

**KUGAARUK COMMUNITY PLAN
BY-LAW No. 243**

A By-law of the Hamlet of Kugaaruk in Nunavut Territory to adopt a General Plan pursuant to the provisions of the Planning Act, RSNWT, 1988, c. P-7, s.4.

WHEREAS the Council of the Hamlet of Kugaaruk has prepared a General Plan, referred to as the "Kugaaruk Community Plan", in accordance with the Planning Act;

NOW THEREFORE, the Council of the Hamlet of Kugaaruk, duly assembled, enacts as follows:

1. Schedules 1, 2 and 3 of this By-law form part of this By-law.
2. This By-law may be cited as the "Kugaaruk Community Plan".
3. This By-law shall come into full force and effect on the date of its Third Reading.
4. Hamlet of Kugaaruk By-law No. 151 is hereby repealed.

READ a first time this 8th day of November 2016 A.D.



Mayor



Senior Administrative Officer

After due notice and a Public Hearing, READ a second time this 10th day of MARCH 2017 A.D.



Mayor



Senior Administrative Officer

APPROVED by the Minister of Community and Government Services this 10 day of September, 2017 A.D.

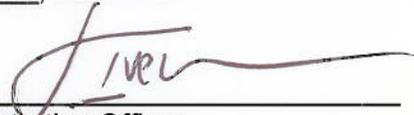


Minister

READ a third time this 28 day of September, 2017 A.D.



Mayor



Senior Administrative Officer

Schedule 1: Kugaaruk Community Plan

1. Introduction

1.1 Purpose of the Plan

The purpose of the Kugaaruk Community Plan is to outline Council's policies for managing the physical development of the Hamlet to 2037 and reflect the needs and desires of the Community. The Plan was created through a community consultation process. The Community Plan builds on previous plans, while addressing new challenges, issues and needs identified by the community.

This Plan establishes that Kugaaruk will need more residential and commercial land before 2037 to accommodate projected growth. As there are limited opportunities for growth through infill or beside to existing built-up areas, Council will support higher-density forms of housing including multi-storey units and redevelopment when opportunities arise.

This plan does not propose to relocate the airport within the next 20 years. However, Council will continue to pursue airport relocation by initiating discussions with Nunavut Airports and other levels of government.

1.2 Goals of the Community Plan

Community Plan policies emerge from the values of a community and its vision of how it would like to grow. The goals of this Community Plan are:

1. To create a healthy, safe, functional, and attractive community that reflects community values and culture.
2. To promote the Community Plan as a tool for making effective and consistent decisions about land use and development in the community.
3. To ensure an adequate supply of land for all types of uses to support the community's future growth.
4. To support community values of participation and unity to encourage community projects and local economic development.
5. To protect the natural beauty and accessibility of Nuna by protecting views of the water, retaining waterfront and lakeshore areas for public uses and traditional activities, and identifying important access routes on the Plan to protect them from development.

1.3 Administration of the Plan

The Community Plan is enacted by By-law. Changes to the Plan can be made by amending the By-law in accordance with the *Nunavut Planning Act*. The Community Plan should be reviewed and updated every five years as required by the *Nunavut Planning Act*. A Zoning By-law will be being enacted to implement detailed policies based on the Community Plan. All development must follow the intent of the Community Plan policies. The Community Plan includes Schedule 1 (K), Schedule 2 (Land Use and Zoning Map – Community View), and Schedule 3 (Land Use and Zoning Map – Municipal Boundary).

2. Community Growth and Phasing Policies

At the time of preparation of this Plan, the population of Kugaaruk was approximately 975 people. This Plan is based on a potential population of 1,483 people in Kugaaruk in 2037. It is estimated that an additional 213 dwelling units will be required to meet the projected population growth and to reduce current overcrowding. Meeting this need over the planning period will require the construction of approximately 11 new dwellings every year.

The projected amount of new housing land required assumes most new housing will be provided by the Nunavut Housing Corporation (NHC), but that some private dwellings and staff housing will continue to be built at an average density of approximately 25 dwelling units per net hectare. Providing 213 dwellings at a density of 25 units per hectare represents a need for approximately 10.6 hectares of residential land, or approximately 0.5 hectares per year.

At the time of preparation of this Plan, the Phase 1A subdivision had approximately 2.8 hectares of vacant residential land remaining. Approximately 0.9 additional hectares of residential land is provided in the Phase 1B subdivision behind the school, and 0.5 hectares is provided from new infill lots within the existing community. This brings the total of vacant residential land in the community to 4.2 hectares as of December, 2016. The remaining 6.4 hectares required to 2037 will be provided from the development of new land in Expansion Areas A and B.

These land and housing requirements may increase or decrease depending on several factors including economic development activity in the community or the wider region, changes to the natural rate of population growth, and migration between communities.

Over the next 20 years, Kugaaruk will also require additional community, commercial and industrial lands. This Plan identifies sites for several specific community and commercial uses.

The policies of Council about Community Growth and Phasing are:

- a) Plan for a 2037 population of 1,483 people and address the current overcrowding situation.
- b) Council will phase the development of new Residential and Community land as follows:
 - i. Phase 1A: Continue to develop existing lots within the new residential subdivision. This area is already under construction, and new NHC units are planned to be built here in the coming years. This area contains about 2.8 vacant hectares, or about 5 years' supply.
 - ii. Phase 1B: Develop the area behind the School and new infill lots downtown. The area behind the school includes a possible location for the new Northern Store. Together, these areas represent about 1.4 hectares of residential land, or about 3 years' supply.
 - iii. Expansion Area A: Develop Expansion Area A on the flat area adjacent to the airport. This proposed expansion area shall include lots reserved

- for future Community uses. This area can provide approximately 3.3 hectares of new residential land, representing about 6.5 years' supply.
- iv. Expansion Area B: Develop Expansion Area B toward the southwestern end of the runway and connecting roads. This area can provide approximately 3.1 hectares of new residential land, representing about 6 years' supply.
- c) Council recognizes that Kugaaruk's town site is constrained by the runway to the south and the Kugajuk River to the north which restricts the availability of developable expansion land. Council will therefore encourage and facilitate the consolidation, intensification and redevelopment of existing lots within the community to conserve land supplies as follows:
- i. Where appropriate, Council will support infill in the form of multi-storey residential units.
 - ii. Where appropriate, Council will support infill in the form of new multi-family unit construction to replace existing single-family dwellings if existing dwellings must be demolished or relocated.
- d) When additional heavy industrial land is required, Council will address the problems with the current Industrial subdivision by reconfiguring it to provide more developable lots.

3. General Policies

The following policies of Council apply to **all development** in the Hamlet:

- a) The development of lots shall be subject to the following lot development policies:
 - i. Buildings shall be sited to respect setbacks identified in the Zoning By-law.
 - ii. All service connections to buildings with trucked services shall be easily accessed from the front yard on all lots, and shall be grouped together where possible.
 - iii. Wherever possible building foundations should achieve an unobstructed gap of at least 0.8 metres between the ground and the underside of the building to reduce snow drifting.
 - iv. Any building over 500 square metres in gross floor area shall consider potential wind impacts on surrounding development. A wind study may be required by the Development Officer.
 - v. To reduce the amount of fill and ground alterations, pile foundations shall be used where appropriate.
 - vi. Where culverts are required, they shall be installed across driveways or access points to lots.
 - vii. On any portion of a lot where fill is introduced, the lot shall be graded so that drainage is directed towards the public road. Exceptions may be made by the Development Officer. Where possible, drainage ditches shall not be located in utility rights-of-way or easements.
 - viii. Road widenings may be obtained, as required, at the time of development or redevelopment of a lot in situations where the road right-of way is less than 16 metres wide.
- b) No development is permitted within 30.5 metres (100 feet) of the normal high water mark of any river, major creek or water body, except subject to terms and conditions of the Hamlet Council.
- c) Utilities or communications facilities shall be permitted in any land use designation.
- d) Other than designated rights-of-way or easements for utility or communication lines, easements along roads will be used for distribution lines with a minimum clearance as specified in the *Utility Corporations Joint Use Agreement*.
- e) The Hamlet shall pile snow in locations that minimize downwind snow drifting and where spring melt runoff can be properly channeled to drainage ditches or water bodies.
- f) The Hamlet shall avoid piling snow within at least 30.5 metres (100 feet) of any watercourse or water body.

- g) The Hamlet shall protect cemeteries and sites of archaeological, ethnographical, paleontological or historical significance from disturbance. Any development in or near such sites, including the 10 known archaeological sites recorded within the municipal boundary, shall follow the *Nunavut Archaeological and Paleontological Regulations, 2001 of the Nunavut Act (Canada)*.
- h) The Hamlet shall work with the Nunavut Planning Commission to ensure the Kugaaruk Community Plan is compatible with the future Nunavut Land Use Plan and Kitikmeot Regional Land Use Plan.
- i) Council shall protect Trail Accesses and Skating Ponds identified on the Plan from development as much as possible.

4. Community Development Policies

The following policies shall guide Council's decision-making on development and land use issues:

- a) Adequate housing is fundamental to public health and the social well being of the community. In addition to identifying new residential development areas, Council will encourage and pursue the development of new homes in the community, particularly homes with 3 and 4 bedrooms.
- b) The Hamlet will use new development and public spaces to celebrate Inuit culture and language.
- c) Council will actively pursue property standards with lease holders and property owners in the Hamlet to ensure that all building stock, particularly housing, is being maintained and used fully and efficiently.
- d) The following community facilities shall be a priority for Council:
 - i. Securing a suitable location for a Northern Store
 - ii. A new Fire Hall
 - iii. A new Health Centre
 - iv. A Men's Centre
 - v. New or additional Hamlet Garages
 - vi. A Youth Centre
 - vii. An Arts and Crafts Pavilion
 - viii. A Swimming Pool
- e) The Hamlet shall adopt road naming and lot numbering by-laws in 2017-2018.
- f) Council shall consider developing a Drainage Plan for the entire community.
- g) Council shall consider developing a Snow Drifting Assessment for the entire community as part of the next Community Plan Update.
- h) The Hamlet shall encourage development that minimizes fossil fuel emissions, that is energy efficient, and that considers alternative energy supply technology.
- i) The Hamlet shall consider strategies for climate change adaptation, such as locating development away from low lying coastal areas and protecting existing areas against erosion.
- j) Due to community safety concerns and the need for more developable land, Council will continue to pursue the relocation of the airport by initiating discussions with Nunavut Airports and other levels of government.

5. Land Use Designations

5.1 Residential

The Residential designation is intended to provide and maintain an adequate supply of land for residential uses. It also permits other small conditional uses subject to the approval of Council. The policies of Council are intended to maintain an adequate supply of residential land, and to protect residential areas from incompatible development. The policies of Council for Residential areas are:

- a) The Residential designation will be used for housing with all types of dwellings permitted. Other related residential uses, such as group homes, home businesses or bed and breakfasts are also permitted.
- b) Residential development will be phased so that a minimum of a 3-year supply of vacant surveyed land or approximately 1.5 hectares is available at any given time.
- c) Council will look for new residential opportunities on infill lots within the existing downtown and uptown areas of the community. Priority locations for future surveys for infill lots are identified on the Plan.
- d) Council will work with Nunavut Housing Corporation to identify where existing lots in the downtown area could be consolidated and redeveloped with attached housing forms (i.e., 5-plexes).

5.2 Community

The Community designation is intended to maintain an adequate supply of land for commercial and community uses, preferably in central and accessible locations so that residents may enjoy easy access to public facilities and community services. The policies of Council for Community areas are:

- a) The Community designation will be used for:
 - i. Commercial uses, such as hotels, restaurants, retail stores, personal and business services and offices;
 - ii. Public uses, such as community centres, places of worship, medical clinics, schools, and other institutional or community uses; and
 - iii. Government services.
- b) Commercial and Community facilities will be centrally located along main roads wherever possible to ensure safe and convenient access by residents.

- c) Residential uses will be permitted when located above a ground floor commercial or community use.
- d) Council will encourage the re-use or redevelopment of existing unused or underused sites within the community.
- e) Council shall seek opportunities and encourage the relocation of light and heavy industrial uses outside the community core over time by considering land swaps and/or other incentives.
- f) Lands in residential expansion areas shall also be reserved for Community uses to ensure all residents have convenient access to commercial and community services.
- g) Council shall encourage adaptive re-use of the existing Hamlet Office building, or redevelopment of the current Hamlet Office site, upon completion of the new Hamlet Office.
- h) Council and the Hamlet have identified a need for a new Northern Store in the community. A potential location for a Northern Store is identified on the Plan.
- i) Council shall identify and finalize a location for a new Fire Hall. Several potential locations are identified on the Plan.
- j) Council shall continue to work to identify an appropriate location for a new Health Centre. Several potential locations are identified on the Plan.
- k) Council and the Hamlet have identified a need for smaller commercial opportunities in the community. New lots for community uses shall be identified within new residential subdivisions.
- l) The Hamlet's Economic Development Plan identifies a need for an Arts and Culture Pavilion. A potential location has been indicated on the site of the old Fire Hall. This location would need to be approved by Council prior to any new development, including a change of use.
- m) Council and the Hamlet have identified several other community needs with smaller land requirements. Council shall consider identifying and reserving land for the following uses when space becomes available in the built-up area of the community: a Men's Centre and a Youth Centre.

5.3 Open Space

The Open Space designation is intended to protect the shoreline, maintain access to the sea, and to reserve land within the community for recreation and cultural events. The policies of Council for the Open Space area are:

- a) The Open Space designation will be used for parks, walking trails, traditional and recreational uses such as beach shacks, boat and snow machine storage, community docks, and temporary storage of sealift deliveries and equipment. All uses are conditional and at the discretion of Council.
- b) A playground or sports field should be located within walking distance of every residence in the community (approximately 300 metres from each residence).
- c) Council shall set aside a space for a playground in the Phase 1A subdivision.
- d) Commissioner's Land forming part of the "100-foot strip" (30.5 metres) along the shore measured from the ordinary high water mark shall be designated Open Space.
- e) The Open Space designation shall be applied to trail accesses and skating ponds on the Plan.

5.4 Light Industrial

The Light Industrial designation is intended for light industrial developments which are compatible with surrounding uses. These uses should not be apparent outside an enclosed building, and should operate in a manner that creates no nuisance to adjacent properties. Limited outdoor activities, that are necessary to a principal use such as loading, service and storage may occur but should not dominate the use of the site. The policies of Council for Light Industrial areas are:

- a) Permitted uses in the Light Industrial designation will include all forms of manufacturing, processing, warehousing and storage uses.
- b) Garages are also permitted in the Light Industrial designation provided they do not generate excessive noise, fumes and odours.
- c) The storage of dangerous or hazardous materials is not permitted in the Light Industrial designation.
- d) Council shall ensure compatibility between uses and minimize the negative impact of light industrial uses on adjacent non-industrial areas.
- e) Council shall explore options for relocating or expanding the Hamlet Garages away from residential areas.

- f) Council will explore options with the Co-Op and other leaseholders to encourage them to relocate storage uses from the centre of the community to the industrial subdivision.

5.5 Heavy Industrial

The Heavy Industrial designation is intended to reduce the negative effects and dangers associated with industrial uses, such as excessive noise, dust, truck travel and the storage of potentially hazardous substances. Industrial uses shall be directed to industrial subdivisions away from the centre of the Hamlet. The policies of Council for Heavy Industrial areas are:

- a) Permitted uses in the Heavy Industrial designation will include the power generation plant, fuel storage and other uses likely to generate excessive noise, fumes, traffic, odours or are hazardous or obnoxious.
- b) When additional Industrial land is required, Council will re-survey the existing Industrial subdivision.
- c) Council will identify and set aside a site in the Industrial Subdivision for a future power plant should the existing plan require replacement or relocation within the life of the plan.
- d) The uses permitted in the Light Industrial designation are also permitted in the Heavy Industrial designation.
- e) Council shall identify an area beyond the sewage lagoon as “Municipal Reserve” with the intention of re-designating this land for Heavy Industrial uses when additional Industrial lands are required.

5.6 Transportation

The Transportation designation is intended to identify major transportation and communication facilities such as airports, marinas, and communication installations, and to ensure their safe and efficient operation. The policies of Council for Transportation areas are:

- a) The Transportation designation shall be used for all activities related to air traffic and uses accessory to these activities such as communications sites, storage and warehousing that is needed close to the Airport.
- b) All development within the areas affected by the *Kugaaruk Airport Zoning Regulations*, as shown on Schedule 2, shall comply with those regulations.

- c) Development applications shall be referred to Nunavut Airports for review and approval where development is proposed adjacent to the airport and/or where development has the potential to interfere with airport operations.
- d) All development within the 200 metre Influence Zone of the Non-Directional Beacon (NDB) Communications Facility is subject to the approval of NavCanada.

5.7 Nuna

The Nuna designation applies to all unsurveyed land within the Municipal Boundary not designated by another land use and is intended to protect the natural beauty and cultural resources of the land while providing access for traditional, recreational and tourism activities, as well as allowing for quarrying, mining exploration and local infrastructure. The policies of Council for the Nuna are:

- a) The Nuna designation shall permit traditional, tourism and recreational uses. These include dog teams, quarrying, mining exploration, and local infrastructure projects.
- b) Council shall ensure that development does not negatively impact wildlife, wildlife habitat and harvesting and is consistent with the guiding principles of Inuit Qaujimajautqangit (IQ).
- c) Council will continue to maintain the DEW Line Road to improve access to the land and to reduce the negative impact of vehicle traffic on the tundra.

5.8 Development Constraints

The Development Constraint overlay is intended to protect the water supply, granular resources, environmentally sensitive areas and hazard areas. The Policies of council for Development Constraint areas are:

- a) The Hamlet shall prohibit the development of residential uses and uses involving food storage or food preparation within the 450 metre setback from any existing or former waste disposal site, in accordance with the *General Sanitation Regulations* of the *Public Health Act*.
- b) No development is permitted within 30 metres from the normal high water mark of the Kugajuk River.
- c) No development is permitted in the Watershed Overlay as shown on the Plan unless it can be demonstrated that the development will have no negative impact on the Hamlet's water source.
 - i. Notwithstanding Policy 5.8 c) above, uses accessory to the supply of water such as a pipeline, a pumping or monitoring station or access road are permitted within the Watershed Overlay.

- ii. Notwithstanding Policy 5.8 c) above, uses related to traditional activities such as seasonal hunting cabins are permitted within the Watershed Overlay but must be set back 30 metres from any water course or water body.

5.9 Municipal Reserve

The Municipal Reserve designation is intended to reserve land for the future growth of the community. The policies of Council are:

- a) The Municipal Reserve designation does not permit any development except temporary uses approved by Council.
- b) Municipal Reserve lands shall be re-designated by amendment to this Plan prior to being used for community expansion. Re-designations shall include residential, community, and light industrial land to facilitate the development of a mixed-use neighbourhood.