

THE CITY OF DAWSON

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NOTICE OF SPECIAL COMMITTEE OF THE WHOLE MEETING #CW21-18

This is to inform you a special meeting of City Council will be held as follows:

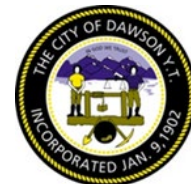
DATE OF MEETING: TUESDAY, JULY 20, 2021
PLACE OF MEETING: COUNCIL CHAMBERS, CITY OFFICE
TIME OF MEETING: 7:30 PM
PURPOSE OF MEETING:

- 1) Tr'ondëk Hwëch'in Council Request RE: Development of Men's Shelter

DATE MEETING REQUESTED: July 13, 2021
MEETING REQUESTED BY: WAYNE POTOROKA, MAYOR

Original signed by: June 25, 2021
Cory Bellmore, CAO Date

Report to Council



☐ For Council Decision ☒ For Council Direction ☐ For Council Information

☐ In Camera

AGENDA ITEM:	Tr'ondëk Hwëch'in Council Requests Re. Development of Men's Shelter	
PREPARED BY:	Stephanie Pawluk, CDO	ATTACHMENTS: <ul style="list-style-type: none">• January 27th, 2021 Joint Council Meeting Briefing Note• July 9th Letter RE: City of Dawson support for Tr'ondek Hwech'in Jeze Zho Men's Shelter• July 9th Letter RE: Exemption of Tr'ondek Hwech'in Jeze Zho Men's Shelter from the Gold Rush Era Heritage Guidelines.
DATE:		
RELEVANT BYLAWS / POLICY / LEGISLATION: Development Incentives Policy #2019-02 Zoning Bylaw #2019-18 Heritage Bylaw #2019-04 Heritage Management Plan Design Guidelines for Historic Dawson		

RECOMMENDATION

That Council provide direction to Administration on the requests for exemption from heritage guidelines and City support of the development of a new Men's Shelter.

ISSUE / PURPOSE

Administration has received two requests from Tr'ondëk Hwëch'in regarding exemption from heritage guidelines and City support of the development of a new Men's Shelter (the Jeze Zho Men's Shelter) to be constructed at 1217 2nd Avenue.

BACKGROUND SUMMARY

A discussion regarding the City's Gold Rush heritage design guidelines and associated evaluation process, the Heritage Advisory Committee (HAC), and the request for a Tr'ondëk Hwëch'in voting committee member on the HAC was had at a joint Council meeting on January 27th, 2021.

Claudia Heath of Aremis Consulting, who is working on the Men's Shelter project, presented at Heritage Advisory Committee meeting #21-06 on March 18th, 2021 on Indigenous Design Guidelines. The following is an excerpt from the minutes of this meeting:

- "Claudia is the project manager for several TH projects including a new men's shelter, elders complex and future heritage complex on 2nd avenue. Wants this to be an informal discussion but in the near future, TH and its citizens wish to be able to see cultural expressions in the facades and buildings that are First Nation Culture.
- It's been made clear in the discussions at different levels with Chief and Council, with heritage department, with elders council and citizens. Nobody wants to question setbacks or things that pertain to housing safety, or building inspection items. Instead, the main question is how can TH

express the cultural heritage in the TH buildings? Something that currently is impossible unless it is granted by exception, but it is felt that it shouldn't really be an exception.

- For example, the new men's shelter. This is going to be a 10 unit men's shelter that is open to all citizens of the Yukon, not just to Dawson residents. Initial concept designs showing how it would look as per the guidelines were shown to chief and council. Immediately, the Chief said 'that is not our building', it doesn't reflect TH culture or the healing that takes place in the building. At that point, from now on, the infrastructure they build, should reflect the culture and heritage of TH which is WELL before the Goldrush era.
- These discussions will be held with Mayor and Council. Claudia believes that having two sets of expressions would not be at war with each other and instead would be complementary to each other. This would therefore ENHANCE the cultural landscape of Dawson City.
- HAC asked if TH were hoping to develop guidelines for their buildings or ad hoc based on each project? Claudia advised that they are currently gathering feedback as to what does TH cultural expression mean. Will be different from dimensions, might be something speaking to materials but more philosophical, it has to interact with environment a certain way. They are looking at how to quantify but it is difficult.
- Claudia also advised they are looking at the option of TH having an equivalent committee who were able to communicate to HAC and qualifies as per TH heritage and culture. Acknowledged that any TH citizen can sit on the committee, but right now but there's no real use because they still have to go by the guidelines and there's no freedom for TH expression.
- Claudia indicated that these guidelines could eventually be used for other buildings such as businesses or YG buildings. If organisations wish to honour indigenous principles and culture of TH, they should be able to say 'we like to design as per this'. This is not something TH are pursuing right now but eventually it could be done. Presently, it's just TH, the men's shelter and in future the heritage complex on Front Street and Second Street Elders complex."

A development permit for the Men's Shelter was received mid June 2021. Following Administrative discussions, the two attached letters were received on July 9th. One letter outlines the request for City support of the Men's Shelter in the following ways:

1. Waiving of Load Capacity Charges as in kind contributions for construction.
2. Waiving of Water and Sewer connection charges as in kind contribution contributions for construction.
3. Waiving of Planning and development application fees as in kind contributions for construction.
4. Waiving of parking stall requirements as in kind contributions for construction.
5. Making a one time cash contribution to the construction.
6. Making the equivalent of the Development Incentive Program regarding tax relief for 7 or more years available to Tr'ondek Hwech'in, as the building meets the criteria.

The other letter requests the exemption of the Men's Shelter building from the City's design guidelines. It is understood that this includes exemption from Heritage Advisory Committee review of the plans.

ANALYSIS / DISCUSSION

All of these requests require Council decision, as Administration does not have the authority to make these decisions given the requirements set out in the applicable Policies and Bylaws.

Three of the City support requests arise from the incentives available for supportive housing development in the Development Incentives Policy #2019-02 (DIP). S. 4.1 of the Policy outlines the incentives available for supportive housing, which includes:

- 10 years Standard Tax Grant

- Waiver of Load Capacity Charge
- Waiver of Development Fees

S. 3.1.g. states: “Government agencies, at all levels of government, will not be eligible for the Development Incentives under this policy. First Nation development corporations are eligible.” Given that the applicant is a government, the applicant is ineligible for the supportive housing incentives, as per the Policy. As such, a development incentives application has not been applied for.

Administration believes that this development meets the intent of the policy, just not the proponent. It was not anticipated when the policy was created that a government entity would carry out this type of development. Administration recommends allowing Tr’ondëk Hwëch’in to be an eligible applicant for this particular development.

Request	Administrative Comments
1. Waiving of Load Capacity Charges as in kind contributions for construction.	This arises from the DIP for supportive housing. The issue is that the applicant is a government, which the Policy explicitly does not allow for. Given that this request does not fall within the policy, it is a Council decision on waiving this requirement.
2. Waiving of Water and Sewer connection charges as in kind contribution contributions for construction.	This request would require a waiver of the Fees and Charges Bylaw #2021-03. The fee outlined in the bylaw is \$415 per water outlet.
3. Waiving of Planning and development application fees as in kind contributions for construction.	This arises from the DIP for supportive housing. The issue is that the applicant is a government, which the Policy explicitly does not allow for. Given that this request does not fall within the policy, it is a Council decision on waiving this requirement.
4. Waiving of parking stall requirements as in kind contributions for construction.	This request would require a waiver of the parking requirements in the Zoning Bylaw, as identified in section 9. The most up to date site plan currently shows no onsite parking, but it is currently assessed that the ZBL would require 6 onsite parking stalls. The Taylopr Architecture Group pointed out in a report that “Because of the demographic using the facility, majority of the users will not have vehicles and will not require parking.”
5. Making a one time cash contribution to the construction.	There is no specific value in this request and no budget line for this type of request.
6. Making the equivalent of the Development Incentive Program regrading tax relief for 7 or more years available to Tr’ondek Hwech’in, as the building meets the criteria.	This arises from the DIP for supportive housing. The issue is that the applicant is a government, which the Policy explicitly does not allow for. Given that this request does not fall within the policy, it is a Council decision on waiving this requirement.

Administration is currently proceeding with the processing of the development permit application, including invoicing the permit application fees and forwarding the plans to the Heritage Advisory Committee for review, until directed otherwise.

OPTIONS

1. Council makes a decision for each request and includes the decisions in a resolution.
2. Council forwards the decision(s) to Committee of the Whole for further discussion and/or requests further information.

APPROVAL**NAME:** Cory Bellmore, CAO**DATE:** July 10, 2021**SIGNATURE:**