

# THE CITY OF DAWSON



## COMMITTEE OF THE WHOLE MEETING #CW21-06

**DATE:** WEDNESDAY March 3, 2021

**TIME:** 7:00 PM

**LOCATION:** City of Dawson Council Chambers – Safe Spacing rules apply

- 1. CALL TO ORDER**
- 2. ACCEPTANCE OF ADDENDUM & ADOPTION OF AGENDA**
- 3. PUBLIC HEARING**
  - a) Zoning Bylaw Amendment No. 8 (2020-08)
  - b) Zoning Bylaw Amendment No. 11 (2021-01)
- 4. MINUTES**
  - a) Committee of the Whole Meeting Minutes CW21-02 of February 3, 2021
  - b) Special Committee of the Whole Meeting Minutes CW21-03 of February 4, 2021
- 5. BUSINESS ARISING FROM MINUTES**
  - a) Committee of the Whole Meeting Minutes CW21-02 of February 3, 2021
  - b) Special Committee of the Whole Meeting Minutes CW21-03 of February 4, 2021
- 6. SPECIAL MEETING, COMMITTEE, AND DEPARTMENTAL REPORTS**
  - a) RFD- Lodder Request to Purchase
  - b) RFD- AYC Ani-Racism Resolution
  - c) RFD- Lot 33-2 Dome Road Driveway Easement
- 7. CORRESPONDENCE**
  - a) John Phelps, Chair, Yukon Police Council RE: Yukon Police Council Annual Report 2019-20
- 8. PUBLIC QUESTIONS**
- 9. IN CAMERA**
- 10. ADJOURNMENT**

# THE CITY OF DAWSON

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## NOTICE OF PUBLIC HEARING: ZONING BYLAW AMENDMENT

*Zoning Bylaw Amendment: #20-115*

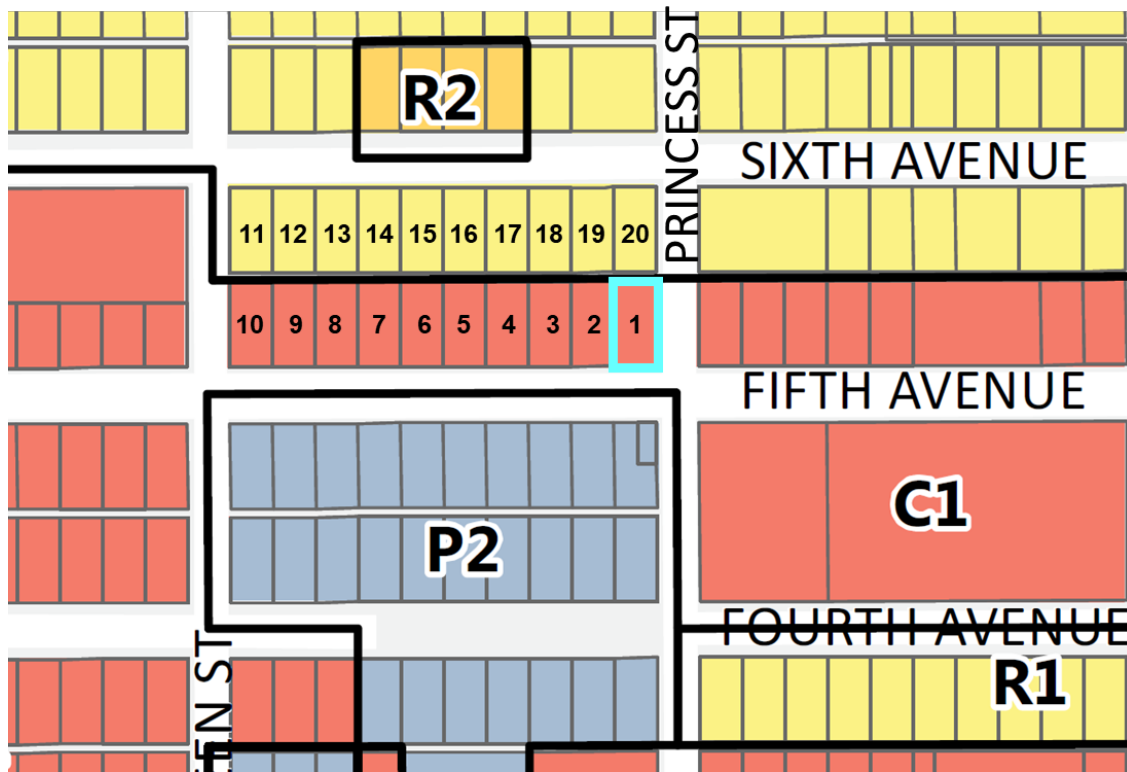
**Subject Property:** Lot 1 Block U Ladue Estate

**Date:** March 3<sup>rd</sup>, 2021

**Time:** 7:00pm

**Location:** Council Chambers, City Hall

**Listen to Public Hearing:** Radio CFYT 106.9 FM or cable channel #11



As per the Municipal Act, S. 294.1, upon receiving an application for a Zoning By-Law Amendment, council must give public notice of the application. Therefore, the City of Dawson is now requesting input from the public regarding a rezoning of Lot 1 Block U Ladue Estate from C1: Core Commercial to R1: Single Detached and Duplex Residential.

**For more information, to view the application details, or to provide your input prior to the public meeting, please contact the Community Development and Planning Officer or Planning Assistant using the following contact information:**

**Stephanie Pawluk**  
Community Development & Planning Officer  
Box 308, Dawson City YT Y0B1G0  
[cdo@cityofdawson.ca](mailto:cdo@cityofdawson.ca)  
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## NOTICE OF PUBLIC HEARING: ZONING BYLAW AMENDMENT

*Zoning Bylaw Amendment: 2021-01*

**Subject Property: All M1 (Industrial) Properties**

**Date: March 3, 2021**

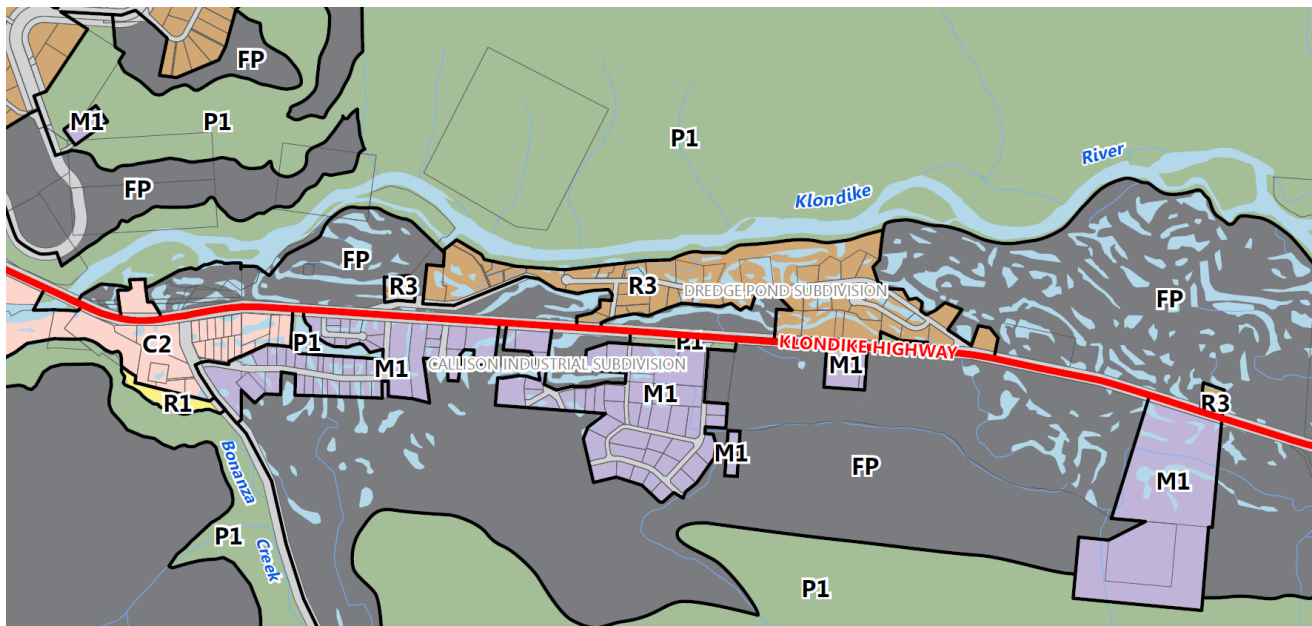
**Time: 7:00pm**

**Location: Council Chambers, Town Hall**

**Listen to Public Hearing: Radio CFYT 106.9 FM or cable channel #11**

As per the *Municipal Act*, S. 294.1, upon the initiation of a Zoning By-Law Amendment, council must hold a public hearing to hear and consider all submissions respecting the proposed amendment.

Therefore, the City of Dawson is now requesting input from the public regarding a Text Amendment to the Zoning Bylaw for properties in the M1 Zone to insert 'renewable energy system' as a permitted use.



**For more information or to provide your input prior to the public meeting, please contact the Community Development and Planning Officer or Planning Assistant using the following contact information:**

**Stephanie Pawluk**

Community Development & Planning Officer  
Box 308, Dawson City YT Y0B1G0  
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**MINUTES OF COMMITTEE OF WHOLE MEETING CW21-02** of the Council of the City of Dawson called for 7:00 PM on Wednesday, February 3, 2021, City of Dawson Council Chambers

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<b>PRESENT:</b>	Mayor	Wayne Potoroka
	Councillor	Stephen Johnson
	Councillor	Bill Kendrick
	Councillor	Natasha Ayoub
	Councillor	Molly Shore

**REGRETS:**

<b>ALSO PRESENT:</b>	CAO	Cory Bellmore
	EA	Elizabeth Grenon
	CDO	Stephanie Pawluk
	PWM	Gagan Sandhu

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**Agenda Item:** Call to Order

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The Chair, Wayne Potoroka called the meeting to order at 7:01 p.m.

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**Agenda Item:** Agenda

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**CW21-02-01** Moved by Mayor Potoroka, seconded by Councillor Ayoub that the agenda for Committee of the Whole meeting #CW21-02 be accepted as presented.  
Carried 5-0

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**Agenda Item:** Minutes

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a) Committee of Whole Meeting Minutes CW21-01 of January 13, 2021

**CW21-02-02** Moved by Councillor Kendrick, seconded by Councillor Ayoub that the minutes of Committee of the Whole meeting #CW21-01 of January 13, 2021 be accepted as presented.  
Carried 5-0

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**Agenda Item:** Business Arising from Minutes

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a) Committee of Whole Meeting Minutes CW21-01 of January 13, 2021

CW21-01-03: Council inquired if administration had found information on 12" culverts.- *Yes, it was looked into and in the past, 12" culverts were the standard size used under driveways on the Dome Road.*

Pg. 3 Public Questions- New Lagoon update: Council asked if administration had heard back from YG about the location and development of the new lagoon.- *No, haven't heard back from YG on a timeline but administration has met with Tr'ondëk Hwëch'in about their participation with the Lagoon project.*

CW21-01-07- Infrastructure Priorities: Council asked if administration had sent a response to YG- *Yes, we didn't send an updated list we just informed them that we are reviewing it and would get back to them.*

Pg. 3 Public Questions- School Portables: Council pointed out that the answer given to Mr. Davidson may have been incorrect. At the January 13<sup>th</sup> COW meeting, there were HAC minutes that showed there was a Development Permit and Demo Permit for school portables. If Mr.

Davidson was still interested in seeing those, he can view the HAC minutes as they are public documents.

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

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a) RFD- Water Metering

**CW21-02-03** Moved by Councillor Kendrick, seconded by Councillor Johnson that Committee of the Whole provide feedback on the Draft Water Metering Program Summary Report.  
Carried 5-0

Council felt that there was a disconnect between the report recommendations and the Public Works Managers' Analysis and Discussion of the RFD. Section 4.1 of report talks about consulting with City staff and locating the meter downstream of the bleeder; however, the RFD says upstream of the bleeder.- *There may have been some misinterpretation between the consultants and City staff because Section 4.1 was already discussed with the consultants. That section will be amended to reflect the City's original recommendations (pre-bleeder).*

Council asked how the bleeder water could be controlled.- *Standard bleeder reduction rate based on an ideal volume of +/- 1 litre/sec bleeder rate, during the months a bleeder is on. Lots of options, fixed charge plus consumption charge plus the more you consume the more you pay. Bleeder education while meter is being installed.*

How are people going to control the amount of water they bleed? - *Eventually, the orifice will erode and create a larger opening; therefore, causing more water to bleed. Part of the bleeder education will be to give the customer information on the need for yearly maintenance, etc.*

Council inquired why it was initially recommended to have the meter post- bleeder? - *Because the consultant thought the City didn't want a complicated billing system.*

Council pointed out that the part in Section 1.2 that talks about previous meters not being installed due to public concerns about how meters would be read and how customers would be billed, is untrue.

Council asked what they would be buying and what the rollout plan is. They also asked if an RFP for the procurement of water meters and roll out plan will be presented to Council for approval before going out.- *Before an RFP goes out, Council will need to decide on the preferred material type, technology of the meter and technology of the meter reader. Whatever is decided will go into the RFP and be presented to Council before it goes out.*

Council noted that Sections 1.3, 3.1 and 3.3 mention the word(s) residential or resident. Council thought that the purpose of metering was to reduce customer per capita water use not just residential. This wording may imply that the focus is residential and doesn't include commercial, etc.

In the paragraph Figure 4.1 of the Memo-Water Rates Review document, it states that it would cost approximately \$20,000 per year to cover the costs of collecting water meter data for billing purposes. So, wouldn't Drive By/AMR cost less than Touch Read and wouldn't the Fixed Network/AMI cost less than Drive By/AMR? Council suggested having an estimate of the actual labour cost of all these systems.

Report from September 2020 doesn't reflect comments from Council.- *Comments were provided to consultant by administration. Consultants wanted to gather all comments from all reports and make changes together.*

Looking at Table 3.2, why didn't report point out the massive jump from 2019 that coincides with the new Water Treatment Plant opening, about a 20,000 cubic meter difference?- *There were more waterline breaks than normal when the new Water Treatment Plant came online. Administration is still collecting data and will give that information to the consultants and the reports will be updated to reflect the collected data.*

With the Drive By option, is there City staff right now that already do similar tasks and if this option were chosen it could be incorporated into their normal duties? *Administration hasn't fully discussed requiring another position to do that work so the thought is that it would get incorporated into a current position.*

Council asked what administrations' preference would be regarding the meter types. *Administration would prefer the Drive By option.*

How is the City paying for the Capital Costs associated with implementing the water meter program?- *Gas Taxes*

In the paragraph below Figure 4.1 on page 6 of the Memo-Water Rates Review document, it states that Dawson would like to generate \$800,000 in water revenues. What does the City currently collect in water revenues.- *\$800,000 is what we currently collect.*

Is the proposed schedule of Section 10.2 feasible?- *Schedule may be delayed by a month.*

**CW21-02-04** Moved by Councillor Kendrick, seconded by Councillor Johnson that Committee of the Whole forwards to Council approval for administration to retain Greenwood/Urban System to:

- develop a Request for Proposal (RFP) for the procurement of water meter supply/installation and non-touch meter reading program for the City of Dawson that includes that the meter location be upstream of the customers' bleeders, and
- assist with facilitating public education and engagement of the program to gain public buy-in and understanding.

Carried 5-0

Would Greenwood be able to bid on the RFP and is it an invitational RFP?- *No, Greenwood would not be able to bid and it will be an open RFP not invitational.*

b) RFD- Eliza Building (Chief Isaac)

**CW21-02-05** Moved by Councillor Kendrick, seconded by Councillor Ayoub that Committee of the Whole accept this report as information and forward the proposal to Council for approval. Carried 5-0

Council inquired how the meeting went with the proponent and why wood siding wasn't on the table?- *It went well. The proposal they submitted included 5 out of 6 resolutions to the Compliance Order. Wood cove siding was not required due to concerns from the proponent, i.e. cost, and environmental factors (wasted material). HAC & the CDO ultimately decided that wood cove siding not be a sticking point because it's not explicitly stated in the design guidelines that you can't have tin siding on a commercial building in the downtown core.*

c) IR- Dome Road Draft Engagement Materials

**CW21-02-06** Moved by Councillor Ayoub, seconded by Mayor Potoroka that Committee of the Whole review the draft engagement materials and provide comments to the planning committee. Carried 5-0

Council inquired if drill testing and environmental hazard assessments would be done on the areas. They also asked what the schedule was for the stability studies?- *Work was doubled up with the rec centre location project. Administration will get back to Council with that information.*

Given what the Vision statement says, Council felt that it shouldn't be a condition of success to have the area serviced by municipal water and sewer.

Council wanted it to be clear in the Engagement Sessions and in the materials that these ideas are just a starting point.

Council felt that "Attention: City of Dawson Landowner" from the letter in the engagement materials excluded young people who may not own property yet or even people who rent or lease property. They also wanted to make sure that the mailing list wasn't generated from just the assessment roll as people might get missed or residents outside of the municipal boundaries aren't included. A suggested change was "Community Member."

Council wanted Question 1 of the survey to allow people to choose multiple options not just one.

The maps on the poster are confusing and Council suggested using the Area A and Area D maps instead. They also noted that portions of the letters in "Vision, Opportunities, and Constraints" were missing or smudged out.

Council asked if the maps could show measurements or distances so people will get an idea of how big the areas are.- *That type of information will be provided at the public engagement sessions.*

Council asked where the name suggestions came from.- *The ideas were suggestions from the people who attended the Visioning Charette and then they voted on the suggestions.*

Council asked if Question 12 of the survey could be changed to remove the suggested names and just have people come up with their own ideas on what to name the area.

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**Agenda Item: Bylaws & Policies**

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a) Zoning Bylaw Amendment No. 11 (2021-01)

**CW21-02-07** Moved by Mayor Potoroka, seconded by Councillor Kendrick that Committee of the Whole forward Zoning Bylaw Amendment No. 11, #2021-01 to Council for Second Reading and direct administration to include the research request in the 2021 Zoning Bylaw housekeeping review. Carried 4-1

b) Zoning Bylaw Amendment No. 5 (2019-15)

**CW21-02-08** Moved by Councillor Shore, seconded by Councillor Ayoub that Committee of the Whole forward to Council Zoning Bylaw Amendment No. 5, #2019-15 for Third and Final Reading. Carried 4-1

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**Agenda Item: Correspondence**

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- CW21-02-09** Moved by Councillor Kendrick, seconded by Mayor Potoroka that Committee of the Whole acknowledges receipt of correspondence from:
- a) RCMP RE: Monthly Policing Report- December 2020
  - b) Metrix Group RE: City of Dawson 2020 Audit Plan
  - c) Leah Stone, Director of Transportation Aviation, Highways & Public Work RE: Public Airports Act Regulation review provided for informational purposes.
- Carried 5-0

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**Agenda Item: Public Questions**

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Dan Davidson-

Q: Do we know the number of people who have been vaccinated last week?

A: Yes but cannot say because YG wants to make that announcement.

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**Agenda Item: In Camera**

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- CW21-02-10** Moved by Mayor Potoroka, seconded by Councillor Shore that Committee of the Whole extend meeting #CW21-02 no longer than 1 hour.  
Carried 5-0
- CW21-02-11** Moved by Mayor Potoroka, seconded by Councillor Kendrick that Committee of the Whole move into a closed session for the purposes of discussing a land related matter as authorized by section 213 (3) of the *Municipal Act*.  
Carried 5-0
- CW21-02-12** Moved by Councillor Johnson, seconded by Mayor Potoroka that Committee of the Whole reverts to an open session of Committee of the Whole and proceeds with the agenda.  
Carried 5-0
- CW21-02-13** Moved by Councillor Johnson, seconded by Mayor Potoroka that Committee of the Whole select Option 1 of the RFD-Zoning Amendment Bylaw No. 8 and forward the issue to Council.  
Carried 5-0

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**Agenda Item: Adjournment**

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- CW21-02-14** Moved by Mayor Potoroka, seconded by Councillor Johnson that Committee of the Whole meeting CW21-02 be adjourned at 10:57 p.m. with the next regular meeting of Committee of the Whole being March 3, 2021.  
Carried 5-0

**THE MINUTES OF COMMITTEE OF WHOLE MEETING CW21-02 WERE APPROVED BY COMMITTEE OF WHOLE RESOLUTION #CW21-06-\_\_\_ AT COMMITTEE OF WHOLE MEETING CW21-06 OF MARCH 3, 2021.**

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Wayne Potoroka, Chair

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Cory Bellmore, CAO



**MINUTES OF SPECIAL COMMITTEE OF WHOLE MEETING CW21-03** of the Council of the City of Dawson called for 5:30 PM on Thursday, February 4, 2021, City of Dawson Council Chambers

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**PRESENT:** Mayor Wayne Potoroka  
Councillor Stephen Johnson  
Councillor Bill Kendrick  
Councillor Natasha Ayoub  
Councillor Molly Shore

**REGRETS:**

**ALSO PRESENT:** CAO Cory Bellmore  
EA Elizabeth Grenon  
CDO Stephanie Pawluk  
Rec Manager Paul Robitaille  
Project & Asset Manager Brodie Klemm

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**Agenda Item:** Call to Order

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The Chair, Wayne Potoroka called the meeting to order at 5:30 p.m.

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**Agenda Item:** Agenda

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**CW21-03-01** Moved by Councillor Johnson, seconded by Councillor Kendrick that Committee of the Whole accepts a land related In Camera matter as a time sensitive item pursuant to Section 7(1) of Bylaw #11-12, being the Council Proceedings Bylaw.  
Carried 5-0

**CW21-03-02** Moved by Mayor Potoroka, seconded by Councillor Johnson that the agenda for Committee of the Whole meeting #CW21-03 be accepted as amended.  
Carried 5-0

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

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a) Request for Decision RE: Rec Centre Location Geotechnical & Environmental Reports

**CW21-03-03** Moved by Councillor Kendrick, seconded by Mayor Potoroka that Committee of the Whole receive the Rec Centre Location Geotechnical and Environmental Draft Reports.  
Carried 5-0

Richard Trimble from Tetra Tech gave an overview of the two geotechnical reports:

In March of 2020 they submitted a desktop report to the Yukon Government which is basically an analysis of the two sites using existing information. They required more detailed information, so 3 holes were drilled at the campground site and 4 holes at the Dome Road site. The purpose of drilling at the campground site was to measure the thickness of the permafrost, organic silty sand over the gravel and secondly to measure the depth to bedrock. The purpose of the Dome Road site drilling was to measure the thickness of the tailings, if there were any soft areas and to measure the depth to bedrock.

There are two types of foundations, shallow and deep. Shallow foundations are basically concrete footings at or near the surface. Deep foundations are drilled or driven piles into bedrock. The first recommendation at the campground site was to excavate all permafrost out of the gravel and then backfill entire site with imported tailings. If all that work was done, then a building could be built on shallow concrete footings. A more extensive route would be to ignore the permafrost and drill right through it and anchor piles into the bedrock. There is lots of precedent for both types of foundations

throughout Dawson. At the campground site, you could build a rec centre on either shallow or deep foundations.

The Dome Road site is a bit easier to deal with as there is no permafrost anymore. To have a shallow foundation the tailing piles would have to be leveled out, the snow clearing debris would have to be removed and then raise the elevation by inputting gravel (packing). If a deep foundation was chosen, then it would require the site to be leveled, the addition of fill material, and then drilling through it and anchoring piles into bedrock. The consultant's opinion was that a deep foundation on the Dome Road site would be overkill. At the Dome Road site, you could build a rec centre on either shallow or deep foundations.

Committee held discussion regarding the Tetra Tech geotechnical reports.

- Question: Was EBA the company that drilled the holes for the current Rec Centre and if yes, were the site conditions similar to what was found at the Campground 20 years ago? From your years of knowledge and experience of drilling holes in Dawson, did you see degradation or melting of permafrost, in the new drills holes, compared to what was found in the past?
- Answer: They did not do the foundation design for the existing rec centre; it was their competition. Conditions north of Church Street are all the same, there is ice rich permafrost over the gravel that ranges in thickness from 3-6.5 meters. They haven't seen over the decades of drilling any climate related permafrost thaw issues.
  
- Question: At either site, will there be a need to excavate down to bedrock?
- Answer: Below the organic silty sand there is a layer of gravel which directly overlies bedrock. The gravel has permafrost but is considered thaw stable which means that if or when it thaws there is not enough ice in it to create any thaw issues with settlement. It's important during excavation to continue into the gravel to get that ice out of the top of the gravel.
- Question: What would be the recommended excavation depth for each site?
- Answer: The campground site has permafrost so the recommended excavation depth would be 4.5-5 meters. At the Dome Road site there is no permafrost so the recommendation is to level the tailings piles as they are, recompact the surface and then bring in enough white channel gravel on top of that to build the grade up for the building.
- Question: Is there a difference in quality of the bedrock between the two sites?
- Answer: No, they are basically the same.
  
- Question: In terms of common sense only, which of the two sites would be better for the construction of the new rec center?
- Answer: From a technical perspective, the Dome Road site is a better site.
- Question: Shoring at the campground site, what would the cost be, approximately?
- Answer: It's not common to do shoring at excavation sites in Dawson.
- Question: How much water would you expect to get at the campground site?
- Answer: They don't usually have a lot of problems with ground water; however, the campground site will be quite large so there is an expectation for a lot of water seepage.
- Question: The report recommends excavating to the property boundary at the campground site but according to the Zoning Bylaw there has to be a setback of 10ft from the property line for building construction. In terms of geotechnical considerations, will the building require a greater setback from the fill excavation total?
- Answer: No. The reason for the recommendation to excavate to the property line is because there is always stuff around the building, i.e., parking areas, ancillary buildings. If you don't excavate it out far enough then all the permafrost will melt and settle and you will end up with a trench around the building after a year or two. The other consideration is that they like to see a 1:1 slope out from the exterior edge of a loaded footing so that the soil will generate the required bearing resistance. If you go down 4 meters you should ideally go 4 meters out to maintain that 1:1 slope.

- Question: What was the rationale for recommending the Dome Road site as the better site to build the rec center?
- Answer: There is no permafrost and there is no big excavation required.
  
- Question: The preliminary report that was issued didn't say that rock socketed piles were a possible option at the Dome Road site. The most recent report says that it is an option. Why would it be an option in the first report but not the second?
- Answer: Not sure why. Will look into it and find out.
- Question: You talk about the bedrock being similar at both sites, but the earlier memo characterized the Dome Road site as highly weathered poor quality shist. Would you say that that is not something that you want to put a rock socketed pile into?
- Answer: Will look into it; however, there is usually always a layer of weathered rock.
- Question: How would having so much water flowing underneath the Dome Road site affect the construction? What would we have to do to deal with that? Is there anything about the variability of the level of water that we should be aware of in relation to construction at the site?
- Answer: Permafrost is so warm in Dawson that there is intermittent thawed zones everywhere and those are the conduits through which groundwater from further up the Dome comes down the hill and exits through these thawed zones. Ground water always finds it ways to an excavation. The only way to deal with it is to excavate and pump or only excavate in small sections and backfill right away.
- Question: If we are worried about water penetration in town what are the concerns with building on top of basically a river?
- Answer: The water under the Dome Road site is basically the water elevations of the Klondike River. It's important to site the building and do a hydro technical flood study to determine what the elevation of the Klondike River could be and make sure you build above that.
- Question: In the recent field report you noted that you didn't encounter permafrost at the Dome Road site but last March you did. So, is there permafrost in the unmined areas?
- Answer: Sometimes seasonal frost gets confused with permafrost but yes there is probably permafrost in the unmined areas. Those areas should be avoided for foundation/construction purposes.
- Question: In orders of magnitude what make something significant as opposed to not?
- Answer: Basically, at the Dome Road site, there is no excavation you just have to level the tailings piles. At the campground site, there is a lot of excavation and a 15ft cut over the entire block or at least under a large building. Just trying to emphasize that there is more work at the campground site than the Dome Road site.
- Question: Thinking about the type of flooring for the new rec centre. As an example, if we wanted the ice rink facility to be concrete, how would that actually happen on the tailing piles?
- Answer: When you prepare the site for the building foundation you're not only preparing the footings to support the load of the building but you also prepare for the interior slabs. If you chose the Dome Road site you could level it out, pack it and add a cushion of white channel on top. It's basically a non permafrost site with a compacted granular foundation and you could cast your concrete slabs right on the white channel.
- Question: You did some work on the Dome Road site previously, probably because it was being considered as a location for the lagoon. At that time you said that shallow ground water and perch ponds located between the tailing piles are consistent throughout and will be a development issue? Is that still a relevant take on that site about some of the challenges associated with building there?
- Answer: Perched ponds is actually the Klondike River, and in that context, the term perched water is incorrect for the description of the Dome Road site. It wouldn't be a problem anyways as the Klondike River is well below the elevation of the Klondike Highway and Dome Road.
- Question: When you were drilling this last time, you didn't see permafrost or were you not looking for it?

- Answer: The drill we planned to use for both these programs is called a sonic drill and it takes core samples, but it wasn't available. Instead, an air rotary drill was used which drills down and chews everything up and spits it back out. The only samples that you get are rock chips and soil clumps, so it's not really a good drill for core and permafrost logging. We know there is permafrost at the campground site because anything north of Church Street that has been excavated contains permafrost.
- Question: What would the difference be between digging out everything and putting it back in and sinking rock socketed piles?
- Answer: We called different contractors in Dawson and got an estimated price of \$22 per cubic meter for excavation and \$22 per cubic meter for backfill, so basically \$44 per cubic meter. Then add in others costs that you may need i.e., water treatment, shoring etc. Rock socketed piles generally use 10ft spacing so you'd have to determine how under your building you would need. The most recent experience, Ruby's Place, cost \$20,000 per installed pile.
- Question: In the soil analysis, it identifies certain metals that exceed the standards that are set by higher levels of government. Do you know anything about the mineral profile of Dawson, has it come up in other programs?
- Answer: No, the only thing that we've seen in Dawson is lots of serpentines which is related to asbestos.
  
- Question: To summarize, are you saying that as you go north from the Dome Road then south to Church Street then north of Church Street you've got more requirements and additional costs?
- Answer: Yes, that's a pretty good summary.
  
- Question: If we build at the Dome Road site it sounds like the Klondike River is a concern and we would have to investigate flood levels. What is the industry standard? Is it 100-year flood levels or 500-year flood levels?
- Answer: I'm not a hydro technical person but my understanding is that every building has a life to it and it's engineered as such. If you were anticipating that the rec center was going to last for 100 years, then at a minimum you would want to have a 100-year flood level and probably something greater. It depends on how much risk you want to assume for the building.
- Question: Do you think that conducting a drill core analyses for both these sites would give you any more insight or other critical information? Is there any value in expanding the research on the sties with the drill cores?
- Answer: If we were going to use the permafrost as a foundation and bearing layer, we would definitely not have taken that drill and we definitely would have gone with the coring program. We went into these investigations knowing that you don't just build overtop of permafrost in Dawson.

Committee requested to have a meeting with Golder to review the Environmental Site Assessment reports.

b) Request for Decision- CBC Building Update

**CW21-03-04** Moved by Mayor Potoroka, seconded by Councillor Kendrick that Committee of the Whole review and provide comments on the Draft Project Plan for the CBC building.  
Carried 5-0

Brodie Klemm gave an overview of the Draft Project Plan for the CBC Building.

- Navigating Covid
- Bankruptcy of company hired to do the wall cladding and roof repair
- Looking for direction on end use of the building
  - o Seasonal vs year round
  - o Ground floor only vs ground floor and second floor

- Last year, when talking about wall cladding, roof repair and painting it led to conversations about windows, doors, insulation, etc.

Committee held discussion regarding the CBC building.

- Question: When are we expecting to have serious conversations regarding the end use of the building?
- Answer: We need to have them soon because we need that information when we talk about what to do with the building, i.e. is it seasonal or year-round, will there be public access just on the main floor or both floors. These decisions will make a big difference in how the building is designed and how it's accessed.
- Question: What is the status of finding an anchor tenant? Or are we looking to do a City of Dawson project there ourselves? What about YG?
- Question: What happened to the windows Jim Williams made?
- Answer: They are the storm windows currently on the building.
- There were suggestions of making the building a recreational and cultural space, a library/coffee shop, apartments, office spaces, meeting rooms, art gallery, indoor playground, dance/yoga/martial arts studio, World Heritage office space.
- Question: What is the square footage of the building?
- Answer: Will follow up and get that info.
- Question: So, is the idea not to use the second floor?
- Answer: That is an option. If it's a public access place then it needs to be accessible by everyone, which means an elevator.
- Year round and use of both floors would be preferred.

**CW21-03-05** Moved by Councillor Kendrick, seconded by Mayor Potoroka that Committee of the Whole forward to Council to direct administration to prepare an RFP for foundation drainage and insulation of the CBC building.  
Carried 5-0

**CW21-03-06** Moved by Councillor Johnson, seconded by Councillor Kendrick that Committee of the Whole forward to Council to direct administration to update the scope and prepare a new RFP for the Wall cladding and roof repair of the CBC building.  
Carried 5-0

**CW21-03-07** Moved by Councillor Ayoub, seconded by Councillor Kendrick that Committee of the Whole forward to Council to direct administration to prepare an RFP for design, build and installation of windows and doors of the CBC building.  
Carried 5-0

**CW21-03-08** Moved by Councillor Kendrick, seconded by Councillor Ayoub that Committee of the Whole forward to Council to approve administration to enter into a contract with Imperial Production for the restoration/replacement of 21 corbels and 8 roof finials for \$36,000 plus GST and shipping.  
Carried 5-0

**CW21-03-09** Moved by Councillor Ayoub, seconded by Councillor Kendrick that Committee of the Whole provide direction to administration on what is required to determine end use of the CBC building.  
Carried 5-0

c) Request for Decision- Rec Master Plan

**CW21-03-10** Moved by Mayor Potoroka, seconded by Councillor Kendrick that Committee of the Whole forward to Council for final approval of the Parks and Recreation Master Plan.  
Carried 5-0

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**Agenda Item:** In Camera

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**CW21-03-11** Moved by Mayor Potoroka, seconded by Councillor Kendrick that Committee of the Whole move into a closed session for the purposes of discussing a land related matter as authorized by section 213 (3) of the *Municipal Act*.  
Carried 5-0

**CW21-03-12** Moved by Mayor Potoroka, seconded by Councillor Johnson that Committee of the Whole reverts to an open session of Committee of the Whole and proceeds with the agenda.  
Carried 5-0

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**Agenda Item:** Adjournment

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**CW21-03-13** Moved by Mayor Potoroka, seconded by Councillor Johnson that Committee of the Whole meeting CW21-03 be adjourned at 10:57 p.m. with the next regular meeting of Committee of the Whole being March 3, 2021.  
Carried 5-0

**THE MINUTES OF COMMITTEE OF WHOLE MEETING CW21-03 WERE APPROVED BY COMMITTEE OF WHOLE RESOLUTION #CW21-06- [REDACTED] AT COMMITTEE OF WHOLE MEETING CW21-06 OF MARCH 3, 2021.**

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Wayne Potoroka, Chair

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Cory Bellmore, CAO



# Report to Council

For Council Decision     For Council Direction     For Council Information

In Camera

<b>SUBJECT:</b>	<b>Request to Purchase Land: Lots 13 &amp; 14, Block K, Government Addition</b>	
<b>PREPARED BY:</b>	Stephanie Pawluk, CDO	<b>ATTACHMENTS:</b> - 2020 letter re. purchase request - 2020 letter re. water and sewer request
<b>DATE:</b>	February 16, 2021	
<b>RELEVANT BYLAWS / POLICY / LEGISLATION:</b>	Official Community Plan Zoning Bylaw North End Plan Sale of Municipal Lands Policy Encroachment Policy	

## RECOMMENDATION

That Committee of the Whole forward to Council and:

1. postpone the decision for the request to purchase Lots 13 and 14, Block K, Government Addition until further engineered subdivision planning begins for Phase II of the North End development.
2. postpone the decision for the request to tie into municipal servicing until further engineered subdivision planning occurs for Phase II of the North End development.

## ISSUE

The applicant has put forth two requests:

1. Request to purchase Lots 13 and 14, Block K, Government Addition, which are located directly behind the applicant's lots, as well as the alleyway between the lots.
2. Request that the property be connected to water and sewer services, in tandem with North End Phase II development.

## BACKGROUND SUMMARY

In 2020, the applicant submitted two letters to the City. One requests the purchase of Lots 13 and 14, Block K, Government Addition, which are located directly behind the applicant's lots, as well as the alleyway between the lots (see Figure 1). The purchase of this land would resolve the property owner's existing encroachment issues. The second letter requests that the property be connected to water and sewer services, in tandem with North End Phase II development.

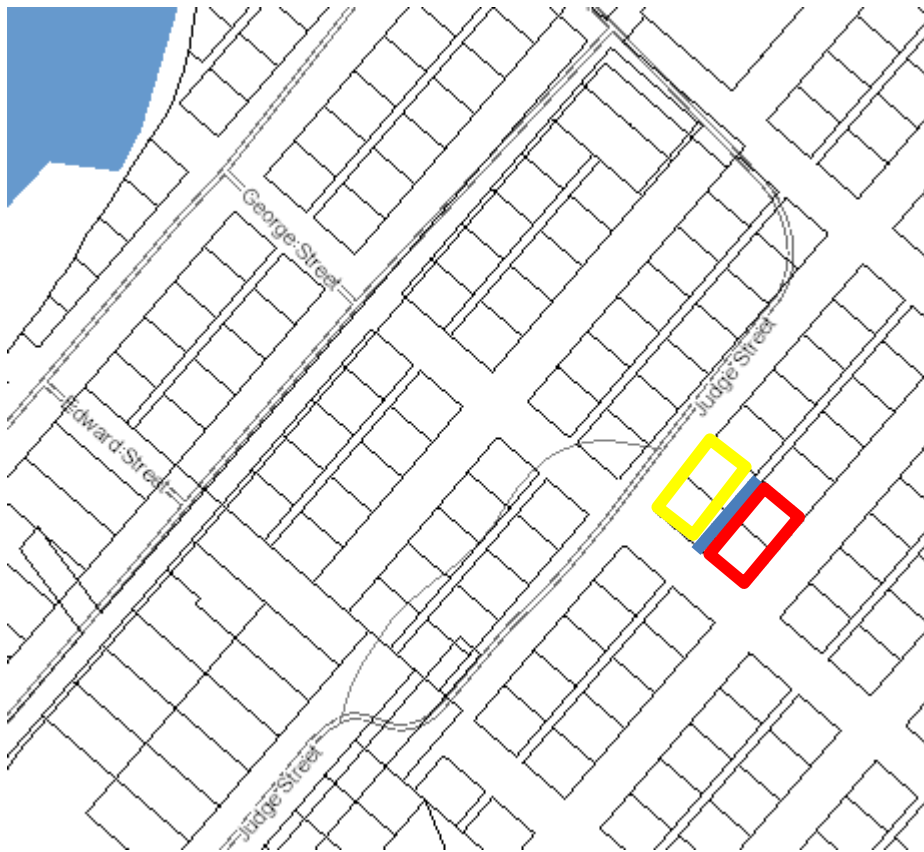


Figure 1: Map of owned and requested land  
Yellow= Lots 1 and 2 (currently owned and occupied by the applicant)  
Blue= Alleyway (unused/physically closed)  
Red= Lots 13 and 14

## ANALYSIS / DISCUSSION

### Sale of Municipal Lands Policy

This request is subject to the Sale of Municipal Lands Policy #2018-03. As per s. 4 of the Policy, this application was circulated to all department heads for review and comment to determine whether the land could be considered surplus. No comments or concerns have been raised by departments other than Community Development and Planning at the time of the writing of this report. S. 4 states that “unserviced full lots may be released for disposition in the sole discretion of Council.” The requested full lots are unserviced. It is Administration’s interpretation that this application mostly meets the requirements listed in s. 4: Criteria for Release; however, may be considered “earmarked or under consideration for future use” by the municipality given its location within the North End planning area (s. 4. B) ii. 1)). This is further explored under ‘North End Plan’.

The proponent’s letter requests the purchase of two full lots (13 and 14), as such section 6 of the Policy applies. S. 6. C) states:

*“a full lot that is determined through a municipal planning exercise to **have no developable value to the City** may be disposed of for \$1.00 per square foot, at the sole discretion of Council. This may require a condition in the Agreement for Sale that the purchaser acknowledge and accept liability for the reason that the lot was determined to have no developable value.”*

The Yukon Government is currently in the process of undertaking a vacant lands inventory and analysis in Dawson City. As part of this work, publicly owned vacant lots have undergone slope analysis to determine developability. Lots 13 and 14 (outlined in yellow) have preliminarily been deemed unsuitable for development due to terrain. Additionally, Lots 13 and 14 are not indicated as having development potential in the North End Plan (Appendix B). Council may wish to consider whether or not this information is sufficient criteria to determine that the two lots have no developable value to the City.





Figure 2: Preliminary vacant land development potential map

**Red**= Unsuitable for development

**Yellow**= Potentially suitable for development

**Green**= Suitable for development

Additionally, s. 8(a) of the Policy states that a land sale for a permanently closed roadway must be done in accordance with the Municipal Act, Zoning Bylaw, and Subdivision Bylaw. Therefore, should this sale proceed, the four lots and alleyway would need to be consolidated as a condition of sale. This would be required to resolve the outstanding encroachments (see Figure 3 below). Non-conforming scenarios are resolved during a request from the property owner to change or develop their lot; they are considered legally non-conforming until such time as the property owner wishes to alter, add to, or otherwise change their property or structure.

The Policy recommends a purchase price for entire lots with no developable value to the City to be disposed of at \$1.00 per square foot. Permanently closed roadway is to be disposed of at \$1.00 per square foot.

## Official Community Plan

In the OCP, Section 6.0: Land Use Concept identifies the following applicable goals:

- Strive to use a highest and best use approach.
- Protect heritage resources.
- Reduce encroachment issues.

The implementation approaches include:

- Identify lands unsuitable for future development as Parks and Natural Space areas, which should be maintained in their natural state or used for passive recreation.
- Promote a compact development pattern to ensure existing infrastructure is used efficiently and preserve habitat and wilderness areas.
- Work to prevent and reduce encroachment issues, especially in residential areas.

As per s. 6.3.1, the North End Plan (discussed below) is a part of this implementation approach. Therefore, it is in line with the OCP to consider the recommendations in the North End Plan when considering requests within the Plan's planning area.

Section 9.0: Heritage and Culture identifies the following goal: "Dawson's gold rush history is showcased by preserving key historical resources where possible." This is applicable to this request in considering the heritage values on the requested lots, as well as the proximity of these lots to the Typhoid Cemetery.

## Zoning

Lots 1, 2, 13 and 14 are all currently zoned R1: single-detached/duplex residential. The current use of lot 1 is appropriate; however the encroachment issues make it noncompliant.

## North End Plan

The North End Concept Plan, as approved by Council, includes many recommendations on the next steps for development in the North End. This includes potential lot infill, recommendations involving heritage resources, and a framework for resolving encroachments. Block K exists in Phase II of the North End Plan.

The proponent's encroachments appear to exist between Lots 1 and 2, which are not consolidated, and to the east of these lots into the publicly unused alleyway and Lots 13 and 14 (see Figure 3). Due to the location of these lots on the periphery of the development area, with no adjacent proposed infill lots, these encroachments do not appear to provide a direct constraint to future development. Encroachment resolution will be part of Phase II development; therefore, it is recommended that this encroachment issue be addressed during Phase II.

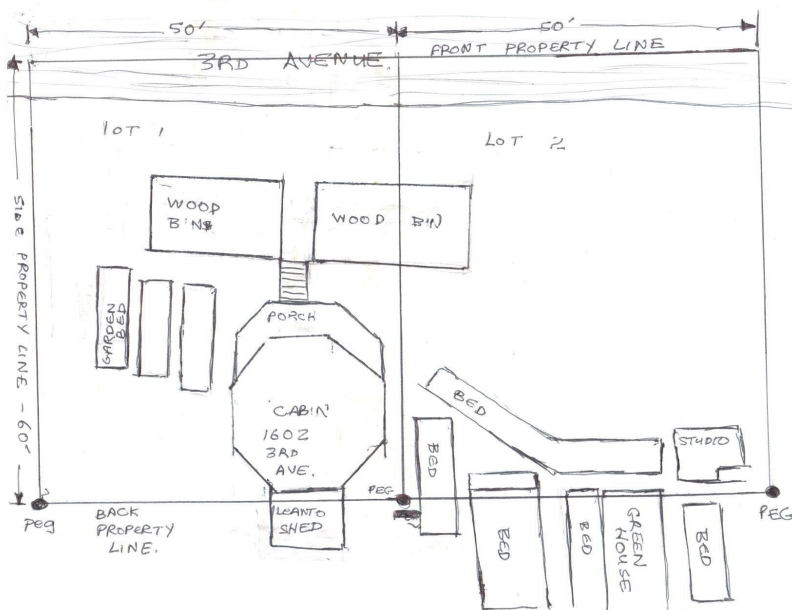


Figure 3: Site Plan provided by Applicant

The North End Plan does not identify the potential for lot development in Block K; therefore, the lots being requested for purchase do not appear to be integral to any potential reconfiguration of land for lot creation. Although there is little anticipated impact regarding potential Phase II lot infill, adjacent heritage resources do pose considerable impacts to this request.

As noted in the letter, "on lots 13 and 14 are 4 old stone platforms where Wall Tents were set up earlier in the century, possibly from Gold Rush days". Additionally, these lots are located adjacent to the Typhoid Cemetery. A recommendation identified in the North End Plan includes the following: "work with Yukon Historic Sites to create an interpretive trail showcasing some of the tent platforms in the Typhoid Cemetery area and link the trail to the 9th Avenue Trail." It is currently unknown what impact this land sale could have on this recommendation; therefore, it is possible that Lots 13 and 14 are "earmarked or under consideration for future use" by the municipality for heritage protection purposes. Feasibility studies including heritage, environmental and geotechnical will be conducted during Phase II of the North End development project; this work will provide the information required to make decisions about heritage resources. As such, it is recommended that this request be considered during Phase II when the necessary information is available.

## Road Closure

It is currently unknown whether the alleyway is legally closed. Should the sale proceed, this would have to be confirmed and as it would need to be legally closed prior to completion of the sale.

Based on this assessment, Administration recommends that Council not accept the request to purchase at this time. Additionally, the decision for the request to tie into municipal servicing cannot be made until further engineered subdivision planning occurs for Phase II of the North End development.

<b>OPTIONS</b>
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1. That Committee of the Whole forward to Council and:
  - a) postpone the decision for the request to purchase Lots 13 and 14, Block K, Government Addition until further engineered subdivision planning begins for Phase II of the North End development.
  - b) postpone the decision for the request to tie into municipal servicing until further engineered subdivision planning occurs for Phase II of the North End development.
  
2. That Committee of the Whole forward to Council and:
  - a) Accept the request to purchase and forward a Land Sale Bylaw and Full Road Closure Bylaw (if the alleyway is not legally closed) for first reading.
  - b) postpone the decision for the request to tie into municipal servicing until further engineered subdivision planning occurs for Phase II of the North End development.

<b>APPROVAL</b>		
<b>NAME:</b>	Cory Bellmore, CAO	<b>SIGNATURE:</b> 
<b>DATE:</b>	February 26, 2021	

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Attn Stephanie Pawluk  
Community Development and Planning Officer

July 12, 2020

Dear Stephanie Pawluk,

I am writing this letter on behalf of John Lodder, who owns the Octagonal Cabin located at 1602 Third Avenue, Legal address Block 1 & 2, Block K, Government Addition, Plan 8338A, Dawson City Yukon Territory.



John's property is shown on the North End Plan as being just within the Phase 2 area slated for development, as seen on page 3 (taken from an information sheet given to North End residents), and on page 4, taken from the North End Plan, "2.0 Overview of the Planning Area" with the location of John's lots marked with a red circle.

Note: while John's official City of Dawson address is 1602 Third Avenue, in some diagrams on the North End Plan his street is labelled Third Avenue, and in other diagrams it is labelled Fourth Avenue.

On the City Lots map above is a street diagram showing his 2 lots. His cabin is located on lot 1, the most southern of the 2 lots, and his garden and associated outbuildings are on lot 2, the more Northern lot. The two lots together have been his home since 1973.

He built his cabin in the summer of 1973.

Before John started building, at the request of the City of Dawson, he took his drawings to Colin Mayes. In the winter of 1972/1973, Colin was working on the approach to the Ice Bridge and worked part time as the Building Inspector for the City of Dawson. John dropped off the rudimentary drawing with dimensions of his 8-sided cabin to Colin as he was having breakfast at a local restaurant. A couple of weeks later Colin got back to him and said his plans were ok and to go ahead and build. Colin did not arrange for a site visit as part of the approval process.

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In early March 1973 after receiving Colin's approval, John hired the City to come and bulldoze the snow from his property. The City Worker drove up the D4 Cat from the City Works Yard and cleared the snow off a likely looking flat area on his lot. No attention was paid to property lines. Things were done very casually back then! It was still 'pioneer days'.

The city resurveyed the North End in the 90's, and at that point John became aware of the true property lines and noted the location of the survey pegs, and could see that the addition on the back of his Octagonal cabin (Lot 1) , and his raised garden beds and greenhouse (Lot 2), extended past the staked line into the laneway and lots behind.

Note: John is aware of the location of the stakes, and on the NED diagram on page 5, you can see the city lot overlay does not match up with actual lot lines and appear to be shifted eastward. To John's knowledge as a long-term resident, he is not aware of any surveys after the survey work observed in the 90's. On the aerial you can see that the two light-colored rectangular structures (John's Firewood Bins) and a corner of his Cabin are between the lot line and the street. According to stakes still located on his property, both his Firewood Bins and his Octagonal Cabin are within his lot line.

John has made a sketch (page 6) showing the location of the structures on his lot and red marker stakes which were placed close to the original survey pegs (not all original survey pegs are still in place).

Across the laneway and behind lots 1 and 2, are lots 13 and 14. According to the NED diagram located on page 5, these lots are are classified as undevelopable in the Dawson City North End Plan Final Report of June 27, 2018 (lots lacking a colored dot are considered undevelopable).

John would like to purchase these two additional lots and add Lot 14 to Lot 1 including the laneway, and add Lot 13 to Lot 2, including the laneway (see page 7). This would resolve the encroaching structures and give him a good standard lot size to his property, which is currently smaller than most residential lots at 50 feet road frontage with depth of 60 feet for each of lot 1 and 2, Block K on Third (?Fourth) Avenue. On lots 13 and 14 are 4 old stone platforms where Wall Tents were set up earlier in the century, possibly from Gold Rush days. John's intention is to keep these historic structures undisturbed and to leave these back lots as forest growth, to maintain the stability of the slope behind his home. He is willing to have a legal restriction placed on this back part to leave the forest and structures undisturbed if this would be useful to the City of Dawson.

In the NEP diagram on page 5, these lots behind his property are not marked with colored dots, which indicates they are considered not suitable for development, so would never be freestanding lots for purchase in the proposed development.



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John's question is if it possible to purchase these undevelopable lots and the laneway between, and at what price, since they would not be suitable as market lots. Once he has that information, he can then decide if he wishes to proceed with incorporating the two eastern lots and laneway with his own lots, and take responsibility for the lots and laneway from the City of Dawson


Thank you,



Alice Thompson



John Lodder



**what's next?**

The project team is aiming for the following timeline:

- Final detailed design: late 2019/early 2020
- Construction tender: spring 2020
- Construction: spring/summer 2020
- Phase I release: fall 2020

**how can i contribute?**

We need the knowledge and expertise of area residents to inform the detailed design of this development to help minimize further delays and uncertainty. The project team will be reaching out to area residents directly, but any interested parties are welcome to reach out to discuss their thoughts.

**where is the project at?**

The Dawson North End development is an important project that will help to address current housing demand and extend services to the area. Residents in the area will benefit from new services (water, sewer, and road upgrades), and new lots will be developed on an infill basis. After some delays, the project is entering into the final stage of research and the initial stages of detailed design.

**what's changed?**

Challenges in engineering and design have resulted in a phased approach to the development and small changes that are a better reflection of site conditions. Phase I will be proceeding in 2020, and Phase II will begin after further consideration of elements such as grade and servicing options. Currently, funding has only been obtained for Phase I of the project, however Council has indicated that Phase II of this project is also a priority.

**still have questions?**

The City of Dawson and the Government of Yukon are committed to doing as best as we can to minimize development and construction impacts for existing residents.

**If you have questions or concerns about the project, want to speak with a representative, or need help understanding how you and your property might be impacted, please use the contact information on the back of this flyer to contact the project team.**

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## 2.0 Overview of the Planning Area

The North End planning area is located in the northern end of the Historic Townsite of the City of Dawson and within the Traditional Territory of the Tr'ondëk Hwëch'in (TH). The planning area encompasses approximately 7.4 hectares of primarily undeveloped land situated between Front Street and Third Avenue along the east-west quadrant and Edward Street and the "mud bog" event area/City snow dump along the north-south quadrant.



Figure 1. Orthophoto of the planning area and boundaries

### 2.1 Land Tenure

The North End planning area is primarily undeveloped at present but consists of about 100 lots – virtually all 50x60 feet in dimension – dating back to the original 1898 townsite survey. The majority (approximately 80) of the surveyed parcels within the area are titled to the City of Dawson. About 35 surveyed parcels are under private ownership – three of them sharing tenure with the City of Dawson. In addition, 17 or so parcels are untitled Yukon Commissioner's lands, held for the purposes of a Yukon River bridgehead reserve and the Third Avenue (or "Typhoid") Cemetery. There are no TH Settlement Lands located within the planning area.

The area's gradual depopulation in the early to mid-20<sup>th</sup> century resulted in the naturalization of not only surveyed lots but also a historic road right-of-way. Historic Third Avenue (also called Steele Avenue) was once situated between Front Street and present-day Third Avenue (or surveyed Fourth Avenue).



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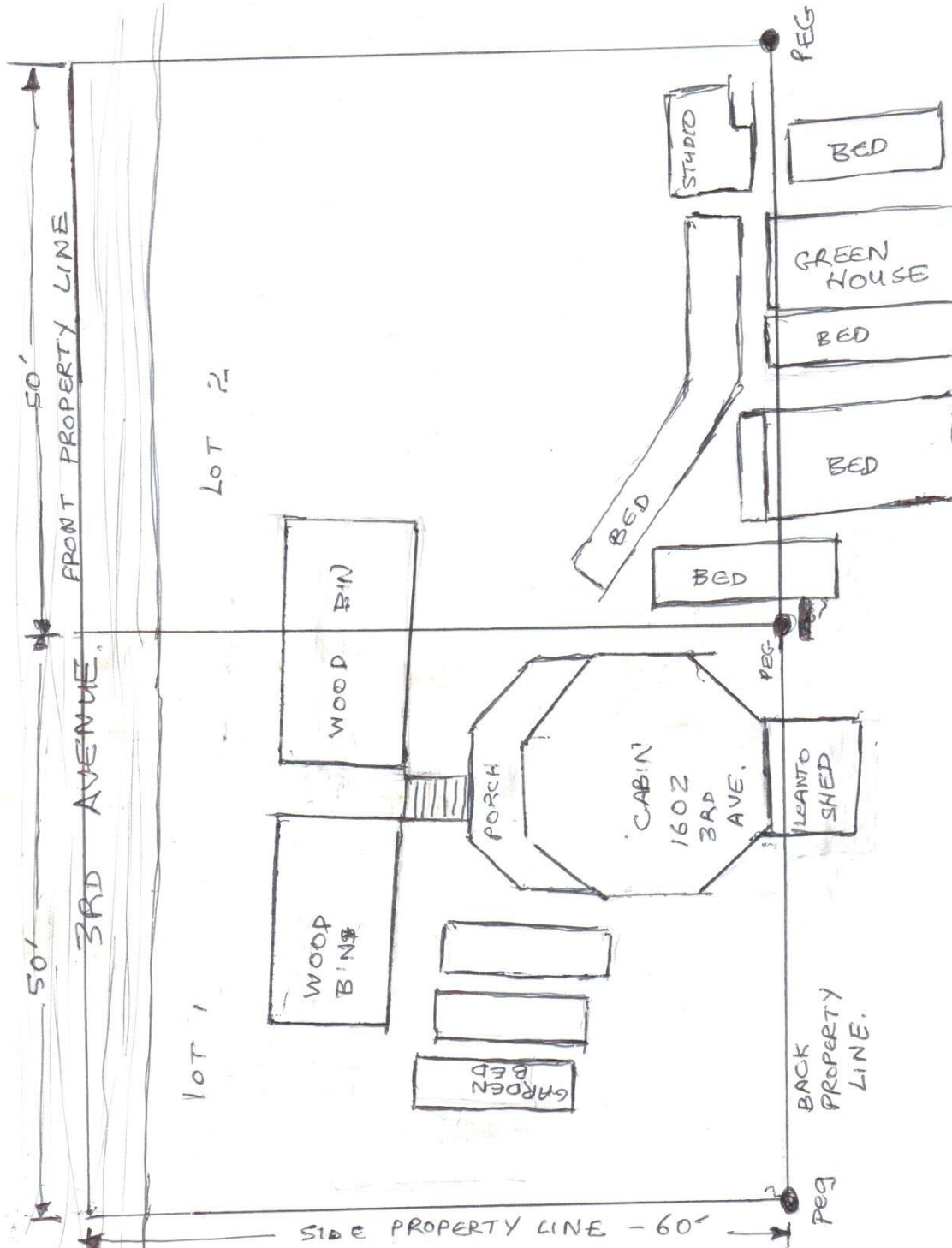




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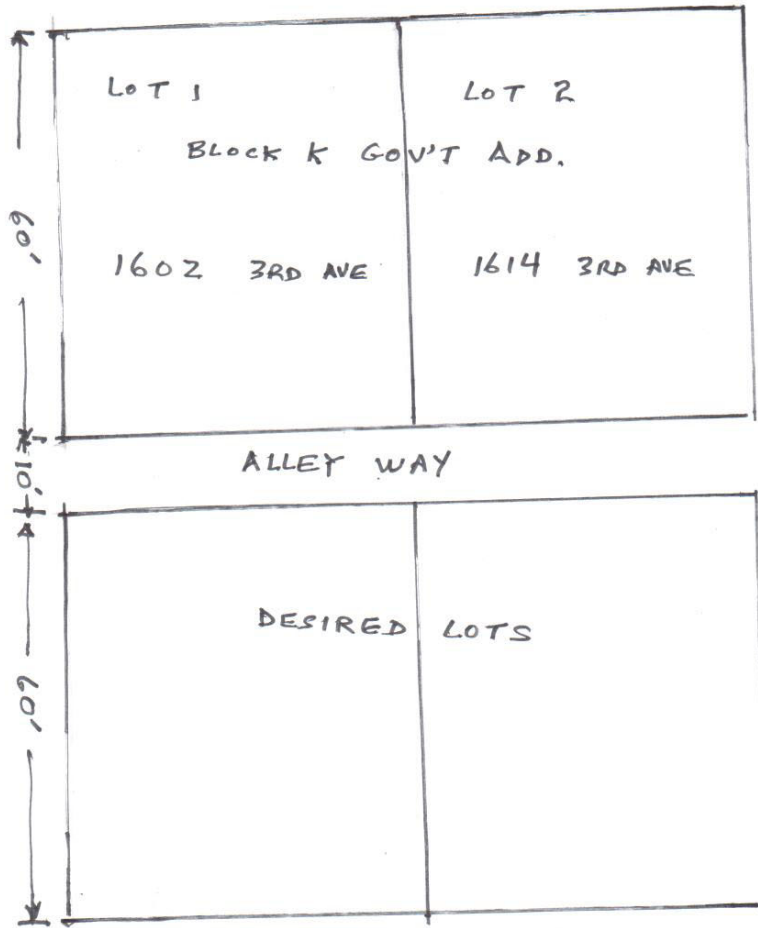


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July 12, 2020

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John's property is shown on the North End Plan as being just within the Phase 2 area slated for development, as seen on the next page of this letter (taken from an information sheet given to North End residents), and on the diagram below, taken from the North End Plan, "2.0 Overview of the Planning Area" with the location of John's lots marked with a red circle.



Figure 1. Orthophoto of the planning area and boundaries

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### what's next?

The project team is aiming for the following timeline:  
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-Construction tender: spring 2020  
-Construction: spring/summer 2020  
-Phase I release: fall 2020

### how can i contribute?

We need the knowledge and expertise of area residents to inform the detailed design of this development to help minimize further delays and uncertainty. The project team will be reaching out to area residents directly, but any interested parties are welcome to reach out to discuss their thoughts.

### where is the project at?

The Dawson North End development is an important project that will help to address current housing demand and extend services to the area. Residents in the area will benefit from new services (water, sewer, and road upgrades) and new lots will be developed on an infill basis. After some delays, the project is entering into the final stage of research and the initial stages of detailed design.

### what's changed?

Challenges in engineering and design have resulted in a phased approach to the development and small changes that are a better reflection of site conditions. Phase I will be proceeding in 2020, and Phase II will begin after further consideration of elements such as grade and servicing options. Currently, funding has only been obtained for Phase I of the project, however Council has indicated that Phase II of this project is also a priority.

### still have questions?

The City of Dawson and the Government of Yukon are committed to doing as best as we can to minimize development and construction impacts for existing residents. **If you have questions or concerns about the project, want to speak with a representative, or need help understanding how you and your property might be impacted, please use the contact information on the back of this flyer to contact the project team.**

John Lodder has noted that on page 47 of the North End Plan, his lots (circled in red in a copy on page 3 of this letter) are across from lots that are marked with a green dot which indicates they are developable.

John would like to know if it is possible to receive water and sewer service to his lots as well when the area is developed, and would also like to know if the City has a time frame yet for bringing water and sewer to his area of the North End.

Thank you,

Alice Thompson

John Lodder



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# Report to Council



For Council Decision  For Council Direction  For Council Information

In Camera

<b>SUBJECT:</b>	Draft Anti-Racism Resolution for the Association of Yukon Communities (AYC)	
<b>PREPARED BY:</b>	Councillor Molly Shore	<b>ATTACHMENTS:</b> Draft AYC AGM Resolution & Briefing re: Anti-Racism
<b>DATE:</b>	February 17, 2021	
<b>RELEVANT BYLAWS / POLICY / LEGISLATION:</b>		

## RECOMMENDATION

That Committee of the Whole recommend to Council to:

- approve in principle the draft AYC Association of Yukon Communities (AYC) AGM resolution regarding anti-racism, and
- direct the City of Dawson's AYC to collaborate with the City of Whitehorse regarding co-sponsorship of the resolution for the spring 2021 AYC Annual General Meeting.

## BACKGROUND SUMMARY

In 2020, grassroots movements for racial equity and justice in U.S. and Canada (and worldwide) prompted conversation among the AYC Board of Directors and senior municipal officials. It was noted that AYC has not traditionally taken positions on, nor devoted resources toward, broad social issues that impact marginalized Yukoners. The elected officials that make up AYC's membership are leaders in Yukon's communities. We should be leaders who use our platforms to embrace reconciliation, reject racism, and foster positive attitudes and actions.

AYC reps from Dawson (Molly Shore) and Whitehorse (Steve Roddick and Jocelyn Curteanu) began discussing initial steps that AYC and its member communities could take. We have prepared a draft resolution for the spring 2021 AGM, which acknowledges the historical and present-day racism and discrimination that threatens our communities, and:

- commits AYC to providing its members with anti-racism training, and other related training, on an annual basis; and
- commits AYC to seek external funds for training as needed.

The draft AYC resolution also:

- calls upon its members to provide such education and training for the elected officials, staff, and volunteers that represent their respective communities; and
- conduct a review of their bylaws and policies with an anti-racism and gender-based analysis and lens; and
- Explore other actions to build equitable and anti-racist communities.

There are many other actions that the City of Dawson, and other Yukon municipalities, can take to strengthen our commitment to growing safe, happy, equitable communities. This AYC-driven initiative is simply one step in the right direction.

**AYC Co-sponsorship**


We propose that Dawson and Whitehorse Councils co-sponsor the resolution for consideration and potential approval at the May 2021 AYC Annual General Meeting.

Council is invited to provide comments and suggested changes to the draft resolution. The draft is also being reviewed by Whitehorse Council at the same time, therefore it may be subject to minor revision. It's recommended that Dawson Council approve co-sponsorship of the draft resolution "in principle" at this time. A final draft will be circulated by email at a later date.

**Budget and Work Plan Implications**

As the budget process is not yet finalized for 2021, Council may wish to consider budgeting for anti-racism (and other related) training for elected officials, managers, and staff at the City of Dawson. If funds are not available in 2021, it should be firmly earmarked for 2022. Considering the City's rate of staff turnover, and the relatively short term for elected officials, it may be wise to source and offer such training on an annual or rolling basis.

The draft AYC resolution also recommends municipalities conduct anti-racism and gender-based analyses of their bylaws and policies. This work calls for specific policy expertise and will likely require an external contract to complete. The CAO should advise Council on the best approach and timing for undertaking the bylaw and policy review.

APPROVAL	
<b>NAME:</b> Cory Bellmore, CAO	<b>SIGNATURE:</b> 
<b>DATE:</b> February 26, 2021	

## TITLE: Anti-racism Leadership in Yukon communities

WHEREAS the Yukon's history has been profoundly shaped by colonial occupations of Indigenous lands and the intense disruptions to Indigenous cultures and ways of life that followed; and

WHEREAS black, Indigenous, and people of colour have experienced racism and discrimination throughout the Yukon's history, and continue to experience it today; and

WHEREAS racism and discrimination divide, threaten, and bring shame to our communities;

WHEREAS the strength and beauty of Yukon communities lies in diversity, inclusivity, and generosity of spirit; and

WHEREAS the Yukon's elected municipal officials are lawmakers and civic leaders whose responsibilities include fostering equity and respect for all citizens; and

WHEREAS the first step toward municipal action on reconciliation and racism requires that municipalities acknowledge and seek to better understand these issues.

THEREFORE BE IT RESOLVED

THAT the Association of Yukon Communities (AYC) shall provide funds on an annual basis for member education and training in anti-racism, intercultural competency, Yukon First Nations heritage, human rights, and/or other topics that enable us to better promote equitable and anti-racist communities; and

THAT that Association of Yukon Communities shall seek external funds, when necessary, to supplement such education and training for its members; and

BE IT FURTHER RESOLVED that AYC strongly encourages its members to:

- Provide such education and training for the elected officials, staff, and volunteers that represent their respective communities; and
- Conduct a review of their bylaws and policies with an anti-racism and gender-based analysis and lens; and
- Explore other actions to build equitable and anti-racist communities.

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## Background

### Issue



*Draft AYC Board Resolution (March 2021) /*

*Draft AYC AGM Resolution (May 2021)*

As community leaders, elected municipal officials have an important role to play in fostering diversity and inclusion, and a responsibility to recognize and address racism and discrimination.

Presently, many municipalities do not have the knowledge, tools or capacity to address issues of racism and discrimination in their organizations and communities - issues that can significantly impact their employees' and residents' quality of life. It is in the common interest of municipal leaders and staff to acknowledge the impacts of racism and discrimination on workplace culture and community spirit, and identify opportunities to better understand and address these challenges.

As the united voice for Yukon municipalities, the Association of Yukon Communities (AYC) can support members' efforts to make their communities more inclusive and respectful.

### **Proposal**

The Association of Yukon Communities should provide direct support to its members by allocating project funding in the next fiscal year for anti-racism training and education. This funding should be specific to training in areas that empower elected officials and staff to

1. Better understand the challenges of reconciliation, racism and discrimination; and
2. Learn about practical tools and opportunities to enhance diversity and inclusion in their municipal organizations and communities.

A preliminary analysis of anti-racism training courses indicates that each training course would cost between \$75-\$125 per participant for online, half-day training sessions. It is estimated that a budget of ~\$8,000 would be sufficient to fund training for every elected municipal official and up to 4 staff members or municipal volunteers from each municipality.

Potential training courses include:

- [Anti-Racism Workshop](#) - Canadian Federation for Race Relations
- [Yukon First Nations 101](#) - Yukon University

Related ideas to explore further:

- Linking the anti-racism resolution to the MMIWG strategy, re: workplace safety; public information, training and education; and intercultural competence education and training. Also consider AYC and/or member communities making annual funding commitment to MMIWG2S+ Trust Fund.

## **Resolutions – Preparation and Presentation (Policy 3.7)**

Adopted:

Reviewed: December 2018

Retired:

### **Purpose**

To detail a procedure to be followed by member communities in presenting resolutions for consideration at general meetings.

### **Policies**

#### **Preparation of Resolutions**

Resolutions are formal presentations of a call for action on the part of the organization passing the resolution or on some other body, organization or government. They are, in their simplest form, written motions that are placed before a deliberative body.

In the accepted style of resolutions, there are two types of clauses. The first type of clause is a preamble that begins with the word "WHEREAS". These clauses are not required but they are frequently used because they can be helpful in describing why a particular action is being sought. They are factual statements that are not subject to debate and are not voted on.

The second type of clause is the operative clause. It contains the specific action being called for and identifies who is being called upon to act. This type of clause is preceded by the words "THEREFORE BE IT RESOLVED THAT". Occasionally, there is an additional request for action within the same resolution and these are preceded by the words "BE IT FURTHER RESOLVED THAT".

The operative clause is subject to debate, may be amended and is the only portion of a resolution that is voted on.

#### **Preamble:**

It is usually not advisable when submitting a written motion to attempt to include reasons for a motion's adoption within the motion itself. To do so may encumber the motion and weigh against its adoption; since some members who approve of the proposed action may disagree with any or all of the written reasons.

A preamble permits the resolution to contain information that supports the action being called for without requiring those voting on the matter to be in support of the rationale.

When circumstances require some statement of the background of a motion, it should be cast in the form of a resolution with the background or reasons incorporated in a preamble.

A preamble consists of one or more clauses beginning "WHEREAS." To avoid detracting from the force of the resolution itself, a preamble generally should contain no more clauses than are strictly necessary. The preamble provides the opportunity to highlight the present situation and any inadequacies that exist, and that logically lead to understanding and support for the action called for in the operative clause(s).

Where complexity requires more background than can be reasonably contained in a preamble, a brief memo outlining the background of the issue shall be submitted with the resolution, for distribution to the members prior to the meeting.

### **Operative Clause(s):**

The operative clause(s) of a resolution begins with the words "THEREFORE BE IT RESOLVED THAT" and identifies a specific action that follows from any preamble. This clause should be as short as possible but, most important, it must clearly describe what specific action is being requested and the person or body being requested to act.

Subsequent operative clauses would begin with "BE IT FURTHER RESOLVED THAT" and must be equally specific in the request or demand and the person or body being called upon to act. Any additional clauses must be related to the original operative clause and the drafters should ask themselves if the requested action is best presented as a separate resolution or as an addition to the current one.

### **Drafting of a Resolution:**

The language of a resolution should be simple, clear, direct and free of ambiguous terms. A resolution that contains well-chosen words will provide the greatest understanding, be more likely to be adopted and to succeed in achieving its goal.

Each resolution should address one specific subject. Since the author seeks to influence attitudes and actions, the resolution should directly state the desired action. Persuasive communication is unlikely if the audience does not have a common notion of what is to be supported or opposed.

Resolutions should be accompanied by factual information in the form of a briefing note. Even the most perfectly constructed resolution may fail to clearly indicate the rationale for the action being requested. Any supporting information that was used at the time that the resolution was recommended for submission to the Association may be included with the resolution in the form of a briefing note (format available from AYC office). This will assist the Resolutions Committee (and later the membership) in understanding the problem, but it, like any preamble, will not be subject to the final vote. Resolutions should be properly titled. A resolution is never quite complete, no matter how well constructed, without giving it the final touch – the inclusion of an appropriate short title. A title will assist in identifying the intent of the resolution and reduce the possibility of misinterpretation. A title is usually determined from the operative clause of the resolution.

Resolutions should contain accurate references. The author of the resolution should ensure that the jurisdictional responsibility has been correctly identified (e.g. ministry or department within the Federal or Territorial Governments). When references are made within the resolution to particular legislation, the correct Act and Section(s) must be identified.

## **Procedure for Submitting Resolutions**

It is the practice of the Association that a call for resolutions is issued prior to the Annual General Meeting. A municipality sponsoring a resolution must ensure that the following criteria are met:

1. Resolutions must address a topic of concern to municipalities throughout the Yukon. Specific local concerns may be addressed by the Board of Directors;
2. Resolutions may only be submitted by a member municipality, the AYC Executive, or AYC Staff and each resolution must bear the official endorsement of the sponsoring municipality's Council;
3. Resolutions must be forwarded to the Executive Director no later than 30 calendar days prior to the date of the General Meeting or other such date as may be directed by the Executive Director; and
4. Proposed resolutions must be distributed by the Executive Director to all member municipalities no later than 21 calendar days prior to the General meeting.

## **Late Resolutions**

Resolutions dealing with matters of urgent concern that have come to light following the deadline for receipt of resolutions may be accepted as late resolutions 30 days prior to the start of the AGM, provided they are accompanied by supporting documentation that demonstrate both the importance of the issue or concern and the reason why it could not have been submitted prior to the deadline and the official endorsement of the sponsoring municipality's Council.

Late resolutions will be processed by the Resolutions Committee as time permits but all late resolutions must be approved, as late resolutions, by the membership at the Annual General Meeting before they can be placed on the agenda for debate.

## **Disposition of Resolutions**

The Executive Director on behalf of the Resolutions Committee may return any submitted resolutions, including late resolutions, to have deficiencies corrected. Deficiencies may include:

1. The lack of a clear description of the rationale for the specific solution being sought;
2. The lack of a specific remedy or responsible party to take the requested action; and
3. Ambiguous or contradictory language in the supportive or operative clause(s).

The Resolutions Committee shall review all resolutions intended for submission to each Annual General Meeting and shall refer back to the originator any resolutions deemed inappropriate, with reasons why, for redrafting, resubmission or withdrawal of the resolutions.

In conducting its review, the Resolutions Committee may:

1. Amend the grammar or format of a resolution;
2. Consolidate resolutions of similar intent or subject matter;
3. Provide comments on each resolution with regard to its background; and
4. Recommend refinements to make the resolution actionable; and
5. Inform the sponsoring municipality when the resolution is deemed to be inappropriate.

The Resolutions Committee shall categorize all appropriate resolutions as A, B or C Resolutions with recommendations from Councils as follows:

Category A describes resolutions dealing with issues of major concern to many of the member municipalities. They will be presented for debate;

Category B describes those resolutions with a narrower focus, impacting some member municipalities. These resolutions will be presented for debate if time permits;

Category C includes resolutions of a technical or housekeeping nature and may be debated if time permits or referred to the Board of Directors for action without debate at a General Meeting;

A second level of identification describes the organization or body that is called upon to act on the resolution and includes the following categories.

Federal Government- F  
Federal/Territorial- FT  
Territorial Government- T  
Association- A  
First Nations- FN

Late resolutions shall be categorized by the Resolutions Committee.

Resolutions which are not debated at a General Meeting may be presented to the next meeting of the Board of Directors or a Special Meeting at the discretion of the membership.

### **Recommended Procedure for the Resolutions Committee**

The Chair of the Annual General Meeting will turn the meeting over to the Resolutions Committee. The Committee Chair shall be the Chair of the Resolutions portion of the Annual General Meeting.

The Chair will, beginning with 'A' resolutions, introduce each resolution by number, title and sponsoring member and will read the operative clause. The members will move and second each resolution to simply put the resolution on the floor as a motion for debate.

The Chair or a designated Committee member may report on the resolution and may provide a recommendation.

The Chair will then call for a representative from the sponsor to speak to the resolution and open the debate. The opening speaker will close debate when they speak to the motion a second time.

The opening speaker will be allowed two minutes for the opening comments and one minute for a closing statement. All other speakers to the motion will be limited to two minutes and shall not speak more than once on any motion unless and until all other delegates have had an opportunity to speak.

Duly moved and seconded friendly amendments will be accepted from the floor but must be submitted in writing when requested to do so by the Chair. The Chair is the final arbiter of 'friendly'. Debate on the amendment to the motion will be governed by the procedures outlined above.

Voting shall be by a show of hands, or when necessary, by a standing vote.

Motions to refer or table a resolution will be in order at any time. Motions to refer are not debatable and must be put to a vote immediately.

### **Expiration of Resolutions**

All AYC Resolutions shall expire within three years of being accepted by the membership. New resolutions on the same topic may be brought forward after consideration of any progress made and the current status of the issues.

# Report to Council



For Council Decision     For Council Direction     For Council Information

In Camera

<b>SUBJECT:</b>	<b>Dome Road Lot 33-2 Driveway: Licence of Occupation</b>	
<b>PREPARED BY:</b>	Stephanie Pawluk, CDO	<b>ATTACHMENTS:</b> 1. Previously approved LOO 2. Approved subdivision permit & approval letter
<b>DATE:</b>	February 25, 2021	
<b>RELEVANT BYLAWS / POLICY / LEGISLATION:</b>	Official Community Plan Zoning Bylaw Encroachment Policy	

## RECOMMENDATION

It is respectfully recommended that Committee of the Whole direct Administration to prepare an Easement Agreement for the purposes of permanently formalizing the access to Lot 33-2, Dome Road Subdivision, as per subdivision #19-048 and guaranteeing public recreation and trail access along buffer B-5.

## ISSUE

To consider entering into an easement agreement to permanently formalize the access to Lot 33-2, Dome Road Subdivision through the City of Dawson owned buffer B-5, as per the property owner's request.

## BACKGROUND SUMMARY

Council approved the subdivision and driveway access via resolution C19-14-08 on July 15, 2019.

C19-14-08: "Moved by Councillor Kendrick, seconded by Mayor Potoroka that Council grant subdivision authority to subdivide for Subdivision Application #19-048, "Plan A", subject to

the conditions as presented in the Request for Decision RE: Subdivision Application #19-048: Lot 33, Dome Road Subdivision.”

Now that the subdivision is complete and registered with the LTO, the applicant is in the final stages of completing the driveway and ensuring adequate access to the newly created Lot 33-2.

The proponent requested final approval for their driveway which had changed slightly, as well as formalization of the access through the City owned land. Council approved the amended access and a License of Occupation as the means of formalizing the access as per resolution C21-01-04.

Administration was directed to pursue a LOO as opposed to an easement due to hesitations to permanently allow this use of the City owned buffer B5.

The non-permanent nature of a LOO caused the property owner of Lot 33-2 concern, as theoretically, the access to the lot could be lost after the 5 year LOO is up for renewal, should the City decide not to renew the agreement. As such, the property owner has requested that Council consider an easement instead.

## ANALYSIS / DISCUSSION

See Figure 1 for the amended access for Lot 33-2, as approved by Council.

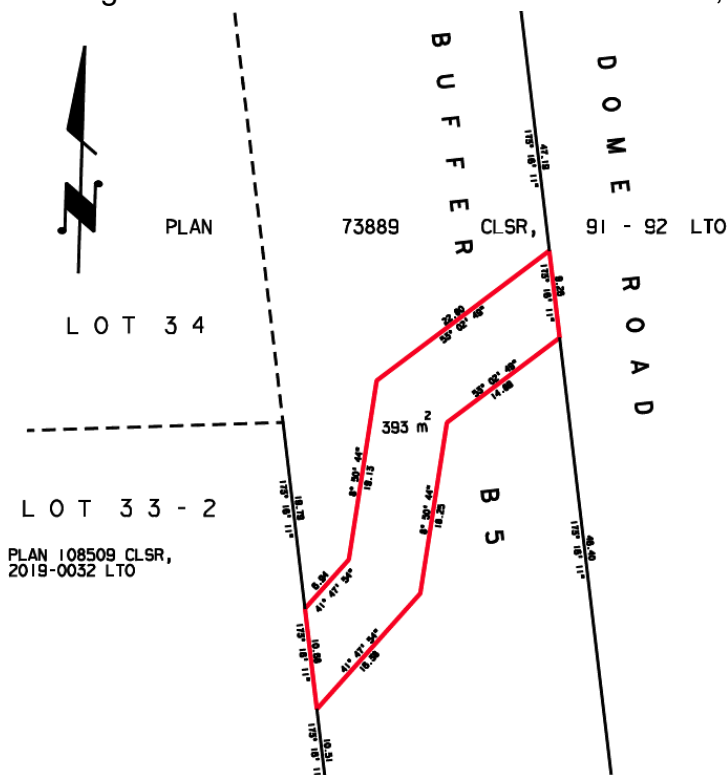


Figure 1: Approved access

When the subdivision was originally approved, Council was concerned that any direct access from Dome Road could interrupt the trails in the area. This is a reason that led to the decision to pursue a LOO over an easement.

Best practice for subdivisions is for subdivision approval to only be granted if there is safe, sufficient, and permanent access to newly created lots. Without a legal mechanism, such as an



easement, to ensure the access in perpetuity, it is possible for the lot to become land-locked in the future.

The Recreation Manager has confirmed that this access does not impose an impediment to the trail network.

### IMPLICATIONS

**General:** This application will not adversely affect the OCP or Zoning Bylaw. Further, administration has confirmed that no trails will be affected by the new driveway.


**Financial:** The applicant is responsible for all associated fees and charges, therefore there is no financial cost to Dawson City.

**Communication:** Notice of decision will be provided to Melanie Fellers, and administration will facilitate the signing of the agreement if direction is given to do so by resolution.

### OPTIONS

1. That Committee of the Whole direct Administration to prepare an Easement Agreement for the purposes of permanently formalizing the access to Lot 33-2, Dome Road Subdivision, as per subdivision #19-048 and guaranteeing public recreation and trail access along buffer B-5.
2. That Committee of the Whole refuse the request for an easement and direct Administration to pursue the approved Licence of Occupation for the purpose of formalizing the property's access plan, as per subdivision #19-048 and guaranteeing public recreation and trail access along buffer B-5.

### APPROVAL

<b>NAME:</b>	Cory Bellmore, CAO	<b>SIGNATURE:</b> 
<b>DATE:</b>	February 26, 2021	



# THE CITY OF DAWSON

P.O BOX 308, DAWSON CITY, YUKON Y0B 1G0  
PH: (867) 993-7400, FAX: (867) 993-7434



July 18th, 2019

Melanie Fellers  
Box 234  
Dawson City, YT  
Y0B 1G0

## Re: NOTICE OF APPROVED SUBDIVISION APPLICATION

Dear Melanie Fellers,

You are receiving this letter as the individual listed at the applicant on Subdivision Application #19-048. I am pleased to inform you that your Subdivision Application #19-048 was approved on July 15<sup>th</sup>, 2019, subject to the following conditions:

1. The application successfully passes through a public hearing.
2. The applicant submit a Stormwater Management Plan to the satisfaction of the CDO and Public Works Superintendent.
3. The applicant submit an access plan that demonstrates commitment to either driveway configuration A or A1 to the satisfaction of the CDO and Public Works Superintendent.
4. The applicant submits a plan of subdivision completed by a certified lands surveyor drawn in conformity with the approval.
5. The applicant shall, on approval of the subdivision plan by the City of Dawson, take all necessary steps to enable the registrar under the Land Titles Act to register the plan of subdivision.

Please note that as per the Municipal Act Chapter 154 S. 322(3), "*the period of time for which the plan of subdivision approval is effective and within which the plan of subdivision must be submitted to the land titles office must not exceed 12 months from the date of approval of the application unless the applicant and the approving authority agree to a further 12 month period*".

Therefore, you are required to provide documentation to the City of Dawson by no later than July 15, 2020 that your plan of subdivision, including all appropriate caveats or easements as per the conditions listed above, has been fully registered with the Land Titles Office. Failure to comply with this provision renders your approval void.

If you have any further questions, please feel free to contact me using the information listed below.

Sincerely,

**Clarissa Huffman**  
Community Development Officer  
Box 308, Dawson City YT Y0B1G0  
[edo@cityofdawson.ca](mailto:edo@cityofdawson.ca)  
867-993-7400 ext. 414

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# THE CITY OF DAWSON

Box 308 Dawson City, YT Y0B 1G0  
PH: 867-993-7400 FAX: 867-993-7434  
[www.cityofdawson.ca](http://www.cityofdawson.ca)

OFFICE USE ONLY	
APPLICATION FEE:	210.00 + GST
DATE PAID:	May 27 <sup>th</sup> /19
PERMIT #:	19-048

## SUBDIVISION/CONSOLIDATION APPLICATION

PLEASE READ THE ATTACHED INSTRUCTIONS, GUIDELINES AND SUBMISSION REQUIREMENTS PRIOR TO COMPLETING FORM.

### PROPOSED DEVELOPMENT

CIVIC ADDRESS: 1 JACKLONDON LANE, DOME ROAD SUBDIVISION VALUE OF DEVELOPMENT: \_\_\_\_\_

EXISTING USE OF LAND / BUILDINGS: COUNTRY RESIDENTIAL - SINGLE FAMILY DWELLING

PROPOSED DEVELOPMENT: Please provide a brief description of the proposed development, including the legal description (lot, block, estate, plan) of each part to be subdivided/consolidated.

LEGAL DESCRIPTION OF EXISTING LOT - LOT 33, DOME ROAD SUBDIVISION, DAWSON CITY  
LTO PLAN 91-92 CLR 73889

NEW VACANT LOT WILL ALSO BE COUNTRY RESIDENTIAL - SINGLE FAMILY DWELLING

### APPLICANT INFORMATION

APPLICANT NAME(S): MELANIE FELLERS

COMPANY NAME: \_\_\_\_\_

MAILING ADDRESS: BOX 234 DAWSON CITY, YT POSTAL CODE: Y0B1G0

EMAIL: WMFELLERS@NORTHWESTEL.NET FAX #: /

PHONE #: 869-993-3444 ALTERNATE PHONE #: 993-6579

### OWNER INFORMATION

OWNER NAME(S): SAME AS ABOVE

MAILING ADDRESS: \_\_\_\_\_ POSTAL CODE: \_\_\_\_\_

EMAIL: \_\_\_\_\_ FAX #: \_\_\_\_\_

PHONE #: \_\_\_\_\_ ALTERNATE PHONE #: \_\_\_\_\_

It is the responsibility of the applicant to ensure that all plans conform to the provisions of the City of Dawson Zoning Bylaw and applicable territorial and federal legislation.

### FURTHER INFORMATION

ACCESS: Does the proposed development require additional access to any public road or highway? If yes, please name the road and describe the location of the proposed access.

PREFERRED - PLAN "A" - YES - SEE ATTACHED LETTER - DOME ROAD

PLAN "B" - NO

wmfellers@n

**WATER:** Is the land situated within 0.5 miles of a river, stream, watercourse, lake or other permanent body of water, or a canal or drainage ditch? If yes, please name the body of water and describe the feature.

N/A

**TOPOGRAPHY:** Describe the nature of the topography of the land (flat, rolling, steep, mixed), the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc., & sloughs, creeks, etc.), and the kind of soil on the land (sandy, loam, clay, etc.).

LAND - SLOPED WITH BRUSH + SPRUCE TREES  
SOIL - CLAY AND BEDROCK

**EXISTING BUILDINGS:** Describe any buildings, historical or otherwise, and any structures on the land and whether they are to be demolished or moved:

EXISTING 3500 SQ FT HOME AND 1600 SQ FT SHOP ON ONE 2.7 ACRE PARCEL AND 1.1 ACRE PARCEL<sup>OF</sup> VACANT LAND FOR SINGLE FAMILY DWELLING DEVELOPMENT.

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### DECLARATION

- I/WE hereby make application for a Development Permit under the provisions of the City of Dawson Zoning Bylaw No. 12-27 and in accordance with the plans and supporting information submitted and attached which form part of this application.
- I/ WE have reviewed all of the information supplied to the City of Dawson with respect to an application for a Development Permit and it is true and accurate to the best of my/our knowledge and belief.
- I/WE understand that the City of Dawson will rely on this information in its evaluation of my/our application for a Development Permit and that any decision made by the City of Dawson on inaccurate information may be rescinded at any time.
- I/WE hereby give my/our consent to allow Council or a person appointed by its right to enter the above land and/or building(s) with respect to this application only.

**I/WE HAVE CAREFULLY READ THIS DECLARATION BEFORE SIGNING IT.**

MAY 25, 2019  
DATE SIGNED

M. Fullers  
SIGNATURE OF APPLICANT(S)

MAY 25, 2019  
DATE SIGNED

M. Fullers  
SIGNATURE OF OWNER(S)



# THE CITY OF DAWSON

Box 308 Dawson City, YT Y0B 1G0  
PH: 867-993-7400 FAX: 867-993-7434  
[www.cityofdawson.ca](http://www.cityofdawson.ca)

PERMIT #:	
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TO BE COMPLETED BY DEVELOPMENT OFFICER

**OFFICE USE ONLY**

LEGAL DESCRIPTION: LOT(S) \_\_\_\_\_ BLOCK \_\_\_\_\_ ESTATE \_\_\_\_\_ PLAN# \_\_\_\_\_

ZONING: \_\_\_\_\_ DATE APPLICATION RECEIVED: \_\_\_\_\_

TYPE OF APPLICATION: \_\_\_\_\_ PERMITTED USE: \_\_\_\_\_

APPLICANT NAME(S): \_\_\_\_\_

OWNER NAME(S): \_\_\_\_\_

APPLICATION REJECTED

COMMENTS / REASONS	

DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

APPLICATION APPROVED / PERMIT ISSUED

PERMIT CONDITIONS	
see attached letter	

DATE: 19-07-19 SIGNATURE:

## Clarissa Huffman

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**From:** Clarissa Huffman  
**Sent:** July 17, 2019 2:08 PM  
**To:** 'Melanie Fellers'  
**Cc:** Libby Macphail; Public Works Manager  
**Subject:** RE: Two plan "a's"?

Hi Melanie,

Thanks for your inquiry. Sorry that I haven't had time to connect with you again about an update to your application: it has been a very hectic summer.

I've attached the drawing we presented to Council about the different access options. I spoke with Mark about the potential of the access going through the Dome Road buffer. From the municipality's perspective, this option is generally more supportable than an easement, as easements can get messy and complicated over time.

However, Mark wanted to make sure that the driveway you proposed meets the YG service standards regarding sightlines on a curve, driveways on an arterial road, et cetera. Therefore, the secondary option proposed by Mark was a driveway that crosses the buffer onto Jack London Lane (thus avoiding the potential arterial road and sightlines issues).

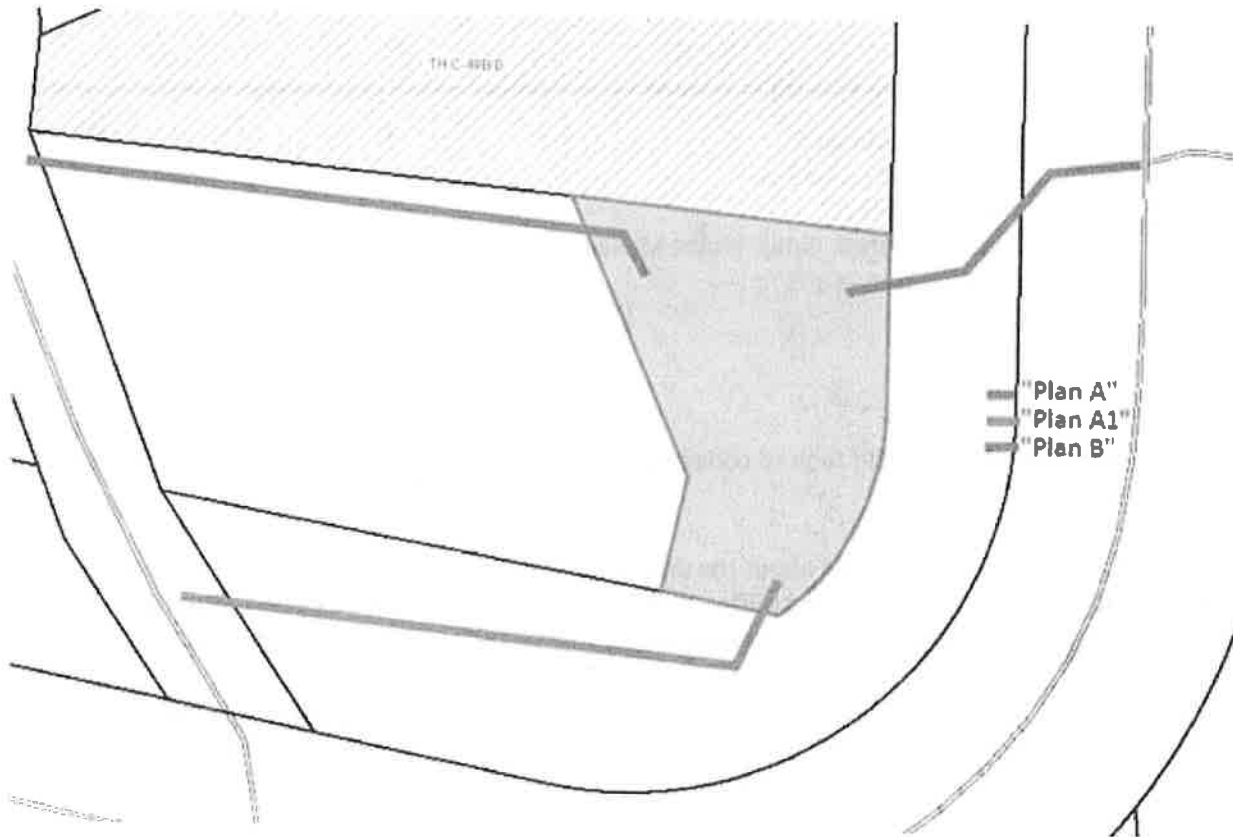
Two issues were raised in general about the buffer access option that we need to be cognizant of when deciding what option is best:

1. The trail network. Council expressed concerns about disruption to trails, and as such we need to show that the driveway through the buffer is not disrupting the trail network.
2. Having the driveway cut in front of a different privately titled property. It will warrant further conversations about whether A is supportable in itself, despite crossing in from of TH C-49B/D, or if a further variant of A that is a straight line to Dome Road would be ideal.

So, what was supported by Council was that 'Option A' was given subdivision authority broadly, in the sense that they approved the subdivision with an access through the buffer. What we need to do now is figure out which access option, is mutually agreeable between yourself, City of Dawson Public Works, and YG HPW. This might be driveway A, A1, or another slight variant.

If, for some reason, we cannot come to an agreement about access through the buffer, we will need to go back to Council again to obtain subdivision authority for Option B.

I hope this all makes sense to you, please feel free to contact me if you want to talk about this further. I'm passing this file back to Libby for processing of the conditional approval, however I am still available for questions as needed. I've also cc'd Mark into this email chain, as the three of us will need to work together collaboratively to come up with the best access option.



Thanks and have a great day,

Clare

Clarissa Huffman, BA, BURPI  
Community Development and Planning Officer  
City of Dawson  
(867) 993-7400 ext.414  
cdo@cityofdawson.ca

-----Original Message-----

From: Melanie Fellers <wmfellers@northwestel.net>  
Sent: July 16, 2019 10:02 AM  
To: Clarissa Huffman <cdo@cityofdawson.ca>  
Subject: Two plan "a's"?

Hi Clarissa,

Thanks for all your help and time on this.

I'm curious about the 2nd plan A you were speaking of at the meeting last night.

Do I need to forward you my application for road access permit to YG that I originally sent before I applied for subdivision ?

Thanks,

Melanie

Sent from my iPhone





# THE CITY OF DAWSON

P.O BOX 308, DAWSON CITY, YUKON Y0B 1G0  
PH: (867) 993-7400, FAX: (867) 993-7434



## SUBDIVISION/CONSOLIDATION APPLICATION CHECKLIST

Permit #: 19-048

Applicant Name: Melanie Fellers

Legal Description: Lot 33 Dome Road  
Subdivision

Mailing Address: Box 234 Y0B 1G0

Step	Signature	Date
Completed Application and Supporting Documentation Submitted	<i>LM</i>	May 27, 2019
Permit Paid, Stamped, and Listed in Permit Database	<i>LM</i>	May 27
Public Notice <ul style="list-style-type: none"> <li>• Copy of Public Notice emailed to Heather and added to RFD folder</li> <li>• Mailed to affected property owners [ ], posted at COD office [ ], posted at Post Office [ ], COD website [ ], E-news [ ], Klondike Sun [ ]</li> <li>• Circulation to Other Depts (Public Works, Fire, By-Law, Recreation)</li> <li>• Posted at site</li> </ul>	<i>LM</i>	
Public Hearing Date: <u>July 15</u>	CH	July 9
CDO Report	CH	July 10
Permit Decision <ul style="list-style-type: none"> <li>• Council makes decision based on Public Hearing and CDO Report</li> <li>• Letter detailing decision drafted</li> </ul>		
Permit Filing <ul style="list-style-type: none"> <li>• Original Permit, letter, &amp; supporting documentation in open subdivisions file</li> <li>• Scanned in to CDO Z: drive &amp; Saved in appropriate location</li> <li>• Copy of permit only put in binder</li> <li>• Copy of letter &amp; permit mailed to applicant</li> <li>• Conditions tracked in subdivision/consolidation tracking database</li> </ul>		
Finalization <ul style="list-style-type: none"> <li>• Legal survey received from applicant and filed in land file with original permit, letter, and supporting documentation</li> <li>• Copy of survey sent to Protective Services for Civic Addressing</li> </ul>		



**Subdivision/Consolidation Notice Process**

Decision Required By: August 27 2019

Action	Date
1. Notice of a Public Hearing released to public (refer to S.1 below)	
2. Committee of the Whole	July 8, 2019
3. Public Hearing (refer to S.2 below)	July 15, 2019
4. Council	

**Section 1. Notice of a public hearing.**

The notice must be circulated, in the method approved by Council, once a week for two successive weeks. The notice shall:

- a) describe the area affected by the proposed Subdivision;
- b) state the date, time, and place for the public hearing respecting the proposed Subdivision;
- c) include a statement of the reasons for the amendment and an explanation of it.

'Method approved by Council' includes the City of Dawson website, the Klondike Sun, the City and Post Office Bulletin Boards, and written notification as detailed below.

Written notification letters produced by the City of Dawson describing the area affected by the proposed amendment, stating the date, time and place for the public hearing and the reasons for the subdivision and an explanation of it shall be mailed to all properties prior to the public hearing within the following radii of the subject property:

- A) within the Historic Townsite, 100m (328 ft.);
- B) all other areas, 1km (3,281 ft.).

A notification sign shall be placed on the subject property following First Reading until such time as Council has ruled on the application. The sign shall state the details of the subdivision and the date, time and place of the public hearing as well as contact information of the City of Dawson.

The applicant shall allow a sign manufacturer contracted by the City to install the sign on the subject property in a conspicuous location. The applicant shall pay the required fee for the sign as specified in the Fees Bylaw in addition to the application fee.

**Section 2. Public Hearing**

Before making a decision, Council shall hold a public hearing to hear and consider all submissions respecting the proposed subdivision. The public hearing shall be held not earlier than 7 days after the last date of publication of the notice.

**Section 3. Notice Requirements**

- Klondike Sun
- Bulletin Board/Post Office
- Website/E-News
- Sign on Property
- Letters
- Public Works



# THE CITY OF DAWSON

P.O BOX 308, DAWSON CITY, YUKON Y0B 1G0  
 PH: (867) 993-7400, FAX: (867) 993-7434

## Zoning Assessment

File Number: 19-048

Date: July 2, 2019

Zone: R3

Assessment Completed By: Libby M.

### 1. Application Type

<input type="checkbox"/> OCP Amendment	<input type="checkbox"/> Variance
<input type="checkbox"/> Zoning Amendment	<input type="checkbox"/> Development
<input checked="" type="checkbox"/> Subdivision	<input type="checkbox"/> Other

2. Official Community Plan Designation: Dome Subdivision  
 Does the proposed development meet OCP requirements? yes  no  unknown

3. Zoning By-Law Designation: R3-Country Res.  
 Does the proposed development meet ZBL requirements?  yes  no  unknown

4. Heritage Management Plan Designation: Bowl Character Area  
 Does the proposed development require HAC review?  yes  no  unknown

### 5. Zone Specific Regulations:

Provision	Permitted	Proposed	Compliant	Variance Required
Permitted Use	Single detached		<input checked="" type="checkbox"/> / N	
Minimum Parcel Size	1 acre	"old lot" = 2.64 acres "new lot" = 1.16 acres	<input checked="" type="checkbox"/> / N	
Maximum Parcel Size	4 acres	✓	<input checked="" type="checkbox"/> / N	
Minimum Parcel Width	—		Y / N	
Minimum Setback (Front)	4.57m	? ✓	<input checked="" type="checkbox"/> / N	
Minimum Setback (Side) <sup>int.</sup>	4.57m	23m	<input checked="" type="checkbox"/> / N	
Minimum Setback (Side) <sup>ext.</sup>	4.57m	20m	<input checked="" type="checkbox"/> / N	
Minimum Setback (Rear)	4.57m	27.5m 12.6m	<input checked="" type="checkbox"/> / N	
Minimum Floor Area	900 sq. ft.	3500 sq. ft.	<input checked="" type="checkbox"/> / N	



# THE CITY OF DAWSON

P.O BOX 308, DAWSON CITY, YUKON Y0B 1G0

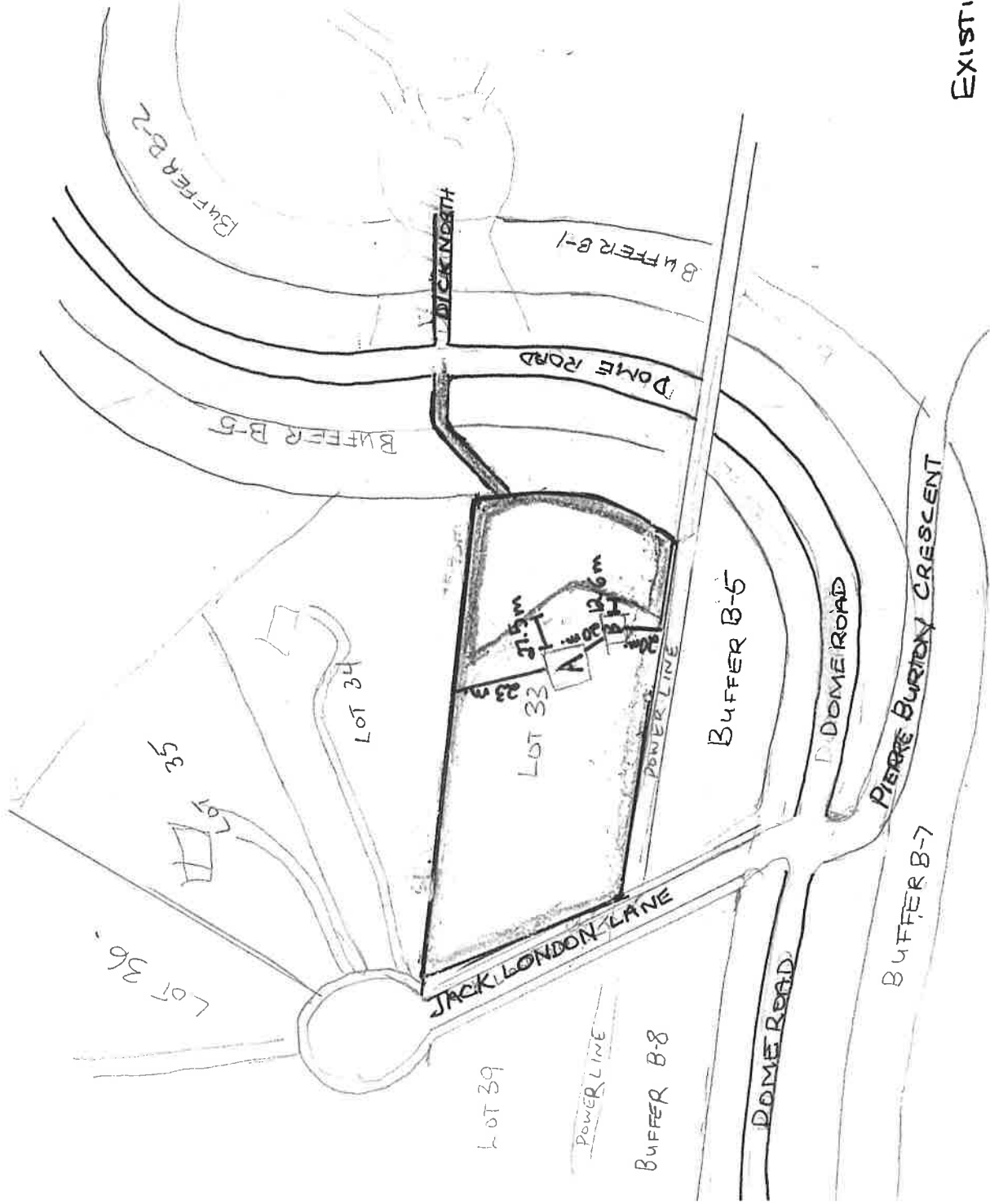
PH: (867) 993-7400, FAX: (867) 993-7434

Maximum Height (Principal)	10.67m/35ft.	27 ft.	Y/N	
Maximum Height (Accessory)	6.10m/20ft.	20 ft.	Y/N	
Maximum Parcel Coverage	—	—	Y/N	
Maximum Floor Area Ratio (FAR)	—	—	Y/N	
Minimum Off-Street Parking Spaces	—	—	Y/N	
Minimum Setback (Between Principal and Accessory)	4.57m	20m	Y/N	
Zone Specific: _____			Y/N	
Zone Specific: _____			Y/N	

6. Notes:

*[Faint handwritten notes and signatures are visible in this section, including the name 'D. ...' and various illegible scribbles.]*

PLAN "A"



Dimensions of Structures  
 A: L=28', H=41', W=46'  
 B: L=40', W=40', H=

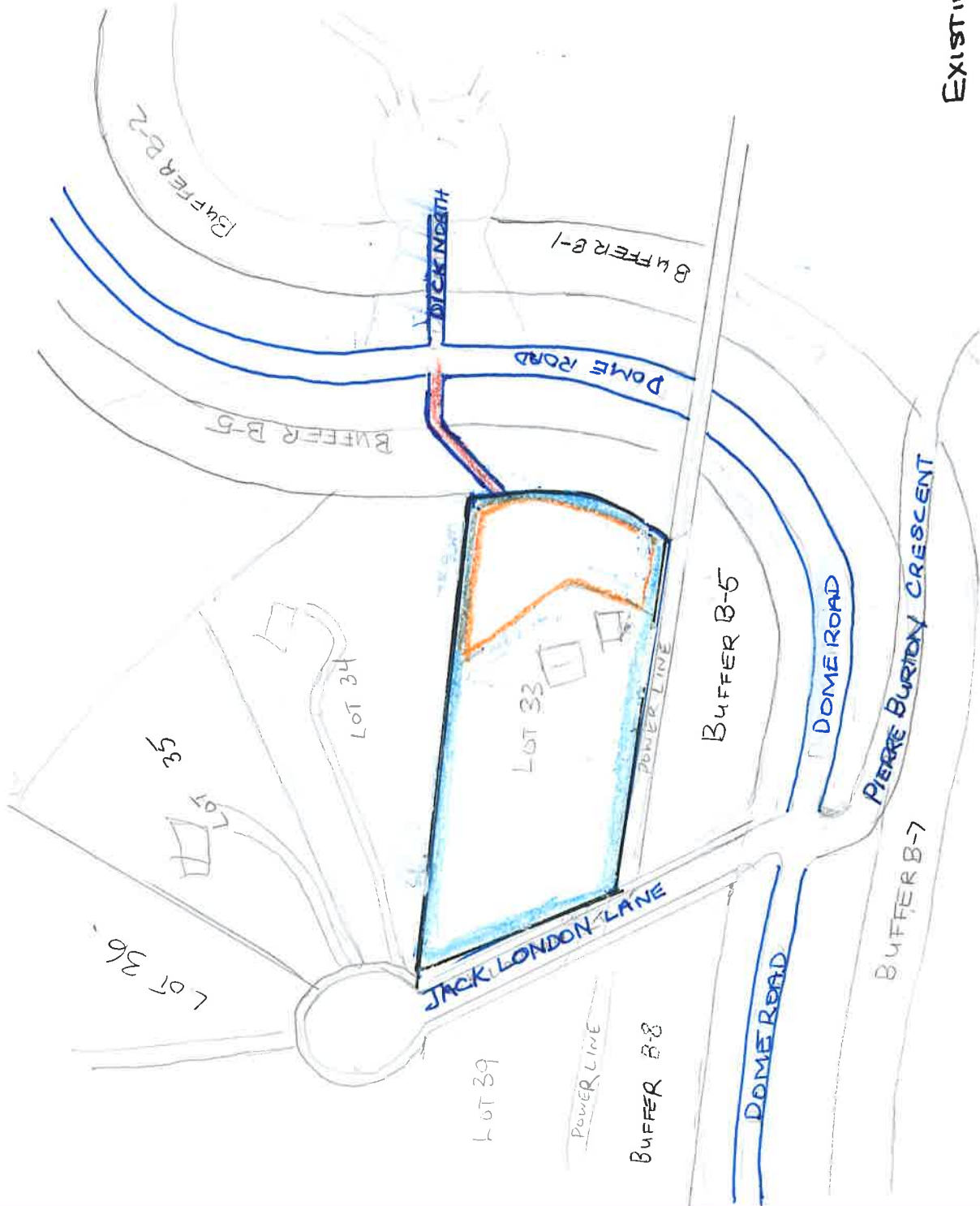
PLAN "A"

PROPOSED ACCESS - [Symbol]  
 EXISTING PROPERTY LIMITS - [Symbol]

PROPOSED ACCESS IS 3.2 KM  
 UP THE DOME ROAD FROM  
 ITS INTERSECTION OFF THE  
 NORTH KLONDIKE HWY.

PROPOSED PROPERTY LIMITS [Symbol]

PLAN "A"



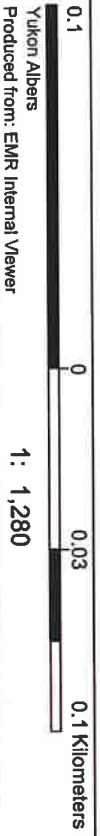
PLAN "A"

PROPOSED ACCESS - [Red line symbol]  
 EXISTING PROPERTY LIMITS - [Blue line symbol]

PROPOSED ACCESS IS 3.2 KM  
 UP THE DOME ROAD FROM  
 ITS INTERSECTION OFF THE  
 NORTH KLONDIKE HWY.

PROPOSED PROPERTY LIMITS  
 USING ACCESS - [Orange line symbol]





This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.  
 Date Printed: 23-May-2019

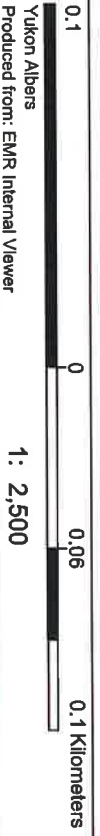
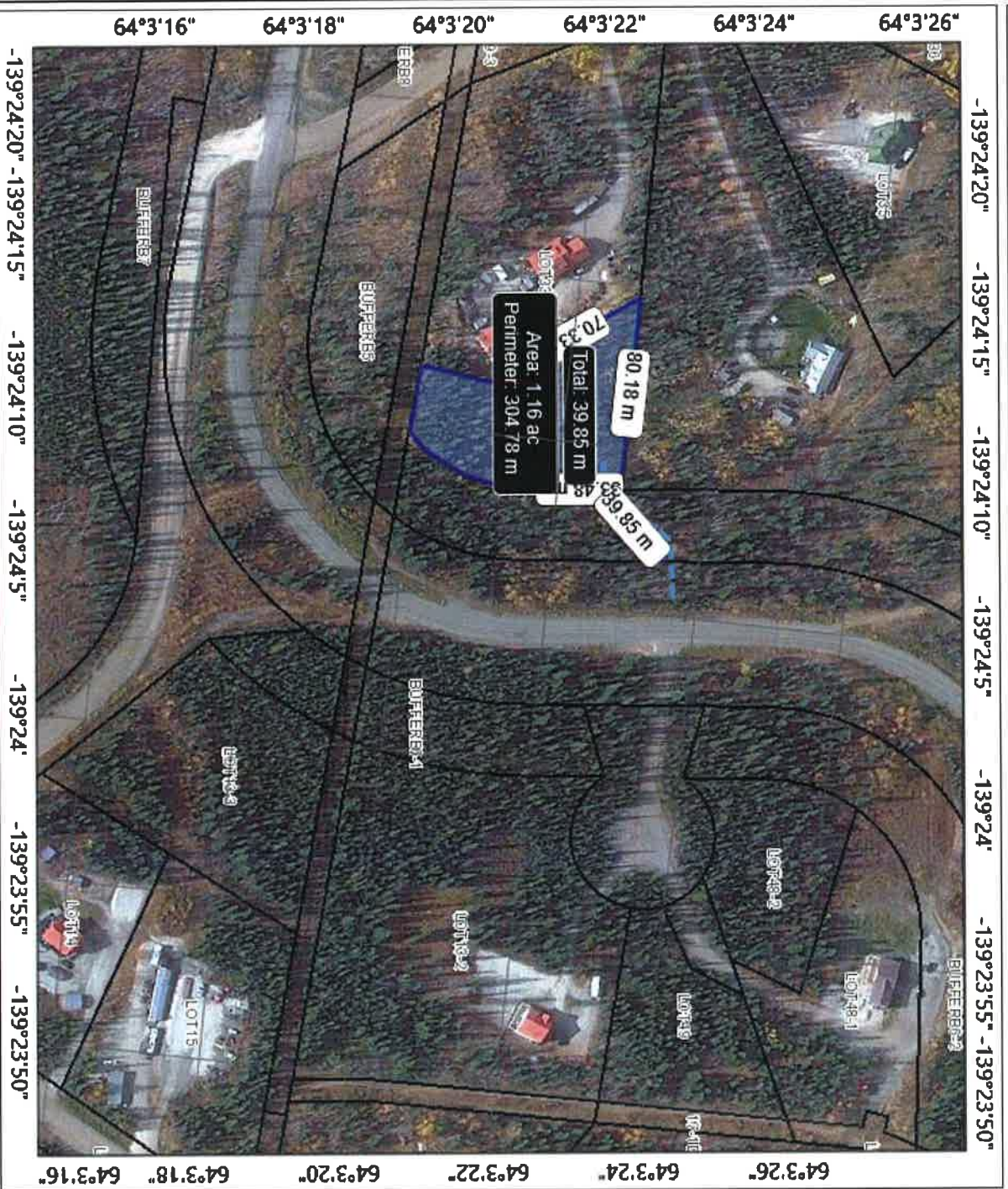
**Notes**



- Legend**
- Lot Numbers
  - Surveyed Land Parcels (<80k)
  - Surveyed Easements (<80k)
  - Lot Numbers
  - Surveyed Land Parcels (<40k)
  - Surveyed Easements (<40k)

*PLAN "A"*  
*Preferred*  
*Option*





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 Date Printed: 23-May-2019

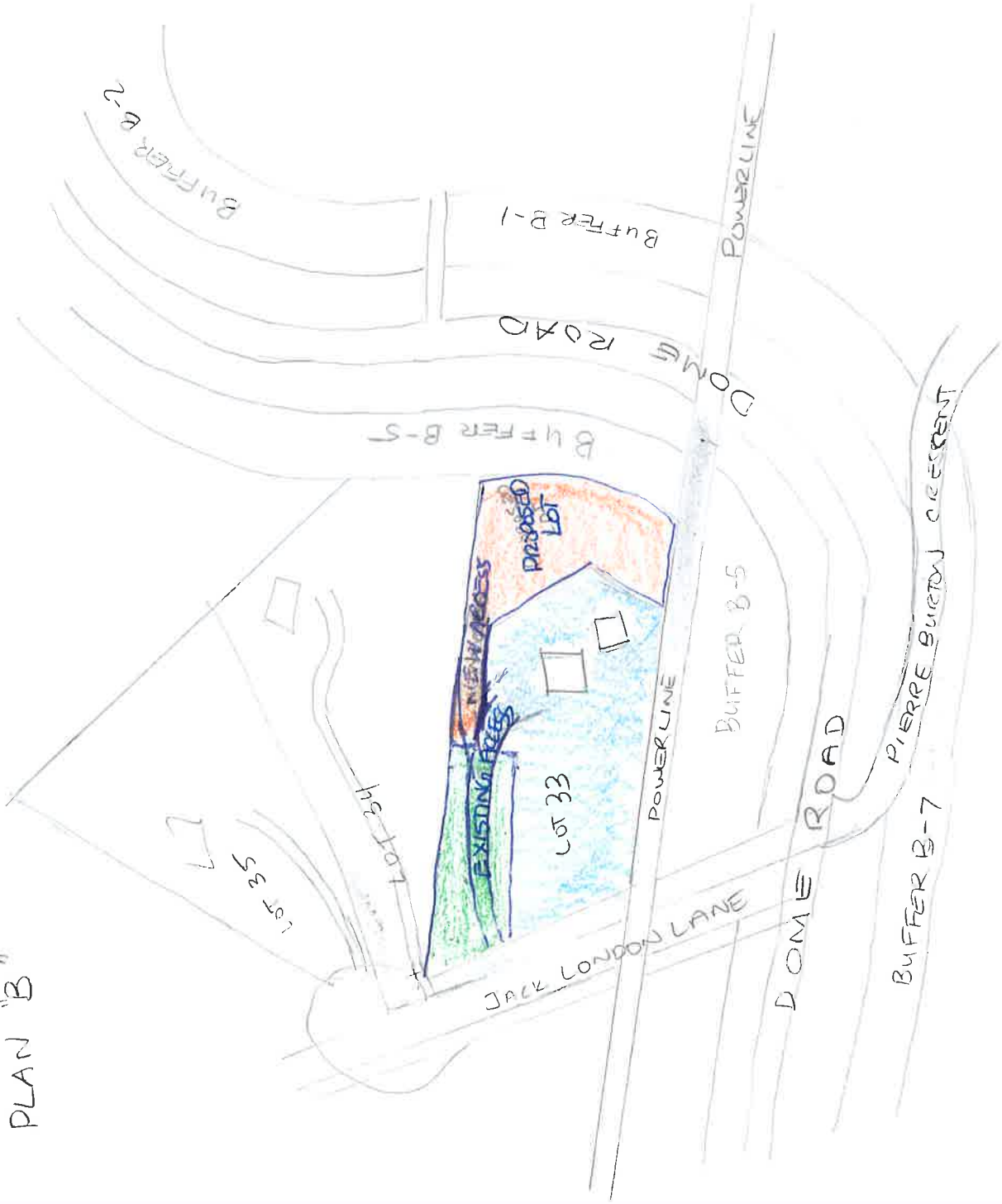


- Legend**
- Lot Numbers
  - Surveyed Land Parcels (-50k)
  - Surveyed Easements (-50k)
  - Lot Numbers
  - Surveyed Land Parcels (-50k)
  - Surveyed Easements (-50k)



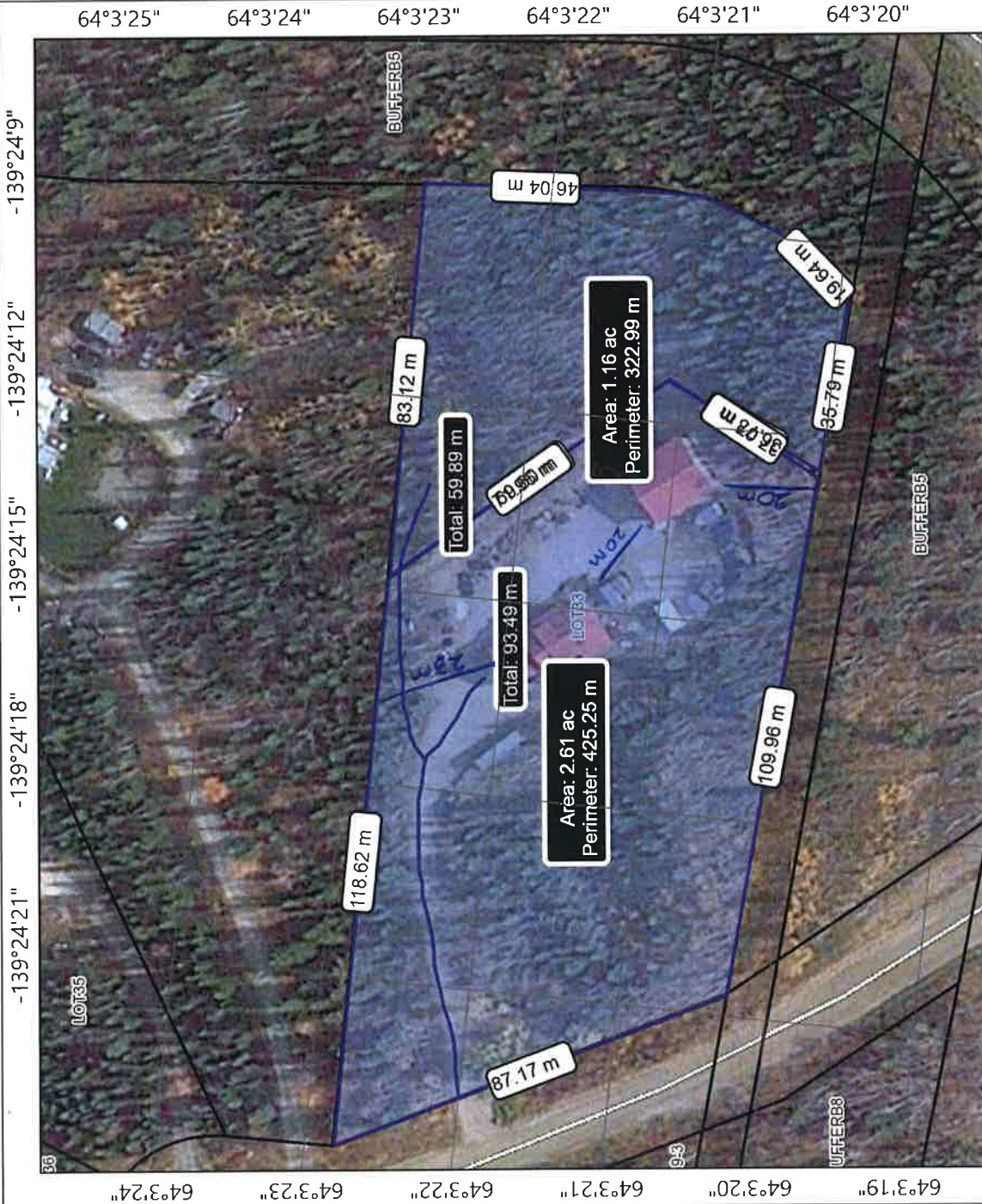
**Notes**

PLAN "B"



PLAN "B"





64°3'25" 64°3'24" 64°3'23" 64°3'22" 64°3'21" 64°3'20"

-139°24'21" -139°24'18" -139°24'15" -139°24'12" -139°24'9"



- Legend**
- Lot Numbers
  - Surveyed Land Parcels (<80k)
  - Surveyed Easements (<80k)
  - Lot Numbers
  - Surveyed Land Parcels (<80k)
  - Surveyed Easements (<80k)

PLAN "B"

**Notes**



This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.  
 Date Printed: 21-May-2019

0.1 Kilometers

0 0.03 1: 1,280



ACCESS:

PLAN "A" - (PREFERRED OPTION) - SEE MAP.

IDEALLY, EVERY LOT WOULD HAVE ITS OWN PRIVATE ACCESS. TO BEST ACCOMPLISH THIS I AM ASKING THE CITY OF DAWSON TO CONSIDER PERMITTING ACCESS TO THE PROPOSED LOT VIA AN EASEMENT THROUGH BUFFER B-5, COMING OFF THE DOME ROAD DIRECTLY ACROSS FROM DICK NORTH ROAD TO THE TOP END OF THE LOT.

THIS WOULD NEGATE THE NEED FOR A SHARED ACCESS OR CONGESTED DRIVEWAYS OFF OF JACK LONDON LANE, AS WELL AS PROVIDING COMPLETE PRIVACY.

PLAN "B" - ALTERNATIVELY, THIS PLAN ALLOWS SHARED ACCESS USING THE EXISTING DRIVEWAY. THE "SHARED" ACCESS WOULD BEST BE "SURVEYED OUT" AS IN THE ONE COMING OFF OF DICK NORTH ROAD BETWEEN LOTS 48-2, 48-1, +49.

THANK YOU FOR YOUR CONSIDERATION,

Melanie Fellers  
May 24, 2019

PS. I HAVE SPOKEN WITH KATE FRASER AT YESAB AND SHE BELIEVES THIS PLAN "A" WOULD NOT REQUIRE A PERMIT FROM THEM AS IT DOES NOT INVOLVE VACANT CROWN LAND. I SUBMITTED AN APPLICATION <sup>FOR ACCESS PERMIT</sup> TO THE TRANSPORTATION AND ENGINEERING BRANCH AT H&PW AND WAS TOLD BY JOHN MACDOUGALL THAT "DOME ROAD IS UNDER MUNICIPAL JURISDICTION DEBATE

WHAT IT SAYS IN THE HIGHWAY REG'S REDMERE #701 - SEE ATTACHED EMAILS.

**From:** Katie.Fraser <Katie.Fraser@yesab.ca>  
**Sent:** Thursday, May 23, 2019 1:25 PM  
**To:** Melanie.Fellers <Melanie.Fellers@gov.yk.ca>  
**Subject:** RE: Application for road access permit - Dome Rd

Hi Mel,

To reiterate our conversation yesterday:

My understanding of the project is that you would like to construct an access road from the Dome Road that crosses the Dome Buffer (91 92 LTO YT) in order to access the top part of your property (attached image). As the road in question crosses two surveyed land parcels: the Dome Road ROW, and the Dome Road Buffer B5 (which is titled to the City of Dawson as indicated below and from the land's office), my understanding is that no activities are proposed on crown land or settlement land for this project. I understand that no land use permit is required, although a HPW permit to work within the ROW is, as well as some authorization from the City for work within the buffer. I am uncertain as to what activity would be considered the trigger for an assessment under YESAA.

I would clarify with HPW (John McDougall) what trigger this project would fall under for requiring an assessment under YESAA.

Let me know if you have any questions,

Katie

**From:** Melanie.Fellers  
**Sent:** Wednesday, May 22, 2019 4:47 PM  
**To:** Katie.Fraser  
**Subject:** FW: Application for road access permit - Dome Rd

**From:** Wendy.Holway <[Wendy.Holway@gov.yk.ca](mailto:Wendy.Holway@gov.yk.ca)>  
**Sent:** Tuesday, May 14, 2019 2:50 PM  
**To:** Melanie.Fellers <[Melanie.Fellers@gov.yk.ca](mailto:Melanie.Fellers@gov.yk.ca)>  
**Subject:** FW: Application for road access permit - Dome Rd

Hi Melanie  
Please see the following email from John at TEB regarding your access permit application.  
Thanks,



**Wendy Holway**

Junior Maintenance Technician

Highways & Public Works | Transportation Maintenance Branch, Maintenance & Planning W-12

T 867-667-8250 | [wendy.holway@gov.yk.ca](mailto:wendy.holway@gov.yk.ca) | F 867-667-3648 | Yukon.ca

**From:** John.MacDougall <[John.MacDougall@gov.yk.ca](mailto:John.MacDougall@gov.yk.ca)>  
**Sent:** Tuesday, May 14, 2019 2:46 PM  
**To:** Wendy.Holway <[Wendy.Holway@gov.yk.ca](mailto:Wendy.Holway@gov.yk.ca)>  
**Cc:** Jim.Regimbal <[Jim.Regimbal@gov.yk.ca](mailto:Jim.Regimbal@gov.yk.ca)>  
**Subject:** RE: Application for road access permit - Dome Rd

I see a lot of problems here:

- Dome Road is within the Town of Dawson municipal limits so the road is under municipal jurisdiction (despite what it says in the Highway Regulations for Dome Road # 701)
- They want cross buffer B-5, titled to Dawson
- Dawson is the subdivision authority
- No access permit until the subdivision is approved and the survey is registered at Land Titles Office
- Will need to go to YESAA for road construction on the buffer B-5



**John MacDougall**

Senior Highways Land Management Advisor  
Highways and Public Works | Transportation Engineering Branch  
T 867-633-7962 | C 867-633-7962 | F 867-393-6447 | Yukon.ca

**From:** Wendy.Holway <[Wendy.Holway@gov.yk.ca](mailto:Wendy.Holway@gov.yk.ca)>  
**Sent:** May 14, 2019 1:59 PM  
**To:** John.MacDougall <[John.MacDougall@gov.yk.ca](mailto:John.MacDougall@gov.yk.ca)>  
**Cc:** Jim.Regimbal <[Jim.Regimbal@gov.yk.ca](mailto:Jim.Regimbal@gov.yk.ca)>  
**Subject:** FW: Application for road access permit - Dome Rd

Hi John

This is Access Permit application #12092 to Lot 33 Dome Road. Does this have an existing access, maybe off Jack London Lane? She plans to subdivide and sell the large part with the house.

Does she have to wait until subdivision is approved to apply for this permit?

Thanks,  
Wendy

**From:** Melanie.Fellers <[Melanie.Fellers@gov.yk.ca](mailto:Melanie.Fellers@gov.yk.ca)>  
**Sent:** Monday, May 13, 2019 3:30 PM  
**To:** highway.permits <[highway.permits@gov.yk.ca](mailto:highway.permits@gov.yk.ca)>  
**Cc:** Wendy.Holway <[Wendy.Holway@gov.yk.ca](mailto:Wendy.Holway@gov.yk.ca)>; 'Melanie Fellers' <[wmfellers@northwestel.net](mailto:wmfellers@northwestel.net)>  
**Subject:** Application for road access permit

Good afternoon,

Please find enclosed my application for a road access permit and the required documents. Please call my cell for payment by visa.

# Report to Council



For Council Decision     For Council Direction     For Council Information

In Camera

<b>SUBJECT:</b>	Subdivision Application #19-048: Lot 33 Dome Road	
<b>PREPARED BY:</b>	Libby Macphail and Clarissa Huffman, Planning and Development Department	<b>ATTACHMENTS:</b> 1. Subdivision Application #19-048 2. Map of Proposed Subdivision
<b>DATE:</b>	July 2, 2019	
<b>RELEVANT BYLAWS / POLICY / LEGISLATION:</b>	Municipal Act Official Community Plan Zoning Bylaw Subdivision Bylaw	

## RECOMMENDATION

1. That Council approve authority to subdivide for Subdivision Application #19-048, "Plan A" subject to the following conditions:
  - 1.1. The application successfully passes through a public hearing.
  - 1.2. The applicant submit a Stormwater Management Plan to the satisfaction of the CDO and Public Works Superintendent.
  - 1.3. The applicant submit an access plan that demonstrates commitment to either driveway configuration A or A1 to the satisfaction of the CDO and Public Works Superintendent.
  - 1.4. The applicant submits a plan of subdivision completed by a certified lands surveyor drawn in conformity with the approval.
  - 1.5. The applicant shall, on approval of the subdivision plan by the City of Dawson, take all necessary steps to enable the registrar under the Land Titles Act to register the plan of subdivision.

## ISSUE

Subdivision Application #19-048 was received on May 27, 2019. The applicant is requesting to subdivide their residential lot into two lots to facilitate the sale of the second lot.

## **ANALYSIS / DISCUSSION / ALIGNMENT TO OCP & STRATEGIC PRIORITIES**

### **Comments**

Department heads were asked to comment on this application for purposes of assessing operational requirements such as access, lot grading, and slope stability, and no negative comments or concerns were raised. It was noted by Protective Services that from a civic addressing perspective, Plan A would be preferred, as it is complex to assign addresses in a shared driveway scenario. Public Works expressed concerns about the proposed driveway accessing the Dome Road, to be discussed further in the following sections.

The application was also circulated to every property owner in a 1km radius of this property, inviting comments and questions. No comments in opposition to this application were received at the time of writing this report.

### **Subdivision By-Law**

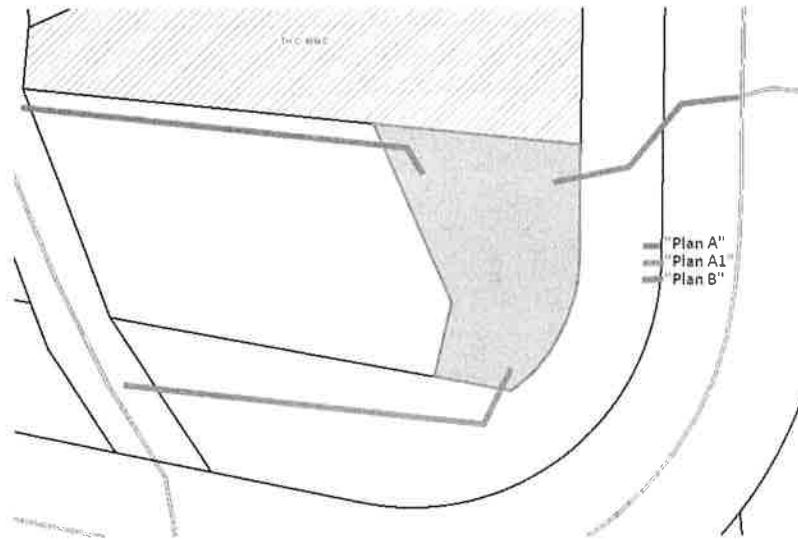
Subdivision Control By-Law S3.01 states that every subdivision of land must be made in accordance with the Municipal Act, the Official Community Plan, the Zoning Bylaw, and the Subdivision Control Bylaw. The Analysis/Discussion section of this report is intended to discuss the proposal's conformity with the provisions outlined in the relevant legislation, policies, and plans.

### **Municipal Act**

The Municipal Act S. 314 details the requirements for any proposed plan of subdivision to have direct access to the highway to the satisfaction of the approving authority. In this case, "Plan A", the applicant's preferred option, creates direct access to Dome Road. However, this option requires further assessment. PW indicated that prior to approving an access, YG Highways and Public Works should weigh in to confirm the classification of the Dome Road and the standards for sightlines on a curve. Answers to both of these questions will impact the viability of a driveway access on Dome Road. PW suggested an alternate driveway configuration, shown as "Plan A1", where the driveway passes through the buffer to Jack London Lane, which would meet access requirements in the event that the original proposal is not viable.

If Council were to recommend "Plan B", there is no new access, and therefore this section doesn't apply. However, an easement is proposed in order to access the new lot. Therefore, if Plan B is the option chosen by Council, condition 1.3 would need to be updated to require the easement to be registered on title.





**Figure 1.** Proposed Driveway Configurations

S. 319 stipulates that an approval may be valid for a period of up to twelve months. If the applicant has not provided proof that the conditions of approval have been met, under the Act approval is void. The applicant can request an extension of a further twelve months, which may be granted in whole or in part, at the discretion of the approval authority.

**Official Community Plan**

The property is currently designated as R3 – Country Residential. Uses associated with this designation include primarily low density single detached dwellings. Therefore, the two proposed lots would retain the same designation. Any new use or development on the proposed lots would be required to conform to the OCP designation, or else apply for an OCP Amendment.

**Zoning By-Law**

The property is currently zoned R3 – Country Residential. The Zoning By-Law is intended to implement the goals of the OCP. Therefore, the purpose of the R3 zone as per the Zoning By-Law is to permit low density, privately serviced residential dwellings. A full range of permitted uses and associated provisions are contained in the Zoning By-Law, and any future development of the proposed lots must also conform with the Zoning By-Law. Both lots would also be required to meet the minimum lot size of 1 acre; the two lots are proposed to be approximately 2.64 acres and 1.16 acres respectively.

A preliminary zoning assessment was conducted and no discrepancies were identified, therefore administration is comfortable recommending approval of “Plan A” of this subdivision.

<b>APPROVAL</b>	
<b>NAME:</b> Cory Bellmore, CAO	<b>SIGNATURE:</b> <i>C. Bellmore</i>

<b>DATE:</b>	July 4, 2019	
--------------	--------------	--



# THE CITY OF DAWSON

Licence of Occupation: Lot 33-2 Dome Road Subdivision

**BETWEEN:**

THE CITY OF DAWSON  
a municipal corporation  
(the "City")

**AND:**

MELANIE FELLERS (the "Licensee")

**IN RESPECT OF:**

The Portion of Buffer B5 being used for driveway access to Lot 33-2 Dome Road Subdivision  
Dawson City, Yukon Territory  
Plan # 108509  
(the "Land")

**1.00 NO INTEREST IN THE LAND**

1.01 This licence does not convey any exclusive right, privilege, possession, property or interest with respect to the Land.

**2.00 USE**

2.01 The Licensee shall use the Land solely for the following purpose(s):

*The driveway access going across Buffer B5 to be used to provide access from Lot 33-2 to the road right of way, as depicted in Appendix 10.01.*

**3.00 TERMS**

3.01 This licence shall be for a period of **five (5) years** commencing on the **First (1st) day of February, 2021** and ending on the **Thirty First (31st) day of December, 2026**.

3.02 YIELDING AND PAYING THEREFORE, annually, a license fee in the sum of One Dollar (\$1.00) plus GST.

3.03 The Licensee shall not use of the Land for any other purpose than use specified in term 2.01.

3.04 The breach of any clause shall be a fundamental breach of the licence and may result in termination.



# THE CITY OF DAWSON

## Licence of Occupation: Lot 33-2 Dome Road Subdivision

### 4.00 RENEWAL

4.01 Subject to the Licensee having performed and observed all of the terms and conditions on the part of the Licensee to be performed and observed, and upon a renewal being requested by the Licensee, in writing, at least ninety (90) days prior to the date of expiry of this licence, the City of Dawson may grant to the Licensee a renewal of this licence for a further term of five (5) years upon essentially the same terms and conditions as are herein contained except as to licence fees and this right of renewal.

### 5.00 IMPROVEMENTS

- 5.01 The Licensee shall not place anything permanent upon, in, or under the Land, except as necessary for the exercise of the rights granted under this licence, without the written approval of the City. Furthermore, the Licensee will construct, operate and maintain such necessary improvements in a good, workmanlike and proper manner.
- 5.02 The Licensee will not inhibit recreation and trail access on or over the Land.
- 5.03 The Licensee will not cut or damage any timber on the Land or open, lay down or construct any roads or trails on or over the Land, or do any act to impair the natural beauty of the Land, except in the manner and to the extent that the City may allow for the reasonable exercise of the rights granted under this licence.
- 5.04 The Licensee shall assume responsibility for ensuring the safety and stability of all improvements at the subject property in the event that the City of Dawson or those contracted by the City of Dawson require access to the surface or subsurface.
- 5.05 On the termination or expiration of this licence, the Licensee will remediate the Land to a condition satisfactory to the City of Dawson. In particular, the City of Dawson may require the Licensee to remove any improvements affixed to or placed on the Land, and otherwise to restore the Land. In the event the Licensee does not carry out such removals and restoration within ninety (90) days of termination of the licence, despite being requested to do so, the City of Dawson may carry out the removals and restoration and may recover the cost of doing so from the Licensee.

### 6.00 ENVIRONMENTAL

- 6.01 The Licensee shall dispose of all timber and slash cleared on the Land in accordance with direction from the Government of Yukon Forest Management Branch and satisfactory to the City.
- 6.02 The Licensee will not cut any trees or shrubs outside the Land boundaries.
- 6.03 If the Licensee by its operations on the Land has contributed to any detrimental environmental change, the Licensee shall pay its proportionate share of any costs of remedial action which may be considered necessary, as determined by the City.



# THE CITY OF DAWSON

## Licence of Occupation: Lot 33-2 Dome Road Subdivision

### 7.00 ASSIGNMENTS

7.01 This License of Occupation shall inure to the benefit of and be binding upon the parties, their heirs, executors, administrators, successors, and permitted assigns.

### 8.00 GENERAL

8.01 The Licensee shall conform to all applicable federal, territorial, and municipal laws.

8.02 This licence does authorize a right of access to a highway right-of-way but it does not authorize right of access over, upon, or along a highway right-of-way.

8.03 That the Licensee shall hold the City free of all liabilities concerning the Land during the term of this licence, and shall indemnify and save harmless the City from and against all actions, claims, judgments, liabilities, damages, demands, losses and costs whatsoever resulting from all uses of the Land, or anything done or omitted to be done by, the Licensee, their servants, agents and employees, save and except for damages caused by the City.

8.04 The Licensee shall, at their own expense, maintain insurance in the name of the Licensee and the City including the City as additional insured against liabilities or damages in respect of injuries to persons (including injuries resulting in death) and in respect to damage to property (including the facilities and property of the City) arising out of the performance of this Agreement until completion of this Agreement, including, without limiting the generality of the foregoing, public liability and property damage insurance.

8.05 The insurance policies maintained under sub-Section 8.04 above shall:

- (a) include the following "Cross Liability" clause: "the insurance as is provided by this policy shall apply in respect to any claim or action brought against any one Insured by any other Insured. The coverage shall apply in the same manner and to the same extent as though a separate policy had been issued to each Insured. The inclusion herein of more than one Insured shall not operate to increase the limit of the Insurer's Liability".
- (b) cover the cost of defense or adjustment of claims over and above the money limitations of the policies;
- (c) be in an amount of not less than \$2,000,000.00 (Two Million Dollars) for any one accident for general public liability to third parties, property damage and automobile, and other vehicular coverage for public liability and property damage if the Licensee is utilizing their equipment;
- (d) require the insurers to give thirty (30) days' notice, to the City, prior to cancellation or expiry of the insurance or of any proposed material changes in such policies.



# THE CITY OF DAWSON

## Licence of Occupation: Lot 33-2 Dome Road Subdivision

- (e) provide proof to the City by way of "Certificate of Insurance" issued by the Insurance Company.
  - (f) the insurance policies maintained under sub-section 8.04 above may be issued with a deductible amount of not more than \$2,500.00 (two thousand five hundred dollars). The amount of any loss up to the deductible limit shall be borne by the Licensee.
  - (g) upon signing of this agreement, the Licensee shall deposit with the City a Certificate of Insurance verifying the insurance requirements of this contract.
- 8.06 That unless a waiver is given in writing by the City, the City will not be deemed to have waived any breach by the Licensee of any terms of the licence, and a waiver relates only to the specific breach to which it refers.
- 8.07 Termination of this licence will not prejudice a right of action by the City with respect to the breach of any terms and conditions contained in the licence.
- 8.08 In the event that any portion of the licence fee remains unpaid after it becomes due, whether formally demanded or not, or if the Licensee is in default of any other term of this licence, upon serving the notices and if the default is not remedied to the satisfaction of the City, the City may cancel this license. Such cancellation will be effective immediately.

### 9.00 NOTICES

- 9.01 Whenever, under the provision of this License, any notices, demands, or requests are required to be given by either party to the other, such notice, demand, or request may (except where expressly otherwise herein provided) be given by delivery by hand to, by sending the same by facsimile, or by registered mail sent to, the respective addresses or facsimile number hereinafter provided for, and if given by mail shall be deemed to have been served and given on the second business day following the date of mailing by registered mail and provided such addresses or facsimile number may change upon five (5) days notice. In the event that notice is served by mail at the time when there is an interruption of mail service affecting the delivery of mail, the notice shall not be deemed to have been served until one (1) week after the date that the normal service is restored.

The respective addresses and facsimile number of the parties being, in the case of the City:

**THE CITY OF DAWSON**  
ATTENTION: Chief Administrative Officer  
PO BOX 308  
Dawson City, Yukon  
Y0B 1G0





# THE CITY OF DAWSON

**Licence of Occupation: Lot 33-2 Dome Road Subdivision**

Fax: (867) 993-7434

And in the case of the Licensee:

**MELANIE FELLERS**

PO Box 234  
Dawson City, Yukon  
Y0B 1G0





# THE CITY OF DAWSON

## Licence of Occupation: Lot 33-2 Dome Road Subdivision

**IN WITNESS WHEREOF** the parties hereto have executed this Agreement on the day and year first above written.

THE CITY OF DAWSON

By:

\_\_\_\_\_

Wayne Potoroka, Mayor

\_\_\_\_\_

Date

\_\_\_\_\_

Witness

MELANIE FELLERS

By:

\_\_\_\_\_

Melanie Fellers

\_\_\_\_\_

Date

\_\_\_\_\_

Witness



**Your Community Voice**  
Yukon Police Council



February 9, 2021

Mayor Wayne Potoroka  
City of Dawson  
P.O. Box 308  
Dawson City, YT Y0B 1G0

Dear Mayor Potoroka,

**Re: Yukon Police Council Annual Report 2019–20**

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I am pleased to provide you with the Yukon Police Council's 2019–20 Annual Report. The report provides a summary of the Council's activities last year and outlines how the Council continues to meet its mandate.

The Yukon Police Council was established as a result of Sharing Common Ground, the 2010 Review of Yukon's Police Force. One of the key recommendations of this Review called for the establishment of a citizen-based council to provide a formal mechanism through which community members could participate and provide input to help shape policing services in Yukon. The Council consists of six members from Yukon communities, at least three of whom are First Nations members, with the Deputy Minister of Justice as Chair.

The report provides a general overview of what Council heard from community stakeholders throughout the year during public consultation. Engagement was limited to Whitehorse in this reporting year due to unforeseen challenges surrounding scheduled community visits in Faro and Ross River. In 2019, Council bid farewell to member Melaina Sheldon and welcomed Dr. Janet Welch. The Council is pleased to have Simon Nagano and Tracy MacPherson for their second terms.

I am encouraged by the work of the Council in the past year and look forward to hearing what community members identify as policing priorities for Yukon. You can find more information about the Yukon Police Council at [Yukon.ca](http://Yukon.ca).

Yours truly,

John Phelps  
Chair, Yukon Police Council

Contact our secretariat at: [yukonpolicecouncil@yukon.ca](mailto:yukonpolicecouncil@yukon.ca)