

THE CORPORATION OF THE CITY OF IQALUIT

BY-LAW No. 708

AMENDMENT TO ZONING BY-LAW No. ~~572~~ 704

A By-law of the City of Iqaluit in Nunavut to amend By-law No. ~~572~~ 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. ~~572~~ 704) in accordance with the *Planning Act*, and

WHEREAS ~~704~~ Council wishes to amend the Zoning By-law to allow an animal hospital on Lot 4, Block 3, Plan 1986.

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

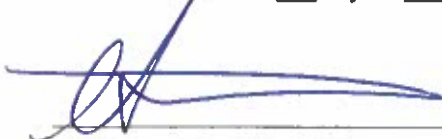
1. Schedule A of this By-law is declared to form part of this By-law.
2. Lot 4, Block 3, Plan 1986, as shown on Schedule A of this By-law, is hereby rezoned from "Low Density Residential Zone – Trucked Services (R1A)" to "Low Density Residential Zone – Trucked Services – Special Exception Zone (R1A (2))".
3. Schedule B of By-law No. ~~572~~ 704 containing the Populated Area Zoning Map is hereby amended as shown on Schedule A of this By-law.
4. By-law No. ~~572~~ 704 is hereby amended by adding, immediately following subsection 9.8:

"SPECIAL EXCEPTION ZONE

9.9 Notwithstanding the permitted and conditional uses in Section 9.1 and 9.2 regarding the uses permitted in the (R1A) zone, on lands zoned (R1A (2)), an animal hospital shall be permitted as a conditional use, subject to the Conditional Use Criteria listed in Section 9.3 and subject to the gross floor area of the animal hospital not exceeding 170 m²."

5. This By-law shall come into effect on the date of its third reading.

READ a First Time this 17 day of August, 2010.



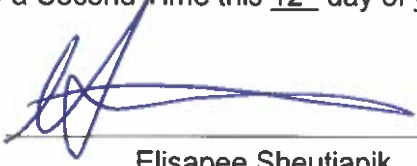
Elisapee Sheutiapik
Mayor



John Hassey
Chief Administrative Officer

After due notice and a Public Hearing

READ a Second Time this 12th day of October, 2010.


Elisapee Sheutiapik
Mayor



John Hussey
Chief Administrative Officer


APPROVED by the Minister of Community and Government Services this 17 day of

Feb., 2010. 11th Jan


Minister, Community and Government Services

READ a Third and Final time this 8th day of March, 2010. 11


~~Elisapee Sheutiapik~~ David Ell
Deputy Mayor


John Hussey
Chief Administrative Officer



SCHEDULE A



Area to be re-zoned from
Low Density Residential Zone – Trucked Services (R1A) to
Low Density Residential Zone – Trucked Services – Special Exception Zone (R1A (2))

PUBLIC NOTICE

The City of Iqaluit proposes to amend its Zoning By-law (By-law No. 572) in order to make the following change:

- **To rezone Lot 4, Block 3, Plan 1986 from “Low Density Residential Zone – Trucked Services (R1A)” to “Low Density Residential Zone – Trucked Services – Special Exception Zone (R1A (2))”;**

The purpose of the proposed rezoning is to allow the creation of an **animal hospital** in building 3070 in Apex. Building 3070 is a two-storey single-family house; the animal hospital will occupy a portion of the building. The proposed amendment limits the size of the animal hospital to 170 square metres.

The area affected by the zoning amendment is shown on the map below.

[illegible]

Lands to be rezoned from from “Low Density Residential Zone – Trucked Services (R1A)” to “Low Density Residential Zone – Trucked Services – Special Exception Zone (R1A (2));

A copy of the proposed amendment is available at the offices of the Department of Planning & Lands, building 2425 and can be inspected by the public during normal office hours.

The Council of the City of Iqaluit will hold a PUBLIC HEARING at 6:00 o'clock on the evening on Tuesday

File # 1QAL-235(41-1)
11-001

Iqaluit Zoning Bylaw
Amendment

SUPPORTING
DOCUMENTATION

**CITY OF IQALUIT
CITY COUNCIL MEETING #17
August 17th, 2010 at 6:00pm
CITY COUNCIL CHAMBER**

PRESENT FROM COUNCIL

Mayor Elisapee Sheutiapik
Deputy Mayor David Ell
Councillor Simon Nattaq
Councillor Romeyn Stevenson
Councillor Jimmy Kilabuk
Councillor Mary Wilman
Councillor Natsiq Alainga-Kango

ABSENT FROM COUNCIL

Councillor Mary Akpalialuk
Councillor Mat Knickelbein

PRESENT FROM ADMINISTRATION

John Hussey, Chief Administrative Officer
John Mabberi-Mudonyi, Senior Director, Corporate Services
Michèle Bertol, Senior Director, Planning and Lands
Meagan Leach, Director of Engineering and Sustainability
Chris Wilson, Deputy Fire Chief
Amanda Wells, Lands Administrator
Arif Sayani, Assistant City Planner
Valerie Collin, Recorder
Jeanie Eeseemailee, Senior Interpreter/Translator
Rachel Ootoova, Senior interpreter/Translator

PRAYER

Councillor Kilabuk opened the meeting with a prayer at 6:15pm.

SWEARING IN

None

ADOPTION OF AGENDA

Motion #10-279

Moved by: Councillor Wilman
Seconded by: Deputy Mayor Ell

Mayor Sheutiapik believed that the community had been cleaned up very well but that there was still a lot of garbage in the ocean and on the land.

She stated that she was on the Goose Bay vessel a few days ago and received a plaque. She stated that these individuals come to Iqaluit every year.

She stated that she will be attending the Governor General's Women's Conference on September 9th and 10th in Ottawa, Ontario.

Councillor Kilabuk stated that he has voiced his concern before regarding the cleanup of the community and that the City should hire summer students who are looking for employment to clean up the community. He believed that funding could be sought to assist in paying the wages for the students; he did not feel that Council supported his idea and expressed his disappointment.

6. **DEFERRED BUSINESS AND TABLED ITEMS**

None

7. **BY-LAWS**

a) **First Reading of Bylaw(s)**

- i) **Zoning By-law Amendment – Lot 4, Block 3, Plan 1986**
Arif Sayani, Assistant City Planner

Arif Sayani, Assistant City Planner explained that the purpose of the by-law is to rezone Lot 4, Block 3, Plan 1986 located in Apex to allow the development of an animal hospital in an existing two storey single family house.

Deputy Mayor Ell asked if the neighbors had been notified of the development of an animal hospital.

Arif responded that residents are notified after First Reading is passed; an information package will be dropped off at every door.

Motion #10-284

Moved by: Councillor Stevenson

Seconded by: Councillor Wilman

Council approves First Reading of Zoning Bylaw Amendment for Lot 4, Block 3, Plan 1986.

Unanimously Carried

b) **Second Reading of Bylaw(s)**

Unanimously Carried

Motion #10-302

Moved by: Councillor Wilman

Seconded by: Deputy Mayor Ell

Council accepts the auditor's management letter.

Unanimously Carried

13. **ADJOURNMENT**

Motion #10-303


Moved by: Deputy Mayor Ell

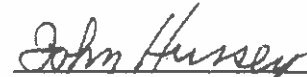
Seconded by: Councillor Stevenson

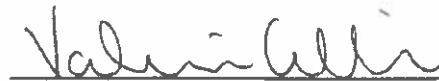
Council approves to adjourn City Council Meeting #17 at 9:30pm.

Unanimously Carried




Elisapee Sheutiapik
Mayor


John Hussey
Chief Administrative Officer


Valerie Collin
Recorder

Approved by City Council on the 12 day of October, 2010, AD.

Attachment C

The Corporation of the City of Iqaluit Minutes of a Public Hearing

Held on Tuesday, the 14th day of September 2010 commencing at 6:00 PM at City Council Chambers.

Present from Council

Mayor Elisapee Sheutiapik
Deputy Mayor David Eli
Councillor Jimmy Kilabuk
Councillor Simon Nattaq
Councillor Mat Knickelbein
Councillor Romeyn Stevenson
Councillor Mary Wilman
Councillor Mary Akpalialuk

Absent

Councillor Natsiq Alainga-Kango

Present from Administration

John Hussey, Chief Administrative Officer
Tracy Leschyshyn, City Clerk
John Mabberi-Mudonyi, Senior Director, Corporate Services
Michèle Bertol, Senior Director, Planning and Lands
Chris Wilson, Deputy Fire Chief
Amanda Wells, Lands Administrator
Arif Sayani, Assistant City Planner
Valerie Collin, Recorder
Jeanie Eeseemaillee, Senior Interpreter/Translator
Rachel Ootoova, Senior Interpreter/Translator

Also present

7 members of the public

Mayor Sheutiapik called the Public Hearing to order at 6:00 p.m., acknowledged the gallery and noted that Assistant City Planner, Arif Sayani, would continue with the public hearing.

Arif Sayani, Assistant City Planner, explained that the purpose of the public hearing was to rezone Lot 4, Block 3, Plan 1986 located in Apex to allow the development of an animal hospital in the home.

Mayor Sheutiapik called for questions or comments a first time.

Mr. Bob Hanson expressed his concern with the location of the animal hospital as he believed that traffic would increase significantly. He also expressed his concern with access to the lot and loose dogs in the area; dogs will need to be in a secure area when at the animal hospital to prevent them from running loose and attacking individuals. He strongly supported the opening of an animal hospital as he believed that it would provide great services to all residents of Iqaluit and Apex who have pets. The lot where the animal hospital is being proposed is big and could accommodate the hospital as well as the parking requirements; he was unsure as to how clients would access Mr. Cunningham's lot. He noted that he was informed by Mr. Cunningham how clients would be asked to access the lot but would like Council to be aware before it proceeds.

Mr. Hanson explained that he lives at house 3069 and the proposed animal hospital will be located where houses 3070 and 3072 used to be located; these homes burnt and the area was transferred to Mr. Cunningham. Mr. Jim Taylor lives at house 3071 which is neighboring to where houses 3070 and 3072 were located. He did not believe that there was proper access to Mr. Cunningham's lot off Hanson Drive; that access is being used anyway as it is his land. Mr. Hanson believed that the new drive, which was created by City a few years ago, was located on the other side and still did not provide proper access to Mr. Cunningham's lot.

Mr. Hanson believed that the maps he had were different from the ones provided to the public by the Planning and Lands Department. He stated that the area used as current access to Mr. Cunningham's lot is part of the neighboring lot. He stated that the lot used to be accessed through the back of the other lot but did not believe that this access was being used anymore.

Mr. Hanson believed that Mr. Cunningham was proposing to access his lot through house 3068; he was unsure as to how this would be possible due to the limited space and snow build up in the winter months. He expressed his concern with the fact that the roundabout located near house 3069 would be used to access Mr. Cunningham's lot when clients are going to the animal hospital; he believed that this was one access to the lot. The other access to the lot is through 3060/64. He believed that the access to Mr. Cunningham's lot needed to be addressed to prevent accidents and to provide proper access for the clients of the animal hospital.

Mr. Hanson hoped that the clinic would be successful and believed that the City greatly needed this service; he has fully supported the individual in her studies for several years.

Councillor Knickelbein did not believe that the access to Mr. Cunningham's lot was obvious and that the clients using the animal hospital would automatically or naturally know how to access the lot. He believed that there was a dead end at

the end of Hanson Drive and that water and sewer trucks still used the back of house 3060 to service house 3060 and 3064/3062.

Mr. Hanson confirmed that the water and sewer trucks service house 3060 and 3064/3062 by accessing the back of 3060. He stated that he spoke with Arif Sayani, Assistant City Planner, and got an understanding of what Mr. Cunningham was proposing for access to his lot; a new driveway would be created on the front of the lot.

Councillor Knickelbein believed that Nunavut Excavating had created a new area for house 3060 where vehicles are parked and where the water and sewer trucks accessed the lot for servicing; he wondered if this area could also be used to access Mr. Cunningham's lot.

Mr. Hanson stated that his concern was not relating to how the house would be serviced by the water and sewer trucks but the increase in traffic and how clients would access the lot when going to the animal hospital.

Councillor Nattaq stated that before the animal hospital is developed there will be an opportunity to address the concerns of the Apex residents as a development permit would be presented to Council. He believed that animals brought outside for exercise would be in a fenced area or would be kept on a leash; children often play in the area and their safety must be assured.

Councillor Kilabuk asked why the applicants were not in attendance; he believed it would be easier to make a decision and to address all the concerns if the applicants were here to discuss the matter with Council. He stated that a lot of dogs in the community are big and vicious and he would like to be reassured that they will not be loose.

Councillor Wilman asked if Mr. Hanson could provide Council with his suggestion on how Mr. Cunningham's lot should be accessed or where he believes the animal hospital should be located.

Mr. Hanson noted for Council that the dog pound is located out on Federal Road and is used by the Municipal Enforcement Department for dogs that are captured throughout the community. He believed that the building being used for the dog pound could also be used for the animal hospital as it is located in a commercial area.

He stated that the access to Mr. Cunningham's lot could be addressed by accessing it through areas located behind his lot as there are no developments located there; it is a field that leads to the entrance of the Rotary Park. He believed that the concern with the current access to the lot was that clients would be using other individuals' lots to access Mr. Cunningham's lot.

Mr. Hanson also believed that it would be difficult for emergency services to access his lot, if needed, if there are several vehicles parked on the road.

He noted that his understanding was that the Public Hearing was being held in Apex as it will mostly affect residents of Apex; it also concerns all residents in Iqaluit as this will be a great service for all pet owners.

Mayor Sheutiapik called for questions or comments a second time.

Mr. Brad Chambers stated that he lives in house 3068 located on the corner of Mr. Cunningham's lot. He fully supports the opening of an animal hospital and he believes that it is a service that the community needs. The location of the animal hospital and how clients will access the lot is his main concern. He stated that the current access to Mr. Cunningham's lot is through his lot; this is a concern even with the current amount of traffic. He explained that his house is located very close to the road and when vehicles access Mr. Cunningham's lot through his lot, the traffic is near his house; this causes a problem when trying to exit his own driveway at times. Mr. Chambers stated that he has not taken any measures to block off the area with large rocks to prevent vehicles from driving through as the traffic is very limited and careful when passing through.

He explained that with the increase of traffic when the animal hospital is operational, this will be a great concern, and believed that if the area was not blocked off with large rocks, people would continue to use that area to access Mr. Cunningham's lot even if a new driveway is created. Mr. Chambers wanted to ensure that measures would be taken to prevent the traffic through his lot for safety reasons.

Mr. Chambers also expressed his concern with loose dogs in the area. He explained that he has two dogs that spend a lot of time in the fenced in area located behind his house, which faces Mr. Cunningham's lot. He stated that he walks his dogs everyday and that there is an existing concern with loose dogs in Apex; he has approached the Municipal Enforcement Department to raise his concern and the issues have been addressed. He did not believe that clients going to the animal hospital would be leaving their dogs loose; they would simply bring them in and then pick them up. If the dogs will be brought to the field located behind his house for exercise, they should be on a leash at all times.

Mr. Chambers expressed his support for the opening of an animal hospital and stated that he did not have issues with it being located next to his home providing that all measures are taken to prevent traffic through his lot for safety reasons.

Mayor Sheutiapik called for comments a third and final time. She asked Arif if he wanted to comment or respond to any of the concerns raised by Mr. Hanson or Mr. Chambers.

Arif stated that there is an item under New Business on the agenda that will allow more discussion by staff and Council.


Mr. Hanson believed that if more discussion or new information on the matter was going to take place, it should take place immediately so that the public is given the opportunity to respond as well.

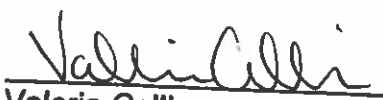
Mayor Sheutiapik clarified that no new information would be provided on the matter; Council will be given an opportunity to discuss the matter in full before making a decision on the representations.

There were no comments or questions from the public, Mayor Sheutiapik declared the Public Hearing closed at 6:35pm.




Elisapee Sheutiapik
Mayor


John Hussey
Chief Administrative Officer


Valerie Collin
Recorder

Approved by City Council this 11th day of January, 2011, AD.

**CITY OF IQALUIT
CITY COUNCIL MEETING #22
October 12th, 2010 at 6:00pm
CITY COUNCIL CHAMBER**

PRESENT FROM COUNCIL

Mayor Elisapee Sheutiapik
Deputy Mayor David Ell
Councillor Jimmy Kilabuk
Councillor Simon Nattaq
Councillor Romeyn Stevenson
Councillor Mary Wilman
Councillor Mary Akpalialuk
Councillor Natsiq Alainga-Kango

ABSENT FROM COUNCIL

Councillor Mat Knickelbein

PRESENT FROM ADMINISTRATION

John Hussey, Chief Administrative Officer
Tracy Leschyshyn, City Clerk
John Mabberi-Mudonyi, Senior Director, Corporate Services
Michèle Bertol, Senior Director, Planning and Lands
Arif Sayani, Assistant City Planner
Valerie Collin, Recorder
Jeanie Eeseemailee, Senior Interpreter/Translator
Rachel Ootoova, Senior Interpreter/Translator

PRAYER

Councillor Kilabuk opened the meeting with a prayer at 6:00pm.

SWEARING IN

None

ADOPTION OF AGENDA

Motion #10-370

Moved by: Deputy Mayor Ell
Seconded by: Councillor Stevenson

She stated that she was very happy to have had the opportunity to meet him and get his autograph on his book that she purchased; he signed it: "Elisapee, I love your community".

Mayor Sheutiapik stated that she also attended the How to Draft Enforceable By-laws seminar and believed it was very interesting. She stated that she brought back a copy of the Taxi By-law from another city as well as the Code of Conduct By-law.

She stated that interviews took place for a Communications Officer and hoped that the position will be filled in the near future. She reminded Council that the re-opening of the Arctic Winter Games Complex is taking place at the facility at 4:00pm on October 13, 2010.

Councillor Alainga-Kango stated that the City has by-laws in place for certain matters such as financial matters, employee matters, et cetera. She stated that she would like a better understanding of certain matters and is unsure where to look. She asked if it would be possible to receive a copy of policies in place for city staff and procedures within the workplace.

6. **DEFERRED BUSINESS AND TABLED ITEMS**

- a) **Ruling on Representations from September 14, 2010: Zoning By-law Amendment No. 708 (Lot 4, Block 3, Plan 1986)**

Arif Sayani, Assistant City Planner, stated that this matter was deferred from the City Council Meeting of September 14, 2010 as Council wanted to receive more information on the matter from Mr. Cunningham before making a decision.

Motion #10-373

Moved by: Councillor Stevenson
Seconded by: Councillor Wilman

Council approved that in light of the remedies proposed by Mr. Cunningham regarding how to address the concerns raised by Mr. Hanson and Mr. Chambers with regard to the creation of an animal hospital in Apex, Council felt the concerns were satisfactorily addresses and supported the creation of the animal hospital.

Unanimously Carried

7. **BY-LAWS**

- a) **First Reading of Bylaw(s)**

None

b) **Second Reading of Bylaw(s)**

- i) **Zoning By-Law Amendment No. 708**
Arif Sayani, Assistant City Planner

Motion #10-374

Moved by: Councillor Wilman
Seconded by: Councillor Kilabuk

Council approved Second Reading of Zoning By-law Amendment No. 708.

Unanimously Carried

c) **Third and Final Reading of Bylaw(s)**

None

8. **OLD BUSINESS**

- a) **Reconsideration of Motion 10-314 (approval of Survey Sketch SK-IQAL-011-2010)**

Councillor Stevenson explained that the reason for the reconsideration of motion 10-314 was because the information given to Council during the presentation relating to the type of businesses permitted in a light industrial zoning was incorrect or misunderstood. He stated that he had asked if an auto or snowmobile shop could be permitted in a light industrial zone and was advised that this type of business was not permitted. He believed that if the matter would have been properly understood, the resulting votes would have been different.

Motion #10-375

Moved by: Councillor Stevenson
Seconded by: Deputy Mayor Ell

Council approved reconsideration of Motion 10-314 which approved survey sketch SK-IQAL-011-2010.

Unanimously Carried

Deputy Mayor Ell agreed with Councillor Stevenson.

Councillor Stevenson stated that the definition of light and heavy industrial did not indicate a significant difference and that the difference would mostly pertain to the size of the building and use of heavy equipment.

Councillor Alainga-Kango asked for clarification on the matter.

13. **ADJOURNMENT**

Motion #10-383

Moved by: Councillor Wilman


Seconded by: Deputy Mayor Ell

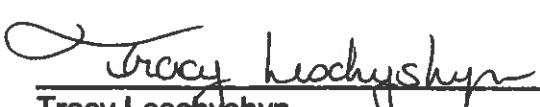
Council approved to adjourn City Council Meeting #22 at 9:00pm.

Unanimously Carried




Elisapee Sheutiapik
Mayor


John Hussey
Chief Administrative Officer


Tracy Leschyshyn
City Clerk

Approved by City Council on the 11th day of January, 2011, AD.

Report to Council
August 17, 2010

Submitted by:
Arif Sayani, Assistant Planner

SUBJECT: Amendment to Zoning By-law No. 572
Lot 4, Block 3, Plan 1986
Duncan Cunningham – Animal hospital

RECOMMENDATIONS:

That Council:

1. Give 1st reading of the By-law to amend Zoning By-law No.572, to rezone Lot 4, Block 3, Plan 1986 from "Low Density Residential Zone – Trucked Services (R1A)" to "Low Density Residential Zone – Trucked Services – Special Exception Zone (R1A (2));

BACKGROUND

The applicant owns a two-storey single family dwelling, house 3070 in Apex. The house is located on Lot 4, Block 3, Plan 1986. The lot is zoned *Low Density Residential Zone – Trucked Services (R1A)*. The applicant wants to change the use of the house: he wants to create in a portion of his house an animal hospital (clinic) that will be operated by his daughter who is completing her studies as veterinarian.

An animal hospital is not permitted in the R1A zone. The R1A zone does allow a person to use a portion of their house to operate a home based business; however, it cannot occupy more than 40m². The proposed clinic has an area of 170m².

A rezoning is required to address the fact that:

- an animal hospital is not a permitted use in the R1A zone; and
- the area of the proposed home based business exceeds 40m².

The clinic will occupy approximately half of the main floor of the house and will offer a full range of veterinary services including surgeries, vaccinations, and emergencies. These services will be provided by two live-in veterinary surgeons who will reside in house 3070.

LANDS AFFECTED BY THE ZONING AMENDMENT

Lot 4, Block 3, Plan 1986 is located on Hanson Drive. The lot has an area of 2696 m² and lot frontage of 54 m. The figure below shows the location of the lot.



Figure 1 Location of lot 4, Block 3, Plan 1986

PURPOSE OF THE AMENDMENT

The purpose of the proposed zoning amendment is to allow in house 3070 in Apex:

- the creation of an animal hospital (clinic); and
- the operation of a home based business with an area of 170 m².

House 3070 is a two-storey single-family house. The clinic will occupy a portion of the ground floor of the building; the remainder will continue to be used as a dwelling.

At present Lot 4, Block 3, Plan 1986 is zoned *Low Density residential Zone – Trucked Services (R1A)*. Animal hospital is not a permitted use in the R1A zone. However, the R1A zone allows a home based business as a conditional use. A home based business is a business that operates out of a dwelling; it cannot occupy more than 40m². The proposed clinic has an area of 170 m².

A rezoning is required:

- to change the use of house 3070 to allow an animal hospital as a home based business; and
- to change the rule that applies to the maximum size for a home based business and to increase the limit to 170m².

The zoning amendment will create a Special Exception Zone in the R1A zone to permit an animal hospital with a maximum gross floor area of 170 m².

CONFORMITY TO GENERAL PLAN BY-LAW NO. 571

Lot 4, Block 3, Plan 1986 is designated **Residential Community** in the General Plan. The areas that fall within the limits of this land use designation are primarily intended for residential use; however, uses such as schools, churches, parks, neighbourhood businesses and medical clinics are also permitted because they support the residential areas. The proposed animal hospital is similar in nature to a medical clinic.

Further, the proposed zoning amendment limits the size of the clinic to 170 m² thereby keeping the clinic relatively small-scale, as intended in the Residential Community land use designation.

The proposed clinic is consistent in use and size with the policies of the General Plan for the Residential Community land use designation; therefore the proposed change in use does not require an amendment to the General Plan.

COMPLIANCE WITH ZONING BY-LAW NO. 572

Lot 4, Block 3, Plan 1986 is currently zoned *Low Density Residential – Trucked Services (R1A)*. The R1A Zone allows low scale residential housing and allows conditional uses such as a group home, day care centre, and a home based business.



Figure 2. Current zoning of Lot 4, Block 3, Plan 1986: Low Density Residential – Trucked Service (Light yellow). Surrounding uses: Open Space (Green), Municipal Reserve (Blue), Low Density Residential – Trucked Service (Light yellow), Public/Institutional (Blue, buildings 3200 & 3201).

An animal hospital (clinic) is not a permitted use in the R1A zone. Therefore a zoning amendment is required to rezone Lot 4, Block 3, Plan 1986 to allow an animal hospital in a portion of house 3070.

The clinic will operate as a home based business. The area of home based businesses is limited to 40m²; the area of the clinic is 170m². Therefore a zoning amendment is required to increase the maximum area permitted for a home based business to 170m².

To address the two reasons noted above, the proposed amendment will create a Special Exception Zone in the R1A zone allowing an animal hospital with a maximum gross floor area of 170 m² in house 3070. The animal hospital will be a conditional use and will be subject to the applicable Conditional Use Criteria of Section 9.3 of the Zoning by-law and the applicable provisions of Section 5.5 of the Zoning by-law for home based businesses. The applicable conditions are listed below:

- The animal hospital will be limited to a maximum of 2,000 liters of water use per day.
- The development will be of a consistent quality to the surrounding development.
- Only one conditional use will be located on the lot.
- The development conforms to the R1A zone provisions.

The table below demonstrates that the proposed clinic conforms to all R1A zone provisions.

R1A Zone Provisions:

Provision	Zoning By-law Requirement	Proposed Development	Compliant?
Lot Area (min)	500 m ²	2696 m ²	✓
Lot frontage (min)	18 m	54 m	✓
Front yard (min)	6 m	52 m	✓
Rear yard, adjacent to OR zone (min)	1 m	7 m	✓
Interior Side yard (North side)	3 m	14 m	✓
Interior Side yard (South side)	3 m	7 m	✓
Building Height (max)	10 m	7 m	✓
Lot Coverage (max)	40%	11.3 %	✓
Dwelling Unit Per Lot (max)	1	1	✓
Dwelling Unit Area (min)	60 m ²	180 m ²	✓
Parking spaces (min)	5 commercial 1 residential	5 commercial 2 residential	✓

DISCUSSION

Services provided by the Animal Hospital

The services that will be provided by the clinic are made up of three main components: veterinary services, short-term boarding, and the sale of related products such as pet food.

The veterinary services include:

- Routine appointments for vaccinations and health checks;
- Routine surgery such as spaying and neutering;
- Dental surgery for cleaning and extractions;
- After hours emergency services for trauma and toxicity situations;
- Diagnostics for radiology, ECG, ultrasound, and biochemistry;
- Specialized surgery such as orthopedics and ophthalmology.

The boarding services include short-term boarding and basic grooming (bathing, nail clipping, ear cleaning). Finally, the retail component will include the sale of prescription pet foods and specialty pet items. All services are compliant with the animal hospital designation.

The applicant will provide these services to pet owners in Iqaluit and Apex as well as those in surrounding communities. The applicant also anticipates providing contract services to the Government of Nunavut for travelling clinics, wildlife health services, and public health issues.

Operating hours and traffic

The clinic will operate during regular business hours and will also provide short evening hours and emergency/on-call services. A typical breakdown of a business day is provided below. The great majority of the clients will arrive by vehicle:

- Start of morning – All drop-offs for surgery (1-2 cars per day);
- Morning period – Appointments for routine services (3 cars per hour);
- Afternoon – Appointments for routine services (3-4 cars per hour);
- Evening – Short extended hours to accommodate clients who work during the day (2-3 cars);
- Emergency – On-call services;

Based on this information, it is anticipated that the clinic will receive approximately 30 clients a day. Despite the fact that this represents a substantial increase in traffic, it should be noted that, at any one time, there will only be a very small number of vehicles coming or going to the clinic as all visits are by appointment. Therefore, the increased traffic should not disturb the neighbours.

Parking Spaces

The amount of parking spaces required was calculated using the requirements of a medical/dental clinic which requires three spaces per 100 m² of gross floor area. With an area of 170 m², the animal hospital requires five parking spaces; they are provided at the rear of the lot, near the reception area. One parking space is required for the dwelling unit; two

spaces are provided near the entrance to the residence. There is enough room on the property to accommodate all the vehicles of the clients and those of the residents of the house. Therefore there should be no issues with clients obstructing the street or parking in the yards of the neighbours.

Conclusion

While the proposed animal hospital requires a zoning amendment to permit it as a conditional use, it will operate from an existing dwelling which will not be modified on the exterior and the lot is large enough to easily accommodate parking for the vehicles of the clients. Therefore, operating an animal clinic in a portion of house 3070 should not have any adverse impacts on adjacent properties. The animal hospital will provide a much needed service to the community and the Territory. For these reasons, the rezoning can be supported.

PUBLIC NOTIFICATION

A public notice notifying the general public of the proposed zoning amendment will be posted on the bulletin boards around the community.

Residents living within 100 metres of Lot 4, Block 3, Plan 1986 will be notified in writing about the rezoning application.

Attachment E

Iqaluit



STATUTORY DECLARATION

I, Michèle Bertol, of the City of Iqaluit in Nunavut, Do Solemnly Declare as follows.

1. I am the Director of Planning & Lands with the City of Iqaluit.
2. A Public Notice (Attachment A) was posted on August 27, 2010 with respect to a Public Hearing on September 14, 2010, at the following locations.
 - North Mart
 - Arctic ventures
 - Post office
 - City Hall
 - Every house in Apex
3. A Public Hearing was held on September 14, 2010 at 6:00 p.m. in the Council Chambers with respect to certain amendments to the City of Iqaluit Zoning By-law, By-law 572, as set out in By-law No. 708.
4. Two representations were made at the Public Hearing. The content of the representations is reflected in the minutes of the Public Hearing held on September 14, 2010. A copy of the minutes of the Public Hearing is enclosed; it's labeled *Attachment A*.
5. I make this Solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath by virtue of the Canada evidence Act.

Declared before me at the
City of Iqaluit in Nunavut
on this 18th day of January, 2011

(signature of declarant)

January 18, 2011

(date)

A Commissioner of Oaths for Nunavut

My Commission expires