# MINUTES
# CITY OF IQALUIT
# PLANNING AND DEVELOPMENT
# COMMITTEE OF THE WHOLE MEETING #09
# NOVEMBER 5, 2020 at 6:00 p.m.
# CITY COUNCIL CHAMBERS

**PRESENT FROM COUNCIL**
Councillor Joanasie Akumalik, Chair
Mayor Kenny Bell
Deputy Mayor Janet Brewster
Councillor Romeyn Stevenson
Councillor Sheila Flaherty
Councillor Simon Nattaq
Councillor Kyle Sheppard
Councillor Solomon Awa
Councillor John Fawcett

**PRESENT FROM ADMINISTRATION**
Amy Elgersma, Chief Administrative Officer
Tammy Ernst-Doiron, City Clerk
Jennifer Jarvis, City Planner

Councillor Akumalik welcomed Councillor Fawcett, who is the newly appointed councillor, and asked everyone to introduce themselves.

## ADOPTION OF AGENDA

**Motion PD #20-60**

Moved by: Mayor Bell
Seconded by: Councillor Awa

| |
|---|
| Adoption of agenda as presented.<br>**Unanimously Carried** |

## 1. MINUTES

None

## 2. DECLARATION OF INTEREST

Councillor Sheppard declared a conflict of interest for item 5 (d) Request for Decision – Survey Sketch SK 20-009, Lot 31, Block 242, Plan 4716 (Joamie Court) – Mark Beh, Building No. 2130.

## 3. DELEGATIONS

None

## 4. DEFERRED BUSINESS AND TABLED ITEMS

None

## 5. NEW BUSINESS

### a) Request for Decision – Land Use Permit Application LUP 20-007, Lot 1, Block 220, Plan 2489 (North 40) – Community and Government Services, Government of Nunavut

Jennifer Jarvis, City Planner, presented a Land Use Permit Application from Community and Government Services to store building materials for the new correctional facility on the lot of land as identified for the new transfer station. The materials will be stored on the lot until such time as the City will start using the lot as a transfer station. Based on the Land Use Permit Fee Policy, the applicant would pay a fee of $9,266.

**Motion PD #20-61**

Moved by: Mayor Bell
Seconded by: Councillor Stevenson

Committee recommends to Council to:
1. Approve a Commissioner Temporary Land Use Permit Application LUP 20-007 to allow Community and Government Services to store building materials for the Qikiqtani Corrections and Healing Centre development on Lot 1, Block 220, Plan 3480 for a period of seven months, commencing October 1, 2020 and terminating April 30, 2021, as shown on the site context map in Attachment 1 and in accordance with the Land Use Permit Conditions outlined in Attachment 2.
2. Direct staff to provide an invoice to the applicant in the amount of $9,266 in accordance with the City's Land Use Permit Fee Policy.

**Unanimously Carried**

Councillor Stevenson clarified that the stored materials would be removed before the City required the use of the lot.

Ms. Jarvis advised that she understood that the materials will be used over the winter months and the site will be vacant in time for the City to proceed with the transfer station.

Amy Elgersma, Chief Administrative Officer, explained that the land is still Commissioner's land and will be transferred to the City within the next month.

Councillor Fawcett asked if the City would incur any costs if the site was not vacant by April 30, 2021.

Ms. Elgersma suggested that the agreement could include that if the material is not removed by April 30, 2021, the City would have the material removed and the fee for the removal charged to Community and Government Services. She felt if Community and Government Services committed that the material would be removed by April 30, 2021, that they would abide by that commitment.

**b) Memorandum to Committee – Supplemental Information – Development Permit Application DP 20-012 and Variance Application – Lot 562, Plan 1358 (Core Area) – Marc Mahfouz – Buildings 685 A & B**

Jennifer Jarvis, City Planner, explained that at the last Committee meeting, she presented Development Permit Application DP 20-012 and variance for a six-plex to be constructed on Palaugaa Street. At that meeting, a letter was read from an abutting property owner opposing the variance. During the discussion, councillors had questions regarding the application, variance and the letter opposing the variance. The Committee referred the matter back to staff to obtain additional information.

Ms. Jarvis presented the following additional information as requested:

- Which building was constructed first?
    - After reviewing aerial photographs, both Building 683 and Building 685 appeared at the same time.
    - In speaking to David Wilman, he provided a satellite image that showed Building 683 was constructed first. Building 685 was originally constructed as a 512 and then the second building was added.
    - All construction took place in the 1980s within a couple of years.
- Was any correspondence received from the Federal Government who owns the green row house?
    - The Federal Government Facility Manager was contacted and advised he was not aware of a parking encroachment.
    - Parking for Building 683 encroaches on Building 685 A & B in order to reach the parking spots in the last couple of dwelling units.
    - There were no easement agreements for the area.
    - Facility Manager expressed concern of being able to access the mechanical room in the western end of the building.
    - Based on the lot lines, the current situation does not permit them to access the mechanical room.
- Is the new building closer to the exterior side yard, which would make it closer to the road?
    - The current building is located 1.889 metres from the exterior yard setback.
    - The proposed new building setback is 2.5 metres.
    - The setback will be further from the road.
- What is the number of bedrooms in each of the units?

- This was reported incorrectly at the last meeting. There is actually six two-bedroom units.

Councillor Sheppard asked the setback for the corner of the green row building. Ms. Jarvis advised there is no setback.

Councillor Stevenson asked the actual footprint of the proposed building. Ms. Jarvis advised that the proposed building would encompass more of the lot than the current building.

A number of councillors expressed concern regarding the proposal, the large size of the building, parking issues and close proximity to the corner of the road.

Councillor Akumalik asked if the City is liable if approval is not granted. Ms. Jarvis explained that the applicant can appeal the decision, which would then go before the Development Appeal Board.

Councillor Awa suggested, and a couple of councillors agreed, that another location be provided for the development and the current building be demolished, as this would alleviate all concerns.

Councillor Stevenson asked if there is any other acceptable development for the lot.

It was suggested that a smaller building within the required setbacks would be acceptable.

Mayor Bell asked why staff recommended to approve the Development Permit Application with the variances.

Ms. Jarvis explained that the file was handled by J. L. Richards & Associates Limited, Planning Consultant, who felt that the variances being requested were minor in nature. Ms. Jarvis knew the building was close to the road and the setback would make the proposed building further from the road, and she felt it was a bit of an improvement for the area.

Mayor Bell commented that it is important to require contractors to have a person in the city on a regular basis so that they can actually see things. He noted that by looking at the map overview without actually seeing the location, it does not look that bad, when in reality there are concerns.

Ms. Elgersma explained that as a matter of procedure, the Committee can deny the request to approve the Development Permit Application and variance.

Councillor Stevenson felt Ms. Jarvis could explain the Committee's concerns to the applicant, and perhaps another proposal can be developed, which would alleviate requiring a motion to deny the request and the applicant appealing the decision to the Development Appeal Board.

Councillor Akumalik ended the discussion on the matter.

**c) Request for Decision – Land Use Permit LUP 20-006, Amendment to Land Rent Fee, Portion of Lot 1, 2, and 3, Block 227, Plan 4131 (Trail Area Deposit) – Tower Arctic**

Jennifer Jarvis, City Planner, noted that at the July 28, 2020 Council meeting, Council passed a motion accepting the Committee's recommendation and approved a Land Use Permit LUP 20-006 for Tower Arctic and charge the Land Use Permit Fee of $30,327.50. When Tower Arctic received the invoice, they requested a review of the calculation, as the value increased considerably from the year before.

Ms. Jarvis explained that she did review the calculation and determined that an error was made, and that the Land Use Permit Fee should have remained the same as the previous year, in the amount of $16,147.

**Motion PD #20-62**

Moved by: Mayor Bell
Seconded by: Councillor Sheppard

Committee recommends that Council direct staff to amend the Land Rent Value for Land Use Permit LUP 20-006 from $30,327.50 to $16,147 in accordance with the City's Land Use Permit Fee Policy.

**Unanimously Carried**

**d) Request for Decision – Survey Sketch SK 20-009, Lot 31, Block 242, Plan 4716 (Joamie Court) – Mark Beh – Building No. 2130**

Councillor Sheppard declared a conflict of interest and left the room.

Jennifer Jarvis, City Planner, presented a Survey Sketch Application SK 20-009 to subdivide a current building located on Lot 31 in Joamie Court. The applicant wants to construct two secondary suites underneath the building, one under each side. The Zoning By-law only permits one secondary suite per lot, therefore, the building must be subdivided.

**Motion PD #20-63**

Moved by: Mayor Bell
Seconded by: Councillor Fawcett

Committee recommends that Council approve Survey Sketch SK 20-009 in order to resurvey and divide the subject property into two separate lots in accordance with Survey Sketch SK 20-009 dated October 22, 2020, as well as the standard conditions and special conditions attached.

**For – Bell, Nattaq, Awa, Fawcett**
**Opposed – Brewster, Flaherty, Stevenson**
**Carried**

Councillor Stevenson noted that when the lot was created, it was meant for a single unit dwelling. He asked if there is a sketch of the proposed building.

Ms. Jarvis advised that the building is constructed and it is a semi-detached and meets the requirements of the Zoning By-law, with special provisions for secondary suites. Ms. Jarvis explained that the Zoning By-law does not permit secondary suites as dwelling units. Secondary suites are permissible and are smaller units which can be no larger than 40 $m^2$.

Councillor Stevenson asked if the property could accommodate the additional parking that will be required.

Ms. Jarvis explained that secondary suites are not considered dwelling units, therefore, there are no requirements for parking for secondary suites.

Councillor Sheppard returned to the meeting.

### e) Request for Decision – Appointment of Development Officer

Jennifer Jarvis, City Planner, presented a Request for Decision to present Marc Rivet, Senior Planner with J. L. Richards & Associates Limited, as Development Officer for the City. She noted that J. L. Richards & Associated Limited is the City's Planning Consultant.

**Motion PD #20-64**

Moved by: Deputy Mayor Brewster
Seconded by: Councillor Sheppard

Committee recommends that Council appoint Marc Rivet, Consultant with J. L. Richards & Associates Limited as the Development Officer for the City of Iqaluit for the duration of J. L. Richards & Associates Limited Planning Services Contract.

**Unanimously Carried**

Amy Elgersma, Chief Administrative Officer, explained that J. L. Richards & Associates Limited is the City's Planning Consultant with a one-year contract. She noted that the

previous Planning Consultant was appointed as Development Officer to assist with the workload and to cover for vacations.

## 6. IN CAMERA SESSION

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

- Legal

**Motion PD #20-65**

Moved by: Mayor Bell
Seconded by: Councillor Awa

| |
|---|
| Committee goes In Camera at 7:13 p.m.<br>**Unanimously Carried** |

**Motion PD #20-66**

Moved by: Mayor Bell
Seconded by: Councillor Sheppard

| |
|---|
| Committee returns to Regular Session at 7:32 p.m.<br>**Unanimously Carried** |

**Motion PD #20-67**

Moved by: Councillor Fawcett
Seconded by: Mayor Bell

| |
|---|
| Committee recommends to Council to direct staff to award the Planning Services Contract to Northern Futures for a two-year contract commencing May 9, 2021.<br>**Unanimously Carried** |

## 7. ADJOURNMENT

**Motion PD #20-68**

Moved by: Mayor Bell
Seconded by: Councillor Sheppard

| |
|---|
| Committee adjourns at 7:35 p.m.<br>**Unanimously Carried** |

Joanasie Akumalik
Chair

Tammy Ernst-Doiron
City Clerk

Approved by City Council on the 10th day of November 2020.