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# **ARCTIC BAY COMMUNITY PLAN**

**BY-LAW NO. 144-2017**

**DRAFT 2023**

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# ARCTIC BAY COMMUNITY PLAN

## BY-LAW NO. 144 - 2017

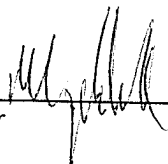
A By-law of the Hamlet of Arctic Bay in Nunavut Territory to adopt a General Plan pursuant to the provisions of the Planning Act, RSNWT, 1988, c. P-7, s.4.

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

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

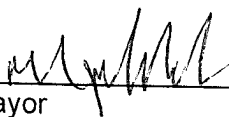
1. Schedules 1 & 3 form part of this By-law.
2. This By-law may be cited as the "Arctic Bay Community Plan".
3. This By-law shall come into full force and effect on the date of its Third Reading.
4. By-law No. 19 of the Hamlet of Arctic Bay is hereby repealed.

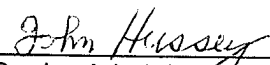
READ a first time this 17<sup>th</sup> day of October, 2017

  
\_\_\_\_\_  
Mayor

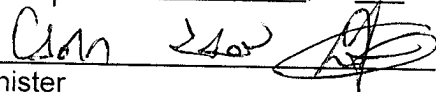
  
\_\_\_\_\_  
Senior Administrative Officer

After due notice and a Public Hearing, READ a second time this 22 day of  
August, 2022

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Senior Administrative Officer

APPROVED by the Minister of Community and Government Services this 5<sup>th</sup> day of  
September, 2023

  
\_\_\_\_\_  
Minister

READ a third time this 11 day of January, 2024

O. NAQITARVIK  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Senior Administrative Officer

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## INTRODUCTION

### **1.1 Purpose of the Plan**

The purpose of the Arctic Bay Community Plan is to outline Council's policies for managing the physical development of the Hamlet for the next 20 years (to 2037). The Community Plan was created through a community consultation process and reflects the needs and desires of 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 of the community.
4. To support community projects and local economic development.
5. To protect the natural environment and respond to potential environmental changes.

### **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 detailed policies based on the Community Plan. All development must follow the intent of the Community Plan and Zoning By-law. The Community Plan includes Schedule 1 (Plan Policy Text) and Schedule 3 (Poster Plan).

## **2 COMMUNITY GROWTH AND PHASING POLICIES**

At the time of preparation of this Plan, the population of Arctic Bay was 994 people (2021 Population Census). This Plan is based on a future population of 1400 people by 2039, however this number may increase or decrease based on the influence of various growth factors. These factors include economic development activity in the region, the natural rate of population growth and in-migration from other communities, among others. It is estimated that an additional 156 dwelling units will be required to meet the projected population growth, representing the need for approximately 7 hectares of land for residential development. A further 3 hectares are required for commercial and community uses, and 2.5 hectares for industrial uses. The policies of Council are:

- a) Plan for a 2039 population of approximately 1400 people.
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- b) Identify sufficient land on the Community Plan to meet the needs of the projected 2039 population.
  - c) Review the Community Plan in 5 years, in 2027, 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. Development to the southeast of the built-up area of the Hamlet;
    - iii. Development to the east of the existing town site along the main road to the airport and community water source and
    - iv. Construct berms and/or interceptor ditches above the community to direct surface water to natural and controlled drainage courses.
  - e) Council may change the phasing of development 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. All service connections to buildings with trucked services shall be easily accessed from the front yard on all lots.
    - ii. Buildings shall be sited to respect setbacks identified in the Zoning By-law.
    - iii. Any building over 500 m<sup>2</sup> in gross floor area shall consider potential wind impacts on surrounding development. A wind study may be required by the Development Officer.
    - iv. Culverts are required and shall be installed at the access points to lots.
    - v. On any portion of a lot where fill is introduced, drainage shall be directed towards the public road. Where possible, drainage troughs shall not be located in utility rights-of-way or easements. Exceptions may be made by the Development Officer.
    - vi. 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 15 metres wide.
    - vii. Development should be set back by at least 30.5 metres from any watercourse.
  - b) Utilities shall be permitted in any land use designation.
  - 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. The Hamlet will avoid piling snow within 30.5 metres of any watercourse.
  - d) The Hamlet shall protect any cemeteries and sites of archaeological, ethnographic, 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).
  - e) The Hamlet shall encourage a coordinated approach towards economic and social development with a strong emphasis on energy efficiency. The Hamlet
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- should consider adopting alternative energy supply technology in-order to fulfil the environmental goals of the community.
- f) The public shall have opportunities for input into all land development plans.
  - g) The Hamlet shall work with the Nunavut Planning Commission to ensure that the Arctic Bay Community Plan is consistent with Plans that apply outside the municipal boundary, including the Draft Nunavut Land Use Plan, are compatible.
  - h) The Hamlet shall consider adopting a Road Naming By-law under the provisions of the *Hamlets Act*.
  - i) Council shall close Road R71 to public vehicular access due to safety concerns

## **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 and to protect residential areas from incompatible development.

#### Objectives

- Existing vacant residential lots are developed or re-developed before any new serviced areas are developed.
- New housing is designed and constructed to a reasonable standard.
- Different types and densities of housing are located appropriately in a sustainable format.
- Residential neighbourhoods include local amenities such as parks, churches, or daycares.

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 of 4 hectares of vacant surveyed land (approximately 42 lots) is available at any given time.
  - c) Multiple dwelling housing that makes efficient use of land and existing infrastructure will be encouraged.
  - d) Council will phase new residential land development as follows:
    - i. Phase 1: Vacant Surveyed Lots along Road R75
    - ii. Phase 2: Unsurveyed Land East of Road R75 and West of Road R59
    - iii. Phase 3: Surveyed Lots along Road R69
    - iv. Phase 4: Surveyed Lots along Road R70
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## 4.2 *Community Use/Commercial*

The Community Use/Commercial designation supports a range of uses, both commercial and institutional in nature. This designation supports both commercial uses such as retail stores, offices, and hotels, as well as Community uses such as educational facilities, health centre and churches. These facilities will be located along the major roads of the Hamlet with the flexibility of allowing residential uses. The adaptability of buildings will allow for future commercial uses in response to changing market conditions. The role of home-based business in the Hamlet's economy is another factor that influences the demand for commercial land.

Reducing the number of vacant buildings and lots within the core area of the Municipality would add to the character of the Municipality. Developing public amenities including landscaping, street lighting and public seating would also contribute to the character of the Municipality.

### Objectives

- Reduce the number of vacant lots and buildings in the community.
- Adequate land is maintained for community/commercial facilities in convenient locations to meet the needs of the population.
- Ensuring that any new and/or current development contributes to the scenic character of the community
- CommunityUse/Commercial use developers are able to find land to suit their needs.
- Institutional facilities contribute to the Municipality's vision of an attractive small arctic Hamlet through building design.
- Significant historical institutions are protected as important community landmarks

The policies of Council are:

- a) The Community Use/Commercial designation will be for both institutional and commercial uses (e.g. hotels, restaurants, retail, personal and business services, offices, social, educational, religious and cultural facilities).
  - b) Where possible, Community/Commercial facilities will be centrally located to ensure safe and convenient access by residents.
  - c) To support the development of buildings that can be adapted to different uses in response to market demand
  - d) Residential uses will be permitted when located above a ground floor community use/commercial development.
  - e) Council will encourage the re-use or redevelopment of existing Community Use/Commercial sites.
  - f) Council shall seek opportunities and encourage the relocation of industrial uses outside the Community Use/Commercial designation over time by considering land swaps and/or other incentives.
  - g) Front yard parking will not be permitted for any new development over 500 m<sup>2</sup> gross floor area in the Commercial designation. Parking will be provided at the side or rear of the building. Parking spaces that require vehicles to back-out onto the municipal road will also not be permitted.
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- h) The development of any new facilities by any level of government and/or private citizens shall wherever possible, consider integration and joint use with existing uses.
  - i) Council will encourage public consultation prior to the alteration or demolition of important community landmarks.
  - j) Council shall identify lands suitable for the development of a Fire Training Facility
  - k) Council shall protect Lots 19-24, Plan 4161 for a Proposed Multi-Use Facility

### **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 purpose of this designation is to provide for active and passive recreational opportunities within the municipality in conjunction with those available in other zones.

#### Objectives

- All residents as well as visitors have access to recreation and open space, especially along the ocean banks.
- A wide range of outdoor recreational activities is possible in all seasons including water related recreation, seasonal activities, cultural events, and the quiet enjoyment of nature.

The policies of Council are:

- a) The Open Space designation will be used primarily for parks, walking trails, beach shacks, harbour uses, boat storage, dog teams and temporary storage of sealift materials and equipment.
  - b) New Parks will only be established where there is a demonstrated need for the type or location, or when they are required as part of a new residential neighbourhood development.
  - c) Owners of development will be required to maintain the development and keep the surrounding area tidy.
  - d) A playground should be located within 300 metres walking distance from any residence in the community.
  - e) 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.
  - f) No development is generally permitted within 30.5 metres from the normal high water mark of any river or major creek.
  - g) Support the development of an outdoor multi-sport field on lands identified as "Multi-Sports Field Reserve" on Schedule 3
  - h) Relocate the sealift area to the Industrial area east of the Tank Farm.
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#### **4.4 Industrial**

The Industrial designation is intended to reduce the negative effects associated with industrial uses such as noise, dust, odours, and the storage of potentially hazardous substances. Industrial areas must be separated from other uses to meet Public Health or other regulatory requirements.

##### Objectives

- To maintain an adequate supply of industrial lots suited to different types of industrial uses in appropriate locations
- To plan for the eventual closure or relocation of industrial uses

The policies of Council are:

- a) Permitted uses in the Industrial designation will include all forms of manufacturing, processing, and warehousing.
- b) Conditionally permitted uses will also include outdoor storage, garages, power generation plants, and fuel storage facilities.
- c) Council will work with local businesses and government operations to identify opportunities to relocate non-conforming industrial uses in the town site (e.g. garages, warehouses) to the Industrial designation.

#### **4.5 Granular Resources**

The Granular Resources designation is intended to protect aggregate deposits for future extraction.

##### Objectives

- To identify sites that will provide granular materials for use in developing lots/land for development

The policies of Council are:

- a) The Granular Resources designation does not permit any development except uses accessory to the operation or remediation of a quarry or gravel pit.
  - b) Ensure that granular resources sites are maintained and restored in an environmentally sustainable manner
  - c) To provide for future development opportunities, Council shall promote the levelling and backfilling of quarries once resource extraction is exhausted.
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#### **4.6 Waste Disposal**

The Waste Disposal designation is intended to identify existing or former waste disposal sites and ensure required development setbacks are followed. The policies of Council are:

- a) The Waste Disposal designation permits no development except those uses accessory to the operation or remediation of a waste disposal site or sewage treatment system.
- b) The Hamlet shall prohibit the development of residential uses and uses involving food storage or food preparation within the 450 metre setback from any active waste disposal site, pursuant to the *General Sanitation Regulations* of the Public Health Act (Nunavut).

#### **4.7 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 – ‘Nuna’ – while providing access for traditional, recreational and tourism activities, as well as quarrying.

##### Objectives

- To integrate Nuna with other open space and parks in the community.

The policies of Council are:

- a) The Nuna designation generally permits traditional, tourism and recreational uses. Permitted uses also include dog teams, quarrying, and infrastructure projects for local economic development.
- 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.
- c) Promote the improvement of trail from Sewage Lagoon to the cabins on the Eastern shore of Victor Bay

#### **4.8 Transportation**

The Transportation designation is intended to protect and ensure the safe operation of the airport and related activities such as the NavCanada communications sites. Further the hamlet must establish a policy for a transportation system within the municipality which is safe, efficient and appropriate for vehicles, snowmobiles, ATVs, walking and cycling.

##### Objectives

- To protect the operation of the airport.
  - To have a system of roads and sidewalks to support various forms of transportation in the community.
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The policies of Council are:

- a) Permitted uses in the Transportation designation include airport and related activities such as commercial activities and communications sites.
- b) All development within the areas affected by the Arctic Bay Airport Zoning Regulations, shall comply with those Transport Canada 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) No development shall occur in the flight path or near the airport that will jeopardize the safety or restrict the current operation and status of the airport due to physical obstructions, smoke, dust, electronic interference, or by causing the gathering of birds.
- d) All development within the Transportation Influence Zone of the communications facility is subject to the approval of NavCanada.
- e) It is the sole responsibility of leaseholders and/or property owners to construct and maintain access between their building service points and the traveled portion of the street right-of-way.
- f) Appropriate signs, road markings and barricades will be provided on roads.
- g) Work with Nunavut Airports to surplus Airport lands that are no longer need for Airport purposes

#### **4.9 Municipal Reserve**

The Municipal Reserve designation is intended for the community's eventual expansion.

##### Objectives

- To identify lands suitable for future development
- To allow for the interim use of undeveloped lands and natural resources so as not to jeopardize future development potential.

The policies of Council are:

- a) Except as otherwise provided in the Community Plan, all remaining lands identified as Municipal Reserve shall remain in their natural state
  - b) The Municipal Reserve designation does not permit any development except temporary uses approved by Council.
  - c) Municipal Reserve lands shall be redesignated by amendment to this Plan prior to being used for community expansion.
  - d) Council shall protect Lot 18 Block 1 Plan 4161 for the development of a Future Educational Facility
  - e) A conceptual road network is shown on some of the Municipal Reserve lands which consider connections with the existing road network, future land uses, prevailing wind direction, solar orientation, drainage and topography. Road layouts may need to be changed according to community needs during the detailed subdivision design process.
  - f) In accordance with the Public Health Act and Regulations no residential expansion shall be permitted within the 450 metre mandatory buffers around the sanitary landfill and garbage dumps.
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#### **4.10 Environmental Concern Overlay**

The Environmental Concern Overlay is intended for areas where there might be evidence of active erosion and the potential for landslide and/or mountain slope failure. This area contributes to the community's open space and generally functions as Nuna.

##### Objectives

- To minimize the danger to people and property due to mountain slope failure.
- To integrate environmental reserve with Open Space and Nuna areas of the community.

The policies of Council are:

- a) No structure, temporary or otherwise, involving human habitation or occupancy; recreational facilities such as walking paths shall be permitted within the "Environmental Concern Overlay"
- b) No activity of any kind will be allowed in this area

##### Strategies or Guidelines

Council may wish to consider developing an Environmental Concern Area Management Plan to provide more detailed support for the concepts contained in the Community Plan to:

- Restore eroding parts of the mountain slope by building retaining walls
- Protect parts of the slopes from future slides
- Understand long term changes to the mountain slope arising from climate change
- Build an interceptor ditch to direct water runoffs to specific channels.

#### **4.11 Watershed Overlay**

The Watershed Overlay identifies the watershed of the Hamlet water source and is intended to restrict the uses of the underlying designation to protect the Hamlet water source. The Watershed Overlay also identifies the watershed of a potential second water source in the event that the Hamlet requires an additional or replacement water supply.

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 impact on the Hamlet water source.
  - b) Despite policy 4.11a) above, uses accessory to the supply of water such as a pipeline, a pumping or monitoring station or road are permitted.
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## **5 IMPLEMENTATION**

This section sets out procedures for implementing the Community Plan, so that future development proceeds in an orderly manner and is integrated with social, economic or other community plans or detailed development plans.

The policies contained in the Community Plan need to be read and applied in conjunction with the land use designations found on the Schedule of the Community Plan

The policies, location of roads and boundaries between land uses, shown on the Community Plan are intended to provide general policy direction only. Any type of adjustments must be made in accordance with the Community Plan so as to maintain its general intent and must be approved by resolution of Council.

### **5.1 Zoning By-law**

The Zoning By-law will be used to guide and implement the policies in this Community Plan. All development must conform to the intent of the Community Plan and Zoning By-law. Changes to this plan can only be made by amending the Community Plan Bylaw in accordance with Sections 24 to 29 of the Planning Act.

### **5.2 Land Inventory**

Considering land as a commodity asset, an inventory shall be maintained by the Hamlet Administration in particular the Planning & Lands Administrator. This inventory shall identify legal descriptions, zoning designations, site area, ownership and any other important attributes that may affect the Community Plan. The inventory should be updated annually and coordinated with information from the Tax Assessment Roll and Land Digital Database.

### **5.3 Climate Change Adaptation Plan**

The Climate Change Adaptation Plan will provide an opportunity to integrate traditional community knowledge and scientific research on climate change impacts so as to improve community planning and adaptation capacity. The vision, goals and objectives of the Adaptation Plan will be developed and incorporated into the Community Plan while in consistent with its objectives.

### **5.4 Municipal Services**

Land development will be integrated with capital and maintenance planning for municipal services and utilities. The Hamlet will encourage the development of lands by ensuring that developed lots are available. All expenditures for developing land, building roads and/or otherwise provide growth and development shall be incurred by the Hamlet through the Land Development Reserve.

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## **5.5 Capital Planning**

The Hamlet shall prepare and maintain a five-year capital and operations and maintenance program for the purposes of planning and securing development that will further the goals of the Community Plan.

All expenditures for building and upgrading facilities shall be identified in the GN five-year Capital Plan.

## **5.6 Public Involvement**

Public participation is a key component of Community Planning. Community members who are affected by the Community Plan, Zoning By-law or development permits issued under the Zoning by-law shall be consulted to obtain their views, opinions and concerns.

In recognition of the limited capacity of the Hamlet and the increasing number of issues involving consultation every effort should be made to improve information dissemination and provide opportunities for feedback that are appropriate for the community and publicly available.

## **5.7 Monitoring and Review**

Hamlet Council shall continually monitor the plan to ensure it is effective in guiding the orderly and economical development of the Municipality.

The Hamlet administration shall prepare an annual report for Council on planning and development matters in the context of the Community Plan to provide information about:

- Changes in population and economic characteristics
  - The rate of housing starts and completions
  - Lot leases
  - Inventory of lands available for all uses
  - Availability of infill and re-development opportunities
  - Plan and zoning amendments completed or considered
  - Any other planning and development matters considered relevant.
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