

MINUTES OF COMMITTEE OF WHOLE MEETING CW19-15 of the council of the City of Dawson called for 7:00 PM on Monday, May 27, 2019 in the City of Dawson Council Chambers.

PRESENT:	Mayor Councillor Councillor Councillor	Wayne Potoroka Natasha Ayoub Stephen Johnson Molly Shore
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REGRETS:	Councillor	Bill Kendrick
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ALSO PRESENT:	A/CAO EA CDO	Marta Selassie Heather Favron Clarissa
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Agenda Item: Call to Order

The Chair, Wayne Potoroka called the meeting to order at 7:00 p.m.

Agenda Item: Agenda

CW19-15-01 Moved by Mayor Potoroka, seconded by Councillor Shore that the agenda for committee of the whole meeting #CW19-15 be accepted as amended. Carried 4-0

Agenda Item: Delegations and Guests

a) Sarah Cooke RE: Set Backs for Cannabis Retail Stores

Sarah Cooke explained to the committee that YG regulations require a cannabis retail store to be 150 m from any school. The property where her building is located and where she is proposing to operate a cannabis retail store is 132 m from the school property line being 18 m short of the regulation. Under the Act municipalities were given the authority, by bylaw, to vary some of the regulations and the setback from schools is one those regulations. Under the new *Zoning Bylaw* recently adopted by council, cannabis retail stores are an allowable use in all Core Commercial zones including those located under the 150 m setback.

Sarah Cooke explained she was in attendance to seek clarification on whether the intent of the newly adopted *Zoning Bylaw* was to allow cannabis retail stores in all core commercial zones no matter their location, and to also request council consider her situation when contemplating any future bylaws or setbacks.

Agenda Item: Business Arising from Delegations

CW19-15-02 Moved by Mayor Potoroka, seconded by Councillor Johnson that committee of the whole take a 3-minute recess. Carried 4-0

CW19-15-03 Moved by Mayor Potoroka, seconded by Councillor Shore that committee of whole recommends to council they confirm cannabis retail stores are allowed in areas zoned commercial, a designation which, at present, does not include any setbacks from elementary and post-secondary schools. For further clarity, the mayor will write a letter confirming any retailer operating a cannabis retail store in areas zoned commercial would be compliant with our zoning bylaw in its current form. Carried 4-0

Agenda Item: Adoption of the Minutes

- a) Committee of Whole Meeting Minutes CW19-14 of May 6, 2019

CW19-15-04 Moved by Mayor Potoroka, seconded by Councillor Shore that the minutes of committee of the whole meeting #CW19-14 of May 6, 2019 be accepted as presented. Carried 4-0

Agenda Item: Special Meeting, Committee and Departmental Reports

- a) Request for Decision RE: Subdivision Application #18-023 Request for Extension

CW19-15-05 Moved by Mayor Potoroka, seconded by Councillor Ayoub that committee of the whole forwards the request for decision RE: Subdivision 18-023: Extension Request to council with a recommendation to approve. Carried 4-0

- b) Request for Decision RE: Official Community Plan Bylaw Amendment, Zoning Bylaw Amendment and Subdivision Application #19-027 – Lot 1047-2, Klondike Highway

Committee raised concerns regarding process and how an applicant is able to apply for an OCP and zoning bylaw amendment when they are not the owner of the property. Committee requested further information regarding access and how the proposed development fits in with the broad planning of the area.

The CDO informed the committee that the City of Whitehorse recently entered into an MOU with Government of Yukon regarding process for spot land applications. She has requested to meet with the person who negotiated the MOU to find out if there is a possibility of negotiating a similar one for the city so that the process is clearly outlined as to what we can expect moving forward in terms of spot land applications and lot enlargements. To date it has been a bit ad hoc and having that clarity would be very important in moving forward.

The CDO offered to request a letter from the Lands Department stating they formally support the development and that the development does not conflict with the planning being done on the Industrial Infill 2 area.

CW19-15-06 Moved by Councillor Johnson, seconded by Mayor Potoroka that committee of the whole forwards the request for decision RE: Official Community Plan Amendment #19-010, Zoning Bylaw Amendment #19-011, and Subdivision Application #19-027: Lot 1047-2 Klondike Highway to council with a recommendation to approve option 2.

CW19-15-07 Moved by Mayor Potoroka, seconded by Councillor Ayoub that committee of the whole refer the matter to next committee of whole meeting. Carried 4-0

- c) Request for Decision RE: Official Community Plan Bylaw Amendment and Zoning Bylaw Amendment – Mining Claims included under WUL PM17-019 and MLU AP17019

CW19-15-08 Moved by Mayor Potoroka, seconded by Councillor Shore that committee of the whole forwards the request for decision RE: Official Community Plan Amendment #18-140 & Zoning Bylaw Amendment #18-141 to council with a recommendation to approve.

CW19-15-09 Moved by Mayor Potoroka, seconded by Councillor Johnson that committee of whole move in camera for the purposes of discussing a legal matter. Carried 4-0

- CW19-15-10** Moved by Mayor Potoroka, seconded by Councillor Ayoub that committee of the whole move to an open session of committee of the whole. Carried 4-0
- CW19-15-11** Moved by Mayor Potoroka, seconded by Councillor Johnson that committee of the whole postpone matter to next committee of whole meeting. Carried 4-0

Agenda Item: Bylaws and Policies

- a) Request for Direction RE: Draft Development Incentive Policy and Development Cost Charge Program Design

Committee provided the following input:

Page 17: interested to see what bylaws exist that would allow us to take possession of derelict buildings without compensation to the owner as well as incentives for vacant and derelict buildings.

Page 22, #8: suggested addition of student housing, housing be available year-round, and defining the type of housing eligible under the policy.

Survey responses: very limited sample size, and some comments provided were not accurate.

The CDO asked the committee a list of questions to assist in gathering desired comments and input.

- 1) Have the policy's original objectives been met and are they still valid?
- 2) If yes to above, what potential changes could make the policy more effective and/or reflective of 2019 circumstances around housing, specifically?
- 3) Given City financial and administrative capacity, are there other pressing development issues in Dawson that warrant incentives to address?
- 4) What is your response to the consultant's recommendations? Are there ones you disagree with and do not want pursued any further?
- 5) Given the background and rationale for DCCs as charged in other jurisdictions, do you think this approach is appropriate in general for Dawson?
- 6) Which of the options presented do you prefer? What would make the introduction of a development-related charge worthwhile and successful in your opinion?

The CDO confirmed to forward the list of questions to the committee.

- CW19-15-12** Moved by Mayor Potoroka, seconded by Councillor Shore that committee of the whole extend meeting #CW19-15 no longer than 1 hour. Carried 3-1
- CW19-15-13** Moved by Councillor Johnson, seconded by Mayor Potoroka that committee of the whole acknowledges receipt of the Draft Development Incentive Policy and Development Cost Charge Program Design. Carried 4-0

Agenda Item: Correspondence

Committee of the whole requested Sue Lancaster's letter be forwarded to Public Works for consideration and a report back.

CW19-15-14 Moved by Mayor Potoroka, seconded by Councillor Shore that committee of the whole acknowledges receipt of the following correspondence Kelli Taylor, ADM RE: Yukon University Legislation, and Sue Lancaster RE: Request for Garbage Bin at Guggieville Subdivision. Carried 4-0

Agenda Item: In camera Session

CW19-15-15 Moved by Mayor Potoroka, seconded by Councillor Shore that committee of the whole move into a closed session for the purposes of discussing human resource and land related matters as authorized by section 213 (3) of the Municipal Act. Carried 4-0

CW19-15-16 Moved by Mayor Potoroka, seconded by Councillor Shore that committee of the whole reverts to an open session of committee of the whole and proceeds with the agenda. Carried 4-0

Agenda Item: Adjournment

CW19-15-17 Moved by Mayor Potoroka, seconded by Councillor Shore that committee of the whole meeting CW19-15 be adjourned at 10:50 p.m. with the next regular meeting of committee of the whole being June 17, 2019. Carried 4-0

THE MINUTES OF COMMITTEE OF WHOLE MEETING CW19-15 WERE APPROVED BY COMMITTEE OF WHOLE RESOLUTION #CW19-17-02 AT COMMITTEE OF WHOLE MEETING CW19-17 OF JUNE 17, 2019.

Original signed by:
Wayne Potoroka, Chair

Cory Bellmore, CAO