Unanimously

Activity Reports for May to July 2016 were received from the Director of Community and Recreation Services, Parks and Community Development, Recreation and Facility Services, and the Transit Services Department.

ACTIVITY REPORTS
For Information Only

The Committee commended two City lifeguards who volunteered to teach swimming and water safety in Old Crow through a program sponsored by the Recreation and Parks Association of Yukon.

STAFF COMMENDED
For Information Only

“Barkfest”, a fund-raiser for the Yukon Quest, was highlighted as a community event on August 6th.

COMMUNITY EVENT
For Information Only

Public Health and Safety Committee

Yonis Melew addressed the Committee to request that the Vehicle for Hire Bylaw be amended to level the playing field for all companies operating under the bylaw. He stated the opinion that the bylaw is unfair and also places an unreasonable burden on a new business. Mr. Melew noted that persons wishing to start a new taxi business are required to provide an accessible vehicle or prove that they have an agreement with another company to share an accessible vehicle. At the same time, companies that were in place prior to adoption of the bylaw are allowed to operate without being subject to the accessible vehicle provisions. Mr. Melew asked that this inequity be addressed.

YONIS MELEW
VEHICLE FOR HIRE
BYLAW ISSUES
For Information Only

Activity reports for May to July 2016 were received from Bylaw Services and the Fire Department.

ACTIVITY REPORTS
For Information Only

Development Services Committee

2016-15-07

It was duly moved and seconded
THAT the City of Whitehorse enter into an agreement to become a prize partner for the 2016 Arctic Inspiration Prize in the amount of \$10,000.00.

ARCTIC INSPIRATION
PRIZE

Carried Unanimously

2016-15-08

It was duly moved and seconded
THAT the draft Resource Development Preparedness Strategy be accepted as presented; and
THAT the draft strategy document be provided to the Whitehorse and Yukon Chambers of Commerce and the Yukon Chamber of Mines for review and comment before being brought back to Council for adoption as a guiding document.

RESOURCE
DEVELOPMENT
PREPAREDNESS
STRATEGY

Carried Unanimously

2016-15-09

It was duly moved and seconded
THAT the draft Downtown Retail and Entertainment Strategy 2016 – 2025 be accepted as presented; and

DOWNTOWN RETAIL
AND ENTERTAINMENT
STRATEGY

.../continued

2016-15-09 (Continued)

THAT the draft strategy document be provided to the Whitehorse and Yukon Chambers of Commerce, the Convention Bureau, and all relevant tourism organizations for review and comment before being brought back to Council for adoption as a guiding document.

DOWNTOWN RETAIL
AND ENTERTAINMENT
STRATEGY
(Continued)

Carried Unanimously

Activity reports for May to July 2016 were received from the Director of Development Services and the Economic Development and Environmental Sustainability Departments.

ACTIVITY REPORTS
For Information Only

Corporate Services Committee

Activity reports for May to July 2016 were received from the City Manager and the Business and Technology Systems, Financial Services, Human Resources, Legislative Services and Strategic Communications Departments.

ACTIVITY REPORTS
For Information Only

City Planning Committee

2016-15-10

It was duly moved and seconded
THAT Bylaw 2016-28, a bylaw to amend the Zoning Bylaw with respect to a number of administrative edits to the Comprehensive Development Zones, be brought forward for due consideration under the bylaw process.

BRING FORWARD
ZONING AMENDMENT
FOR COMPREHENSIVE
DEVELOPMENT ZONES

Carried Unanimously

2016-15-11

It was duly moved and seconded
THAT Bylaw 2016-25, a bylaw to amend the zoning of Phase 4 and future phases of the Whistle Bend Subdivision, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
ZONING AMENDMENT
BYLAW 2016-25

Carried Unanimously

2016-15-12

It was duly moved and seconded
THAT Bylaw 2016-30, a bylaw to amend Official Community Plan designation of 19 Cousins Airfield Road, from “Commercial – Service” to “Residential – Country”, be brought forward for second reading under the bylaw process.

BRING FORWARD
O.C.P. AMENDMENT
BYLAW 2016-30

Carried Unanimously

An activity report for May to July 2016 was received from the Planning and Building Services Department.

ACTIVITY REPORT
For Information Only

Corporate Services Committee

2016-15-13

It was duly moved and seconded
THAT Bylaw 2016-22, a bylaw to provide for terms and conditions of employment for management and management staff employees for the period January 1, 2015 to December 31, 2018, be brought forward for due consideration under the bylaw process.

BRING FORWARD
MANAGEMENT AND
MANAGEMENT STAFF
EMPLOYMENT BYLAW

Carried Unanimously

NEW & UNFINISHED BUSINESS

2016-15-14

It was duly moved and seconded
THAT the City Arts Policy be brought forward for council review prior to the City proceeding to tender for the construction of a new City Operations Building.

REVIEW ARTS POLICY

Carried (4 – 3)

In Favour: Councillors Boyd, Fendrick, Hartland and Irwin
Opposed: Mayor Curtis, Councillors Curteanu and Woodcock

Recorded Vote

BYLAWS

2016-15-15

It was duly moved and seconded
THAT Bylaw 2016-25, a bylaw to amend the zoning of Phase 4 and future phases of the Whistle Bend Subdivision, be given second reading.

BYLAW 2016-25
ZONING AMENDMENT
Whistle Bend Phase 4
SECOND READING

Carried Unanimously

2016-15-16

It was duly moved and seconded
THAT Bylaw 2016-25, a bylaw to amend the zoning of Phase 4 and future phases of the Whistle Bend Subdivision, having been read a first and second time, now be given third reading.

BYLAW 2016-25
ZONING AMENDMENT
Whistle Bend Phase 4
THIRD READING

Carried Unanimously

2016-15-17

It was duly moved and seconded
THAT Bylaw 2016-30, a bylaw to amend the Official Community Plan
by changing the land use designation for 19 Cousins Airfield Road to
allow for country residential development, be given second reading

Carried Unanimously

BYLAW 2016-30
O.C.P. AMENDMENT
19 Cousins Airfield Road
SECOND READING

2016-15-18

It was duly moved and seconded
THAT Bylaw 2016-22, a bylaw to provide for terms and conditions of
employment for management and management staff employees, be
given first reading.

Carried Unanimously

BYLAW 2016-22
MANAGEMENT AND
MANAGEMENT STAFF
EMPLOYMENT BYLAW
FIRST READING

2016-15-19

It was duly moved and seconded
THAT Bylaw 2016-28, a bylaw to amend the Zoning Bylaw with
respect to a number of administrative edits to the Comprehensive
Residential Development Zones, be given first reading.

Carried Unanimously

BYLAW 2016-28
ZONING AMENDMENT
Comprehensive
Development Zones
FIRST READING

Mayor Curtis advised that Council will be in recess for the remainder of
the month. The next meeting will be the Standing Committee meeting
on Tuesday, September 6th.

NOTICE OF RECESS
For Information Only

There being no further business, the meeting adjourned at 6:20 p.m.

ADJOURNMENT

Mayor

City Clerk

MEMORANDUM

FILE #: Z-06-2016

TO: Mayor and Council
FROM: Administration
DATE: September 12, 2016
SUBJECT: Public Hearing at Regular Council Meeting September 12, 2016

Please be advised there will be a Public Hearing at the Regular Council Meeting of September 12, 2016, to hear from interested parties related to the following zoning amendment:

Bylaw 2016-28, a bylaw to make several administrative amendments to the Comprehensive Development Zones

Comprehensive Development zones were introduced to the Zoning Bylaw in 2007. The purpose was to introduce specific provisions that would lead to more attractive developments, with porches for architectural interest, variations in colour and material for visual interest, and pedestrian-oriented site design. The comprehensive zones also dictate the type of building development and minimum and maximum densities in multiple family zones.

The zones were introduced as a result of public comment on new development in older city neighbourhoods. As denser development forms were implemented into subdivision design, administration saw the need for more comprehensive development regulations to ensure “density with dignity”. Denser neighbourhoods promote sustainability, affordability, and greater choice for residents, so that they can “age in place”.

The proposed amendments would increase the minimum and maximum densities in the RCM-Comprehensive Residential Multiple Family and RCM2-Comprehensive Residential Multiple Family 2 zones. Other minor clarifications or corrections are also proposed in this bylaw.

Bylaw 2015-28 received 1st Reading on August 8, 2016. Notices were published in the newspapers on August 19 and 26. A total of 6 letters were sent to property owners of undeveloped RCM and RCM2 lots.

The Yukon Government Lands Department, Kwanlin Dün First Nation, and Ta’an Kwäch’än Council were also notified by mail.

Kinden Kosick
Planner II

cc: Director of Development Services
Manager of Planning and Building Services



Minutes of the meeting of the City Operations Committee

Date	September 6, 2016
Location	Council Chambers, City Hall
Committee Members Present	Councillor Betty Irwin – Chair Deputy Mayor Roslyn Woodcock Councillor Jocelyn Curteanu Councillor Robert Fendrick Councillor Samson Hartland
Absent	Mayor Dan Curtis Councillor Dan Boyd
Staff Present	Christine Smith, City Manager Linda Rapp, Director of Community and Recreation Services Mike Gau, Director of Development Services Dave Albisser, Acting Director of Infrastructure and Operations Valerie Braga, Chief Financial Officer Jeff O’Farrell, Manager of Legislative Services Wayne Tuck, Manager of Engineering Services

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

1. Contract Award – Operations Building Water and Sewer Servicing

Work is now beginning on preparations for the construction of the new Operations Building. One of the first projects is the installation of water and sewer servicing. Two bids were received in response to the tender issued for the construction of water and sewer servicing. The low bidder is familiar with the scope of the project and has the knowledge, skills and ability to conduct the work successfully. There are sufficient funds in the budget for this project, funded through the federal Gas Tax Program and City reserves.

Recommendation

THAT the construction contract for the Operations Building Water and Sewer Servicing Project be awarded to Castle Rock Enterprises Ltd. for a net cost to the City of \$305,873.00.



Minutes of the meeting of the Community Services Committee

Date	September 6, 2016
Location	Council Chambers, City Hall
Committee Members Present	Councillor Samson Hartland – Chair Councillor Jocelyn Curteanu – Vice Chair Deputy Mayor Roslyn Woodcock Councillor Robert Fendrick Councillor Betty Irwin
Absent	Mayor Dan Curtis Councillor Dan Boyd
Staff Present	Christine Smith, City Manager Linda Rapp, Director of Community and Recreation Services Mike Gau, Director of Development Services Dave Albisser, Acting Director of Infrastructure and Operations Valerie Braga, Chief Financial Officer Jeff O’Farrell, Manager of Legislative Services

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

1. Proclamations – For Information Only

Mayor Curtis proclaimed the month of September to be Prostate Cancer Awareness Month in the City of Whitehorse.

Mayor Curtis proclaimed September 9th to be Fetal Alcohol Spectrum Disorder Awareness Day in the City of Whitehorse.



Minutes of the meeting of the Public Health and Safety Committee

Date	September 6, 2016
Location	Council Chambers, City Hall
Committee Members Present	Councillor Jocelyn Curteanu – Chair Councillor Robert Fendrick – Vice-Chair Deputy Mayor Roslyn Woodcock Councillor Samson Hartland Councillor Betty Irwin
Absent	Mayor Dan Curtis Councillor Dan Boyd
Staff Present	Christine Smith, City Manager Linda Rapp, Director of Community and Recreation Services Mike Gau, Director of Development Services Dave Albisser, Acting Director of Infrastructure and Operations Valerie Braga, Chief Financial Officer Jeff O’Farrell, Manager of Legislative Services

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



Minutes of the meeting of the Development Services Committee

Date	September 6, 2016
Location	Council Chambers, City Hall
Committee Members Present	Councillor Betty Irwin – Chair Deputy Mayor Roslyn Woodcock Councillor Jocelyn Curteanu Councillor Robert Fendrick Councillor Samson Hartland
Absent	Mayor Dan Curtis Councillor Dan Boyd
Staff Present	Christine Smith, City Manager Linda Rapp, Director of Community and Recreation Services Mike Gau, Director of Development Services Dave Albisser, Acting Director of Infrastructure and Operations Valerie Braga, Chief Financial Officer Jeff O’Farrell, Manager of Legislative Services

Your Worship, there is no report from the Development Services Committee



Minutes of the meeting of the Corporate Services Committee

Date	September 6, 2016
Location	Council Chambers, City Hall
Committee Members Present	Deputy Mayor Roslyn Woodcock Councillor Jocelyn Curteanu Councillor Robert Fendrick Councillor Samson Hartland Councillor Betty Irwin
Absent	Mayor Dan Curtis Councillor Dan Boyd
Staff Present	Christine Smith, City Manager Linda Rapp, Director of Community and Recreation Services Mike Gau, Director of Development Services Dave Albisser, Acting Director of Infrastructure and Operations Valerie Braga, Chief Financial Officer Jeff O'Farrell, Manager of Legislative Services

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

1. Second Quarter Capital Variance Report

The 2016 Capital Budget adopted by council totalled \$16,181,351. Throughout the first half of the year a series of council and administrative amendments were made, including approved re-budgets and the addition of provisional projects identified in Appendix B of the Capital Budget Bylaw, for a new total of \$24,433,198.

As part of second quarter variance reporting Managers are required to review their planned capital spending. Most projects are proceeding as planned. Some capital projects have been successfully completed under budget, and some have been identified as not proceeding at this time. A budget amendment is required to reduce the 2016 capital budget by \$2,431,215 with funds remaining in City reserves for future use.

Recommendation

THAT the following amendments to the 2016 to 2019 Capital Plan be authorized:

1. Amend the Additional Aerial Lift Truck project to allow \$155,000 to remain in the Capital Reserve due to the project being cancelled.

2. Amend the Bylaw Handheld Ticketing Devices project to allow \$53,306 to remain in the Parking Development Reserve due to the project being delayed.
3. Amend the following projects to allow \$422,909 to remain in the Development Cost Charges Reserve:

Irrigation in Whistle Bend	-\$400,000	Delayed until 2017
Additional Lawn Tractor	-\$22,909	Under budget
4. Amend the Fire Hall #1 Development project to allow \$1,800,000 to remain in the Land Bank Reserve. This will be resubmitted as part of the building consolidation project.

2. Second Quarter Operating Variance Report – For Information Only

Financial Services reviewed operating budget projections submitted by departments and provided a forecast of operating results to the end of the 2016 fiscal year.

Council adopted an operating budget for 2016 totalling \$70,646,319. Throughout the first half of the year, a series of council and administrative amendments were made for a new total of \$70,659,425.

The 2016 second quarter variance projection is that total operating revenues will exceed budget by \$530,253 and expenses will be over budget by \$464,559. Therefore, operating projections to December 31, 2016 as compared to the revised budget indicate an operating surplus of \$65,694 for the corporation.

Overall department spending is controlled. Based on the total operating budget the second quarter positive variance is well below 1% of the City's total operating budget.

A Committee member requested that future variance reports be brought to a CASM for discussion prior to being presented at Standing Committee.

3. Urban Electrification Local Improvement

In 1989 the City began assisting with the cost of providing electrical service to country residential properties by financing the work and charging the cost back to the property as a local improvement charge. The owners of Lot 85 in Wolf Creek have applied under the Urban Electrification Program Policy for a local improvement that will provide the electrical service necessary for the development of a garden suite.

The property owners have met all the conditions of the Urban Electrification Program Policy. A bylaw to provide for a local improvement is required.

Recommendation

THAT the application under the urban electrification program for Lot 85 Wolf Creek Subdivision be accepted; and

THAT Bylaw 2016-34, a bylaw to authorize a work of local improvement for urban electrification at 38 Harbottle Road, be brought forward for due consideration under the bylaw process.

4. Authorize Mayor's Travel

Council's Expense Policy requires prior approval by council resolution for all requests for funding or reimbursement of expenses incurred by council members in conjunction with travel outside the City. The mayor has been invited to join the Yukon Chamber of Commerce delegation to the Opportunities North 2016 Conference to be held in Yellowknife in September. This is one of the largest business conferences in northern Canada, featuring nationally distinguished speakers and a program that brings the northern economy into focus.

The request for the mayor's participation was received during the summer recess, so there was no opportunity for the authorization to be approved in advance of the event.

Recommendation

THAT travel expenses be authorized for Mayor Curtis to attend the Opportunities North 2016 Conference in Yellowknife in early September.

5. Authorize Council Travel

Councillor Hartland is one of the designated council representatives on the Board of the Association of Yukon Communities. The Board's September meeting will be held in Dawson City, and Councillor Hartland has indicated his intention to attend.

The request for authorization was initiated during the summer recess, so there was no opportunity for advance approval by council.

Recommendation

THAT travel expenses from the Council Representative account and per diem expenses from the Councillor-initiated account be authorized for Councillor Hartland to attend the Association of Yukon Communities September Board Meeting in Dawson City.



Minutes of the meeting of the City Planning Committee

Date September 6, 2016

Location Council Chambers, City Hall

Committee Members Present Councillor Robert Fendrick – Chair
Councillor Samson Hartland – Vice-Chair
Deputy Mayor Roslyn Woodcock
Councillor Jocelyn Curteanu
Councillor Betty Irwin

Absent Mayor Dan Curtis
Councillor Dan Boyd

Staff Present Christine Smith, City Manager
Linda Rapp, Director of Community and Recreation Services
Mike Gau, Director of Development Services
Dave Albisser, Acting Director of Infrastructure and Operations
Valerie Braga, Chief Financial Officer
Jeff O'Farrell, Manager of Legislative Services
Patrick Ross, Manager of Planning Services

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

1. Norcope Enterprises – OCP Amendment Request – *For Information Only*

Doug Gonder, President of Norcope Enterprises, addressed the Committee to renew his request that the City initiate an amendment to the Official Community Plan that will allow the development of a gravel quarry and associated operations.

2. Zoning Amendment – MacBride Museum

The MacBride Museum Society has secured Federal and Territorial funding for the construction a new building on the Front Street property that contains the MacBride Museum of Yukon History. The Society plans the construction of a modernist building sited adjacent to and overhanging the historic Telegraph Office. The proposed building does not meet several of the regulations of the existing zoning, and the Society has applied for a zoning amendment that will remove requirements to retain a front yard setback, meet waterfront design guidelines, and provide off-street parking. The Society is also requesting approval for encroachments into the Front Street and Steele Street rights-of-way to accommodate the new building.

The museum's Executive Director and a member of the Society's Board of Directors spoke in support of the project, providing details on the scope, funding, and timelines. If Council approves the zoning and encroachments requested, an Historic Resources Permit will be required as part of the Development Permit process before this project can proceed to construction.

Recommendation

THAT Bylaw 2016-29, a bylaw to amend the zoning of the MacBride Museum property on Front Street to allow for the expansion of the museum, be brought forward for due consideration under the bylaw process.

3. Encroachment Agreement – MacBride Museum

As part of the planned museum expansion project, the MacBride Museum Society has applied for an encroachment agreement to facilitate development. The proposed encroachments include a portion of underground building foundation to be constructed within the Steele Street road right-of-way, and a two storey building overhang protruding over the sidewalk within the Front Street road right-of-way. These encroachments will not impede pedestrian movement. While administration does not support new construction including encroachments onto City land, this request is being brought forward for council's consideration based on the uniqueness of the project.

A member requested that a Council and Senior Management meeting be scheduled to provide Council with more information on the issues involved with this complex project and the interplay between the zoning amendment and the encroachment agreement.

Recommendation

THAT Bylaw 2016-33, a bylaw to authorize an encroachment agreement with the MacBride Museum Society to facilitate the museum expansion project, be brought forward for due consideration under the bylaw process.

4. Zoning Amendment – Childcare Centre at Skky Hotel

The owners of the Skky Hotel have applied to amend the zoning of 16 Burns Road to allow a child care centre as a principal use. The proposed business would be located in the vacant commercial building immediately adjacent to and on the same lot as the Skky Hotel. Childcare centres are allowed uses in most commercial zones, but the Highway Commercial zone is typically located away from major commercial and residential areas. This location is unique in that it is near to two major employers, numerous small businesses, and a residential neighbourhood. Additionally, there is a transit stop nearby. Allowing a child care centre at this location on the Alaska Highway could also serve families living in the southern country residential neighbourhoods or outside city limits without creating additional traffic on local streets.

Recommendation

THAT Bylaw 2016-36, a bylaw to amend the Zoning Bylaw to allow for a child care centre at 16 Burns Road in Hillcrest, be brought forward for due consideration under the bylaw process

5. Zoning Amendment – Lobird Trailer Park

The owner of a mobile home with an attached heated addition has applied for a zoning amendment that will allow the relocation of her trailer from the Casa Loma property to the Lobird Trailer Park. The current zoning at Lobird does not permit heated living space additions that are attached to the original factory-built mobile home. The applicant has negotiated an agreement with the owner of the Lobird Park to move her trailer to that property, and has confirmed with a local firm that it is possible to transport the mobile home with the addition intact.

The proposed zoning amendment is for a specific site in the Lobird Trailer Park and would only apply to the applicant's mobile home. If this mobile home is removed from the site at a future date, any new mobile home arriving on the site would be required to adhere to the zoning regulations of the day.

Recommendation

THAT Bylaw 2016-37, a bylaw to amend the zoning of the Lobird Trailer Park property to allow for the relocation of a mobile home with a heated addition, be brought forward for due consideration under the bylaw process.

6. Notice of Motion – For Information Only

The Deputy Mayor presented a "Notice of Motion" as follows:

TAKE NOTICE that I, Councillor Roslyn Woodcock, will bring forward at the next regular meeting of Council on September 12, 2016 a motion that reads as follows:

"THAT administration be directed to bring forward for consideration a bylaw to amend the Official Community Plan to allow for the development of a gravel quarry and associated operations on a parcel of land in the Utah Siding Area."

There being no further business, the meeting adjourned at 7:00 p.m.

ADMINISTRATIVE REPORT

TO: Mayor and Council
FROM: Administration
DATE: September 12, 2016
RE: Notice of Motion – Bring Forward OCP Amendment

ISSUE

On September 6th, 2016 Councillor Woodcock gave notice that she would bring forward at the next regular meeting of council a motion to direct administration to bring forward an Official Community Plan amendment. In accordance with the Procedures Bylaw, the motion is now being forward for council's consideration.

HISTORY

Norcope Enterprises has petitioned council to bring forward an Official Community Plan amendment that will allow the company to develop a gravel quarry in the southern region of the City, adjacent to the Alaska Highway in the vicinity of the Utah Siding Yard.

Since the proponent does not own the land, any proposal to amend the land use designation of the parcel must be initiated by the City. The public is restricted from initiating OCP amendments on public land in order to protect the integrity of the plan that is prepared and adopted through extensive public consultation and research.

The motion is now on the agenda for consideration.

ALTERNATIVES

1. Approve the motion
2. Do not approve the motion

ANALYSIS

The proposed land use by Norcope would have a significant, long-term impact on the subject site through the quarrying operations, and could also potentially impact future land use options in the surrounding area. If council approves this motion, administration will recommended additional public process above what is required in the *Municipal Act*, including direct consultation with property owners and First Nations who have parcels nearby.

MOTION TO BE CONSIDERED (Mover and seconder required)

THAT administration be directed to bring forward for due consideration under the bylaw process a bylaw to amend the Official Community Plan to allow for the development of a gravel quarry and an outdoor equipment staging and storage area with associated office uses on a parcel of land in the Utah Siding Area.”

CITY OF WHITEHORSE

BYLAW 2016-22

A bylaw to provide for the terms and conditions of employment for management and management staff employees of the City of Whitehorse

WHEREAS section 188 of the *Municipal Act* (R.S.Y. 2002) provides that Council shall by bylaw establish the terms and conditions of employment of the chief administrative officer, designated municipal officers, and other officers and employees, including remuneration, benefits, expenses, hours of work, and manner of appointment, promotion, discipline, dismissal and rules of conflict of interest; and

WHEREAS the employees covered in this bylaw are excluded from bargaining collectively under the *Canada Labour Code* due to the nature of their positions; and

WHEREAS the council of the City of Whitehorse deems it proper and expedient to set out the terms and conditions of employment for this excluded group of employees;

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

TITLE

1. This bylaw may be cited as the **“Management and Management Staff Bylaw”**.

APPLICATION

2. This bylaw applies to Employees who occupy positions specified in Schedules “A” and “B” attached hereto and forming part of this bylaw. Such Employees are appointed pursuant to this bylaw and shall hold office at the pleasure of council and in accordance with the terms and conditions of employment stated in this bylaw and as may be contractually agreed to between the City and the Employees.

DEFINITIONS

3. In this bylaw,

"CASUAL EMPLOYEE" means an Employee hired on an irregular and/or unscheduled basis with no guarantee of hours or duration or work.

When available work can be projected for a period longer than three months the work assignment will be changed to Temporary Employee from the original commencement date of their employment and the Employee will be entitled to all related benefits of Temporary Employees from that date forward, as described in Attachment “A” attached hereto and forming part of this bylaw;

“CITY” means the City of Whitehorse and may also be referred to as the Employer;

"CITY MANAGER" means the person appointed as Chief Administrative Officer of the municipality pursuant to section 183 of the *Municipal Act* and who exercises the authority to manage Employees identified in this bylaw;

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"CONTINUOUS SERVICE" means uninterrupted employment with the City;

"CONTINUOUS SERVICE DATE" means the date an individual is hired as a permanent Employee of the city OR where an Employee has prior service in either a casual or temporary capacity, the date that reflects continuous work with no break in employment greater than four consecutive work weeks immediately prior to becoming a permanent Employee;

"COUNCIL" means the Council of the City of Whitehorse;

"EMPLOYEE" means a person employed by the City as specified by Schedules "A" and "B" of this bylaw;

"EMPLOYER" means the City of Whitehorse;

"FULL TIME EMPLOYEE" means an Employee scheduled to work the standard hours of any position included in Schedule "A" or "B";

"INCREMENT DATE" means the anniversary date of the commencement of Continuous Service except that, where an Employee has been promoted or reclassified with a resulting salary increase, the increment date shall become the anniversary of the promotion;

"JOB SHARE EMPLOYEE" means an incumbent of a position listed on Schedules "A" or "B" to this bylaw who requests permission to split the standard hours of the position. Requests for job sharing will be initiated through the Division Director and will be granted at the discretion of the City Manager. A job share arrangement will not result in additional costs to the City;

"MANAGEMENT EMPLOYEE" means an Employee holding a position identified in Schedule "A";

"MANAGEMENT STAFF EMPLOYEE" means an Employee holding a position identified in Schedule "B";

"PART TIME EMPLOYEE" means a permanent Employee who works less than the standard daily or weekly hours of work on a continuing, scheduled basis;

"PERMANENT EMPLOYEE" means an Employee **other than a temporary or casual Employee**;

STANDARD WORK WEEK: means 35 hours per week;

"TEMPORARY EMPLOYEE" means an Employee hired for a specific task or a period not exceeding one calendar year. The term of employment will terminate at the end of the temporary period or task unless terminated earlier as stated in this bylaw **or the contract of employment with the Employee.**

INTERPRETATIONS

4. In this bylaw,
 - (1) "may" will be regarded as permissive.
 - (2) "shall" will be regarded as imperative.

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5. Whenever the singular, masculine or feminine is used in this bylaw it shall be interpreted as if the plural, feminine or masculine has been used where the context of the parties hereto so requires.

ATTENDANCE AND HOURS OF WORK

6. Salary ranges for Employee's covered by this bylaw are set out in Schedules "A" and "B".
7. Each standard work day will include a lunch break (scheduled as close to the mid-point of the work day as possible) and two 15 minute rest breaks (scheduled approximately mid-way through each half day).
8. When determined to be an operational necessity, the City Manager may require Employees to work non-standard days and hours. It is a condition of employment that all Employees covered under this bylaw will be available for unscheduled work duties.
9. The salary and other remuneration and benefits for management Employees, including the management leave entitlement, compensates management Employees for all hours worked. Management Employees will be required to work in excess of 35 hours per week as needed to fulfil the duties of their positions. Management Employees will not be entitled to additional or overtime pay of any kind for any hours in excess of 35 hours per week that are necessary to fulfil the requirements of their position.
10. Employees and the Employer by mutual agreement may introduce daily flexible work hours so long as such arrangements do not result in additional costs/premiums, and without interrupting the delivery of City services or otherwise reducing the resources necessary to meet operational requirements.
11. Management Staff Employees who are required to work outside of their standard hours of work will be paid at the prevailing rate of pay for the actual time spent at work.
12. Employees who have the approval of their direct manager and who are required to attend conferences or any training/ professional development courses required to maintain the certifications specified in the Position Description during non-standard work hours will be paid at straight time for the actual time spent at the conference or attending training/professional development courses.

SALARIES, CLASSIFICATIONS

13. Employees covered by this bylaw will be paid in accordance with the classifications and biweekly salary ranges set out in Schedules "A" or "B" which form part of this bylaw. No qualified Employee shall receive less than the minimum rate specified for the position.
14. Where an existing classification or position is modified or a new classification or position is created by the City to address operational needs, budgetary constraints or to fulfil human resources objectives, then the salary range for the position will be determined through the City's job evaluation committee.

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15. If market realities demonstrate a significant deviation from the City's pay rates as detailed in this bylaw then a temporary market adjustment can be established for the position that will be reviewed and amended each time this bylaw is renewed.
16. In extraordinary circumstances and for bone fide emergencies, Employees may be paid in excess of the established pay rate at the discretion of the City Manager.
17. Prior to receiving any pay, all Employees covered under this bylaw will take and subscribe the oath or affirmation set out in Attachment "B".
18. Pay for Employees covered under this bylaw will be direct deposited every second Wednesday. Employees will receive a statement indicating total pay and deductions for each pay period.

Overtime

19. Management Employees are not entitled to overtime pay. This section of the bylaw only applies to Management Staff Employees. Management Staff Employees are eligible for overtime accruals and pay according to this section. Part-time management staff Employees are not eligible for overtime until their extra hours of work bring their total work hours to 35 hours for the week or their daily work hours exceed 7 hours.
20. Approved hours of overtime will be paid or accrued as compensatory time at the following rates:
 - (1) Time and one-half for the first two hours outside the regular shift and double time thereafter.
 - (2) Time and one-half for the first seven hours, as applicable, worked on an Employee's first day of rest, and double time thereafter.
 - (3) Double time for all hours worked on an Employee's second day of rest or any general holiday or day observed as such under the terms of this bylaw, or if instructed by the Employer to return to work while on annual vacation.
21. Double time pay for working on a general holiday (or day observed as such) is in addition to any general holiday pay that an Employee may be entitled to under other provisions of this bylaw.
22. Unused compensatory leave accruals may be carried over into the following year. However, any carried forward accruals must be used by June 30 of the current year or they will be paid out by the Employer.
23. Management Staff Employees required to work:
 - (1) through the regular established lunch period shall be paid the applicable overtime rate for the time of the lunch period and also be given ½ hour to consume the meal before or after the regular lunch period at the regular rate of pay;

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- (2) overtime which is arranged prior to the completion of their regular shift, and scheduled to be worked prior to the commencement of their next regular shift (excluding days of rest and general holidays), shall be paid according to this section;
 - (3) on their scheduled day of rest, or on a general holiday or day observed as such, shall receive a minimum of four hours pay at the prevailing overtime rate.
24. Management Staff Employees called-out to work outside their regular shift shall be paid for a minimum of four hours at the prevailing overtime rate.
25. Management Staff Employees called-out immediately prior to their regular starting time shall be paid at time and one-half for a minimum of two hours.

Performance Evaluation

26. A performance review and evaluation of each Employee will be conducted annually.

Performance Reward

27. The Employer may grant Employees a performance award as defined in the relevant administrative directive.

Acting Pay

28. Employees who are temporarily assigned to a higher paying position/ classification shall receive an additional 5% of their salary or the minimum salary range for the new classification (whichever is higher), for all hours worked in the position. Acting pay will continue for all days worked during the full period of the assignment (including statutory holidays). Employees on an approved absence during an acting assignment will be paid at their regular rate of pay.
29. Employees requested to assume the duties of a manager, director or City Manager, or whose job descriptions outline this responsibility, will be paid at the appropriate salary range for all hours worked in the position. The Employee will receive either an increase of 10% or Step 1 of the salary range for the higher classification, whichever is greater. Under no circumstances will the Employee receive more than the maximum for the range.
30. Unionized employees assuming some or all of the duties of a manager or director forecasted for more than 6 weeks and less than one year will be governed by the terms and conditions contained within this bylaw effective upon their transfer to the management position, and will have all paid time at a rate of pay 10% over their base annual salary rate. Unionized employees assuming some or all of the duties of a manager or director forecasted for a period longer than one year will be governed by the terms and conditions contained within this bylaw.

Increment Date

31. Managers not at the top of the pay range will have their annual salary reviewed at the end of each calendar year. Merit increases will be applied on January 1st of the following year.

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32. Management Staff not at the top of the pay range will have their annual salary reviewed on their increment date. Satisfactory performance will result in the Employee moving up to the next Step up to the maximum for that Range.

Promotion

33. Upon promotion to a higher classified position, an Employee will either receive the minimum salary rate of the applicable range for the new position or a salary increase of 10%.

Reclassification

34. When an Employee's position is reclassified to a higher salary range, the Employee will be granted a 5% salary increase, not to exceed the maximum of the new range. Where the minimum of the new salary range is more than 5% above the Employee's previous salary, the Employee will receive the minimum of the new range.
35. Employees will not have a salary reduction if their position is reclassified downward. However, the Employee will not be eligible for further wage increases until such time as their salary is less than the maximum of the reclassified range.
36. When an Employee's position is reclassified but remains in the existing salary range, the Employee's salary will remain unchanged.

Retroactive Pay

37. Employees who die or retire during a period covered by a retroactive pay adjustment will receive, or their estate shall receive, any salary benefit accruing.

ILLNESS

Wage Indemnity

38. Employees claiming non-occupational illness or accident for more than **six consecutive days** must apply for Wage Indemnity. The City's benefit carrier will determine whether the Wage Indemnity Policy entitlement conditions are met. Questions as to whether an Employee has met the Wage Indemnity Policy entitlement conditions shall be a matter between the Employee and the **claims adjudicator**.
39. If the Wage Indemnity claim is approved, Employees are entitled to time off with pay for a maximum of 17 weeks from the first day of hospitalization, accident or approved illness in accordance with the following schedule:

Wage Indemnity Entitlements for Approved Claims	
Completed Continuous Employment	Maximum Benefits
First 90 days	No provision
90 days to 1 year less 1 day	4 weeks at full pay, 13 weeks at 2/3 pay
1 year to 2 years less 1 day	7 weeks at full pay, 10 weeks at 2/3 pay
2 years to 3 years less 1 day	10 weeks at full pay, 7 weeks at 2/3 pay
3 years to 4 years less 1 day	13 weeks at full pay, 4 weeks at 2/3 pay
Over 4 years	17 weeks at full pay

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40. Successive periods of disability separated by less than 30 days of continuous employment will be considered one period of disability at the discretion of the **claims adjudicator**.

Long Term Disability

41. Employees who are continuously disabled due to a non-occupational illness or accident for a period in excess of 17 weeks may be eligible to receive Long Term Disability payments. The **claims adjudicator** will determine whether an Employee is eligible to receive long-term disability payments under the provisions of the long-term disability plan. Any questions regarding an Employee's eligibility for long-term disability benefits shall be a matter between the Employee and the **claims adjudicator**. Such matters must be pursued under the terms of the long-term disability plan.
42. Long Term Disability payments shall continue until the Employee is able to return to full time employment, reaches age 65, or ceases to meet the entitlement conditions of the insurer, whichever is earlier.
43. 100% of the Long Term Disability premium will be paid by the Employee.

Schedule "A" Employees Only

44. Payments will be based upon 65% of the first **\$4,500.00** monthly earnings and 55% of the remaining monthly earnings to a maximum benefit of **\$5,000.00** per month.

Schedule "B" Employees Only

45. Payments will be based upon 60% of the monthly earnings to a maximum benefit of **\$4,000.00** per month.

MEDICAL AND GROUP INSURANCE

46. All Employees, whether full time, part time, or casual, shall participate in the Yukon Health Care Insurance Plan unless otherwise exempted.
47. On the first of the month following 60 days of continuous employment, Employees eligible for Group Benefit Coverage will be enrolled in the following benefits :
- (1) Extended Health Care Plan;
 - (2) Group Life Insurance in an amount two times annual salary rounded to the next highest \$1,000.00 if not already a multiple thereof.
 - (3) Accidental Death and Dismemberment Insurance (24-Hour Coverage) in the same amount as for Group Life Insurance.
 - (4) Dental Plan with 100% Basic Coverage, 50% Restorative Coverage, and 50% Orthodontic Coverage.
48. Employee eligibility for the above benefits will be in accordance with the applicable policy provisions.
49. Premium costs for benefits covered in this section are shared on the basis of 90% payment by the Employer and 10% payment by the Employee.

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REGISTERED RETIREMENT SAVINGS PLAN

50. Upon the commencement date of hire, the Employee shall enrol in the Employer's Group Registered Retirement Savings Plan.
- (1) All moneys remitted on behalf of the Employee shall be immediately vested with the Employee.
 - (2) Employees cannot withdraw from the Group Registered Retirement Savings Plan until termination or retirement from their employment with the City of Whitehorse, with the exception of withdrawals for home ownership, Lifetime Learning Plan, and/or settlement from marriage break-ups.

Schedule "A" Employees Only

51. Effective January 1, **2015**, upon commencement of employment, permanent employees shall enrol in the Employer's Group Registered Retirement Savings Plan (RRSP) which is subject to the specific provisions of federal legislation. The minimum contribution is 13% of which the employer contributes 8% (3.5% will be a top up and 4.5% is built into the wage) and the employee contributes 5%.
52. Effective January 1, **2017**, upon commencement of employment permanent employees shall enrol in the Employer's Group Registered Retirement Savings Plan (RRSP) which is subject to the specific provisions of federal legislation. The minimum contribution is 13% of which the employer contributes 8% (5.5% as a top up and 2.5% is built into the wage) and the employee contributes 5%.
53. Effective January 1, **2018**, upon commencement of employment permanent employees shall enrol in the Employer's Group Registered Retirement Savings Plan (RRSP) which is subject to the specific provisions of federal legislation. The minimum contribution is 13% of which the employer contributes 8% over salary and the employee contributes 5%.

Schedule "B" Employees Only

54. Effective January 1, **2015**, upon commencement of employment, permanent employees shall enrol in the Employer's Group Registered Retirement Savings Plan (RRSP) which is subject to the specific provisions of federal legislation. The minimum contribution is 11.5% of which the employer contributes 7% (3.5% will be a top up and 3.5% is built into the wage) and the employee contributes 4.5%.
55. Effective January 1, **2017**, upon commencement of employment, permanent employees shall enrol in the Employer's Group Registered Retirement Savings Plan (RRSP) which is subject to the specific provisions of federal legislation. The minimum contribution is 11.5% of which the employer contributes 7% (5.5% as a top up and 1.5% is built into the wage) and the employee contributes 4.5%.
56. Effective January 1, **2018**, upon commencement of employment, permanent employees shall enrol in the Employer's Group Registered Retirement Savings Plan (RRSP) which is subject to the specific provisions of federal legislation. The minimum contribution is 11.5% of which the employer contributes 7% over salary and the employee contributes 4.5%.

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LEAVES

57. Employees have access to a number of paid leaves within this bylaw. If the Employee exhausts the number of paid days available in this bylaw to cover a leave for a purpose that is substantially similar to a leave identified within the *Yukon Employment Standards Act*, time off without pay shall be provided up to the amount of days contained in such Act.

Court Leave

58. Employees summoned to jury duty, subpoenaed as a witness, or attending court proceedings on behalf of the Employer shall be granted leave with pay. It is understood that any pay received in connection with these activities shall be remitted to the Employer.

General Holidays

59. Employees will receive 12 designated general holidays with pay annually. For each such holiday, Employees will be paid their regular earnings. Employees will receive holiday pay even if the holiday falls on a Saturday, Sunday, or on an Employee's day of rest, the next working day shall serve as the general holiday. The designated general holidays shall be:

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

and any other day declared or proclaimed a holiday by the Canadian or Yukon governments or the City of Whitehorse.

60. General Holiday pay provisions will prevail where an Employee, employed for a period of six months, is off work due to any circumstances for which compensation under the *Worker's Compensation Act* is receivable.
61. When a general holiday falls within an Employee's scheduled vacation, the Employee will receive one additional day of vacation leave in lieu of each such general holiday.

Special Leave

62. Special leave provides Employees with a period of paid leave when personal circumstances such as but not limited to bereavement, medical or family appointments, moving, birth/adoption (for non-birth mother or father), and family caregiving responsibilities occur.
63. Employees are expected to use special leave with a view toward responsibly balancing their work and personal requirements. Effective the date of passage of this bylaw, all accrued leave except vacation, management leave and compensatory leave is extinguished and permanent Employees will be credited with an initial balance of special leave according to the following schedule:

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1 to 5 years continuous service 8 days

More than 5 years continuous service 12 days

64. Employees with a continuous service date of October 1, 2016 or later will receive an initial bank of 4.5 special leave days after six months of service.
65. Each month thereafter, Employees will be credited with .75 additional special leave days for each completed calendar month in which the Employee is actively performing duties and is paid for a minimum of 10 working days.
66. Special leave use is subject to the approval of the Employee's supervisor/manager who may ask the nature of the leave and the length of the leave required. The supervisor/manager may also ask for proof of the need for the leave.

Restrictions:

67. An Employee is not entitled to take special leave while the Employee is on:
- (1) Pre-retirement vacation leave (this is the period of vacation leave often taken prior to retirement);
 - (2) Leave of absence without pay;
 - (3) Suspension; or
 - (4) Long-term disability benefits.
68. Special leave is not meant to supplement/increase weekly indemnity, vacation, maternity, paternity, adoption, or parental leave.
69. Special leave days have no accrued value other than for authorized paid time off. There is no entitlement to have unused special leave days paid out at any time, including upon termination of employment for any reason. The maximum number of days within the Employee's special leave reserve is limited to 25 days at any given time, and special leave days will not accrue above 25 days at any given time.

Injury on Duty Leave

70. Permanent Employees who are injured on the job and have their claim approved by the Yukon Workers' Health and Compensation Board (YWH&CB) shall be granted Injury on Duty Leave with pay for such reasonable period as may be determined by the YWH&CB.
71. Where such leave is granted, permanent Employees shall assign to the Employer all payment received from the Workers' Health and Compensation Board covering the period of Injury on Duty Leave. Non-permanent Employees on leave due to an approved YWH&CB claim will receive compensation directly from YWH&CB.

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Leave Without Pay

72. Under special circumstances and where operational efficiency will not be adversely affected, leave without pay may be granted to an Employee. All applications for leave without pay in excess of ten working days are subject to the City Manager's approval.
73. Except where provided otherwise by statute, an Employee who has been granted leave without pay which results in that Employee receiving less than the equivalent of two standard work weeks of pay in any calendar month is required to prepay the full cost of medical and group insurance plan premiums in order to maintain benefit coverage for the period of leave.
74. Except where provided otherwise by statute, Employees who have for any reason been granted leave without pay in excess of thirty (30) calendar days will have their increment date and Continuous Service date to be advanced by the total amount of leave taken.
75. Applications for leave without pay should be submitted at least 31 calendar days in advance of the intended commencement date of the leave if at all possible. The Employee shall receive written notification of the decision within 14 calendar days of the date of application.

Management Leave

76. In lieu of overtime, managers will receive up to two additional standard work weeks of annual leave each year, pro-rated for the number of full months of paid time completed. This will be credited to each manager on the first day of January in each year. Any manager who leaves the employ of the City will have this time pro-rated and any such leave used in advance will be repaid to the City.
77. Employees with a continuous service date of October 1, 2016 or later will not receive management leave in advance. Instead they will be credited with management leave earned at the end of each calendar year for use in the year following.

Maternity Leave

78. An Employee qualifying under the *Yukon Employment Standards Act* shall be entitled to request maternity leave without pay in accordance with the provisions of the *Yukon Employment Standards Act*. There shall be no duplication or overlap with the parental leave provisions of this bylaw.

Parental Leave

79. An Employee qualifying under the *Yukon Employment Standards Act* shall be entitled to request parental leave without pay in accordance with the provisions of the *Yukon Employment Standards Act*. There shall be no duplication or overlap with the maternity and adoption leave allowance provisions of this bylaw.

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Non-Occupational Illness or Accident Leave

80. In order to qualify for paid time off due to illness, Employees unable to report for scheduled shifts shall notify their immediate supervisor prior to the starting time of the working day or as soon after the beginning of the working day as possible.
81. On January 1 each year, Employees will be granted 10 Illness or Accident Leave days to be used for non-occupational illnesses less than six business days. The wage indemnity provisions of this bylaw shall govern absences in excess of six consecutive working shifts for all Employees.
82. Employees are required to use other accrued leaves pending a decision of qualification for Wage Indemnity. If the claim is approved, accrued leaves for the approved period will be reversed back to the Employee.
83. If it becomes apparent that a pattern of absence is developing, the Employer may require an Employee to undergo an independent medical examination or produce additional medical evidence (acceptable to the Employer) to substantiate any period of absence claimed to be illness.
84. Employees required to undergo such examination will only continue to be paid if the physician has indicated that the Employee's medical condition necessitates frequent absences.

Vacation Leave

85. Employees with a continuous service date before October 1, 2016 and who receive pay for at least ten days in a calendar month are entitled to vacation leave in accordance with the following schedule:

For Employees with a Continuous Service Date before October 1, 2016	
Years of Service	Monthly Accrual
1 year and less than 2 years	11.66 days
2 years and less than 5 years	14.58 days
5 years and less than 10 years	17.50 days
10 years and less than 20 years	20.42 days
20 years and over	23.33 days

86. Employees hired on October 1, 2016 or later and who receive pay for at least ten days in a calendar month are entitled to vacation leave in accordance with the following schedule:

For Employees with a Continuous Service Date of October 1, 2016 or later	
Years of Service	Monthly Accrual
1 year and less than 3 years	11.66 days
3 years and less than 10 years	14.58 days
10 years and less than 20 years	17.50 days
20 years and over	20.42 days

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87. Employees may carry vacation leave credits forward for a maximum of two years. At December 31st of each year the Employer will pay Employees all unused accumulated vacation leave credits in excess of the number of days that were accumulated during the two-year period.
88. Vacation leave may not be taken until it has been earned, with the exception that an Employee who has completed at least one year of continuous service may be granted up to one week of vacation leave in advance.
89. The Employer shall make a reasonable effort to grant an Employee the period of vacation leave requested.
90. Upon termination, permanent and probationary Employees shall be paid for all unused accumulated vacation leave, such payment to be calculated by multiplying the daily rate (based on the Employee's current salary) by the number of days' leave outstanding.

ALLOWANCES

Attendance Bonus

91. Employees will earn an Attendance Bonus payment equivalent to one-third a normal day's pay per month (based on the employee's normal earnings) providing they do not miss work due to non-occupational illness or injury, wage indemnity and/or Injury on Duty Leave.
92. Attendance Bonus entitlements are accumulated over the calendar year to December 31st of each year and paid to entitled employees by January 31st of the following year.
93. The Attendance Bonus will be eliminated on December 31, 2016. Final pay-outs will occur in January 2017.

Health Spending Allowance

94. All permanent Employees will be eligible to receive a health spending allowance once each year to a maximum of \$1000.00.
95. The health spending allowance will be paid to the total amount of submitted receipts for prescription eyeglasses, contact lenses, eye exams, non-covered drugs or medical supplies or other health related spending, for the Employee or any member of the Employee's immediate family subject to approval by the City and any applicable policies or administrative directives.

Long Service Bonus

96. Permanent Employees with a continuous service date prior to October 1, 2016 are entitled to the following yearly long service bonus:

5 years and less than 10 years	2% of base salary
10 years and less than 15 years	3% of base salary
15 and more years of service	4% of base salary

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97. The long service bonus shall become payable on the anniversary of the Employee's continuous service date.
98. Employees who are entitled to a long service bonus and who terminate prior to completion of a further full year of continuous service shall be entitled to a long service bonus on a pro rata basis proportional to the completed months of service since their last long service bonus entitlement date.
99. Employees with a continuous service date on or after October 1, 2016 are not eligible for the long service bonus.

Maternity and Adoption Leave Allowance

100. An Employee with one year of continuous service prior to the birth or adoption of a child who is granted maternity or adoption leave without pay will be paid a leave allowance in accordance with the City's Supplementary Employment Insurance Benefit Plan (SEIB) (applicable to management and management staff Employees) as long as the Employee:
 - (1) Signs an agreement to return to work after the expiry of the leave (unless this date is modified with the Employer's consent) for a period of at least six months; and,
 - (2) Provides the City with proof that the Employee has been approved for and is in receipt of, employment insurance benefits pursuant to the *Employment Insurance Act*.
101. If an Employee fails to fulfil the return to work agreement for reasons other than death, lay-off, disability or medical retirement, the Employee agrees to repay the full amount received as leave allowance. Receipt of maternity or adoption leave allowance is subject to the terms of the SEIB as amended from time to time by the City.

Retirement Allowance

102. An Employee who retires from employment at the city in accordance with the relevant Administrative Directive will receive a retirement allowance in the amount of two weeks' pay for the first completed year of service and one week's pay for each succeeding complete year of employment to a maximum of 28 weeks, less any period in respect of which severance, retirement or resignation allowance was previously granted.

Resignation Allowance

103. An Employee with a continuous service date before October 1, 2016 who has five or more years of continuous service shall on resignation receive resignation allowance in the amount of two weeks' pay for the first completed year of service and one week's pay for each succeeding complete year of employment to a maximum of 28 weeks, less any period in which the Employee was previously granted severance, retirement or resignation allowance.
104. Employees with a continuous service date on or after October 1, 2016 shall not be eligible for a resignation allowance.

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Yukon Bonus

105. Permanent Employees with one or more years of continuous service will receive an annual Yukon Bonus travel benefit in the amount of \$2,900.00. Terminating Employees are entitled to a payment on a pro-rated basis proportional to the number of completed months of service since their last eligibility date.
106. The Yukon Bonus must be claimed by completing the appropriate application form during the 12-month period following the initial entitlement date. When completing their first application form, Employees must indicate whether or not income tax should be deducted from the Yukon Bonus. All subsequent Yukon Bonus payments will be in accordance with the Employee's original instructions, unless the Employee changes the instruction prior to the payment date. Payment date will be the first pay following the effective continuous service date.
107. Where any ruling is required with respect to the eligibility of an Employee to receive a Yukon Bonus, or with respect to the amount of the Yukon Bonus payable, the City Manager shall review the matter and the decision of the City Manager shall be final.

DISCIPLINE, SUSPENSION AND TERMINATION

108. Termination of employment for the purposes of this bylaw is also deemed to be the revocation of the appointment of the Employee (as applicable). Subject to the terms of this bylaw or any applicable legislation, the discipline, suspension and termination of employment of an Employee shall be governed by the terms of this bylaw.
109. The City may discipline an Employee for any material breach of this bylaw or any other City bylaw or resolution, any material breach of any of the City's policies, procedures, administrative directives and practices, and any other conduct deemed by the City to be inappropriate for an Employee.
110. When imposing discipline on an Employee, the City shall attempt to correct behaviour through the application of progressive discipline. However, it is within the sole discretion of the City to determine the level of discipline appropriate under each circumstance including verbal warnings, written warnings, demotions, suspensions with or without pay and termination of employment.
111. Pursuant to section 189 of the *Municipal Act*, an Employee may appeal in writing to council within five working days of a disciplinary suspension or termination with cause under this section pursuant to section 184 of the *Municipal Act*.
 - (1) After hearing the Employee and others as council deems necessary, council shall extend, reduce, or confirm the suspension, or overturn the suspension and/or reinstate the Employee.
 - (2) The City's internal procedural obligations pursuant to this provision shall be fully discharged, and the rights of the Employee fully and fairly satisfied if the Employee has been provided written notice summarizing the reasons for the suspension and the opportunity to provide written submissions to council prior to a decision being made.

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- (3) The City may invoke non-disciplinary leaves with or without pay pending investigation and such non-disciplinary leaves do not constitute discipline, a suspension or termination/dismissal for the purposes of this section of the Bylaw until a decision to impose discipline or termination is made and communicated to the employee. For greater clarity, there is no entitlement to appeal to Council for non-disciplinary leaves invoked by the City.
112. The employment relationship between the City and the Employee may be terminated in any of the following manners:
- (1) By written agreement between the City and the Employee.
 - (2) By the Employee, upon providing one month's written notice of resignation to the City. The City may waive such notice in whole or in part and if it does so then the Employee shall be entitled to payment of salary in lieu of any of the remaining one month's notice.
 - (3) By the Employee retiring pursuant to the retirement allowance provision in this bylaw.
 - (4) By the City, at any time without any notice or pay in lieu of notice, for Cause. "Cause" shall include, but not be limited to:
 - (a) conduct by the Employee that brings or has the potential to bring the City or its representatives into public disrepute or ridicule;
 - (b) unauthorized disclosure of confidential information or documents received or obtained by Employee in the course of employment without the written consent of council;
 - (c) use of such confidential information or documentation for the Employee's benefit or gain;
 - (d) significant or repetitive breaches of the City's bylaws, resolutions, policies, procedures, administrative directives, or practices; and
 - (e) any conduct that would constitute just cause for termination pursuant to the common law governing employment contracts.
113. The Employee may appeal in writing to council within five working days of a termination for cause.
- (1) The City's internal procedural obligations pursuant to this provision shall be fully discharged and the rights of the Employee fully and fairly satisfied if the Employee has been provided with a written notice summarizing the reasons for the cause and the opportunity to provide written submissions to Council.
 - (2) Council shall confirm the termination for cause, substitute the termination for cause with a termination without cause, reinstate the employee with no discipline, reinstate the employee with a warning or period of suspension, and may impose any conditions deemed appropriate.

Management and Management Staff Bylaw 2016-22

114. For Employees other than casual and temporary Employees, the employment relationship may be terminated by the City for any reason at its sole discretion, on a without cause basis, by providing the Employee three months of notice during the first two years of employment plus one additional month of notice for each completed year of employment commencing upon completion of two years of employment, up to a maximum total notice of twelve months.
- (1) The City may at its sole discretion provide notice as written working notice, payment of base salary in lieu of notice, or any equivalent combination of written notice and base salary in lieu of notice.
 - (2) The City may at its sole discretion provide the payment of base salary in lieu of notice through salary continuance instalments and make such payments conditional on the Employee taking reasonable steps to search for new employment.
 - (a) The City may at its sole discretion cease salary continuance payments upon the Employee obtaining new employment or income.
 - (3) The provision to the Employee of any payment of salary in lieu of notice greater than the minimum notice required by the *Employment Standards Act* is conditional on the Employee providing a signed release from any legal claims against the City and confidentiality agreement about the affairs of the City in a form satisfactory to the City.
115. The employment of Temporary Employees will terminate at the end of the fixed term established by the City for the Temporary Employee unless terminated earlier by the City providing the minimum notice or pay in lieu of notice required by the *Employment Standards Act* (if any).
116. Unless otherwise agreed to in writing by the City, there is no obligation to provide any amount of work to Casual Employees, continue their employment for any period of time or provide any notice of termination of employment or pay in lieu of notice, unless otherwise required by the *Employment Standards Act* and then only the minimum entitlement will be provided.
117. Where notice is required pursuant to this bylaw and any applicable laws, all of the City's obligations related to the employment of an Employee and this bylaw are fully discharged and the rights of the Employee fully and fairly satisfied upon the City providing the greater of the notice or pay in lieu of notice pursuant to this section and the minimum entitlement pursuant to the *Employment Standards Act*. All notice pursuant to this section is inclusive of the entitlements pursuant to the *Employment Standards Act*.
118. It is within the sole discretion of the City to elect to continue all or any part of the remuneration and benefits of an Employee during a period of suspension pursuant to this bylaw including any suspension that is under appeal.

Management and Management Staff Bylaw 2016-22

119. If the employment relationship is terminated in accordance with this section then all remuneration and benefits shall cease immediately upon the effective date of termination unless expressly stated otherwise in this bylaw, agreed to in writing by the City or required by the *Employment Standards Act*, and the Employee shall have no further legal claim of any kind against the City arising out of the termination of employment or arising out of this bylaw.
120. There are no procedural or appeal rights other than as expressly stated in this section of this bylaw.

GENERAL PROVISIONS

121. Employees required by the Employer to complete a driver's examination during their regular work schedule will be paid for their time at the applicable rate of pay.
122. If, in the opinion of the Employer, a medical examination of an Employee is required, the Employee will be paid for the time spent with the doctor and the cost of the examination shall be borne by the City.
123. Any Employee suffering injury while on the job must report immediately, or as soon as practicable, to the Supervisor, his replacement or the nearest medical officer.
124. Conflict of interest rules as set out in Council's Employee Code of Conduct Policy will apply to all Employees.
125. The City Manager may choose to grant to an Employee additional discretionary benefits over and above those described by this bylaw, if he or she, further to consultation with Human Resources, is satisfied that special circumstances warrant such a decision.
126. To encourage use of public transit and the Canada Games Centre, the Employer shall reimburse 50% of the cost of a pass on the city operated public transit system and fifty percent (50%) of the cost for an Employee to purchase a membership pass (single or family) for the Canada Games Centre.. For the purposes of this section, family means an Employee's spouse and children living in the Employee's residence.

BYLAW REPEAL

127. Bylaw 2012-11, including all amendments thereto, is hereby repealed.

APPLICATION AND DURATION

128. This bylaw shall be deemed to have been in full force and effect on and from January 1, 2015.
129. This bylaw is subject to amendment by Council from time to time.
130. It is intended that this bylaw will be brought forward for amendment prior to December 31, 2018.

Management and Management Staff Bylaw 2016-22

131. The following economic increases shall be effective as indicated in the salary schedules attached hereto as Schedules "A" and "B" and forming part of this bylaw:

<u>Increase Effective Date</u>	<u>Percentage</u>
January 1, 2015	1.5%
January 1, 2016	1.0%
January 1, 2017	1.0%
January 1, 2018	1.0%

FIRST READING: August 8, 2016

SECOND READING:

THIRD READING and ADOPTION:

Mayor

City Manager

CASUAL, PART-TIME, AND TEMPORARY EMPLOYEES

Casual Employees

Casual Employees are excluded from all provisions of this bylaw, except as specifically provided for as follows:

General Holidays

A Casual Employee will receive statutory holidays as set out in this bylaw provided they have worked a minimum of five shifts prior to the statutory holiday.

Annual Vacation

A Casual Employee will receive vacation pay at the rate of 4% of gross earnings at each pay period consistent with the terms and conditions within the *Yukon Employment Standards Act*.

Part Time Employees

Part time Employees will be pro-rated on full-time equivalency.

Weekly Indemnity and Long Term Disability

Part-time Employees are eligible for weekly indemnity and long term disability if it applies to their Employee Status and if they meet the basic eligibility criteria of the carrier.

Temporary Employees

Temporary Employees are excluded from all provisions of this bylaw, except as specifically provided for as follows:

General Holidays

A Temporary Employee will receive statutory holidays as set out in this bylaw provided they have worked a minimum of five shifts prior to the statutory holiday.

Pay in Lieu of Benefits

A Temporary Employee will receive 12% of pay in lieu of benefits each pay period effective upon the date of passage of this bylaw.

ATTACHMENT "B"

OATH OF OFFICE AND SECRECY

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

Signature

Sworn **or affirmed** before me at the City of Whitehorse,
in the Yukon Territory, this _____ day
of _____, 20_____.

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

Management and Management Staff Bylaw 2016-22

SCHEDULE "A"

MANAGEMENT EMPLOYEES	
Associate Manager, Engineering Services	Range 17
Associate Manager, Recreation	Range 16
Deputy Fire Chief *	Range 17
Director, Community and Recreation Services	Range 19
Director, Development Services	Range 19
Director, Infrastructure and Operations	Range 19
Fire Chief **	Range 18
Manager, Business and Technology Systems	Range 17
Manager, Bylaw Services	Range 17
Manager, Engineering Services	Range 18
Manager, Environmental Sustainability	Range 16
Manager, Financial Services	Range 18
Manager, Human Resources	Range 17
Manager, Legislative Services	Range 17
Manager, Operations	Range 18
Manager, Parks and Community Dev	Range 17
Manager, Planning & Building Services	Range 18
Manager, Recreation and Facility Services	Range 18
Manager, Strategic Communications	Range 16
Manager, Transit Services	Range 17
Manager, Water and Waste Services	Range 18

* Indicates a \$7,500 annual pay premium added to salary in 2016, 2017 and 2018 in addition to the Range rate

** Indicates a \$10,000 annual pay premium added to salary in 2016, 2017 and 2018 in addition to the Range rate

Management and Management Staff Bylaw 2016-22

Schedule A – Management Employees				
Effective January 1, 2015 to December 31, 2015				
[1.5% increase]				
	Range	Minimum		Maximum
Hourly	15	48.31		54.42
Annual		88,228.49		99,381.42
Hourly	16	52.94		59.64
Annual		96,674.17		108,914.63
Hourly	17	57.83		65.14
Annual		105,605.78		118,956.89
Hourly	18	63.19		71.18
Annual		115,393.51		129,994.14
Hourly	19	69.04		84.98
Annual		126,083.67		155,192.35
Schedule A – Management Employees				
Effective January 1, 2016 to December 31, 2016				
[1% increase]				
	Range	Minimum		Maximum
Hourly	15	48.80		54.97
Annual		89,110.77		100,375.23
Hourly	16	53.47		60.24
Annual		97,640.91		110,003.78
Hourly	17	58.41		65.79
Annual		106,661.84		120,146.46
Hourly	18	63.82		71.90
Annual		116,547.45		131,294.08
Hourly	19	69.73		85.83
Annual		127,344.51		156,744.27
Schedule A – Management Employees				

Management and Management Staff Bylaw 2016-22

Effective January 1, 2017 to December 31, 2017 [1% increase]			
	Range	Minimum	Maximum
Hourly	15	49.28	55.51
Annual		90,001.88	101,378.98
Hourly	16	54.00	60.84
Annual		98,617.32	111,103.82
Hourly	17	58.99	66.45
Annual		107,728.46	121,347.92
Hourly	18	64.46	72.62
Annual		117,712.92	132,607.02
Hourly	19	70.43	86.69
Annual		128,617.96	158,311.71

Schedule A – Management Employees			
Effective January 1, 2018 to December 31, 2018 [1% increase]			
	Range	Minimum	Maximum
Hourly	15	49.78	56.07
Annual		90,901.90	102,392.77
Hourly	16	54.54	61.45
Annual		99,603.49	112,214.86
Hourly	17	59.58	67.11
Annual		108,805.74	122,561.40
Hourly	18	65.10	73.34
Annual		118,890.05	133,933.09
Hourly	19	71.14	87.56
Annual		129,904.14	159,894.83

SCHEDULE “B”

MANAGEMENT STAFF EMPLOYEES	
Administrative Assistant, Corporate Services	Range 10

Management and Management Staff Bylaw 2016-22

Clerk, Assistant City	Range 12
Coordinator, Human Resources	Range 10
Executive Assistant, Mayor and Council	Range 11
Specialist, Communications	Range 12
Specialist, Human Resources	Range 14

Management and Management Staff Bylaw 2016-22

Schedule B – Management Staff					
Effective January 1, 2015 to December 31, 2015 [1.5% increase]					
	Range	Step 1	Step 2	Step 3	Step 4
Hourly	7	26.36	27.90	29.46	30.99
Annual		\$48,128.83	\$50,951.77	\$53,797.85	\$56,597.67
Hourly	8	27.58	29.21	30.84	32.46
Annual		\$50,373.30	\$53,335.08	\$56,320.00	\$59,281.77
Hourly	9	28.89	30.57	32.27	33.98
Annual		\$52,756.61	\$55,834.07	\$58,934.69	\$62,058.43
Hourly	10	30.35	32.13	33.92	35.69
Annual		\$55,417.58	\$58,680.16	\$61,942.74	\$65,182.18
Hourly	11	32.07	33.95	35.82	37.72
Annual		\$58,564.46	\$61,989.01	\$65,413.56	\$68,884.40
Hourly	12	33.96	35.96	37.95	39.95
Annual		\$62,012.16	\$65,668.09	\$69,300.90	\$72,956.84
Hourly	13	36.01	38.13	40.24	42.36
Annual		\$65,760.65	\$69,624.84	\$73,489.03	\$77,353.22
Hourly	14	38.33	40.57	42.84	45.10
Annual		\$69,995.07	\$74,090.65	\$78,232.50	\$82,351.22
Hourly	15	40.95	43.35	45.75	48.16
Annual		\$74,784.81	\$79,158.05	\$83,554.44	\$87,950.82

Management and Management Staff Bylaw 2016-22

Schedule B – Management Staff					
Effective January 1, 2016 to December 31, 2016 [1% increase]					
	Range	Step 1	Step 2	Step 3	Step 4
Hourly	7	26.62	28.18	29.75	31.30
Annual		\$48,610.12	\$51,461.29	\$54,335.83	\$57,163.65
Hourly	8	27.86	29.50	31.15	32.79
Annual		\$50,877.03	\$53,868.43	\$56,883.20	\$59,874.59
Hourly	9	29.18	30.88	32.60	34.32
Annual		\$53,284.18	\$56,392.41	\$59,524.04	\$62,679.01
Hourly	10	30.65	32.45	34.26	36.05
Annual		\$55,971.76	\$59,266.96	\$62,562.17	\$65,834.00
Hourly	11	32.39	34.28	36.18	38.10
Annual		\$59,150.10	\$62,608.90	\$66,067.70	\$69,573.24
Hourly	12	34.30	36.32	38.33	40.35
Annual		\$62,632.28	\$66,324.77	\$69,993.91	\$73,686.41
Hourly	13	36.37	38.51	40.64	42.78
Annual		\$66,418.26	\$70,321.09	\$74,223.92	\$78,126.75
Hourly	14	38.71	40.98	43.27	45.55
Annual		\$70,695.02	\$74,831.56	\$79,014.83	\$83,174.73
Hourly	15	41.36	43.78	46.21	48.64
Annual		\$75,532.66	\$79,949.63	\$84,389.98	\$88,830.33

Management and Management Staff Bylaw 2016-22

Schedule B – Management Staff					
Effective January 1, 2017 to December 31, 2017 [1% increase]					
	Range	Step 1	Step 2	Step 3	Step 4
Hourly	7	26.88	28.46	30.05	31.62
Annual		\$49,096.22	\$51,975.90	\$54,879.19	\$57,735.29
Hourly	8	28.14	29.79	31.46	33.12
Annual		\$51,385.80	\$54,407.11	\$57,452.03	\$60,473.34
Hourly	9	29.47	31.19	32.92	34.67
Annual		\$53,817.02	\$56,956.33	\$60,119.28	\$63,305.80
Hourly	10	30.96	32.78	34.60	36.41
Annual		\$56,531.48	\$59,859.63	\$63,187.79	\$66,492.34
Hourly	11	32.71	34.63	36.54	38.48
Annual		\$59,741.60	\$63,234.99	\$66,728.38	\$70,268.97
Hourly	12	34.64	36.68	38.71	40.75
Annual		\$63,258.60	\$66,988.02	\$70,693.85	\$74,423.27
Hourly	13	36.73	38.89	41.05	43.21
Annual		\$67,082.44	\$71,024.30	\$74,966.16	\$78,908.02
Hourly	14	39.10	41.39	43.70	46.00
Annual		\$71,401.97	\$75,579.88	\$79,804.98	\$84,006.48
Hourly	15	41.78	44.22	46.67	49.13
Annual		\$76,287.99	\$80,749.13	\$85,233.88	\$89,718.63

Management and Management Staff Bylaw 2016-22

Schedule B – Management Staff					
Effective January 1, 2018 to December 31, 2018 [1% increase]					
	Range	Step 1	Step 2	Step 3	Step 4
Hourly	7	27.15	28.75	30.35	31.93
Annual		\$49,587.18	\$52,495.66	\$55,427.98	\$58,312.64
Hourly	8	28.42	30.09	31.78	33.45
Annual		\$51,899.66	\$54,951.18	\$58,026.55	\$61,078.07
Hourly	9	29.76	31.50	33.25	35.01
Annual		\$54,355.19	\$57,525.89	\$60,720.47	\$63,938.86
Hourly	10	31.27	33.11	34.95	36.78
Annual		\$57,096.79	\$60,458.23	\$63,819.67	\$67,157.26
Hourly	11	33.04	34.97	36.91	38.86
Annual		\$60,339.02	\$63,867.34	\$67,395.66	\$70,971.66
Hourly	12	34.99	37.05	39.10	41.16
Annual		\$63,891.19	\$67,657.90	\$71,400.79	\$75,167.50
Hourly	13	37.10	39.28	41.46	43.64
Annual		\$67,753.26	\$71,734.54	\$75,715.82	\$79,697.10
Hourly	14	39.49	41.80	44.14	46.46
Annual		\$72,115.99	\$76,335.68	\$80,603.03	\$84,846.54
Hourly	15	42.19	44.66	47.14	49.62
Annual		\$77,050.87	\$81,556.62	\$86,086.22	\$90,615.82

Management and Management Staff Bylaw 2016-22

Schedule B – Casual and Temporary Employees					
Effective January 1, 2015 to December 31, 2015 [1.5% increase]					
	Range	Step 1	Step 2	Step 3	Step 4
Hourly	7	25.43	26.91	28.42	29.90
Annual		46,439.70	49,146.95	51,900.47	54,607.72
Hourly	8	26.62	28.19	29.75	31.33
Annual		48,614.75	51,483.98	54,330.06	57,222.40
Hourly	9	27.88	29.52	31.16	32.79
Annual		50,905.50	53,913.55	56,898.46	59,883.39
Hourly	10	29.27	30.99	32.73	34.45
Annual		53,450.78	56,597.67	59,767.69	62,914.57
Hourly	11	30.94	32.75	34.58	36.39
Annual		56,505.10	59,813.97	63,145.95	66,454.82
Hourly	12	32.77	34.71	36.62	38.57
Annual		59,837.10	63,377.35	66,871.32	70,434.71
Hourly	13	34.76	36.80	38.82	40.88
Annual		63,469.90	67,195.25	70,897.48	74,645.98
Hourly	14	36.99	39.17	41.36	43.51
Annual		67,542.34	71,522.23	75,525.25	79,458.86
Hourly	15	39.52	41.83	44.16	46.48
Annual		72,170.11	76,381.39	80,638.94	84,873.35

Management and Management Staff Bylaw 2016-22

Schedule B – Casual and Temporary Employees					
Effective January 1, 2016 to December 31, 2016 [1% increase]					
	Range	Step 1	Step 2	Step 3	Step 4
Hourly	7	25.68	27.18	28.70	30.20
Annual		46,904.10	49,638.42	52,419.47	55,153.80
Hourly	8	26.89	28.47	30.05	31.65
Annual		49,100.90	51,998.82	54,873.36	57,794.62
Hourly	9	28.15	29.82	31.47	33.12
Annual		51,414.56	54,452.69	57,467.44	60,482.22
Hourly	10	29.56	31.30	33.06	34.80
Annual		53,985.29	57,163.65	60,365.37	63,543.72
Hourly	11	31.25	33.08	34.92	36.75
Annual		57,070.15	60,412.11	63,777.41	67,119.37
Hourly	12	33.09	35.05	36.98	38.96
Annual		60,435.47	64,011.12	67,540.03	71,139.06
Hourly	13	35.10	37.16	39.21	41.28
Annual		64,104.60	67,867.20	71,606.45	75,392.44
Hourly	14	37.36	39.56	41.77	43.95
Annual		68,217.76	72,237.45	76,280.50	80,253.45
Hourly	15	39.92	42.24	44.60	46.94
Annual		72,891.81	77,145.20	81,445.33	85,722.08

Management and Management Staff Bylaw 2016-22

Schedule B – Casual and Temporary Employees					
Effective January 1, 2017 to December 31, 2017 [1% increase]					
NOTE: Was 96.5% of Schedule B Permanent Management Staff Pay Grid (Reflecting 3.5% RRSP included in salary. Now 99% of Schedule B Permanent Management Staff Pay Grid (Reflecting 1% RRSP included in salary. Adjustment related to 2.5% increased Employer RRSP Contribution Top Up					
	Range	Step 1	Step 2	Step 3	Step 4
Hourly	7	26.62	28.18	29.75	31.30
Annual		48,605.26	51,456.14	54,330.40	57,157.94
Hourly	8	27.86	29.50	31.15	32.78
Annual		50,871.94	53,863.04	56,877.51	59,868.61
Hourly	9	29.18	30.88	32.59	34.32
Annual		53,278.85	56,386.77	59,518.09	62,672.74
Hourly	10	30.65	32.45	34.26	36.05
Annual		55,966.17	59,261.03	62,555.91	65,827.42
Hourly	11	32.39	34.28	36.17	38.09
Annual		59,144.18	62,602.64	66,061.10	69,566.28
Hourly	12	34.29	36.32	38.32	40.35
Annual		62,626.01	66,318.14	69,986.91	73,679.04
Hourly	13	36.37	38.50	40.64	42.78
Annual		66,411.62	70,314.06	74,216.50	78,118.94
Hourly	14	38.71	40.97	43.26	45.54
Annual		70,687.95	74,824.08	79,006.93	83,166.42
Hourly	15	41.36	43.78	46.21	48.64
Annual		75,525.11	79,941.64	84,381.54	88,821.44

Management and Management Staff Bylaw 2016-22

Schedule B – Casual and Temporary Employees					
Effective January 1, 2018 to December 31, 2018 [1% increase]					
NOTE: Was 99% of Schedule B Permanent Management Staff Pay Grid (Reflecting 1% RRSP included in salary. Now 100% of Schedule B Permanent Management Staff Pay Grid – No RRSP included in salary)					
	Range	Step 1	Step 2	Step 3	Step 4
Hourly	7	27.15	28.75	30.35	31.93
Annual		49,587.18	52,495.66	55,427.98	58,312.64
Hourly	8	28.42	30.09	31.78	33.45
Annual		51,899.66	54,951.18	58,026.55	61,078.07
Hourly	9	29.76	31.50	33.25	35.01
Annual		54,355.19	57,525.89	60,720.47	63,938.86
Hourly	10	31.27	33.11	34.95	36.78
Annual		57,096.79	60,458.23	63,819.67	67,157.26
Hourly	11	33.04	34.97	36.91	38.86
Annual		60,339.02	63,867.34	67,395.66	70,971.66
Hourly	12	34.99	37.05	39.10	41.16
Annual		63,891.19	67,657.90	71,400.79	75,167.50
Hourly	13	37.10	39.28	41.46	43.64
Annual		67,753.26	71,734.54	75,715.82	79,697.10
Hourly	14	39.49	41.80	44.14	46.46
Annual		72,115.99	76,335.68	80,603.03	84,846.54
Hourly	15	42.19	44.66	47.14	49.62
Annual		77,050.87	81,556.62	86,086.22	90,615.82

CITY OF WHITEHORSE
BYLAW 2016- 34

A bylaw to authorize a work of local improvement to provide for urban electrification

WHEREAS in 1989 council approved the concept of assisting taxpayers to bring electrical service to their property via the imposition of a local improvement charge; and

WHEREAS the owners of the property located at 38 Harbottle Road in Wolf Creek have applied under the Urban Electrification Program for a local improvement to assist them in providing power to the property; and

WHEREAS sections 267 to 271 of the *Municipal Act* require that a bylaw to provide for and authorize a local improvement will contain specific information pertaining to the local improvement and the procedures to be followed in passing the bylaw; and

WHEREAS the actual cost of the said construction is estimated to be \$11,500.00 of which \$11,500.00 will be raised by way of a special tax assessment, and

WHEREAS in order to construct and complete the project it will be necessary to fund up to the sum of \$11,500.00 from the City; and

WHEREAS the estimated life of the project exceeds ten years;

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

1. A work of local improvement, being the electrification of the property described as Lot 85, Plan 53574, Wolf Creek Subdivision, is hereby authorized.
2. The parcel of land benefiting from this work of local improvement is Lot 85 Wolf Creek Subdivision, Roll #34700008500, property class RSC, located at 38 Harbottle Road.
3. The total cost of the local improvement has been determined by ATCO Electric Yukon.
4. The cost of the work is to be paid for by way of a special assessment to be levied on the parcel described in section 2 of this bylaw.
5. For the purposes aforesaid, the sum of up to \$11,500.00 is to be funded by the City at large.
6. The sum of \$11,500.00 is to be collected by way of a special assessment as provided in section 7 of this bylaw.
7. There is hereby imposed on the land described in section 2 of this bylaw a special assessment under the *Assessment and Taxation Act*. This equates to an annual fee in the amount of \$1,327.59 for each of ten years. This sum is the amount necessary to pay the annual amount of interest and principal falling due in each year, computed at the prime business rate of 2.7% as at August 12, 2016. The said special assessment shall be in addition to all other rates and taxes.

Local Improvement for Urban Electrification Bylaw 2016-34

- (1) The property owners have the option of paying the total property charge prior to its due date, or of paying the equal annual instalments each of ten years, commencing on July 2, 2017.
 - (2) The property owners may reduce the balance owing on the total property charge by making a lump sum payment in any year during the life of the bylaw. Such lump sum payments shall be accepted only in the month of January each year.
 - (3) The property owners may also pay off the balance owing at any point during the ten-year life of the bylaw.
8. The provisions of this bylaw shall come into full force and effect upon final passage thereof.

NOTICE GIVEN:

FIRST and SECOND READING:

THIRD READING and ADOPTION:

Mayor

City Clerk

CITY OF WHITEHORSE
BYLAW 2016-29

A bylaw to amend Zoning Bylaw 2012-20

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

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

WHEREAS it is deemed desirable that the City of Whitehorse Zoning Bylaw be amended to allow for the expansion of the MacBride Museum of Yukon History;

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

1. Section 10.7 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.7.8 as follows:

“10.7.8 Special Restrictions

- a) Lot 18, Block 7, Plan 2006-0127 LTO, located at 1124 Front Street in the Downtown area, is designated CMWx(a) with the special modifications being:

- (1) The front yard setback requirement is 0m.
- (2) There is no requirement for off-street parking.
- (3) Development is not expected to meet the Design Guidelines specified in section 10.7.7 of this bylaw.

2. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of the MacBride Museum parcel on Front Street in the Downtown area from CMW–Mixed Use Waterfront to CMWx(a)–Mixed Use Waterfront (modified), as indicated on the sketch attached hereto as Appendix “A” and forming part of this bylaw.

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

FIRST READING:

PUBLIC NOTICE:

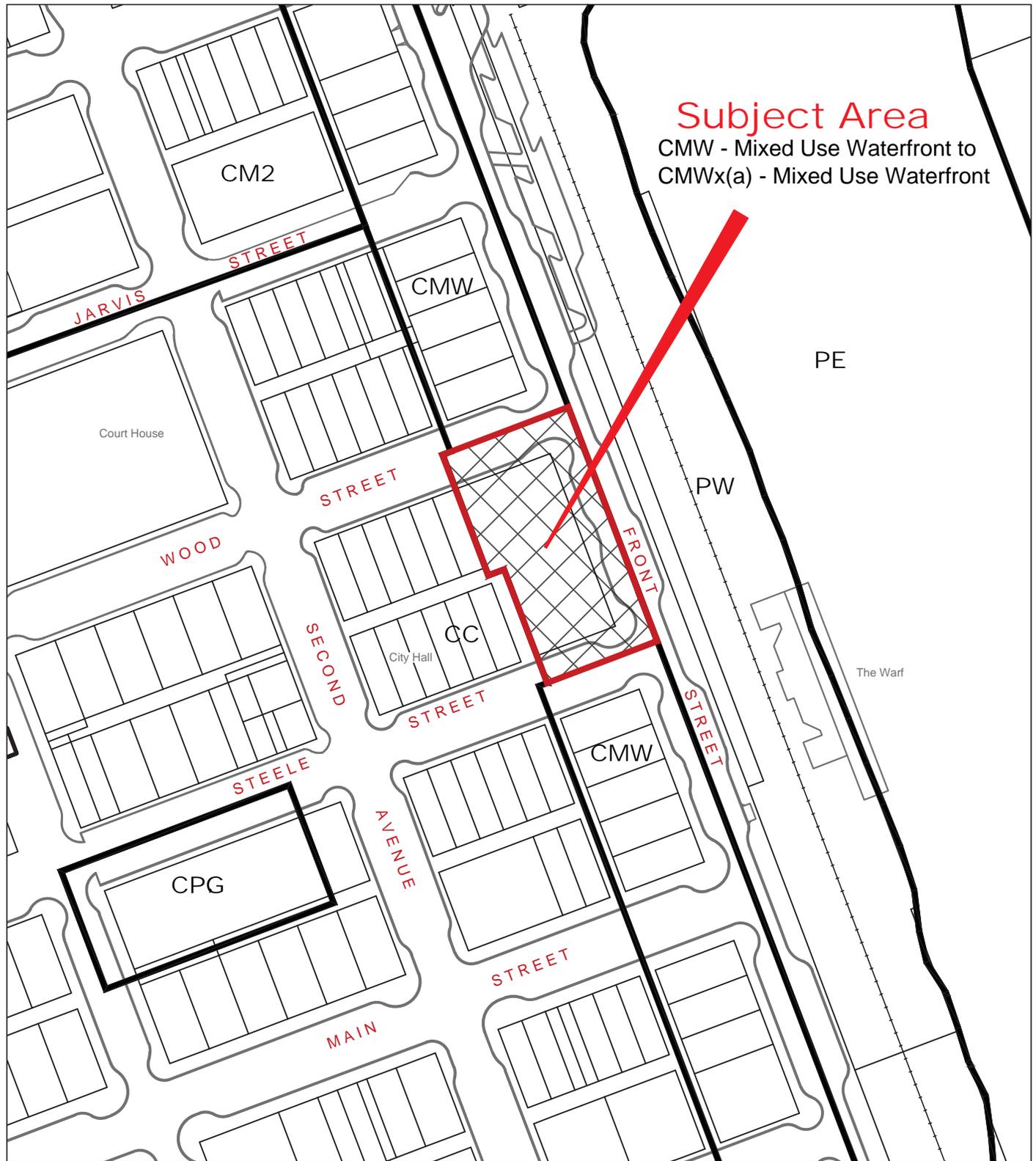
PUBLIC HEARING:

SECOND READING:

THIRD READING and ADOPTION:

Mayor

City Clerk



Subject Area
CMW - Mixed Use Waterfront to
CMWx(a) - Mixed Use Waterfront

Bylaw 2016-29

A Bylaw to amend the zoning of 1124 Front Street, located at Lot 18, Block 7, Plan 2006-0127 L TO, from CMW - Mixed Use Waterfront to CMWx(a) - Mixed Use Waterfront with special restrictions.

LEGEND

 SUBJECT AREA

CITY OF WHITEHORSE
BYLAW 2016-33

A bylaw to authorize an encroachment agreement

WHEREAS section 265 of the *Municipal Act* (2002) provides that council may pass bylaws, subject to the *Highways Act*, for the management and control of municipal highways; and

WHEREAS the MacBride Museum Society has applied for authorization of encroachments within portions of the Steele Street and Front Street road rights-of-way adjacent to their property to accommodate the Society's building expansion project; and

WHEREAS the council of the City of Whitehorse in the circumstances deems it necessary and expedient to authorize such encroachments;

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

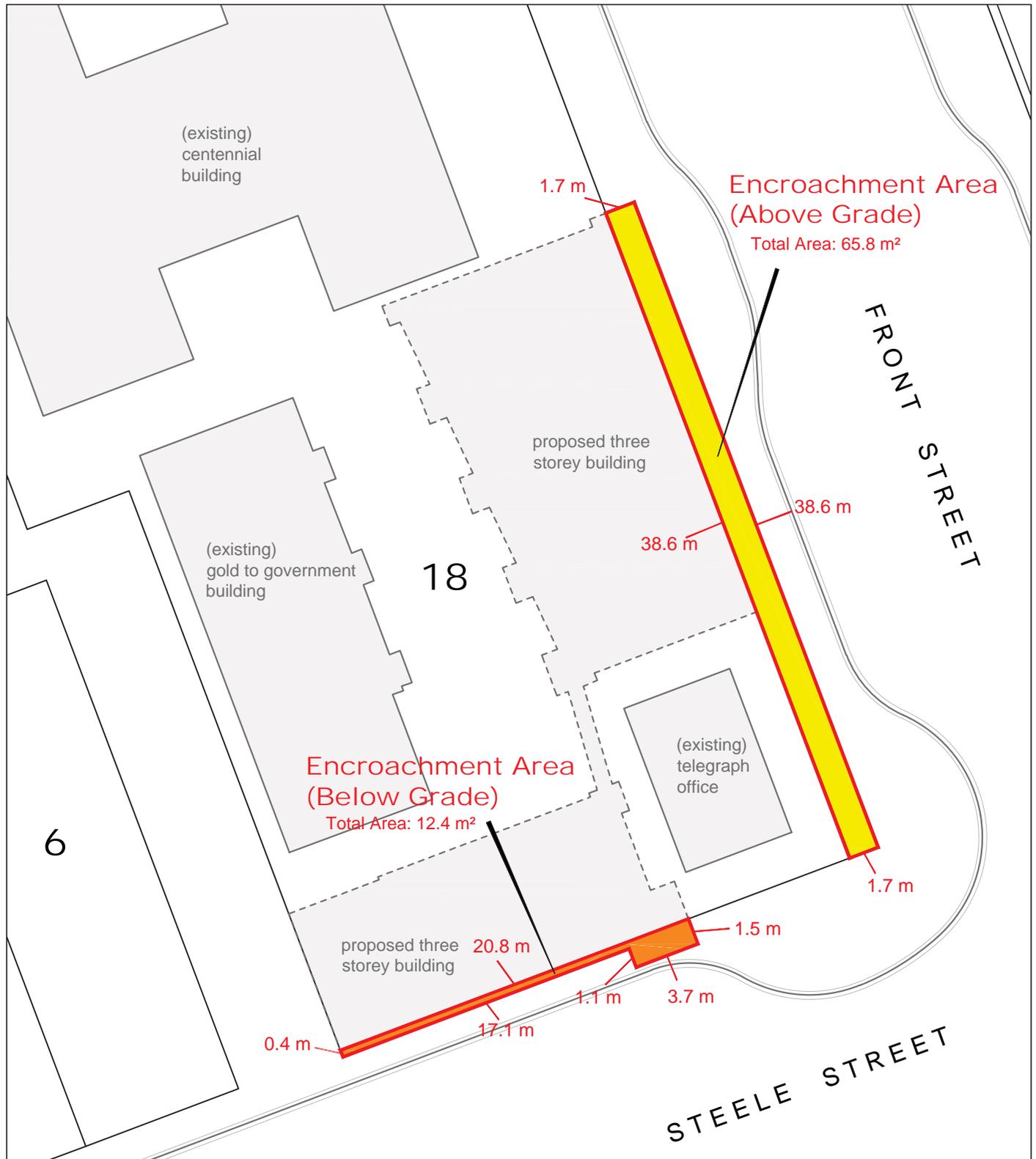
1. The City of Whitehorse is hereby authorized to enter into an Encroachment Agreement with the MacBride Museum Society for encroachments within portions of the Steele Street and Front Street road rights-of-way located adjacent to Lot 18, Block 7, Plan 2006-0127 LTO, as shown on the sketch attached hereto as Appendix "A" and forming part of this bylaw.
2. The Mayor and Clerk are hereby authorized to execute on behalf of the City of Whitehorse the Encroachment Agreement attached hereto as Appendix "B" and forming part of this bylaw.
3. This bylaw shall come into full force and effect upon the final passing thereof.

FIRST and SECOND READING:

THIRD READING and ADOPTION:

Mayor

City Clerk



Bylaw 2016-33

A bylaw to authorize an encroachment agreement over a portion of the Steele Street and Front Street right-of-way for the proposed addition to the MacBride Museum.

LEGEND

SUBJECT AREAS

THIS AGREEMENT made in triplicate this day of _____, 2016.

BETWEEN:

THE CITY OF WHITEHORSE, a municipality duly incorporated pursuant to the provisions of the *Municipal Act* (hereinafter called the "City")

AND:

MacBRIDE MUSEUM SOCIETY, a society duly incorporated pursuant to the provisions of the *Societies Act* (hereinafter called the "Owner")

ENCROACHMENT AGREEMENT

WHEREAS the Owner is the registered owner in fee simple of those lands described as:

Lot 18, Block 7, Plan 2006-0127, Whitehorse, Yukon Territory
(hereinafter called the "Lands")

AND WHEREAS the Owner will maintain the below grade building foundation and the above grade building overhang encroaching upon the Steele Street and Front Street road rights-of-way, which are owned by the City adjacent to the Owner's Lands, which City Lands are described as:

Roads (Steele Street and Front Street), Whitehorse, Yukon Territory Plan 3807
(hereinafter called the "City Lands")

AND WHEREAS the City has agreed to permit the Owner the right to maintain such encroachments on the City Lands;

IN CONSIDERATION of the rentals to be paid by the Owner, and pursuant to the provisions of the *Municipal Act*, the parties hereby agree as follows:

1. The City hereby grants to the Owner a license to allow the encroachments of the below grade building foundation and the above grade building overhang onto the City Lands as outlined in red on the sketch attached as Schedule "A" hereto (collectively, the "Licence Area").
2. The Encroachment Agreement shall be for a period not exceeding the life of the encroachment, or the life of the appurtenant building or structure.

3. The encroachment may continue to be used by the Owner but the encroachment shall not be added to, rebuilt or structurally altered except:
 - a) as may be necessary to remove the encroachment, or
 - b) as may be necessary for the routine maintenance of the encroachment.
5. The license shall extend to the placement of the below grade building foundation and the above grade building overhang as shown on the sketch attached as Schedule "A" hereto, and in no other manner.
6. The maximum area of encroachment permitted under the license granted shall be twelve point four square meters (12.4 m^{2±}), more or less for the below grade building foundation and sixty five point eight square meters (65.8 m^{2±}), more or less for the above grade building overhang.
7. The Owner shall pay to the City, in advance, the first year's annual rental fee of \$4,209.00 plus Goods and Services Tax (GST). Thereafter, the annual rental fee of \$4,209.00 plus Goods and Services Tax (GST) shall be due and payable in each and every year on the first day of the month in which this agreement is approved for signature by City Council, for the term of this agreement.
8. This Agreement may be terminated by the Owner at any time or by the City upon default or breach or non-performance by the Owner of any of the covenants or agreements contained herein, on written notice of termination to the other party, such termination to take effect ninety (90) days for the date of service of such notice, at which time the license granted shall cease.

The address for service for the City shall be:

The City of Whitehorse
2121 Second Avenue
Whitehorse, Yukon Y1A 1C2

The address for the Owner shall be:

MacBride Museum Society
1124 Front Street
Whitehorse, Yukon Y1A 1A4

9. The Owner acknowledges that the license granted does not convey or provide any right or use of the City lands, save as is expressly provided in this agreement.
10. Providing, however, and notwithstanding anything herein to be contrary, that the below grade building foundation and the above grade building overhang belonging to the Owner be demolished, destroyed or removed then the permit and license granted herein shall cease.

11. The Owner shall, at all times hereafter, indemnify and save harmless the City against all actions, causes of action, claims, debts, liabilities, dues, sums of money, and demands, of whatsoever kind or nature incurred by the City or that may be brought or made against the City by reason of anything done or omitted to be done by the Owner in the exercise or purported exercise of the rights and privileges of the licence hereby granted.

This indemnity shall include all reasonable costs and expenses incurred in defending any action brought against the City, including legal fees and expenses taxed as special costs.

12. The City in carrying out any work within the Encroachment Area shall not be liable or responsible for any damage or removal of any fencing or landscaping that may be located in the area. The Owner shall be responsible for any and all costs associated with the removal, damage and repair of these items.
13. The Owner shall provide and maintain in such and to such extent and with such companies, as required by and in a form satisfactory to the City, a Public Liability and Property Damage Policy in favour of the City in the minimum principal amount of two million (\$2,000,000.00) dollars, inclusive limits in respect of loss sustained by one or more persons or damage to property, executed under seal by an insurance company registered to do business within the Yukon Territory, indemnifying against liabilities, claims, actions, loss, damages, judgments, costs, and expenses which may accrue or be suffered by the encroaching improvements, which are the subject of this encroachment agreement.
14. Upon the termination of this Agreement, the Owner shall, at its own cost, charge and expense, and to the satisfaction of the City, alter or remove any and all structures from the Licence Area, and restore the affected Licence Area to the state that it was in prior to the construction of the structures, without being entitled to any compensation whatsoever for such alteration or removal and restoration. If the Owner neglects, refuses or fails to do so within 30 days of termination of this Agreement, then the City may remove the structures from the Licence Area at the cost, charge an expense of the Owner and the certificate of an engineer of the City as to the cost of such alteration or removal and restoration shall be final and binding upon the Owner and the City may recover such costs from the Owner in a like manner as taxes.
15. This Agreement and everything herein contained shall run with the Lands and the City Lands and enure to the benefit of and be binding upon the parties, their heirs, executors, administrators, successors and assigns. The liability under this Agreement shall be assumed by the owner of the Lands, from time to time, and any such owner is responsible for the liabilities which accrued prior to or during the time that such owner was, in fact, the owner of the Lands. Such owner is not responsible for liabilities which accrue after the owner transfers title to another.

IN WITNESS WHEREOF the Parties hereto have duly executed this Agreement as of the day and year first written above.

THE CITY OF WHITEHORSE, per:

Dan Curtis, Mayor

(SEAL)

Norma Felker, Assistant City Clerk

MacBRIDE MUSEUM SOCIETY, per:

Keith Halliday, Chair

Witness Signature

(Print Name of Witness)

Nils Clarke, Treasurer

Witness Signature

(Print Name of Witness)

**CORPORATE SIGNING AUTHORITY
AFFIDAVIT**

CANADA) We, **Dan Curtis** and **Norma Felker**,
)
YUKON TERRITORY) of the City of Whitehorse, in the Yukon Territory,
)
TO WIT:) MAKE OATH AND SAY AS FOLLOWS:

- 1) We are the Mayor and Assistant City Clerk respectively of The City of Whitehorse (the "Corporation").
- 2) We are the persons who subscribed our names and affixed the corporate seal of the Corporation to the attached instrument.
- 3) We are authorized by the Corporation to subscribe our names and affix the corporate seal to the attached instrument.
- 4) The Corporation exists as of the date hereof.

SEVERALLY SWORN BEFORE ME)
at the City of Whitehorse,)
in the Yukon Territory,)
this _____ day of _____,)
2016.)

Dan Curtis, Mayor

**A Notary Public in and for
the Yukon Territory**

Norma Felker, Assistant City Clerk

Print Name of Notary Public

**CORPORATE SIGNING AUTHORITY
AFFIDAVIT**

CANADA) We, **Keith Halliday** and **Nils Clarke**,
)
YUKON TERRITORY) of the City of Whitehorse, in the Yukon Territory,
)
TO WIT:) MAKE OATH AND SAY AS FOLLOWS:

- 1) We are the **Chair** and **Treasurer** of the **MacBride Museum Society** (the "Society").
- 2) We are the persons who subscribed our names to the attached instrument.
- 3) We are authorized by the Society to subscribe our names to the attached instrument.
- 4) The Society exists as of the date hereof.

SEVERALLY SWORN BEFORE ME)
at the City of Whitehorse,)
in the Yukon Territory,)
this day of _____,)
2016.)

Keith Halliday, Chair

Nils Clarke, Treasurer

**A Notary Public in and for
the Yukon Territory**

Print Name of Notary Public

AFFIDAVIT OF WITNESS

CANADA) I, _____
) of the City of Whitehorse,
 YUKON TERRITORY) in the Yukon Territory,
)
 TO WIT:) MAKE OATH AND SAY AS FOLLOWS:

- 1) I was personally present and did see both **Keith Halliday and Nils Clarke** named in the within instrument, who identified themselves to me to be the persons named therein, duly sign and execute the same on behalf of the **MacBride Museum Society** for the purpose therein named;
- 2) The said instrument was executed at the City of Whitehorse, in the Yukon Territory, and that I am the subscribing witness thereto;
- 3) The said party is in my belief of the full age of nineteen years.

SWORN BEFORE ME)
 at the City of Whitehorse,)
 in the Yukon Territory,)
 this day of , _____)
 2016.)
)
)
)
)
)
)
)

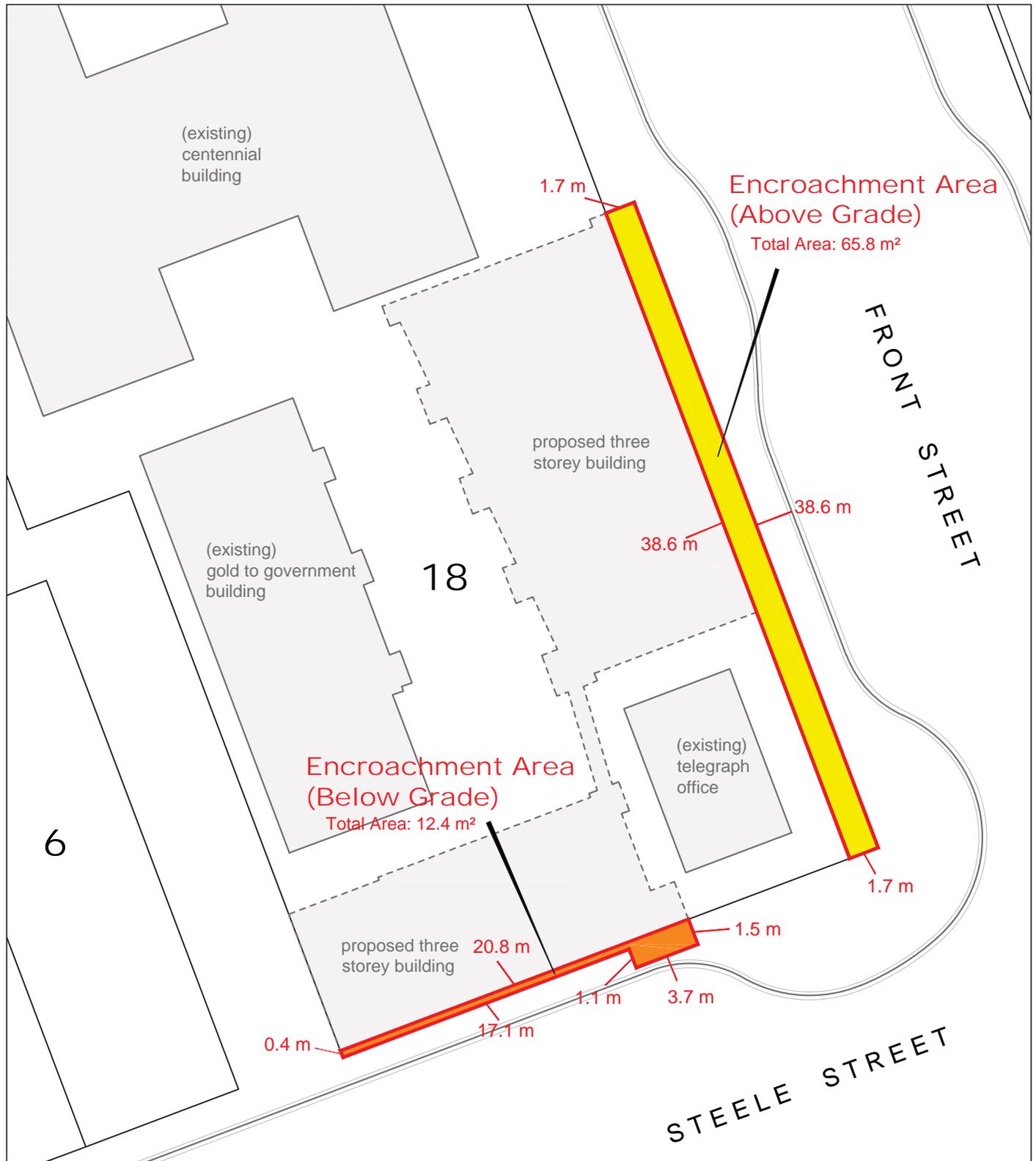
**A Notary Public in and for
 the Yukon Territory**

Witness Signature

(Print Name of Witness)



CITY OF WHITEHORSE
Encroachment Agreement
SCHEDULE "A"



Encroachment Agreement Between The City of Whitehorse and MacBride Museum Society.

LEGEND

 SUBJECT AREAS

CITY OF WHITEHORSE
BYLAW 2016-36

A bylaw to amend Zoning Bylaw 2012-20

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

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

WHEREAS it is deemed desirable that the City of Whitehorse Zoning Bylaw be amended to permit the development of a child care centre on Burns Road in the Hillcrest Subdivision;

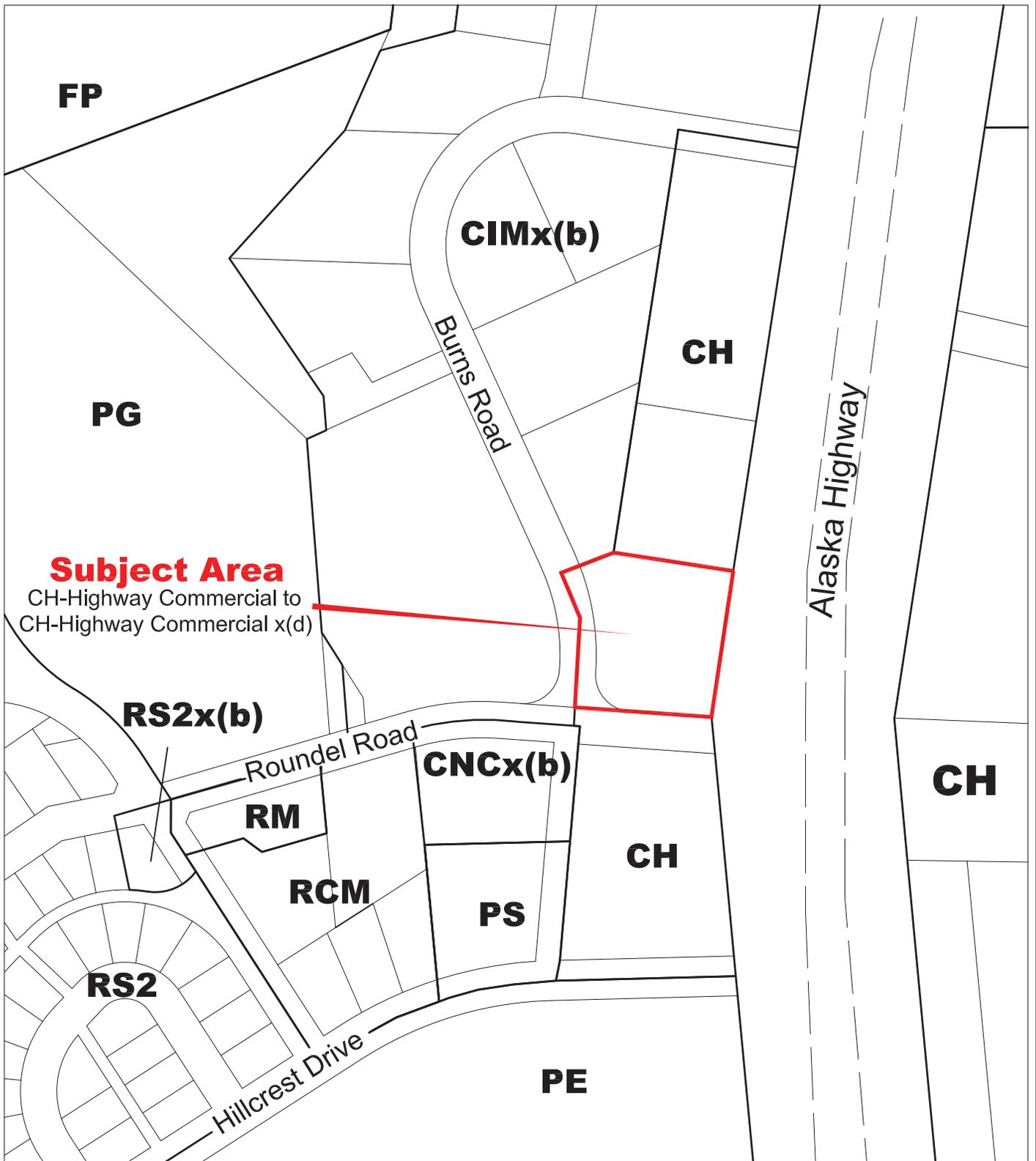
NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Section 10.3.7 of Zoning Bylaw 2012-20 is hereby amended by adding a new section 10.3.7 d) as follows:
 "10.3.7 d) Lot 6, Plan 45944 LTO, located at 16 Burns Road in the Hillcrest neighbourhood, is designated CHx, with the special modification being that child care centres are permitted as a principal use."
2. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of Lot 6, Plan 45944 LTO, located at 16 Burns Road, from CH–Highway Commercial to CHx(d)–Highway Commercial (modified), as indicated on the sketch attached hereto as Appendix "A" and forming part of this bylaw.
3. This bylaw shall come into force and effect upon the final passing thereof.

FIRST READING:
PUBLIC NOTICE:
PUBLIC HEARING:
SECOND READING:
THIRD READING and ADOPTION:

Mayor

City Clerk



Subject Area

CH-Highway Commercial to
CH-Highway Commercial x(d)

Bylaw 2016-36
A bylaw to amend the zoning of Lot 6, Plan 45944 LTO (16 Burns Road), to allow for a child care centre as a principal use.

LEGEND

 SUBJECT AREA

CITY OF WHITEHORSE
BYLAW 2016-37

A bylaw to amend Zoning Bylaw 2012-20

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

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

WHEREAS it is deemed desirable that the City of Whitehorse Zoning Bylaw be amended to allow the placement of a modified mobile home in the Lobird Mobile Home Park;

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

1. Section 9.13 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 9.3.10 as follows:

“9.13.10 Special Restrictions

- a) The trailer park portion of Lots 1206 and 1207, Quad 105 D/11, Plan 2005-0035 LTO, located at 200 Lobird Road, is designated RPx(a), the special modifications being:

- (1) Mobile Home Site #221 is permitted to contain a mobile home with a heated room addition; and
- (2) The heated room addition must conform to the provisions contained within section 9.13.8 c) of this bylaw; and
- (3) The special modification associated with Mobile Home Site #221 is specific to the first mobile home placed on Site #221 after the adoption of Bylaw 2016-37 and is not transferrable to future mobile homes. Future mobile homes placed on Site #221 must conform to zoning regulations in effect at the time of placement on the site.

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

FIRST READING:

PUBLIC NOTICE:

PUBLIC HEARING:

SECOND READING:

THIRD READING and ADOPTION:

Mayor

City Clerk