

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

Held on Tuesday, the 8th day of May, 2018, commencing at 6:00 p.m. at City Council Chambers.

PRESENT FROM COUNCIL

Mayor Madeleine Redfern, Chair
Deputy Mayor Romeyn Stevenson
Councillor Kuthula Matshazi
Councillor Jason Rochon
Councillor Terry Dobbin
Councillor Noah Papatsie
Councillor Joanasie Akumalik
Councillor Kyle Sheppard

ABSENT

Councillor Simon Nattaq

PRESENT FROM ADMINISTRATION

Amy Elgersma, Acting Chief Administrative Officer
Matthew Hamp, Director, Engineering and Public Works
Andrea Spitzer, Communications Manager
Jeanie Eeseemailee, Senior Interpreter/Translator
Jesse Ajayi, Planning Consultant
Tammy Ernst-Doiron, Executive Assistant

OTHERS IN ATTENDANCE

Matt Wilkins, Big Racks
Russell Chislett
Denise Hutchings
Stephen Leyden
Michael Thomas

Mayor Redfern called the Public Hearing to order at 6:00 p.m., acknowledged the gallery and noted that Administration would continue with the public hearing on the General Plan By-law Amendment 855 and Zoning By-law Amendment 856.

Mr. Ajayi noted that he would speak about the development and why amendments to the by-laws are necessary; a brief history of the file and why a second Public Hearing is required; and, then finally explain the specific changes to the amendments that are being presented.

The City has received a General Plan Amendment application and a Zoning By-law Amendment application to rezone five lots located in Lower Base. The lots currently

accommodate three residential dwelling units and the Big Racks Restaurant. The applicant is the leaseholder of the five lots that are subject to the proposed amendments.

The applicant wishes to remove the existing buildings on the lots and to redevelop the lands with a restaurant and take-out establishment. The establishment would be a larger version of the existing Big Racks Restaurant and is proposed to also have a bar/lounge integrated with the restaurant.

It was determined early in the process that an amendment to the General Plan would be required to remove the Sijjanga District Overlay and that an amendment to the Zoning By-law would be required to address the height of the building that was proposed, setbacks, and the use of the building itself. Due to the amendment process, a Development Permit application is not being considered at this time. This process will precede the Development Permit application which will address this specific proposed development.

The proposal was revised a number of times before the Public Hearing on September 12, 2017.

September 12, 2017 Public Hearing No. 1

Three residents presented the following concerns with the amendments and the proposal:

- Noise
- Restaurant hours of operation
- Traffic on Fred Coman Street
- Impact on utilidor
- Impact on residential area

September 25, 2017 Report to COW

Staff presented options to the COW for adding restrictions to the amendments including:

- Restrictions on stand-alone drinking establishment
- Potential restrictions on hours of operations to reflect Noise By-law quiet times (11:00 p.m. to 7:00 a.m.)
- Restrictions on the size, location and hours of outdoor seating
- Restrictions on the maximum gross floor area permitted for a restaurant take-out

October 10, 2017 Council Meeting

Council directed the Department to schedule and post Notice for a Second Public Hearing based on potential restrictions to be added to the rezoning text.

December 2017 – Current Proposal

A number of changes were made to the proposal in December and new amending by-laws prepared. The key changes to the revised amending by-laws are:

- Two storeys – The building would have a permitted height of two storeys
- Reduced rear yard setback – The building could be placed 3 metres from Fred Coman Street instead of 6 metres

- No stand-alone drinking establishment – Eating and drinking establishments have been removed as a permitted or conditional use. A new definition has been added that will limit a drinking establishment so that it may only be contained within a restaurant
- Outdoor area – The location and design of the outdoor smoking and seating area has been restricted and the design must consider ways to reduce noise so it does not negatively affect the residential area
- Restaurant and Take-out areas – the size of the restaurant and take-out use could be up to 600 m² in area
- The overall gross floor area – is not restricted, to allow for potential for a second floor with commercial or residential uses

The amendments being presented here allow for the changes to the proposal and the restrictions described.

Mayor Redfern called for questions or comments a first time for General Plan Amendment No. 855 and Zoning By-law Amendment No. 856.

Mr. Steven Leyden noted that he has lived on Fred Coman Street for the past seven years. He made a presentation at the first Public Hearing and at that time there were a number of concerns brought forward. Mr. Leyden did not feel there has been a reduction in the proposal, but rather an increase. There is a larger, closer building and food will be served along with alcohol. He noted that there are concerns in the neighbourhood with zoning, noise, and negative impacts that have not improved. He felt there has not been an improvement on the negative impacts since the last Public Meeting. Council has indicated in past meeting that they want to redevelop the City Plan, but a time has been set to do this. There is no plan for a specific commercial area. During the presentation for the new hotel on Federal Road it was indicated that Federal Road would be redeveloped as the new commercial area. In the current Plan the commercial area was going to be the downtown core. The proposal directly contradicts what the Sijjanga District Overlay was set out for, in size, business, use, and it does not follow what was planned for that area.

Councillor Dobbin commented that the General Plan does need to be updated as the last time it was updated was in 2010. He noted that all other jurisdictions in Canada have bars and restaurants in their downtown core. There is a demand that Iqaluit needs more restaurants, and we are trying to provide eating establishments. Traditionally, in every other jurisdiction in Canada, the downtown core is designated as eating and drinking establishments.

Mr. Leyden agreed that the downtown core is the place for the bars. Sijjanga Zone is not the downtown core. He feels the General Plan should be reviewed and a commercial area designated instead of approving ad hoc amendments.

Councillor Akumalik asked Mr. Leyden how long he has lived in Iqaluit, and

Mr. Leyden advised that he has been in Iqaluit since 1999 off and on and has lived in Lower Base for seven years.

Councillor Akumalik asked if there are any children in the area during the day and evening.

Mr. Leyden advised that there is a varying age range of children and there is a playground across from Big Racks.

Ms. Denise Hutching noted that she has lived on Fred Coman Street for 20 years. She purchased that home because it was a peaceful and quiet neighbourhood. Since Big Racks has opened it has become the exact opposite, it is no longer peaceful. She felt that Council should review the Zoning By-law and General Plan and involve the residents to get their input and suggestions. She does not believe there is any vision in the City.

Mayor Redfern noted that Council has agreed to prioritize the General Plan this year.

Mr. Russell Chislett advised that he lives at house 788, directly across from Big Racks. Since Big Racks opened, and during the cold months, Mr. Chislett has had problems with his utilidor. He noted that on a number of occasions he has cleaned out the utilidor and the problem is not in his house, but out by the street at the end of the utilidor. The utilidor is not frozen, it is something that is clogging at the end of the street and backs up into his house. He is concerned that the utilidor will not handle the increased usage.

Mayor Redfern asked Mr. Chislett if the Director of Public Works is aware of the problem with the utilidor.

Mr. Chislett advised that he brought the matter to the City when he thought the utilidor was blocked down the street. Staff looked into the matter and told him there was no blockage and it was the line to his house. Whenever there is a problem he feeds a line right out to the main line and the clog is at the entrance where the sewer connects to the main line. Mr. Chislett noted he has lived there for 30 years and the utilidor was installed 7 – 8 years ago and he only has problems the last 1.5 years, and generally it is when it is cold.

Councillor Matshazi asked if Big Racks has talked to the neighbours about the issues that they have concerns with.

Councillor Akumalik noted that the sewer back-up happens during the winter and asked if it also happens any other time during the year.

Mr. Chislett advised that he did not have a problem with the sewer backing up during the summer, it just happens during the really cold months and only since Big Racks opened. He reiterated that the problem is at the end of his utilidor where the main passes and his connects.

Councillor Papatsie noted that oils will clog up the system, and it will also deteriorate the pipes. He suggested that there should be a system to collect old oil from restaurants and individuals who can dispose of the oil in one place and then the City can dispose of the product.

Mr. Wilkins noted other than speaking to his neighbours about their complaints at the last Council meeting; he has not had any outside discussion with them. He believes his answers to the questions and concerns were when the new building is constructed the staff housing location will no longer be there taking away any concern for staffing after hours or any parties. He does not know why there is a problem with the utilidor, and he noted that there are two other houses down the line and there have not been any issues.

Councillor Matshazi felt that it would be beneficial if Mr. Wilkins try and build a positive relationship with the neighbours and work with them to hopefully alleviate some of the resident's concerns.

Councillor Sheppard noted that the largest complaint that is heard revolves around the staff housing issues. This seems to come up more than anything else. He asked how the proposed development will change the situation, and will it potentially address the staff housing issues and the complaints from the neighbourhood.

Mr. Wilkins advised that the staff housing will no longer be located on premises, so those issues will not occur. As for engaging with neighbours, every year there is a Canada Day BBQ and there is a good repour with everyone else in the neighbourhood. He felt that the Public Notice delivery area was expanded so more people were aware of the Public Hearing. He noted that the same two leaseholders came forward with the same concerns, and he still has the same answers. The utilidor will have to be checked by the City and the staff housing issue will be a non-issue because it will not be on-site. Mr. Wilkins has not heard any complaints or concerns from anyone else.

Councillor Akumalik noted that there are different cultures in Iqaluit and hoped that the different cultures can work together and learn from each other. Appreciation was extended thanking for the food and service that is enjoyed by everyone. With the opening of the beer and wine store some businesses have seen a decline in patrons that use the bars. He asked if the restaurant will have enough customers to be able to serve alcohol. He also asked if there will be Inuit employees, because according to the Land Claims Agreement the government has regulations that require businesses or agencies to hire Inuit residents.

Mr. Wilkins noted that currently alcohol is not being served, and it is not anticipated that customers or revenue will be lost with upgrading to a newer building. He advised that Inuit residents would be hired as it is an advantage to hire local because in most cases the residents live in Iqaluit and staff housing would not have to be provided. He pointed out that he has lived here for ten years and he doesn't own anything outside of Iqaluit or Nunavut, everything that he has done has been reinvested into the community, into the territory. He noted he has done his best to stay in business and expand which creates jobs

and helps the economy. He understands that some people have been living in the area for over 20 years, but things change and change to some is hard to deal with. Change is necessary; you can't stay the same forever. We need housing and that is why some commercial buildings have housing instead of offices on the upper floors. Hopefully the Road to Nowhere subdivision expansion will help alleviate some of the housing concern. He noted that he is not evicting anyone, and he is not creating a need for more housing, he is relocating staff to another lot. When businesses grow, values on surrounding properties and buildings increase. He also pointed out that renting existing commercial properties is not always feasible.

Councillor Akumalik asked the number of Inuit residents that are staff members, and Mr. Wilkins advised there are six or seven Inuit staff and a total of 13 employees.

Councillor Dobbin noted that the plans have changed considerably in the last couple of years. There is a proposed revision for a two storey, the set-backs have been increased, was a standalone drinking establishment and now there is a combination, there is a possibility of restriction of hours and a restriction on outdoors. He asked for clarification on what the actual proposal is at this time.

Mr. Wilkins advised the plan is to have a one story eating and drinking establishment and there is no plan to construct a second story at this time. The second story is shown on the plan, due to the fact that he was advised to show the second story in the event that it may be a future consideration. The set-backs are 3 metres which is a standard for all other lots and buildings in the community. The development was reviewed with Planning Department consultants and they felt this would be acceptable for recommendation. The restrictions do not allow for outside seating - i.e. patio, unless it is on the front of building and the parking will remain the same. The interior has yet to be designed. The hood vents will be up top or facing the commercial properties and will not face any surrounding residential areas. The restaurant will remain open late and will have a full food service with beverages for the entire evening.

Councillor Papatsie noted that safety must also be considered as young people go there because there is no drinking. All the eating establishments have drinking. It would be better if safety was the main reason for this establishment. Some facilities have rules that there is no alcohol or drugs allowed. Why does Mr. Wilkins want to change to a drinking establishment, as he felt it will change the whole outlook of the area. People go there now because there is no alcohol. He asked what time of the day will alcohol be served and who will be serving the alcohol.

Mr. Chislett expressed concern that when the beer and wine store closes the restaurants are still open for people to get alcohol. He noted that once the four units are renovated or taken down Mr. Wilkins will no longer be living in the neighbourhood, and he will not know or understand what other families are experiencing.

Mr. Leyden reiterated his concern for the need to revise the General Plan as it relates to residential and commercial locations. He expressed concern regarding staff housing and no matter the location of staff housing there will always be problems because of use.

Michael Thomas advised that he lives next to Big Racks in 806. He feels the disturbances on Big Racks property have been eliminated. He noted that we cannot control another person's behavior, but we can control our own. When a situation arises that someone is not being respectful of property the police are called to handle the situation and are called for the safety of other people.

Mayor Redfern called for questions or comments a second time for General Plan Amendment No. 855 and Zoning By-law Amendment No. 856.

Noting no comments or questions, Mayor Redfern called for questions or comments a third and final time for General Plan Amendment No. 855 and Zoning By-law Amendment No. 856.

Noting no further comments or questions from the public, Mayor Redfern declared the Public Hearing closed at 7:00 p.m.

Madeleine Redfern
Mayor

Amy Elgersma
Acting Chief Administrative Officer

Approved by City Council this 12 day of June, 2018.