

THE CORPORATION OF THE CITY OF IQALUIT

BY-LAW #856

AMENDMENT TO ZONING BY-LAW # 704

A By-law of the City of Iqaluit in Nunavut to amend By-law No. 704, The City of Iqaluit Zoning By-law, pursuant to the Planning Act, R. S. N. (1988), c. P-7, s. 29

WHEREAS the Council of the Corporation of the City of Iqaluit has adopted a Zoning By-law (By-law No. 704), in accordance with the *Planning Act*, and

WHEREAS Council wishes to amend the Zoning By-law to allow a change in zoning and to restrict the form and size of the future redevelopment of the subject lands,

NOW THEREFORE the Council of the City of Iqaluit enacts as follows:

1. Schedule A of this By-law is declared to form part of Zoning By-law No. 704.
2. New Sections 15.5, 15.6, 15.7, 15.8, and 15.9 shall be added immediately following Section 15.4, as follows:

15.5 *Notwithstanding the Permitted Uses in Section 15.1, on lands zoned B1(2), an "Eating or drinking establishment" as defined in this By-law is prohibited and the following additional conditional use is added to Section 15.2, as defined below:*

RESTAURANT & TAKE-OUT means an establishment that sells and serves food and beverages for consumption on the premises; and may include a bar or lounge integrated into the restaurant; and may include a take-out that sells food and beverages for pick-up or delivery.

15.6 *In approving a "Restaurant & take-out", the following conditional use criteria must be met:*

- a) *the maximum gross floor area of the Restaurant & Take-Out use shall be 600m²;*
- b) *a designated outdoor smoking area is required whose design considers noise mitigation to surrounding Residential Zones;*
- c) *outdoor seating may only be located in the front yard and the design must consider noise mitigation to surrounding Residential Zones.*

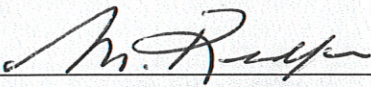
15.7 *Notwithstanding the definition of "Lot line" in Section 3.1, and in the case of all lands zoned B1(2) being developed as one "Lot" on lands zoned B1(2): the "Front lot line" shall be Natsiq Street; the "Rear lot line" shall be Fred Coman Street; the "Side lot line, exterior" shall be Aviq Street; and the "Side lot line, interior" shall be the southerly lot lines of Lot 90 and 100, Plan 674.*

15.8 *Notwithstanding the Zone Provisions in Section 15.3(b), on lands zoned B1(2), the minimum rear yard requirement shall be 3 metres and the maximum building height shall be 2 storeys, not to exceed 11 metres.*


15.9 Notwithstanding the Parking Area Location on Lot Provisions in Section 6.22, on lands zoned B1(2), required parking is only permitted in the front yard and side yards.

3. Lots 88, 89, 90, 100 & 101, Plan 674, as shown on Schedule A of this By-law, are hereby rezoned from *Sijjanga Zone (S)* to *Central Business Zone – Exception Zone 2 (B1(2))*.
4. Schedule B of By-law No. 704 containing the Populated Area Zoning Map is hereby amended as shown on Schedule A of this by-law.
5. This by-law shall come into effect on the date of its third reading.

READ a first time this 24 day of April, 2018.




Madeline Redfern
Mayor



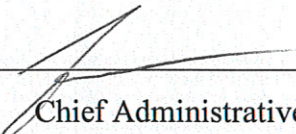
Chief Administrative Officer

After due notice and a Public Hearing held on May 8, 2018.

READ a second time this 22 day of May, 2018.

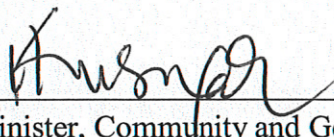


Madeline Redfern
Mayor




Chief Administrative Officer

APPROVED by the Minister of Community and Government Services this 5 day of September, 2018.

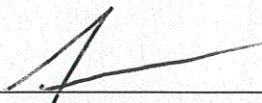


Minister, Community and Government Services

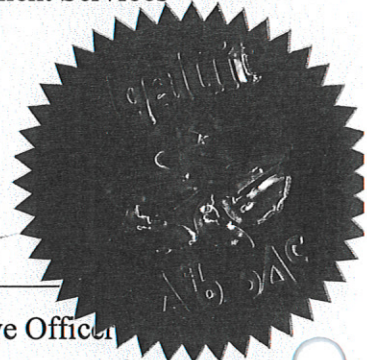
READ a third and final time this 3 day of October, 2018



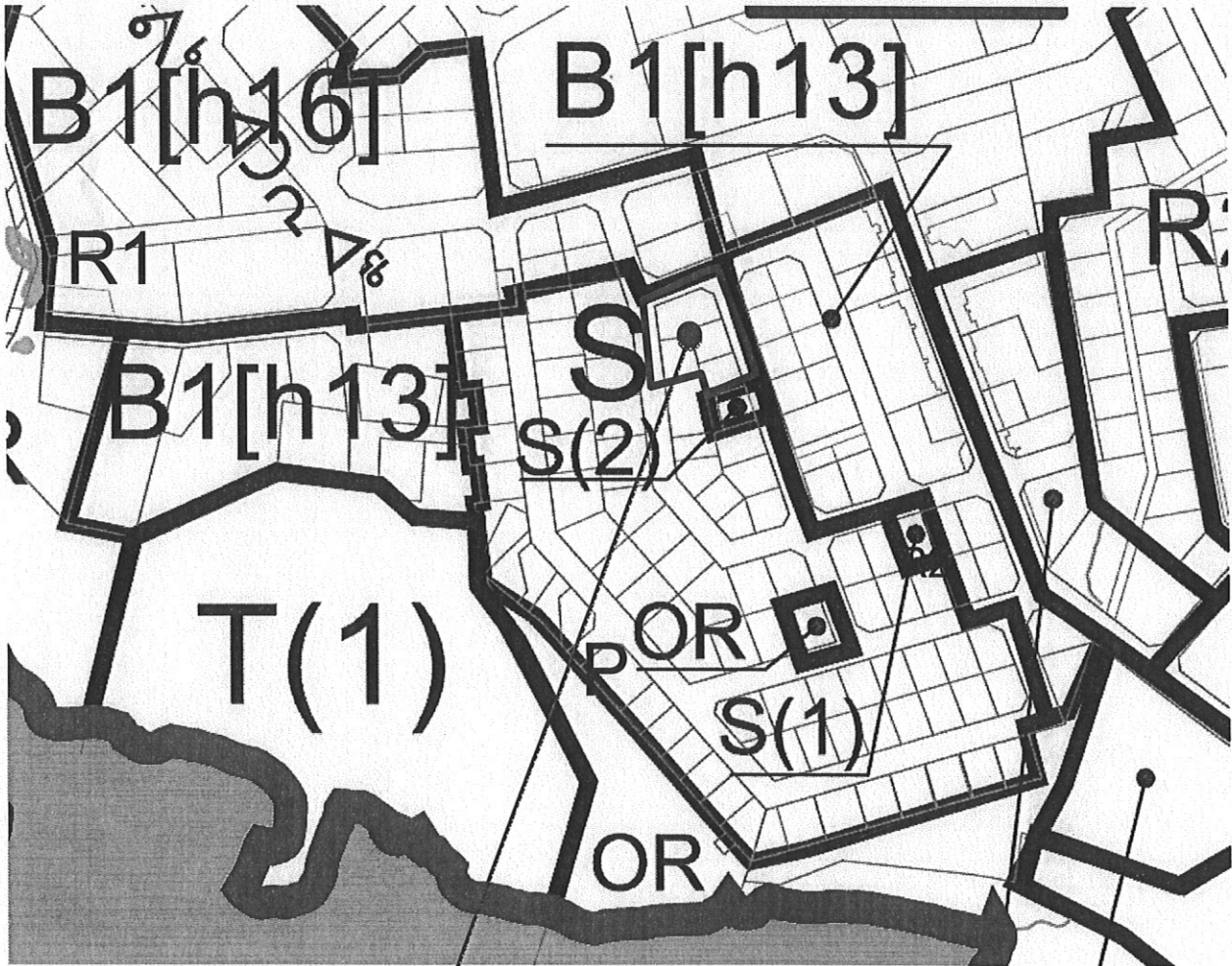
Madeline Redfern
Mayor



Chief Administrative Officer



SCHEDULE A



Change from *Sijjanga Zone (S)* to
*Central Business Zone, Exception
Zone 2 (B1(2))*

11

