



# Yukon Legislative Assembly

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35<sup>th</sup> Legislature

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## HANSARD

Tuesday, April 1, 2025 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2025 Spring 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  
Tuesday, April 1, 2025 — 1:00 p.m.**

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

*Prayers*

### Withdrawal of motions

**Speaker:** The Chair wishes to inform the House of changes made to the Order Paper. The following motions have been removed from the Order Paper, as they are out of date: Motions No. 772, 884, and 973, standing in the name of the Member for Lake Laberge; Motion No. 1117, standing in the name of the Member for Pelly-Nisutlin; Motion No. 1127, standing in the name of the Member for Kluane; and Motion No. 1226, standing in the name of the Member for Klondike.

In addition, Motion No. 1211, standing in the name of the Member for Copperbelt South, has been removed from the Order Paper at the request of the member.

### DAILY ROUTINE

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

### INTRODUCTION OF VISITORS

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

### TRIBUTES

#### In recognition of Kwanlin Dün First Nation final and self-government agreements

**Hon. Mr. Pillai:** Mr. Speaker, I rise to pay tribute and to celebrate the 20<sup>th</sup> anniversary of the Kwanlin Dün First Nation final and self-government agreements.

I want to begin by acknowledging that we are on the traditional territory of the Kwanlin Dün First Nation and Ta'an Kwäch'än Council.

"Kwanlin" is the Southern Tutchone word meaning "running water through canyon", referring to the powerful waters of the Yukon River as they pass through Miles Canyon, a prominent natural landmark at the heart of this traditional territory.

On February 19, 2005, the Yukon, federal, and Kwanlin Dün First Nation governments signed the Kwanlin Dün First Nation final and self-government agreements. This significant anniversary is a testament to the vision, determination, and unwavering dedication of those who worked to negotiate these agreements and those who continue to implement them.

Today, April 1, 2025, is also an important day. It specifically marks the day that the Kwanlin Dün First Nation final and self-government agreements came into effect 20 years ago.

Over the last two decades, Kwanlin Dün First Nation citizens have shown tremendous leadership, fostering economic growth, social well-being, and environmental

stewardship within their traditional territory. We can see this manifested through the endeavours such as the Chu Níkwän place and wind farm on Thay T'äw, also known as Haeckel Hill.

The Kwanlin Dün First Nation has worked hard to enhance the quality of life for their citizens, promote sustainable development, and strengthen community resilience. The First Nation's work, priorities, and actions have benefited their citizens and all who live on their traditional territory.

Mr. Speaker, today I want to recognize the important work that the Kwanlin Dün First Nation is doing to address housing needs in our community. One of their key projects is at Range Point where we have worked together to complete the master plan, zoning, and subdivision. Now detailed design is moving forward, paving the way for construction to begin this spring. This development will add 67 lots and up to 400 new homes, bringing much-needed housing to Whitehorse.

The Kwanlin Dün First Nation is also leading efforts to advance housing feasibility studies, building on initial work started in 2017. This is happening through a collaborative agreement between Kwanlin Dün, the Ta'an Kwäch'än Council, and the Yukon government. This commitment to building homes and strengthening their communities is making a real difference.

Mr. Speaker, I also want to take this opportunity to remind us all that the final and self-government agreements are important for each person who calls the Yukon home. The journey to land claims and self-government in the Yukon is part of our collective history, and these agreements shape our governance to this day. Reconciliation is a process — a series of small steps, decisions, and actions. The final and self-government agreements are proof that our commitment to reconciliation results in tangible outcomes that support First Nation citizens and bring prosperity and growth.

Thanks to the forethought of many who came before us, life in the Yukon today is rich and good in part because of these agreements.

I encourage everyone to join the 20<sup>th</sup> anniversary celebration events happening this week at the Kwanlin Dün Cultural Centre. I close by offering my congratulations and my sincere best wishes to Kwanlin Dün First Nation and their citizens on the 20 years of self-government and self-determination.

*Applause*

**Mr. Dixon:** Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to add our voice and to congratulate the Kwanlin Dün First Nation as they celebrate an important milestone. On February 19, 2005, KDFN signed its final agreement and self-government agreement with Canada and the Yukon. Those agreements came into effect on April 1, 2005, exactly 20 years ago today.

Over the past 20 years, we have seen the impact of these landmark agreements manifest themselves in this community and throughout the First Nation settlement and traditional territory. As a self-governing First Nation, KDFN has led on so many fronts. From investing in education, language, and

programming to offering help and healing services to their citizens and beneficiaries, they have made great strides in land and environmental management and economic development, too.

It was 10 years ago that the Government of Yukon signed an agreement with the KDFN to enable the First Nation to register its land at the Land Titles Office in order to enable residential and commercial leasing to generate housing opportunities as well as revenue for First Nations for generations.

Last week, I was happy to join the Premier and other community leaders at an event hosted by the Kwanlin Dün First Nation development corporation, Chu Níkwän, and it was obvious to anyone who attended how much had happened in the past 10 years. We see the KDFN at the forefront of the commercial developments around the city; we see KDFN engaged in the territory's energy grid in both renewable and baseload generation; we see KDFN businesses shaping our local economy; and we see the KDFN on the leading edge of providing residential lots that are so desperately needed in our community and in our territory.

In my own riding, Mr. Speaker, for instance, the development of Beryl Place in Copper Ridge West is a perfect example of this. It was just a few weeks ago in February that the first family moved into this beautiful new part of that neighbourhood, and we know much more is to come, whether it's further development in Copper Ridge or the next steps for Range Point.

As exciting as the past 20 years have been for the KDFN, I know that many of us are keen to see what's ahead for the next 20 years. The agreement signed 20 years ago has shaped the community we see today, and we know that they will continue to positively shape the future of this community for all of us.

Congratulations to the leadership of the KDFN, both past and present, and congratulations to the people and citizens of the Kwanlin Dün First Nation as they celebrate this important milestone.

*Applause*

**Ms. Blake:** Mr. Speaker, I rise on behalf of the Yukon NDP to celebrate a momentous milestone: 20 years since Kwanlin Dün First Nation signed a self-government agreement.

This anniversary is not just the reflection of the past but is a testament to the strength, resilience, and vision of Kwanlin Dün people who have reclaimed the right to govern their lands, shape their future, and uphold their culture and traditions. The journey to self-government was not easy; it was built on the determination of leaders, elders, and community members who fought tirelessly for recognition and autonomy. Their efforts ensured that Kwanlin Dün First Nation could make decisions for their own people, manage their own affairs, and create opportunities rooted in their values and traditions.

I want to acknowledge the late leader Mike Smith, whose role in the early days of land claim negotiations finally culminated some 30 years later in his signing of the final and self-government agreements as Chief of Kwanlin Dün, and the leadership of Judy Gingell, now a respected elder whose

leadership was instrumental. I also want to recognize the late Annie Burns and others from the Kwanlin Dün community whose recollections of the history of Kwanlin Dün were critical during the negotiation.

The signing of Kwanlin Dün agreements 20 years ago represented the end of many, many years of struggle and discrimination of Kwanlin Dün, the "people of the river", to regain their pride of place by the Yukon River. Since the signing of the agreement, Kwanlin Dün First Nation has made remarkable strides in governance, economic development, education, and cultural revitalization. From strengthening language and cultural programs to leading initiatives in housing, justice, and community wellness, the nation has continued to forge a path forward that reflects the spirit of its people.

Today, we honour the Kwanlin Dün First Nation, those who paved the way, those who continue to lead, and the generations yet to come. This anniversary is a reminder of the power of self-determination and the ongoing journey of building a future that is strong, thriving, and deeply connected to Kwanlin Dün identity. Kwanlin Dün First Nation and their citizens have worked very hard to have their presence and their government recognized.

I would like to end with a quote from residential school survivor Dr. Robert Joseph, who said — quote: "Reconciliation includes anyone with an open heart and an open mind who is willing to look to the future in a new way. Let us find a way to belong to this time and place together. Our future, and the well-being of all our children, rests with the kind of relationships we build today."

Congratulations to Kwanlin Dün First Nation on 20 years of self-government, 20 years of resilience, progress, and self-determination. May the next 20 years bring even greater achievements, unity, and prosperity.

Mahsi' cho.

*Applause*

### **In recognition of Guild Hall's 45<sup>th</sup> season**

**Hon. Mr. Streicker:** Mr. Speaker, I rise today to pay tribute to the 45<sup>th</sup> season of the Guild Hall.

From its modest beginnings in 1979 out of a couple of repurposed World War II-era buildings, the Guild has grown into a cornerstone of the Yukon arts scene, a vital hub for live performance, community events, and artistic expression.

Back when it began, the Old Fire Hall, Arts Underground, the Yukon Arts Centre, and First Nation cultural centres were all projects being envisioned by the early Guild founders as the future growth and cultural expression of the Yukon.

Run by a small dedicated team and a cast of volunteers, the Guild continues to delight audiences of all ages with its signature mix of cabarets, dramas, musicals, dance, stand-up, haunted houses, and the kitchen sink. It provides a collaborative and supportive space for Yukon playwrights, theatre technicians, and performers to take the stage, learn from experienced mentors, and refine their craft.

Many community members and artists have found their voice while also gaining an appreciation for the art of

versatility. If the Guild were a person, it would likely have one degree of separation to all of the Yukon. Resourcefulness and adaptability are essential in local theatre, and the Guild family takes on multiple roles to bring each production to life. Whether constructing sets, serving drinks, or handling backstage tasks, board members, actors, crew, and volunteers all step up wherever and whenever needed to bring the shows to life.

As the Guild theatre celebrates 45 remarkable years, I encourage all Yukoners to experience the enchanting energy of their productions. Hot off their uproarious mounting of the Monty Python musical *Spamalot* — “Look at the bones!” — Yukoners’ next Guild opportunity will be the popular *Round Back* series, running nightly Wednesday through Saturday for most of July, rain or shine.

With works and performances from the likes of Gwaandak Theatre, Larrikin Entertainment, Poets Up North, Sigil Theatre Fellowship, and Yukon Theatre for Young People and musical performances ranging from Café des Voix, Hendrika, Kevin Barr, Muster Point, and the Vanstones, there’s always something for absolutely everyone.

I met my lovely wife, Susan, and mother-in-law at the Guild during the intermission for the play *Sex Tips for Modern Girls* 27 years ago.

From Arlin MacFarlane to Bernie Phillips, Katherine McCallum to Donald Watt, Anthony Trombetta, Geri Walshe, Sheila Dodd, Jo de Beaudrap, Roy Ness, Mary Sloan, Eric Epstein, Ivan Coyote, from Jenny “effing” Hamilton to Brian Fidler, to all the staff, board members, bards, directors, casts, cat herders, propsters, and volunteers past and present, I doff my hat and break my leg to you.

Yukoners, please support your local performing arts scene, including the Guild, to ensure these vibrant community spaces continue to perform wonders.

Mr. Speaker, thank you, mahsi’ cho, merci, and günilshish to the Guild theatre.

*Applause*

**Ms. Van Bibber:** Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to tribute the Guild Hall as they celebrate the 45<sup>th</sup> anniversary season creating and delivering masterful performances for our community.

The Guild as we know it was born in 1979 from a theatre group who performed in spaces throughout Whitehorse until it was gifted the space it occupies today by the Porter Creek citizens association. The Guild has provided opportunities to production gurus and actors, for in this space, playwrights, comedians, and musicians flourish. It gave theatre buffs an opportunity to experience some grade-A entertainment.

July marks the launch of the summer season, kicking off with another edition of *Round Back*, bringing play readings, Indigenous theatre, and entertainment outdoors. Performances continue through the winter. Past productions include plays such as *Arsenic and Old Lace*, *Hair*, and *You’re a Good Man, Charlie Brown*. The Guild just wrapped up the production of Monty Python’s *Spamalot*, collaborating with the Yukon Arts Centre to create a large-scale performance — bigger cast, bigger props, and bigger laughs. They knocked it out of the park

with this one — sold out and people on the hunt for tickets for every show.

Live theatre is in the moment; you react instantly to the happenings on stage. The actors strive for a response, whether it is tragedy, comedy, or a farce. They live for the rush of interaction with their stage family and the audience.

So, congratulations and thanks to the Guild Hall staff and board of directors, both past and present, for the years of success as well as to all who assist with productions, set designers, volunteers, musicians, and all theatre buffs. They have contributed to the success of Yukon creativity and character-building. So, Guild family, as you move forward in the limelight, whether as the lead, the understudy, or supporting cast, break a leg.

*Applause*

**Ms. White:** I’m pleased to rise on behalf of the NDP in celebration of the 45<sup>th</sup> anniversary of the Guild theatre.

Despite the long history and wild stories of the structures, the Guild has always been about more than a physical space. It’s about the beauty that is 45 years of community theatre, 45 years of community-building, 45 years of learning, experimenting, performing, and feeling. The Guild has nurtured performers both young and old; it’s about folks finding their voice and a generation of audiences being carried along for the ride.

It has been a safe and supportive launchpad of careers in all sectors of the arts: directing, performing, set and costume design, stagecraft, and more. The selections each season will vary, but there’s a guarantee that, as an audience member, your emotions will be toyed with as you laugh, cry, possibly cringe, or whistle along to *Always Look on the Bright Side of Life*.

The truly beautiful thing about theatre is that it takes the audience away from what we know and it immerses us into another world where we may be better able to understand the experience of others; it makes us better for it.

So, no matter its beginnings or its iterations, the Guild has always had something to say or sing and a willing audience to listen. It’s an important perspective to know that the Guild has not been a continuous organization. It began with a group of friends who wanted to make theatre and then moved on, and then another group arrived and made it its own, and in turn, the building was passed on to people who recreated the place — in a sense, continued to define what we know as the Guild.

So, we want to thank those from the beginning days to the present days and those who are yet to come for their ongoing love of community-building and storytelling.

*Applause*

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

## TABLING RETURNS AND DOCUMENTS

**Ms. White:** Mr. Speaker, today I have for tabling a letter from the Selkirk Elementary School Council entitled “School calendar considerations and minimum instructional hours”.

**Speaker:** Are there any reports of committees?  
Are there any petitions to be presented?

## PETITIONS

### Petition No. 29

**Ms. McLeod:** Mr. Speaker, the original of the petition that I'm tabling today held approximately 334 signatures of people concerned about the state of highway maintenance, but it did not meet the standard form for this Legislature. So, the version that I am tabling today reads as follows:

This petition of the undersigned shows:

THAT many people are concerned about the Alaska Highway not being properly maintained in the winter;

THAT the Swift River section of highway is notorious for being unplowed, icy, and dangerous, resulting in a disturbing number of crashes and injuries;

THEREFORE, the undersigned ask the Yukon Legislative Assembly to urge the Government of Yukon to improve highway maintenance on the Alaska Highway, especially in the Swift River section, as well as in the Watson Lake and Teslin areas, for the safety of all motorists and truck drivers who travel the highway at all hours of the day and night.

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

## NOTICES OF MOTIONS

**Hon. Mr. Pillai:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House congratulates the Kwanlin Dün First Nation on the 20<sup>th</sup> anniversary of their final and self-government agreements.

**Hon. Mr. Streicker:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House encourages Yukoners to vote daily for Lake Laberge in the CBC Oh Canada! Canadian travel bucket list contest.

**Speaker:** Is there a statement by a minister?  
This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Early learning and childcare program

**Mr. Dixon:** Mr. Speaker, yesterday, a group of early learning programs wrote to the minister to express their concerns about the continuing viability of their programs. They noted that the constraints placed on them through the policies of the Yukon early learning and childcare funding program are inconsistent with the financial realities that they face. Of great concern to everyone is that these groups all question whether they will be able to sustain their programs beyond the next year and a half. They say that, based on the current program policies and their budget projections, they may need to consider ceasing or reducing operations.

Can the minister tell us what steps she is taking to address these serious concerns raised by numerous early learning programs in the community?

**Hon. Ms. McLean:** Mr. Speaker, I'm happy to rise today to speak about early learning and childcare initiatives in our territory. We have certainly made great strides in addressing quality by increasing wages for educators to some of the highest in Canada, increasing bursaries available to educators' learning and development, and introducing funding for licensed childcare programs to access comprehensive health insurance benefits.

Mr. Speaker, we introduced universal childcare on April 1 — exactly this day — in 2021, and we have made great strides. We entered into an agreement with the federal government later that year which brought historic investments into early learning childcare.

We are investing \$46 million this year. In terms of the funding that we provide to operators, quality program enhancement funding is provided to each space in a licensed centre. The amount depends on the space category: infant, toddler, preschool, kindergarten, or school-aged. Additional funding is provided to operators to reduce their operational and administrative expenses.

I'm happy to continue to build on that. We do have a new agreement with the federal government that will bring additional dollars.

**Mr. Dixon:** Mr. Speaker, I think that the programs are familiar with the supports currently offered; they're looking for the minister to respond to the specific concerns that they have raised by letter.

One particular concern raised by these early learning programs relates to the payment structure for early childhood educators, or ECEs. The Yukon government program requires these centres to pay ECEs based on the minimum wage plus a top-up, which is provided by the government. However, minimum wage continues to increase, and the amount that is paid as a wage top-up does not. So, these groups are pointing out that — quote: "... the situation is creating an impossible financial gap for early learning and child care programs to attempt to fill."

Mr. Speaker, it's clear that there are some structural problems with the ECE wage support aspect of this program. Will the minister commit to working with these groups to make changes to fix these structural problems with the government's program?

**Hon. Ms. McLean:** Mr. Speaker, again, we're very proud of the progress that we've made over these years to bring early learning childcare and childcare initiatives to the quality that we see today. We are working closely with all of our providers. We have 79 licensed operators in the Yukon and 2,353 licensed spaces.

As I have stated, we have also entered into a new agreement with the federal government which will include new funding up until 2031. Following the end of this current agreement that we're in and as we move into the additional years with the new agreement with the federal government,

there are escalators built in. I'm absolutely committed to working with all of our providers.

I received the letter only yesterday, Mr. Speaker, and I will be reaching out through the department to continue to work with them. Early Learning and Child Care has started reviewing the funding programs to address whether changes are required.

**Mr. Dixon:** Mr. Speaker, the letter from these groups clarifies that some structural change in the program is needed. In their words — quote: “Without increased support from YG in the form of annual funding increases to match minimum wage increases and greater flexibility for providers to charge or increase fees within parameters that prioritize affordability for families while recognizing the realities of annual inflation, we fear that the future of early learning and child care in the territory is in a precarious state.”

So, Mr. Speaker, will the minister make the necessary changes to government's policies in order to ensure that these early learning programs are financially viable?

**Hon. Ms. McLean:** Mr. Speaker, I think that I just answered that question — that we are certainly looking at the early learning and childcare and reviewing the funding programs to assess whether changes are required. I have also talked today about the new agreement that we have with the federal government that brings escalators into the federal contribution.

We don't get a chance to talk about early learning and childcare that often in the Legislative Assembly, but out of the dollars that we provide to this program — historic amounts — \$42.5 million in 2024-25 and \$46 million this year. The Government of Yukon is providing up to 70 percent of the dollars for these programs and the remainder comes from the federal government. This is a huge priority for us. We will continue to work with all of our providers to ensure that the program works.

I am really happy that we are also introducing new legislation that will guarantee that we have the supports for our youngest Yukoners going forward.

### Question re: Teacher staffing

**Ms. Van Bibber:** Mr. Speaker, on the day before spring break, schools managed by the Department of Education were provided with their staffing allocations for the 2025-26 school year. This put strains on administrators to work during the spring break to prepare to fill upcoming vacancies in their schools. Competition for teachers remains high between jurisdictions trying to attract individuals to teach in their schools. Some jurisdictions are beating us by months in advertising vacant positions.

Can the minister tell us what work she is doing to get allocations completed earlier so that we can offer positions to educators across the same time as other provinces and territories?

**Hon. Ms. McLean:** Mr. Speaker, effective teachers are one of the most important factors in student success in school. Equitable staffing is a priority to ensure that each school community is staffed appropriately. Student enrolment has increased in recent years, and the department is working to

ensure consistent service levels in schools as well as effective, targeted support for students with diverse learning needs. While overall enrolment is increasing, some individual schools have decreased enrolment, which may have reduced their school staffing allocation.

Yukon schools' staffing levels are reviewed each fall to align with actual student enrolment and the needs of students in the school, and any adjustments are made. As of March 28, 2025, Yukon Education and the Francophone School Board were staffed at 96.74 percent. The First Nation School Board is responsible for their human resource services.

The department provided schools with their enrolment projections and staff allocations in March. Based on these projections and using the staff allocation handbook, administrators worked with their superintendents to complete their schools' 2025-26 staffing plans.

**Ms. Van Bibber:** Looking at the job postings on [yukon.ca](http://yukon.ca) this morning, for schools managed by the Department of Education, we noticed that there were 10 jobs posted — all for temporary teachers or teachers on call; meanwhile, the Yukon First Nation School Board is actively recruiting teachers, educational assistants, TOCs, and specialists for their schools.

Can the minister tell us when job postings will be ready for the departmental schools, and why is there a delay in getting them out?

**Hon. Ms. McLean:** Mr. Speaker, again, all of those staffing allocations have been provided to the schools. Active recruitment is ongoing. There are positions that remain vacant in our system. Ongoing national labour shortages and limited housing options — particularly in rural communities — continue to impact overall school staffing recruitment efforts.

For the 2025-26 school year, the Department of Education is taking many strategic recruitment actions. Advertising was placed in YuWIN, Employment Central, LinkedIn, Facebook, Google, YouTube, all other platforms, and throughout Canadian universities.

Department of Education officials attended many career fairs: Simon Fraser University in September, Lakehead in November — the list is extensive. Our recruitment efforts and the work of our public servants is extensive. They are working very hard to fill the positions. The Department of Education Human Resources team will attend many other job fairs as we go forward, and they are also working with other partners like the — of course, the First Nation School Board and other partners.

**Ms. Van Bibber:** Mr. Speaker, [yukon.ca](http://yukon.ca) isn't the only online HR service that potential job seekers use to look for employment. This morning, we were sent a list of advertised jobs that are not on [yukon.ca](http://yukon.ca) but appear to be from the Yukon. For instance, a Teslin school LAT position is advertised, but it is under the York Region District School Board, which, of course, causes confusion for all involved.

Can the minister tell us why there is inconsistency between online job postings and [yukon.ca](http://yukon.ca), and does she have department staff monitoring and correcting mistakes from these platforms?

**Hon. Ms. McLean:** Mr. Speaker, again, our public servants are working very hard to fill the vacancies within our school system and to look forward to ensuring that we are actively recruiting for the next school year.

In regard to the specific question that the member has asked today, I will certainly endeavour to look into that and to have that discussion with my deputy minister regarding that. Again, I really want to hold up the work of the Department of Education for their extensive efforts in recruiting educational staff in all areas and working closely with all of our partners as well to ensure that we are working in collaboration.

Again, Mr. Speaker, we will continue to make these efforts. As I started out in this part of our questioning today, teachers and educators are vitally important to the good outcomes of our Yukon students, and we will continue to do this work in a good and positive way.

**Question re: West Dawson access to services**

**Ms. White:** Mr. Speaker, during breakup and freeze-up, the only access to emergency medical services for West Dawson and Sunnydale is by helicopter. Unfortunately, the helicopter services currently based in Dawson and used by EMS can only fly during daylight hours.

For context, the ferry stops running in mid-October. The ice road usually opens mid-December at the earliest, but it can open later or not at all, as we've seen. So, that is at least two months in the fall when there is no way to cross the river, and there is a similar gap in the spring when breakup happens.

Yesterday, the minister told the House that there were only limited periods of time that EMS was unavailable, but four months — one-third of the year — is hardly a limited time. It's important to note that, in November and December, there are just five hours of daylight.

So, what happens for citizens in West Dawson and Sunnydale if there is an emergency after dark?

**Hon. Ms. McPhee:** Mr. Speaker, what the member is asking about is visual flight rules and the requirements of safety in the airline industry; it includes helicopters. It's not as if EMS has restricted their own services. It is about safety of our individual EMS responders. It is about the safety of the residents who might be getting service from the Emergency Medical Services.

I can indicate that the emergency medical responders are available to respond at any time to an emergency. They do their absolute best to get to the opportunities where individuals are needing help. There are opportunities for EMS to coordinate with the RCMP and with Yukon Search and Rescue if we're talking about backcountry rescues throughout the territory, and equipment is shared between those organizations, and their intention is always to reach individuals who need assistance.

There are opportunities for ice roads and for the ferry, and those opportunities are used, of course, in emergencies.

**Ms. White:** Mr. Speaker, I'm not sure that I heard an answer from the minister, but I'll try again.

So, we know that there are at least four months of the year when EMS coverage of West Dawson and Sunnydale is severely limited by daylight hours. Really, when you think

about it, those four months of limited coverage are a best-case scenario. In 2018-19 and 2023-24, there was no ice road at all. That means, from October to May of those years, there was no secure access to West Dawson and Sunnydale. That is seven months, and seven months is not a limited period of time.

So, with ongoing and increasing effects of climate change, we can expect more years when there is no ice road. So, what is the plan for EMS support for West Dawson and Sunnydale residents when there is no ice road and there is no daylight?

**Hon. Ms. McPhee:** Mr. Speaker, I appreciate the question and appreciate the concern that this would cause for the communities that are being referenced here. The opportunity for Emergency Medical Services to cross the river and to provide those services in additional ways is something that is always being addressed by the experts in the field, including, on occasion, snowmobile or boat access. It is a concern, obviously, for those individuals who live on the opposite side of the river at Dawson City, but we have provided and do continue to provide services in the communities to the absolute best of our abilities. Opportunities to respond by helicopter are taken to be a serious option, and occasionally there are safety concerns for all involved and the opportunity for those aircraft to not fly in certain periods of night is restricted by the aeronautics industry.

**Ms. White:** Mr. Speaker, so far, we have spoken in abstract, so now I'm going to paint a picture. Last November, a West Dawson resident fell from the first storey of her house to the floor below. Because she couldn't move without extreme pain, 911 was called. EMS made every effort they could to help, but she had to lay on her floor for nine hours — nine hours in extreme pain — because the helicopter could not take off until after sunrise at 10:00 a.m. To top it off, she had to pay for her own helicopter to get home after being discharged from the hospital. So, she was lucky. She may have spent nine hours on her cabin floor in extreme pain, but at least she wasn't facing a life-threatening emergency.

What plans does this government have to ensure that EMS can respond to life-threatening emergencies no matter the time of day in West Dawson and Sunnydale during breakup and freeze-up?

**Hon. Ms. McPhee:** Mr. Speaker, as always, Emergency Medical Services is dedicated to responding to emergencies in order to assist Yukoners. Our government is committed to creating an integrated and person-centred health care system that operates in a seamless, coordinated way.

Yukon medical services provide Yukoners with timely and high-quality health care services across the territory, and since raising the honoraria and supporting the Emergency Medical Services in many ways, EMS has seen an increase in new volunteer activity in responders and increased sign-up from current active responders. EMS works collaboratively with community health centres, with the RCMP, and with Search and Rescue.

Emergency Medical Services is always driven to support and is dedicated to responding to the needs of Yukoners. We continue to work with them with respect to any equipment and/or any opportunities for partnerships that will allow



Yukoners to be as safe as possible and have EMS respond when necessary.

**Question re: School public address systems**

**Mr. Hassard:** Mr. Speaker, so public address, or PA, systems are not working in many schools throughout the Yukon. These systems are used for announcements, communications between classrooms, and sometimes to communicate emergency codes to the school or allow classrooms to contact the office in case of an emergency. Many modulars, in the case of the Selkirk Elementary School newly built classrooms, are not connected to the system. School councils have been raising the issue with the minister on a number of occasions and many feel that she is being slow in acting.

As mentioned, these systems are vital for the health and safety of students and staff. According to the minister's briefing note, repairs on all systems will not be completed until the year 2028-29.

Can the minister commit to expediting all repairs and replacements so that all schools can have this important safety feature in place as soon as possible?

**Hon. Mr. Clarke:** Mr. Speaker, thank you for the question from the member opposite. The Minister of Education can address this question in the second and third answers, but I would just say that the Minister of Education and I met with the association of Yukon school councils late last week, and there were representatives from all school councils and they certainly put this concern on the table.

Reviewing the notes at the time indicated that between 2019 and 2024, Education, in conjunction with Highways and Public Works, had replaced, installed, and repaired approximately seven or eight public address systems within the Yukon, and I provided that information to the association of Yukon school councils. They pointed out that there were approximately six or seven other schools that were in the queue for replacement, and I undertook that I would speak to my people at Highways and Public Works and with Education with the possibility of bundling the projects with respect to the outstanding six schools, recognizing the important safety component that functioning public address systems represent with respect to all Yukon schools — so, committed to proceeding in that manner.

**Mr. Hassard:** Mr. Speaker, ensuring the safety and security of students and staff at all schools is important.

At this time, many of the exterior doors in schools are not functioning properly. Some won't close, some won't lock, and some don't have systems in place that allow for remote access.

Del Van Gorder School in Faro wrote a letter last fall to support installing a fob system on the outside doors of their school. They were told that they would hear back in February of this year about their request but have yet to receive a response.

When can Del Van Gorder School Council and others that have requested security repairs expect to get these items addressed?

**Hon. Ms. McLean:** Mr. Speaker, health and safety and the well-being of students and staff is a priority for the Department of Education. The department ensures regular or preventive maintenance throughout the school year, focusing on minimizing disruptions in school activities. We certainly undertake many maintenance tasks throughout the year.

The departments of Education and Highways and Public Works work closely with school administrators to identify the areas that need maintenance. Building systems in all areas are looked at regularly for maintenance. Assessments of building systems occur periodically to assist in identifying larger projects for maintenance or upgrade. Remediation is then undertaken.

On the specific question around Del Van Gorder, I do not have that information in front of me today, but I will endeavour to look to find that answer. We certainly did have the acting chair for the council in the meeting last week and we will follow up with them as well.

**Question re: Whistle Bend development**

**Ms. Clarke:** I have a question about phases 10 and 11 in Whistle Bend. According to the minister's briefing notes from the fall of 2023, the design of phases 10 and 11 was scheduled for tendering in 2024. A more recent note from last fall says that it was pushed to 2025. Last week when I asked about this project, the Minister of Energy, Mines and Resources told the Legislature that this project had been delayed to 2026.

I would like to ask about these delays. What caused these multiple delays in tendering of the design for phases 10 and 11, and now that there have been significant delays, when can we expect to see the residential lots from phases 10 and 11 be released?

**Hon. Mr. Mostyn:** Mr. Speaker, I really welcome the chance to talk about all of the land development that we are doing within the City of Whitehorse and across the territory, as a matter of fact. Yukoners know that we have invested historic amounts of money in land development, and actually, over the last — depending on when you count it, whether 2021 or 2022 — we have delivered 1,000 lots to Yukoners, making good on our campaign commitment that we made in the 2021 election, and we are going to continue to service Yukoners and make sure that they have the houses that they need, because we are a growing community and we are growing because this is a good place to live. We are seeing lots of people come to the territory and they need houses, and we are providing them as fast as we can. As a matter of fact, we spent so much on lots in this year alone that it's more than the Yukon Party contributed in four years — their last four years in office. So, we are doing everything that we can.

To the member's specific question, we are working with the City of Whitehorse on Whistle Bend. We are working very closely. I have said this before — we had a meeting on Friday with the Mayor of Whitehorse and we are going to have another meeting very soon.

We are working to make sure that phases 12 and 13 and the associated Evelyn lift station are completed and that we are also

working on Kwanlin Dün's construction at Range Point, and I'll have more to say on this in a minute.

**Question re: Eagle Gold mine heap leach failure**

**Mr. Kent:** Mr. Speaker, today in an Ontario courtroom, a judge will decide on a request from PricewaterhouseCoopers, or PwC, to increase the total amount of boring for work at the Eagle mine by \$115 million. This will bring the total cost of work to September 30 of this year to \$220 million. In August of last year, *The Yukon Star* reported that officials from the Yukon government had estimated the total cost to be \$150 million. The recent report from PwC states that the Yukon government supports the additional spending.

So, who in the Yukon government is providing the oversight on the work to ensure that Yukon taxpayers are receiving value for money?

**Hon. Mr. Streicker:** Mr. Speaker, first of all, that estimate that the member opposite is referring to was early days; it was a very rough estimate. It was said so at the time. It was without the experience of being on-site and doing that work that the receiver has now done. Yes, the court — is it the third court hearing? — was heard today, and the court did approve the spending. The question is about how there is oversight on-site, so I guess it's several ways.

First of all, as the court has appointed technical advice for the receiver — they are there on-site, an engineering firm.

We also have retained an engineering firm to be on-site and consider that work. NND also has technical expertise there; they have technical oversight. Then, finally, we get those monthly reports from the receiver about the work that's going on. So, that is the range of ways in which there is technical oversight.

**Mr. Kent:** Mr. Speaker, yesterday, I tabled a motion in the Legislature for witnesses from PwC to appear before Committee of the Whole to answer questions from MLAs regarding their role at the mine. Will the minister support this motion? Does he believe that PwC should be accountable to MLAs elected by Yukoners, or is he happy with them only reporting to a judge thousands of kilometres away in Ontario?

**Hon. Mr. Streicker:** First of all, to respond to the question, do I support us hearing from PricewaterhouseCoopers? Yes, I do.

Second of all, I think I just said that the technical advisors are not thousands of kilometres away; they are active on-site. The receiver is reporting not only to us as a government but also to the First Nation of Na-Cho Nyäk Dun as a government.

So, there is reporting, but I also agree that it would be good to hear from the receiver here in this House and I think that is important. In fact, I have questions I would love to ask as well.

**Mr. Kent:** Mr. Speaker, so I'm happy to hear that the minister will support my motion, and I'm hopeful that he has been asking questions of PwC all along and not just waiting until the end of the month when they appear as witnesses.

Last week, I asked the minister about monthly procurement reports that are prepared by PwC and whether they were available publicly. He responded in the Legislature by saying — quote: "... we are not able to share the entirety of the report,

but we have asked and confirmed that we can share the information about the local hire portion of that — like, amounts. I know that we have shared that information, for example, with the First Nation of Na-Cho Nyäk Dun and their development corporation."

However, when I followed up the next day to get the reports, I received this response from the minister's office — and I'll quote again: "We are looking into this and will be in touch soon." So, my question for the minister is: When will he agree to table these reports and when will that happen?

**Hon. Mr. Streicker:** A couple of points, Mr. Speaker — first of all, it is not me who is in touch with the receiver. I mean, I think I have spoken to the receiver three times, four times — I'm not sure. I would have to go back and check my calendar. So, I would love the opportunity to ask questions, because I would like to ask them directly.

Second of all, yes, we got the note — thank you to the members opposite. Just so that Yukoners understand, when we get questions from Yukoners or from opposition members, usually what happens is we receive those questions; we send those questions in to the department to ask them to be actioned — that work is happening. We often send a follow-up note back to members opposite or to Yukoners to say, "Hey, we're on it. We'll get back to you soon." That's what we're doing. The department is doing that good work.

Can I just say overall that the work that has happened to address the Eagle mine has been an intense amount of work for everybody? For Energy, Mines and Resources, the team has just done fantastic work. When I went to the all-staff, it has been really hard pressure on them as a department, but I will also say that, when I talk with Chief Hope, she talks about the pressures on NND and her government, and when I talk with the receiver — the times that I have — she talks about the pressure that's there on-site.

So, everybody has been working hard, and I will just get the information back as soon as I can for the members opposite.

**Speaker:** The time for Question Period has now elapsed.

**Notice of opposition private members' business**

**MLA Tredger:** Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Third Party to be called on Wednesday, April 2, 2025. It is Bill No. 310, standing in the name of the Member for Takhini-Kopper King.

**Mr. Kent:** Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Official Opposition to be called on Wednesday, April 2, 2025. It is Motion No. 1241, standing in the name of the Member for Copperbelt South.

**Speaker:** We will now proceed to Orders of the Day.

**ORDERS OF THE DAY**

**Hon. Mr. Streicker:** 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):** Order. Committee of the Whole will now come to order.

The matter before the Committee is continuing clause-by-clause consideration of Bill No. 46, entitled *Residential Tenancies 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. 46: *Residential Tenancies Act* — continued

**Chair:** The matter before the Committee is clause-by-clause consideration of Bill No. 46, entitled *Residential Tenancies Act*, and continuing debate on clause 99.

*On Clause 99 — continued*

**Ms. White:** Of course, I welcome the officials back. I am pleased to say that we are on clause 99 out of 160 I think, so we are on our way.

Clause 99 says: “Director may hold hearing if no application for dispute resolution”, and I was hoping that the minister could walk us through this clause.

**Hon. Mr. Mostyn:** I thank the member opposite for her question this afternoon and for re-engaging as we go through line-by-line debate on this important piece of legislation — the *Residential Tenancies Act*. I would also like to welcome my officials, Phil and Sarah, back to this afternoon’s discussion.

What we are talking about is line 99. It is about the power of the director’s ability to hold a hearing if they know an issue but no application for dispute resolution has been started.

The director can set a matter down for hearing if the director becomes aware of a possibility of possible contravention or failure to comply with this act, the regulation, or an order made under the act or tenancy agreement and the director determines that it is in the public interest to hold a hearing. Usually, disputes are handled through the dispute resolution process. This other method may come into play on rare occasions when the dispute resolution process is not initiated by a landlord and tenant and it is in the public interest for the director to do this. These matters may be addressed in many different ways, but they always require a hearing. Usually, the director asks questions, gathers and weighs evidence, and then issues a decision that must be followed. This section also exists in the current act and will continue to be used when necessary.

*Clause 99 agreed to*

*On Clause 100*

*Clause 100 agreed to*

*On Clause 101*

**Ms. White:** Clause 101 is about investigation. I was hoping that the minister could walk us through the investigation process.

**Hon. Mr. Mostyn:** Yes, this is all about investigations; it’s exactly the same as the old act. What has happened, though, is that the branch has been restructured in anticipation of this act being passed — and hopefully it does — and we now have an investigator embedded within the branch.

*Clause 101 agreed to*

*On Clause 102*

*Clause 102 agreed to*

*On Clause 103*

*Clause 103 agreed to*

*On Clause 104*

*Clause 104 agreed to*

*On Clause 105*

*Clause 105 agreed to*

*On Clause 106*

**Ms. White:** Clause 106 is “Orders of the director”, and it’s quite extensive; it has multiple points. I was hoping that the minister could walk us through this, because I think that this section is quite important.

**Hon. Mr. Mostyn:** I thank the member opposite for the question. This is identical to the *Residential Landlord and Tenant Act*, the existing act. This just lays out the orders of the director. As I said, it’s exactly the same as the existing act, with a couple of exceptions. We’re clearing up some language on part (d) where we split up the requirements for assignment from subletting; (h) — same thing: split up requirements for subletting from assignment. The rest of section 106 is the same except for 106(3)(b), where we updated “security deposit” to “any deposit” to reflect the addition of a pet deposit.

Beyond that, it’s exactly the same as the existing legislation. As I said, these are the powers of the — orders of the director, and they remain the same.

**Ms. White:** So, although I appreciate the minister saying that they are similar to what exists in the current legislation, in 2012 when I was trying to debate this legislation and I was getting 20-minute responses, we didn’t actually get very far in the process. So, there was no conversation about, for example, the orders of the director, which is why I was asking questions.

I think, for example, 1(c), it says, “an order that a tenant may deduct an amount from rent to be expended on maintenance or a repair or on a service or facility” is important.

The reason why I highlight this is because this is the ability for the director to right any kind of imbalance that they see — whether or not they are directing the tenant to pay the landlord or whether they are directing the landlord to pay the tenant or whether they are allowing the tenant to, for example, pay for repairs. The reason why I was highlighting this is because it is essentially one of the important actions the director can take.

I will give the minister a chance to see if he wants to add anything else, but I will say, in 2012 when we were directing the *Residential Landlord and Tenant Act*, there was no

conversation, so this was an opportunity for the minister to be able to talk about the importance of this section, so I will just see if there is anything else to add.

**Hon. Mr. Mostyn:** I thank the member opposite for the question and for her enthusiasm for this act. I can't answer for the oversights of the back. It's exactly the same piece of legislation. It has now been in operation for almost — I think the act came into effect in 2016, so we are looking at nine years now. The director does have some ability to write orders, as the member has noted some of the specifics.

If there are contraventions or failing to comply with the act, its regulations, or its tenancy agreements, the director can, of course, step in. They can issue an order requiring a tenant to pay to the director in trust. The act itself has gone some ways to make this a little bit fairer and make sure that both landlords and tenants are held to account on this point.

We have clarified the act, and part of the reason why the act has come in and is so important is that we are trying to balance this and make sure it is fair for both landlords and tenants. The director will have the ability to issue orders to ensure that fairness is upheld and that people don't disregard or try to take liberties with the legislation in advance, so it is — it is an enforcement power. We have also increased the fines that people will be held to if they do transgress the act.

We do have a little bit more control on this act, and I hope it is more balanced for the people of the territory — both landlords and tenants. That's what I know that the department and I have been striving for, and this section that we are on right now does give the director the ability to order — to take action to make sure that the act is upheld.

*Clause 106 agreed to*

*On Clause 107*

*Clause 107 agreed to*

*On Clause 108*

**Ms. White:** Clause 108 is “Conduct of proceedings generally”. I have a question specifically about subclause (4). Subclause (4) reads: “If, in the director's opinion, another tenant of the landlord who is a party to a dispute resolution proceeding will be, or is likely to be materially affected by the termination of the dispute, the director may...” My questions specifically around (4) are: Is the thought that this is around multi-unit buildings or mobile home parks? How does the minister see 108(4) taking effect?

**Hon. Mr. Mostyn:** I can confirm for the member opposite that, yes, 108(4) can be used in the case of multi-unit buildings or mobile home parks. So, yes, that does capture those examples that she brought to the table just moments ago, so it would apply in those cases.

*Clause 108 agreed to*

*On Clause 109*

**Ms. White:** Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem clauses 109 through 121 of Bill No. 46, entitled *Residential Tenancies Act*, read and agreed to.

### Unanimous consent re deeming clauses 109 through 121 of Bill No. 46 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 109 through 121 of Bill No. 46, entitled *Residential Tenancies Act*, read and agreed to.

Is there unanimous consent?

**All Hon. Members:** Agreed.

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

*Clauses 109 through 121 deemed read and agreed to  
On Clause 122*

**Ms. White:** Clause 122 says, “Director's power to retain contractors and delegate to them”. So, subclause (2) of this one says, “The director may, in accordance with the regulations, retain legal counsel to provide legal advice to landlords and tenants in respect of their rights and obligations under this Act.”

Can I please get the minister to talk more? Is this where we see the advice aspect now — hopefully going forward — of the residential tenancies office? Is this guaranteed, or does this have to go in front of Cabinet first for financial approval?

**Hon. Mr. Mostyn:** So, through the extensive public engagement that we did over the last 19 months, we overwhelmingly heard that access to advice on residential tenancies issues in the Yukon that cannot be addressed by residential tenancies office staff was something that people were asking about. This provision in the act allows the residential tenancies office to contract legal advice supports for the public.

As I said, it's an enabling provision that will require a program to be developed and funding approved before it will be put in place. Community Services will need to return to Cabinet with the program framework before this service will be available to the public.

This is the clause that enables such service to be provided. It doesn't direct what that service looks like; that will have to be done in consultation with the Department of Justice. There are various options. It is broad, which gives it a lot of ability to be implemented in many, many ways. That is useful, but we will just wait to see how that develops and when it develops.

*Clause 122 agreed to*

*On Clause 123*

*Clause 123 agreed to*

*On Clause 124*

*Clause 124 agreed to*

*On Clause 125*

**Ms. White:** So, 125 is “Director may require persons to attend and produce documents”, and I am hoping that the minister can walk us through this.

**Hon. Mr. Mostyn:** This is a section of the act that has been cribbed directly from the existing *Residential Landlord and Tenant Act*. There is no change here. It allows the director to require persons to attend and produce documents. So, at the request of a party or on the director's own initiative, a summons may be issued requiring a person to attend a dispute resolution — so, just basically empowers — it gives some teeth, some force of law, to our ability to make sure that the act is followed.

That is what this act is — copied, as I said, directly from the old act.

*Clause 125 agreed to*

*On Clause 126*

*Clause 126 agreed to*

*On Clause 127*

*Clause 127 agreed to*

*On Clause 128*

*Clause 128 agreed to*

*On Clause 129*

**Ms. White:** Clause 129 is in “Part 7 General Matters”, particularly under “Division 1 — How to give or serve documents”; 129 is “Service of documents — general”. I draw attention to “(a) (iii)” where it says, “... by sending a copy by ordinary or registered mail to the tenant at the address of the rental unit...”

The reason why I highlight “ordinary ... mail” is, in different amounts of time, there are concerns around the reliability of mail.

So, when something has been sent registered mail, you know when it is picked up, because it has to be signed for and you get that notification, but a standard piece of mail without any requirement for signing — I mean, I’ve sent letters and they haven’t arrived. So, I’m just checking in about the reliability of that. If a tenant says that they haven’t received the notice by mail, how do we reconcile the differences between registered mail and regular mail?

**Hon. Mr. Mostyn:** I appreciate the question. It’s a fairly detailed question and a very specific question. The member’s experience as an MLA and doing advocacy work certainly is coming to play here; I appreciate that.

The clause in question — 129(a)(iii) — it’s “and”. So, we’ve consulted with the department officials. This doesn’t come into play. It hasn’t really been a problem. You have to affix a notice to the tenant’s door and either send registered mail or regular mail to the person.

So, the mail that we’re talking about is a backup provision in any case. It’s not the sole delivery method that we’re dealing with. You have to put a notice on the person’s door so they can see it in a place where it will be seen and do the other thing.

I don’t want to disparage the good folks of Canada Post; I think they do a great job. Hopefully, that mail gets through and, if not, then the director will have to intervene and decide on some sort of way to mediate that lapse if they didn’t get the note on the door and didn’t get a letter that was mailed. I think that is about all that I can say on that. Hopefully, that doesn’t happen; I’m not going to say that it’s not going to happen, and then it will be up to the director to intercede and investigate.

**Ms. McLeod:** If I understand what the minister just said, if we’re looking at (a)(iii) and (iv), the word “or” is to be read as “and”, and if that is the case — because it does say “or” — will there be an amendment?

**Hon. Mr. Mostyn:** I will just read it: “by attaching a copy to the front door of the tenant’s rental unit or other conspicuous place at that address and by sending a copy by ordinary or registered mail to the tenant at the address at the

rental unit...” I don’t believe an amendment is necessary; it’s an “and”, not an “or”.

**Ms. McLeod:** I thank the minister for that; I was reading between (iii) and (iv), but I do understand the distinction there.

*Clause 129 agreed to*

*On Clause 130*

**Ms. White:** Clause 130 talks about e-mail. It says: “If the landlord and the tenant consent in writing, any notice or other document that is required or permitted under this Act to be given or served on a person may be given or served by sending a copy by email to the address specified in the tenancy agreement.” The reason I highlight this is that I believe this section is new, probably based on the public engagement. So, if the minister wants to talk about how great the staff did by including it, I’m happy to hear it, but I just wanted to highlight that it was new.

**Hon. Mr. Mostyn:** I absolutely appreciate that flag. It is absolutely a new clause; this wasn’t in the existing act. We are updating the act to capture some of the modern conveniences that we have in the territory these days, including e-mail. I know that this will make things a lot easier both for landlords and tenants, and that is one of the reasons — and we heard this during the consultation that we did. I’m happy that it’s here today making our legislation fit the times.

*Clause 130 agreed to*

*On Clause 131*

**Ms. White:** Just to confirm my understanding — 131, “Postal service”, where it says: “If a rental unit’s only mailing address is a post office box, that post office box is the address of the rental unit for the purposes of serving any document under subparagraph 129(a)(ii) or (iii).”

My understanding is that this is also new to reflect the public engagement, so if the minister wants to talk about 131, I’m happy to hear it.

**Hon. Mr. Mostyn:** That’s absolutely correct, Madam Chair. This is a new part of the act and it allows the landlord to use a post office box to serve notice if the post office box is the only mailing address for the unit. This was an oversight in the last legislation. I’m happy to see it here today.

*Clause 131 agreed to*

*On Clause 132*

**Ms. White:** So, 132 is “Deemed receipt of documents”. Subclause (1) says: “A document given or served by ordinary or registered mail is deemed to be received on the fifth day after it was mailed.”

So, I highlight that you have to sign for registered mail. If it’s not signed within five days, it hasn’t clearly been picked up. Again, my concern is mail reliability. If we’re talking about documents — so, for example, in proceedings with the RTO, both sides have to share documents with each other. Again, I’m looking for clarification.

So, based on 129, is the minister viewing that those documents get stuck to the front door? Can he just walk me through the “Deemed receipt of documents” section?

**Hon. Mr. Mostyn:** First of all, this “Deemed receipt of documents” is the same as in the existing law. It’s common in

legislation to do this. It basically helps with the seven- or 14-day period for asking for a review.

It is a provision that allows — so there's no delay. It's really just to allow the review to happen in a timely manner and to provide certainty to both parties. That's really why it's in there. It is pretty common in legislation where there are dispute resolution provisions to have this type of clause in there so that somebody can't say, after 10 days, that they haven't received the letter yet. You just say: It has been sent by mail. You have five days to get it. If not, the review period carries on and we look at all the documents.

*Clause 132 agreed to*

*On Clause 133*

*Clause 133 agreed to*

*On Clause 134*

*Clause 134 agreed to*

*On Clause 135*

*Clause 135 agreed to*

*On Clause 136*

**Ms. White:** We have moved into Part 8, "Offences and Penalties", "Division 1 — Offences".

Clause 136 talks about offences and penalties, and it has a long laundry list of things that a person will do to contravene or fail to comply with the act.

In subclause (2), it says: "Every person commits an offence who coerces, threatens, intimidates or harasses a tenant or landlord".

It goes on to say: "(a) in order to deter the tenant or landlord from making an application under this Act; or (b) in retaliation for the tenant or landlord seeking a remedy under this Act."

I just wanted to know how this would be addressed. If it is complaint driven — if I am a tenant who is being threatened by my landlord, I just want to know what protections exist. There are very real-life examples right now of tenants being threatened by other tenants for making complaints. I just want to know how the RTO is going to deal with this.

The offences of coercion or threatening intimidation — how will the RTO protect those coming forward with those concerns?

**Hon. Mr. Mostyn:** Thank you for the question. This is a very specific clause, and it has to do with intimidation with regard to the legislation and the residential tenancies office. It wouldn't pertain to a dispute between two tenants unless it was something to do with the residential tenancies office, and otherwise, it has to do with threats and intimidation about applications under the act or seeking a remedy under the act. It is fairly specific in this case for this. It is exactly the same as it was in the old act, so it is just a carry-over from the old act. It was in the old act, but it is specific to intimidation respecting provisions under the act.

**Ms. White:** So, if there is a Yukon Housing tenant who wants to file a complaint under the residential tenancies office because of, for example, quiet enjoyment and their neighbour who doesn't want them to do that is threatening them, is that captured here?

So, one tenant is not wanting another tenant to file a complaint against them. My understanding is that it would be captured here, but maybe the minister can clarify.

**Hon. Mr. Mostyn:** Okay. We're dealing with a lot of hypotheticals here and not a lot of information. With the example that the member opposite just provided, given the limited information that we have on this type of offence, it would not be captured by this clause; it would be a dispute between two tenants. However, there may be other information in any given situation that would bring it under this provision of the act.

I will also note — and I didn't in my last answer — that we have also increased the fines and the penalties under this act. So, there are bigger penalties if you do transgress the act. So, we have more enforcement power, we have steeper fines, and each case is dependent upon the specific information at the time. So, I'm not going to say it wouldn't be covered in all situations, but with the limited information the member opposite has provided, it probably wouldn't be; it would be a dispute between tenants.

**Ms. White:** So, one part that I understand to be new is subclause (3): "A person who provides, accesses or uses algorithmic computer technology for the purpose of evaluating or setting a rental amount commits an offence."

The minister has talked about this at different points throughout the debate, but it is found here in section 136. So, if he wanted to mention — the department really, I think, is leading the way. I have seen numerous news articles since the legislation was first tabled that are now talking about banning this across in different jurisdictions, so if the minister just wants to talk about subclause (3).

**Hon. Mr. Mostyn:** Yes, indeed, this is a new clause; it reflects the times. We are a little bit ahead of it. The work that the department did identified this as a potential problem. We started seeing this cropping up in some US jurisdictions, as I recall the discussion that we had on this clause. This is just making sure that, if there is the use of any sort of new computer technology, including AI, that starts to try to price-fix in the territory, we take a dim view of that in the Yukon, were this act to pass.

**Ms. White:** I'm hoping that the minister can walk me through an explanation of subclause (7). Subclause (7) reads: "Every director or officer of a corporation who assents to or acquiesces in an offence by the corporation under this section, whether or not the corporation has been found guilty of the offence, commits an offence."

So, if the minister can just help me to understand subclause (7).

**Hon. Mr. Mostyn:** I thank the member opposite for the question.

It was a good one. We all had ideas, and we had them confirmed. You can't stay silent on this; you can't hide behind a corporation. If you know something and you fail to act, you are still going to be held accountable for that. When you are dealing with corporations, directors can't say: Hey, it was the corporation doing this, not me. They have to take responsibility for the actions, and if they fail to actually step forward if they

know something is going on and later that is found out, they can be held accountable there, too.

*Clause 136 agreed to*

*On Clause 137*

**Ms. White:** We are slowly working our way through the end of this legislation.

Clause 137 is: “Limitation period for prosecuting offences”. I believe that there may be an update to this, but it says, “A prosecution of an offence under this Act must not be commenced more than one year after the facts on which the proceeding is based first came to the knowledge of the director.”

I could be wrong, but if the minister just wants to talk about clause 137.

**Hon. Mr. Mostyn:** Clause 137 remains the same as in the existing legislation. We have stipulated some time periods for these things to dispute some actions. However, if it is not covered by specific examples, then you have one year to do that. That is what this is here for: If it is not otherwise stipulated, you have up to a year to dispute the facts of the proceeding.

*Clause 137 agreed to*

*On Clause 138*

*Clause 138 agreed to*

*On Clause 139*

*Clause 139 agreed to*

*On Clause 140*

*On Clause 140*

**Ms. White:** Clause 140 is under “Division 2 — Administrative Penalties”. We have heard the minister talk about how one thing that we have seen changed is actually the amount of penalties. Clause 140 says: “Amount of penalty”. “An administrative penalty imposed under section 138 may not exceed \$10,000, and, in the case of a continuing contravention or failure to comply, may not exceed \$10,000 for each day or part of a day during which the contravention or failure to comply continues after the first day.” So, if the minister can tell me the difference between 140 currently and what was there before — but I believe that the amount in the penalty section has changed.

**Hon. Mr. Mostyn:** I thank the member opposite for the question. Yes, it has gone up. As I have said, we have increased them — in some cases, dramatically. Before, it was \$2,500 for the first penalty, and it has gone to \$10,000, so it’s gone up four times. Then, in the case of a continuing contravention, it has gone from \$250 to \$10,000 a day thereafter — a much more dramatic increase after the fact. So, that is how this stacks up. As I said, it’s a lot and it’s up to \$10,000. So, for really, really terrible transgressions, there is a much higher fine.

*Clause 140 agreed to*

*On Clause 141*

*Clause 141 agreed to*

*On Clause 142*

*Clause 142 agreed to*

*On Clause 143*

**Hon. Mr. Mostyn:** There is a consolidation error in clause 143 that requires an amendment. This change impacts the English version of the bill and will ensure accuracy. There

is no policy change by this amendment. This amendment ensures that the text has the same interpretation in both English and French.

*Amendment proposed*

**Hon. Mr. Mostyn:** I move:

THAT Bill No. 46, entitled *Residential Tenancies Act*, be amended in the English version of subparagraph 143(1)(a)(i) at page 80 by replacing the expression “0for” with the expression “the issues submitted for”.

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

It has been moved by the Member for Whitehorse West:

THAT Bill No. 46, entitled *Residential Tenancies Act*, be amended in the English version of subparagraph 143(1)(a)(i) at page 80 by replacing the expression “0for” with the expression “the issues submitted for”.

Is there any debate on the amendment?

**Hon. Mr. Mostyn:** I don’t have a lot to say on this. I just want to say that it’s supposed to have the same wording as the current act. This isn’t a change; it was carried over. A review of the French version of the act confirmed that the wording in the French version is the same as the current act. There is no policy change.

My officials noticed the error yesterday actually, and drafters at Department of Justice worked very quickly to find a solution to the issue. I appreciate their work on that.

I regret the error and thank the members of this House for reviewing this amendment. That’s all I have to say.

**Ms. White:** I appreciate the eagle eyes of the folks who caught the mistake. Once I knew where to look, I also found it.

I will point out that this is an example of how mistakes can be found at the last minute when something has been tabled and before the House and there’s an opportunity to fix it. So, look at us fixing a mistake — all agree alike.

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

*Amendment to Clause 143 agreed to*

*Clause 143, as amended, agreed to*

*On Clause 144*

**Ms. White:** We are very close. Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem clauses 144 through 154 of Bill No. 46, entitled *Residential Tenancies Act*, read and agreed to.

### **Unanimous consent re deeming clauses 144 through 154 of Bill No. 46 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 144 through 154 of Bill No. 46, entitled *Residential Tenancies Act*, read and agreed to.

Is there unanimous consent?

**All Hon. Members:** Agreed.

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

*Clauses 144 to 154 deemed read and agreed to*

*On Clause 155*

**Ms. White:** So, we're blessedly in part 11 — "Transitional and Coming Into Force" — section of this bill. Clause 155 talks about transition and deposits. The reason why I wanted to highlight different aspects within part 11 is that I think it's important to show what the transition is going to be.

So, 155 is about transition of deposits, and subclause (3) of 155 says: "If, before the day on which this section comes into force, a landlord has given their consent for a tenant to keep a pet in the residential property, the landlord must not require a pet damage deposit for the duration of the tenancy agreement, unless the tenant acquires a new pet."

The reason why I want to highlight this is — of course, this legislation is going to allow for pet deposits and this talks about the transition. Can the minister just confirm for me if that is when the entire act comes into force or just specifically around pet deposits?

**Hon. Mr. Mostyn:** I just wanted to confirm with the officials that my understanding was correct, and it is. This is a grandfather clause, really. It is on the coming into force of the act; that is when it will happen. Once the act comes into force, then the day before that — for any pets currently housed under existing tenancy, you can't ask for a pet deposit at that point.

*Clause 155 agreed to*

*On Clause 156*

**Ms. White:** Clause 156 is "Transition — notice given under former Act" — and if the minister can walk us through the explanation of this clause.

**Hon. Mr. Mostyn:** Once again, this is like a grandfather clause. If a landlord gives notice to end a tenancy to a tenant before the day on which this section comes into force, the provisions of the former act respecting notice apply. The new act does not retroactively apply to a tenancy. It would have to be under this act once the act comes into force.

*Clause 156 agreed to*

*On Clause 157*

**Ms. White:** Clause 157 is "Transition — landlord's notice for a mobile home site for change in use". It reads: "Despite section 156, if a landlord gives notice to a tenant under section 50 of the former Act on or after the day on which this Act receives first reading in the Legislative Assembly but before the day on which this section comes into force, the landlord must provide the tenant with the payment set out under subsection 92(7) of this Act."

I will just point out that this says that it is 24 times the monthly amount of the rent that is payable by the tenant.

I just really want to thank the drafters and the department for including this. It is important to note that if there are going to be any evictions or notices of change of use for mobile home parks, this then ensures that those mobile-homeowners get that 24 months. That is a big deal so this cannot be abused. I just really wanted to highlight and thank the folks behind clause 157.

**Hon. Mr. Mostyn:** I appreciate the member opposite's thoughts on that matter. I wholeheartedly agree with the member opposite on this point. I have been around the territory — not my entire life but for a good portion of it — and I have watched the management of mobile home parks over the years.

I view it with caution. I really wanted some protection for the mobile home parks. I was here when Premier McDonald tried to find a solution for people who were forced to move their mobile home parks. I have seen how that goes, so I think this was important to get some protection in there for mobile home park owners. It is certainly important to me, and I thank the member opposite for that flag.

*Clause 157 agreed to*

*On Clause 158*

*Clause 158 agreed to*

*On Clause 159*

*Clause 159 agreed to*

*On Clause 160*

*Clause 160 agreed to*

*On Clause 161*

**Ms. White:** I just wanted to make sure before we got through the line-by-line — which I realize has taken some time — I just wanted to express my gratitude for the folks behind the drafting and behind the briefings on this legislation. In 2012, I said it was 100-percent better than what existed before, and I had to eat my words a little bit as I was learning about the shortcomings of the *Residential Landlord and Tenant Act*, but I feel confident, going forward, that this is 100 times better than the *Residential Landlord and Tenant Act*. Thanks to all those who did the public engagement, did the hard work of reaching out for information, taking that information and putting it together to become a piece of legislation that we see here.

I thank you for the provisions that have really respected people's dignity. With that, Madam Chair, I just want to say thank you.

**Hon. Mr. Mostyn:** I thank the member opposite for that as well. I too would like to thank the team at CS for pulling this together so very quickly and so professionally and, well, with such a broad consultation.

We now move into the regulation-drafting phase, and I am hoping to get that done as soon as possible, provided none of our legislative-drafting horsepower gets pulled off in other directions. I know those resources are very, very scarce. I am hoping we can put their full expertise behind the regulations and get them in place as soon as possible, and I hope that there is nothing that will interfere with the drafting of those regulations.

With that, Madam Chair, I'll take my seat.

*Clause 161 agreed to*

*On Title*

*Title agreed to*

**Hon. Mr. Mostyn:** Madam Chair, I move that you report Bill No. 46, entitled *Residential Tenancies Act*, with amendment.

**Chair:** It has been moved by the Member for Whitehorse West that the Chair report Bill No. 46, entitled *Residential Tenancies Act*, with amendment.

*Motion agreed to*



**Motion to reprint bill**

**Hon. Mr. Mostyn:** Madam Chair, I move that, pursuant to Standing Order 60(1), Bill No. 46, entitled *Residential Tenancies 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 said bill.

**Chair:** It has been moved by the Member for Whitehorse West that, pursuant to Standing Order 60(1), Bill No. 46, entitled *Residential Tenancies 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 said bill.

*Motion agreed to*

**Chair:** The matter now before the Committee is general debate on Bill No. 217, entitled *First Appropriation Act 2025-26*.

Do members wish to take a brief recess?

**Some Hon. Members:** Agreed.

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

*Recess*

**Chair:** Committee of the Whole will now come to order. The matter before the Committee is general debate on Bill No. 217, entitled *First Appropriation Act 2025-26*.

**Bill No. 217: First Appropriation Act 2025-26**

**Chair:** Is there any general debate?

**Hon. Mr. Silver:** I'm pleased to rise today to speak to Bill No. 217, the *First Appropriation Act 2025-26*. As I do before every debate of Committee of the Whole, I would like to once again welcome Jessica Schultz, our Deputy Minister for the Department of Finance, to the Legislative Assembly. I will get into the excellent work that she and the rest of the department accomplish when we get to Vote 12 debate for the Department of Finance. But suffice to say, as the Minister of Finance, I'm very appreciative of the advice that she and her team give me on all matters related to Finance and the preparation of the annual budget.

That said, I will open up the floor to questions from the members opposite.

**Mr. Dixon:** I appreciate the opportunity to ask a quick question. We will save the majority of our questions for departments, but I did want to ask one question that I think is most appropriate for general debate. During the budget briefing that officials provided us prior to the tabling of this budget, officials gave us a very simple explanation of the calculation of the annual surplus, so that included the total revenue, the total spending, as well as the tangible capital asset additions and accounting adjustments. My understanding, based on the documents provided to us, is that the tangible capital asset additions and accounting adjustments total just over \$267 million. I was hoping that the minister could give us a breakdown of that amount and how it is calculated. I am particularly interested in what I understand to be \$118 million

associated with Eagle Gold that is a component of that calculation.

I would like the minister to provide a breakdown for that amount and explain how that is calculated.

**Hon. Mr. Silver:** Thanks to the member opposite for the question.

I do want to spend one quick minute just to clarify something that comes up a lot when we talk about government budgeting and financing, and that is the concept of a surplus. In the past, we have heard questions suggesting that a government surplus might mean extra cash sitting in the bank account. We have also heard it when we are out at scrums with media. If I can have the opportunity to explain further the money used in the process and how that is affected with the concept of surplus — money that we use for funding and programming or reduce the need for borrowing — is usually how people think that the surplus is, but that is not exactly how it works.

A surplus is an accounting measure. It is not a savings account balance. It includes factors like investments in tangible capital assets, non-cash expenses such as amortization, and other financial adjustments that don't translate directly into available cash, especially when you see how we amortize things over time, over fiscal budgets. When we invest in tangible capital assets like infrastructure or buildings, these expenditures don't immediately appear on the balance sheet as an expense. Instead, these costs are spread over time to reflect their long-term value. This accounting ensures that expenses are aligned with the years that these assets serve our operations, providing a clear financial picture over a long term.

By balancing upfront costs with lasting benefits, we make smart financial decisions that support our communities and serve in the long run. For example, major investments in this 2025-26 budget that we are debating today — such as upgrades to the Whitehorse airport runway or the Nisutlin Bay bridge or the construction of the Kêts'ádañ Kù school in Burwash Landing — are all included in the surplus calculation. These are critical long-term investments in our infrastructure in our communities. So, in that context, a surplus represents or reflects responsible fiscal management, ensuring that we are planning for the future while also making strategic investments today, but it doesn't mean that the government has unallocated cash at its disposal.

In the breakdown that was provided to the members opposite on budgetary surplus, they were given a very simple formula: revenues minus total spending plus the tangible capital assets and accounting adjustments would equal that annual surplus. I want to thank the member opposite; he did let me know that this would be where he was going for his first question, so I have the TCA additions and accountable adjustments here, right at my fingertips, ready for explanation. When you take a look at the major TCAs — the tangible capital asset investments — that are planned for the 2025-26 budget, you have: Burwash Landing school TCA of \$15.65 million; you have a housing project TCA of \$38.4 million, so Korbo in Dawson City and Ryder Apartments replacement in Whitehorse; you also have transportation infrastructure TCAs — tangible capital assets — so that is Nisutlin Bay bridge at

\$36.9 million, north Klondike Highway at \$31 million, Whitehorse airport runway improvements at \$75.5 million, and then resource roads and Alaska Highway for \$16 million.

When you take a look at the accounting adjustments, they include: \$118 million to the receiver for Victoria Gold, \$222-million TCA addition, and then a contingency of \$75 million and \$3 million for other accounting adjustments.

**Mr. Dixon:** Just to hone in on the \$118 million that is provided to the receiver for Eagle Gold, can the minister just explain why that is included in an accounting adjustment as a positive? Is it because we are assuming that this is a loan repayment that is going to be made back to us on the sale of Eagle Gold?

**Hon. Mr. Silver:** For 2025-26 loan advances from the Government of Yukon to the receiver, Victoria Gold Corporation will increase by \$150 million for the period of April 1 to September 30 to support the response at the mine. The \$115 million falls within the \$118 million projected in additional loan advances as part of the 2025-26 budget. The total budget for the period of April 1 to September 30 — we refer to it as “phase 3 period” in the receiver’s court filings — is \$132 million.

If approved by the courts on April 1, the total authorization for loans to the receiver will increase to \$220 million. The \$220-million loan to the receiver includes the money from the surety bond. In addition to the funding advances from the Yukon government, \$17 million of funding will be provided to the receiver from cash on hand and through the realization of monetization of non-core assets.

I have a little bit more information here before we get specifically into the interest. In 2024-25, the courts approved the Government of Yukon to loan up to \$105 million to the court-appointed receiver for Victoria Gold Corporation to support the response at the mine. This amount has been advanced to the receiver.

Interest, as it applies on loan advances to the receiver, is at a rate of nine percent — an estimate that \$3 million of interest will be accrued in 2024-25 on the \$105-million advance to the receiver in 2024-25. \$9.5 million in interest is forecasted to be accrued for 2025-26, which is based on an additional \$118 million in funding advance provisions in the 2025-26 main estimates, and accrued interest for a year is not simply equal to the total advances multiplied by an interest rate. Advances are provided periodically through the fiscal year rather than as a lump sum.

So, interest is calculated daily and compounded monthly as the terms on the loan. Now, the interest is recorded as revenue in the budget and added to the loan receivable balance. This approach is as per accounting principles and financial management policies that we are adhering to under the *Financial Administration Act*. So, the interest accrued for the advances to the receiver is subject to the same court-ordered, super-priority charge as the advances themselves, meaning that the interest would be repaid on a priority basis if the mine and its assets are sold.

Under the terms of the loan agreement, repayment to the Government of Yukon occurs first toward any outstanding

interest fees and costs and second toward any outstanding principal amounts.

**Mr. Dixon:** Thank you, Madam Chair. That concludes our questions.

**Ms. White:** We will be saving our questions for line-by-line and, of course, when we get to the Department of Finance. I thank the minister for opening up for general debate, and we look forward to departmental conversations.

**Chair:** Is there any further general debate on Bill No. 217, entitled *First Appropriation Act 2025-26*?

Seeing none, we will now proceed to clause 1.

The bill’s schedules form part of clause 1. Among the bill’s schedules is Schedule A, containing the departmental votes.

The matter now before the Committee is general debate on Vote 52, Department of Environment, in Bill No. 217, entitled *First Appropriation Act 2025-26*.

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.

The matter now before the Committee is general debate on Vote 52, Department of Environment, in Bill No. 217, entitled *First Appropriation Act 2025-26*.

### Department of Environment

**Chair:** Is there any general debate?

**Hon. Mr. Clarke:** Thank you for the opportunity to be here for Committee of the Whole for the main budget debate on the Department of Environment. To my immediate right, I have Dennis Berry, the Deputy Minister of Environment, and to his right, one of the assistant deputy ministers, Marc Cattet, here assisting.

I have fairly substantial opening comments, but what I might just do is have some brief summary comments here, and then we’ll get into the questions.

I stand today as Yukon’s Minister of Environment to present an overview of the work that the Government of Yukon is doing to protect our environment and build resilient and vibrant Yukon communities. Before I begin, I acknowledge that we are gathered here today on the traditional territory of the Kwanlin Dün First Nation and the Ta’an Kwäch’än Council. Yukon First Nations continue to be partners, collaboratively supporting conservation while working to monitor, protect, and restore our natural ecosystems.

Madam Chair, we know that the success of the Yukon is dependent on the protection and sustainable use of its lands, water, air, fish, and wildlife. Our territory’s natural spaces make our territory unique, drawing visitors from around the world to explore its beauty. We know that some of those people, including me, enjoyed this beautiful territory and decided to call this place home.

Over several years, the Yukon has experienced significant population growth, bringing both opportunities and unique challenges. As our territory continues to grow, the Government of Yukon must balance economic development with environmental sustainability, ensuring our lands and communities remain healthy, resilient, and protected. This budget represents the Department of Environment's plan to continue to work toward supporting the Yukon's environment and Yukoners' way of life.

Today, I present to the Yukon Legislative Assembly the Department of Environment's 2025-26 main estimates, which include a capital and operations and maintenance budget of just over \$58.9 million for the 2025-26 fiscal year. Overall, this budget represents a decrease of approximately \$3.3 million from the 2024-25 estimates, representing a 5.3-percent decrease.

The operation and maintenance budget for 2025-26 is nearly \$55.1 million, which includes over \$10.9 million that is fully recoverable through our partnership with the Government of Canada. The capital estimates is over \$3.8 million for the 2025-26 fiscal year, with \$450,000 of that being fully recoverable. This is a decrease of over \$2.7 million from the capital estimates for the 2024-25 fiscal year. In 2025-26, the Department of Environment expects to collect over \$14.2 million in recoveries and revenue, including over \$11.4 million in recoverable funds through our partnerships with the Government of Canada.

The department's efforts to secure external funding are advancing the Yukon's environmental initiative while helping ensure that our territory remains in a strong fiscal position. I thank the department for its work advocating at a national level to secure those funds for the Yukon.

As advertised, there is a lot more to say, and I hopefully will have an opportunity to provide some of that background during the course of Committee of the Whole, but that is the overview of the budget, and I look forward to answering questions from the members opposite.

**Mr. Istchenko:** I want to thank the minister for his opening remarks. Like always, I would like to thank the staff who are here and those on the phone who are listening and willing to help.

Let's dive right in here. I want to talk a little bit about some hunting stuff first. I would like to start with some questions about the recent regulation changes that were announced yesterday. I want to begin with some of the new conservation measures.

The government announced that the Braeburn elk hunt will be closed for the 2025-26 season to protect and support the recovery of the local elk population. I have a few questions. Can the minister provide the rationale for this change? Was there data on population size that influenced this decision, and what did the government hear from the elk tech team in regard to this?

Can he explain to me, with this elk steering committee, if the Yukon Fish and Game Association and the Agricultural Association were involved in these decisions and discussions?

**Hon. Mr. Clarke:** Just by way of clarification, the elk steering committee focuses primarily if not exclusively — I am advised by my support persons — with respect to the Takhini elk, human, and farmer conflict issues in the Takhini Valley.

Specifically with respect to Braeburn, survey results over the past five years show a significant decline in the Braeburn elk herd, with minimum counts ranging from 12 to 36 elk. To support the herd's recovery and to ensure its long-term survival, harvest opportunities have been paused for this hunting season. The pause in hunting opportunities for Braeburn elk will help the population by supporting its natural recovery. The pause is specific to the Braeburn elk herd, which has modest numbers.

There are no similar concerns with respect to the Takhini elk herd and the permit hunt opportunities there will remain. Ongoing monitoring will assess the population status and recruitment rates with the goal of reopening sustainable hunting opportunities in the near future. Perhaps not right now but in the future, I can get into the additional hunting opportunities. Well, I'll just quickly put it on the record.

The Government of Yukon is providing additional hunting opportunities for moose and deer to the permit hunt authorization lottery for the 2025-26 hunting season. This year, we will offer eight new moose permits in the Southern Lakes region. Four of the permits will be for the Fish Lake moose management unit, with the other four offered in the Mount Lorne moose management unit. The Wheaton River moose management unit will remain at four permits this year. These permit increases are a result of the collaborative efforts of the Southern Lakes moose working group, and I certainly thank the collaborative work that was done in that regard. The additional eight permits increase the moose-hunting opportunities in this area from 11 to 19. Some permits have been reallocated in the Southern Lakes region to allocate for ease of access, land use, recreational impacts, and overall hunting pressures. Hunters are reminded to review the updated regulations and obtain the necessary licenses to ensure compliance before participating in hunting activities.

There will also be eight additional deer permits offered this year, six permits for various game management zones in the territory, and two youth permits for the whole territory. This increases deer-hunting opportunities in the Yukon from 12 to 20. Hunting is, of course, an important part of many Yukoners' lifestyle and the Government of Yukon is dedicated to balancing hunting opportunities with responsible resource management practices.

**Mr. Istchenko:** I want to stick with this for a little bit here. My concern is twofold. There is a population size — and the decision was influenced by the size and the decrease, so I want to know what measures the government is going to take within the next five years to bring the population back up. There are other — like I stated years ago — tools in the toolbox. The other thing is: Did the minister or his department meet at all with the Yukon Fish and Game Association or the Yukon Agricultural Association to have these discussions? As we know, elk-agriculture conflicts are a huge issue, and the Yukon Fish and Game Association — I think that we tributed them a couple of years ago; I don't know how many years — but they

brought the elk to the Yukon and they have been part of this process for hunting opportunities, so that is my question.

**Hon. Mr. Clarke:** I will endeavour to get a response specifically with respect to the Braeburn herd, but I will provide some information to the member opposite and to Yukoners listening at home with respect to elk-agriculture management in the Takhini River valley.

The Government of Yukon works to ensure that the Yukon's elk population remains healthy and can be sustainably harvested. The Department of Energy, Mines and Resources and the Department of Environment also work to reduce the negative impacts that elk can have on the production of local foods and crops.

I also recognize that the Fish and Game Association has in excess of 2,000 members, and they are strong advocates for hunting opportunities being provided, and also, they are strong advocates for conservation where it is appropriate. I thank the member opposite for pointing out when there are concerns about the Yukon Fish and Game Association and perhaps whether they ought to have been consulted more in a certain discrete issue, but in general, my view over the course of the last four years — and my experience with respect to the wildlife biologists and my current ADM who is present today and assisting me — is that their input is very much appreciated. Thank you to the Yukon Fish and Game Association.

With respect to roadside bear hunting, this is a fairly straightforward answer. In 2022, following a recommendation from the Yukon Fish and Wildlife Management Board, the Government of Yukon amended the Wildlife Adaptive Management (General) Order to enable local prohibitions on roadside hunting of grizzly bears. The member opposite will know that this created the roadside grizzly bear hunting prohibition in the triangle from the Carcross Cut-off down to Carcross and across to Johnsons Crossing and back to Whitehorse. That was following a proposal from the Carcross/Tagish Renewable Resources Council and the Taku River Tlingit First Nation. Roadside grizzly bear hunting is now prohibited on certain roads and highways in the Southern Lakes area.

This adaptive framework enables any local community or First Nation government to request a prohibition of roadside hunting of grizzly bears in their area. If the proposal receives the support of the local community, the Minister of Environment can enact a prohibition.

Most recently, the Department of Environment collaborated with Champagne and Aishihik First Nations to implement a roadside closure near Klukshu in the Kluane region. Beginning April 1, hunting grizzly bears will be prohibited within 100 metres of the centre line along the Haines Road corridor from Gribbles Gulch to Unnamed Creek No. 1. This closure applies to the east side of the road, game management zone 7, where grizzly bear hunting was previously allowed, while the west side of the road, game management zone 6, remains closed due to existing regulations on grizzly bear hunting. My recollection is that it is approximately a one-kilometre portion of the road.

The Asek Renewable Resources Council was consulted on the change to roadside hunting near Klukshu, as was the Yukon Fish and Wildlife Management Board. Of course, as well, I have had a few discussions on various files with Champagne and Aishihik Chief Barb Joe on various files, and this was brought up by chief and council. We received their request in keeping with what occurred with respect to the Carcross/Tagish Renewable Resources Council and the Taku River Tlingit on certain roads and highways in the Southern Lakes area. So, it was a similar process, but as indicated, it's a relatively modest portion of the Haines Junction to Haines Road of approximately one kilometre in quite tight proximity to Klukshu.

**Mr. Istchenko:** I thank the minister for that fulsome answer.

With some of these regulation changes in the 2025-26 season that are coming up for hunters and anglers, they are expected to review updated regulations and secure necessary permits and licences before heading out on the land. "Responsible recreating and compliance help ensure the sustainability of the territory's wildlife populations for years to come." That is what I read in the press release.

I'm kind of wondering: What else is the government doing to inform and reach out to these Yukon anglers and hunters to get the message out besides a press release a couple of days ago?

**Hon. Mr. Clarke:** Thanks for the question from the member opposite. Of course, it's important to inform all Yukon hunters of the new opportunities that are provided and also with respect to the — I would say — modest new restrictions that are in force.

Efforts are being made to ensure that affected parties are aware of and understand the new regulation through several channels. Changes will be included in the official hunting and fishing regulation printouts and posted online, providing easy access for hunters and anglers to review the updates. Social media platforms will be used to spread the word about the changes, reaching a broad audience and providing timely information to the public. Regular patrols by conservation officers will help inform hunters directly in the field, ensuring that they are aware of the new regulations and answering any questions that they may have.

I'll just provide a shout-out at this time to our hard-working conservation officers across the territory who have a lot of responsibility and are often working by themselves but certainly discharging their duties with a lot of professionalism and skill.

Public service announcements will occur on the radio, informing about the changes. This also helps to ensure that those who may not be active online or on social media can still be reached.

Signage will also be placed in relevant areas to advise anglers and hunters about the changes in the affected zones. We encourage hunters and anglers to stay informed through updates on yukon.ca and to always check the current regulations before heading out.

So, it's a multi-pronged campaign to provide the new information for the calendar 2025 and into 2026 hunting season.

**Mr. Istchenko:** I thank the minister for that.

I want to talk a little bit about the conservation concerns with the Kluane Wildlife Sanctuary sheep permit, and it's not going to be offered again here in 2025-26.

So, many people were happy to see that, due to basically pressure from me, local residents, and our local renewable resources councils in the riding, ministers decided to move away from adaptive management with Kluane sheep. So, here we are where it's not happening again this year.

So, is the department working on a recovery plan for Kluane sheep? What work has been done to reinstate this popular hunt — work that they would have to do with Kluane First Nation and Dän Keyi Renewable Resources Council and all the other organizations?

**Hon. Mr. Clarke:** Sheep are an iconic Yukon species and a species of intrinsic cultural and commercial value. The Yukon has the largest population of thinhorn sheep in Canada. The Government of Yukon continues to closely monitor sheep populations in the territory.

Sheep populations are cyclical, so population fluctuations of highs and lows are to be expected; however, significant recent population declines in the southwest Yukon Kluane region are concerning given that the effects of climate change may increase the frequency and severity of challenges that sheep populations may face.

Through a memorandum of understanding established in 2024, we are actively working with co-management partners to develop a long-term sheep conservation and management plan for southwest Yukon. A consensus-based working group meets regularly to discuss further management actions to protect sheep and chart their vision of the long-term management plan. This is a positive step toward effective wildlife co-management in the Yukon and ensuring healthy and sustainable sheep populations for the benefit of all Yukoners.

We do understand Yukoners' desire to access this iconic species, and we will continue to work with all partners to identify additional sheep harvest opportunities. We acknowledge that there are declines in sheep numbers across the Yukon and neighbouring jurisdictions, and we remain keenly aware of our responsibility to protect and conserve sheep populations. Decisions about sheep management and harvest opportunities are informed by all available data, including surveys, traditional and local knowledge, and the science-based guidelines for the management of thinhorn sheep in the Yukon.

We will continue to work with all partners to monitor sheep populations in the territory. This includes working together to identify additional harvest opportunities in the territory and, where necessary, avoid harvest pressure to support sheep recovery.

Specific to the member opposite's issues in Kluane country, we are continuing to monitor sheep populations in southwest Yukon and work with the Kluane First Nation and others to re-establish the once-in-a-lifetime Kluane Wildlife

Sanctuary sheep permit hunting opportunity. Co-management partners in southwest Yukon are actively working together to address a variety of concerns in an effort to conserve and protect our sheep populations and habitat. The topics include but are not limited to: an assessment of climate factors affecting sheep, land use impacts on sheep populations and habitats, aircraft/helicopter disturbance, habitat enhancement options, predator management tools and approaches, management of human harvest, and other ways to survey and monitor sheep.

I look forward to reviewing the progress of our partners as we work through these issues, and hopefully, we will see a rebound in our sheep populations in the coming years. Yes, I certainly acknowledge the absolute importance of this iconic Yukon species, but thanks to all in the Kluane sheep management working group for their work in good faith and for all of the good work of wildlife biologists at the Department of Environment, the Kluane First Nation, and others.

**Mr. Istchenko:** I thank the minister for that.

This week — it actually started Sunday night, Monday, and as of today, quite a few people actually stopped me on the street just when I was heading back from lunch. We heard from many outdoor enthusiasts that, once again, it's year-end spending and the COs were in helicopters checking for hunting and fishing licenses, among other things. We on this side understand that COs have a job to do enforcing and educating hunters and fishermen. Normally, this is done by checkpoints or COs travelling by snowmobile on the land.

What are the minister's thoughts on this? Does he believe that this is tax dollars spent right when many departments are on a budget freeze?

**Hon. Mr. Clarke:** If the member opposite — the Member for Kluane — could just repeat his question — the preamble of the question, please.

**Mr. Istchenko:** We have heard concerns from many outdoor enthusiasts that, once again, it's year-end spending and the COs were out in helicopters on the weekend checking for hunting and fishing licenses, among other things. We on this side understand that COs have a job to do enforcing and educating hunters and fishermen. Normally, this is done by checkpoints or COs travelling by snowmobile on the land.

What are the minister's thoughts on this? Does he believe that this is tax dollars spent right when many of the departments are on a budget freeze right now?

**Hon. Mr. Clarke:** Yukon Conservation Officer Services branch is a progressive and respected leader in environmental compliance, law enforcement, shared stewardship, and public safety. The Yukon Conservation Officer Services branch delivers comprehensive services across five regions, from the North Slope to the Liard Plateau in southeast Yukon, encompassing Whitehorse and nine Yukon communities.

Throughout the Yukon, conservation officers are a trusted partner in the Yukon's environmental stewardship framework, working to conserve and to protect the territory's fish and wildlife populations and their habitats. Officers patrol vast remote areas of the Yukon wilderness. They collaborate with a variety of partners on the land, including First Nation

governments and local and cross-jurisdictional law enforcement agencies in the Yukon, Canada, and internationally.

Conservation officers enforce the Yukon's fish, wildlife, and environmental laws through a framework of field investigations, communications strategies, and offence investigations. As trained professionals, conservation officers work with the RCMP, communities, and the Emergency Measures Organization in responding to certain emergency response situations. To perform their work, officers rely on equipment like snowmobiles, ATVs, jet boats, and aircraft to conduct remote inspections or search and rescue operations.

Conservation officers are committed to their role and strive to provide quality public service to Yukoners while protecting our natural resources.

I am advised that helicopters are used sparingly and in situations where their use is efficient and effective, allowing officers to cover the entire area — in this instance, the bison range. The member opposite will know that the question he has is of an operational nature. My deputy minister has heard the question, and if any concerns are raised, it will come back to me. I am advised that, in this instance, helicopter use occurred because there was a pressure, and it was unrelated to the fiscal year-end. This helps them on other things — to protect hunting opportunities for resident hunters, a known and valued opportunity.

What I will agree on with the member opposite, of course — as all of our departments on this side of the House agree — is that there always ought to be the prudent use of government and, by extension, public resources. I absolutely don't disagree with the member opposite with respect to that premise. Like I said, my deputy minister has heard this operational question, and if warranted, he will certainly get back to me.

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

While we are talking about helicopters, I just have a few questions here about data capture and surveys. How much is in the budget this year for data capture and surveys compared to last year? Will the department be working and what methods will they be using? I know that they had done some drone work, so if we can get a little update on that. What is always near and dear to me is the fact that — whose eyes are on these surveys, whether they are in the helicopter or not? There are a lot of people in the renewable resources councils, the Fish and Game Association, elders within the First Nations, or just community members and trappers who are good at spotting animals — I am just wondering who they are going to use for the eyes on these surveys.

**Hon. Mr. Clarke:** I thank the member opposite for the question. The member opposite had some specific questions that I might have to get back to him on. However, I will endeavour to answer as many of the four or five questions that the member opposite asked today.

Collecting and analyzing wildlife data requires significant resources and is needed to ensure that we make evidence-based decisions about wildlife in the Yukon. We prioritize surveys based on species, population concerns, community concerns, land use planning needs, species recovery needs, and

population risks from impacts such as industrial activity and climate change.

This work involves close collaboration with partners to analyze and report on population levels, harvest trends, and risks. Through this work, we aim to ensure that fish and wildlife populations remain sustainable for future Yukoners.

Because data accuracy is so important to our work, the department has a robust process to check and analyze all data gathered or submitted. These checks and balances provide reassurance that the data used to inform decisions is as reliable as possible.

As the member opposite well knows, surveys are ongoing throughout each year. In 2025, we expect to continue our focus on surveying populations of caribou, sheep, moose, bison, deer, lake trout, Arctic grayling, pikas, and bats. Survey results are first shared with wildlife co-management partners, including Indigenous governments, renewable resources councils, the Wildlife Management Advisory Council (North Slope), and the Yukon Fish and Wildlife Management Board. Results are then shared with interest groups such as the Yukon Fish and Game Association.

Environment is committed to transparency in our work by sharing research and monitoring activities with the public on yukon.ca.

I know there was a budget question. I'm just wondering whether I can provide that information to the member opposite today or whether I will have to return.

During our wildlife surveys, we ensure participation by First Nation government representatives and renewable resources councils wherever possible. This includes but is not limited to collaborating with land stewards and guardians to gather and share information to contribute to robust decision-making processes.

The Department of Environment has a number of fish and wildlife recoverable agreements that are new in this year's main estimates, which include \$65,000 for a Klondike Plateau bear survey. We will also get back to the member with respect to the specific budget comparison from the last fiscal year to this fiscal year.

I do have some information with respect to a specific expense that has occurred in the 12 months or so. In 2024, the Department of Environment allocated approximately \$35,000 for one moose-related project — a late-winter moose distribution manual for major project proponents — and approximately \$258,000 for elk- and deer-related projects, including a drone contract to census both elk and deer and seven radio-collar deployments for deer.

In 2024, approximately \$900,000 was spent on projects related to the Northern Mountain population of woodland caribou, including one population survey of the Klaza herd, three radio-collar deployments, and 12 fall composition surveys.

Approximately \$500,000 was also allocated to projects related to migratory caribou — the Fortymile and Porcupine caribou herds — and \$120,000 toward a habitat inventory project focused on lichen recovery. There is more.

But in any event, I understand the specific questions asked and we will get back to the member opposite.

Just to confirm, regional staff do invite First Nation representatives and regional resource councilpersons to assist with surveys where at all possible.

**Mr. Istchenko:** I thank the minister for that, and I look forward to getting that information. Basically, just for the record, I am just looking at how much money is budgeted for each survey and where the surveys are being done.

Sticking with this a little bit — in the past, we have heard concerns about how they capture the data and not the fact that they are using a drone or a helicopter but the infringement on private property and people's privacy, especially when you are surveying elk or deer where a lot of the farms and homesteads are and in some of these areas. I am just wondering what the department is going to do to mitigate some of these concerns. The minister spoke earlier today about some of the work that they are going to do to update everybody on the new changes to the hunting regulations. I think that some of that information would be handy for locals — if they see a helicopter, it is actually surveying elk, or if there is a drone flying over, we are just trying to capture data — or whatever — if the minister could just elaborate a bit more on that.

**Hon. Mr. Clarke:** I could repeat my response with respect to the efforts that are being made to ensure that affected parties are aware of and understand the regulations, which the member heard — public service announcements, signage, regular patrols, social media platforms, and changes on printouts and being posted online.

I take the member's point that he is asking with respect to potential concerns about privacy, probably largely in the Takhini River valley. In the Takhini River valley, I take the member's point with respect to informing the general public about the lack of intent of impinging upon anybody's privacy.

I am advised that Environment does contact local landowners and stakeholders in advance of planned aerial survey work in attempts to address any concerns proactively.

So, in addition to the outreach initiatives which I put on the record a few responses ago, I am advised by the Department of Environment that they do contact local landowners and stakeholders in advance of planned aerial survey work.

**Mr. Istchenko:** I want to thank the minister for that answer. I do have a whole bunch more questions here, but in the spirit of sharing, it's the NDP's turn to go. I want to thank the staff who are here today, and I will turn the floor over to the Third Party.

**MLA Tredger:** Thank you to my colleague for sharing the floor, and thank you to all of the folks who are here to help us answer questions. I'm looking forward to it.

I wanted to start by asking about extended producer responsibility. I'm wondering if I could have a bit of an update on where things are at, and specifically, I'm wondering how many stewardship plans have been submitted and how many have been approved.

**Hon. Mr. Clarke:** Thank you for the question from the member opposite.

It's quite exciting that the Yukon is close to the finish line in implementing extended producer responsibility, and I do have exciting news to share with the House today. I'll just provide a bit of background. I am in a position to answer the member opposite's specific question.

The Yukon is one of the last jurisdictions in Canada to implement extended producer responsibility. The first-ever extended producer responsibility program for packaging in Canada was a hybrid model in Ontario in 2002. Then in 2014, British Columbia introduced the first full extended producer responsibility program for packaging. More recently, all other provinces have launched extended producer responsibility programs for paper and packaging. The latest is Alberta, where the extended producer responsibility program for paper and packaging will become operational in April of this year.

I can't stress enough that Yukoners are already paying for recycling services, as the Government of Yukon has been subsidizing this service for years with ultimately millions of dollars. The government is shifting the financial burden from Yukoners to producers and aligning the territory's recycling program with the rest of the country. I will just note that the Yukon will be the first territory to implement extended producer responsibility.

EPR is a critical shift that shifts the responsibility of waste management from taxpayers to the businesses that produced the products. This will reduce the cost of waste management for taxpayers, provide financial stability for recycling, and ultimately reduce waste production. Extended producer responsibility provides long-term assurances to businesses in the recycling industry, which allows them to make strategic decisions. This contrasts with our previous recycling system, which did not encourage businesses to make investments of time and capital into waste reduction and recycling.

Extended producer responsibility will reduce the amount of waste that goes into landfills and help reach the waste-diversion and greenhouse gas-reduction targets under *Our Clean Future*. Waste, of course, is just as much of a problem in the Yukon as in the provinces, and many of the corporations that we buy our goods from are also active in provincial extended producer responsibility programs. Through the implementation of extended producer responsibility, recycling in the Yukon will be strengthened to help protect our environment and to support our northern way of life.

So, here's the good news: As of February 2025, producer responsibility organizations, or PROs, have submitted three stewardship plans on behalf of producers. The Call2Recycle stewardship plan, starting on June 24, 2025, is focused on the recycling of batteries in the Yukon.

The Interchange Recycling stewardship plan will focus on the recycling and safe disposal of products like lubricating oil, diesel exhaust fluid, anti-freeze, and automotive containers up to 55 litres. The program operation will start on August 1, 2025. Service levels and other planned details can be found in the permit or plans.

The program for packaging and paper products will be operated by Circular Materials and will launch on November 1, 2025.

So, those are the three. Then the fourth — a producer responsibility organization called Product Care Recycling has committed to developing a plan for hazardous and special waste. Product Care Recycling plans to engage with stakeholders this spring and start the program operation this fall.

Because every province in Canada has already established an extended producer responsibility program, the Yukon is able to gain cost and operational efficiencies by working with established organizations and processes.

Moving forward with the extended producer responsibility program in 2025 is essential for long-term sustainability, waste reduction, and creating a cleaner environment.

I certainly have more information and more to say about extended producer responsibility, but the bottom line is that three of four pros are in place, with one, Product Care, to launch this fall as well.

So, exciting times — and it's certainly exciting that the Yukon is able to join the rest of the Canadian provinces and move forward with extended producer responsibility implementation.

Certainly, a shout-out to the City of Whitehorse and by extension our Department of Community Services for their collaborative efforts to launch and implement the blue bin and large yellow plastic container curbside program, which I believe is doing well — and, of course, that allows Whitehorse to catch up with many other Canadian municipalities.

**MLA Tredger:** Thank you to the minister; that is really exciting that those three plans have been approved.

I want to ask a bit more about them. The one for circular materials — I will kind of work backward — which is paper and packaging, what are the recovery targets for that plan, imagining there will be tonnes of material shipped out but it might be a different metric?

**Hon. Mr. Clarke:** I will endeavour to get these specific answers from the department with respect to costs. Producer-responsible organizations will charge producer fees to collect, deliver, divert, and manage the waste products. Costs may be passed down to consumers via fees charged at the point of sale or incorporated into the product cost.

This supports the user-pay principles of the Yukon waste management approach. Costs for consumer products under the extended producer responsibility model in other jurisdictions range from fractions of a single cent for an individual grocery store item to a couple of dollars for items that are hazardous.

In the Yukon, we believe that the cost may be more expensive than other jurisdictions due to longer transportation distances for staging materials in the Yukon. The Government of Yukon continues to work with the business community and industry to address cost challenges. While we acknowledge this challenge, it is important to address that Yukoners do support extended producer responsibility and want a robust and sustainable recycling system. EPR aims to shift, as I indicated, waste management costs onto producers who can incorporate changes in product and packaging design to reduce waste, rather than to consumers or municipalities. The long-term intention is to support waste reduction, increase re-use and

recycling activities, and overall reduce the financial burden of waste management.

It is my understanding — and I am certainly not a specialist on extended producer responsibility, and I know that some people who are listening today absolutely are, and a shout-out to them — with respect to the packaging that Yukoners have been paying the extra fees for years, because they have been imposed at the source, then going to Canadian Tire or Walmart or their grocery stores.

The targets will be proposed later this year based on the data developed from the initial phase of stewardship planning. We will release the targets closer to the operational date of November 1.

**MLA Tredger:** I am a bit confused, because I thought that, in the stewardship plan, the targets were a really key component of the stewardship plan and one of the things that had to be in it. But it sounds like it has been approved, but the targets haven't been set yet.

Do the targets have to come back to the minister for approval — like, is this a multi-step approval process? I'm trying to understand the process, and I'm trying to understand how a plan could have been approved without targets in it.

**Hon. Mr. Clarke:** I am endeavouring to get the answer with respect to the setting of the targets over the course of this summer and fall, but I just wanted to provide some additional information with respect to extended producer responsibility in general. Extended producer responsibility leads to higher rates of recycling and reduced amounts of material going to the landfill. Yukon's extended producer responsibility program requires operators to inform the public about local recycling opportunities in their region. This type of public education generally leads to increased recycling.

As the Yukon joins established extended producer responsibility networks across Canada, the choices of Yukoners at the till to buy products with less packaging will impact how corporations package their products.

As I indicated, the Yukon is benefiting from established organizations, processes, and procedures by joining extended producer responsibility after the provinces have established their cost structures and programs.

The member opposite is correct that the collection targets are very important to ensure progress. The plan includes the levels of service provided to Yukoners. The collection targets are being developed with circular materials based on supply tonnage. The department needs to evaluate this data before appropriate targets can be set.

As greater clarity around available volumes and current collection performance by material type is needed to inform target-setting, we commit to working with PROs to establish robust baseline rates through data collection and reporting that will occur during stewardship plans 1 through 3. Targets for years 4 and 5 will be developed based on the past three years' recovery data, with a goal of year-over-year performance improvement. The data collected and performance against targets will be reported in the applicable annual reports.

In some of the meetings that I have had recently with respect to EPR, I understand that estimating the paper and



cardboard represents a challenge, and I think that the department is still in discussion with respect to that element of extended producer responsibility.

**Ms. White:** I thank my colleague for allowing me a quick opportunity to ask a question specifically around the land treatment facility at the Macintosh gravel pit. It is my understanding that the Yukon government has accepted the decision document from YESAB to allow the project to go forward. I will note that, in the first inspector's assessment of the suitability under the land application, it says — and I quote: "This location within the gravel reserve ... may not be suitable for the intended purpose of the application due to the following factors:

"The application area is situated within 100 meters of titled properties near the Bear Creek subdivision.

"Less than 370 meters from bear creek..."

And it goes on to say — and I understand that the proponent then proposed to move the proposed land treatment facility to the other side of the gravel pit, but it is still very close to neighbourhoods. I know that the minister received a lot of letters, because I was cc'd in them. I recognize that the Yukon government has said that it can go forward, which I disagree with — I will just say that. It could go in a different spot — the power of YESAB — we can accept, reject, or modify.

My question is specifically around the next steps. Of course, I highlighted that many residents raised concerns about the proposed land treatment facility that would be right next to their neighbourhood. I want to quote one exchange between YESAB and department officials from Environment. The Department of Environment said — and I quote: "If the project is supported by YESAB Environment will require a hydrogeological report be prepared for review by Environment as well as a qualified third party to identify any risks to aquifers or drinking water wells prior to any permit being issued. If the report and review indicates there are unacceptable risks to aquifers and drinking water wells that cannot be mitigated, the permit will not be issued."

When will the Department of Environment commission a hydrogeological report for the proposed land treatment facility at the Macintosh gravel pit?

**Hon. Mr. Clarke:** Thank you for the opportunity to answer questions on behalf of the Department of Environment this afternoon. Thank you for the question from the member opposite.

I absolutely acknowledge that e-mails and letters of concern have been sent with respect to the Macintosh gravel pit proposed land treatment facility in Haines Junction or just outside of Haines Junction. I will endeavour to get the specific answer to the final question that was asked, but I will just provide, as we close this afternoon, some background with respect to the process and what may or may not occur going forward.

The Government of Yukon considered YESAB's recommendation for the land treatment facility project at Macintosh gravel pit. On March 14, the Department of Environment issued a decision document that accepted Yukon Environmental and Socio-economic Assessment Board's

recommendation that the project proceeds with more stringent conditions.

The decision document includes more stringent conditions and measures to mitigate negative impacts identified during the YESAB process, including specific measures to address concerns raised by the public. These conditions include: additional protections to mitigate risk of the transport of dust from the site, increase the type of information that must be shared with local residents, and require a more detailed system for local residents to submit feedback.

Issuing the decision document concludes the environmental assessment process and allows the project to advance to the regulator phase. This allows the proponent to apply for the necessary permits for the land treatment facility under the *Environment Act* and the *Lands Act*.

If the project completes the regulatory phase, the Government of Yukon will keep monitoring to ensure that the project complies with environmental regulations. This includes regular inspections and ongoing reporting to confirm that the project does not harm the environment or local communities.

Just for the record, there are seven commercial land treatment facilities in the Yukon, including two in Whitehorse. There is no facility in western Yukon. Development of a facility near Haines Junction may reduce the cost of remediation of contaminated sites in the region.

At this stage, the proponent requires both an *Environment Act* permit and a land use permit under the *Lands Act* to operate. It is expected that the proponent will submit applications to obtain these permits. The regulatory review associated with the permitting regime includes additional technical requirements related to the protection of land and water. Upon receipt of the application, department officials will review all required documentation, including construction plans, siting information, and a hydrogeological assessment. Construction plans must include berm dimensions, treatment area dimensions, liner type, and construction. Site information must include site grade, distance to surface water, distance to residences and distances from a 25-year flood plain.

The hydrogeological assessment must assess groundwater depth, groundwater flow direction, groundwater travel to any nearby water body and wells, as well as aquifer depth, type, and distribution. An additional third-party review of the hydrogeological assessment would be conducted at the expense of the proponent. This review would confirm the assessment was accurate and conducted as per the industry's best practices. Permit conditions for land treatment facilities vary based on facility construction, YESAB decision document conditions, and site-specific factors, such as nearby human and environmental receptors.

The proponent would be required to adhere to the contaminated sites regulations, land treatment facility guidelines and protocols, and YESAB document recommendations. If issued, the *Environment Act* permit would contain terms and conditions intended to reduce potential environmental risks and impacts and protect the land and water. This may include requirements for dust control, groundwater monitoring, and requirements regarding handling and

movement of contaminated material to and from the site. A land treatment facility must be inspected every two weeks to ensure all the infrastructure is functioning as it should. All records regarding treated material origin, contaminants present, contaminant treatment, and volumes must be recorded and reported annually.

Groundwater monitoring wells must be sampled regularly and all analytical data recorded and reported. If contamination is detected in the groundwater monitoring wells, a permitted facility would be required to prepare and implement an adaptive management plan to ensure contamination is contained. Also, an adaptive management plan may also be developed to address risks such as spills or compromised liners. Prior to closure, the permit holder must permit a decommissioning plan that adheres to the Department of Environment's protocols. The facility must then be decommissioned and proof provided that no contamination remains on-site.

So, suffice to say, there are a lot of steps that do have to be taken with respect to any potential Macintosh gravel pit land treatment facility, most of which I have outlined here briefly.

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

**Chair:** It has been moved by the Member for Riverdale North that the Chair report progress.

*Motion agreed to*

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

**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 Chair of Committee of the Whole?

### **Chair's report**

**Ms. Blake:** Mr. Speaker, Committee of the Whole has considered Bill No. 46, entitled *Residential Tenancies Act*, and directed me to report the bill with amendment.

Committee of the Whole has also considered Bill No. 217, entitled *First Appropriation Act 2025-26*, and directed me to report progress.

**Speaker:** You have heard the report from the 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. tomorrow.

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

### **The following document was filed April 1, 2025:**

35-1-316

School calendar considerations and minimum instructional hours, letter re (dated March 31, 2025) from École Selkirk Elementary School Council to Hon. Jeanie McLean, Minister of Education (White)

### **The following written question was tabled April 1, 2025:**

Written Question No. 62

Re: Yukon Resource Gateway Dempster Highway project (Hassard)