

QIKIQTARJUAQ COMMUNITY PLAN

BY-LAW NO. 243

A By-law of the Hamlet of Qikiqtarjuaq 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 Qikiqtarjuaq has prepared a General Plan, referred to as the "Qikiqtarjuaq Community Plan", in accordance with the Planning Act:

NOW THEREFORE, the Council of the Hamlet of Qikiqtarjuaq, 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 "Qikiqtarjuaq Community Plan."
3. This By-law shall come into full force and effect on the date of its Third Reading.
4. By-law No. 179 of the Hamlet of Qikiqtarjuaq is hereby repealed.

READ a first time this 29th day of January, 2015, A.D.

Mayor

Senior Administrative Officer

After due notice and a Public Hearing, READ a second time this _____th day of _____, 2015, A.D.

Mayor

Senior Administrative Officer

APPROVED by the Minister of Community and Government Services this ___ day of _____, 2015, A.D.

Minister

READ a third time this ___ day of _____, 2015 A.D.

Mayor

Senior Administrative Officer

SCHEDULE 1: COMMUNITY PLAN

1 INTRODUCTION

1.1 Purpose of the Plan

The purpose of the Qikiqtarjuaq Community Plan is to outline Council's policies for managing the physical development of the Hamlet until 2034. The Community Plan was created through a community consultation process and reflects the needs and desires of the community. The Community Plan builds on previous plans, while incorporating new policies to address the challenges, issues and needs identified by the community.

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 established for this Community Plan are:

1. To create a safe, healthy, functional and attractive community that reflects community values and culture.
2. To promote the Plan as a tool for making effective and consistent decisions regarding land use and development in the community.
3. To ensure an adequate supply of land for all types of uses to support the growth and change in the community.
4. To build upon community values of participation and unity to support community projects and local economic development.
5. To protect the natural beauty of "Nuna", by protecting viewpoints to the water, and retaining waterfront and lakeshore areas for public uses and traditional activities.

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 is also being enacted for the purpose of implementing regulations based on the policies of the Community Plan. All development must follow the intent of the Community Plan and Zoning By-law. The Community Plan includes Schedule 1 (Policy Plan Text), Schedule 2 (Land Use & Zoning Map – Community View), and Schedule 3 (Land Use & Zoning Map – Municipal Boundary).

2 COMMUNITY GROWTH AND PHASING POLICIES

At the time of preparation of this Plan, the population of Qikiqtarjuaq was approximately 500 people. This Plan is based on a future population of approximately 650 people by

2034, however this number may increase or decrease based on the influence of various factors. These factors include economic development activity in the region, the natural rate of population growth, and in-migration from other communities. It is estimated that an additional 57 dwelling units will be required to meet the projected population growth, which can be accommodated on lands currently zoned for residential development. Sufficient land is also available for industrial uses in a new subdivision. Some additional land for community and commercial uses are required to accommodate future development. The policies of Council are:

- a) Plan for a 2034 population of approximately 650 people.
- b) Identify sufficient land on the Community Plan to meet the needs of the projected 2034 population.
- c) Review the Community Plan in 5 years, in 2020, to re-assess actual rates of growth and community needs.
- d) Council will generally phase new community land development as follows:
 - i. Infill and redevelopment on vacant or underused lots within the built-up area of the Hamlet
 - ii. Tasiliq Subdivision
 - iii. Upingginviq Subdivision
 - iv. Killuyamiut Subdivision
 - v. Tivamiutait Subdivision
- e) Phasing of development may change without amendment to this Plan.

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 grouped together, where possible.
 - iii. Building foundations should achieve an unobstructed gap of at least 0.8 metres between the ground and the underside of the building, wherever possible, to reduce problems associated with snow drifting.
 - iv. Any building over 500 m² in gross floor area shall consider potential wind impacts on surrounding development. A wind study may be required by the Development Officer.
 - v. Culverts are required and shall be installed across access driveways to lots.
 - vi. On any portion of a lot where fill is introduced, drainage shall be 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.
 - vii. 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) Utilities or communication facilities shall be permitted in any land use designation. Other than designated rights-of-way or easements for utility or communication lines, easements alongside roadways, marked between the edge of the roadway and lot lines, will be used for distribution lines, with a minimum clearance, as specified in the Utility Corporation's Joint Use Agreement.
- c) The Hamlet will pile snow in locations to minimize downwind snow drifting and where spring melt run-off can be properly channelled to drainage ditches or waterbodies.
- d) The Hamlet shall avoid piling snow within 30.5 metres (100 feet) of any watercourse.
- e) The Hamlet shall protect any cemeteries and sites of archaeological, ethnographical, palaeontological or historical significance from disturbance. Any development in or near such sites shall follow the *Nunavut Archaeological and Palaeontological Regulations, 2001* of the *Nunavut Act (Canada)*.
- f) The Hamlet shall encourage development that minimizes emissions from fossil fuels, that are energy efficient and that consider alternative energy supply technology.
- g) The Hamlet shall work with the Nunavut Planning Commission to ensure that the Community Plan and the future Nunavut Land Use Plan are compatible.
- h) The Hamlet will seek opportunities to improve connectivity of walkways and other transportation corridors, where possible, to maximize safety and efficiency for users.

4 LAND USE DESIGNATION POLICIES

4.1 Residential

The Residential designation provides land for primarily residential uses, but also permits other small-scale conditional uses subject to the approval of Council. The policies of Council are intended to maintain an adequate supply of land for residential development, to build safe and liveable neighbourhoods, and to protect residential areas from incompatible development. The policies of Council are:

- a) The Residential designation will be used primarily for housing with all types of dwellings permitted. Other related residential uses such as a group home, a home occupation, or a bed and breakfast will be conditionally permitted.
- b) Residential development will be phased so that a target minimum 3-year supply of vacant surveyed land, or approximately 0.5 hectares of vacant surveyed land, is available at any given time.

4.2 Commercial / Community Use

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

- a) The Commercial / Community Use designation will be used primarily for:
 - i. commercial uses, such as hotels, restaurants, retail stores, personal and business services, and offices;
 - ii. public uses, such as community centres, churches, medical clinics, schools, and other institutional or community uses; and
 - iii. government services.
- b) Community facilities will be centrally located to ensure safe and convenient access by residents.
- c) Commercial facilities will be located along main roads, where possible, to provide safe and convenient access by residents.
- d) Residential uses will be permitted when located above a ground floor commercial or community use.
- e) Council will encourage the re-use or redevelopment of existing sites within the built-up area of the Hamlet.

4.3 Open Space

The Open Space designation is intended to protect shoreline environments, maintain access to the sea and to reserve open spaces within the built-up area for recreational uses and cultural events. The policies of Council are:

- a) The Open Space designation will be used primarily for parks, walking trails, dog teams and other forms of passive recreation.
- b) A playground should be located within 300 metres walking distance from any residence in the community.
- c) Unless otherwise noted, all Commissioner's Land forming part of the 100-foot strip (30.5 metres) along the seashore measured from the ordinary high water mark will be designated Open Space.
- d) Generally no development is permitted within 30 metres from the normal high water mark of any river or major creek. Council may consider the filling of a waterbody where it is needed for future development provided that the appropriate approvals are obtained.

4.4 Industrial

The Industrial designation is intended to reserve land for economic development activities and support job creation. The designation is also intended to reduce the negative effects and dangers associated with industrial uses such as noise, dust, odours, truck travel and the storage of potentially hazardous substances by concentrating these uses on the periphery of the townsite. The policies of Council are:

- a) Permitted uses in the Industrial designation will include all forms of manufacturing, processing, warehousing, and storage uses. Permitted uses will also include garages, power generation plants, and fuel storage.
- b) Council will work with local businesses and government operations to identify opportunities to relocate non-conforming industrial uses (e.g. garages, warehouses, etc.) inside the village to the new industrial subdivision.

4.5 Transportation

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

- a) The Transportation designation is intended primarily for transportation facilities, including marine facilities, the airport, and associated air navigation communications systems.
- b) All development within the areas affected by the Qikiqtarjuaq Airport Zoning Regulations shall comply with those regulations. 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.
- c) All development within the 200-metre Influence Zone of the Non-Directional Beacon (NDB) Communications Site, as shown on Schedule 2: Land Use & Zoning Map – Community View, is subject to the approval of NAV CANADA.

4.6 Nuna

The Nuna designation applies to all unsurveyed land within the Municipal Boundary not designated by another land use. It is intended to protect the natural beauty and cultural resources of the land – ‘Nuna’ – while providing access for traditional, recreational and tourism activities. The Nuna designation also permits mineral exploration, quarrying, and local infrastructure projects such as landfills, soil remediation, water supply and treatment, and wastewater treatment to ensure proper separation of these activities from the townsite. The policies of Council are:

- a) The Nuna designation generally permits traditional, tourism and recreational uses. Permitted uses also include dog teams, quarrying, mineral 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 Qaujimajatuqangit (IQ).

4.7 Waste Disposal Overlay

The Waste Disposal Overlay identifies the required 450-metre setback from existing or former waste disposal sites. The policies of Council are:

- a) The Hamlet shall generally prohibit the development of residential uses and uses involving food storage or food preparation within 450 metres of any existing or former waste disposal site, pursuant to the *General Sanitation Regulations* of the *Public Health Act* (Nunavut).
- b) Despite Policy (a) above, the Hamlet may seek variances to the 450-metre waste disposal setback from the GN Environmental Health Officer for development proposed within the setback, as shown on Schedule 2: Land Use & Zoning Map – Community View. A letter from the Environmental Health

Officer confirming the variance shall be obtained prior to the issuance of a Development Permit.

4.8 Watershed Overlay

The Watershed Overlay identifies the watershed of the Hamlet water source (Kuruluk River) and is intended to restrict the uses of the underlying designation to protect the Hamlet water source. The policies of Council are:

- a) No development is permitted in the Watershed Overlay, unless it can be demonstrated that the development will have no negative impact on the Hamlet water source.
- b) Despite policy 4.8 a) above, uses accessory to the supply of water such as a pipeline, a pumping or monitoring station or road are permitted.