## THE CITY OF DAWSON

COMMITTEE OF THE WHOLE MEETING #CW22-06 DATE: WEDNESDAY April 27, 2022 TIME: 7:00 PM LOCATION: City of Dawson Council Chambers



#### Join Zoom Meeting

https://us02web.zoom.us/j/84032316746?pwd=VVhyaGtFdVZpaXJGSVpleTVzN1lhQT09 Meeting ID: 840 3231 6746 Passcode: 595829

#### 1. CALL TO ORDER

#### 2. ACCEPTANCE OF ADDENDUM & ADOPTION OF AGENDA

a) Committee of the Whole Meeting CW22-06

#### 3. DELEGATIONS & GUESTS

a) Yukon Government: Lagoon Project Update

#### 4. BUSINESS ARISING FROM DELEGATIONS & GUESTS

a) Yukon Government: Lagoon Project Update

#### 5. MINUTES

a) Committee of the Whole Meeting Minutes CW22-05 of March 16, 2022

#### 6. BUSINESS ARISING FROM MINUTES

a) Committee of the Whole Meeting Minutes CW22-05 of March 16, 2022

#### 7. SPECIAL MEETING, COMMITTEE, AND DEPARTMENTAL REPORTS

- a) CBC Building: Updated Options/Drawings
- b) Investments-Reserve Accounts
- c) New Recreation Centre: Next Steps
- d) AYC Auction Item
- e) Minister Mostyn RE: Dawson Lagoon Project

#### 8. BYLAWS & POLICIES

- a) Official Community Plan Amendment No. 5 Bylaw (2021-14)-Second Reading (Housekeeping)
- b) Zoning Bylaw Amendment No. 14 (2021-15)-Second Reading (Housekeeping)
- c) Reserve Fund Bylaw
- d) Art Procurement Policy

#### 9. PUBLIC QUESTIONS

#### **10. ADJOURNMENT**



# **Dawson City Lagoon**

**Project Update** 



## **Project History**

- Dawson was in need of a wastewater treatment solution in order to meet environmental requirements
- Lagoon options were explored in detail with many sites considered
- At the time, there was not public support for a lagoon at the proposed location
- CoD and YG decided to proceed with a wastewater treatment plant
- Existing Wastewater Treatment Plant was commissioned in 2012



### Challenges with the Wastewater Treatment Plant

- Since start-up, the WWTP has struggled to treat wastewater effectively.
- Many different engineering firms and technical experts have been engaged in an effort to resolve the issues.
- In 2018 a filtration system was installed.
- Operation of the WWTP is complex with many variables, and requires a skilled operator.
- Short retention time in a WWTP makes it difficult to adapt operations to changes in wastewater strength, temperature and volume.
- The WWTP is not able to receive trucked sewage.
- Operations and Maintenance costs are extremely high.
- The WWTP is already seeing flows at the design capacity. Expansion will be required to accommodate population growth.



### **Cost of Operating the Wastewater Treatment Plant**

- The cost to operate and maintain the treatment plant are very high, and much higher than anticipated during design of the plant.
- The average annual cost to operate the plant is ~\$1 million.
- Because of the compliance issues and high operations costs, CoD never accepted ownership of the WWTP and instead YG now owns and operates the plant.
- CoD pays \$220,000\* annually. This is subject to change in subsequent years.



#### Figure 23: 30-year Reinvestment Plan

 Throughout the life of the plant, there will be major replacement costs in addition to annual O&M.

Table 8: Five-Year Estimated O&M Costs (from Section 5)

	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027
Annual O&M Cost	\$1,272,700	\$1,270,400	\$1,272,700	\$1,270,400	\$1,272,700
Operating Reserve – Contingency	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000

## The Case for a Lagoon

- Simpler operation requirements where highly trained and specialized operators are not required.
- Lower operations and maintenance costs.
- Proven technology widely used across Yukon and the North.

- Longer retention time provides buffer for variability in wastewater strength and temperature.
- Will be able to accommodate trucked sewage.
- Same standard for discharge of wastewater effluent into the environment.



## Where will the lagoon go?

- Many sites throughout the Klondike valley have been reviewed in the past 20 years.
- There are very few sites that are considered technically feasible without being entirely cost prohibitive.
- Technical Factors: size, geotechnical conditions (permafrost, groundwater), wildlife habitat, geographic risk (flooding, landslides), prevailing wind direction, wastewater temperature
- Human Factors: city planning, land ownership (TH land, mining claims, private)



• **Cost**: pumping distance and elevation, lagoon aeration, river crossings

https://maps.gov.yk.ca/portal/apps/dashboards/d601ac3 944434ea2ac2c4b2c6d4f3cfd

### Recommendation to Build lagoon in Callison



### **Project Status**

- Setting up a working group including CoD, TH and YG to review all project information and make recommendations, including recommended site(s) for consideration.
- Ongoing sampling and analysis of City's wastewater.
- Beginning ground temperature monitoring at Callison A.
- Draft Public Engagement Plan is ready.
- Letter from YG to CoD confirming plant closure in 2026.
- YG commitment to work with Dawson to build a lagoon. Dawson to confirm YG's role.
- Funding is identified under ICIP.
- Keeping TH informed is a priority and the project will require various levels of consultation and collaboration throughout.

### **Next Steps**

- CoD to confirm project management arrangement for lagoon project.
- Formal establishment of working group including CoD, TH and YG. Working group to provide recommendation for site(s) to present at public engagement.
- CoD and TH to approve recommendation of working group.
- Discussions with affected mining claim holders.
- Public Engagement.
- Upcoming decisions:
  - Following Public Engagement- commitment on site selection

#### **Dawson Wastewater – Process and Timeline**

Updated: April/22

\*\* all steps to be done collaboratively with City of Dawson and YG \*\*

#### YG and Dawson Officials Initiation Project planning ✓ Define problems and objectives ✓ Identify regulatory and government stakeholders (3 months) (1 to 2 years) ✓ Develop preliminary schedule **Project Management Lead** City of Dawson - confirm November 2018 letter and request YG Data gathering for lagoon design support for scoping. Develop consultation plan for TH Manage engineering consultant(s) providing feasibility and conceptual design work Facilitate working group meetings Project Scoping Lead (IDB) Working group to recommend site(s) for further consideration and public Preparation ✓ Collect & organize background engagement. information (6-9 months) City of Dawson: • Establish working group who will Confirm approval to move forward with discussion with mining claim communicate recommendations holders and public engagement based on recommendation from and findings to CoD and TH working group. ✓ Review past work and sites ✓ Develop detailed project plan Complete detailed survey of site(s) Develop risk mitigation strategy • Lead discussions with potentially affected mining claim holders ✓ Develop a public engagement plan Lead coordination of Public Engagement Develop Service Agreement • Hire consultant(s) for geotechnical and hydrology assessments between CoD and YG • Update risk mitigation strategy and schedule Update project plan City of Dawson: • Working group to develop recommendation for lagoon site through • Determine project management structure (YG or City of Dawson discussion with THFNG, public engagement, discussions with affected lead) for remainder of project. mining claim holders and review of technical information. City of Dawson: Approve lagoon location

• Approve proceeding with detailed design and regulatory approval for the selected location.

#### **Dawson Wastewater – Process and Timeline**

Updated: April/22

 $^{\ast\ast}$  all steps to be done collaboratively with City of Dawson and YG  $^{\ast\ast}$ 

	Project Management Lead
Detailed Design (1 to 2 years)	<ul> <li>Update service agreement between YG and City of Dawson</li> <li>Public procurement of engineering consultant for preliminary, detailed design and construction administration</li> </ul>
	Complete preliminary design and outstanding geotechnical
	<ul> <li>requirements</li> <li>Submit application for federal funding</li> <li>Complete 65% design and review</li> <li>Complete YESAB and water license approvals</li> <li>Complete detailed design</li> <li>Update schedule, communications plan &amp; risk management strategy</li> </ul>
City of Dawson – decisio Project Management rol	on on proceeding with construction (including any changes to les)
Construction (2 to 3 years)	<ul> <li>Project Management Lead</li> <li>Public procurement for construction</li> <li>Construction</li> <li>Continued stakeholder engagement</li> </ul>
Completion (1 to 1 ½ years)	<ul> <li>Project Management Lead</li> <li>Substantial completion and project turnover</li> <li>Training and O&amp;M manuals</li> <li>Warranty period support</li> <li>Rectify deficiencies</li> <li>Post project evaluation with lessons learned discussion(s)</li> </ul>

• City of Dawson operates facility

## **Thank-you!**

## **MINUTES OF COMMITTEE OF THE WHOLE MEETING CW22-05** of the Council of the City of Dawson called for 7:00 PM on Wednesday, March 16, 2022, City of Dawson Council Chambers

PRESENT:	Mayor	William Kendrick	
	Councillor	Elizabeth Archbold	
	Councillor	Alexander Somerville	
	Councillor	Patrik Pikálek	
	Councillor	Brennan Lister	
REGRETS:			
ALSO PRESENT:	CAO	Cory Bellmore	
	EA	Elizabeth Grenon	
	PWM	Jonathan Howe	
	PDA	Stephanie McPhee	

Agenda Item: Call to Order

The Chair, Mayor Kendrick called the meeting to order at 7:00 p.m.

#### Agenda Item: Agenda

**CW22-05-01** Moved by Mayor Kendrick, seconded by Councillor Somerville that the agenda for Committee of the Whole meeting CW22-05 of March 16, 2022, be accepted as presented. Carried 5-0

Agenda Item: Delegations & Guests

a) Dawson Regional Planning Commission

Nicole Percival and Charlotte Luscombe gave an overview of the Draft Land Use Plan Highlights.

- Draft Plan Concepts and Principles:
  - o Vision
  - o Sustainable development Stewardship
  - Land Use Designation System
    - Integrated Stewardship Areas (ISA)
    - Special Management Areas I & II (SMA)
    - Highway Corridors
    - Future Planning Areas
- Key Recommendations:
  - o **Caribou**
  - o Access
  - Conservation Areas
  - o Wetlands
  - o Stewardship
  - Mineral Development and Exploration
  - Plan is in draft form and is still open for discussion and feedback.
- b) Dawson City Farmers Market Society

Sherry Masters requested that the Farmer's Market be permitted to operate on Sundays in the summer.

- Some vendors are unable to participate on Saturdays due to religion
- Two vendors have requested Sunday market so far

c) Wayne Potoroka RE: North End

Wayne Potoroka presented, from his perspective, the history of the North End and how services in that area have changed over time.

Agenda Item: Business Arising from Delegations & Guests

- b) Dawson City Farmer's Market Society
- Administration will amend the lease to include Sundays with some conditions:
  - Market space will be reduced in size to 150ft
  - o No overnight parking of vendor vehicles or merchandise

Agenda Item: Public Hearings

a) Condominium Subdivision Application: Lot 8, Block R, Ladue Estate

The Chair called for submissions. The Chair called for submissions a second time. The Chair called for submissions a third and final time, and hearing none declared the Public Hearing closed.

#### Agenda Item: Minutes

- a) Committee of the Whole Meeting Minutes CW22-01 of January 12, 2022
- **CW22-05-02** Moved by Councillor Pikálek, seconded by Mayor Kendrick that the minutes of Committee of the Whole meeting CW22-01 of January 12, 2022, be accepted as presented.
  - b) Special Committee of the Whole Meeting Minutes CW22-03 of February 9, 2022
- **CW22-05-03** Moved by Councillor Somerville, seconded by Councillor Pikálek that the minutes of Special Committee of the Whole meeting CW22-03 of February 9, 2022 be accepted as presented. Carried 5-0
  - c) Special Committee of the Whole Meeting Minutes CW22-04 of February 10, 2022
- **CW22-05-04** Moved by Councillor Archbold, seconded by Councillor Somerville that the minutes of Special Committee of the Whole meeting CW22-04 of February 10, 2022 be accepted as presented. Carried 5-0

**Agenda Item:** Referrals from Prior Meetings

a) Andre Zadrazil RE: Laundry Services

Council held discussion regarding Andre Zadrazil's letter regarding Laundry Services:

- Is it the responsibility of the City or provide this service?
- Could a non-profit take it on?
- Review washing machine rates in the Fees & Charges Bylaw

#### Agenda Item: Special Meeting, Committee, and Departmental Reports

a) AYC AGM Resolutions

The CAO gave an explanation to Council regarding AYC AGM resolutions.

b) RCMP 2022 Policing Priorities

Councillor Lister left the meeting at 8:44 p.m.

**CW22-05-05** Moved by Mayor Kendrick, seconded by Councillor Somerville that Committee of the Whole forwards to Council to issue a letter to Dawson City RCMP notifying them the priority issues Council would like the local detachment to focus on for 2022/23 are: Police / Community Relations
Positive Relationships between Youth and the Police
Road Safety
Keeping drugs and alcohol away from youth
Restorative Justice
Carried 4-0

c) Vacant Land Tax

The CAO updated Council on where the Vacant Land Tax was at:

- Feedback from Council was forwarded to Across the River Consulting who completed a detailed analysis of the Tax Assessment Roll
- Identified 42 clear vacant title lots and 14 vacant lots that are part of tax consolidations
- Next steps:
  - Research owner development plans/permits in progress
  - Investigate if the 14 vacant lots are legitimately consolidated for tax purposes under Yukon laws
  - o Field inspections of vacant lots to further consolidation

Council wants a further analysis of lots identified by Across the River Consulting as "Residential Yards".

d) Information Report: Rec Centre Update

The CAO updated Council on where the Rec Centre project was at:

- Additional work was completed in conjunction with the Dome Road Master Plan
  - Preliminary Geotechnical Evaluation
  - o Metal Concentrations Assessment
  - o Phase II Environmental Site Assessment
- Recent Developments:
  - administration has recently met with Infrastructure Development on moving forward with the next steps in this project.
  - Next steps with YG Infrastructure as the current project manager for this project is to complete the conceptual design and refine details of option1 – Dome road
  - Continue to work with YG in securing adequate funds for the project as well as leveraging City of Dawson funds that have been reserved in the Rec Facility Reserve to its maximum potential.
  - Administration will be meeting in person with Infrastructure Development Branch at the end of March on several projects, including the new Recreation Centre project.

- **CW22-05-06** Moved by Councillor Somerville, seconded by Mayor Kendrick that Committee of the Whole meeting CW22-05 be extended not to exceed past 11:00 p.m. Carried 4-0
  - e) Council Chambers IT Update

The CAO updated Council on the Council Chambers IT:

- Peter Menzies from CFYT came in to look at the current equipment. His suggestion was to have the person doing the IT for the GA this spring to come in and have a look at the Council Chambers equipment and setup.

Agenda Item: Bylaws & Policies

a) Official Community Plan Bylaw Amendment No. 5 (2021-14) & Zoning Bylaw Amendment No. 14 (2021-15)

Council held discussion regarding the Official Community Plan and Zoning Bylaw Amendments.

- **CW22-05-07** Moved by Councillor Somerville, seconded by Councillor Pikálek that Committee of the Whole leaves the Commercial and Residential Mixed-Use definition as it currently is. Carried 3-1
- **CW22-05-08** Moved by Councillor Somerville, seconded by Councillor Pikálek that Committee of the Whole postpone discussion of Sections 10 onward to a future Committee of the Whole meeting. Carried 4-0

#### Agenda Item: Public Questions

Lewis Miesen: The City has Development Incentives that have been in place since 2019. How many applications for Development Incentives have been processed? How many people are actually going through this process?

Council: People have been applying for and receiving Development Incentives.

Lewis Miesen: How many vacant properties are there currently in Dawson? Talking more about buildings that have been abandoned.

Council: There is a report in the agenda package that talks only about vacant land. We'll get back to you.

Lewis Miesen: The current vacancy rate in Dawson is very low, as you know. According to Yukon monthly statistical review for January of this year it was 1.7%. Given the severity of our housing shortage, why is this information not publicly listed next to the Development Incentives?

Lewis Miesen: Is there a plan to go after the vacant buildings? I'm talking abandoned buildings that have been there for 40 years and nothing seems to have been done. Council: The Fire Chief requires owners of derelict buildings that are fire hazards to deal with them.

#### Agenda Item: In Camera

# **CW22-05-09** Moved by Mayor Kendrick, seconded by Councillor Somerville that Committee of the Whole move into a closed session of Committee of the Whole, as authorized by Section 213(3) of the Municipal Act, for the purposes of discussing a legal/land related matters. Carried 4-0

**CW22-05-10** Moved by Councillor Somerville, seconded by Councillor Pikálek that Committee of the Whole revert to an open session of Committee of the Whole to proceed with the agenda. Carried 4-0

#### Agenda Item: Adjournment

**CW22-05-11** Moved by Councillor Somerville, seconded by Councillor Pikálek that Committee of the Whole meeting CW22-05 be adjourned at 10:55 p.m. with the next regular meeting of Committee of the Whole being April 27, 2022. Carried 5-0

THE MINUTES OF COMMITTEE OF THE WHOLE MEETING CW22-03 WERE APPROVED BY COMMITTEE OF THE WHOLE RESOLUTION #CW22-06-02 AT COMMITTEE OF THE WHOLE MEETING CW22-06 OF MARCH 16, 2022.

Mayor Kendrick, Chair

Cory Bellmore, CAO

## **Report to Council**

■ For Council Decis

For Council Decision X For Council Direction

For Council Information



In Camera

AGENDA ITEM:	CBC Project update		
PREPARED BY:	C Bellmore	ATTACHMENTS:     NsqArchitecture: Bank of Commerce	
DATE:	February 4, 2022	Building options with design constraints	
RELEVANT BYLAWS / POLICY / LEGISLATION:		<ul> <li>and programming</li> <li>WSP – Class D estimate for water service installation</li> <li>Slades Fire Protection – quote for installation of a sprinkler system.</li> </ul>	

#### **ISSUE / PURPOSE**

That Council consider the options presented by NsqArchitecture and provide direction to administration on which option to pursue.

#### **BACKGOUND SUMMARY**

Further to the information presented at CW22-03 on Feb 09, administration is continuing to work on the different aspects of historical restoration along with end use of the CBC building.

At CW 22-03, Council requested that administration consider municipal use requirements for the CBC building, including the potential re-location of the City of Dawson Council Chambers to this location.

Council also requested additional options for the requirements of exits, including locations on both the interior and exterior of the building of stairs and a lift to both preserve the view-scape and maximize floor space.

#### **ANALYSIS / DISCUSSION**

Administrative comments regarding municipal use of the space:

Expanded staffing has caused space constraints and moving Council Chambers and potentially some offices to this building would alleviate this current issue. It could also potentially allow the current chambers to be repurposed into office space.

An anchor tenant (government office space) would reduce the complexity of managing a multi-use space but may not meet the criteria of being a public use.

Expected construction of a new recreation centre along a similar timeline will likely mean that this space needs for programming would likely be at that facility. Multi-use or flexi space is still an option but would require space management either internally or contracted.

Continuing re-construction without a detailed fit up and final end-use is also an option. Administration requires direction on the lift/stairs and potential installation of a sprinkler system.

APPROVAL				
NAME:	C Bellmore	SIGNATURE:		
DATE:	2022-02-04	(KBellmore		



NsqArchitecture Ltd. 1060 Meares Street Victoria, BC, V8V 3J6 p. 250 382.3823 e. nsqa@nsqa.ca

#### April 21, 2022

To: Mayor and Council
Re: Bank of Commerce Building

#### Dear Mayor and Council,

Per your request, we are forwarding comments regarding design constraints and programming for the Bank building. This includes reviewing options, which have been determined over the design process to be generally in accordance with the use requirements and restoration guidelines. The comments are in sections.

#### i. Use:

At this stage the City:

- i. has confirmed that it would like the building to be reconstructed to allow year round use
- ii. wishes public access to both floors, including accessibility requirements and an elevator
- iii. has suggested Council Chambers on the upper floor. Depending on how the space is configured there would be about 700 SF (65 SM) available for this use. There would be the possibility to book this space out for public use when it is not required by Council.
- iv. envisions the main floor as public space, the available area is about 970 SF (90SM)

#### ii. Space Planning

Questions which influence space planning:

- i. Number of Councilors and support staff who would attend meetings, how much space do they have now
- ii. the amount of space for the new chambers, and the impact on the existing structure of the building
- iii. related to this, how much public occupancy is required/desired
- iv. it is difficult to use the space over the vault if it is retained, the clearance is approximately 6ft (1.8M)

#### iii. Programming Considerations

- i. although the vault no longer has its correct relationship with the main floor, should it be retained as a historic element
- ii. is direct access from the upper floor to the exterior important
- iii. is the space planning appropriate to the proposed uses
- iv. should a sprinkler system be considered as a means of increasing the level of protection for the building, simplifying space utilization, and allowing a more accurate exterior restoration
- v. the Council Chambers as shown are interchangeable with the open area office, ie they can be located on the main floor
- vi. a service stair to the basement could be constructed in each option, stacked under a reconstructed stair
- vii. direct access from upper floor to exterior, would allow access to the upper floor without entering the main floor area, thus maintaining security for the main floor

#### iv. Building Code Requirements

- i. for assembly use, the code requires two exits from each floor, unless the building is sprinklered.
- ii. if sprinklered, one exit from each floor is acceptable, as long as the occupant load on each floor does not exceed 60 persons
- iii. fire ratings: for A2 occupancy a 45 minute fire rating is required
- iv. if two exits are required they must be separated by a distance of 9 meters
- v. an elevator is required for public accessibility to the upper floor
- vi. stair pitch (rise and run) are quite limited by code for assembly use: the current drawings show a rise of 7" (180) run of 11" (280), and 23 treads
- vii. washrooms: depend on the occupant load: for up to 25 persons of each sex 1 WC is required, above that 1 male and 2 female are required. An accessible washroom is required. Each option shows a minimum of two washrooms per floor

#### v. Heritage and Preservation

- ensure compatibility with Standards and Guidelines for the Conservation of Historic Places in Canada. It is intended that building elements and details should be restored to the maximum extend possible
- ii. replacement materials where necessary will be accurately reproduced, based on archival research
- iii. changes to the exterior fabric of the building, where necessary, should respond carefully to the existing structure
- iv. window repair/replacement should be based on accurate replacement of existing conditions and should not alter the exterior appearance
- v. interior finishes, such as the banking hall ceiling should be restored and reinstated in their original locations
- vi. note location of upper floor tension rods in each option
- vii. major structural elements, such as the tension rods which support the upper floor, should be retained

A fairly extensive process of evaluating options has ben undertaken, the four options outlined below are a summary of this analysis. Each has variables in cost, functionality, and the impact on the heritage building, which are summarized below,

#### Option 1: Elevator to North Side, Not Sprinklered

- i. two exits required, requires construction on two building faces
- ii. council chamber has river view
- iii. stair/elevator addition quite large
- upper floor space divided by washrooms iv.



MAIN FLOOR

UPPER FLOOR

OPTION 1: FLOOR PLANS







#### Option 2: Elevator to West Side, Two Exits, Not Sprinklered

- i. view to river limited by construction on west wall
- ii. requires construction on two building faces
- iii. minimal change to appearance of east and south elevations
- iv. upper floor space divided by washrooms



MAIN FLOOR

UPPER FLOOR



#### Option 3: Internal Elevator, Single Stair, Sprinklered

- i. least impact on all exterior elevations, the stair replicates the original location
- ii. requires removal or repurposing of vault
- iii. WC and elevator locations intrude least on usable space, allow more flexible use planning
- iv. maximum exposure to river view on both floors







#### Option 4: Addition to North, Single Stair, Sprinklered

- large addition to north to accommodate stair and elevator i.
- ii. maximum exposure to river view on both floors
- iii. upper floor divided by washrooms



MAIN FLOOR

Option 4: Additon to North, Single Stair, Sprinklered i. large addition to north to accomodate stair and elevator ii. maximum exposure to river view on both floors iii. upper floor divided by washroom

OPTION 4: FLOOR PLANS

BANK OF COMMERCE BUILDING Heritage Alteration





#### Conclusion

The Bank of Commerce is a significant part of the Dawson City streetscape, although there remain questions regarding use and occupancy. These can be resolved while projects such as the remediation of the basement, and windows and metal siding are undertaken.

Each of the four proposed options resolves the requirements identified above, while varying in their impact on the building and the flexibility of interior spaces. However, in our opinion it is clear that Option 3 provides the best blend of achieving exterior restoration goals combined with space utilization, The sprinkler system enables a sympathetic reconstruction of the original stair, with full restoration of the other three sides of the exterior. Locating the service functions at one end of the building allows the restoration of much of the original banking hall with efficient and flexible space planning. The goal for the project should be as thorough a restoration as possible, with interior space that provides opportunity for redesign as requirements change over time.

We look forward to assisting the Community, and Council, in implementing this process.

Kind Regards,

John Keay Retired Architect AIBC tel: 250 382 3823 email: jkeay@nsqa.ca



BANK OF COMMERCE BUILDING Heritage Alteration



2022-04-27 NsqArchitecture Ltd. 1060 Meares Street Victoria, BC, V8V 3J6 p. 250.382.3823 e. nsqa@nsqa.ca





CONTEXT SITE PHOTO

SITE PLAN

## BANK OF COMMERCE BUILDING

Heritage Alteration



2022-04-27 NsqArchitecture Ltd. 1060 Meares Street



#### MAIN FLOOR

UPPER FLOOR

#### Option 1: Elevator to North Side, Not Sprinklered

i. two exits required, requires construction on two building faces ii. council chambers has river view

iii. stair/elevator addition quite large

iv. upper floor space divided by washrooms

**OPTION 1: FLOOR PLANS** 

## BANK OF COM MERCE BUILDING Heritage Alteration



2022-04-27 NsqArchitecture Ltd.

1060 Meares Street Victoria, BC, V8V 3J6 p. 250.382.3823 e. nsqa@nsqa.ca



**OPTION 1: ELEVATIONS** 

## BANK OF COMMERCE BUILDING Heritage Alteration



2022-04-27 NsqArchitecture Ltd. 1060 Meares Street



#### MAIN FLOOR

**UPPER FLOOR** 

### Option 2: Elevator to West Side, Two Exits, Not Sprinklered

i. view to river limited due to construction on west wall

ii. requires construction on two building faces

iii. minimal change to appearance of east and south elevations

iv. upper floor space divided by washrooms

#### **OPTION 2: FLOOR PLANS**

## BANK OF COMMERCE BUILDING Heritage Alteration





2022-04-27 NsqArchitecture Ltd.

1060 Meares Street Victoria, BC, V8V 3J6 p. 250.382.3823 e. nsqa@nsqa.ca



#### WEST ELEVATION (REAR)

NORTH ELEVATION (SIDE)

**OPTION 2: ELEVATIONS** 

## BANK OF COMMERCE BUILDING

Heritage Alteration

new stair 24 R @ 7" 23 T @ 11" continuous steel handrail c/w run outs to code



2022-04-27 NsqArchitecture Ltd. 1060 Meares Street





MAIN FLOOR

**UPPER FLOOR** 

#### Option 3: Internal Elevator, Single Stair, Sprinklered

i. least impact on all exterior elevations, stair replicates the original location

ii. requires removal or repurpose of vault

iii. Washroom and elevator locations intrude least on useable space, allow more flexibility in space planning

iv. maximum exposure to river view on both floors

**OPTION 3: FLOOR PLANS** 

## BANK OF COMMERCE BUILDING Heritage Alteration



2022-04-27 NsqArchitecture Ltd. 1060 Meares Street



WEST ELEVATION (REAR)

NORTH ELEVATION (SIDE)

**OPTION 3: ELEVATIONS** 

BANK OF COMMERCE BUILDING Heritage Alteration

#### 1x6 drop siding, painted

new stair 24 R @ 7" 23 T @ 11" continuous steel handrail c/w run outs to code



2022-04-27 NsqArchitecture Ltd. 1060 Meares Street



#### MAIN FLOOR

UPPER FLOOR

Option 4: Additon to North, Single Stair, Sprinklered

i. large addition to north to accomodate stair and elevatorii. maximum exposure to river view on both floorsiii. upper floor divided by washroom

**OPTION 4: FLOOR PLANS** 

## BANK OF COMMERCE BUILDING Heritage Alteration



2022-04-27 NsqArchitecture Ltd.

1060 Meares Street Victoria, BC, V8V 3J6 p. 250.382.3823 e. nsqa@nsqa.ca



WEST ELEVATION (REAR)

NORTH ELEVATION (SIDE)

**OPTION 4: ELEVATIONS** 

BANK OF COMMERCE BUILDING Heritage Alteration



1x6 drop siding

corrugated siding restored

> 2022-04-27 NsqArchitecture Ltd. 1060 Meares Street
# wsp

April 22, 2022

Annika Palm Senior Project Manager Infrastructure Development Branch Department of Community Services Yukon Government PO Box 2703 Whitehorse, Yukon Y1A 2C6 Annika.Palm@yukon.ca

#### Subject: City of Dawson Class D Cost Estimate – 4" Water Service Across Front Street

Dear Ms. Annika Palm,

A Class D Cost Estimate (±50%) was prepared for installation of a 4" water service to the Canadian Bank of Commerce on Front Street and is given in Figure 1.

The Class D Cost Estimate was extrapolated from recent Dawson projects and includes pavement removal, excavation, installation of a 4" water service to the Canadian Bank of Commerce on Front Street to the exterior of the building, backfill, compaction, and restoration work. The Class D Cost Estimate also includes Construction Engineering and Geotechnical Services.

In addition, a Class D Cost Estimate was also prepared for replacement of a 4" sewer service to the Canadian Bank of Commerce on Front Street and the estimated cost to install both water and sewer services is given in Figure 2.

# ASSUMPTIONS

The cost estimate is based on Yukon workers outside of Dawson except local survey was assumed.

The cost estimate for asphalt repair was based on typical hot-mix asphalt (i.e., black). A local batch plant was assumed.

# **EXCLUSIONS**

The Class D Cost Estimate does not include Engineering Design, indoor plumbing fees, or structural repairs or restoration to the building.



ltem No	Description	Estimated Quantity	Unit	Unit Price	Total Price
General Requ	irement				
1.0	Mobilization / Demobilization	1	LS	\$ 7,647.00	\$ 7,647.00
1.1	Health And Safety Plan	1	LS	\$ 1,000.00	\$ 1,000.00
1.2	Environmental Protection Plan	1	LS	\$ 1,000.00	\$ 1,000.00
1.3	Traffic Management Plan	1	LS	\$ 1,000.00	\$ 1,000.00
1.4	Locates	1	LS	\$ 1,000.00	\$ 1,000.00
1.5	Construction Survey / Record Drawings (Local Survey)	1	LS	\$ 1,000.00	\$ 1,000.00
Water					
2.0	Water Service Manhole	1	ea	\$ 12,000.00	\$ 12,000.00
2.1	Watermain Connection To Existing Main	2	ea	\$ 10,000.00	\$ 20,000.00
2.2	100mm Gate Valve	1	ea	\$ 4,000.00	\$ 4,000.00
2.3	Factory Insulated 100mm HDPE DR11 Water Service to Building	20	Lm	\$ 1,000.00	\$ 20,000.00
Roads and Dra	ainage				
3.0	Removal of Pavement / Excavation and Disposal of Excess Waste / Place Select Native Backfill / Roadside Ditching Swales	90	m²	\$ 35.00	\$ 3,150.00
3.1	Import Sub-Base: 800mm, 80mm Minus Pit Run	45	m²	\$ 35.00	\$ 1,575.00
3.2	Import Base: 200mm, 20mm Minus Crushed Basecourse	50	m²	\$ 40.00	\$ 2,000.00
3.3	100mm Hot-Mix Asphalt (Local Batch Plant)	50	m²	\$ 175.00	\$ 8,750.00
				Subtotal	\$ 84,122.00
		Construction En	gineering	g Services (10%)	\$ 8,413.00
Geotechnical Services (7%)				\$ 5,889.00	
		Total Class	'D' Cost I	Estimate (±50%)	\$ 98,424.00

Figure 1. City of Dawson Class D Cost Estimate - 4" Water Service Across Front Street

# vsp

ltem No	Description Estimated Quantity Unit Unit Pri		Unit Price	Total Price	
General Requi	irement				
1.0	Mobilization / Demobilization 1 LS \$ 13,030.0			\$ 13,030.00	\$ 13,030.00
1.1	Health And Safety Plan	1	LS	\$ 1,000.00	\$ 1,000.00
1.2	Environmental Protection Plan	1	LS	\$ 1,000.00	\$ 1,000.00
1.3	Traffic Management Plan	1	LS	\$ 1,000.00	\$ 1,000.00
1.4	Locates	1	LS	\$ 1,000.00	\$ 1,000.00
1.4	Construction Survey / Record Drawings (Local Survey)	1	LS	\$ 1,000.00	\$ 1,000.00
Sanitary Sewe	r				
2.0	Pump Around / Downstream Pipe Protection	1	LS	\$ 5,000.00	\$ 5,000.00
2.1	Sewer Service Saddle including Connection to Main	1	ea	\$ 1,000.00	\$ 1,000.00
2.2	Factory Insulated 100 mm HDPE DR17 Sewer Service Including Double Heat Trace Conduit to Building	20	Lm	\$ 1,000.00	\$ 20,000.00
2.3	Heat Trace Cable Including End Caps Wrapped Around Main to Building	45	Lm	\$ 100.00	\$ 4,500.00
Water					
3.0	Water Service Manhole	1	ea	\$ 12,000.00	\$ 12,000.00
3.1	Watermain Connection To Existing Main	2	ea	\$ 10,000.00	\$ 20,000.00
3.2	100mm Gate Valve	1	ea	\$ 4,000.00	\$ 4,000.00
3.3	Factory Insulated 100mm HDPE DR11 Water Service to Building	20	Lm	\$ 1,000.00	\$ 20,000.00
Roads and Dra	ainage				
4.0	Removal of Pavement / Excavation and Disposal of Excess Waste / Place Select Native Backfill / Roadside Ditching Swales	190	m²	\$ 35.00	\$ 6,650.00
4.2	Import Sub-Base: 800mm, 80mm Minus Pit Run	120	m <sup>2</sup>	\$ 35.00	\$ 4,200.00
4.3	Import Base: 200mm, 20mm Minus Crushed Basecourse	130	m²	\$ 40.00	\$ 5,200.00
4.4	100mm Hot-Mix Asphalt (Local Batch Plant)	130	m²	\$ 175.00	\$ 22,750.00
Subtotal					\$ 143,330.00
Construction Engineering Services (10%)					\$ 14,333.00
Geotechnical Services (7%)				\$ 10,034.00	
		Total Class	'D' Cost	Estimate (±50%)	\$ 167,697.00

Figure 2. City of Dawson Class D Cost Estimate - 4" Water and Sewer Services Across Front Street

# vsp

Please do not hesitate to contact us if you have any questions or concerns.

Yours sincerely,

WSP

- Can

Prepared by: Germaine Cave, M.Sc.(Eng.), E.I.T.

Reviewed by: Brian Mowry, L.L.Eng. Manager, Municipal Engineering, Yukon

cc:

Mr. Brodie Klemm, projectmanager@cityofdawson.ca Mr. Jonathan Howe, pwmanager@cityofdawson.ca Mr. Brian Mowry, brian.mowry@wsp.com

WSP ref.: 221-04287-00

# **SLADES FIRE PROTECTION** SPRINKLERS INSTALLATIONS & INSPECTIONS

Mailing/Shipping Address: 68 Curry Drive Yellowknife, NT X1A 0G4

Telephone: (867) 873-8569

Email: sladesfirepro@gmail.com

Date	April 22, 2022
Project	BUDGET ONLY – Old CIBC Building by SS Keno
Address	Dawson City, YT
Company	City of Dawson City YT
Address	Dawson City YT
Attention	Brodie Klemm
Phone	867-993-7400
Estimator	Neil Slade
Work Included	Labor, material, engineering and expenses for a sprinkler system in the old CIBC building on Front Street. (Basement, main floor, second floor and attic) Fire extinguishers included in the budget. As per information provided by Brodie Klemm
Not Included	GST, wiring of equipment and components, work on incoming water service
Budget Price:	\$137,685.00 plus GST (one hundred and thirty-seven thousand six hundred and eighty-five dollars plus GST).





sion X For Council Direction

For Council Information

In Camera

AGENDA ITEM:	Investments – Reserve Accounts	
PREPARED BY:	Kim McMynn	Municipal Act Section 243 – Investments
DATE:	April 8, 2022	
RELEVANT BYLA Municipal Act	AWS / POLICY / LEGISLATION:	

#### **ISSUE / PURPOSE**

Administration would like direction from Council on issuing an RFP to obtain quotes for investing our Reserve Account balances.

#### BACKGOUND SUMMARY

The City of Dawson maintains reserve account balances in GIC's for specific purposes. The amount of funding in reserves is approximately \$5 M. The reserves are currently held in flexible annual GIC accounts with CIBC, but are earning low rates of interest. Upon review of investments held by other municipalities and discussions were several investment companies, Administration feels that the reserve balances should be placed into different funds in order to maximize the interest earned on these funds. The Municipal Act governs the types of investment that can be made.

#### **ANALYSIS / DISCUSSION**

This past year the interest rate earned on the GIC's has been between .3% and .4%. Since there was some uncertainty around the impact of Covid and the planning surrounding the Recreation Centre, flexible GIC's were used to maximize interest while maintaining the flexibility of accessing funds quickly if needed. With current planning and our estimates for capital expenditures for the next 10 years estimated, much of the uncertainty surrounding cash flow needs has been mitigated and longer-term investing can now be planned.

#### RECOMMENDATION

In order to maximize the interest earned on Reserve GIC's, Administration would like Council's approval to place a public tender for investment services for the City's Reserve funds.

NAME:	C Bellmore	SIGNATURE:
DATE:	04-20-2022	(H.Bellmore)

# Report to Council



For Council
Decision

X For Council Direction

x For Council Information

In Camera

AGENDA ITEM:	New Recreation Centre Facility Update		
PREPARED BY:	Paul Robitaille, Parks and Recreation Manager	<ul> <li>Background Information – Dawson City Recreation Centre</li> </ul>	
DATE:	April 23, 2022	- Dawson City Recreation Centre	
RELEVANT BYLAW	/s / policy / legislation:	Project Plan	

RECOMMENDATION

That council accept the following information report and give direction to administration to move to next steps in planning process for New Recreation Centre outlined in the Dawson City Recreation Centre Project Plan.

### ISSUE / PURPOSE

Give council background information on new recreation centre project. Consultations and research that has been undertaken; decisions that have been made; and discuss next steps in process.

### BACKGOUND SUMMARY

See attached document *Background – Dawson City Recreation Centre* outlining documents created and decisions made relative to this project.

ANALYSIS / DISCUSSION

Dawson City Recreation Centre Project Plan establishes the next steps and potential timelines relative to this project.

APPROVAL					
NAME:	C Bellmore	SIGNATURE:			
DATE:	23-04-2022	(H.Bellmore)			

Background Information – Dawson City Recreation Centre Prepared by: Paul Robitaille, Parks and Recreation Manager, City of Dawson

The following is a summary and background information on the work undertaken over the last 5 years relative to the construction of a new recreation centre in Dawson City, Yukon.

The documents mentioned below are available for review upon request.

# 2000-2017- Construction of the Art and Margaret Fry Recreation Centre and years of challenges

Since its construction in 2000, the Art and Margaret Fry Recreation Centre has been an unfinished building. This was mainly due to mismanagement of funds, and improper construction. It was designed to be a multi-sport facility, built in phases to address the needs of the community, however this vision never came to fruition. Since 2000, it has operated, mainly as a hockey and curling facility, with unfinished components left unusable by the public. It also became apparent following the opening of the building that there were concerns with its structural integrity of the building as a result of improper construction and melting permafrost. As a result of these concerns, the building has been scrutinized by the community, as well as City of Dawson administration and Council. The building underwent numerous engineering assessments, potential re-design consultations, and innumerable infrastructure upgrades have been implemented to shore up the building. This scrutiny also fuelled the discussion on whether a new recreation centre should be built, or if the Art and Margaret Fry Recreation Centre could be rehabilitated to become the multi-sport facility it was envisioned to be. In October 2017, Council directed administration to hire a consultant to determine the best course of action to reach the goal of a proper multi-sport facility.

<u>2017- AMFRC Future Direction: Rehabilitation vs. New Facility (C17-29)</u> Document prepared by City of Dawson Project Manager to determine whether the City should invest in the existing facility, if so how much and over what timeframe, or does the City invest in a new facility and how much.

- Outcome
  - Document: AMFRC Rehabilitation vs. New Construction (November 27, 2017)
    - New facility chosen as best option moving forward
  - (Resolutions C17-29-12 & C17-29-13): Council indicates their preference for the design and construction of a new recreation

centre of a scope, location and size to be determined.

# 2018 - (Meetings CW18-22, CW18-22):

Council and Administration determined the Scope for Terms of Reference relative to a Facility Pre-Planning Contract

- Outcome:
  - Administration tasked to find consultant to create Pre-Planning Document

# 2018-2019- Pre-Planning Consultation

(Meetings/Resolutions: CW18-22, CW18-26, C19-03. C19-05-10, June 12 Workshop, C19-23-15)

In 2018, Council and Administration determined the Scope for Terms of Reference for a Facility Pre-Planning Tender and Contract. Stantec Architects were then hired by the City of Dawson to determine the vision for a new recreation facility and look at five potential building sites. Based on this work, the document recommended that the Dome Road and The Gold Rush Campground be further investigated for further study and gave guiding principles to be used by future consultants based on a council workshop on June 12, 2019.

- Outcomes:
  - Document: Dawson City Recreation Facility Pre-Planning Report (November 13, 2019)
    - Sites narrowed from five potential sites to two.
    - Scope of building narrowed
  - (Resolution C19-23-15): Council accept the Dawson City Recreation Facility Pre-Planning Report and direct administration to proceed with the next phase of planning a new recreation facility in Dawson.

# 2019-2020- Project Management Team Created

Relative Meetings/Resolutions: C20-02-29

A project management team was created to manage the planning and implementation of this project. The team comprised of City of Dawson Administration (CAO, Parks and Recreation Manager) and Yukon Government Infrastructure Branch Representatives. Based on the scale and work involved in the building of a new recreation facility, the City of Dawson Administration recommended that a third-party project manager be hired Colliers Project Leaders to ensure project stayed on proper timelines and adhered to standard infrastructure development practices.

# 2020 - Project & Communication Plan Created

(Meetings/Resolutions: C20-05-08, C20-15-10, C20-17-04) The Project Management Team created two documents (*The Project Plan & Communication Plan*) to assist in the management of this project and assist consultants in the decision and communication process desired by the City of Dawson on this project.

# Outcomes:

- o Document: Project Plan (April 9, 2020)
  - Describes the objectives and the process by which the project will be managed.
  - (Resolution C20-05-08): Council discussed, approved and extended contract with Colliers Project Leaders
- o Document: DCRC Communication Plan (September 22, 2020)
  - Outlines the necessary communications to achieve understanding and engagement of all stakeholders throughout the Project lifecycle

# 2020- Republic Architecture Hired

(Meetings/Resolutions: C20-06)

The scope for a tender was discussed, tendered and awarded to Republic Architecture to oversee the next steps in the project relative to engaging and consulting with Administration, Council and the Community to create a Functional Space Program and Feasibility Study.

# 2020-2021: Functional Space Program

(Meetings: Council Workshop – August 20, 2020)

Document created to summarize the wants and needs for a new recreation centre. Republic Architecture met with City of Dawson Administration, Council, Yukon Government and Colliers Project Leaders on August 20, 2020 to identify functional needs for the space, described how they envisioned the building to function for our community.

- Outcomes:
  - o Document: Functional Space Program (August 31, 2020)

 Act as a living document that would give direction in the development of three schematic options for two sites (Dome Road & Gold Rush Campground) as part of the Feasibility Study and Community Engagement portion of this project.

# 2020-2021 Recreation Centre Engagement Plan & Delivery

(Meetings/Resolutions: CW20-18)

Community Engagement was undertaken based on the *Community Engagement Plan.* Surveys and feedback were collected utilizing in-person engagement sessions, web and mail surveys, and user-group meetings. Participants were asked to assist in prioritizing spaces to include in rec centre, choose a preferred location and general design (Option 1, Option 2 or Option 3)

- Outcomes:
  - Feedback compiled to inform and develop Functional Space
     Program and Feasibility Study. Results for engagement can be
     found in Feasibility Study Appendix I.
  - o Document: Community Engagement Plan (October 8, 2020)

### <u>2020-2021: Site Evaluations – Geo-Technical Reviews, Phase I & II Environmental</u> <u>Assessments at Gold Rush Campground and Dome Road</u> (Meetings/Resolutions: )

Throughout this time, multiple Geo-Technical Reviews, and Environmental Assessments were undertaken by Engineering Firms to ensure proper information was gathered on the ground stability, mineral content, and proposed foundation development of both potential sites (Gold Rush & Dome Road). This information was shared with Project Management Team, Council and Republic Architecture to assist in the planning and decision making on this project.

- Outcomes:
  - o Documents:
    - Phase II Environmental Site Assessment 1207 Fifth Avenue
    - Phase II Environmental Site Assessment at Lot 1059
    - Technical Memo 1207 Fifth Avenue Dawson City, Yukon Summary of Contaminated Sites Findings
    - Preliminary Geotechnical Evaluation Technical Summary Proposed Recreation Center Sites – Dawson City, Yukon
    - Determination of Local Background Metal Concentrations in Soil, Dome Road/Slinky Mine Area, Dawson City, Yukon

• Work completed determined that construction was possible at both locations and suggested a variety of methods to build foundations at both locations. Certain constraints and risks were associated with both locations.

# 2020-2021: Feasibility Study

(Meetings/Resolutions: C21-13-18)

The most comprehensive document to date, aimed to: Present regulations that may affect the design; Study the physical and cultural context of the building; Explore the two sites: Dome Road and Gold Rush Campground; Provide three functional programs of varying scales for each potential site; Test fit the three functional programs on each site, for a total of six design options; Recommend appropriate structural, mechanical, electrical, civil, and communications designs; Perform energy analysis on the six base options, and two other energy targets for each option for a total of eighteen energy models; Present the feasibility of the six proposed options; Present the report to the community and council to obtain feedback; Provide a recommendation of which option presents best value.

- Outcomes:
  - o Document: Feasibility Study (May 7, 2021)
  - Site selected and administration directed to continue to next steps in planning of centre
    - (Resolution C19-23-15): Council direct administration to determine the next steps in pursuing the design, funding and development of a new recreation centre, to be located at Dome Road (Lot 1059 QUAD 116 B/3) and provide recommended plan of action to Council.

# 2021: Joint TH/CoD Letter to Yukon Government

In March 2021, Tr'ondëk Hwëchin and City of Dawson Councils sent a joint letter to the Minister of Community Services requesting a clarification on funding commitment from Yukon Government towards this project.

- <u>Outcome</u>
  - o Document: Letter to

<u>2021: Rec Centre Project Advancement</u> (Meetings/Resolutions: C21-13-08, CW21-19-09) Firm direction was still required to proceed with planning on this project. The Project Management Team tasked Colliers Project Leaders to create Rec Centre Project Advancement Memo, to highlight the proposed next steps for the New Recreation Centre in Dawson City. This document was discussed at Council and the resolution below was created.

- Outcomes:
  - o Document: Rec Centre Project Advancement Memo (July 23, 2021)
  - Dome Road Site Chosen and Option 1 identified as preferred option to pursue.
    - (Resolution C21-13-08): Council direct administration to determine the next steps in pursuing the design, funding and development of a new recreation centre, to be located at Dome Road (Lot 1059 QUAD 116 B/3) and provide recommended plan of action to Council.
    - (Resolution CW21-19-09): Forward to Council:
      - 1) Selection of amenities identified in Option 1 Dome Road Site from the Republic Architecture Final Feasibility Study Report
      - 2) Direct administration to finalize reserve funds available for this project for internal contribution, and
      - 3) Direct administration to set a meeting with Council and Yukon Government Minister of Community Services.

# <u>Next Steps</u>

The next steps are well outlined in the Memorandum mentioned above, however, additional discussion have occurred between Yukon Government Infrastructure Branch and City of Dawson Administration during the past winter. Recently, a document entitled *Dawson Rec Centre Project Plan* was sent for review to the City of Dawson. It has been provided to Council to informational purposes.

COUNCIL DECISIONS Item Date	Council Meeti	ing Item	Purpose		Outcomes	Notes
1 11/27/2017	C17-29	RFD RE Future Direction AMFRC Rehabilitate vs NEW	Council make decision on rehabilitating current facility or building new facility	C17-29-12	Moved by Councillor Johnson, seconded by Mayor Potoroka that council indicates their preference for the design and construction of a new recreation centre of a scope, location and size to be determined.	
2 7/10/2018	CW18-22	RFD Recreation Centre Planning	Administration requested direction on Recreation Centre Planning	C17-29-13	Moved by Councillor Kendrick, seconded by Councillor Johnson that the resolution be amended to add the word "location" after the word, "scope" Motion Carried 5-0 Main Mation Carried 5-0 Schedule Meeting to Discuss Scope of Planning	5
3 9/13/2018 4 2/11/2019 5 3/11/2019	CW18-26 C19-03 C19-05	IN CAMERA - New Recreation Centre Intial Planning Meeting RFD: Recreation Centre Planning RFD Recreation Centre Pre-design Planning	Set Terms of Reference for Pre-Planning Contract IN CAMERA DISCUSSION - Contracting Pre-Planning and Site Analysis to Stantec Direct award the Pre-Planning and Site Analysis for a new recreation centre to Stantec Architecture Ltd	C19-05-10	Terms of Reference Created Moved to C19-05 Moved by Deputy Mayor Shore, seconded by Councillor Johnson that council waive the procurement methodology that require quotations for transactions greater than \$20,000 and direct award the Pre-Planning for a new recreation centre to Stantec Architecture Ltd. For \$31,472.12 (plus GST) as per the submitted quote. Motion Carried 3-0	I
6 6/12/2019		Council Workshop - Visioning Workshop	Council was asked 'what they like and don't like' about the existing facility. They were also asked 'what recreation facilities they have visited that they really like, what are some projects you are most proud of and what are the non-negotiable elements/criteria that the new facility must include and how it must perform'.		Notes included in Pre-Planning Report	
6 11/13/2019	Document	Pre-Planning Report Delivery - STANTEC	Review City of Dawson vision for a new recreation facility and look at five potential building sites.		Council established the Vision and Guiding Principles for this project	
7 11/20/2019	C19-23	RFD: Recreation Centre Facility Planning RE: Draft Plan		C19-23-15	Council selected the bottom of the Dome Road and the Gold Rush Campground for further study Moved by Councillor Shore, seconded by Mayor Potoroka that Council accept the Dawson City Recreation Facility Pre-Planning Report	1
8	C20-02	IN CAMERA: Contract Award: Colliers New Recreation Centre Project Management	In Camera Discussion	C20-02-29	and direct administration to proceed with the next phase of planning a new recreation facility in Dawson. Motion Carried 4-0 Moved by Mayor Potoroka, seconded by Councillor Johnson that committee of the whole revert to an open session of council to proceed with the agenda. Motion Carried 4-0	

9	C20-05	Information Report RE: Dawson City Recreation Plan & Timeline		C20-05-08	Moved by Mayor Potoroka, seconded by Councillor Johnson that council accept Project Plan - Dawson City Recreation Centre as information. Motion Carried 5-0	Council noted concern with the geotech investigation being based on a desktop study. The CAO confirmed to obtain an update regarding the geotech work. Council suggested traffic considerations and properly identifying how the community uses the facility be considered during site selection.
10	C20-06	IN CAMERA - Request for Direction RE: Dawson City Recreation Centre				
11	C20-15	Functional Program Scope RFD- Recreation Centre Project Management Contract-Extension		C20-15-10	Moved by Councillor Johnson, seconded by Mayor Potoroka that council direct administration to extend the contract for Colliers Project Leaders for Project Management Services for a new recreation centre increasing the upset limit by \$18,000 (plus GST).	
12	C20-17	Dawson City Recreation Centre Communications Plan		C20-17-04	Motion Carried 5-0 Moved by Mayor Potoroka, seconded by Councillor Shore that Council move to Committee of the Whole for the purposes of discussing the Dawson City Recreation Plan. Motion Carried 5-0	
12 9/22/2020		Communications Plan	This Communications Plan outlines the necessary communications to achieve understanding and engagement of all stakeholders throughout the Project lifecycle.			
13	CW20-18	RFD-Recreation Centre Engagement Plan		CW20-18-08	Moved by Councillor Kendrick, seconded by Mayor Potoroka that Committee of the Whole receives the Dawson City Recreation Center Engagement Strategy Draft and provides comments to the final Draft. Carried 5-0	
13	C21-13	Rec Centre Location		C21-13-08	Moved by Councillor Shore, seconded by Councillor Johnson that Council direct administration to determine the next steps in pursuing the design, funding and development of a new recreation centre, to be located at Dome Road (Lot 1059 QUAD 116 B(3) and provide recommended plan of action to Council. Motion Carried 4-1	
14	CW21-19	Recreation Centre Project – Next Steps		CW21-19-09	Moved by Councillor Johnson, seconded by Mayor Potoroka that Committee of the Whole consider the proposed next steps for project advancement for the new Recreation Centre and forward to Council: 1) Selection of amenities identified in Option 1 Dome Road Site from the Republic Architecture Final Feasibility Study Report 2) Direct administration to finalize reserve funds available for this project for internal contribution, and 3) Direct administration to set a meeting with Council and Yukon Government Minister of Community Services to discuss the steps forward for this project as presented. Carried 5-0	
	C	Rec Centre Location		C21-13-08	Moved by Councillor Shore, seconded by Councillor Johnson that Council direct administration to determine the next steps in pursuing the design, funding and development of a new recreation centre, to be located at Dome Road (Lot 1059 QUAD 116 B/3) and provide recommended plan of action to Council. Motion Carried 4-1	

IMP	IMPORTANT DOCUMENTS					
1	11/13/2019	Pre-Planning Document	Review City of Dawson vision for a new recreation facility and look at five potential building sites.			
2	9/22/2020	Communications Plan	<ul> <li>Structure of Communications Strategy, Implementation and Client expectations.</li> <li>Project team roles, responsibilities and the decision-making process.</li> <li>An overview of key Project priorities which require both change management and risk</li> </ul>			
	10/8/2020	Community Engagement	management considerations. - Allow community members to voice their preferences. - Gain insight into what community groups/members intend use the recreation centre and how they will use it.			
	8/31/2020	Functional Space Program	Determine facility uses and offer 3 different options for both potential sites for rec centre			
	4/9/2020 9/23/2020 9/8/2020 11/17/2020	Geo Technical Reviews Project Plan Risk Register Phase II Environmental Site Assessments, Dome Road Phase II Environmental Site Assessment	<ul> <li>The objectives of the Project (the WHY) and;</li> <li>The process by which the project will be managed (the HOW).</li> <li>Determine risks and possibles responses</li> <li>Address Recommendations from Phase I and Limited Phase II</li> </ul>			
	3/1/2021	1207 Fifth Avenue Joint City of Dawson / TH Letter to YG - Minister of Community Services	Confirm funding for project			
	4/30/2021	Phase II Environmental Site Assessments, Dome Road	summary of the key findings presented in the Phase II Environmental Site Assessment (ESA)			
	5/4/2021	Technical Memo - 1207 Fifth Ave (Gold Rush Campground)	summary of the key findings presented in the Phase II Environmental Site Assessment (ESA)			
	5/7/2021	Fesability Study	This feasibility study will: • Present regulations that may affect the design; • Study the physical and cultural context of the building; • Explore the two sites: Dome Road and Gold Rush; • Provide three functional programs of varying scales; • Test fit the three functional programs on each site, for a total of six design options; • Recommend appropriate structural, mechanical, electrical, civil, and communications designs; • Perform energy analysis on the six base options, and two other energy targets for each option for a total of eighteen energy model; • Present the feasibility of the six proposed options; • Present the report to the community and council to obtain feedback; • Provide a recommendation of which option presents best value.			
	7/23/2021 4/12/2022 4/22/2022	Memo- Next Steps Letter from YG - Infrastructure Branch Dawson Recreation Centre Project Plan	Proposed Next Steps in Project Management Confirm approval to move to next steps in project Potential schedule for next steps and deliverables in project			





# **Dawson Recreation Centre Project Plan**

### ONGOING PROJECT MANAGEMENT

- Develop consultation and engagement plan for working with TH. Community Development Agreement may be required.
- Provide updates to CoD every 2 weeks with project progress.
- Develop Communications Strategy with CoD for key times to communicate to the public.

# SCHEMATIC DESIGN (May- September 2022)

- IDB to hire from SOA (reduce procurement time and opportunity to work with same consultant as feasibility study).
- Complete additional data gathering: survey, geotech,
- Review existing background data (including previously completed: geotech, ESAs, HRIA, etc.)
- Refine design of facility components and programming
- Complete Preliminary Design Drawings and reporting
- Class C cost estimate (including capital and O&M, completed by quantity surveyor)
- Community engagement (only if requested by the City. This could be more targeted work with specific user groups, or just an update to the community).
- Include review of rec facilities that are working well in the North (Mayo? Examples in NWT?)
- Include consideration for pre-eng components and engage pre-eng. specialist.
- Detailed review of servicing requirements.
- Energy modelling.
- Presentation to CoD Council and Council to approve Preliminary Design.

### ENVIRONMENTAL APPROVALS (May 2022- January 2023)

- YESAB may be required. Engage consultant at the beginning of schematic design phase. Application to be submitted at the end of Schematic Design.
- Estimate 4 months once project proposal is submitted to YESAB.

- Review if Fisheries or Water Board approvals required.

## FUNDING APPLICATIONS AND APPROVALS (October 2022- January 2023)

- Federal and YG funding approvals required
- Development of Service Agreement between CoD and YG. CoD to confirm if IDB to continue to manage project through detailed design and construction.

### PUBLIC PROCUREMENT FOR DETAILED DESIGN (November 2022- January 2023)

- RFP to hire detailed design consultant, construction admin and site inspection.

### DETAILED DESIGN (January 2023- June 2023)\*

- Once complete, CoD to approve moving forward with construction.

### CONSTRUCTION TENDER and AWARD (July 2023- September 2023)\*

### **CONSTRUCTION START (SPRING 2024)**

**\*Notes:** This is a best outlook schedule. Delays due to review and approval timelines, funding or environmental approvals, may occur.

Box 308 Dawson City, YT Y0B 1G0 PH: 867-993-7400 FAX: 867-993-7434 www.cityofdawson.ca



April 22, 2022

Dear Business Owner,

Every year the Association of Yukon Communities (AYC) hosts its Annual General Meeting in a different community. This year, on May 13-14 they will be hosting for the first time, in the City of Whitehorse.

This is a great opportunity for our community to be showcased to municipal elected officials from across our territory as well as various other delegates from governments to sponsors.

AYC assists communities in their endeavour to achieve and sustain strong and effective local government, thereby improving the quality of life for all of the people of the Territory. A part of the operation of the AYC is supported through fundraising efforts and each year at the AGM they hold a silent and live auction.

We would like to extend the opportunity to your business to participate in showcasing our community by providing a small donation to the auction. Your involvement would be met with our utmost appreciation.

If you wish to donate, please ensure you have clearly marked your business name/donators name so that we can be sure you are properly recognized and thanked at the event. For additional information, please see the enclosed poster.

We can't thank the business community enough for your ongoing support and we would like to express our sincere thanks and appreciation for your time and consideration.

Sincerely, Mayor and Council





March 21, 2022

Mayor William Kendrick City of Dawson PO Box 308 Dawson City, Yukon Y0B 1G0 mayor@cityofdawson.ca

**VIA EMAIL** 

#### Re: Dawson Lagoon Project

Dear Mayor Kendrick,

I am writing to request that the City of Dawson provide direction on how the Dawson Lagoon project will be managed.

The construction of a lagoon will assist Dawson as it regains responsibility for operation and control of your essential municipal wastewater infrastructure.

To continue moving forward on the project, Yukon government requires the City of Dawson to determine how the project will be managed through the remaining planning, design and construction. Defining this role will allow the project to move forward effectively.

There are two options for managing the project.

1) City of Dawson manages the project.

If the City of Dawson chooses this approach, Community Services will ensure all technical information gathered to-date is shared with Dawson, and can continue to provide technical advice through the project. YG will provide funding support for initial project planning. YG will also secure the necessary federal funding from the Investing in Canada Infrastructure Program (ICIP) for construction and provide the required 25% contribution (pending legislative approval). Transfer Payment Agreements will be utilized to enable funding to flow to the City of Dawson. The City of Dawson will manage all the contracts for the project.

2) Community Services manages the project on behalf of the City of Dawson. If the City of Dawson chooses this approach, Community Services will manage the project through construction, and the completed infrastructure will be transferred to the City of Dawson once completed. There will be regular consultation and further decision points with the City of Dawson as the project advances.

Both project management options will be detailed in a Service Agreement to be signed by the City of Dawson and Yukon government. The Service Agreement will ensure clarity on the roles and responsibilities of Yukon government and the City of Dawson at each stage of the project. Once you have selected your preferred project management approach, Community Services staff will finalize the appropriate Service Agreement with City of Dawson officials.

We look forward to supporting Dawson through the upcoming phases of this important project.

Sincerely.

Richard Mostyn Minister of Community Services





For Council Decision X For Council Direction

For Council Information

In Camera

AGENDA ITEM:	Official Community Plan and Zoning Bylaw 2021 Annual Review		
PREPARED BY:	Stephanie Pawluk, PDM	ATTACHMENTS: 1. Draft Bylaw 2021-14 (OCP Amendment	
DATE:	April 20, 2022	No. 4) 2. Draft Bylaw 2021-15 (ZBL Amendment	
RELEVANT BYLAWS / POLICY / LEGISLATION: Municipal Act Official Community Plan Zoning Bylaw		<ul> <li>2. Drait Bylaw 2021-13 (2BL Amendment No. 14)</li> <li>3. Email correspondence 'RE YHSI Info Request'</li> </ul>	

#### RECOMMENDATION

It is respectfully recommended that Committee of the Whole provide direction and forward Amendment Bylaws 2021-14 and 2021-15 to Council for Second Reading.

#### **ISSUE / PURPOSE**

The Official Community Plan (OCP) is required to be reviewed on an ongoing basis, specifically in October each year. The Zoning Bylaw (ZBL) is reviewed annually in tandem. This review was initiated in September 2021.

#### **BACKGOUND SUMMARY**

First Reading occurred on December 8, 2021 and a Public Hearing passed on February 9, 2021.

Text highlighted in yellow are pieces that Administration wishes to highlight to Council. This report contains section that were not covered at the Committee of the Whole on March 16, 2022.

#### **ANALYSIS / DISCUSSION**

#### Zoning Bylaw Amendments

#### 1. Add a definition for 'REGISTERED HISTORIC STRUCTURE': means a building or structure that is listed in the Yukon Historic Sites Inventory or has been designated by Council as a Municipal Historic Site.

At the March 16 COW Meeting, concern was raised regarding the Yukon Historic Sites Inventory (YHSI) and its contents. In order to address this concern, Administration undertook further research on what qualifies a structure to be listed in the YHSI. Attached is email correspondence with the Historic Sites Planner from Yukon Government's Tourism and Culture Department, titled 'RE YHSI Info Request'. In the attached correspondence, the process for adding a structure to the Inventory is made clear. Though any structure older than 50 years old is eligible for addition to the Inventory, one of six methods is used for ensuring the validity of a claimed historic resource (see attachment).

For the following reasons, the proposed definition has been retained in the ZBL Amendment No.14 Bylaw:

- Given that the City's inventory of Municipal Historic Sites is not comprehensive, and that the designation process is lengthy, Administration believes that it is unreasonable to restrict a building's heritage standing to whether it has been designated as a Municipal Historic Site for the purposes of this bylaw.
- Including the YHSI in the definition for 'Registered Historic Structure' is far more encompassing than limiting the definition to Municipal Historic Site, which promotes the upkeep of heritage resources in the Historic Townsite. This definition is critical to specifying what classifies a historic

structure, especially for maintaining cohesion with #11 below. If no definition is established, there is nothing binding in the Bylaw to specify which structures are eligible to have their non-compliance waived, should the contents of #11 be approved (re: the proposed HAC variance process).

• Although the YHSI is not currently made public, Administration has access to the Inventory and is able to provide relevant information to owners of historic structures. This is how Administration has always provided information to property owners, Council and the HAC on YHSI listed structures.

Administration respectfully requests direction on whether changes are desired prior to 2nd reading.

2. S. 4.1.1.3 indicates that a security deposit is to be posted for demolition applications to ensure that the intended redevelopment occurs. Similarly, S. 6.2.I indicates that a security deposit is to be posted for building moves (this section has been added after First Reading). These sections do not indicate precisely *when* the security deposit is to be released. This has caused deposits to be released inconsistently. Administration requests that Council chose one of the following options to provide clarity.

The recommended options are: receipt of occupancy permit <u>or</u> receipt of occupancy *and* PDO confirmation of the completion of the development permit. Requiring both occupancy and PDO confirmation means:

- 1. the taxation threshold is met;
- 2. the structure has occupancy thus adding a liveable residential unit to the community housing stock;
- 3. the requirements of the development permit have been met (eg. HAC approved design, setbacks etc.).
- a. **Receipt of the occupancy permit**, where applicable (it is not always applicable in cases where the redevelopment is a park for example).
  - This option meets the goals of having a structure that will meet the taxation threshold, and ensuring the redevelopment is a usable, occupancy-level structure to provide much needed additional residential units to the community.
  - This is the recommended option.
- b. **PDO confirmation of the completion of the development permit** that was approved as per the redevelopment plan.
  - A site visit ensures that the permitted development occurred where it was permitted to occur (adequate setbacks) and that the design is consistent with what was approved. It does not ensure internal completion of the structure.
  - If the intent of the security deposit and re-development requirement is to have a structure that will meet the taxation threshold, then this meets the goal; however, if the goal is to have a usable, occupancy-level structure to provide much needed additional residential units to the community, then this does not meet the goal.
- c. Clad to weather building stage. This would require the addition of a definition for clad to weather.
  - Clad to weather is defined by YG in a land lotteries document: "the building is clad to the weather when it is sealed to the elements (wind, rain or snow). Siding can be Tyvek, plywood with corners sealed, etc. All soffits and fascia must be installed."
  - This is the lowest threshold as it would not be possible to assess the design at this stage, nor would it be a requirement for the building to have occupancy.
  - If the intent of the security deposit and re-development requirement is to have a structure that will meet the taxation threshold, then this meets the goal; however, if the goal is to have a usable, occupancy-level structure, then this does not meet the goal.

Administration respectfully requests direction on this matter.

3. Amend S.4.3.2.VI(f) and S.4.3.2.VI(g) (site plan requirements) to:

f) the location, size, type, and dimensions of all existing buildings and/or structures on the subject land, as well as the distance of the buildings and/or structures from the property lines and other structures.
g) the location, size, type, and dimensions of all proposed buildings and structures on the subject land, as well as the proposed distance of the buildings and/or structures from the property lines and other structures and other structures.

4. Add section to S.4.3.2 to enable administration to request stormwater management plan as part of Development Permit applications:

IX) "A stormwater management plan that includes:

- i) The location and description of where water flows and pools on the property
- ii) Description of how the water flow and pooling is/will be managed
- iii) Existing and/or proposed infrastructure to manage stormwater and snow such as culverts, drains, snow dams, gutters, etc.
- Insert the following clause to S.4.3.2:
   (X) photos of the parcel and buildings
- 6. Remove "under section 4.4.1" from s. 4.4.2: Development Permit Appeals as this is not how appeals have been implemented in practice. Referencing s. 4.4.1 means that applicants can only appeal the PDO's decision if the appeal is in regard to a development agreement, refusal on the basis of inadequate services such as water/sewer or outstanding taxes, permit conditions, or if a development permit is suspended or revoked. The City has been consistently offering applicants the opportunity to appeal permit decisions on any basis any time a permit is denied. The ZBL should be updated to accurately reflect this practice. Additionally, Administration proposes adding additional steps to s. 4.4.2 to clarify the process of appeals. This would be done in accordance with other appeals outlined in the *Municipal Act* including subdivision and Board of Variance appeals.

### 4.4.2 Development Permit Appeals

- An applicant aggrieved by the decision of the development officer under section 4.4.1 under S.4.4 'Decision Making', may appeal to Council within 30 days of the date of the decision.
- 2. Appeal applicants shall be limited to the original development permit applicant, landowner, and/or their designated representative.
- 3. All maps, plans, drawings, and written material that the applicant intends to rely on in support of the appeal must be filed at least 10 days before the day of the hearing.
- 4. Council shall within 60 days of receipt of an appeal under this section, allow, disallow, or allow the appeal with conditions.
- 5. The hearing of the appeal shall be public and Council must hear the appeal applicant or any person representing the appeal applicant
- 6. The decision of the council shall
  - I) be based on the facts and merits of the case;
  - II) be in writing and set forth the reasons; and
  - III) be personally delivered or mailed to the appeal applicant within 10 days of the date the decision was made.
- 7. A decision of Council under this Section is final and binding and there is no further appeal from it.

7. According to the Municipal Act, a public hearing is not required for subdivision approval. This requirement has been removed by the repealing of s. 5.1.4. Although Public Hearings are not required for subdivision, Public Notification is:

*M.A.* 319 (4) On receipt of an application for subdivision approval, the approving authority must give public notice of the application by a method determined appropriate by the approving authority. S.Y. 1998, c.19, s.319.

As such, s. 5.1.4 has been added as highlighted below. Practice at the City of Whitehorse is to post subdivision public notification to the City website and in a newspaper. Administration recommends switching to this practice plus posting to bulletin boards at the City and Post Office, instead of mail outs. Administration is seeking feedback from Council as the Approving Authority as to how subdivision public notification is to be given.

Additionally, administrative practice has not included the posting of physical signs to properties being considered for a subdivision. The posting of a physical sign is also not a requirement of the Municipal Act. As such, the posting of a physical sign (s. 5.1.6) has been repealed.

Remove S.5.1.4, 5.1.5, and 5.1.6 and replace with the following:

- 5.1.4 On receipt of an application for subdivision approval, public notification must be provided in a method approved by Council for two successive weeks.
  - i) Methods of public notification may include posting on the City website, in local newspapers, and/or on the City and Post Office Bulletin Boards.
- 8. The issue that the City of Dawson continuously faces in processing subdivision applications is that the ZBL has a black and white clause in each zone that requires the subject property to conform to the current ZBL in order to receive a subdivision. The current clause is believed to be unreasonably restrictive, as subdivisions may not occur on legally non-conforming properties. For example, properties that had developments erected prior to the enactment of this 2018 ZBL are unable to subdivide, consolidate, or adjust the boundaries of their property if the minimum parcel requirements (setbacks, parcel size, building height etc.) were different at the time they received a development permit and built. As per this clause, a subdivision cannot be approved even if it will improve (but not resolve) the noncompliance. This aligns with S. 5.1.1.1 "At the sole discretion of Council, parcels with a pre-existing legally non-conforming use or structure may be subdivided so long as the subdivision does not increase the legally non-conforming nature of the use or structure."

Amend the 'Zone Specific Regulations' section for each zone to the following:

- .1 On a parcel located in an area zoned \_\_\_\_\_
- i) no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or s. 5.1.3 applies
- ii) and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations.
  - Note: 5.1.3 only applies to zones inside the Historic Townsite. This is reflected in the Amendment Bylaw.
- 9. Amend s. 6.0.2 for clarity: "When a structure is being moved off of a lot within the historic townsite, the application must be accompanied by an approved redevelopment plan for the original lot, to the satisfaction of the development officer."

Add a clause to s. 7.1 to clarify the required setback distance between accessory buildings. Currently, s.
 7.1.2 outlines the required distance between principal and accessory buildings, but there is no indication of the required setback between accessory structures. For clarity, all building-to-building setbacks should be addressed.

Repeal and replace 7.1.2 with "accessory buildings and structures must be set back at least 3.05 m (10 ft.) from:

- a) any principal building, unless otherwise stated in the appropriate zone's 'Parcel Requirements' table.
- b) any accessory building, unless otherwise stated in the appropriate zone's 'Parcel Requirements' table.
- 11. Add to section 7.5 'Heritage' to create a process whereby Council or the Heritage Advisory Committee (HAC recommended) makes decisions on compliance concerns that arise through the development permitting process on registered historic structures. In the past, these kinds of situations were addressed by variance applications to the Board of Variance; however, this is technically inconsistent with the intention of variances, as outlined in the *Municipal Act*. As such, there is currently no process in place to approve major development permits (structural alterations) for registered historic structures that may have a noncompliant setback or may not meet the minimum square footage or height requirements. This results in owners of non-compliant registered historic structures not being able to (legally) upkeep and maintain the building, resulting is structural disrepair over time. This issue is in direct conflict with the City's mandate to protect registered historic structures.

It is important that not all exceptions from the requirements are granted for registered historic sites, as there are varying degrees and impacts of noncompliance and as such, there cannot be a one size fits all rule. This is why it is recommended that a board decision process be implemented as each situation is unique. It is not recommended that these decisions are made Administratively, as a public process ensures equitability and transparency.

This was discussed by the HAC at HAC meeting #22-04 and at the joint HAC/Council meeting on February 17, 2022. The Committee provided their full support for this amendment.

Proposed addition: S. 7.5.1 "If, through the development permitting process for a structural alteration, it is found that a registered historic structure is legally non-conforming, as per the *Municipal Act*, and does not meet the zone's minimum parcel requirements, the application is to may be forwarded to the Heritage Advisory Committee at the discretion of the Community Development Officer.

- I. At the sole discretion of the Heritage Advisory Committee, the legally non-conforming, noncompliant minimum parcel requirement(s) of the registered historic structure may be waived by resolution so long as:
  - a. the proposed development does not increase the legally non-conforming nature of the use or structure
  - b. The historic structure does not encroach on a neighboring property or right of way
  - c. The waiver does not injuriously affect the neighboring properties

Add the following public notification process under S.7.5 to ensure that the decision does not injuriously affect adjacent properties:

- .2 a development officer shall send a notice to adjacent landowners, who may be identified in the City tax assessment roll, advising them of the proposed waiver and providing an opportunity to submit comments prior to decision.
- For the purposes of this bylaw, adjacent landowners are those who are owners of land that is contiguous to a site.

- 12. Amend s. 9.2.5: "Except where cash in lieu is provided in accordance with City bylaws, the required off street parking and loading spaces shall be located on the same parcel as the building they serve or on a separate lot within 152.4 m (500 ft.) of the building and must be registered as an easement".
- 13. Add 'Child Care Centres' to Table 9-1 'REQUIRED OFF-STREET PARKING SPACES.' The City of Whitehorse's Zoning Bylaw #2012-20 requires 1 parking stall per 8 children for Child Care Centres. The same is recommended.

14.	Add the following to Table 10-1 (under Signs):
-----	------------------------------------------------

Signs	Maximum Size	Permitted Type
Painted fascia sign	No maximum size	Fixed

#### Amend 10.4 to:

"Signage, including lettering must be erected or applied in such a manner as to reflect heritage design guidelines and the heritage management plan if located in the historic townsite."

#### Amend S.10.5 to:

"Prior to erection or installation all fixed, free-standing, or projecting types of signs shall be approved by the development officer", as per HAC's request.

- 15. It has been observed that the 10-foot setback requirements between accessory buildings is perhaps no longer legislatively relevant nor best practice; therefore, it is proposed that a minimum of 2ft be required between non-dwelling to non-dwelling buildings and dwelling to non-dwelling buildings, and 10ft be required between dwelling-to-dwelling buildings. Here is a brief outline of how the 2ft setback requirement was determined:
  - The rationale behind minimizing the setback requirement between accessory buildings on a lot is to offer more flexibility.
  - It has been observed that many heritage structures in town do not have setbacks between them. As a result, a lack of flexibility in building-to-building setback distances on lots with heritage structures often leads to non-compliance, and therefore, no ability to obtain development permits. Therefore, applicants cannot upkeep or rehabilitate heritage structures. The new proposed HAC variance process will also address this.
  - Informed by the Building Inspector, according to the National Building Code, no required setbacks specifically are in place to regulate the distance between non-dwelling buildings. Additionally, there is no required setback between a dwelling to non-dwelling building – a minimum setback distance would only be required between two dwellings. Although setbacks could be 0ft, according to Code, 2ft was chosen for the following reasons:
    - o Hazard/fire reduction
    - Impacts on urban form and scale
    - More comprehensive research would be required to consider limiting the setback distance further
  - As an example, the City of Whitehorse's Zoning Bylaw #2012-20 requires accessory buildings to "not be located less than 1 m (3.3 ft) from the principal building" (s. 5.1.2.e), so long as they are not used as dwellings, unless otherwise specified in the zone.

This amendment was discussed at the joint Council and HAC meeting on February 17, 2022. HAC raised concerns regarding historic structures that might be injuriously affected by this decreased setback (snow load from adjacent buildings impacting the structural integrity of historic accessory structures); however, HAC concluded that this concern is outweighed by the benefits this increased setback flexibility allows for

the upkeep and protection of historic structures. Administration echoes the HAC's cautions of snow load impacts that this decreased setback could pose on historic structures and new-builds alike. The HAC also noted that decreased building-building setbacks are historically accurate, as it reflects the historic compact development pattern.

The 2ft setback only applies to R1 and R2 as all other zones specify different accessory structure setback requirements. As such, table amendments are required to the R1 and R2 zone minimum parcel requirements table. Amend R1 and R2 'Parcel Requirements' tables to the following to reflect this change:

			Column 1	Column 2	
Column 1	Column 2		Minimum floor area of primary dwelling unit	23.8 m2 (256 ft.2)	
Minimum parcel size Minimum parcel width	232.3 m² 7.6 m	(2,500 ft.') (25 ft.)	Minimum parcel size Minimum parcel width	464.5 m 15.24 m	(1,524 ft. (50 ft.)
Minimum setback of buildings from	3.05 m 1.52 m 0.61 m 0 m 3.05 m 1.5 m 3.05 m 0.61 m 0.61 m	(10 ft.) (5 ft.) (2 ft.) (10 ft.) (10 ft.) (5 ft.) (10 ft.) (2 ft.) (2 ft.)	Minimum parcer within         Minimum setback of buildings from         front parcel line         interior side parcel line         exterior side parcel line         rear parcel line         buildings         for a dwelling to dwelling         for a non-dwelling to non-	3.05 m 1.52 m 3.05 m 1.52 m 3.05 m 0.61 m 0.61 m	(10 ft.) (5 ft.) (10 ft.) (5 ft.) (10 ft.) (2 ft.) (2 ft.)
Maximum parcel coverage Minimum floor area of primary dwelling unit.	50% 23.8 m <sup>2</sup>	(256 ft. <sup>2</sup> )	dwelling Maximum height for		1 C 1 Y C
Maximum height for principal building ccessory building	10.67 m 6.10 m	(35 ft.) (20 ft.)	principal building     accessory building	10.67 m 6.10 m	(35 ft.) (20 ft.)

- 16. Edit typo in table 11-3 ('R2 Zone Minimum Parcel Requirements'). The minimum parcel size requirements should reflect the following in Column 2: 464.5m<sup>2</sup> / 5,000ft<sup>2</sup>
- 17. Administrative edit of table numbering in the R2 zone on p. 54.
- 18. Amend S.12.2.2.2 as follows: "The development regulations for the R1 Zone, not including R1 zone setbacks, shall apply to the development of single family detached dwellings".
  - This ensures that adequate building-to-building setbacks are maintained in the C2 zone, once the current 10ft minimum setback is reduced to 2ft in the R1 zone for dwelling to non-dwelling and non-dwelling to non-dwelling buildings and structures.
- 19. Amend s. 13.1.3.2.III as follows: residential security units must: "be constructed and operational after the construction of the principal building, unless the permitted use of the property does not require a principal building".
- 20. Administrative edit of s. 4.01 and 4.02 of Zoning Amendment Bylaw No. 6 (Bylaw #2019-17) due to incorrect numbering, as follows:

4.01 Section <u>14.2</u> 13.0 is hereby amended by adding a new section <u>14.2.4</u> 13.1.4 titled 'Special Modifications'.

4.02 Section <u>14.2.4</u> <u>13.1.4</u> is hereby amended by adding a new section as follows: a) Grant numbers: P 00748, P 00749, P 00750, P 07901, P 07992, P 07993, P 07994, P 08446, P 08861, P 08862, P 08981, P 10413, P 10414, P 10783, P 35904, P 35905 are temporarily zoned Industrial until November 4, 2030, as per Bylaw No. 2019-17.

- 21. Move 13.1.1.21 'residential security unit' to 13.1.2.4 Secondary uses in M1 zone.
- 22. Add a 'Secondary Use' section under S.14.1.1, and allow 'community recreation facility' as a Permitted Use to allow multipurpose spaces

- A community recreation facility inherently supports the intent under 14.1, however is not the primary intent of the zone.
- An example of this use is in the Minto Park facility. The City regularly utilizes the Minto Park building as a multipurpose space, with a food concession as well as classes and activities.
- 23. Administrative edit: move Table 14-1 below s.14.1.2.2
- 24. Add 'mixed use development' as a Permitted Use in S.14.2.1 (Institutional zone), to allow multipurpose spaces (eg. a mixed use building including a church, café, and childcare centre).
- 25. Add 'offices' as a Permitted Use in s.14.2.1 in the P2 (Institutional) zone. Given the purpose of the Institutional zone to provide government and health services, as well as libraries and museums, it makes sense to permit offices as a use.
- 26. Add 'eating and drinking establishment' to 'Secondary Uses' in S.14.2 to effectively meet the zone's goal of providing community facilities for use by the public, and to provide the opportunity to allow a greater range of mixed uses and services in the institutional zone.
  - The City regularly contracts eating and drinking establishments to operate in the Rec Centre.
- 27. S. 14.2.3.1 currently renders all P2 zoned parcels in the Historic Townsite as C1. Administration believes this clause should read "The regulations contained in Table 12-1 of this bylaw shall apply to all P2 parcels that are located within the historic townsite..." and has included this change in the amendment bylaw.
- 28. Repeal s. 17.5.6. Administrative practice has not included the posting of physical signs to properties being considered for a zoning amendment. The posting of a physical sign is not a requirement of the *Municipal Act* and Administrative resources could be better allocated.
- 29. Administrative numbering edit of s. A.1.4, A.2.4, A.3.2

APPROVAL		
NAME:	Cory Bellmore, CAO	SIGNATURE:
DATE:	23-04-2022	(L'Bellmore



Official Community Plan Amendment No. 5 Bylaw

#### Bylaw No. 2021-14

**WHEREAS** section 265 of the Municipal Act, RSY 2002, c. 154, and amendments thereto, provides that a council may pass bylaws for municipal purposes, and

**WHEREAS** section 278 of the Municipal Act, RSY 2002, c. 154, and amendments thereto, provides that a council must, within three years of formation or alteration of municipal boundaries, adopt or amend by bylaw an official community plan.

**WHEREAS** section 285 of the Municipal Act, RSY 2002, c. 154, and amendments thereto, provides that an official community plan may be amended, so long as the amendment is made in accordance with the same procedure established for adoption of an official community plan.

**THEREFORE**, pursuant to the provisions of the *Municipal Act* of the Yukon, the council of the City of Dawson, in open meeting assembled, **ENACT AS FOLLOWS**:

#### **PART I - INTERPRETATION**

#### 1.00 Short Title

This bylaw may be cited as the Official Community Plan Amendment No. 5 Bylaw

#### 2.00 Purpose

- 2.01 The purpose of this bylaw is to provide for:
  - (a) A series of text amendments
  - (b) A re-designation of lands from Institutional to Urban Residential and Mixed Use
  - (c) A re-designation of lands from Urban Residential to Institutional



Official Community Plan Amendment No. 5 Bylaw

Bylaw No. 2021-14

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Official Community Plan Amendment No. 5 Bylaw

#### Bylaw No. 2021-14

#### 3.00 Definitions

- 3.01 In this Bylaw:
  - (a) Unless expressly provided for elsewhere within this bylaw the provisions of the *Interpretations Act,* RSY 2002, c. 125, shall apply;
  - (b) "Amended Area" means the area shown in Appendix 1;
  - (c) "Bylaw Enforcement Officer" means a person employed by the City of Dawson to enforce bylaws;
  - (d) "CAO" means the Chief Administrative Officer for the City of Dawson;
  - (e) "City" means the City of Dawson;
  - (f) "Council" means the Council of the City of Dawson;

#### PART II - APPLICATION

#### 4.00 Amendments

- 4.01 Repeal S.6.3 and replace with: "Foster a vibrant and livable neighborhood character by developing and applying strategies to promote future development and adaptive reuse of under-used properties and derelict buildings, such as development incentives and disincentives".
- 4.02 Repeal S.7.2 and replace with: "Develop and apply strategies, such as incentivizing and disincentivizing, to promote owners of vacant land and underutilized parcels, particularly in the historic townsite, to either develop or sell their land".
- 4.03 Repeal S.12.2 and replace with: "Develop and maintain partnerships with Tr'ondëk Hwëch'in, Yukon Government, industry, and other nongovernment organizations to enhance and maintain recreational facilities".
- 4.04 This bylaw re-designates Lot 1183 QUAD 116B/03, Lots 1-4 + 8-15, Block 14, Government Reserve Addition, and Lot 4, 5, 8, 9 Block 15, Government Reserve Addition to Urban Residential (UR), as shown in Appendix 1.



Official Community Plan Amendment No. 5 Bylaw

Bylaw No. 2021-14

#### PART III – FORCE AND EFFECT

#### 5.00 Severability

5.01 If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder unless the court makes an order to the contrary.

#### 6.00 Enactment

6.01 This bylaw shall come into force on the day of the passing by Council of the third and final reading.

#### 7.00 Bylaw Readings

Readings	Date of Reading
FIRST	December 8, 2021
MINISTERIAL NOTICE	January 6, 2022
PUBLIC HEARING	February 9, 2022
SECOND	
MINISTERIAL APPROVAL	
THIRD and FINAL	

William Kendrick, Mayor

**Presiding Officer** 

Cory Bellmore, CAO
Chief Administrative Officer

Official Community Plan Amendment No. 5 Bylaw

Presiding Officer



Official Community Plan Amendment No. 5 Bylaw

Bylaw No. 2021-14

#### 8.00 Appendices







Zoning Bylaw Amendment No. 14 Bylaw

#### Bylaw No. 2021-15

**WHEREAS** section 265 of the Municipal Act, RSY 2002, c. 154, and amendments thereto, provides that a council may pass bylaws for municipal purposes, and

**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;

**THEREFORE**, pursuant to the provisions of the *Municipal Act* of the Yukon, the council of the City of Dawson, in open meeting assembled, **ENACT AS FOLLOWS**:

#### PART I - INTERPRETATION

#### 1.00 Short Title

This bylaw may be cited as the Zoning Bylaw Amendment No. 14 Bylaw

#### 2.00 **Purpose**

- 2.01 The purpose of this bylaw is to provide for:
  - (a) A re-zoning of Lot 1213 QUAD 116B/03 FP: Future Planning to C2: Commercial Mixed Use.
  - (b) A series of text amendments.



Zoning Bylaw Amendment No. 14 Bylaw

#### Bylaw No. 2021-15

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Zoning Bylaw Amendment No. 14 Bylaw

#### Bylaw No. 2021-15

#### 3.00 **Definitions**

- 3.01 In this Bylaw:
  - (a) Unless expressly provided for elsewhere within this bylaw the provisions of the *Interpretations Act,* RSY 2002, c. 125, shall apply;
  - (b) "city" means the City of Dawson;
  - (c) "council" means the Council of the City of Dawson;

#### PART II – APPLICATION

#### 4.00 Amendments

- 4.01 This bylaw amends Schedule B to re-zone Lot 1213 QUAD 116B/03 from FP: Future Planning to C2: Commercial Mixed Use, as shown in Appendix 1.
- 4.02 Repeal the EXHIBITION AND CONVENTION FACILITIES definition in S.2.2 and replace with the following: "EXHIBITION AND CONVENTION FACILITIES means a development that provides permanent facilities for meetings, seminars and conventions, product and trade fairs, circuses, and other exhibitions".
- 4.03 Repeal the GARDEN SUITE definition in S.2.2 and replace with the following: "GARDEN SUITE means a self-contained secondary dwelling unit that is within an accessory building, located on a lot where the principal use is either a single detached dwelling unit or a duplex and where both dwelling units are registered under the same land title, as shown in figure 2-3. A garden suite can be up to 100% of the floor area of the accessory building".
- 4.04 Insert the following definition to S.2.2: "HELIPORT means development used for the take-off and landing, sale, charter, or rental of helicopters together with maintenance services, and the sale of parts and accessories".
- 4.05 Insert the following definition to S.2.2: "REGISTERED HISTORIC STRUCTURE means a building or structure that is listed in the Yukon Historic Sites Inventory or has been designated by Council as a Municipal Historic Site".

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Zoning Bylaw Amendment No. 14 Bylaw

#### Bylaw No. 2021-15

- 4.06 Insert the following definition to S.2.2: "REGULAR MAINTENANCE AND REPAIR means routine building repairs, maintenance, including building levelling, or installations that do not alter the size of the building, involve the rearrangement or replacement of structural supporting elements, constitute structural alteration, or change the use or intensity of use of the land, building, or structure".
- 4.07 Insert the following definition to S.2.2: "SIGN, FIXED means a wall sign, fixed on the surface of a building".
- 4.08 Insert the following definition to S.2.2: "SIGN, FREE STANDING means a self-supporting sign permanently fixed to the ground and visibly separated from a building".
- 4.09 Insert the following definition to S. 2.2: "SIGN, PAINTED FASCIA means a wall sign painted directly on the surface of a building, visible to the street".
- 4.10 Insert the following definition to S. 2.2: "SIGN, PROJECTING means any self-supporting sign other than a wall sign which is attached to or projects more than 45cm from the face of a structure or building wall with no visible guywires, braces, or secondary supports".
- 4.11 Repeal the STRUCTURAL ALTERATION definition in S.2.2 and replace with the following: "STRUCTURAL ALERATION means any change to structural supporting elements of a structure including but not limited to foundations, exterior load-bearing walls, door and window openings, roof, and access/egress components (such as decks or porches). For the purposes of this bylaw, full removal of a structure or structural component and replacing it in its entirety constitutes structural alteration. Repairs, maintenance, including building levelling, or installations, that do not alter the size of the building or other structure or involve the rearrangement or replacement of structural supporting elements does not constitute structural alteration."
- 4.12 Insert the following clause to S. 4.1.1.3: "The security deposit is to be released upon receipt of the occupancy permit where applicable, and Development Officer confirmation of the completion of the development as per the approved development permit."
- 4.13 Repeal S. 4.2.1 and replace with the following: "regular maintenance and repair of any building or structure, provided it does not:
  - I) include structural alterations
  - II) change the use or intensity of use of the land, building, or structure
  - III) include external building envelope alterations within the Historic Townsite"

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Presiding Officer



Zoning Bylaw Amendment No. 14 Bylaw

#### Bylaw No. 2021-15

- 4.14 Repeal S. 4.2.2.
- 4.15 Repeal S.4.3.2.VI(f) and S.4.3.2.VI(g) and replace with:

"f) the location, size, type, and dimensions of all existing buildings and/or structures on the subject land, as well as the distance of the buildings and/or structures from the property lines and other structures.

g) the location, size, type, and dimensions of all proposed buildings and structures on the subject land, as well as the proposed distance of the buildings and/or structures from the property lines and other structures."

4.16 Insert the following to S.4.3.2:

"IX. A stormwater management plan that includes:

- a) The location and description of where water flows and pools on the property.
- b) Description of how the water flow and pooling is/will be managed.
- c) Existing and/or proposed infrastructure to manage stormwater and snow such as culverts, drains, snow dams, gutters, etc."
- 4.17 Insert the following clause to S.4.3.2:

"X. photos of the parcel and buildings."

- 4.18 Repeal S.4.4.2.1 and replace with: "An applicant aggrieved by the decision of the development officer under section 4.4 'Decision Making', may appeal to Council within 30 days of the date of the decision."
- 4.19 Repeal S.4.4.2.2 and replace with: "Appeal applicants shall be limited to the original development permit applicant, landowner, and/or their designated representative."
- 4.20 Repeal S.4.4.2.3
- 4.21 Insert the following clauses to S. 4.4.2 as follows:

"3. All maps, plans, drawings, and written material that the applicant intends to rely on in support of the appeal must be filed at least 10 days before the day of the hearing.



Zoning Bylaw Amendment No. 14 Bylaw

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4. Council shall within 60 days of receipt of an appeal under this section, allow, disallow, or allow the appeal with conditions.

- 5. The hearing of the appeal shall be public and Council must hear the appeal applicant or any person representing the appeal applicant.
- 6. The decision of Council shall:
  - I. be based on the facts and merits of the case;
  - II. be in writing and set forth the reasons; and
  - III. be personally delivered or mailed to the appeal applicant within 10 days of the date the decision was made.

7. A decision of Council under this section is final and binding and there is no further appeal from it."

- 4.22 Repeal S.5.1.4, 5.1.5, and S. 5.1.6.
- 4.23 Insert the following clause to S. 5.1:
  - 5.1.4 "On receipt of an application for subdivision approval, public notification must be provided in a method approved by Council for two successive weeks.
    - I. Methods of public notification may include posting on the City website, in local newspapers, and/or on the City and Post Office Bulletin Boards."
- 4.24 Amend S. 6.2 as follows: "When a structure is being moved off of a lot within the historic townsite, the application must be accompanied by an approved redevelopment plan for the original lot, to the satisfaction of the development officer.
  - I. When a structure is being moved off of a lot within the historic townsite, an acceptable security deposit of \$1.00 per square foot of the lot under consideration shall be posted upon issuance of a development permit for the move to ensure that the intended redevelopment proceeds."
- 4.25 Insert the following clause to S. 6.2: "The security deposit is to be released upon receipt of the occupancy permit where applicable, and Development Officer confirmation of the completion of the development as per the approved development permit."
- 4.26 Repeal S. 7.1.2 and replace with:
  - 7.1.2 "accessory buildings and structures must be set back at least 3.05 m (10 ft.) from:



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#### Bylaw No. 2021-15

- I. any principal building, unless otherwise stated in the appropriate zone's 'Parcel Requirements' table.
- II. any accessory building, unless otherwise stated in the appropriate zone's 'Parcel Requirements' table."
- 4.27 Insert the following clauses to S. 7.5:
  - 7.5.2 "If, through the development permitting process for a structural alteration, it is found that a registered historic structure is legally non-conforming, as per the *Municipal Act*, and does not meet the zone's minimum parcel requirements, the application may be forwarded to the Heritage Advisory Committee at the discretion of a Development Officer.
    - At the sole discretion of the Heritage Advisory Committee, the legally non-conforming, non-compliant minimum parcel requirement(s) of the registered historic structure may be waived so long as
      - a. the proposed development does not increase the legally non-conforming nature of the use or structure.
      - b. The historic structure does not encroach on a neighboring property or right of way.
      - c. The waiver does not injuriously affect the neighboring properties."
- 4.28 Insert the following clauses to S.7.5:
  - 7.5.3 "A Development Officer shall send a notice to adjacent landowners, who may be identified in the City tax assessment roll, advising them of the proposed waiver and providing an opportunity to submit comments prior to decision.
    - I. For the purposes of this bylaw, adjacent landowners are those who are owners of land that is contiguous to a site."
- 4.29 Repeal S. 8.8.3 and replace with the following: "only one secondary suite or garden suite is permitted per principal single detached dwelling".
- 4.30 Repeal S. 9.2.5 and replace with the following: "Except where cash in lieu is provided in accordance with City bylaws, the required off street parking and loading spaces shall be located on the same parcel as the building they serve or on a separate lot within 152.4 m (500 ft.) of the building and must be registered as an easement".

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- 4.31 Insert 'Child Care Centres' as a use to Table 9-1 'REQUIRED OFF-STREET PARKING SPACES', requiring 1 parking stall per 8 children.
- 4.32 Insert 'Painted fascia sign' to Table 10-1 'SIGN REGULATIONS', with no maximum size requirement, as shown in Appendix 2.
- 4.33 Repeal S. 10.0.4 and replace with the following: "Signage, including lettering must be erected or applied in such a manner as to reflect the *Heritage Design Guidelines* and the *Heritage Management Plan* if located in the historic townsite."
- 4.34 Repeal S. 10.0.5 and replace with the following: "Prior to erection or installation all fixed, free-standing, or projecting types of signs shall be approved by the development officer."
- 4.35 Repeal the clause under S.11.1.2 and replace with the following:
  - ".1 On a parcel located in an area zoned R1,
    - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or s. 5.1.3 applies
    - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in table 11-1, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations."
- 4.36 Insert the following clauses into Table 11-1, ('R1 Zone Minimum Parcel Requirements') under 'minimum setback of buildings from', as shown in Appendix 3:
  - Buildings
    - ➤ For a dwelling to dwelling (3.05m/10ft)
    - > For a dwelling to non-dwelling (0.61m/2ft)
    - > For a non-dwelling to non-dwelling (0.61m/2ft)
- 4.37 Repeal the clause under S.11.2.2 and replace with the following:
  - ".1 On a parcel located in an area zoned R2
    - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or s. 5.1.3 applies

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- II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations."
- 4.38 Repeal the minimum parcel size requirements in Table 11-3 ('R2 Zone Minimum Parcel Requirements') and replace with 464.5m<sup>2</sup> / 5,000ft<sup>2</sup> in Column 2.
- 4.39 Insert the following clauses into Table 11-3 ('R2 Zone Minimum Parcel Requirements') under 'minimum setback of buildings from', as shown in Appendix 4:
  - Buildings
    - > For a dwelling to dwelling (3.05m/10ft)
    - > For a dwelling to non-dwelling (0.61m/2ft)
    - > For a non-dwelling to non-dwelling (0.61m/2ft)
- 4.40 Repeal S.11.2.2 table title and replace with the following: 'TABLE 11-2: R2 ZONE MINIMUM PARCEL REQUIREMENTS'.
- 4.41 Repeal the clause under S.11.3.2 and replace with the following:
  - ".1 On a parcel located in an area zoned R3,
    - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I applies
    - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations."
- 4.42 Repeal the clause under S.12.1.2 and replace with the following:
  - ".1 On a parcel located in an area zoned C1,
    - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or s. 5.1.3 applies
    - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations."

4.43 Repeal S.12.2.2.1 and replace with the following:



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- ".1 On a parcel located in an area zoned C2,
  - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or S.5.1.3 applies
  - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations."
- 4.44 Repeal S.12.2.2.2 and replace with: "The development regulations for the R1 Zone, not including R1 zone parcel line setbacks, shall apply to the development of single family detached dwellings."
- 4.45 Insert 'heliport' in S. 13.1.1.
- 4.46 Remove 'residential security unit' from S.13.1.1 and add to Secondary Uses in S.13.1.2

### 4.47 Repeal S.13.1.3.1 and replace with:

- "13.1.3.1 On a parcel located in an area zoned M1,
  - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I applies
  - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations."
- 4.48 Repeal S.13.1.3.2.III and replace with the following: "be constructed and operational after the construction of the principal building, unless the permitted use of the property does not require a principal building".
- 4.49 Repeal S. 4.01 and 4.02 of Zoning Amendment Bylaw No. 6 (Bylaw #2019-17), and replace with the following:

"4.01 Section 13.0 is hereby amended by adding a new section 13.1.4 titled 'Special Modifications'.

4.02 Section 13.1.4 is hereby amended by adding a new section as follows: a) Grant numbers: P 00748, P 00749, P 00750, P 07901, P 07992, P 07993, P 07994, P 08446, P 08861, P 08862, P 08981, P 10413, P 10414, P 10783, P 35904, P 35905 are temporarily zoned Industrial until November 4, 2030, as per Bylaw No. 2019-17."



Zoning Bylaw Amendment No. 14 Bylaw

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- 4.50 Insert the following to S.14.1:
  - "14.1.2 'Secondary Use'
  - community recreation facility" .1
- 4.51 Repeal the clause under S.14.1.2 and replace with the following:
  - ".2 On a parcel located in an area zoned P1,
    - no plan of subdivision shall be approved in such a way that contravenes Ι. the regulations set out in the table below unless S. 5.1.1.1 or s. 5.1.3 applies
    - П. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations."
- Move 'TABLE 14-1: P1 ZONE MINIMUM PARCEL REQUIREMENTS' below S.14.1.2.2. 4.52
- 4.53 Insert 'mixed use development' in S.14.2.1
- 4.54 Insert 'offices' in S.14.2.1
- 4.55 Insert the following to S.14.2: "14.2.2 'Secondary Use' .1
  - 'eating and drinking establishment'"
- 4.56 Repeal the clause under S.14.2.2 (now S 14.2.3 as per the above amendment) and replace with the following:
  - ".1 On a parcel located in an area zoned P2,
    - L. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.1 or s. 5.1.3 applies
    - 11. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations."



Zoning Bylaw Amendment No. 14 Bylaw

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- 4.57 Repeal S.14.2.3.1 and replace with the following: "The regulations contained in Table 12-1 of this bylaw shall apply to all P2 parcels that are located within the historic townsite as shown on Schedule "D"."
- 4.58 Repeal the clause under S.15.1.2 and replace with:
  - ".1 On a parcel located in an area zoned A1,
    - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I applies
    - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations."
- 4.59 Repeal S. 17.5.6.
- 4.60 Administrative numbering edit of S. A.1.4, A.2.4, A.3.2

### PART III – FORCE AND EFFECT

#### 5.00 Severability

5.01 If any section, subsection, sentence, clause, or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder unless the court makes an order to the contrary.

#### 6.00 Enactment

6.01 This bylaw shall come into force on the day of the passing by Council of the third and final reading.

#### 7.00 Bylaw Readings

Readings	Date of Reading



Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

FIRST	December 8, 2021
PUBLIC HEARING	February 9, 2022
SECOND	
THIRD and FINAL	

William Kendrick, Mayor

**Presiding Officer** 

Cory Bellmore, CAO Chief Administrative Officer

Zoning Bylaw Amendment No. 14 Bylaw

CAO

Presiding Officer



Zoning Bylaw Amendment No. 14 Bylaw

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#### 8.00 Appendices

Appendix 1. Amendment to Schedule B



Appendix 2. Amendment to Table 10-1

Signs	Maximum Size	Permitted Type
Painted fascia sign	No maximum size	Fixed



Zoning Bylaw Amendment No. 14 Bylaw

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#### Appendix 3. Amendment to Table 11-1

#### TABLE 11-1 R1 ZONE MINIMUM PARCEL REQUIREMENTS

Column 1	Column 2	
Minimum parcel size	/inimum parcel size 232.3 m <sup>2</sup> (2,500 ft	
Minimum parcel width	7.6 m	(25 ft.)
Minimum setback of buildings from		
front parcel line	3.05 m	(10 ft.)
interior side parcel line		
for a dwelling	1.52 m	(5 ft.)
for a non-dwelling accessory building	0.61 m	(2 ft.)
for a duplex with a shared wall on property line	0 m	(0 ft.)
<ul> <li>exterior side parcel line</li> </ul>	3.05 m	(10 ft.)
rear parcel line	1.5 m	(5 ft.)
<ul> <li>buildings</li> </ul>		
for a dwelling to dwelling	3.05 m	(10 ft.)
for a dwelling to non-dwelling	0.61 m	(2 ft.)
for a non-dwelling to non-dwelling	0.61 m	(2 ft.)
Maximum parcel coverage	50%	
Minimum floor area of primary dwelling unit	23.8 m <sup>2</sup>	(256 ft. <sup>2</sup> )
Maximum height for		
<ul> <li>principal building</li> </ul>	10.67 m	(35 ft.)
<ul> <li>accessory building</li> </ul>	6.10 m	(20 ft.)

### Appendix 4. Amendment to Table 11-3

#### **- TABLE 11-3: R2 ZONE MINIMUM PARCEL REQUIREMENTS**

Column 1	Column 2	
Minimum floor area of primary dwelling unit	23.8 m2	(256 ft.2)
Minimum parcel size	464.5 m	(1,524 ft.)
Minimum parcel width	15.24 m	(50 ft.)
Minimum setback of buildings from		
<ul> <li>front parcel line</li> </ul>	3.05 m	(10 ft.)
<ul> <li>interior side parcel line</li> </ul>	1.52 m	(5 ft.)
<ul> <li>exterior side parcel line</li> </ul>	3.05 m	(10 ft.)
rear parcel line	1.52 m	(5 ft.)
<ul> <li>buildings</li> </ul>		
for a dwelling to dwelling	3.05 m	(10 ft.)
for a dwelling to non-dwelling	0.61 m	(2 ft.)
for a non-dwelling to non-	0.61m	(2 ft.)
dwelling		
Maximum height for		
<ul> <li>principal building</li> </ul>	10.67 m	(35 ft.)
accessory building	6.10 m	(20 ft.)

Zoning Bylaw Amendment No. 14 Bylaw

CAO

Presiding Officer

#### Hi Stephani,

I will provide the basics of how the YHSI functions and where it comes from. Rebecca is out of the office until Tuesday next week but may have something to add when she gets back.

The Yukon Historic Sites Inventory was created to address the Government of Yukon's responsibilities under the Umbrella Final Agreement, and the Yukon Environmental and Socio-economic Assessment Act. To meet these requirements an inventory of heritage resources and heritage sites needed to be kept. The along with the archaeological database managed by the Heritage Unit, the YHSI fulfills these requirements although it has many other functions.

An inventory is the most basic level of heritage understanding, it is simply to determine what heritage resources exist and monitor how they change over time. The inventory includes any and all buildings and sites which are over 50 years old. This is not a hard line however as often it is difficult to determine the exact age of a building or site. Exceptions may be made for buildings with high significance. Being included in the YHSI is not an automatic indication of heritage value. In contrast the City of Whitehorse has a heritage registry created to identify possible for designation. This list contains fewer Whitehorse sites than YHSI does and being included on the registry does assume a level of heritage significance. Beyond a register such as this there are of course sites designated at municipal, territorial, national levels which also indicate substantial heritage significance.

Because any site over 50 years is able to be added to the YHSI, sites are added in a number of ways.

- 1. A site was already known to Historic Sites prior to the creation of the inventory.
- 2. Historic Sites hires a consultant to research and document a particular site.
- 3. Historic Sites discovers or researches a new site and adds it through the inventory program.
- 4. A community or First Nation asks for a site's inclusion.
- 5. A member of the public brings a site to the attention of Historic Sites and asks for its inclusion in the inventory.
- 6. A new site is discovered through an HRIA during a YESAB submission.

The Historic Sites Unit manages the YHSI for the Government of Yukon and therefore is responsible for insuring the inventory is updated. However, information for updates comes from a variety of sources.

Regarding your question as to whether the YHSI is positive or negative I am a bit confused. Are you asking about the usefulness of YHSI itself? Or the advantages / disadvantages of a site being included in the inventory? I will briefly address both.

The YHSI functions as a baseline knowledge of historic sites in the Yukon. Without it YESAB reviews would take far longer to research heritage impacts of a project. Because most Yukon communities do not manage their own heritage registries the YHSI is also useful for community and land use planning. It also provides up to date data on Yukon heritage which is useful for historians and other researchers. Because it is (generally) up to date and covers the whole territory Historic Sites uses inclusion on the inventory as one criteria for the Historic Properties Assistance fund. Information in the YHSI is used to evaluate heritage value for site designation, informs conservation treatments of sites managed by Yukon government and provides information used for interpretation. A potential disadvantage of the YHSI for certain cases is that it is very broad in its scope and therefore generalizations regarding sites and their values is difficult.

Regarding the advantage or disadvantage of a site being included in the YHSI there are few downsides, however I will address a few common concerns below as well as benefits.

- Privacy The YHSI contains sensitive data from First Nations and property owners, therefore it is not publicly available. Historic Sites shares information on a case by case basis and can control what information a user is able to access. Paper files are also maintained.
- Property modification Being included on the inventory provides no legal protection to a site. Protection on public lands comes from the Historic Resources Act, but on private property the property owner can modify or demolish as they see fit (unless the site is designated either municipally or territorially or contains archaeological resources). It should be noted that communities may use the YHSI to make land use planning decisions, determine heritage management priorities, and create bylaws, but this is determined by the community not by virtue of being on the inventory.
- Being included on the inventory is necessary for a site to qualify for the Historic Properties Assistance fund.
- Included sites provide information which contributes to an understanding of Yukon's heritage for posterity.

I hope I have addressed all of your questions, if not, or if you need more clarification, please to not hesitate to ask.

Best,



#### Nansen Murray

Historic Sites Planner

Tourism and Culture | Historic Sites Unit

867-667-5949 | Nansen.Murray@yukon.ca

I acknowledge that I live & work in the Traditional Territories of many First Nations

From: PlanningAssist@cityofdawson.ca <PlanningAssist@cityofdawson.ca> Sent: Thursday, March 17, 2022 2:21 PM To: Rebecca.Jansen <Rebecca.Jansen@yukon.ca>; Nansen.Murray <Nansen.Murray@yukon.ca> Subject: YHSI Info Request





For Council Decision	Х	For Council Direction
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For Council Information

In Camera

AGENDA ITEM:	Reserves Fund Bylaw 22-XX	
PREPARED BY:	Kim McMynn	<ul> <li>ATTACHMENTS:</li> <li>Reserves Fund Bylaw 11-21 and 12-14</li> </ul>
DATE:	April 8, 2022	<ul> <li>Appendix A – Amendment No 1</li> </ul>
	WS / POLICY / LEGISLATION: 1-21 and 12-14	<ul> <li>DRAFT Reserves Fund Bylaw 2022-xx</li> <li>Reserves Balance from the 2020 Audited Financial Statements</li> <li>Procurement Policy - definitions</li> </ul>

#### **ISSUE / PURPOSE**

Administration would like the Committee of the Whole to provide feedback on the updated Reserve Bylaw 2022-xx and forward to Council for approval.

#### BACKGROUND SUMMARY

Under the Municipal Act section 244, Council may, by bylaw, establish one or more reserve funds in the name of the municipality. Section 244 (2) provides that a bylaw shall specify the purpose for which the reserve fund is established.

Over the years, the City has accumulated additional Administration reserve funds. This reserve is funded by annual contributions when budgets allow, and earns interest on the amount held in guaranteed investment certificates.

#### **ANALYSIS / DISCUSSION**

The current Reserve Bylaw is not consistent with the reserves that have been set up in the accounting system, and is not consistent with the reserve balances that appear in the annual audit. From investigation, it appears that Council has directed Administration to restrict funds, resulting in addition of reserve balances, without the additional amendment to the applicable bylaw.

In the Reserve Bylaw 11-21 and 12-14, the reserve categories provide for 18 separate reserve accounts. The audited financial statements contain 20 separate Reserve categories and the accounting system tracks 21 separate reserve balances. Investigation indicates that while some accounts were set up to restrict funds such as the carbon tax rebate, there was not clear direction provided to Administration on how the Reserves would continue to be funded, and what projects or expenditures the funds could be used for.

As well, it appears that some of the reserves were set up to separate funds from unrestricted funds. This provides a level of protection to prevent Administration from using for annual operating or capital budgets and are generally classified as restricted funds. Restricted funds are tied to legal agreements signed with the territorial or federal government and cannot be used for purposes other than those in the agreements. By their very nature, they are restricted from unauthorized use by Administration, and do not require a separate reserve account.

Upon review of the reserve accounts, some accounts are very similar in nature and to provide clarity, should be combined. The draft bylaw sets out 12 Reserve categories. No funds will be removed, but will be reallocated to other reserves.

Canada Building-Community Funds **CBCF** (formerly called Gas Tax) are restricted and are handled separately under the Finance policy. Going forward, excess funds will still be segregated from the General Operating account into interest bearing investments, but no longer be administered using the Reserves Fund Bylaw, but by following the guidelines under the Finance Policy.

The Development Reserve and the annual \$50,000 funds in the CMG for protective services are now part of the annual operating budget and no longer required. The balance in these Reserve funds have been transferred to like and similar reserves.

The funds that support the Reserve Fund balances should be segregated from the general operating bank account. There is no requirement to invest funds into separate accounts to match the balances in each Reserve account. In Administration's view, it is best to invest the funds in investments that match the estimated need of funds, maximizing the interest earned used instruments with differing maturity dates.

At the Committee of the Whole meeting held October 7, 2021 (CW21-26) members of Council considered preliminary changes and provided Administration some guidance. These suggestions have been incorporated in the attached document.

#### **RECOMMENTION:**

Administration recommends that Committee of the Whole forward the Reserve Fund Bylaw 2022-xx with suggested amendments and/or changes to Council for approval.

APPROVAL			
NAME:	Cory Bellmore, CAO	SIGNATURE:	
DATE:	04-20-2022	(HDellmore)	

#### TOWN OF THE CITY OF DAWSON

#### RESERVES FUND BYLAW #11-21 (consolidated with #12-14)

Being a bylaw to establish reserve accounts and to set out the purpose of each account and the method by which the accounts will be administered.

**WHEREAS** section 244 of the *Municipal Act* (2002) provides that Council may by bylaw establish one or more reserve funds in the name of the municipality; and

**WHEREAS** section 244 (2) of the *Municipal Act* (2002) provides that a bylaw to establish a reserve fund shall specify the purpose for which the reserve fund is established, whether or not the reserve fund is cash funded, the method of calculating contributions to the reserve fund, and the criteria and conditions governing withdrawals from the reserve fund;

**NOW THEREFORE** the Council for the Town of the City of Dawson, duly assembled in open meeting, does hereby ENACT AS FOLLOWS:

#### SHORT TITLE

1. This bylaw may be cited as the "Reserves Fund Bylaw".

#### **ESTABLISHMENT OF RESERVES**

2. The Town of the City of Dawson is hereby authorized to establish and maintain reserves for future expenditures as identified in Appendix "A" attached hereto and forming part of this bylaw.

#### **UTILIZATION OF RESERVE FUNDS**

- 3. The CAO shall include all anticipated reserve transfers in the City of Dawson's annual budget. These budgeted transfers shall be made upon the approval of the CAO.
- 4. Any reserve transfers not included in the annual budget shall require a resolution of Council approving the use of these funds.
- 5. Notwithstanding section 4, the CAO and SFO may (under their joint signatures) transfer funds to and from the General Administration Reserve for the purposes of earning interest on funds not immediately required for operational purposes or making funds required for budgeted operations available.
- 6. With the exception of the Parking, Load Capacity, and donated portion of the Heritage Fund, Council may, by resolution, reallocate monies from one reserve account to another.

### **REPEALS**

7. The following bylaws, and any amendments thereto, are hereby repealed:

BYLAW #	BYLAW NAME		DATE ENACTED
09-05	Heritage Fund Bylaw		October 6, 2009
241	Land Development		December 15 <sup>th</sup> , 1976
	Reserve Bylaw		
04-07	Capital Reserve Bylaw		February 17 <sup>th</sup> , 2004
98-03	Municipal Reserves		March 16, 1998
	Bylaw		

### **ENACTMENT**

8. This bylaw shall come into full force and effect upon final passing.

### READ A FIRST TIME THIS 23<sup>rd</sup> DAY OF November, 2011.

### READ A SECOND TIME THIS 14<sup>th</sup> DAY OF December, 2011.

### READ A THIRD AND FINAL TIME THIS 14<sup>th</sup> DAY OF December, 2011.

Originals signed by Peter Jenkins Mayor Originals signed by Jeff Renaud CAO

#### BYLAW 12-14 APPENDIX 'A"

NAME	FUNDING SOURCE/LEVELS	CASH FUNDED	PURPOSE, CRITERIA, CONDITIONS OF USE
Parking Reserve	From Developers who do not wish to construct off-street parking. This reserve shall hold a balance equal to the total funds received plus interest earned less amounts expended for the creation of parking spaces.	Yes	To track funds taken in by the City as cash in lieu of parking requirements and reserved for the future development of parking spaces in the City.
Load Capacity Reserve	From new developments placing increased load upon the water/sewer system. The balance of this reserve shall be the total of all funds received as load capacity charges plus interest earned less amounts expended for the enhancement of the water and sewer system.	Yes	To track funds taken in by the City of Dawson as a load capacity charge on new developments and which are to be used for the enhancement of the City's water and sewer system.
Heritage Fund Reserve	As directed by Council or as donated to by any person.	Yes	To assist with any of the following: -Restoration, enhancement or renovation of Municipal Historic Sites; -Acquisition of Municipal Historic Sites by the City of Dawson; - Provision of financial assistance to owners or lessees of Municipal Historic Sites for restoration, enhancement or renovation of the site; -Increasing public awareness of heritage resources and heritage management of the City; -Other heritage purposes as specified by resolution of Council.

Land Development Reserve	As directed by Council	Yes	<ul> <li>Funds from the Land Development Reserve may be expended for: <ul> <li>The acquisition of properties through the tax lien procedure;</li> <li>Engineering, surveying, town planning and other related studies for any proposed municipal development;</li> <li>Any development approved by Council such as building or upgrading of streets, roads, lanes, storm drains, water lines, sewer lines, water storage, sidewalks, parks, etc.</li> </ul> </li> </ul>
Capital Contingency Reserve	As directed by Council Target balance for this fund shall be \$500,000.	Yes	To provide funds for emergency purposes
Protective Services Reserve	As directed by Council	Yes	To set aside funds for the purpose of funding the Protective Services 10-year Equipment Replacement plan.
Computer Network Reserve	As directed by Council	Yes	To set aside funds for the purpose of purchasing computer software and hardware.
Public Works Equipment Replacement Reserve	As directed by Council	Yes	To set aside funds for the purpose of funding the Public Works 10-year Equipment Replacement plan.
Recreation Reserve	As directed by Council	Yes	To set aside funds for the purpose of funding the Recreation Department 10-year Equipment Replacement plan.
Water System Reserve	As directed by Council	Yes	To set aside funds to allow for repairs and/or enhancements to the water system.
Sewer System Reserve	As directed by Council	Yes	To set aside funds to allow for repairs and/or enhancements to the sewer system.
Cable Television Reserve	As directed by Council The target balance of this reserve shall be \$100,000.	Yes	To set aside funds for the purpose of being able to fund repair, replacement of , or upgrades to the Cable Television system.

"Appendix A" of Bylaw #12-14 being the Reserves Fund Amendment No. 1 Bylaw

Page 2 of 3

Winter Maintenance Reserve	As directed by Council	Yes	To set aside funds for the purpose of absorbing impact of major cost increases associated with unusual snow and/or ice conditions.
Gas Tax Reserve	The balance of this account shall be the total of all monies forwarded to the City of Dawson from the Gas Tax program and not yet expended on approved project(s).	Yes	To provide a reserve to allow for the accounting of Gas Tax funds received but not yet expensed on an eligible project.
Roads Reserve	As directed by Council	Yes	
General Administration Reserve	As directed by Council	Yes	To set aside funds for the purpose of accommodating un-budgeted expenditures as determined by Council. This fund may also be used as a short investment mechanism to earn interest on monies not immediately required for operations.
Waste Management Reserve	As directed by Council	Yes	To set aside funds for the purpose of undertaking work at the municipal landfill site or initiating programs associated with waste collection.
Recreation Complex Reserve	Annual contribution of an amount equal to the revenue generated by a 0.1% tax rate.	Yes	To accumulate funds to be used for the planning, siting, or construction of a new recreation complex.

"Appendix A" of Bylaw #12-14 being the Reserves Fund Amendment No. 1 Bylaw

Page 3 of 3

#### TOWN OF THE CITY OF DAWSON

#### **RESERVES FUND**

#### BYLAW #12-14

#### Being a bylaw to amend the Reserves Fund Bylaw #11-21.

**WHEREAS** section 244 of the *Municipal Act* (2002) provides that Council may by bylaw establish one or more reserve funds in the name of the municipality; and

**WHEREAS** section 244 (2) of the *Municipal Act* (2002) provides that a bylaw to establish a reserve fund shall specify the purpose for which the reserve fund is established, whether or not the reserve fund is cash funded, the method of calculating contributions to the reserve fund, and the criteria and conditions governing withdrawals from the reserve fund;

**WHEREAS** the Council of the Town of the City of Dawson passed Bylaw #11-21 being the Reserves Fund Bylaw; and

**WHEREAS** the Council of the Town of the City of Dawson is desirous of amending Bylaw #11-21 for the purpose of creating a Recreation Complex Reserve;

**NOW THEREFORE** the Council for the Town of the City of Dawson duly assembled in open meeting, does hereby ENACT AS FOLLOWS:

#### SHORT TITLE

1. This bylaw may be cited as the "Reserves Fund Amendment No. 1 Bylaw".

#### **AMENDMENT**

- 2. Appendix "A" contained in bylaw #11-21 is hereby repealed and is simultaneously replaced by Appendix "A" as attached to this bylaw.
- 3. Bylaw #12-12 being the 2012 Taxation Bylaw is hereby amended by deleting Section 7 in its entirety.

#### **ENACTMENT**

4. This bylaw shall come into full force and effect upon final passing.

#### READ A FIRST TIME THIS 25<sup>TH</sup> DAY OF APRIL, 2012. READ A SECOND TIME THIS 25<sup>TH</sup> DAY OF APRIL, 2012. READ A THIRD AND FINAL TIME THIS 9<sup>TH</sup> DAY OF May, 2012.

<u>Original signed by:</u> Peter Jenkins, Mayor

#### BYLAW 12-14 APPENDIX 'A"

NAME	FUNDING SOURCE/LEVELS	CASH FUNDED	PURPOSE, CRITERIA, CONDITIONS OF USE
Parking Reserve	From Developers who do not wish to construct off-street parking. This reserve shall hold a balance equal to the total funds received plus interest earned less amounts expended for the creation of parking spaces.	Yes	To track funds taken in by the City as cash in lieu of parking requirements and reserved for the future development of parking spaces in the City.
Load Capacity Reserve	From new developments placing increased load upon the water/sewer system. The balance of this reserve shall be the total of all funds received as load capacity charges plus interest earned less amounts expended for the enhancement of the water and sewer system.	Yes	To track funds taken in by the City of Dawson as a load capacity charge on new developments and which are to be used for the enhancement of the City's water and sewer system.
Heritage Fund Reserve	As directed by Council or as donated to by any person.	Yes	To assist with any of the following: -Restoration, enhancement or renovation of Municipal Historic Sites; -Acquisition of Municipal Historic Sites by the City of Dawson; - Provision of financial assistance to owners or lessees of Municipal Historic Sites for restoration, enhancement or renovation of the site; -Increasing public awareness of heritage resources and heritage management of the City; -Other heritage purposes as specified by resolution of Council.

Land Development Reserve	As directed by Council	Yes	<ul> <li>Funds from the Land Development Reserve may be expended for: <ul> <li>The acquisition of properties through the tax lien procedure;</li> <li>Engineering, surveying, town planning and other related studies for any proposed municipal development;</li> <li>Any development approved by Council such as building or upgrading of streets, roads, lanes, storm drains, water lines, sewer lines, water storage, sidewalks, parks, etc.</li> </ul> </li> </ul>
Capital Contingency Reserve	As directed by Council Target balance for this fund shall be \$500,000.	Yes	To provide funds for emergency purposes
Protective Services Reserve	As directed by Council	Yes	To set aside funds for the purpose of funding the Protective Services 10-year Equipment Replacement plan.
Computer Network Reserve	As directed by Council	Yes	To set aside funds for the purpose of purchasing computer software and hardware.
Public Works Equipment Replacement Reserve	As directed by Council	Yes	To set aside funds for the purpose of funding the Public Works 10-year Equipment Replacement plan.
Recreation Reserve	As directed by Council	Yes	To set aside funds for the purpose of funding the Recreation Department 10-year Equipment Replacement plan.
Water System Reserve	As directed by Council	Yes	To set aside funds to allow for repairs and/or enhancements to the water system.
Sewer System Reserve	As directed by Council	Yes	To set aside funds to allow for repairs and/or enhancements to the sewer system.
Cable Television Reserve	As directed by Council The target balance of this reserve shall be \$100,000.	Yes	To set aside funds for the purpose of being able to fund repair, replacement of , or upgrades to the Cable Television system.

"Appendix A" of Bylaw #12-14 being the Reserves Fund Amendment No. 1 Bylaw

Page 2 of 3

Winter Maintenance Reserve	As directed by Council	Yes	To set aside funds for the purpose of absorbing impact of major cost increases associated with unusual snow and/or ice conditions.
Gas Tax Reserve	The balance of this account shall be the total of all monies forwarded to the City of Dawson from the Gas Tax program and not yet expended on approved project(s).	Yes	To provide a reserve to allow for the accounting of Gas Tax funds received but not yet expensed on an eligible project.
Roads Reserve	As directed by Council	Yes	
General Administration Reserve	As directed by Council	Yes	To set aside funds for the purpose of accommodating un-budgeted expenditures as determined by Council. This fund may also be used as a short investment mechanism to earn interest on monies not immediately required for operations.
Waste Management Reserve	As directed by Council	Yes	To set aside funds for the purpose of undertaking work at the municipal landfill site or initiating programs associated with waste collection.
Recreation Complex Reserve	Annual contribution of an amount equal to the revenue generated by a 0.1% tax rate.	Yes	To accumulate funds to be used for the planning, siting, or construction of a new recreation complex.

"Appendix A" of Bylaw #12-14 being the Reserves Fund Amendment No. 1 Bylaw

Page 3 of 3



Reserves Fund Bylaw

Bylaw No. 2022-XX

**WHEREAS** section 244 of the *Municipal Act* (2002) provides that Council may, by bylaw, establish one or more reserve funds in the name of the municipality; and

**WHEREAS** section 244 (2) of the *Municipal Act* (2002) provides that a bylaw to establish a reserve fund shall specify the purpose for which the reserve fund is established, whether or not the reserve fund is cash funded, the method of calculating contributions to the reserve fund, and the criteria and conditions governing withdrawals from the reserve fund;

**THEREFORE**, pursuant to the provisions of the *Municipal Act* of the Yukon, the council of the City of Dawson, in open meeting assembled, **ENACT AS FOLLOWS**:

### PART I - INTERPRETATION

- 1.00 Short Title
- 1.01 This bylaw may be cited as the *Reserves Fund Bylaw*.

#### 2.00 Purpose

2.01 The purpose of this bylaw is to establish reserve accounts and to set out the purpose of each account and the method by which the accounts will be administered.

#### 3.00 Definitions

- 3.01 In this Bylaw:
  - (a) Unless expressly provided for elsewhere within this bylaw the provisions of the *Interpretations Act (RSY 2002, c. 125)* shall apply;
  - (b) "city" means the City of Dawson;
  - (c) "council" means the council of the City of Dawson.

#### PART II – APPLICATION



Reserves Fund Bylaw

Bylaw No. 2022-xx

#### 4.00 Establishment of Reserves

4.01 The City is hereby authorized to establish and maintain reserves for future expenditures as identified in Appendix "A" attached hereto and forming part of this bylaw.

#### 5.00 Funding of Reserves

- 5.01 Each Reserve shall be funded in accordance with this Bylaw. All Reserves are to be fully funded within 30 days of the release of the annual audit.
- 5.02 All Reserves shall be held in a segregated account or investments. These funds may be held in a consolidated account, but must be accounted for in a manner that makes it possible at all times to determine the identity of each Reserve.
- 5.03 Money placed into the consolidated account to the credit of a particular Reserve shall not, except by bylaw, be expended, pledged or applied to a purpose other than that for which the Reserve was established.
- 5.04 A Reserve shall not accumulate funds in excess of any amount specified under the purpose of the Fund.

#### 6.00 Utilization of Reserve Funds

- 6.01 The SFO shall include all anticipated reserve transfers in the City's annual budget.
- 6.02 The SFO shall administer all Reserves and report each year to Council on the status of each reserve.
- 6.03 Council shall review the status of each Reserve and determine the adequacy of the Reserve annually.
- 6.04 Any reserve transfers not included in the annual budget shall require a resolution of Council approving the use of these funds.
- 6.05 Interest earned from all Reserves shall be credited to the general revenues of the City, except for the following Reserve Funds: Parking, Load Capacity, Water and Sewer, and Facilities.
- 6.06 With the exception of the donated portion of any Fund, Council may, by resolution, reallocate monies from one reserve account to another.



Reserves Fund Bylaw

Bylaw No. 2022-xx

### PART III – FORCE AND EFFECT

#### 700 Severability

7.01 If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder unless the court makes an order to the contrary.

#### 8.00 Bylaw Repealed

8.01 Bylaw 11-21 and 12-14, and amendments thereto, are hereby repealed.

#### 9.00 Enactment

9.01 This bylaw shall come into force on the day of the passing by council of the third and final reading.

#### 10.00 Bylaw Readings

Readings	Date of Reading
FIRST	
SECOND	
THIRD and FINAL	

William Kendrick, Mayor

**Presiding Officer** 

Cory Bellmore, CAO Chief Administrative Officer



**Reserves Fund Bylaw** 

Bylaw No. 2022-xx

### **APPENDIX 'A"**

#### Balances in red are as of audit Dec 31, 2020 (and/or comments) Blue denotes suggested wording

NAME	FUNDING SOURCE/LEVELS	CASH FUNDED	PURPOSE, CRITERIA, CONDITIONS OF USE
Parking Reserve \$28,230.65	From Developers who do not wish to construct off-street parking. This reserve shall hold a balance equal to the total funds received less amounts expended for the creation of parking spaces.	Yes	To track funds taken in by the City as cash in lieu of parking requirements and reserved for the future development of parking spaces in the City.
Load Capacity Reserve \$205,004.40	From new developments placing increased load upon the water/sewer system. The balance of this reserve shall be the total of all funds received as load capacity charges less amounts expended for the enhancement of the water and sewer system.	Yes	To track funds taken in by the City of Dawson as a load capacity charge on new developments and which are to be used for the enhancement of the City's water and sewer system.
Heritage Fund Reserve \$180,057.00	As directed by Council or as donated to by any person.	Yes	To assist with any of the following: -Restoration, enhancement or renovation of Municipal Historic Sites;



Reserves Fund Bylaw

Bylaw No. 2021-13

			-Acquisition of Municipal Historic Sites by the City of Dawson;
			- Provision of financial assistance to owners or lessees of Municipal Historic Sites for restoration, enhancement or renovation of the site;
			-Increasing public awareness of heritage resources and heritage management of the City;
			-Other heritage purposes as specified by resolution of Council.
Land Development Reserve	As directed by Council	Yes	Funds from the Land Development Reserve may be expended for:
\$115,571 and \$26,669 from Downtown Revitalization.		2	<ul> <li>The acquisition of properties through the tax lien procedure;</li> <li>Engineering, surveying, town planning and other related studies for any proposed municipal development;</li> <li>Any development approved by Council such as building or upgrading of streets, roads, lanes, storm drains, water lines, sewer lines, water storage, sidewalks, parks, etc.</li> </ul>
Contingency Reserve	As directed by Council	Yes	To provide funds for unbudgeted emergency purposes
\$546,250 (shows as Admin Reserve in audit)	Council		Currently over funded
	Target balance for this fund shall be \$500,000.		
Equipment Replacement Reserve \$162,868+ 104,243+286,572+130,571 +103,503+32,600 = \$787,757	As directed by Council	Yes	To set aside funds for the purpose of funding the City's 10-year Equipment Replacement plan.



### Reserves Fund Bylaw

Bylaw No. 2021-13

Water and Sewer System Reserve \$344,559.88 and \$767,423.78 (from sewer)	As directed by Council	Yes	To set aside funds to allow for repairs and/or enhancements to the water and sewer system.
Cable Television Reserve \$122,525.86	As directed by Council	Yes	To set aside funds for the purpose of being able to fund repair, replacement of, or upgrades to the Cable Television system. Over funded
	The target balance of this reserve shall be \$100,000.		
Road Maintenance Reserve \$175,476.66 and \$159,125.20 (from Roads Reserve)	As directed by Council	Yes	To set aside funds for the purpose of absorbing impact of major cost increases associated with unusual snow and/or ice conditions.
Waste Management Reserve \$174,592.75	As directed by Council	Yes	To set aside funds for the purpose of undertaking work at the municipal landfill site or initiating programs associated with waste collection and waste diversion.
Facilities Reserve \$1,393,252.42	Annual contribution of an amount equal to the revenue generated by a 0.1% tax rate plus interest earned.	Yes	To accumulate funds to be used for the planning, siting, or construction of new facilities.
Green Initiatives Reserve \$12,612.	Annual Carbon Tax payment	Yes	To set aside funds for the purpose of undertaking clean energy and/or green initiatives. Funds may be expended for Climate change projects undertaken by the City.

Reserves Balance from the 2020 Audited Financial Statements:

#### 9. RESERVES

	 2020	2019
Recreation - facility Sewer services Administration Water services Equipment replacement Load capacity Heritage Road maintenance Waste management Protective services Road replacement Recreation - capital Cable Future land development Administration equipment replacement Recreation - operating Council equipment replacement Parking Downtown Revitalization Green initiatives	\$ 2020 1,393,252 767,424 546,250 344,560 286,572 205,004 180,057 175,477 174,593 162,868 159,125 130,571 122,526 115,571 104,243 103,503 32,600 28,231 26,669 12,612	\$ 2019 1,223,844 757,717 462,417 340,202 266,931 202,411 177,779 173,257 172,384 101,567 157,112 121,992 120,976 114,110 96,151 102,194 32,188 27,874 26,332
	\$ 5,071,708	\$ 4,677,438

**Emergency** means a sudden, unexpected, or impending situation that may cause injury, loss of life, damage to the property and/or significant interference with the normal activities of the City and which, therefore, requires immediate attention and remedial action. This includes a situation which may endanger the health and/or safety of any City employee or member of the public; and/or a situation which may jeopardize City property and/or threaten the maintenance of essential City services.





For Council Decision X For Council Direction

For Council Information

In Camera

AGENDA ITEM:	Art Procurement Policy	
PREPARED BY:	Cory Bellmore	ATTACHMENTS: Draft – Art Procurement Policy #2022-01
DATE:	22-04-2022	
RELEVANT BYLAWS / POLICY / LEGISLATION: OCP Bylaw #2018-18		

#### RECOMMENDATION

It is respectfully recommended that Committee of the Whole provide feedback on this draft council policy.

#### **ISSUE / PURPOSE**

The City of Dawson recognizes that arts and culture is essential to the community's growth and good health. Policy 2021-04, Arts and Culture Policy was adopted in September 2021 to recognize the commitment the City of Dawson has to this vital sector of our community.

The Art Procurement Policy is designed specifically for the physical acquisition of art for display in public buildings and spaces. This is a commitment to investing in Arts and Culture and is endorsed in the Arts and Culture policy.

#### BACKGOUND SUMMARY

In preparation and discussion to the creation of a procurement policy, it was determined that support for cultural festivals and events as well as programming should remain separate from procurement of physical art.

This Art Procurement policy draft was at committee of the whole in 2020 but was put on hold during the drafting of the Arts and Culture Policy creation and this draft has since been updated to reflect the purpose and vision of the Arts and culture Policy.

#### ANALYSIS / DISCUSSION

City of Dawson's long term goals relating to culture in our OCP includes showcasing Tr'ondëk Hwëch'in heritage alongside our gold rush history as well as to be recognized as the cultural capital of the Yukon.

Implementation approaches include: Public Art

- May include permanent and temporary installations of statuary, murals, and other visual art displays,
- Should showcase the heritage of the Tr'ondëk Hwëch'in, the history of Dawson City, or local culture, and
- Should be completed or designated by local artists, or those with ties to the community.

APPROVAL				
NAME:	Cory Bellmore, CAO		100	
DATE:	22-04-2022	SIGNATURE:	Fellmore	



City of Dawson Art Procurement Policy # 2022-01

### POLICY STATEMENT

The City of Dawson is dedicated to enhancing Arts and Culture as an integral part of our community. The City of Dawson's goal is for a vibrant, dynamic arts and cultural community as identified in the municipal Sustainability Plan and Official Community Plan. The City of Dawson recognizes that arts and culture is an essential part of the community's growth and overall good health.

#### 1.00 Purpose

1.01 An Art Procurement Program will contribute to the appearance of our public buildings and spaces, and help provide education about the importance of arts and culture to our residents. The program will reflect the professional interests of visual arts in the town, serving as a means to publicly promote local talent and artistic accomplishments and contribute to the professional development and economic success of our local artists.

#### 2.00 Definitions

- 2.01 The following terms are used within this policy and are defined as follows:
  - a) "artwork" means a physical work of art installed in the public realm. These works of art may be installed within buildings, or outdoors on public lands.
  - b) "installed" means a piece of artwork that is fully prepared by the artist for public viewing with no assistance from City staff.
  - c) "program" means the City of Dawson Art Procurement Program as described in this policy.
  - d) "public space" means interior or exterior spaces frequented by the public, or within public view, and accessible to or visible by the public during normal business hours or longer.
  - e) "selection committee" means the appointed members who will review the submissions and make recommendations to Council for purchase.
  - f) "City" means the City of Dawson.

#### 3.00 Objective

- a) To support the growth of a vibrant arts and culture community and uphold the principles of the *Arts and Culture Policy #2021-01*;
- b) Enhance Public spaces with the presence of public art.

### Procedure

#### 4.00 Artist Eligibility

Artists will be eligible to participate in the Program provided that they meet the following criteria;

- a) Artists wishing to participate in the Program MUST have been a resident of Dawson for at least 12 consecutive months.
- b) Artist eligibility will not be reliant on an artist's professional status but rather on the artwork.
- c) No work by any members of the selection committee or their immediate family will be considered for purchase.

#### 5.00 Artwork Criteria

The suitability of the artwork for the Program will depend upon whether or not the artwork meets the following established criteria:

- a) The artwork should originate from the primary art market/artist where the artist maintains ownership of the work. Artwork from a secondary market, including artist's estates, will NOT be considered for the Program.
- b) Artwork presented for selection must be an original design. Reproductions or photographic reproductions of artwork will not be accepted under the Program.
- c) Creative works in any discipline will be eligible for selection, provided it is a two-dimensional or three-dimensional art form, is accessible to the public and is an original or limited edition which includes, but is not limited to:
  - i) Paintings and drawings, produced entirely by hand on any support or in any material (excluding industrial designs and manufactured articles decorated by hand);
  - ii) Original prints, posters and photographs, as the media for original creativity;
  - iii) Original artistic assemblages and montages in any material;
  - iv) Work of statutory art and sculpture in any material;
  - v) Works of applied art in such materials as glass, ceramics, metal, wood, etc.

- d) Illustrated and detailed proposals for artwork are only eligible for a sculpture piece. All other artwork submitted must be complete and available for procurement as of the date of submission.
- e) Submitted artwork must be sturdy, vandal resistant (if an outside piece) and low maintenance.

#### 6.00 Submission Guidelines

- a) Artists can submit a maximum of three (3) artworks for consideration, either in person and/or through a commercial representative of the Artist.
- b) Descriptive details of each work must be submitted, including the title, date completed, medium, dimensions and cost. Each submission must be on a separate form (Appendix A). There will be no limit on the date of creation of artwork submitted for the Program.
- c) Artwork proposals for outdoor sculptures must include specific details on potential placement, size, materials used and expected days to complete as well as instruction on any potential maintenance
- d) Artists may present prices for their work as installed or uninstalled. These prices should be clearly stated with each submission.

#### 7.00 Selection Committee Composition

- a) An Art Procurement selection committee will be appointed by Mayor and Council to oversee the selection of artworks. The committee will consist of one (1) arts professional from the School of Visual Arts (SOVA), two (2) representatives from the community at large and two (2) City of Dawson staff members.
- b) Committee members will be appointed in December on an bi- annual basis and will serve for a period of two (2) years.
- c) A schedule will be established for the selection of artwork by the committee.
- d) The decisions of the committee will be final.

#### 8.00 Selection process

The selection process for the Program will be administered in accordance with the clauses outlined below:

- a) A call for submissions will be announced in January of each year and will include the submission deadline in July, date of adjudication in September and date of the public meeting of Council in December at which the selected artworks will be announced.
- b) The following general selection criteria will be used in the selection of artworks. Each criteria will receive a weighting but the weighting will be determined on a project by project basis by the committee. For example, in certain circumstances the "Relevance of theme" may weight higher in one year over another.

Description	Indoor Pieces	Outdoor Pieces
Compliance with submission requirements and budget	40	40
Artistic Merit – imagination and innovation	20	20
Experience in delivering projects of similar scope	5	5
Feasibility of construction or installation (Indoor)	5	
Installed outdoor pieces		0
Relevance of theme and local content	25	25
Durability and ease of long term maintenance (indoor pieces)	5	
Durability and ease of long term maintenance (outdoor pieces)		10
Total Points	100	100

Example of Public Art Project Weighting

c) All submissions received will be available for public viewing from the date of adjudication until the announcement of selected works in December.

#### 9.00 Program Financing

- a) Minimum funding of \$3000.00 annually will be budgeted for the Art Procurement Program. This funding is subject to review by Council through the annual budgetary process.
- b) The committee may recommend that Council consider additional funding if a piece is thought to be particularly beneficial to the City's collection.

#### 10.00 Conditions of Purchase

- a) Purchase contracts between the artists and the City will include the use of artwork for display in a public place. These contracts will also include permission for the use of the images on the City's website for brief periods throughout the year in which the artwork is chosen.
- b) After the selection process, payment will be issued to the artist once the artwork has been received and all contracts have been signed.

#### 11.00 Display of Artwork

- a) With the exception of outside pieces, selected artwork will be displayed at City Hall for the first year of acquisition. Following that year, the piece may be relocated to another city owned building.
- b) The City will maintain the artwork for a lifespan that is reasonable for the piece.
- c) The City has the right and responsibility of deaccession of public art. All reasonable efforts shall be made to rectify problems or re-site artwork where appropriate. Reasons for de-accession include:
  - i. Endangerment to public safety
  - ii. Excessive repairs or maintenance, or repair is not feasible
  - iii. Public accessibility is no longer available
  - iv. Demolition of a structure incorporating public art or redevelopment of site incorporating public art
  - v. Expiry of lifespan

### Roll of Staff:

- 1. Ensure the proper maintenance of all existing artworks.
- 2. Determine suitable public places and spaces for the display of the artwork.
- 3. Develop a list of potential committee members.
- 4. Coordinate the Call for Submissions and assist the committee in arranging and scheduling the selection process.
- 5. Ensure that copyright, ownership, publication, exhibition and selection committee feedback are appropriately considered and fulfilled in accordance with any legal requirements

POLICY TITLE:	Art Procurement Program
POLICY #:	2021-01
EFFECTIVE DATE:	
ADOPTED BY COUNCIL ON:	
<b>RESOLUTION #</b> :	

Original signed by: