

CITY OF WHITEHORSE – STANDING COMMITTEES

Monday, June 3, 2024 – 5:30 p.m.

Council Chambers, City Hall

CALL TO ORDER

ADOPTION OF AGENDA

PROCLAMATIONS World Environment Day (June 5, 2024)

DELEGATIONS

- Juan Jordan – Public Transit Routes to School
- Felix Olaney – Solidarity with Palestine
- Kate White – Solidarity with Palestine
- Lisa Vollans-Leduc, Vice President, Yukon Employees' Union – Solidarity with Palestine
- Lisa Stewart – Solidarity with Palestine
- Miasha Albisser – Addressing the Motion for a Ceasefire
- Eric Epstein – Support for Ceasefire in Gaza
- Graeme Poile – Solidarity with Palestine
- Yukon Fire Fitness Association – Firefit Regional 2025

CITY PLANNING COMMITTEE

1. Zoning Amendment – Interim Granular Resource Extraction
2. Public Hearing Report – Official Community Plan Administrative Amendments
3. New Business

DEVELOPMENT SERVICES COMMITTEE

1. New Business

CITY OPERATIONS COMMITTEE

1. New Business

COMMUNITY SERVICES COMMITTEE

1. New Business

PUBLIC HEALTH AND SAFETY COMMITTEE

1. Vehicle for Hire Bylaw
2. New Business

CORPORATE SERVICES COMMITTEE

1. Municipal Charges and Community Service Grants
2. Council Member Appointment to the Association of Yukon Communities
3. New Business



PROCLAMATION
WORLD ENVIRONMENT DAY
June 5, 2024

WHEREAS the City of Whitehorse is known as the Wilderness City and has a long tradition of environmental sustainability and stewardship; and

WHEREAS the 2024 theme for World Environment Day is “Land Restoration, Desertification and Drought Resistance”, which aims to educate communities on the benefits of land restoration such as building resilience to extreme weather events like droughts and fires, and halting the expected extinction of certain species; and

WHEREAS World Environment Day 2024 also focuses on ending drivers of land degradation such as climate change;

NOW THEREFORE I, Mayor Laura Cabott, do hereby proclaim June 5, 2024 to be World Environment Day in the City of Whitehorse.

Laura Cabott
Mayor

CITY OF WHITEHORSE
CITY PLANNING COMMITTEE
Council Chambers, City Hall



Chair: Michelle Friesen

Vice-Chair: Dan Boyd

June 3, 2024

Meeting #2024-11

1. Zoning Amendment – Interim Granular Resource Extraction
Presented by Darcy McCord, Senior Planner, Planning Services
2. Public Hearing Report – Official Community Plan Administrative Amendments
Presented by Peter Duke, A/Director of Development Services
3. New Business

ADMINISTRATIVE REPORT

TO: Planning Committee
FROM: Administration
DATE: June 3, 2024
RE: Zoning Amendments - Interim Granular Resource Extraction

ISSUE

Amendments to the Zoning Bylaw to enable interim granular resource extraction as a multi-year temporary use to prepare a site for subsequent development.

REFERENCE

- [Zoning Bylaw 2012-20](#)
- [Whitehorse 2040 Official Community Plan](#)
- [Municipal Act SY 2022, c. 2](#)
- [2022-2024 Strategic Priorities](#)
- [Land Use Master Plan Policy](#)
- Proposed Zoning Amendment Bylaw 2024-33 (Attachment 1)

HISTORY

The Whitehorse 2040 Official Community Plan (OCP) was adopted on March 27, 2023. The OCP sets the vision and policy direction for how the City should develop over the time horizon set out in the plan. The OCP acknowledges that gravel is an essential asset to the community and provides policies to guide granular material extraction. Section 13.2 provides that granular resource extraction may be considered as an interim land use on lands designated for development that have an approved Master Plan, with approval through a Temporary Use Development Permit. The newly adopted Master Plan Policy provides additional requirements for information to be included in Master Plans where granular resource extraction is needed to achieve the finished grade for the planning area.

Amendments to the Zoning Bylaw are required to implement a process to enable interim granular resource extraction as a temporary use. The Zoning Bylaw already enables a Development Officer to issue Temporary Use Development Permits for an interim use with a defined lifespan of less than one year. However, interim granular resource extraction uses contemplated under section 13.2 of the OCP will in most cases have a defined lifespan greater than one year, so an amendment to the Zoning Bylaw is required to enable extraction as a multi-year temporary use. Amendments are also required to establish the criteria to apply for a permit and to identify the application requirements.

Development Review Committee

On April 3, 2024, the proposed zoning amendments were reviewed by the Development Review Committee (DRC). Members of DRC emphasized that it was important that the process be designed to ensure that granular material extraction is completed expediently and in accordance with the approved plans.

Schedule

The proposed schedule for the Zoning Bylaw amendment is:

Planning Committee:	June 3, 2024
First Reading:	June 10, 2024
Newspaper Ads:	June 14 and June 21, 2024
Public Hearing:	July 8, 2024
Report to Committee:	August 5, 2024
Second and Third Reading:	August 12, 2024

ALTERNATIVES

1. Proceed with the amendment under the bylaw process; or
2. Do not proceed with the amendment.

ANALYSIS

Enabling granular resource extraction prior to development of a planning area has the potential to provide a range of benefits to the community. It provides a nearby supply of gravel for other development projects in the City, the material is being extracted from an area that will be disturbed anyhow, and it can improve the conditions at the site to optimize subsequent development. It also has the potential to improve the economic viability of a new land development project by enabling up-front revenue generation for a developer at the start of a project. This is a new and innovative approach to land development, helping to fulfil a Council Strategic Priority to increase land development in Whitehorse.

Developers wishing to carry out granular resource extraction as an interim use to prepare a site for subsequent development will be required incorporate the extraction component into all stages of the typical development process. At the Master Plan stage, the Master Plan will identify that granular resource extraction is required to carry out the plan, and provide a grading plan and estimated volumes of material to be extracted along with the anticipated timeline for completing the extraction. Additionally, the Master Plan will identify impacts such as noise, dust, and traffic, and outline measures to mitigate these impacts. The Master Plan, including information about the intent to extract granular resources prior to development, must be approved by Council prior to moving on to the next stages of the development process.

If the project is assessable under the Yukon Environmental and Socioeconomic Assessment Act (YESAA), the assessment must be completed and decision document issued prior to application for a Temporary Use Development Permit for granular resource extraction, and any conditions of the decision would need to be respected through subsequent City approvals.

Following Master Plan approval and completion of a Yukon Environmental and Socio-economic Assessment Board (YESAB) assessment, and in advance of zoning amendment and/or subdivision, the proponent could apply for a Temporary Use Development Permit for granular resource extraction. Temporary use permits could be issued for interim granular material extraction in any zoning designation, provided it aligns with the OCP and the approved Master Plan.

The review and approval process is designed to ensure that extraction activities are completed expediently, and potential impacts to the community are minimized. Permits would be issued for a duration of one year, with potential to issue subsequent one-year permits. The proponent would be required to demonstrate satisfactory progress in the previous year when applying for subsequent one year permits. Approvals would be made by a Development Officer, in consultation with the Development Review Committee. Permits would be issued subject to conditions, including a requirement to provide a security sufficient to cover the cost to reclaim the site to a natural condition should the proponent fail to complete the granular resource extraction or fail to commence subsequent development.

Zoning amendment and subdivision approval are normally required as part of the development process. A zoning amendment application could be made while granular resource extraction is underway, provided the proponent can demonstrate that the extraction and grading has been, or will be completed in accordance with the approved plans. Application for subdivision would be made once the granular resource extraction is completed, or nearly completed, with the subdivision grading plan reflecting the finished as-built grading of the planning area at completion of the extraction.

Next Steps

If the proposed zoning amendments are adopted, education and communication materials will be developed to advise developers and the general public of these changes.

ADMINISTRATIVE RECOMMENDATION

THAT Council direct that Bylaw 2024-33, a bylaw to amend the Zoning Bylaw to enable interim granular resource extraction as a multi-year temporary use, be brought forward for consideration under the bylaw process.

CITY OF WHITEHORSE
BYLAW 2024-33

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 Whitehorse Zoning Bylaw be amended to allow granular resource extraction as an interim land use;

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

1. Section 4 of Zoning Bylaw 2012-20 is hereby amended by modifying the existing subsection 4.11.1 c) to read as follows:

“4.11.1 A Development Officer may issue a temporary use permit for a temporary development or use provided that such development or use is not contrary to the Official Community Plan and:

- c) it is an interim land use with a defined life-span of less than one year, unless otherwise excepted by section 4.11.2;”

2. Section 4 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 4.11.2 to read as follows and renumbering the remaining subsections accordingly:

“4.11.2 A Development Officer may issue a temporary use permit for an interim natural resource extraction use with a defined lifespan exceeding one year, provided that such development is not contrary to the Official Community Plan and:

- a) the resource to be extracted is limited to gravel, sand, and rock (hereafter called granular resource extraction);
- b) a Master Plan for the area subject to the temporary use permit has been approved by Council, and the application aligns with the approved Master Plan;
- c) The temporary use permit will be issued for a period not exceeding one year, with the potential to apply for subsequent one-year permits upon satisfactory demonstration that the extraction activities have been performed in accordance with the approved plans from the previous permit; and
- d) Permits issued for subsequent years may provide new or modified conditions of approval as may be required to ensure compliance with this bylaw or any other City plans, policies, or bylaws.

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3. Section 4 of Zoning Bylaw 2012-20 is hereby amended by modifying existing subsections 4.19.1 to read as follows:

“4.19.1 Where the Development Officer has required certain improvements be made to a property, documents prepared or other actions completed as a condition to the issuance of a development permit for the property (the “required improvements”), and has required security in the form of cash or a letter of credit be deposited with the City pursuant to any of the provisions of this bylaw, including without limiting the generality of the foregoing, sections 5.5.2.3, 5.5.3.1, 5.5.5, 5.5.8.1, 6.15.6 or 7.2.8:

- a) Upon completion of the required improvements and the filing of a written request for the release of any cash security deposited with the City, such cash security shall be paid to the property owner, notwithstanding that the person named on the development permit or that provided the security is not the property owner.
- b) Notwithstanding that the development permit was issued to another person, the property owner is responsible for completing the required improvements.

4. Section 6 of Zoning Bylaw 2012-20 is hereby amended by adding new subsection 6.15.6 to read as follows and renumbering the remaining subsections accordingly:

6.15.6 Granular resource extraction permitted as a temporary use under Section 4.11.2 shall be subject to the following:

- a) In addition to any information required by the Development Officer under Sections 4.4 and 4.5 of this bylaw, the Development Officer may require the applicant to provide a quarry management plan, including any or all of the following:
 - (1) Detailed grading plan, showing existing and proposed final elevations and grades throughout the site, and including surrounding area showing how the grading will tie in with surrounding conditions;
 - (2) Extraction and reclamation plan, including the extent of area to be cleared and extracted, where extraction will start and direction of progress of working face, location and size of stockpiles, location where overburden will be stored, phasing of extraction areas, volume of material to be extracted at each phase, and phasing of reclamation/site preparation;
 - (3) Anticipated impacts from dust, noise, and traffic, and measures to mitigate such impacts;
 - (4) An Erosion and Sediment Control Plan, for management of stormwater throughout extraction activities, including erosion control measures to prevent the pollution, degradation, or siltation of natural areas, watercourses, roads, and adjacent sites;

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- (5) Machinery to be used on site;
 - (6) Any ancillary activities to be performed on the site, including crushing, and screening;
 - (7) Haul route(s) and destination(s) of extracted material;
 - (8) Measures to ensure public safety and site security; and
 - (9) Total estimated duration of extraction activities, with annual milestones.
- b) The Development Officer may require the applicant to provide a general overview of local market demand for the product, demonstrating that there is a realistic prospect of extracting material at the rate identified in the timeline.
 - c) The size of granular material stockpiles on the site shall not exceed the volume of material extracted in the previous year. Stockpiles shall be removed from the site within one year of completion or cessation of extraction activities.
 - d) When applying for a subsequent one-year permit to complete or continue work authorized by a previous temporary use permit, the Development Officer may require the applicant to provide a progress report, noise and dust monitoring reports based on activities performed under a previous permit, revised plans, scope of work for the upcoming year, and/or a new security calculation.
 - e) The Development Officer may require that, as a condition of issuing a temporary use development permit, the applicant provide security in accordance with Section 4.19 to ensure that the granular resource extraction is completed expediently and in accordance with the approved plans, and to ensure that the applicant commences subsequent development or reclaims the site within one year of completion or cessation of extraction activities. The value of the security shall be based on a full-cost calculation provided by a qualified third party. The calculation shall consider the cost to reclaim the site to a natural condition, including grading and contouring, replacing soil and vegetative cover, and seeding and/or planting new trees/shrubs as required, if the City were to hire a third-party to carry out the work. The security amount may be adjusted annually, taking into account the developer's progress to date and work plan for the following year.
 - f) The granular resource extraction security shall be held by the City until the Development Officer is satisfied that the portion of the site that is subject to the security has commenced subsequent development, or has been reclaimed.

5. 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:

Laura Cabott, Mayor

Corporate Services

ADMINISTRATIVE REPORT

TO: Planning Committee
FROM: Administration
DATE: June 3, 2024
RE: Public Hearing Report – Official Community Plan Administrative Amendments

ISSUE

Public Hearing Report on administrative amendments to the Official Community Plan (OCP).

REFERENCES

- [Zoning Bylaw 2012-20](#)
- [Municipal Act SY 2022, c. 2](#)
- [2017 Chadburn Lake Park Management Plan](#)
- [Trail Maintenance Policy 2021-02](#)
- [Wildfire Risk Reduction Strategy and Action Plan for 2020-2024](#)
- Redline Comparison Document (Attachment 1)
- Proposed Map Amendments (Attachment 2)
- Proposed Bylaw 2024-22 (Amended) (Attachment 3)

HISTORY

Since the adoption of the OCP, Administration has identified various sections of the document which need amending due to errors or needing clarification or greater flexibility to better administer the document. The proposed amendments include the following:

- Undertaking corrections and updates to maps;
- Allowing greater flexibility to the riparian and slope policies;
- Allowing greater flexibility for residential uses in Urban Centres;
- Allowing greater flexibility for fuel abatement activities in the Greenspace designation;
- Providing clarification on permissible residential uses in the Public Service, Commercial – Service, Industrial, and Industrial/Commercial designations;
- Providing clarification on uses permitted within Future Planning Areas; and
- Providing other minor clarifications.

Bylaw 2024-22 received First Reading on April 8, 2024. Public Hearing notifications were sent out in accordance with the Zoning Bylaw 2012-20, including:

- Newspaper advertisements were posted in the Whitehorse Star and Yukon News on April 12 and April 19, 2024;
- Email notifications were sent to Kwanlin Dün First Nation (KDFN), Ta'an Kwäch'än Council (TKC), the Government of Yukon (YG) Land Management Branch, the Canadian Parks and Wilderness Society Yukon Chapter, the Yukon Conservation Society, and all community associations; and

- The YG Minister of Community Services was notified through email and provided copies of the proposed bylaw and newspaper ads per section 280 (3) of the *Municipal Act*.

A public hearing for this item was held on May 13, 2024. Two members of the public spoke to the item at the public hearing. A delegate also spoke to this item at the Regular Council meeting on April 8, 2024.

The proposed amendments directly affect KDFN and TKC settlement land parcels and therefore both First Nation governments reviewed the amendments. KDFN provided a grammatical suggestion and TKC indicated that it had no comments.

ALTERNATIVES

1. Amend the bylaw at second reading and proceed under the bylaw process; or
2. Refer the matter back to Administration.

ANALYSIS

The following matters were raised in the public input submissions and at the public hearing:

- Trails;
- Definitions;
- OCP maps;
- OCP policy 13.2 ii;
- Wildfire risk reduction; and
- Other.

Trails

A delegate raised concerns with the proposed amendment to OCP Policy 7.9 that would allow an exception to the City's 30 m riparian setback requirement for improvements to trails on a site-by-site basis. The delegate stated that the Chadburn Lake Park Management Plan requires a 30 m riparian setback for trails which suggests the sensitivity of such areas and their importance for maintaining biodiversity.

The delegate raised concerns that per OCP Policy 7.11, an environmental study may be required when considering any potential reduction of the riparian setback. They felt that an environmental study should always be required. The delegate also raised concerns that there are no limits to the width of trails.

The proposed OCP amendment to allow an exception to the riparian setback for trail improvements is only for improvements to existing trails and is not intended for the development of new trails. There are existing trail networks in the city that run along the edge of water bodies, such as the Riverfront Trail. From time to time, trail improvements are required in order to improve accessibility and safety. Per OCP policy 5.11, the City will continue to maintain and enhance a diverse trail network that accommodates a range of users.

Additionally, per OCP policy 7.10, where encroachment within the riparian setback is required and permitted, it must include mitigation steps to minimize impacts from the

proposed development on the riparian area, and to protect the proposed development from potential flooding. So although environmental studies may not always be required per OCP policy 7.11, mitigations to minimize impacts on the riparian area are a requirement for all riparian setback encroachments. Furthermore, the Trail Maintenance Policy defines trail types and provides policy direction regarding trail maintenance.

Administration recommends clarifying that the proposed amendment to OCP policy 7.9 to allow an exception to the riparian setback for trail improvements applies to existing trails only. It is also noted that there was an error in the numbering of the exception for trail improvements in the proposed Bylaw. The suggested wording for OCP policy 7.9 is as follows (red for existing amendment, underline for addition, and strikethrough for deletion):

"Exceptions to the City's Riparian Setback requirement will be reviewed and considered on a site-by-site basis:

- i. where steep banks contain the riparian area, the setback shall be applied from the top of bank;*
- ii. for businesses that utilize waterbody access as part of their business; ~~and~~*
- iii. where trail, utility, or road access for development is proposed to cross Riparian Setbacks; ~~and~~*
- ~~iv.~~ where improvements to existing trails are proposed within a Riparian Setback."*

Definitions

A delegate suggested that the following terms be added to the glossary and defined: environmentally sensitive areas; greenspace; greenbelt; passive recreation; and active recreation.

Environmentally sensitive areas, in the context of the OCP, include water bodies, water courses, wetlands, high value habitat areas, and wildlife corridors as defined in the glossary and per OCP Policy 7.1. Environmentally sensitive areas are generally shown on Map 1 – Greenspace Network Plan and Parks. The delegate suggested that the term be used consistently across all City documents. While a review of all City documents for the consistent use of terms may have merits, it would take significant resources to potentially amend these documents, and is outside of the scope of the subject OCP amendments.

Greenspace is a land use designation in the OCP with the intent to protect and maintain the integrity of sensitive ecosystems, encourage ecosystem connectivity, promote connection to the land and water, and provide outdoor recreation opportunities across the community as described in the Land Use Designations Quick Reference. OCP section 15.5 provides policies specifically applicable to the Greenspace land use designation. Administration believes it is unnecessary to add the Greenspace land use designation to the glossary as no other land use designation appears there.

The term greenbelt appears once in the OCP and is used to describe Whitehorse as a wilderness city. The term is used generally and has no implication on the interpretation of any policies within the OCP. Administration does not consider it necessary to add the term to the glossary.

OCP maps

Two members of the public expressed that it is difficult to determine the OCP land use designation boundaries on Map 1 – Greenspace Network Plan and Parks and Map 5 – Land Use Designations due to the scale of the maps. They suggested that a footnote be added to the maps regarding interpretation of the boundaries that ensures consistency but also allows for some flexibility.

OCP Policy 16.1 states that all information on Map 1 is to be interpreted for general information and that confirmation of exact boundaries may require additional studies or investigation. OCP Policy 16.2 states that all boundaries in Map 5 are to be interpreted as generalized and are not precise. The zone boundaries in the Zoning Bylaw provide more precision than the land use designation boundaries in the OCP. The purpose of the Zoning Bylaw is to implement the policy direction provided in the OCP and other Council-approved plans and policies and therefore the mapping and zone boundaries need to be more precise. Section 1.5 of the Zoning Bylaw contains the regulations regarding the interpretation of the zone boundaries. As such, no changes to the administrative amendments are recommended to address this public input.

OCP policy 13.2 ii

KDFN provided suggested wording for OCP policy 13.2 ii to improve the clarity and grammar of the policy. The suggested wording is as follows (red for existing amendment, underline for addition, and strikethrough for deletion):

"When determining permit regulations, the policies outlined in Section 15.12 Natural Resource Extraction should be reviewed and considered to minimize impacts on surrounding uses such as by requiring buffers, screening, and anticipated addressing traffic management issues ~~volumes may be required.~~"

Administration agrees that KDFN's suggested wording improves the clarity and grammar of the policy and recommends amending the administrative amendments as suggested.

Wildfire risk reduction

A member of the public expressed that it would be useful to identify areas within the city where the land can be better utilized to support the expansion of private businesses while also reducing wildfire risk by acting as a fire break.

The OCP is the highest level policy and planning document for the City and it provides direction to other City tools and documents. The OCP provides broad direction regarding emergency management planning such as policy 12.5 which states that wildfire risk reduction initiatives will be pursued throughout the community.

Council adopted a Wildfire Risk Reduction Strategy and Action Plan for 2020-2024 as a guiding document which provides recommendations to reduce structural vulnerabilities and strengthen community resilience to wildfires as suggested by this public input. The recommended actions in the Plan include amendments to the Zoning Bylaw, Maintenance Bylaw, Building and Plumbing Bylaw, Tree Removal Policy, and the Parks and Open Spaces Bylaw.

Although the OCP is not the appropriate tool for prescribing specific wildfire risk reduction regulations, Administration has proposed an amendment to OCP policy 15.5.1 which clarifies that fuel abatement activities are permitted in the Greenspace land use designation.

Other

Public input also included comments regarding particular businesses, specific lot enlargement applications, and the functions and operations of the City's Development Review Committee and did not relate to the subject OCP amendments. As such, they were not considered further for this application.

ADMINISTRATIVE RECOMMENDATION

THAT Council direct that Bylaw 2024-22, administrative amendments to the Official Community Plan, be amended at second reading and proceed through the bylaw process.

Redline Comparison Document

Attachment 1

Proposed Bylaw 2024-22

Bylaw 24-22 #	POLICY	PROPOSED CHANGE
MAPPING CORRECTIONS AND UPDATES (SEE APPENDIX)		
1	Map 1	Use the most recent environmental sensitivity information from the Chadburn Lake Park Management Plan to update the map.
2	Map 3	Update scale bar.
3	Map 4	KDFN Parcel C-24B hatching is incomplete.
4	Map 5	Remove KDFN Settlement Land parcels C-86B and C-153B from the South Growth Area boundary.
4	Map 5	South Growth Area boundary should include a portion of KDFN Settlement Land parcel C-24B and all of parcel C-57B.
4	Map 5	TKC Parcel C-10B change from Commercial - Service to Residential – Country.
4	Map 5	TKC Parcel C-73B change from Green Space to Residential – Country.
4	Map 5	TKC Parcel C-77B change from Future Planning to Residential – Country.
4	Map 5	Add Greenspace not shown for Bert Law Park.
RIPARIAN POLICY		
5	Policy 7.9	<p>Add subsection 7.9 vi:</p> <p><i>"Exceptions to the City's Riparian Setback requirement will be reviewed and considered on a site-by-site basis:</i></p> <ul style="list-style-type: none"> <i>i. where steep banks contain the riparian area, the setback shall be applied from the top of bank;</i> <i>ii. for businesses that utilize waterbody access as part of their business; and</i> <i>iii. where trail, utility, or road access for development is proposed to cross Riparian Setbacks; and</i> <i>iv. where improvements to existing trails are proposed within a Riparian Setback."</i>

SLOPE POLICIES

6 Policy 7.15

Modify the policy as follows:

"All development, including building, ~~grading~~, and tree harvesting, will be prohibited on slopes that exceed 30% (3.3 horizontal to 1 vertical). The only exceptions will be for critical infrastructure, ~~grading~~, trails, and viewpoints, provided that a professional geotechnical assessment, accepted by the City Engineer, can demonstrate reasonably safe conditions."

7 Policy 7.16

Modify the policy as follows:

"All new development will be setback a minimum of 15 metres or 1.25 metres multiplied by the height of slope, whichever is greater, from the top or bottom of any slope over 30%, as illustrated on Figure 7 – Illustration of Escarpment Setbacks. ~~The only exceptions will be for critical infrastructure, trails, and viewpoints.~~ The only exceptions will be when reasonably safe conditions for reduced setbacks can be demonstrated by a site-specific geotechnical examination prepared by a qualified professional and accepted by the City Engineer.

Suitable setbacks to accommodate critical infrastructure, trails, and viewpoints may be required when considering any potential reduction of the Escarpment Setback.

The Escarpment Setback will apply in the absence of a required and accepted geotechnical assessment.

Exceptions to the City's Escarpment Setback are not permitted within the Downtown Whitehorse Escarpment Control Zone, as identified on Appendix A of the City's Downtown Escarpment Land Use Policy."

URBAN CENTRES

8 Policy 8.19

Modify the policy as follows:

"Where mixed-use buildings are proposed in Urban Centres, commercial uses will be on the ground floor with residential uses above. ~~The inclusion of dwelling units, as secondary uses to the primary commercial uses, may be permitted on the ground floor to provide flexibility in providing alternative dwelling units while maintaining a commercial streetscape. As examples, this may include commercial uses facing the street with dwelling units facing a rear lane or with pedestrian access to accessible dwelling units located at the rear of a building.~~"

OTHER

- 9 Policy 12.19 Move from "Asset Management" section to "Costs of Development" section and renumber subsequent policies accordingly:
- ~~"12.19~~ 13.29 The design and approval of new or expanded neighbourhoods must consider the City's long-term responsibility for the proposed municipal assets including operational maintenance, repair, and replacement costs."

Modify the policy as follows:

- 10 Policy 13.2 ii. *"When determining permit regulations, the policies outlined in Section ~~15.13~~15.12 Natural Resource Extraction should be reviewed and considered to minimize impacts on surrounding uses such as ~~by requiring~~ buffers, screening, and ~~anticipated~~ addressing traffic management issues. ~~volumes may be required.~~"*

FUEL ABATEMENT

- 11 Policy 13.6 Add a subtitle:
- "Fuel Abatement**
13.6 Wildfire fuel abatement is permitted, as appropriate, in any land use designation, subject to applicable bylaws and environmental guidelines."

RESIDENTIAL USES

- 12 Table 2 Modify the intent of "Commercial – Service:"
- "Accommodate commercial or public uses that are not typically combined with residential or industrial uses and are largely vehicle-oriented."*

- 13 Section 15.2 Modify Section 15.2 as follows:
- "Commercial - Service areas are intended to accommodate commercial or public uses that are not typically combined with residential uses and are largely vehicle-oriented. This type of commercial development typically requires significant onsite parking and/or loading facilities creating large expanses of undeveloped space; as such, they are often in contrast with lively, pedestrian-focused locations."*

FUTURE PLANNING AREAS

14	Policy 15.4.1	Delete policy and renumber subsequent policies. <i>Existing development and activities within Future Planning Areas will continue to be recognized, subject to applicable zoning requirements.</i>
15	Policy 15.4.2	Modify the policy as follows: <i>Existing uUses primarily associated with Greenspaces, such as outdoor recreation trails or domestic fuel woodcutting, shouldmay be permitted subject to approval by the appropriate authority.</i>
16	Policy 15.4.3	Rephrase the policy as follows: <i>To preserve Future Planning Areas' capacity for future development, limited new uses such as trails and public utilities should be considered (e.g., new trail accesses, public utilities).</i>

FUEL ABATEMENT

17	Policy 15.5.1	Add sentence clarifying that fuel abatement activities are permitted in the Greenspace designation. <i>The City is committed to pursuing efforts that preserve the integrity and connectivity of environmentally sensitive areas to keep habitat intact and prevent fragmentation. Areas identified as Greenspace and are primarily kept in their natural state, with minimal disturbance or development. The only exception will be for wildfire fuel abatement activities.</i>
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RESIDENTIAL USES

18	Policy 15.6.5	Add a new policy regarding caretaker residences: <i>"Policy 15.6.5 Accessory activities that support the operation of uses in the Industrial areas, such as caretaker facilities, may be permitted."</i>
19	Policy 15.7.6	Add a new policy regarding caretaker residences: <i>"Policy 15.7.6 Accessory activities that support the operation of uses in the Industrial/Commercial areas, such as caretaker facilities, may be permitted."</i>
20	Policy 15.13.1	Modify policy as follows:

*"Uses that may be suitable for inclusion in the Public Service designation include but are not limited to hospitals, major recreation facilities, arts, culture, and heritage facilities, post-secondary institutions, cemeteries, corrections facilities, **supportive housing**, and aerodromes."*

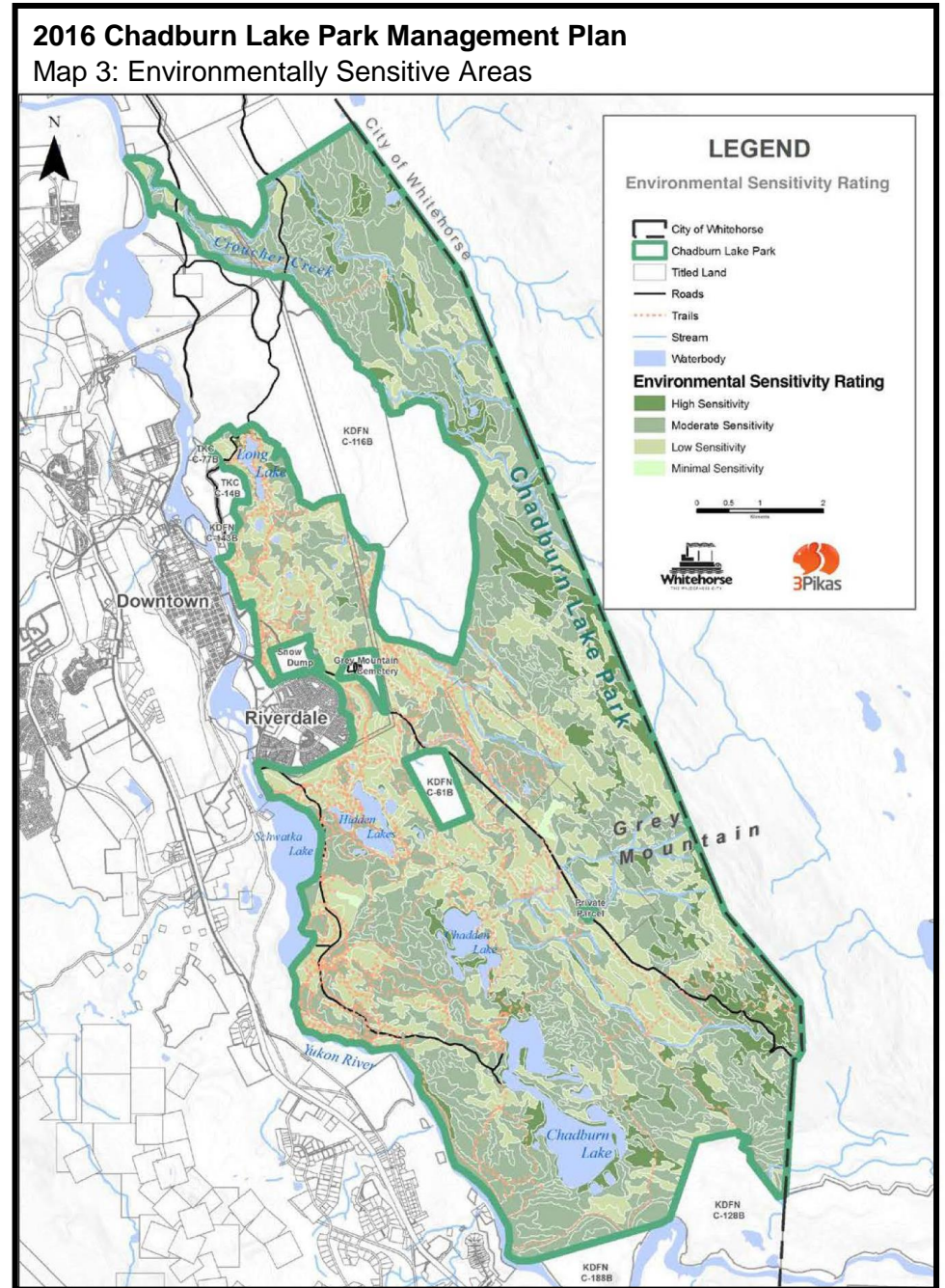
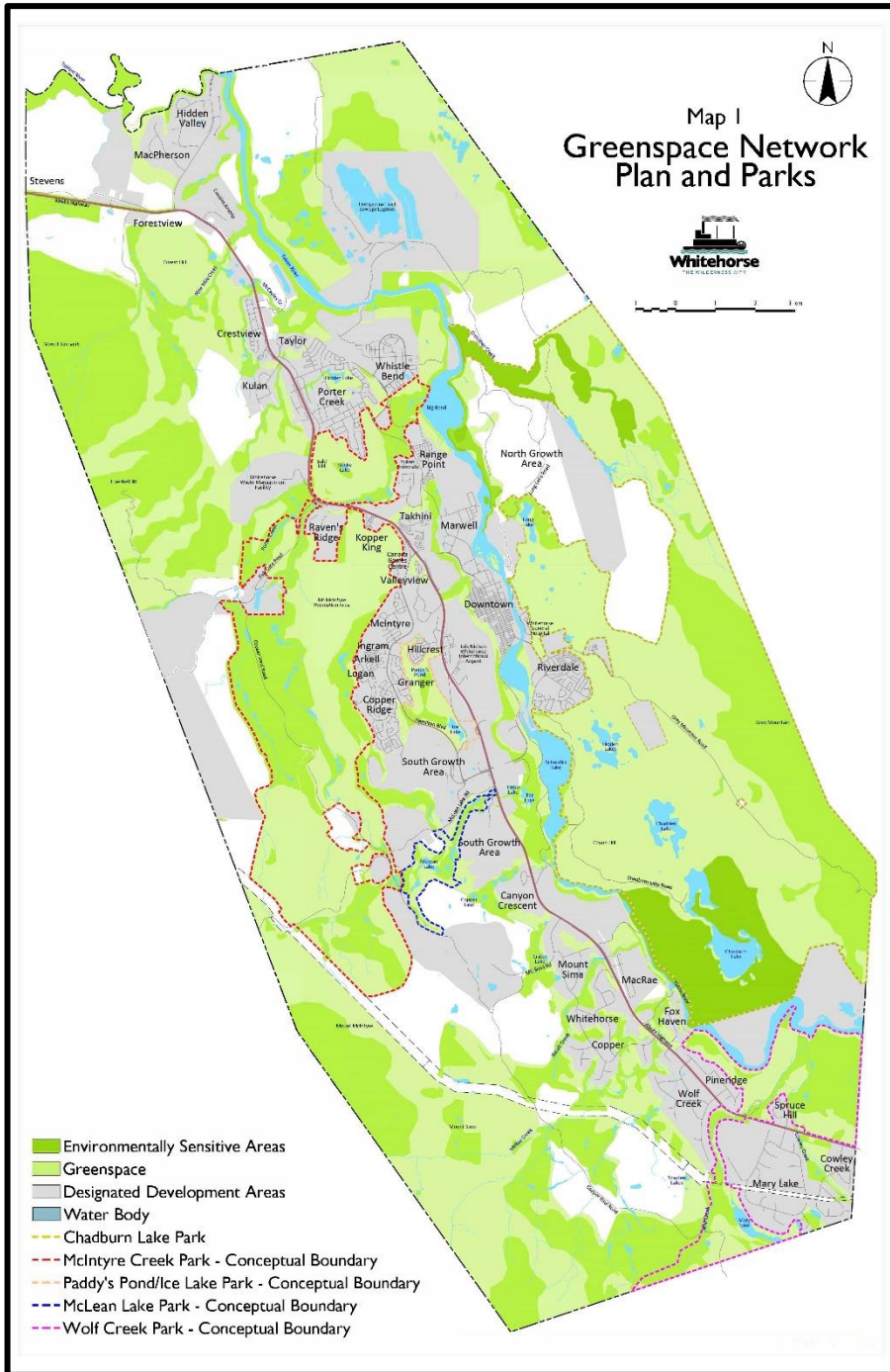
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Policy 15.13.2

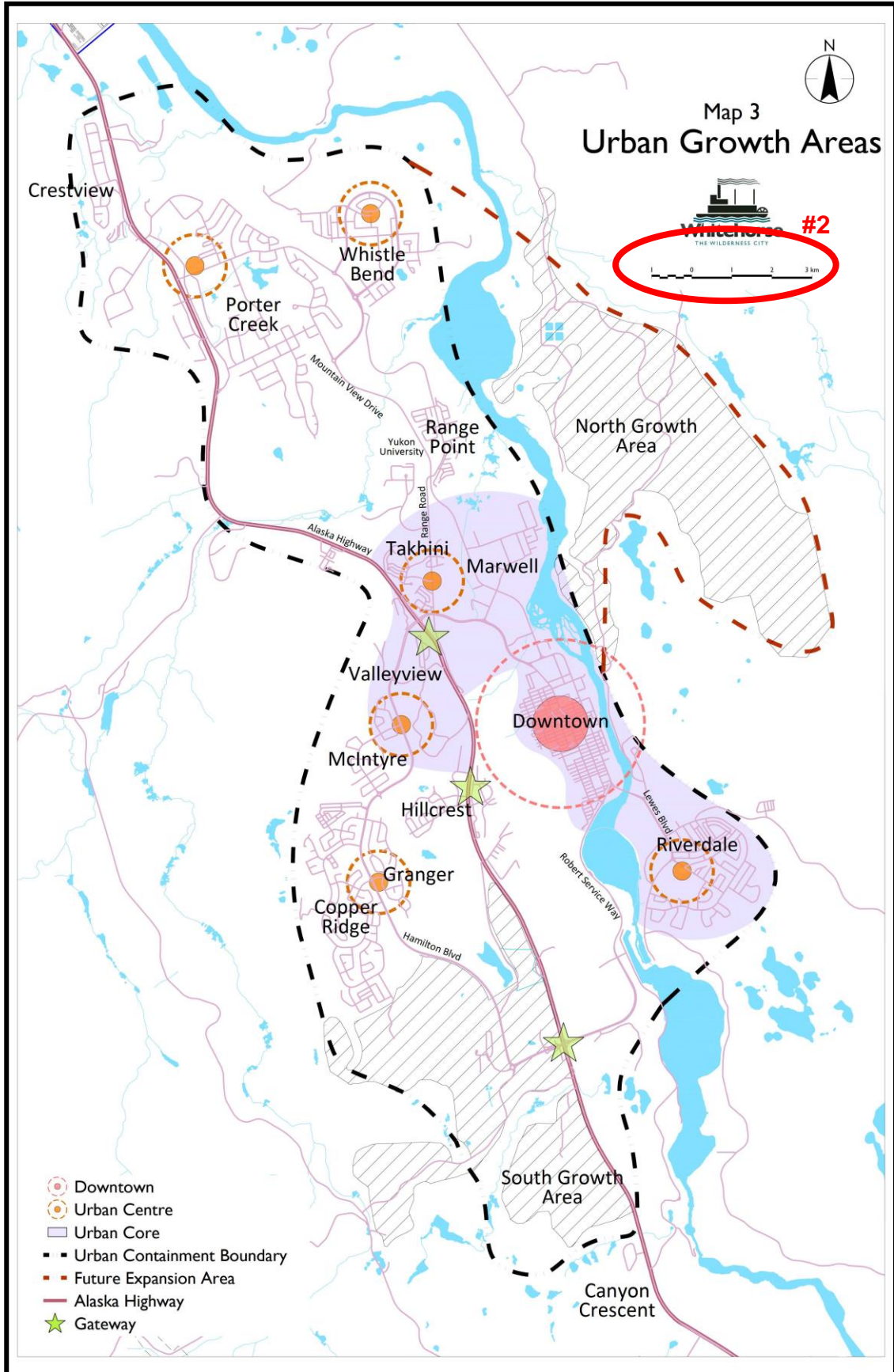
Add a new policy and renumber subsequent policies accordingly:

"Residential dwellings units may be permitted to support public or privately owned facilities of an institutional or community service nature."

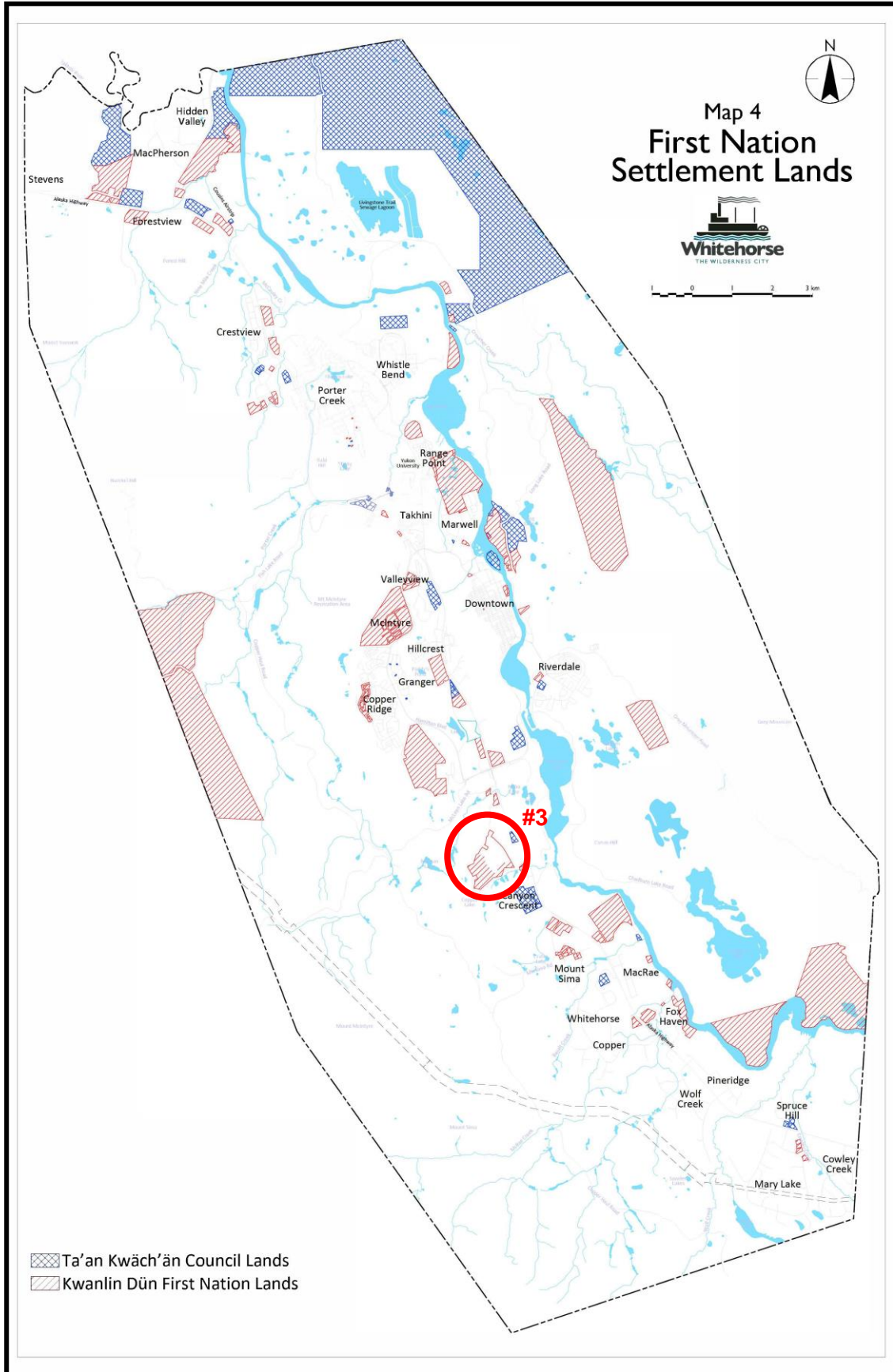
Proposed Amendments – Map 1



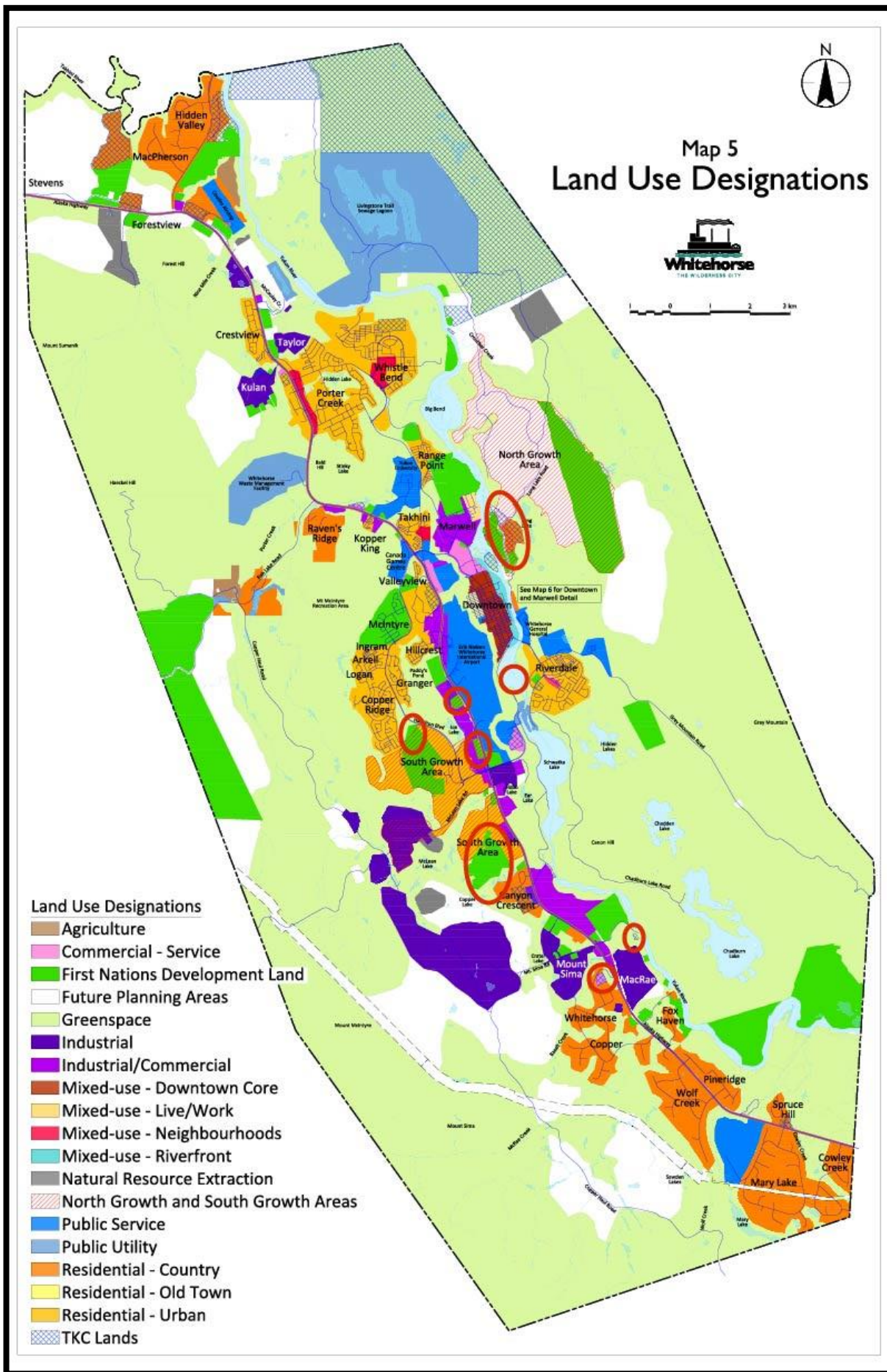
Proposed Amendments – Map 3



Proposed Amendments – Map 4



Proposed Amendments – Map 5



CITY OF WHITEHORSE

BYLAW 2024-22

A bylaw to amend the Official Community Plan

WHEREAS Section 289 of the *Municipal Act* provides that a municipality shall by bylaw adopt an Official Community Plan in accordance with Part 7, Division 1 of the Act; and

WHEREAS Section 285 of the *Municipal Act* provides for amendment of an Official Community Plan, in accordance with the same approvals as established in Division 1 for the preparation and adoption of an Official Community Plan; and

WHEREAS it is deemed desirable and expedient to amend the 2040 Official Community Plan;

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

1. The Greenspace Network Plan and Parks – Map 1 forming part of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by incorporating the environmental sensitivity information from Map 3 – Environmentally Sensitive Areas in the 2017 Chadburn Lake Park Management Plan, as indicated on Appendix A and forming part of this bylaw.
2. The Urban Growth Areas – Map 3 forming part of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by modifying the scale bar, as indicated on Appendix A and forming part of this bylaw.
3. The First Nation Settlement Lands – Map 4 forming part of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by identifying Lot 1218, Quad 105D/11 as Kwanlin Dün First Nation Lands, as indicated on Appendix A and forming part of this bylaw.
4. The Land Use Designation – Map 5 forming part of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by changing the designation of Lot 1223, Quad 105D/11, Lot 1222, Quad 105D/11, Lot 1218, Quad 105D/11, Lot 1270, Quad 105D/11, Lot 1194, Quad 105D/11, Lot 1138, Quad 105D/10, Lot 1196, Quad 105D/11, and Bert Law Park (PIN 9996177), as indicated on Appendix A and forming part of this bylaw.
5. Section 7 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by adding a new subsection 7.9 vi. to existing policy 7.9 to read as follows:

"7.9 Exceptions to the City's Riparian Setback requirement will be reviewed and considered on a site-by-site basis:
i. where steep banks contain the riparian area, the setback shall be applied from the top of bank;
ii. for businesses that utilize waterbody access as part of their business;
iii. where trail, utility, or road access for development is proposed to cross Riparian Setbacks; and
~~iv.~~ iv. where improvements to existing trails are proposed within a Riparian Setback."

6. Section 7 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by modifying existing policy 7.15 to read as follows:

"7.15 All development, including building and tree harvesting, will be prohibited on slopes that exceed 30% (3.3 horizontal to 1 vertical). The only exceptions will be for critical infrastructure, grading, trails, and viewpoints, provided that a professional geotechnical assessment, accepted by the City Engineer, can demonstrate reasonably safe conditions."

7. Section 7 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by modifying existing policy 7.16 to read as follows:

"7.16 All new development will be setback a minimum of 15 metres or 1.25 metres multiplied by the height of slope, whichever is greater, from the top or bottom of any slope over 30%, as illustrated on Figure 7 – Illustration of Escarpment Setbacks. The only exceptions will be when reasonably safe conditions for reduced setbacks can be demonstrated by a site-specific geotechnical examination prepared by a qualified professional and accepted by the City Engineer.

Suitable setbacks to accommodate critical infrastructure, trails, and viewpoints may be required when considering any potential reduction of the Escarpment Setback.

The Escarpment Setback will apply in the absence of a required and accepted geotechnical assessment.

Exceptions to the City's Escarpment Setback are not permitted within the Downtown Whitehorse Escarpment Control Zone, as identified on Appendix A of the City's Downtown Escarpment Land Use Policy."

8. Section 8 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by modifying existing policy 8.19 to read as follows:

“8.19 Where mixed-use buildings are proposed in Urban Centres, commercial uses will be on the ground floor with residential uses above. The inclusion of dwelling units, as secondary uses to the primary commercial uses, may be permitted on the ground floor to provide flexibility in providing alternative dwelling units while maintaining a commercial streetscape. As examples, this may include commercial uses facing the street with dwelling units facing a rear lane or with pedestrian access to accessible dwelling units located at the rear of a building.”

9. Section 12 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by moving existing policy 12.19 to Section 13, renumbering the policy as policy 13.29, and renumbering the remaining policies accordingly.

10. Section 13 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by modifying existing policy 13.2 ii to read as follows:

"13.2 ii. When determining permit regulations, the policies outlined in Section 15.12 Natural Resource Extraction should be reviewed and considered to minimize impacts on surrounding uses such as by requiring buffers, screening, and ~~anticipated~~ addressing traffic management issues ~~volumes may be required.~~"

11. Section 13 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by adding a subtitle immediately before existing policy 13.6 to read as follows:

"Fuel Abatement

13.6 Wildfire fuel abatement is permitted, as appropriate, in any land use designation, subject to applicable bylaws and environmental guidelines."

12. Section 15 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by modifying the Intent of "Commercial – Service" in Table 2 Land Use Designations Overview to read as follows:

“Accommodate commercial or public uses that are not typically combined with residential or industrial uses and are largely vehicle-oriented.”

13. Section 15 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by modifying existing Section 15.2 Commercial – Service to read as follows:

“Commercial - Service areas are intended to accommodate commercial or public uses that are not typically combined with residential uses and are largely vehicle-oriented. This type of commercial development typically

requires significant onsite parking and/or loading facilities creating large expanses of undeveloped space; as such, they are often in contrast with lively, pedestrian-focused locations.”

14. Section 15 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by deleting policy 15.4.1 and renumbering the remaining policies accordingly.

15. Section 15 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by modifying existing policy 15.4.2 to read as follows:

“15.4.2 Uses primarily associated with Greenspaces, such as outdoor recreation trails or domestic fuel woodcutting, may be permitted subject to approval by the appropriate authority.”

16. Section 15 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by modifying existing policy 15.4.3 to read as follows:

“15.4.3 To preserve Future Planning Areas for future development, limited new uses such as trails and public utilities should be considered.”

17. Section 15 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by modifying existing policy 15.5.1 to read as follows:

“15.5.1 The City is committed to pursuing efforts that preserve the integrity and connectivity of environmentally sensitive areas to keep habitat intact and prevent fragmentation. Areas identified as Greenspace are primarily kept in their natural state, with minimal disturbance or development. The only exception will be for wildfire fuel abatement activities.”

18. Section 15 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by adding a new policy 15.6.5 to read as follows and renumbering the remaining policies accordingly:

“15.6.5 Accessory activities that support the operation of uses in the Industrial areas, such as caretaker facilities, may be permitted.”

19. Section 15 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by adding a new policy 15.7.6 to read as follows:

“15.7.6 Accessory activities that support the operation of uses in the Industrial/Commercial areas, such as caretaker facilities, may be permitted.”

20. Section 15 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by modifying existing policy 15.13.1 to read as follows:

“15.13.1 Uses that may be suitable for inclusion in the Public Service designation include but are not limited to hospitals, major recreation facilities, arts, culture, and heritage facilities, post-secondary institutions, cemeteries, corrections facilities, supportive housing, and aerodromes.”

21. Section 15 of The Official Community Plan Adopting Bylaw 2022-40 is hereby amended by adding a new policy 15.13.2 to read as follows and renumbering the remaining policies accordingly:

"15.13.2 Residential dwellings units may be permitted to support public or privately owned facilities of an institutional or community service nature."

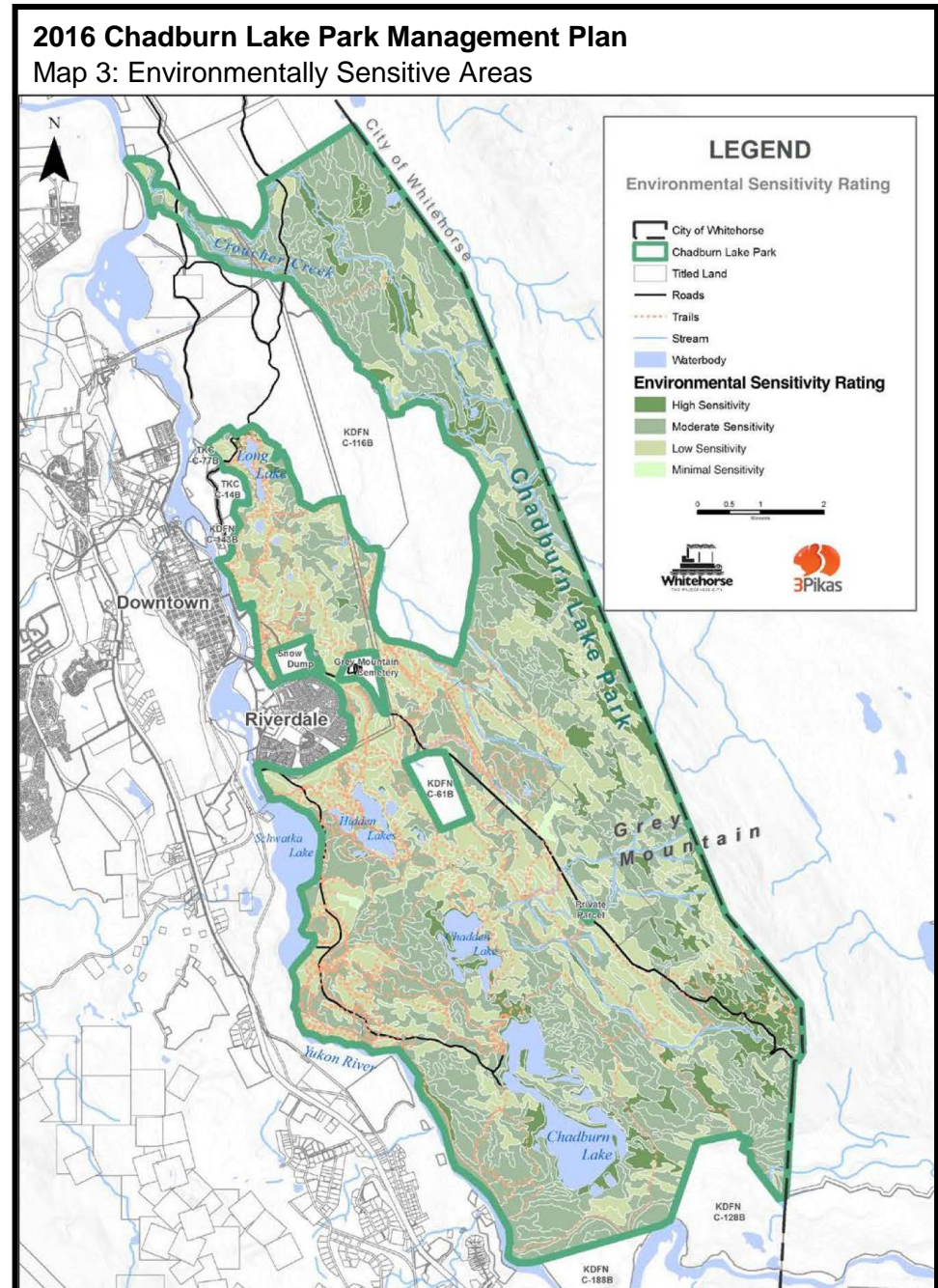
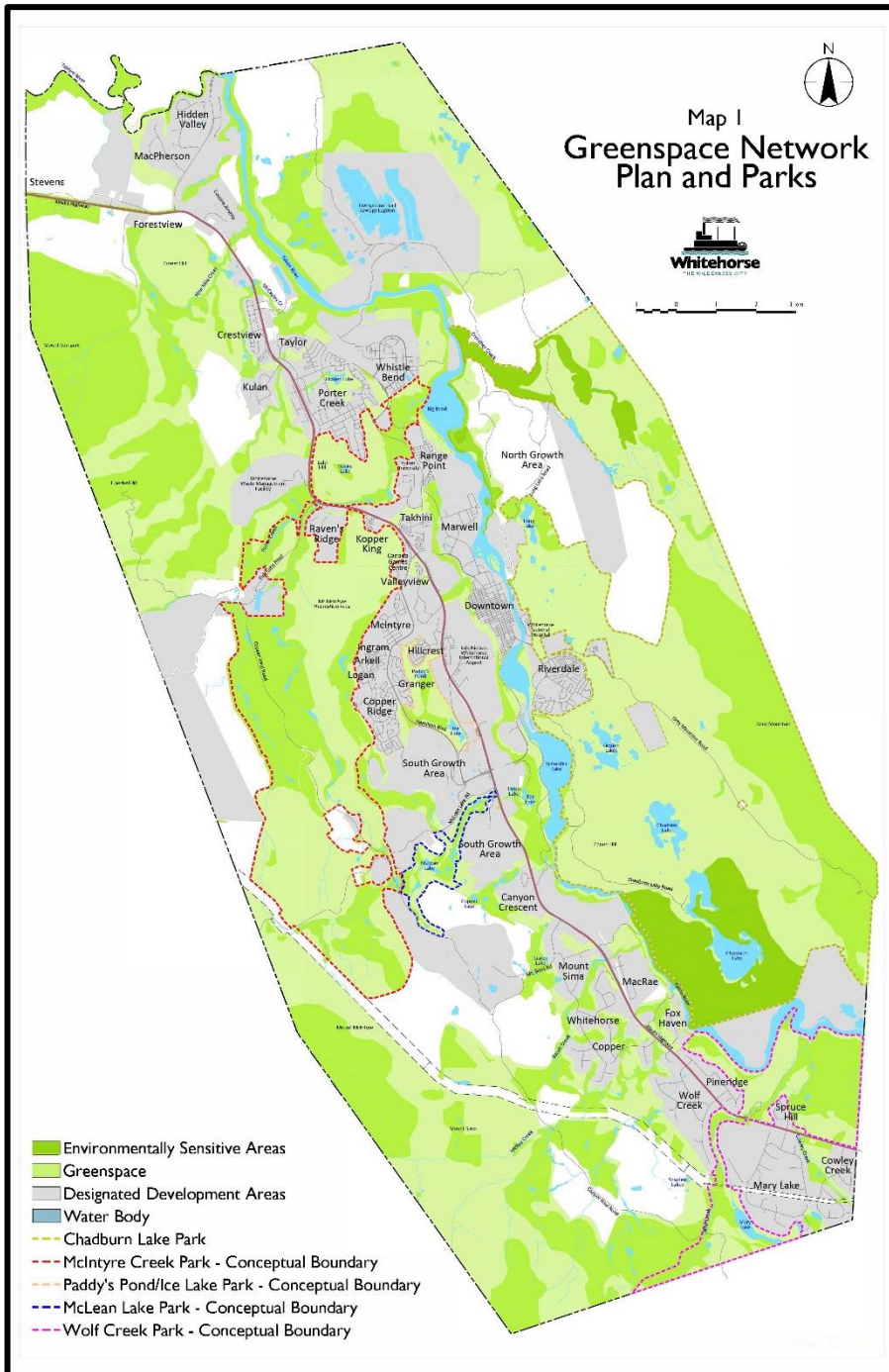
22. This bylaw shall come into force and effect upon the final passing thereof.

FIRST READING:	April 8, 2024
PUBLIC NOTICE:	April 12 and 19, 2024
PUBLIC HEARING:	May 13, 2024
SECOND READING:	
EXECUTIVE COUNCIL MEMBER APPROVAL:	
THIRD READING and ADOPTION:	

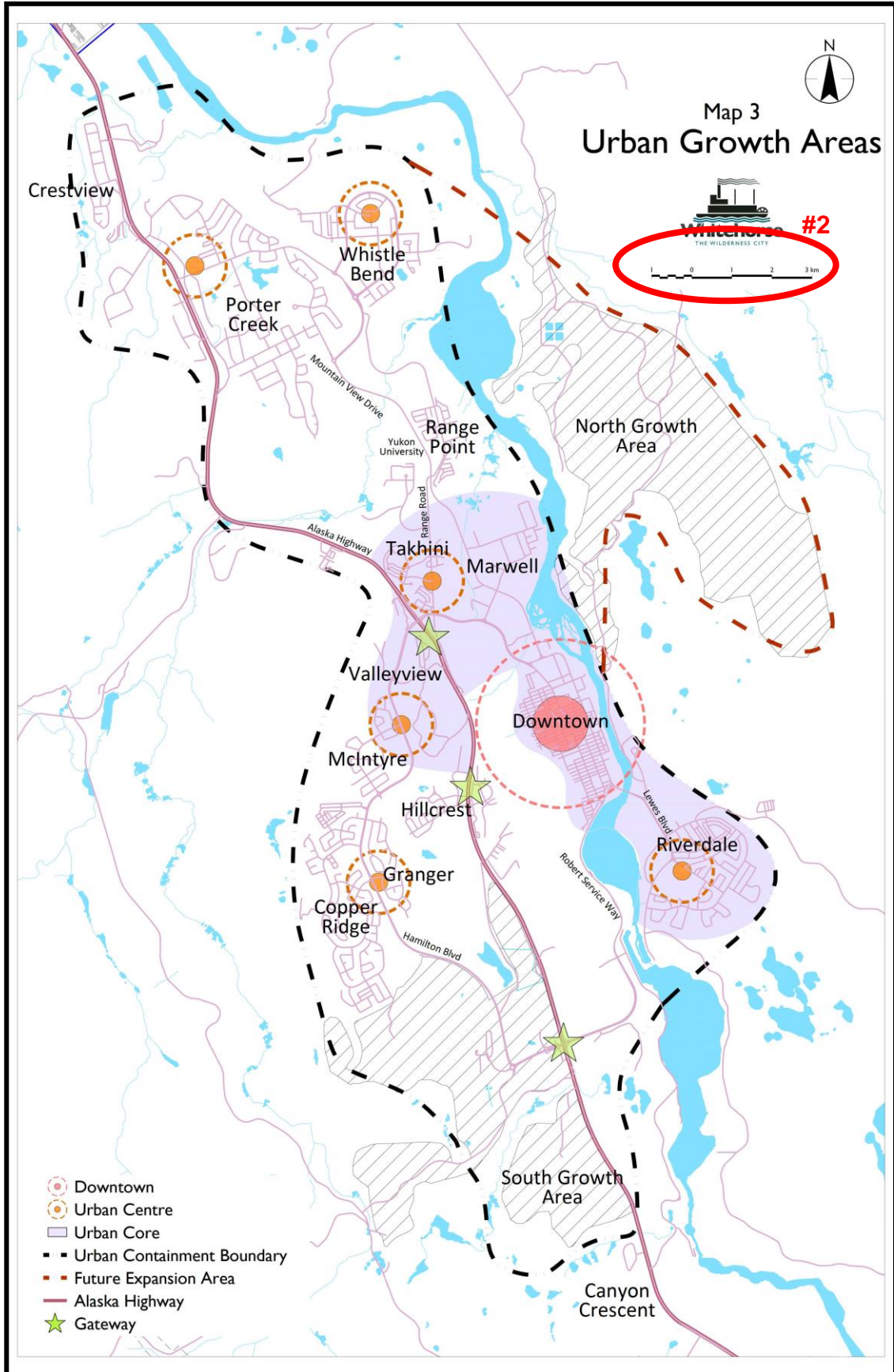
Laura Cabott, Mayor

Corporate Services

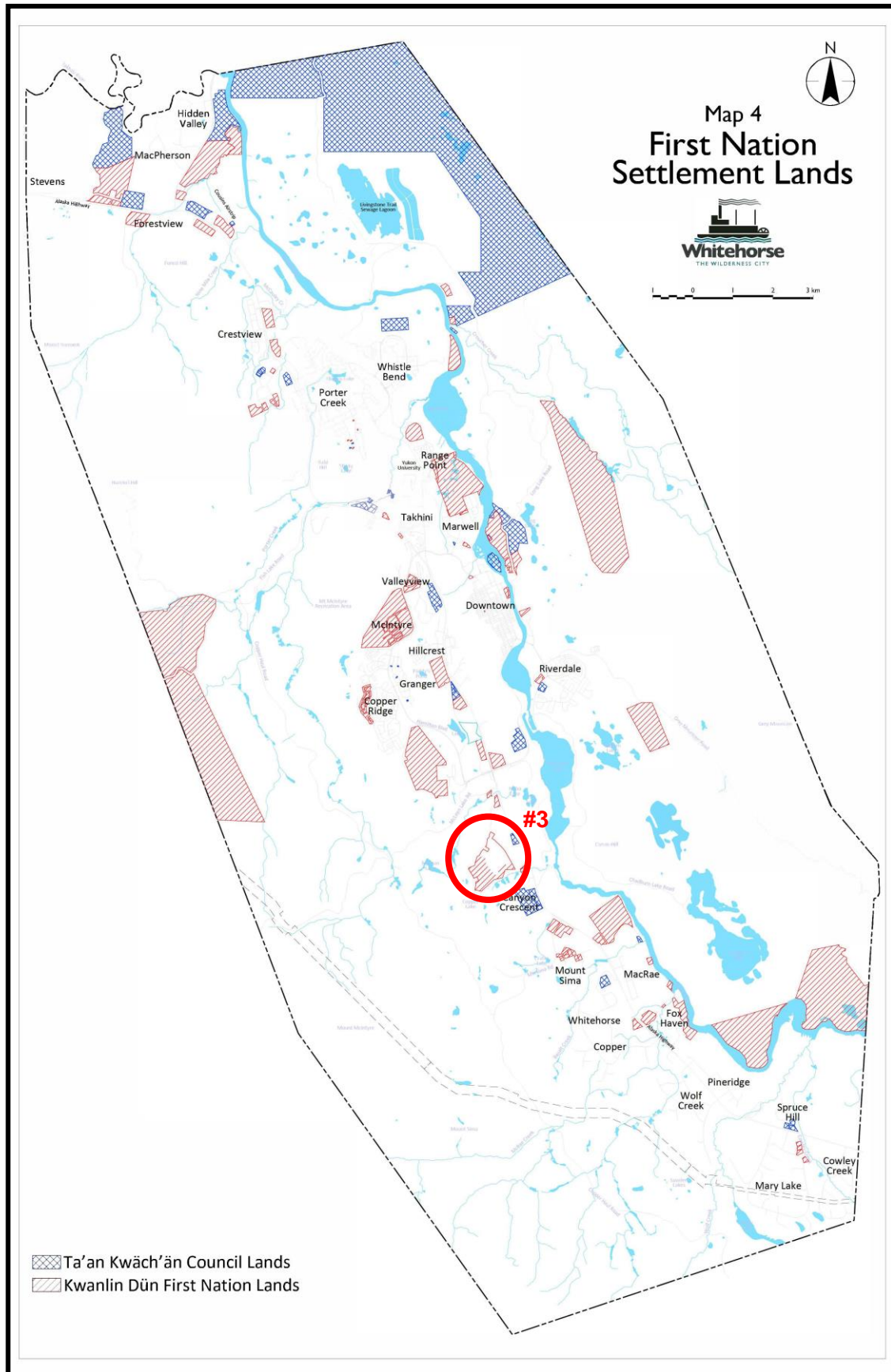
Proposed Amendments – Map 1



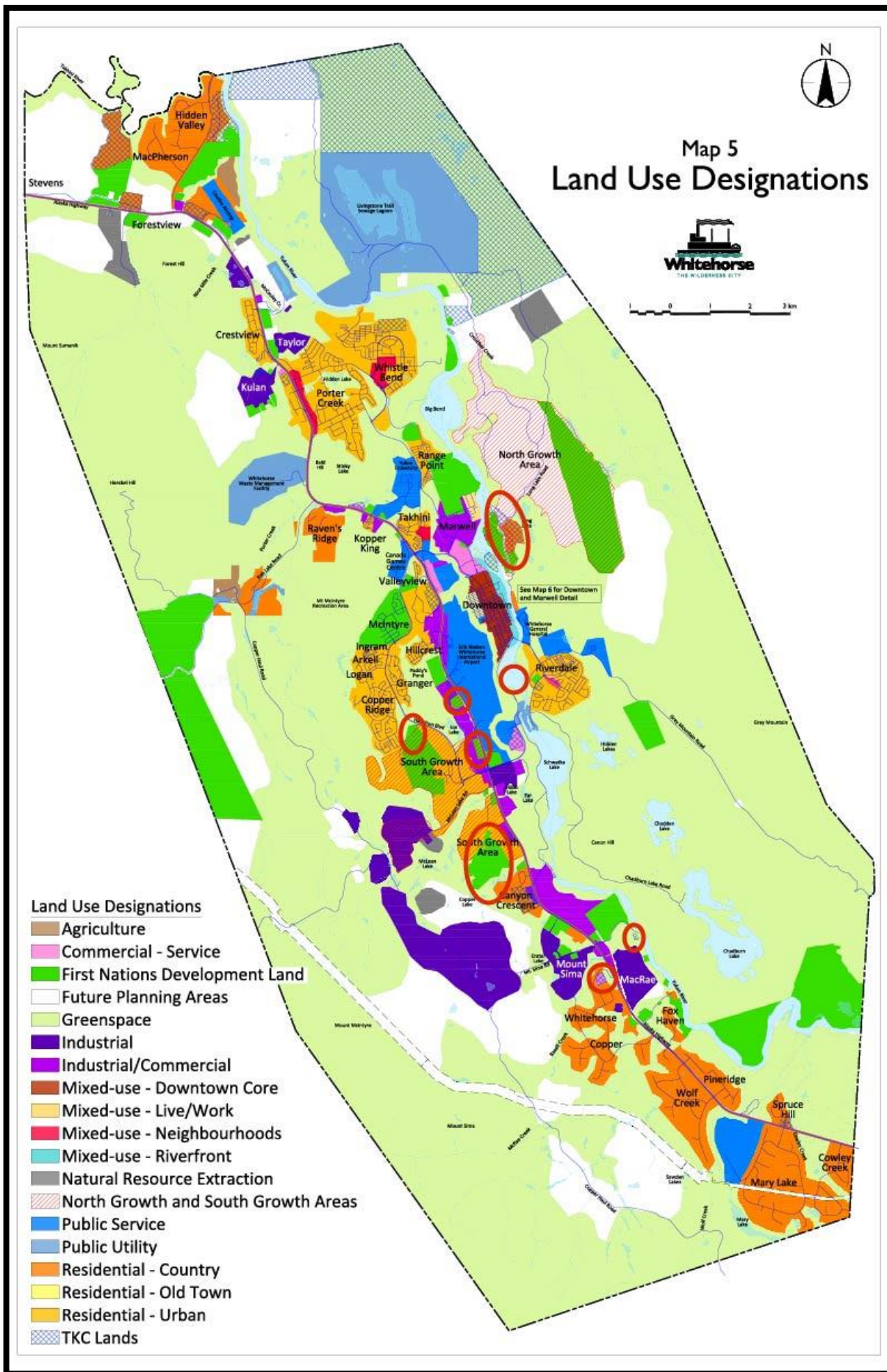
Proposed Amendments – Map 3



Proposed Amendments – Map 4



Proposed Amendments – Map 5



CITY OF WHITEHORSE
DEVELOPMENT SERVICES COMMITTEE
Council Chambers, City Hall



Chair: Dan Boyd

Vice-Chair: Mellisa Murray

June 3, 2024

Meeting #2024-11

1. New Business

CITY OF WHITEHORSE
CITY OPERATIONS COMMITTEE
Council Chambers, City Hall



Chair: Jocelyn Curteanu

Vice-Chair: Michelle Friesen

June 3, 2024

Meeting #2024-11

1. New Business

CITY OF WHITEHORSE
COMMUNITY SERVICES COMMITTEE
Council Chambers, City Hall



Chair: Kirk Cameron

Vice-Chair: Ted Laking

June 3, 2024

Meeting #2024-11

1. New Business

CITY OF WHITEHORSE
PUBLIC HEALTH AND SAFETY COMMITTEE
Council Chambers, City Hall



Chair: Mellisa Murray

Vice-Chair: Kirk Cameron

June 3, 2024

Meeting #2024-11

-
1. Vehicle for Hire Bylaw
Presented by Krista Mroz, Director of Community Services
 2. New Business

ADMINISTRATIVE REPORT

TO: Public Health and Safety Committee
FROM: Administration
DATE: June 3, 2024
RE: Vehicle for Hire Bylaw

ISSUE

Approval of a new Vehicle for Hire Bylaw (VFH).

REFERENCE

- [Vehicle for Hire Bylaw 2018-26](#)
- Proposed Bylaw 2024-10 (Attachment 1)

HISTORY

Over the last few years, the perception of passenger safety in taxis in Whitehorse, especially in relation to women and vulnerable persons, has been poor. In 2017, an external taxi safety working group was established to identify concerns, and a number of recommendations were provided to the City. Many of the group's recommendations were adopted and incorporated into amendments made to the City's Vehicle for Hire Bylaw in 2018, including enhanced driver testing/training, a requirement for video recording and Global Positioning System (GPS) equipment as well as driver conduct provisions, and owner accountabilities.

In 2022, a women's group released a report based on a taxi safety survey that they conducted in the community in 2021. In response, and as part of a two-phased approach, Administration conducted further policy analysis and stakeholder engagement on potential bylaw amendments and program improvements focused on addressing gender-based violence and taxi safety for women based on the recommendations of this report. Additional amendments were made to the bylaw to address passenger safety and included mandatory audio recording.

As part of the second phase, Administration focused on industry modernization and included a comprehensive industry and stakeholder consultation process throughout the summer of 2023 and again with industry during the fall of 2023 and early winter of 2024. The aim of these consultation sessions was to envision changes required to maximize technological opportunities and industry best practice standards while focusing on core pillars of a safe, reliable, efficient, effective, friendly, clean, and fair service.

Through this work, it was clear that the current Bylaw would require significant amendments to properly reflect the rapidly evolving operating dynamics, technological advancements and changing socio-economic variables that influence this industry. As such, Administration is proposing a new Bylaw that builds on the past amendments and better reflects the current public and industry needs, maintaining passenger safety, and modern opportunities while ensuring sufficient flexibility to adapt and adjust to future changes.

ALTERNATIVES

1. Bring forward Bylaw 2024-10 for consideration under the Bylaw process; or
2. Refer back to Administration for further consideration.

ANALYSIS

The proposed Vehicle for Hire Bylaw advances the modernization of the City's taxi industry. In addition to increased safety provisions, it is also anticipated that a modernized framework would assist the taxi fleet in providing a more professional first impression to visitors and tourists arriving in Whitehorse.

The intended purpose of the proposed Bylaw centers around safety for both passengers and service providers in the vehicle for hire industry, while supporting the core pillars to meet the needs of the travelling public, and affords a measure of service quality and consumer protection for customers and service providers by maintaining:

- Requirements for security cameras and storage requirements;
- Mandatory audio recording;
- GPS tracking requirements;
- Requirements for Accessible Services and prioritization of services;
- Posted Taxi Charter and fare schedule in plain view of passengers with enhanced requirements to ensure the operators permit and cab number are also plainly visible;
- Criminal Records Check & Vulnerable Persons Verification;
- Drivers Abstract;
- Testing and training requirements and options including First Nation Cultural Awareness; and
- Improved public complaint requirements for vehicle for hire companies; and
- Implemented additional changes to the City's system of inspections, permits and plates for drivers, vehicles through bi-annual inspection requirements for vehicles.

The additional proposed changes focus primarily on industry modernization and would improve vehicle for hire services including technological opportunities, modern and robust safety standards, and industry innovation that embrace climate adaptations, and would include the following requirements:

- Allowing for temporary plate limits will help to ensure a more reliable and competitive service or respond to unforeseen conditions, such as emergencies, special events and seasonal demands.
- Allowing for a broader definition of a dispatch system to include digital and electronic dispatch paves the way for online or App-based dispatch services (similar to ride-share apps) with redundancy built in to ensure any limits to technology don't disrupt users that don't have access to on-line or app systems;
- Requirement for all companies to have a minimum of one accessible vehicle during all hours of operation;
- Simplified appeal process;
- The enhanced requirements of the Periodic Motor Vehicle Inspection (PMVI) allow for more rigid expectations in respect to vehicle safety;

- Testing and training requirements and options now references Gender Based Violence training;
- Obligations for companies to maintain a public complaint system and report complaints related to violations of the Vehicle for Hire Bylaw, the Criminal Code of Canada, or the Motor Vehicle Act to Bylaw Services;
- Increases to the maximum charge per kilometer, to be phased in over two years, which haven't seen an increase in nearly 10 years;
- Increase to the maximum flat rate fare for trips between the airport and downtown.
- Increases to some fines to better reflect the nature of the offence; and
- Additional options added to introduce "fare zone" and "flat rates" for prescribed zones across and within the City.
- Additional changes include updates to definitions, insurance requirements, and some minor changes to reflect operating practices.

Additionally, Administration is proposing an educational period that would permit the industry to become informed about the changes and understand the requirements under the proposed bylaw. As such, a coming into force date of January 1, 2025 is recommended to ensure a smooth transition.

ADMINISTRATIVE RECOMMENDATION

THAT Council adopt Bylaw 2024-10, a bylaw to permit, license, and regulate the owners and operators of vehicles for hire in the City of Whitehorse.

CITY OF WHITEHORSE
BYLAW 2024-10

A bylaw to permit, license, and regulate the owners and operators of vehicles for hire in the City of Whitehorse.

WHEREAS 265(a) of the *Municipal Act* RSY 2002 Chapter 154 provides that council may pass bylaws for the safety, health, and welfare of people and the protection of persons and property;

AND 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 266 of the *Municipal Act* provides that council may by bylaw provide for a system of licenses, inspections, permits, or approvals, including establishing fees for the activity authorized;

AND WHEREAS the purposes of this bylaw include:

- (1) ensuring public safety, service quality and consumer protection for customers and service providers in the vehicle for hire industry;
- (2) establishing a system of inspections, permits and plates for drivers of vehicles for hire, vehicles for hire, and vehicle for hire companies; and
- (3) ensuring that the vehicle for hire industry meets the needs of the traveling public in the City;

AND WHEREAS section 126(1) of the *Motor Vehicles Act* provides that a municipality may, with respect to highways subject to its jurisdiction, make bylaws not inconsistent with the *Motor Vehicles Act* and on matters for which no provision is made in the *Motor Vehicles Act*, for the regulation and control of vehicle, animal, and pedestrian traffic, the specifics of which are set forth in subsections (a) through (m);

AND WHEREAS section 126(2) of the *Motor Vehicles Act* provides that without limiting the generality of subsection 126(1), a municipality may make bylaws under and for the purposes of subsection (1) respecting those matters which are set forth in subsections (a) through (q);

AND WHEREAS section 249(2) of the *Motor Vehicles Act* provides that, for the enforcement of any bylaw made by a municipality under sections 36, 50, 86, 106, 114, 130, 133 – 136, 181, 203, 217, 230 and 232 of the *Motor Vehicles Act*, a municipality may by bylaw confer on an officer or employee of the municipality the powers of a peace officer;

Vehicle For Hire Bylaw 2024-10

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 **Vehicle for Hire Bylaw**.

DEFINITIONS

2. In this bylaw:

“ACCESSIBLE VEHICLE FOR HIRE” means a Vehicle For Hire which is designed and manufactured or converted for the purpose of transporting persons with disabilities and/or who use mobility aids.

“APPLICANT” means the person who makes and signs an Application for any certificate, license, Permit, Plate or transfer thereof, as contemplated by this bylaw.

“BROKERAGE PERMIT” means a permit issued to a Vehicle for Hire Company to offer services, hire Drivers, and lease or rent Vehicles For Hire for the purpose and under the conditions, authorizations, limitations and requirements of this bylaw.

“BUS” means a Motor Vehicle For Hire with a Seating Capacity of ten or more passengers, operated over a Fixed Route of travel to a specified location, with a Fare set at a specified sum per passenger.

“BUS OPERATED AS VEHICLE FOR HIRE” means a bus or tour bus that does not travel over a Fixed Route and includes a bus or tour bus that picks up and/or drops off passengers at their place of residence and excludes a bus owned, operated or controlled by a Federal, First Nation, Territorial or Municipal government, health care facility or any approved affiliate of those bodies.

“BUSINESS LICENSE” means the license provided under the City of Whitehorse *Business License Bylaw* as may be amended and replaced from time to time.

“BYLAW SERVICES” means the Manager, or individual(s) appointed to conduct the enforcement of bylaws for the City.

“CHARTER” means to transport passengers by Prior Reservation for an extended engagement or special purpose based on a Charter Fare.

“CHARTER FARE” means a set rate charged to, or collected from, any person for Charter transportation services as outlined in Schedule “A” attached hereto and forming part of this bylaw;

“CITY” means the municipal corporation of the City of Whitehorse.

Vehicle For Hire Bylaw 2024-10

“COMPANY PLATE” means a Vehicle for Hire Plate or Plates issued to a Vehicle For Hire Company under a Brokerage Permit and subject to the purpose, conditions, authorizations, limitations and requirements outlined in this Bylaw, but does not include a Plate or Plates issued directly to a Driver.

“CONSENT TO RELEASE OF INFORMATION” means the Applicant’s written authorization to conduct any and all searches and obtain personal information relevant to this bylaw.

“DESIGNATED OFFICER” means an officer of the Royal Canadian Mounted Police (RCMP), the Manager of Bylaw Services, or individual(s) appointed to conduct the enforcement of bylaws for the City.

DIGITAL or ELECTRONIC DISPATCHING SYSTEM is a software program on a mobile phone or other digital electronic device, and includes an “App”, which allows for or performs one or more of the following functions:

- (1) allows a person to identify the location of available Vehicles for Hire and allows a Driver to identify the location of a person who is seeking services of a Vehicle for Hire;
- (2) allows a person to request a Vehicle for Hire with a mobile phone or other electronic device;
- (3) allows a Driver to receive a request for services from a person;
- (4) allows a person to pay for Vehicle for Hire services through an electronic payment system; and
- (5) issues a receipt for Vehicle for Hire services upon request.

“DISPATCH RECORDS” means the written or digitally recorded details of each Vehicle for Hire trip, which shall contain the following information:

- (1) the specific date and time when the trip was dispatched;
- (2) the unit number of the dispatched Vehicle for Hire;
- (3) the origin and destination of each trip;
- (4) dispatchers name; and
- (5) time format in 24hrs.

“DISPATCH SERVICE” means a person or Digital or Electronic Dispatching System, other than a Driver of a Vehicle For Hire, that coordinates the engagement of Vehicle For Hire services and oversees the transportation services of a Vehicle for Hire Company by providing, digital, electronic or Two-Way Radio Communication with Drivers, and to which requests for service are received by a person or Digital or Electronic Dispatching System and communicated to the Driver.

Vehicle For Hire Bylaw 2024-10

“DOWNTOWN AREA” means that area of the City the boundaries of which are shown on the map attached hereto as “Schedule C” and forming part of this bylaw.

“DRIVER” means a person who drives or is in charge of a Vehicle For Hire, and who is required to be the holder of a valid Vehicle For Hire Permit prior to operating a Vehicle For Hire.

“FARE” means the fare, toll, fee or rate charged to, or collected from, any person for the transportation of a person or persons, or personal property of a person.

“FARE SCHEDULE” is the schedule of maximum Fares which may be charged by the owner of a Vehicle for Hire, which may include a Flat Rate, and the schedule of minimum Charter Fares which may be charged, as set out in Schedule “A” attached hereto and forming part of this bylaw.

“FARE ZONE” means a zone or zones in and between which a Flat Rate may be charged as a Fare.

“FEE” means the fees as set out in the City of Whitehorse Fees and Charges Bylaw as may be amended or replaced from time to time.

“FIXED ROUTE” means the roads or trails designated as a transportation route, and the scheduled times for use of this route, all as approved by the Manager.

“FLAT RATE” means a fixed rate for a Fare that may be charged for travel between a Fare Zone in accordance with this bylaw.

“GENERAL INSPECTION” means the initial inspection, and thereafter semi-annual inspections and random inspections, all for which a fee is charged, of a Motor Vehicle For Hire, as contemplated by this bylaw;

“GENERAL INSPECTION REPORT” is the form to be completed by an Inspector at a General Inspection of a Motor Vehicle For Hire.

“HANDS-FREE CELLULAR TELEPHONE” means a cellular telephone which is equipped with hands-free technology that allows calls to be placed or received by the Driver via voice commands.

“IMMEDIATE FAMILY” means the Driver’s mother, father, sister, brother, spouse, son, daughter, mother-in-law, father-in-law, grandparent, or grandchild, and includes any of the above step-relatives.

“INSPECTION, INSPECT, OR INSPECTED” means a General Inspection, Mechanical Inspection, random inspection, or an inspection of a Motor Vehicle For Hire requested by the Designated Officer.

Vehicle For Hire Bylaw 2024-10

“INSPECTOR” means a person who is authorized to perform periodic, general, or mechanical inspections of a Motor Vehicle For Hire, including the Designated Officer.

“LICENSEE” means the person to whom a Vehicle For Hire Plate is issued under this bylaw.

“LIMOUSINE” means a luxury sedan with a seating capacity greater than nine passengers with separate compartments for engine, passenger and cargo and has a minimum of three passenger doors and a driver’s door, and is identified as a stretch limousine or other limousine by its manufacturer.

“MANAGER” means the Manager of Bylaw Services or their designate.

“MECHANICAL INSPECTION” means the initial inspection, semi-annual inspections and random inspections of a Motor Vehicle For Hire conducted by an Inspector.

“MECHANICAL INSPECTION REPORT” is the form to be completed by an Inspector at a Mechanical Inspection of a Motor Vehicle For Hire.

“MOTOR VEHICLE FOR HIRE” means a motorized Vehicle For Hire, that is operated or intended to be operated for the purpose of carrying passengers and their property for valuable consideration irrespective of whether it is operated or intended to be operated for that purpose each time it is operated and irrespective of whether there is a subsisting Vehicle For Hire Plate issued in respect of it and includes a Bus operated as a Vehicle For Hire and a Limousine.

“NON-MOTORIZED VEHICLE FOR HIRE” means a non-motorized Vehicle For Hire that is not drawn, propelled or driven by any kind of power, other than muscular power, which is used for the carrying, transporting or conveyance of persons or property for hire and, without limiting the generality of the foregoing, shall include a dog sled, horse-drawn carriage, horse-drawn sled, and a pedicab.

“NOT FOR HIRE SIGN” means a sign that is solid lime green in colour throughout, and no smaller than 20 centimetres high by 80 centimetres wide with black lettering, where the lettering is no less than 2 centimetres wide, which states “NOT IN SERVICE”.

“NOTICE” means a written warning issued by a Designated Officer for a contravention of this bylaw.

“OUT OF SERVICE ORDER” means a written statement issued by a Designated Officer directing the immediate removal of a Vehicle For Hire from service for a deficiency or violation pursuant to this bylaw.

“OWNER” means the owner or operator of a Vehicle For Hire Company, and/or the registered owner, Driver or Licensee of a Vehicle For Hire.

Vehicle For Hire Bylaw 2024-10

“PERIODIC MOTOR VEHICLE INSPECTION FACILITY” means a premise which has been established for the inspection and testing of motor vehicles by the Commissioner in Executive Council under the *Motor Vehicles Act*, as may be amended or replaced from time to time.

“PERIODIC MOTOR VEHICLE INSPECTOR” means those qualified persons who have been designated and authorized to preform motor vehicle inspections and tests as contemplated by the *Motor Vehicles Act*, as may be amended from time to time.

“PERMIT” means a permit issued by Bylaw Services to operate a Vehicle For Hire, a Vehicle for Hire Company or Vehicle for Hire Brokerage and includes the annual Vehicle For Hire Certification issued by Bylaw Services to a person to operate a Vehicle For Hire.

“PLACE OF BUSINESS” means a physical premises located within Whitehorse where the books and records of the Vehicle for Hire Company are housed.

“PLATE” means the metal numbered placard issued by Bylaw Services to identify a Motor Vehicle For Hire which is affixed to a Motor Vehicle For Hire as contemplated by this bylaw.

“PLATE DECAL” means the current year decal required and issued under this bylaw, for a fee, to a Motor Vehicle For Hire which is affixed to the Plate of a Motor Vehicle For Hire which has met the conditions of this bylaw for operating a Motor Vehicle For Hire.

“PRIOR RESERVATION” means a recorded request for transportation in a Vehicle For Hire, which was made a minimum of eight hours in advance of the request for transportation.

“REVOCATION or REVOKE” means a permanent recall of any certificate, Permit or Plate issued under this bylaw.

“RIDE SHARE POOL VEHICLE” means a motor vehicle that is operated for the transportation of persons that:

- (1) operates under a transportation pooling arrangement for passengers which is sponsored and coordinated by an organization or agency working in conjunction with the Government of Canada, the Government of Yukon, the City, or a private non-profit charitable organization; and
- (2) where the compensation charged to passengers for such transportation does not exceed an amount required to pay operating costs and capital costs of the vehicle used for such transportation during the period of usage when the vehicle is providing such transportation.

Vehicle For Hire Bylaw 2024-10

“SEATING CAPACITY” means the rated passenger load assigned to a motor vehicle by the originating manufacturer.

“SECURITY CAMERA” means a fully operational security video camera as approved under and contemplated by this bylaw.

“SERVICE ANIMAL” means any dog trained by a recognized and accredited institution to provide assistance to persons with hearing or visual impairments, physical disabilities, developmental or intellectual disabilities, or to assist persons with other disabilities in the performance of daily activities.

“SHIFT” means a single period of time worked by a Driver in a 24-hour period.

“SMOKE” means the act of inhaling tobacco or other similar substance or cannabis or allowing tobacco or other similar substance or cannabis to burn or dispense smoke and includes the use of vaporizers and e-cigarettes.

“SUSPENSION or SUSPEND” means a temporary recall of any certificate, Permit or Plate issued under this bylaw.

“TAMPERED” means to have removed or damaged the Taximeter Seal and includes any change in the Taximeter which results in a Fare that differs from the Fares authorized by this bylaw.

“TARIFF CARD” means a placard required by this bylaw where the background is to be transparent (when placed on a rear passenger window) and the text is to be black in colour and not take up more than 33% of the surface area of the placard, and which shall contain:

- (1) the unit number of the Motor Vehicle For Hire;
- (2) the Fare schedule, including any taxes and discount rates;
- (3) wording that indicates that a Security Camera is installed in the Motor Vehicle For Hire and images of the passengers are being recorded;
- (4) the telephone number of the Vehicle for Hire Company;
- (5) the telephone number of Bylaw Services; and
- (6) a statement that any complaints about the Driver should be directed to those telephone numbers.

“TAXI CHARTER” means a charter establishing passenger and driver rights, passenger and driver obligations, terms of service and other information deemed necessary by the Manager of Bylaw Services.

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“TAXIMETER” means a device approved by Bylaw Services installed in a Motor Vehicle For Hire that computes and shows the Fare payable for each trip calculated based on the distance travelled or on the time elapsed or both.

“TAXIMETER SEAL” means the seal which is affixed to the Taximeter by Bylaw Services upon successful completion of the General Inspection.

“TOUR BUS” means a motor vehicle capable of carrying more than ten passengers for sightseeing ventures or sporting activities, and while under hire, only travels over predetermined Fixed Routes that take on and discharge passengers only at bus depots, licensed hotels, motels, bed and breakfasts, or approved stops with a Fare set at a specified sum per passenger.

“TWO-WAY RADIO COMMUNICATION” means radio equipment licensed by Industry Canada pursuant to Radio Standards Specification-Gen, Issue 3, as may be amended and replaced from time to time.

“TRIP” means each transport of a person or persons or delivery of personal property of a person, by a Driver for a Fare.

“TRIP RECORD” means the written and recorded details of each Trip undertaken by a Driver during their Shift in the form adopted for use by the Manager from time to time.

“VEHICLE FOR HIRE” means all Accessible Vehicles For Hire, Motorized Vehicle For Hire and Non-Motorized Vehicle For Hire, and any vehicle in respect of which there is a valid and subsisting Plate and Vehicle For Hire Registration certificate.

“VEHICLE FOR HIRE BROKERAGE” means a person, partnership or corporation that holds a valid and subsisting Vehicle for Hire Brokerage Permit.

“VEHICLE FOR HIRE BROKERAGE PERMIT” has the same meaning as Brokerage Permit.

“VEHICLE FOR HIRE PERMIT” means the permit issued pursuant to the provisions of this bylaw for a Driver to operate a Vehicle For Hire.

“VEHICLE FOR HIRE COMPANY” means a business that operates one or more Vehicles For Hire and provides any of the following services:

- (1) administering Vehicle For Hire operations;
- (2) employing or contracting with one or more Drivers or Vehicle For Hire Permit holders; and
- (3) coordinating or accepting calls for services for Vehicle For Hire.

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“VEHICLE FOR HIRE REGISTRATION CERTIFICATE” means the credential issued by Bylaw Services for a vehicle that has successfully met the requirements of this bylaw to operate as a Vehicle For Hire.

“VOLUNTARY FINE” means the dollar amount specified in a bylaw and on a ticket for a specified offence, payment of which may be made in lieu of a court appearance, and which admits guilt and registers a conviction for the charge.

APPLICATION OF BYLAW

3. This bylaw shall apply equally to all Vehicle For Hire Companies, Vehicle for Hire Company owners, Vehicle For Hire Brokerages, Vehicle For Hire Brokerage owners, Accessible Vehicles For Hire, Buses operated as Vehicles For Hire, Limousines, Vehicles for Hire, owners or drivers of any type of Vehicle For Hire, all of which shall be subject to all bylaw requirements save and except for those sections of this bylaw which expressly provide otherwise.

EXEMPTIONS

4. This bylaw shall not apply to the operation of any Ride Share Pool Vehicle.

VEHICLE FOR HIRE BROKERAGE PERMIT

Application Process

5. An Application for a Vehicle for Hire Brokerage Permit shall be made to the City on such forms and accompanied by such information as required by the Manager from time to time, for a fee.
6. In addition to the Vehicle for Hire Brokerage Permit, a Vehicle for Hire Company shall also obtain a Business Licence from the City only after all requirements of this bylaw are met.
7. At the request of a Vehicle for Hire Company, the Manager may designate for the exclusive use of the holder of a Vehicle for Hire Brokerage Permit:
 - (1) the type and colour of Vehicle For Hire roof lights;
 - (2) the exterior markings; and
 - (3) the exterior paint colour,
 - (4) the unit number of the vehicle for hire

Issuance of Brokerage Permit

8. Upon receipt of all documents required by this bylaw for an Application for a Vehicle For Hire Brokerage Permit or renewal thereof, together with the applicable fee, Bylaw Services shall, within 30 days, make one of the following decisions:

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- (1) approve the Application and issue a Vehicle For Hire Brokerage Permit;
 - (2) approve the Application, and issue a Vehicle For Hire brokerage permit that is subject to conditions set by Bylaw Services; or
 - (3) refuse the application.
9. Bylaw Services may issue a Vehicle for Hire Brokerage Permit along with five Plates, to the Applicant if, among other things, they are satisfied that all information under section 5 of this bylaw has been provided, including that the applicant has provided proof of the following to Bylaw Services:
- (1) the Place of Business for the Vehicle For Hire Company is equipped with properly functioning Two-Way Radio Communication equipment, and/or a Digital or Electronic Dispatching System, which in the opinion of the Manager is satisfactory to carry out the dispatch services for a Vehicle for Hire Company; or a system to maintain Dispatch and Trip Records in accordance with this Bylaw if a Digital or Electronic Dispatching System is used;
 - (2) the Vehicle for Hire Company has established a Place of Business that has been inspected and approved by Bylaw Services;
 - (3) Bylaw Services has been provided a list of all current Drivers, Vehicles For Hire, Permits for each of the Drivers, and a Vehicle For Hire fleet list;
 - (4) the Applicant can provide a minimum of five Vehicles For Hire and for the provision of twenty-four hour dispatch service;
 - (5) the Applicant meets the Accessible Vehicle For Hire requirements for Accessible Vehicles For Hire under this bylaw;
 - (6) the Applicant holds a valid and subsisting permit for operating Two-Way Radio Communication as outlined in this bylaw, if a Two-Way Radio Communication system is used under this Bylaw;
 - (7) the Applicant has worker's compensation coverage for all current employees of the Vehicle For Hire Company;
 - (8) the Applicant provides the name(s) and schedule(s) for dispatching for the Vehicle for Hire Company; and
 - (9) any other information or documentation as required by the Manager.
10. A Vehicle for Hire Brokerage Permit issued under this Bylaw may be immediately cancelled by Bylaw Services if at any time a Vehicle For Hire Company cannot meet the minimum requirements under this bylaw, including without limitation the minimum requirements for issuance of a Vehicle for Hire Brokerage Permit under section 9 of this bylaw.
11. A Vehicle for Hire Brokerage Permit is non-transferable, except with written approval by the Manager, which approval may be denied for any reason by the Manager.

Vehicle For Hire Bylaw 2024-10

General Brokerage Permit Requirements

12. No person shall operate a Vehicle For Hire Company unless there is a valid and subsisting Vehicle For Hire Brokerage Permit issued pursuant to this bylaw.
13. Vehicle For Hire Companies shall comply, and ensure all of their Drivers comply, with all of the terms and conditions set out in this bylaw for operating a Vehicle For Hire.
14. An owner or operator of a Vehicle For Hire Company must have a valid and subsisting Business License from the City prior to operating the Vehicle For Hire Company.
15. No Vehicle For Hire shall be operated as a taxi except by a Driver employed by or contacted to a Vehicle for Hire Company.
16. No Vehicle for Hire Company shall advertise or offer a Vehicle For Hire unless that Vehicle For Hire has a valid and subsisting Plate or Company Plate issued to that Vehicle For Hire.
17. A Vehicle for Hire Company shall:
 - (1) maintain a Place of Business in the City where the Vehicle for Hire Company is operated;
 - (2) inform Bylaw Services, in writing, of all trade names used in connection with the company;
 - (3) immediately notify Bylaw Services when a Vehicle For Hire becomes associated or ceases to be associated with the company;
 - (4) maintain an up-to-date list of all Drivers that includes a photocopy of each Driver's Permit, and provide a copy of this list upon demand by a Designated Officer;
 - (5) ensure that every associated Vehicle For Hire has, at all times, the name, trade name or trademark of the Vehicle For Hire Company displayed on such vehicle in a form and manner approved by a Designated Officer;
 - (6) ensure the Plate displayed on any Vehicle For Hire is that which is referred to in the Vehicle For Hire Registration certificate for that Vehicle For Hire ;
 - (7) use, maintain and provide its customers and Drivers with a Dispatch Service that operates at all times when Vehicles For Hire are in service;

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- (8) maintain, and be available to provide a 24-hour service;
 - (9) have a minimum of five licenced Drivers;
 - (10) keep and safeguard all lost and found items for at least a period of 30 days, or less if the item is claimed, and maintain a complete electronic and written record of lost items, found items and the names and contact information for any persons who have claimed a found item or who have made inquiries about a lost item, and provide this record to a Designated Officer upon demand. This does not include perishable food items, which shall be retained as long as reasonable under the circumstances to provide time for the passenger to claim the perishable food items, unless the food item requires disposal if it is unclaimed;
 - (11) provide all Drivers associated with the Vehicle For Hire Company with training in the use of the Taximeter, Dispatch System and other equipment used in providing Vehicle For Hire services, including approved specialized equipment for Accessible Vehicles For Hire, along with any training requirements that may be required by a Designated Officer from time to time;
 - (12) provide to all passengers the Vehicle For Hire services requested, at the location and within the time specified to the passenger upon receiving the passenger's request for Vehicle For Hire services;
 - (13) have in place a system for giving priority for the use of Accessible Vehicles For Hire to customers who require the service;
 - (14) maintain a complaints process to promptly investigate and respond to service complaints registered by the public and make details of this process and records of all complaints received and the response of the Vehicle For Hire Company to these complaints available to a Designated Officer upon request;
 - (15) provide immediate written notice to Bylaw Services whenever there is a change of ownership or control of the Vehicle For Hire Company, including whenever there is a change to the directors, officers or shareholders of the Vehicle For Hire Company; and
 - (16) maintain in good working order electronic payment systems in all of its Vehicles For Hire.
18. No person shall operate a Vehicle for Hire Company without having and maintaining in good standing the following, original copies of which shall be provided to Bylaw Services upon request:
- (1) a valid and subsisting Business License;

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- (2) a radio license for Two-Way Radio Communication;
- (3) a list of all Vehicles For Hire that have passed Inspection;
- (4) proof of insurance for all Vehicles For Hire owned, associated with, operated by or under the control of the Vehicle for Hire Company;
- (5) a list of all Vehicle For Hire Drivers; and
- (6) any additional requirements, including licenses, Permits or certificates, required under the terms of a Brokerage Permit.

Keeping Records

19. A Vehicle for Hire Company shall keep the following records at the Vehicle For Hire Company's Place of Business and retain them for a minimum of two calendar years and make them available on demand of a Designated Officer:

- (1) dispatch records;
- (2) Trip records;
- (3) employment and all other contracts related to the supply of Vehicle For Hire services;
- (4) all other records required under this Bylaw; and
- (5) the agreement evidencing each Limousine Trip.

20. A Vehicle for Hire Company shall immediately notify Bylaw Services in writing and disclose any change in information which was provided as part of the Application or renewal of a Brokerage Licence, including but not limited to the following changes:

- (1) the Vehicle For Hire Company's Business License, or any requirement thereof pursuant to the Business Licence Bylaw;
- (2) name or business name of the Vehicle For Hire Company;
- (3) permit holder address or business location change of address;
- (4) Yukon Government corporate registry information;
- (5) registered owner information for all Vehicles For Hire owned, associated with, operated by or under the control of the Vehicle For Hire Company;
- (6) insurance coverage and certificates for all Vehicles For Hire owned, associated with, operated by or under the control of the Vehicle For Hire Company;
- (7) the number of licensed Vehicles For Hire owned, associated with, operated by or under the control of the Vehicle For Hire Company is less than five as required by this bylaw;
- (8) the Vehicle For Hire Company can no longer provide 24-hour Vehicle For Hire services as required by this bylaw;

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(9) when any licensed Vehicle For Hire ceases association with the holder of the Vehicle for Hire Brokerage Permit; and a change in Driver status.

21. A Vehicle for Hire Company shall ensure that each Vehicle For Hire associated with the Vehicle For Hire Company:

- (1) is clean, well maintained and in good repair;
- (2) matches the colour of the vehicle as closely as is practicable including any body parts that are replaced because of damage;
- (3) is not operated when it has been taken out of service;
- (4) has a valid and subsisting Vehicle For Hire Registration certificate and Plate properly affixed to the Vehicle For Hire; and
- (5) charges each Fare in accordance with Schedule "A" of this bylaw.

Receiving, Recording and Reporting Complaints.

22. A Vehicle for Hire Company shall record the following details of all complaints received in electronic or written format and maintain a written and electronic record of such information:

- (1) the name, address and phone number of the complainant;
- (2) the date and time of the complaint;
- (3) the nature of the complaint;
- (4) the Driver of the Vehicle For Hire that is the subject of the complaint; and
- (5) the Company's response to the complaint, including any corrective actions taken by the Vehicle For Hire Company.

23. Complaints that appear to constitute a violation of any municipal, territorial or federal regulations, including without limitation, this bylaw, the *Motor Vehicle Act*, or the *Criminal Code of Canada* shall be immediately reported by a Vehicle For Hire Company to a Designated Officer, and the Vehicle for Hire Company shall provide sufficient detail as to the nature of the complaint, all relevant facts and answer any questions or provide any dispatch records, trip logs, documents, reports, or video a Designated Officer requests.

VEHICLE FOR HIRE PERMIT

Application Process-Drivers

24. Every Driver of a Vehicle For Hire shall apply for, and annually renew, a Vehicle For Hire Permit.

25. Upon renewal, the Vehicle For Hire Permit applicant shall surrender any expired or pre-existing Vehicle For Hire Permits to the City.

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26. No Driver shall possess more than one copy of the same Vehicle For Hire Permit.
27. Where an applicant is working in Canada under a work visa, Vehicle For Hire Permit issued to such person shall not be issued for a term longer than the unexpired term of the work visa.
28. Prior to the issuance of a Vehicle For Hire Permit, an applicant shall declare in writing the name of the Vehicle for Hire Company or Vehicle For Hire Brokerage for which they will be working for or are contracted with.
29. An application or renewal of a Vehicle For Hire Permit by an applicant shall be made to Bylaw Services and shall include the following:
- (1) Vehicle For Hire Permit application;
 - (2) consent to Release of Information;
 - (3) a fully completed RCMP GRC Consent for the Release of Police Information form, as may be amended or replaced from time to time, which shall be not be older than 90 days and Bylaw Services is listed as the organization that receives the results of record checks;
 - (4) a negative search result for a completed RCMP GRC Consent for Check for a Sexual Offence for which a Record Suspension (Pardon) Has Been Granted or Issued (Vulnerable Sector Verification) form, as may be amended or replaced from time to time;
 - (5) a fully completed RCMP GRC Declaration of Criminal Record, as may be amended or replaced from time to time;
 - (6) the results of the applicant's completed RCMP GRC Fingerprint Identification form, as may be amended or replaced from time to time;
 - (7) proof that the applicant is the holder of a valid Class 1, 2, 3, or 4 driver's license issued under the *Motor Vehicles Act*, including a photocopy of a valid Yukon driver's license;
 - (8) the applicant's vehicle driving abstract, which shall not be older than 30 days, issued and validated by the Registrar of the Motor Vehicles Branch of Yukon and any other jurisdiction as may be required by the Designated Officer;
 - (9) proof of legal entitlement to work in Canada including a Canadian birth certificate, Canadian passport, Canadian Citizenship/Permanent Resident Card and Canadian Work Visa;
 - (10) such other information as may be required by Bylaw Services for the administration of this bylaw; and
 - (11) a fee as prescribed in the Fees and Charges Bylaw.

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Additional Requirements:

30. The Manager may:

- (1) require applicants to successfully complete training and/or coursework prior to the issuance of a Permit; and
- (2) specify the content and amount of training or number of courses and pass/fail criteria that an applicant must take as a prior to the issuance of a Permit, including in:
 - (a) customer service, diversity and human rights, gender-based violence;
 - (b) city geography, map reading and tourism;
 - (c) transportation of persons with disabilities;
 - (d) Yukon First Nation Cultural Awareness; and
 - (e) such further and other areas as may be determined by the Manager.

31. Every applicant shall, with access to a copy of this bylaw, write a test to demonstrate that they have a working knowledge of this bylaw and any other criteria noted in this bylaw. A score of 80% or higher must be achieved by the applicant on all required tests or coursework prior to the issuance of any permit under this bylaw.

32. In the event that the applicant has satisfied all requirements of this bylaw for the renewal of a Vehicle For Hire permit, but is awaiting receipt of their RCMP record check, Bylaw Services may issue a 90-day interim Vehicle For Hire Permit provided that the applicant's most recent Vehicle For Hire Permit has not expired more than 12 months prior to the issuance of such interim permit and was otherwise in good standing at the time of the expiry of the Vehicle For Hire Permit.

Issuance of Vehicle for Hire Permit

33. Upon receipt of all documents and other information required by this bylaw for an application for a Vehicle For Hire Permit or renewal thereof, Bylaw Services shall, within 30 days, make one of the following decisions:

- (1) approve the application and issue a Vehicle For Hire Permit;
- (2) approve the application, and issue a Vehicle For Hire Permit that is subject to conditions set by Bylaw Services; or
- (3) refuse the application.

34. Bylaw Services shall not issue a Vehicle For Hire Permit or a renewal thereof to a person who has been convicted under the *Criminal Code of Canada* for:

- (1) any sexual offence;
- (2) an offence relating to homicide, kidnapping, or abduction;

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- (3) an offence relating to robbery or extortion;
 - (4) an offence relating to the trafficking of drugs or narcotics under the federal *Controlled Drugs and Substances Act*; or
 - (5) any offence committed while on duty as a Driver.
35. Bylaw Services shall not issue a Vehicle For Hire Permit or a renewal thereof to a person who has:
- (1) been convicted under the *Criminal Code of Canada* for any two or more offences within the ten-year period immediately preceding the date of the application;
 - (2) been convicted of an offence under the *Controlled Drugs and Substances Act*, within the ten-year period immediately preceding the date of application, other than a charge for possession of a narcotic or possession of an illegal drug;
 - (3) been convicted of an offence under the *Criminal Code of Canada* relating to the operation of a motor vehicle within the five-year period immediately preceding the date of application;
 - (4) been convicted of more than three offences under the *Motor Vehicles Act*, the *Liquor Act*, this bylaw or any City bylaw regulating traffic within a one-year period immediately preceding the date of application, other than offences relating solely to parking; or
 - (5) received a 24-hour roadside suspension within the twelve-month period immediately preceding the date of application.

General Vehicle for Hire Permit Requirements

36. The owner of a Vehicle for Hire Company shall not allow any person, including themselves, to operate a Vehicle For Hire unless that person is the holder of a valid Vehicle For Hire Permit.
37. A Driver shall produce their valid and unexpired Vehicle For Hire Permit immediately upon demand of a Designated Officer.
38. A Driver shall notify Bylaw Services of any change to the information provided in the Driver's most recent application, within five business days of such change, by personal attendance at the offices of Bylaw Services.
39. If a Driver's valid and unexpired Vehicle For Hire Permit is damaged, lost, or stolen:
- (1) the Driver shall immediately report such occurrence to Bylaw Services who shall reissue the Vehicle For Hire Permit to the Driver for a fee; and
 - (2) until the Vehicle For Hire Permit is reissued to the Driver under this bylaw, the Driver shall not offer any Vehicle For Hire services in the City.

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40. Where an applicant or holder of a Vehicle For Hire Permit has been convicted of any offences listed under sections 33 and 34 of this bylaw after their most recent application was made and the Permit was issued, they shall immediately inform the Manager of Bylaw Services. The Manager may take any action, including but not limited to cancellation of the Permit or reissuing the Permit with conditions.

General Rules for Drivers

41. A Driver of a Vehicle For Hire shall:

- (1) drive a Vehicle For Hire only for the Vehicle For Hire Company or Vehicle For Hire Brokerage indicated on their Permit;
- (2) display their Vehicle For Hire Permit in a prominent place in the Vehicle For Hire, which must be at all times in clear and plain sight of passengers in the back seats of the Vehicle For Hire;
- (3) when operating an Accessible Vehicle For Hire, give priority to calls received from persons with disabilities who require the services of the Accessible Vehicle For Hire;
- (4) display the Taxi Charter in a prominent place in the Vehicle For Hire and in a manner that is clear and visible to all passengers sitting in the back seats of the Vehicle For Hire;
- (5) display the taxi identification number provided by the City and name of the Vehicle for Hire Company along with contact information for the Vehicle For Hire Company in a prominent place in the Vehicle For Hire and in a manner that is clear and visible to all passengers sitting in the back seats of the Vehicle For Hire;
- (6) unless otherwise directed by a passenger, drive the most direct and available route from the point of engagement to the destination of the passenger;
- (7) when requested to do so, supply a passenger with a legible receipt showing:
 - i. the Fare charged;
 - ii. the name of the Vehicle For Hire Company with which the Vehicle For Hire is associated;
 - iii. the GST number assigned to the Vehicle For Hire; and
 - iv. the date when the service was provided.
- (8) deliver any personal property left in the Vehicle For Hire by a passenger after a Trip to the Place of Business for the Vehicle For Hire Company, after which the Vehicle For Hire Company or the Driver shall make every reasonable effort to return the personal property to the passenger within 24 hours and, if the personal property cannot be returned after reasonable efforts are made, keep the personal property as a lost and found item in accordance with this Bylaw.

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42. A Driver of a Vehicle For Hire shall not:

- (1) operate a Vehicle For Hire unless it meets all the requirements of this bylaw;
- (2) take a Fare while the Vehicle For Hire is out of service;
- (3) operate a Vehicle For Hire that has been removed from service under an Out of Service Order;
- (4) Smoke in or within 5 metres of a Vehicle For Hire;
- (5) use obscene, offensive or abusive language, or insult, abuse or harass any passenger, pedestrian, roadway user, or other vehicle operator;
- (6) carry a number of passengers in excess of the Seating Capacity stipulated by the Vehicle For Hire's manufacturer in its specifications for that Vehicle For Hire while operating a Vehicle For Hire;
- (7) knowingly induce any person to hire the services of any Vehicle For Hire by false representation;
- (8) hand write anything while the Vehicle For Hire is in motion;
- (9) levy any additional charge or Fare for assistance or additional service provided to a person with a disability;
- (10) set the Vehicle For Hire in motion while a passenger is entering or leaving the Vehicle For Hire;
- (11) collect Fares or give change to a passenger while the vehicle is in motion;
- (12) take on additional passengers after the Vehicle For Hire has departed except with the consent of the first passenger(s);
- (13) load, carry or transport any baggage on the exterior of the Vehicle For Hire except on racks properly constructed for that purpose; or
- (14) operate a Vehicle For Hire for more than 12 hours in a 24 hour period without an eight (8) hour continuous break.

Right to Refuse Service:

43. A Driver of a Vehicle For Hire shall accept all persons as passengers while the Vehicle For Hire is in service except when such person:

- (1) tries to consume alcohol in the Vehicle For Hire;
- (2) is indebted to the Driver or the Vehicle For Hire Company or Vehicle For Hire Brokerage;
- (3) requests that the Driver carry an animal other than a Service Animal in the Vehicle For Hire;
- (4) requests that the Driver carry baggage in the Vehicle For Hire which could reasonably be detrimental to the repair, cleanliness or sanitary condition of the Vehicle For Hire or the health and safety of the Driver;

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- (5) requests the Driver to carry any passengers or baggage which the vehicle is incapable of carrying;
- (6) insists on Smoking or persists in Smoking in the Vehicle For Hire;
- (7) is disorderly, or verbally or physically abusive;
- (8) is someone who the Driver is incapable of or prohibited by law from conveying;
- (9) is exhibiting any behaviour or engaging in any activities that cause a safety concern to the Driver and such belief is reasonable in the circumstances; and
- (10) where a passenger refuses to pay a deposit in accordance with section 85(3) of this bylaw.

Trip Records Required

44. Every Driver of a Vehicle For Hire shall complete a Trip Record, written legibly in ink or in electronic format immediately at the start of the Driver's Shift before taking any Fares in the Vehicle For Hire, which shall contain the following information:

- (1) the date and time of the start of the Shift;
- (2) the location of the Vehicle For Hire at start of the Shift;
- (3) the time the Driver notified Dispatch Services identifying when they came on Shift into service;
- (4) the Driver's full name as written on their driver's license;
- (5) the Yukon license plate number for the Vehicle For Hire;
- (6) the Vehicle For Hire Permit number; and
- (7) the Vehicle For Hire Plate number.

45. Every driver of a Vehicle For Hire shall complete a Trip Record, written legibly in ink, or electronic format immediately after the completion of every Trip, before setting the vehicle in motion and before beginning any other Trip, which shall contain the following information:

- (1) the date and time that each Trip started and finished;
- (2) the origin and destination of each Trip;
- (3) any refusals for service and the reasons for refusal;
- (4) any personal property found in the vehicle not belonging to the Driver;
- (5) the start and end times of any periods that the Vehicle For Hire was not in service, including the date and time;
- (6) the Driver's full name as written on their Yukon driver's license;
- (7) the Yukon license plate number for the Vehicle For Hire;
- (8) the Vehicle For Hire Permit number; and
- (9) the Vehicle For Hire Plate number.

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46. Every Driver of a Vehicle For Hire shall, no later than two hours after the completion of each Shift, sign and deposit the Trip Record that relates to that Shift at the Place of Business for the Vehicle For Hire Company or Vehicle For Hire Brokerage, and which may be completed by electronic means.
47. Before accepting the Shift Trip Record from the Driver, the owner of the Vehicle For Hire Company or Vehicle For Hire Brokerage, or their designate, shall ensure that each Trip Record is legible and includes all of the information required by this bylaw.
48. Within 24 hours of the Trip Record being deposited at the Place of Business for the Vehicle For Hire Company or Vehicle For Hire Brokerage, the owner of the Vehicle For Hire Company or Vehicle For Hire Brokerage, or their designate, and the Driver shall affix the date and their signatures to the Trip Record to confirm that the Trip Record meets the requirements of this bylaw.
49. The Trip Record shall be kept by the owner of the Vehicle For Hire Company or Vehicle For Hire Brokerage at the Place of Business for a period of two years, during which time the owner shall produce such Trip Record for inspection upon request of a Designated Officer.
50. When a Designated Officer has reasonable and probable grounds to believe that a Driver has been operating a Vehicle For Hire for more than 12 consecutive hours, or has not had at least eight hours off between Shifts, the Designated Officer may prohibit the Driver from being on duty and providing Vehicle For Hire services for a maximum of eight consecutive hours.
51. The onus will be on the Driver to provide proof to the Designated Officer that the Driver has not been operating the Vehicle For Hire for longer than 12 consecutive hours, or without at least an eight hour break between Shifts.

VEHICLE PLATE AND CERTIFICATE

Plate Allowances

52. There shall be no more than two Vehicle For Hire Plates issued per 1,000 residents of Whitehorse to be determined on an annual basis by the Yukon Bureau of Statistics for the preceding year.
53. Notwithstanding the allocation outlined in section 51 of this bylaw, each approved Brokerage License may be assigned up to five Company Plates, which are not included in the allocation limits under section 51 of this Bylaw, upon payment of the Brokerage Permit and Company Plate Fees and subject to the following conditions:
 - (1) Company Plates may not be transferred to another Vehicle for Hire Companies or Drivers for use outside of the Brokerage Permit to which the Company Plate is assigned;
 - (2) Company Plates must be renewed on an annual basis subject to the application for renewal requirements under section 53 of this bylaw; and

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54. Not including the assigned Company Plates, a Vehicle For Hire Company shall not own more than 50% of the total number of Vehicle For Hire Plates issued by the City under this bylaw unless the provisions of section 51 of this bylaw are not being met, in which case the Plates may be distributed by lottery, to be run by the Manager. In addition to this section, the City Manager or designate has the following powers in respect of Plates:

(1) the City Manager or designate may approve Company Plate allocation increases or decreases including establishing a duration of the change in allocations in response to:

- (a) seasonal demands;
- (b) special events;
- (c) emergencies; and
- (d) such further and other events as may be determined by the City Manager.

(2) the City Manager or designate may impose additional conditions or exempt required conditions of this bylaw under this section.

Application Process

55. An application for a Vehicle For Hire Plate, Vehicle For Hire certificate or renewal thereof shall be made to Bylaw Services and shall include, but is not limited to, the following as it relates to the Vehicle For Hire which is the subject of the application:

- (1) written confirmation of the Vehicle for Hire Company that will operate the Vehicle For Hire;
- (2) the original Mechanical Inspection Report validated by the Inspector which shall not be older than 30 days from the date that the Inspection was completed;
- (3) proof of a valid and current liability insurance policy in the amount of three million (\$3,000,000.00) dollars for the commercial operation of the Vehicle For Hire;
- (4) a Consent to Release of Information Vehicle For Hire liability insurance policy;
- (5) proof of valid and current commercial motor vehicle registration for the Vehicle For Hire;
- (6) a Fare Schedule which shall be in accordance with Schedule "A" of this Bylaw;
- (7) the Fee as prescribed in the Fees and Charges Bylaw; and
- (8) such further and other information or documentation as may be required by Bylaw Services.

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56. Upon receipt of a new Application for a Vehicle For Hire Plate and Vehicle For Hire Registration Certificate, Bylaw Services shall make one of the following decisions:
- (1) approve the Application and issue a Vehicle For Hire Registration Certificate, and a Vehicle for Hire Plate and a Plate Decal which shall be affixed by to the front bumper of the Vehicle For Hire; or
 - (2) refuse the Application.
57. In the event the Application is refused, Bylaw Services shall provide written reasons of such refusal to the Applicant by letter to the Applicant's last known address or by personal service.
58. Bylaw Services shall not approve a motor vehicle as a Vehicle For Hire unless it:
- (1) has at least three passenger doors; and
 - (2) has a Seating Capacity for a minimum of five adults including the Driver with all seats being constructed by the manufacturer and unaltered.

General Vehicle Plate Requirements

59. The holder of any Vehicle For Hire Plate must ensure that the Vehicle For Hire assigned to the Vehicle For Hire Plate is providing Vehicle For Hire services for a minimum of 250 days with a minimum of an eight hour shift per day in the 12 month period preceding the date of renewing the Vehicle For Hire Plate for the next year.
60. The Vehicle for Hire Company or Vehicle For Hire Plate holder shall supply Trip Records to the Designated Officer on demand proving the Vehicle For Hire was in service for the minimum time period specified in section 59 of this bylaw.
61. In the event that the Vehicle For Hire for which a Vehicle For Hire Plate and Vehicle For Hire Registration Certificate have been issued is no longer operational, the holder of the Vehicle For Hire Plate and Vehicle For Hire Registration Certificate shall immediately advise Bylaw Services of such occurrence and shall return the Vehicle For Hire Plate and Vehicle For Hire Registration Certificate to Bylaw Services within five calendar days.
62. Any Vehicle For Hire Plate, or Company Plate and Vehicle For Hire Registration Certificate issued under this bylaw remains at all times the sole property of the City and, if so requested by Bylaw Services, a Licensee, or person in possession of a License, shall return a Vehicle For Hire Plate or Company Plate to the City within five days of the request from Bylaw Services.
63. No person shall advertise, offer or operate a vehicle as a Vehicle For Hire unless it has a Vehicle For Hire Plate, which shall be annually renewed, affixed to the Vehicle For Hire, and which is not transferable to any other Vehicle For Hire except upon surrendering the Vehicle For Hire Plate to Bylaw Services for redistribution and upon paying a Fee.

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64. No owner or Driver of a Vehicle For Hire shall allow any person, including themselves, to operate a Vehicle For Hire unless the Vehicle For Hire has a valid Vehicle For Hire Plate.
65. No Driver shall operate a Vehicle For Hire unless a valid Vehicle For Hire Registration Certificate is in that Driver's possession.
66. In the event that the Plate, Plate Decal or certificate becomes damaged, lost or stolen, the Owner or Driver of the Vehicle For Hire shall immediately report such occurrence to Bylaw Services who shall cancel such Plate, Plate Decal or certificate and reissue a new Plate, Plate Decal or certificate to the owner of the Vehicle For Hire or Driver upon the owner of the Vehicle For Hire or the Driver paying a fee.
67. If the holder of a Plate and Certificate ceases to own or operate a Vehicle For Hire, they shall immediately surrender the Plate and Certificate to Bylaw Services and immediately remove all markings, decals and equipment installed in or on the Vehicle For Hire pursuant to this Bylaw, and return the Vehicle For Hire registration to Bylaw Services.

OWNER LIABLE

68. The registered owner of a Vehicle For Hire Plate shall be responsible for any and all offences under this bylaw and the City's *Traffic Bylaw* as amended or replaced from time to time in respect of the Vehicle For Hire, and for any action of any person who operates the Vehicle For Hire to which the Vehicle For Hire Plate is attached in the same manner as though the act or acts were done by the person registered as the owner of the Vehicle For Hire Plate.

ACCESSIBLE VEHICLES FOR HIRE

69. Every Vehicle for Hire Company shall have a minimum of one Accessible Vehicle For Hire available for hire during all hours that the Vehicle For Hire Company is in operation.
70. Bylaw Services shall not approve an Accessible Vehicle For Hire unless it:
- (1) meets all of the requirements of a Vehicle For Hire as contemplated by this bylaw;
 - (2) has a Seating Capacity for a minimum of three adults including the Driver with all seats being constructed by the manufacturer and unaltered; and
 - (3) meets Canadian Motor Vehicle Safety Standards and Canadian Association Standards D409-02 for Motor Vehicles for the Transportation of Persons with Physical Disabilities as may be varied or amended or replaced from time to time.
71. Bylaw Services shall, if a motor vehicle is approved as an Accessible Vehicle For Hire under this bylaw, endorse the Vehicle For Hire Registration Certificate and such endorsement shall be proof of Bylaw Services' approval.

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72. Every Accessible Vehicle For Hire shall:

- (1) post the symbol of accessibility for persons with disabilities that is a minimum of 150 mm by 150 mm in the format specified by the Manager on each side of the Accessible Vehicle For Hire; and
- (2) display a Tariff Card in a position on each side of the Accessible Vehicle For Hire so as to be easily seen and identifiable by a person seated inside the Accessible Vehicle For Hire in a wheelchair or scooter.

BUSES AND LIMOUSINES

73. Except as modified by sections 73 to 77 of this bylaw, all other provisions of this bylaw shall apply to Limousines and Buses operating as Vehicles For Hire.

74. A Bus operating as a Vehicle For Hire shall conform to the Fare provisions of this bylaw, and each Fare shall be charged in accordance with Schedule “A” of this bylaw.

75. For Limousines that solely take Charter requests, the Accessible Vehicle For Hire, Dispatch Service, and Taximeter provisions of this bylaw do not apply.

76. The following provisions apply to Limousines that solely take Charter requests:

- (1) Charter Fares must be arranged by reservation in advance of the Trip, and the details must be recorded in the Trip Record and at the Place of Business of the Vehicle For Hire Company operating the Limousine prior to the service being provided and shall include:
 - (a) when the request for transportation was made;
 - (b) the time and address of the location where the transportation is to commence;
 - (c) the name of the person who requested the Limousine Charter;
 - (d) the number of passengers;
 - (e) any associated liquor permit details if applicable; and
 - (f) the duration of the Trip.
- (2) Limousine fares shall be calculated in accordance with the Charter Fares set out in Schedule “A” of this bylaw; and
- (3) no Limousine Driver shall offer any form of Fare discount for the hire of a Limousine except as provided in this bylaw.

77. A Vehicle For Hire Company with a valid liquor license from Yukon Government and a Retail Services – Restricted Business License from the City will be permitted to have open liquor within Limousines or a chartered Bus. Copies of the liquor license will be carried by the Driver during the Trip and a copy filed with the Trip Record.

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RATES AND FARES

78. A Fare Schedule must be submitted to and approved by Bylaw Services. Bylaw Services shall review the submitted Fare Schedule to ensure its compliance with this bylaw, including the Fares set out in Schedule "A" of this bylaw. If the submitted Fare Schedule is in compliance with this bylaw, Bylaw Services shall approve the Fare Schedule which shall be in effect as long as the Vehicle For Hire Company remains permitted and licensed to provide Vehicle For Hire services under this bylaw and until another Fare Schedule is approved by Bylaw Services under this bylaw.
79. A Vehicle For Hire Company shall not operate any Vehicle For Hire until such time that a Fare Schedule is approved by Bylaw Services in accordance with this bylaw.
80. Upon approval of the Fare Schedule by Bylaw Services, the owner and/or Driver of a Vehicle For Hire shall prepare and display on the passenger rear windows of the vehicle a Tariff Card, in a prominent location in clear and plain sight of passengers in the back seats of the Vehicle For Hire and in such a manner as not to obstruct the Driver's view.
81. A Vehicle For Hire driver may:
- (1) accept gratuities;
 - (2) charge a passenger a fee of up to \$100.00 for soiling the interior of the Vehicle For Hire with vomit or other bodily fluids, which shall be photographed and the photograph shall be attached to the Trip Record;
 - (3) require that a passenger provide a deposit of not more than \$30.00 to be applied toward the Taximeter fare and shall provide a receipt to the passenger for such deposit; and
 - (4) accept advanced payment directly or electronically for Charter Fares and Flat Rates applied in and between Fare Zones.
82. Each Vehicle For Hire shall at all times be equipped with an electronic payment system that is maintained in good working order, and upon request from a passenger, every Driver shall accept payment from a valid credit or debit card for a Fare; and
- (1) no driver shall charge any additional fee for the use of a credit or debit or card as payment for a Fare.
83. Except as provided in this bylaw, an Owner or Driver of a Vehicle For Hire shall not charge, demand, collect, or receive a Fare except at the approved rate under this Bylaw.
84. A Vehicle for Hire Company may set a rate for the transportation of a person that shows proof of being 60 years of age or older, at a discounted rate not exceeding 20% of the Fare, and
- (1) when such a discounted Fare has been established, the rate shall be posted on the Tariff Card; and

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- (2) when such a discounted Fare is provided the Driver shall record such discount in the Trip Records.
85. An Owner of a Vehicle For Hire shall not publish, use, permit to be published or used, any Fare other than at the approved rate or discounted rate approved under this bylaw.
86. No person, including the Owner or Driver of a Vehicle For Hire shall remove, mutilate, deface, or otherwise dispose of a Tariff Card, unless in accordance with the provisions of this bylaw.

PERSONAL USE PROHIBITED

87. Personal use of a Vehicle For Hire is prohibited unless such personal use is either by the Owner of the Vehicle for Hire Company or a Driver and the Vehicle For Hire is not in service.
88. The burden of proving that a Vehicle For Hire was not in service rests with the person relying on the defence.
89. In addition to any other provision set out in this bylaw, to prove that a Vehicle For Hire was not in service, the person relying on the defence must show that at the time that the offence was alleged to have taken place:
- (1) a Not for Hire Sign was:
 - (a) visible and prominently displayed on the front dash of the Vehicle For Hire; and
 - (b) visible and prominently displayed in the back window of the Vehicle For Hire; or, where the back window of the Vehicle For Hire is legally tinted, the Not for Hire Sign was a magnet of the same size, lettering and colour and was placed on the rear of the Vehicle For Hire in a clear and visible state;
 - (2) a Vehicle For Hire roof light cover was attached and clearly stated on the front and back of the cover, "NOT FOR HIRE"; and
 - (3) there were no other occupants in the vehicle other than Immediate Family, and
 - (a) if there was Immediate Family in the Vehicle For Hire, upon request of a Designated Officer, such person or persons shall provide proof of identification to the satisfaction of the Designated Officer;
 - (4) the Vehicle For Hire Trip Record shows that the Vehicle For Hire was not in service, and the Trip Record reflects the date and time period when the Vehicle For Hire was not in service.
90. The Owner or Driver of a Vehicle For Hire that is not in service shall not stop or park the Vehicle For Hire in a taxi stand or any other place set aside for Vehicles For Hire that are in service.

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PLACE OF BUSINESS, SECURITY CAMERAS, GLOBAL POSITIONING SYSTEMS AND TAXIMETERS

91. Every Vehicle for Hire Company shall maintain a Place of Business and provide a Dispatch System or a dispatcher with a means to communicate digitally, electronically, by Hands-Free Cellular Telephone or Two-Way Radio in each of its Vehicle For Hire, as approved under this bylaw, when there are any Vehicles For Hire in service.
92. The Dispatch System shall be capable of receiving requests from hearing impaired individuals, either through a web-based system, email, or via text messaging, or other similar format.
93. A dispatcher or Dispatch System shall not dispatch any calls for service to any Vehicle For Hire Driver who does not have a valid and subsisting Vehicle For Hire Permit.
94. A dispatcher or Dispatch System shall only dispatch calls for service to a Vehicle For Hire with a valid Plate.
95. A Driver shall not operate a Vehicle For Hire unless such vehicle is equipped with:
 - (1) a means of digital or electronic communication with the dispatcher or Dispatch System that is hands-free or Two-Way Radio Communication, maintained in good working order, that connects with a dispatcher or Dispatch System; and
 - (2) a Taximeter which is of a type, make or model approved at the time of Inspection, and has been inspected and sealed with an approved Taximeter Seal pursuant to this bylaw.
96. On an annual basis, or at the request of a Designated Officer, the Owner of a Vehicle for Hire Company shall submit the Dispatch System installed in each Vehicle For Hire, and any Place of Business used, for inspection.
97. Save and except for a pedestrian hailing a Vehicle For Hire while it is in service, all requests for service shall be made through a Dispatch System and dispatched to the Driver.
98. The Owner of a Vehicle For Hire may equip a Vehicle For Hire with a Hands-Free Cellular Telephone system which may be used by the driver to communicate with the dispatcher, but at no time does exercising this option waive the requirement to have a place of business as required by this bylaw.
99. All Vehicles For Hire shall at all times be equipped with a fully operational Security Camera.

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100. A legible placard on display that is clear and visible to all passengers in the Vehicle For Hire, with wording that indicates that a Security Camera is installed and images and audio of the passengers are being recorded.
101. Except as otherwise provided for under this bylaw, images and audio captured by a security camera shall be accessed only by a Designated Officer, for the purpose of law enforcement, including municipal bylaw enforcement, insurance purposes, or as otherwise determined by the Designated Officer or as required by law.
102. Security cameras must be:
- (1) approved by Bylaw Services, including as to any type, brand, installation requirement, or other specification directed by Bylaw Services;
 - (2) mounted on the inside of the windshield, or in another approved suitable position in the front of the passenger compartment of the Vehicle For Hire, facing rearward to clearly capture images and audio of all occupants of the Vehicle For Hire at all times;
 - (3) incapable of being obstructed by a sun visor or any other object, or of having the audio interfered with by any external noise, including any sound system in the Vehicle For Hire;
 - (4) able to record both images and audio at all times there is a passenger in the Vehicle For Hire; and
 - (5) hardwired into the Vehicle For Hire as to ensure the camera continues to capture images, and the audio recorder captures sound, for at least 30 minutes after the motor of the Vehicle For Hire has been shut off.
103. The Owner of a Vehicle for Hire Company shall retain and store images captured by the Security Camera for a period of 168 hours, and shall immediately produce any images and audio, if still available in accordance with this bylaw, upon request of a Designated Officer.
104. The Security Camera must be kept in good working condition at all times by the Vehicle for Hire Company and every Vehicle For Hire Driver and a Vehicle For Hire shall not be operated for any reason when the Security Camera is not working or is defective in any way.
105. On an annual basis, or at the request of a Designated Officer, the Owner of a Vehicle for Hire Company shall submit Security Cameras installed in each Vehicle For Hire for inspection.
106. No Driver shall operate a Vehicle For Hire, and no Vehicle For Hire Company shall permit the operation of a Vehicle For Hire, that does not have a Security Camera that clearly captures images and audio for every Shift worked by a Driver of a Vehicle For Hire and for the duration of each Trip taken by the Vehicle For Hire.

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107. No person shall remove or temporarily shut off the image capturing or audio recording functions of a Security Camera during a Fare, or permanently delete or remove images or audio captured by the Security Camera except as permitted under this Bylaw.
108. No person shall provide images and audio captured by the Security Camera in a Vehicle For Hire to any person other than a Designated Officer, for insurance purposes, City legal purposes, or as otherwise required by law. Notwithstanding the foregoing, it is not an offence for a Vehicle For Hire Company to review images and audio captured by a Security Camera in a Vehicle For Hire for the purpose of responding to a public complaint, provided those images are not shared or otherwise provided to any person except as permitted under this bylaw.
109. Notwithstanding any other provision of this bylaw, every Vehicle For Hire shall have installed in it a global positioning system (GPS) which is kept in good working order at all times. A Vehicle For Hire shall not be operated for any reason when the global positioning system is not working or is defective in any way.
110. The Taximeter in the Vehicle For Hire shall automatically calculate the Fare at the metered rate when that Vehicle For Hire is in motion as well as when the Vehicle For Hire is standing under hire.
111. Once a year, or earlier if at the request of a Designated Officer, the Owner of a Motor Vehicle For Hire shall submit the Taximeter installed in the Motor Vehicle For Hire for Inspection, which shall include testing the Taximeter over a measured distance.
112. No person, including the Owner or Driver of a Motor Vehicle For Hire, shall remove a Taximeter Seal unless such removal is for the purpose of recalibration and is done five or less business days prior to the scheduled annual Inspection under this bylaw.
113. The Owner or Driver of a Motor Vehicle For Hire shall return all used Taximeter Seals to Bylaw Services during the Inspection of the Taximeter after recalibration.
114. The Designated Officer may issue an Out of Service Order to the Driver or Owner of a Motor Vehicle For Hire if the Inspection finds that a Taximeter calculates a Fare inaccurately or the Taximeter fails to meet other requirements of this bylaw, at which time the Motor Vehicle For Hire may not be driven for any purpose until approved by Bylaw Services.
115. An Owner or Driver of a Motor Vehicle For Hire shall ensure that the Taximeter is:
 - (1) not tampered with in any way;
 - (2) adequately illuminated at all times;
 - (3) installed and placed on the right side of the Driver in such a position that the Fare being displayed on the Taximeter is clear and visible to any passenger in the rear seats;

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- (4) used only when the Taximeter Seal is fully intact and not broken or otherwise compromised; and
 - (5) kept in good working condition at all times and not used when defective in any way.
116. Every Owner of a Motor Vehicle For Hire shall connect the Taximeter to a light which shall be situated on the roof of the Motor Vehicle For Hire which includes the word "Taxi" or "Cab".
117. The Driver of a Motor Vehicle For Hire shall ensure that the exterior roof light is illuminated when the Motor Vehicle For Hire is available for hire and turned off when it is not available for hire.
118. The Driver of a Motor Vehicle For Hire shall call the passenger's attention to the amount of the Fare registered on the Taximeter at the termination of the Trip.
119. A Driver of a Motor Vehicle For Hire may accept a voucher as payment from a passenger if:
- (1) the voucher is from a federal, First Nation, territorial or municipal government, or approved affiliate, including a healthcare facility, which has obtained prior written approval from Bylaw Services to issue a vouchering system;
 - (2) the voucher is for a special event, and the Vehicle For Hire Company owner has obtained prior written approval from Bylaw Services to issue a vouchering system for that event; or
 - (3) otherwise with the written approval of the Manager.

CONDITION OF MOTOR VEHICLES FOR HIRE

120. An Owner or Driver of a Motor Vehicle For Hire shall not operate, cause or allow the operation of the Motor Vehicle For Hire unless the Motor Vehicle For Hire's installed equipment and markings fully comply with this bylaw.
121. The Owner of a Motor Vehicle For Hire shall paint on or otherwise affix the following information to the Motor Vehicle For Hire, and the Owner or Driver of the Motor Vehicle For Hire shall keep such information clear, clean and distinguishable at all times:
- (1) the Motor Vehicle for Hire Company name with which the Vehicle For Hire is associated, in lettering not less than five cm high which shall be placed on either the rear doors or front doors on each side of the Motor Vehicle For Hire; and
 - (2) a number which uniquely identifies the Motor Vehicle For Hire as being one of the Motor Vehicles For Hire associated with the Vehicle For Hire Company, in figures not less than five cm high which shall be placed on both sides of the Motor Vehicle For Hire near the front and on the back of the Motor Vehicle For Hire so that it is visible to anyone driving or standing behind the Motor Vehicle For Hire.

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122. The Owner of a Vehicle For Hire shall be allowed to advertise on or in a Vehicle For Hire, but no advertising material shall be placed or attached on any Vehicle For Hire in a manner that may obstruct the Driver's view in any direction.
123. The Owner and/or Driver of a Motor Vehicle For Hire shall keep such Motor Vehicle For Hire in a state of repair which is free from any deficiency, including but not limited to, body damage, paint damage, dents, interior damage or disrepair, and windshield cracks that are within the line of sight of the Driver. The body paint colour of the Motor Vehicle For Hire shall be consistent throughout the exterior of the Motor Vehicle For Hire.
124. The Owner of a Motor Vehicle For Hire that has been involved in an accident which causes any body damage to the Motor Vehicle For Hire shall, within 24 hours of the accident, notify Bylaw Services, in writing, of the details of the accident, and the nature of the damage to the Vehicle For Hire.

CONDITIONS AND ROUTES FOR NON-MOTORIZED VEHICLES

125. The Owner or Driver of a Non-Motorized Vehicle For Hire shall ensure that every Non-Motorized Vehicle For Hire is put into service only after it has been approved by Bylaw Services as being in compliance with this bylaw.
126. When required by the Manager, the Owner or Driver of a Non-Motorized Vehicle For Hire shall obtain approval of the Fixed Route of the Non-Motorized Vehicle For Hire from Bylaw Services and once approved shall only operate a Non-Motorized Vehicle For Hire on the approved Fixed Route.

RULES RELATING TO INSPECTIONS OF MOTOR VEHICLES

127. No Driver shall operate a vehicle as a Motor Vehicle For Hire, and no Owner shall allow a Motor Vehicle For Hire to be operated for any purpose including personal use, unless that Motor Vehicle For Hire:
- (1) has undergone and passed the required Mechanical Inspections and the Mechanical Inspection Report has been signed off by an Inspector;
 - (2) has undergone and passed the required General Inspections and the General Inspection Report has been signed off by an Inspector;
 - (3) has valid liability insurance in the amount of three million dollars (\$3,000,000.00) for the operation of Motor Vehicle For Hire, proof of which shall be produced immediately on demand from a Designated Officer; and
 - (4) has valid commercial motor vehicle registration, proof of which shall be produced immediately on demand from a Designated Officer.
128. A Mechanical Inspection and General Inspection shall be conducted on every Motor Vehicle For Hire at an appointed time once every calendar year for Motor Vehicle For Hire seven (7) years or newer and with recorded mileage not

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exceeding 125,000 km and twice every calendar year for vehicles older than seven (7) years of age or with recorded mileage over 125,000 km, or on such further occasions as directed by the Designated Officer, the full cost of which shall be borne by the Owner of the Motor Vehicle For Hire.

129. For the purpose of Mechanical Inspections and General Inspections the Owner or Driver of a Motor Vehicle For Hire shall:

- (1) promptly comply with any request of a Designated Officer or Inspector made pursuant this bylaw; and
- (2) at any time produce, upon request for inspection by the Designated Officer or Inspector, a record or document required to be kept under this bylaw.

GENERAL AND MECHANICAL INSPECTION

130. A Mechanical Inspection of every Motor Vehicle For Hire shall be conducted by an Inspector at a Periodic Motor Vehicle Inspection Facility.

131. In the event that a Motor Vehicle For Hire does not pass an Inspection, the Designated Officer shall issue an Out of Service Order, which shall remain in effect until the Motor Vehicle For Hire passes the required Inspection.

132. The General Inspection of a Motor Vehicle For Hire shall be conducted by a Designated Officer at a location and time specified by Bylaw Services, and shall be conducted pursuant to this bylaw and the guidelines established by the Manager in the General Inspection Report from time to time.

133. Upon completion of the General Inspection Report that indicates that the Inspection has been passed, Bylaw Services shall, upon payment of a fee by the Owner of the Motor Vehicle For Hire, and on compliance with all other provisions of this bylaw, issue a Vehicle For Hire Plate, Plate Decal and a Vehicle For Hire Registration Certificate.

134. If Bylaw Services is not satisfied that a Motor Vehicle For Hire meets all of the requirements of the General Inspection Report, Bylaw Services shall give the owner a copy of the General Inspection Report and shall issue a notice outlining the deficiencies.

135. A Plate, Plate Decal or Vehicle For Hire Registration Certificate shall not be issued or renewed in respect of any Motor Vehicle For Hire where in the opinion of the Designated Officer the Motor Vehicle For Hire is unsuitable for use by reason of:

- (1) failing to meet any General Inspection or Mechanical Inspection requirements; or
- (2) being unclean, damaged or dilapidated in appearance.

136. The Designated Officer may at any time inspect a Motor Vehicle For Hire to determine the following:

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- (1) the validity of the Plate and Vehicle For Hire Registration Certificate;
- (2) the validity of the Vehicle For Hire Permit;
- (3) the accuracy of the Taximeter;
- (4) the mechanical condition of the Vehicle For Hire;
- (5) standards of repair and cleanliness of the Vehicle For Hire; or
- (6) to ensure compliance with any provision of this bylaw, in the discretion of the Designated Officer.

137. If the Manager has reasonable grounds to believe that an Periodic Motor Vehicle Inspector has improperly approved and passed a Mechanical Inspection Report, the Manager may refuse to accept the Mechanical Inspection Report and may require a new Mechanical Inspection to be conducted for the Motor Vehicle For Hire and at the expense of the Owner of the Motor Vehicle For Hire.

NOTICES

138. Upon issuance of a Notice by a Designated Officer, the Owner of a Vehicle For Hire shall remedy any deficiency or non-compliance with this bylaw as detailed in the Notice and shall do so within the time specified in the Notice.

139. Once an Owner has remedied any deficiency outlined in a Notice, the Owner shall report to Bylaw Services as required for a follow up inspection to determine if the deficiency has been remedied to the satisfaction of a Designated Officer.

140. The Owner is guilty of an offence for failing to comply with a Notice by the date specified in the Notice, unless an extension has been provided by the Designated Officer.

OUT OF SERVICE ORDERS

141. If, in the opinion of a Designated Officer there is a safety concern with a Vehicle For Hire, a Designated Officer may order that the Vehicle For Hire be removed from service immediately with an Out of Service Order. When a Designated Officer has issued an Out of Service Order for a Vehicle For Hire, the Owner of that Vehicle For Hire shall immediately take that Vehicle For Hire out of service, and shall not allow it to be in service until the Owner has written approval from the Designated Officer that:

- (1) the deficiency or non-compliance has been remedied; and
- (2) all other requirements of this bylaw have been met to the satisfaction of the Designated Officer.

142. Where an Out of Service Order has been issued by a Designated Officer, the Designated Officer shall immediately provide the Owner of the Vehicle For Hire with a copy of the Out of Service Order and any Inspection Report which outlines the reasons the Vehicle For Hire is being taken out of service.

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143. An Owner shall not permit a Vehicle For Hire to be operated or driven for any purpose if it is the subject of an Out of Service Order, and no person shall operate or drive a Vehicle For Hire that is the subject of an Out of Service Order.
144. A Designated Officer may seize and impound a Vehicle For Hire:
- (1) if an Owner or Driver fails or refuses to produce identification, a Permit, the Vehicle For Hire Registration Certificate, or any other document required by this bylaw, upon demand by a Designated Officer;
 - (2) where, in the opinion of the Designated Officer, there are safety concerns with the Vehicle For Hire or a Driver of a Vehicle For Hire arising out of a contravention of this bylaw; or
 - (3) where, in the opinion of the Designated Officer there is a continuation of a contravention of this bylaw by a Driver or a Vehicle For Hire Company.
145. Where a Designated Officer has seized a Vehicle For Hire pursuant to the provisions of this bylaw, the Vehicle For Hire may be held for up to a maximum of 48 hours and stored at a location deemed appropriate by the Designated Officer.
146. The costs of seizure and storage of a Vehicle For Hire shall be borne solely by the Owner of the Vehicle For Hire.
147. The Designated Officer shall immediately notify the dispatcher of the Vehicle for Hire Company of the reason for the seizure, the length of time the Vehicle For Hire may be held, and the storage location.
148. The Designated Officer shall, within 24 hours of the seizure of a Vehicle For Hire, deliver to the Place of Business of the Vehicle for Hire Company, and to the Manager a written report outlining the breach of the bylaw and the details of the seizure.

ADMINISTRATION OF THIS BYLAW

149. The Manager may establish the form, including the contents and duration, of any documents issued or required pursuant to this bylaw, including certificates, Notices, orders, reports, consents, Permits, Plates and Tariff Cards, which may be amended from time to time.
150. The Manager may, specify or prohibit safety equipment or devices which may be placed in a Vehicle For Hire, which may be amended from time to time.
151. The Manager may, specify the type, content of, format for, and placement within or on a Vehicle For Hire of items including: promotional material, brochures, cards, certificates, stickers, signs, decals, Permits, placards, Plates, Tariff Cards or other similar materials which may be carried in or on a Vehicle For Hire, which may be amended from time to time.
152. No person to whom a certificate, Permit, placard, Plate, or sticker is granted pursuant to this bylaw shall sell, trade, give away or otherwise dispose of the item in any manner except as directed in writing by Bylaw Services.

Vehicle For Hire Bylaw 2024-10

153. Where a certificate, Permit, placard, Plate, sticker or Tariff Card is issued, or an approval is made under this bylaw, a person shall comply with all associated conditions.
154. Where a Designated Officer believes that a certificate, Business License, Permit, placard, Plate, or sticker is being used contrary to this bylaw, or where the Designated Officer is otherwise attempting to determine the validity of any such document, the Designated Officer may ask any Driver to produce any document and answer any question that will assist the Designated Officer in making such a determination, and the Driver shall comply with any and all such requests.
155. Where a Driver refuses to comply with a Designated Officer's request for information or to produce identification, it shall be deemed an offence under this bylaw, and in addition to charging the Driver for failing to comply, an Officer may seize the certificate, Permit, placard, Plate, or sticker until a determination can be made by the Designated Officer as to its legitimate use or validity.
156. The Owner to whom a Plate has been registered under this bylaw shall be responsible for all actions of any Driver or person who operates the associated Vehicle For Hire, as though the act or acts were done by the Owner.

DENIAL, SUSPENSION, REVOCATION OR CONDITIONS OF A PERMIT

157. The Manager may deny, suspend, or revoke a permit if, in the opinion of the Manager:
- (1) the person seeking to hold the Permit or the holder of a Permit fails to meet the requirements, tests, terms or conditions established under this bylaw;
 - (2) an Applicant or Permit holder is carrying on activities that are in contravention of this bylaw;
 - (3) there are reasonable grounds to believe that an Application or other document provided to Bylaw Services by or on behalf of the Applicant contains a false statement;
 - (4) any information contained in the original Application form or any other information provided to Bylaw Services has ceased to be accurate;
 - (5) the person seeking to hold the Permit or the holder of a Permit is currently subject to an order issued in any Court of competent jurisdiction that prohibits the operation of a motor vehicle; or
 - (6) the Manager has the reasonable belief that granting, renewing or continuing to allow a Permit holder to have an existing permit would pose a danger to the safety, health or welfare of the public.
158. Where there is a breach of this bylaw and the bylaw allows Bylaw Services to deny, revoke, or suspend a Permit, the Manager shall notify the Applicant or Permit holder within five days of such decision by mail to their last known address or personal service of the Owner or the Driver.

Vehicle For Hire Bylaw 2024-10

159. In the event that the Manager determines that a Vehicle For Hire Permit requires conditions, the Manager shall provide written details of the conditions to the Applicant or Permit Holder.
160. In the event Bylaw Services refuses an Application, the Manager shall provide written reasons of such refusal to the Applicant by mail to their last known address or by personal service within seven (7) days.

APPEAL

161. Where a decision has been made by the Manager to apply conditions to a Permit, or to deny, revoke, or suspend a License, Permit, certificate or Plate under this bylaw, the Owner or Driver may appeal such decision in writing within 14 calendar days after the decision was rendered, save and except where the Permit is denied under sections 34 and 35 of this bylaw, in which case there is no right of appeal.
162. The written appeal shall be submitted to the Manager, Bylaw Services, who will provide notice of the appeal to the Director, Community Services within three (3) business days. The Director, Community Services will provide a written decision on the appeal within 30 days.
163. The right of appeal shall be barred and extinguished if not received in writing within the 14 calendar days required under this bylaw.
164. No refund will be granted for any Fee or other charge under this bylaw, in whole or in part, where a License, Permit, certificate or Plate has been surrendered, denied, suspended or revoked under this bylaw.

EFFECT OF NON-COMPLIANCE AND PENALTIES

165. Every person who makes any false statement in any application or pursuant to a request for information under any provision of this bylaw is guilty of an offence.
166. Every person who contravenes any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of any of the provisions of this bylaw, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this bylaw, shall be guilty of an offence.
167. Any person who commits an offence under this bylaw is, in addition to any other punishment, liable upon summary conviction to:
- (1) a voluntary fine, under section 20 of the *Summary Convictions Act*, RSY 2002 c 210 issued in respect of an offence specified in Schedule "B" attached hereto and forming part of this bylaw; or
 - (2) a fine not exceeding ten thousand (\$10,000.00) dollars, plus a fine of up to \$2,500 for each day that the offence continues, pursuant to 343 of the *Municipal Act* RSY 2002 c 154.

Vehicle For Hire Bylaw 2024-10

168. Notwithstanding the prescribed penalties set out in Schedule “B” of this bylaw:
- (1) If a person is convicted of a breach of the same provision or provisions of this bylaw more than once within a 24-month period, the minimum penalty for the second and subsequent convictions shall be a minimum of twice the amount of the penalty imposed for the first offence.
169. Where a person is convicted of an offence under this bylaw the court may, in addition to any other penalty imposed on the offender, order that the offender pay restitution pursuant to 738 of the *Criminal Code of Canada*, as amended.
170. Where an offence is committed or continues on more than one day, it shall be deemed to be a separate offence for each day on which the offence is committed or continued.
171. Where fees or fines remain unpaid, the City may attach such fees or fines to the owner’s or driver’s Vehicle For Hire Permit or Business License to operate a Vehicle for Hire Company, and in any event, no Business License, Permit, certificate or Plate shall be issued under this bylaw until such fees or fines are paid in full.
172. Where, in the opinion of a Designated Officer, an offence committed under this Bylaw is administrative in nature, the Designated Officer may impose a penalty as outlined in the Fees and Charges Bylaw.
173. Where a penalty is issued under section 172 of this bylaw, it shall not be considered as a violation for the purposes of section 34(4) of this bylaw.
174. Section 172 of this bylaw shall not be used for any offences relating to public safety.
175. Appeals to administrative penalties shall be made to the Manager in writing within 14 calendar days of the issuance of the penalty. The Manager will provide written reasons on the appeal within 30 days of receipt of the appeal.

BYLAW REPEAL

176. Bylaw 2018-26, including all amendments thereto, is hereby repealed effective January 1, 2025.

COMING INTO FORCE

177. This bylaw shall come into full force and effect on January 1, 2025.

Vehicle For Hire Bylaw 2024-10

FIRST and SECOND READING:
THIRD READING and ADOPTION:

Laura Cabott, Mayor

Corporate Services

Vehicle For Hire Bylaw 2024-10

SCHEDULE "A"

FARE SCHEDULE

- (1) **Taximeter Fare** Maximum Flag Rate \$4.50; and
 - (2) Effective January 1, 2025 to December 31, 2025 - \$0.30 Maximum charge for each 1/9th kilometre or 12 seconds
 - (3) Effective January 1, 2026 and beyond - \$0.35 Maximum charge for each 1/9th kilometre or 12 seconds
2. **Charter Fare** \$30.00 Minimum charter fare of \$30.00 for the first 30 minutes and pro-rated for every 10 minutes based on the same charter fare thereafter
 3. **Maximum flat rate** \$22.00 per trip for transport of hotel guests in the Fare Zone to or from the Downtown Area and Whitehorse International Airport.

GST Included in all above rates

Vehicle For Hire Bylaw 2024-10

SCHEDULE "B" VOLUNTARY FINES

Section	Description of Offence	Penalty
12	Owner operate without valid Brokerage Permit	\$2,500.00
14	Operate without valid business license	\$500.00
15	Operate a taxi without being employed by company	\$2,500.00
17(1)	Fail to maintain a place of business	\$2,500.00
17(2)	Fail to notify of trade names or change to trade names	\$250.00
17(3)	Fail to notify of change in fleet status	\$250.00
17(4)	Fail to provide list of drivers	\$250.00
17(5)	Fail to display company name on vehicle	\$250.00
17(6)	Improper use of vehicle for hire registration plate	\$1,000.00
17(8)	Fail to provide 24 hour service	\$250.00
17(10)	Fail to keep and safeguard lost and found property	\$100.00
17(11)	Fail to provide training in the use of equipment	\$100.00
17(12)	Fail to provide passenger with services requested	\$100.00
17(13)	Fail to provide priority service for clients requiring accessible vehicle	\$500.00
17(14)	Fail to maintain system for public complaints	\$250.00
17 (15)	Fail to notify change in ownership	\$500.00
17 (16)	Fail to provide electronic payment option	\$100.00
18	Company fail to produce documents	\$100.00
19	Company fail to keep/produce records	\$100.00
20	Fail to disclose change in information	\$500.00
21(1)	Vehicle not clean and in good repair	\$100.00
21(1)	Vehicle not clean and in good repair (2 nd offence)	\$250.00
21(2)	Vehicle colour/vehicle body parts does not match	\$250.00
21(3)	Operate vehicle when it has been taken out of service	\$500.00
21(4)	Operate vehicle without valid registration certificate and plate	\$500.00
21(5)	Fail to charge fares pursuant to Schedule "A"	\$100.00
22(1 – 5)	Fail to properly record details of customer complaints	\$100.00
24	Driver fail to apply for or renew permit	\$1,000.00
25	Fail to surrender expired permit	\$1,000.00
26	Possess more than one copy of permit	\$100.00
36	Owner allows a person to operate without a permit	\$100.00

Vehicle For Hire Bylaw 2024-10

Section	Description of Offence	Penalty
36	Owner allows a person to operate without a permit (2 nd offence)	\$250.00
37	Fail to produce permit upon demand	\$100.00
38	Driver fail to notify Bylaw Services of change in information	\$500.00
39(1-2)	Fail to report to Bylaw Services damaged/lost/stolen permit	\$100.00
40	Fail to notify Bylaw Services of convictions	\$1,000.00
41(1)	Driver operate vehicle contrary to permit	\$250.00
41(2)	Fail to display vehicle for hire permit	\$250.00
41(3)	Driver fail to provide priority services for accessible vehicle for hire	\$500.00
41(4)	Fail to display Taxi Charter in the back seats	\$100.00
41(6)	Fail to take direct route	\$100.00
41(7)	Driver fail to provide passenger with a completed receipt	\$100.00
41(8)	Fail to deliver personal property left in the vehicle	\$250.00
42(1)	Operate vehicle that does not meet requirement of the bylaw	\$1,000.00
42(2)	Take fare while vehicle is out of service	\$250.00
42(3)	Use vehicle after out of service order issued	\$250.00
42(4)	Driver smoking within 5 metres of vehicle for hire.	\$250.00
42(5)	Driver use abusive language/insult to others	\$250.00
42(6)	Carry more than vehicle seating capacity	\$100.00
42(7)	Make a false statement to induce vehicle for hire services	\$250.00
42(8)	Hand writing while vehicle in motion	\$250.00
42(9)	Collect additional charges for fares or services	\$100.00
42(10)	Set vehicle in motion while loading or unloading	\$100.00
42(11)	Collect fare while in motion	\$100.00
42(12)	Take additional passengers without consent of current passengers	\$100.00
42(13)	Transport baggage outside of vehicle	\$100.00
42(14)	Driver operate vehicle for hire more than 12 consecutive hours	\$250.00
43	Driver fail to accept passenger	\$100.00
44-45	Driver fail to keep trip records as required	\$250.00
46	Driver fail to deposit trip records at place of business	\$100.00
49	Owner fail to keep or produce trip records	\$100.00
59	Fail to ensure the plate in service meets requirements	\$250.00
60	Fail to supply trip logs on demand	\$250.00
63	Operate vehicle without valid vehicle for hire plate	\$250.00

Vehicle For Hire Bylaw 2024-10

Section	Description of Offence	Penalty
64	Owner allow operation of a vehicle for hire without plate	\$250.00
65	Fail to possess vehicle for hire registration certificate	\$100.00
66	Fail to report damaged, lost or stolen plate/decal/certificate	\$100.00
67	Fail to surrender plate and certificate to Bylaw Services	\$250.00
69	Fail to provide accessible vehicle for hire services	\$1,000.00
72	Fail to post accessibility symbol	\$100.00
74	Fail to conform to the rates and fares provisions of this bylaw	\$100.00
76(1)	Fail to record charter in accordance with this bylaw	\$250.00
76(2)	Fail to charge charter fare in accordance with fare schedule	\$100.00
76(3)	Driver offer fare discount not in accordance with this bylaw	\$100.00
77	Fail to possess copy of passenger liquor permit	\$250.00
79	Operate vehicle for hire without approved fare schedule	\$250.00
80	Fail to prepare and display tariff card	\$100.00
82	Fail to provide an electronic payment system	\$100.00
83	Collect unapproved fare	\$100.00
85	Publish or use unapproved fare	\$100.00
86	Remove, mutilate, deface, or dispose of tariff card	\$100.00
87	Personal use of vehicle for hire violation	\$100.00
90	Not in service vehicle parked in taxi stand	\$100.00
91	Fail to maintain and provide a base station/dispatch system	\$250.00
92	Base station not equipped to receive hearing impaired calls	\$250.00
93	Dispatch call for service to driver without a permit	\$250.00
94	Dispatch call for service to vehicle without valid plate	\$250.00
95(1)	Operate vehicle without two-way radio communication	\$250.00
95(2)	Operate vehicle without taximeter	\$250.00
96	Fail to submit radio equipment and base station for inspection	\$250.00
99	Security camera not installed (1 st offence)	\$100.00
99	Security camera not installed (2 nd offence)	\$250.00
99	Security camera not installed (3 rd offence)	\$2,500.00
100	Fail to display Security Camera notification placard	\$100.00
102(1)	Security camera not approved	\$500.00
102(2)(3)	Security camera not properly mounted	\$500.00

Vehicle For Hire Bylaw 2024-10

Section	Description of Offence	Penalty
102(4)	Security camera not recording images and audio at all times fare in the vehicle (1 st offence)	\$2,500.00
102(4)	Security camera not recording images and audio at all times fare in the vehicle (2 nd offence)	\$5000.00
102(5)	Security camera not hardwired into a vehicle (1 st offence)	\$2,500.00
102(5)	Security camera not hardwired into a vehicle (2 nd offence)	\$5,000.00
103	Fail to retain or produce security camera images (1 st offence)	\$2,500.00
103	Fail to retain or produce security camera images (2 nd offence)	\$5,000.00
106	Fail to capture images with security camera (1 st offence)	\$2,500.00
106	Fail to capture images with security camera (2 nd offence)	\$5,000.00
107	Fail to record images or audio or remove or delete images or audio with security camera (1 st offence)	\$2500.00
107	Fail to record images or audio or remove or delete images or audio with security camera (2 nd offence)	\$5,000.00
108	Provide images or audio from Security Camera to unapproved designate (1 st offence)	\$2,500.00
108	Provide images or audio from Security Camera to unapproved designate (2 nd offence)	\$5,000.00
109	Fail to equip with a global positioning system (GPS)	\$2,500.00
110	Owner fail to equip vehicle with operational taximeter	\$250.00
111	Fail to submit taximeter for inspection	\$100.00
112	Remove taximeter seal	\$100.00
113	Fail to return used taximeter seal	\$100.00
115(1 – 5)	Taximeter violation	\$100.00
116	Roof light violation	\$100.00
117	Fail to illuminate or turn off roof sign as appropriate	\$100.00
119	Accept unauthorized voucher	\$100.00
120	Vehicle equipment and markings in non-compliance	\$100.00
121	Fail to have business name /vehicle numbers on vehicle	\$100.00
122	Advertising obstructs driver's view	\$100.00
123	Vehicle interior/exterior body or paint damage or windshield cracks	\$100.00
125	Fail to notify Bylaw Services of accident that damages vehicle	\$100.00
126	Operate non-motorized vehicle without authorization	\$100.00
126	Non-motorized vehicle fail to obtain and travel on approved route	\$100.00
127(1)	Operate vehicle that has not passed mechanical inspection	\$500.00
127(2)	Operate vehicle that has not passed general inspection	\$500.00

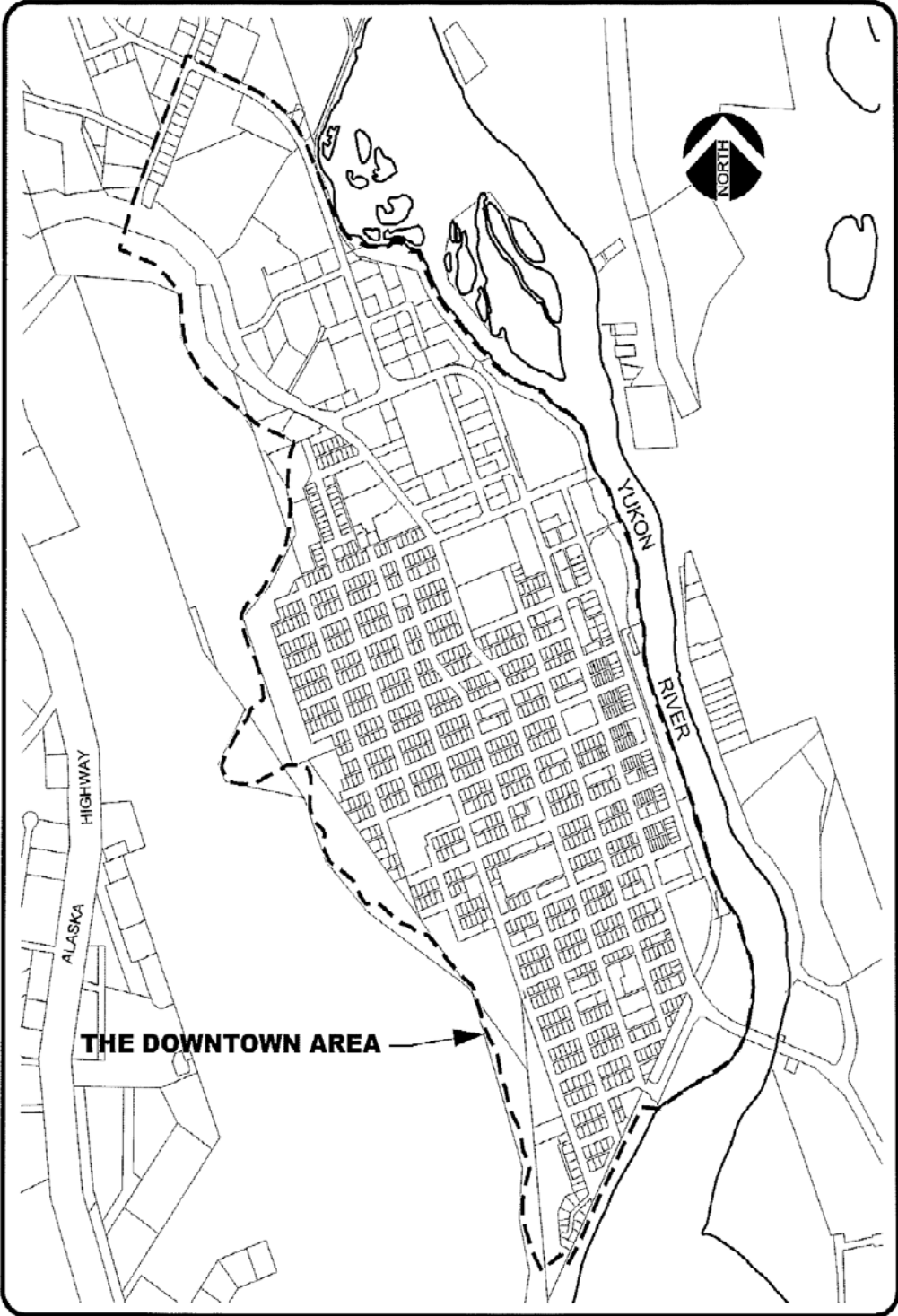
Vehicle For Hire Bylaw 2024-10

Section	Description of Offence	Penalty
127(3)	Operate vehicle without valid liability insurance	\$500.00
127(4)	Operate vehicle without valid commercial registration	\$500.00
128	Fail to comply with inspection requirements	\$250.00
129(1)	Fail to comply with Designated officer or inspector	\$250.00
129(2)	Fail to produce records or documents	\$250.00
138	Fail to remedy deficiency or non-compliance	\$250.00
140	Fail to report for follow-up inspection	\$100.00
141	Fail to comply with notice by date specified	\$250.00
143	Use vehicle after out of service order issued	\$250.00
165	Make a false statement	\$250.00

Vehicle For Hire Bylaw 2024-10

SCHEDULE "C"

MAP OF DOWNTOWN AREA



CITY OF WHITEHORSE
CORPORATE SERVICES COMMITTEE
Council Chambers, City Hall



Chair: Ted Laking

Vice-Chair: Jocelyn Curteanu

June 3, 2024

Meeting #2024-11

-
1. Municipal Charges and Community Service Grants
Presented by Svetlana Erickson, Manager, Financial Services
 2. Council Member Appointment to the Association of Yukon Communities
Presented by Valerie Braga, Director of Corporate Services
 3. New Business

ADMINISTRATIVE REPORT

TO: Corporate Services Committee
FROM: Administration
DATE: June 3, 2024
RE: Municipal Charges and Community Service Grants

ISSUE

Authorization of 2024 Municipal Charges and Community Services Grants (MC&CSG)

REFERENCE

- [2024-2026 Operating Budget](#)
- [City Grant-making Policy](#)
- [Municipal Charges and Community Service Grants Policy](#)
- Proposed Bylaw 2024-35 (Attachment 1)

HISTORY

Through the 2024 annual budget process, Council has allocated funds totalling \$216,000 under the MC&CSG Policy to assist organizations in the payment of municipal property taxes and other specific municipal charges.

Recommended grants vary for each organization based on the policy's tiered criteria and range between 50% and 100% of the property taxes owed by the organization. Applicants are required to submit their latest available financial statements for their applications to be assessed against the criteria. The City Grant-making Policy also now stipulates an annual \$60,000 cap for all grants to any organization. No applicants have attained that threshold this year.

ALTERNATIVES

1. Approve the list of recipients and the eligible amounts.
2. Decline approval.

ANALYSIS

Administration contacted past successful participants and followed up with a reminder. As a result, a total of 23 applications were received and reviewed. The total amount of taxes owing for these organizations is \$289,964.45 (2023 - \$279,319.40), while the total eligible grant amount is \$209,298.45 (2023 - \$204,281.05).

Additional details are as follows:

- Most of the applicants who received grants in 2023 also applied in 2024. There were two organizations that did not apply in 2024:
 - Humane Society Yukon
 - Victoria Faulkner
- One new organization applied in 2024:

- Yukon Fish and Game Association
- The City's lease agreement with Softball Yukon (2015 to 2025) includes a commitment to annually grant an amount equal to the taxes and water and sewer charges, in consideration of the community services performed by Softball Yukon. Since the lease was previously approved by Council, the associated grant is included in Appendix A of Bylaw 2024-35.

The attached "Appendix A" to Bylaw 2024-35 summarizes a list of eligible applicants and eligible grant amounts.

ADMINISTRATIVE RECOMMENDATION

THAT the Council direct that Bylaw 2024-35, a bylaw to authorize municipal charges and community services grants in the amount of \$209,298.45 for the year 2024, be brought forward for consideration under the bylaw process.

CITY OF WHITEHORSE

BYLAW 2024-35

A bylaw to provide for community service grants and grants for property taxes and other municipal charges for the year 2024

WHEREAS section 245 of the *Municipal Act* (R.S.Y. 2002) provides that council may by bylaw make grants to any person or association of persons; and

WHEREAS council adopted a policy to provide grants with respect to municipal taxes or rent paid in lieu of taxes to charitable, non-profit, recreational and religious Whitehorse organizations that are primarily concerned with providing services to disadvantaged members of the community; and

WHEREAS the policy also provides for grants with respect to municipal taxes or rent paid in lieu of taxes to eligible Whitehorse organizations that provide general services to the community, including but not limited to animal shelter facilities, museums, and organizations that lease municipally-owned property; and

WHEREAS council has established a policy of granting other specific municipal charges to non-profit charitable and recreational organizations that lease municipally-owned property;

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

1. Grants for property taxes and other municipal charges of \$209,298.45 are hereby authorized as detailed in Appendix "A" attached hereto and forming part of this bylaw.
2. This bylaw shall come into full force and effect upon the final passing thereof.

FIRST and SECOND READING

THIRD READING and ADOPTION:

Laura Cabott, Mayor

Corporate Services

Community Service & Municipal Charges Grants Bylaw 2024-35
Appendix "A"

Roll Number	Applicant	Eligible Grant
3701011150	Biathlon Yukon	\$ 4,268.45
3011351100	Canadian Mental Health Association, Yukon Division	3,672.00
3011450400	Downtown Urban Gardens Society (DUGS)	501.95
3011000300	Food Bank Society of the Yukon	5,145.35
3015060202	Golden Age Society	5,425.85
3100169300	Guild Society	18,535.10
3010380800	Hospice Yukon Society	1,909.65
3015051300	Kaushee's Place Housing Society	13,570.55
3010301400	La Societe des Immeubles Franco-Yukonnais (SIFY)	26,624.20
3460007500	Learning Disabilities Association of Yukon (LDAY)	1,376.55
3010071800	MacBride Museum Society	46,688.90
3011230200	Maryhouse	2,775.00
3010461100	Royal Canadian Legion - Branch 254	10,785.15
3110110800	Softball Yukon	28,658.90
3180523100	Softball Yukon: Ball Diamond Robert Service	751.30
3901174000	Tennis Yukon	227.90
3900010090	Valleyview Community Association	100.00
3013050700	Whitehorse Aboriginal Women's Circle	9,624.15
3701011140	Whitehorse Rifle and Pistol Club	6,157.40
3010270700	Yukon Artist at Work Society	4,347.45
3114041200	Yukon Broomball Association	5,182.40
3908000000	Yukon Film Society	202.50
3010490800	Yukon Fish and Game Association	3,751.65
3015050600	Yukon Women's Transition Home Society	9,016.10
Total:		\$ 209,298.45

ADMINISTRATIVE REPORT

TO: Corporate Services Committee
FROM: Administration
DATE: June 3, 2024
RE: Council Member Appointment to the Association of Yukon Communities

ISSUE

Confirming the appointment of a Council member as a City representative to the Association of Yukon Communities (AYC).

REFERENCE

- [Resolution 2023-18-05 – Committee Appointments](#)

HISTORY

Typically, the City of Whitehorse appoints two members of Council to represent the City on the AYC Board of Directors. This is in addition to any potential members of Council who may be elected to the AYC Executive. In the former, the two Council members are appointed by and represent the City; in the latter, the individual is elected by the AYC membership and works on AYC's behalf.

Councillors Friesen and Murray were appointed as the City's two representatives in October 2023 for a period expiring October 31, 2024. Councillor Friesen has asked to be replaced as a City representative.

ANALYSIS

It has been proposed that Dan Boyd be appointed as the City's second representative on the AYC board.

ADMINISTRATIVE RECOMMENDATION

THAT the appointment of Councillor Michelle Friesen as a City representative to the Association of Yukon Communities be rescinded; and

THAT Dan Boyd be appointed as a City representative to the Association of Yukon Communities for a term to expire on October 31, 2024.