

CITY OF IQALUIT
PLANNING & DEVELOPMENT COMMITTEE OF THE WHOLE MEETING #09
November 6, 2013 at 6:00 PM
CITY COUNCIL CHAMBERS

PRESENT FROM COUNCIL

Councillor Romeyn Stevenson
Councillor Kenneth Bell
Councillor Terry Dobbin
Councillor Simon Nattaq
Councillor Joanasie Akumalik
Councillor Noah Papatsie

ABSENT

Mayor John Graham
Deputy Mayor Mary Wilman
Councillor Mark Morrissey

PRESENT FROM ADMINISTRATION

John Hussey, Chief Administrative Officer
Valerie Collin, A/City Clerk
Melodie Simard, Planning and Development
Jeanie Eeseemailee, Senior Interpreter/Translator

ADOPTION OF AGENDA

Motion PD13-25

Moved by: Councillor Stevenson
Seconded by: Councillor Dobbin

That the agenda be adopted as presented.

Unanimously Carried

1. MINUTES

None

2. DECLARATION OF INTEREST

None

3. DELEGATIONS

a) Bell Mobility Cellular Tower Presentation

Mr. Brock Enderton, Manager of Real Estate and Government Relations with Bell Mobility, thanked Council for giving them the opportunity to present. He advised that Bell Mobility is seeking to improve wireless service in Iqaluit by 2014; this would support high speed wireless service required by data devices like smartphones, tablets and laptops. To complete the work, two telecommunication sites located around the Qikiqtani General Hospital and the Iqaluit Airport would need to be developed.

Bell Mobility is exclusively regulated by the federal government, Industry Canada, but must also consult with local governments for new tower sites. Industry Canada encourages proponents to work within municipal processes but does not require proponents to follow local by-laws or municipal regulations. Bell Mobility values its working relationship with local government and seeks comments on proposed locations and designs of telecommunication sites.

Mr. Enderton stated that Industry Canada requires that a public consultation be held for the new tower sites; for municipalities who do not hold a telecommunications policy, the consultation process includes:

- Notification to all residents and businesses within a distance of three times the tower height inviting comments within thirty (30) days of the notice
- Notice in the local paper, inviting comments within thirty (30) days
- Summary of all correspondence to be provided by Bell Mobility to the municipality for comment and the request for concurrence

Mr. Roger Pettersson, Advisor of Radio Frequency Network Design and Performance, explained that two sites currently provide wireless service to Iqaluit residents and have been for a number of years; the service was sufficient until the developments of the Plateau Subdivision and Road to Nowhere expanded. Bell Mobility would like to increase its service in those areas, particularly, as well as the hospital area and Sylvia Grinnell Park. A communication tower is being proposed on airport land and the other near Qikiqtani General Hospital. Seven sites were identified for the potential communication tower to service the Plateau Subdivision and Road to Nowhere; two of the seven sites are identified as Bell Mobility's preferred sites as they would provide the best service.

Mr. Enderton noted that two sites were identified as preferred sites; Preferred One identified on page 9 of their presentation is the preferred location. Preferred 2 would also be sufficient but is much smaller than the other preferred site and would not provide sufficient space for the telecommunication tower. Discussions took place with city staff yesterday and it was identified that Preferred 2 would be

best as it is not used as a snowmobile trail or for any other purposes; Bell Mobility would then propose a twenty five (25) metre tower rather than a thirty five (35) metre tower.

He advised that Industry Canada requires that all antenna installations comply with Health Canada's Safety Code 6 Guidelines which restrict public exposure to radio frequency energy. The consensus among Canadian health organizations and the scientific community is that wireless antennas are safe. The level of radio frequency energy that you find coming from base stations, including cell phone towers, are typically hundreds of times below the set limits for public exposure.

Mr. Enderton noted that Bell Mobility is seeking to provide Iqaluit residents with a higher level of service than what is currently provided. They are very interested in working with the city in the future as well to identify future sites for telecommunication towers as the city continues to grow.

Councillor Stevenson asked for clarification as to how the weak signal areas are identified.

Mr. Pettersson explained that they have equipment to use to identify the signal strength; they have it on while they drive through different areas of the city and it identifies the signal strength.

Councillor Stevenson asked if the radio frequency energy coming from the tower is regularly monitored or if it is set at a maximum and remains at this level at all times.

Mr. Enderton explained that Bell Mobility is required to meet all Safety Code 6 regulations on the telecommunication tower site at all times; this includes the assumption that the tower and equipment is operating at maximum capacity.

Councillor Nattaq believed that the Preferred 2 site was a good location as it is not being used as a snowmobile trail or for any other purpose and there will not be any development in the area. He asked if the cell phones would now work on Frobisher Bay and in Sylvia Grinnell Park as there is currently no cellular service in these areas.

Mr. Enderton stated that the new technology will provide better service; how much the service will increase is to be determined. The new technology also has better interaction with ice and snow and should provide a significant increase to the current service, especially during the winter months. The wireless service may also increase in Sylvia Grinnell Park but this is also to be determined.

Mr. Pettersson believed that the improved service would allow for wireless service in the bay, but is unsure as to how far the service would be available; an additional telecommunication tower would need to be installed further away from

the city to provide a wider range of wireless service on the bay. He stated that an additional tower may be installed once the new development is completed in Road to Nowhere to provide better service in that area as well as Apex Road to provide service once development is complete.

Councillor Akumalik thanked Bell Mobility for their presentation and asked for clarification as to how many towers will be installed; he believed that only one tower was being proposed when the matter was presented to the committee on September 5th. He also asked what Northwestel's role is in the project.

Mr. Enderton noted that two telecommunication towers were being proposed from the beginning but only one of the towers is being discussed as it is a new development; the other telecommunication tower being discussed will be installed on top of a building and the process for this is much simpler. Northwestel and Bell Mobility are owned by Bell Canada; Northwestel assists Bell Mobility with their network when needed.

Councillor Dobbin believed that upgraded technology will be greatly appreciated by all residents in Iqaluit as the current service is very poor. He asked if there was a minimum distance that towers needed to be from residential areas, daycares, schools, hospitals, et cetera.

Mr. Enderton stated that there are no regulatory distances; their only requirement is that Safety Code 6 be met.

Councillor Papatsie asked if radiation will be released by the tower and if so, how far it is distributed. He asked if more than one frequency could be installed on a single tower so that it provides service in different directions.

Mr. Enderton explained that there are no safety concerns with radiation released from the tower once the requirements of Safety Code 6 are met. Service is provided in all directions from one single tower.

Councillor Stevenson asked if the new towers will be sufficient to address the current demand for wireless service.

Mr. Pettersson noted that the new technology will be installed on existing sites in the near future and will then be installed on the new developed sites as soon as possible to address the current demand. He believes that the additional towers will address the current demand for wireless service.

Mr. Enderton stated that the new cellular phones that individuals are interested in using will be functional, but it has been determined that once individuals acquire these new cellular telephones, they use them much more than they use their other cellular telephones; the wireless service was very quickly exceeded and further upgrades were required to address the demand. Bell Mobility has ensured

that the upgraded technology installed in Iqaluit will be sufficient to avoid any interruptions in service being provided and additional upgrades will be completed as needed.

Councillor Stevenson asked if the future sites to be developed have been identified.

Mr. Enderton stated that the future sites will not be discussed until such time where the current service is maximized and the city completes development of new subdivisions.

Councillor Akumalik asked if the service rate will increase due to the upgraded technology.

Mr. Enderton noted that the service prices have been decreasing since the upgraded technology has been installed in southern locations and believed that it would be the same for Iqaluit; additional charges may incur if the customer increases their usage.

Chairperson Bell turned the chair over to Councillor Stevenson.

Councillor Bell asked if the additional towers will improve the wireless service for the Road to Nowhere Subdivision and Apex Road.

Mr. Pettersson believed that the tower being added to the rooftop in the airport location will improve wireless service in the Plateau Subdivision but the Road to Nowhere Subdivision and Apex Road will not experience an upgrade in service; the service will most likely be upgraded in those areas in the next two years.

Councillor Bell suggested that additional towers be installed as soon as possible in the Road to Nowhere area as well as Apex Road as new development will soon begin in those areas.

Chairperson Stevenson turned the chair to Councillor Bell.

Mr. Pettersson stated that he would like to work with the city in the near future to identify the new sites to improve service in the Road to Nowhere Subdivision as well as Apex Road; he has reviewed the areas but did not find a suitable location for a telecommunication tower as it is all residential buildings.

Chairperson Bell advised that once the public consultations begin for the development of those areas, Bell Mobility will be invited to attend.

4. DEFERRED BUSINESS AND TABLED ITEMS

None

5. NEW BUSINESS

- a) Discussion Item – Bell Mobility
Melodie Simard, Planning and Development

Administration noted that Bell Mobility presented their development proposal for a new telecommunications tower to the committee; the development would consist of a fenced area approximately ten (10) metres by ten (10) metres in size. The fenced area would contain the tower and equipment shelter. The tower is estimated to be up to thirty five (35) metres in height and the shelter is to be used only for equipment. It is anticipated the site would be visited approximately three times per year when the facility is operational. The tower may require lighting as directed by Transport Canada; the applicant has not yet provided information regarding the required lighting on the tower.

Bell Mobility now wishes to submit a land application for the preferred location. Communication towers are subject to a development permit by the Iqaluit Zoning By-law No. 704. Bell Mobility has indicated that they are not subject to municipal requirements as it is a federally regulated industry; the Planning and Development Department is seeking independent advice on this matter.

Councillor Akumalik noted that Bell Mobility spoke with the Government of Nunavut and asked if the city has also discussed this matter with the Government of Nunavut.

Administration advised that the Lands Administrator met with the Government of Nunavut and Bell Mobility to discuss the land lease and discussed a process to be followed to receive approval as quickly as possible; it was agreed that a survey of the land would be done through a sketch plan and receive the Government of Nunavut's approval. The development permit could then be approved prior to the land officially being transferred to the city as was done for Phase 1 of the Plateau Subdivision.

Councillor Dobbin believed that the installation of telecommunication tower is under the federal government's jurisdiction and the committee's recommendation is only a recommendation.

Administration confirmed that the federal government does have the final say for telecommunication towers but Bell Mobility wanted to go through the development process and ensure that Council and the community did not have concerns with the proposed location of the tower.

Mr. Enderton stated that the city's ability to approve a telecommunication tower is subject to an appeal to Industry Canada but in this particular case, the parcel of land is owned by the Government of Nunavut and it was indicated that they would not approve the lease for the parcel of land without the city's approval; once the city approves the proposal the land lease will be transferred to the city.

b) Discussion Item – NHC Lots 1, 2, 3, Block 231
Melodie Simard, Planning and Development

Administration introduced Melissa White, Project Architect for the development and stated that the Nunavut Housing Corporation is proposing to build thirty three (33) units on Lots 1, 2 and 3, Block 231 in a stacked row dwelling form. The units will range in size from sixty two (62) square metres to seventy three (73) square metres, and contain one, two or three bedrooms. One of the ground-floor units will be barrier-free.

Vehicular access to the site will be from Imiqtarviminiq Street at the south end of the site; this access driveway leads to a parking lot located behind the proposed buildings. The parking lot contains a total of twenty (20) parking spaces, including two disabled spaces. An area reserved for snow piling is also located at the rear of the buildings. A pedestrian pathway connects the rear parking area to the existing walking trail around the lake.

Administration explained that the number of proposed parking spaces is deficient; only twenty (20) spaces are shown on the plans, whereas a total of thirty eight (38) spaces are required. There appears to be adequate space in the northwest corner of the lot for eighteen (18) parking spaces. If Council is not in support of the parking variance, the Department of Planning and Development has suggested that the remaining eighteen (18) spaces could be shown on the site plan as "phased parking" that would be constructed when there is need for more parking, or if ownership of the units changes. This arrangement would become a condition of approval and be subject to Council approval.

A total of eleven (11) storage sheds are required for the development, as per Policy 7 of Section 8.7 of the General Plan. Although sheds were identified on an earlier set of plans, they are not indicated on the most up-to-date plans. An exemption to this requirement would require an amendment to the General Plan.

Administration stated that due to the slope of the lots, the three-storey building exceeds the ten point five (10.5) metre maximum height limit; a variance to the maximum height limit is required to permit the development. As the building itself is ten point five (10.5) metres in height and the variance is required only due to

the slope of the grade, planning staff support this variance. Approval for the variance will be requested from Council when the final proposal is submitted.

Chairperson Bell asked how much the development of one parking space would cost and believed that the parking proposal was reasonable.

Ms. White explained that a large amount of additional fill would be required to develop the additional eighteen (18) parking spaces; it was the Nunavut Housing Corporation's intention to develop the additional parking spaces at a later date while they currently focus on the proposed development.

Mr. Adam Gordon, Chief Operating Officer for the Nunavut Housing Corporation, believed that there was significant underuse of available parking spaces designated to their public housing and social housing units. With their current budget available, they would like to increase the number of residential units for their clients and do not see the need for the additional parking spaces at this time. The Nunavut Housing Corporation would like to maximum the development potential on the proposed lots and based on the development standards, it is encouraged to reduce the amount of fill required during developments; fill is very limited and very expensive in Iqaluit. They would like to develop the twenty (20) parking spaces immediately with the development of the building and develop the additional parking spaces at a later date when, and as needed.

Councillor Stevenson expressed his support for the development proposal in the area and believed that residents of the building would have a beautiful view of the Road to Nowhere Lake and access to the beautiful green spaces in the area; he did not believe that these benefits were sufficient for him to support the development proposal as is, with the decreased number of parking spaces. He stated that parking spaces are often used by the tenants for vehicles, snowmobiles, boats, et cetera but are also often blocked by old furniture or other garbage left by previous owners or lease holders.

Councillor Dobbin stated that he is not always in favor of approving variance requests but strongly supports the development of residential units and this development would provide thirty three (33) additional units. Iqaluit is experiencing a shortage in public housing and the matter must be addressed as soon as possible.

Mr. Gordon stated that the current waiting list for housing units is fifty four (54) percent; for every family currently living in a unit, another family waits for the

opportunity to be offered housing. The Nunavut Housing Corporation is doing all they can to address the demand for residential units and pushes to invest all they can, as often as they can, to reduce the number of families on the waiting list. He noted that the demand for housing is not only in Iqaluit, but across Nunavut.

Councillor Stevenson believed that maximizing their dollars by only providing development and not sufficient parking spaces is not the solution to making Iqaluit a better place to live. He asked how many vacant units currently exist, whether they are burnt, abandoned or simply vacant.

Mr. Gordon advised that he does not have the specific number of vacant units on hand but could provide further information at a later date.

Councillor Stevenson asked if the Nunavut Housing Corporation had the intention of fixing the abandoned and burnt units.

Mr. Gordon stated that the Nunavut Housing Corporation does intend to address the burnt and abandoned units as quickly as they can.

Chairperson Bell turned the Chair over to Councillor Stevenson.

Councillor Bell stated that he did not really have an issue with the lack of parking spaces since there is an opportunity to develop the additional spaces at a later date; he expressed his support for the development of the thirty three (33) units as Iqaluit is in great need of housing units.

Mr. Gordon stated that the Nunavut Housing Corporation is currently experiencing a shortage in housing units and must address the issue as best as they can. The Nunavut Housing Corporation is limited on funding at this time and must utilize the funds in the best economic way possible.

Chairperson Stevenson turned the Chair to Councillor Bell.

Councillor Papatsie asked if the units will be accessible via wheelchair.

Ms. White advised that one unit will be barrier free and will provide access via a bridge from the roadway.

Councillor Stevenson believed that all developers try to maximize use of the land and it is Council's role to ensure that the new developments are built for the best interest of the residents.

c) Discussion Item – Nunavut Excavating – Lot 959, Plan 3784
Melodie Simard, Planning and Development

Administration stated that Nunavut Excavating is proposing to construct a four-storey office building on Lot 959, Plan 3784. The office will contain one thousand nine hundred and twenty four (1,924) square metres of gross floor area. A total of fourteen (14) parking spaces will be located on the east and south sides of the building.

Zoning By-law No. 704 requires thirty eight (38) parking spaces for this development; a total of fourteen (14) parking spaces are proposed on the lot and the remaining twenty four (24) parking spaces are proposed on the Butler Building site. Section 6.23 of Zoning By-law No. 704 permits off-site parking spaces under the following conditions:

- the off-site parking area shall be located a maximum distance of seventy five (75) metres from the lot boundary where the building or use is located
- the off-site parking area shall not exceed twenty five (25) percent of the required parking

The proposed office building is located approximately one hundred and thirty (130) metres from the Butler Building lot. The twenty four (24) parking spaces off-site represent sixty three (63) percent of the required parking. These represent significant variances to Zoning By-law No. 704. Some key considerations on this parking proposal are:

- Is the off-site parking located too far away to function properly?
- Does the four-storey office building represent an overdevelopment of the lot?
- Is the proposed parking lot the best use of the Butler Building lot?

Administration noted that other details of this application will be reviewed by planning staff upon receipt of Council's recommendation on the parking issue.

Councillor Stevenson asked if the developer was the owner of the Butler Building lot.

Administration advised that the city is currently the owner of the Butler Building lot.

Councillor Stevenson asked if the developer expressed interest in purchasing the Butler Building lot.

Administration confirmed that the developer's intention is to purchase the Butler building lot so that it can be used as a parking lot.

Councillor Stevenson asked if the transfer of the lease had begun.

Mr. Ambrose Livingstone, Livingstone Architects, stated that Nunavut Excavating has proposed to purchase the Butler Building lot but requires further information from the city before it can proceed; the process has not yet begun.

Councillor Dobbin asked if neighboring lots have been notified that a parking lot is being proposed on the Butler Building lot.

Administration reminded Council that the notification stage occurs during the development permit process.

Chairperson Bell asked if paving the Butler Building lot would simply cap the existing contamination and if the city has discussed remediation options for the lot.

Mr. Livingstone believed that the city has tried to dispose of the lot over the past few years; a few interested parties turned away from it due to the contamination and the cost of remediation.

Councillor Stevenson asked how much the building would need to decrease in size to accommodate the off-site parking at a maximum size of twenty five (25) percent.

Mr. Livingstone believed that the building would need to be half of the proposed sized.

Mr. Steven Wallace, architect with Livingstone Architect, stated that approximately three hundred (300) to three hundred and fifty (350) square metres would need to be removed from the building size to accommodate a

maximum of twenty five (25) percent of off-site parking; this would be removing an entire floor.

Administration stated that the option of developing the building on piles to accommodate underground parking, much like the Kamotiq Building, was discussed with the developer but this would be compromising an entire floor of office space.

Chairperson Bell asked how far the city's new paved parking lot, located near Canada Post, is away from the proposed building.

Mr. Wallace stated that the city's parking lot is located further away than the proposed off-site parking lot.

Councillor Stevenson asked what type of provisions Council could include in the development proposal to ensure that the off-site parking is well identified and provides a safe pedestrian walkway to and from the parking lot.

Administration noted that signs to be installed on the site can be controlled during the development permit process; the walkway would need to be discussed further with other city departments to ensure it is properly developed, identified and safe.

Councillor Dobbin expressed his concern with the off-site parking as many individuals do not use existing off-site parking as they do not like to walk to their office; the city should encourage individuals to use the off-site parking sites to decrease congestion in other parking lots.

Councillor Stevenson asked who the new building will be leased to and if the on-site parking lot would be paved.

Mr. Livingstone advised that the existing tenants in the old Mackay Landau building would relocate their office in the new building. The developer also intends to install trailer like buildings in the off-site parking area while the new building is being developed so that the current tenants will have temporary office space. He believed that the on-site parking lot would be paved.

d) Discussion Item – Office of the Public Trustee – Lot 155, Plan 674
Melodie Simard, Planning and Development

Administration stated that the applicant is proposing to convert building 754 on Lot 155, Plan 674 from a residential dwelling to a yoga studio and massage therapy room; the lot is located on Ben Ell Drive in Lower Base. 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. As a small-scale institutional use, the proposed yoga studio is permitted in the Overlay.

The site is zoned Sijjanga Zone (S); the Sijjanga 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 Sijjanga Zone to preserve views and access to the waterfront. The proposed yoga studio use is defined in Zoning By-law No. 704 as a “recreational facility” and is a conditional use. Conditional uses are subject to certain criteria, including:

- the development conforms to the Sijjanga Zone provisions
- the use will not create more vehicular traffic or parking greater than normally found in the Sijjanga Zone

A parking area with five spaces is proposed at the rear of the lot, which meets Zoning By-law No. 704 requirements of four spaces. This amount of parking is not more than the parking created by similar permitted uses, such as row dwellings, triplex or four-plexes.

Motion PD13-26

Moved by: Councillor Stevenson
Seconded by: Councillor Akumalik

That the meeting be extended to 10:00pm.

Unanimously Carried

Administration explained that the lot does not meet the minimum required lot area or lot width provisions for institutional uses in the Sijjanga Zone. Variances will be required to reduce the minimum lot area from one thousand (1,000) square metres to seven hundred and fifty (750) square metres and to reduce the minimum lot frontage from thirty five (35) metres to twenty seven (27) metres. The scale and impact of the proposed use is small compared to other institutional uses such as a community centre, community greenhouse, educational facility or

place of worship. The proposal meets the minimum lot area and minimum lot width provisions in the Public/Institutional Zone, which also permits a recreation facility. The intent of the more restrictive lot provisions in the Sijjanga Zone is to protect the character of the neighborhood. However, as the existing building 754 will be converted for the new use, the character of the neighborhood will not change.

Councillor Stevenson asked at what point in the process individuals would be notified of the rezoning and the development of a yoga studio and massage therapy room. He believed that the radius for those to be notified is minimal and suggested that it be extended for this matter to ensure that everyone in the neighborhood does not have any issues with the proposed business.

Administration advised that individuals will be notified of the rezoning one week prior to the matter being presented to Council for approval; the applicant indicated that neighboring lots have been notified already and no issues were identified.

Councillor Dobbin asked how the applicant will control the parking and the number of clients attending the yoga classes to ensure that individuals are not parking on the side of the street and congesting the area.

Administration noted that the yoga studio will be very small and limited; discussions with the applicant continue to ensure that parking will not be an issue.

- e) Discussion Item – General Plan Amendment – Portion of Lot 1 Remainder, Group 1087, Plan 184 (Building 1560)
Melodie Simard, Planning and Development

Administration noted that this matter, as well as item 9 (f) - Zoning By-law Amendment for Portion of Lot 1 Remainder, Group 1087, Plan 184 Building 1560, was discussed with the committee on September 5, 2013. The Department of Planning and Development had further discussions with the consultants, Mayor Graham and other city staff regarding the proper process to be followed to move the application forward.

The property is currently zoned as Light Industrial, but is located in a Heavy Industrial area. The lot is located on un-surveyed land and there are concerns with the Government of Nunavut's future plan with the airport expansion project and if the lot would be affected. Meetings were held with Government of Nunavut officials and it was indicated that there are no future plans to extend the airport in that area; this may occur in approximately thirty years.

The Planning and Development Department feels that the request to rezone the property should be permitted as the property will not be affected in the near future. Through the rezoning of the property, a public hearing will also be held prior to the general plan amendment and zoning by-law amendment receiving Second Reading; this would provide concerned individuals the opportunity to come forward and present their concerns to Council. The applicant is interested in selling his property but is not attracting the proper clients as the current zoning does not permit extension of the business or other types of businesses that are of interest to those wanting to purchase the property.

Councillor Stevenson noted that the committee had expressed their concerns with the fact that the lot is located on un-surveyed land but also that the Government of Nunavut may have had plans to expand the airport project in that area.

- f) Discussion Item – Zoning By-law Amendment – Portion of Lot 1
Remainder, Group 1087, Plan 184 Building 1560)
Melodie Simard, Planning and Development

Administration noted that this matter was presented with item 9 (e).

6. IN CAMERA SESSION

None

7. ADJOURNMENT

Motion PD13-27

Moved by: Councillor Stevenson
Seconded by: Councillor Akumalik

That the meeting be adjourned at 9:15pm.

Unanimously Carried

Councillor Bell
Chairperson

Chief Administrative Officer

Approved by City Council on the 8th day of **April**, 2014, AD.