The Corporation of the City of Iqaluit
Minutes of a Public Hearing

Held on Monday, the 22nd day of October, 2018, commencing at 5:30 p.m. at City Council Chambers.

PRESENT FROM COUNCIL
Deputy Mayor Romeyn Stevenson, Chair
Councillor Kuthula Matshazi
Councillor Jason Rochon
Councillor Joanasie Akumalik
Councillor Kyle Sheppard

ABSENT
Mayor Redfern
Councillor Simon Nattaq
Councillor Noah Papatsie

PRESENT FROM ADMINISTRATION
Amy Elgersma, Acting Chief Administrative Officer
Tracy Cooke, City Clerk
Andrea Spitzer, Communications Manager
Michelle Armstrong, Northern Futures Planning Consultant
Amanda Wells, Lands Administrator
Jennifer Jarvis, Development Officer
Gayle Kabloona, Northern Futures Planning Consultant
Amanda Pollock, Recording Secretary

Deputy Mayor Stevenson called the Public Hearing for the Land Administration Bylaw to order.

Deputy Mayor Stevenson asked Ms. Michelle Armstrong to provide an overview through a PowerPoint presentation of the new proposed Land Administration Bylaw.

Ms. Armstrong provided a brief presentation to review the key changes to the draft Land Administration Bylaw No. 853. The last slide will talk about the process after the Public Hearing and the next steps for the adoption of the bylaw.

Ms. Armstrong advised that the Summary of Key Changes is available on the City's website, along with the full text of the bylaw in both languages.

Ms. Armstrong reviewed the following key changes:

- New eligibility and procedures for residential ballot draws.
    - There are new categories for applicants and the number of applicant categories has expanded from the current three to six in order to prioritize

applicants who are first-time homebuyers, Inuit and longer-term residents of Iqaluit.
    - The top priority applicants would be allocated a greater number of ballots.
    - The ballots go into a "hat or jar" that is used on ballot night.
    - Someone who is a higher priority would have more ballots in the "hat".
- Changes to construction timeline requirements
    - In the current bylaw, all development only has 24 months to complete construction.
    - All developments, with the exception of single detached and duplexes will now be increased to 48 months to complete construction. This is to allow more flexibility for larger and more complex developments.
    - There is an extension to the timeline for reconstructing damaged buildings in the case of a violent windstorm or fire. The timeline has been increased from 24 months to 36 months to allow sufficient time to deal with insurance.
- New support for non-market housing.
    - Allows for land to be reserved for non-market housing and leased without going through a competitive process.
    - Providing Council discretion to subtract up to 25 percent of the leased cost.
    - Providing Council discretion to allow standard leases for uses such as non-market; this may benefit from a more financial arrangement. This is different from the equity lease, which is the usually process for leasing.
- New permissions for private sector land development of Municipal lands.
    - These provisions are not currently in the existing Land Administration Bylaw.
    - The provisions are there to allow for this at Council's discretion.
    - It allows the City to lease vacant land to a private developer who would then construct the roads, service the lots and then lease them to the public.
    - There are requirements to enter into an agreement between the City and the developer. This would ensure that there is a process to register the new lots and public process of disposal similar to what the City has in place.
- New methods for pricing new and old lots.
    - New lots are defined as those being less than three years old and where the development costs are known. This would be in a new subdivision like Joamie Court. The lots would be leased for the cost of development.
    - Old lots are defined as those being developed more than three years or where the costs of developing the lot are not known. These lots can be disposed of at market value, replacement value or assessed value at the discretion of Council.

Ms. Armstrong explained the process:

- Council has already given First Reading to the bylaw earlier this year.
- After the Public Hearing, Council will consider all the comments and decide whether they will direct staff to make changes to the draft bylaw.

- If Council does direct changes, there can be a Second Reading of the bylaw.
- After Second Reading, the bylaw is sent to Community and Government Services Department to be reviewed by staff and recommended for ministerial approval. At that time, the minister can suggest changes to the bylaw.
- Once the bylaw has the ministerial approval, the City will have Third and Final Reading. At this time, the bylaw will come into effect.

Deputy Mayor Stevenson thanked Ms. Armstrong for the overview.

Deputy Mayor Stevenson called for representations from the public. He advised that each representation will have ten minutes.

Robyn Campbell and Bethany Scott, Directors from the Iqaluit Action LAB, have chosen to speak at the Public Hearing to initiate changes to the draft Land Administration Bylaw, primarily regarding non-market housing and not-for-profit corporations.

- The Iqaluit Action LAB is a non-profit organization.
- The purpose of the Action LAB is to stimulate community development through activities that include social embedded art, multi-cultural development, community celebrations, community building events, local tourism, affordable housing, leadership and capacity building, and environment initiatives.
- Between 2016 and 2018, Iqaluit Action LAB focused on stimulating community development through activities including socially embedded art, multi-cultural development, community celebrations and community building events.
- On September 15, 2018, the Board of Directors unanimously voted to direct the Society's attention for the foreseeable future towards stimulating community development through affordable housing.
- The mission is to pursue engaging local leaders to take local action for local benefit.

The following is a general submission:

- The draft Land Administration Bylaw is a welcome update to the current bylaw.
- Expressed appreciation for the introduction of special provisions for non-market housing and non-profit organization providers.
- Recognizes some opportunities to change the draft Land Administration Bylaw to further strengthen and protect the opportunities for not-for-profit affordable housing initiatives.

There are two general requests that are split into specific changes:

- Propose that not-for-profit organizations and corporations have the same privileges as other developers as a minimum standard.
- Recommended some specific changes through some simple edits to the language.
- Propose that Council reduce land lease pricing by up to 100 percent for not-for-profit non-market housing providers by amending some of the language in the bylaw.
- The specific changes that are being suggested are:
    - Clarify the definition of affiliates or affiliated to ensure that not-for-profit corporations or societies are included in the definition.

- Clarify the definition of non-market housing to specify the definition to be on non-profit development. Suggested the following proposed text:
  - Non-market housing means housing intended to be made available for occupancy at below market rates for a housing project or a student housing project, both are defined in Section 1 of the *Housing Corporation Act* of Nunavut to be managed or governed by a non-profit cooperative, community land trust or another type of non-profit organization.
- Introduce a new definition for private developer. This would allow any time there is an opportunity for a private developer in the bylaw to be referred to as either a for-profit or not-for-profit developer. Suggested the following text:
  - Private developer means a for-profit or not-for-profit developer.
- Revise the definition of site-specific factors to permit the City to add or subtract up to 100 percent (this would replace 25 percent) of the development costs for a new parcel.
- Include in the advertising of land that the City must also publish available land on the City's website. Suggested the following proposed text:
  - The City shall not dispose of land unless it has notified the public that the lands are available by publishing an advertisement in a newspaper having weekly circulation in the City for at least two consecutive weeks, by posting notices in five prominent places in the City, and on the City's website.
  - Change the re-advertising of vacant land to comply with standard advertising procedures. Suggesting the following text is removed – "In this circumstance, the City may give notice in the manner its sees fit." Suggested the following proposed text:
    - Would read - Notwithstanding, subsection 27(c) vacant land shall be re-advertised for disposal if the zoning of the land has changed since the land was advertised.
- For consistency and clarity in the methods for land disposal. Suggested the following proposed text:
  - Suggested to copy and paste Section 38(e) to create a new Section 39(e) and to add to Section 39(e) when permitted by Section 13 by direct negotiation.
- To improve clarity of interpretation fix Section 40(b) by removing the text "when this method is the most practical or economical". Suggested the following proposed text:
  - If there are few lots involved or it is anticipated that the demand for lots will be low.
- This is throughout the document, but especially in Sections 114 and 115. Would like to revisit the authorities within the bylaw if the position of Director of Planning and Development is removed from the City's organizational chart and acknowledge the designation of power.
- Revisit the ballot draw conditions and procedures in Appendix E, with consideration of the practical application of this method. The current

definition for first-time homebuyers means "an individual who and whose spouse has not previously and does not presently own a residence or any type of residential unit in Iqaluit whether or not a principal residence and does not presently own or lease land in Iqaluit zoned for residential development."

- It was felt that practically the pathway for home-ownership for many first-time homebuyers is to first purchase a multi-dwelling unit, that being a condo or townhouse, that is smaller and affordable were initial homebuyers build up equity.
- The first-time homeowners eventually seek to build or purchase their single-family residence.
- The proposed method in Appendix E significantly privileges residents who may be less prepared to build a single-family home over those who are prepared for a current condo and townhouse.
- The method of privileging those who have never owned in Iqaluit may inadvertently disrupt a continuum of home-ownership that increases in financial and legal risks of single-family home-ownership.

Deputy Mayor Stevenson thanked Ms. Campbell and Ms. Scott for their presentation.

Councillor Sheppard asked if he could receive a copy of the presentation in writing, as there are some instantly agreeable points that he would like to incorporate when going to Second Reading. Councillor Sheppard agreed with the comment on the ballot lot draw, as he feels the current system is the most inefficient way of disposing and developing new homes. He wanted to work on something that would incorporate their suggestion.

Ms. Campbell explained that the document was submitted to the City Planner and asked if there is another way to circulate the document.

Deputy Mayor Stevenson advised if the City Planner has the document in writing, Councillor Sheppard can obtain a copy from the City Planner.

Deputy Mayor Stevenson called for further representations from the public.

Anne Crawford wanted to address an issue that has been consistently in the bylaw since the *Land Claim Agreement Act* in 1999. That is the premise that a profit cannot be made on land development. She felt that there is no way that the land claim, which is a constitutionally protected document giving fee simple ownership, which is the highest level of ownership to the municipality, that the Territorial Government can place a constraint through policy.

She noted that all over Nunavut, there is not enough land. And why is there no land? Because municipalities can't make money; if you can't make money, the only option is to lose money because you are trying to estimate. Everybody is short on land.

The municipalities in Nunavut have a constitutional existence and ownership of their land resources, but for some reason the Territorial Government has decided that no one shall make any money. She felt those rules are not binding on municipalities as they were given a gift through a *Land Claim Agreement Act*. The intention of the negotiators was that those lands would provide municipalities some of the resources for Inuit who live in municipalities, like recreation, additional supports like community halls, and all the things that municipalities were lacking.

It was intended that all different kinds of land should be controlled by local councils, and in many cases, there are Inuit councils and in Iqaluit there is a mixed council. The land was a gift from the *Land Claim Agreement Act*. It was not a gift from the Territorial Government. She does not see why the resource is not being accessed for the benefit of people in Iqaluit in a more market fashion.

The land was given to municipalities as a resource. She felt there are ways to set-up the contracts with developers to actually have a development fund that would work, grow and deliver resources to the people. That was the intention of the *Land Claim Agreement Act*.

Deputy Mayor Stevenson thanked Ms. Crawford for her presentation.

Councillor Sheppard was concerned how this would work. Theoretically, if the City wanted to proceed with generating a profit on disposition of land, should the City challenge the *Cities, Towns and Villages Act* beforehand where that aspect is governed already? Or, should the City include it in the bylaw and wait for the Government of Nunavut to challenge the City.

Ms. Crawford noted that the bylaw has to receive approval from the minister. She suggested including it in the bylaw and if the minister denies the inclusion in the bylaw, then take a jurisdictional review saying he does not have the grounds to deny it.

Ms. Elgersma clarified that this is a Government of Nunavut policy and that it is not in the *Cities, Towns and Villages Act*.

Ms. Crawford agreed that it is a policy which makes it weaker.

Deputy Mayor Stevenson commented that it is being suggested that if it is written into the bylaw, then it would have to be challenged when the bylaw was denied.

Councillor Akumalik asked how it has been understood in terms of traditional lands and traditional hunting. He explained there was a case where a dog was caught by a fox trap in the zone and there was debate about hunting in the area and traditional practices.

Ms. Crawford explained that in the *Land Claim Agreement Act,* land was given to municipalities as a fee simple ownership. The goal of the fee simple ownership was that the municipalities would have a resource to support community halls, recreation and the

other needs of growing Inuit population. The idea was that it would be locally controlled and that it would be a resource.

The Government of Nunavut has a policy that says municipalities may not make money from land sales. She does not believe that the policy would withstand a constitutional legal challenge because fee simple ownership from the land claim went to the Municipality of Iqaluit. There is no other jurisdiction in Canada where the municipality has the status that Nunavut municipalities have. The fact that the land was given in fee simple, which is the highest level of ownership, to the municipality suggests that a policy says you cannot make money. The goal was that it was supposed to be a resource for the people in the community and Inuit would continue to control the development of their communities. She does not see how a Government of Nunavut policy can constrain the fee simple ownership, except for the specifics that are in the *Land Claim Agreement Act* from disposing of land as it chooses in the manner it chooses with the lands it owns.

Councillor Akumalik asked if there are any clauses or sections that pertain to low water mark or high-water mark because there is break water and now a deep-water port. There have been some cases where the ambulance had to go to the break water to save lives or pick-up people from boating.

Ms. Crawford advised that the high-water mark defines the Federal Crown Land. There are some leases that over-lap on it. The Territorial Government has maintained management of those leases, but it doesn't have to. That is a matter that could be transferred to the municipality. The private interests were acknowledged, so there does not appear to be a conflict between them. The rule about river banks and seashores is that the law moves with the river bank or the seashores. The fact that the agreement was made in 1993 and the seashore was at a certain place at that time, everything is not frozen there, it continues to follow changes in the river bank or in the seashore. Because the municipality does not extend onto federal land does not mean that municipal services cannot be offered to those locations.

Territorial wildlife regulation extends all the way out onto the shore-fast ice because of the killing of polar bears and caribou are bound by the wildlife legislation. This regulation said where there is a reasonable continuity, as in the winter, it is all shore-fast and right over the Federal Crown Land and ocean, which generally federal when it is open.

Ms. Crawford does not see that the municipality has any concern with providing services to changing portions of land that are fundamentally federal in nature.

Deputy Mayor Stevenson thanked Ms. Crawford for her explanation.

Deputy Mayor Stevenson called for representations from the public a second time.

Noting none, Deputy Mayor Stevenson asked the Planning and Development Department present the two written submissions.

Ms. Armstrong noted for Council that two written submissions were received:

- Nunastar Properties
- Government of Nunavut Community and Government Services Department

Ms. Armstrong read the Nunastar Properties submission:

- Submitted by Ed Romanowski, President and Chief Operating Officer.
- There are two comments that relate two sections of the bylaw and the remaining comments relate to the sample lease template in Appendix D.
- Section 13 (d) relates to the provisions that Council may authorize the disposal of a parcel without using a competitive process.
    - Why require the Council to give notice of its intention to consider a request? Meaning notification should not be required in instances where an adjoining property owner wishes to lease adjacent lands for the purpose of expanding a business.
- Section 20 relates to the standard term of the lease of 30 years.
    - It seems that equity leases will no longer have a standard term. Rather the term can be shorter or longer based upon the nature and the value of the improvements to be constructed on the land. This may create problems. Given the nature of an equity lease, the term should be standardized and longer than the current 30 plus years especially for financing and administrative purposes.
- Appendix D Sample Lease Template
    - There are obligations in the lease that should be dealt with through development agreements, bylaws etc. By including them in the lease, the lease tenure is put in jeopardy if they are not met. For instance, Clause 24 gives the City the right to terminate the lease for non-compliance of any of the lessee's obligations. Clauses such as this will make it even more difficult to obtain mortgage financing and financing of any type for that matter, equity, second mortgage, etc.
        - Has the City sought input from the Mortgage Lenders Association?
        - Input from the major banks and lenders operating in Iqaluit and Nunavut?
        - Input from major banks that have chosen not to lend or have limited their exposure in Iqaluit and Nunavut?
        - Input from financing brokers for major projects?
    - If you need assistance with these investigations, we would be pleased to provide some help.
- Clause 11 of the lease relates to existing improvements on a lot.
    - This is too uncertain. This may create further uncertainty and difficult in securing financing for development.
- Clause 9, 10, 11, and 14 relates to construction of improvements, maintenance of improvements, damage or destruction of improvements, and abandonment of improvement clauses.
    - That these clauses of the lease should be dealt with outside of the lease since they are administrative or vary from time to time.

- Clause 18 relates to road widening and other municipal requirements.
    - This should be dealt with via expropriation legislation and not via the lease.

Deputy Mayor Stevenson noted that there are no representatives from Nunastar Properties in attendance, but asked if there are questions or clarifications related to the comments. Deputy Mayor Stevenson advised that Nunastar Properties staff did offer to speak to the questions at a later date, as they were unable to attend the Public Hearing tonight.

Councillor Akumalik noted that there is a good working relationship with Nunastar Properties and they make their own contributions to the citizens. He asked about for-profit companies that are interested in the bylaw, as they are interested in getting the market price for any of the lots. Councillor Akumalik feels the City will bear the brunt of the expenses from the transactions. He understood that the improvements including the road widening is being done so they will pay a minimum price on the lots?

Ms. Armstrong felt that Nunastar Properties wants fewer conditions that will be imposed on them in the lease. She does not feel it is a pricing issue; it is wanting not to have clauses that they have to comply with.

- Clause 13 – timelines to construct after damage to improvements, they do not want to re-build or repair improvements within a certain time period.
- Clause 11 – maintenance of existing improvements, this might lead to a drop-in maintenance standards or property standards. The clauses are there in the lease to allow the City to require the lessee to maintain the improvements that they agreed to build as part of their lease agreement.
- Clause 14 and 18 are two new clauses in the lease which is the abandonment and the road widening clause. Staff felt the clauses are needed in order to have more strength in the lease to allow the City to put pressure when there was an abandonment of a building and require the lessee to repair and occupy or transfer the lease to someone who would.
- The other clauses are currently in the leases that the City signs.

Councillor Matshazi asked if the suggested conditions are generally acceptable and is it a standard across Canada.

Deputy Mayor Stevenson asked for clarification of the question.

Councillor Matshazi clarified that he is referring to existing improvements, construction of improvements, etc.

Deputy Mayor Stevenson clarified that it relates to the sample lease.

Ms. Armstrong advised that in terms of the existing clauses, such as timeline to construct and maintenance of improvements, these are existing clauses and they are reflected in the

Government of Nunavut policy. They are clauses in any lease in Nunavut, but she is unable to speak about other jurisdictions.

Amanda Wells, Lands Administrator, pointed out that Nunavut is unique and land is leased instead of owning land. In most of Canada, that is not the case, so they deal with some of these situations a little differently than putting them in a lease. This is the way Nunavut has been dealing with land since before it was a territory and the clauses were included in the lease, not the abandonment and road widening, but the other clauses.

Nunastar Properties did reference a lot of clauses that were in the lease previously and they felt that the clauses should be dealt with through a development permit application. The two clauses in particular are the ones that deal with construction and the non-construction. If there is a lease with no development, there is a no development clause to deal with this matter. If this is not dealt with in the lease, then the lot could sit vacant for a number of years.

Councillor Akumalik asked when referring to private sector is it broken down, for example Inuit owned businesses.

Ms. Armstrong pointed out that earlier, the Iqaluit Action LAB suggested to define private developer, which Ms. Armstrong felt would be a useful definition in the bylaw. She explained that it was intended in the bylaw to mean non-municipal development, which could be an Inuit business, for-profit or not-for-profit, and was not meant to specify.

Deputy Mayor Stevenson asked if there were any other questions.

Noting none, he asked that the Government of Nunavut Community and Government Services written submission be presented.

Ms. Armstrong advised that comments were received from Robert Chapple, Director of Planning and Lands, as follows:

- Sections 58 – 62 relates to the provision of off-site levies.
    - The off-site levy provisions may offend the legislative provisions with regard to local improvement levies and this should be reviewed.
    - Staff will require clarification on this, as it is not known if it is referring to a particular legislation, policy or *Cities, Towns and Villages Act.*
- Section 69(f) and Section 75 relates to the term abandoned being used.
    - The term abandoned is vague, imprecise and an indefinite term which will undoubtedly cause problems.
- Section 71(c) relates to amortization and how the lessee can pay when leasing a lot.
    - Interest must be expressed in an annual rate of interest pursuant to the *Canada Interest Act.*
- Sections 73 – 75 relates to the discretion of Council to enter into a standard lease instead of using an equity lease in special circumstances.

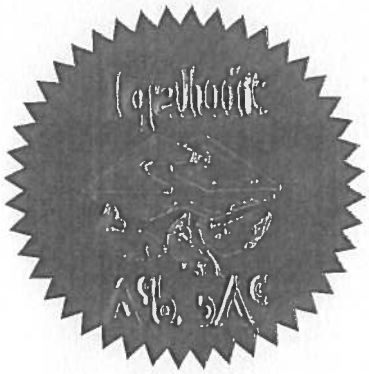
- The continued use of standard leases is questionable, particularly in the City where the demand is so high that ballot draws are being used and lots are scarce. In fact, it has been practiced in some of the smaller communities to not allow the issuance of standard leases, which are counter revenue for further land development.

- Sections 76 – 77 relates to provisions which may allow Council to enter into a temporary lease where Council sees fit.
  - The terminology of a lease carries legal consequences and that they confirm or imply tenure. The term land use permit or occupation permit would be preferred since a permit is much easier to terminate in the event of default or expiry as they explicitly don't establish tenure.
- Section 88 relates to the formula for converting a standard lease to an equity lease.
  - The conversion formula is flawed. The assessed value is only a fraction of fair market value rather than the use of a discount factor. The actual payments made since 1996 may be preferable.

Deputy Mayor Stevenson asked if there are comments, clarifications or questions regarding Community of Government Services submission.

Noting none, Deputy Mayor Stevenson thanked Ms. Armstrong for presenting the written submissions.

Deputy Mayor Stevenson called for representations a third and final time; noting none, Deputy Mayor Stevenson declared the Public Hearing closed.



Romeyn Stevenson
Deputy Mayor

Amy Elgersma
Acting Chief Administrative Officer

Approved by City of Council on the **11th** day of **December,** 2018.

CITY OF IQALUIT
CITY COUNCIL MEETING #28
OCTOBER 23, 2018 at 6:00 p.m.
CITY COUNCIL CHAMBERS

PRESENT FROM COUNCIL
Mayor Madeleine Redfern
Deputy Mayor Romeyn Stevenson
Councillor Kuthula Matshazi
Councillor Jason Rochon
Councillor Joanasie Akumalik
Councillor Simon Nattaq
Councillor Kyle Sheppard

ABSENT
Councillor Noah Papatsie

PRESENT FROM ADMINISTRATION
Amy Elgersma, Acting CAO
Jennifer Jarvis, City Planner
Matthew Hamp, Engineering and Public Works Director
Sherri Rowe, Finance Consultant
Andrea Spitzer, Communications Manager
Tracy Cooke, City Clerk
Mandy Pollock, Recording Secretary

PRAYER

Councillor Nattaq opened the meeting with a prayer at 6:00 p.m.

SWEARING IN

None

ADOPTION OF AGENDA

Motion # 18-355

Moved by: Councillor Akumalik
Seconded by: Councillor Sheppard

Adoption of the agenda as amended: Change agenda order to reflect #9 New Business conducted before #7 Readings of By-laws; Add one In Camera Legal item and Delete 7(b)(i) Second Reading Land Administration By-law.

Unanimously Carried

1. MINUTES

a. Finance Committee of the Whole Meeting #01 – March 26, 2018

Motion # 18-356

Moved by: Councillor Sheppard
Seconded by: Deputy Mayor Stevenson

Finance Committee of the Whole Meeting Minutes #01 dated March 26, 2018.

Unanimously Carried

b. City Council Meeting #21 – August 14, 2018

Motion # 18-357

Moved by: Deputy Mayor Stevenson
Seconded by: Councillor Sheppard

City Council Meeting Minutes #21 dated August 14, 2018.

Unanimously Carried

c. Planning and Development Committee of the Whole Meeting #05 – August 16, 2018

Motion # 18-358

Moved by: Councillor Akumalik
Seconded by: Councillor Sheppard

Planning and Development Committee of the Whole Meeting Minutes #05 dated August 16, 2018.

Unanimously Carried

d. City Council Meeting #23 – August 28, 2018

Motion # 18-359

Moved by: Deputy Mayor Stevenson
Seconded by: Councillor Akumalik

City Council Meeting Minutes #23 dated August 18, 2018.

Unanimously Carried

e. City Council Meeting #24 – September 11, 2018

Motion # 18-360

Moved by: Councillor Matshazi
Seconded by: Councillor Sheppard

City Council Meeting Minutes #24 dated September 11, 2018.

Unanimously Carried

f. Special City Council Meeting #26 – October 3, 2018

Motion # 18-361

Moved by: Deputy Mayor Stevenson
Seconded by: Councillor Sheppard

Special City Council Meeting Minutes #26 dated October 3, 2018.

Unanimously Carried

2. DECLARATION OF INTEREST

None

3. DELEGATIONS

None

4. AWARDS AND RECOGNITIONS

Mayor Redfern presented to community member, Robyn Campbell, a Certificate of Appreciation for bringing the water issue to the attention of the City.

5. STATEMENTS

Councillor Akumalik wanted to acknowledge River McClusky for winning at the Kid Food Nation Gala in Ottawa. He also acknowledged Miles Brewster for sitting during the singing of the National Anthem as a statement, because they were not learning about First Nations and Inuit attending residential schools and how they were treated.

Councillor Nattaq advised that due to another commitment, he would not be able to attend the November 25, 2018 meeting.

Councillor Nattaq commented that the beer and wine store received approval and is now operating and is doing well. He has been receiving comments that individuals are at the store daily and it is troubling to see inebriated people on the street at night in the city.

Mayor Redfern noted that the Legislative Assembly is back in session and NTI is having their Annual General Meeting in Iqaluit, which started today.

6. DEFERRED BUSINESS AND TABLED ITEMS

None

9. NEW BUSINESS

a) Rulings on Representations

Michelle Armstrong, Northern Futures Planning, reviewed the comments that were presented and submitted at the Public Hearing on October 22, 2018 regarding the draft Land Administration By-law.

Ms. Armstrong made the following comments:

- Thirteen members of the public attended the meeting.
- There were two oral presentations:
  - The Iqaluit Action Lab represented by Robyn Campbell and Bethany Scott.
  - Anne Crawford.
- There were two written submissions read:
  - Nunastar.
  - Government of Nunavut Community and Government Services Department.
- There were no additional comments or questions from the public.
- A summary of the comments was prepared along with staff recommendations for changes for Council's consideration.

The following are the comments and suggestions:

- Section 2 – Definitions
  - Affiliates or affiliated – no change recommended, but staff will consult with legal counsel to ensure not-for-profit corporations are included in the definition.
  - Suggested first-time homebuyers should exclude condo or row-dwelling unit owners from obtaining a lot for a single-detached or duplex home. Staff is not recommending the change. The ballot draw should be reserved for first time homebuyers. A condo or apartment owner has already entered into the market and has equity.

- Non-market housing – staff propose changes to the definition to clarify the definition.
- Private developer – Staff propose to include a definition for private developer.
- Site specific – suggested to revise the definition to allow the City to vary the lot price in a subdivision from 25 percent to 100 percent. Staff is not recommending the change. The 25 percent maximum is required by the Government of Nunavut Policy. However, a bylaw could be developed to levy a per unit fee on every new dwelling unit through the development permit process, which would apply not only to new development but also re-development of existing lands including municipal lands, privately owned lands, and Inuit Owned Lands and everyone would be contributing towards affordable housing.

- Section 13 (d) – Disposal of a parcel without using a competitive process
  - Suggested that Council should not have to give notice of its intention to dispose of lands to a lessee for expansion of their business. This would be if a lessee wanted a portion of land adjacent to their lot and not have to go through a competitive process for the land. Staff is recommending the change from a general notification to notification to the immediate adjacent leaseholders. This would only be used when a strip of land or the land is not a useable lot.

Mayor Redfern noted that the section is not written as a non-usable lot. She noted that it is possible that Council may grant the additional property to the property owner, but if the land has significant impact beyond the neighbours then broader notice should be given.

Deputy Mayor Stevenson agreed that Section 13(d) is not limited to non-usable lot, and if it is usable to other people, there should be a general notification. He asked what the notice is for.

Ms. Armstrong explained that the intent of the provision is to allow other leaseholders to express interest in that land prior to considering the request.

Mayor Redfern gave an example where an expansion of a business that would have more vehicles on the lot, like a garage, or expanding a restaurant/bar that would have more patrons. There are types of business that an expansion would have a significant impact. An expansion of land to a convenience store might not have a big impact. There are different types of businesses that can have different impacts and we must be aware of this.

Amanda Wells, Lands Administrator, explained that in the past, there has been a strip of land that was only useful to the abutting property owner and was not useful to anyone that was not an abutting property owner.

Deputy Mayor Stevenson suggested that Section 13(d) be clarified to reflect this, and (e) should be added dealing with the expansion of a property where the land would be deemed an impact on other property owners.

Mayor Redfern pointed out that once notice is given, there could be a strip of land between two property owners and if one property owner was not aware, they could make application to obtain the property. There is a potential for two competing property owners interested in an abutting strip of land.

Ms. Wells noted that in the past year there has been a strip of land between two properties and both property owners were notified, and if the other property owner wanted the property as well, the strip of land would be divided between the two property owners.

Mayor Redfern noted that (f) would have to be added to deal with two property owners wanting the strip of land abutting their property, as the resolution would be to split the land between the two property owners. Mayor Redfern felt the property owners would be required to pay all the surveying costs.

Councillor Rochon clarified that this is in relation to a property that is not a usable parcel of land to construct a building on. Ms. Wells agreed.

Mayor Redfern clarified that the clause would deal with a strip of unusable land by a third party, but there may be an application for the adjacent land that could potentially be used by another abutting property owner.

Deputy Mayor Stevenson felt the clause was to clarify that a strip of land was not necessary to the business, but of interest to the business. Changing this clause has lost that intent.

Ms. Wells explained that when the clause was developed, consideration was not given to a full lot as it would be disposed of by normal procedure. This was only to address strips or parcels that were only good to the adjacent property owners.

Deputy Mayor Stevenson clarified that if there is a parcel of land that is large enough to construct a building, it would go to tender or some other competitive process. Ms. Wells advised that was correct.

Deputy Mayor Stevenson asked if Council's discretion is eliminated from the scenario and Ms. Wells advised that was correct.

Mayor Redfern expressed concern about losing the provision of necessary due to the fact that if there is abutting land to a property that is deemed necessary for the expansion of a public institution, they may not receive it. Mayor Redfern suggested that this matter be referred back to staff for further review.

Ms. Wells felt there was a clause in the by-law regarding reserve lands that did not require going to the public for disposal.

Councillor Nattaq felt there should be an option available for the City to use the strip of land instead of the strip being used by the abutting property owner.

- Section 20 – Term of leases
  - Suggested that term of leases should be standardized to a longer term than 30 years. Staff is not recommending the change. The term of lease will remain at 30 years and Council has the option to vary the term in special circumstances.

Mayor Redfern asked what the special circumstances would be to vary the term.

Ms. Armstrong advised that the special circumstances are not described. The clause states that the City may, at its discretion, enter into a lease of municipal lands for a shorter or longer term based on the nature and value of the improvements to be constructed on such lands.

Mayor Redfern felt it may be helpful to have some guidance around special circumstances.

Councillor Sheppard noted with the auto-renewal clause built into the equity leases now, amortization is not an issue for lending purposes, whether it is personal, commercial or anybody else. There is no need to have a longer term than 30 years, it auto-renews for another 30 years automatically.

Mayor Redfern noted if that is the case is there any need for the special circumstances to be included in the clause. She asked how frequent has terms been granted for shorter or longer periods than 30 years.

Ms. Wells noted it is a rare case and staff felt it should be included. For instance, the museum is about ready to renew and there are some different options that they wanted to explore. Staff felt in the event that there may be a situation in the future that a longer term lease would be required, it was included in the bylaw.

Mayor Redfern felt that there should be some guidelines for special circumstances to avoid the clause being used indiscriminately.

Councillor Sheppard felt that anything that provides more flexibility to future councils, although it may not be necessary, but it sets the ground rules and is worthwhile.

- Section 25 – Advertising of land requirements
  - Suggested that advertising should also include posting a notice on the City's website. Staff is recommending including posting a notice on the City's website, which is currently common practice.

Deputy Mayor Stevenson felt that advertising in the newspaper should be removed as it is becoming an antiquated technology as newspapers are dying across the country. He does not know if it is necessary to advertise in newspapers, as advertisements are being done in prominent locations around the community and on the website.

Councillor Akumalik noted that there are some people who do not use computers.

Mayor Redfern noted that notices will be posted around the community and it is a question if the City wants to incur the cost of $5,000 to $10,000 to advertise in the newspaper.

Deputy Mayor Stevenson noted that notices will still be posted and the clause could be specific about the location where the notices are posted or there could be an increase in the number of locations.

Mayor Redfern noted that the City owns the Elders' Qammaq and she felt it would be good to have a community posting board there so notices can be posted.

Councillor Nattaq commented that notices must be posted in English and Inuktitut and the City should be using today's technologies. There are still a number of people who do not access the Internet. Consideration should be given to the most efficient way of giving notices to the residents.

Deputy Mayor Stevenson suggested that the clause be changed so that it is not so specific. The clause could say including but not limited to. This would take into account any changes to newspaper distribution in the future.

Councillor Akumalik expressed concern that some residents are not accessing the website. Everything should be done to promote the use of Inuktitut and he felt it would be a disservice to only post on the City's website.

Mayor Redfern explained that posting notices around the community is still required.

Councillor Akumalik understood that posting notices around the community will continue to take place and is a regular practice.

Councillor Matshazi felt it would be better for communication to the residents to use as many of the mainstream media as well as alternative media such as social media.

Mayor Redfern was concerned with how information is communicated, not what medium is used. Often the land notices, no matter if it is in Inuktitut or English, is not understood because the language is so technical. Residents have continually requested that plain language be used so people understand what Council is trying to communicate. The bigger issue is not where the notices are posted, but what is written in the notices so that residents understand. She noted that the matter has been discussed, but it has not been implemented.

Councillor Matshazi felt that the type of communication channel used is also important and different people use different methods of obtaining information. He felt that Council must be flexible in using various media channels.

Deputy Mayor Stevenson explained that he did not want to be legislated how notices are communicated. He wanted various options and use as many ways as possible to post notices and not be specific that it must be in the newspaper. The wording in the clause must be less specific so that there is more freedom and flexibility to post notices.

Councillor Sheppard wanted to have flexibility and not relate to any media medium whatsoever. The type of media medium can be addressed in a communications policy, which can be updated more easily than a bylaw. He did not feel it was appropriate to have a limitation on media medium in the bylaw.

Mayor Redfern asked if Council is in agreement for more broad language that allows the dissemination of the notices in the best mediums possible to reach as many residents as possible.

Councillor Nattaq expressed concern that there is a need to be consistent, fair and everyone is treated the same, and language should not be a barrier.

Mayor Redfern noted that the discussion is about posting of notices for land requirements.

Councillor Akumalik felt that there is a general agreement that notices should be posted on the City's website.

Mayor Redfern agreed and also the suggested changes to the clause be made using the wording including but not limited to.

Ms. Armstrong advised that the prescriptive language comes from the Government of Nunavut Policy.

Mayor Redfern noted that the City's Bylaw is more stringent than the Government of Nunavut Policy.

- Section 28 suggested that the last sentence in the clause should be removed. Staff is recommending removing the last sentence because in the case of re-zoning of a lot, it should be re-advertised and should follow the standard procedures.
- Section 39 – suggest for clarity that subsection (e) should be added which is the same wording as Section 38. Staff is recommending this addition.
- Section 40 (b) – suggest for clarity to remove the text "when this method is the most practical or economical". Staff is recommending the removal of the text.
- Section 51 – suggested that the City should be allowed to make a profit on land development since title to municipal lands was given to the City under the Nunavut Agreement. Staff agrees with the suggestion, which will involve

reviewing and revising the language in the land pricing section of the Land Administration By-law being Section 51 to 56. This would give the authority to Council to price all land according to market value, but could also give Council discretion to reduce the price below market value in certain circumstances. Some guidelines could be prepared on this matter. All other sections of the bylaw would need to be reviewed for consistency. There is not a lot of language that relates to land pricing, but there may be some definitions and staff need to be mindful of the language. Therefore, the whole by-law would need to be reviewed in detail.

Councillor Matshazi asked if it is possible that an example can be provided that Council would reduce the land below market value.

Mayor Redfern advised that Habitat of Humanity is one that the City has reduced the price in the past as they are building units for persons who otherwise would not be able to afford a unit, and land is a valuable component and commodity. Council does not give away the land, but often tries to make available for less than market value.

Deputy Mayor Stevenson noted another situation where it could be priced below market value would be that it is too expensive at market value. So, if land is developed and the cost and the market value do not align, there could be lots that are priced too high.

Mayor Redfern noted that there is the possibility of the land that the City acquired from the Federal Government at a nominal cost of $1 or $10, and certain community groups may want a parcel of that land and Council could offer the land to them less than market value.

Councillor Matshazi felt there should be some policy to define when the price should be reduced below market value, as there are many social issues and interests which could be considered to purchase land below the market value.

Deputy Mayor Stevenson agreed that there should be a policy so that consistency is carried out.

Mayor Redfern noted that there is general agreement that there should be a policy for selling land below market value.

Ms. Wells noted when staff were developing the section, they were considering the fact that a parcel of land was developed and it was not being sold, so the price could be reduced from the market value to sell the property and property taxes would be received.

Deputy Mayor Stevenson noted that there was a discussion that the Government of Nunavut would not be in agreement with this recommendation and asked if staff spoke with Robert Chapple, Government of Nunavut Director of Planning and Lands regarding the matter.

Ms. Armstrong advised that she did not speak with Mr. Chapple, as he is on vacation until mid-November.

Deputy Mayor Stevenson noted that he did see the Government of Nunavut Land Pricing Policy which has expired.

Mayor Redfern noted that the policy hampered Council from being able to dispose of land at a higher premium, including the lots that have extra view and higher value. She noted that all new neighbourhoods are surveyed and the lots are divided based on the square footage and a price evaluation is carried out, and there is no additional potential increase in market value of certain lots.

- Sections 76 – 77 suggested that Land Use Permits should be used instead of Temporary Leases because they are non-exclusive and non-transferable and much easier to terminate. Staff is not recommending this change. The reason for the Temporary Lease was to allow Council to grant exclusive use of land for a short period in special circumstances and allow a maximum occupancy for five years.

Mayor Redfern noted the Ski Club has a Temporary Lease.

- Sections 58 – 62 off-site levy provisions. The Community and Government Services Department indicated that the provisions may offend certain legislation and should be reviewed. Staff is not recommending any change, as it is unclear to staff what the conflict to legislation is and further correspondence with the Community and Government Services Department is required.

Mayor Redfern noted that Council's legal counsel will be asked for an interpretation.

Deputy Mayor Stevenson asked if this will be necessary once the section on pricing of lots is changed. Currently this is the place that a price can be added to a lot even though it is not included in the cost to develop the lot. Therefore, is the clause still required?

Ms. Armstrong advised that the off-site levies are in addition to a lot price. Council has not been using the off-site levies as some of the items on the list are for major infrastructure, but a small amount could be added for the sewage treatment plant or the new landfill. This would be in addition and would be separate from the lot price.

Deputy Mayor Stevenson noted that currently Council cannot price the lot except for the value of creating the lot. So there has to be an off-site levy to increase the lot price to cover fees that were required to develop the land. If Council is able to price the lots at market value, the off-site levy is no longer needed.

Mayor Redfern noted that it is needed for lots that are being disposed that are not a new neighbourhood. There are pre-existing lots and an on-site levy may be required. It is not for all new neighbourhoods and new lots.

Ms. Armstrong noted that if market value is established as the price of the lot, in some instances it may not include upgrading the sewage treatment plant which is considered in future years as growth of the city. The off-site levy is creating separate funds that can be collected on the leasing of the lot and put in a separate fund for future use.

Mayor Redfern pointed out that it is not only for existing lots that are being disposed of, but also pre-existing lots.

Councillor Sheppard wanted the option of having an off-site levy separately, because the market value of the lot will not take into account any additional infrastructure requirements for a lot if required.

- Section 69(f) and Section 75 – the term abandoned is vague. The term abandoned or abandonment is not currently defined in the Land Use By-law. Staff is recommending adding a definition for abandoned and abandonment in Section 2.
- Section 71 (c) – interest must be expressed in an annual rate of interest according to the *Canada Interest Act*. Staff will request legal counsel to confirm the existing language is not in conflict with the *Canada Interest Act*.
- Sections 73 – 75 – Standard Leases should not be used at all in the future due to the high demand for lots. Staff is not recommending any change. Standard Leases will be only be used in special circumstances at the discretion of Council.

Mayor Redfern suggested that guideline policy should be developed.

- Section 88 – conversion formula for Standard Lease to Equity Lease. The assessed value is only a fraction of the fair market value and the actual payments made on a lease over time on a Standard Lease would be better. Staff is not recommending the change as the assessed value greatly exceeds the actual payments made due to the very rapid increase in property values.
- Appendix D – sample lease template. Comments that the lease clauses are too restrictive to the leaseholder and in particular clause 9, 10, 11, 13, and 14. Staff is not recommending any change, as most of the clauses have been used in Equity Leases for over 10 years and protects the City's authority to require improvements constructed on the land and to maintain and repair the improvements.
- Appendix D clause 18 – road widening. It is felt this is too restrictive. Staff is recommending that this clause be removed from the lease template. This clause is not currently used in the lease and it is felt that this clause would be difficult to enforce. This would only be implemented in new leases in new subdivisions which are designed for wider road widths to accommodate utilidor and the entire infrastructure. Road widening would be an unusual situation in new subdivisions. If the City did need to acquire land, the expropriation laws under the *Cities, Towns and Villages Act* could be used.
- To replace the position of Director of Planning and Development with other authority since the position no longer exists. Staff is not recommending a change as the position has been re-instated.

Mayor Redfern asked if Land Planner could be used which would cover a Land Planner Consultant, Director of Lands and Planning, or the other positions that are under it. She noted that a Land Planner has to have a certain designation and duties. She also noted that Development Officer is another option, rather than having a specific title which will encompass many different positions.

Deputy Mayor Stevenson noted that Section 2 site specific talked about varying lot prices and staff did not recommend a change. With the new writing of (f) pricing of land, Council did not discuss limiting what could be reduced. There was some mention of it being outdated and following the Government of Nunavut Policy of 25 percent, but maybe that is also outdated.

He expressed concern if the lots are being priced at market value, then Council needs to have more discretion as to how Council can reduce the price of lots. There was some discussion about creating a policy, but he felt there should be more flexibility in the by-law and Council should not be limited to a Government of Nunavut Land Pricing Policy that does not actually exist. He also did not feel that Council should be limited to 25 percent if costs could be greater.

Mayor Redfern noted there may be a situation where a lot is put out for bidding or auction and Council may have a market value, but the market value is whatever the market is prepared to pay.

Councillor Sheppard feels that Council should take every opportunity to make an impact on essential housing emergency. Limiting to 25 percent based on an expired Government of Nunavut Policy does not make sense. Councillor Sheppard felt there should be a reference to 100 percent so that Council has the option of waiving 100 percent of the payment. This does not force Council to do this because policies can be developed to manage the amount to be waived. He noted that in Section 51, the City has the ability to profit on sale of land elsewhere and there should be the option of using the profit to impact low income housing or affordable housing initiatives. This would give Council the tools to accomplish this.

Mayor Redfern polled Councillors to determine if they were in agreement with the 100 percent and the poll reflected that they agreed.

Councillor Sheppard noted some of the work he has done with the Uquutaq Society and homeless shelter discussions has been held about housing continuum. He felt the ballot draw has eliminated steps in the housing continuum for first time homebuyers. Because of the limited number of available homes, they are forced to build a brand-new home. This is not the most effective way to develop housing.

He is recommending including some form of housing continuum for condo and high-density homeowners to receive more preference in the ballot draw. People who have lived in a smaller unit and have had the opportunity to develop equity and grow equity in their existing smaller affordable housing, are best suited to take part in new construction.

There should be a contingency that requires the sale of their existing home, which would then be available as an entry level home for someone. Councillor Sheppard felt that the ballot draw is done because it has always been done. The most effective way of developing and disseminating land in the city through a ballot draw process is no longer the right process. He commented that the improvements that were suggested as laid out in the appendix are an improvement over the old system, but there are still some flaws. By excluding the ability of high-density homeowners from transitioning through the housing continuum is a missed opportunity.

Mayor Redfern felt that the suggestion would be for a housing program and a section in the bylaw or policy be developed on how that would that be handled. She felt this will need additional work and research. She noted that the bylaw can be amended and suggested that Council work towards approving the bylaw, but with a commitment to considering changes to the ballot draw. She noted that consideration would have to be given to property rights and if the homeowner would be willing to give up a rental income that helps them afford the larger property.

Councillor Sheppard noted that there are other means to lease the land and other methods. There is nothing in the bylaw that commits Council to release 100 percent of the lots through a ballot draw. He would support the bylaw that has been presented, providing there is some commitment that Council will open up some of the land being developed to other means. He did not feel that all the lots should be available through a ballot draw.

Mayor Redfern noted there are developers that want large lots to build condominiums which are more affordable. She felt that there were multiple disposal options available. This is a question for first-time homebuyers.

Councillor Sheppard felt if Council does not amend the way the ballot draw is developed it will require a much deeper policy on how land is disposed. High-density development should be allowed, but there must be a requirement for resale and not for rental purposes. There is a lot of work to be done on developing an affordable housing policy that can be outside the bylaw.

Mayor Redfern suggested that perhaps there be a minimum of 50 percent for ballot process and asked staff to recommend methods of disposing the remaining 50 percent to achieve the goal of making lots accessible for first time homebuyers. Perhaps a call for proposal for developers and residents could be used for the 50 percent.

Councillor Sheppard pointed out that the bylaw currently does not commit Council to dispose of the land in any way, so there is an option available when the time arises.

Mayor Redfern confirmed with Councillor Sheppard that the current wording is satisfactory.

Councillor Sheppard pointed out that there is no support for his suggestion.

Mayor Redfern noted his comments are sound, but there is no specific recommendation for an alternative method.

Councillor Sheppard suggested that the way it can be addressed is in Appendix E, before Category 5 or 6. There must be a way to give them some priority before people who own multiple homes in the city already.

Deputy Mayor Stevenson noted that Joamie Court will be disposed of using the current by-law, as the proposed by-law will not be ready. If the current by-law was used, then Council could decide to dispose of some of the lots through ballot draw and some though another method. He noted that the people that Councillor Sheppard is referring to could have a ballot in the draw because they are Category 6 people.

Mayor Redfern pointed out that when the time arises to dispose of lots in Joamie Court, staff could provide some options that can be used.

Deputy Mayor Stevenson reiterated that Joamie Court will be governed by the current by-law as this bylaw will not be in effect. He noted that without a policy, the Planning Department will plan a ballot draw without coming to Council, which has always been done in the past. Therefore, a policy will have to be developed to determine what percentage of a subdivision gets divided.

Mayor Redfern pointed out that there are at least six different ways of disposing of land under the current by-law. She explained that a ballot is only one of them.

Ms. Wells explained that there are a couple of ways to dispose of land: ballots and call for proposal. She felt that a few years ago, Council made a decision that residential lots would be disposed of by a ballot draw. If the ballot draw is held within the next couple of months, the current by-law would be followed, as the proposed by-law would not be in place.

Mayor Redfern commented that the ballot draw for Joamie Court will take place on November 28.

Mayor Redfern noted the primary method to dispose of land is by ballot draw, but asked staff to provide the list of the other ways.

Deputy Mayor Stevenson asked if Council could have some input into how the disposal of the land at Joamie Court will take place.

Mayor Redfern asked that staff provide the information on the list of ways that land can be disposed of.

Deputy Mayor Stevenson asked if the item is on the November 5th, 2018 Planning and Development Committee of the Whole.

Ms. Armstrong advised that there is an update on Joamie Court on the November 5 Planning agenda.

Mayor Redfern advised that the options can be presented verbally at the Planning and Development Committee of the Whole.

b) Request for Decision – Reverse Osmosis Unit

Matthew Hamp, Director of Engineering and Public Works, explained that funding is being requested to proceed with a Request for Proposal for the Installation Design for the Modular Reverse Osmosis Water Treatment Plant. Mr. Hamp advised that the unit was received this week.

Mr. Hamp provided the following information:

- The water supply challenge was resolved through a combination of supplemental pumping from the Apex River, water reduction strategies, and record high precipitation during the second half of the summer.
- As part of the mitigation strategy, the City purchased a reverse osmosis unit to supply supplemental drinking water in the event of a future water supply shortage or other water emergency.
- A design is required to connect it to the utilidor system, constructing a building to house the unit, and installing the intake and discharge lines.
- The City is investigating a permanent supplementary water source from the Sylvia Grinnell River, as well as other local water bodies.
- It may be several years before the infrastructure is built to draw water from these other sources.
- It is recommended to proceed with procuring the services of a consultant, through a Request for Proposal, to prepare a design for the implementation of the reverse osmosis unit to supply fresh water directly to the City's utilidor system, which can be implemented fairly quickly if deemed necessary.
- The scope of work for the Request for Proposal can be divided into three items:
    - Environmental Assessment.
    - Regulatory Permits.
    - Design of the water intake/discharge lines and connection to the utilidor with an option to include construction administration.
- With a completed design, if required, construction of the intake/discharge lines and the prefabricated building could be completed by a general contractor. Assembly of the reverse osmosis unit could be performed by a specialized company with extensive knowledge and experience with this particular unit.
- The proposed timelines are:
    - Issue Request for Proposal – November 5th, 2018.
    - Request for Proposal Closing – November 26th, 2018.
    - Approval and award – December 4th, 2018.
    - Award – December 5th, 2018.
    - Design would start mid-December, with a target completion in mid-April 2019.

- It is estimated that $500,000 in spending authority would be required to complete the design and all the regulatory work.
- Benefits:
  - Completion of the design and regulatory work prior to a water shortage emergency arises, which will reduce the time and cost to implement the solution if the need arises.
  - Reverse osmosis unit can be operated on an as-needed basis to supplement the city's water demand.
  - Provides the city with a supplement water supply if required until the permanent solution is completed.
- Disadvantages:
  - If a decision was made not to proceed with the design and regulatory work and a water shortage emergency arises, implementation of the reverse osmosis unit would take significantly longer.
  - Reverse osmosis units are traditionally more expensive to operate due to its high-energy consumption.
- Source of funding is the gas tax reserve.
- Strategic Plan is met by preparing a shelf-ready design to engage the reverse osmosis unit and will provide the city with assurances while it works towards developing a long-term sustainable water supply.

Councillor Sheppard clarified the scope of work is regulatory approval and design on paper and there is no building of a platform or building.

Mr. Hamp advised that there is no actual construction, the regulatory approval and design is all paper work.

Mayor Redfern pointed out that the request is to issue the Request for Proposal and there no commitment for spending authority until the contract has been awarded.

Deputy Mayor Stevenson asked if the contract is awarded will it include a timeline and suggestions to put the plan in place and have the reverse osmosis unit up and running.

Mr. Hamp advised it is hoped that the Request for Proposal will outline timelines and suggested approaches for phasing in over time.

Mayor Redfern requested that the Request for Proposal look at potential sources of third-party funding as part of the proposal.

Motion # 18-362

Moved by: Councillor Sheppard
Seconded by: Deputy Mayor Stevenson

That the City proceed with the solicitation of proposals for a design and regulatory approvals for the reverse osmosis unit as part of the overall Water Mitigation Strategy.

For – Sheppard, Stevenson, Rochon, Matshazi
Opposed – Akumalik, Nattaq

Carried

Councillor Akumalik understood that the reverse osmosis unit was not wanted by the Government of Nunavut and was being stored in Alberta and asked if the reverse osmosis unit is in Iqaluit.

Mr. Hamp advised that the reverse osmosis unit is here and the City incurred a nominal cost to get it to the city. He reminded Council that the Government of Nunavut felt it was improperly sized for their needs, as it was too big for a lot of the smaller communities. The Government of Nunavut will be purchasing a smaller reverse osmosis unit, which is more easily transported to the smaller communities.

Councillor Akumalik asked by not approving the request to call the Request for Proposal will Council save $500,000 this year.

Mr. Hamp pointed out that it is anticipated the cost would be spread over two fiscal years, as all the work would not be completed in this fiscal year.

Mayor Redfern reminded councillors that approval would initiate calling the Request for Proposal and Council would be requested to award the contract. Therefore, there is no decision tonight to spend $500,000.

Councillor Akumalik asked what is used to determine a water shortage emergency.

Mr. Hamp explained that staff are monitoring the water level daily in Lake Geraldine and comparing it with the usage. If there is a sudden rapid drop over a number of days, staff would advise Council and a decision would be made.

Mayor Redfern pointed out there are other factors such as a major water main break and some work is being carried out to reduce water losses. The water conservation campaign is being continued and there are proactive mitigating measures which is hoped will prevent a crisis. The most likely thing would be a massive water main break, as there is sufficient water in the dam at this time.

Deputy Mayor Stevenson expressed concern that requiring sourcing of third-party funding would add costs to an already expensive process. He understands that searching for third-party funding is specialized and a difficult process which is usually best done by a person with a vested interest in the project. He felt if funding opportunities is not tied to the Request for Proposal, that being funding must be found or the contract will not be paid. Otherwise, Deputy Mayor Stevenson felt the increase in cost will not be justified.

Mayor Redfern commented that the Federation of Canadian Municipalities (FCM) has funding for a climate change person that can be employed by the City. This might be something that the City may want to pursue and is a vital position for the City.

Mayor Redfern noted that the reverse osmosis unit is here and can sit here and do nothing. The question is whether Council wants to ensure that the reverse osmosis unit can potentially be installed if there ever is a water emergency in the City during the winter.

Councillor Akumalik knows the reason for this action, but he still does not understand because there is ice and snow in the arctic and lakes and rivers that flow year-round. He is puzzled that with all of these resources, how the city can be in this situation.

Mr. Hamp pointed out that the issue of water supply dates back to 2006 at least, and possibly as early as 2002, and has been a priority for a number of councils. The interruption of staff and changes in council has led to some delays in pursuing this. Staff are pursuing alternative water sources for the long-term needs and the reverse osmosis unit is one aspect in the overall mitigation strategy. Staff is trying to take a cautious and measured approach to bring these proposals to Council in stages to allow discussion to make decisions.

Mayor Redfern explained that this is risk mitigation in the event that there was a catastrophic event, like a massive water main break, where the water could not be replenished to serve the community in the winter months. It is something that we hope we will never realize, but it makes sense that Council decided to acquire the reverse osmosis unit.

Councillor Matshazi felt since the investment was made in the reverse osmosis unit, then Council should make sure all the necessary equipment is in place. If plans are in place to mitigate potential problems it will be a worthwhile investment.

Councillor Nattaq noted that there is some erosion taking place which is apparent after the snow melts in the spring and asked staff to carry out an inspection in the spring. He felt the proposed budget amount is modest as the job needs to be done right and Council needs to be prepared in the event that the reverse osmosis unit is needed.

Mr. Hamp asked for clarification on the location of the erosion.

Councillor Nattaq explained that the erosion is close to Lake Geraldine and there used to be a creek that flowed into Lake Geraldine, but due to some erosion, the water source dried up and it was not draining into Lake Geraldine anymore.

Mayor Redfern noted that a meeting should be arranged with the Qikiqtani Inuit Association (QIA) Community Lands and Resource Committee as there is some local knowledge that Council committed to acquire when looking at the secondary supplemental water.

c) Memo – Zoning Bylaw Amendment No. 826

Councillor Sheppard declared a conflict of interest and left the Council Chamber.

Jennifer Jarvis, City Planner, provided the following information on the Zoning By-law Amendment No. 826 – House 411/Qaggiavuut Society.

- The Qaggiavuut Society is a not-for-profit organization that provides free children and youth performing arts programming skills and workshops for artists in the city and throughout Nunavut.
- The request for a Zoning Bylaw Amendment was made to accommodate their main office in building 411.
- In July 2016, an application was received to rezone House 411 from R2 (Medium Density Residential) to B3 (Neighbourhood Business Zone).
- The R2 Zone does not permit office use. The B3 Zone permits a limited range of commercial use including office use.
- The bylaw amendment received First Reading in November 2016 and Second Reading in December 2016.
- A Public Hearing was held on December 13th, 2016.
- The bylaw amendment has received approval from the Minister of Community and Government Services.

Councillor Nattaq expressed concern that a conflict of interest was not declared at the beginning of the meeting under Declaration of Interest.

Mayor Redfern clarified that a conflict of interest can be declared at any time during a meeting. The important thing is that once the conflict is determined it must be declared immediately and the councillor must leave the room so they do not partake in the discussion and decision.

7. BY-LAWS

a) First Reading of By-law(s)

None

b) Second Reading of By-Law(s)

None

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

i) Zoning By-law Amendment No. 826

Motion # 18-363

Moved by: Councillor Akumalik
Seconded by: Deputy Mayor Stevenson

Third and Final Reading of Zoning By-law Amendment No. 826.

Unanimously Carried

Councillor Sheppard returned to the Chamber.

8. OLD BUSINESS

None

10. COMMITTEE REPORTS

None

11. CORRESPONDENCE

a) Thank You Letter – De Beers

For Council's information, a thank you letter was received from De Beers regarding the meeting on how a potential De Beers Canada diamond mine on South Baffin could make a positive contribution to Iqaluit.

Mayor Redfern advised that she, Deputy Mayor Stevenson, Councillor Papatsie and Ms. Elgersma met with the De Beers representative, which was an excellent meeting. It is expected there will be many more meetings as the project proceeds.

12. IN CAMERA SESSION

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

- Legal Items

Motion # 18-364

Moved by: Councillor Sheppard
Seconded by: Councillor Akumalik

Council goes In Camera at 8:15 p.m.

Unanimously Carried

Motion # 18-365

Moved by: Councillor Sheppard
Seconded by: Councillor Rochon

Council returns to Regular Session at 8:59 p.m. **Unanimously Carried**

13. ADJOURNMENT

Motion # 18-366

Moved by: Councillor Sheppard
Seconded by: Councillor Rochon

Council adjourns at 9:00 p.m. **Unanimously Carried**

Madeleine Redfern
Mayor

Amy Elgersma
Acting Chief Administrative Officer

Approved by City Council on the **11th** day of **December,** 2018.