

**CITY OF WHITEHORSE**  
**REGULAR Council Meeting #2016-18**

**DATE:** Tuesday, October 11, 2016  
**TIME:** 5:30 p.m.

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

## **AGENDA**

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

**AGENDA:** Adoption

**PROCLAMATIONS:** Poverty and Homelessness Action Week, October 16 – 21, 2016

**MINUTES:** Regular Council Meeting #2016-17 dated September 26, 2016

**DELEGATIONS:**

**PUBLIC HEARING:** Bylaw 2016-29, Zoning Amendment (MacBride Museum)  
Bylaw 2016-36, Zoning Amendment (Childcare Centre, Skky Hotel)  
Bylaw 2016-37, Zoning Amendment (Lobird Mobile Home Park)

**COMMITTEE** **Community Services Committee** – *Councillors Hartland and Curteanu*  
**REPORTS:** **Public Health & Safety Committee** – *Councillors Curteanu & Fendrick*  
**Development Services Committee** – *Councillors Irwin & Boyd*  
**Corporate Services Committee** – *Councillors Boyd & Woodcock*  
**City Planning Committee** – *Councillors Fendrick & Hartland*  
Public Input Report – Conditional Use (907 Fir Street)  
Chadburn Lake Park Management Plan  
**City Operations Committee** – *Councillors Woodcock & Irwin*

**NEW & UNFINISHED**  
**BUSINESS:**

**BYLAWS:**

**ADJOURNMENT:**

**PROCLAMATION**  
**POVERTY AND HOMELESSNESS ACTION WEEK**  
**October 16 – 21, 2016**

WHEREAS poverty and homelessness are prevalent in Yukon; and

WHEREAS the health and welfare of many Yukon people is impacted by the dominance of poverty in their lives; and

WHEREAS all levels of government including First Nations, in conjunction with various not-for-profit organizations, are working to alleviate the causes and symptoms of poverty and homelessness in Yukon; and

WHEREAS Poverty and Homelessness Action Week provides opportunities to increase public knowledge about the social and economic impacts of poverty, and also provides opportunities to increase awareness about measures that can be taken to diminish poverty and homelessness;

NOW THEREFORE I, Mayor Dan Curtis, do hereby proclaim October 16 to 21, 2016 to be ***Poverty and Homelessness Action Week*** in the City of Whitehorse.

Dan Curtis  
Mayor

MINUTES of **REGULAR** Meeting #2016-17 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, September 26, 2016, in Council Chambers, City Hall.

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

ALSO PRESENT: City Manager Christine Smith  
Director of Community Services Linda Rapp  
Acting Director of Development Services Patrick Ross  
Director of Infrastructure and Operations Peter O'Blenes  
Chief Financial Officer Valerie Braga  
Manager of Legislative Services Jeff O'Farrell  
Manager of Strategic Communications Jessica Apolloni

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

**CALL TO ORDER**

**2016-17-01**

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

**AGENDA**

Carried Unanimously

Mayor Curtis proclaimed September 30<sup>th</sup> to be **Orange Shirt Day**, October 1<sup>st</sup> to be **National Seniors Day**, and the month of October to be **United Way Month** in the City of Whitehorse.

**PROCLAMATIONS**

**2016-17-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated September 12, 2016 be adopted as presented.

**MINUTES**

September 12, 2016

Carried Unanimously

**PUBLIC INPUT**

Mayor Curtis called three times for anyone to appear to address the conditional use application to allow the development of a commercial kitchen in a detached garage at 907 Fir Street in Porter Creek.

CONDITIONAL USE  
907 Fir Street

The proponent, Luke Legault, advised Council that he was present to answer questions or address concerns that may be raised with respect to this application.

LUKE LEGAULT  
Proponent

No written submissions were received.

No Submissions

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

Public Input Closed

## **COMMITTEE REPORTS**

### **Community Services Committee**

Mayor Curtis proclaimed September 30<sup>th</sup> to October 2<sup>nd</sup> to be **Culture Days**, the first full week in October to be **Mental Illness Awareness Week**, and October 10<sup>th</sup> to be **World Mental Health Day** in the City of Whitehorse.

PROCLAMATIONS  
For Information Only

### **2016-17-03**

It was duly moved and seconded  
THAT a narrow scope review of the Arts Policy be conducted at this time, dealing specifically with housekeeping items, definitions, and the need for clarity on a number of clauses.

ARTS POLICY REVIEW

Carried (6 – 1)

IN FAVOUR: Mayor Curtis, Councillors Boyd, Fendrick, Hartland, Irwin and Woodcock

Recorded Vote

OPPOSED: Councillor Curteanu

Council members discussed the proposed scope of the review and some concern was raised about opening up the policy without the full involvement of the arts community.

Administration confirmed that certain members of the arts community will be involved with the narrow scope review, but that time constraints and operating capacities will limit broader community involvement at this time. The narrow scope review will allow specific issues to be addressed before a tender is issued for the construction of the new operations building.

Discussion

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

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

No Report

**Development Services Committee**

Sharon Kempton requested that the City support the development of additional community gardens in the Downtown area. She noted that a lot of produce is being stolen from existing gardens, and suggested that more community gardens would help to alleviate the problem.

SHARON KEMPTON  
Community Gardens  
For Information Only

**Corporate Services Committee**

**2016-17-04**

It was duly moved and seconded THAT the meeting schedule for January 2017 be amended by re-scheduling the Standing Committee meetings to January 9 and 23, and the Regular Council meetings to January 16 and 30.

AMEND JANUARY 2017  
MEETING SCHEDULE

Carried Unanimously

**City Planning Committee**

**2016-17-05**

It was duly moved and seconded THAT Bylaw 2016-28, a bylaw to amend certain regulations in the Comprehensive Development zones, be brought forward for second and third reading under the bylaw process.

BRING FORWARD  
BYLAW 2016-28

Carried Unanimously

The owner of 907 Fir Street in Porter Creek has applied to develop a commercial kitchen in a detached garage at the rear of the property. The proposed use is classified as a major home-based business, and is an allowable conditional use under the current zoning, subject to approval by City Council, including any conditions required for Development Permit approval to mitigate concerns that may be raised. The use does not conflict with any policies related to the Official Community Plan designation of the neighbourhood. A public input session is scheduled for the regular council meeting on September 26 so that Council may hear and consider all submissions with respect to the proposed use.

CONDITIONAL USE  
APPLICATION  
(Commercial Kitchen at  
907 Fir Street)  
For Information Only

A Committee member asked for information regarding the timing and scope of an Official Community Plan amendment for the parcel of land adjacent to Utah Siding.

O.C.P. AMENDMENT  
For Information Only

**City Operations Committee**

There was no report from the City Operations Committee.

No Report

**BYLAWS**

**2016-17-06**

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

Carried Unanimously

**BYLAW 2016-30**

O.C.P. AMENDMENT  
(Cousins Airfield Road)  
THIRD READING

**2016-17-07**

It was duly moved and seconded  
THAT Bylaw 2016-34, a bylaw to provide for a local improvement to  
fund an urban electrification project at 38 Harbottle Road in Wolf  
Creek, having been read a first and second time, now be given third  
reading.

Carried Unanimously

**BYLAW 2016-34**

URBAN ELECTRIC LIC  
(38 Harbottle Road)  
THIRD READING

**2016-17-08**

It was duly moved and seconded  
THAT Bylaw 2016-28, a bylaw to amend the Zoning Bylaw by  
changing certain regulations in the Comprehensive Residential  
Development zones, be given second reading.

Carried Unanimously

**BYLAW 2016-28**

ZONING AMENDMENT  
(Comprehensive Zones)  
SECOND READING

**2016-17-09**

It was duly moved and seconded  
THAT Bylaw 2016-28, a bylaw to amend the Zoning Bylaw by  
changing certain regulations in the Comprehensive Residential  
Development zones, having been read a first and second time, now be  
given third reading.

Carried Unanimously

**BYLAW 2016-28**

ZONING AMENDMENT  
(Comprehensive Zones)  
THIRD READING

There being no further business, the meeting adjourned at 6:05 p.m.

**ADJOURNMENT**

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Mayor

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City Clerk

ADOPTED by resolution at Meeting #2016-

## MEMORANDUM

TO: Mayor and Council

FILE # Z-08-2016

FROM: Administration

DATE: October 11, 2016

SUBJECT: Public Hearing at Regular Council Meeting – October 11, 2016

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Please be advised there will be a Public Hearing at the Regular Council Meeting on October 11, 2016 to hear from interested parties related to the following:

**Bylaw 2016-29, a bylaw to amend the CMW–Mixed Use Waterfront zoning of the MacBride Museum Society property at 1124 Front Street, to allow for a 0 m front yard setback, relaxation of waterfront design guidelines, and removal of parking requirements.**

The MacBride Museum Society has secured Federal and Territorial funding for the construction a new building on the property that contains the MacBride Museum of Yukon History. The property spans the width of one Front Street block, with additional frontages on Steele and Wood Streets. The Society is proposing to build a 3-storey, modernist building that would be sited adjacent to, and overhanging, the historic Telegraph Office at the corner of Front and Steele Streets. The design seeks to maximize floor area to meet the museum’s operational needs.

The Society’s original proposal did not meet several of the regulations of the CMW zone, and so three modifications were requested. Several design changes have since occurred, bringing the expansion proposal closer to conformance with the CMW regulations. As a result, **only the request to remove the property’s off-site parking provision requirement (12 spaces) is still being pursued.** Bylaw 2016-29 will need to be amended at 2<sup>nd</sup> Reading to reflect these changes to the application.

A total of 9 letters were sent to property owners within a 100 m radius of the site. Letters were sent after first reading and again later with an update on changes made to the zoning request. The Kwanlin Dün First Nation, Ta’an Kwäch’än Council, and Yukon Government Lands Management Branch were also notified by mail. The Downtown Residents Association was notified by email. A notice of the proposed development was placed in local newspapers on September 16 and 23, 2016.

Erica Beasley  
Planner, Planning & Building Services

cc. City Manager  
Director, Development Services  
Manager, Planning & Building Services

## MEMORANDUM

FILE #: Z-10-2016

TO: Mayor and Council  
FROM: Administration  
DATE: October 11, 2016  
SUBJECT: Public Hearing at Regular Council Meeting October 11, 2016

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Please be advised there will be a Public Hearing at the regular council meeting on October 11, 2016, to hear from interested parties related to the following zoning amendment:

**Bylaw 2016-36, a bylaw to allow a child care centre as a principal use at 16 Burns Road in the Hillcrest area (Skky Hotel)**

Administration has received an application to amend the zoning of Lot 6, Plan 45944 (16 Burns Road) to allow a child care centre as a principal use. The proposed child care centre would be located in the vacant commercial building immediately adjacent to the Skky Hotel.

Bylaw 2015-36 received First Reading on September 12, 2016.

Notices were published in the newspapers on September 16 and 23. A total of nine letters were sent to property owners within 100 metres of the subject property. 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



## MEMORANDUM

FILE #: Z-11-2016

TO: Mayor and Council  
FROM: Administration  
DATE: October 11, 2016  
SUBJECT: Public Hearing at Regular Council Meeting October 11, 2016

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Please be advised there will be a Public Hearing at the Regular Council Meeting of October 11, 2016, to hear from interested parties related to the following zoning amendment:

**Bylaw 2016-37, a bylaw to allow for a mobile home with a post-factory, heated addition to be placed in the Lobird Trailer Park**

The applicant, Ann Rudniski, is the owner of a mobile home currently situated on the Casa Loma property on Centennial Street in Porter Creek. Mrs. Rudniski was one of the mobile home owners given an eviction notice last July by the owners of the Casa Loma. Mrs. Rudniski has contacted the owner of the Lobird Trailer Park (Chena Corporation) and has an agreement to relocate the mobile home to a site on the Lobird property. However, there are existing, non-conforming zoning aspects of the mobile home that prevent the relocation from being permitted by the City. The zoning conflict is in relation to a heated addition that has been made to the mobile home that is approximately three-quarters the size of the original mobile home.

Bylaw 2015-37 received 1<sup>st</sup> Reading on September 12, 2016. Notices were published in the newspapers on September 16 and 23. A total of 15 letters were sent to mobile home owners within 100 m of the subject property. 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 Community Services Committee

<b>Date</b>	October 3, 2016
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Samson Hartland – Chair Councillor Jocelyn Curteanu – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Robert Fendrick Councillor Betty Irwin Councillor Roslyn Woodcock
<b>Staff Present</b>	Christine Smith, City Manager Linda Rapp, Director of Community and Recreation Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Valerie Braga, Chief Financial Officer Jeff O’Farrell, Manager of Legislative Services Jessica Apolloni, Manager of Strategic Communications

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

1. **Proclamation** – For Information Only

Mayor Curtis proclaimed the third full week in October to be ***National Teen Driver Safety Week*** in the City of Whitehorse.

2. **Changes to the Trail Maintenance Policy** – For Information Only

Keith Lay, on behalf of Active Trails Whitehorse Association, addressed the Committee to express concern regarding proposed revisions to the Trail Maintenance Policy that outline a process to legitimize rogue trails. He advocated for the remediation of rogue trails as an alternative to legitimization.



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

**Date** October 3, 2016

**Location** Council Chambers, City Hall

**Committee Members Present**  
Councillor Jocelyn Curteanu – Chair  
Councillor Robert Fendrick – Vice-Chair  
Mayor Dan Curtis  
Councillor Dan Boyd  
Councillor Samson Hartland  
Councillor Betty Irwin  
Councillor Roslyn Woodcock

**Staff Present**  
Christine Smith, City Manager  
Linda Rapp, Director of Community and Recreation Services  
Mike Gau, Director of Development Services  
Peter O’Blenes, Director of Infrastructure and Operations  
Valerie Braga, Chief Financial Officer  
Jeff O’Farrell, Manager of Legislative Services  
Jessica Apolloni, Manager of Strategic Communications

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



## Minutes of the meeting of the Development Services Committee

**Date** October 3, 2016

**Location** Council Chambers, City Hall

**Committee Members Present**  
Councillor Betty Irwin – Chair  
Councillor Dan Boyd – Vice-Chair  
Mayor Dan Curtis  
Councillor Jocelyn Curteanu  
Councillor Robert Fendrick  
Councillor Samson Hartland  
Councillor Roslyn Woodcock

**Staff Present**  
Christine Smith, City Manager  
Linda Rapp, Director of Community and Recreation Services  
Mike Gau, Director of Development Services  
Peter O’Blenes, Director of Infrastructure and Operations  
Valerie Braga, Chief Financial Officer  
Jeff O’Farrell, Manager of Legislative Services  
Jessica Apolloni, Manager of Strategic Communications

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



## Minutes of the meeting of the Corporate Services Committee

<b>Date</b>	October 3, 2016
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Dan Boyd – Chair Councillor Roslyn Woodcock – Vice-Chair Mayor Dan Curtis Councillor Jocelyn Curteanu Councillor Robert Fendrick Councillor Samson Hartland Councillor Betty Irwin
<b>Staff Present</b>	Christine Smith, City Manager Linda Rapp, Director of Community and Recreation Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Valerie Braga, Chief Financial Officer Jeff O’Farrell, Manager of Legislative Services Jessica Apolloni, Manager of Strategic Communications

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



## Minutes of the meeting of the City Planning Committee

**Date** October 3, 2016

**Location** Council Chambers, City Hall

**Committee Members Present** Councillor Robert Fendrick – Chair  
Councillor Samson Hartland – Vice-Chair  
Mayor Dan Curtis  
Councillor Dan Boyd  
Councillor Jocelyn Curteanu  
Councillor Betty Irwin  
Councillor Roslyn Woodcock

**Staff Present** Christine Smith, City Manager  
Linda Rapp, Director of Community and Recreation Services  
Mike Gau, Director of Development Services  
Peter O’Blenes, Director of Infrastructure and Operations  
Valerie Braga, Chief Financial Officer  
Jeff O’Farrell, Manager of Legislative Services  
Jessica Apolloni, Manager of Strategic Communications  
Patrick Ross, Manager of Planning Services  
Mike Ellis, Senior Planner

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

**1. Public Input Report – Conditional Use at 907 Fir Street**

The owner of the property at 907 Fir Street in Porter Creek has applied to develop and operate a commercial kitchen in a portion of a detached garage located at the rear of the lot. The kitchen will be used in conjunction with an existing catering business. The proposed use is classified as a major home-based business, and is an allowable conditional use under the current zoning, subject to approval by City Council. The use does not conflict with any policies related to the Official Community Plan designation of the neighbourhood. Only the proponent spoke to the application at the public input session. No submissions were received, and no issues were raised.

**Recommendation**

THAT a commercial kitchen, classified as a major home-based business in a detached building, be approved as a conditional use at 907 Fir Street in Porter Creek.

**2. Chadburn Lake Park Management Plan**

The Official Community Plan identifies five park areas in the City that are recognized for their significant ecological, recreational, and cultural values. In 2014, Council adopted the Regional Parks Plan, which provides a framework for developing park-specific management plans for each of the five parks.

After extensive consultation with the public, partner organizations, stakeholders and all levels of government, the Chadburn Lake Park Management Plan contains goals, policies and a land use concept for the park, providing park management guidance for the next ten years. The plan divides the park into five management areas. Within each area, the plan dictates how to deal with specific issues including new development, trails, habitat enhancement, special events, and education. The Chadburn Lake Park Management Plan is now ready for adoption as a guiding document.

Questions were raised regarding the extent of First Nation involvement in the consultation process, the potential constraints on future development, and the need for new rules and regulations to implement the plan. A concern was noted regarding issues of bat-human interaction.

Keith Lay expressed support and appreciation for the extent of the public engagement opportunities afforded during the Chadburn Lake Park Planning process.

**Recommendation**

THAT the Chadburn Lake Park Management Plan dated September 2016 be adopted as a guiding document.

**3. MacBride Museum Expansion Project Update – For Information Only**

Administration advised that the MacBride Museum Society is now proposing a different design for the museum expansion project. The revised design eliminates the need for an encroachment agreement, but the zoning amendment will still be required with respect to the relaxation of parking requirements.



## Minutes of the meeting of the City Operations Committee

<b>Date</b>	October 3, 2016
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Roslyn Woodcock – Chair Councillor Betty Irwin – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Robert Fendrick Councillor Samson Hartland
<b>Staff Present</b>	Christine Smith, City Manager Linda Rapp, Director of Community and Recreation Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Valerie Braga, Chief Financial Officer Jeff O’Farrell, Manager of Legislative Services Jessica Apolloni, Manager of Strategic Communications

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