

**J George Balmer  
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Y1A 5T9**

**October 25, 2005**

John Rogers  
Manager, Whitehorse Airport

Re: Hanger Construction @ Whitehorse Airport Lease WH-51066:

Dear John;

Thanks for arranging a discussion of the hanger issue at the airport. I have pulled a little hair out trying to get approval for a small hanger. First, this is not meant to be a complaint in any way. Almost everyone I have talked to about this has been professional and sympathetic. But my experience does show how the bureaucracy will act, if left unchallenged, to kill any development.

In November of last year I received the final (?) version of the lease for the lot where I want to build a small shelter for my Vans RV-8, home-built aircraft. Initially I wanted a 10m x 10m simple framed un-insulated structure. Here is what happened as I progressed.

**I found;**

1. The lot size shown on the map is 21.5 m x 19.3 m . The location was not readily apparent.
2. I went to YTG who told me the City of Whitehorse was responsible for authorizing my construction.
3. I went to John at the City (a very friendly and helpful person) who informed me that;
  - This was a commercial property ?
  - It required "Commercial Setbacks"
  - These were 6 meters on each side, and 10 meters on front and back
  - When I explained that that only left me with a 2 meter by 1 meter space in the center of the lot and that was not realistic, he said the setbacks could be reduced by;
    - Double 5/8 inch drywall all around
    - No door or window opening facing an adjacent building
    - Installation of a "fire-protection" system
  - I informed him this wasn't practical;
    - no one else had one, and besides
    - there was no water up there,
  - His response was that since I was not "Pumping out my fuel tanks every night" I was indeed "storing fuel" and good dry-chemical systems were needed and available.

- He required an engineered plan, then submit a \$250 development plan fee before they would review it. If it met all criteria only then would they sell me a building permit.
  - John provided a good air – photo showing the legal surveys over the existing facility.
4. I used the map and photo and the use of a trained government surveyor to try and locate my lot again. I found;
- The map shows the properties beginning outside the chain link fence. The only reference is the existing hanger on lot # 5.
  - My lot infringes either on the 5.3 m taxi-way set back, or, on the power/phone lines that have been placed at the back.
  - The Phone and Power company have buried lines at the back of the lots. Unfortunately these seem to have been built in the wrong place.
5. Someone (YTG ?) surveyed the lots and put pins in in early September?
- Following the survey I measured my lot using a tape. I find my lot is now about the same size, but it is only 4 meters from the edge of the pavement (Do I still have the 5.3 m setback from the pavement ? )
  - The back pins establish that the buried power and phone lines are one meter onto my lot.
  - Northwestel and Yukon Electric are now on my lease, but the lease agreement is silent to their right to be there.

**So here are some facts:**

- There are commercial users and private users.
- I am very definitely a private user.
- I am forced to pay commercial taxes for the property
- I am forbidden from conducting any commercial activity
- I want a simple small shelter over my \$100,000.00 airplane
- Although I would be willing to put \$50,000 into a structure that meets simple code, the “rules” make this impossible.
- Looking around the airport everyone is putting up tents instead of buildings!
- If I put up a tent all the rules seem to be circumvented?
- Much of the ground around our leases has proven to be contaminated from military and federal presence
- I can purchase a brand new 1200 square foot hanger at 108 Mile House, insulated, dry-walled, heated with natural gas, with power, water, phone, concrete floor, washroom, folding door, all for \$ 50,000.
- Many people are willing to invest money into aircraft shelters at the airport
- If all the bureaucratic rules apply, it is impossible to use these lots to build hangers
- All the “setbacks” required by Northwestel, Yukon Electric, and the Airport under existing classifications prohibit any construction.

- I have tried researching the legal status of these issues. It is not easy. From information I have been able to find, the airport property is still owned by the Federal Government and full transfer according to the National Airport Policy has not yet taken place. A legal opinion might be required to determine if the City or YTG has the authority to enforce any legislation on this property. If this is the case it explains some of the bureaucratic uncertainty.
- If the classification of the lots and the rules governing development are not made more realistic no one can build anything new.
- There is considerable interest in building permanent hangers if the rules are realistic.

**Recommendations-**

- Remove the absurd "Commercial" designation for the private leases. We are not businesses and our leases prohibit commercial activity.
- Let us build to approved normal standards (this is no different than the garage at my house after all)
- Don't let NWTel or Yukon Electric install any more underground lines until lots size, location, and setbacks are clarified and accommodated.
- NWTEL and Yukon Electric should move their underground lines around the leases.
- If the rules are not changed then these lots are not suitable for construction and more and larger lots will be required.

I am making some assumptions here of course. First is that flying and airplane ownership is normal and we are allowed to have a place to park and shelter our private airplanes. Secondly that we all (taxpayers, City, Yukon Government etc.) want development at the airport. And finally that the development should be sound more or less permanent type structures.

Thanks for the help.

Sincerely

J George Balmer\CGRVO