

CITY OF IQALUIT
PLANNING & DEVELOPMENT COMMITTEE OF THE WHOLE MEETING #05
June 12, 2014 at 6:00 PM
CITY COUNCIL CHAMBERS

PRESENT FROM COUNCIL

Councillor Kenneth Bell
Councillor Stephen Mansell
Councillor Terry Dobbin
Councillor Joanasie Akumalik
Councillor Romeyn Stevenson
Councillor Noah Papatsie

ABSENT

Mayor John Graham
Deputy Mayor Mary Wilman
Councillor Simon Nattaq

PRESENT FROM ADMINISTRATION

John Hussey, Chief Administrative Officer
Tracy Cooke, City Clerk
John Mabberi-Mudonyi, Senior Director, Corporate Services
Melodie Simard, Director, Planning and Development
Colin MacPhee, Assistant Planner
Gayle Kabloona, Planning Student
Valerie Collin, Recorder
Jeanie Eeseemailee, Senior Interpreter/Translator

ADOPTION OF AGENDA

Motion PL14-20

Moved by: Councillor Mansell
Seconded by: Councillor Stevenson

That the agenda be adopted as presented.

Unanimously Carried

1. MINUTES

None

2. DECLARATION OF INTEREST

None

3. DELEGATIONS

None

4. DEFERRED BUSINESS AND TABLED ITEMS

None

5. NEW BUSINESS

- a) Memo – R. Simonsen, Lot 46, Plan 674
Colin MacPhee, Assistant Planner

Administration noted that the lot is located at the intersection of Mattaaq Crescent and Pitsi Lane, providing good road access. The applicant is proposing to convert house 661 on the lot from a residential dwelling to a studio use to accommodate a custom clothing business. The lot is surrounded by residential uses to the west and north, institutional uses to the south and is designated Core Area. The General Plan policies for the designation encourage a mix of uses to create the economic, cultural, and employment focal point of the city; the proposed uses meet the policies in the designation.

Policy 4 of Section 5.1.1 of the General Plan establishes the B1, B2, CD, and S zones to promote mixed-use intensification in the Core Area; the site is zoned Medium-Density Residential (R2). The R2 zone permits residential uses such as semi-detached dwellings, duplex dwellings, triplex dwellings, and row dwellings. Home-based businesses and bed and breakfast uses are also permitted.

It is the opinion of planning staff that this proposal meets the definition of a Studio. A studio is defined in the Zoning By-law as “the workplace of an artist or craftsman, including a painter, a sculptor, or a photographer, where small personal goods such as jewelry or fine art such as portraits or sculptures are produced in small quantity or to special order, for sale at retail from the premises”. Studios are not permitted in the R2 zone. As a result, a Zoning By-law amendment would be required to permit the proposed use.

Studios are a permitted use in the Central Business Zone (B1). The zone is intended to permit a range of commercial uses, including banks, retail stores, offices and hotels. The minimum required lot area for the B1 zone is five hundred (500) square metres. This lot measures five hundred and seventy three (573) square metres, thus meeting the minimum requirement.

Although parking requirements for Studio uses are not specified in the zoning by-law, staff proposes applying parking requirements for a retail store (one space per fifty (50) square metres of gross floor area). It appears that there is sufficient space for two (2) parking spaces, and will not generate traffic activity greater than what would be expected in a residential area.

Councillor Stevenson asked if the applicant is the lot owner.

Administration confirmed that the applicant is the lot owner.

Councillor Stevenson expressed his support for the proposed development as it is vacant and currently unsightly.

Councillor Mansell also expressed his support for the proposed development and stated that he would also like to receive feedback from neighboring lot owners prior to development.

Administration noted that consultation with neighboring lots would be completed as part of the development permit and zoning by-law amendment process prior to development commencing.

Councillor Akumalik expressed his support for the proposed development and noted that the lot has been vacant for a period of time.

Councillor Papatsie also expressed his support for the proposed development and stated that accessibility to the studio should be a condition of the development permit.

Councillor Akumalik agreed with Councillor Mansell and believed that consultation with neighboring lots should be completed prior to the development permit being presented and approved by Council as well as prior to the zoning by-law amendment.

Councillor Stevenson stated that he would also like to see the development plan to better understand what the studio would look like and how it would be developed on the lot as well as where parking spaces would be located.

- b) Memo – M. Wilkins, Building 804, Lot 90, Plan 674
Colin MacPhee, Assistant Planner

Administration stated that the lot is located on Natsiq Street in the Core Area. The applicant is proposing to convert building 804 from a residential dwelling to a restaurant. The lot is designated Core Area and is located within the Sijjanga District Overlay. The Sijjanga District is characterized by residential and small-scale institutional and commercial development; eating and drinking establishments are permitted in the Overlay.

The site is zoned Sijjanga Zone (S). The S Zone is intended to permit a range of residential, commercial, and institutional uses to contribute to the vitality of the Core Area. Building heights and densities are regulated in the S Zone to preserve views and access to the waterfront. This proposal meets the definition for an "eating or drinking establishment," which is defined as "a building or part of a building where foods and beverages are offered for sale to the public, for on or off-site consumption."

The proposed eating or drinking establishment use is a conditional use, subject to a number of conditional use criteria, including:

- c) The development conforms to the S Zone provisions
- d) The use will not generate vehicular traffic or parking in excess of that which is characteristic of the zone in which it is located.

In the past, the city has taken the interpretation that criterion (c) above refers to Section 13.4 of Zoning By-law No. 703, which establishes yard requirements, maximum building height and minimum dwelling unit area.

Eating and drinking establishments are subject to other provisions in Section 13.12 of the Zoning By-law:

- Maximum Gross Floor Area (GFA) is seventy five (75) square metres: The site plan indicates that one hundred and fifteen point five (115.5) square metres Gross Floor Area is proposed.
- Minimum lot area is five hundred (500) square metres: The lot area is approximately five hundred and two (502) square metres
- Minimum lot frontage is twenty five (25) metres: The lot frontage is twenty one point three (21.3) metres

Eating or drinking establishments require parking based on a rate of one space per ten (10) seats, or one space per ten (10) square metres of dining area, whichever is greater. To give an indication of the extent of vehicular traffic and parking, the applicant has estimated the number of restaurant customers:

- Approximately ten to fifteen (10-15) for lunch (take-out and dine-in)
- Approximately ten to fifteen (10-15) for dinner (take-out and dine-in)
- Approximately six (6) dine-in tables (twenty four (24) seats) in twenty to twenty five (20-25) square metres are proposed
- Approximately one to two (1-2) deliveries on weekends

Based on the above, two to three (2-3) parking spaces would be required under the by-law.

Administration stated that based on the submitted plans, the following variances would be required:

- Reduce the required lot frontage from twenty five (25) metres to twenty one point three (21.3) metres
- Increase the maximum permitted gross floor area from seventy five (75) square metres to one hundred and fifteen point five (115.5) square metres
- Reduce the minimum required rear yard setback from six (6) metres to four point four (4.4) metres for the existing building
- Reduce the minimum required interior side yard setback from three (3) metres to one point nine (1.9) metres for the existing building

Councillor Akumalik asked if the establishment intends on serving alcoholic beverages.

Administration advised that the applicant does not intend to serve alcoholic beverages.

Councillor Mansell stated that he would like to receive feedback from neighboring lots prior to development.

Councillor Papatsie agreed with Councillor Mansell and stated that he would also like to receive feedback from neighboring lots.

Councillor Akumalik believed that the estimated number of customers and deliveries by the applicant may not be accurate as guests of Capital Suites would most likely eat at the restaurant due to its location. There are only a small number of eating and drinking establishments in Iqaluit that provide delivery services and residents of Iqaluit would appreciate the additional option; this would most likely provide an increased number of deliveries compared to the estimated number of deliveries.

Administration advised that the department did consider the matter and will be requesting further clarification from the application on the business plan and whether or not the estimated number of customers and deliveries are valid.

c) Request for Decision – Survey Sketch SK-IQAL-001-2014
Colin MacPhee, Assistant Planner

Administration noted that the city is seeking to open a new gravel pit in the Northwest Iqaluit Aggregate Area (NIAA), as indicated on Figure A of the General Plan. The proposed survey is required to transfer the lands to the City of Iqaluit to commence extraction activities.

The lands to be surveyed are designated Aggregate Resources, as shown on Figure A of the General Plan. As such, the General Plan envisions aggregate

extraction for the deposit. The proposed survey meets the policies and intent of the General Plan.

The zoning by-law amendment proposes to rezone the lands to Mineral Resources and Extraction Zone (ME), which permits a pit, a quarry and an asphalt plant. The ME Zone does not contain provisions related to lot size or frontage. Consequently, the proposed survey meets the applicable provisions of Zoning By-law No. 703.

Councillor Mansell asked if the geotechnical studies for the site have been completed.

Administration advised that the process is ongoing. The tender for road development was reviewed and approved by Council and this has become part of this process.

Chairperson Bell believed that Council requested that a geotechnical review be completed prior to the city moving forward with the road development; the design and tendering process was approved with the condition that the geotechnical review confirmed that the area was suitable for its proposed use. He asked what the city would do with the site if the geotechnical study is negative.

Administration advised that further clarification would be required but believed that the city would keep ownership of the land.

Motion PL14-21

Moved by: Councillor Mansell

Seconded by: Councillor Stevenson

Committee recommends approving Survey Sketch SK-IQAL-001-2014 for the survey of the City's proposed new gravel pit known as the Northwest Iqaluit Aggregate Deposit.

Unanimously Carried

- d) Request for Decision – Survey Sketch SK-IQAL-002-2014
Colin MacPhee, Assistant Planner

Administration stated that the proposed survey will resurvey Lots 91, 92, 98, and 99, Plan 674 to create three (3) new parcels. Parcel A will measure nine hundred and sixty two point nine five (962.95) square metres in area, with twenty four point four (24.4) metres of road frontage along Fred Coman Street. Parcel B will measure four hundred and eighteen point one eight (418.18) square metres, with twenty one point three (21.3) metres frontage along Natsiq Street. Parcel C will become a through lot measuring nine hundred and seventy five point six one (975.61) square metres, with fourteen point four (14.4) metres of frontage along

Fred Coman Street, representing the front lot line, and twenty one point three (21.3) metres along Natsiq Street.

Lots 92 and 99 are currently developed with single-detached dwellings, while Lot 91 is developed with a two-storey commercial. No new development is proposed as part of this resurvey.

A total of six (6) variances are required to permit the proposed resurvey. The majority of the variances are to permit existing conditions, including the locations of the buildings, while other variances result from fixing building encroachments. All variances are minor and supportable.

Motion PL14-22

Moved by: Councillor Mansell

Seconded by: Councillor Stevenson

Committee recommends approving Survey Sketch SK-IQAL-002-2014 to resurvey Lots 91, 92, 98 and 99, Plan 674 to create three (3) new parcels. Committee also recommends approval of the following:

- A variance to Section 13.4 of the Zoning By-law to reduce the minimum required rear yard setback of Parcel A from 6 metres to 3 metres;
- A variance to Section 14.5 of the Zoning By-law to reduce the minimum lot area of Parcel B from 500 square metres to 418 square metres;
- A variance to Section 14.5 of the Zoning By-law to reduce the minimum required front yard setback of Parcel B from 6 metres to 3.6 metres;
- A variance to Section 14.5 of the Zoning By-law to reduce the minimum required rear yard setback of Parcel B from 6 metres to 1.4 metres;
- A variance to Section 13.4 of the Zoning By-law to reduce the minimum required interior yard setback of Parcel C from 3 metres to 0 metres; and
- A variance to Section 13.5 of the Zoning By-law to reduce the minimum required lot frontage of Parcel C from 15 metres to 14.4 metres

Unanimously Carried

e) Request for Decision – Survey Sketch SK-IQAL-003-2014
Colin MacPhee, Assistant Planner

Administration stated that the proposed survey will subdivide Lot 47, Plan 3604 in Plateau Phase 1, which is currently developed with two (2) semi-detached dwellings. The applicant is proposing to subdivide the lot to create two (2) separate parcels, each of which will accommodate one (1) semi-detached dwelling unit. Both parcels (A & B) will be identical in size, measuring two hundred and fifty two point five (252.5) metres in area, with ten point one (10.1) metres of frontage along Takuminaqtuq Avenue. The proposed lot line will extend in a straight line in the centre of the lot for its entire depth, measuring a total of twenty five (25) metres. No variances are required to permit this survey.

Councillor Stevenson believed that Council has seen scenarios as such in the past and stated that individuals often develop a semi-detached building and then requests to subdivide the building so that each unit can be sold on its own. He asked if there is a reason why the city did not simply create more than one lot so that more buildings could be developed initially rather than individuals going through this process each time they want to sell.

Administration noted that the spirit of the General Plan and Zoning By-law is to allow certain types of development to take place on certain lots; ownership of the developments is not specified nor do they really matter. If one develops a multiplex and wishes to sell each unit individually, they must subdivide the lots in order to do so.

Councillor Mansell believed that perhaps Council needed to meet and decide how the new subdivision will be developed and if subdivisions of lots would be permitted as the General Plan and Zoning By-law specify developments on certain lots for a reason; Council receives many requests to subdivide lots after the development has been completed and perhaps this should be changed.

Motion PL14-23

Moved by: Councillor Akumalik
Seconded by: Councillor Stevenson

Committee recommends approving Survey Sketch SK-IQAL-003-2014 to subdivide Lot 47, Plan 3604 into two (2) lots.

Unanimously Carried

6. IN CAMERA SESSION

None

7. ADJOURNMENT

Motion PL14-24

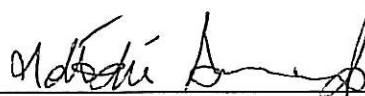
Moved by: Councillor Stevenson
Seconded by: Councillor Mansell

Committee adjourns at 6:50pm.

Unanimously Carried



Councillor Kenneth Bell
Chairperson



Melodie Simard
Director, Planning and Development

Approved by City Council on the 12 day of November, 2014, AD.

