



CITY OF IQALUIT
Planning and Development Committee of the Whole #08
October 20, 2020 at 6:00 p.m.
CITY COUNCIL CHAMBERS

AGENDA

ADOPTION OF AGENDA

1. **MINUTES**

None

2. **DECLARATION OF INTEREST**

3. **DELEGATIONS**

4. **DEFERRED BUSINESS AND TABLED ITEMS**

- a) Cabins – Verbal
Mayor Bell

5. **NEW BUSINESS**

- a) Request for Decision – Development Permit Application No. 20-012 & Request for Variances – 6 Stacked Row Dwellings, Lots 562, Plan 1258 (Core Area), Marc Mahfouz, Building 685 A & B.
Jennifer Jarvis, Development Officer
- b) Request for Decision – Development Permit Application DP 20-043, Plan 184, Group 1087 Lot 1 – North 40 Quarry, Kudlik – Temporary Structure, Commissioner Land Use Permit No. LUP 19-003.
Jennifer Jarvis, Development Officer
- c) Memorandum to Council – Cabin Construction Program
Jennifer Jarvis, Development Officer

6. **IN CAMERA SESSION**

() as per Section 22 (2) (a) CTV Act and Bylaw 526 Section 67

7. **ADJOURNMENT**

Next Planning and Development Committee of the Whole Meeting, not scheduled.

Request for Decision

Topic: Development Permit Application DP 20-012 and Variance Application Lot 562, Block 29-5, Plan 1358 Marc Mahfouz Building 685A-B (Core Area)	Date: October 20, 2020
Proposal Summary: <p>The applicant is proposing to develop a 6 stacked row dwelling on an irregular lot that totals 601 m² of land in the Core Area. Each stacked row dwelling unit is proposed to have a GFA of 75m². The development proposal includes 6 parking spaces, including 1 visitor space.</p> <p>The City of Iqaluit received Development Permit 20-012 and a Variance application to permit the proposed development as described above. Initially, the applicant submitted a Variance application seeking relaxation of the setback on the south side of the property along Palaugaa Street (exterior yard) from 4m to 2.5m from the property line in order to accommodate the south wall of the proposed building. Following the review of the proposal staff determined that the applicant would require the following Variances:</p> <ul style="list-style-type: none">• Relief to provide an exterior side yard setback of 2.5 m whereas Section 10.8 requires a minimum exterior yard setback of 4m; and• Relief to provide a maximum density of 100 units per hectare whereas Section 10.8 requires a maximum density of 70 units per hectare. <p>The approval of the Development Permit 20-012 will lead to the development of the site in accordance with the Special Conditions of Approval (Attachment 2), the Standard Conditions of Approval (Attachment 3) and the Site Plan, Lot Storage Plan, Roof Plan, Floor Plans and Elevation Plans (Attachment 4).</p> Supporting Documents: <ul style="list-style-type: none">• Attachment 1: Context Map• Attachment 2: Special Conditions of Approval• Attachment 3: Standard Conditions of Approval• Attachment 4: Site Plan (A101), Lot Storage Plan (A102), Roof Plan (A105), Floor Plans (A103, A104), and Elevation Plans (A201, A202), all dated Friday, September 11th, 2020.	Proposed By: Jennifer Jarvis, City Planner & Development Officer
Options: Option 1: Recommend that Council approve Development Permit 20-012 and the Variance Application. Option 2: Refer the item back to staff for further analysis. Option 3: Refuse the proposed Zoning By-law Amendment.	

Policy Implications:

General Plan Compliance

The site is designated **Core Area**, Figure B - Populated Area Land Use - in the General Plan. The proposed development, a stand-alone residential building containing a six (6) unit stacked row dwelling and is permitted within the land use designation. As per Section 5.1.3(1) of General Plan 703 lot is not subject to the Core Area Urban Design Guidelines;

5.1.3(1) Developments in the Core Area except residential developments up to six (6) dwelling units, shall follow Core Area Urban Design Guidelines...

The proposed development is not located on a mainstreet, therefore it is not subject to Section 5.1.1(6) of the General Plan. As per Section 5.2.1(3), stand-alone residential uses, such as the proposed development, are permitted within the R2 Zone.

The Lot Development Standards of Section 8.7 of the General Plan were reviewed. The proposed development conforms to the following policies:

*(2) **Gravel fill** is to be minimized on all lots, in that any area on the lot not used for vehicular parking, parking access, or accessory buildings must not be filled and retained as natural tundra.*

*(4) This Standard requires that building design allows **wind-flow underneath the building** to prevent snow drifting against building faces (i.e. no solid skirting or enclosed storage under the building).*

(5) Safety and security measures have been considered in site design. Including:

- a) Sufficient lighting in spaces intended for public use;*
- b) Preservation of sight lines, where appropriate;*
- c) Identifying pedestrian access routes;*
- d) Avoiding the creation of enclosed areas invisible from within the building or from adjacent public spaces; and,*
- e) Non-residential development greater than 3,000 m² in size is encouraged to complete a CPTED analysis (see Section 2.2.5).*

(6) On residential lots, passive solar heating of living spaces will be encouraged by requiring that the building façade with the most window area be south facing ± 30 degrees, where feasible.

(7) Shared driveways and building services (e.g., garbage storage and oil delivery areas) shall be incorporated into site layout for residential lots containing 2 or more units, where feasible. Adjoining residential uses will be encouraged to share driveways and building service areas.

(9) Applications for development permits for buildings containing 6 or more residential units or exceeding 500 m² GFA will identify snow-piling areas on the lot. Lots adjacent to Open Space will require landscaping works to prevent snow dumping on the Open Space.

(10) Applications for development permits for buildings exceeding 500 m² GFA will include at least one accessible route (minimum 1 metre wide) within the site boundary linking parking, pick-up and drop-off areas, and pedestrian walkways to the accessible building entrance they serve. The accessible route will, as much as possible, coincide with the route for the general public.

Based on the above, the proposed development conforms to the policies of the General Plan.

Zoning Compliance

Schedule B – Populated Area Zoning Map - of the Zoning By-law 704 establishes that the Site is zoned **Medium Density Residential (R2) Zone**. The proposed use is permitted as a conditional use within the R2 Zone (Section 10.2). The proposed development must comply with the conditional use criteria of Section 10.3 and the specific zone provisions Section 10.8. The proposed development conforms to the conditional use criteria and most of the zone provisions of Section 10.8 with the exception of minimum exterior side yard setback and maximum density.

The proposed development meets the following parking requirements provided by Section 6 of the Zoning By-Law:

- *For a multiple family dwelling in a R2 Zone the parking requirement is 1 space per dwelling unit, plus 1 visitor space per 6 dwelling units.*
- *1 disabled parking space is required for the required 6 parking spaces (1 per dwelling unit).*

In accordance with the provisions above, the proposed development will meet the parking requirement of 6 total parking spaces, including 1 additional parking spaces to be used for a visitor / disabled parking space.

The proposed variances are as follows:

- Relief to provide an exterior side yard setback of 2.5 m whereas Section 10.8 requires a minimum exterior yard setback of 4m; and
- Relief to provide a maximum density of 100 units per hectare whereas Section 10.8 requires a maximum density of 70 units per hectare.

The applicant is proposing a reduced exterior yard setback to accommodate the south wall of the proposed building. An increase in the maximum density is required due to the limited size of the lot area. Staff believe that the proposed Variances are acceptable, as currently shown on the Revised Site Plan (A101), dated Friday September 11th, 2020

Benefits/Outcome:

- a) The proposed development is a suitable form of housing that is permitted as a conditional use in the R2 Zone and conforms to the general intent of the Zoning By-Law.
- b) The proposed development also conforms to the Core Area policies and Lot Development Standards of the General Plan.
- c) Given the surrounding context and the physical constraints of the lot (size), the proposed development is deemed appropriate for the lands.
- d) Staff do not anticipate that any adverse impacts will be generated as a result of the proposed development.

Disadvantages/Challenges:

- a) **None identified.**

Strategic Plan: N/A

Costs: None.

Source of Funding:
n/a

Staff Recommendations/Comments:

That the Planning and Development Committee of the Whole recommend that Council;

- 1. Approve Development Permit application #20-012 in order to permit the development of six (6) stacked row dwellings at 75 sqm each 20 sq. m, 6 parking spaces and 1 visitor (disabled) parking space, in accordance with the Special and Standard Conditions of Approval provided below and as shown on the updated drawings received by the City of Iqaluit on Friday, September 11th, 2020 as listed below:**
 - a. New Site Plan (A101), dated Friday, September 11th, 2020;**
 - b. Lot Storage Plan (A102), dated Friday, September 11th, 2020;**
 - c. Ground Floor Plan (A103), dated Friday, September 11th, 2020;**
 - d. Second Floor Plan (A104), dated Friday, September 11th, 2020;**
 - e. Roof Plan (A105), dated Friday, September 11th, 2020;**
 - f. Elevations (A201), dated Friday, September 11th, 2020; and**
 - g. Elevations (A202), dated Friday, September 11th, 2020.**
- 2. Approve the Variance Application, which seeks relief from Section 10.8 of the Zoning By-Law, to permit a minimum exterior yard setback, from 4m to 2.5m, and a maximum density, from 70 units per net hectare to 100 units per net hectare.**

CAO's Review/Comments/Initials:

Reviewed by CAO (AE)

Attachment 1: Context Map



Figure 1: Location of House 685AB on Palaugaa Street

Attachment 2 – Special Conditions of Approval

SPECIAL CONDITIONS OF APPROVAL

Variance

The Developer agrees to obtain a Variance from Council in order to provide an exterior side yard setback of 2.5 m whereas Section 10.8 requires a minimum exterior yard setback of 4m and a maximum density of 100 units per net hectare whereas Section 10.8 requires a maximum density of 70 units per net hectare, prior to the issuance of Development Permit 20-012.

Attachment 3 – Standard Conditions of Approval

STANDARD CONDITIONS OF APPROVAL

Building Permit

1. Pursuant to the *Nunavut Building Code Act*, the Developer/Lessee shall obtain a Building Permit (if applicable) from the GN Office of the Chief Building Official, **prior to the commencement of construction.**

Chief Building Official

2. For all development other than single-detached dwellings, the Developer/Lessee shall meet all the requirements of the Chief Building Official **prior to commencement of construction.**

Occupancy Permit

3. Pursuant to the *Nunavut Building Code Act*, the Developer/Lessee shall obtain an Occupancy Permit (if applicable) from the GN Office of the Chief Building Official (if required), **prior to occupancy of the building.**

Compliance with other Codes, Regulations, Standards

4. For all development, the Developer/Lessee shall meet all the requirements of the National Building Code, the National Fire Code, Arctic Airports Zoning Regulations and any other standards and regulations that may be required and revised periodically. The issuance of this Development Permit shall not exempt the permit holder from constructing in accordance with all applicable standards and regulations and no approval given by the Development Officer or Council will be considered an indication that such standards and regulations have been met. Confirmation from a qualified professional that applicable standards and regulations have been met may be required at the discretion of the City.

Damage to City Property

5. The Developer shall reinstate at its expense and to the satisfaction of the Development Officer, any City property including but not limited to roads, service vaults and signage, which may be damaged as a result of this development.

Payment of arrears

6. All City accounts of the Lessee and its affiliates shall be current **prior to issuance of the Development Permit.**

Compliance with other Codes, Regulations, Standards

7. For all development, the Developer/Lessee shall meet all the requirements of the National Building Code, the National Fire Code, Arctic Airports Zoning Regulations and any other standards and regulations that may be required and revised periodically. The issuance of this Development Permit shall not exempt the permit holder from constructing in accordance with all applicable standards and regulations and no approval given by the Development Officer or Council will be considered an indication that such standards and regulations have been met. Confirmation from a qualified professional that applicable standards and regulations have been met may be required at the discretion of the City.

Grading & Drainage

8. The Developer/Lessee shall ensure that all surface drainage where fill is introduced shall be contained within the limits of the lot and directed to a municipal drainage ditch in the adjacent road allowance, in accordance with the *Iqaluit Master Drainage Plan*.

Snow Piling & Removal

9. The Developer/Lessee shall pile snow on site and remove snow from the site in accordance with the City's Snow Removal By-law, as amended.

Gravel Fill

10. Placing gravel fill on the lot, other than as shown on the approved Site Plan, represents new development on the lot. Any proposed extensions to the gravel fill area shall be subject to an application to amend the Development Permit.

Servicing

11. For developments on piped services, all on-site and off-site servicing works and connections to the City servicing systems shown on the approved plans are subject to the "Iqaluit Municipal Design Guidelines (January 2005)" and subject to the approval of the Director of Public Works and Engineering, or delegate.
12. The Developer/Lessee shall install a water meter to the approval of the Superintendent of Public Works.

Signs

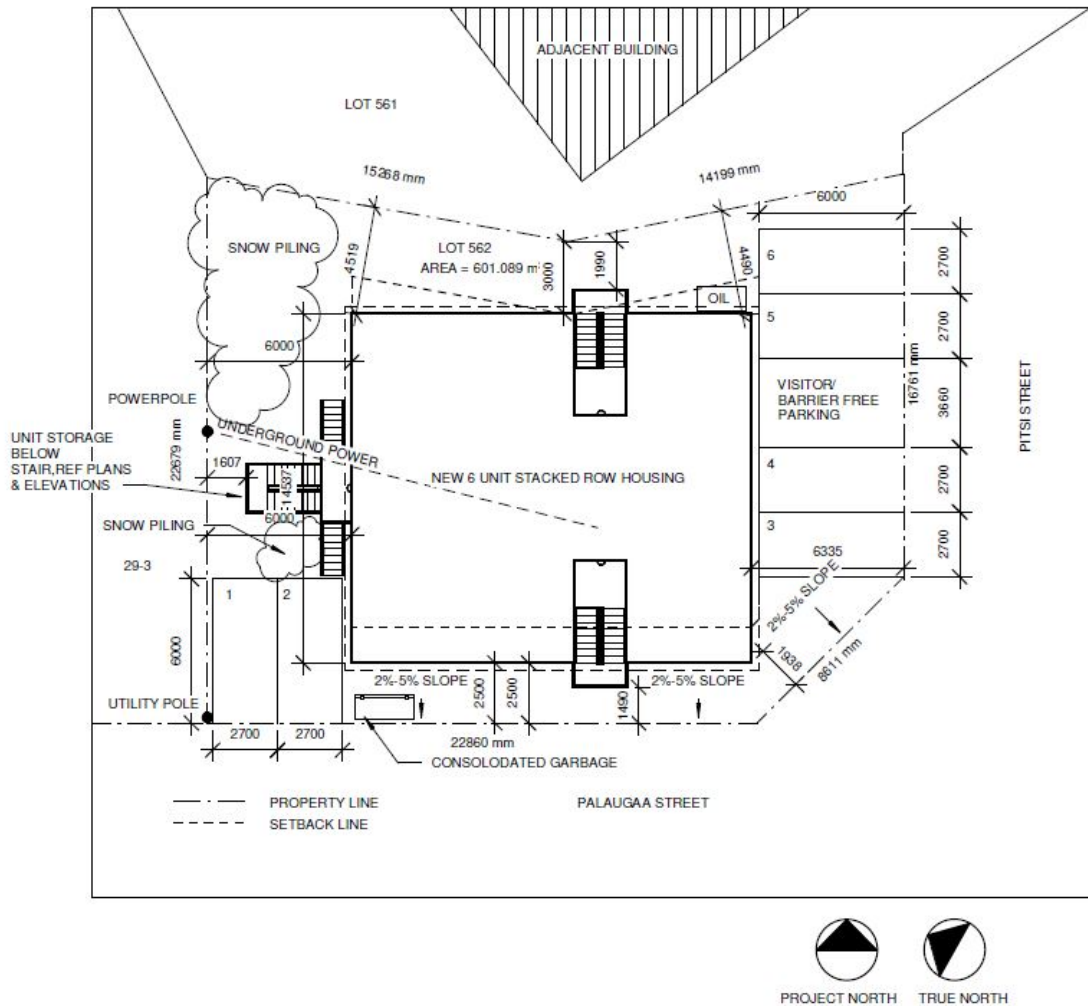
13. The Developer/Lessee shall erect signs, as may be required by the Development Officer.
14. The Developer/Lessee shall erect a sign to identify any disabled parking space as per the approved Site Plan.

Lot Development Standards

15. The Developer shall install and maintain the following water-saving devices throughout the building:
 - a. All toilets to be water-saver or ultra-low flush toilet units using 6 litres/flush (1.3 imp. Gal./flush) or less.
 - b. All showerheads to be low-flow showerheads using 9.8 litres/min (2.2 imp. gal./min) or less when tested at 551 kPa (80 psi).
 - c. All washroom and kitchen faucets to use 8.3 litres/min (1.8 imp. gal./min.) or less when tested at 413 kPa (60 psi).
16. All exterior lighting installed on the lot or attached to a building will face downward and not illuminate beyond the boundary of the lot.
17. The Developer shall ensure that a construction waste bin is on the lot during construction to contain debris.
18. No solid skirting or enclosed storage below buildings is permitted unless an exemption is granted by the Development Officer for the development.

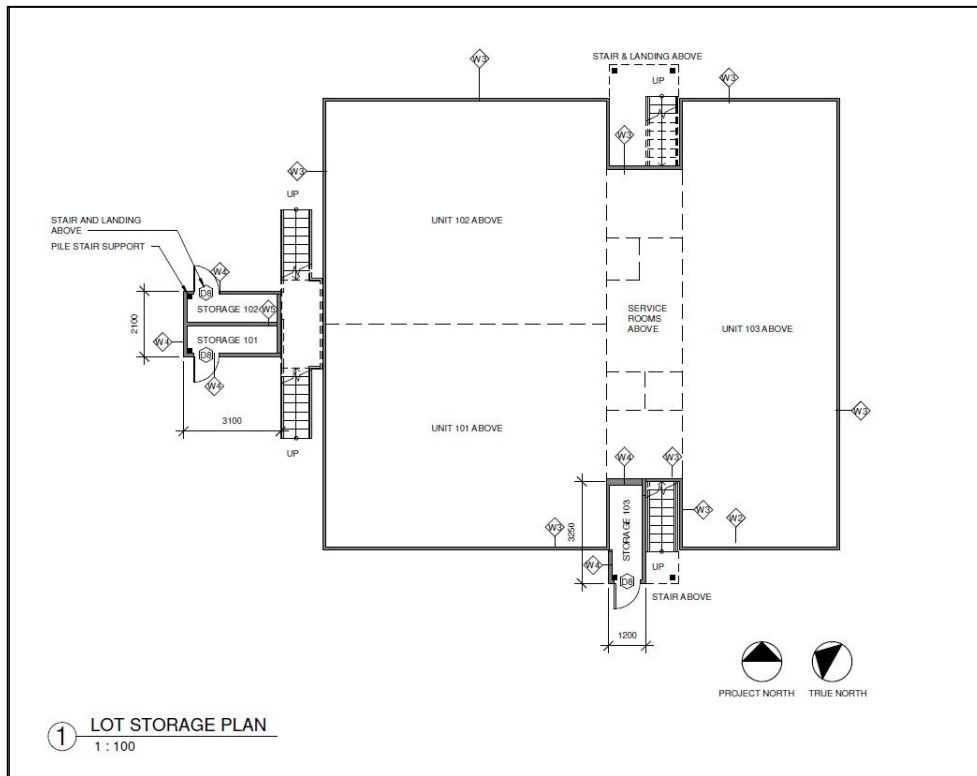
Attachment 4:

Site Plan (A101), Lot Storage Plan (A102), Roof Plan (A105), Floor Plans, (A103, A104), and Elevation Plans (A201, A202), all dated Friday, September 11th, 2020.

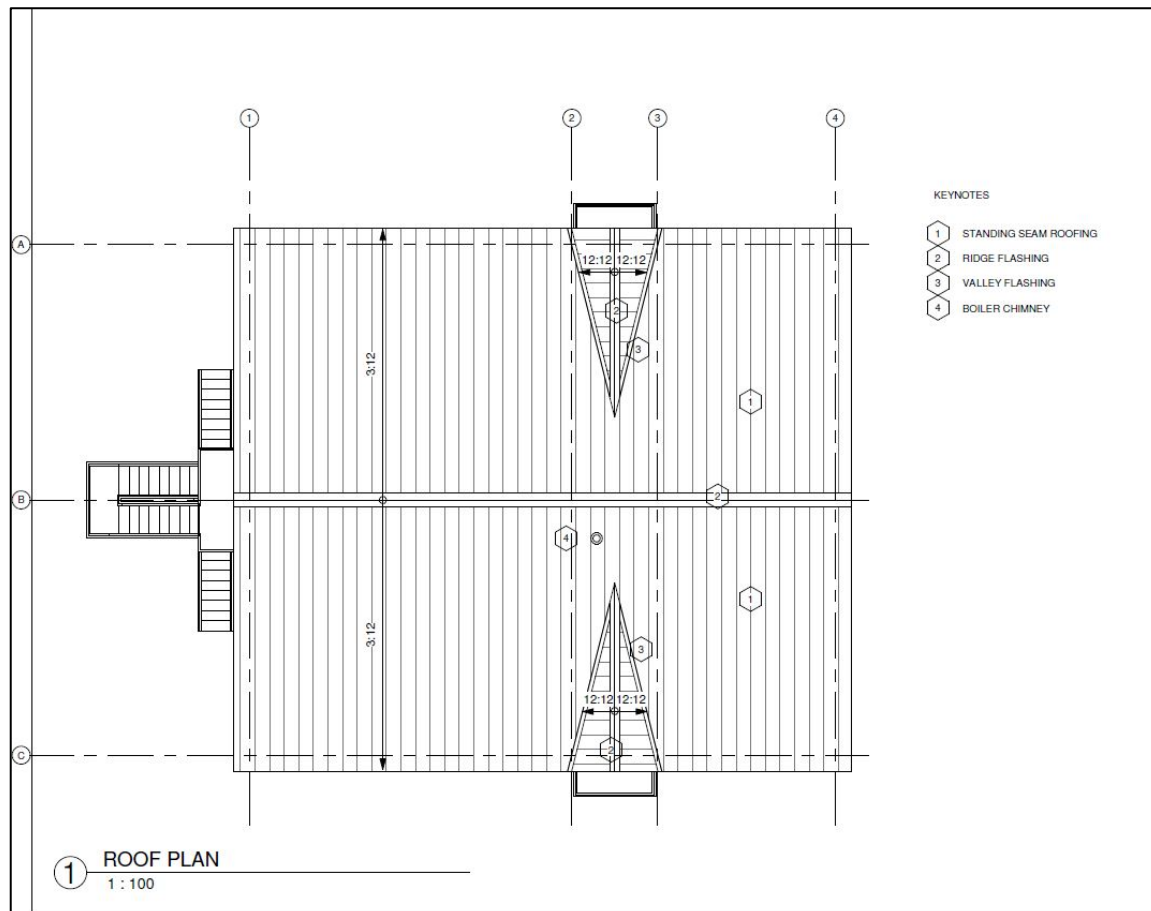


① NEW SITE PLAN
1 : 200

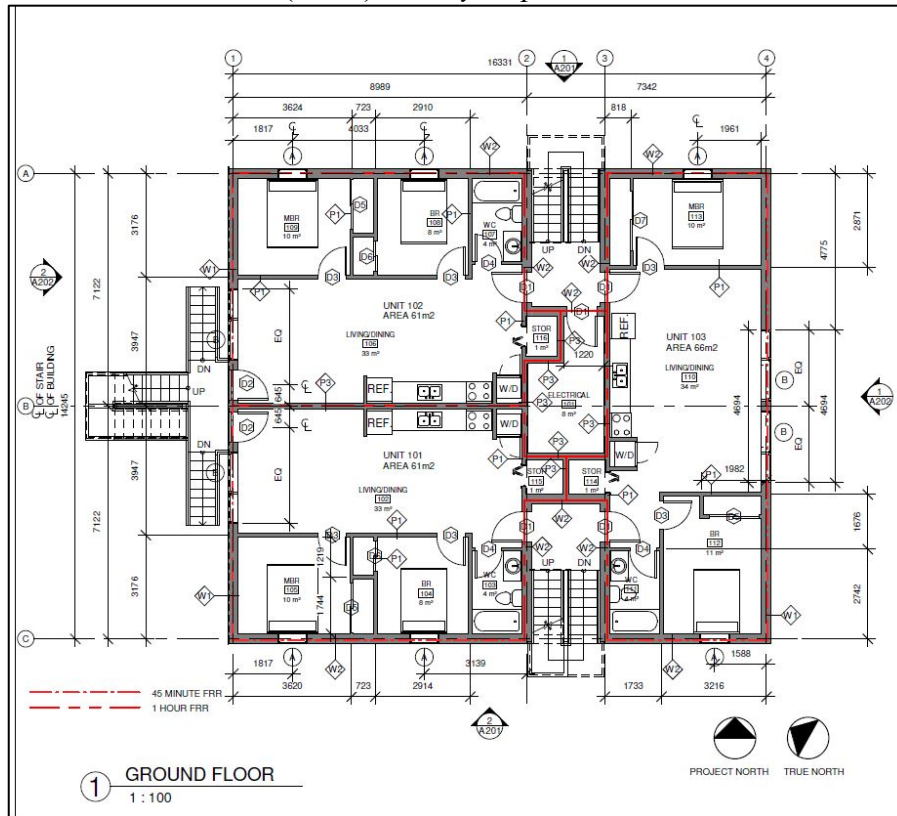
Site Plan (A101), Friday, September 11th, 2020.



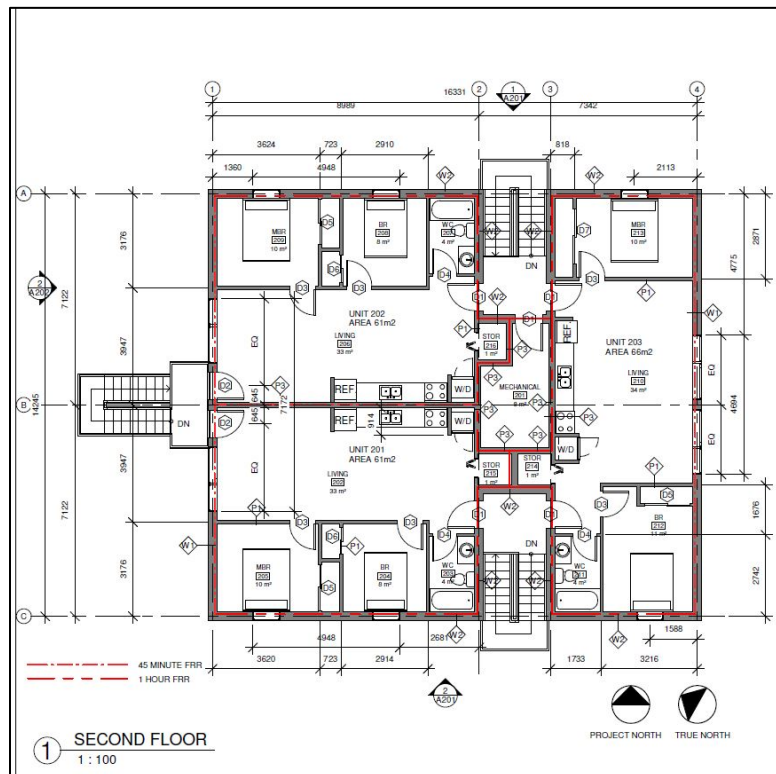
Lot Storage Plan (A102), Friday, September 11th, 2020.



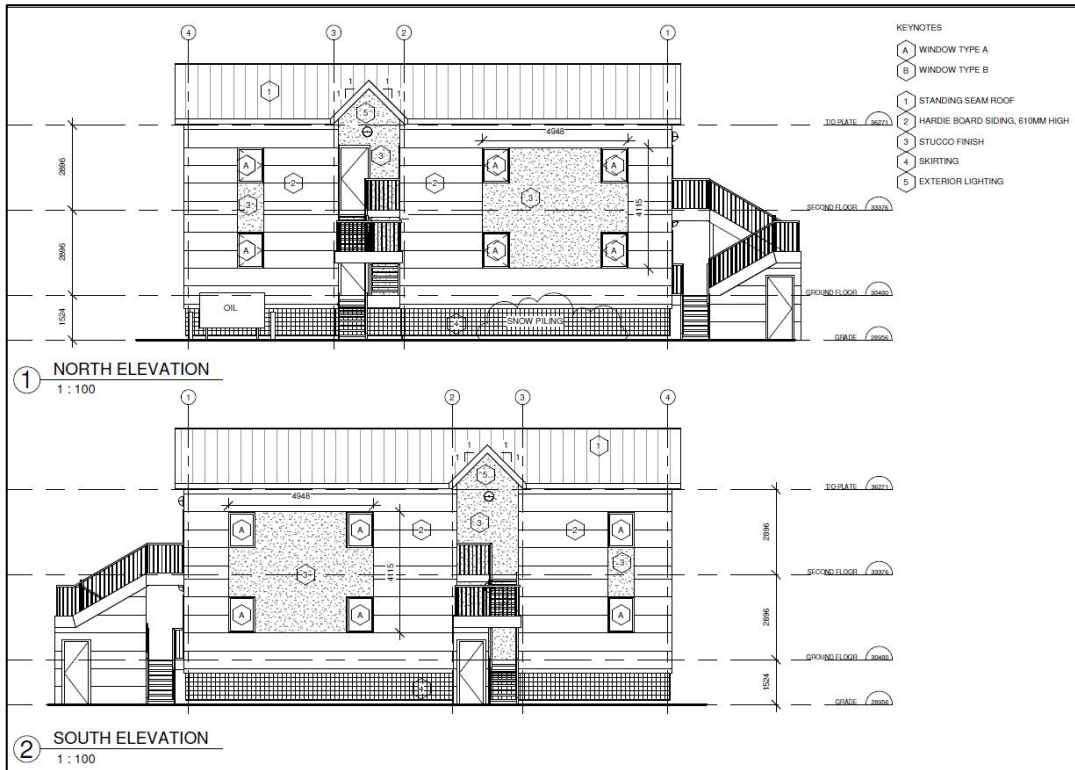
Roof Plan (A105), Friday, September 11th, 2020.



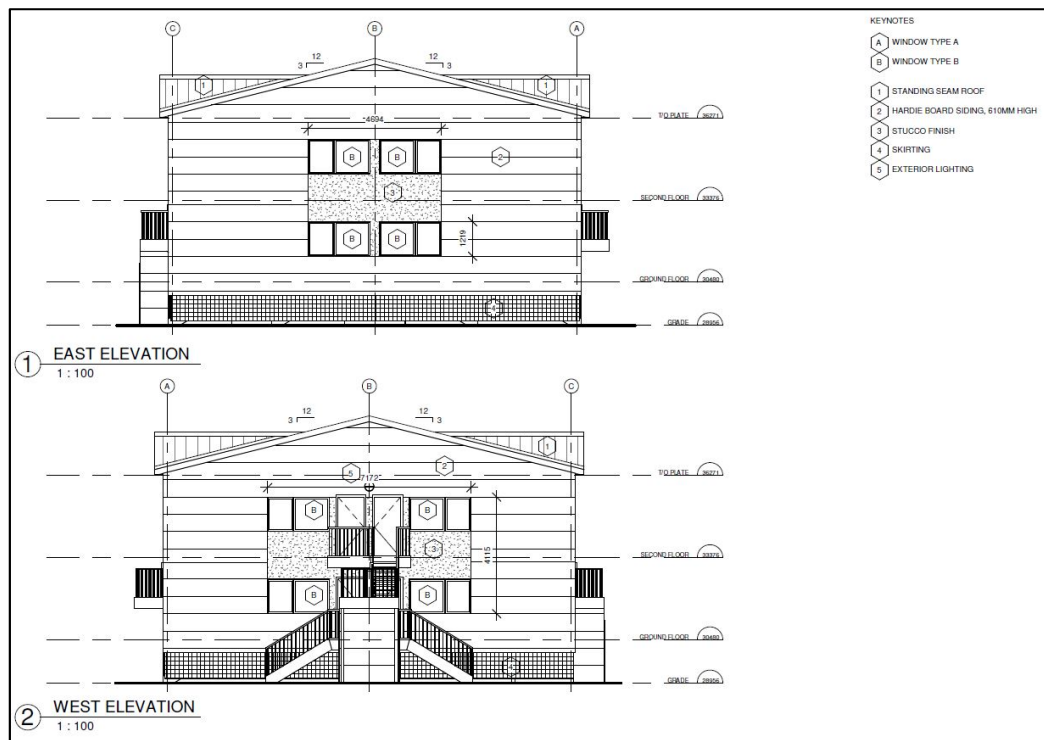
Floor Plan (A103), Friday, September 11th, 2020.



Floor Plan (A104), Friday, September 11th, 2020.



Elevation Plans (A201), Friday, September 11th, 2020.



Elevation Plan (A202), Friday, September 11th, 2020.

Request for Decision

<p>Topic: Development Permit DP 20-043 Plan 0184 LTO, Group 1087, Lot 1 North 40 Quarry (K2 Area) on a portion of Commissioner (CGS) owned lands Kudlik Construction Ltd.</p>	<p>Date: October 20, 2020</p>
<p>Proposal Summary:</p> <p>The applicant is seeking Council’s approval of a time-limited Development Permit No. 20-043, in order to permit the installation of a “fold away” temporary structure that will be used for the storage of heavy machinery and equipment in support of the processing and stockpiling of aggregate.</p> <p>The temporary structure will have a building height of 7.6m and 200 sq. m of gross floor area. The temporary structure is required to simplify on-site operations and will be used to store heavy machinery directly related to the primary use of the land.</p> <p>According to Section 5.9 of the Zoning By-Law 704, temporary buildings or structures may be permitted subject to Council approval of a time-limited Development Permit. The applicant, Kudlik Construction Ltd., has an approved Land Use Permit 19-003, dated December 10th, 2019, which allows equipment and materials storage on the Subject Lands. The LUP 19-003 is valid until June 30th, 2021.</p> <p>The proposed temporary structure conforms to General Plan and Zoning requirements and is considered to be appropriate.</p> <p>As such, Staff are recommending that Development Permit 20-043 be approved in accordance with the terms and conditions of the approved Land Use Permit 19-003, the Special Conditions of Approval (Attachment 2), the Standard Conditions of Approval (Attachment 3) and all submitted drawings (Attachment 4).</p> <p>There is one Special Condition attached to this application, which provides the time period of the time-limited Development Permit.</p> <p>Supporting Documents:</p> <ul style="list-style-type: none"> ▪ Attachment 1: Site Context Map ▪ Attachment 2: Special Conditions ▪ Attachment 3: Standard Conditions ▪ Attachment 4: Drawings (Site Plan, Elevation, Details) ▪ Attachment 5: Land Use Permit 19-003 	<p>Proposed By:</p> <p>Jennifer Jarvis, Development Officer</p> <p>Presented to:</p> <p>Planning and Development Committee</p>
<p>Options:</p> <p>Option 1: Recommend the approval of Development Permit 20-043 for a limited time in accordance with Attachment 2.</p>	

Option 2: Refer the item back to staff for further analysis
Option 3: Refuse the approval of Development Permit 20-043

Policy Implications:

CONFORMITY TO THE GENERAL PLAN:

Figure B (Populated Area Land Use) of the General Plan identifies the site as being in the Heavy Industrial designation. The lands are subject to the Industrial policies provided under Section 5.5 of the General Plan. Policies for all industrial uses, regardless of designation, are outlined in Section 5.5.1, while policies specific to the Heavy Industrial Designation are provided under Section 5.5.3 of the General Plan. No new industrial use is being proposed on the subject lands, so the policies of Section 5.5.1 do not need to be considered.

Section 5.5.3 permits a range of uses in the Heavy Industrial designation, including manufacturing, processing, assembling and fabricating establishments and storage of fuel and hazardous materials. Light industrial uses are not permitted within the land use designation. The proposed temporary structure conforms to the policies of the Heavy Industrial land use designation.

The subject lands are not designated Aggregate Resources Designation by the General Plan. However, the zoning for the subject lands does permit the processing and stockpiling of aggregate resources. Section 4.4 permits *“new or existing recreational uses or other temporary uses compatible with future resource extraction shall also be permitted”* in the Aggregate Resources Designation. While this policy is not directly related to the subject lands, it does show that pit and quarry activities, such as those occurring in North 40 Quarry area, are typically allowed to have temporary uses and structures that house the heavy equipment used to support on-site operations.

The proposed time-limited Development Permit (20-043) conforms to all relevant General Plan policies, including the Lot Development Standards of Section 8.7, including:

Policy 1

All new development must have frontage on a public road. Exceptions to this policy may be unsurveyed Crown Lands, existing lots without frontage, public parks and/or public utilities.

Under this policy, the subject lands and proposed temporary structure are exempted from having frontage on a public road under this policy.

COMPLIANCE WITH ZONING BY-LAW NO.704

The site is currently zoned Heavy Industrial Exception 1 M2(1) Zone, as per Schedule B of the Zoning By-Law 704. The exception permits, notwithstanding the permitted uses in Section 20.2, only the processing and stockpiling of aggregate resources and a commercial land farm. As such, the existing use of the land for extractive purposes, namely the processing and stockpiling of aggregate resources, is permitted by the M2(1) Zone.

Provisions for Temporary Buildings and Structures are provided under Section 5 of the Zoning By-Law No. 704. Section 5.9 states *“Other types of temporary buildings or structures may be permitted subject to Council approval of a time-limited Development Permit.”*

This provision allows “other types” of temporary structures to be permitted as long as a time-limited Development Permit is approved by Council. It is important to note that Section 5.10 provides that *“no temporary building or structure shall be used for human habitation.”* The proposed temporary structure is intended only for the storage of heavy machinery and associated equipment used for the extractive use.

The Zoning By-Law does not provide any other provisions for temporary structures under Section 5.

There is also no reason to believe that the approval of Development Permit 20-043 will generate any adverse impacts on neighbouring properties or nearby North 40 Quarry activities.

Staff recommend that the proposed Development Permit be approved in accordance with the terms and conditions of LUP 19-003 which would make the structure valid until June 30th, 2021 and any time extension granted thereafter.

Benefits/Outcome:

1. The approval of Development Permit 20-043 would provide Kudlik Construction Ltd. with necessary equipment and materials storage, which is permitted by LUP 19-003, dated December 10th, 2019. The time-limited condition will align with the terms and conditions of the LUP 19-003, which will be valid until June 30th, 2021 and any time extension granted thereafter. The proposed temporary structure conforms to General Plan and Zoning requirements and is considered to be appropriate.

Disadvantages/Challenges:

None.

Strategic Plan:

None.

Accessibility:

None.

Costs:

None.

Source of Funding:

None.

Staff Recommendations/Comments:

That the Planning and Development Committee recommend:

1. That Council approve of Development Permit DP 20-043 for a limited time, in accordance with all submitted drawings (Attachment 4) and the terms and conditions of Land Use Permit 19-003 (Attachment 5), as well as the Special Conditions (Attachment 2) and Standard Conditions (Attachment 3) provided below, to permit the installation of a “fold away” temporary structure that is to be used only for the storage of heavy machinery and equipment in support of the processing and stockpiling of aggregate.

CAO’s Review/Comments/Initials:

Reviewed by CAO (AE)

Attachment 1

Site Context Map

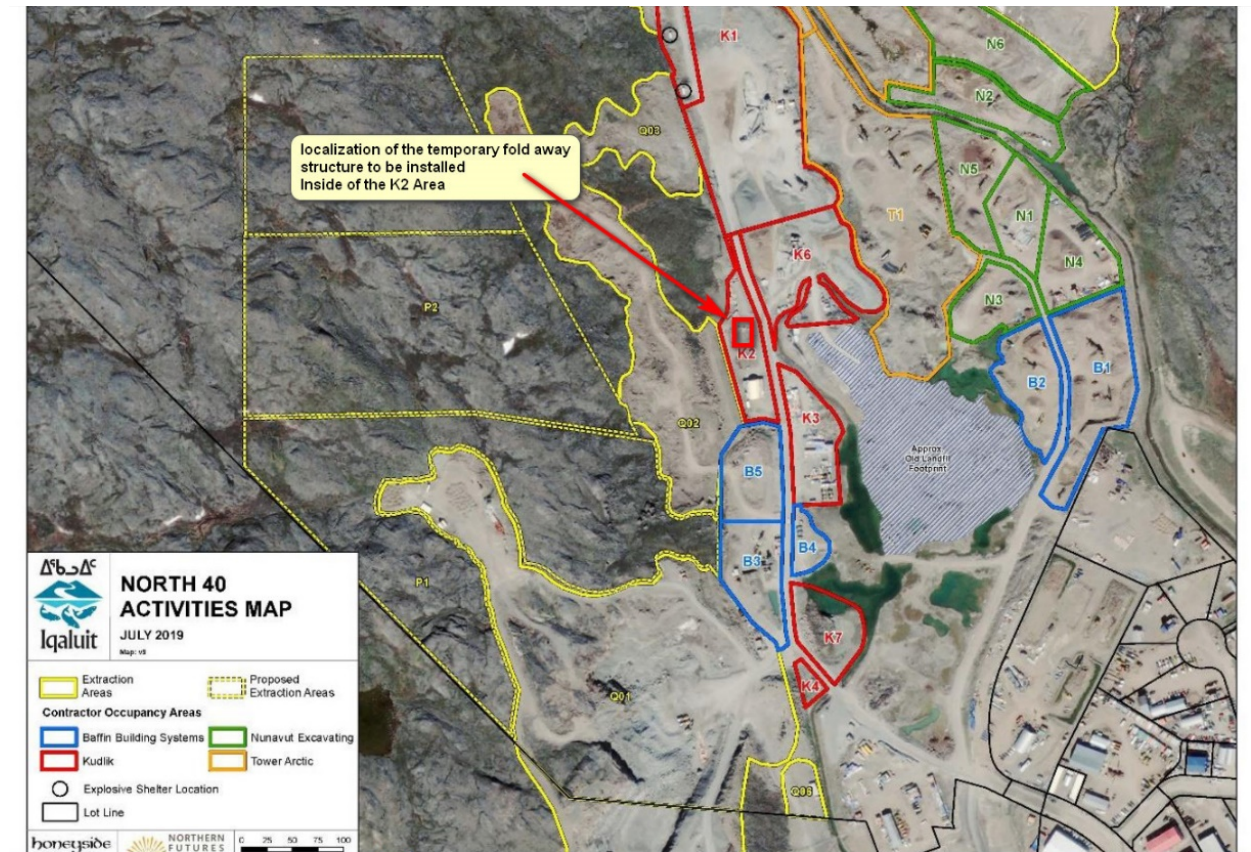


Figure 1: The lands are located in K2 Area of the North 40 Quarry, leased by Kudlik Construction Ltd.

Attachment 2

Special Conditions

Term

1. As per Section 5.9 of Zoning By-Law No. 704, Council may grant a time-limited Development Permit (20-043) to an applicant where a temporary structure has been proposed. It shall be a condition to the approval of Development Permit 20-043 that the term for the temporary structure shall be in accordance with the terms and conditions of Land Use Permit 19-003, which would make the structure valid until June 30th, 2021 and any time extension permitted thereafter. The temporary structure shall exist so long as Kudlik Construction Ltd. has permission from the Government of Nunavut (CGS) to use a portion of the North 40 Quarry lands (K2) for extractive purposes.

Attachment 3

Standard Conditions

Building Permit

1. Pursuant to the *Nunavut Building Code Act*, the Developer/Lessee shall obtain a Building Permit from the GN Office of the Chief Building Official, **prior to the commencement of construction.**

Chief Building Official

2. For all development other than single-detached dwellings, the Developer/Lessee shall meet all the requirements of the Chief Building Official **prior to commencement of construction.**

Occupancy Permit

3. Pursuant to the *Nunavut Building Code Act*, the Developer/Lessee shall obtain an Occupancy Permit from the GN Office of the Chief Building Official (if required), **prior to occupancy of the building.**

Damage to City Property & Pavement Replacement

4. The Developer shall reinstate at its expense and to the satisfaction of the Director of Public Works and Engineering, or delegate, any City property including but not limited to roads, pavement, service vaults and signage, which may be damaged as a result of this development. Reinstatement of City property shall be completed **prior to occupancy of the building/development, except for road pavement replacement which shall be reinstated within one (1) year of occupancy of the building/development,** unless otherwise directed by the Director of Public Works and Engineering, or delegate.

Payment of arrears

5. All City accounts of the Lessee and its affiliates shall be current **prior to issuance of the Development Permit.**

Compliance with other Codes, Regulations, Standards

6. For all development, the Developer/Lessee shall meet all the requirements of the National Building Code, the National Fire Code, Arctic Airports Zoning Regulations and any other standards and regulations that may be required and revised periodically. The issuance of this Development Permit shall not exempt the permit holder from constructing in accordance with all applicable standards and regulations and no approval given by the Development Officer or Council will be considered an indication that such standards and regulations have been met. Confirmation from a qualified professional that applicable standards and regulations have been met may be required at the discretion of the City.

Grading & Drainage

7. The Developer/Lessee shall ensure that all surface drainage where fill is introduced shall be contained within the limits of the lot and directed to a municipal drainage ditch in the adjacent road allowance, in accordance with the *Iqaluit Master Drainage Plan*.

Snow Piling & Removal

8. The Developer/Lessee shall pile snow on site and remove snow from the site in accordance with the City's Snow Removal By-law, as amended.

Gravel Fill

9. Placing gravel fill on the lot, other than as shown on the approved Site Plan, represents new development on the lot. Any proposed extensions to the gravel fill area shall be subject to an application to amend the Development Permit.

Servicing

10. For developments on piped services, all on-site and off-site servicing works and connections to the City servicing systems shown on the approved plans are subject to the "*Iqaluit Municipal Design Guidelines (January 2005)*". The Developer/Lessee shall submit for approval detailed drawings for water and sewer service connections to the Director of Public Works and Engineering, or delegate, and obtain a Utilidor Connection Permit, prior to starting any construction of servicing works.
11. For developments on trucked services, water fill and sewage pump out connections, associated overflow vents, and the water tank level indicator shall be installed in accordance with the "*Iqaluit Municipal Design Guidelines (January 2005)*" and shall remain clear of obstructions at all times. Water use shall not exceed 2,000 litres per day.
12. The Developer/Lessee shall install a water meter to the approval of the Superintendent of Public Works.

Signs

13. The Developer/Lessee shall erect signs, as may be required by the Development Officer.
14. The Developer/Lessee shall erect a sign to identify any disabled parking space as per the approved Site Plan.

Lot Development Standards

15. The Developer shall install and maintain the following water-saving devices throughout the building:
 - a. All toilets to be water-saver or ultra-low flush toilet units using 6 litres/flush (1.3 imp. Gal./flush) or less.
 - b. All showerheads to be low-flow showerheads using 9.8 litres/min (2.2 imp. gal./min) or less when tested at 551 kPa (80 psi).
 - c. All washroom and kitchen faucets to use 8.3 litres/min (1.8 imp. gal./min.) or less when tested at 413 kPa (60 psi).
16. All exterior lighting installed on the lot or attached to a building will face downward and not illuminate beyond the boundary of the lot.
17. The Developer shall ensure that a construction waste bin is on the lot during construction to contain debris.
18. No solid skirting or enclosed storage below buildings is permitted unless an exemption is granted by the Development Officer for the development.

Attachment 4

DRAWINGS

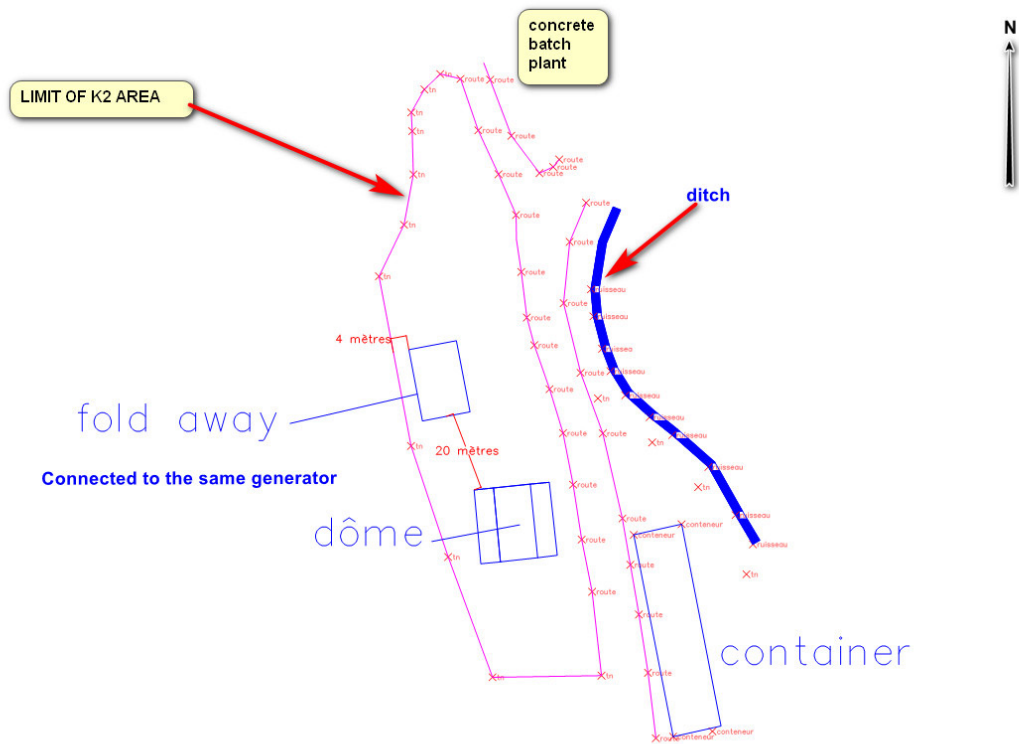
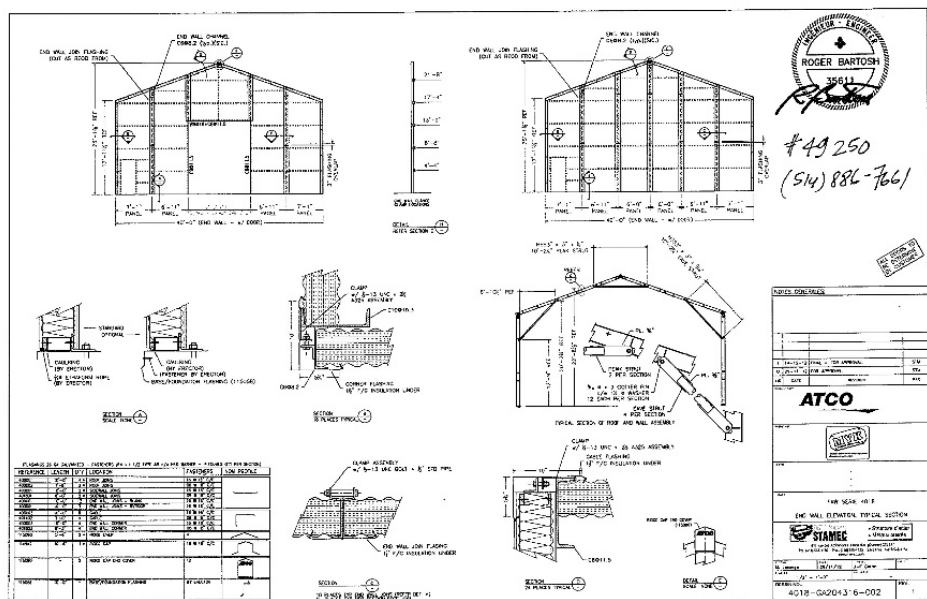
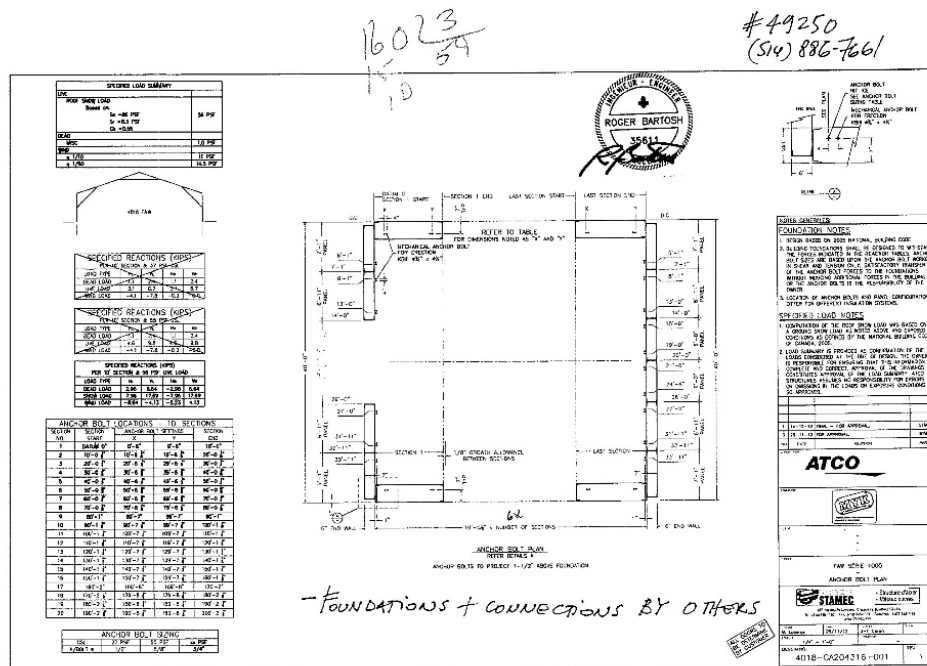
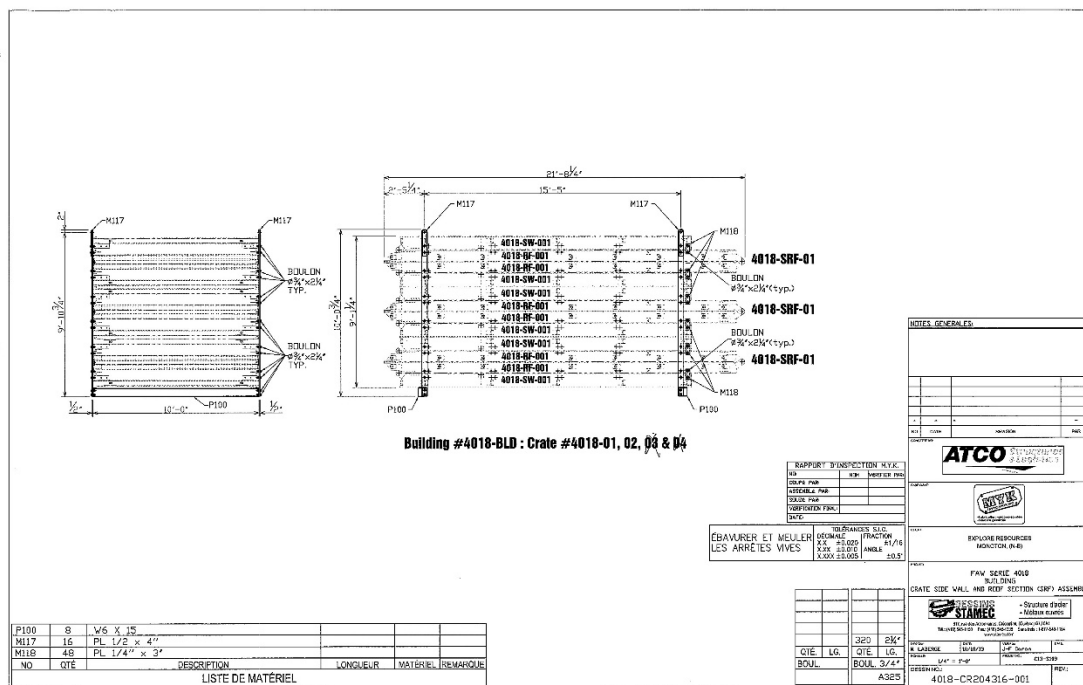
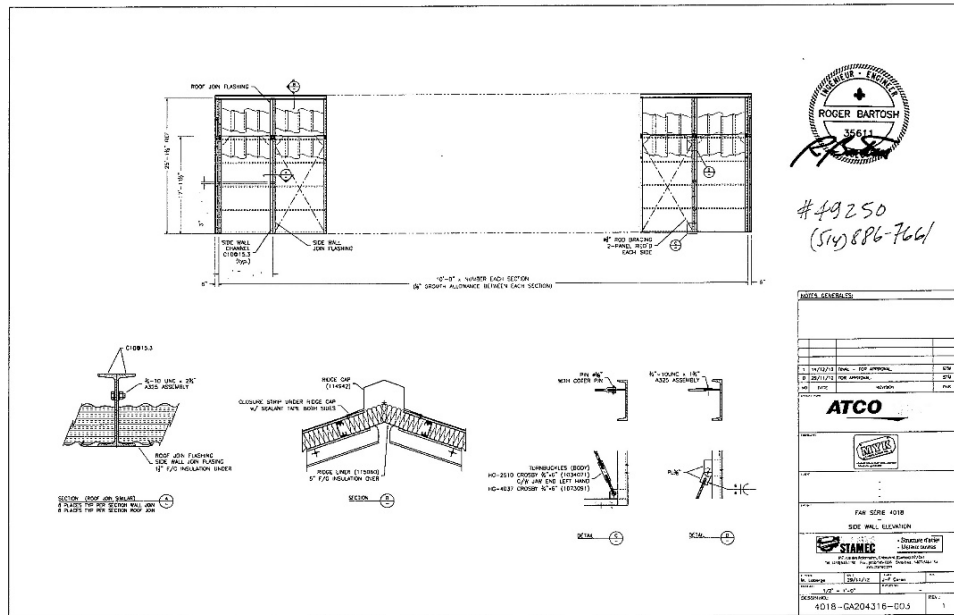


Figure 2: Site Plan, no date





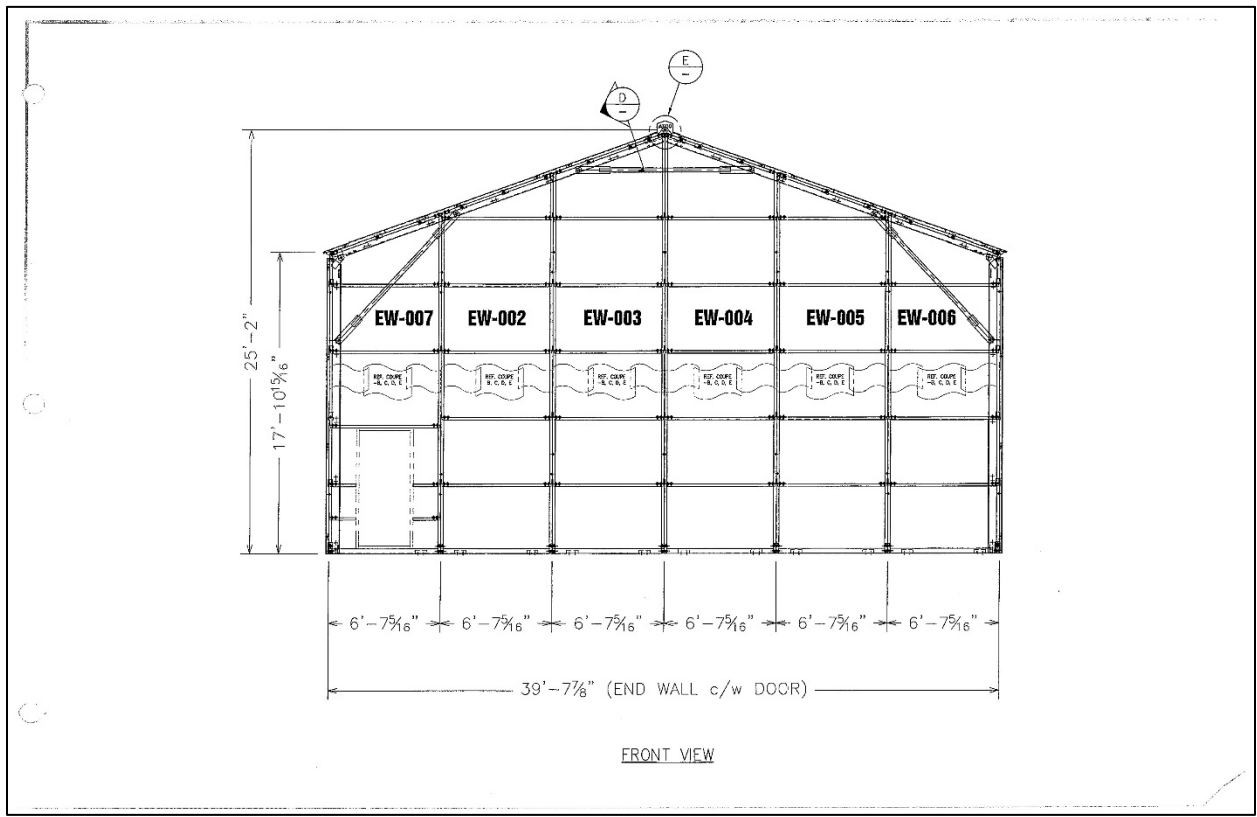


Figure 7: Elevation, no date.

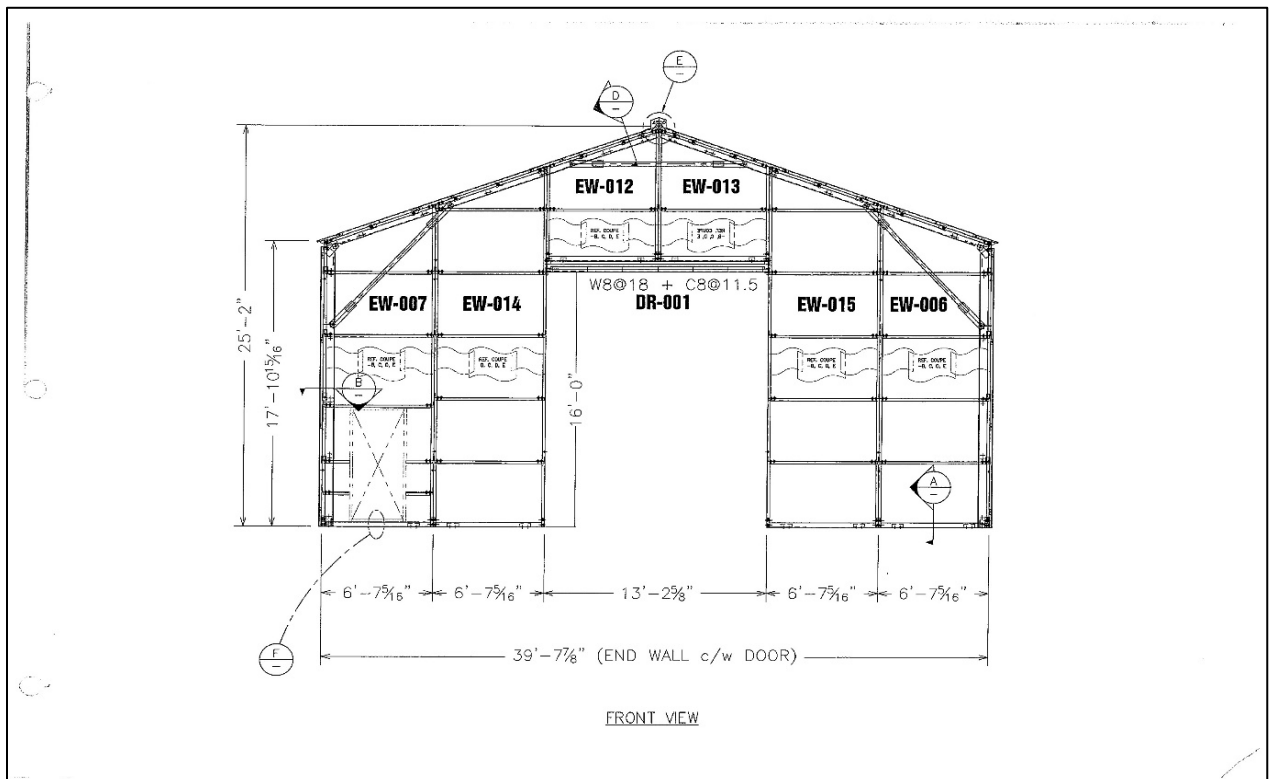


Figure 8: Elevation, no date.



PERMIT NO. LUP 19-003

LAND USE PERMIT

THIS PERMIT GRANTS:

Kudlik Construction Ltd.

PERMITTEE

Address of PERMITTEE: 1519 Federal Road, P.O. Box 727, Iqaluit Nunavut, X0A 0H0

Permission to proceed with the **Granular Extraction, Processing, Aggregate Stockpiling & Eqpt. Storage** within a **Portion of COMMISSIONER'S LAND** on **Lot 1, Group 1087, Plan184 (North 40)** outlined in **red** as **areas K1 to K7** in the **Activities Map** annexed here to and forming part of the permit. The Land Use Permit application dated August 6th, 2019 and submitted by Stephane Gelin as on behalf The PERMITTEE shall be annexed hereto and shall be included in this permit.

1. THIS PERMIT IS SUBJECT TO THE COMMISSIONER'S LAND ACT AND REGULATIONS AND THE TERMS AND CONDITIONS AS SPECIFIED IN THE ATTACHMENT 2 ANNEXED HERETO.
2. THIS PERMIT MAY ONLY BE ASSIGNED, EXTENDED, DISCONTINUED, SUSPENDED, OR CANCELLED PURSUANT TO THE COMMISSIONER'S LAND ACT AND REGULATIONS.
3. THE GRANTING OF THIS PERMIT DOES NOT RELIEVE THE PERMITTEE FROM OBSERVING AND COMPLYING WITH ANY OTHER APPLICABLE ACTS, REGULATIONS, BY-LAWS OR ORDERS.

This permit was signed & sealed at the Hamlet of Kugluktuk in Nunavut, this 10th day of December, 2019.

THE COMMISSIONER OF NUANVUT

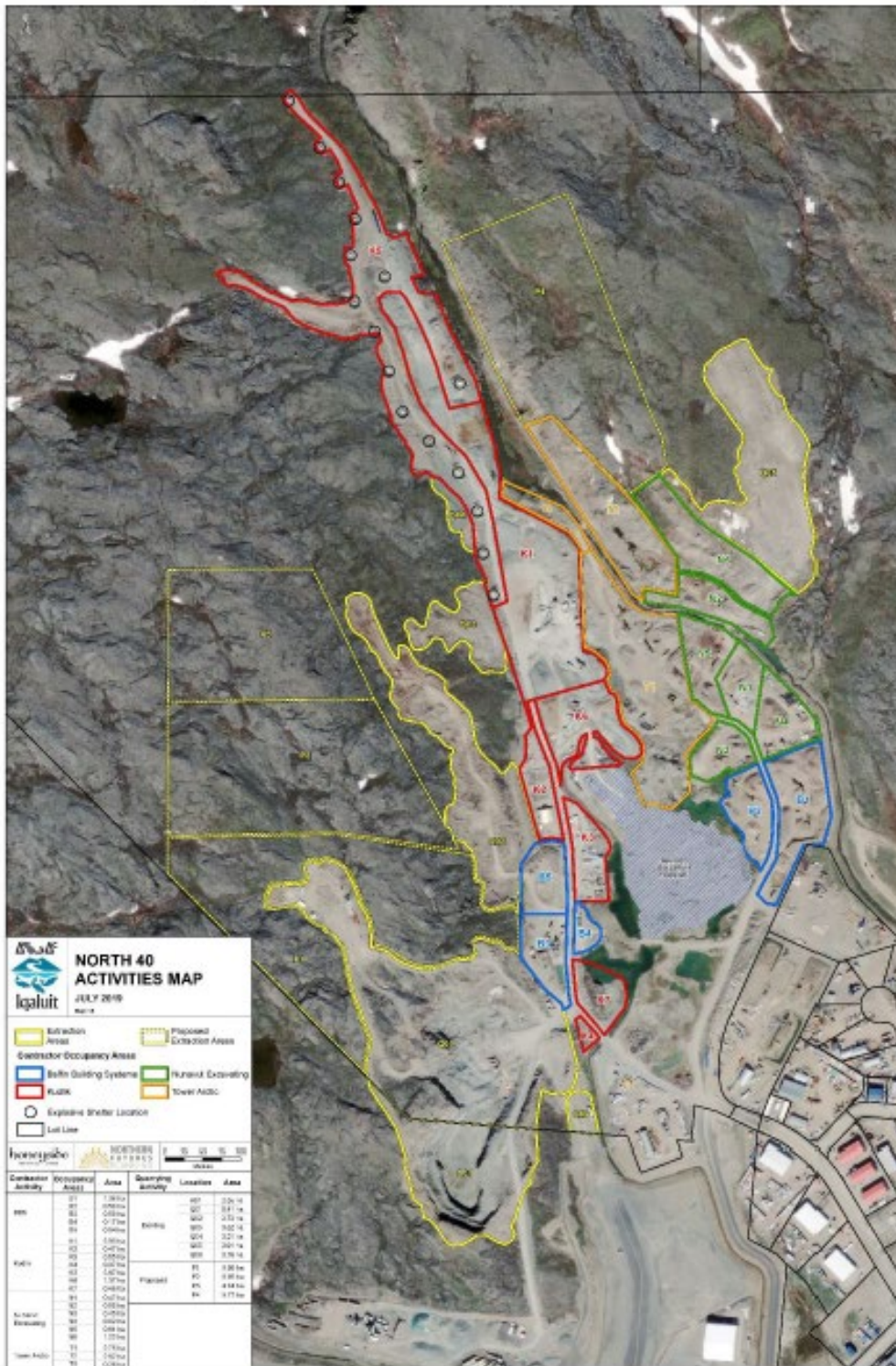
Per:


The Director of Planning & Lands, Department
of Community and Government Services,
Government of Nunavut

December 10th, 2019
PERMIT COMMENCEMENT DATE

PERMIT EXPIRY DATE
AS PER ATTACHED CONDITIONS

ATTACHMENT 1 - NORTH 40 ACTIVITIES MAP



ATTACHMENT 2 – LAND USE PERMIT CONDITIONS

Permitted Uses

1. Subject to Condition 2, the Permit holder may occupy the subject lands for the following uses: stockpiling of granular material, storage of explosives, processing of granular material, equipment and materials storage, and a concrete batch plant.

NPC Review and NIRB Screening

2. The Permit holder shall submit an application to NPC to review the following activities within 30 days of Permit issuance:
 - a. Explosives storage,
 - b. Processing of granular materials, and
 - c. Operation of a concrete batch plant.

The Permit holder shall provide to CGS and the City the NPC and NIRB decisions regarding the above noted activities. Should any of the above uses be refused by NPC and/or NIRB, the activities shall be discontinued within 90 days of the NPC or NIRB Decision date. If there are any changes proposed to screened activities, the Permit holder shall notify NIRB of these changes.

Restoration

3. If the occupancy of the subject lands are not authorized under a valid Land Use Permit, or other land occupancy agreement (e.g. lease), the subject lands shall be restored to a condition that is satisfactory to the City. The required restored condition will consider the previous use of the site as a granular extraction area, public safety, drainage conditions, removal and proper disposal of surface debris or waste associated with Permit holder activities, and remediation of any contaminants resulting from Permit holder activities.

Environmental Site Assessment

4. The Permit Holder may be required, at the request of CGS, to undertake or contribute financially to Environmental Site Assessments of the lands subject to this Land Use Permit to determine if environmental contaminants are present on the site and that are reasonably attributed to Permit holder activities, and to undertake or contribute to remediation activities recommended by an Environmental Site Assessment.

Term

5. The Permit holder may occupy the subject lands for a period of 1 year and 8 months, from November 1st, 2019 to June 30th, 2021.

Rental

6. The total rental fee to be charged per year to the Permit holder will be in accordance with the Land Use Permit Fee Policy and will commence November 1st, 2019. The fee amount is set at 7.5% of the value of the land, based on the assessed value (\$15.35/m²) of a similar adjacent lot. The assessed value is applied to the 102,200 m² of land occupied by the Permit holder as outlined in red in the Activities Map in Attachment 1. The rental fee for the 8-month period from November 1st, 2019 to June 30th, 2020 is \$78,439 and must be received by the City on or before December 31st, 2019. The rental fee for the 1-year period from July 1st, 2020 to June 30th, 2021 is \$117,658 and is due on July 1st, 2020.

Late Payment Fee

7. Where any portion of the rental herein reserved is unpaid, the Permit holder from time to time shall pay a late payment fee as required by the City policies and by-laws, as amended from time to time.

Compliance

8. The Permit holder agrees in all respects to abide by and comply with all applicable lawful rules, regulations and by-laws of the Federal Government, Territorial Government or any other governing body whatsoever that have been or may be enacted and in any manner affect the said land.

Site Security

9. The Permit holder shall ensure that proper signage is installed and maintained to ensure that unauthorized persons are aware of dangers associated with activities on the subject lands. In the case of the area where explosives are being stored, a gated access along the main access road is required to be installed and maintained.

Damage to City Property

10. The Permit holder shall reinstate at its expense and to the satisfaction of the Director of Public Works and Engineering, or delegate, any City property including but not limited to roads, culverts, pavement, service vaults and signage, which may be damaged as a result of this temporary use.

ADDITIONAL TERMS AND CONDITIONS ANNEXED TO ATTACHMENT 2

1. The Permittee shall not conduct this land use operation on any lands not designated in the accepted application, unless otherwise approved in writing by an authorized Departmental representative.
2. The Permittee shall not conduct any part of the land use operation within 100 meters of any privately owned land or structure unless otherwise approved in writing by an authorized Departmental representative.
3. The Permittee shall during the said term, pay the said rental and all taxes, rates, and assessments charged upon the land or upon the Permittee in respect thereof.
4. The Government of Nunavut (hereafter called the "Government") nor the City are responsible for the establishment on the ground of the boundaries of the land.
5. The Government or the City may re-enter and occupy any portion of the land for construction of roads or other public works but such construction shall not unreasonably interfere with the rights granted to the Permittee in this permit.
6. It shall be lawful for the Government or the City or any person duly authorized at all reasonable times to enter upon the land for the purpose of examining the condition thereof.
7. The Permittee shall not conduct any part of the land use operation on any private or leased land without first having received permission from the owner or lessee.
8. The Permittee shall have a copy of this permit on the site of operation at all times. The Permittee shall display a copy of this permit in a conspicuous place in each campsite established to carry out this land use operation.
9. The Permittee shall not discharge or deposit any refuse substance or other waste materials in any body of water or on the banks thereof, which will impair the quality of the waters of the natural environment.
10. The Permittee shall ensure that any chemical fuels or wastes associated with the project do not spread to the surrounding lands or enter into any water body. Spills shall be cleaned up immediately.
11. The Permittee shall immediately report all spills of petroleum or hazardous chemicals to the 24 hour spill report line at 1-867-920-8130.

INTERPRETATION

12. For the purposes of this permit, "shall not operate" is defined as a complete cessation of activities and removal of all personnel from the project area.
13. No tenure or interest in land, of any kind or nature whatsoever, is hereby granted or implied.

INDEMNIFICATION OF LIABILITY

14. The Permittee assumes sole responsibility and liability for any costs, damages or claims, of whatever kind or nature and however occurring, arising directly or indirectly from any of its activities on or about or in relation to the permitted site and will indemnify and save harmless the Government of Nunavut and the City of Iqaluit and their respective servants, agents and contractors from and against any all such costs, claims, damages or claims. The Permittee must take occupation and use of the site as it finds it.



APPLICATION FOR LAND USE PERMIT

Department of Community and Government Services

Government of Nunavut

1. APPLICANT : KUDLIK CONSTRUCTION LTD

2. ADDRESS

3. ADDRESS OF HEAD OFFICE:

1519 FEDERAL ROAD, PO BOX 727

IQALUIT, NUNAVUT

X0A 0H0

4. LOCATION AND DESCRIPTION OF OPERATION

- a.) Attach a description and proposed techniques
LAYDOWN AREA, SCALE, CRUSHING AREA, EXPLOSIVE STORAGE AND
EQUIPMENT STORAGE.
 - b.) Attach map and sketch of area
SEE ATTACHE MAP FOR SECTORS K1, K2, K3, K4, K5 AND K7 (9,15 Ha)
K6 IS AWAITING NIRB SCREENING RESULTS
-

5. EQUIPMENT - Type, size and purpose

- CRUSHING EQUIPMENT (PRIMARY, CONE AND SCREENS)
 - EXPLOSIVE CACHES
 - EXCAVATORS, LOADERS, PAVING MACHINES, ROLLERS AND LIFTS
 - CONTAINERS WITH CONSTRUCTION MATERIAL, NAILS, INSULATION, FENCE ETC.
-

6. FUEL

- a.) Type, volume, method of storage containment.
NO BULK STORAGE IN THIS AREA, ONLY THE DOUBLE SIDED TANK THAT
ARE RELATED TO THE GENERATORS ON SITE IN THE AREA OF THE
 - CRUSHER, CONE AND SCREENS
 - TEMPORARY BUILDING FOR THE WELDING SHOP
 - SCALE
- b.) Method of emptying and filling containers.
WHEN WE HAVE TO REFIL THE FUEL TANK WE USE OUR OWN FUEL
TRUCK. THE WORK IS DONE WITH AN ACCREDITED PERSON THAT CAN
WORK ON SUCH TRUCK AND IS DONE ACCORDING TO TRANSPORT
CANADA STANDARD AND REGULATION. WE ALSO HAVE IN PLAE A SPILL
CONTINGENCY PLAN.

7. METHOD OF WASTE DISPOSAL - Arrangements planned for disposal of garbage, sanitary waste and debris.

WOOD DEBRIS ARE NORMALLY BURNED IN THE QUARRY AFTER WE HAVE SECURED A FIRE BURNING PERMIT. THE REST OF THE GARBAGE IS DELIVERED TO THE CITY DUMP.
THERE IS NO SANITARY WASTE AS WE USE THE BATHROOM IN OUR MAIN OFFICE OR SOMETIMES WE USE TEMPORARY TOILETS.

8. CONTRACTORS & FUNCTIONS

GENERAL CONTRACTOR IN IQALUIT, NEW JAIL, HOTEL, PUMPING, ASPHALT AND CONCRETE PRODUCTION.

9. TIME SCHEDULE

Start: JULY 1ST, 2019

Completion: JULY 31ST, 2020

9. NAME and ADDRESS OF FIELD SUPERVISOR

STEPHANE GÉLINAS, 1519 FEDERAL ROAD, PO BOX 727, IQALUIT, Nu X0A 0H0

10. NO. OF EMPLOYEES

AROUND 45

11. AREA USED (Hectare)

9,15 HECTARES


Signature

CONSTRUCTION MANAGER
Title

August 6 2019
Date

**Memorandum
Cabin Construction Program**

October 5, 2020

Prepared by:

**Marc Rivet, MCIP, RPP
Planning Consultant for the City of Iqaluit**

PURPOSE

Staff are seeking direction from Council regarding a proposed “Action Plan” for the Cabin Construction Program. Upon further review of the subject, Staff are recommending a phased approach which would consist of: (1) background research, (2) consultation and (3) implementation.

The purpose of this Memorandum is to provide a brief overview of the subject and the details of the proposed “Action Plan”.

BACKGROUND

The City has many concerns related to the way cabins are currently constructed on municipal lands without any permission. Over the last couple of months, there has been a steady stream of complaints and issues related to cabins, including garbage and waste and other disorderly conduct. As such, Planning Staff have undertaken an initial assessment of the land use planning context behind the issue of cabins on municipal lands, as well as a cursory review of policies and by-laws as they might relate to the construction of cabins.

Currently, the City of Iqaluit’s regulatory framework does not support the use and construction of cabins for full-time habitation. Within the “Nuna” the General Plan permits “temporary cabin structures”. In the Zoning By-Law, temporary camping structures and beach shacks are permitted in some zones, which include: the Municipal Reserve (MR) Zone and Open Area (OR) Zone.

However, these uses cannot be constituted or defined the same as “cabins”, which may require some permanent fixtures and servicing. As such, the General Plan and Zoning By-Law do not support the use and construction of non-temporary cabins, which means that they cannot be built anywhere within the municipal boundary. Even so, the policies and regulations regarding temporary cabins are quite vague.

City staff would like to examine and consider the permission of cabins on Municipal lands but would need to understand the full range of issues and / or potential impacts. The construction of cabins on municipal lands comes with an array of sensitive issues which includes Inuit land rights, environmental rights, hunting and fishing rights, etc. The topic of cabins on the “Nuna” can be a sensitive issue and few communities in Nunavut or in the North, have attempted to address this issue. However, we understand some communities do permit cabins as “conditional uses” through local zoning by-laws or via a recreational lease approach.

Rather than amending the Zoning By-Law to simply permit cabins on municipal lands, the issues regarding cabins need to be examined in greater depth and include public consultation. From a land use compatibility perspective, cabins should not be located in proximity to / or where there are known environmental constraints, hazards and other land use constraints (i.e. existing / future mineral aggregate sites, existing future waste management facility, existing / future industrial uses). Potential impacts to watercourses, fish and wildlife, etc. need to be understood and regulated. Potential guidelines for the design of cabins and operational standards should also be considered.

DETAILS OF THE ACTION PLAN

An Action Plan, including research and consultation, would help the City to determine what by-laws and policy changes would need to be implemented in order to properly address the issue of cabins on Municipal lands.

Staff are proposing that work on the Cabin Construction Program be carried out over the course of the next 9 months in three (3) phases:

- Phase 1 (Winter 2020-2021) –Background Study
- Phase 2 (Spring 2021) – Public Consultation strategy
- Phase 3 (Summer 2021) – Cabin By-Law or Program

Phase 1 (Winter 2020-21) Background Study (Desktop Review)

- Review precedent examples from other Northern municipalities (Cities, Hamlets, etc.) including potential recreational lease arrangements and by-laws regulating the use and construction of cabins.
- Review the use of Municipal Lands for recreational cabins with other departments (i.e. building, fire, emergency services, parks and recreation, etc.).
- Review policy implications (Planning Act, General Plan, Zoning By-Law and Land Administration By-Law, Property Standards By-Law) for cabins.

- Obtain IQ, look into environmental concerns, Building Code and Fire Code, Nunavut Land Claim Agreement, Inuit Rights and other regulatory concerns.
- Look into the need to complete an inventory (either GPS or Drone survey).
- Prepare Background Report with preliminary Options & Recommendations to be brought forward for public consultation.

Phase 2 (Spring 2021) Consultation Process (in-person)*

*depending on the situation with the current pandemic

- Conduct community sessions open to the public in order receive public input on potential options (will require the services of an interpreter and translator). Just ‘how’ these consultations will be carried out is subject to review based on the current pandemic. The goal would be to have in-person consultation in a round table format to gather feedback from local residents. A public engagement strategy would also need to be developed with the assistance of local interpreters and translators, the use of City advertisement, local radio, posters, etc.
- Discuss issues with external key stakeholders for Inuit Owned Lands, such as CGS-GN, Qikiqtani Inuit Association, Nunavut Tunngavik Inc., and Iqaluit Hunters and Trappers Association (Amarok) among others.

Phase 3 (Summer 2021) Implementation

- Potential Recreational Lease/ cabin By-Law
- Possible By-Law at Council
- Council decision
- CGS comment and review
- Council Approval

The Action Plan above will ensure that any proposed regulations regarding cabins fit within the City’s current regulatory framework; uphold Inuit rights or traditional uses; are based on precedent examples in other Northern areas; and considers public input.

RECOMMENDATION

Staff recommend that council direct City staff to conduct background research, consultation and implementation of the cabin Construction Program in accordance with the Action Plan outlined above.