



# Yukon Legislative Assembly

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35<sup>th</sup> Legislature

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## HANSARD

Monday, November 15, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall Sitting

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

### CABINET MINISTERS

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

### 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>Emily Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

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

\*Government House Leader: Hon. Tracy-Anne McPhee to November 4, 2021; Hon. John Streicker from November 5, 2021

**Yukon Legislative Assembly****Whitehorse, Yukon****Monday, November 15, 2021 — 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 not been placed on the Notice Paper as they are out of date: Motion No. 209, standing in the name of the Leader of the Official Opposition, and Motion No. 212, standing in the name of the Third Party.

In addition, the following motions have been removed from the Order Paper as they are out of date: Motion No. 162, standing in the name of the Member for Pelly-Nisutlin; Motion No. 195, standing in the name of the Member for Lake Laberge; and Motions No. 192 and 193, standing in the name of the Leader of the Third Party.

Finally, the amendment moved on October 13, 2021 by the Minister of Community Services to Motion No. 113, standing in the name of the Leader of the Official Opposition, has been removed from the Order Paper as the amendment is outdated.

**DAILY ROUTINE**

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

Introduction of visitors.

**INTRODUCTION OF VISITORS**

**Hon. Ms. McPhee:** I would like to ask all of my colleagues to welcome a few visitors we have here today for the World Diabetes Day tribute. Marney Paradis has joined us, as well as Jill Nash and Rachel Hrebien. Thank you very much for being here.

*Applause*

**Hon. Mr. Pillai:** I would also like to invite the Assembly to welcome Ziad Sahid, who is the executive director for Tech Yukon. He is also attending today for our tribute on our Innovation Commission.

*Applause*

**Speaker:** Tributes.

**TRIBUTES****In recognition of Innovation Commission**

**Hon. Mr. Pillai:** I rise today on behalf of all parties to pay tribute to the Innovation Commission during Yukon's Innovation Week, which is focusing this year on building sustainable communities.

The COVID-19 global pandemic has taught us many things. We have witnessed first-hand how innovative and adaptable Yukoners are. The pandemic has highlighted the

need to expand and develop local resources, industries, and businesses so that we may be more resistant to potential future disruptions of the global marketplace.

Technology and innovation is the fastest growing sector across the globe, accounting for 4.5 percent of global GDP, and is expected to double within the next 15 to 20 years. Yukon's tech sector has grown by an average of 11.4 percent each year over the past three years and represented approximately 3.7 percent of the Yukon's GDP in 2020.

Following the public engagement on the future of innovation in the territory, the Innovation Commission was established to provide critical, technical, and professional advice to develop a five-year innovation strategy that will attract technology start-ups and grow Yukon's digital ecosystem.

Mr. Speaker, I want to acknowledge and thank the members of the commission for their time and effort in helping to grow this important sector in the Yukon. The Innovation Commission members were chosen for their experience, diversity, and interest in innovation, technology, and entrepreneurship, both within the Yukon and across the world.

The focus of the commission is to consider actions to be undertaken to: encourage and support entrepreneurship and innovation; identify gaps and challenges faced within the Yukon when establishing new businesses and innovative practices and products; and look at mechanisms to grow, attract, and retain entrepreneurs and innovators and opportunities to foster sharing networks that are inclusive of the Yukon's population and communities. With the commission's help, the completed strategy will outline the Yukon's unique strengths and identify actions, programs, and services that will achieve our vision.

Again, I am looking forward to seeing the final strategy, and I want to thank, once again, all the members and advisors on the Innovation Commission for their work to improve the territory. I would also like to take a moment to encourage Yukoners to take in one of the many online events brought to you through Yukon University, Yukonstruct, Yukon Entrepreneur Podcast, and Creative Lab North. Also, check out [yukoninnovationweek.com](http://yukoninnovationweek.com) for a complete list of events.

I just want to thank the members of the panel. I think that it's important. A lot of folks have given their time to this. Individuals on the commission: Melaina Sheldon, the former executive director of Creative Lab North; Cherish Clarke; founder and president of Digital Engine Technology; Curtis Shaw, CEO of Northwestel; John Jensen, CEO of MGrid Energy; Astrid Grawehr, partner at Kryotek Arctic Innovation; Inga Petri, founder of Strategic Moves; Chris Lane, partner at Make IT Solutions; and Thomas Park, who is a partner and lead for the BDC Deep Tech Fund. Also, we had a number of advisors from across the globe: Norm Fraser, former professor at Oxford, now chairman of SoftIron; Vero Henry, a local Yukoner now in Paris working in the IT world with the program and start-up manager for Startup Palace; Bernd Petak, partner at Northmark Ventures; Dave Larkin, partner at Northmark Ventures; Patrick Lor, partner at Panache Ventures; Mike Mooney, who is the executive director at Creative Lab North;

and Dr. Alexandra Greenhill, who is the founder and CEO and chief medical officer for Careteam Technologies.

Again, thank you, Ziad, for coming today and for your help and support as an advisor as well.

*Applause*

### In recognition of World Diabetes Day

**Hon. Ms. McPhee:** I rise today on behalf of the Yukon Liberal government to recognize World Diabetes Day, the world's largest diabetes awareness campaign reaching a global audience of over one billion people in more than 160 countries. It is incredibly important to acknowledge this day.

Diabetes Canada estimates that 29 percent of Canadians are living with some form of diabetes. Every day, more than 480 people in our country are diagnosed with this life-changing disease. World Diabetes Day is observed every year on November 14 to coincide with the birthday of Canadian Nobel laureate Sir Frederick Banting, who co-discovered insulin along with Charles Best in 1922, changing the world forever. It has been 99 years, nine months, and 23 days since Leonard Thompson received the very first successful injection of insulin.

Since that groundbreaking day, Canada has been leading the way in diabetes research, education, and treatment. However, a century after its discovery, insulin and other fundamental components of diabetes care remain sometimes beyond the reach of people who need them. Both type 1 and type 2 diabetes have been drastically impacted by innovations here in Canada.

Last year, the Yukon government was the first jurisdiction in Canada to fully fund continuous glucose monitors for all Yukoners. Providing permanent funding for glucose monitoring devices coincides with the recommendations in *Putting People First*, which calls for more person-centered care.

For some time now, the Yukon has also been a national leader in providing access to advanced glucose monitoring technology and other supports for people with type 1 diabetes. This followed a two-year pilot project where participants reported that the program helped them to better manage their conditions, reduce their financial burdens, and improve their quality of life.

I also want to note that here in Canada, diabetes rates reflect a health inequality for indigenous peoples. The prevalence in the general population is about five percent, while it is about 10 percent for our indigenous citizens. Recognition and procedures to improve care must be taken into account.

I want to take this opportunity to say thank you to Yukon T1D Support Network for its ongoing work to support Yukoners living with type 1 diabetes. I would also like to thank the organization for its current campaign to inform and educate Yukoners on type 1 diabetes symptoms.

As a reminder, many Canadians may be living with pre-diabetes or diabetes without even knowing it. Diabetes symptoms can include extreme thirst, frequent urination, unexplained weight loss, and exhaustion. Diabetes experts and

Yukon T1D encourage everyone who is experiencing these symptoms to reach out to their health provider right away.

This year, the World Diabetes Day campaign focuses on access to diabetes care. Again, I would like to note that the Yukon continues to lead the way in providing glucose monitoring and other diabetes care to its citizens — a government campaign, as well as working with our partners to do so.

I want to thank all health care providers and diabetes champions across our territory for their ongoing work to improve health outcomes for Yukoners who are living with diabetes.

*Applause*

**Mr. Kent:** Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to recognize November as Diabetes Awareness Month and, more specifically, Sunday, November 14 as World Diabetes Day.

Mr. Speaker, as the minister mentioned, this year is particularly notable as it has been 100 years since the transformative and life-saving treatment — insulin — was discovered by Sir Frederick Banting and Charles Best.

I would like to take a moment to highlight an incredible organization here in the Yukon and talk a little bit about the work that they do to support and advocate for people living with type 1 diabetes in the territory. The Yukon T1D Support Network works to support individuals and families affected by type 1 diabetes. They work with patients who do not have family doctors or endocrinologists to get them the medical support that they require, and after the unanimous passing of an opposition motion in this House in May, they are working with the territorial government to complete a Yukon diabetes strategy and continue to work toward ensuring that the Yukon is part of the national diabetes strategy.

Canada has one of the highest rates of type 1 diabetes, and this rate continues to climb. The Yukon T1D Support Network has begun advocacy work with the federal government on what is being done to ensure that the needs of persons with T1D in the Yukon are included in the development of a national diabetes framework.

We look forward to seeing a response from the federal government and their support in bringing the Yukon into the development of this framework. We all know that the Yukon is a small jurisdiction, but I can attest that this important organization has been critical in advocating for Yukoners with type 1 diabetes, and their input would be incredibly valuable to ensuring a jurisdictionally balanced and inclusive strategy at the national level.

Last year, Mr. Speaker, the inaugural Boulevard of Hope was set up in January by the society to raise money for their efforts and increase awareness for the disease. We look forward to the second annual fundraising event and would like to thank, in advance, the generous businesses who will be sponsoring trees to be lit up in blue and, of course, the incredible volunteers for their time and talents on this initiative.

As the Yukon T1D Support Network continues to support Yukoners, it's important that Yukoners continue to support

them. Funds from this initiative go toward important educational campaigns and important initiatives such as Camp Becca, an annual youth camp for persons with T1D named and held in honour of Rebecca Pollard.

I would like to give special thanks to the Yukon T1D Support Network for their continued advocacy and support for people and families living with type 1 diabetes. Their dedication is inspirational, and the work that they have done for Yukoners has been life-changing.

*Applause*

**Ms. Blake:** Mr. Speaker, I rise today on behalf of the Yukon NDP to pay tribute to World Diabetes Day, which took place on November 14. Today I think about what needs to be done collectively and individually for better prevention, diagnosis, and management of diabetes. I want to especially thank the Yukon type 1 diabetes support network for their hard work advocating for Yukoners living with type 1 diabetes. Their efforts do not go unnoticed, and I'm pleased to see them in the House today.

This year marks 100 years since the discovery of insulin. While insulin has been a life-sustaining drug for many people living with diabetes, there are so many more who do not have access. For many Yukoners, getting insulin coverage is a long process with a lot of paperwork.

First Nation people continue to face higher risks of developing type 2 diabetes — more than any other group in Canada. With a legacy of colonialism, including residential schools and lasting inequality, our communities lack access to health education and nutritious, affordable foods.

As a territory, we still have work to do. With our continuous glucose monitoring program, we have seen what support can do for Yukoners with type 1 diabetes. We also have the unique responsibility to advocate beyond the territory.

To make this day truly count, I urge leaders in this House to push the federal government to come up with a national type 1 diabetes strategy. With access to insulin, community support, and proper education, we can leave so many of the issues faced by those living with diabetes behind.

*Applause*

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

## TABLING RETURNS AND DOCUMENTS

**Mr. Cathers:** Mr. Speaker, I have for tabling here today a document provided by the RCMP to Hidden Valley school parents at the meeting last week, entitled "Condensed Timeline with Salient Points", which, of course, is regarding the investigations related to Hidden Valley school.

**Hon. Mr. Streicker:** I have for tabling today the Yukon government's submission — the letter — to the Dawson Regional Planning Commission on the draft plan for the Dawson land use planning.

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

Petitions.

## PETITIONS

### Petition No. 6 — received

**Clerk:** Mr. Speaker and Hon. Members of the Assembly, I have had the honour to review a petition, being Petition No. 6 of the First Session of the 35<sup>th</sup> Legislative Assembly, as presented by the Leader of the Third Party on November 10, 2021.

The petition presented by the Leader of the Third Party meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

**Speaker:** Accordingly, I declare Petition No. 6 is deemed to be read and received. Pursuant to Standing Order 67, the Executive Council shall provide a response to a petition which has been read and received within eight sitting days of its presentation. Therefore, the Executive Council response to Petition No. 6 shall be provided on or before November 25, 2021.

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

## NOTICES OF MOTIONS

**Mr. Istchenko:** Mr. Speaker, I rise in the House today to give notice of the following motion:

THAT this House congratulates Alaska senators Lisa Murkowski and Dan Sullivan and Congressman Don Young on their successful work to secure dedicated Shakwak funding that authorizes reconstruction of the Alaska Highway from the Alaska border at Beaver Creek to Haines Junction and the Haines Road from Haines Junction to Haines, Alaska as part of the bipartisan infrastructure deal that was passed in the United States House of Representatives on October 8, 2021, and signed by President Joe Biden on November 15, 2021.

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

THAT this House supports recommendations made by the acting chief medical officer of health that include vaccine mandates and proof of vaccination to access non-essential services.

**Ms. White:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to acknowledge that children under the age of six are a vulnerable population by expanding the vaccine mandate to all early-years professionals across the territory.

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

THAT this House does support the supervised consumption site operating at 6189 6<sup>th</sup> Avenue in downtown Whitehorse.

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

## MINISTERIAL STATEMENT

### Housing initiatives fund

**Hon. Mr. Pillai:** I rise today to speak of the fifth intake of the housing initiatives fund. I am pleased to announce that applications for this very active program are live today. I feel as though it has only been a few short months since I rose in the House to speak about the fourth successful intake, which is now supporting eight new housing projects in the Yukon. As a result of the past four intakes, the program is successfully supporting 40 projects. Of these, eight projects are completed, 20 projects are under construction, and work is in progress toward securing 12 additional project agreements. These projects will lead to the construction of more than 470 new homes in Yukon communities. Of these, approximately 275 will meet the definition of “affordable homes”.

Through the fifth intake launched today, we invite First Nation governments, First Nation development corporations, developers, contractors, community organizations, and the public to apply to this annual fund to support projects that will increase affordable housing options in their communities. Since the inception of the program in 2018-19, the Yukon government has allocated approximately \$3.6 million each year to this fund. The fund incentivizes the development of good quality, affordable housing and includes three funding streams: one for shovel-ready projects in Whitehorse, one for shovel-ready projects in communities, and one for project concepts.

This year, project applications can receive an increased amount of funding due to the unprecedented increase in construction costs and labour supply during the COVID-19 pandemic. Shovel-ready projects in Whitehorse and in rural Yukon can receive up to \$100,000 per unit and up to \$1 million per project.

Additional consideration will be given to projects that directly support the housing continuum in the Yukon and prioritize the needs of seniors, tenants earning less than Yukon Housing Corporation’s household income limits, people experiencing homelessness, youth ages 18 to 25, and First Nation projects. Due consideration will also be given to projects that support housing solutions for First Nation staffing strategies, for all levels of government, and the local business sector.

We are proud to continue with this initiative, which will make a very real difference to the housing landscape of the territory. We all have a role to play, working together, in finding a new way forward, and I encourage aspiring housing providers to check out the details of the fifth intake and apply for funding.

Together we can help support Yukoners in finding affordable places that they can call home.

**Ms. Clarke:** Housing is a priority issue for Yukoners. While we welcome the fifth intake of the housing initiatives fund, we are concerned about the short window. As the minister mentioned, the intake for applications opens today and closes on January 14, 2022. Many Yukoners are already thinking about the holiday season. We hope that releasing a fund

application period over the holiday season doesn’t negatively impact the opportunity for projects to apply.

With respect to this fund, what gaps in housing has it addressed? Can the minister explain how those gaps were identified? How exactly have they been addressed?

The minister says that \$3.6 million has been set aside each year for this fund. Can the minister tell us if all the funding was allocated over the previous four intakes?

This government has also been slow to get these houses to market. In May, the housing minister confirmed that only 65 of the 470 funded units have been built since the program was launched in 2018. Could the minister update us on the number of completed units?

As well, the Yukon Housing Corporation has hundreds of residents on a wait-list for housing. In fact, the size of the list has skyrocketed under the Liberals. Can the minister tell us if any of the units will be specifically earmarked for those on the housing wait-list?

While on this topic of housing development, the Liberals have promised to turn contaminated land in Marwell into housing lots. As a result, this could take many years to develop and there are various environmental criteria to meet along with potential YESAB processes. I am wondering if the minister has an update for us on the status of the grader station land and when those lots will be on the market.

**Ms. Tredger:** Mr. Speaker, the Yukon NDP is, of course, in support of this initiative. Every day we are reminded that we are in a housing crisis. As winter sets in, the fear and exhaustion of precarious housing is getting more and more obvious, so we are very glad to see the government supporting the creation of more affordable housing in the territory. That said, we do have some questions about the fund.

The minister has told us that 275 out of 470 of the units built so far are considered affordable. That means that, of this fund for affordable housing, less than 60 percent has actually gone to affordable homes. We have over 400 people on the wait-list for Yukon Housing units, most of them because they can’t afford a home at current market rates, and yet almost half of our money earmarked for affordable housing development is not in fact going toward affordable homes. We can do better than that. Yukoners who are struggling to find a place to live that they can afford need us to do better than that.

We also have questions about how the government will make sure that these homes stay affordable. This is an investment of public money. We have a responsibility to make sure that it supports the people it is intended to support. How long will these homes be affordable for? How is this government making sure that Yukoners will still have access to these affordable homes in the years to come?

Finally, we are concerned about what is considered “affordable”. For this fund, the definition is “less than the median of rent or market price”. Given that both rents and home prices are skyrocketing, these units very well may not be affordable to many Yukoners, even if they are in the bottom half of the available options. Has this government considered a

definition of “affordable” that takes into account what Yukoners can actually afford?

So, with these questions, I will turn it back to the minister and I look forward to his answers.

**Hon. Mr. Pillai:** I thank the members opposite for their questions. Just quickly, turning to the Official Opposition — it is November 15, and my experience in working in the private sector on the development side is that people are always working.

When opportunities like this come up for projects, they are going to work. I think we have almost two months here before we have an opportunity for people to do intake. From my experience, I think that is enough.

What you don’t want to have happen is to put all the work into tens of thousands of dollars and then have a government cancel it while you are delivering it to Yukon Housing Corporation. We don’t want that to happen, because I have experienced that as well. It is a lot of wasted money and time for the private sector.

But what we will do is that we won’t cancel. We will accept those applications. What we have done, in most cases, is that we have worked with the proponents to ensure that, if there is a back-and-forth that needs to happen — there are a number of groups right now with which we are trying to fine-tune their applications, taking into consideration some of the increased costs from the supply chain.

To answer other questions, we were at 65 units completed in the springtime. Now we are at 91 units, and we have another 100 that are about to be completed in the next number of months. We think that this is some very good progress as well.

Again, the comment from across the way was that this government is not very good at getting these houses built. There might be a misunderstanding. We provide money to groups — whether that be in Whitehorse or the communities — and then they build the projects. That was really casting some shade on the developers. We are just trying to help them build these projects. We want these projects to be in their hands, on their balance sheets, not for Yukon Housing Corporation to build them.

With Marwell, it is a multi-department approach. I think that the member opposite would lead you to believe that this is just one of the many things. Of course, our departments are working hard on Whistle Bend, and we are looking at a number of other pieces of land that we can hand over to the private sector.

The Marwell grader station is being looked at. I leave that to the Minister of Highways and Public Works to talk about, but Kwanlin Dün has first right of refusal on that, and they seem interested, but they do have a number of other areas that they want to work with us to develop.

Concerning the questions from the Third Party, we are deploying money for affordable housing. In many cases, the formula that the private sector uses is to have market rental with affordable — it’s not the only amount of money. That line of questioning would lead you to believe that it was the only money that we were putting into affordable housing. All one

has to do is look outside this building and look at the number of either buildings being completed or cranes that are in the air. Those are projects, in many cases, that are affordable housing projects. They are being funded through other lines of funding that we have or in partnership with the Canada Mortgage and Housing Corporation.

We can have a debate about what the formula is for identifying affordability. We have closed out on housing, but I am willing to have that discussion with the member opposite during Question Period or outside of the Assembly. We do understand that it is difficult. It is a difficult time, and we have a lot of work to do. It is going to take years, but I thought it was important today to come and just update the House on some great things that are happening.

It is the community members and the business community that are getting this done for Yukoners. They are filling a very, very important gap.

If there are things that I missed from either the Official Opposition or the Third Party, I will do my best to get back and answer those questions.

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

## QUESTION PERIOD

### Question re: Affordable housing

**Ms. Clarke:** Somehow in a territory with a land mass the size of France, we are experiencing a land shortage. This is significantly driving up the cost of a home. On May 18 of this year, the Minister of Community Services stated — and I quote: “... we have work underway on phase 6 of Whistle Bend for completion this summer. It will create some 171 lots for a planned release later this fall.”

Can the minister tell us how many of these 171 lots that he promised in the spring have been released so far?

**Hon. Mr. Mostyn:** I really appreciate the opportunity this afternoon to talk about land development within the City of Whitehorse and beyond —

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

**Hon. Mr. Mostyn:** I will continue. We were talking about land development, and it is important to all Yukoners, as we have heard. We look forward to continuing progress on Whistle Bend and will continue to support the City of Whitehorse on this and other future development projects as we work together to make more lots available within the City of Whitehorse.

I want to thank the residents, contractors, and developers alike for their hard work to bring much-needed housing into the community and our officials for the great work that is seeing enormous progress on the next phases of the project, which is Whistle Bend. Development work is regularly assessed and planned. From time to time, planned work needs to shift. This is the case for phase 7. It was first tendered in the spring of 2021 but will be retendered in early fall 2022 to accommodate adjustments, redesign, and other considerations.

As for phase 6A, which is what we worked on this year, we have roughly 100 lots going into Whistle Bend this year.

**Ms. Clarke:** The average cost of a single detached home in Whitehorse is now over \$650,000. This is unaffordable and the government needs to do more.

In the spring, the minister stated — and I quote: “The phase 7 construction tender just closed. It will supply another 90 residential lots targeted for release in the fall of 2022.”

This morning, we looked on the government’s website and it says that a tender for phase 7 was terminated earlier this year. Can the minister update us on the construction tender for phase 7? Is it still on target to release 90 residential lots in the fall of 2022, as he stated in the spring?

**Hon. Mr. Mostyn:** As I said in my earlier remarks, we are more than happy to talk about housing this afternoon. It is an issue of great importance to the people of the territory.

We are working on phase 7. We have restructured that contract. We have completed 6A this year. The contractor has finished his work on 6A. It has been signed off or is in the process of being signed off — I will have to get clarity on that from my officials. But I believe that there are 100 lots going to public tender this year as a result of the work done this summer. The remaining lots will be done next year. It will start, and then phase 7 will be tendered and will go ahead concurrently.

Our strong leadership has guided us through the pandemic and kept our economy going, Mr. Speaker. We are working to make sure that all Yukoners benefit from our territory’s economic growth. We are building a brighter future for our territory by investing in land across the territory, including Whistle Bend, and working with our municipal partners to make sure that land is available.

We know, Mr. Speaker, that this year we worked with the City of Whitehorse to release more than 250 lots — the largest lottery ever tendered — and this year we’re going to add another 100 lots to that total.

**Ms. Clarke:** The cost of a single detached home in Whitehorse has increased by nearly \$90,000 in just one year. This is partly due to delays by this government in getting lots to market.

In the spring, the minister stated this about the future of Whistle Bend — and I quote: “We are anticipating tendering phases 8 and 9 this year, as well as a lift station.” He went on to state that phase 8 will add another 50 lots in the fall of 2022.

Can the minister update us on whether or not he is living up to his commitment to tender phases 8 and 9 of Whistle Bend this year, and is phase 8 still on track to provide 50 lots in the fall of 2022?

**Hon. Mr. Mostyn:** Once again, we are talking about housing this afternoon on the floor of the Legislative Assembly, and I am happy to do so all afternoon if that is necessary.

I will say, Mr. Speaker, that I disagree vehemently with the preamble of the member opposite. The need for more lots in this territory did not arise overnight. This isn’t an issue unique to the territory. We are seeing land development throughout Canada being a hot topic. Indeed, we are seeing housing being a topic across the continent. COVID has had a profound impact on capital and where we are spending it and how the investments are going. So, we are seeing that here in the

territory, too. As I said, it is not an issue that has grown up overnight.

The Yukon Party long ignored the housing needs of Yukoners for more than a decade. I know that my predecessor, the former Minister of Community Services, the MLA for Mount Lorne-Southern Lakes, got more lots out the door in his tenure than the previous government did in several years.

We have been working diligently on the housing file for the last four years. We are going to continue to work on that file. We have lots of lots coming onstream this year. We have had lots of lots in the past, and we are going to continue, as the Minister responsible for the Yukon Housing Corporation said this afternoon —

**Speaker:** Order, please.

#### **Question re: Land disposition process**

**Mr. Hassard:** The release of lots in Whistle Bend earlier this year drew a lot of attention to the land lottery system that is used by the Yukon government. Some feel that the system can be manipulated and is not well suited to getting lots into the hands of everyday Yukoners who simply want to build their own home.

So, will the minister consider a review of the land lottery system to ensure that there is a balance between the needs of our contracting community as well as the needs of individual Yukon families who want to get a single lot to build their own home?

**Hon. Mr. Pillai:** I want to just hearken from the other side of the floor. It is great to hear this question today. Certainly, upon coming into Energy, Mines and Resources in a previous role, and now with housing, we did have some concerns around the lottery system. I think that, during the election, there were some great ideas that came from opposition parties on ways to look at making sure that Yukoners who want to be here and make their lives here — after going away for possibly university or other experiences — do have that chance.

But it will be noted that, yes, I think that there has been some concern about the system. At least, during my time, we did bring in a third party to do some work on that system. Primarily, some of the concerns that we heard from the community were around Dutch Harbour. There was a lot of concern about how the Dutch Harbour lots went out, what had happened with those lots, who got those lots, and what the associated costs were. That led us to bring in a third party to do a bit of an analysis, but absolutely, there is work to do. I have talked to the private sector, and there are a lot of contractors who get frustrated with this system, but the Minister of Energy, Mines and Resources can touch on the fact that we are looking at new ways to ensure that there are different categories of lots available to folks.

**Mr. Hassard:** I was actually asking the Minister of Community Services about lots in Whistle Bend.

Anyway, when the government releases hundreds of lots all at once, as the government did in January of this year, it puts a strain on the building community. Those who are lucky enough to win a lot have a two-year requirement to get a new house clad to weather. As many Yukoners have noticed, the



availability of contractors to meet the two-year requirement has become much more difficult. No one should be surprised that releasing hundreds of lots all at once and requiring those kinds of construction timelines put huge strains on the contracting community.

Will the government consider reviewing the two-year building requirement as part of an overall review of the land disposition process?

**Hon. Mr. Pillai:** It is an interesting piece brought to the conversation. I haven't heard of any folks in the private sector complaining that too much land had gone out to this point. In 2020, we saw record starts for residential building permits. In 2021, we have surpassed that in the first three quarters, so it seems that those folks are making the decision — the contractors — to seize that opportunity for their business and expand their business, which we have seen many contractors do.

Again, this is the first time that I have heard this concern, and it is something I can work with my colleagues on.

Again, I think that the first question was about the process of putting lots out. Our big concern is how we make sure that folks — which other parties have identified as a priority — whom we have invested in — they have gone to high school here and may have received the Yukon grant, they want to come home and, in many cases, have grandparents here, and they want to make their lives here and we need them to come here. That is what we are focused on.

It seems that the private sector is absolutely embracing this. That is why we see the GDP growth in 2020, and that is why the economy essentially led the country in 2020.

**Mr. Hassard:** It is unfortunate that the government doesn't actually listen to the questions that we ask over here on the opposition side of the Legislature, but I guess that it is probably why we don't get answers to questions that we are asking for Yukoners.

Another aspect of the land disposition system is financing. There are certain rules related to down payments as well as the timing of full payment that doesn't effectively balance the competing interests in the system. All of these factors need to be considered, Mr. Speaker.

Will the government commit to a review of the land lottery system with the goal of better balancing the needs of our contracting community with the needs of individual Yukon families that just want to buy a lot to build their family home?

**Hon. Mr. Streicker:** Of course, it is not Community Services that does the work of the lottery system; it is Energy, Mines and Resources, so I think that we are listening to the questions opposite.

We are happy to work to improve the system over time. I think that it's always important to do a continuous review and see whether there are ways to improve the system. We think that how we get lots out is terribly important for the housing situation that we have. I agree with the Minister of Economic Development and Yukon Housing Corporation that our goal has been to get as many lots out and available to Yukoners as possible. Right now, we feel that this is the main goal.

We have not heard from the building and construction community that they are concerned that we have too many lots becoming available; it is just the contrary. What they want is more.

We will continue to do that and we are happy to do that. We are always happy to look at the system and try to make sure that it is as fair as possible for all Yukoners. I will make the commitment here on the floor of the Legislature that we will continue to look at the system and see how it can be improved for all Yukoners — homeowners, builders, and the whole of the community.

#### **Question re: COVID-19 testing**

**Ms. Blake:** On Wednesday, Yukoners were pleased that the government reopened the drive-through COVID testing site. Almost immediately, we began to hear about long lineups and long wait times for test results. We have heard from people waiting for hours in line and from people waiting, only to be turned away as the site ran out of tests and had to close early. This is a concern, especially in the middle of a widespread community outbreak.

What is being done to increase resources at the drive-through testing site, and will Yukoners not be turned away this week?

**Hon. Ms. McPhee:** Science is, of course, the best guide when dealing with a pandemic, and we continue to follow the recommendations of our public health experts.

As noted in the preamble to the question, as late as a week ago Sunday, new recommendations came from the chief medical officer of health. They were quickly adapted and reviewed by the government. As early as last Monday night, there were new changes coming with respect to how Yukoners could be protected. That included the reopening of the drive-through testing site. That happened on Wednesday — all relatively quickly in order to have staff return to those roles. We are pleased that many people are using that facility and the opportunity for them, if they are showing symptoms, to attend at that location and to be tested for the purposes of determining what their next actions should be.

It is an opportunity for Yukoners, primarily those in Whitehorse but others as well, to find out if they are possibly subject to COVID-19. I look forward to further answering.

**Ms. Blake:** With the rapid increase in COVID cases, it is great to see so many Yukoners eager to get tested. Unfortunately, people are also experiencing longer waits for their test results. We have heard that folks are waiting for up to five days, which means that community transmission goes on longer than it should. This is true for people living in Whitehorse and in the communities.

Community members can get tested at their local health centre, but those tests need to come to Whitehorse before they are sent out of the territory.

What is the government doing to fix these delays for Yukon communities and speed up test results?

**Hon. Ms. McPhee:** Thank you again, Mr. Speaker, for the opportunity to rise. We certainly are focused on protecting the health and safety of Yukoners. There are a variety of ways

in which Yukoners can be tested. There is the drive-through testing site that was noted in the question. There are the appointments that can be made at the testing site, which I understand are also available depending on the day and the time that someone might choose. I can indicate that I'm well aware of the fact that those testing sites are operating at absolute capacity. Their goal is to serve Yukoners and to provide the tests that are being sought.

We have — and have always had, luckily, since March 2020 — an absolutely stellar testing regime. We are working with our partners in British Columbia. We are working with our partners at Health Canada to make sure that those testing opportunities are here for Yukoners and that those test results are as accurate as possible and provide the health information that individuals need to self-isolate or self-monitor following a test.

**Ms. Blake:** Yukoners who are experiencing symptoms can go to the COVID testing centre but by appointment only. Right now, same-day testing is not possible due to the increased number of individuals who require testing. We know that there are long wait times at the drive-through and long delays at the testing centre. Worse yet, people who want to book an appointment online for their first or second vaccines are being told — and I quote: “Sorry, there are no appointments currently available.”

The system is backed up and we need more capacity. What is the government doing to ensure that Yukoners with COVID symptoms can get tested quickly? When will Yukoners who want to get vaccinated now be able to?

**Hon. Ms. McPhee:** We have a testing and a contact-tracing strategy that has been effective in dealing with the spread of COVID-19 in our territory for almost 20 months now. We will continue to monitor and adjust to the situations as they develop. I appreciate that they are happening in real time. I also appreciate that some individuals may need to be waiting longer than they want to. I can also indicate that we are working extremely hard with our partners throughout the health care system to provide individuals who can assist with this goal.

We have asked health care officials to report on this absolutely every day and that the opportunities for individuals to be vaccinated remains to be open at the health care clinics across the territory or here in Whitehorse at the vaccine clinic, which is located in the old convention centre. Those opportunities remain available to book online.

I should also remind Yukoners that, if they are simply looking for a flu shot, we encourage them to do that booking through pharmacies, which is quite an easy and seamless process that allows appointments for individuals.

#### **Question re: COVID-19 rapid testing**

**Ms. White:** The Yukon is currently experiencing the highest rate of COVID-19 transmission in Canada. This has led to countless exposure notices in schools. After high numbers of COVID cases in Carmacks, the school council has temporarily closed the Tantalus School. We know that the federal government has provided the Yukon government with rapid-testing kits and is encouraging jurisdictions across the country

to use them. The federal government is even supplying rapid-testing kits free to any NGO or businesses who order them. Yukon parents have asked for rapid testing in schools and provinces across the country are already doing it.

Can the Minister of Health and Social Services explain why the government is still refusing to offer rapid testing to Yukoners?

**Hon. Ms. McPhee:** I am happy to answer that question: Because that is the medical advice that we are getting. Science is the best guide when dealing with a pandemic and we continue to follow the recommendations of our public health experts.

Our strong leadership has guided us through this pandemic to date and has kept our economy strong. Our focus as a government remains on protecting the health and safety of Yukoners. We understand the concerns of parents and other community members and the concerns around cases that have appeared in schools.

I have asked health officials to provide the number of COVID cases with a breakdown, perhaps, of the under-18 and over-18 population, which we hope will alleviate some concerns of parents, but we have heard from many constituents about the issue of rapid testing and we have shared that with the acting chief medical officer of health. In fact, I will elaborate on that in my next opportunity.

**Ms. White:** The Yukon government keeps making blanket statements about science, but the fact is that Yukoners are wondering what different science we have compared to the rest of the country that is using rapid tests in schools. Last week, another Yukon school faced an outbreak. The delay in getting results meant that more children were infected, more people had to self-isolate, and more parents had to miss work.

This has put tremendous stress on families and communities. This could have been avoided if rapid tests had been used in schools. The CMOH has said that she has concerns that rapid testing would overwhelm our labs, possibly because of the potential for false positives that need to be retested, but a false positive is better than a five-day delay to get any results at all.

Mr. Speaker, what is the government doing to address the CMOH's concerns and make rapid testing available to Yukon schools?

**Hon. Ms. McPhee:** I think that I need to correct just a few things that were there in the preamble to this question and the previous one. It is not the case that the Carmacks school has been closed. In fact, it has moved to remote learning as an opportunity for students to continue with their learning. That is something that all schools did, if you will remember, as far back as the spring of 2020. It is not something that is ideal, but it is certainly something that continues their opportunities to learn.

The other thing that I need to correct is this idea that we do not have rapid testing. We do, in fact, have rapid testing. It is deployed on the direction of the acting chief medical officer of health when there is an outbreak. It has been used in schools when they are looking to test a small group of individuals who may have been in contact with somebody who has tested positive for COVID-19. I think that those are incredibly important distinctions to make here.

It is not used broadly for asymptomatic individuals. The advice that we have is that it shouldn't be done at this time. The acting chief medical officer of health is not currently recommending the use of rapid testing in schools, other than what I have described. I will stop there, having corrected that information.

**Ms. White:** I stand corrected. The Tantalus School has closed its doors to students. That is a big difference, I guess.

It makes us wonder why Yukon is the only jurisdiction in Canada that is not reporting how many rapid tests it has used that it received from the federal government.

COVID is spreading rapidly among unvaccinated school-aged children. Case counts continue to rise, children continue to get sick, and people continue to have questions.

An unfortunate reality of COVID-19 is the spread of misinformation. People are afraid, confused, and frustrated. One thing is abundantly clear: When the government makes decisions behind closed doors, Yukoners are more likely to question those decisions. Right now, this is not something that the Yukon can afford.

Will the government enable the chief medical officer of health to appear as a witness in the Legislative Assembly to answer questions from the opposition parties?

**Hon. Ms. McPhee:** I am pleased to continue discussing this important issue here on the floor of the Legislative Assembly. Our government's focus remains on protecting the health and safety of Yukoners. We do understand the concerns of parents and the concerns around cases in our schools, but I need to correct the member opposite. This is not where there is widespread COVID cases going through the schools. There have been cases identified in classes — absolutely. I am not correcting that whatsoever, but the concept that there is widespread COVID throughout the schools in Whitehorse or in other places has been denied and clarified by the chief medical officer of health.

I have asked the Health and Social Services officials to provide the number of COVID cases, which are released each day, with a breakdown of those patients who are under the age of 18 and over the age of 18, including hospitalizations — if it can be done while we are respecting privacy. I hope that this will go some way to alleviate the anxieties of families and parents. I think that there are lower numbers of children becoming sick than is generally considered to be the case. We do have rapid testing in schools and we will continue to use it appropriately.

#### **Question re: Faro community support services**

**Mr. Hassard:** We appreciate all the work that the government has done to provide service to the community of Faro immediately after the recent tragic events. However, now there are significant gaps in service and supports for that community. Several residents of Faro have reached out to the government about the significant lack of social services and mental health resources. To quote from an e-mail that was sent to the Premier and the Deputy Premier: "There are no supports in Faro for victims of domestic abuse."

So, what is the government doing to address this lack of support for victims of domestic abuse in the community of Faro?

**Hon. Ms. McPhee:** I urge members of this Legislative Assembly to provide accurate information to Yukoners, because I think that it is our responsibility to do so, despite the fact that it doesn't always come, unfortunately, from the members opposite.

There are extensive services available for individuals who are victims of domestic violence, whether they be in Faro or anywhere here in the territory. Any individual who is seeking support can call Victim Services at 667-8500 or a toll-free number, 1-800-661-0408, extension 8500.

Services are available to Yukoners from Victim Services regardless of whether or not an application is being made to court — or any services involving court cases or charges being laid. Victim Services is open to all Yukoners who identify themselves as victims and need support and services. I do look forward to adding to this information as we go forward.

**Mr. Hassard:** Mr. Speaker, these questions are coming directly from members of that community, and it's unfortunate that the minister feels that it is inaccurate information.

At the same time, Mr. Speaker, that same e-mail highlights the lack of mental health support in Faro and how the government's mental health hub is greatly inadequate. Again, I'll quote from that e-mail: "Faro has inadequate mental health and substance use services. The HUB worker is based in Carmacks and is required to cover the four communities of Carmacks, Pelly Crossing, Faro, and Ross River. There is no way one person can provide enough support to four communities. This HUB worker is the only counselling support in Faro."

Will the government agree to immediately place permanent mental health and counselling supports in the community of Faro?

**Hon. Ms. McPhee:** I don't often do this, but I certainly will commit to getting back to the member opposite with respect to the services available there in Faro, because my understanding is completely the opposite. I don't have a copy of this e-mail that the member opposite is reading from, but presumably it is somewhere on —

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

**Speaker:** Order, please. The member has the floor.

**Hon. Ms. McPhee:** Thank you, Mr. Speaker. I look forward to having received it and reading it with the opportunity of responding, of course, to the services that are being requested by whoever the author of that e-mail is.

That being said, I can indicate that early responses involved counsellors attending the Town of Faro, both immediately and in the days following the situation that existed there. I know that there were specialists sent to help individuals at the school, both students and teachers. I know that there were specialists sent to help individuals in the community who felt concern about what had happened and rightly so.

As a small reminder to the members opposite and to all Yukoners, I will hopefully get an opportunity to speak more about Victim Services.

**Mr. Hassard:** It really is unfortunate that the minister is so dismissive of such an important issue. Several years ago, the Liberal government made the decision to downsize the RCMP presence in Faro by amalgamating the detachment with Ross River. There are only two members based in Faro, and the scheduling system reportedly often results in only one member or no members on duty. Members of the community have indicated that this has reduced the service provided to Faro by the RCMP. As highlighted in the correspondence to the Premier and to the Deputy Premier, this means that, on several occasions, the community of Faro has to wait for an hour for the RCMP to arrive.

Will the government agree to immediately increase resources to the RCMP to allow them to increase presence and support for the community of Faro?

**Hon. Mr. Silver:** Our hearts obviously go out to the community of Faro as they are grappling with something that should never happen in anybody's community. I am glad that the members opposite are coming on board with the concept of more than one mental health supporter for more than four communities, because that's exactly what the Yukon Party had for our rural communities. They had two mental health nurses for all of rural Yukon.

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

**Speaker:** Order, please. The member has the floor.

**Hon. Mr. Silver:** Thank you very much, Mr. Speaker.

We changed that around to have the four hubs, and we also hired over 20 more people than were there in the past.

I completely agree with the member opposite. One person for four communities is absolutely not enough.

We have provided immediate services and programs for the devastating effects of what happened in the community only a few short days ago. We will continue to work with the RCMP to make sure that the services that are needed through them are being provided. I want to thank Scott Sheppard and his team for all of the immediate supports and also Community Services as well as other departments for taking folks out who were there on the ground floor during these horrific events and putting extra supports in there on the short term. Over the longer term, we will continue to expand the programs that we have already expanded from the Yukon Party when it comes to mental health services, and we will continue to make sure that long-term supports are available for all communities in rural Yukon.

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

### **Unanimous consent re including comments by Joseph Novak in November 10, 2021 Hansard**

**Mr. Istchenko:** Pursuant to Standing Order 14.3, I request the unanimous consent of the House to include in the November 10, 2021 Hansard the comments made by Joseph Novak prior to Tributes on that day, notwithstanding the Standing Orders and practices of the Legislative Assembly.

**Speaker:** The Member for Kluane has, pursuant to Standing Order 14.3, requested the unanimous consent of the House to include in the November 10, 2021 Hansard the

comments made by Joseph Novak prior to Tributes on that day, notwithstanding the Standing Orders and practices of the Legislative Assembly.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Speaker:** Unanimous consent has been granted. We will now proceed to Orders of the Day.

## **ORDERS OF THE DAY**

### **Bill No. 4: Act to Amend the Motor Vehicles Act (2021) — Third Reading**

**Clerk:** Third reading, Bill No. 4, standing in the name of the Hon. Mr. Clarke.

**Hon. Mr. Clarke:** Mr. Speaker, I move that Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*, be now read a third time and do pass.

**Speaker:** It has been moved by the Minister of Highways and Public Works that Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*, be now read a third time and do pass.

**Hon. Mr. Clarke:** Mr. Speaker, I would like to take this opportunity to take a few minutes to discuss the amendments and their context before the vote.

The amendments proposed will align Yukon's current *Motor Vehicles Act* with changes made to the *Criminal Code of Canada* in 2018. These changes have resulted in inaccurate section references within the current *Motor Vehicles Act* as well as inconsistencies between Yukon's law and the federal law. These outdated references and inconsistencies can create legal conflicts when enforcing the *Motor Vehicles Act* and the *Criminal Code of Canada* together.

To ensure the safety of Yukoners and to ensure that dangerous driving charges can be properly administered, these specific amendments are needed before the full rewrite of the *Motor Vehicles Act* is completed. In order to improve road safety for Yukoners and the travelling public, the amendments will also provide peace officers with additional enforcement tools in the form of expanded roadside suspension and impoundment authorities. The amendments proposed will align the *Motor Vehicles Act* with the changes made to the *Criminal Code* by updating section references and language for impaired-driving-related offences.

Also as a result of the amendments, the impairment threshold for blood alcohol content has been updated to match the *Criminal Code of Canada* language, which is .08 percent or above. The waiting periods for the ignition interlock program have been changed to reflect the same waiting periods as found in the *Criminal Code*. Mandatory roadside alcohol screening may now be conducted by peace officers upon demand as long as they are in possession of an approved screening device. Where there is a failure to comply with a mandatory alcohol screening, *Motor Vehicles Act* administrative penalties can now be applied.

Through the amendments, specific high-risk safety concerns will be addressed to improve public safety where peace officers have the authority to impose 90-day roadside

suspensions for criminal impairment with drugs or a combination of alcohol and drugs and to issue immediate roadside impoundments in response to failure to stop after a collision, fleeing from a peace officer, and existing driver suspensions.

The Government of Yukon would like to extend its appreciation for the time, energy, and valuable input contributed by members of the RCMP and the Driver Control Board. Over the past year, we have received support from the RCMP on the plans to align key sections of the current *Motor Vehicles Act* and changes made to the *Criminal Code of Canada*. The Driver Control Board provided practical input based on their experience administering portions of the act and are supportive of the amendments proposed.

In conclusion, I recommend that the members of the Legislature support the passing of the *Act to Amend the Motor Vehicles Act (2021)* as a means to reflect the changes made to the *Criminal Code of Canada* while also addressing important safety issues that are needed now.

**Mr. Hassard:** Mr. Speaker, once again, I will just be very brief in thanking the minister and the officials for providing us with the in-depth briefing. I said it at second reading and I'll say it again: We will be voting in favour of this bill.

**Ms. Tredger:** Mr. Speaker, we look forward to the full review of the *Motor Vehicles Act* as we mentioned in second reading. In the meantime, we will be supporting this bill.

**Speaker:** If the member now speaks, he will close debate.

Does any other member wish to be heard?

**Hon. Mr. Clarke:** Mr. Speaker, I thank members opposite for their comments and for their support of these proposed amendments to the *Motor Vehicles Act*. I look forward to the vote on third reading.

**Speaker:** Are you prepared for the question?

**Some Hon. Members:** Division.

## Division

**Speaker:** Division has been called.

## Bells

**Clerk:** Mr. Speaker, pursuant to the sessional order adopted by this House on October 12, 2021, Motion No. 84, the Minister of Education is participating in today's proceedings by teleconference.

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Agree.

**Mr. Kent:** Agree.

**Ms. Clarke:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Hassard:** Agree.

**Mr. Istchenko:** Agree.

**Ms. White:** Agree.

**Ms. Blake:** Agree.

**Ms. Tredger:** Agree.

**Hon. Mr. Clarke:** Mr. Speaker, the results are 18 yeas, nil nays.

**Speaker:** The yeas have it. I declare the motion carried. *Motion for third reading of Bill No. 4 agreed to*

**Speaker:** I declare that Bill No. 4 has passed this House.

## Bill No. 5: Act to Amend the Territorial Lands (Yukon) Act (2021) — Third Reading

**Clerk:** Third reading, Bill No. 5, standing in the name of the Hon. Mr. Streicker.

**Hon. Mr. Streicker:** I move that Bill No. 5, entitled *Act to Amend the Territorial Lands (Yukon) Act (2021)*, be now read a third time and do pass.

**Speaker:** It has been moved by the Minister of Energy, Mines and Resources that Bill No. 5, entitled *Act to Amend the Territorial Lands (Yukon) Act (2021)*, be now read a third time and do pass.

**Hon. Mr. Streicker:** The *Territorial Lands (Yukon) Act* provides a legislative framework that allows for the administration and management of our territorial land by the Government of Yukon. This act currently does not allow for an effective management regime of resource roads. That's the whole purpose of the bill before us today. It is to allow us to get to regulation for resource roads. Amendments to the *Territorial Lands (Yukon) Act* focus on providing the authority for those resource road regulations to be enacted and administered.

I want to thank all members of the Legislature for their debate at second reading and for the healthy conversation that we had around Committee of the Whole. While the act amendments will assist in moving toward the completion of the resource road regulation, they are not the end of the line, as I discussed. Energy, Mines and Resources is currently working with Justice to draft the regulation.

I wanted to try to provide a few comments back based on the debate that we had at Committee of the Whole just to update the House on some of that development, both from debate at second reading and Committee of the Whole.

First of all, I recognize the interest of industry in getting a better understanding of how the resource road regulation will define how security will be calculated and used. We are finalizing security requirements for the resource road regulation. Part of this work includes reviewing and adapting

the current security matrix used by Energy, Mines and Resources for mining land use permits. Mining and land administrators will continue to work together to further harmonize and clarify the process of calculating security.

I will provide a few comments here today regarding use of security for maintenance. Permit holders will be responsible for maintenance of a resource road, and they cannot use security for this purpose. Primary permit holders will be responsible for the design, construction, use, operation, maintenance, closure, decommissioning, and reclamation and remediation of the road. In some cases, this requirement can and will be shared through user agreements with the secondary permit holders who are using the same road.

Though a resource road is not considered a private road, it is intended to be a restricted access road for only permitted resource users, which means that the Government of Yukon will not have the duty to maintain the road. The holder of a primary permit will have that responsibility for maintenance of the road, along with any secondary users that they may have agreements with. However, in certain circumstances where a permit holder has not maintained a resource road according to the standards set in their permit, the proposed regulation allows the Government of Yukon, if necessary, to suspend the permit until such time as the permit holder completes the work to the appropriate level of the permit.

If the permit holder is unable to complete the maintenance necessary to ensure that the road is safe for all users, the Government of Yukon may choose to further suspend or cancel the permit. Security could then be used to maintain, fix, or decommission the road, depending on the circumstances.

I know that these are details, but it is important to remember why the resource road regulation is being developed. It is to safeguard the Yukon's environment and ensure the safety of Yukoners and to allow there to be access to places that otherwise we would not want to open up broadly.

The purpose of this regulation is to set limits on the amount of spider-webbing of roads in the territory due to outdated resource legislation and to provide ongoing management of these roads from construction to closure while discouraging the development of resource roads that lead into the backcountry when no longer needed. This will also allow us to address the impacts of resource roads up front.

We will continue to provide updates as necessary to this House, to industry, and to stakeholders as we move forward with the finalization of the regulation. We have also made a commitment to consult with Yukon First Nations on the draft resource road regulation.

In closing, I would like to thank the Members of the Legislative Assembly for their participation in debating this bill. I am confident that the amended legislation, if passed today, will contribute to a robust resource road regulation — one that limits, mitigates, and reverses the impacts that development can have on the Yukon environment and contributes to a progressive management regime when it comes to our major industry partners and projects for years to come.

**Mr. Kent:** It gives me pleasure, as critic for Energy, Mines and Resources for the Official Opposition, to stand today and speak at third reading. We will be supporting this bill at third reading. I do understand that it is essentially enabling legislation to allow for the development of a regulation. I am not sure if the minister has any closing comments at third reading here today, but I didn't hear whether or not he was willing to refer this regulation to the Standing Committee on Statutory Instruments. That was part of our discussion, I think, during Committee. Hopefully, he has a chance to clarify that, if it is something that he will do. Obviously, the standings of the House are such that the government is in a minority position. We feel that it is important for all Members of the Legislative Assembly to have an opportunity to review this regulation before it is enacted, as we normally haven't had that opportunity in the past.

Thank you very much, Mr. Speaker, and we look forward to hopefully the minister addressing that in his closing remarks.

**Ms. White:** I thank the minister for his third reading remarks about the amendments to the *Territorial Lands (Yukon) Act*. Again, I thank the officials for the thorough briefing that we had and the exchange of information when we were asking questions in Committee of the Whole.

The Yukon NDP will be supporting these amendments.

**Speaker:** If the member now speaks, he will close debate.

Does any other member wish to be heard?

**Hon. Mr. Streicker:** I thank the Member for Copperbelt South for reminding me about the interest to bring the regulation to the standing committee. I must admit that I will have to give that some thought, but I appreciate his request.

I also would like to just acknowledge the hard work of Energy, Mines and Resources and the Department of Justice in getting here. They have been doing a lot of work on successor legislation on forestry and on lands. There has been a lot of work that has been ongoing, but this is, I think, an important piece for Yukoners. It is nice to hear that all of us in the House feel that this is an important regulation to get at.

**Speaker:** Are you prepared for the question?

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Agree.

**Mr. Kent:** Agree.

**Ms. Clarke:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Hassard:** Agree.

**Mr. Istchenko:** Agree.

**Ms. White:** Agree.

**Ms. Blake:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are 18 yeas, nil nays.

**Speaker:** The yeas have it. I declare the motion carried.  
*Motion for third reading of Bill No. 5 agreed to*

**Speaker:** I declare that Bill No. 5 has passed this House.

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

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

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

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

The matter before the Committee is continuing general debate on Vote 55, Department of Highways and Public Works, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

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. 202: Second Appropriation Act 2021-22 — continued**

**Chair:** The matter now before the Committee is continuing general debate on Vote 55, Department of Highways and Public Works, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

Is there any general debate?

### **Department of Highways and Public Works — continued**

**Hon. Mr. Clarke:** Madam Chair, I have some brief preliminary comments and I look forward to the questions from the Member for Pelly-Nisutlin. The preliminary comments I would make today are just in relation to the late-breaking news that the Shakwak project appears to be back online for funding.

We are certainly very excited about that and we look forward to discussions with the State of Alaska in order to determine what the budget will be, going forward, but as indicated by the Member for Kluane — and I have just confirmed with my officials — the president of the United States, President Biden, signed the *Infrastructure Investment and Jobs Act* into law today, which includes a line item for Shakwak.

Briefly, Madam Chair, the Shakwak agreement is a Canada-US cost-sharing arrangement to fund and maintain the northern section of the Alaska Highway and the Haines Road. Under the agreement, parts of the north Alaska Highway and the Haines Road are to be upgraded to a modern all-weather paved two-lane highway. The agreement states that the US is to pay for the reconstruction and Canada will maintain the highway. Canada will also provide the necessary right-of-way for the reconstruction funding for this agreement which, as the members opposite will know, ran out in 2019, before the full 520-kilometre upgrade was completed. To complete the upgrade, it is estimated that it will cost approximately \$500 million Canadian. The cost is relatively high on account of the 185-kilometre portion of the highway between Destruction Bay and Beaver Creek which is built on deteriorating or impermanent permafrost.

The *Infrastructure Investment and Jobs Act*, also known as the bipartisan infrastructure bill, is a bill introduced in the 117<sup>th</sup> US Congress that includes potential and new funding opportunities for the Shakwak agreement. In total, the deal includes \$550 billion in new federal investments in America's infrastructure over five years.

As I indicated at the outset of my comments, Madam Chair, the act explicitly mentions the Alaska Highway from the Alaska border at Beaver Creek, Yukon Territory, to Haines Junction in Canada, and the Haines cut-off highway from Haines Junction in Canada to Haines, Alaska.

The *Infrastructure Investment and Jobs Act* was passed in the US Senate on August 10, 2021, and, as indicated, has been signed into law today, November 15, 2021. With respect to this infrastructure area, during the 2020-21 fiscal year, Highways and Public Works spent \$3.93 million on the capital and maintenance costs of the north Alaska Highway. Inspections carried out in July 2020 confirmed significant road damage as a result of thawing permafrost in the northern sections of the Alaska Highway. Members of this House who have had the opportunity to drive that section will know that it can represent a challenge. Thawing permafrost can also cause significant cracking along the road shoulders, creating safety issues for highway users.

In fall 2002, HPW changed several sections along the highway to gravel. This was done as a mitigation strategy due to the significant movement from thawing permafrost. Moving forward, we anticipate lower costs maintaining these gravel sections over the winter. Normally, highway maintenance costs in permafrost areas can be up to five times higher than in non-permafrost areas.

In 2020, we also completed the installation of thermosyphons at Dry Creek, kilometre 1841 of the Alaska Highway, near Beaver Creek. The thermosyphons are helping

to cool the underlying permafrost foundation and stabilize the highway. We are currently monitoring their performance.

As indicated, all members of the House will be excited to hear the news from the United States of America that the Shakwak funding appears to be back online. We certainly look forward to improving our highway infrastructure in the designated Shakwak areas.

**Mr. Hassard:** Thank you, Madam Chair, and I thank the officials for being here today to help the minister as we work through Highways and Public Works debate this afternoon.

The first question I have for the minister is — I'm wondering if he could provide the House with an idea of how many unvaccinated Highways and Public Works employees will be affected by the new vaccine mandate by having to take leave without pay. While he's up, could the minister let us know which branches that these employees are in?

**Hon. Mr. Clarke:** Thank you for the question from the member opposite. The member opposite will know that the deadline date for confirmation of first vaccination is November 30 of this year. The opportunity to provide the attestation window as to vaccination status — as I am advised by my colleague, the Minister responsible for the Public Service Commission — has just opened today. All I would have for the member right now is anecdotal reports from the various branches of HPW, but currently it appears that those numbers will be quite low.

**Mr. Hassard:** Obviously, the minister has told us that he has some anecdotal numbers, and they appear low, so would the minister provide the House with those numbers, please?

**Hon. Mr. Clarke:** Madam Chair, there are two issues. Firstly, there will be this process of attestation and the numbers will be fluid. I would also be reluctant to answer questions from the member opposite with respect to some of the small branches of Highways and Public Works because that will obviously tend to identify members.

What I can say is — and the member opposite will know this — that at the airport, because it is a federal facility but we have territorial employees who either work at the Erik Nielsen Whitehorse International Airport or have occasion to enter the airport, they had to provide their attestation as of today. That information is just coming in now; we don't have that data. I have some privacy concerns, which I can certainly allay for myself. If there are, then I can provide that information back to the member opposite as I am able. That is where we are at.

Of course, even before this Sitting is finished, we will have a pretty good idea from a pan-YG perspective as to what the number of persons who are unable to continue to work on December 1 is, by virtue of the fact they are not prepared to provide that attestation.

**Mr. Hassard:** In terms of privacy concerns, I am certainly not asking the minister to provide us with any names, birthdates, or social insurance numbers of those who aren't vaccinated. It was announced on October 15 that this was coming into effect. It's November 15, so that is a month ago. It will be 15 days from now that this will come into effect. I would certainly hope that the minister would have a fairly good idea. He has told us previously today that there are anecdotal

numbers. We are not asking for any private information, so I would really hope that the minister can provide us with those anecdotal numbers. I think this is very important. It's pretty important stuff, so we would really like to know what we are looking at.

**Hon. Mr. Clarke:** I thank the Member for Pelly-Nisutlin for the question. As indicated, I will look into the potential privacy concerns. I do remain concerned about the small branches of HPW. My concerns remain; however, what I would say to the member opposite is that I will, if able, provide information that is disclosable to the House.

I think we will leave it at that. That's where that response is for now.

**Mr. Hassard:** So, it is interesting that the minister is concerned about privacy issues. If he doesn't want to provide us with the branches, that is understandable, but I think that it is important that Yukoners know what those anecdotal numbers are. He talked about privacy, as I said, but on October 19, the Deputy Premier told the media that the Yukon government was at approximately 80 percent. So, obviously this isn't embargoed information or secret information, so we are just curious as to what has changed in the last month and what is transpiring in the Department of Highways and Public Works, because that is the department that this minister is responsible for. I guess I will just try once more, Madam Chair — if the minister could please provide us with those anecdotal numbers on vaccination for Highways and Public Works employees.

**Hon. Mr. Clarke:** As indicated, I will return to the House, as able, with the information. The members opposite will know that the number of adults — Yukon citizens above the age of 18 — who have at least their first dose is now well over 90 percent — we are at 91 or 92 percent — and second dose, I believe, is around 86 or 87 percent. Obviously, extrapolated onto the public service, it is going to be similar, if I were to hazard an educated estimate. We will know between now and November 30, and as I have indicated to the member opposite, as able, I will provide the data to the House.

**Mr. Hassard:** Let's use the minister's 91-percent number, just for simple terms. What does the minister plan on doing on December 1 when supposedly nine percent of the Highways and Public Works staff don't show up for work?

**Hon. Mr. Clarke:** As I have been advised — and as, of course, one would expect of any large organization — there are business continuity plans in place for Highways and Public Works so that, if required, assets will be deployed to ensure that essential services are provided. Those discussions are ongoing.

What I would also say at this juncture is that Yukon is not the only jurisdiction in North America or, in fact, the world that has taken these types of positions with respect to public safety and public health and vaccine mandates.

Very large organizations, like the City of Toronto — the entire public service at the City of Toronto — and, of course, the federal public service and the police and fire department in New York — so we have examples going forward where the actual numbers — when the decision date actually occurred — were ultimately in the low single digits. So, significantly — potentially even less than five percent — at least planning for



numbers to be higher than that. But there are some big sample sizes. Like I said, the City of Toronto is going to have a lot more employees than the Yukon government workforce. The firefighters in New York and the police department in New York will have significantly — well, yes, there will be significantly more employees in both of those organizations. The federal public service — also a much bigger organization. So, we have a pretty significant sample size going forward.

When the deadline was provided for the employees to have to provide, for the purposes of health and public safety — and that deadline actually came forward — the numbers were ultimately significantly lower than had been anticipated. Further, in reading articles, there was uptake after the deadline. It was not insignificant uptake after the deadline in the first few days, the first week, or even the first two weeks after the deadline for those big organizations.

So, is it possible that the Yukon is significantly different from the City of Toronto, the New York fire department, the New York police department, or the federal public service? I suppose that it is possible, but the member opposite will know, having read the articles themselves, I'm sure, that the ultimate uptake for the federal public service is something like 97 or 98 percent.

Could there be service disruption for non-essential services? That's certainly possible, but the hard-working staff at Highways and Public Works are working on business continuity plans. We have confidence — and I have confidence in my department — that we will be able to deliver essential services to all Yukoners as they would expect those services to be provided.

**Mr. Hassard:** I will just remind the minister that, when he talks about all those other places in the world, the Yukon is the only place in the world where I am allowed to stand in the Legislature and ask questions on behalf of my constituents and all Yukoners. That is my concern, obviously. What are we going to do on December 1 here in the Yukon? Not in Toronto or anywhere else — I am talking about here in the Yukon.

The minister has talked about this plan, and the department is putting this plan forward. I guess I would like to know when that plan will be complete. Will the minister table that plan here in the Legislature so that Yukoners can have the confidence that, on December 1 when they are heading to Whitehorse for their doctor's appointment from wherever in the Yukon, they can be assured that the roads are going to be safe — and all the rest of the things that go on, on a daily basis, Madam Chair?

**Hon. Mr. Clarke:** I can advise that the Department Highways and Public Works has always had in its consideration, business continuity plans, but certainly it gained sharp focus in March 2020. This plan has been evolving over the course of the last 18, 19, or 20 months to ensure business continuity during a global pandemic. In my view, this department has done an admirable job with respect to that.

Among many of the successes — or the logistical deliverables that continued — was keeping the Motor Vehicles office open to in-person services. I am advised that our Motor Vehicles branch office was one of the only offices in Canada that remained open.

With respect to all of the things that Highways and Public Works does — but certainly keeping the roads to the appropriate standard and other things — this has been first and foremost in the operational minds of the Department of Highways and Public Works before — but certainly since — the outbreak of the COVID-19 global pandemic. This business continuity plan continues to be developed, refined, and worked upon.

During COVID-19, it was certainly foreseeable that one could have been missing or perhaps one wasn't able to have a full complement of employees even from March 2020 until now, so HPW has been having to deal with that for 19 or 20 months already.

My team is certainly alive to the issue of having to continue to provide essential services to all Yukoners, to all communities, on all roads, in all circumstances. With respect to the member opposite's question about whether the business continuity plan is disclosable or not, I will get back to the member once I can determine if it can be disclosed.

**Mr. Hassard:** Madam Chair, we certainly look forward to finding out if that's information that will be shared with the Legislative Assembly. We certainly hope that it is. We will wait and see for December 1 to see what will happen. In light of the time, I would like to move on.

In the spring here in the Legislature, the Member for Watson Lake brought forward the motion on private members' day regarding a crosswalk in her community. As you will remember, all members of the Legislature voted in favour of providing the community of Watson Lake with that much-needed crosswalk. However, when the Member for Watson Lake wrote to the Minister for Highways and Public Works this fall to see where she could find that line item in the budget, the response that the member got back was essentially that Watson Lake would not be getting the crosswalk that obviously was unanimously voted in favour of here in the Legislature. I guess I'll just give the minister the opportunity to stand and either correct the record if I am incorrect or at least provide us with some further information in regard to that crosswalk.

Madam Chair, sorry — it was actually two activated crosswalks, not just the one. I apologize.

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

The member opposite and the Member for Watson Lake will have the legislative return which will provide some of that for the record; however, I can provide a bit of an update as well.

The Department of Highways and Public Works makes decisions on pedestrian safety based on a number of factors, including the criteria outlined in the Yukon street-lighting guidelines. Some of the considering factors are traffic volume, roadway complexity, pedestrian volume, and collision history. The department assessed the need for pedestrian-activated crosswalks this summer. Based on the above — those engineering standards — at that time, no new pedestrian lights were deemed to be required.

However, the department has also met with ATCO as part of a review on Watson Lake's overall lighting infrastructure. The department will be working with ATCO to further enhance

street lighting on the Alaska Highway. I can also advise that the department also repainted the Watson Lake crosswalks to ensure that they were clearly visible to motorists.

The update I can provide, which may change the dialogue perhaps, is that officials from the Department of Highways and Public Works are actually meeting with the RCMP, the Town of Watson Lake, and the Liard First Nation today. I can also advise that I met by Zoom with the Town of Watson Lake within the last 10 days or so. I am certainly committed to travelling to Watson Lake to meet with both the Town of Watson Lake and the Liard First Nation. I commit to meet with the RCMP as well.

We will be receiving the input and the opinions of the RCMP, the Town of Watson Lake, and the Liard First Nation this afternoon. I will likely be in a position to report back to the House or to the Member for Watson Lake on those discussions. As members opposite will know, there are Yukon street-lighting guidelines and we are governed by those with respect to the expenditure of resources. If on second reflection an alternate course is indicated, I am certainly open to being briefed on the findings of the meetings which are taking place today.

**Mr. Hassard:** I guess my question for the minister would be: Why did the government vote in favour of this motion? In particular, why would the minister have voted in favour of it?

**Hon. Mr. Clarke:** I will just confirm for the record the wording of the motion. It is at page 148 of Hansard from May 19, 2021. The motion was: “THAT this House urges the Minister of Highways and Public Works to initiate upgrades to the two Alaska Highway crosswalks in Watson Lake to include pedestrian-activated flashing lights.” We are in the process of initiating upgrades. We also know that Highways and Public Works prioritizes work based on safety considerations, traffic volumes, and budgetary constraints.

With respect to the motion specifically, we are engaging with the community and we are in the process of initiating upgrades.

**Mr. Hassard:** Madam Chair, I don't believe that any of that information was in the correspondence received by the Member for Watson Lake, so we certainly look forward to seeing that new information come to light and hope that the government does move forward with this important project.

If I could move on to some brush and weed control — it is always a highlight topic here in the Legislature. I have a few questions. The first one is particularly on brush and weed control between Johnsons Crossing and Lone Tree Creek. There was an e-mail on which I was cc'd on August 27 from Highways and Public Works that talked about brush and weed control between kilometre 1264, Lone Tree, and 1295, Johnsons Crossing. The e-mail said that Highways and Public Works had a contractor that would be coming in to do that particular work in the next couple of weeks. At one point, a contractor from Fort Nelson showed up for two or three days, made a terrible mess, and loaded up and left. Since then, there has been no activity.

I am curious if the minister could provide my constituents with some sort of an update as to when they plan on seeing this brush and weed control cleaned up and completed in that area of kilometre 1264 to 1295 of the Alaska Highway.

**Hon. Mr. Clarke:** Madam Chair, I will commit to a return to the member with respect to his specific inquiry. I believe it was kilometre 1264 to kilometre 1295. It's certainly unfortunate that the response back that the member opposite has received from a constituent or from a concerned Yukoner is that the job was not done to a safe and acceptable manner —

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

**Hon. Mr. Clarke:** Okay, so — or wholly inadequate. So, yes, we'll have to get back.

But briefly, Madam Chair, the Yukon government has implemented a roadway safety improvement program that is designed to make Yukon's roads safer through brushing, improved lane marking, removing hazards in the right-of-way, and installing and maintaining more roadside barriers. The government is ensuring that Yukoners have safe roads to travel on throughout the year.

Since 2019, over \$15 million has been allocated to the program. The department has brushed over 1,800 kilometres along Yukon highways, installed over seven kilometres of new barriers, and painted over 2,600 kilometres of highway lanes.

Of course, wildlife interactions represent a real danger for drivers in the Yukon. Frequent brushing allows drivers to better see wildlife crossings and helps to prevent collisions. Brushing also keeps signs visible, decreases snow accumulation and drifting, and improves roadway drainage.

Highways and Public Works works with First Nations and municipalities prior to rewarding a brushing contract and inspects the areas brushed before the contract is closed.

In July 2021, the Department of Highways and Public Works sent 698 letters to property owners who were near upcoming vegetation control work. The letters directed owners to an online platform that mapped the locations where vegetation control may be taking place, noted the specifications of planned vegetation control, and also explained the benefits of vegetation control.

The member opposite will know that, in 2018, Yukon's primary highways were assessed for vehicle hazards. This assessment led to the development of a Yukon roadside barrier guideline, which includes a system to identify vehicle hazards across the highway network. The roadway safety improvement program will schedule maintenance using the highway classification framework. This framework classifies Yukon highways based on traffic volumes, type of use, and other socio-economic factors. Vegetation control is completed through contracts and through memorandums of understanding with First Nations and Yukon municipalities. Each contract contains detailed specifications for vegetation control that specify stem height, clearing width, steep slopes, riparian zones, inside curves for sightline distance, and salvageable wood. Brushing specifications must meet or exceed, preventing wildlife injuries from right-of-way vegetation control. These specifications were recommended by the Yukon Department of

Environment, Carcross/Tagish First Nation, and the Southern Lakes Caribou Steering Committee.

Through this organized and, we hope, fairly logical and consistent program, on an annual basis, Highways and Public Works has been able to make real headway in creating the safer sight pass that I have talked about here. I certainly can see that some of the contracts may not live up to what they ought to have been, and I certainly will commit to the member opposite to looking into the contract that appears to have been let with respect to kilometre 1264 to kilometre 1295 and will advise maybe what went sideways and what the plans are to provide for additional brushing in that area.

**Mr. Hassard:** I certainly appreciate the minister looking into that for me.

He talked about the brushing, and it appears that he was referring back to a government news release of April 10, 2019 when they talked about the modernized highway network management system being announced.

At that time, the government said that, in the life cycle of this program — a six-year program — a total of 6,700 kilometres of road will be brushed in the Yukon. The minister said in his previous answer that there has been 1,700 kilometres done, so that is roughly 25 percent of that 6,500 kilometres. It has been roughly 30 months since they made the announcement. So, out of six years, I guess we will say that 38 percent of the time has been used up and 25 percent of the work has been done.

I will ask the minister if he can provide us with information — if the work will be advanced in the coming future, if there will be more brushing contracts out in order to bridge the difference in where they are headed, or if the government has abandoned the idea of getting the 6,700 kilometres done in that six-year timeline.

**Hon. Mr. Clarke:** I did receive a briefing on the brushing roadway safety improvement program this summer. I can advise that, broadly, this government is on track. There may have been some COVID-related delays in delivering the service, but firstly, my understanding — and I can be corrected — is that we are looking at approximately 55 to 100 kilometres of road. The 6,700 kilometres might be that there was some overlap. I can return with the number.

I can also provide the member opposite with a general outline of the three-year report over the last three years as to how things are going with respect to the brushing program. By creating a benchmark, or a start point, and classifying the roads from 1 to 6, the member opposite will know that there is only one classification 1, which is the Whitehorse corridor. Classification 2 is predictable. It's most of the Alaska Highway and part of the north Klondike Highway, and then it goes down from there to classification 6. The number 1 classification roads will, of course, receive the most attention and it will come down.

What I would also say is that, over the course of the summer, I did receive e-mails and correspondence from the general public and from members opposite, so if there is actually an acute safety concern, we are not completely wed to this program. Obviously, there will be one-offs where acute

safety concerns or visibility concerns exist and we will respond if able.

By creating this classification system and by doing it in a fairly predictable, logical way on an annual basis, we are still optimistic that we will reach the objectives that we set out for the six-year plan.

I am prepared to provide the member opposite with the three-year report, but the information that I have from my officials and from my department is that this program is on schedule. It may have to be slightly accelerated, but I will be briefed on this program.

**Mr. Hassard:** I look forward to seeing that information from the minister. I'm happy to hear he will provide us with that three-year update.

Again, Madam Chair, just for the record, I'm reading this information right from a news release signed by the previous Minister of Highways and Public Works. His quotes are in it, talking about how we give citizens more certainty, et cetera. So, if we've shorted the Yukon highways by 1,200 kilometres, I certainly look forward to hearing which ones got taken away.

Madam Chair, the minister talked about the ability to do one-offs when dealing with brush and weed control. I certainly appreciate that. It is not a question but a note, I guess, for the minister — when I travelled to Faro this fall, it was September 22, I believe, and the leaves were still out, but we had an early snowfall. There were quite a few miles through the Little Salmon Lake area where the road was barely one lane wide, and it was right down the centre line because the trees with the leaves and the heavy, wet snow had all folded over and essentially were blocking both lanes. I certainly hope that the minister will take into consideration a one-off for that particular area of highway.

Madam Chair, moving along, I had a question for the minister about their buy-back policy when it comes to procurement contracts. If the government puts out a tender to purchase 10 trucks, how they determine the successful bidder quite often has a buy-back clause into it, so it affects the overall price.

But, to the best of my knowledge, I can't ever recall the government using the buy-back clause, so if the minister could provide us with some information on this and inform the House if that is the case — or, if it isn't the case, how often is the buy-back clause used in highways procurement?

**Hon. Mr. Clarke:** I think that we will have to add this to my department's homework list to return to the member opposite. I will certainly commit to return to the member with the answer to his question, which is a fairly technical and specific question. We will get the answer for him.

**Mr. Hassard:** As the minister hopefully knows, quite often the initial low bidder is not accepted when involving these buy-back type of contracts, so when the minister is doing his homework or getting the department to do their homework — and I apologize, I am not trying to create work for the department, but I think it's important for Yukoners to know — could we also find out how much extra in the last five years the government has spent when purchasing equipment by not using

the low bidder because of the buy-back clause when in fact the buy-back clause wasn't used?

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

I think we have the various elements of the question on the record. We will do our best to get back to him on those.

**Mr. Hassard:** I look forward to receiving that information.

I have a couple of questions regarding the Nisutlin Bay bridge. I am just curious if the minister can inform the House if the tender has now been let for the Nisutlin Bay bridge, and, if not, when will that tender be let?

**Hon. Mr. Clarke:** The Nisutlin Bay bridge is a critical link along the Alaska Highway, and it is an important landmark for Teslin. The bridge was built in 1953 but is now nearing the end of its life and needs to be replaced. The Yukon government is working closely with the Teslin Tlingit Council to construct a new bridge. We expect to begin construction in the 2022-23 fiscal year. The replacement of the bridge is estimated to take three years to complete.

In the spring of 2019, the Yukon government and the Teslin Tlingit Council signed a project charter for the bridge replacement. Through the agreement, we are working together to build a safe, reliable structure that can accommodate an increase in traffic while also improving access for pedestrians and cyclists.

In the spring of 2020, we engaged with residents and business owners of Teslin, the Teslin Tlingit Council, and the Village of Teslin to discuss potential options for the bridge. This past winter, we hosted an open house in Teslin to present the design of the bridge to the community. In August, during the Teslin Tlingit Council's annual general assembly, Highways and Public Works had an information booth for citizens to learn more about the project. Highways and Public Works continues to engage the public and specific stakeholders on this project as it moves forward.

The project has been approved for funding under the Building Canada fund, provincial-territorial infrastructure component, small communities fund. Transfer payment agreements were signed with the Teslin Tlingit Council that addressed project planning and implementation support and environmental and socio-economic baseline studies. The contract for design work was signed on November 21, 2019 to WSP Canada Group Ltd. As part of the \$3-million budget, \$1.76 million will be spent on design components this year.

The bridge will be replaced by constructing a new bridge beside the existing bridge.

A virtual information session was held on December 1, 2020 for all contractors interested in the project. A qualified source list, a QSL, was established on January 19, 2021 with two contractors — Graham Infrastructure LP and Peter Kiewit Sons ULC — qualifying. YESAB is being used to address the environmental and socio-economic requirements to officially advance the project.

The answer to your question, according to my officials, the tender will close on December 8.

**Mr. Hassard:** I would just like to thank the Highways and Public Works folks who have done a lot of work going to the community and really engaging with the community and the Teslin Tlingit Council, the Village of Teslin, and citizens in general — the open houses that have taken place — and, as well, Kiewit and Graham for spending as much time in the community and even hosting an open house here in Whitehorse with the Teslin Tlingit Council at their Whitehorse offices last week and just really engaging with the community.

In light of that, I'm curious if the minister could inform or update the House on which parts of the contract will be available to local contractors and which part of the contract has been broken out for Teslin Tlingit Council. I would certainly appreciate any information in that regard that would be beneficial to community members of Teslin.

**Hon. Mr. Clarke:** I would also echo the member opposite's comments with respect to the engagement of the technical staff from Highways and Public Works with respect to shepherding this project along, including open houses both in Whitehorse and in Teslin and the effective engagement with the Teslin Tlingit Council as well.

I can advise that we will certainly be in a better position to advise with respect to the specific benefits that will accrue to the Teslin Tlingit Council and to the Village of Teslin in general once the tender closes on December 8 and the successful proponent is identified, but we certainly are cognizant of the fact that this is to be a collaborative project and that real benefit is expected to be provided to both the Teslin Tlingit Council and to the Village of Teslin in this very significant infrastructure project. It is probably the most significant infrastructure project that has been in the Village of Teslin or in Teslin Tlingit territory in recent memory.

Seeing the time, Madam Chair, perhaps we could have a break.

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

**All Hon. Members:** Agreed.

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

*Recess*

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

The matter now before the Committee is continuing general debate on Vote 55, Department of Highways and Public Works, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

Is there any further general debate?

**Mr. Hassard:** Madam Chair, in light of the time, this will be my last question and I will turn the floor over to the NDP, but hopefully I will get the opportunity to come back because I certainly have many more questions for the good folks in the Department of Highways and Public Works.

I was speaking to a Yukoner the other day, and he was concerned that he had lost out in bidding on a tender in his community to a government employee who is living in government housing. He felt that it was unfair that this person was living in subsidized housing and bidding on government

contracts. I was just curious if the minister or if the officials had any information or if there were any thoughts as to government employees, particularly those living in subsidized housing, bidding on government contracts.

**Hon. Mr. Clarke:** If the member opposite wishes to provide me with some additional detail of the concerned constituent — perhaps not identifying, but just providing the facts. I know that the member opposite has outlined the facts as he understands them to be, but I certainly can provide that hypothetical to my department and return to the member opposite as to the appropriateness or the lack of appropriateness or whether it's a transaction or conduct that ought not to occur or should occur. Like I said, if the member opposite could provide, without identifying the person, just the general proposition, I will return to him with my understanding as to concerns that may arise from that scenario or that hypothetical that he has provided to me today.

**Mr. Hassard:** Obviously, I will send an e-mail to the minister with the particulars on this one. It probably is not something that we want to discuss openly. I was just curious if there was a policy in general or not. I will follow up with an e-mail to the minister and we can go from there.

**Ms. Tredger:** I want to extend my thanks to the officials for being here again today with us and helping to answer all of our questions.

I would like to start by asking about the app that is being developed for businesses to scan proof of vaccinations. My understanding is that it is Highways and Public Works that is taking responsibility for that approximately. I'm wondering if I could have an update about where it's at. I am not sure if businesses are already able to use that approximately. If so, how is it going?

**Hon. Mr. Clarke:** I do have a more complete answer for the member opposite that I could provide if you have a subsequent question with respect to all of the mechanics of how it will operate. But, at the highest level, you have likely heard in the media that we are optimistic that we will be able to launch on Wednesday, November 17. The app has been provided to both Google and to Apple for review and, I suppose, accreditation so that it will be available in both of those environments. It will be free of charge to Yukoners.

I will just provide a bit of background here, but I am certainly cognizant of the fact that the member opposite will likely have some follow-up questions. Briefly, Health and Social Services and Highways and Public Works have partnered to deploy a digital proof of vaccination credential for Yukon residents. That service launched on September 7, 2021. Yukon's proof of vaccination credential is currently the authoritative document for Yukoners to provide proof when required.

As of November 15, 2021, over 22,300 Yukoners have received their credential. Yukoners' proof of vaccination credential contains information on an individual's COVID-19 status and basic personal identifiers, such as their name and date of birth. It does not contain any other health information, such as their personal health number.

We have coordinated with the federal government and other jurisdictions in Canada to ensure that our credential is consistent in appearance and in the information that it presents. Anti-fraud measures have been built into the credential through the use of a QR code. The proof of vaccination credential includes the use of digital signatures called "public key" and "private key" encryption to ensure that the document has not been altered after it was created. This is the same technology that banks and online retailers use to verify transactions.

Use of the proof of vaccination credential verifier app verifies a document when it scans the QR code, providing a high level of confidence that the certificate is authentic and has not been altered. The Yukon government is working with all jurisdictions to ensure that their QR reader apps will recognize Yukon's proof of vaccination credentials. Yukon's credentials have been designed to integrate with the federal ArriveCan app so that it can be used for international travel. Currently, Yukoners will use their Yukon-issued credential for international travel.

Yukon's credential is an acceptable form of proof in every province in Canada. I saw some previous correspondence that Alberta maybe wasn't in, but the bottom line is that travelers are advised to confirm the rules of any specific destination before they travel. I have some additional information, but I think that's the basic outline. I can provide some additional information as well.

**Ms. Tredger:** Thank you for that answer. That is helpful, and that is the level that I was looking at. I do have a follow-up question. The minister mentioned security. I had a constituent tell me today that they were told by a government official on the COVID line that the department has stopped e-mailing vaccine certificates because it is not considered secure. Can the minister confirm if that is true?

**Hon. Mr. Clarke:** I thank the member for the question. I understand that the e-mail option was discontinued — perhaps even as recently as last night — and that, in consultation with the Information and Privacy Commissioner, the PDF direct download to a phone was deemed to be the preferred option. It was obviously pretty efficient to get the e-mail — to have it as an option. Perhaps anticipating the concern from the member opposite, of course, we want to have these credentials and the QR code be as accessible as possible, also recognizing that not everyone has a smartphone, but there is still the option to have your credentials mailed — an issue with that too, I suppose, as you require an address; I get it. But we will certainly make best efforts to ensure that no individuals fall between the cracks. Obviously, 22,300 Yukoners have already availed themselves of these credentials. It has certainly been extremely popular.

The advice, I understand, of the privacy commissioner was to consider discontinuing the e-mail option.

**Ms. Tredger:** Madam Chair, I just wanted to add on a little bit of information that I have been hearing of constituents who weren't able to get it e-mailed to them today, as it has been discontinued, and were not able to access it in any way whatsoever. They were told there was a glitch and that they would have to wait. They could try again tomorrow; they could try again in a week, but in the meantime, that does leave people

without proof of vaccinations. I just want to flag that for the minister. I'll leave COVID and move on.

I have questions about a few different roads that I would like to ask. One of the roads is that I wonder if there is an update on the paving of the Robert Campbell Highway to Ross River. I also wanted to ask about the Dempster Highway. I know that my colleague wrote the minister a letter back over the summer and he responded talking about how the highway maintenance is prioritized, but I wonder if there are any plans for broader upgrades to the Dempster Highway. It is such an important highway. It is notoriously dangerous and it is really essential for a lot of services. Chiefs in the Northwest Territories have highlighted that it is in really rough shape and that is a major concern. I wonder if there are any plans to upgrade this highway.

**Hon. Mr. Clarke:** The first topic will be the Dempster. The Yukon government is making a number of investments to ensure that Canada's first all-weather road to cross the Arctic Circle remains safe and open for business. \$5.16 million has been budgeted for operation and maintenance along the Dempster Highway for the 2021-22 fiscal year. The Yukon government is also engaging with other counterparts in the Northwest Territories to look at ways to collaborate on improvements to the Dempster Highway. The Yukon government is focusing investments on the southern section of the Dempster Highway up to the northern boundary of the Tombstone Territorial Park. This section of highway receives moderate traffic volumes — about 80 vehicles a day — compared to the northern part of the highway, which receives less traffic — about 50 vehicles a day. I can certainly see that there must be seasonal fluctuations.

I inquired of my officials as to whether either a resource gateway program or the national trade corridor fund would necessarily be eligible for either one of those for consideration with the Dempster. The quick response is likely not, but certainly additional conversations could occur between the governments of the Northwest Territories, Canada, and the Yukon with respect to upgrading the Dempster. As the member opposite can likely appreciate, a significant upgrade of the Dempster, which is 740 kilometres of gravel, would be a really significant expense.

The member will also know that the road from Inuvik to Tuktoyaktuk was completed within the last three or four years, and that had many, many challenges — perhaps even more significant challenges than one would have in rehabilitating the Dempster significantly. It was multiple hundreds of millions of dollars for, I think, a one-hour drive or just over one hour perhaps. I know that there was a significant expense, but I certainly take the member opposite's point that all efforts should be made by GNWT, YG, and Canada as well to ensure that this road remains in the best possible condition it can, given the fact that it is likely one of the most remote and that, as far as absolute traffic volume, it does not have a great deal of annual traffic volume. That's the long answer of saying that YG's HPW plans on spending \$5.16 million on operation and maintenance for this fiscal year for the Dempster.

On the Robert Campbell Highway, which is the kilometre portion between Ross River and Faro, with respect to possible BST treatment, in April 2020, a project agreement for the Robert Campbell Highway component was signed with the Ross River Dena Council. That agreement does exist; it has been entered into. The road rehabilitation project runs from kilometre 354.9 to kilometre 414.4. The right-of-way clearing contracts have been awarded for this component of the Robert Campbell Highway. This was a direct award contracted to the Ross River Dena Council citizen-owned company.

What has to occur is that the Yukon government has to continue to work with the Ross River Dena Council to implement the project agreement. We are certainly prepared to meet with the Ross River Dena Council to move this project forward because an application with YESAB — the Yukon Environmental and Socio-economic Assessment Board — for that one section part of the Robert Campbell Highway was submitted on October 1, 2020. I am advised that YESAB approval has been granted for that approximately four-kilometre section.

We are certainly keen to move forward on this project to improve that stretch of highway, which I have been on many times over the years. We are certainly prepared to continue to dialogue with the Ross River Dena Council to reach a satisfactory agreement and to mobilize to get this project going.

**Ms. Tredger:** I thank the member for that answer.

I would like to ask about the Alaska Highway running through Whitehorse. I have a couple of questions. The first is that accessibility advocates have noted that the crossing lights at Hillcrest Drive and Burns Road on the Alaska Highway are difficult and sometimes impossible to use for people in wheelchairs. I am wondering if there is any money budgeted to resolve that issue and make those lights accessible to everyone.

I also wonder about the cycling paths. My understanding is that the next phase of the upgrade south of the airport includes an unpaved path on the west side of the highway, but cycling advocates have requested that it be moved to the east side and that it be paved. I am wondering if that has happened.

**Hon. Mr. Clarke:** The first question, with respect to accessibility of the lights at Hillcrest — and I recall receiving communication from the Leader of the Third Party with respect to this topic, and we were provisionally planning to meet, I believe, with one of the constituents who had an issue. Perhaps with the coming of the Sitting or whatever — so there was an intervening event — but that meeting did not occur with that constituent. I did see a photo indicating that, for a mobility-challenged person in a wheelchair, there were access issues by the light standard and the concrete, part of which, I believe, will have to ultimately be cut to provide greater access.

I have been advised by my officials that some additional asphalt work has been done — but conceding that there still are some deficiencies — but that there is a plan to return in the spring to, among other things, install a button at an appropriate height for someone in a mobile wheelchair. Also, some of the concrete will probably have to be cut to provide greater accessibility.

As I said, the Leader of the Third Party did bring this to my attention, and I think that we might have even been planning a site visit — or to meet with the constituent — but that did not occur. I do understand the nature of the concern.

I believe that the other question as about multi-use trails in the south access area. I have certainly received some correspondence from user groups, primarily cyclists and persons who would be using other types of active transportation. They have certainly made their views clear that they want to have multi-use trails in that area. What I can say to the member opposite is that we are working with the city on design plans for those trails. Putting on my hat as Minister of Highways and Public Works and also as Minister of Environment, I will certainly do everything in my power to provide design features that promote active transportation. So, that project is still in the planning phase, but I certainly take the comments from the member opposite. I have heard those and have received correspondence with respect to the whole south access-Alaska Highway area, which is in the current planning phase.

**Ms. Tredger:** I thank the member for that answer. That was my final question, so I just want to say thank you again to the officials for their help today.

**Mr. Hassard:** If I could just go back to where I left off, Madam Chair — the minister was talking about the Teslin bridge contract closing on December 8 and that information would come out then as to what parts of the contract would be available to local contractors. I am curious why that information wouldn't be available to citizens of the community before the job is awarded or before it closes, because obviously the two proponents bidding on the tender need as much information as they can have prior to the closing date. So, if that information was available, it would give citizens a better opportunity to approach the two prospective contractors to, I guess, give them their sales pitch as to what they are available to do and what the costs would be — if the minister maybe could just provide us with some insight as to why that information wouldn't be available prior to the job closing.

**Hon. Mr. Clarke:** The Member for Pelly-Nisutlin will be aware that there were open houses and that the qualified proponents presented their First Nation participation plan. Pursuant to that, there is a community resources list that lists local contractors. Within that, there is a list of opportunities available. The member opposite will appreciate that I don't have the details on this, but we will see what we can get, perhaps after the contract ends — including granular pit development, hauling, camp services, land lease, camp batch plants, storage, lay-down area preparation, construction management and subcontracting construction work, environmental monitoring, general employment, and training opportunities. That list was provided at the open houses as being areas where the Teslin Tlingit Council or the Village of Teslin presumably could be involved.

I grant you that obviously there will be details that would have to be worked out, but it is my understanding that, at the open house in Teslin and at the open house in Whitehorse, these

opportunities were presented as part of the First Nation participation plan and general community participation plan.

**Mr. Hassard:** Now, normally before Highways and Public Works does any projects, I guess — but particularly large projects — we see, months in advance, the gravel sources announced or that there is procurement to have crush. I'm curious — we have not seen anything in terms of aggregate for this particular project. We know that the one pit at Deadman Creek is depleted. I'm curious, Madam Chair, if the minister could provide me with some information as to where the government plans on getting the aggregate for this particular project.

**Hon. Mr. Clarke:** This is a fairly specific question on an ongoing procurement. I will return to the member, as able, but as I indicated in my response a few hours ago, this tender is closing on December 8, so there is more to come after that.

**Mr. Hassard:** As the minister just said himself, this tender closes on December 8. There are several thousand cubic metres of aggregate to be hauled and placed. I would certainly hope that, with potentially three weeks before the tender closes, the government would know where they are sourcing the aggregate, because it is obviously going to have a fairly significant impact on the price. I don't know how anyone would bid on the job if they didn't know if they would be hauling the aggregate two kilometres, 42 kilometres, or whatever the case may be. I will try again and see if maybe someone has sent the minister the information. Hopefully, he knows where Highways and Public Works plans on sourcing the aggregate for this particular project, Madam Chair.

**Hon. Mr. Clarke:** As I indicated to the member opposite, I will make inquiries with the department and get back to the member opposite as I can.

**Mr. Hassard:** It is certainly concerning that the minister and the officials wouldn't know the answer to that question, but I guess it is what it is.

Madam Chair, I am wondering: Will the minister get back to me with that information prior to the tender closing on December 8 or prior to this House rising on December 2 or 3 or whatever it is as well?

**Hon. Mr. Clarke:** I will provide a response prior to the end of this session.

**Mr. Hassard:** I certainly look forward to that response.

I have several items that I want to try to touch on, but I will try a few on First Nation procurement, if I could, before we run out of time today. I am curious if the minister could tell us: Is there a First Nation component in regard to the third-party agreements?

**Hon. Mr. Clarke:** The Yukon First Nation procurement policy will strengthen outcomes for Yukon First Nation people and businesses, providing opportunities to be active partners in the economy. Through this policy, the Yukon government commits to: providing Yukon First Nation businesses with increased opportunities to participate in the Yukon's economy; ensuring that procurement processes are undertaken in accordance with Yukon First Nation final agreements and advancing reconciliation; renewing the relationships with

Yukon First Nations; and respecting treaty and aboriginal rights.

The Yukon government listened to the public and has taken a phased approach to the implementation of this important policy to ensure that Yukon businesses, Yukon First Nations, and Yukon government employees had adequate time to prepare and meaningfully engage.

An industry working group was established to provide a forum for interested stakeholders to make their voices heard by providing input and advice as tools and processes were developed to support the implementation of this policy.

Over the past nine months, we held six industry working group meetings and 18 sub-working group meetings to discuss topics such as the Monitor and Review Committee, bid value reductions, and the verification process and to test and comment on tools, guides, and operational requirements for these topics.

At the industry working group table, we have heard concerns and problem-solved together. We have taken action to incorporate industry perspectives and feedback into the implementation of this policy. In fact, we co-developed terms of reference for a new Monitor and Review Committee that will include Yukon government, Yukon First Nations, and industry representatives. This committee will be responsible for monitoring outcomes of the policy and providing recommendations to the Yukon government for interventions or continuous improvement. The committee has begun to meet.

We have heard the concerns from industry representatives about the use of bid value reductions. Should major market impacts be observed in a particular sector, the government will work with its Yukon First Nation partners to quickly adjust the parameters around bid value reductions. Bid value reductions are an important way to meet the policy's objectives. This will allow benefits to flow to the entire Yukon economy, which is a win-win for all businesses in the territory.

The Yukon First Nation procurement policy was approved on December 9, 2020 and endorsed through a joint announcement with Yukon First Nation leaders at the Yukon Forum on December 11, 2020. The policy came into effect on February 22, 2021 with additional measures being implemented on April 26, 2021 and October 4, 2021.

The policy was drafted collaboratively with Yukon First Nations. Information sessions provided an overview of the policy to the business community, including the procurement business community, chambers of commerce, and Yukon businesses.

The Yukon First Nation Chamber of Commerce will now be managing the business registry and verification process. It is essential that all businesses on the registry be verified to ensure that the benefits of the policy are going to the right people. For Yukon First Nation businesses to be added to this registry and earn bid value reductions, they will need to be verified. For Yukon First Nation businesses to be verified, they will need to submit the appropriate documentation to verify that they meet the definition of a "Yukon First Nation business" under the policy.

The Yukon First Nation Chamber of Commerce already works to support and represent Yukon First Nation-owned businesses. It made sense for those businesses to go through the verification process with an entity that they already had a relationship with. It is essential that all businesses on the registry meet the definition of a "Yukon First Nation business" under the policy. By having only verified businesses on the registry, everyone can feel confident that all businesses meet the requirements of the policy when accessing the registry. Verification allows us to ensure that the bid value reductions related to ownership and business location are only applied to verified Yukon First Nation businesses.

Depending upon the complexity of the ownership structure, it will take up to 15 business days, recognizing that, in the initial months, there may be a large volume of applicants, which could impact timelines.

A Yukon First Nation business meets one of the following criteria:

"(i) a corporation or not-for-profit corporation where one or more Yukon First Nations is the direct or beneficial owner of 100% of the shares of the corporation;

"(ii) a sole proprietorship owned by a Yukon First Nation Person;

"(iii) a partnership of limited partnership where at least 50% of the partnership is owned by a Yukon First Nation Person or an organization described in (a) or (b); or

"(iv) a corporation with at least 51% of the corporation's voting shares owned by a Yukon First Nation Person or an organization described in (a) or (b); or

"(v) a not-for-profit organization in good standing under the *Societies Act* with at least 51% of its membership comprised of Yukon First Nations people.

"A sole proprietorship owned by a non-Yukon First Nations Person, which supports a Yukon First Nation spouse or common law partner, and/or a Yukon First Nations family, may qualify as a Yukon First Nations Business."

We are in the middle of the initial two-month verification period. The Yukon government wanted to ensure that this initial verification period was done right and fairly. We have around 35 businesses currently on the registry that might submit their verification documents and others who may want to join. To avoid only registering one business at a time and uploading them to the registry individually, we are trying to make the process fair by completing all of the verifications during the eight-week period and uploading them at the same time. After the process of the initial verifications, the wait times to be verified will be, as stated, up to 15 business days depending on the complexity of the business structures.

During this interim period, which is from October 4 until early December, businesses will not be able to receive the ownership and community bid value reduction until the eight-week verification period is complete, as no Yukon First Nation business will be on the business registry until that time period is complete. After the eight-week period, businesses that are verified will be eligible for ownership and community bid value reductions. Bid value reductions for labour will come into effect immediately.



The Monitor and Review Committee is made up of four Yukon First Nation representatives, four industry representatives, and three Yukon government representatives. The Monitor and Review Committee will be tasked with evaluating the effectiveness of the policy and making recommendations to Yukon government on areas of improvement.

The year-end review committee will be tasked with evaluating the effectiveness of the policy and with making recommendations to Yukon government on areas of improvement. The committee will meet monthly and will produce an annual report reviewing the Yukon First Nation procurement policy with recommendations to the government on how to improve the policy and its implementation.

What will success look like? Up until now, we have not been able to definitively know whether a business is Yukon First Nation-owned or not. With a verified business registry, this is something that Yukon will now be able to track. With the full implementation of the policy now in effect, success over the long term will include having an increasing proportion of government contracts awarded to Yukon First Nation-owned businesses as well as increased subcontracting opportunities for Yukon First Nation businesses. We should also see an increase in employment opportunities for Yukon First Nation persons. We will be tracking this.

Success will also be demonstrated with the negotiation of community development agreements with Yukon First Nation governments for large projects that are happening in their traditional territory. These agreements will ensure that benefits from these large projects will stay in their communities, whether through training opportunities or apprenticeships and business development.

The Yukon First Nation procurement policy is unique to the Yukon. It is based on promising practices carried out by governments across Canada and as far away as Australia. The development of procurement policies that strive to increase indigenous participation in government procurement is happening across the country as we speak.

To answer the member opposite's question, the third-party book, also perhaps known as "the third-party equipment list", will be out to tender by early December, and the Yukon First Nation procurement policy will apply.

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

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

Are you agreed?

*Motion agreed to*

**Hon. Mr. Streicker:** 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:** 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. 202, entitled *Second Appropriation Act 2021-22*, 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:** 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 5:27 p.m.*

### The following documents were filed November 15, 2021:

35-1-17

Condensed Timeline with Salient Points, document prepared by the RCMP for meeting with parents at Hidden Valley Elementary School November 9, 2021 (Cathers)

35-1-18

Draft plan for the Dawson planning region, letter re (dated November 1, 2021) from Hon. John Streicker, Minister of Energy, Mines and Resources, and Hon. Nils Clarke, Minister of Environment, to the Dawson Regional Planning Commission (Streicker)