

**MINUTES
CITY OF IQALUIT
PLANNING AND DEVELOPMENT
COMMITTEE OF THE WHOLE MEETING #02
FEBRUARY 15, 2022 at 6:00 p.m.
CITY COUNCIL CHAMBERS**

PRESENT FROM COUNCIL

Councillor Joanasi Akumalik, Chair
Mayor Kenny Bell
Deputy Mayor Solomon Awa
Councillor Romeyn Stevenson
Councillor Kyle Sheppard

ABSENT

Councillor Sheila Flaherty
Councillor Simon Nattaq

PRESENT FROM ADMINISTRATION

Amy Elgersma, Chief Administrative Officer
Katrina Sarmiento, Executive Assistant
Michelle Armstrong, Planning Contractor, Northern Futures – via visual conference
Samantha Toffolo, Planning Contractor, Northern Futures – via visual conference

ADOPTION OF AGENDA

Change:

5. New Business

b) Request for Decision – Land Use Permit Application No. LUP 21-010 will be presented by Samantha Toffolo, Planning Contractor, Northern Futures

d) Request for Decision – Zoning By-law Amendment Application No. ZBLA 22-001 will be presented by Michelle Armstrong, Planning Contractor, Northern Futures

Motion PD #22-09

Moved by: Deputy Mayor Awa

Seconded by: Mayor Bell

Adoption of agenda as amended.

Unanimously Carried

1. MINUTES

None

2. DECLARATION OF INTEREST

Councillor Sheppard declared a conflict of interest for item 5. New Business:

- c) Request for Decision – Development Permit Application No. DP 21-035 and Request for Variance
- e) Request for Decision – Survey Application No. SK 22-001

3. DELEGATIONS

None

4. DEFERRED BUSINESS AND TABLED ITEMS

None

5. NEW BUSINESS

- a) **Request for Decision – Land Use Permit Application No. LUP 22-001 – Approval of Land Use Permit - Untitled Municipal Land (North 40)**

Samantha Toffolo, Planning Contractor, Northern Futures, presented a Request for Decision for a Commissioner Land Use Permit Application LUP 22-001. The land will be used to stockpile granular materials and no crushing or extraction activity is expected to occur on the site. Ms. Toffolo noted that the Land Use Permit would be valid for four months to allow the City time to consider their land use needs in the North 40, with the option not to renew after four months.

Ms. Toffolo noted that based on the Land Use Permit Fee Policy, the land rental fee would be \$3,067.

Motion PD #22-10

Moved by: Councillor Stevenson

Seconded by: Councillor Sheppard

Committee recommends that Council:

1. Approve the Commissioner Land Use Permit Application LUP 22-001 to permit occupancy of a portion of Lot 1, Group 1087, Plan 184 (area shown as Qikiqtani Industry Limited on the North 40 Activities Map in Attachment 2) for a term commencing March 1, 2022 and terminating June 30, 2022, and subject to the conditions in Attachment 3.
2. Set the land rental fee in accordance with the Land Use Permit Fee Policy and that the fee amount be set at 7.5 percent of the value of the land, to be charged annually.

**For – Sheppard, Stevenson, Awa
Opposed – Bell
Carried**

Councillor Sheppard asked if the land rental fee would be prorated for four months. Ms. Toffolo confirmed that the land rental fee has been prorated.

Deputy Mayor Awa asked if this was an extension of an existing Land Use Permit.

Ms. Toffolo clarified that the Land Use Permit is not an extension of an existing Land Use Permit. She explained that there was no Land Use Permit in place, although the user started occupying the lands in 2020, and approving a Land Use Permit would rectify the situation and bring the user in compliance with the policy.

Mayor Bell asked why the user was not being charged the land rental fee for the entire period if they have been occupying the land since 2020.

Ms. Toffolo explained that there was some correspondence between the City and the user at the time when they were looking for space, and due to a miscommunication, they were granted permission to use the land without going through the Land Use Permit process.

b) Request for Decision – Land Use Permit Application No. LUP 21-010 – Approval of Land Use Permit Plan 184, Block 1087, Portion of Lot 1 (North 40)

Samantha Toffolo, Planning Contractor, Northern Futures, presented a Request for Decision for a Commissioner Land Use Permit Application LUP 21-010 for lands surrounding a leased lot on 1560 Federal Road in the North 40. The land will be used to store heavy equipment, fuel and materials storage.

Motion PD #22-11

Moved by: Deputy Mayor Awa
Seconded by: Councillor Stevenson

Committee recommends that Council:

1. Approve the Commissioner Land Use Permit Application LUP 21-010 to permit occupancy of a portion of Lot 1, Group 1087, Plan 184 (area shown as C1 on the North 40 Activities Map in Attachment 2) for a term commencing March 1, 2022 and terminating June 30, 2023, and subject to the conditions in Attachment 3.
2. Set the land rental fee in accordance with the Land Use Permit Fee Policy and that the fee amount be set at 7.5 percent of the value of the land, to be charged annually.

**For – Sheppard, Stevenson, Awa
Opposed – Bell
Carried**

Councillor Stevenson commented that the renewal of Land Use Permits is being coordinated so that all of the Land Use Permits expire at the same time. He also noted

that work is being done to change the Land Use Permits to leased land. Councillor Stevenson asked if there were any other spaces that were being used that are not permitted.

Councillor Stevenson pointed out that there is garbage in the area that needs to be cleaned up and suggested that as part of issuing Land Use Permits, there could be a contingency for the user to clean up the area.

Ms. Toffolo advised that the Land Use Permits expire at the same time and are intended to be renewed on the same date. She explained that the renewal process will begin soon by asking if there are any changes to the area that needs to be updated. Ms. Toffolo explained that when the two Land Use Applications are approved today, there will be no spaces without permits.

Deputy Mayor Awa asked if the Land Use Permit Application was an extension of an existing permit. Ms. Toffolo advised that this is a new Land Use Permit Application to reflect encroachment of materials on the area surrounding the leased area.

c) Request for Decision – Development Permit Application No. DP 21-035 and Request for Variance – Approval of Development Permit Application, Plan 697, Lots 117 and 118 (Core Area)

Councillor Sheppard declared a conflict of interest and left the room.

Samantha Toffolo, Planning Contractor, Northern Futures, presented a Request for Decision for Development Permit Application DP 21-035 and request for variances to construct a two-storey wellness hub on Lots 117 and 118, Plan 674 in the Core Area.

Ms. Toffolo explained that the development will have ten on-site parking spaces, with four employee off-site parking spaces at the Municipal Parking Facility behind Building 619. The off-site parking requires approval by Council and also requires a variance to permit an increase in the percentage of off-site parking spaces from 25 percent to 29 percent.

Ms. Toffolo advised that a variance is also required to reduce the side and rear yard setback for a retaining wall.

Motion PD #22-12

Moved by: Mayor Bell

Seconded by: Deputy Mayor Awa

Committee recommends that Council:

1. Approve Development Permit Application DP 21-035 for Lot 117 and 118, Plan 674 to develop a community centre, subject to the special conditions in Attachment 1, the City's standard conditions, the approval of the four off-site parking spaces and as shown on the plans in Attachment 3.
2. Approve the following variances:
 - a. To Section 6.23 of Zoning By-law No. 899 to increase the maximum percentage of off-site parking spaces from 25 percent to 29 percent.
 - b. To Section 4.1 of Zoning By-law No. 899 to reduce the minimum setback from an interior side and rear lot line for a retaining wall from one metre to zero metres.

Unanimously Carried

Councillor Sheppard returned to the meeting following the vote.

d) Request for Decision – Zoning By-law Amendment Application No. ZBLA 22-001 – First Reading of Amending By-law – Plan 2657, Block 6, Lot 7 (Apex)

Michelle Armstrong, Planning Contractor, Northern Futures, presented a Request for Decision for a Zoning By-law Amendment Application ZBLA 22-001. She advised that Lot 7 is located in Apex, across from the playground and backs on to the school site. She explained that the applicant wishes to rezone the lot from Public/Institutional Zone to a Medium Residential Zone, to allow construction of a four-plex to be used for housing.

Motion PD #22-13

Moved by: Councillor Sheppard

Seconded by: Councillor Stevenson

Committee recommends that Council:

1. Give First Reading to the amending by-law in Attachment 3 to amend Zoning By-law No. 899 to rezone Lot 7, Block 6, Plan 2657 from Public/Institutional Zone (P) to Medium Density Residential Zone (R2).
2. Direct staff to give Public Notice for a Public Hearing on a date to be determined by staff.

Unanimously Carried

e) Request for Decision – Survey Application No. SK 22-001 – Approval of Survey Application Plan 2370, Block 134, Lot 1

Councillor Sheppard declared a conflict of interest and left the room.

Samantha Toffolo, Planning Contractor, Northern Futures, presented a Request for Decision for Survey Application SK 22-001 to redevelop Lot 1, Block 134, Plan 2370 in

Happy Valley with a six-unit row house. She noted that a condition of the Development Permit approval was to widen the road along the road to Apex. The Survey Application is to reflect the road widening, which is needed to protect the utilidor in the right-of-way.

Ms. Toffolo explained that the applicant is seeking to add an equally sized strip of land to the rear of the lot, which is intended to allow the proposed development to meet the zone provisions. The applicant is requesting that the additional land be leased at a nominal cost, since the land required for the road widening is almost the same size.

Motion PD #22-14

Moved by: Deputy Mayor Awa

Seconded by: Councillor Stevenson

Committee recommends that Council approve:

1. Survey Sketch SK 22-001 to permit a 0.5 metre to 1.5 metre road widening and rear lot line adjustment on Lot 1, Block 134, Plan 2370 as shown on the Sketch Plan in Attachment 2.
2. The disposal of the rear strip of land, as shown on the Sketch Plan in Attachment 2, to the leaseholder of Lot 1, Block 134, Plan 2370 at a nominal cost.

Unanimously Carried

Councillor Stevenson expressed concern that a six-plex would fit on the lot and asked if the Planning Department has seen a drawing of the building to ensure it is practical for the lot.

Ms. Toffolo explained that the applicant has submitted a Development Permit Application which showed the proposed development. The applicant has worked with staff to ensure that the six-row townhouse can be constructed on the site, including the parking and the grade. The Development Permit was issued under the Development Officer approval as allowed by the Zoning By-law. Ms. Toffolo pointed out that the survey is a condition of the Development Permit approval.

Councillor Stevenson asked questions relating to parking and the strip of land at the rear of the lot, which Ms. Toffolo answered.

Mayor Bell asked what the nominal fee was. Ms. Toffolo explained that nominal fee usually means \$10 and basically gives the land to the applicant.

Councillor Sheppard returned to the meeting following the vote.

f) Request for Decision – Amendment to Sewer and Water Development Charges By-law No. 873

Michelle Armstrong, Planning Contractor, Northern Futures, made a presentation to the Committee to amend the Sewer and Water Development Charges By-law No. 873. The following are the highlights:

- Adopted in March 2019
- The development charge is applied when the Development Permit is approved.
- Intent is to pay for any upgrade to the water/sewer infrastructure required by the development.
- When the by-law was adopted, there was only one project that was required to pay the development charges.
- When the by-law was drafted, a schedule for recovery fees was included for piped services
 - Residential dwelling units pay a \$929.84 fee
 - For non-residential projects, the fee is calculated at a rate of \$7.88 per square metre
- There are some key areas in the sewer network that are at capacity.
- Seven more sewer projects have been identified that will require replacement between 2022 and 2025.
- Total amount collected since inception is \$372,975
 - In addition, Joamie Court had an off-site levy of \$100,000 for downstream sewer improvements.
- Scenarios were developed to generate revenue through a Development Charges By-law to pay for the seven sewer projects.
 - There are four scenarios with variations in each
 - Variation
 - 100 percent recovery over 10 years
 - 50 percent recovery over 10 years
 - 50 percent recovery over 15 years
 - remaining 50 percent would be paid through other funding sources
- Growth assumptions over the next ten years
 - Estimated that 120 new dwelling units will be constructed yearly
 - Commercial and institutional development would remain on the 10-year trend
- Development charges were based on various scenarios and variations
 - There are a total of 12 possible scenarios
 - Per dwelling unit charge ranges from \$3,086 to \$14,675
 - Non-residential charge ranges from \$26 to \$124 per square metre
- The benefits to expand the Development Charges By-law include:
 - Provides a reliable source of funds to pay for sewer infrastructure improvement projects
 - A dedicated funding source could provide faster improvements
 - Upgrading will lessen risks of sewage back-up in the system
 - Development charges are paid by future development and not the existing tax base
 - Are comparable to other municipalities across Canada

- Local developers have paid \$300,000 to \$400,000 to install interim sewage tanks and the funds could be better directed to the long-term infrastructure solution.
- The disadvantages of expanding the Development Charges By-law include:
 - There will be an increase in cost overall in development projects.
 - Scenarios proposed to recover costs over 15 years will decrease the total funds collected in a given year, which could delay required upgrades.
 - Anticipated that in 10 years, there will be more sewer projects that will be at capacity and require upgrades.

Councillor Sheppard pointed out that the Committee must determine what scenario will be used to amend the Sewer and Water Development Charges By-law. He noted that sewer upgrades can be paid by growth or through increased water/sewer fees.

Councillor Sheppard suggested that all at-capacity sewers, plus the lift station, should be upgraded using 75 percent over 15 years. He felt that this was a good balance to obtain the needed revenue to upgrade the sewer lines and shares the cost by everyone who benefits from the upgrades.

Councillor Stevenson agreed that growth needs to pay for growth, but also felt that other sources of funding should be obtained. He expressed concern around the amending of the development charges and whether that might hinder receiving other funding sources.

Councillor Sheppard asked if flexibility could be included in the by-law that would amend the rates when specific funding becomes available.

Amy Elgersma, Chief Administrative Officer, pointed out that anyone developing earlier would pay the full development charges and if funding becomes available, any future development would pay a lower development charge.

Councillor Sheppard asked if the development charge could be for infrastructure and not specifically for sewer upgrades.

Ms. Elgersma explained that development charges could include various types of infrastructure projects. She noted that when applying for funding, projects are application-based and there is a lot of critical infrastructure needed other than sewer.

Councillor Stevenson commented that he feels the development charges should be 50 percent and the City must be cognizant in finding funding for the remaining 50 percent. He noted that there is a considerable amount of information in the Request for Decision and presentation, but he felt that more information was needed before making a decision, which should include fewer options.

Ms. Elgersma commented that staff wanted to present the information and understand that Councillors will need time to consider the information before making a decision.

Councillor Akumalik commented that he liked the idea of being forward thinking and this matter requires consideration before making a decision.

Motion PD #22-15

Moved by: Councillor Stevenson

Seconded by: Councillor Sheppard

Committee refers the amendment to the Sewer and Water Development Charges By-law No. 873 back to staff to refine the options using all at-capacity sewers plus Lift Station #1 scenario.

**For – Sheppard, Stevenson, Awa
Opposed – Mayor Bell
Carried**

6. IN CAMERA SESSION

() As per Section 22 (2) (a) CTV Act and By-law 526 Section 67

7. ADJOURNMENT

Motion PD #22-16

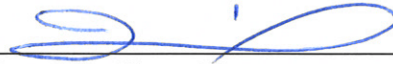
Moved by: Mayor Bell

Seconded by: Councillor Sheppard

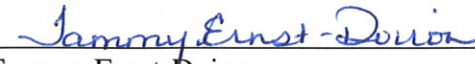
Committee adjourns at 7:12 p.m.

Unanimously Carried





Joanasie Akumalik
Chair



Tammy Ernst-Doiron
City Clerk

Approved by City Council on the 22nd day of February 2022.

