

**CITY OF IQALUIT
CITY COUNCIL MEETING #02
January 25th, 2011 at 6:00 PM
CITY COUNCIL CHAMBERS**

PRESENT FROM COUNCIL

Mayor Madeleine Redfern (participated via teleconference)
Deputy Mayor David Ell
Councillor Mary Ekho Wilman
Councillor Jimmy Kilabuk
Councillor Mat Knickelbein
Councillor Romeyn Stevenson
Councillor Simon Nattaq
Councillor Joanasie Akumalik

ABSENT

Councillor Mary Akpalialuk

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
Valerie Collin, Recorder
Jeanie Eeseemailee, Senior Interpreter/Translator
Rachel Ootoova, Senior Interpreter/Translator

PRAYER

Councillor Nattaq opened the meeting with a prayer at 6:05pm.

SWEARING IN

None

ADOPTION OF AGENDA

Motion #11-42

Moved by: Councillor Wilman
Seconded by: Councillor Nattaq

Council approved to adopt the agenda as amended.

Add 1 item under Member's Statements (list of Mayor's activities for January 2011)

Delete 9 (g) – Appointment of Members at Large to Economic Development Committee

Unanimously Carried

1. MINUTES

a) City Council Meeting Minutes #23 – October 26, 2010

Councillor Wilman believed that motion 10-394 did not reflect her vote correctly; she was the mover of that motion and believed that she had voted in favor. She asked that the vote be properly recorded in the minutes.

Motion #11-43

Moved by: Councillor Stevenson

Seconded by: Councillor Knickelbein

Council approved City Council Meeting Minutes #23 dated October 26, 2010.

For – Kilabuk, Nattaq, Knickelbein, Stevenson

Against - Wilman

Abstained – Akumalik, Redfern

Carried

Councillor Akumalik and Mayor Redfern abstained as they were not members of Council.

b) City Council Meeting Minutes #24 – November 9, 2010

Motion #11-44

Moved by: Councillor Knickelbein

Seconded by: Councillor Stevenson

Council approved City Council Meeting Minutes #24 dated November 9, 2010.

For – Kilabuk, Nattaq, Knickelbein, Stevenson, Wilman

Abstained – Akumalik, Redfern

Carried

Councillor Akumalik and Mayor Redfern abstained as they were not members of Council.

- c) Engineering and Public Works Committee of the Whole Meeting
Minutes #05 – November 18, 2010

Motion #11-45

Moved by: Councillor Stevenson
Seconded by: Councillor Wilman

Council approved Engineering and Public Works Committee of the Whole Meeting Minutes #05 dated November 18, 2010.
For – Kilabuk, Nattaq, Knickelbein, Stevenson, Wilman
Abstained – Akumalik, Redfern
Carried
Councillor Akumalik and Mayor Redfern abstained as they were not members of Council.

- d) City Council Meeting Minutes #25 – November 23, 2010

Motion #11-46

Moved by: Councillor Wilman
Seconded by: Councillor Stevenson

Council approved City Council Meeting Minutes #25 dated November 23, 2010.
For – Kilabuk, Nattaq, Knickelbein, Stevenson, Wilman
Abstained – Akumalik, Redfern
Carried
Councillor Akumalik and Mayor Redfern abstained as they were not members of Council.

- e) City Council Meeting Minutes #26 – December 14, 2010

Motion #11-47

Moved by: Councillor Knickelbein
Seconded by: Councillor Wilman

Council approved City Council Meeting Minutes #26 dated December 14, 2010.
For – Kilabuk, Nattaq, Knickelbein, Stevenson, Wilman
Abstained – Akumalik, Redfern
Carried
Councillor Akumalik and Mayor Redfern abstained as they were not members of Council.

f) Special City Council Meeting Minutes #27 – December 19, 2010

Motion #11-48

Moved by: Councillor Knickelbein
Seconded by: Councillor Stevenson

Council approved Special City Council Meeting Minutes #27 dated December 19, 2010.

Unanimously Carried

2. DECLARATION OF INTEREST

None

3. DELEGATIONS

a) Wendy Lee – Citizen at Large

The delegate was not in attendance.

4. AWARDS AND RECOGNITIONS

None

5. STATEMENTS

Councillor Akumalik stated that he would like to introduce a motion to invite the three members of the Legislative Assembly for Iqaluit to a Council meeting or ask that Mayor Redfern contact them and extend an invitation to a future Council meeting. He believed that Council needed to set a dialogue with them and discuss Council's priorities with the members of the Legislative Assembly. He did not believe that any member had expressed support with the City's initiatives towards new infrastructure and other City projects.

Councillor Kilabuk expressed his support for Councillor Akumalik's comments and believed that the MLAs should attend Council meetings frequently.

Councillor Wilman also expressed her support for Councillor Akumalik's comment.

She acknowledged the hard work of the Inuksuk High School students on their projects displayed to the public over the weekend; several residents were present and enjoyed the projects. She believed that there was a public service announcement advising residents of the event and that it was well received. The

students are being well educated and this will have a positive impact on the community and territory in the future.

Councillor Nattaq noted for Council that member's statements are not to be responded to and should not be supported by other Council members.

He stated that his appointment as alternate Deputy Mayor has expired and a new alternate Deputy Mayor will need to be appointed; he requested that this be added on the next agenda.

Councillor Stevenson stated that he spent some time with residents of Iqaluit that walk regularly throughout the community; the residents expressed their appreciation with the clearing of trails and walkways as well as sanding during slippery times. He congratulated the Public Works Department for their hard work.

He expressed his concern with the recycling program being cancelled as there are many cans throughout the community and a significant amount is now brought to the landfill. He believed that most individuals who participated in the recycling program would like to continue and wondered if the City could start a recycling program in partnership with the individual who conducted the last program; maybe a separate location at the landfill could be identified for storage of the cans until sealift season.

He stated that the Government of Nunavut released a funding proposal for small capital items. He spoke with individuals at Sport Nunavut, who assisted Kugluktuk in installing turf in the arena during the summer months. He would like for the City to consider the small capital items funding program and contact Sport Nunavut to do the same until the new facilities are developed. He did not believe that it would be difficult to do so as the City has already purchased a flooring system for the Arctic Winter Games Arena which required the exact dimensions of the floor.

He noted that the Iqaluit District Education Authority is currently working on the school calendars for 2011/2012 and that they try to follow the school calendars Nunavut wide. If parents have concerns with the number of days off or the timing of holidays, they can approach the Iqaluit District Education Authority to discuss these. He encouraged parents to voice their concerns and ideas so that the school calendars are more to their satisfaction.

Councillor Stevenson believed that Council should meet with the members of the Legislative Assembly to hear their point of views on the community and express Council's thoughts and ideas of what should be done throughout the community.

Mayor Redfern expressed her support to meet with the members of the Legislative Assembly. She stated that she received confirmation from the

Nunavut Electoral Boundaries Commission that they will not be accommodating Council's request to hold a second public consultation and that she would also like to meet with the members of the Legislative Assembly to discuss this matter further as it greatly affects Council, residents and the community.

She noted that she provided Council with a list of her activities during the month of January and believed that Council would like her to continue doing so in the future.

Councillor Knickelbein believed that the Recreation Department had done a great job with the afterschool program in Apex which includes healthy snacks, arts and crafts, cooking club, sports, homework assistance, et cetera. He believed that the program was well received and appreciated by parents and that the youth enjoyed it very much.

He believed that if residents have concerns with the school calendar they should raise their concerns with the Iqaluit District Education Authority.

Deputy Mayor Ell congratulated Paul Barrieau, Foreman of Roads crew in the Public Works Department for his thirty years of service with the City of Iqaluit.

He also believed that Council should meet with the MLAs in the near future.

6. DEFERRED BUSINESS AND TABLED ITEMS

None

7. BYLAWS

a) First Reading of By-law (s)

- i) Mayor's Signature Mechanically Produced (M. Redfern)
John Hussey, Chief Administrative Officer

John Hussey, Chief Administrative Officer, explained that this by-law is amended each time a new Mayor is elected to allow the City to have a mechanically produced signature from the Mayor.

Councillor Akumalik asked if all three readings could be passed this evening.

Deputy Mayor Ell responded that full Council must be present in order to pass all three readings of the by-law.

Motion #11-49

Moved by: Councillor Wilman
Seconded by: Councillor Stevenson

Council approved First Reading of Mayor's Signature Mechanically Produced By-law (M. Redfern).

Unanimously Carried

- ii) Zoning By-law Amendment – Nunastar Creek Side Village
Michèle Bertol, Senior Director, Planning and Lands

Michèle Bertol, Senior Director of Planning and Lands, stated that a development proposal was received from Nunastar. Nunastar are lease holders of nine adjacent lots; six have been developed and are known as Creek Side Village.

The proposal involves the development of four, three storey apartment buildings; these will be developed in four phases. She stated that the proposal does not meet the requirements of Zoning By-law No. 704 and an amendment is required to accommodate their proposal. There are three reasons why the proposal does not meet the requirements of Zoning By-law No. 704:

1. Use of the lots: The lots are currently zoned as central business zone; central business zones permits dwelling units but only when they are part of a mixed use building. The proposed development is for residential units only. An amendment is required to permit the development of the apartment buildings and to change the zoning of the lots from central business zone to high density residential.
2. Frontage of Lot 422: The lot has an irregular shape and the length of the frontage is very short. A special exemption is required to permit the reduced lot frontage from thirty five (35) metres to eleven point seven (11.7) metres. The lot was created this way a long time ago.
3. Setbacks along Queen Elizabeth Way: When the proposal was reviewed, it was identified that the building should be pushed back towards Queen Elizabeth Way so that they are aligned with the existing twenty four plex; this will help create a better streetscape.

Councillor Stevenson asked why this was not done in two separate amendments. He believed that the first lot could be completely residential but that the buildings developed in phases three and four should have commercial space in them. He stated that he would not support the development of residential buildings unless they had commercial space in them as well. He asked if there is a reason why the amendments were not done separately and if they could be separated.

Michèle responded that several amendments can be included in a by-law without being related to each other; they are stand alone amendments. She understood Councillor Stevenson's concern regarding the development of commercial space in this area as it was the initial idea discussed. When a lot is leased and the owner wants to make an investment on the lot they are free to do so. She stated that she was not surprised that Nunastar was proposing to develop full residential buildings as the community is currently facing a shortage of housing and believed that this was a good proposal and should be approved.

Councillor Stevenson believed that if Council did not approve the amendment to the by-law the development would not take place. If the two amendments were separated, Council would be more in favor of approving developments in phases one and two as they are in a residential area whereas developments in phases three and four are along Queen Elizabeth Way.

Michèle believed that if Council wished to only approve a portion of the by-law amendment, changes could be made to reflect those changes and Council could pass First Reading with the amendments.

Councillor Wilman asked for clarification on the location of the lots.

Michèle responded that there are two lots in vacant area located across Arctic Ventures and the other is located behind the Brown Building, across from existing units in Creek Side Village.

Councillor Wilman believed that developers had tendencies of disrespecting other residents and home owners. Development proposals are usually two to three storey buildings and often obstruct the views of others living in the area.

Michèle explained that the policies in the General Plan called for densification in the downtown Core Area and believed that it would be unfortunate if the lots were not developed to their full capacity.

Councillor Wilman understood Michèle's explanations and point of views but stated that she is here to represent residents of Iqaluit and must address their concerns as best as she can. Several home owners have lost their views due to larger developments that have taken place in recent months.

Councillor Akumalik asked Michèle if she recommended that the amendment to the Zoning By-law be approved.

Michèle strongly recommended that the amendment to Zoning By-law No. 704 be approved.

Councillor Akumalik believed that the road from phase one going to phase two was small and would need to be addressed. He believed that the apartments

should be bigger and have more than one bedroom so that they can be used to their full capacity and allow more individuals to live in one apartment.

Michèle agreed with Councillor Akumalik regarding the frontage of the lot being narrow; the required amount of space to allow sufficient space for vehicles to access and exit the lot, including emergency services vehicles and City equipment, must be determined before the development takes place. She stated that there are no issues relating to space requirements at present. She explained that the City does not decide on the number of apartments developed in the building; it is the owner's investment and discretion.

Council breaks from session at 7:00pm.

Council returns to session at 7:10pm.

Councillor Nattaq believed that there was only one entrance to phase four on the right side where the creek is located and that there was nothing indicating that this access would be addressed.

Michèle agreed with Councillor Nattaq and stated that this was identified and noted to the applicant. She noted that the buildings would be developed in four phases and a development permit will be required for all four phases. When the development permit for phase four is received and presented this matter should be addressed.

Councillor Nattaq noted for Council that if this request is approved the development will begin shortly. He expressed his concern with approving all four phases at once; he would prefer if they were separated. There is a shortage of parking for Arctic Ventures and this matter should also be addressed before the development takes place.

Michèle explained that a development permit would be presented to Council for each phase of development and that this is simply the rezoning process. The parking issues for Arctic Ventures do not relate to development proposals on another lot; the area used by individuals for parking when going to Arctic Ventures belongs to Nunastar.

Councillor Knickelbein believed that the proposed development in phase three and four would make ideal central zone mixed use buildings and that it would be unfortunate to amend the by-law to only permit residential units in the buildings. There have been several public consultations on the Zoning By-law and General Plan relating to the Core Area and it was identified that there is a great need for commercial space. He stated that he would not support this amendment to the by-law for phases three and four.

He asked if there would be sufficient space along Ring Road for trails and walkways. He did not believe that one hundred twenty (120) residential units is what the community needed the most and noted that he was not in support of the developments in phases three and four.

Michèle asked that Council refer to the Zoning By-law No. 704 for parking requirements; this proposal meets all parking requirements of the Zoning By-law No. 704. She stated that there is sufficient space for trails and walkways and stressed that personal opinions on the matter are irrelevant.

Mayor Redfern asked if more information could be provided to Council when a zoning by-law amendment is presented such as when a Request for Decision is presented; this would reduce the number of questions and concerns Council may have and would also provide a record of the presentation in detail. She expressed her concern with the process; when the General Plan and Zoning By-law were developed, the community had an input on what they felt was needed in the community and what would happen in the future. She stated that her understanding of by-law amendments was that the public was given an opportunity to raise concerns or provide ideas and present these to Council. She believed that individuals were uncomfortable with amendments of this type and are very frustrated when there is no opportunity given to the public to raise their concerns.

Michèle explained that if the by-law received first reading, a letter would be distributed to all lease holders within one hundred metres of the development location explaining the proposal in detail as well as all the information she has presented to Council this evening. The individuals would have fourteen days to review this six page report and a public hearing would then be held before second reading is received; the individuals can come to the Council meeting and voice their concerns. Council would then make a ruling on the concerns raised by residents or amend the by-law based on comments received by the public.

Mayor Redfern thanked Michèle for her clarification.

Michèle noted that representatives from Nunastar are in attendance and could speak to the matter if Council wishes.

She noted that she used to prepare the report for Council to provide them more information on by-law amendments but became apparent that it was a burden on the translators; it was requested that it no longer be presented to Council. She stated that if Council would like her to include the report once again, she could do so.

Mayor Redfern believed that the additional information should be provided to Council in the future and would also need to be translated for the unilingual

Council members. The information should be submitted for translation in a timely manner.

Councillor Stevenson believed that Council does have a certain authority over developments as it cannot take place without the amendments to Zoning By-law No. 704. He read page thirty nine of the General Plan By-law No. 703:

“The Core Area in the center of economic activity”.

He believed that the proposed development area was in the Core Area and that it should remain for commercial businesses; if too many residential units are developed it will no longer be the centre of the city's economic activity. There is a great need for space for small and large commercial businesses. He stated that he would not support the amendment for phases three and four.

Councillor Kilabuk believed that it was Council's decision to approve or not approve this development and noted that pedestrians use this area often to get to the Core Area.

Michèle noted for Council that the Zoning By-law amendment must receive all three readings prior to the development commencing; the public will be given an opportunity to raise their concerns with the development before second reading is received. If Council still feels that the by-law should not be approved there will be sufficient time to do so.

Councillor Akumalik believed that the purpose of this was to introduce the by-law and not to hear from representatives who have submitted the development proposal.

He also believed that Council had authority on developments taking place in Iqaluit.

Councillor Stevenson believed that there was a reason why these lots were zoned as central business; individuals wanted more commercial space in this area.

Motion #11-50

Moved by: Councillor Knickelbein

Seconded by: Councillor Stevenson

Council approved First Reading of Zoning By-law Amendment (Nunastar Creek Side Village).

**Against – Kilabuk, Akumalik, Nattaq, Knickelbein, Stevenson, Wilman,
Redfern
DEFEATED**

b) Second Reading of By-law (s)

None

c) Third and Final Reading of By-law (s)

- i) Zoning By-law Amendment No. 707 (Lot 172, Plan 674)
Michèle Bertol, Senior Director, Planning and Lands

Michèle stated that the purpose of this amendment is to allow the convenience store to increase its size.

Motion #11-51

Moved by: Councillor Stevenson
Seconded by: Councillor Knickelbein

Council approved Third and Final Reading of Zoning By-law Amendment No. 707 (Lot 172, Plan 674).

Unanimously Carried

8. OLD BUSINESS

None

9. NEW BUSINESS

- a) Request for Decision – Variance Finlay Lot 153
Michèle Bertol, Senior Director, Planning and Lands

Michèle stated that the applicant is applying for a development permit to build a single detached dwelling on Lot 153, Plan 3896. The lot is located in Phase 3 of the Plateau Subdivision. The southwest corner of the building encroaches onto the rear yard setback. She stated that the following variance is required to address the encroachment:

- To reduce the minimum rear yard setback to 5.2 metres; whereas the required setback is 6.0 m.

She noted for Council that the proposal meets all other provisions of Zoning By-law No. 704.

Motion #11-52

Moved by: Councillor Wilman
Seconded by: Councillor Stevenson

Council approved a variance for Lot 153, Plan 3896 to reduce the rear yard setback to five point two (5.2) metres; whereas, the required setback is six (6) metres, pursuant to Section 8.4 of Zoning By-law No. 704.

Unanimously Carried

- b) Appointment of Alternate Deputy Mayor
Deputy Mayor Ell

Motion #11-53

Moved by: Councillor Kilabuk
Seconded by: Councillor Stevenson

Council approved the appointment of Simon Nattaq as alternate Deputy Mayor.

Carried

- c) 2011 FCM Participants
Deputy Mayor Ell

Motion #11-54

Moved by: Councillor Stevenson
Seconded by: Councillor Knickelbein

Council approved that Mayor Redfern, Councillor Wilman and Councillor Akumalik attend the 2011 FCM Conference in Halifax, June 3 to 6.

Unanimously Carried

- d) Appointment of Members at Large – Niksiit Committee
Councillor Nattaq, Chairperson

Motion #11-55

Moved by: Councillor Nattaq
Seconded by: Councillor Wilman

Council approved the appointments of Nancy Gillis, Natalie Strijak and Arthur Yuan as members at large for the 2011 Niksiit Committee.

Unanimously Carried

- e) Appointment of Members at Large – Public Safety Committee
Councillor Wilman, Chairperson

Motion #11-56

Moved by: Councillor Wilman
Seconded by: Councillor Kilabuk

Council approved the appointments of Noel Collins, Robert Gabuna and Allen Weeks as members at large to the 2011 Public Safety Committee.

Unanimously Carried

- f) Appointment of Members at Large – Recreation Committee
Councillor Stevenson, Chairperson

Motion #11-57

Moved by: Councillor Stevenson
Seconded by: Councillor Kilabuk

Council approved the appointments of John Guthro, John Maurice, Steven Lonsdale and Cindy Anne Rennie as members at large to the 2011 Recreation Committee.

Unanimously Carried

- h) RBC Signing Authorities
John Mabberi-Mudonyi, Senior Director, Corporate Services

John Mabberi-Mudonyi, Senior Director of Corporate Services, explained that the banking institution requires a motion for individuals with signing authorities when there has been a change in staff.

Motion #11-58

Moved by: Councillor Stevenson
Seconded by: Councillor Wilman

Council approved that Mayor Madeleine Redfern, Chief Administrative Officer John Hussey, Senior Director of Corporate Services John Mabberi-Mudonyi and City Clerk Tracy Leschyshyn are signing authorities on behalf of the City of Iqaluit.

Unanimously Carried

10. COMMITTEE REPORTS

None

11. CORRESPONDENCE

- b) Application: An Integrated Assessment of Contamination and Biological Response in Airport Creek, Iqaluit, Nunavut

Motion #11-59

Moved by: Councillor Knickelbein

Seconded by: Councillor Wilman

Council approved the NRI application “An Integrated Assessment of Contamination and Biological Response in Airport Creek, Iqaluit, Nunavut”, Roberto Quinlan, York University.

Unanimously Carried

- c) Application: Inuit Identity, Political Participation and Education in Nunavut

Councillor Stevenson noted for Council that there have been concerns with the format of the applications submitted to Council in the past; Council requested a more standardized form from the Nunavut Research Institute.

Councillor Akumalik stated that he would not support this application as he is concerned with Inuit always being researched in these areas.

Motion #11-60

Moved by: Councillor Knickelbein

Seconded by: Councillor Stevenson

Council approved the NRI application “Inuit Identity, Political Participation and Education in Nunavut”, Darcy Leigh, University of Edinburgh.

**For – Knickelbein, Stevenson, Redfern, Wilman
Against – Nattaq, Kilabuk, Akumalik
Carried**

- e) Application: Deliberative Democracy in Context: Canadian Case Studies

Motion #11-61

Moved by: Councillor Knickelbein
Seconded by: Councillor Stevenson

Council approved the NRI application "Deliberative Democracy in Context: Canadian Case Studies", Genevieve Fuji Johnson, Simon Fraser University.

**For – Kilabuk, Nattaq, Knickelbein, Stevenson, Wilman, Akpalialuk
Against – Akumalik
Carried**

12. IN CAMERA SESSION

Motion #11-62

Moved by: Councillor Wilman
Seconded by: Councillor Knickelbein

Council approved to go In Camera at 8:00pm.

Unanimously Carried

Motion #11-63

Moved by: Councillor Knickelbein
Seconded by: Councillor Stevenson

Council approved to return to Regular Session at 8:05pm.

Unanimously Carried

Motion #11-64

Moved by: Councillor Knickelbein
Seconded by: Councillor Stevenson

Council approved that, subject to the approval of the 2011 City of Iqaluit budget, the contract for the provision of planning and development review services for 2011 be awarded to Fotenn on the basis of their proposal dated December 21, 2010.

For – Kilabuk, Nattaq, Knickelbein, Stevenson, Wilman, Akpalialuk

**Abstained – Akumalik
Carried**

Councillor Akumalik abstained as he did not understand the request.

13. ADJOURNMENT

Motion #11-65

Moved by: Councillor Stevenson
Seconded by: Councillor Akumalik

Council approved to adjourn City Council Meeting #02 at 8:10pm.

Unanimously Carried

David Ell
Deputy Mayor

John Hussey
Chief Administrative Officer

Tracy Leschyshyn
City Clerk

Approved by City Council on the 22 day of March, 2011, AD.