

Summary of Key Changes

Draft Land Administration By-Law City of Iqaluit

This document provides a convenient summary of key changes to the new By-law.

Citizens can find the full draft Land Administration By-Law on the City of Iqaluit's website (www.city.iqaluit.nu.ca), at Iqaluit City Hall, and at the Planning and Development Department (Building 2425).



**The Public Hearing will be held
on Monday October 22, 2018
starting at 5:30 pm
in the Council Chambers at
Iqaluit City Hall.**

There will be a formal Public Hearing held for the Draft Land Administration By-law. Everyone is welcome and encouraged to attend.

Citizens can have their voices officially heard at the Public Hearing in two ways. They can ask to be added to the 'Speaker's List' before 4pm on October 19, 2018, and they can submit written comments before 4pm on October 15, 2018.

Please contact the City at planning@city.iqaluit.nu.ca or 867-979-5661.

The City of Iqaluit needs input from citizens on a new draft Land Administration By-law.

New eligibility and procedures for residential ballot draw

The new By-law sets out new eligibility requirements and procedures for ballot draws for residential lots. There are new categories for applicants, and the number of applicant categories has expanded from 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 for the draw, as shown in the table below:

(By-law Sec 39 & Appendix 'E')

Category 1	First-time 'Iqaluit Inuit' * homebuyers who live in Iqaluit.	6 ballots
Category 2	First-time Inuit homebuyers from Nunavut who have lived in Iqaluit for 5+ years.	5 ballots
Category 3	First-time non-Inuit homebuyers who have lived in Iqaluit for 5+ years.	4 ballots
Category 4	First-time homebuyers who have lived in Iqaluit for 2+ years.	3 ballots
Category 5	First-time homebuyers with fewer than 2 years in Iqaluit.	2 ballots
Category 6	Any person who is not a first-time homebuyer.	1 ballot

* 'Iqaluit Inuit' means Inuit originally from the Iqaluit region.

All ballots are entered into one draw. During the draw, ballots are drawn one at a time, and in the order in which names are drawn, the draw winner selects one lot for themselves. This continues until all lots are taken. At that time, five (5) additional ballots may be drawn and those applicant names will be put on a waiting list. Applicants can choose one category only.

New methods for pricing 'new' and 'old' lots

The draft By-law introduces new methods for pricing land parcels. It introduces some new definitions for 'new' and 'old' land.

- 'New' lots are defined as having been developed fewer than three (3) years ago and/or where the cost of developing the lot is known. New lots can be leased at below market value if they cannot be leased within a reasonable period of time.
- 'Old' lots are defined as having been developed more than three (3) years ago and/or where the cost of developing the lot is not known. Old lots can be leased at market value, replacement value, or assessed value. Replacement value is based on the estimated costs of developing a similar new lot. Assessed value is the value of the land calculated by Nunavut Property Assessment.

(By-law Sections 51 to 56)

Introduction of 'public tender' for leasing developed lots

The new By-law adds 'public tender' as a method to lease land that was previously developed. Public tender means a competitive bid process that is open to all qualified bidders. The successful bid is chosen according to price and quality.

(By-law Section 38 & 39)

Changes to construction timeline requirements

The new By-law extends construction timeline requirements for all development (with the exception of single-detached, semi-detached and duplex housing.) The new by-law would allow 48 months to complete construction instead of the current 24 months.

(By-law Section 44)

Extensions to the construction timelines are possible and the By-law specifies the types of information that the City may request in considering an extension to the timelines.

(By-law Section 46)

The draft By-law also allows the City to cancel an agreement, impose a penalty, or revert the land back to the City for failure to complete construction within the required timeframe.

(By-law Section 47)

Extension to timeline for repairing/reconstructing damaged buildings

The draft By-law extends the timeline for repairing, reconstructing or replacing an abandoned or damaged building from 24 months to 36 months.

(By-law Section 69(f))

New support for non-market housing

The draft By-law provides new support for non-market housing initiatives, such as cooperative housing and other subsidized housing developments by:

- allowing land to be reserved for non-market housing and leased without a competitive process;
- providing Council discretion to subtract up to 25% of the lease cost; and
- providing Council discretion to allow standard leases for uses such as non-market housing, which may benefit from a more flexible financial arrangement.

(By-law Section 2, 13, 50, 51, 55)

New permissions for private sector land development of Municipal Lands

The draft By-law includes a new section to authorize private sector development of Municipal Lands. It allows the City to lease vacant land to a private developer who would then construct the roads and servicing to create new lots for lease to the public. The By-law sets out the requirements for the lease agreement with the developer, such as the procedure for registering new lots with the City and procedure for advertising and leasing lots to the public. In the By-law, the City retains the authority to control development standards, timelines, subdivision design, and more. This is intended to reduce the City's risk, effort and financial burden in developing Municipal Land.

(By-law Sections 66 to 68)

Changes to land lease terms and new criteria off-site levies

Off-site levies are a tool that municipalities use to pay for new infrastructure or to expand existing infrastructure for new development. The draft By-law establishes that the levy shall be separate from the lot price and can be paid over time.

(By-law Section 58-62)

New definitions

Many new definitions have been added to this new By-law to make it more user-friendly and to reflect language in the Government of Nunavut's Municipal Land Administration Policy.

(By-law Section 2)

Changes to other lease activity

Standard leases: A section was added to allow new standard leases and to permit the transfer, renewal or extension of existing standard leases.

(By-law Section 73-75)

Temporary leases: A section was added to reflect the City's current use of temporary leases (as an alternative to land use permits).

(By-law Section 76 & 77)

Conversion of standard to equity leases: New provisions list the procedures associated with extension, renewal, transfer and conversion from standard to equity to reflect current practices and provide better direction to Staff.

(By-law Section 86-88)

Termination or Surrender of Lease: New provisions provide more clarity for the procedures for terminating and surrendering leases.

(By-law Section 89-99)

Encroachment & Easement Agreements: A new section provides details for approval of an encroachment or easement agreement, including the process and authority.

(By-law Section 100-103)

Quarry Management & Permits: A section was added to provide details about the management of quarries as required by GN Municipal Land Administration Policy. The provisions address quarry permit forms and fees, extraction fees, royalties and accounting.

(By-law Section 110-112)

Potential consequence of a future land referendum

In the event that a future community land referendum is held (to allow Council to sell land instead of leasing land), the draft By-law gives Council the authority to transfer an equity lease to fee simple title. This is consistent with a clause already in the City's equity leases that allows this transfer to happen.

(By-law Section 23 & 24)