

**MINUTES
CITY OF IQALUIT
PLANNING AND DEVELOPMENT
COMMITTEE OF THE WHOLE MEETING #08
OCTOBER 20, 2020 at 6:00 p.m.
CITY COUNCIL CHAMBERS**

PRESENT FROM COUNCIL

Councillor Joanasie Akumalik, Chair
Mayor Kenny Bell
Deputy Mayor Janet Brewster
Councillor Romeyn Stevenson
Councillor Sheila Flaherty – via Teleconference
Councillor Simon Nattaq
Councillor Kyle Sheppard
Councillor Solomon Awa

PRESENT FROM ADMINISTRATION

Amy Elgersma, Chief Administrative Officer
Tammy Ernst-Doiron, City Clerk
Jennifer Jarvis, City Planner

ADOPTION OF AGENDA

Motion PD #20-55

Moved by: Councillor Sheppard
Seconded by: Councillor Stevenson

Adoption of agenda as presented.

Unanimously Carried

Deputy Mayor Brewster was present at the meeting.

1. MINUTES

None

2. DECLARATION OF INTEREST

None

3. DELEGATIONS

None

4. **DEFERRED BUSINESS AND TABLED ITEMS**

a) **Cabins - Verbal**

Mayor Bell advised that there are no updates at this time. Staff will be making a presentation to the Committee under New Business.

5. **NEW BUSINESS**

a) **Request for Decision – Development Permit Application DP 20-012 and Request for Variances – 6 Stacked Row Dwellings, Lot 562, Plan 1358 (Core Area) – Marc Mahfouz – Building 685 A and B**

Jennifer Jarvis, City Planner, presented a Development Permit Application DP 20-012 and variance for a six-plex to be constructed on Palaugaa Street. The following are the highlights:

- The lot is 601 square metres.
- Each unit will have 75 square metres of floor space.
- Variance required to provide additional density.
- Variance required for relief of an exterior side yard setback from 4 metres to 2.5 metres.
- Proposed development conforms to the intent of the General Plan and Zoning By-law.
- Applicant has indicated in the application that this is an affordable housing project and has funding from CMHC.
- Both Planning and Engineering staff noted that the parking appeared to be awkward the way it backs out onto the road, but it does meet the requirements of the Zoning By-law.
- A letter was received from David Wilman, an abutting property owner opposing the variance. Ms. Jarvis read the letter which explained the reasons opposing the variance.

Councillor Nattaq was present at the meeting.

Councillor Sheppard expressed concern regarding the rear setback in relation to the green row unit. He asked if the approval for the green row house structure was in compliance or if there were variances.

Ms. Jarvis was unable to provide information on the green row unit at this time.

Councillor Sheppard asked if any correspondence was received from the owner of the green row unit. Ms. Jarvis advised that an email was sent, however, a reply was not received.

Deputy Mayor Brewster expressed concerns regarding the setback due to the close proximity of the road and the nearby school. She asked if the proposed building would be moved forward compared to the current building.

Ms. Jarvis was unable to provide an answer at this time. She did note that both the current and proposed building are close to the lot line.

Councillor Stevenson commented that the construction of the building on the lot appears to be too large and setbacks are included in the by-law for a reason. He noted that when residents are advised of a proposed development, it allows them an opportunity to provide input regarding variances. Councillor Stevenson felt the committee should consider the feedback from the abutting property owner.

Mayor Bell asked the number of bedrooms in each of the units. Ms. Jarvis advised that there are four two-bedroom units and two one-bedroom units.

Councillor Flaherty expressed concern that the applicant submitted an application, including plans for construction, of a building that is too large for the property.

Ms. Jarvis explained that the applicant was advised that the application did not meet the Zoning By-law. She reviewed the variances with the applicant, with the understanding that the variances may not be approved.

Motion PD #20-56

Moved by: Mayor Bell

Seconded by: Deputy Mayor Brewster

Committee refers Development Permit Application DP 20-012 and Variance Application back to staff to obtain additional information as discussed and present the information to a future meeting, along with a larger overview of the property and the abutting properties.

Unanimously Carried

Councillor Sheppard confirmed with staff that they understand what the Committee wants for additional information.

Ms. Jarvis understood what was being requested and advised that she would listen to the audio to ensure she understood everything.

b) Request for Decision – Development Permit Application DP 20-043, Plan 184, Group 1087 Lot 1 – North 40 Quarry – Kudlik – Temporary Structure – Commissioner Land Use Permit No. LUP 19-003

Jennifer Jarvis, City Planner, presented Development Permit Application DP 20-043 from Kudlik Construction Inc. to install a temporary “fold away” building within the quarry.

The temporary building will provide protection for large construction equipment and avoid having to drive back and forth between the quarry and the yard. She explained that Kudlik Construction Inc. currently has a Land Use Permit in the quarry and the proposed building would fall under the Land Use Permit. The building is considered temporary and will be removed when the company no longer has access to the land at the expiry of the Land Use Permit.

Ms. Jarvis advised that the City has a Quarry Administration Agreement on the land and are collecting fees from the contractors for the land that they are occupying to stock-pile and process materials.

Councillor Stevenson asked if the temporary structure would improve the land, that would in turn increase the fees being collected. He also asked if the City has taken ownership of the land or is the City just managing the land that belongs to the federal government.

Amy Elgersma, Chief Administrative Officer, explained that approximately one year ago, it was determined that the land is Commissioner Land. The property is being surveyed in order to transfer the ownership of the land to the City. In the meantime, the City worked with the Government of Nunavut to issue Land Use Permits to the contractors who were occupying land, which provided them permission to use the land. When the City takes ownership of the land, there could be changes to the fee structure. She clarified that the City will not take ownership of the portion of land that is contaminated until the land has been cleaned up.

Ms. Jarvis explained that currently, Land Use Permit fees are calculated based on the Land Use Permit Policy, which requires 7.5 percent of the assessed value of the land. The policy does not indicate to charge fees on improvements. She noted that once the City takes ownership of the land, staff could report on any buildings constructed on the land.

Mayor Bell noted that the sea lift season has ended, which means the building is on site and asked why the request was not presented earlier. He commented that temporary structures always turn into permanent structures. He noted that the special conditions indicate the structure will be valid until June 30, 2021 and any time an extension is permitted thereafter.

Councillor Stevenson noted that there are semi-permanent structures being constructed on airport land. He asked if the structures will be allowed once the land ownership has been transferred to the City, or will the City have control to have the temporary structures removed.

Ms. Jarvis was not familiar with the semi-permanent structures being referred to. She noted that there is a temporary structure being constructed next to the Coke plant. A letter has been sent to the owner to stop construction until a Development Permit has been approved.

Ms. Jarvis explained that any building with an approved Development Permit would be difficult to have removed. If the City takes ownership of a parcel of land that has a building which the City is not aware of, the City can request that the structure be removed.

Councillor Awa asked why applicants want to construct temporary buildings.

Ms. Jarvis explained that individuals/companies who have Land Use Permits are not lease holders of the property and therefore are not permitted to construct permanent buildings.

Deputy Mayor Brewster asked what is being stored in the temporary “fold away” structure. She noted that the application for a Land Use Permit includes storage of explosives.

Ms. Jarvis explained that explosives are currently being stored on the property in federally regulated containers. Ms. Jarvis understood that the temporary “fold away” structure would hold their heavy excavating equipment instead of driving it back and forth from their yard on Federal Road.

Councillor Flaherty asked for clarification regarding the extension of the Land Use Permit past June 30, 2021.

Ms. Jarvis explained that if the company applied for another Land Use Permit once the current permit expires, the temporary structure would be included in the next Land Use Permit.

Councillor Sheppard noted that the proposed temporary structure is quite substantial and cannot easily be removed. He does not feel there is a need to allow for construction of structures in the quarry. He commented that a temporary structure leads to other requests and he does not want to set a precedent to allow a structure in the quarry.

Councillor Stevenson confirmed that the structure will be built on a concrete pad.

Councillor Nattaq did not agree that an additional garage is needed at the quarry, since the company already has a garage on Federal Road to perform maintenance and refuelling.

Motion PD #20-57

Moved by: Mayor Bell

Seconded by: Councillor Awa

Committee does not approve Development Permit DP 20-043 to Kudlik Construction Ltd. for the installation of a “fold away” temporary structure at the North 40 Quarry.

Unanimously Carried

c) Memorandum to Council – Cabin Construction

Jennifer Jarvis, City Planner, presented the following phase approach for the Cabin Construction Program:

- Phase 1 – Winter 2020-2021 - Background Study which will include research to determine what other communities are doing and how recreational cabins are being handled.
- Phase 2 – Spring 2021 - Public Consultation to receive input from the residents to determine how they would like to move forward with cabins.
- Phase 3 – Summer 2021 - Cabin By-law or program.

The following are the highlights of the phase approach:

- Currently, the regulatory framework does not support the use and construction of cabins.
- There is some reference to temporary buildings or beach shacks in the General Plan and Zoning By-law, however, this is different than a recreation cabin.
- Framework and definitions will have to be developed and included in the General Plan and Zoning By-law.
- Some communities within Nunavut and Canada do have recreation cabins. It is hoped the research will help determine a process for Iqaluit.
- Review municipal lands for recreation cabins.
- Collaborate with external stakeholders to understand what their regulatory concerns may be.
- Develop a background report which will provide options and recommendations.
- An in person public consultation will be held, providing COVID restrictions allow.
- The public consultation would include stakeholders - Community and Government Services, Government of Nunavut, Inuit Owned Lands, Nunavut Tunngavik Inc. (NTI), Hunters and Trappers Association.
- Implementation of the Recreation Lease or Cabin By-law.

Motion PD #20-58

Moved by: Councillor Sheppard

Seconded by: Councillor Stevenson

Committee recommends that Council direct staff to conduct background research, consultation, and implementation of the Cabin Construction Program in accordance with the action plan outlined.

Unanimously Carried

Councillor Awa felt that lands that are being considered for future housing development should not be included in the potential land for cabins.

Mayor Bell expressed concern regarding the timeline as the summer is building period. He asked if the timeline could be shortened, as he was concerned with missing a summer season, which would be difficult for residents.

Councillor Stevenson clarified that the ban to construct cabins is still in place and agreed that shortening the timeline would be beneficial. He asked if there is intention to hire a consultant to help with the work.

Amy Elgersma, Chief Administrative Officer, explained that the City has a contract with a planning consultant, who has been engaged to take the lead on the project.

Councillor Stevenson felt that there could be funding available through the Government of Nunavut to help with the project.

Councillor Stevenson agreed with Councillor Awa that there should be areas that no cabins can be constructed and these areas need to be identified. He felt that the areas could be used as green space only and tents could be pitched, but no platforms could be constructed.

Ms. Elgersma noted the intent is to identify locations for cabins, including timelines that the cabin can remain on the property. As part of the planning process, consideration can also be given to identifying areas for platforms with tents and Nuna areas. She noted that Council will be consulted and will have the opportunity to voice concerns and ideas.

Councillor Flaherty asked if existing cabins would be required to meet compliance under Phase 3 Implementation.

Ms. Jarvis agreed to include the compliance of existing cabins under Phase 3 Implementation. She noted that it is intended for the by-law to include this requirement.

6. IN CAMERA SESSION

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

7. **ADJOURNMENT**

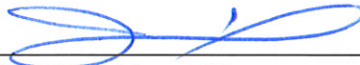
Motion PD #20-59

Moved by: Councillor Sheppard
Seconded by: Councillor Stevenson


Committee adjourns at 6:59 p.m.

Unanimously Carried





Joanasie Akumalik
Chair



Tammy Ernst-Doiron
City Clerk

Approved by City Council on the 27th day of October 2020.