



CITY OF IQALUIT
CITY COUNCIL MEETING #12
City Council Chamber
April 28, 2020 at 12:00 p.m.

AGENDA

MOMENT OF SILENCE

SWEARING IN

None

ADOPTION OF AGENDA

1. **MINUTES**

- a) City Council Meeting Minutes #06, dated February 25, 2020

2. **DECLARATION OF INTEREST**

3. **DELEGATIONS**

4. **AWARDS AND RECOGNITIONS**

None

5. **STATEMENTS**

6. **DEFERRED BUSINESS AND TABLED ITEMS**

None

7. **BY-LAWS**

a) **First Reading of By-law(s)**

- i) Taxi Bylaw 590 Amendment No. 893
- ii) Traffic Safety Bylaw No. 894
- iii) Bylaw No. 889 Amendment General Plan Bylaw No. 703
- iv) Bylaw No. 890 Amendment Zoning Bylaw No. 704
- v) ByLaw No. 892 Amendment General Plan Bylaw No. 703

b) **Second Reading of By-law(s)**

- i) Taxi Bylaw 590 Amendment No. 893
- ii) Traffic Safety Bylaw No. 894

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

None

8. **OLD BUSINESS**

None

9. **NEW BUSINESS**

a) Apex Pumping Project – Request for Decision
Amy Elgersma, Chief Administrative Officer

b) Innovation Committee
Mayor Bell

10. **COMMITTEE REPORTS**

a) Planning and Development Committee of the Whole Meeting #2, April 21, 2020
Councillor Akumalik, Chair

11. **CORRESPONDENCE**

None

12. **IN CAMERA SESSION**

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

None

13. **ADJOURNMENT**

**CITY OF IQALUIT
CITY COUNCIL MEETING #06
FEBRUARY 25, 2020 at 6:00 p.m.
CITY COUNCIL CHAMBERS**

PRESENT FROM COUNCIL

Mayor Kenny Bell
Deputy Mayor Janet Brewster
Councillor Romeyn Stevenson
Councillor Joanasie Akumalik
Councillor Sheila Flaherty
Councillor Kyle Sheppard
Councillor Malaiya Lucassie
Councillor Solomon Awa

ABSENT

Councillor Simon Nattaq

PRESENT FROM ADMINISTRATION

Amy Elgersma, Chief Administrative Officer
Rod Mugford, City Clerk
Mark Brodrick, Director of Planning and Development
Geneva Chislett - Controller
Jeanie Eeseemailee, Senior Interpreter/Translator
Tammy Ernst-Doiron, Executive Assistant

MOMENT OF SILENCE

Mayor Bell opened the meeting at 6:00 p.m. with a moment of silence.

SWEARING IN

None

ADOPTION OF AGENDA

Add:

Minutes

1. a) City Council Meeting Minutes #03 dated January 28, 2020
12. In Camera – One item - Legal

Remove:

By-laws Third and Final Reading

7. c) i) 2020 Mill Rate By-law No. 886
7. c) ii) Property Class Amendment By-law No. 887

Motion #20-52

Moved by: Councillor Stevenson

Seconded by: Deputy Mayor Brewster

Adoption of agenda as amended.

**For – Brewster, Stevenson, Akumalik, Flaherty, Sheppard, Awa
Opposed – Lucassie
Defeated**

1. MINUTES.

None

2. DECLARATION OF INTEREST

Councillor Sheppard declared a conflict of interest under New Business 9 c) Banking.

3. DELEGATIONS

a) Campaign to End Violence Today

The Honourable Elisapee Sheutiapik is unable to attend until later in the meeting.

4. AWARDS AND RECOGNITIONS

None

5. STATEMENTS

Councillor Awa advised that the Recreation Committee requires five members-at-large and four have been appointed. There will be a call for nominations for the other member.

Councillor Akumalik extended congratulations to the Iqaluit Hockey Team on their championship.

Deputy Mayor Brewster spoke on the benefits of participating in both team and individual sport activities. She extended congratulations to all the athletes who participated in recent events in other provinces and congratulated those athletes who won medals at the events. She thanked the coaches, parents and families who support athletes.

Mayor Bell also extended thanks to the hockey teams for winning gold medals in other provinces.

6. DEFERRED BUSINESS AND TABLED ITEMS

None

7. BY-LAWS

a) First Reading of By-law(s)

- i. 2020 Mill Rate By-law No. 886

Motion #20-53

Moved by: Councillor Sheppard

Seconded by: Councillor Awa

Council approves First Reading of 2020 Mill Rate By-law No. 886.

Unanimously Carried

- ii. Property Class Amendment By-law No. 887

Motion #20-54

Moved by: Councillor Sheppard

Seconded by: Councillor Akumalik

Council approves First Reading of Property Class Amendment By-law No. 887.

Unanimously Carried

b) Second Reading of By-laws(s)

- i. 2020 Mill Rate By-law No. 886

Motion #20-55

Moved by: Councillor Sheppard

Seconded by: Councillor Awa

Council approves Second Reading of 2020 Mill Rate By-law No. 886.

Unanimously Carried

- ii. Property Class Amendment By-law No. 887

Motion #20-56

Moved by: Councillor Sheppard

Seconded by: Councillor Lucassie

Council approves Second Reading of Property Class Amendment By-law No. 887.

Unanimously Carried

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

i. 2020 Mill Rate By-law No. 886

Mayor Bell advised that not all councillor members are present, therefore this item will be placed on the next Council agenda.

ii. Property Class Amendment By-law No. 887

Mayor Bell advised that not all councillor members are present, therefore this item will be placed on the next Council agenda.

iii. Land Disposal By-law No. 885

Motion #20-57

Moved by: Councillor Stevenson

Seconded by: Councillor Akumalik

Council approves Third and Final Reading of Land Disposal By-law No. 885.

Unanimously Carried

8. OLD BUSINESS

None

9. NEW BUSINESS

a) Search and Rescue – Mayor Representative

Motion #20-58

Moved by: Deputy Mayor Brewster

Seconded by: Councillor Sheppard

Council rescinded motion 19-331 made at the November 12, 2019 meeting appointing Councillor Nattaq as the Mayor's Representative for Search and Rescue.

**For – Brewster, Stevenson, Akumalik, Flaherty, Sheppard, Lucassie
Abstained - Awa
Carried**

Councillor Awa abstained from voting as he was not sure of the reason to remove Councillor Nattaq.

Mayor Bell advised that Councillor Nattaq is being removed because he has not been attending Council meetings. He noted that his absence today is valid and was given at the last meeting.

Councillor Lucassie asked if Councillor Awa could be appointed as the Mayor's Representative, and Councillor Awa advised that he was not interested.

Motion #20-59

Moved by: Councillor Sheppard

Seconded by: Councillor Flaherty

Council appointed Deputy Mayor Brewster as the Mayor's Representative for Search and Rescue.

Unanimously Carried

b) Loose Dogs

Mayor Bell noted the matter of loose dogs has been ongoing for several years. He is recommending hiring a dog catcher. Municipal Enforcement Officers are trained for many things, and they should not be spending their time catching loose dogs.

The following comments were made:

- There would be a dedicated person for residents to contact.
- Could educate owners on ways to keep their dogs from running loose.
- Ensure that dogs are vaccinated.
- The cost of hiring someone.
- Revisit the Fees By-law to determine an adequate fee to recover costs.
- Capacity to store the number of loose dogs.
- Revisit the Dog By-law and legislating the way dogs are restrained and putting enforcements in place.
- Consideration on how to catch and transport dogs.
- Stricter enforcement for registering dogs.
- Ways that dogs can be restrained legally to ensure they cannot run at large.

Mayor Bell requested staff to obtain additional information regarding a dog catcher.

It was suggested that this matter be forwarded to the Safety Committee once information has been gathered by staff.

c) Banking

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

Mayor Bell noted that the City has been using the same bank for a long time and there are no problems or concerns with the bank. He felt that in order to ensure that the City receives the best value for money on various banking services, a Request for Proposal be called for banking services every three to five years.

Amy Elgersma, Chief Administrative Officer, advised that a Request for Proposal for Banking Services can be developed, but will take a considerable amount of time.

Motion #20-60

Moved by: Councillor Stevenson

Seconded by: Deputy Mayor Brewster

Council requests staff to develop a Request for Proposal for Banking Services with a long timeline to complete.

Unanimously Carried

It was noted there are other service providers that have been used for a considerable amount of time, and it was suggested that Request for Proposals should be called for those services.

Mayor Bell explained that he has spoken with Ms. Elgersma regarding contracts. A lot of money is spent on contracts yearly, and in some instances, they are necessary, while others were related to capacity issues. In any event, the matter of contracts must be dealt with.

Councillor Sheppard returned to the meeting.

d) Governance Training – City Council

Deputy Mayor Brewster noted that discussions have taken place regarding governance training as it relates to Council. She suggested that staff develop a Request for Proposal for Council Orientation, which would include a governance expert attending at least two Council meetings in order to determine what individual councillors may need for extra support.

She suggested that there be seven days for governance support, of which two days would be for orientation that would include Robert's Rules of Order, how to do business, and how to conduct Council meetings. As well, this would provide an opportunity for councillors to gather as a team along with the directors and Council support staff. There is a concern how Council interacts with City staff, and a standard could be developed that everyone is aware of to eliminate any uncertainties.

She noted that staff have sourced funding that is available this fiscal year and can be used for governance training.

Motion #20-61

Moved by: Deputy Mayor Brewster

Seconded by: Councillor Awa

Council instructs staff to develop a Request for Proposal for Governance Training for review and approval by Council, and also to source a firm to conduct governance training.

Unanimously Carried

Councillor Flaherty advised that she would not be available to attend Governance Training on March 14 and 15, 2020 as she is participating in the Entrepreneur Program.

Councillor Lucassie advised that she has small children and she is not able to be away from home for an extended period of time.

A question was raised asking if Community and Government Services provides council orientation. Ms. Elgersma advised the Nunavut Municipal Training Organization have developed a Guide to Council Meetings that has been distributed to councillors. They are also providing a council orientation which will be held in the fall.

3. DELEGATIONS

a) Campaign to End Violence Today

The Honourable Elisapee Sheutiapik and Adam Arreak Lightstone, MLA, were in attendance.

The Honourable Elisapee Sheutiapik spoke about violence in the community. She expressed the importance of sending a positive message that any form of violence is not acceptable. She pointed out that violence is not specific to gender or social economics. She also expressed that it takes every person in society to make a change, and no action means lives are being lost. She noted that it is important to say, "I need help". The brain also needs help just like other parts of the body. There will be Public Service

Announcements every three months reminding residents of the contact numbers available for people to contact to receive help.

Mayor Bell noted that violence is the reason why it is important to reinstate the Safety Committee to make positive changes. He said that hard discussions are needed in order to make any changes regarding violence.

A number of councillors spoke on the subject and shared their experiences with violence.

It was noted that the role of the Safety Committee will be to develop more community led initiatives that will address violence. It was felt it was important to ensure that both The Honorable Sheutiapik and Mr. Lightstone are kept up to date on the Committee's activities so they are able to support initiatives.

9. NEW BUSINESS

e) City of Iqaluit – Transportation Master Plan

Lesley Cabott, Planner with Stantec, who is also the lead on planning practice across the north, was in attendance, along with her team consisting of an Engagement Specialist Planner, a Transportation Planner and a Transit Specialist.

Ms. Cabott provided the following information:

- Collecting information on past work that has been carried out.
- Looking at trends and growth.
- Spending time on the roads, both as a pedestrian and a driver.
- Determining where the congesting points are.
- Talking to as many people as they can in the week they are in Iqaluit. Sessions have been arranged in a number of facilities in the city.
- Meetings with a number of stakeholders.
- Posters have been placed around the city and on the City's website.
- Survey has been posted on the City's website, and a number of responses have been received.
- Meeting with senior staff and council.

The team gathered information from statements made by councillors. The team answered various questions by explaining what would be included in the scope of work as follows:

- Public transit system with various options.
- Creation of new subdivisions and how they tie into the existing transportation network so it does not cause more congestion.
- Multi-mode transportation options.
- Goods (commercial) movement.
- Parking.
- Consideration will also be given to forecasting future traffic to determine if there will be any constraints, and if so, provide solutions.

- Road classifications will identify corridors that have large volumes of traffic. This will determine the level of maintenance and possible pavement so the road will last longer and can accommodate heavy vehicles.
- Road improvement will be based on various criteria including fiscal restraint.
- Consideration of how people move (vehicle, walking, biking, snowmobiles) and develop a plan with all options so it is efficient and safe.
- Traffic cams will be installed at certain intersections.
- Evaluating the crosswalks to determine solutions that would enhance safety.
- Seasonal information is being gathered from previous reports. Team members will also be in Iqaluit periodically over the next few months gathering information.
- Adjusting road designs so that drivers will slow down.

10. COMMITTEE REPORTS

None.

11. CORRESPONDENCE

- a) **Ocean Networks Canada – Council Member to Chair an Oversight Committee that will Provide Guidance and Act as Local Leads for a Marine Monitoring Project**

Motion #20-62

Moved by: Deputy Mayor Brewster

Seconded by: Councillor Sheppard

Council appoints Councillor Awa as the Council member to Chair an Oversight Committee that will provide guidance and act as local leads on the Ocean Networks Canada Marine Monitoring Project.

Unanimously Carried

Councillor Stevenson pointed out that in some instances, a committee uses a councillor's knowledge that is not appropriate, and if this should happen, Councillor Awa should advise Council.

- b) **Films N63 inc. – UK/Canada Television Miniseries “The North Water” - Requesting the Sixth and Last Episode of the Series to be Filmed in Iqaluit**

Councillor Stevenson commented that the last time filmmaking was carried out in Iqaluit, there was controversy because filming was being done in the cemetery. Some residents felt this was inappropriate, and there was also some damage to the cemetery. At that time, Council discussed developing a policy, which did not happen.

Amy Elgersma, Chief Administrative Officer, advised that the Economic Development Officer has developed a process for film crews for permitting with a number of requirements. A policy has not yet been presented to Council.

Motion #20-63

Moved by: Councillor Stevenson

Seconded by: Councillor Akumalik

Council approves Films N63 inc. UK/Canada television miniseries The North Water which portrays the events of the doomed whaling expedition in the Arctic in the mid-nineteenth century, to film the sixth and last episode of the series in Iqaluit.

Unanimously Carried

Councillor Sheppard pointed out that the request requires the use of Abe Okpik Hall for 26 days at a reduced rate, as well as other different requests. Councillor Sheppard asked if Administration has a recommendation on the request.

Ms. Elgersma advised that Administration recommends using Rotary Park and ex-dump area and building a temporary structure for filming. She advised that staff provided the Consolidated Fees By-law, and for exclusive use of Abe Okpik Hall for a month, the cost will be \$12,000. Staff is recommending that the fee amount be reduced.

Ms. Elgersma noted there is an existing program at Abe Okpik Hall, but it has been confirmed that the programming can be moved to another location.

Ms. Elgersma clarified that there is no permit fee, however, permit fees will be included in the policy presented to Council at a later date.

Concern was expressed that an Inuk should be advising the film crew so they are not reproducing stereotypes that could be inappropriate, as it relates to dialogue and portrayal of Inuit.

Ms. Elgersma advised that she has met with the producer of the film crew, who indicated they are working with an Inuk in Pond Inlet regarding appropriate designs, and two Inuit in Iqaluit are being used for logistics and building igloos.

c) Nunavut Research Institute Application – Exploring Federated Cooperatives

Motion #20-64

Moved by: Councillor Stevenson

Seconded by: Councillor Sheppard

Council approves Nunavut Research Institute Application – Exploring Federated Co-operatives: A Case Study of Arctic Cooperatives Ltd. in Iqaluit, by Robyn Campbell, MBA Student at Cape Breton University

For – Brewster, Stevenson, Flaherty, Sheppard, Lucassie, Awa
Opposed - Akumalik
Carried

12. IN CAMERA SESSION

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

13. ADJOURNMENT

Motion #20-65

Moved by: Councillor Lucassie

Seconded by: Councillor Stevenson

Council adjourns at 8:35 p.m.

Unanimously Carried

Kenny Bell
Mayor

Rod Mugford
City Clerk

Approved by City Council on the 24th day of March,2020.

THE CORPORATION OF THE CITY OF IQALUIT, NU

BY-LAW # 590

TAXI BY-LAW AMENDMENT No. 893

WHEREAS, the Cities, Towns and Villages Act, SNu., 2003, c.02, s.113 provides for the passage of by-laws to licence and regulate the operators and operation of vehicles carrying passengers for compensation; and,

AND WHEREAS the Cities, Towns and Villages Act, SNu., 2003, c.02, s110 provides for the passage of by-laws to classify, licence and regulate businesses; and,

BEING A BY-LAW of the Municipality of Iqaluit, NU, to provide for the supervision, licensing, and regulating of businesses, operators and vehicles carrying passengers for compensation within the City of Iqaluit, NU.

NOW THEREFORE PURSUANT to the provisions of the *Cities, Towns and Villages Act*, SNu., 2003, c.02, s.113 and 110 the Council of the Municipality of Iqaluit, NU, in regular session duly assembled, enacts as follows:

1. Amends Bylaw No. 590.
2. Under definitions – Section 3
 - 23) “Sponsorship Letter” means a written consent from a Livery License holder that the vehicle or taxi driver will operate for the Livery License Business.
3. Under Taxi Driver License – Section 6
 - 1) A Taxi driver license shall not be issued to a person unless that person:
 - ix) has a sponsorship letter with written consent from a Livery License Business holder confirming that the taxi driver will operate for the Livery License Business.
4. Under General – Section 8
 - 29) Any taxi driver that quits or their employment is terminated by the Livery Business License owner shall cause immediate cancellation of the Taxi Driver License and the individual shall provide an additional sponsorship letter from another Livery Business License holder before the individual can resume operating a Taxi.

THIS BY-LAW READ a First Time this ____ day of _____, 2020

Kenneth Bell Mayor

Amy Elgersma
Chief Administrative Officer

THIS BY-LAW READ a Second Time this ____ day of _____, 2020

Kenneth Bell Mayor

Amy Elgersma
Chief Administrative Officer

READ a Third and Final Time this ____ day of _____, 2020

Kenneth Bell Mayor

Amy Elgersma
Chief Administrative Officer

**THE MUNICIPAL CORPORATION OF THE CITY OF IQALUIT, NUNAVUT
BY-LAW No. 894**

TRAFFIC SAFETY BY-LAW

A By-law of the Municipal Corporation of the City of Iqaluit.

WHEREAS Council wishes to enact a Traffic Safety By-Law, and for the regulation and control of vehicles and pedestrians in the City of Iqaluit, Nunavut;

AND THEREFORE pursuant to the provision of the Cities, Towns and Villages Act, R.S.N.W.T. 1988, c.C-8, and the Traffic Safety Act R.S.N.W.T. 1988, c M-16

NOW THEREFORE, the Council of the Municipal Corporation of the City of Iqaluit, in a regular session, duly assembled, enacts as follows:

1. Repeals the Highway Traffic By-Law No.319 and amendment By-law No.799.

SHORT TITLE

This By-law may be cited as the Traffic Safety By-Law.

TITLE, INTERPRETATION AND DEFINITIONS

1. Definitions:

“all-terrain vehicle” means an all-terrain vehicle as defined in the All-terrain Vehicles Act; and shall include utility terrain vehicles (UTV) and any other recreational off-road vehicle, including a Ski-doo.

“abandoned vehicle” a vehicle that has been parked for more than 72 hours on a highway outside of a settlement or municipality without a note attached to the vehicle or other evidence that indicates the driver or owner of the vehicle intends to return shall be deemed to be abandoned.

“bicycle” means a device having any number of wheels upon which a person sits astride and which is propelled by human muscular power through the use of pedals;

“bus” means a moto vehicle with a maximum seating capacity set by the manufacturer of more than 10 persons, including the driver’s seat;

“center line” except on a one way roadway means the center of a roadway whether marked or unmarked, indicated as a mid-way point from the curb or edge of a roadway dividing the lanes for traffic in different directions;

“By-Law Officer” means a by-law officer, Municipal Enforcement Officer, Peace officer appointed under section 171 of the Cities, Towns and Villages act or section (2) of the Criminal Code of Canada or a member of the RCMP;

“CAO” means Chief Administrative Officer;

“certificate of registration” means a certificate of registration or an interim certificate of registration issued by the Registrar of the Motor Vehicles Division;

“chief enforcement officer” means the Chief Enforcement Officer of the Iqaluit Municipal Enforcement Department;

“commercial vehicle” means a motor vehicle used for business purposes;

“construction vehicle” means any vehicle not designed or used primarily for the transportation of persons or property, that is incidentally operated or moved over any highway or roadway;

“council” means the council of the City of Iqaluit;

“crosswalk” means that part of a roadway or at an intersection whether marked or unmarked for the purpose of connecting lateral lines on opposite sides of the roadway for the safe passage of pedestrians;

“curb or edge” means, in respect of a roadway, the edge of the roadway, if the roadway does not have a curb;

“dealer” means a person who carries on the business as principal or agent, or who holds himself or herself out as carrying on the business as principal agent; of selling or leasing motor vehicles, of buying motor vehicles for the purpose of resale or lease, or of buying and selling motor vehicles or trailers, whether or not in combination with leasing them.

“deputy registrar” means a Deputy Registrar of Motor Vehicles appointed under subsection 317(1) of the Traffic Safety Act.

“designated accessible parking space” a space identified and clearly marked for person(s) with a disability requiring an accessible parking space;

“distracted driving” the practice of driving a motor vehicle while engaged in another activity, typically one that involves the use of a mobile phone or other electronic device, viewing of a display screen unrelated to driving;

“driver” means a person who operates a vehicle or, where the vehicle is not in motion, the person who is in actual physical control of the vehicle;

“driver’s licence” means a driver’s licence or interim driver’s licence issued under Part II of the Traffic Safety Act;

“driver documentation” means any driver and vehicle information maintained and issued by the Registrar;

“emergency access lane” means any public route or area designated and posted by the City of Iqaluit that is required to be free of parked vehicles or any other obstruction preventing for the continuous and non-impeded access by Department vehicles and personnel;

“emergency vehicle” means a vehicle used by a peace officer in the course of his or her duties, a vehicle used by a fire department, ambulance service, a vehicle used to respond to emergencies and operated under the authority of a government emergency organization or a vehicle not ordinarily used for emergency purposes operated by a volunteer, part-time or on-call fire-fighter or emergency medical responder for the purpose of responding to a fire, medical or other emergency;

“enforcement vehicle” means a motor vehicle operated by a person authorized to enforce and Act of Nunavut, or an Act of Canada or the by-laws of a municipal corporation.

“fire lane” means an access route for fire department vehicles required by the National Building Code of Canada for firefighting purposes and marked by signage as a fire lane.

“gross weight” means the combined weight of a vehicle and its load;

“highway” means a road, place, bridge or structure, whether publicly or privately owned that the public is ordinarily entitled or permitted to use for the passage of vehicles and includes

- (a) a privately or publicly owned area that is designed and primarily used for the parking of vehicles, other than the driveway of a private dwelling,
- (b) where a plan of survey or other instrument establishes a highway as show on the plan of survey or instrument,
- (c) a sidewalk, pathway, ditch or shoulder adjacent to and on either side of the travelled portion of the road or place and the area between the sidewalk, pathway, ditch or shoulder and the travelled portion of the road or place;

“hours of operation” means the hours specified for the permitted time or times upon a roadway or highway”.

“insurance card” means a card issued under the Insurance Act that provides evidence of current, renewal or continuation of a motor vehicle liability policy insuring the owner of a motor vehicle in respect of the ownership, use or operation of that vehicle.

“intersection” means the area closed by the imaginary extension and connection of the curbs or edges of roadways that intersect or join at an angle;

“licence plate” means a licence plate issued under Part I of the Traffic Safety Act and includes a certificate issued under subsection 34(1);

“motorcycle” means a motor vehicle, other than a moped, that is mounted on 2 or 3 wheels and includes those motor vehicles known in the automotive trade as motorcycles and scooters;

“motor vehicle” means a vehicle propelled or driven by power other than muscular power and includes a trailer, all-terrain vehicle, speciality

“motor vehicle liability policy” means a motor vehicle liability policy as defined in the Insurance Act;

“municipal corporation” means a city, town or village as defined in the Cities, Towns and Villages Act and a hamlet as defined in the Hamlets Act;

“municipality” means the geographic area of jurisdiction of a municipal corporation;

“novice driver” means a person who is named in a driver’s licence that is categorized as a learner’s driver’s licence or a probationary driver’s licence under the Traffic Safety Act;

“NSC vehicle” means a commercial vehicle that is a truck, truck tractor, or trailer, or a combination of a truck or truck tractor and one or two trailers, where the gross weight of the motor vehicle or the combination of motor vehicles exceeds 4,500 kg, and a bus, other than a bus operated by the owner exclusively for his or her personal use;

“officer” means a municipal enforcement officer, peace officer, police officer, or motor vehicle officer appointed under the Traffic Safety Act, including subsection 318(1) and a motor vehicle officer by virtue of his or her office pursuant to subsection 318(2).

“park” in respect to a vehicle, means the stopping of a vehicle, whether occupied or not except where the vehicle is stopped in accordance with the direction of an officer or traffic control device, the flow of traffic requires the vehicle to be stopped, or the vehicle is temporarily stopped for the purpose of and while engaged in loading or unloading;

“pedestrian” means a person on foot or in a wheelchair and includes a child in a carriage or carried by a person on foot or by a person in a wheelchair;

“registrar” means the Registrar of Motor Vehicles appointed under subsection 315(1) of the Traffic Safety Act;

“roadway” means the part of the highway that is improved, designed or ordinarily used for the passage of vehicles, but does not include the shoulder of a highway;

“school bus” means a motor vehicle used to convey students to and from school or any other place approved by the authority in charge of the school that the students attend where the vehicle is owned or operated by the authority in charge of the school or the vehicle is operated pursuant to a contract with the authority in charge of the school;

“sidewalk” means the part of a highway or roadway beside or near a curb or edge of a roadway that is improved for the use of pedestrians;

“slow moving vehicle” means any vehicle that travels unreasonably slower than the posted speed limit and/or moves at a rate of speed as such to impede the safe flow and movement of traffic as such to cause congestion and interrupt the smooth flow of traffic. This shall include but not limited to Tele-handlers, skid steers, zoom booms, and any other piece of equipment that is self-propelled and moves at an unreasonable rate of speed, any vehicle that cannot operate at the specified speed limit;

“speed limit” the maximum speed at which any vehicle may legally travel on a roadway or highway or anywhere designated within the municipal boundary.

“taxi” means a motor vehicle, other than a bus, that is used to transport passengers for compensation;

“traffic” includes pedestrians, vehicles, ridden, driven or other conveyances;

“traffic control device” means a sign, signal, light, line, marking or other device placed or erected under a by-law or in accordance with the Traffic Safety Act or the Public Highways Act for the purpose of regulating, warning or guiding pedestrians or traffic;

“traffic light” means a traffic control device that uses shapes, symbols or words that are periodically illuminated to direct traffic or pedestrians to stop and to proceed;

“trailer” means a vehicle that is designated to be drawn on a highway by a motor vehicle, whether or not part of its weight or load rests on or is carried by that motor vehicle.

2. GENERAL PROVISIONS

1. Within the City limits of Iqaluit when the speed limit is not posted and visible, the speed limit shall be 30 km/hr.
2. No person shall operate any motor vehicle upon a roadway, highway or within the municipality within designated areas without due care and attention.
3. No Person shall operate a vehicle at a greater rate of speed than that indicated by the posted speed limit sign or as identified in 2.1.
4. The maximum allowable speed for any “all terrain vehicle” shall be 50 km per hour.
5. No person shall engage in a stunt of activity on a roadway that is likely to distract or startle a driver using the roadway.
6. No person shall deposit on a roadway any glass, nails, tacks or scraps of metal or any rubbish, refuse or waste, whether willfully or unknowingly.
7. No person shall drive his or her vehicle in a race or in a contest of performance.
8. No person shall ride and no person shall permit a person to ride, on the outside of a motor vehicle or in the box of a truck or within a trailer or any other piece of equipment being conveyed on a roadway.
9. No person shall drive a vehicle on a highway while holding or using a hand-held electronic device, a person may however drive a vehicle on a roadway while using, but not holding, a device described as hands-free mode.
10. The driver of a motor vehicle shall be responsible for any contravention as it relates to a youth found to be in contravention of this by-law, while the youth is in the care, custody and control of the driver.
11. No person shall ride or drive a motorcycle unless the person wears a prescribed helmet in the prescribed manner.
12. No person shall disobey or contravene any traffic control device.
13. No Person shall park a vehicle in a fire lane whether the vehicle is attended or unattended at any time.

3. LICENSING, INSURANCE AND REGISTRATION REQUIREMENTS

1. No person shall operate, park or allow a motor vehicle upon any roadway or portion thereof and including any publically accessed area without a properly displayed, affixed and valid license plate.
2. No person shall operate, park or allow a motor vehicle upon any roadway, highway or portion thereof and including any publically accessed area without current and valid registration.
3. No person shall operate, park or allow a motor vehicle upon any roadway, highway or portion thereof and including any publically accessed area without current and valid Insurance Liability.
4. No person shall operate a motor vehicle without a valid and proper class of driver's license in respect to the vehicle in which they are operating.
5. No person shall operate or park or allow a motor vehicle to be operated or parked displaying an expired licence plate.

4. SPEED LIMITS

1. Unless otherwise posted, within the City limits of Iqaluit when the speed limit is not posted and visible, the speed limit shall be 30 km/hr.
Where a traffic control device sets out a maximum speed limit, the speed limit applies to that part of the highway between the traffic control device and the point where another traffic control device indicates a greater or lesser speed or that the speed limit has ceased to apply.
2. No person shall drive a vehicle at a greater rate of speed of 30 kilometers within 30 meters of any crosswalk.
3. No person shall drive a vehicle at such a low rate of speed as to impede or block the normal and reasonable movement of traffic, except when it is necessary to do so for the safe operation or to comply with this by-law.
4. No person shall drive at a rate of speed that is unreasonable having regard to all the circumstances including, without restricting the generality of the foregoing;
 - (a) the condition of the roadway;
 - (b) the class of vehicle being driven;
 - (c) the classes of vehicles that are permitted to use the highway;
 - (d) the weather or other conditions that might affect the visibility of the driver;
 - (e) the amount of traffic on the roadway; and

- (f) the mechanical condition of any vehicle safety item in respect of the vehicle being driven.
- 5. No person shall equip a motor vehicle with a device that is designed to detect or interfere with
 - (a) radar signals;
 - or
 - (b) equipment used for measuring the speed of vehicles.

5. SEATBELT ASSEMBLY

1. No person shall operate, on a roadway, a motor vehicle in which a seat belt assembly was required under the *Motor Vehicle Safety Act* when it was manufactured, assembled or imported into Canada if the seat belt assembly has been removed or has become wholly or partly inoperative.
2. The driver of a motor vehicle that has a seat belt assembly provided for the driver shall wear the complete seat belt assembly in a properly adjusted and securely fastened manner while the vehicle is operated on a roadway.
3. A passenger in a motor vehicle that has a seat belt assembly provided for the seating position that the passenger occupies shall wear the complete seat belt assembly in a properly adjusted and securely fastened manner while the vehicle is operate on a roadway.
4. No person shall operate, on a roadway, a motor vehicle in which there is a passenger of the prescribed size or weight unless that passenger is properly secured in a prescribed child restraint system.

Exemption: This section or any part of this section does not apply to a prescribed class of motor vehicles or a prescribed class of drivers or passengers in motor vehicles S.Nu.2013, c.20,s.26(6).

6. SLOW MOVING VEHICLES

6.1 The following vehicles shall not be driven on any roadway within the municipality including but not limited to and without restricting the generality of the foregoing;

- i) Heavy construction equipment having metal tracks, (excavator or similar)

6.2 The following vehicles shall not be driven on any roadway within the municipality including but not limited to and without restricting the generality of the foregoing;

- i) skid steer/bobcat;

- ii) zoom boom/tele-handler;
- iii) construction equipment;
- iv) any vehicle that cannot operate at the specified speed limit;

Vehicles identified in 6.2 shall be trailered to and from point to point.

6.3 No person shall operate a construction vehicle on a roadway within the municipality unless the amber flashing lights on the vehicle are activated.

6.4 No person shall activate the amber flashing lights on any vehicle unless they are authorized to do.

7. PASSING AND OVERTAKING OF VEHICLES – USE OF LEFT HAND LANE

1. No driver shall pass or overtake any vehicle within the municipality posted 30 km per hour, unless;
 - (a) the vehicle to be overtaken is travelling at an unreasonable rate of speed, and that overtaking the vehicle is done in the prescribed manner:
 - i) before entering into the opposing lane the driver activates his/her signal to overtake the vehicle.
 - ii) ensures that the opposing lane is clear of traffic,
 - iii) the driver does not exceed the posted speed limit in order to safely overtake the vehicle.
 - iv) the driver signals their intent to return to his/her lane.
 - v) at no time shall the driver of a vehicle overtake on the approach of the crest of a hill or bend or curve in a roadway.

7.2 No driver shall pass or overtake any vehicle within 200 meters of a school or daycare facility.

8. PASSING AND OVERTAKING OF VEHICLES – PROHIBITED

- i) No drivers shall pass or overtake another vehicle travelling in the same direction unless there is a marked right hand turning lane permitting passing on the right.
- ii) No driver shall pass on the right within an intersection, or overtake another vehicle within approach to or within the intersection.
- iii) No driver shall overtake or drive onto the shoulder, curb, walking trail, sidewalk, or within the easement of a parking area to overtake a vehicle on the right hand side.
- iv) No driver shall drive off of a roadway when passing a vehicle.

- v) No driver shall overtake another vehicle within 30 meters of a crosswalk.
- vi) No driver shall pass or overtake a school bus that is loading or unloading children within the municipality while the stop sign and or combination of flashing red lights is engaged.

9. U-TURNS – PROHIBITED

1. No driver may turn a vehicle upon a roadway so as to proceed in the opposite direction if he or she is;
 - (a) driving on a curve or bend in the roadway;
 - (b) on an approach to or near the crest of a hill where the vehicle cannot be seen by a person operating a vehicle approaching from either direction within 200 meters,
 - (c) within 200 meters of an intersection or crosswalk

10. TOWING OF VEHICLES

1. Towing of vehicles and equipment through use of a chain or rope shall not be permitted at anytime on a roadway within the municipality.
2. A person who operates a tow truck on a roadway shall activate the amber flashing lights on the truck when the truck is towing a vehicle.

11. ABANDONED VEHICLE

“Abandoned vehicle” means a motor vehicle that is located on a highway or roadway including any publically accessed property and which;

- i) does not appear to be in operating condition; or
- ii) does not have attached to it a current plate issued under the *Traffic Safety Act* of Nunavut; or
- iii) is wrecked, dismantled, partially dismantled, stripped or partially stripped; and which remains on a highway 72 hours after a notice has been attached to it.

And which remains on a highway 72 hours after a notice defining an abandoned vehicle has been affixed to the vehicle including;

1. A description of the vehicle to which it is being attached;
2. The date and time it is attached to the vehicle;
3. A statement that, if not removed with 72 hours of the date and time the notice was attached to the vehicle, the vehicle will meet the definition of “abandoned vehicle” and will be taken to and stored in a suitable place;
4. An officer’s number or other identification of the person issuing the notice.

12. POWERS OF SEIZURE AND IMPOUNDMENT

- i) An officer who finds a person on a roadway contravening this by-law or any other governing act or regulation may, if the vehicle is involved in a contravention, seize the vehicle if the vehicle is required for evidence or;
- ii) An officer may seize a vehicle and cause it to be removed from its location to a place of storage that the officer considers appropriate where;
 - (a) the officer has reasonable grounds to believe that the vehicle is abandoned in contravention to section 224 of the Traffic Safety Act;
 - (b) the vehicle is a motor vehicle that is on a highway and no licence plate issued under the Traffic Safety Act or under the laws of a jurisdiction other than Nunavut are attached to the vehicle;
 - (c) the vehicle is parked in contravention of the Act or regulations or by-law.
 - (d) in a position that interferes with the fighting of a fire; or
 - (e) in any other case, the vehicle is on a roadway and is involved in a contravention of the Traffic Safety Act or the regulations or by-law and the officer on reasonable grounds believes that the public interest requires the vehicle to be seized.
 - (f) if a person on a roadway operates a vehicle 50 kilometers per hour in excess of the posted speed limit.

13.1 The termination of seizure shall be 24 hours after the vehicle is seized, release of an Impounded vehicle shall require the following before being release to the registered owner;

- (a) Proof of ownership
- (b) Valid and current registration and insurance;
- (c) having paid all associated costs pertaining to the towing and impoundment of the vehicle, including towing fee and daily impound fee;
- (d) if unable to provide proof of valid registration and insurance, the vehicle may be released, and only by means of removal by a certified towing company to transport the vehicle to private property for storage.

13. VEHICLE EQUIPMENT REQUIREMENTS

- 1. The owner of a vehicle that is at any time upon a roadway shall ensure that the vehicle is in safe operating condition and equipped as required under the Traffic Safety Act.

2. No person shall operate an unsafe vehicle on a roadway in such a condition that the operation of the vehicle is likely to endanger the safety of the driver, a passenger in the vehicle or the public.
3. No person shall operate a motor vehicle on a highway unless the headlights or daytime running lights are in use.
4. No person shall operate a motor vehicle on a highway during the period of ½ hour after sunset to ½ hour before sunrise or at any other time when conditions of poor visibility exist, unless the headlights and other prescribed lights are in use.
5. No person shall operate a vehicle upon a roadway with any obstruction of view, this shall include but not limited to and without restricting the generality of the foregoing;

That unduly obstructs:

- i) Snow and Ice;
- ii) Cracked, broken or in any other inadequate condition;
- iii) Decorative items;
- iv) Decals, stickers and other items affixed to the window glass;

14. ALL TERRAIN, UTILITY TERRAIN VEHICLE, RECREATIONAL OFF-ROADWAY VEHICLES

1. No person shall operate, park or allow an ATV, UTV or Recreational Off-Roadway Vehicle upon any roadway or portion thereof and including any publically accessed area without a properly displayed, affixed and valid license plate.
2. No person shall operate, park or allow an ATV, UTV or Recreational Off-Roadway Vehicle upon any roadway, highway or portion thereof and including any publically accessed area without current and valid registration.
3. No person shall operate, park or allow an ATV, UTV or Recreational Off-Roadway Vehicle upon any roadway, highway or portion thereof and including any publically accessed area without current and valid Insurance Liability.
4. No person shall operate an ATV, UTV or Recreational Off-Roadway Vehicle without wearing a prescribed helmet in the prescribed manner.
5. No person shall operate a UTV or Recreational Off-Roadway Vehicle without wearing a seatbelt if it has a seat belt assembly provided for the driver/passenger and shall wear the complete seat belt assembly in a properly adjusted and securely fastened manner while the vehicle is operated on a roadway.

15. LOAD SECUREMENT

1. Commercial Vehicles

- a) All commercial vehicles shall comply with the regulations as set out in the Traffic Safety Act, Consolidation of Traffic Safety act R.S.N.W.T. 1988, c.M-16.
- b) All open bed or flat bed trailers must have all loads and parts thereof properly secured in place by use of proper and approved strapping as to ensure no movement or loss of load while operating upon a roadway.
- c) Use of adequate and approved straps must ensure that the load prevents the vehicle being over-turned or cause the load to shift, sway, blown off, falling off, leaking or otherwise escaping.
- d) The use of an adequate and approved tarp system shall be required to cover loads to prevent blowing off, falling off or otherwise escaping.

16. ENFORCEMENT AND EMERGENCY VEHICLES

Exemption for enforcement and emergency vehicles under the TSA.

240. (1) Subject to subsections (2) and (3), the driver

- a) of an emergency or enforcement vehicle, when responding to an emergency call or alarm, or
- b) of an enforcement vehicle, when in pursuit of a person who is suspected of contravening a law or when going to investigate a suspected contravention of a law, may drive the emergency or enforcement vehicle, as the case may be, in contravention of this Act or the regulations or a by-law of a municipal corporation where it is necessary to do so.

Manner of driving

(3) Where the driver of an enforcement or emergency vehicle contravenes this Act, the regulations or a by-law of a municipal corporation under subsection (1), the driver shall drive the vehicle with regard for the safety of traffic using the highway taking into account all circumstances of the case including

- (a) the condition of the highway;
- (b) the amount of traffic that is on or might reasonably be expected to be on the highway;
- (c) the nature of the use being made of the enforcement or emergency vehicle at that time; and
- (d) the time of day.

**SCHEDULE “A”
FINE SCHEDULE**

SECTION	DESCRIPTION	FINE
2.2	operate any motor vehicle upon a roadway, highway or within the municipality within designated areas without due care and attention.	\$250.00
2.4	engage in a stunt of activity on a roadway that is likely to distract or startle a driver using the roadway.	\$500.00
2.5	deposit on a roadway any glass, nails, tacks or scraps of metal or any rubbish, refuse or waste, whether willfully or unknowingly.	\$250.00
2.6	drive his or her vehicle in a race or in a contest of performance.	\$500.00
2.7	ride and no person shall permit a person to ride, on the outside of a motor vehicle or in the box of a truck or within a trailer or any other piece of equipment being conveyed on a roadway.	\$150.00
2.8	drive a vehicle on a highway while holding or using a hand-held electronic device, a person may however drive a vehicle on a roadway while using, but not holding, a device described as hands-free mode.	\$375.00
2.10	ride or drive a motorcycle unless the person wears a prescribed helmet in the prescribed manner.	\$150.00
2.12	disobey or contravene any traffic control device.	\$200.00
2.13	park in a fire lane.	\$300.00
3.1	operate, park or allow a motor vehicle upon any roadway or portion thereof and including any publically accessed area without a properly displayed, affixed and valid license plate.	\$150.00
3.2	operate, park or allow a motor vehicle upon any roadway, highway or portion thereof and including any publically accessed area without current and valid registration.	\$150.00
3.3	operate, park or allow a motor vehicle upon any roadway, highway or portion thereof and including any publically accessed area without current and valid Insurance Liability.	\$750.00
3.4	operate a motor vehicle without a valid and proper class of driver’s license in respect to the vehicle in which they are operating.	\$150.00
3.5	operate or park or allow a motor vehicle to be operated or parked displaying an expired licence plate.	\$75.00
4.2	drive a vehicle at a greater rate of speed of 30 kilometers within 30 meters of any crosswalk.	\$150.00

4.3	drive a vehicle at such a low rate of speed as to impede or block the normal and reasonable movement of traffic, except when it is necessary to do so for the safe operation or to comply with this by-law.	\$150.00
4.4(a),(b),(c), (d),(e),(f)	drive at a rate of speed that is unreasonable having regard to all the circumstances. <ul style="list-style-type: none"> (a) the condition of the roadway; (b) the class of vehicle being driven; (c) the classes of vehicles that are permitted to use the highway; (d) the weather or other conditions that might affect the visibility of the driver; (e) the amount of traffic on the roadway; and (f) the mechanical condition of any vehicle safety item in respect of the vehicle being driven. 	\$200.00
4.5	equip a motor vehicle with a device that is designed to detect or interfere with <ul style="list-style-type: none"> (a) radar signals; or (b) equipment used for measuring the speed of vehicles. 	\$250.00
5.1	operate, on a roadway, a motor vehicle in which a seat belt assembly was required under the <i>Motor Vehicle Safety Act</i> when it was manufactured, assembled or imported into Canada if the seat belt assembly has been removed or has become wholly or partly inoperative.	\$250.00
5.2	driver fail to wear the complete seat belt assembly in a properly adjusted and securely fastened manner while the vehicle is operated on a roadway.	\$125.00
5.3	passenger fail to wear complete seat belt assembly in a properly adjusted and securely fastened manner while the vehicle is operate on a roadway.	\$125.00
5.4	operate, on a roadway, a motor vehicle in which there is a passenger of the prescribed size or weight unless that passenger is properly secured in a prescribed child restraint system.	\$250.00
6.1 (i)	operate Heavy Construction equipment having metal tracks, (excavator or similar) on roadway.	\$1000.00
6.2(i),(ii),(iii), (iv)	<ul style="list-style-type: none"> i) operation of skid steer/bobcat on roadway; ii) operation of zoom boom/tele-handler on roadway; iii) operation of construction equipment on roadway; iv) operation of any vehicle that cannot operate at the specified speed limit; 	\$250.00

9	<p>turn a vehicle upon a roadway so as to proceed in the opposite direction if he or she is;</p> <ul style="list-style-type: none"> a) driving on a curve or bend in the roadway; b) on an approach to or near the crest of a hill where the vehicle cannot be seen by a person operating a vehicle approaching from either direction within 200 meters, c) within 200 meters of an intersection or crosswalk 	\$200.00
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10.1	towing of vehicles and/or equipment through the use of a chain or rope at any time on a roadway within the municipality	\$250.00
11	abandoned vehicle on roadway or publically accessible property.	\$200.00
13.1	operation of unsafe vehicle on roadway.	\$250.00
13.3	operate a motor vehicle on a highway without the headlights or daytime running lights in use.	\$100.00
13.4	operate a motor vehicle on a highway during the period of ½ hour after sunset to ½ hour before sunrise or at any other time when conditions of poor visibility exist, unless the headlights and other prescribed lights are in use.	\$100.00
13.5	<p>operate a vehicle upon a roadway with any obstruction of view, That unduly obstructs:</p> <ul style="list-style-type: none"> i) snow and Ice; ii) cracked, broken or in any other inadequate condition; iii) decorative items; iv) decals, stickers and other items affixed to the window glass; 	\$200.00
14.1	operate, park or allow an ATV, UTV or Recreational Off-Roadway Vehicle upon any roadway or portion thereof and including any publically accessed area without a properly displayed, affixed and valid license plate	\$75.00
14.2	operate, park or allow an ATV, UTV or Recreational Off-Roadway Vehicle upon any roadway, highway or portion thereof and including any publically accessed area without current and valid registration.	\$150.00
14.3	operate, park or allow an ATV, UTV or Recreational Off-Roadway Vehicle upon any roadway, highway or portion thereof and including any publically accessed area without current and valid Insurance Liability.	\$575.00
14.4	operate an ATV, UTV or Recreational Off-Roadway Vehicle without wearing a prescribed helmet in the prescribed manner.	\$150.00
14.5	No person shall operate a UTV or Recreational Off-Roadway Vehicle without wearing a seatbelt if it has a seat belt assembly provided for the driver/passenger and shall wear the complete	\$125.00

	seat belt assembly in a properly adjusted and securely fastened manner while the vehicle is operated on a roadway.	
15.1	b) driver fail to have all loads and parts thereof properly secured in place by use of proper and approved strapping as to ensure no movement or loss of load while operating upon a roadway.	\$350.00
	c) driver fail to use adequate and approved straps that prevents the vehicle being over-turned or cause the load to shift, sway, blown off, falling off, leaking or otherwise escaping.	\$500.00
	d) driver fail to use an adequate and approved tarp system as required to cover loads to prevent blowing off, falling off or otherwise escaping.	\$350.00

**Schedule “B”
Graduated Speed Limits –Fine Schedule**

Section 2

3. No Person shall operate a vehicle at a greater rate of speed than that indicated by the posted speed limit sign or as identified in 2.1.

0 – 16 kilometers over posted speed limit	\$100.00
17 – 29 kilometers over posted speed limit	\$250.00
30 – 40 kilometers over posted speed limit	\$350.00
41 – 49 kilometers over posted speed limit	\$500.00
50 kilometers and greater over posted speed limit	\$1000.00

12 POWERS OF SEIZURE AND IMPOUNDMENT

An officer may seize a vehicle and cause it to be removed from its location to a place of storage that the officer considers appropriate where;

12 ii) (f) if a person on a roadway operates a vehicle 50 kilometers per hour in excess of the posted speed limit.

Towing Fee	\$180.00
Storage and Impound – per day	\$50.00
Administrative fee	\$15.00

EFFECTIVE DATE

This By-law shall come into force upon receiving third reading.

THIS BY-LAW READ a First Time this ___ day of _____, 2020, A.D.

Kenny Bell
Mayor

Amy Elgersma
Chief Administrative Officer

THIS BY-LAW READ a Second Time this ___ day of _____, 2020, A.D.

Kenny Bell
Mayor

Amy Elgersma
Chief Administrative Officer

THIS BY-LAW READ a Third and Final Time this ___ day of _____, 2020 A.D.

Kenny Bell
Mayor

Amy Elgersma
Chief Administrative Officer

THE CORPORATION OF THE CITY OF IQALUIT

**BY-LAW # 889
AMENDMENT TO THE GENERAL PLAN, BY-LAW # 703**

A By-law of the City of Iqaluit in Nunavut to amend By-law No. 703, The City of Iqaluit General Plan, 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 General Plan (By-law No. 703), in accordance with the *Planning Act*,

WHEREAS Council wishes to amend the General Plan to remove the prohibition on the use of metal siding in the Core Area.

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

1. That Subsection 5.1.3.2 of the General Plan is hereby amended with the addition of the following located at the end of the first sentence:
“This provision shall not apply to subject lands on Plan 4150, Block 70, Lot 2.”
2. This by-law shall come into effect on the date of its third reading.

READ a first time this ____ day of _____, 2020.

Kenny Bell
Mayor

Amy Elgersma
Chief Administrative Officer

After due notice and a Public Hearing held on _____

READ a second time this ____ day of _____, 2020.

Kenny Bell
Mayor

Amy Elgersma
Chief Administrative Officer

APPROVED by the Minister of Community and Government Services this ____ day of _____, 2020.

Minister, Community and Government Services

READ a third and final time this ____ day of _____, 2020.

Kenny Bell
Mayor

Amy Elgersma
Chief Administrative Officer

THE CORPORATION OF THE CITY OF IQALUIT

BY-LAW # 890
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 permit an *Educational Facility* use on Lot 2, Block 70, Plan 4150, in the Core Area.

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

1. New Section 14.5 shall be added immediately following Section 14.4, as follows:

Special Exception Zone

14.5 *On lands zoned CD (1), the following exceptions shall apply:*

- (a) *Notwithstanding the Permitted Uses in Section 14.1 and Conditional Uses, 14.2, an Educational Facility will be a permitted use on Plan 4150, Block 70, Lot 2; and*

2. That Schedule B, Populated Area Zoning Map, and Map 2 Schedule B, Populated Area Zoning Map is amended as shown on Appendix A of this By-Law.
3. This by-law shall come into effect on the date of its third reading.

READ a first time this ____ day of _____ 2020.

Mayor Bell

Amy Elgersma
Chief Administrative Officer

After due notice and a Public Hearing held on _____

READ a second time this ____ day of _____, 2020.

Mayor Bell

Amy Elgersma
Chief Administrative Officer

APPROVED by the Minister of Community and Government Services this ____ day of _____, 2020.

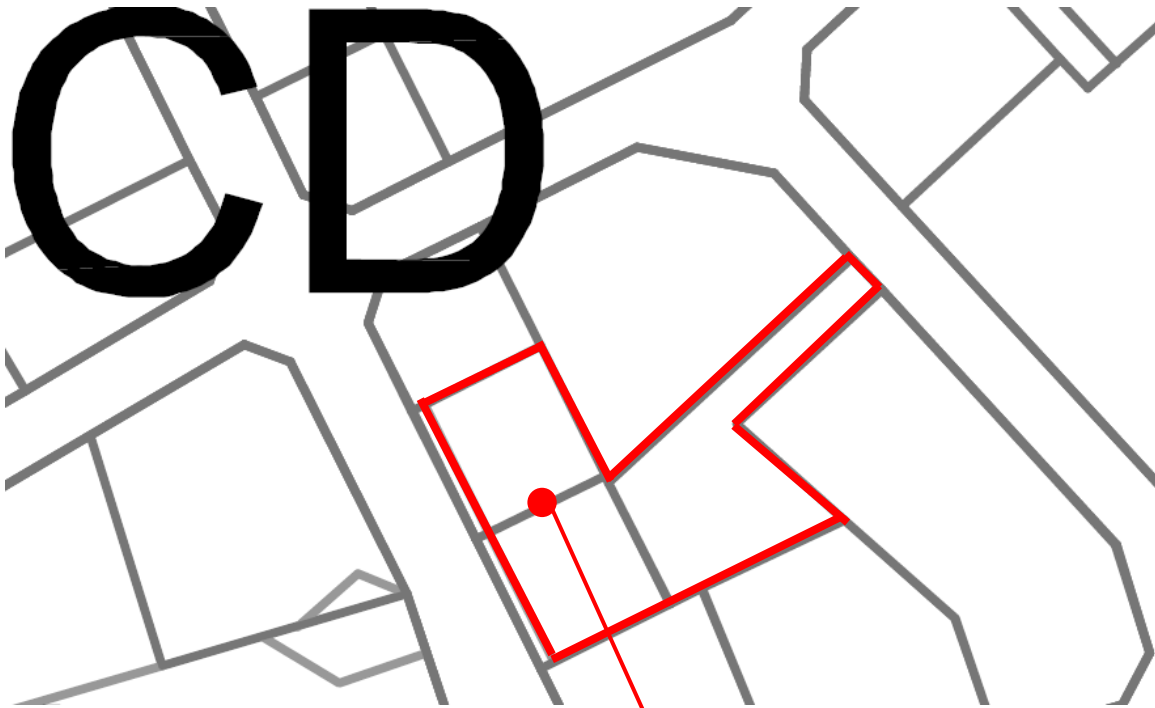
Minister, Community and Government
Services

READ a third and final time this ____ day of _____, 2020.

Mayor Bell

Amy Elgersma
Chief Administrative Officer

Appendix A



Change from *Capital District Zone (CD)* to *Capital District Zone- Exception 1 (CD(1))*

THE CORPORATION OF THE CITY OF IQALUIT

BY-LAW No. 892

AMENDMENT TO GENERAL PLAN BY-LAW No. 703

A By-law of the City of Iqaluit in Nunavut to amend General Plan No. 703, The City of Iqaluit General Plan, pursuant to the provisions of the *Planning Act RSNWT 1988 C P-7, S 7-10.*

WHEREAS the City of Iqaluit has adopted General Plan No. 703 pursuant to Section 4 of the *Planning Act*;

AND WHEREAS Council wishes to amend the General Plan to address required changes;

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

1. That Annex B- Inuit Owned Land Parcel 'E' Development Scheme is hereby amended by rescinding and replacing Figure 5 with the attached Schedule A.
2. THAT the Clerk is hereby authorized and directed to make application to the Minister of Community and Government Services for approval of this By-law.
3. THAT this By-law shall come into effect on the date of its third reading.

READ a first time this ____ day of _____, 2020.

Kenny Bell
Mayor

Amy Elgersma
Chief Administrative Officer

After due notice and a Public Hearing held on _____, 2020.

READ a second time this ____ day of _____, 2020.

Kenny Bell
Mayor

Amy Elgersma
Chief Administrative Officer

APPROVED by the Minister of Community and Government Services this ____ day of _____, 2020.

Minister, Community and Government
Services

READ a third and final time this ____ day of _____, 2020

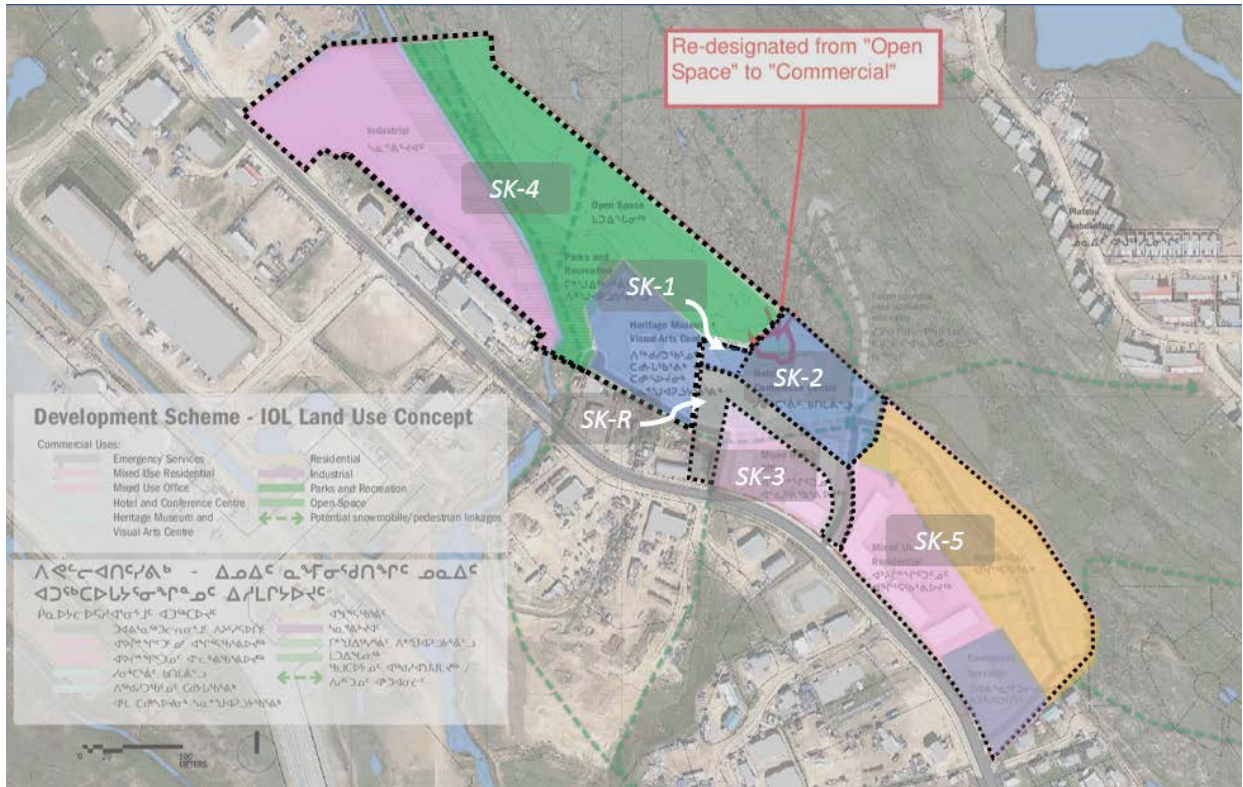
Kenny Bell
Mayor

Amy Elgersma
Chief Administrative Officer

Schedule A

THE CORPORATION OF THE CITY OF IQALUIT
BY-LAW NO. 892

FIGURE 5 ANNEX B- INUIT OWNED LAND PARCEL 'E' DEVELOPMENT
SCHEME



Request for Decision

Topic: Apex Pumping Supplemental Pumping 2020 Construction Services contract award Tender No. 2020-RFT-0009	Date: April 17, 2020 Proposed By: Amy Elgersma, Chief Administrative Officer
TENDER SUMMARY <p>The City obtains its water from Lake Geraldine. The reservoir is refilled annually during spring and summer by natural inflows from snowmelt and precipitation. In years when natural inflows or precipitation are low and the reservoir does not fill to full capacity, or, when seasonal demand has been high, there is a potential for a shortage of drinking water available to the City. In 2018 and 2019, the reservoir could not supply the water needs of the City and emergency supplemental pumping projects were undertaken.</p> <p>On March 25th, 2020, the City issued a Request for Tender (RFT) for the provision of construction services to supplement raw water in Lake Geraldine from the Apex River. This follows other similar supplemental pumping activities in 2018 and 2019. The RFT closed on April 16th, 2020. The RFT was publicly advertised through Merx.</p> <p>Three addendums were issued in April 2020. The City received four tender submissions from;</p> <ul style="list-style-type: none">• Pilitak Enterprises Ltd;• Tower Arctic Ltd;• Nunavut Construction Ltd; and• 5581 Nunavut Ltd. TENDER DETAILS <p>As per the request for tender, the project scope generally includes:</p> <ul style="list-style-type: none">• Preliminary and general activities; including insurance, site office set up, security measures and project signage;• Mobilizing to Site, to take advantage of the spring Freshet and higher water levels in the Apex River (May 2020);• Delivering, installing and operating existing submersible pumps and piping components, including installation of fish screens;• Deliver to Site the existing generator purchased by the City in the 2019 program, including, operation, and maintenance;• Operation and maintenance of pumping operations in line with the existing City water licence; and• Demobilizing from Site. <p>As at 17 April 2020, it is noted that tendering activities are presently ongoing for the engagement of a separate Consultant to complete environmental monitoring, reporting, construction administration and owner's engineer tasks for this project.</p>	

TENDER EVALUATION AND BUDGET

Following tender close on 16 April 2020, an opening of bids was conducted by conference call (due to COVID-19 closure of City buildings). Participants on the call included City staff, representatives from Pilitak, Tower, Nunavut Construction and Nunavut Excavation, and a representative from Colliers Project Leaders. The submitted bid prices were read out to participants (and verified by a separate City staff member).

Bids were reviewed for general conformance with tender requirements by two (2) members of Colliers Project Leaders. Following general conformance review, a Nunavummi Nangminiqaqtunik Ikajuuti (NNI) adjustment was completed. This adjustment was completed on 17 April 2020 and followed NNI Policy (2016).

It is noted that the 2020 capital works budget includes an allowance of \$1,000,000 for the Apex Pumping Supplemental Pumping project.

SUMMARY OF EVALUATION PROCESS

The full results from the RFT evaluation are summarized in the table below:

No.	Tenderer	Fixed Fee Portion	Unit Price Portion*	Total Tender Price (Unadjusted)	NNI Adjusted Equivalent Price**
1	Tower Arctic Ltd ***	\$ 203,170.00	\$ 484,790.00	\$ 687,960.00	\$ 562,960.00
2	Pilitak Enterprises Ltd	\$ 134,050.00	\$ 560,250.00	\$ 694,300.00	\$ 569,300.00
3	5581 Nunavut Ltd	\$ 123,000.00	\$ 581,400.00	\$ 704,400.00	\$ 607,025.00
4	Nunavut Construction Ltd	\$ 210,200.00****	\$ 634,500.00****	\$ 849,700.00	\$ 725,700.00

* This tender includes a variable price component for diesel fuel and operator hours; and is subject to actual pumping needs. A conservative estimate of hours and fuel is included in the submitted bids.

** NNI Adjusted price is for evaluation purposes only.

*** Low bidder (unadjusted and NNI adjusted price) – *Tower Arctic Ltd.*

**** Arithmetic errors were identified in Nunavut Construction's price breakdown.

RECOMMENDATION FOR AWARD

The low bidder (unadjusted and NNI adjusted price) for this Tender is Tower Arctic Ltd.

It is therefore recommended that Tower Arctic Ltd. be awarded the contract for the provision of Construction Services for the 2020 Apex Pumping Supplemental Pumping project.

As per the RFT, tenders are irrevocable and open for acceptance by the City for a period of sixty (60) calendar days after the date and time set for the submission of proposals. The 60-day period will expire on July 16th, 2019.

Policy Implications:

Water License
Occupational Health and Safety Policies
Water Supply & Treatment Policies

Strategic Plan:

Sustainable Infrastructure

- Ensure our infrastructure meets the functional needs of a thriving and prosperous community;
- Prioritize, build and rebuild our community's foundation;

Costs:

\$ 687,960.00 plus GST

Source of Funding:

City Reserve Fund
Water Supply Response
GL # 05-040-240-055-4990

Staff Recommendations/Comments:

It is recommended that Council award the 2020 Apex Pumping Supplemental Pumping construction services contract to Tower Arctic Ltd as the low bidder for City Tender No. 2020-RFT-0009.

CAO's Review/Comments/Initials:

Reviewed by CAO (AE)