



**Minutes of the Special Council Meeting
Hamlet of Cambridge Bay
Number # 001
Wednesday July 5, 2017 @ 5:30pm**

Present	Staff
Mayor Ehaloak, Jeannie (Chair)	SAO Limousin, Limousin
Councillor Omilgoitok, Andrea	Land Development Office Taylor, Kevin
Councillor Mulhern, Christina	
Councillor Taipana, Jamie	
Councillor Wilcox, Wilf	
Councillor Kaosoni, David	Members of the Public
Excused	
Councillor Mohammed, Wiz	
Councillor Jancke, Sarah	
Deputy Mayor Ohokannoak, Joe	

1. Call to Order

Mayor Ehaloak called meeting to order at 5:30pm.

2. Opening Prayer

Councillor Kaosoni said the opening prayer.

3. TBG Land Applications

Mayor Ehaloak-“This special meeting is to discuss the land applications that were submitted from TBG and that had been referred to Council from the Lands Committee and tabled from the last meeting of Council”.

SAO Limousin – “There were questions that were brought up at the last council meeting and some emails with clarification questions that were submitted prior to this meeting. The best way to deal with all the information is for me to deal with the questions and then provide you with the researched answer. The questions and comments that came in by email will also be read into this meeting as a record.

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Question 1 is from Councillor Wilcox

Do we have to approve every application, if so what's the point?"

Response 1

Limousin "As long as the use of the land stated in the application conforms with the Land Administration Bylaw and the Community Plan ByLaw and Zoning Bylaw then it requires approval. If it does not conform to the Land Administration Bylaw, the Community Plan Bylaw and Zoning Bylaw it can be denied based on conditions."

Question 2 from Councillor Wilcox

"Can we build in requirements? Housing has mandatory requirements that we have become accustomed to, maybe we need to take the time to adopt these requirements such as job shacks, bathrooms so that people are not peeing all over the site; clean up routines, we are supposed to have tipping fees out at the dump; requirements to stay in commercial accommodations also, maybe support local business."

Response 2 Limousin

"Part of this question comes from the last council meeting. The comment was from Councillor Wilcox that contractors will be living in sea cans and how do we stop them from doing that. Regulations can be made in Municipal legislation. There is also Territorial legislation that can assist. For example habitation in a sea can in Cambridge Bay would not be permitted. It would never get by the Development Permit stage, and it does not meet the sanitation guidelines because it does not have a bathroom."

We can, in the Land Administration ByLaw, state that contractors have a job shack at the construction site and a bathroom facility so that they are not urinating all over the site as Councillor Wilcox states. We can put clean up routines required at the site such as picking up of nails, boards, and other things.

Regarding the tipping fee for the dump, it was contained in a Draft Garbage Bylaw, but this needs to be implemented and phased in. We can make a recommendation for them to stay in commercial accommodations. We do know that they are in a house that they had purchased in the community and that they have a house that they are renting from Councillor Wilcox. We do know that they are renting accommodation in the community. As per your request, we have asked them for a list of all the monies that they are spending in the community." The list was read.

Question 3 – Councillor Wilcox

"They need to support local business".

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Response 3 – SAO Limousin

“We have a list of where they are spending money in the community.”

Question 4 - Councillor Wilcox

“Do these guys even have a business license?”

Response 4 -Limousin

“Yes they have a business license that was issued on April 1st, 2017 and they did have one last year as well”.

Question 5 – Councillor Wilcox

“Has the Hamlet already made some promises?”

Response 4 -Limousin

“First this is an accusation of wrongful behavior of administration. The answer is No.”

Question 6 – Councillor Wilcox

“Why was someone so quick to call the lawyers?”

Response 6 -Limousin

“This was brought up in the Lands Committee several weeks ago and the Lands Committee wanted Council to deal with these Land Applications. One of the questions at that time was can Council deny applications and stop development coming into the community.”

“I called Robert Chapple at CGS at the Lands Department and he stated that as long as it is in conformance we can't stop people from entering in the north. So I called the lawyer to make sure that was true. Under legislation you can't at this point time, but you can set priorities of development, such as who gets land first, second, or third; but that is all you can do. There is a ballot draw system in Iqaluit and Rankin because of the shortage of land. We have the mechanism in the Land Administration Bylaw where terms and conditions of land disposal are stated. The first priority is to have land when the federal and territorial government requires it; then the Nunavut Housing Corporation and Canadian Mortgage and Housing and the Municipality; and after we have met those needs, then we can go on and dispose of land to private sector.”

The Land Administration Bylaw also states that the Municipality shall dispose of land by one or a combination of the following means; by ballot draw if we had a shortage of land in the community, but we have a healthy supply of land; by proposal call for

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circumstances where you have a much sought after lot like the one adjacent to the KIA office being a desirable commercial property that is vacant. We know we have several contractors who have expressed interest so to make it fair and transparent we would put it out for a development proposal call. The last option stated in the ByLaw is that disposal is on a first come first serve basis.

All the relevant points have been met in this application. In terms of the Zoning Bylaw the Land Administration Bylaw, the requirements of the lease based on the land use has been answered. You have seen the applications.”

Question 7 – Councillor Wilcox

“Wouldn’t it be better to have Housing Corporation building across the other one?”

Response 7 -Limousin

“Kevin and I have been working with Housing Corporation and part of our discussions as we told you in the last meeting, was their concern about the amount of money they are spending on land development. The high cost of land development is exhausting the amount of money they have to actually build the building, so they are looking for easier to develop lots. We have given them several lots to look at and we are waiting for them to get back to us with the applications.”

Taylor stated that they have responded with the Lots now and they will be presented at the next Lands Committee meeting.

Councillor Wilcox “Are the lots that they asked for the same ones that were requested by TBG?”

Taylor “They had chosen lots that were cost effective for them regarding the development of the pad. The lots that Housing Corp were looking at are different than the ones TBG had requested”.

Councillor Wilcox “Is it because we told them that they were already spoken for?”

Taylor “No. Housing Corporation were shown the lots that were available including the ones that TBG had applied for and they came back to us with the lots that they were interested in. The Land Applications were just brought in today and will be at the next lands development committee meeting.”

Question 8 – Councillor Wilcox

“Why are we rushing ourselves, if it was housing for people yes, by all means but

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this isn't going any place, and I've asked quite a few people and no body builds at this scale without a plan.

SAO Limousin

"Councillor Wilcox, these are personal comments and I will not address them.

What I will say is they have been requesting land since last fall, but because the land was not developed and had no road access, we could not accept any land applications because we cannot assign land without road access. This was at the end of September/October and then we waited for the applications to come in and inquiries through a string of emails and the inquiries started coming in March, April and May. By the time the applications got to the Lands Committee and then referred to Council, and upon approval they would have submitted their Land development Permit applications."

SAO Limousin "The next email questions were from Councillor Taipana".

Councillor Taipana - "I believe we each have concerns with the TBG applications, the fact that they seem to be attempting to force our feet to the fire using the sealift deadline in a couple of weeks".

Question 1- Councillor Taipana "Has the land committee or the Hamlet of Cambridge Bay denied any applications in the past?"

Mayor Ehaloak "Within my 6 years as Mayor I do not recall denying any land applications.

SAO Limousin advised that she has not seen anything within the year she has been here with the hamlet.

Question 2 – Councillor Taipana

"We should have mandatory requirements for all contractors to abide by? We should not have builders allow their employees living in sea cans or in tents if they are here long term. Are they polluting or contaminating any of the work sites by not abiding by environmental standards such as by not providing porta potties or any other sanitation devices? Have they supported local business such as stores, hotels or inns?"

Response 2 - SAO Limousin

"We do not make that a requirement in the development permit and have not in any

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of the construction that has gone on to date.”

Mayor Ehaloak “When the Development Permit is submitted the conditions can be added in when they are applying”.

Question 2- Taipana

Have they supported local businesses and inns?

Response 2 - Limousin

“Even though it is none of Council’s business, especially in reviewing a land application, we requested that information for you and they willingly provided it. They have uses the services of Qillaq Innovations; Wilf Wilcox, bought a house; hired 13 local laborers and cleaning staff; 4 local casuals, 2 cleaning; contribution in the community with employing locals and with purchasing from the Northern and Coop; Kalvik Enterprises, KitNuna Projects, KitNuna Expediting; KitNuna Petroleum, Hamlet for the land lease, garbage services, water, sewer, business license.”

Question 3 – Taipana

“Has the hamlet promised land or development permits elsewhere?”

Response 3- Limousin

“This is an Integrity question I hope you realize. Just like Councillor Wilcox’s same question. Please clarify what you mean.”

Taipana clarifies “has the Hamlet promised them any other spots in the community?”

SAO Limousin

“How are we able to promise anything when everything goes to the Lands Committee.”

Councillor Wilcox

“The example I thought of was commitment to rent Hamlet housing from them. Maybe you have already had some chats”.

Limousin

“If your question was has the Hamlet already made some promises to rent housing, it is no”.

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Councillor Wilcox

Meaning, is the Hamlet renting them housing was about them renting houses off of the hamlet.

SAO Limousin "for what?" That we had promised them housing?

Councillor Wilcox

"We may have for them to rent houses off of us".

SAO Limousin "The Hamlet is renting houses off of others because we don't have enough staff housing".

Councillor Wilcox "I understand that and that it may not change anything".

SAO Limousin "The only relationship the Hamlet has with TBG is with their land applications".

Question 4 – Councillor Taipana

"We have asked Polar Knowledge if they have intentions on procuring housing and they stated that not at this time, but we should be proactive and bring the same question forth to NHC to see if they would purchase or enter in to such agreement with TBG like Polar Knowledge has done with the 8 plex and duplex. Would NHC forgo the government RFP process if TBG completes such buildings?"

Response 4 - SAO Limousin

"I understand that you have already spoken to them about this".

Councillor Taipana "Yes I did speak with NHC. They said they would not be able to purchase nor lease the units once they are complete".

Question 5 – Councillor Taipana

"Has TBG become a good corporate citizen of Cambridge Bay? To my knowledge they do have some pretty vehicles in town but have they stepped up and donated one dime or volunteered any time for the betterment of the residents of Cambridge Bay?"

Response 5 – SAO Limousin

"Even though we never ask any other developer about their "good corporate

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citizenship" and it is not applicable to whether a Land Application gets approved or not, we asked TBG and they told us the following. They used their equipment to deliver crates without charge to residents, lent supplies until they would be able to replace them, helped a local resident with his van, helped a resident with a flooded house, moved sea cans for locals, gave a desk to someone who needed it, gave a television to a local resident and used their equipment to help with frozen pipes and vents in the winter. They let us know that TBG is not out for recognition, it is just the type of company they are and they type of people they employ. They offered this information, even though they did not have to, to bring it to Council's attention in the hopes that it will help Council have a better comfort level with their company."

Question 5 – Councillor Taipana

"This whole process of having TBG construction put forth applications for development a month and a half before sea lift cut off seems a little dodgy to me.

The plans were underway to develop a 14 plex, a 12 plex, 2 duplexes and a house with a granny suite. I would have imagined the applications to be set forth in the new year at least. I do not believe any of the Hamlet Councillors or Employees are against development for our residents however when we have this large scale building in a short amount of time, we do have a number of red flags that should be addressed. That is why we are asking the questions at the end of the day, which is what we should be doing as elected officials of our residents."

Response 5 – SAO Limousin

"I have no response to that".

Question 6 – Email Comments sent in from Councillor Jancke

"I would like to reiterate some of my thoughts from the other night: I am very uncomfortable with this whole situation... I really don't think it is fair being so supportive of outsiders bending the rules... and being hard and unaccommodating to our own people.

I would like to see the hamlet request some compensation for their "extra" materials being stored on the lot. That is not right in my eyes. Contractors are aware of the materials needed for buildings and this extra material storage was intentional in my eyes.

Also maybe we need to set policies so that we actually make decisions, as it stands what is the point of this process if it doesn't mean anything anyways?

The other point: please ensure that attached to the approval that there are

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perimeters ensuring they don't all live in camps.
Anyways, there are my thoughts."

SAO Limousin

"The storage of construction material can be dealt with through a Temporary Land Use Permit as a policy of Council that would be outlined in the Land Administration ByLaw.

Question 6 – Email Comments sent in from Councillor Kaosoni

"I agree...we had this with Fred H Ross and Associates and what they did this to the community. Now we have tank farm covering potential residential lots and spaces covering the potential lots. Convenience for business community doing its own thing, and creating hazardous and safety issues in the community. It's nice to have developments and investments but we should not be bullied aside but work mutually. Thus having development policies and bylaws to do this.
Now that's my five bucks worth."

SAO Limousin – That is why the Municipality has Community Plans and ByLaws. This is the mechanism to control development. It is consistent and transparent.

Question 7 – Email comments from Councillor Mohammed

He wanted to reiterate his comment stating in an email to remember his comments from the last meeting.

SAO Limousin advised Council that these were all the email questions and comments that were sent in. We have addressed them as well as we could.

Councillor Omilgoitok "Was there a teleconference with TBG".

SAO Limousin "We had a time established for the conference call with TBG and announced it as a Special meeting. We could not obtain a quorum to have this conference call".

Mayor Ehaloak "I had called this meeting so that everyone could gather their thoughts and have a discussion with TBG."

Councillor Taipana "I appreciate the clarification. This had come to Lands Committee and we felt that there were so many questions we had that it needed to be referred to Council for discussion. The staff got the answers to the questions we asked and

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that is helping us in making a decision. We are not anti-development but we want to protect our constituents and protect our people as elected officials by making informed decisions. I wish that they were available for a face-to-face meeting.”

Councillor Kaosoni “Our past development has a poor history. In effect we have allowed for others to develop here and there and if we have areas that can be used by potential locals. We still need a lot of education to have policies and guidelines that we can follow. It is disappointing to hear of something of someone sleeping in sea cans because of lack of accommodations and so forth. I would like to see more development. I guess if we have tools something can be worked out to our advantage”.

SAO Limousin “ With respect to the tools, long ago during the Fred.H Ross days there was no Community Plan or Zoning ByLaw. The community plan is the mechanism that guides you with the development and this is what protects you. When we were looking at the Core Area of this community we looked at it as a place that was central to everyone and needs to be accessible to everyone. We look at the density of it and look at the investment that residents will make in it.”

Councillor Wilcox “It is kind of funny for me to wonder about this and tried to reach out to a couple of other companies in Iqaluit and didn’t get answers back. I think that we don’t have policies and procedures in place. CGS and NHC have provided the policies and procedures on development, and I don’t know if these guys are sea can guys but they are opportunists and if you think that they are going to rent to kids that are going to rent to kids coming out of school for \$2,500 to \$3,000 they got another thing coming.

They are not going to rent, they will rent to corporations or to lease back, like if they will be working to deal with CHARS and NHC to rent these units, they will do this you know, but not right now. The things that adds fiber to our community, all of our people, our town, our business and to the people have persevered and have stayed and been committed to develop our community. Who have stayed and supported minor hockey; who have supported our community; we all buy groceries so why should we rely on these guys for buying groceries; they have a contract with the government and probably told them a bunch things they did do anyhow or they stirred it around. I have asked many guys in many businesses’ who does these speculating and the reason that I am speculating is because of CHARS.

The thing is there is going to be a bunch more of government pieces or NHC which is what they have done in other communities; in Rankin and Baker and I didn’t track and try to find a whole other history on them but they are pretty optimistic. We don’t have to say no to them, we just don’t have to say yes, and it’s pretty easy and

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just don't vote for them and we can tell them that we are going to get our documents in order and get our policies and procedures done and then we can get back to them and we can welcome input of these communities. We are not talking a small thing here, it is huge and they don't want to come and talk about it, so I say that we don't make a decision, and we can get busy and get our work in order and then this creature can go into the policies and the guidelines and then we can go."

Councillor Mulhern "When it comes down to the application for the land, and for any of us to be speculating on the what if, all you can do is sit here and speculate each application that is going to be coming through. Say 'John Smith' comes in here and wants to lease three lots and build whatever; it is not our place or our right to say exactly what they are going to do with it and who they are going to rent to. Then we are starting to police and we don't have the right to police on speculation. If they are following the rules as to applications and to the Bylaws and Community Plan that we are sending forth to them, what fault are they carrying. It is a business and businesses are there to make money and anyone who says otherwise is lying. Businesses are there to make money and if they don't then people don't have jobs, simple as that. Why is it just this company we are asking for this information? Have we ever asked any other company what they have contributed to the community? It just seems like they are being singled out and I don't understand. What did I miss at the last meeting? To me it doesn't matter how much they put in as long as they follow our ByLaws and the rules, it doesn't matter if they did it 6 weeks before sea lift or if they did it 6 months before sea lift, they have followed the protocol that we have put in place for people in town to apply to build things. Under the rule of law in general we have provided them with guidelines as we have at this point now. Everything can always be improved but for now that is our transparent legislation. Have at any time since they have been here so far lived in sea cans? Is there documentations of them living in sea cans?"

Councillor Wilcox "That was a red herring and we are not sea can cops".

Councillor Mulhern "All of these accusations or thoughts that this could happen is almost like fear mongering, do we want people to build here or don't we not? It is a very simple question, or are we going to say no this kind of people can't or yes this kind of people can."

Councillor Wilcox "She has not heard that once, you are jumping to conclusions".

Councillor Mulhern "Only asking questions".

Councillor Wilcox "She asked very systematically almost everyone outlined their own

questions and concerns and they were not acquisitions”.

Councillor Mulhern “I am just asking if this is the way that the Council would like to go, just curious. I am just wondering why this company was singled out and why this company, when we have proceeded through applications of other thing in the past.

Mayor Ehaloak “I do not know why this came to this company alone”.

Councillor Wilcox “It is common sense practice here. People that are on this Lands Committee they can follow this activity and that is what they got those unit through this tender and then there is another one for government for staff housing and they are going to go and bid and get the RFP. These guys are not wanting to come and talk to us. We asked them and they don’t want to come and talk to us and they are asking us to allow them to build 34 units and is it wrong for us to ask them questions? I don’t think that we should be chancing ourselves for asking these questions and maybe they have got some real good reasons maybe they are going to build all of these for Northern Staff Housing. Who knows, maybe someone knows something we don’t know, maybe they got corporate leases”.

Mayor Ehaloak “I am going to tell you again, if this council says no and we don’t approve this application, they have the right to appeal and the appeal will go to the Minister and then the Minister will make the decision for us. Just so that everyone knows, once the decision is made by the Minister, he will come back to Council and tell us that an investigation was done and this is the outcome; either yes or no. We don’t know. We know for a fact, they have applied for a Land Application and they followed all the rules. It is up to this Council whether you say yes or no or whether you let it fall and do nothing. They are going to come back and say, if we don’t approve; if we do approve; or if we just leave it, they are going to come back and say why, give us some reasons why. If we do approve these applications for the land leases, and some of the legitimate concerns that some of the Councillors have, can be addressed when they apply for the development permit. For example, porta potties, the sea cans, becoming corporate citizens and all that stuff; can we look at that through a development permit.

Councillor Wilcox “When did we start doing that?”

Mayor Ehaloak “We have never done this before because it has never come up, we have never gone through a Development Permit before and put in stipulations. We have just said ok. They are following the law; these are the setbacks and this is what they are going to do. We always follow what the government and the fire marshal and what NHC has. We follow the government rules for our development permits

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but there is nothing that says that we can't add other things on development permits. We can do that, right Kevin?

Planning and Lands Administrator Kevin Taylor "Yes we can add conditions".

SAO Limousin "We can add conditions with respect to how the structure gets built. We cannot add anything about corporate citizenship or the amount of money someone puts into a community. We could amend our ByLaw to say for example, a job shack is required for construction of a 5 plex or more; or a porta potty must be placed on site when constructing 3 units or more.

We can control the cleanup of the site through cleanup site requirements.

We can control where companies store their materials during construction as Councillor Jancke suggested, by creating a Temporary Land Use Permit system for short terms. Our main issue for the absence of laydown areas, is that we haven't had industrial space up until it was recently approved. This space cannot be developed until CHARS moves their materials from the area.

I wanted to clarify where we do and do not have control and that is has to be transparent in a ByLaw so it is enforced for everyone".

Mayor Ehaloak "I would like to know from Council what we are doing. Are we going to leave it and look at the policies and leave it until next year. Are we going to approve it and review the development permit now that we know that some of these questions are answered? Or do we say no to their application? We know for a fact that they meet the Development guidelines in our ByLaws and will most probably appeal to the minister and we wait until then".

Councillor Wilcox "When did they apply for a development permit?"

Mayor Ehaloak "They cannot apply for a Development Permit until after the Lease is approved. "

Councillor Wilcox "Under normal procedures how would the whole thing play out?"

Mayor Ehaloak "It will go to the Land Committee and that is when you can decide the stipulations for the applications and it will be brought back to council for approval or not.

Unfortunately some of the Councillors are not here. I wish that they had been here, but we have to make a decision of what we are going to do".

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Councillor Taipana "When it comes down to us as a Council denying this, the decision will go back to the Minister and then come back to us. The Minister will make the decision, correct?"

Mayor Ehaloak "Yes, they have the right to appeal. In that case it will go to the Minister and then the Minister will make a decision and whether it is yay or nay. At that point we have no choice."

Councillor Wilcox "What is the chance of the Minister saying anything here. It's an election year. Maybe it is a good opportunity to point out the problems with lands now that we can't buy it."

Councillor Taipana "If we do make the decision and we do approve it, at least we have some force with the requirements of the Development Permit. Thank you for all of your time in collecting the information."

Councillor Wilcox "It is pretty minor to just have a porta potty but they would need to have a construction shack. The sea can thing, honestly probably is a red herring. We should try to find out what happened in Rankin with these guys. Did we ever call them to see if anything happened? "

Limousin "We did not call."

Councillor Wilcox "Why didn't we? They have more of a history in that region. Why didn't we try to find out how this thing works? It is a new one here and this town is pretty much driven on contracts and here we have 30 or 40 other companies waiting on the contracts to do this."

Mayor Ehaloak "I have called their offices in Iqaluit and Rankin and they are all rented out. They have one place available in Iqaluit and in Rankin they have three. If they plan on building to rent to public citizens or to corporate citizens or whatever, it is their business what they plan to do with them. If they sit there and they are empty then it is their loss not ours. It is not up to us to stipulate to them that they have to rent it out to housing or that they have to rent it out to CHARS."

Councillor Wilcox " It is not that, it is that we would be hurting all the other businesses in this town and that we don't know for how long it is going to hurt and when will it stop."

Mayor Ehaloak "How do we know it is going to hurt this community? Maybe if they start advertising they will fill up and we can stop speculating."

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Councillor Wilcox "Well go and give all the answers for them then".

Mayor Ehaloak "I am just stating facts."

Councillor Wilcox "You are speaking and talking for them to get us to say yes".

Mayor Ehaloak "I am not saying yay or nay. What they do with that land is their business, as long as it conforms to our ByLaws. I am just telling you. What they do with that building is their business and just like you; what you do with your properties is up to you".

Councillor Wilcox "We should go out and ask the community."

Mayor Ehaloak "Maybe we should ask them".

Councillor Taipana "Do we have to approve all of their application or can we just say approve the 14 plex and the duplex or do we have to approve every one of them at the same time?"

SAO Limousin "Whether you approve one or five you are going to be in the same boat. I don't remember you asking me about checking out the 10 units that were built on speculation last year by the Government of Nunavut Staff housing contractor, as I was not here then. In the minutes I never saw any questions about the Community goodwill with these other companies or porta potties or construction shacks.

There are items you can legally control and other items you have no right to control. In this whole situation you are really going to give the signal of being a pro development community where you support development or not".

Councillor Wilcox "They are already established here and that they own all of the Fred Ross building and they are here".

SAO Limousin "Just because they are established here, did you ask them to provide community good will? With respect to the Housing market are the 10 units built on spec filled?"

Councillor Wilcox "Someone said that the other unit is up to the GN."

Councillor Taipana "HC said that the GN has two of the 12 plexes with option on the

third.”

Limousin “So then two have gone to the GN and then possibly one for public housing, so they do build on spec in hopes and that they do get a government contract. What is the difference between companies? It is their money and their business case and they take the risk.”

Councillor Wilcox “Yes but we can say to the poor people of this town that you have to do this, and you are in a core spot in this town so you got to build in commercial space in there. What about the public housing what are we going to do, get rid of those in the core area too and lose people’s houses?”

SAO Limousin “What exactly do you mean? If it is the same old thing you continue to refer to in Lands Committee and Council then I am shocked because you are the Chair of the Planning Committee. You have been involved in the creation of the Community Plan and Zoning ByLaw and you have continued to stall it and this keeps coming up. You obviously have not read the documents.”

Mayor Ehaloak “Council, are you going to make a decision. Are you going to let it go and leave it alone and look at it another time or are you approving or do we say no?”

Councillor Wilcox “There won’t be any notes and that it hasn’t been recorded”.

Mayor Ehaloak “I am looking for a motion for the land applications”.

Motion

To approve the land applications submitted by TBG for Lot 21 Block 63, Lot 20&21 Block 54, Lot 22 Block 54, Lot 7 Block 54, and Lot 21 Block 32 for residential use.

CARRIED #-17-069

Moved By: Councillor Mulhern

Seconded By: Councillor Mulhern

In Favor: Councillor Omilgoitok, Councillor Mulhern, Councillor Taipana

No: Councillor Kaosoni

Abstain: Councillor Wilcox

Mayor Ehaloak “Please type and present the minutes for the next Council meeting so that we can have them so other Council members can see exactly as to what has gone on today”.

Councillor Wilcox “This is not a legal meeting as there is no recorded discussion

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today, there was no recording person here.”

Mayor Ehaloak “Councillor Wilcox, every meeting is recorded by tape recorder and transcribed verbatim from there.”

Councillor Wilcox “I don’t agree with this. We are ‘In Camera’.

Mayor Ehaloak “There was no motion to go “In Camera” so we are not ‘In Camera’”.

Councillor Wilcox “The public are going to read these things and they are going to punish people for speaking their own mind. They should not be recorded verbatim, stated that we just had a discussion and it shouldn’t be there to make people...”

Mayor Ehaloak “The minutes will be typed up from the start of the meeting and that the applications were handed in to us and that there was discussion and that the applications have been approved. It will be on Council’s Agenda at the next meeting.

Councillor Wilcox “Aren’t you going to comment about the expectations that are given to them and that we going to chicken feed the development permit and that we are going... “

Mayor Ehaloak “When the Development Permit is submitted, Council is going to look at it as a whole and Council will review and Council will make a decision with a motion to stipulate exactly what is going to be in the Development Permit so that all Councillors are happy with the Development Permit.”

Councillor Wilcox “Aren’t we going to do research on what happened in Iqaluit and in Rankin?”

Mayor Ehaloak “We can ask Administration to do that and that they can look at how they do it in the other communities and how they handled the situation. They will report to Council before the Development Permit application comes though.”

Councillor Mulhern “What if we approve their Land Applications and then they don’t agree with the terms within the Development Permit? What if they say well we don’t have to do this, can we cancel their Land Application?”

SAO Limousin “The Zoning Bylaw sets out the Development Permit submission requirements. These are items that are requirements to obtaining a Development Permit. If there are additional items, such as the requirement for a portapotty or a job shack, the Zoning Bylaw and our Land Administration ByLaw would have to be

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amended before the third reading of the Zoning Bylaw. In terms of what requirements go into the Development Permit, the developer has to conform to the Development Permit or a Development Permit is not issued, so they could never develop until they conform to what you want in accordance with the Zoning Bylaw or they appeal. The documents are meant to be transparent so everyone knows the rules and everyone has the same rules. It is not an arbitrary thing.”

Councillor Wilcox asks “What you are really saying is that you can’t put anything in the Development Permit, unless it is already in there? You can’t put fences in there or Inuit hire or anything that is really important to the community, just a honey bucket?”

Limousin “I will say this differently for you. You have a Zoning Bylaw that is in place right now, (the one before the one that is awaiting Ministerial approval). You have one that still stipulates what needs to be in a Development Permit submission. Those are things that are legal right now in this community. If you want to add requirements or take away requirements, an amendment to the Zoning Bylaw is required. You cannot make up the rules as you go along. Any amendments to the ByLaw will also need to go to the public and will be commented on in a Public Hearing. The ByLaws are in the Ministers office and after approval they will come back for 3rd reading. If you want to add a portapotty or a job shack, we have to amend the ByLaw again. That way everyone knows about it. This does not stop us from requesting a portapotty at the site during construction”.

Councillor Wilcox “What we really just did was that we approved the Land Applications based on the fact that we are going to make some changes or requirements in the Development Permit but in reality you can’t.”

SAO Limousin “We are able to make the changes with the amendment to the Zoning Bylaw before third reading”.

Councillor Wilcox “She just said that we would not be able to make changes and that we are going to have to live with this current bylaw.”

SAO Limousin “Can someone else explain this to Councillor Wilcox. He is not hearing me. I hope I am not confusing anyone. I did not say that we are unable to make changes. Using an example of three readings of the water rates and how that is and that the same three readings apply to all the bylaws that are currently legislating the community. If Council wants to make changes to any ByLaws they go through three readings before becoming effective.”

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Councillor Wilcox "So we would have to change this by bylaw, so if we wanted them to put in a portapotty then we would have to change it by bylaw?"

SAO Limousin "Yes to make it transparent for all developers but it does not stop us from requesting it in the Development Permit".

Councillor Wilcox "So you can't do anything on the Development Permit?"

SAO Limousin "If you want it officially you need to get it in the Bylaw. Again it does not stop us from making the request in the Development Permit. Council will have to decide at what level of construction it will be required. For example, will it have to be done for single family or (cut off by Councillor Wilcox)

Councillor Wilcox "You shouldn't have said this in the beginning that we can make any requirements on the Development Permit, you didn't say that!"

Councillor Omilgoitok "There seems to be a lot questions regarding the current bylaws, perhaps they can be reviewed by the lands at a different time..."

Councillor Wilcox shouted "YOU JUST GOT BULLSHITTED AND YOU ARE SUPPORTING IT."

Councillor Omilgoitok "Point of Order. We were having a discussion and everyone who is in this room participated and it looks like you may have been on Council at the time that those were approved. If they need to be changed then they can be brought up at a different meeting. The point of this meeting today is to approve these Land Applications."

Councillor Wilcox "We were told we can put in requirements and now we are being told that we can't."

Councillor Omilgoitok "The SAO was very specific through the whole meeting."

Councillor Wilcox "We were told that we can put in requirements and now we are being told we can't".

Councillor Omilgoitok "The SAO was very specific through the whole meeting."

Councillor Wilcox "we were told that we can put in requirement, now we can't unless we do a Bylaw change, and how are you going to do a Bylaw change when you are waiting for the Minister to bring it back anyways."

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Councillor Omilgoitok "you can still send revisions to him, that wasn't the point of this meeting."

Councillor Omilgoitok "If we are waiting we can wait a little bit longer".

Councillor Wilcox "With all do respect here, the Mayor has said, at the next meeting we will discuss the requirements of the development permit, the SAO again with all do respect, has said that you can only do that within this list of five or six year ago, and maybe a porta potty and these types of things weren't in there, fencing and all stuff that are kind of standard, she said well you can recommend it, so that is why I am feeling a little bit uneasy, and now I feel like we don't have a lot of teeth and I think that we could have."

Mayor Ehaloak "Kevin please have the information as to what we can ask for in the current Development Permit application and have this at the next Council Meeting".

Councillor Omilgoitok "If we feel that the rules would have to be changed, then they would have to be changed for everybody and we can discuss this at a different meeting. We can have more time to think about what it is that we need to add and what do we need to change that can be reviewed at that time. First in line by protocol would be the Lands Committee and then it would come to Council for approval. We have been talking about taking the time to review the Bylaws and this would be a good time to make some changes and what we would like to do for the future but we can't change this right now."

Limousin "This would give us a chance to contact Iqaluit and Rankin and ask them about situations that they have run into on multi-lot private development."

Councillor Wilcox "But this is not going to affect this application. This one will just dream through like it alright...."

Mayor Ehaloak "We can approve the Land Application but in the end they cannot build until we approve the Development Permit so they have another application for us to approve before they can start building. This Development Permit will be referred straight to Council because they have referred the Land Application to us so we will see it through."

Councillor Wilcox "But we have already been told no."

Mayor Ehaloak "We will be able to put in conditions within the Development

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Permit”.

Councillor Wilcox “Only if it was in the old bylaw.”

Limousin “There are conditions in the ByLaw. But you can’t go and say that they have to put a fence around the total area so that we can’t see the construction during construction hours. We are awaiting Minister’s approval and we can amend to have items but in the Development Permit sections.”

Councillor Wilcox “Every other constructions site, look at CHARS and look at the 36 units, they have fences”.

Limousin “Housing Corporation is building two 5 plexes this year and those restrictions will apply, because we have to be consistent.

Councillor Wilcox “They do have it in the tender to do this”.

PLA Taylor “They also have this applied with NP Reit.”

Limousin “We can look at the documents and get the examples and write it into the Bylaw to become requirements of the Development Permit for everybody else that comes after.”

Councillor Wilcox “She won’t do it.”

Limousin “I will do it and it is my job to make it transparent so that everyone has to follow the same rules. Even local developers like Inukshuk, who is building three more units will have to follow the same set of rules.

Councillor Taipana “Can we invite them to speak with Council at our next meeting?”

Mayor Ehaloak “Yes we can ask them again to come back and meet with Council”.

Councillor Wilcox “Why should we impose on someone building a single family home the requirement to have a portapotty or job shack. It’s a lot different when you are building 34 units.”

Limousin “That is the dialogue that is required with Council. At what level do you want to see certain conditions. Is it a 2 plex, 3 plex, 4 plex 5 plex? What is the level? That is the conversation that has to happen.”

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Councillor Wilcox "She said that we cannot put anything in there that isn't already in there it only becomes a recommendation, that is what you said."

Limousin "I think that through the Lands Committee we need to review the Community Plan and Zoning ByLaw and the Lands Administration ByLaw so you understand them better".

Mayor Ehaloak "Staff will do the investigation and bring it back to Council. Find out all the information for Iqaluit and Rankin and wherever they have buildings and find out exactly what we can put in for the Development Permit. Also ask TBG if they can come in and talk to Council".

Limousin "Would you like a conference call or face to face meeting?"

Mayor Ehaloak "It would be great if it was face to face. We would like to meet them and if they want to become good corporate citizens they should at least come in."

Councillor Wilcox "If they want to spend 10 million dollars you would think they..."

Mayor Ehaloak "You would think that they would want to come in. Are there any more questions or comments regarding this TBG application or about this Special Meeting".

4. Adjournment

Motion

To adjourn at 6:45pm.

Moved By: Councillor Mulhern

CARRIED #-17-070

	
Chair - Mayor Ehaloak	SAO - Limousin

