



# Yukon Legislative Assembly

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35<sup>th</sup> Legislature

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## HANSARD

Thursday, October 24, 2024 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2024 Fall Sitting

**SPEAKER — Hon. Jeremy Harper, MLA, Mayo-Tatchun**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Annie Blake, MLA, Vuntut Gwitchin**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Lane Tredger, MLA, Whitehorse Centre**

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Ranj Pillai</b>	Porter Creek South	Premier Minister of the Executive Council Office; Economic Development; Minister responsible for the Yukon Housing Corporation
<b>Hon. Jeanie McLean</b>	Mountainview	Deputy Premier Minister of Education; Minister responsible for the Women and Gender Equity Directorate
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Environment; Highways and Public Works
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Minister of Health and Social Services; Justice
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Safety and Compensation Board
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Government House Leader Minister of Energy, Mines and Resources; Tourism and Culture; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Sandy Silver</b>	Klondike	Minister of Finance; Public Service Commission; Minister responsible for the Yukon Liquor Corporation and the Yukon Lottery Commission

### OFFICIAL OPPOSITION

#### Yukon Party

<b>Currie Dixon</b>	Leader of the Official Opposition Copperbelt North	<b>Scott Kent</b>	Official Opposition House Leader Copperbelt South
<b>Brad Cathers</b>	Lake Laberge	<b>Patti McLeod</b>	Watson Lake
<b>Yvonne Clarke</b>	Porter Creek Centre	<b>Geraldine Van Bibber</b>	Porter Creek North
<b>Wade Istchenko</b>	Kluane	<b>Stacey Hassard</b>	Pelly-Nisutlin

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Lane Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Thursday, October 24, 2024 — 1:00 p.m.**

**Speaker:** I will now call the House to order.  
 We will proceed at this time with prayers.

*Prayers*

**Speaker's statement**

**Speaker:** Before proceeding to the Order Paper, the Chair would like to remind members that they are not to introduce people who are not in attendance in the gallery.

**DAILY ROUTINE**

**Speaker:** We will proceed at this time with the Order Paper.

**INTRODUCTION OF VISITORS**

**Speaker:** Introduction of visitors.  
*Visitors introduced*

**Speaker:** Are there any tributes?

**TRIBUTES**

**In recognition of the Van Bibber family**

**Ms. Van Bibber:** Mr. Speaker, I rise today on behalf of the Yukon Legislative Assembly to pay tribute to the first-generation Van Bibbers — the children of Ira and Eliza Van Bibber — and I would like to thank the House for their time and indulgence.

A photo exhibit was opened at Arts Underground on July 19 called *Growing Up With the Yukon: The Van Bibber Family*, sponsored by Yukon Archives and Friends of the Yukon Archives Society. Ira and Eliza and their 14 children are legends, as their stories resonate along with Yukon history. Ira, a West Virginian on his way to the goldfields, saw a young native woman, Eliza, at Fort Selkirk and was smitten. He never left.

Together, they shared a full life until Ira, Father, passed on November 30, 1965. Then Eliza, Mother, carried on, with the family help, in her home until August 26, 1983.

They traversed the land, trapping, hunting, and fishing — a nomadic life — until they decided to settle at Mica Creek on the Pelly River. They raised their family with large gardens and the bounty from the land. Each child born was a joy and the older ones helped Mother with the daily chore of raising them. Imagine the time: no facilities as we know them today, all hard, manual work — but it was the generation where they learned to survive and tackle any problem that was presented to them at a very young age. The names and how long they stayed with us: Leta, 91; May, 100; Abraham, 22; George, 52; Dan, 89; Alex, 98; Helen, 15; John James, or JJ, 91; Pat, 94; Kathleen, 93; Lucy, 97; Melinda, or Linch, 92; and Theodore, or Dode, 71. Abraham drowned in the Nahanni, Northwest Territories, and Helen passed when contracting tuberculosis at the Dawson City hostel. They left us early.

But I want to focus on the character of the first generation. Wherever they went or whomever they met, it was with interest and always expanding their horizons. Not a lot of formal education, but Father was a strict disciplinarian and taught his children manners and form. Mother taught them the way of bush life and knowledge of survival. The famous story of getting to school — Father said: Why pay for steamboat fare when the river runs that way? Helen, JJ, Kathleen, Pat, and Alex pushed off shore from Pelly and days later were in Dawson City. The raft was sold for firewood, and they had a bit of spending money. Alex was 13 and the oldest, so he was captain. Our children today can hardly go to the grocery store alone.

As with any large family, some were quiet; Pat and George come to mind. Some were business-minded: Leta and her husband, who built and managed roadhouses at Minto and Carmacks; May and her husband bought and sold the Pelly farm and worked at a trading post in BC. Alex was best known around the Yukon due to his love of the limelight. His dog-team skills at Sourdough Rendezvous, guiding hunts, and his trapping-skill courses were renowned. He even had a few movie spots. As Kathleen said, he always wanted to be a movie star. So, I know that pleased him. When he passed, the *National Post* stated: An incredible Yukon trapper — just may have been the toughest man in Canada.

John James, or JJ, had the gift of the gab, and although all liked to tell stories, he was very adept at sharing. His granddaughter Shannon and the Tr'ondëk Hwëch'in heritage department ensured that the stories were captured and printed — *I was born under a spruce tree*. A short documentary was also done. Pictures don't lie. The pictures on display were a time frame from 1900 on. During World War II, Dan, Archie, and Alex enlisted, but only Dan made it to Europe during this horrible time in history. The other two caught children's diseases: chickenpox and then the mumps. They had never been exposed, so they remained in Canada. JJ joined the local Rangers and had drills and combat training in Dawson City. They were very proud of the contributions, as was the family.

Archie had an amazing life. He had a black belt in martial arts and trained as a parachutist. He was known as an expert heavy-equipment operator. Many of the roads and airports — Archie most likely had a hand in the development. He was fearless.

Kathleen, Linch, and Lucy all painted and had full, rich lives with their artistic ventures. They were able to hand down their skills of hunting and gathering to others as well. Lucy loved to travel and made it to Antarctica at age 80. She was an adventurous spirit and lively to the end.

After a young life spent working on the land, ferries, and riverboats, George, Dan, and Pat began working with YG highways. Dan was foreman at Tuchtua and Pat foreman for the Mayo-Stewart district until he retired after 35 years. Pat was able to retire for almost as many years as he worked. The pension system lost out on him.

Dode, the youngest, even though he was challenged by polio and MS, worked as long as he could in the fire towers and later looked after Mother as best he could. He was the one who

would always smile and laugh, no matter what was given him. He had a strong spirit, and I never heard him complain once.

I personally never knew Ira; however, the stories of his strong character and common sense resonate. Eliza was a gem. My son, Stuart, called her “kissing hands grandma”, as each child who came to visit had to make an appearance before little grandma, and she would kiss their hands. Stuart was sure that she was biting him.

In *I was born under a spruce tree*, one paragraph stood out for me from the epilogue written by David Neufeld — quote: “The stickiest problem with JJ’s adult life was one of cultural identity. This was a problem imposed from outside. I don’t think JJ much cared whether he was an Indian or a white man. He seemed genuinely amused at the fuss made over this division and wondered how the government eventually decided that he was an Indian.”

All the children grew up conflicted to a degree with their heritage: new restricting hunting laws, residential or boarding schools, and which areas they could easily enter or not. Each has their own cameras, so there is a documentation of a time like no other recorded. Such memories for us that are left — to ponder the images.

We as modern kids like to think that past as the best. It didn’t seem as complicated as our current situation, but that’s not true. It was a hard, tough life just to survive and keep life and limb in place.

On July 13, 2024, in Pelly Crossing, the family honoured the last of this generation, Lucy Van Bibber Fulton Sanderson. She specified that young JJ, Joshua, and Dustyn Van Bibber-Phelps, JJ’s great-grandchildren, build her final box, and a fine job was done as always. Trevor and Patrick Ellis, grandsons of Pat, carried her up that steep little hill overlooking the old homestead where the large gardens grew and the big house still stands. She also wanted to be laid to rest on the Van Bibber hill beside her little sister Helen. Her wishes were granted.

The strength and honour that this first generation had — and they faced the world as a united front. They were a close family through whatever was given them. I am humbled to have been a small part of their lives and wish the next generation now and to come that they continue to share their heritage and stories of this unique family that grew up with the Yukon.

*Applause*

**Speaker:** Are there any returns or documents for tabling?

## TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Silver:** Mr. Speaker, pursuant to section 8(2) of the *Financial Administration Act*, I have for tabling the Public Accounts for the 2023-24 fiscal year.

**Hon. Mr. Clarke:** Mr. Speaker, I have the following documents for tabling: correspondence to the Whitehorse Urban Cycling Coalition; correspondence sent to and received from the Information and Privacy Commission; and three letters from the Sikh Motorcycle Club Ontario, the Guru Nanak

Sikh Organization of the Yukon, and the Akal Sikh Society of Canada.

**Hon. Mr. Streicker:** Mr. Speaker, I have for tabling today a letter from the past management of Victoria Gold. I have also for tabling the most recent graph for levels of cyanide in Haggart Creek.

**Mr. Kent:** Mr. Speaker, I have for tabling an open letter from former Victoria Gold officers and directors dated yesterday, October 23, 2024.

**Ms. White:** Mr. Speaker, today, I have for tabling two letters. The first is to the Minister of Highways and Public Works, the Leader of the Yukon Party, and me requesting recognition for vulnerable road users in the *Traffic Safety Act*.

I also have for tabling a letter directed to the Minister of Education from my colleague the MLA for Pelly-Nisutlin and me regarding accessible playgrounds.

**Speaker:** Are there any reports of committees? Petitions.

## PETITIONS

### Petition No. 24 — response

**Hon. Ms. McLean:** Mr. Speaker, I rise today in response to Petition No. 24 regarding the replacement of play structures and fully accessible playgrounds.

The Department of Education is deeply committed to the safety and well-being of all Yukon students. We recognize that accessible playgrounds are a priority for Yukoners and share this commitment. Ensuring a safe environment both inside and outside our schools is essential. We know that accessible playgrounds are a priority for Yukoners.

During our engagement on Whitehorse schools capital planning, 75.64 percent of respondents said that accessible playground equipment for students with diverse needs was important to them. We understand the importance of providing this safe environment for all students, especially those with diverse needs, to fully participate and reach their potential.

Through our work to reimagine inclusive and special education, we are creating inclusive, equitable, and effective learning environments for all students, including students with diverse backgrounds and learning needs.

The social, physical, and developmental benefits of safe outdoor learning and play are an important part of a child’s education. Accessible playgrounds in schools are vital for several reasons. They foster a sense of belonging across all students’ abilities and promote empathy. Shared play benefits students’ physical, social, emotional, and cognitive development while promoting community cohesion and understanding of differences.

We understand the importance of play for children’s development, and this influences our decisions as we build or renovate schools in the territory, including making accessible playgrounds. I can assure you that all upgrades to existing

playgrounds, as well as the installation of new ones, will include accessible equipment.

The Department of Education works closely with school principals and school councils to make short-, medium-, and long-term capital plans for each school. This important work is carried out by the Department of Education Operations team, which collaborates closely with the principals and school councils before proceeding with any new installations or retrofits.

I'm pleased to share that we have already made progress. Accessibility swings have recently been installed at École Whitehorse Elementary School, Grey Mountain Primary School, Holy Family Elementary School, and Golden Horn Elementary School. Furthermore, Whistle Bend Elementary School, our latest addition, features two playgrounds, one of which is fully accessible.

Ketza Construction is supporting the opportunity for gold certification through the Rick Hansen Foundation for Whistle Bend Elementary School. As we continue to update the functional plan for new schools, we will look to include accessible spaces and playgrounds and strive for additional opportunities for gold certification through the Rick Hansen Foundation. As such, the plans for the Kêts'ádań Kù in Burwash Landing will also incorporate accessible features. While the movement toward accessible playgrounds is already underway, it will take some time before all schools have fully accessible play infrastructure.

In addition to the playground upgrades, the Department of Education has implemented various safety measures, including the installation of cameras and automatic door openers at several schools. We are continuously working to identify and address safety concerns for the students and staff, including play structures. Creating accessible playgrounds in Yukon schools is something that we value and see as essential for fostering an inclusive, supportive environment where all children can thrive.

I hope that this provides clarity on the actions taken by the Department of Education to provide safe and accessible schools for all Yukon students.

**Speaker:** Are there any petitions to be presented?  
Are there any bills to be introduced?  
Are there any notices of motions?

## NOTICES OF MOTIONS

**Mr. Kent:** I rise to give notice of the following motion:

THAT this House urges the Yukon government to call witnesses from the Yukon Development Corporation and the Yukon Energy Corporation to appear in the Legislative Assembly during the 2024 Fall Sitting to provide information and answer questions from MLAs.

**Mr. Cathers:** I rise to give notice of the following motion:

THAT this House urges the Yukon government to call witnesses from the Yukon Hospital Corporation to appear in the

Legislative Assembly during the 2024 Fall Sitting to provide information and answer questions from MLAs.

**Ms. Blake:** I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to provide an update on the review of social assistance rates in the form of a ministerial statement.

**Speaker:** Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Victoria Gold Eagle Gold mine heap leach failure

**Hon. Mr. Streicker:** Mr. Speaker, I appreciate that the opposition has allowed me the opportunity to provide another update on the situation at Eagle Gold. First, I want to address some issues with respect to the economic impacts of the closure of the mine.

We reached out to the First Nation of Na-Cho Nyäk Dun and their development corporation shortly after the heap leach failure occurred because we knew that the impacts of the mine closure would resonate significantly with the local community. We have set aside funds to support the First Nation in addressing the slide response. To date, the nation has not yet requested any financial support.

We have also made efforts to support Victoria Gold workers who were terminated as they transition to new jobs or careers. This includes mental health supports and access to labour resources. The receiver has now ensured that there is a two-month extension for applications from former employees to the federal wage earner protection program. Under this program, employees who were terminated are eligible for up to \$8,500.

The receiver and the team at Victoria Gold are also currently in the process of returning employee personal items and gear that remained on-site. PricewaterhouseCoopers has information for past employees on their website.

Shifting to the site itself, our inspectors have now released a formal update on the status of completion on the various directions issued to Victoria Gold requiring the mine to undertake critical environmental mitigation and remediation actions.

Our inspectors note that the requirements of the directions to commission additional water storage and install groundwater monitoring wells are now complete. Additional heap leach stability monitoring to ensure worker safety has been implemented, as required by another direction. Our inspectors note that the requirements of directions not yet met remain in effect. The receiver is responsible for these remaining directions. This information will be made available on the Yukon Water Board's Waterline registry.

On-site, the berm is now 75-percent complete. Last week, it was at 30 percent, so good progress is being made here.

Regarding water storage on-site, there is a total of 479,000 cubic metres of contaminated water being stored. Recent tests in Haggart Creek, near the mine site, have found increasing levels of mercury, cobalt, and cyanide. These substances are not normally present at these levels in the natural environment, and

the results show that the groundwater that has been contaminated by the heap leach failure is now reaching Haggart Creek. We are regularly updating our website with the most recent water monitoring results. Please go to [yukon.ca](http://yukon.ca) to see the specific information. Cobalt is an indicator of groundwater from Dublin Gulch but not itself a contaminant of concern. Cyanide levels have generally been below the environmental guidelines, but the most recent results in Haggart Creek, beside the mine site, are starting to move above the threshold.

Mercury levels are above the target thresholds; however, the form of mercury present is not the type that accumulates in fish and wildlife tissues. Again, these results have led to additional monitoring to better understand the pathways of contaminated water and to mitigate potential risks to fish, wildlife, and the health of people and the environment.

Work on water treatment is progressing. Currently, water treatment is in the testing phase. At this time, based on the data and professional expertise that we have, contaminants in Haggart Creek do not pose a heightened risk to the health of residents or to those using the land and water downstream of the mine. We will continue to monitor the situation closely and keep Yukoners informed if the risks change significantly.

**Mr. Kent:** Mr. Speaker, this is the third ministerial statement that we have had on this issue during this Sitting. We in the Official Opposition continue to be concerned about the environmental and economic impacts of the heap leach failure. We have had a significant amount of debate in Question Period, in Committee of the Whole, and I have submitted a written question on the subject to the minister. I am wondering if the minister can tell me when I can expect responses to the outstanding questions that I have posed.

Today, I will focus my response and additional questions on the correspondence sent from former Victoria Gold officers and directors to the Premier on October 9 and the follow-up letter that they sent yesterday.

So, can the minister comment on the following assertions contained in the October 9 letter? And I'll quote: "The Receiver's remediation plan has diverged and been significantly delayed from the remediation plan that was being executed by Victoria prior to the Receiver's appointment.

"The Receiver's remediation plan has increased the likelihood of continued negative environmental impacts at the Eagle Gold Mine and has materially increased the time and cost to complete remediation.

"Water treatment initiatives which are paramount to environmental protection have been extensively delayed ... We are concerned that the new ponds, specifically the pond using the open pit mine, have been constructed without adequate engineering and without sufficient consideration of geological, geotechnical and safety conditions and return to operations planning."

With respect to the berm, the letter raises safety concerns about it. Was geotechnical work done before construction of the berm began? Can the minister tell us who the design engineer is? Who will be liable if the berm fails? Is it the Yukon government, the engineer, or the receiver?

Can the minister tell us why the remediation estimates from the company were \$70 million and he believes the costs will be \$150 million?

The company estimated their liquidity at the time of the accident to be \$119 million, and we're curious why this number differs so much from the one reported by the receiver. The letter contends that the government issued over a dozen directives from June 24 to August 14, with over 60 orders in them. The company said they — quote: "... complied with or implemented all but a small handful of orders..."

So, can the minister give us the exact number of directives and orders given to Victoria in the seven weeks prior to receivership? How many of them were actioned?

When the Premier made a public statement saying he wanted to meet with the board and look them in the eye, the board offered an in-person meeting with the CEO and chair, and the rest of the board would join virtually. So, why did the Premier deny that request after being so public about wanting to meet with them?

To quote from the letter — quote: "Prior to the receivership, Victoria's board of directors approved for the Company to pay all earned vacation and severance to employees who were abruptly laid off or terminated."

So, I'll ask again: Why did the Yukon government include in the receivership order a denial of these payments?

To further quote from the letter: "The comments from the Yukon attorney general and others to media expressing surprise regarding the director resignations, as well as the delisting of the shares of Victoria Gold, portrays continued lack of knowledge regarding how public companies operate."

Of course, we know that the Minister of Finance, up until three weeks ago, thought that the company was still being publicly traded. Is the minister confident that his colleagues fully understand how public companies operate?

My final question for the minister is: Does he or the Premier intend to respond to these letters, and if so, when?

**Ms. White:** The minister has told us that the receiver is doing work on behalf of and at the instruction of the Yukon government. If the minister believes, as he told me during budget debate recently, that the receiver bears the same responsibility as Victoria Gold to fulfill community benefit agreements, is the government working with PricewaterhouseCoopers to ensure that is happening?

The minister also said that his agreement with the receiver highlights the importance of providing local benefits to the people of Mayo and the citizens of Na-Cho Nyäk Dun. What we are hearing on the ground is that this is not being honoured and that the local companies are being bypassed in favour of outside contractors.

I'm interested to hear what steps the minister will take to ensure that his agreement with the receiver is being lived up to. I'll just add that it's great to hear that the berm is progressing to keep workers on-site safe, and I want to extend a big thank you to all of those working on it. I imagine that is a scary place to be working right now.

Now I'm going to turn my attention to the water. The minister has said that there are increasing levels of mercury in the water and refers to a specific form of mercury which is less concerning. Can the minister please clarify for Yukoners exactly what form of mercury is being detected?

And the minister informed us that nearly half a million cubic meters of contaminated water are now being stored on-site. Can the minister please provide us with a more specific update on the water treatment capacity of the mine, specifically, how much can be treated and discharged in a day? Despite high levels of contamination of Haggart Creek, the minister has suggested that there is no risk to the land or water downstream. Can he lay out the criteria for when it might become a risk? Is there a certain level or location? As contamination levels appear to be rising, it would be good for Yukoners to know what the actual levels of concern are and when they should be concerned.

**Hon. Mr. Streicker:** First of all, the Yukon Party has said they are concerned about the environmental situation, but they have also said that they still believe — and based on the questions that I got again today — that Victoria Gold should have been left in place. This is the same company that stated in court that they wished to apply for bankruptcy protection. So, if they really had \$100 million available, why would they need to apply for bankruptcy protection?

Look, there were four main priorities on-site that included water storage, water treatment, groundwater monitoring and interception, and the slide stability by building a berm. Of those four, the only one that was being worked on was water treatment, so we were not getting the work done through the directions that we believed needed to happen, and we believed and continue to believe that it was not leading to responding to the environmental risk that was at hand.

I will continue to say that and that this was the correct approach. I know that the Yukon Party says: You should have just left the mine there; it was all good. It was not. I encourage them to not just use the letter from the past management of Victoria Gold but rather to look at their words that they said in court.

With respect to water treatment, I have just said today that they are entering the testing phase. I will work to get the projections on that.

With respect to the NDP, their suggestion was that we shut down all mining in the traditional territory of Na-Cho Nyäk Dun.

What we are working to do is to make sure that there is economic activity. We are working with the development corporation, and we will continue to work with citizens from NND and corporations that can provide that support. We will continue to work with the receiver around that.

I know that there was a meeting — I think it was last night or the night before — that the development corporation was holding. We'll continue to do that follow-up work, and I will continue to bring this information to the House.

What I can tell Yukoners is that, when I talk to the department, they let me know that the work that is happening

now on-site, under the management of the receiver, is really moving in the right direction toward making sure that we're going to deal with environmental remediation. This was not the case before the receiver came on-site.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Whitehorse General Hospital surgical services

**Mr. Cathers:** In an open letter in August, the Yukon Medical Association referenced a 2018 report that recommended increasing the number of operating rooms at the Whitehorse hospital and expanding the hospital. The Liberals hid this hospital request from the public for years, but yesterday, we forced the government to finally share the report. It shows that, even in 2018, demand for surgical services had outgrown the current space and that, to meet projected growth in surgeries, the surgical services area needed to be more than double the size it is today.

And demand has grown much faster than projected. Surgical volume is already higher than it was predicted to be in 2032.

Why did the Liberal government sit on this report for so many years, and why did they not start investing in the hospital as soon as they received the report?

**Hon. Ms. McPhee:** Mr. Speaker, the importance of the surgical services renewal project at Whitehorse General Hospital is clear. We received — I'm not sure what the member opposite said — the report. It is dated March 2019, so the six and a half years mentioned by that member is not correct, but those are semantics.

The most important part of the surgical services renewal project is that it involves all kinds of services at Whitehorse General Hospital and we appreciate it for that reason. It notes clearly that the short-term improvements that should be made included the development of a new emergency room and then the development of a new mental wellness unit. I'm not sure if the member has been to the hospital lately, but the final work is being done on the new mental wellness unit, and then it indicates that we would turn our minds to the surgical services project. It also indicates that this work would continue on that schedule. That is exactly what is happening. That is exactly what the schedule —

**Speaker:** Order, please.

**Mr. Cathers:** Yesterday, the Premier tried his best to defend his government's record. In response to criticism that his government hid this hospital capital request for six and a half years, the Premier claimed that he received the final version in early 2019, so his defense was basically to claim that they let the final version of this report gather dust for five and a half years.

Health professionals see Yukon patients suffering every day as a result of this lack of action. That is the legacy of this Liberal government and the reason doctors keep ringing the alarm bell about this crisis.

To repeat the question that was put to the government by the YMA: When will Whitehorse General Hospital receive the recommended upgrades to its aging surgical services and hospital infrastructure to ensure the well-being of Yukoners?

**Hon. Ms. McPhee:** Mr. Speaker, I appreciate that these questions get asked, but it might be great if the members opposite could also pivot. I clearly answered that during the first answer, but I'm happy to repeat it.

Yukoners completely understand that the details in this report have set out a certain schedule and that we are actually on that schedule, despite having been disrupted for three years on the basis of a world pandemic having taken attention at the hospital for front-line health care workers and at the Department of Health and Social Services for front-line services.

The short-term improvements that have been made within the existing surgical areas have been mitigating some of the challenges. They include a flexible OR suite to help improve day procedures, like endoscopy. Those things have been moved out of the main ORs. Scope reprocessing and unit development adjacent to the flexible OR suite has been an improvement and introduction of a post-anaesthesia care unit and trained post-anaesthesia staff to improve the quality of patient care and post-surgery care of those patients.

**Mr. Cathers:** Mr. Speaker, only the minister and the Premier think that everything is fine at the hospital. What the government released yesterday does not include the costing level design nor the business case, which it says is to be submitted to this territorial government by April 2019. They should release those immediately.

The report tells us that the surgical services area was overcapacity in 2018 and is projected to need double the space by 2032, but this year, WGH is already handling hundreds more surgeries than they were expected to do in 2032. No wonder they are overwhelmed. And this Liberal government was warned about this many times by doctors and our hospitals but has failed to take action on recommendations they received over six years ago.

Will the Premier now admit that they should have listened to Yukon hospitals and listened to Yukon doctors instead of sitting on this report for so many years and neglecting the needs of Yukon patients?

**Hon. Ms. McPhee:** Mr. Speaker, I certainly appreciate the last part of that question, because there is a great relationship between the Yukon Hospital Corporation and the Yukon Department of Health and Social Services. There is a great relationship between Yukon doctors and the Department of Health and Social Services, and that relationship is positive and solid because we have worked to build that relationship, unlike when the member opposite was in charge of some health decisions. There was, at that time, absolutely no strong relationship.

It is important to us; those relationships are the foundation upon which we will work together to make sure that Yukoners have the improvements that they need. There have been many improvements in the surgical services departments and in Whitehorse General Hospital as we move forward with

improvements to Yukon's health transformation, and we will continue to do that work on behalf of Yukoners because they are the people who matter, and the services that they receive are what's important.

#### **Question re: Whitehorse General Hospital surgical services and health care infrastructure**

**Mr. Dixon:** Mr. Speaker, on September 9, the Liberal government made an announcement that they said would increase surgical services at Whitehorse General Hospital. The only problem is that this turned out to be inaccurate.

Following the announcement, several Yukon doctors were so frustrated with the inaccuracy of the Liberals' comments that they spoke to the media about it. Here is what one local surgeon told the Yukon News on September 18 — quote: "Were they so desperate for a good news story that they embellished a little bit? I don't know. Maybe it wasn't intentional, but yeah, factually, it's incorrect." Factually incorrect, Mr. Speaker.

Can the Premier tell us why his minister is putting out releases that are factually incorrect?

**Hon. Ms. McPhee:** Mr. Speaker, as I have noted, the Yukon government supports the surgical services at Whitehorse General Hospital and we have supported the increase of those services. In a recent optimization at Whitehorse General Hospital in September of this year, through the support of our government, we enabled the Yukon Hospital Corporation to increase its capacity to perform surgeries, addressing a crucial need for timely and accessible health care in Yukon.

Using core funding provided in this budget of 2024-25, which I note that the members opposite did not support, we worked to add staff and to extend surgical hours. Whitehorse General Hospital recently optimized operations to support a projected 4,400 surgeries this year alone. I think that is the reference that the Member for Lake Laberge was just making. This is designed to shorten wait times and to improve Yukoners' ability to receive critical care in a timely fashion here at home.

**Mr. Dixon:** Mr. Speaker, as I noted, the assertions of the minister were noted by a local surgeon as being factually incorrect. Earlier this week, the Premier told the Legislature and the media that he received a letter from the Yukon Medical Association that he said supported the P3 model used for the construction of the hospital in Yellowknife.

In response to these comments, the president of the YMA was asked to appear on CBC Yukon's morning program, where he explained that, no, they hadn't written such a letter — quote: "As far as I know, we have not made any public statements about P3s, specifically as it relates to health care infrastructure..."

Yet again, this government finds itself in the awkward position of being caught saying inaccurate things. How many more times are medical professionals going to have to correct misinformation from this government before they stop making things up?



**Hon. Mr. Pillai:** Mr. Speaker, I think that the only person making things up was the Leader of the Official Opposition. I am just going to put this on the record again for the House —

**Some Hon. Member:** (Inaudible)

### Point of order

**Speaker:** The Member for Lake Laberge, on a point of order.

**Mr. Cathers:** The Premier just contravened Standing Order 19(h) by accusing the Leader of the Official Opposition of making things up.

**Speaker:** Government House Leader, on the point of order.

**Hon. Mr. Streicker:** On the point of order, Mr. Speaker, there is a really big difference between creative comments and deliberate falsehoods. Thank you so much.

### Speaker's ruling

**Speaker:** There is a point of order. I will ask the members not to use that phrase again.

Please continue, Hon. Premier.

**Hon. Mr. Pillai:** Thank you. Okay, I will leave it to listeners to make some decisions on that.

I walked into a scrum this week, and the comments I had made were — I said we did receive a letter from Alex Kmet, the President of the Yukon Medical Association. He talked about and looked in favourable terms at the hospital in Yellowknife. That is what I said in the scrum.

The next day, the leader of the opposition came into the House and said, pointing to me — quote: “He went on to the media scrum and told reporters that Dr. Kmet wrote a letter that spoke in very favourable terms about the hospital in Yellowknife and the P3 model used in its construction.” As you can see, that is not what I said; that is what led to this. I will leave it to those listening to see what they think about those comments.

**Mr. Dixon:** Mr. Speaker, it's always tricky when the Premier finds himself recorded on tape.

Mr. Speaker, I think that the local surgeon who called out the minister of health was actually bang-on in the situation. The government is so desperate for a good news story that they resorted to providing inaccurate information, but the facts are clear, Mr. Speaker. This government chose not to make the necessary investments in our health care system when they had the chance. They chose not to expand our continuing care; they chose not to expand our surgical operating rooms, and now those decisions have come home to roost. It has left the Liberals looking to privatize parts of the hospital.

Does the Liberal government realize that Yukoners have caught on to the fact that the only way to make real changes to our health care system is to make a real change in the ones who are in charge and that is to elect a new government?

**Hon. Ms. McPhee:** Mr. Speaker, I guess we're at the crux right now. This is exactly what the Leader of the Official Opposition is interested in. They are not interested in the care

that Yukoners are getting at Whitehorse General Hospital. They are not interested in the improvements that have been made to the surgical services. They are not interested in the fact that Yukoners have had improvements to their health system, that there is a health system transformation underway.

They are interested in having this issue somehow misunderstood by Yukoners to the point where they have the ability to have an election. Well, that will be up to Yukoners, Mr. Speaker. That is a situation that I'm not interested in talking about. I am interested in talking about the care that Yukoners get and in giving information to Yukoners about the information that we have in our relationships with the Yukon Hospital Corporation and the Yukon Medical Association for the opportunities of improving our health system — something that Yukoners told us to do through the *Putting People First* analysis and something that we are committed to doing.

### Question re: Student concerns raised by the Yukon Child and Youth Advocate Office

**Ms. Blake:** The annual report from the Yukon Child and Youth Advocate Office focuses on changes to legislation, policies, and practices. Chronic absenteeism in Yukon schools is an issue that the CYAO has been reporting on for years. Rates of absenteeism are higher in rural schools, high schools, and for First Nation students. In their recent report, children have shared feelings of not belonging in school, avoiding bullying and racism, struggling with mental health issues, limited access to support, and experiencing hunger and home instability. These findings show us that absenteeism is a symptom of wider systemic issues.

Can the government explain its plan to improve chronic absenteeism in schools?

**Hon. Ms. McLean:** Thank you to the member opposite for the question today. The Department of Education recognizes the Child and Youth Advocate's valuable role of advocacy and support on behalf of Yukon children and youth. We appreciate the 2023 and 2024 annual report of the Child and Youth Advocate Office, which outlines work undertaken by the Child and Youth Advocate in the areas of: systemic racism in education; the sexual orientation and gender identity policy in Yukon schools; the Yukon attendance report, which has been mentioned here today; safety in the schools, including responding to sexualized abuse in Yukon schools; and use of restraints and confinement in Jack Hulland Elementary School.

These are all very important matters, and we continue to work closely with the Child and Youth Advocate. We understand that the advocate is working with the Government of Yukon to undertake a review of the *Child and Youth Advocate Act*. While the Department of Education is not leading this work, we will provide input into the review as appropriate.

We're pleased to be, again, working with the Child and Youth Advocate and acting on many fronts to address these important issues that have been outlined today.

**Ms. Blake:** In their report, the Yukon Child and Youth Advocate Office notes that they are deeply concerned about the lack of local comprehensive resources to support children with

complex needs. In many cases, these children are connected to a wide range of Yukon government services and continue to face challenges accessing safety and stability, mental and physical wellness, and a meaningful education program.

CYAO has observed a growing trend of elementary school children with complex needs being denied access to full-time learning environments.

What plans does this government have to improve the educational environment for children with complex needs?

**Hon. Ms. McLean:** On April 16, 2024, the departments of Health and Social Services and Education received notice that the Child and Youth Advocate Office is actively working on a systemic review regarding how Yukon children with complex needs are supported by the departments.

Staff from both departments, along with external partners, participated in a workshop community collaboration to support children with exceptional needs. We will continue to work with Health and Social Services, external partners, and the Child and Youth Advocate to continue looking at how to better support students with complex needs.

The Department of Education is developing a comprehensive mental health and wellness approach. This is an important part of our overall work that we are doing to reimagine inclusive and special education.

We're taking a holistic approach to health and wellness, focusing on preventing issues and promoting mental health. Additionally, the approach will provide support and interventions, both in and out of school, when needed. The mental health and wellness approach will be developmentally and culturally responsive.

The draft comprehensive mental health and wellness approach is going through internal review processes. We will be collaborating with all of our partners as we move forward on this important initiative.

**Ms. Blake:** Children and youth have the right to survive and develop in a safe and nurturing environment without fear of violence or exploitation.

Over the past few years, the Yukon Child and Youth Advocate Office has seen an increase in calls related to community safety. These include issues involving substance use and overdoses, gang violence, sexualized violence, and violent public assaults, including incidents at schools. In December 2023, the CYAO notified the departments of Justice, Education, and Health and Social Services of these concerns.

Can the minister describe what plans or responses will be put in place as a result of this finding from the CYAO report?

**Hon. Ms. McLean:** Mr. Speaker, we are working very closely with Health and Social Services, and I think that there is a broader response to this that we'll look to bring back to the House — because there are multiple departments.

In terms of work that we're doing in the Department of Education, we have focused a lot of attention over the past several years, certainly since I have been in the role of Minister of Education, on safer schools. All students, staff, and parents have a right to feel safe and to be safe in our Yukon public schools.

Since the safer schools action plan release, we have done significant work to ensure safe learning environments and are committed to supporting students, teachers, and families. We are certainly investing a lot of resources into all of the work around reimagining inclusive and special education, which includes a wellness specialist. It includes cultural positions that are now being partnered through individual First Nations, and those positions are starting to come online.

This is a complex area that will require all hands working together.

#### **Question re: Eagle Gold mine management**

**Mr. Kent:** Mr. Speaker, yesterday, almost a dozen former senior executives and board members of Victoria Gold wrote an open letter about what they describe as — quote: "... some of the wide misinformation which has circulated since the Heap Leach Facility ... incident on June 24, 2024."

So, I wanted to spend some time today following up on questions that I asked earlier in my ministerial statement response. First, can the minister please explain why there's such a divergence between the estimates that the company had for remediation of \$70 million and the amount that the Yukon government and receiver have presented of \$150 million?

**Hon. Mr. Streicker:** First of all, Mr. Speaker, this is an important topic for Yukoners. It really matters how we address the situation at Victoria Gold, at the Eagle Gold mine site. I said in my response to the member opposite that we gave directions to Victoria Gold, and they were not following those directions around water storage on-site, around groundwater interception and monitoring, around slope stability — putting the berm in place there.

Maybe it's because Victoria Gold thought they didn't need to do those things. Maybe that's why the price came down from their anticipation of where it should go. That's a difficult question for me to answer.

We will continue to work to refine the cost over time. It is a very dynamic situation. What I can say is that the amount of money that Victoria Gold said they had in their letter, when they wrote to the Premier, was not what the receiver found on-site. As I have noted for everyone here today, the company itself told the court that they were planning — they asked to be given time to file for bankruptcy protection. That doesn't usually mean you have \$100 million in your pocket.

**Mr. Kent:** Mr. Speaker, hopefully, the minister can get back to us to explain the \$80-million difference in remediation estimates between what Victoria Gold's executives said and what the Government of Yukon has presented.

On August 6, CBC Yukon reported that the Premier of Yukon said that he had requested a meeting with the board of Victoria Gold. He said — quote: "I want to look the board in the eye ... I want to have a talk with them about why they're handling or directing their management in this way."

According to this new open letter, the CEO and the chair of the board offered such a meeting, but that offer was denied. Can the Premier confirm that such a meeting was offered, and why did he deny it?

**Hon. Mr. Pillai:** Mr. Speaker, the reason that I wanted to meet with the board was because, just after the situation occurred, I went back and reviewed the bylaws that the board had signed off on. As I remember, it had to do with how they were going to treat the Yukon, the community, and the environment and how they were going to conduct themselves. I will work with the minister to bring in copies of those bylaws — hopefully, they are still on their board website — and let Yukoners decide if the board followed those commitments they made as a board of directors for a publicly traded company.

Secondly, I will go back and look for correspondence, but upon requesting that, I remember hearing that management either wanted to be in a meeting — I wanted to meet directly with the board. I will put on the floor today that I wasn't looking to meet the management. We had interaction with the management, but I thought that it was important, because of the commitment that the board had made as public directors, to review those bylaws and to explain why, from my perspective, those bylaws and commitments as directors of a public traded company were not being followed.

**Mr. Kent:** Mr. Speaker, according to the letter, the meeting that was offered to the Premier after he made this very public statement was to meet with the chief executive officer and the chair of the board in person and other board members would join virtually, so I can't understand why the Premier would make such a big deal publicly about wanting to meet face to face with the board and look them in the eye and then deny the offer when it was made to him by the CEO and the chair.

**Hon. Mr. Pillai:** As I said, I just, at that point, wanted to meet directly with the board, not with the CEO, but with the chair. To be open, I wanted to be in a position — it didn't matter if it was in person or a Zoom call.

But again, of course, they cut and run before there was a chance to meet, and that's what happened subsequently.

#### **Question re: Eagle Gold mine management**

**Mr. Kent:** Mr. Speaker, that statement from the Premier saying that the board cut and run certainly leaves a lot to the imagination, because the officers and directors stayed on-site until the Yukon government forced them into receivership, at which point they resigned.

I do want to talk about the letter. So, prior to receivership, Victoria's board of directors approved the company to pay all earned vacation and severance to employees who were abruptly laid off or terminated. They say that they had adequate cash and liquid assets to fulfill this commitment, so can the minister explain why the Yukon government chose to structure their petition to the court for receivership in such a way as to prevent the employees of Victoria Gold who were laid off from receiving the money that they were owed?

**Hon. Mr. Streicker:** I thank the member opposite for the question because it starts to talk about what happened here. We petitioned the court. This is a court-ordered decision. The members opposite clearly disagree with that decision of the court; that's fine.

Also, now that there is a court-appointed receiver, the receivership has a responsibility to account to the court. All of

that becomes public accounting through that means, which was not the case beforehand. During that court proceeding, the company stood up and said that it wanted to adjourn the proceedings because it wanted an opportunity to apply for bankruptcy protection.

So, what we did was to protect the environment. The folks who Victoria Gold had working on-site, apart from the management, were kept on-site. For those who were put on leave as of June 24 — it's hard for me to imagine how they were going to be brought back in place, especially when we see, through the court, how much money there was on hand — not through a letter that the member opposite wants to believe in — that's fine — but through the court, so I'm going to trust the court.

**Mr. Kent:** Mr. Speaker, I'm going to circle back to the stunning remarks that the Premier made here just moments ago on the floor of this House.

In a statement delivered to the Council of Yukon First Nations General Assembly published on the Yukon government website, the Premier said that he was concerned about Victoria Gold — quote: "... cutting and running the moment that profits are in question." This claim is also disputed in the letter by noting — quote: "Prior to the receivership order, every single Director and Officer remained with the Company and was committed to using all of the Company's financial resources to mitigate harm to the environment and repair the heap leach field."

Can the Premier explain the divergence between his public comments and this statement from the letter?

**Hon. Mr. Pillai:** Mr. Speaker, the discussion that has been going on — and we are happy to stand and talk about this — was that there were a number of things that we needed to see done on-site, and those things, again, were not being done. Of course, we can see — I would think that the member opposite, after dealing directly and having full responsibility for the Wolverine file and having left Yukoners now — we're at \$40 million — the member opposite who is asking these questions — the way it was handled, what we learned — we took a look at how that was handled. We then did a review which then gave us a playbook on how not to handle things, and that's what we used for Minto.

When Minto happened, there was lots of concern. Again, we saw a board move on, and the Yukon government and Yukon companies are now remediating. Looking back at that as we got to Victoria Gold, we're looking at a situation where, yes, there was water treatment; that was being done. But for 30 hours, contaminated water was released in that work. The members opposite — yes — can battle through this. Nobody — nobody — wanted to see this project have the situation that it did; nobody did. Nobody wanted to see the situation that occurred, yet there has to be a situation — I think the board — we all would have loved to hear from them at some time in the first number of weeks, which we didn't at all.

**Mr. Kent:** Mr. Speaker, what I was asking the Premier to explain was his comment about the board cutting and running when every single director and officer remained with the company up until the receivership order.

According to the letter from Victoria Gold — I'll quote: "The comments from the Yukon attorney general and others to media expressing surprise regarding the director resignations, as well as the delisting of the shares of Victoria Gold, portrays continued lack of knowledge regarding how public companies operate."

I should also note that up until about three weeks ago, the Minister of Finance was wandering around telling anybody who would listen that Victoria Gold was still publicly traded — even after it was delisted from the stock exchange.

So, what response does the minister have to the claims that his colleagues' lack of understanding of how publicly traded companies operate contributed to his government's handling of this issue?

**Hon. Mr. Pillai:** The member opposite can — we can spend weeks in here and there could be shots personally at the ministers or me — that's fine. I think that I would like to know from the Leader of the Official Opposition or from the critic for Energy, Mines and Resources: Do you think, when a situation like this occurs in this day in this country, best on-base practices, should we have heard from anybody on their board — here in the Yukon as Yukoners protecting the Yukon, should we have heard one comment — hey, for weeks, we heard nothing. I guess you think that's appropriate. We don't.

**Speaker:** Order, please.

The time for Question Period has now elapsed.

We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

**Hon. Mr. Streicker:** Mr. Speaker, I move that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

**Speaker:** It has been moved by the Government House Leader that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

**Chair (Ms. Blake):** Committee of the Whole will now come to order.

The matter before the Committee is continuing clause-by-clause debate on Bill No. 44, entitled *Traffic Safety Act*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

**Chair:** Committee of the Whole will recess for 15 minutes.

*Recess*

**Chair:** Committee of the Whole will now come to order.

## Bill No. 44: *Traffic Safety Act* — continued

**Chair:** The matter before the Committee is continuing clause-by-clause debate on Bill No. 44, entitled *Traffic Safety Act*.

*On Clause 217*

**Chair:** Is there any further debate on clause 217?

**Hon. Mr. Clarke:** Madam Chair, thank you for the opportunity to be back in Committee of the Whole clause-by-clause consideration of Bill No. 44, entitled *Traffic Safety Act*. As I have had in previous days, to my left is Vern Janz and to my immediate right is Tracy Allen, Deputy Minister of Highways and Public Works, and to her right is Chris Butler. Both Chris Butler and Vern Janz have been integral in the development and background policy work with respect to this new legislation for a number of years.

We are on clause 217. Madam Chair, I would like to raise the issue of two incorrect cross-references in this section of the bill before us today — specifically, two cross-reference errors in subsections 217(2) and 217(5) which occurred during the renumbering process for the bill. Section 217 of the bill outlines modifications to the ticketing process in the *Summary Convictions Act* and includes cross-references to certain ticketable offences under the draft *Traffic Safety Act*. It is my intention to correct these two cross-reference errors through an amendment. This will ensure the accuracy of the cross-references and reduce any confusion or errors in interpreting this clause.

Drafting a bill as complex as the *Traffic Safety Act* involves multiple checks for consistency and accuracy. This includes updates or changes made throughout the process, as well as during the French translation. Additionally, the draft act undergoes a review by government lawyers to ensure both legal accuracy and editorial cohesiveness. I am confident in the work that the department has completed to thoroughly check the remaining cross-references.

Once these proposed amendments are made, the draft act will function as intended.

*Amendment proposed*

**Hon. Mr. Clarke:** Therefore, I move as follows:

THAT Bill No. 44, entitled *Traffic Safety Act*, be amended at pages 192 and 193 in clause 217 by:

(a) in subclause (2), replacing the expression "section 120 of this Act" with the expression "section 121 of this Act"; and

(b) in subclause (5), replacing the expression "section 119 or subsection 120(2)" with the expression "section 120 or subsection 121(2) of this Act".

Madam Chair, I have one copy for the Table and I have 20 other copies for distribution.

**Chair:** The amendment is in order.

The Member for Riverdale North has moved:

THAT Bill No. 44, entitled *Traffic Safety Act*, be amended at pages 192 and 193 in clause 217 by:

(a) in subclause (2), replacing the expression "section 120 of this Act" with the expression "section 121 of this Act"; and

(b) in subclause (5), replacing the expression “section 119 or subsection 120(2)” with the expression “section 120 or subsection 121(2) of this Act”.

Is there any debate on the amendment?

**Ms. White:** In my time in this Assembly, we have passed dozens and dozens of pieces of legislation and mistakes have made it through more times than I can count, and we have had to come back later on and correct them. So, congratulations to the drafters who found a small mistake out of 214 pages of documents, and we will be supporting the amendment.

**Hon. Mr. Clarke:** Thank you for the comments from the member opposite. As I indicated in my preliminary comments, it is my intention to correct the cross-reference errors that have been identified through this amendment and that this will ensure the accuracy of the cross-references and reduce any confusion or errors in interpreting this clause.

**Chair:** Is there any further debate on the amendment?

Are you prepared for the question?

**Some Hon. Members:** Count.

### Count

**Chair:** A count has been called.

### Bells

**Chair:** All those in favour, please rise.

*Members rise*

**Chair:** All those opposed, please rise.

*No members rise*

**Chair:** The results are 15 yea, nil nay.

*Amendment to Clause 217 agreed to*

**Chair:** Is there any further debate on clause 217 as amended?

*Clause 217, as amended, agreed to*

**Ms. White:** Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to revisit clause 1.

### Unanimous consent re revisiting clause 1

**Chair:** The Member for Takhini-Kopper King has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to revisit clause 1.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Chair:** Unanimous consent has been granted.

*On Clause 1 — revisited*

**Chair:** Is there any debate on clause 1?

**Ms. White:** Madam Chair, I am going to first start by apologizing to the House. In my exuberance to get through this, I jumped ahead 215 lines, but it wouldn't have actually affected this one, because we would have passed clause 1.

I am sure folks in the House know that I and others ride our bicycles very regularly, and I also ride my bike to work. The reason why that is relevant is that recently, on October 14, the Minister of Highways and Public Works, the Leader of the Yukon Party, and I received a letter from the Whitehorse Urban

Cycling Coalition urging us to include a definition for “vulnerable road users”. The reason why I think this is relevant is that — the honest truth is that, if a cyclist or a motorcyclist or anyone not in a vehicle is in an altercation with a vehicle, the reality is that we will lose. So, it's important when we talk about definitions and we talk about the importance of definitions, that we do include a definition of “vulnerable road users”.

### *Amendment proposed*

**Ms. White:** Therefore, Madam Chair, I move:

THAT Bill No. 44, entitled *Traffic Safety Act*, be amended in clause 1, at page 27 by:

(a) adding the following subclause after subclause (2):

(3) in the regulations “vulnerable road user” means

(a) a person driving a motorcycle,

(b) a person driving a bicycle or any other vehicle that is not a motor vehicle,

(c) a pedestrian, and

(d) any other person prescribed by the regulation.

<< *usager de la route vulnérable* >>

(b) by renumbering the subsequent subclauses accordingly.

**Chair:** The amendment is in order.

The Member for Takhini-Kopper King has moved:

THAT Bill No. 44, entitled *Traffic Safety Act*, be amended in clause 1 at page 27 by:

(a) adding the following subclause after subclause (2):

(3) in the regulations “vulnerable road user” means

(a) a person driving a motorcycle,

(b) a person driving a bicycle or any other vehicle that is not a motor vehicle,

(c) a pedestrian, and

(d) any other person prescribed by the regulation.

<< *usager de la route vulnérable* >>

(b) by renumbering the subsequent subclauses accordingly.

Is there any debate on the amendment?

**Ms. White:** Madam Chair, well done on the French there.

I think there are a couple of important things to note, and the first one that I will do is the willingness from the Minister of Highways and Public Works to meet me in this spot to be able to have the conversation ahead of the time about the importance of including the language of vulnerable road users and the importance of the conversations that happened with the Whitehorse Urban Cycling Coalition.

Full credit to those folks who went through the 214 pages of legislation with suggestions and recommendations to make it stronger, to make sure that people who are vulnerable road users are recognized, and also a big thanks to the officials who assisted in making sure that we could make this change. I am looking forward to seeing this added into the definitions and knowing that vulnerable road users will be identified going forward.

**Hon. Mr. Clarke:** Our government supports the amendment put forward by the Leader of the Third Party for several reasons as indicated by the Leader of the Third Party. On October 14, I received a letter from the Whitehorse Urban Cycling Coalition, which was cc'd to the Leader of the Official Opposition and the Leader of the Third Party after they had reviewed Bill No. 44.

In the letter, the coalition requested that the government consider specifically recognizing vulnerable road users in the act. One of their points was that vulnerable road users are at a much higher risk of injury and fatality in collisions with motor vehicles. In fact, according to Transport Canada's national collision database, in 2021, vulnerable road users accounted for 32 percent of collision fatalities in Canada. The breakdown is as follows: 16 percent were pedestrians, 13 percent were motorcyclists, and 3 percent were cyclists.

One of the main goals of the *Traffic Safety Act* is to increase the safety of vulnerable road users, and our government plans to include robust protections for them in the regulations. However, we agree that adding a definition of "vulnerable road user" to part 1 of this bill signals our commitment to developing regulations that will protect pedestrians, cyclists, motorcyclists, and other vulnerable road users.

The member opposite's proposed definition of a "vulnerable road user" is closely aligned with the definition suggested by the Whitehorse Urban Cycling Coalition in their October 14 letter. The addition of a provision in this bill allows for the inclusion of other road users in this group beyond cyclists, motorcyclists, and pedestrians as needed. As we know, the landscape of road users is continuously evolving and the government may need to extend protections to other groups in the future. This amendment will add to the existing protections in this framework legislation and make sure that vulnerable road users are protected under the law.

As with the member opposite, I certainly look forward to ongoing fruitful discussions with the Whitehorse Urban Cycling Coalition, which we do have on an ongoing basis. Like the member opposite, I — perhaps with less frequency and less enthusiasm as the member opposite — am also a cyclist, and I certainly appreciate adding this definition to the *Traffic Safety Act*.

**Chair:** Is there any further debate on the amendment? Are you prepared for the question on the amendment?

**Some Hon. Members:** Count.

### Count

**Chair:** A count has been called.

### Bells

**Chair:** All those in favour, please rise.

*Members rise*

**Chair:** All those opposed, please rise.

*No members rise*

**Chair:** The results are 16 yea, nil nay.

*Amendment to Clause 1 agreed to*

**Chair:** Is there any further debate on clause 1 as amended?

*Clause 1, as amended, agreed to*

*On Clause 218*

*Clause 218 agreed to*

*On Clause 219*

**Ms. White:** Madam Chair, pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem clauses 219 through 247 of Bill No. 44, entitled *Traffic Safety Act*, read and agreed to.

### Unanimous consent re deeming clauses 219 through 247 of Bill No. 44 read and agreed to

**Chair:** The Member for Takhini-Kopper King has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem clauses 219 through 247 of Bill No. 44, entitled *Traffic Safety Act*, read and agreed to.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Chair:** Unanimous consent has been granted.

*Clauses 219 to 247 deemed read and agreed to*

*On Clause 215 — previously stood over*

**Hon. Mr. Clarke:** I recognize that section 215 requires amendments to balance protecting interests against identity theft and fraud with maintaining the integrity of the motor vehicles registry. Our team at Highways and Public Works has had a constructive dialogue with the Office of the Information and Privacy Commissioner. As a result of this dialogue, I intend to propose amendments to section 215 that will ensure that the use of this technology remains constrained and appropriate.

I want to extend my thanks to the Office of the Information and Privacy Commissioner for the important work that they do to safeguard the privacy of Yukoners. Specifically, I appreciate their attention to the authorization of facial recognition technology under this bill. The office has provided a letter dated October 21, which I have tabled in the Assembly, indicating that they are satisfied with the amended language that I am tabling for consideration today. Once again, I thank the office for their collaborative approach in helping us to strengthen this bill while safeguarding Yukoners' personal information.

From the beginning, our goal in authorizing the use of facial recognition technology has been straightforward. It allows the Motor Vehicles office to confirm that an applicant for a driver's licence or general identification card is who they claim to be. This step is crucial in preventing identity theft and fraud, which have wide-ranging impacts beyond our borders. It also helps to maintain the integrity of the motor vehicles registry.

At my department's last check, nine jurisdictions — the Northwest Territories and all provinces except for Québec and Newfoundland and Labrador — use facial recognition technology to verify identity in order to prevent fraud. The source of this authority is sometimes found in their traffic safety legislation or it may be found in other laws relating to identification cards. This efficient and widely used technology

is instrumental in protecting against identity theft and identity fraud when issuing driver's licences or other identification cards. Without facial recognition technology, the Yukon will continue to be more susceptible to identity fraud than most other Canadian jurisdictions.

The Office of the Information and Privacy Commissioner expressed concerns that facial recognition technology might be used in ways that don't meet the public's privacy expectations. To address this, we are proposing amendments that will place strict limits on the use of this personal information by tying it exclusively to the registrar's duties under this act and explicitly linking its use to the prevention of identity theft and fraud.

The Information and Privacy Commissioner has confirmed that this new narrowed scope has alleviated their concerns about the broadness of the official original authorization.

Another concern raised by the Office of the Information and Privacy Commissioner was about provisions allowing the registrar to share biometric information with certain individuals or groups. We will address this by tying the function back to the definition of "issuer" in section 210 of the draft act in the proposed amendments.

An "issuer", as defined, includes contractors who may be engaged to produce physical drivers' licences or identification cards on behalf of the registrar. Many vendors producing these cards for other Canadian jurisdictions already include facial recognition screening as a part of their services. The Office of the Information and Privacy Commissioner has indicated that, by linking this function to the definition of "issuer", their concerns have been resolved.

These proposed amendments demonstrate our commitment to balancing the use of technology for security purposes with the protection of privacy.

#### *Amendment proposed*

**Hon. Mr. Clarke:** I move:

THAT Bill No. 44, entitled *Traffic Safety Act*, be amended by replacing clause 215 at page 190 with the following:

215 Facial recognition to verify identity

(1) In this section "facial recognition software" means software that measures the unique invariable characteristics of a person's face and compares them with other such measurements of the same person or other persons.

(2) In accordance with the regulations, the registrar may, only in exercising their powers and performing their duties and functions under this Act, use facial recognition software for the following purposes:

(a) to verify or confirm the identity of a person who applies for or holds

(i) a driver's licence, or

(ii) a general identification card;

(b) to maintain the integrity of the registry or prevent abuse of the registry;

(c) to contribute to the prevention of identity theft and fraud.

(3) For the purposes set out in subsection (2), the registrar may compare the photograph of a person who applies for or holds a driver's licence or identification card to

(a) other photographs of the person that are contained in the registry; or

(b) the photographs of other persons that are contained in the registry.

(4) The Commissioner in Executive Council may make regulations

(a) prescribing administrative, technical and physical safeguards that the registrar must adopt

(i) to protect the confidentiality, security, accuracy and integrity of information about persons obtained by facial recognition software, and

(ii) to protect the privacy of persons to whom the information referred to in subparagraph (i) relates; and

(b) authorizing the registrar to make facial recognition software available to issuers as defined in section 210.

Madam Chair, I have an original signed copy, an original signed amendment, and the requisite copies for distribution.

**Chair:** The amendment is in order.

**Some Hon. Members:** (Inaudible)

#### **Unanimous consent re dispensing with reading amendment**

**Chair:** Is there unanimous consent to dispense with reading the amendment?

**All Hon. Members:** Agreed.

**Chair:** Unanimous consent has been granted.

Is there any debate on the amendment?

**Mr. Dixon:** Thanks to the minister for the opportunity to speak to this section. It should come as no surprise to those who have been following the proceedings of the Legislature this fall that the Yukon Party has concerns and reservations about the inclusion of the facial recognition software provision in this act, in particular, clause 215. Those concerns do remain, and while I appreciate that the amendment put forward by the minister does indeed constrain and restrict the ways that it can be used, the concerns that we have more broadly remain, in particular, the lack of consultation with Yukoners about the use of this controversial and new technology.

As such, we will vote in favour of the amendment to constrain and restrict the use of facial recognition technology and will support the amendment, but we do still intend to vote against line 215 in this bill once the appropriate time comes.

**Ms. White:** When we got to this section the last time that the *Traffic Safety Act* was open, I did indicate that I had concerns based on the letter that we had received from the Information and Privacy Commissioner. Again, I want to thank the officials for doing the hard legwork there. I am just going to read an excerpt from that letter. It says — quote: "I have looked at the proposed draft revisions to section 215 of Bill No. 44 and am pleased to see that HPW has meaningfully addressed my concerns.

"The revisions, in my view, properly limit the scope of the registrar's use of the 'Facial Recognition Technology'... solely to the execution of their duties and functions under Bill No. 44, currently before the Legislature.

“I am also pleased to note that the revisions now limit the use of FRT to the comparison of photos only contained within the registry. Importantly, the modifications to subsection 215(4) allow the registrar to make FRT available to ‘issuers’ as defined in section 210. This significantly reduces my concerns about the potential for such highly invasive technology to be implemented outside its intended purpose.

“Together, I am of the opinion that these proposed draft revisions conform more closely with the limitation principles of the ATIPPA. As you know, public bodies can only collect, use, or disclose personal information that is reasonably necessary for carrying out a stated purpose.

“I appreciate HPW’s timely, detailed and thorough response to our comments...”

With that — that is what I needed. I said the last time that I was up that what I needed was assurance from the Information and Privacy Commissioner that they would support clause 215 with the changes. They have indicated just that, and the NDP will be supporting the amendment.

**Ms. Blake:** Is there any further debate on the amendment?

Are you prepared for the question on the amendment?

**Some Hon. Members:** Count.

#### Count

**Chair:** A count has been called.

#### Bells

**Chair:** All those in favour, please rise.

*Members rise*

**Chair:** All those opposed, please rise.

*No members rise*

**Chair:** The results are 15 yea, nil nay.

*Amendment to Clause 215 agreed to*

**Chair:** Is there any further debate to clause 215 as amended?

**Mr. Dixon:** Madam Chair, I won’t belabour the point, but I will briefly state that, yet again, the Yukon Party has reservations and concerns about the use of facial recognition technology in the Yukon and is concerned by the inclusion of this provision in the bill. As such, we will vote against this specific line at the appropriate time.

I wanted to note that I think that there ought to have been more consultation on this provision specifically. I think that Yukoners weren’t thoroughly — or consulted at all, quite frankly, on the inclusion of this facial recognition technology, as evidenced by the fact that the IPC had to write a last-minute letter noting that even he wasn’t consulted about the inclusion of this provision in this act.

While we have responded to some of the concerns raised by the IPC, I still don’t believe that a sufficient amount of consultation has occurred on this specific provision. I also think that the use of facial recognition technology is a concern to many across the country, in particular, legal experts and experts in the use of AI, who have called for a moratorium on the use

of facial recognition technology until such time as the federal government can establish appropriate national standards for its use, which has not happened yet.

Madam Chair, I could go on at length, but ultimately, we will be voting against this particular line and don’t agree with its inclusion in this bill.

**Chair:** Is there any further debate on clause 215 as amended?

Shall clause 215, as amended, carry?

**Some Hon. Members:** Count.

#### Count

**Chair:** A count has been called.

#### Bells

**Chair:** All those in favour, please rise.

*Members rise*

**Chair:** All those opposed, please rise.

*Members rise*

**Chair:** The results are nine yea, six nay.

*Clause 215, as amended, agreed to*

#### On Preamble

**Hon. Mr. Clarke:** I recognize that not every piece of legislation includes a preamble, but I’m very pleased that we have decided to include one in this instance. Like other significant legislative elements, a preamble offers valuable context for anyone reading the law. It highlights the purpose and reasoning behind the legislation, ensuring that it is understood within the framework set by the statements made in the preamble.

Throughout the development of this act, we have engaged with many stakeholders, including those advocating for stronger protections for vulnerable road users. One such group is the Whitehorse Urban Cycling Coalition, who we have spoken about previously this afternoon. We met with the Whitehorse Urban Cycling Coalition in both 2019 and 2023, and I have also met with the Whitehorse Urban Cycling Coalition in the interim period as well on a wide variety of issues.

Recently, I received a letter from the coalition advocating for increased visibility of vulnerable road users in the act itself. On October 16, I had an opportunity to meet with the coalition to just discuss their concerns further.

The act empowers the drafting of regulations that will govern road rules, including those related to vulnerable road users. The bulk of safety enhancements for vulnerable road users will be addressed in these regulations, and we will continue engaging with advocacy groups like the Whitehorse Urban Cycling Coalition as we move forward with that process.

I agree with the Whitehorse Urban Cycling Coalition that increasing the safety of vulnerable road users, such as cyclists, is crucial. In response, it is my intention to propose an amendment to the preamble of Bill No. 44 to acknowledge the importance of protecting vulnerable road users and the risks that they face.



The proposed amendment would add a phrase to the third recital in the preamble following the words “in Yukon”. The added phrase would read: “, including vulnerable road users, who are at much greater risk of injury and fatality from collisions with motor vehicles”. By amending the preamble to highlight the additional risks faced by vulnerable road users, we signal the importance of their safety to all Yukoners. This amendment would reinforce our commitment to making Yukon’s roads safer for everyone, especially those most at risk.

*Amendment proposed*

**Hon. Mr. Clarke:** Madam Chair, I move:

THAT Bill No. 44, entitled *Traffic Safety Act*, be amended at page 19 by adding, in the third recital of the preamble, the expression “, including vulnerable road users, who are at much greater risk of injury and fatality from collisions with motor vehicles” after the expression “in Yukon”.

Madam Chair, I have an original signed copy and the requisite copies for distribution to the MLAs.

**Chair:** The amendment is in order.

The Member for Riverdale North has moved:

THAT Bill No. 44, entitled *Traffic Safety Act*, be amended at page 19 by adding, in the third recital of the preamble, the expression “, including vulnerable road users, who are at much greater risk of injury and fatality from collisions with motor vehicles” after the expression “in Yukon”.

Is there any debate on the amendment?

Are you prepared for the question on the amendment?

**Some Hon. Members:** Count.

**Count**

**Chair:** A count has been called.

*Bells*

**Chair:** All those in favour, please rise.

*Members rise*

**Chair:** All those opposed, please rise.

*No members rise*

**Chair:** The results are 14 yea, nil nay.

*Amendment to Preamble agreed to*

**Chair:** Is there any debate on the preamble as amended?  
*Preamble, as amended, agreed to*

*On Title*

**Hon. Mr. Clarke:** I just have some brief comments and then we can move on with further business of the day.

I would like at this point to thank members of the Assembly for their observations today and for their contributions in the debate of this act as it made its way through the Legislative Assembly. As you are all aware, this is a major piece of legislation that has been underway for a number of years. This bill addresses three priorities that we heard — as nearly unanimous priorities — from Yukoners across the territory.

These three priorities are: enhancing safety for all road users; creating administrative efficiency and improving

services; and planning for the future. This bill was drafted in a way that ensures that it will meet the needs of Yukoners for many years to come.

This modern drafting style allows for a robust regulatory regime which can be more easily updated to accommodate changes. This means that Bill No. 44 is forward-thinking and flexible enough to effectively govern our highways when we develop infrastructure that does not yet exist in the Yukon and can also respond to emerging technologies. We are allowing room for a growing population, evolving technologies, and unforeseen traffic safety challenges.

As you can see, our government has worked tirelessly to make sure that this bill addresses what is important to Yukoners. By writing this bill in a modern, enabling drafting style, our government has ensured that this piece of legislation can grow and evolve with us. As I mentioned earlier, public and stakeholder input has been instrumental in the development of this bill. We have heard resounding support for enhancing safety for all road users in the Yukon across the territory.

We look forward to further discussions with Yukoners as regulations are developed. As members in this Assembly have indicated, this legislation is comprehensive and is long overdue.

I would just take this opportunity briefly to thank all of the staff at Highways and Public Works and the legislative drafters for the incredible effort that has been put forward over the course of the last seven or eight years in drafting and consulting on this. Perhaps just a quick shout-out to my left — probably the elder statesperson on this project — Vern Janz, who has provided me with sage advice and perhaps the former Minister of Highways and Public Works, now the Minister of Community Services, with sage advice. As we moved through the various policy considerations, he is truly an expert in the field, has a passion for improving traffic and road safety for all Yukoners, and I certainly have very much appreciated that insight.

At this point, thank you to Vernon Janz, first of all, and as I said, thank you to the Highways and Public Works staff, the legislative drafters, and all Yukoners who provided significant input as we travelled along this drafting path.

*Title agreed to*

**Hon. Mr. Clarke:** Madam Chair, I move that you report Bill No. 44, entitled *Traffic Safety Act*, with amendment.

**Chair:** It has been moved by the Member for Riverdale North that the Chair report Bill No. 44, entitled *Traffic Safety Act*, with amendment.

*Motion agreed to*

**Hon. Mr. Clarke:** I move:

THAT, pursuant to Standing Order 60(1), Bill No. 44, entitled *Traffic Safety Act*, as amended, be reprinted and tabled in the Legislative Assembly in its reprinted form before the House proceeds with third reading and passage of the said bill.

**Chair:** It has been moved by the Member for Riverdale North:

THAT, pursuant to Standing Order 60(1), Bill No. 44, entitled *Traffic Safety Act*, as amended, be reprinted and tabled

in the Legislative Assembly in its reprinted form before the House proceeds with third reading and passage of the said bill.

*Motion agreed to*

**Chair:** The matter now before the Committee is continuing general debate on Vote 51, Department of Community Services, in Bill No. 215, entitled *Second Appropriation Act 2024-25*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

**Chair:** Committee of the Whole will recess for 10 minutes.

*Recess*

**Chair:** Order. Committee of the Whole will now come to order.

**Bill No. 215: *Second Appropriation Act 2024-25* — continued**

**Chair:** The matter now before the Committee is continuing general debate on Vote 51, Department of Community Services, in Bill No. 215, entitled *Second Appropriation Act 2024-25*.

Is there any further general debate?

**Department of Community Services — *continued***

**Hon. Mr. Mostyn:** We have with us this afternoon again my two officials, Damien Burns and Marie-Alexis Dangreau. We are here to answer questions and let us get at it.

**Ms. White:** Last time we were up, we were talking about the minister's predicted savings for closing three transfer stations. I asked for further details; the minister told me that closing four transfer stations would save \$200,000 a year — so, \$1 million over five years. I pointed out that Keno stopped being the responsibility of the Yukon government two years ago, so it is three transfer stations.

Can the minister give me a breakdown of what his \$200,000 a year cost saving is?

**Hon. Mr. Mostyn:** Okay, so what we are talking about here is \$200,000 in savings over five years, and that is for the three transfer stations — taking Keno off the table, because that one is being done by Hecla. The annual estimated savings for the three transfer stations closed in 2024 — just now — come out to \$200,000. That is \$168,000 for waste hauling; \$32,000 in maintenance and repairs for the said sites; and \$30,000 in tipping fees.

**Ms. White:** Can the minister please give me a breakdown for Silver City, Braeburn, and Johnsons Crossing out of those numbers?

**Hon. Mr. Mostyn:** As I said the last time we were up a few days ago, we can't get exact figures by community because waste-hauling costs are from several communities. They are compiled costs and have recently been increased across the board, so those are the costs. That is what we — that is where the costs go. I do not have a breakdown — and I said that before — by community.

**Ms. White:** Is the minister not willing to ask for a breakdown?

**Hon. Mr. Mostyn:** That is the cost that the contractor gave us for doing all of those sites. That is the cost. I don't have a breakdown by community.

**Ms. White:** Has the minister asked for a breakdown per community?

**Hon. Mr. Mostyn:** The Department of Community Services has been working to get these numbers together. These are the numbers they have. I trust in the work of the department to get this. I have already said that breaking it down into individual communities is not possible. These are the answers. I have given her a breakdown of the costs. That's what we have.

**Ms. White:** It's not that I don't have a trust in the department; it's that I hesitate to believe the minister when he talks about cost savings based on previous files that he's had, like Highways and Public Works with the Queen's Printer and Central Stores. So, when I ask for a community breakdown, it's because I'm interested to know what of the \$168,000 for hauling is covered by Johnsons Crossing. You know, for example, is that going toward Teslin or is that coming into Whitehorse? I want to know, out of the \$168,000, how much is from Silver City, and where is that hauling going, and is it the same truck that goes past Silver City that goes to both Burwash Landing and Destruction Bay, or is it a separate truck? And I'm interested to know how much of the \$168,000 belongs to Braeburn. Then, is that going all the way to the City of Whitehorse, or is that going to the Lake Laberge facility?

It's not that I have any distrust for the department; it's solely the responsibility of the minister. So, again, I'm going to ask: Is the minister willing to ask for a detailed breakdown of that \$200,000?

**Hon. Mr. Mostyn:** We work with a private company; they bid on a job; this is the job they bid on; they bid a price; this is the savings that the contractor has passed on to the Yukon government after the cancellation of Braeburn, Johnsons Crossing, and Silver City. We are saving \$200,000 off that contract a year. The costs that we were given by the contractor — \$168,000 for waste hauling; \$32,000 for maintenance and repairs; \$30,000 for tipping fees. That is on the aggregated contract. That's what we have.

**Ms. White:** Knowing that budget cycles for the Yukon government go from April 1 until March 31 and the minister didn't close down those transfer stations until October 1, what is the expected cost savings for the 2024-25 budget year?

**Hon. Mr. Mostyn:** The amortized costs — so, that would be this year — would be about \$75,000 in savings, and \$200,000 is over an annualized basis. So, the next fiscal year — the whole year — would be \$200,000.

**Ms. White:** How many building inspectors does the Yukon government have who do inspections on new home construction or renovations outside of the City of Whitehorse?

**Hon. Mr. Mostyn:** There are actually 3.5 building inspectors in the Department of Community Services. One is based out of Watson Lake, and there are two electrical inspectors as well.

**Ms. White:** Does the minister believe that department has adequate resources for the amount of construction that is happening outside of the City of Whitehorse currently?

**Hon. Mr. Mostyn:** It is a good discussion point. I would love to increase the FTEs. I know how sensitive the opposition is to us spending any money on anything, so I really do applaud the efficiency of the department. I would love to have more civil servants; I really think that they do marvellous work. I know that they are working extremely hard, given the circumstances. I applaud the work that they do, and I am sure we could take some more, but we have to also be cognizant of the finances of the government. We have what we have, and the team that we have is doing extraordinary work.

I know that the member opposite has sent me an e-mail just a few hours ago — I didn't get it until just recently — asking about timelines and where to go for complaints. I know that the team is working on those answers, and I will get them to her as soon as we have them from the department.

**Ms. White:** So, just looking for correction — is the minister saying that, because of the opposition parties, there are only 3.5 building inspectors for outside of the City of Whitehorse? Is he saying that it is opposition's fault? I am just looking for clarity.

**Hon. Mr. Mostyn:** No, that is not what I am saying, Madam Chair, at all. What I am saying is that the department has the resources they have. We go through an annual budget exercise every year. The department will come with their requests. We have meetings within Finance and Cabinet to discuss what resources we can afford within departments. We prioritize that based on need. All departments come to ministers with their most important needs during the budget cycle, and we address those needs.

But I will say that there certainly is pressure from the Official Opposition, if not the New Democrat caucus, to keep a close rein on the finances of the government — one that I know that our team certainly takes to heart as well.

**Ms. White:** That is an interesting way of saying yes but no but yes — so I guess I will leave it there. I did actually just have to check my outgoing e-mail, because I actually just sent the minister a note, so it is not like he has had it for any length of time, but I thought — what an opportunity to talk about building inspections.

What is the required timeline for a building inspector to get back to a home builder or homeowner during the construction period, understanding that, according to the website, there are multiple different times when an inspection is required for a foundation, framing, insulation, conditional occupancy, and then occupancy inspections?

The reason I ask is it's a critical time when someone is building a house to get the feedback that they need to either make corrections or changes. So, what is the expected timeline for an inspector to be able to get that information back to someone who has requested an inspection outside the City of Whitehorse?

**Hon. Mr. Mostyn:** The team at Community Services aims to approve building permits within 10 business days. That, of course, assumes that all pertinent information and

documentation has been provided at the time of the application. There are certain obligations. Our obligation is to try to get it done within 10 days. The people applying for the permit have an obligation to provide all pertinent information to enable that to happen.

So, that we're shooting for 10 days is what it is.

**Ms. White:** So, just again, seeking clarification — it's 10 days for a final response, or is it 10 days for corrections that need to be made? What part of that is 10 days?

**Hon. Mr. Mostyn:** The initial step in the process for new construction is a plan review to ensure that the construction meets all the applicable building codes and safety standards. The team meets with contractors or the person building to look at their plan and make sure that the plan meets all the building codes and safety standards. Then, throughout the process, there are regular inspections throughout that process, so it's iterative, and there are all sorts of circumstances — varied types of construction and the varied scope of construction that will all happen. The team meets and inspects it on a regular basis. Then, once the work is done, we aim to give an approved building permit within 10 business days. That is the goal.

It's very difficult to put timelines on all the various inspections that happen throughout a project. It depends on those things, but we work very closely with the people doing the work to ensure that they are on track. We start at the beginning, work through it, and hope to have that permit issued within 10 days.

**Ms. White:** What is the timeline for conditional occupancy with a conditional occupancy inspection?

**Hon. Mr. Mostyn:** We don't have a timeline for conditional occupancy. That will have specific circumstances that will dictate what's going on with that. We will work with the client, of course. If the member opposite has a very specific incident that she wants to talk about or has some specific complaint that she has heard about, please bring it to our attention. Damien and the team will certainly work with the person involved to make sure that we understand it better and can give a better answer.

**Ms. White:** The reason I'm asking is the minister likes to brag about the number of houses that have been constructed. My concern is actually that the building inspectors don't have enough support to do what they're doing.

As a question, how many homes were built out of the City of Whitehorse? Let's exclude Watson Lake, because it has its own building inspector. So that I can have an idea of how many inspections those building inspectors needed to do, how many houses were built in 2024 outside the City of Whitehorse?

**Hon. Mr. Mostyn:** I have some numbers here. As of August 15 this year, the Building and Safety Standards branch has issued 417 building, oil, and woodstove permits, and they have performed 739 inspections. Also, 1,236 electrical permits have been issued and 2,494 electrical inspections have been completed through a mix of on-site inspections, picture inspections, and contractor declarations. In addition, permits and inspections were also done for gas appliances, plumbing installations, boilers, pressure vessels, and elevators. There is a lot of work being done in the branch.

I have asked my deputy about morale and how things are going. He says that he hasn't heard any concerns. They are proud of the work that they're doing and they are getting those inspections done. They know how important their work is and they take pride in it.

**Ms. White:** I am just going to highlight that I haven't said anything negative about the building inspectors. My concern is actually that they are under-resourced and not adequately supported.

With the thousands of inspections that the minister has just listed, is that done by that same number — the 3.5 building inspectors? So, between Watson Lake and the 2.5 outside of Watson Lake, are all those inspections done by those same inspectors?

**Hon. Mr. Mostyn:** The team is working to get this work done. They have an important role. They are keeping up with the work that they have to do, and I have given the member opposite the permits that they have been handling. As I said, I have checked with the department. They have no concerns with the workload at this stage, and we are getting that work done.

I appreciate the member opposite's questions, and I look forward to the next one.

**Ms. White:** The minister missed the answer to that question, which was: How many inspections on average per inspector?

**Hon. Mr. Mostyn:** If the member opposite wanted to do rough math, they could probably take the number and divide by the number of inspections that we have done. I am sure that is not entirely accurate. We have folks in Dawson, in Watson, and in the Whitehorse vicinity. The work would depend on the amount of work going on in various regions. I think that it is very difficult to break that work down like that. I am sure that the management of the department is making sure that everybody is doing their fair share and sharing resources when we need resources in other regions. I am sure that is happening as well. I don't have statistics per staff member.

**Ms. White:** In taking down those notes, I got 417, 739, 1,200 and something, and 2,490 divided by three and a half is 1,384.5 inspections, based on the minister's suggestion there. So, on average, a building inspector — how many kilometres do they drive in a year? If they are based in Whitehorse and they are doing inspections outside of the City of Whitehorse, how many kilometres do they drive in a year?

**Hon. Mr. Mostyn:** With all due respect to the member opposite, my job here — our job here is not to manage the number of kilometres that some individual employee is driving on a daily or monthly basis. We have an absolutely incomparable civil service who is doing the work to make sure that the work gets done. Our job is to look at the overall running of the government and say: Hey, have we got concerns? I'm not going to break down by a number of individuals — because we have a small civil service here — how much Warren is driving or how much Sally is driving. That's not what we are doing here this afternoon, Madam Chair, with respect.

**Ms. White:** Is the minister responsible for the safety of the public servants who work for him?

**Hon. Mr. Mostyn:** We have safety plans in every government department. Again, the department does the good work to identify hazards and to guarantee the safety of its civil service — of its employees. I know that they do that work and that is — if the member has a specific concern, please bring it to my attention.

**Ms. White:** I think that six or seven questions ago, I highlighted the concern, which is that building inspections is spread thin; that there is a lot of work to do, and they drive a lot. The reason why I'm asking about whether or not the minister is responsible for safety is that driving for work may be one of the most hazardous things that you can do in your job — period — right? You tap on the fact that you have building inspections after building inspections, and you are on the road for a while; you're spread thin; you're tired. You know, based on the minister's suggestion for math — you know, one building inspector is looking at more than 1,300 inspections a year. I think it's fair to ask: Is it properly resourced? Do people have adequate support?

I appreciate that the minister has said that no one has heard anything, so I guess the next question is: Has anyone asked? Has anyone sat down with the building inspection team and said: Hey, how do you feel? You know, do you have what you need? Are you feeling good?

So, maybe that's the next question: Has there been any check-in? Are we sure — do we know how folks are feeling?

**Hon. Mr. Mostyn:** I'm absolutely — I'm almost speechless here. If the member opposite has a specific safety concern — tangible safety concern — I urge her to bring it to my attention. I think that it's incumbent on her to bring that to my attention. I'm not going to deal with assumptions; I'm not going to deal with hypotheticals; I'm going to work with my department to make sure that they have the resources they need.

I am going to, as I always do, ensure and tell the department to work in a safe manner and to make sure that they have the proper safety protocols in place. It is incumbent on the employer to make sure that the workplace is safe. It's also incumbent and an obligation of the employees to make sure that they identify hazards and report these things. That's where we're going to leave it this afternoon.

**Ms. White:** I guess there hasn't been that check-in.

Can the minister let me know what rating or type of tires are on Community Services' fleet vehicles?

**Hon. Mr. Mostyn:** I know that recently the Third Party brought a motion to the House, and I urge us to discuss that in the future when they want to bring it forward on their motion day.

**Ms. White:** It's a perfect opportunity right now during budget debate, so what kind of tires are on Community Services' vehicles? We have inspectors who are driving around the territory in winter driving conditions. What kind of tires do they have on their vehicles?

**Hon. Mr. Mostyn:** I will say that the fleet vehicles are actually run by the Department of Highways and Public Works. If she has a concern about that, I urge her to bring it to the minister responsible, who is the Minister of Highways and Public Works.

**Ms. White:** The minister seems a little bit defensive about that, but we just passed a piece of legislation that says, at one point in time, we can require people to have winter tires on their cars, so asking what kind of tires are on a vehicle for people who the minister has on the road for extensive periods of time — it's about safety.

Again, my concern is that folks within that particular branch are spread thin. We saw what happened with building inspections in the City of Whitehorse and building permits. We saw how that ground to a halt, so I just want to make sure that it is adequately resourced, because it is important. It is important that those folks feel supported and that they feel like they can get the work done in a timely way. I think that is part of safety and ensuring people feel good about what they are doing.

There are probably a lot more questions I could on, including going back to rural transfer stations, but I know that my colleague the Member for Kluane has questions, so I will pass over the floor.

**Mr. Istchenko:** I want to thank the staff who are here helping the minister. I know that there are some in offices on the phone ready to provide the wonderful information I am looking for here today.

I want to start off with — the other day, I believe it was in Question Period, the minister said that there were 44 lots available in Haines Junction. I live there. So, they're not actually available right now. They're still waiting on power. So, the lots aren't available. So, the minister might want to correct the record on that.

But on April 29, 2024, the Village of Haines Junction sent the minister a letter about these lots in the subdivision. In the letter, they raised a number of concerns on how the development has occurred and asked for a number of adjustments. The one adjustment I want to ask about is because I promised my new mayor and council that I would look into this for them.

I first want to ask if the minister replied to their letter, and if he didn't, why not?

I want to ask about their wanting underground power instead of power poles. Now, there are no power poles or electricity right now, and there won't be power poles, if that's the final decision, until probably midsummer, so those lots won't be available.

So, if the minister can comment on that and give me an answer.

**Hon. Mr. Mostyn:** I want to welcome the Member for Kluane to the discussion this afternoon. I look forward to our discussion this afternoon. I appreciate the question about all the land development that we are doing in Haines Junction. I did respond to the Mayor of Haines Junction in June — I believe the date was — with a casework letter. In it, we spoke about the partnership that Community Services had with the community of Haines Junction. We are looking at putting power poles into the subdivision. There is no underground power anywhere in Haines Junction; the cost is prohibitive. It is also difficult because of the ditches, I am told by the staff who are working there. We are putting in overground power.

I think that it is great news that we are going to have another 44 lots in Haines Junction that will help grow that wonderful little community.

**Mr. Istchenko:** I thank the minister for that. I will get a hold of the village, because I was under the understanding from the mayor that he actually didn't respond, so I will look for that letter that he responded to.

There is underground power — in the first phase of Spruce Street lots, they put some power poles in, and for the last six or eight lots in the multi-family lots, it was all underground power. So, there is underground power; it has been done before. That was a request of the village and the village has been requesting that for a while and not heard.

When it comes to those lots, can the minister give me a timeline? Also, can the minister tell me what the cost of those lots is going to be and the timeline when they go on the market?

**Hon. Mr. Mostyn:** The plan is to forward the lots to the Department of Energy, Mines and Resources this winter. As is typical, Energy, Mines and Resources will determine the price of the lots. We will hopefully put them out to sale in the spring, but you can certainly ask my good colleague when he's up about the state of the lots. But he won't have a costing yet. They haven't received those lots from us yet, but it will be coming soon.

**Mr. Istchenko:** I thank the minister for that answer. I will ask him that.

I don't think there will be a possibility unless spring is, say, June, July, or August. ATCO doesn't put in power poles in the winter, and they probably won't be able to get power poles in — or whoever you contract to do it — until next mid-summer.

But I will get after the Minister of Energy, Mines and Resources on those costs — whether there will be development costs. If their development costs — of what it costs to develop those lots — are going to be over \$180,000, then you won't sell one lot. No one will buy a lot. They're way too expensive for the delivery that the minister and his department brought out to the municipality.

So, I'm going to switch gears here to our interim regional agreement with the landfill with the Village of Haines Junction.

I know that the village sent a letter and that, in the letter, they said that the village signed this agreement under some degree of duress, recognizing that the regionalization would proceed with or without consent of the village, so they did that.

But they did send the minister a letter. In the letter, there was a reference to the financial liabilities of approximately \$400,000 to dispose of the accumulated end-of-life vehicles and scrap metals in their landfill. In the letter, it says that this issue requires immediate financial support, as they have reached their potential operating limit to store these materials.

Now, since then, the Village of Haines Junction has come out with some fees that they will be looking at for the dump and, of course, the complete municipality is up in arms at the costs of everything with the fees. They're looking forward to sitting down with the new mayor and council and seeing what they can do to see if we can work with the community to solve a lot of the issues that have been brought upon us by having to sign this interim regional agreement.

I have let all the candidates know that it is an interim regional agreement, which doesn't mean that it is completely signed off and you can still work with the government to get things.

I'm just curious if the minister and the department have heard it from other jurisdictions about the end-of-life vehicles. They are looking at charging \$1,000 — or \$900 in my community — to drop a vehicle off. You just have to picture yourself as a young person buying your first vehicle or getting it given to you from your grandpa, uncle, or dad. It's worth \$3,000 when they get it to you and then it's finally done. So, you're 18 or 19 years old; you saved up from your summer job and have \$3,500 in your pocket, and you want to buy a new one, but you have to spend \$900 to take yours to the landfill, so now you've only got \$2,600. It's a cost — think about youth, but it's also just the cost to so many people who have old vehicles.

I am just wondering if the minister can comment on what sort of work they're going to do with the municipality on those costs when it comes to end-of-life vehicles and if there are other municipalities that are seeing that issue.

**Hon. Mr. Mostyn:** I thank the member opposite for the question and the ability to talk about this a little bit further. I love the anecdote about the young man who has the car and the whole bit; it's great.

I heard from the Association of Yukon Communities when I was in Dawson City and this issue came forward. We did say that we would work with municipalities on this issue as we can. Certainly, what we're doing is putting costs on disposal. As Haines Junction knows, getting rid of these cars is expensive, so putting a polluter-pay cost on it where you're no longer just dumping these things at some unsupervised lot or just dumping it off in Haines Junction when everybody in the vicinity has tipping fees — and then Haines Junction bore a burden, and we knew this.

I talked to the mayor about this; I talked to the CAO about this. This is exactly why — they were an exemption where people could take their car and dump it without any cost and without any muss or fuss. You drive it out there, dump it, and your buddy drives you back to Whitehorse or wherever it is, and it puts the burden on Haines Junction. That was the problem, so I'm very glad that they signed the interim agreement.

We know that it's an interim agreement. There are other things that we have to do. There is other work that we have to do, and that work is ongoing. But it does take that first step to put up that control so that the people polluting pay for the cost of disposal of the garbage, be it a waste car or a pickup-truck's worth of yard waste. So now the people producing that garbage will pay a portion of the costs of disposing of that, and that's important. It's what Haines Junction has realized, and it's one of the things that was an irritant: that they were getting all of these cars that they couldn't get rid of. The liability was huge. So, I'm glad that they signed the interim agreement. I think that will certainly be one step in protecting the municipality from future costs.

The people in Haines Junction — I'm hearing from the member opposite that there is some resistance to paying for the disposal of garbage. But that principle allows people to take stock of what they're doing and start to change some of their behaviour. Maybe they decide to go different ways — recycle more or whatever it is — because now there is a cost for garbage. But I have no doubt that it is painful financially for some. As for the young man, I feel for the young fellow who is trying to get rid of his car, but he has a piece of garbage — a car that he loved, I'm sure. But in the end, it is now not working; he has to dispose of that car. It's going to cost a little bit of money. That will have to become part of the budget, I guess, of buying a new car.

As far as CS is concerned, we have already told AYC that we will work with them on the disposal of metals and other things out of their landfills — cars — in the future.

**Chair:** Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

**Chair:** Committee of the Whole will recess for 15 minutes.

*Recess*

**Chair:** I will now call Committee of the Whole to order.

The matter before the Committee is continuing general debate on Vote 51, Department of Community Services, in Bill No. 215, entitled *Second Appropriation Act 2024-25*.

Is there any further general debate?

**Mr. Istchenko:** When we left off, I had asked about the end-of-life vehicles, and it sounds like the minister is committed to work with — I am hoping that he is committed — some of the municipalities, because exactly right: We wound up with a bunch of vehicles, and it is a huge expense to the municipality.

I was going to switch gears to the Fire Marshal's Office a little bit and some of our volunteer fire departments, but I want to stick with Haines Junction for a little bit. I want to ask about — a few years ago, the government built a septic-receiving station in the public works yard. I ask this every year, but I just want — it has never worked — and I think that it was a few million, too. I am just wondering what the status of that is, if it is going to be torn down or refurbished, or if it is just not on the radar right now, but it is a cost to the municipality.

**Hon. Mr. Mostyn:** I will endeavour to get the member an update on that project.

**Mr. Istchenko:** Thank you for that, and I will look forward to what the minister gets back.

I want to also ask a question: In the 2024-25 budget, there is \$500,000 to \$1 million and then is another \$1 million to \$2 million in 2025-26 and \$500,000 to \$1 million in 2026-27 about water well replacement within the municipality of Haines Junction. The location, I believe, is where our other water well was, which was an artesian well which became a pretty big deal when they put that well in there.

My question is: Where are we with that, and where did the idea of drilling a well in that area come from? Was it a request

from the municipality, or is this something that Community Services is doing to further help us with our water supply?

**Hon. Mr. Mostyn:** It tickles my soul when I hear the opposition using our five-year capital plan so well.

The Department of Community Services is actually working to get some background on that. It's not captured in my notes, so I will get the member opposite an answer to the question fairly soon, I'm told, and I will get back to him.

**Mr. Istchenko:** I thank the minister for that. I guess I'll move on. I guess I can ask the minister a question: I don't see anything for a new community hall in Beaver Creek, but is there a plan? Is the government working with White River First Nation on a new community hall in Beaver Creek?

**Hon. Mr. Mostyn:** We're working with the community on their application for the building fund that would help fund that community centre. So, we are working with the community on that community centre.

**Mr. Istchenko:** I thank the minister for that. That's good. That's in need. We need a new community hall up there, for sure. I have been asking for that for quite a while.

So, I guess I'll switch gears to the Fire Marshal's Office and our volunteer fire departments, specifically looking for — how do I want to phrase this?

So, basically, we reviewed the Fire Marshal's Office, and we found that there needed to be some changes when it came to our small communities, like Destruction Bay, Beaver Creek, Mendenhall, Champagne — the ones that basically had dysfunctional fire departments, ones that weren't up and running because there was — I think it was just too hard for them to put the time into it with all the training and stuff that they had to do. So, we've redone things and things are looking pretty positive.

So, if I can ask for an update on Beaver Creek, Mendenhall, Destruction Bay, and Champagne.

Also, I know my fellow colleague from Pelly-Nisutlin had asked about the Fire Marshal's Office and gear and some stuff that we had heard. I'm also hearing out there that some of the issues they were having was getting the gear to them and them not having it, so if the minister can give me an answer on that.

**Hon. Mr. Mostyn:** I thank the member opposite for the question. The Fire Marshal's Office — I believe that he alluded to this — has developed a levels-of-service model. In this model, one person in the community can build fire resilience through prevention and education as a fire safety champion. Four people can support a scene safety response unit program, and eight people can support a fire department. So, these were — acknowledging that some — you know, we're having a hard time recruiting. We have developed these levels of engagement that help these smaller communities actually have a presence even when they can't support a full team response. I really want to thank all of the emergency responders, especially the volunteers in the communities who keep — who work so very hard under, you know, in trying weather and conditions all of the time to keep people safe.

Specifically, for places like Beaver Creek — right now, fortunately, we haven't had any incidents in 2023 in Beaver Creek. These are the stats that I'm going by. We have one active

volunteer in Beaver Creek who is a fire safety champion right now, so they have that designation. In Burwash Landing, we had one incident in 2023. We actually have four active volunteers currently in Burwash Landing. In Destruction Bay, we have four who are part of the scene safety response unit, so those four people have formed a scene safety response unit in Destruction Bay.

In Mendenhall, we don't have any volunteers currently, which is unfortunate, but we are always looking to recruit. Of course, territorial resources will be used in that community if we have to, and we will pull on other communities for assistance if we have to, but we are always trying to recruit volunteers where we can. We don't have one for Mendenhall right now.

**Mr. Istchenko:** I thank the minister for that. It's a work in progress. I will push for people in Mendenhall to see if they can't do something.

The other community was Champagne. I'm not exactly sure — First Nation community, but they were working on setting something up as well. There was a program set up there, and I know there were a few of them who — there was a lightning strike and they put out a fire this summer. They were just waiting for axes, picks, and shovels and some stuff. I am just wondering if that was through the Department of Community Services or through somewhere else.

**Hon. Mr. Mostyn:** I am told that we actually have a scene safety response unit now in Champagne, and it is supported by the First Nation, so that is an operation starting in July.

**Mr. Istchenko:** I thank the minister for that. They were still waiting on some equipment. I am just wondering if they received all the equipment that was promised to them. The minister can get back if he doesn't have that.

**Hon. Mr. Mostyn:** I don't have information about whether they have all the equipment, but I will endeavour to get back to the member when I find out.

**Mr. Istchenko:** I just have one last question. I did ask earlier about the water well replacement. If the minister doesn't have anything here, maybe he can commit to getting back to me on the question I had asked.

The final question I have has to do with Beaver Creek and the lagoon in Beaver Creek. I want to know the status of it. Are we behind on it? Is it being done? There is money in the budget for it: \$1 million to \$2 million this year and \$1 million to \$2 million next year. I want to know where we are with that.

**Hon. Mr. Mostyn:** Madam Chair, I am told that the Beaver Creek lagoon is going well. Construction is ongoing to 2025. It is a \$3.8-million project, and I hear that it is going well. I am sorry that I don't have an answer on the well in Haines Junction, but I will get back to the member opposite on that.

**Mr. Istchenko:** I thank the minister for that, and I thank the staff who are here today for the information. I look forward to a little bit more coming, and I will turn it over to my colleague the Leader of the Official Opposition.

**Mr. Dixon:** I have a few hopefully brief questions for the minister. The first is a follow-up question that was put to him by my colleague from Pelly-Nisutlin the last time that we

were debating this budget. My colleague asked whether or not the Yukon government seconded any staff to the City of Whitehorse to assist in their challenges with building permits, and the minister's response was — quote: "Yes, we did offer to provide staff to the City of Whitehorse to help with their permitting this year, but they actually didn't take us up on our offer."

Can the minister confirm that is true? Did the government indeed provide an offer of staffing and the city turned them down?

**Hon. Mr. Mostyn:** Yes, that is indeed the case. We did offer services and they didn't take us up on that offer.

**Mr. Dixon:** How was that offer made, and who was it who declined? I find that hard to believe given what we have heard about the City of Whitehorse's challenges with staffing. It was my understanding that they had specifically requested staffing support and that it wasn't provided. I am a bit surprised to hear that it was, in fact, government offering staff and then the city turning it down. Can the minister tell us who it was who turned them down?

**Hon. Mr. Mostyn:** On July 25, our director in Building and Safety Standards confirmed that we had an inspector in Watson Lake who would be available to support the City of Whitehorse with their workload. That individual met in Whitehorse on August 8 to discuss City of Whitehorse approaches and practices. They asked him to relocate to Whitehorse. He said that he couldn't relocate, but he could do remote work on building inspection, reviewing plans that were submitted for permits. The City of Whitehorse said that they didn't need that; they needed people inside Whitehorse. We didn't have the staff to provide the City of Whitehorse inspectors in Whitehorse.

As well, the City of Whitehorse reached out to EMR, and you can ask the Minister of EMR about that as well.

We offered a building inspector in Watson Lake to do it remotely to provide assistance as they could with building permit inspection reports and whatnot, but the City of Whitehorse turned us down.

**Mr. Dixon:** So, earlier today, my colleague from Takhini-Kopper King asked a number of questions about building permitting staff in the department. Was no one else from the department in Whitehorse available to second to the city?

**Hon. Mr. Mostyn:** That's correct.

**Mr. Dixon:** Thank you very much, Madam Chair. I'll move on.

Is the government in any way considering a regulation or restrictions on short-term rentals in the territory? The Government of British Columbia, in the past few years, has announced broad sweeping restrictions on short-term rentals, and they have a province-wide set of rules that apply based on the size of cities. Is the government in any way considering similar rules here?

**Hon. Mr. Mostyn:** I can tell the member opposite that Community Services is certainly not considering any legislation or restrictions on short-term rentals. My position, as Minister of Community Services, is that such a thing would be

a municipal responsibility. I'm not going to tell municipalities how to suck eggs. I haven't done that, and I continue not to do that.

**Mr. Dixon:** Thanks to the minister for that answer.

I will move on to Dawson City. Can the minister provide an update on the proposal to develop a sewage lagoon in Dawson?

**Hon. Mr. Mostyn:** We have a working group established in Dawson City. They are currently in the process of selecting sites. We hope to go out to the City of Dawson residents over the coming winter and ask them about the sites that are currently on the table for that. So, that process is ongoing, and we are working very well — we have a relationship with the City of Dawson on this, and I just recently spoke with the new mayor of Dawson and I look forward to working with him on this project and others in that riding.

**Mr. Dixon:** The minister indicated that they had selected a number of sites and that they were going to consult Dawson about which of those sites they would choose. Can he give us some indication of what those sites are?

**Hon. Mr. Mostyn:** I appreciate the question from the member opposite, but I don't really want to fetter the work of the group — the groups doing the work. They have a number of sites. I don't know what their most up-to-date list is. I encourage the member opposite to hang tight for a little while; I'm sure that group will come forward with the information before the public when it's ready to do so.

**Mr. Dixon:** Can the minister provide a timeline for when that public consultation will occur?

**Hon. Mr. Mostyn:** As I said, it is a working group with the City of Dawson and CS. Yes, I have been told that work will begin this winter. I don't have a specific date for the member opposite.

**Mr. Dixon:** Another concern I hear from Dawsonites frequently is the lack of available lots. Can the minister tell us whether there are lots available in Dawson currently, and if not, when should we expect to see plans to develop further lots in Dawson? As an additional question, I would like to ask for an update on the Dredge Pond residential subdivision as well.

**Hon. Mr. Mostyn:** I don't know. It seems like forever. I don't know if I actually welcomed the member opposite to the debate this afternoon, so I'm glad to be having questions asked by my good colleague. I appreciate his input into the discussion this afternoon.

Like him, I have heard a lot of talk about lots in Dawson City. I can report that Dredge Pond 2, which is 40 lots, is currently before YESAB. Regulatory approvals and detailed design is advancing, and we hope to begin construction in 2025. It will bring 40 lots on board in Dawson City, so we are progressing with those lots.

I think there might have been a detail he said at the tail-end of his question. I missed that bit. If I missed something, please repeat it and will do my best to give him an answer.

**Mr. Dixon:** The minister answered the last part of my question, which was an update on the Dredge Pond residential subdivision. It sounds like residents of Dawson can expect construction to begin next year.



My other question was around other lots available in the community, whether there are any lots currently available or any other planned developments other than the Dredge Pond residential subdivision.

**Hon. Mr. Mostyn:** I don't have any information on other lots that may be available. I encourage the member opposite to ask the Department of Energy, Mines and Resources when they are up, because they're the ones that hold lot sales and there may be something that I don't know is for sale in that lot.

As far as other developments, at the moment, we're doing feasibility and planning is underway for Callison east industrial and there are some infill lots out that way as well.

### Request for Acting Chair of Committee of the Whole

**Chair:** The Chair is requesting a volunteer to take the Chair for the remainder of the day.

Is there a volunteer?

*Member for Takhini-Kopper King rises*

**Acting Chair (Ms. White):** Order, please.

**Mr. Dixon:** Thanks to the minister for that. I will follow up with the Minister of Energy, Mines and Resources at a later date.

I will move quickly to emergency preparedness in the community of Dawson. Obviously, with the flooding that has occurred over the past number of years, there have been a lot of questions raised around emergency preparedness in that community.

During the flood that occurred recently in the Klondike Valley, I know that a lot of residents in that area had questions about the communications between the government and the community — or I guess I should say the “lack of communication” between the government and the community. I know that there were many folks in the Klondike Valley who felt that there was a lack of communication from the government around what was going on and what they could expect.

So, I'm wondering if there has been any work to learn some lessons from what happened over the last few years and make any corrections or make any changes that might help in the future for not only emergency preparedness generally but improving the level of communications between the government and folks in the Dawson and the greater Dawson area, including Klondike Valley.

**Hon. Mr. Mostyn:** There has been lots of work — I won't say “tons”, but I will say “lots of work”.

We did do an after-action review following the situation in Dawson. We do after-action reviews after every emergency. We certainly did that within the Klondike region. After that, I heard the complaints as well. We worked with Emergency Measures, and the team at Community Services and Health and Social Services as well have all worked on that.

Dawson may not have seen anything because they weren't involved, but we have really bolstered the amount of communication we're doing with municipalities and First

Nations across the territory as part of our continual improvement program.

I think that this year, you would have seen my colleagues or me on the phone every week discussing the current situation in the territory with municipal and First Nation leaders. We did that every week throughout the typical emergency season — the fire season and flood seasons. As well, I know that Emergency Measures and the municipalities have a much more robust communication arrangement. The synapses have been bolstered between our team and the municipalities and First Nations. At the officials level as well, we are doing more planning. We have to help out with communications and we have also invested in some Starlink arrays and we have them for deployment as well. So, we are doing a lot of work and constantly looking at how we communicate with municipalities and First Nations during emergencies. We are doing more post-season assessments this year as well — again, learning what worked, what didn't, what can be improved, where the gaps were — and we are going to continue that work.

**Mr. Dixon:** I appreciate the minister's response there. My only comment would be to remember that there are some Yukoners who live outside municipalities and inasmuch as he has committed to work with municipalities and First Nations, I think that it is important to remember those who are outside of municipalities as well. I think that compounding the communication issues was the general absence of the MLA at the time as well, which contributed to the lack of communication.

Were there any plans to do any upgrades to the dike in Dawson? We had heard some questions raised about the dike needing some upgrades. Is the minister aware of any of those?

**Hon. Mr. Mostyn:** I have heard from the former mayor some concerns about the dike. I know that we have talked with Dawson council about that. I don't believe that there are any plans at the moment to do any upgrades, but I am certainly open to working with the municipal council and mayor — the newly elected Mayor and Council of Dawson — on issues that they bring to my attention.

**Mr. Dixon:** A final piece on Dawson is the possibility of an emergency access to Dawson. I know that during the flooding that occurred along the north Klondike Highway, there were points when both the airport was threatened by flood as well as the road, and there was some concern about getting food and supplies into Dawson.

The idea that there could be an additional access point to Dawson was raised and that would be, in theory, punched in west of the highway toward the placer roads. Has the government done any work to look at the possibility of an emergency access to Dawson other than the north Klondike?

**Hon. Mr. Mostyn:** I appreciate the question from the member opposite. We don't have any — we haven't heard any plans about that. Now, we do have the Top of the World Highway during most of the fire/flood seasons — perhaps not floods — depending. It could be a little bit early, but we do have the Top of the World Highway and the ferry crossing, of course. We do have that access as well, but I do hear the member opposite, and I will certainly work with the town council to

determine what their priorities are in the future, and if that comes up, we will look at that.

**Mr. Dixon:** I appreciate that. Again, it's an opportunity to quickly mention the importance of opening the border as early as possible for the Top of the World Highway.

My final question will be around the rec centre. Can the minister provide us with a brief update on the rec centre? I'm particularly interested in the estimates around the operating costs of the rec centre, because I know that was a point of considerable concern among residents of Dawson previously.

**Hon. Mr. Mostyn:** Yes, so we have a working group with the First Nation and the municipality — Community Services is working on the costing, operations, and scoping of the rec centre. I know that the operations cost of the facility was a concern for the municipality. We are working with them to keep costs down. I believe that the current design that is progressing is within the municipality's budget. As I said, a working group with the First Nation and the municipality is working on that to make sure that the cost can be borne by the municipality.

**Acting Chair:** Is there any further general debate on Vote 51, Department of Community Services?

Seeing none, we will proceed to line-by-line.

**Mr. Dixon:** Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all lines in Vote 51, Department of Community Services, cleared or carried, as required.

### **Unanimous consent re deeming all lines in Vote 51, Department of Community Services, cleared or carried**

**Acting Chair:** The Member for Copperbelt North has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in Vote 51, Department of Community Services, cleared or carried, as required.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Acting Chair:** Unanimous consent has been granted.

**On Operation and Maintenance Expenditures**

**Total Operation and Maintenance Expenditures in the amount of \$23,827,000 agreed to**

**On Capital Expenditures**

**Total Capital Expenditures in the amount of \$40,000 agreed to**

**Total Expenditures in the amount of \$23,867,000 agreed to**

**Department of Community Services agreed to**

**Acting Chair:** The matter now before the Committee is Vote 54, Department of Tourism and Culture.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

**Acting Chair:** The House will recess for five minutes.

*Recess*

**Acting Chair:** Order. Committee of the Whole will now come to order.

The matter now before the Committee is general debate on Vote 54, Department of Tourism and Culture, in Bill No. 215, entitled *Second Appropriation Act 2024-25*.

Is there any general debate?

### **Department of Tourism and Culture**

**Hon. Mr. Streicker:** To begin with, I would like to welcome back to the Assembly Deputy Minister Sierra VanderMeer and — brush with greatness — Assistant Deputy Minister Kate Olynyk, whose mom was a silver medalist in golf at the Canada 55+ Games. I think we are quite honoured to have young Kate here.

Just to begin with, a shout-out to the Department of Tourism and Culture. I know that many folks assist with the team who is here to try to get us answers for all the great questions from the members opposite. They have been doing great work in the department, and so I just want to give a few stories about that work.

First, let me talk about — earlier when I rose on second reading for this supplementary budget, I talked about a couple of things, but I want to highlight just for a moment a few stories around both the culture and the tourism side for folks just to contemplate. The first one is — we had a tribute here the other day for the artwork that is in the Legislative Assembly but also for the show that was featuring the new acquisitions for the Yukon permanent art collection, and that show is called “Abundance”. It is up at the Arts Centre, roughly for a month less a week now. I think it is November 15 when it runs to, and I encourage Yukoners to go to see that show.

I am going to give just a couple of shout-outs and congratulations to everyone who has their work selected to be part of the permanent art collection. We had additional dollars this year going toward the permanent art collection, and so we did a second intake. We are really excited for that work that was coming in, and we lined up that show with the board of trustees for the National Gallery of Canada.

They were here doing sort of community meetings. I think that they were really impressed with the community of artists here and — not just the community of practice but the support that they received across the Yukon. That was evident as well by the Art Anonymous event that was just this past weekend; it was really terrific.

Anyway, if you see the poster for the show “Abundance”, the piece that's right on the front is called “Salmon Stripper”, and that's one of Kaylyn Baker's pieces. It's about to appear in the Vancouver Indigenous Fashion Week show next month — so, pretty much one month from right now. So, that's pretty impressive.

The other one that I just want to give a bit of shout-out to is both summer and winter Olympian Ernest Chua. He is the first artist who has an intellectual disability to have artwork acquired for the Yukon permanent art collection. When I saw the piece and looked down and I saw the name underneath it, I was really excited to see that. I just feel that the Yukon is very inclusive with our art and I just really appreciated that.

One other thing that I will say is — this is actually a budget thing — that the one piece of our budget — and the reason we're here today — is because Lotteries Yukon has gotten some money over to us that is going to enhance the arts operating fund. It's over \$200,000, and that is great; we really appreciate that. It's nice to get to work with Lotteries Yukon to assist in getting that money out to the community.

I want to talk as well about the tourism side of things. I mentioned the other day that the ministers of Tourism were meeting in Banff. I think it was even just last week, so time flies so quickly here. We could see, from across the country, that jurisdictions are starting to do better coming out of COVID and that things were improving, but we could also see that the Yukon was leading in that recovery.

I said this in my remarks at second reading, but our visitations — remember in 2019, before COVID, that the level of tourism here in the Yukon was at an all-time high for the Yukon. Then COVID hit and, of course, one of the hardest hit sectors would be tourism. I appreciate all of the work that was done by the department to try to shore up our tourism industry at that time — at a time when people are just not going to be travelling.

We have really rebounded. Now, I want to paint the picture a bit, because I don't want to make it sound completely rosy. For example, with visitations, we're at or just above 2019 levels. We are still getting the last numbers in, but our projections make us look pretty good. It's our airlines — and in particular Air North — that have really done great this year and brought us back up over those numbers.

The other thing is that when you look at it, you're looking at not just how many people you have visiting — so, we're back up to that high point of 2019. It looks to us like we are going to grow next year, but it's also that we're looking at the dollars that are spent compared to last year and compared to 2019. Again, we're doing really well. I'm still waiting for the final numbers to come in. You have to back inflation out of it just to try to see how to compare. I know that there are going to be some parts where it's doing super well and some where it's tougher. For example, food services are one of those ones where, even though we can see that the spending on food is higher, we also know that the cost of food itself has gone up a lot. My suspicion is — or our suspicion is — that not everyone is recovering at the same rate, so there is nuance to that story.

I do want to talk again about "The Yukon: It's a Little Bit Metal" campaign, which we started late last winter. It ended up winning a Clio Award. Yes, it was really quite impressive for the marketing team to do that. I just want to give a shout-out to the creativity of that marketing team.

The cozy fire — we are going to start using the ad again because we are heading into the winter tourism season. It was snowing all day yesterday again, so we are there already. But it keeps showing up and everyone is really taken with it, whether it's Destination Canada — I think there were some tourism meetings that were happening in Mexico and it was just winning over hearts right away.

The thing about the project is that when you have a beautiful place, as many parts of Canada do, people tend to put

out the same sort of ads where it's all about the bucolic scenery, but then your ad is looking the same as everyone else's ad, so it doesn't kind of cut through. The team came up with this very creative way to showcase the beautiful scenery here and to showcase the winter, as Yukoners love the winter. It really is this thing that connects with people quickly. People were writing to me right away — they were saying, "I'm not a heavy-metal lover." And I said, "Well, I'm not either." I watch ads that feature families with children. I don't have children, but I still think it's a great ad. It's not meant to appeal just to heavy-metal lovers; it appeals to many Yukoners because it's kind of quirky.

The one story that I wanted to share that happened over the summer had to do with mid or late July when we had some super heavy rains here. When those rains came down, it was the middle of the cruise ship season. There was a late White Pass train trip that had gone to Carcross. The rains were coming down heavily and they were there in the Commons doing all their things. Maybe they were headed to the Maple Rush. Maybe they were going to the VIC. By the way, the visitor information centre is going to feature in this story. The train took the 200-plus passengers and started heading back. They started heading down the White Pass rail line along Bennett, heading into the more steep-walled areas, and a rock came down and hit the train.

The train stopped, and then they were saying, Oh no, we better not be going forward if there are some signs of avalanche. And then just in front of the train, came down a slide. I talked to some of the people, some of the passengers, about how they were like: Whew! The train just went back to Carcross, and then White Pass called and they got a couple of buses and maybe one of the van-sized buses, and they sent the buses to Carcross. They loaded up the 200 or so people and they started heading back through the White Pass or the south Klondike summit, and they started heading down, and another rock came down and hit the front bus, and the bus stopped. Then, a slide came in front of it. They were like: Oh, my gosh.

There were some pretty freaked-out cruise ship passengers; they turned around and went back, and suddenly the calls started coming in. We had our visitor information centre, which was there — trying to make sure, because there were some folks who were diabetic, and they were trying to make sure that they were getting them some food that was going to make sure that they were okay. There was a baby, I think, and they needed to get something to support this young child, and then calls were coming about the border.

We were getting calls, and I know that the deputy minister was relaying these calls on to Canada Border Services to talk to the US side to try to get them to stay open on the Haines Road, because all of these passengers otherwise were going to get disconnected. They were from three different cruise ships, I think. One of them hung back outside of Haines, Alaska. Those were the last folks and they made it through sort of like past midnight, and at 3:00 in the morning, I think, they got on a life boat and were ferried out to the ship — all incredibly thankful and all carrying these stories about the hospitality of the Yukon trying to make a difference for them.

So, just a huge shout-out to everyone. I don't think that these stories are unique — I mean, the rock and all that slide are unique, but what everyone does to make it great here is not unique. I am going to leave my stories there. I am looking forward to when we get back up and have a chance for members opposite to ask questions.

Madam Acting Chair, seeing the time, I move that you report progress.

**Acting Chair:** It has been moved by the Member for Mount Lorne-Southern Lakes that the Chair report progress.

*Motion agreed to*

**Hon. Mr. Streicker:** Madam Acting Chair, I move that the Speaker do now resume the Chair.

**Acting Chair:** It has been moved by the Member for Mount Lorne-Southern Lakes that the Speaker do now resume the Chair.

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order.

May the House have a report from the Acting Chair of Committee of the Whole?

#### **Chair's report**

**Ms. White:** Mr. Speaker, Committee of the Whole has considered Bill No. 44, entitled *Traffic Safety Act*, and directed me to report the bill with amendment.

Committee of the Whole has also considered Bill No. 215, entitled *Second Appropriation Act 2024-25*, and directed me to report progress.

**Speaker:** You have heard the report from the Acting Chair of Committee of the Whole.

Are you agreed?

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

**Hon. Mr. Streicker:** Mr. Speaker, I move that the House do now adjourn.

**Speaker:** It has been moved by the Government House Leader that the House do now adjourn.

*Motion agreed to*

**Speaker:** This House now stands adjourned until 1:00 p.m. Monday.

*The House adjourned at 5:29 p.m.*

**The following sessional paper was tabled October 24, 2024:**

35-1-170

*Yukon Public Accounts 2023-24 (Silver)*

**The following documents were filed October 24, 2024:**

35-1-264

Recognition of Vulnerable Road Users in Traffic Safety Act, letter re (dated October 18, 2024) from Hon. Nils Clarke, Minister of Highways and Public Works, to Forest Pearson, Whitehorse Urban Cycling Coalition (Clarke, N.)

35-1-265

Bill No. 44, *Traffic Safety Act* letter re (dated October 17, 2024) from Tracy Allen, Deputy Minister of Highways and Public Works, to Jason Pedlar, Information and Privacy Commissioner, and letter (dated October 21, 2024) from Jason Pedlar, Information and Privacy Commissioner, to Hon. Nils Clarke, Minister of Highways and Public Works, and Tracy Allen, Deputy Minister of Highways and Public Works (Clarke, N.)

35-1-266

*Traffic Safety Act* letter re (dated October 3, 2024) from Lakhvinder Singh Dhaliwal, President, Sikh Motorcycle Club of Ontario, to Hon. Ranj Pillai, Premier, and Hon. Nils Clarke, Minister of Highways and Public Works (Clarke, N.)

35-1-267

*Traffic Safety Act* letter re (dated October 4, 2024) from Navdeep Kaur, President, Guru Nanak Sikh Organization of Yukon, to Hon. Ranj Pillai, Premier (Clarke, N.)

35-1-268

*Traffic Safety Act* Requirement to enact Regulation to recognize the Sikh Turban in Yukon letter re (dated September 30, 2024) from Manohar Singh Bal, Secretary and Director of Religious Affairs, Amrit Singh, President, and Bikram Singh Bal, Member, Akal Sikh Society Canada, to Hon. Ranj Pillai, Premier (Clarke, N.)

35-1-269

Legislative Recognition of Sikh Articles of Faith – The Turban in Yukon letter re (dated April 5, 2024) from Manohar Singh Bal, Secretary and Director of Religious Affairs, Akal Sikh Society Canada, Lakhvinder Singh Dhaliwal, President, and Kulwinder Singh Bhangoo, Secretary, Sikh Motorcycle Club of Ontario, and Navdeep Kaur, President, Guru Nanak Sikh Organization of Yukon to Hon. Nils Clarke, Minister of Highways and Public Works (Clarke, N.)

35-1-270

Victoria Gold Corp. receivership, letter re (dated October 9, 2024) from John McConnell, Marty Rendall, Mark Ayranto, David Rouleau, Adam Melnyk, Chris Hill, Sean Harvey, Joe Ovsenek, Susan Flasha, and Ria Fitzgerald to Hon. Ranj Pillai, Premier (Streicker)

35-1-271

Recognition of Vulnerable Road Users in *Traffic Safety Act*, letter re (dated October 14, 2024) from the Whitehorse Urban Cycling Coalition to Hon. Nils Clarke, Minister of Highways and Public Works (White)

35-1-272

Accessible play structures, letter re (dated October 24, 2024) from Kate White, Leader of the Third Party, and Stacey Hassard, Member for Pelly-Nisutlin, to Hon. Jeanie McLean, Minister of Education (White)