

THE CORPORATION OF THE CITY OF IQALUIT

BY-LAW # 961

AMENDMENT TO ZONING BY-LAW # 899

A By-law of the City of Iqaluit in Nunavut to amend By-law No. 899, 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. 899), in accordance with the *Planning Act*, and

WHEREAS Council wishes to amend the Zoning By-law to allow a proposed apartment building on Lots 505 & 506, Plan 914;

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

1. By-law No. 899 is hereby amended by adding the following definition to Section 3.1:

ON-THE-LAND FACILITY means a building and/or structure dedicated to land-based cultural, recreational, educational, social or health programming administered by a government department or agency or non-profit organization that provides a community benefit. An On-the-Land Facility shall not include a dwelling unit or office.

2. By-law No. 899 is hereby amended by adding, immediately following Section 22.2, and renumbering accordingly, the following:

“CONDITIONAL USES

22.3 The following uses are conditional in the OR Zone:

On-the-Land Facility

CONDITIONAL USE CRITERIA

22.4 In approving an **On-the-Land Facility**, the following criteria shall be considered:

- a) The Facility will not generate vehicular traffic or parking in excess of what the site and area can accommodate;
- b) The Facility will not have a permanent foundation (i.e., piling, concrete slab);
- c) The applicant has a satisfactory waste disposal plan;
- d) The applicant has a satisfactory plan to secure the facility;
- e) The applicant agrees to install satisfactory signage to identify ownership of the facility.

3. By-law No. 899 is hereby amended by adding, immediately following Section 22.6, and renumbering accordingly, the following:

22.6 Notwithstanding the foregoing provisions, the following shall apply to an **On-the-Land Facility**:

Building Height (max)	5 m
Gross Floor Area (max)	
Total	100 m ²
Ground Floor	75 m ²
Yard Requirements (min)	
All Yards	3 m

4. By-law No. 899 is hereby amended by adding, immediately following Section 24.1, and renumbering accordingly, the following:

“CONDITIONAL USES

24.2 The following uses are conditional in the MR Zone:

On-the-Land Facility

CONDITIONAL USE CRITERIA

24.3 In approving an **On-the-Land Facility**, the following criteria shall be considered:

- a) The Facility will not generate vehicular traffic or parking in excess of what the site and area can accommodate;
- b) The Facility will not have a permanent foundation (i.e., piling, concrete slab);
- c) The applicant has a satisfactory waste disposal plan;
- d) The applicant has a satisfactory plan to secure the facility;
- e) The applicant agrees to install satisfactory signage to identify ownership of the facility.

ZONE PROVISIONS

24.4 Notwithstanding the foregoing provisions, the following shall apply to an **On-the-Land Facility**:

Building Height (max)	5 m
Gross Floor Area (max)	
Total	100 m ²
Ground Floor	75 m ²
Yard Requirements (min)	
All Yards	3 m

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

READ a first time this 11th day of July, 2023.

Solomon Awa
Mayor

Steve England
Chief Administrative Officer

After due notice and a Public Hearing held on July 25, 2023.

READ a second time this 25th day of July, 2023.

Solomon Awa
Mayor

Steve England
Chief Administrative Officer

APPROVED by the Minister of Community and Government Services this 14th day of November, 2023.

Minister, Community and Government Services

READ a third and final time this 28th day of November, 2023.

Solomon Awa
Mayor

Steve England
Chief Administrative Officer





STATUTORY DECLARATION

I, Jenna Korgak, of the City of Iqaluit in Nunavut, Do Solemnly Declare as follows.

1. I am a Peace Officer at the Municipal Enforcement Department with the City of Iqaluit.
2. I confirm that on Wednesday, July 12th, 2023, the Public Notice with respect to a Public Hearing to be held on July 25th, 2023, for proposed Zoning By-law Amendment No. 961 was posted in the following locations:
 - Arctic Ventures Marketplace (Building 192)
 - Brown Building (Building 505A)
 - City Hall (Building 1085)
3. 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 12 Day of July, 2023.

Jenna Korgak
(signature of declarant)

July 12, 2023
(date)

Steven Allen
Notary Public for Nunavut
My Notary Public expires Nov 17, 2025
A Commissioner of Oaths for Nunavut

My Commission expires
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STATUTORY DECLARATION

I, Briana Shaimaiyuk-Baines, of the City of Iqaluit in Nunavut, Do Solemnly Declare as follows.

1. I am a Peace Officer at the Municipal Enforcement Department with the City of Iqaluit.
2. I confirm that on Wednesday, July 12th, 2023, the Public Notice with respect to a Public Hearing to be held on July 25th, 2023, for proposed Zoning By-law Amendment No. 961 was posted in the following locations:
 - DJ's Specialties (Building 343)
 - Canada Post (Building 615)
 - By-law Building (Building 901)
3. 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 12th Day of July, 2023.

Briana Shaimaiyuk-Baines
(signature of declarant)

2023/07/13
(date)

Steven Allen
Notary Public for Nunavut
My Notary Public expires Nov 15/2025
A Commissioner of Oaths for Nunavut

My Commission expires
Nov 15 2025