

**CITY OF WHITEHORSE**  
**REGULAR Council Meeting #2017-16**

**DATE:** Monday, August 7, 2017

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

**Mayor** Dan Curtis  
**Deputy Mayor** Betty Irwin  
**Reserve Deputy Mayor** Samson Hartland

## **AGENDA**

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

**AGENDA:** Adoption

**PROCLAMATIONS:** International Overdose Awareness Day – August 31, 2017

**MINUTES:** Regular Council Meeting #2017-15 dated July 24, 2017

**DELEGATIONS:** Judy Linton – Zoning Amendment, 83 Mount Sima Road

**PUBLIC HEARING:**

### **COMMITTEE**

#### **REPORTS:**

**City Planning Committee** – *Councillors Irwin and Fendrick*

Zoning Amendment – Lot Expansion at 83 Mount Sima Road  
Addition of Residential Lots to Existing Neighbourhoods

**Operations Committee** – *Councillors Hartland and Woodcock*

Contract Award – Porter Creek Asphalt Path, Phase 3

**Community Services Committee** – *Councillors Fendrick and Hartland*

Arctic Winter Games 2020 Host Society President

**Public Health & Safety Committee** – *Councillors Boyd and Curteanu*

**Development Services Committee** – *Councillors Curteanu and Irwin*

**Corporate Services Committee** – *Councillors Woodcock and Boyd*

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

Motion to Reconsider – Donation to BC Wildfire Relief Efforts

<b><u>BYLAWS:</u></b>	2017-23 Amend Vehicle for Hire Bylaw	3 <sup>rd</sup> Reading
	2017-24 Business License Bylaw	3 <sup>rd</sup> Reading
	2017-26 Budget Amendment – Marwell Lift Station Project	3 <sup>rd</sup> Reading
	2017-27 Zoning Amendment (Lot Expansion, 83 Mount Sima Road)	1 <sup>st</sup> Reading

**ADJOURNMENT:**



## PROCLAMATION

### INTERNATIONAL OVERDOSE AWARENESS DAY

August 31 Annually

WHEREAS thousands of people die each year from drug related causes; and

WHEREAS International Overdose Awareness Day is a global event that aims to raise awareness of overdose and reduce the stigma of a drug-related death; and

WHEREAS Overdose Day acknowledges the grief felt by families and friends remembering those who have met with death or permanent injury as a result of drug overdose; and

WHEREAS Overdose Day spreads the message that the tragedy of overdose death is preventable;

NOW THEREFORE I, Mayor Dan Curtis, do hereby proclaim August 31<sup>st</sup>, 2017 to be ***International Overdose Awareness Day*** in the City of Whitehorse.

Dan Curtis  
Mayor

MINUTES of **REGULAR** Meeting #2017-15 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, July 24, 2017, in Council Chambers, City Hall.

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

ABSENT: Councillor Robert Fendrick

ALSO PRESENT: City Manager Linda Rapp  
Acting Director of Community and Recreation Services Douglas Hnatiuk  
Acting Director of Corporate Services Valerie Braga  
Director of Development Services Mike Gau  
Director of Infrastructure and Operations Peter O'Blenes  
Manager of Strategic Communications Jessica Apolloni

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

**CALL TO ORDER**

**2017-15-01**

It was duly moved and seconded  
THAT the agenda be adopted as amended with the changes being:

- Add Mike Travill as a delegate speaking to the proposed new Business License Bylaw, and
- Add under New and Unfinished Business a new item of business titled "Donation for BC Wildfire Relief".

**AGENDA**

Carried Unanimously

Mayor Curtis proclaimed Friday, July 28<sup>th</sup>, 2017 to be *World Hepatitis Day* in the City of Whitehorse.

**PROCLAMATION**

**2017-15-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated July 10, 2017 be adopted as presented.

**MINUTES**

July 10, 2017

Carried Unanimously

**DELEGATIONS**

Mike Travill addressed council to express concerns regarding the proposed new Business License Bylaw. Council members encouraged Mr. Travill to discuss his concerns with the Bylaw Department.

MIKE TRAVILL  
Business License Bylaw

**COMMITTEE REPORTS**

**City Planning Committee**

**2017-15-03**

It was duly moved and seconded  
THAT the Land Disposition Policy dated July 2017 be adopted as  
presented.

ADOPT LAND  
DISPOSITION POLICY

Carried Unanimously

**City Operations Committee**

**2017-15-04**

It was duly moved and seconded  
THAT Bylaw 2017-26, a bylaw to amend the 2017 to 2020 capital  
expenditure program by increasing the 2017 Marwell Lift Station  
Upgrade Project in the amount of \$1,000,000.00, be brought forward  
for due consideration under the bylaw process.

BRING FORWARD  
BUDGET AMENDMENT  
FOR MARWELL LIFT  
STATION PROJECTS

Carried Unanimously

**2017-15-05**

It was duly moved and seconded  
THAT the contract with Ketz Construction for the 2017 Marwell Lift  
Station Upgrade Bypass Vault Project be amended in the amount of  
\$273,891.20, making the total amended price of the contract  
\$481,591.20.

AMEND CONTRACT  
MARWELL LIFT STATION  
BYPASS VAULT

Carried Unanimously

**2017-15-06**

It was duly moved and seconded  
THAT the construction contract for the 2017 Marwell Lift Station  
Upgrade Process Piping Replacement project be awarded to  
Wildstone Construction and Engineering for a net cost to the City of  
\$2,378,816.00, subject to the passage of the budget amendment  
bylaw.

CONTRACT AWARD  
MARWELL LIFT STATION  
PROCESS PIPING

Carried Unanimously

A Committee member asked about the status of the request for the  
waiver of tipping fees for the Humane Society. Administration  
confirmed that the request is being considered but more details are  
needed and the City is awaiting a response to a request for additional  
information.

HUMANE SOCIETY  
TIPPING FEES  
For Information Only

In response to a query from a Committee member, administration confirmed that the City is willing to work with any organization that comes forward with a proposal for dealing with re-usable items. In the meantime, City staff members continue to participate in discussions on this issue.

RE-USABLE ITEMS  
For Information Only

**Community Services Committee**

Brontë Renwick-Shields and Sophia Topper addressed the Committee on behalf of the Blood Ties Four Directions Centre to highlight some of the activities planned for World Hepatitis Day on July 28<sup>th</sup>. They thanked the City for helping to raise awareness about the global burden of viral hepatitis, and encouraged everyone to get tested.

WORLD HEPATIS DAY  
For Information Only

A Committee member congratulated all the people involved in hosting the World Softball Championships.

Congratulations Extended

A Committee member suggested that the City consider a contribution to the Red Cross to aid the people impacted by the wildfires in BC, and also suggested that fire wise steps should be taken to minimize the risks to Whitehorse.

CONTRIBUTION FOR  
BC WILDFIRE VICTIMS  
For Information Only

**Public Health and Safety Committee**

Lori Garrison addressed the Committee to express concern with the number of women who have had bad experiences dealing with the R.C.M.P. and the Crown Prosecutor in achieving convictions following sexual assaults. She noted that the system is difficult to navigate for well-educated and well-informed women, and therefore it has to be much more difficult for women who do not have such resources. She requested that Council reach out and use all their resources to advocate for women who suffer in this way.

SEXUAL ASSAULT  
AWARENESS  
For Information Only

**2017-15-07**

It was duly moved and seconded  
THAT Bylaw 2017-23, a bylaw to amend the Vehicle for Hire Bylaw, be brought forward for due consideration under the bylaw process; and  
THAT Bylaw 2017-24, a bylaw to provide for the licensing and regulating of businesses in the City of Whitehorse, be brought forward for due consideration under the bylaw process.

BRING FORWARD  
VEHICLE FOR HIRE  
AMENDMENT AND NEW  
BUSINESS LICENSE  
BYLAW

Carried Unanimously

**Development Services Committee**

There was no report from the Development Services Committee.

No Report

**Corporate Services Committee**

A citizen survey has been conducted during each Council's term of office since 1999. This is consistent with practices by other Canadian municipalities. The purpose of this year's survey was to collect information on the perspectives of Whitehorse citizens on programs and services provided to residents by the City.

CITIZEN SURVEY 2017  
For Information Only

The 2017 survey was completed by approximately 600 residents. Overall Whitehorse is rated as a great place to live and residents speak positively about their experience and the level of service provided by the City.

**NEW & UNFINISHED BUSINESS**

**2017-15-08**

It was duly moved and seconded  
THAT the construction contract for the Operations Building be awarded to Ketza Construction for a net cost to the City of \$39,253,737.00, subject to final passage of Borrowing Bylaw 2017-15

CONTRACT AWARD  
OPERATIONS BUILDING  
CONSTRUCTION

Carried (5 – 1)

IN FAVOUR Mayor Curtis, Councillors Boyd, Curteanu, Irwin and Woodcock  
OPPOSED Councillor Hartland

Recorded Vote

**2017-15-09**

It was duly moved and seconded  
THAT the City of Whitehorse contribute \$5,000.00 to the Canadian Red Cross in support of the BC Wildfire Relief Efforts.

AUTHORIZE DONATION  
FOR BC WILDFIRE  
RELIEF EFFORTS

Defeated (3 – 3)

IN FAVOUR Councillors Boyd, Hartland and Irwin  
OPPOSED Mayor Curtis, Councillors Curteanu and Woodcock

Recorded Vote

Some council members supported a contribution but raised concerns about exceeding council's donations budget. The suggestion was made that accurate accounting information should be provided before taxpayer dollars are donated to outside organizations.

Discussion

**BYLAWS**

**2017-15-10**

It was duly moved and seconded  
THAT Bylaw 2017-25, a bylaw to authorize the borrowing necessary to fund the new Operations Building, having been read a first and second time, now be given third reading.

Carried (5 – 1)

IN FAVOUR Mayor Curtis, Councillors Boyd, Curteanu, Irwin and Woodcock  
OPPOSED Councillor Hartland

**BYLAW 2017-25**

BORROWING BYLAW  
(Operations Building)  
THIRD READING

Recorded Vote

**2017-15-11**

It was duly moved and seconded  
THAT Bylaw 2017-23, a bylaw to amend the Vehicle for Hire Bylaw, be given first reading.

Carried Unanimously

**BYLAW 2017-23**

AMEND VEHICLE FOR  
HIRE BYLAW  
FIRST READING

**2017-15-12**

It was duly moved and seconded  
THAT Bylaw 2017-23 be given second reading.

Carried Unanimously

SECOND READING

**2017-15-13**

It was duly moved and seconded  
THAT Bylaw 2017-24, a bylaw to provide for the licensing and regulating of businesses in the City of Whitehorse, be given first reading.

Carried Unanimously

**BYLAW 2017-24**

BUSINESS LICENSE  
FIRST READING

**2017-15-14**

It was duly moved and seconded  
THAT Bylaw 2017-24 be given second reading.

Carried Unanimously

SECOND READING

Administration confirmed that the proposed bylaw received a legal review before being brought forward. Responses to questions raised as a result of Mr. Travill's presentation at this meeting will be posted on the City's website.

Discussion

**2017-15-15**

It was duly moved and seconded  
THAT Bylaw 2017-26, a bylaw to amend the 2017 to 2020 Capital  
Expenditure Plan by increasing the 2017 budget for the Marwell Lift  
Station Upgrade project, be given first reading.

Carried Unanimously

**BYLAW 2017-26**

BUDGET AMENDMENT  
(Marwell Lift Station)

FIRST READING

**2017-15-16**

It was duly moved and seconded  
THAT Bylaw 2017-26 be given second reading.

Carried Unanimously

SECOND READING

There being no further business, the meeting adjourned at 6:32 p.m.

**ADJOURNMENT**



## Minutes of the meeting of the City Planning Committee

**Date** July 31, 2017

**Location** Council Chambers, City Hall

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

**Staff Present**  
Linda Rapp, City Manager  
Douglas Hnatiuk, Acting Director of Community and Recreation Services  
Valerie Braga, Acting Director of Corporate Services  
Mike Gau, Director of Development Services  
Peter O’Blenes, Director of Infrastructure and Operations  
Jessica Apolloni, Manager of Strategic Communications  
Mike Ellis, Manager of Planning and Sustainability Services

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

### **1. Zoning Amendment – 83 Mount Sima Road Lot Expansion**

The Winterlong Brewery at 83 Mount Sima Road is seeking to grow their business by constructing an additional building and developing supplementary parking. To enable this growth the company has applied to purchase a parcel of adjacent city-owned land for a lot expansion.

The subject parcel is designated as Industrial in the Official Community Plan, but the current zoning is Greenbelt. The proposed zoning for the expansion area is consistent with the existing lot.

If the zoning amendment is approved, the next step will be a disposition bylaw to sell the parcel at fair market value. The expansion area will subsequently be consolidated with the existing lot. The expanded parcel will maintain the required buffers between the nearest water body and the nearest residential parcel.

**The recommendation of the City Planning Committee is and I move**

THAT Bylaw 2017-27, a bylaw to rezone a parcel of city-owned land in the Mount Sima Industrial area to allow for a lot expansion at 83 Mount Sima Road, be brought forward for due consideration under the bylaw process.

**2. Addition of Residential Lots to Existing Neighbourhoods – Next Phase**

Council's strategic plan places a strong emphasis upon planning to accommodate future growth. This project considered new housing development on 13 parcels located in eight existing neighbourhoods. The parcels are all Official Community Plan compliant lands with no currently-known significant recreational uses, and no requirement for new access roads or major infrastructure upgrades. Four sites are located inside the Urban Containment Boundary and nine sites are outside that boundary. The sites are a mix of City and Yukon Government owned lands.

One proposed site in Mary Lake and two in Whitehorse Copper were eliminated due to geotechnical, hydro-geological and road sightline concerns. The remaining nine sites do not have technical issues and are proposed to go forward for further consultation.

The initial phase of public consultation included development options and a technical report on site suitability. The next phase includes consultation on detailed lot layouts generated from information gathered in phase one. Detailed lot layouts will be widely distributed for public input and a comprehensive consultation strategy based on International Association for Public Participation principles will be implemented.

**The recommendation of the City Planning Committee is and I move**

THAT the City move forward with the next phase of public consultation on the proposed residential development sites

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

Activity reports for May to July 2017 were received from the Land and Building Services and Planning and Sustainability Departments.

**4. Status of Quarry Development Proposal – For Information Only**

In response to questions raised, administration confirmed that the proponent for the quarry development project continues to explore a number of issues and the City is waiting for an indication that the company is ready to proceed. More information is expected to be available by September, and the issue will come back to council for a decision.



## Minutes of the meeting of the City Operations Committee

<b>Date</b>	July 31, 2017
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Samson Hartland – Chair Councillor Roslyn Woodcock – Vice Chair Mayor Dan Curtis Deputy Mayor Betty Irwin Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Robert Fendrick
<b>Staff Present</b>	Linda Rapp, City Manager Douglas Hnatiuk, Acting Director of Community and Recreation Services Valerie Braga, Acting Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Jessica Apolloni, Manager of Strategic Communications Wayne Tuck, Manager of Engineering Services

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

**1. Contract Award – Porter Creek Connector Path, Phase 3**

The asphalt commuter path project is the construction of new paved bike/pedestrian trails to connect neighbourhoods and provide an active transportation option that avoids arterial roadways where possible. The purpose is to install sidewalks and asphalt paths to provide safe and accessible connections for commuters between residential areas, public facilities and the downtown core. This project will see the construction of the third of three phases to connect Takhini North to Porter Creek with a paved asphalt path.

Two bids were received in response to a tender issued. The low bidder is familiar with the scope of the work and has the knowledge and experience to complete the work successfully. The prices submitted are reasonable and there are sufficient funds in the budget, funded entirely through the Federal Gas Tax Program.

**The recommendation of the City Operations Committee is and I move**

THAT the construction contract for the 2017 Porter Creek Connector Path – Phase 3 project be awarded to Norcope Enterprises Ltd. for a net cost to the City of \$171,210.00

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

Activity Reports for May to July 2017 were received from the Director of Infrastructure and Operations and from the Engineering, Operations, and Water and Waste Services Departments.



## Minutes of the meeting of the Community Services Committee

<b>Date</b>	July 31, 2017
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Robert Fendrick – Chair Councillor Samson Hartland – Vice Chair Mayor Dan Curtis Deputy Mayor Betty Irwin Councillor Dan Boyd Councillor Jocelyn Curteanu Councillor Roslyn Woodcock
<b>Staff Present</b>	Linda Rapp, City Manager Douglas Hnatiuk, Acting Director of Community and Recreation Services Valerie Braga, Acting Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Jessica Apolloni, Manager of Strategic Communications

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

### **1. Appoint Arctic Winter Games 2020 Host Society President**

Following approval of a Memorandum of Understanding with the Yukon Government for hosting the 2020 Arctic Winter Games, the City entered into negotiations with the Arctic Winter Games International Committee on the hosting contract and began the process of forming a host society. The role of the president of the host society requires a significant volunteer time commitment from an individual with knowledge of the necessary working relationships.

George Arcand has agreed to have his name brought forward for consideration as the host society president. Mr. Arcand is an advocate for sport development in the territory, and has considerable experience with hosting events that showcase Whitehorse and the Yukon to the world, including fulfilling this role for the 2012 Games.

### **The recommendation of the Community Services Committee is and I move**

THAT George Arcand be appointed as the president of the Arctic Winter Games 2020 Host Society.

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

Activity Reports for May to July 2017 were received from the Director of Community and Recreation Services, and from the Parks and Community Development, Recreation and Facility Services, and Transit Services Departments.

**3. Trail and Greenways Committee – For Information Only**

A Committee member asked for additional information regarding the proposed disbanding of the Whitehorse Trail and Greenways Advisory Committee. Administration confirmed that existing advisory committee members were advised that a proposal to disband the committee will be brought forward to council for approval in September. The committee as it stands has fulfilled the original purpose for which it was formed under the terms of the 2007 Trail Plan, and any new trail development will be done in consultation with neighbourhood working groups.



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

<b>Date</b>	July 31, 2017
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Dan Boyd – Chair Councillor Jocelyn Curteanu – Vice Chair Mayor Dan Curtis Deputy Mayor Betty Irwin Councillor Robert Fendrick Councillor Samson Hartland Councillor Roslyn Woodcock
<b>Staff Present</b>	Linda Rapp, City Manager Douglas Hnatiuk, Acting Director of Community and Recreation Services Valerie Braga, Acting Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Jessica Apolloni, Manager of Strategic Communications

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

**1. International Overdose Awareness Day – For Information Only**

Emily Jones addressed the Committee on behalf of the Blood Ties Four Directions Centre to promote the upcoming International Overdose Awareness Day. She provided information on some of the activities proposed by the Centre to promote awareness, and thanked the City for supporting the Centre’s activities.

**2. Various Bylaw Issues – For Information Only**

Marlene Koppang addressed the Committee to express concerns regarding the enforcement of bylaws, including the restrictions on cyclists and skateboarders in the Downtown area and speed zones in various neighbourhoods.

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

Activity reports for May to July 2017 were received from Bylaw Services and the Fire Department.

**4. Notice of Motion to Reconsider** – For Information Only

Councillor Curteanu provided notice that she would bring forward at the regular council meeting on August 7, 2017 a motion to reconsider a motion that was defeated on July 24<sup>th</sup>, 2017. The motion to be reconsidered is:

“THAT the City of Whitehorse contribute \$5,000.00 to the Canadian Red Cross in support of the BC Wildfire Relief efforts.”



## Minutes of the meeting of the Development Services Committee

<b>Date</b>	July 31, 2017
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Jocelyn Curteanu – Chair Deputy Mayor Betty Irwin – Vice Chair Mayor Dan Curtis Councillor Dan Boyd Councillor Robert Fendrick Councillor Samson Hartland Councillor Roslyn Woodcock
<b>Staff Present</b>	Linda Rapp, City Manager Douglas Hnatiuk, Acting Director of Community and Recreation Services Valerie Braga, Acting Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Jessica Apolloni, Manager of Strategic Communications

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

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

An activity report for May to July 2017 was received from the Director of Development Services.



## Minutes of the meeting of the Corporate Services Committee

<b>Date</b>	July 31, 2017
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Roslyn Woodcock – Chair Councillor Dan Boyd – Vice Chair Mayor Dan Curtis Deputy Mayor Betty Irwin Councillor Jocelyn Curteanu Councillor Robert Fendrick Councillor Samson Hartland
<b>Staff Present</b>	Linda Rapp, City Manager Douglas Hnatiuk, Acting Director of Community and Recreation Services Valerie Braga, Acting Director of Corporate Services Mike Gau, Director of Development Services Peter O’Blenes, Director of Infrastructure and Operations Jessica Apolloni, Manager of Strategic Communications

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

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

Activity reports for May to July 2017 were received from the City Manager, Council Strategic Priorities, the Director of Corporate Services, and from the Business and Technology Systems, Financial Services, Human Resources, Legislative Services and Strategic Communications Departments.

## **ADMINISTRATIVE REPORT**

**TO:** Mayor and Council  
**FROM:** Administration  
**DATE:** August 7, 2017  
**RE:** Motion to Reconsider

### **ISSUE**

On July 24, 2017 council defeated a motion to contribute funds to the Canadian Red Cross in support of the BC Wildfire Relief Efforts. On July 31<sup>st</sup> Councillor Curteanu gave notice that she would bring forward a motion to reconsider this decision.

### **HISTORY**

In past years Council has donated funds to support citizens in other jurisdictions who have been impacted by natural disasters. When a motion was brought forward on July 24th to contribute \$5,000.00 to BC wildfire relief efforts, some members of Council expressed concerns because the donations account contains insufficient funds to support the proposed contribution. The motion was subsequently defeated due to a lack of clear direction on where the funds would be coming from.

Administration has now identified a funding source that could be utilized for this contribution. Funds could be transferred from Council's promotions account to the donations account to bring the balance up to \$5,000.00. If a donation in that amount is approved for BC wildfire relief efforts, the donations account would be totally expended. The remaining balance in the promotions account would still allow for promotion activities equivalent to the levels in the latter part of 2016.

### **ALTERNATIVES**

1. Vote in favour of reconsidering the motion
2. Defeat the motion to reconsider

### **ANALYSIS**

Section 135 of Council's Procedures Bylaw provides that, "A question once decided shall not, during a period of one year after the decision, be reversed, reconsidered or rescinded unless a written notice of motion to do so has been given from one meeting to the next **and a clear majority of the whole council votes in favour of revisiting the decision**".

### **The resolution is**

*(Mover and seconder required)*

THAT resolution 2017-15-09 which reads, "THAT the City of Whitehorse contribute \$5,000.00 to the Canadian Red Cross in support of the BC Wildfire Relief Efforts", be reconsidered.

### **NEXT STEPS**

If the motion to reconsider is defeated, there is no change to the current status – the motion is defeated.

**If the motion to reconsider is passed**, the motion may be put back on the floor immediately.

A mover and seconder will be required for the motion that reads:

“THAT the City of Whitehorse contribute \$5,000.00 to the Canadian Red Cross in support of the BC Wildfire Relief Efforts”

When the chairperson calls for discussion, a motion to amend may be proposed if desired:

THAT the motion be amended to read “THAT the City of Whitehorse contribute **up to** \$5,000.00 to the Canadian Red Cross in support of the BC Wildfire Relief Efforts.”

**CITY OF WHITEHORSE**  
**BYLAW 2017-23**

A bylaw to amend the Vehicle for Hire Bylaw

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WHEREAS 265(k) of the *Municipal Act* provides that council may pass bylaws for municipal purposes respecting transport and transportation systems, carriers of persons or personal property including taxi drivers, vehicles and taxi businesses, and other forms of public transport; and

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

WHEREAS it is deemed advisable that the Vehicle for Hire Bylaw be amended in accordance with the provisions of the Business License Bylaw;

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

1. Section 17 of Vehicle for Hire Bylaw 2015-19 is hereby amended by adding a new subsection (2) as follows:  
    “17. (2) Vehicle for hire company owners and operators shall comply with the requirements outlined in the Business License Bylaw for obtaining a business license for a vehicle for hire company.”
2. This bylaw shall come into full force and effect upon final passage.

**FIRST and SECOND READING**                      July 24, 2017  
**THIRD READING and ADOPTION**

\_\_\_\_\_  
Mayor

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

**CITY OF WHITEHORSE**  
**BYLAW 2017-24**

A bylaw to provide for the licensing and regulating of businesses in the City of Whitehorse  
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WHEREAS section 247 of the *Municipal Act* (R. S. Y. 2002) provides that council may by bylaw impose and collect business licenses and fees, inspection fees, parking fees, recreation fees and other fees, utility charges, fines and penalties as considered necessary; and

WHEREAS section 247 of the *Municipal Act* provides that council may by bylaw take into revenue fines, interest on deposits and investments, any charges for the operation of any services or utilities under the control of Council, and any other funds the municipality may acquire; and

WHEREAS it is deemed desirable to license and regulate businesses carried on or operated within the City for, amongst other reasons, the health, safety and welfare of the citizens of the City of Whitehorse;

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

**SHORT TITLE**

1. This bylaw may be cited as the "**Business License Bylaw**".

**APPLICATION**

2. This bylaw applies to any person conducting business within the municipal boundaries of the City of Whitehorse.
3. Wherever the singular or masculine is used in this bylaw, they shall be construed as being the plural or feminine or vice versa.

**SEVERABILITY**

4. If any section, subsection, clause, sub-clause or phrase of this bylaw is for any reason held to be invalid, unlawful or unenforceable by the decision of any court or competent jurisdiction, that section, subsection, clause, sub-clause or phrase shall be struck from the bylaw and its severance shall not affect the validity of the remaining portions of this bylaw.

**INTERPRETATION**

5. In this bylaw, unless the context otherwise requires, "ADULT" means a person who is over 19 years of age.

## Business License Bylaw 2017-24

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"ADULT BOOK, ADULT MAGAZINE or ADULT VIDEO means any book, magazine, movie or video medium primarily appealing to or designed to primarily appeal to erotic or sexual appetites, or which depicts violence or cruelty.

"AGENT" means a person vested with authority to represent or act for others.

"AMUSEMENT PARK" means any premises where mechanical, electrical, or other devices or exhibits are designed for entertainment of the public.

"APPLICANT" means a person who applies for a license or renewal of a license.

"BUSINESS" means:

- (1) a commercial, merchandising or industrial activity or undertaking;
- (2) a profession, trade, occupation, calling or employment; or
- (3) an activity providing goods or services.

"BYLAW" means this bylaw and all appendices forming part of this bylaw, and includes any amendments thereto.

"CHARITABLE ORGANIZATION" means a corporation, trust, or organization registered as a charity under the federal *Income Tax Act* for the purpose of conducting charitable activities such as relief of poverty, advancement of education, advancement of religion, or certain other purposes that benefit the community. The income from a charitable organization cannot be used for the personal benefit of any of its members, shareholders, or governing officials.

"CHILD" means a person who is, or without evidence to the contrary, appears to be, under the age of twelve years.

"CIRCUS" means a large, public entertainment, typically presented in one or more very large tents or in an outdoor or indoor arena, featuring a variety of performances by acrobats and other performers.

"CITY" means the City of Whitehorse.

"CITY MANAGER" means the City Manager of the City of Whitehorse.

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

"DESIGNATED OFFICER" means an employee of the City of Whitehorse, or an authorised representative as designated by the City Manager.

"DOOR-TO-DOOR SALESPERSON" means any person who, whether as principal or agent:

- (1) goes from door-to-door and offers goods, wares or merchandise for sale; or
- (2) offers or exposes for sale to any person by means of samples or merchandise to be afterwards delivered or shipped into the City, other than as a mail order business or a wholesale or retail dealer in such merchandise having a permanent place of business in the City.

## Business License Bylaw 2017-24

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“GARAGE SALE” means the occasional sale of second-hand household goods belonging to the owner or tenant of residential premises as an accessory use only to the residential dwelling.

“INTER-MUNICIPAL LICENSE” is an Inter-Municipal Business License issued by any municipality signatory to the Inter-Municipal Business License Agreement negotiated between the City and other Yukon municipalities.

“LICENSE” means any business license issued pursuant to this bylaw.

“LICENSED PREMISES” means an establishment holding a Government of Yukon Liquor Board license to sell or distribute liquor.

“LICENSEE” means the holder of a current license under this bylaw.

“LICENSE FEE” means a fee payable for a license under Appendix “A” of the Fees and Charges Bylaw.

“MINOR BUSINESS ACTIVITIES” means operations conducted within the City that involves minimal operating activities and revenue. These operations include artists who sell their products at special events and party plan activities (e.g. Tupperware; Fifth Avenue Jewellery, etc.).

"MOBILE VENDOR" means an independently operated vehicle, structure, or mobile food vending apparatus occupying public or private space typically for the purpose of providing food and beverages, retail products, or services for commercial sale by a business entity, in an outdoor setting to either passers-by or seated patrons.

“NET FLOOR AREA” means the floor area of a building or structure, or part thereof measured from the glazing line or interior walls whether above, below, or at grade excluding attics, boiler rooms, common corridors, electrical vaults, elevators, mechanical rooms, stairwells, and toilets.

“NON-PROFIT SOCIETY” means a group registered with the Government of Yukon as a non-profit society (in good standing) under the *Societies Act*.

“NON-RESIDENT BUSINESS” means any business other than a Resident Business.

“OWNER” includes, but is not limited to, any person who directly or indirectly owns any interest in a corporation or partnership that runs a business or corporation.

"OPERATOR" means a person who owns or operates a business, whether or not the business is licensed pursuant to this bylaw.

“PAWN SHOP” means a business that receives goods held as security for an advance of money.

"PERSON" means an individual, a corporation, an association or a partnership.

## **Business License Bylaw 2017-24**

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"PREMISES" means a store, office, dwelling unit, warehouse, factory, building, enclosure, yard or other place occupied or capable of being occupied, by any person for the purpose of carrying on any business.

"PUBLIC LAND" means land that is owned by the City of Whitehorse.

"RESIDENT BUSINESS" means any business which operates from a fixed location within the Yukon or any Door-to-Door Salesperson or Mobile Vendor which is operated by a person residing within the Yukon for six (6) consecutive months immediately prior to the date of application for a business license.

"RETAIL SALES/WHOLESALE OUTLETS" means all businesses offering goods, wares and merchandise for sale.

"SEASONAL LICENSE" means a business operating for a maximum of six (6) consecutive months per year and includes but is not limited to mobile vendors, contractors, consultants, tour operators, charter operations, and seasonal rental accommodations.

"SECOND HAND STORE" means a business that sells previously owned goods except from a bottle depot, wholesale dealer, or garage sale, and excludes goods donated, books, magazines, comic books, or other similar publications, furniture, rugs, clothing, sports equipment, crafts, building supplies, auto parts other than stereo systems, large electrical appliances such as refrigerators, and household goods such as cutlery, dishes, glassware, lamps, or other similar items, recycling, used cars, or any other goods declared exempt by the Designated Officer.

"STANDARD LICENSE" means a business license that is issued for a 12 month period.

"TRADE NAME" means the name supplied by an applicant and used to identify a business to patrons.

"VENDING MACHINES" means a machine that dispenses small articles including food, drinks, or other products when a coin, bill, or token is inserted.

"YOUNG PERSON" means a person who is, or without evidence to the contrary, appears to be, twelve years of age or more, but under 19 years of age.

### **DUTIES AND RESPONSIBILITIES**

6. The Designated Officer is delegated the authority to grant licenses pursuant to the provisions of this bylaw.
7. The Designated Officer is delegated the authority to refuse, suspend or revoke licenses under this bylaw after giving the applicant or licensee, as the case may be, written notice of the proposed decision.

## **Business License Bylaw 2017-24**

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8. The Designated Officer shall,
  - (1) ascertain as far as reasonably practicable that all information furnished by an applicant in connection with an application for a license or transfer of license is true in substance and fact;
  - (2) prepare and issue all licenses pursuant to the terms of this bylaw;
  - (3) inspect as often as necessary all premises licensed or required to be licensed pursuant to the provisions of this bylaw in order to ascertain that such premises comply with the said provisions; and
  - (4) prosecute any person who fails to comply with the provisions of this bylaw.

### **GENERAL REGULATIONS AND LICENSE APPLICATIONS**

9. No person shall operate any business within or partly within the City without first having obtained a City of Whitehorse Business License and paid the license fee.
10. Any person, company or organization operating a business as defined in this bylaw shall require a business license.
11. A non-profit organization that is charging for services or selling goods is considered a business, and shall require a business license and pay the applicable license fee.
12. Before the issuance or renewal of a license, an applicant must submit to the City:
  - (1) an application in a form established by the City;
  - (2) the license fee;
  - (3) a trade name certificate from Yukon Government Community Services if the applicant is naming the business anything other than their name;
  - (4) a letter of compliance from the Yukon Workers' Compensation Health and Safety Board if the applicant is employing anyone other than themselves or the company is registered as a limited (Ltd.) company;
  - (5) a letter of approval from Yukon Government Health and Social Services if the business relates to any kind of food service or personal service;
  - (6) proof of liability insurance as detailed in section 40; and
  - (7) any other information required pursuant to this bylaw.
13. Every license issued pursuant to this bylaw shall be valid only with respect to the address of the business stipulated thereon and a separate license is required for each location where a business operates within the City.
14. A valid license will permit a business to carry on the specific activities described in the license application. A licensee must not carry on activities which contravene the provisions of their license or any provisions of this bylaw.

## **Business License Bylaw 2017-24**

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15. A license issued under this bylaw is not transferable from one person, organization or business to another unless authorized by a Designated Officer under section 39 of this bylaw.
16. No person shall interfere with or obstruct the Designated Officer in the performance of any duties.

### **SEPARATE LICENSE**

17. Where there is more than one separate and distinct business activity operating in or from one premise, each business shall be deemed a separate business and shall require a separate license.
18. The Designated Officer may use discretion to determine whether a business activity falls within an existing license or whether a new license is required.
19. Where there is more than one separate and distinct trade name displayed within one premise, each trade name shall be deemed to indicate the operation of a separate business, for which a separate license is required.
20. Where an umbrella organization such as a farmer's market, tradeshow, or craft fair charges for the use of their space, they shall be required to obtain a business license. Participants who are selling goods at these events are also required to obtain their own license.

### **EXEMPT FROM LICENSE**

21. A license is not required for:
  - (1) a registered charitable organization;
  - (2) a non-profit organization that does not conduct business activities;
  - (3) a performance, concert, exhibition, cultural event or entertainment for which the entire proceeds, above actual expenses, are devoted to a charitable organization;
  - (4) a performance, concert, exhibition, cultural event or entertainment held in a public theatre or other establishment that holds a current business license;
  - (5) a garage sale;
  - (6) rental property management services involving three or less rental units, offices, suites, rooms, or spaces within the City;
  - (7) political events and canvassing; and
  - (8) temporary fundraising activities.
22. The Designated Officer may use discretion when determining whether a particular organization, group or entity is exempt from obtaining a business license.

## **Business License Bylaw 2017-24**

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### **LICENSE TERM**

23. A standard business license required by this bylaw is issued for a 12 month period and shall expire 12 months from the date of issue.
24. A seasonal business license required by this bylaw is issued for a six month consecutive period.
25. The City shall not issue a renewal notice for seasonal business licenses upon the expiration of the license term.

### **LICENSE FEE**

26. A license is not valid until it has been issued by the Designated Officer and the license fee has been paid.
27. An applicant for a license must pay to the City the applicable license fee for that business as set out in Appendix 'A' of the City of Whitehorse Fees and Charges Bylaw. No license shall be issued until the fee is paid.
28. The applicable license fee must be paid:
  - (1) at the time of application for the original business license; and
  - (2) on or before the expiration date of the current license if the business is to be carried on beyond the date when the current license expires.
29. The holder of a valid City of Whitehorse business license shall not be entitled to a refund once the license has been issued.
30. The licensee shall notify the Designated Officer of any change regarding the business license and as a result of the change, shall pay any additional fees required by this bylaw or any other bylaw/Legislation.
31. Where the holder of an existing license applies for an additional license, the fee payable for the additional license shall be adjusted so that the renewal date for the additional license falls on the same renewal date as the applicant's existing license.
32. Where license fees are calculated on a square metre basis, the area shall be calculated based on the net floor area of the business commercial space.
33. Council may review the business license fees on an annual basis to ensure that they are reflective of annual inflation, are comparable to other municipalities, and are reflective of City business license operating expenses.

### **CONDITIONAL LICENSES**

34. Where the Designated Officer issues a license subject to certain conditions, the license shall be endorsed with the particulars of such conditions.

# **Business License Bylaw 2017-24**

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## **LICENSES SUBJECT TO OTHER BYLAWS AND REGULATIONS**

35. A license issued under this bylaw is not to be deemed to be a representation by the City to the licensee that the business or proposed business complies with any or all applicable bylaws or other enactments, and the licensee shall ensure compliance with bylaws and other enactments. Where the licensee is found to be in violation of any other bylaw or enactment, the Designated Officer shall cancel the license and not refund the license fees.

## **TRANSFER OF LICENSE**

36. Where a licensee makes application to change the place of business, the Designated Officer may, upon the payment of the prescribed transfer fee and the surrender of the original license, issue a replacement license reflecting the address of the new place of business.
37. A licensee must notify the Designated Officer in writing of any change in the type or nature of the business, and any change in the location or ownership of the business.
38. No replacement license shall be issued in accordance with this bylaw where the premises to which the applicant wishes to transfer the license do not comply with the requirements of all applicable bylaws, or the proposed use of those premises would not comply with the requirements of the said bylaws.
39. Where a licensee makes application to transfer the license to another person or to change the name of the business, the Designated Officer shall, upon receipt of required documentation and payment of the prescribed transfer fee and the surrender of the original license, issue a replacement license in the name of the transferee.

## **LIABILITY INSURANCE**

40. All applications for any business being conducted on public land shall supply proof of valid public liability insurance in an amount of at least two million dollars (\$2,000,000.00). The City may require public liability insurance at a higher rate at its sole discretion. The licensee is required to maintain such insurance in force throughout the period that the business license is in effect. The City shall be included as an additional insured and shall be provided 30 days prior notice of cancellation on all general liability policies.

## **POSTING OF LICENSE IN PREMISES**

41. Every licensee shall post the business license in a prominent and conspicuous location to which the public has access, at the place of business for which the license was issued. Where a licensee has no premises within which to post the license, the licensee shall produce the license when required to do so during business hours by a Designated Officer.

## Business License Bylaw 2017-24

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42. Upon request from the general public, every licensee shall produce a copy of his/her current business license.

### INSPECTIONS

43. A licensee shall permit a Designated Officer to enter and inspect any business premises for the purpose of determining compliance with this bylaw.
44. Upon request by the Designated Officer, all licensees shall produce all documents related to the business including the license, proof of insurance, and any other certification or letters of approval.
45. No person shall attempt to prevent, obstruct or hinder the Designated Officer from making an inspection authorized by this bylaw.

### REFUSAL OF LICENSE

46. A Designated Officer may refuse to issue a license if:
- (1) The applicant fails to meet the requirements of this bylaw for the license;
  - (2) The applicant has failed to pay any fee required by this bylaw;
  - (3) The applicant has been convicted of an indictable offense under the *Criminal Code of Canada* and the Designated Officer, based on reasonable grounds, determines that it is in the public interest to do so;
  - (4) The applicant has been convicted of an offence under any municipal bylaw or any federal or Yukon enactment with respect to the licensed business, or with respect to the business premises, and the Designated Officer, based on reasonable grounds, determines that it is in the public interest to do so;
  - (5) Upon inspection, the Designated Officer determines that the premises do not comply with the requirements of any municipal bylaw or any federal or Yukon enactment;
  - (6) Any information furnished by an applicant in connection with an application for a license or transfer of license is found to be untrue in substance or fact;
  - (7) The applicant has failed to pay a fine imposed by a Court for a contravention of this bylaw; or
  - (8) In the opinion of the Designated Officer, based on reasonable grounds, it is in the public interest to do so.
47. The Designated Officer may refuse to issue a license after giving notice, with reasons for the refusal, in writing to the applicant and after giving the applicant an opportunity to be heard.

## **Business License Bylaw 2017-24**

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48. Personal service of the notice of refusal and opportunity to be heard and the refusal issued after hearing by the Designated Officer, is not required where an applicant by reasonable effort cannot be found.
49. In the event the Designated Officer refuses to issue a business licence, written notice of the refusal shall be sent to the applicant within 10 business days, setting out the reasons for the refusal and the time period for appealing.

### **SUSPENSION AND REVOCATION OF LICENSE**

50. A Designated Officer may suspend or revoke a license if the licensee:
  - (1) is convicted of an indictable offense under the *Criminal Code of Canada* and the Designated Officer, based on reasonable grounds, determines that it is in the public interest to do so;
  - (2) is convicted of an offence under any municipal bylaw or Federal or Yukon enactment with respect to the business for which the business is licensed, or with respect to the premises named in the business license, and the Designated Officer, based on reasonable grounds, determines that it is in the public interest to do so;
  - (3) has been guilty of misconduct in respect of the business or the premises named in the business license that warrants suspension or revocation on the basis that it is in the public interest to do so;
  - (4) has ceased to meet the conditions prerequisite to the issuance of the business license or the premises named in the business license do not comply with the requirements of any municipal bylaw or any federal or Yukon enactment; or
  - (5) has, in the opinion of the Designated Officer, conducted the business in a manner, performed a service in a manner, or sold, offered for sale, displayed for sale or distributed anything that may be harmful or dangerous to the health or safety of any person.

### **APPEAL**

51. In the event that a business license is refused, suspended or revoked under this bylaw, the applicant or licensee may appeal the refusal, suspension or revocation in writing to Council within 30 days after the license was refused, suspended, or revoked, and Council may grant the request for the issue or reinstatement of the business license.
52. The right of appeal shall terminate unless written notice of the appeal is received by Council within 30 days of the refusal, suspension or revocation.

# Business License Bylaw 2017-24

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## SPECIFIC BUSINESS REGULATIONS

### Adult Book, Adult Magazine or Adult Video

53. Persons who offers adult books, adult magazines, or adult videos for sale, rent, or lease in any premises where such items are on display to the public shall place such items:
- (1) At a distance not less than 1.5 metres above the floor; and
  - (2) In display cases in such manner that only the title is displayed; and
  - (3) In display cases that are within clear view of the area where payment is made for purchased items.
54. No person shall provide any adult books, adult magazines, or adult videos to any child or young person.

### Door-to-Door Salesperson

55. All applications for a door-to-door salesperson business license where the operator visits private residential dwellings door-to-door must be accompanied by a Royal Canadian Mounted Police "Consent to Release of Information" form for the purpose of performing a criminal record check.
56. No door-to-door salesperson business license where the operator visits private residential dwellings door to door shall be issued to any person who has been convicted under the *Criminal Code of Canada* for an offense relating to:
- (1) any sexual offence or an offence tending to corrupt public morals; or
  - (2) an offence relating to robbery or extortion;
  - (3) any other offence the Designated Officer believes should disqualify the person in the public interest.
57. For door-to-door salesperson businesses with more than one salesperson, the company shall be required to register with the Yukon Government Community Services Department and have Yukon Workers' Compensation Health and Safety Board coverage for each salesperson.
58. Each salesperson within a door-to-door salesperson business shall be required to undergo a criminal records check.
59. Each salesperson of a door-to-door salesperson business shall carry a City-issued identification card.
60. Each salesperson is required to display to any person with whom they are conducting business a copy of the business license and identification card.

### Goods Offered for Sale on Streets or Public Land

61. No person shall display, store, or accumulate goods or merchandise which are offered for sale or intended to be offered for sale on any street, sidewalk,

## Business License Bylaw 2017-24

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boulevard, or other public land unless authorised in advance by the Designated Officer.

62. Where goods or merchandise are found stored on a street, sidewalk, boulevard or public land, a Designated Officer may take said goods or merchandise into custody and cause them to be taken to a safe and suitable place, and the said goods or merchandise shall not be released to the owner thereof until the said owner or his agent has paid all costs and charges incurred in the removal and storage of the goods.
63. Goods or merchandise taken into custody that is not reclaimed within three months may be offered for sale by public auction.
64. At the discretion of the Designated Officer the temporary display and sale of merchandise or goods by licensed businesses on sidewalks directly adjacent to their place of business may be allowed, subject to other City bylaws and policies.
65. Mobile Vendors are not permitted to display goods or merchandise which are offered for sale or intended to be offered for sale on a street, sidewalk or boulevard, or other public land other than at pre-determined locations authorised in advance by the City.

### Minor Business Operations

66. The discretion of whether a business falls within the minor business category is left to the Designated Officer.

### Mobile Vendors

67. Mobile vendors who sell food and beverages are required to submit Yukon Government Health and Social Services approval for new licenses and renewals.
68. All applications for a mobile vendor shall submit written permission from the property owner where the vehicle, structure or apparatus is located on.

### Pawn Shops and Second Hand Stores

69. All applications for a Pawn Shop or Second Hand Store business license shall be accompanied by a Royal Canadian Mounted Police "Consent to Release of Information" form for the owner and operator of the Pawn Shop or Second Hand Store business, for the purpose of performing a criminal record check.
70. No Pawn Shop or Second Hand Store business license shall be issued where any owner or operator of the business has been convicted under the *Criminal Code of Canada* or the *Controlled Drugs and Substances Act* of:
  - (1) an offence relating to possession or sale of stolen property;
  - (2) an offence relating to robbery or theft;
  - (3) an offence relating to the trafficking of drugs or narcotics.

## Business License Bylaw 2017-24

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### Vending Machines

71. Any person operating more than three vending machines within the City shall be required to purchase a business license.
72. No business license shall be required with respect to:
  - (1) Vending machines which serve or vend only products produced by the owner of the vending machine or his employees; or
  - (2) Coin operated washers, dryers, or other laundry equipment provided by the owner of any apartment, boarding house, or rooming house or tourist facility for the exclusive use of the residents thereof; or
  - (3) Coin operated vehicle-washing equipment provided for the exclusive use of residents at a tourist facility.

### Vehicle for Hire Companies

73. All applications for a business license for a Vehicle for Hire Company shall be accompanied by a Royal Canadian Mounted Police "Consent to Release of Information" form for the owner and operator of the Vehicle for Hire Company, for the purpose of performing a criminal record check.
74. No business license for a Vehicle for Hire Company shall be issued where any owner or operator of the business has been convicted under the *Criminal Code of Canada* or the *Controlled Drugs and Substances Act* of:
  - (1) any sexual offence;
  - (2) an offence relating to homicide, kidnapping, or abduction;
  - (3) an offence relating to robbery or extortion; or
  - (4) an offence relating to the trafficking of drugs or narcotics.

### PENALTY

75. Any person who fails to comply with the requirements of this bylaw commits an offence and is liable, upon summary conviction, to:
  - (1) a voluntary fine under section 20 of the *Summary Convictions Act*, issued in respect of an offence specified in Appendix "A" attached hereto and forming part of this bylaw;
  - (2) a fine not exceeding ten thousand dollars (\$10,000.00) where proceedings are commenced pursuant to the summary conviction provisions of the *Criminal Code of Canada*; or
  - (3) a fine not exceeding five hundred dollars (\$500.00) where proceedings are commenced pursuant to the *Summary Convictions Act* of the Yukon.

## Business License Bylaw 2017-24

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### REPEAL

76. Bylaw 2013-23, including all amendments thereto, is hereby repealed.

### COMING INTO FORCE

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

**FIRST and SECOND READING:** July 24, 2017

**THIRD READING and ADOPTION:**

\_\_\_\_\_  
Mayor

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

## Business License Bylaw 2013-23

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### **APPENDIX “A”** **VOLUNTARY FINES**

<b>Section</b>	<b>Ticket Description</b>	<b>Penalty</b>
Sections 9, 10 and 11	Operate business without a license	\$200.00
Section 14	Contravene a provision of the license or bylaw	\$200.00
Section 16	Obstruct officer in performance of duties	\$200.00
Section 30	Fail to notify of change in business license	\$100.00
Section 37	Fail to notify of a change in business	\$100.00
Section 41	Fail to display a license in public view	\$50.00
Section 43	Fail to allow inspection	\$400.00
Section 44	Fail to provide license or documentation	\$200.00
Section 45	Obstruct inspection	\$400.00
Section 53	Adult material improperly displayed	\$200.00
Section 54	Adult material provided to child or young person	\$200.00
Section 58	Fail to undergo criminal records check (Door-to-door sales)	\$400.00
Section 59	Fail to carry City ID (Door-to-door sales)	\$200.00
Section 61	Unauthorized display, storage, or accumulation of goods	\$200.00
Section 65	Display goods or merchandise at unauthorized locations	\$200.00
Section 68	Fail to submit written permission for mobile vending	\$100.00
Section 71	Operate vending machines without business license	\$200.00

# **CITY OF WHITEHORSE**

## **BYLAW 2017-26**

A bylaw to amend Capital Budget Bylaw 2016-41

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WHEREAS section 238 of the *Municipal Act* (R.S.Y. 2002) provides that council shall by bylaw adopt an annual operating budget and a multi-year capital expenditure program; and

WHEREAS section 241 of the *Municipal Act* provides that no expenditure shall be made which increases total expenditures above what was approved in the annual operating budget or capital budget unless such expenditure is approved by bylaw; and

WHEREAS it has become necessary to increase the 2017 capital budget to provide for the expansion of the Marwell Lift Station Upgrade project to include the replacement of process piping and a protective liner for the wet well;

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

1. The 2017 to 2020 capital expenditure program is hereby amended by increasing the 2017 capital budget in the amount of \$1,000,000.00 to expand the Marwell Lift Station Upgrade project to include the replacement of process piping and a protective liner for the wet well. Subject to the confirmation of external funding, this project expansion will be funded by Gas Tax. In the event that Gas Tax funding is not confirmed, the project expansion will be funded from the water and sewer reserve.
2. This bylaw shall come into full force and effect upon final passing thereof.

**FIRST and SECOND READING:** July 24, 2017

**THIRD READING and ADOPTION:**

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Mayor

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City Clerk

**CITY OF WHITEHORSE**  
**BYLAW 2017-27**

A bylaw to amend Zoning Bylaw 2012-20

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

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

WHEREAS it is deemed desirable that the City of Whitehorse Zoning Bylaw be amended to allow for the expansion of the lot located at 83 Mount Sima Road;

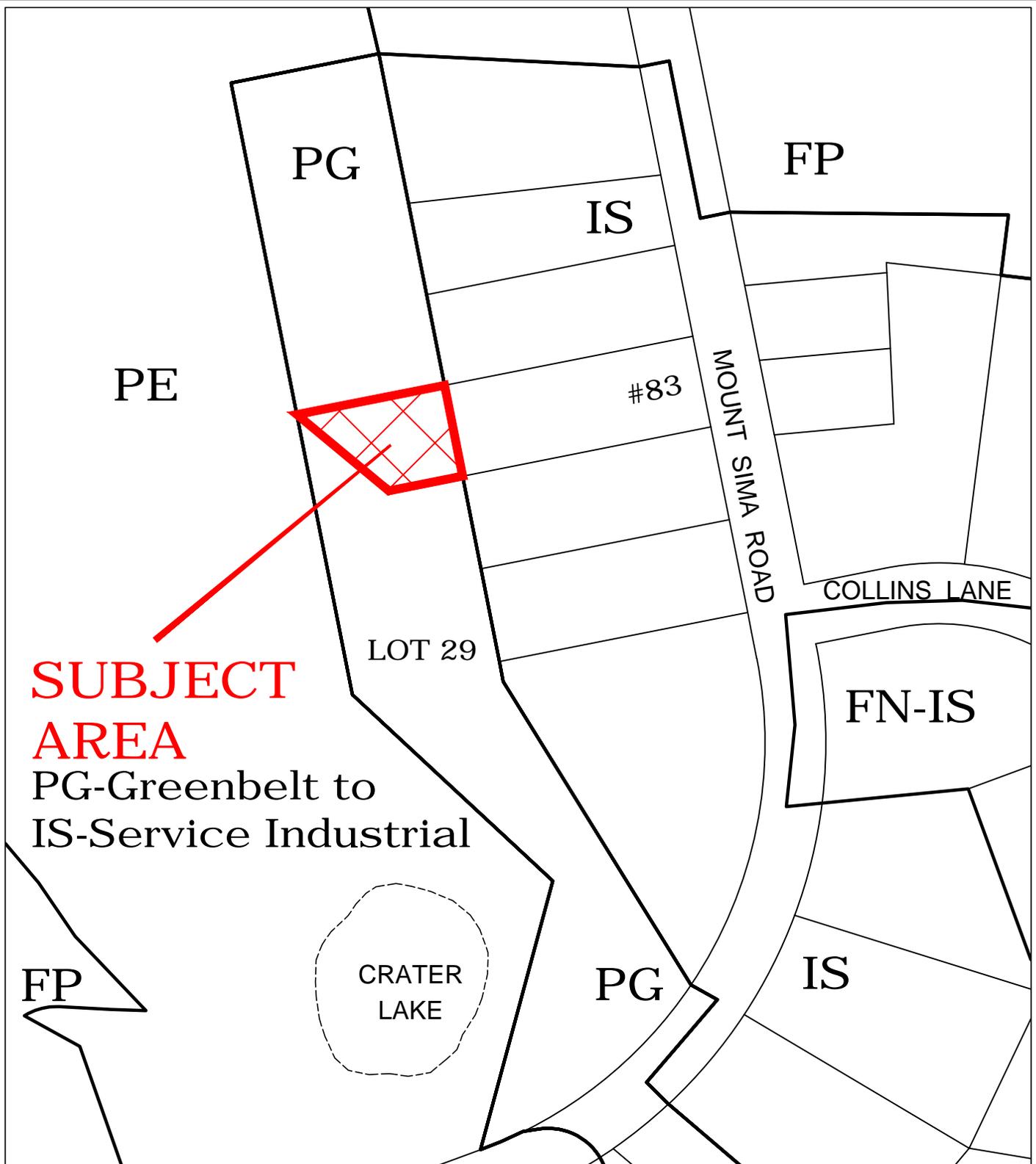
NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of a 0.26 hectare portion of Lot 29, Mount Sima Industrial Subdivision, Plan 2002-061 LTO, from PG–Greenbelt to IS–Service Industrial, as indicated on the sketch attached hereto as Appendix “A” and forming part of this bylaw.
2. This bylaw shall come into force and effect upon the final passing thereof.

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

\_\_\_\_\_  
Mayor

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



**SUBJECT  
AREA**  
PG-Greenbelt to  
IS-Service Industrial

**Bylaw 2017-27**

A bylaw to amend the zoning of a 2550 m2 parcel of Lot 29, Mt Sima Industrial Subdivision, Plan 2002-061 LTO, from PG-Greenbelt to IS-Service Industrial.

**LEGEND**



SUBJECT AREA