

KINNGAIT COMMUNITY PLAN

BY-LAW NO. 209

2020-2040

**KINNGAIT COMMUNITY PLAN
BY-LAW No. 209**

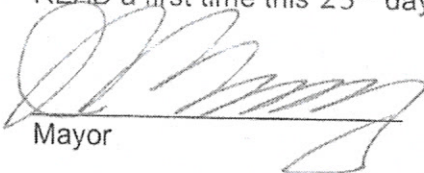
A By-law of the Hamlet of Kinngait in Nunavut Territory to adopt a General Plan pursuant to the provisions of the *Planning Act*, RSNWT, 1988, c. P-7, s.4.

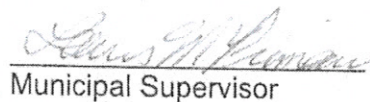
WHEREAS the Council of the Hamlet of Kinngait has prepared a General Plan, referred to as the "Kinngait Community Plan", in accordance with the *Planning Act*;

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

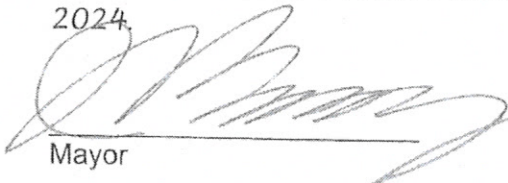
1. Schedules 1 and 3 of this By-law form part of this By-law.
2. This By-law may be cited as the "Kinngait Community Plan".
3. This By-law shall come into full force and effect on the date of its Third Reading.
4. By-law No. 53 of the Hamlet of Cape Dorset, and all amendments thereto, are hereby repealed.

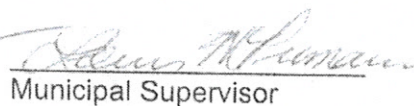
READ a first time this 23rd day of April, 2024


Mayor

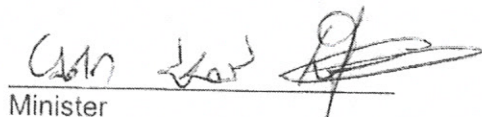

Municipal Supervisor

After due notice and a Public Hearing, READ a second time this 7th day of May 2024.


Mayor


Municipal Supervisor

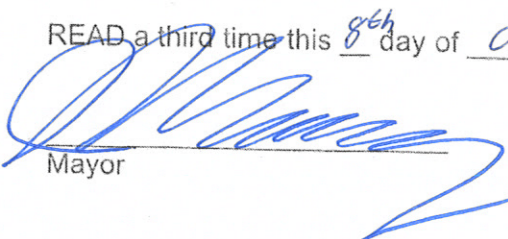
APPROVED by the Minister of Community and Government Services this 2nd day of October, 2024



Minister

Bradley
McFaul

Digitally signed by Bradley McFaul
DN: cn=Bradley McFaul,
o=Government of Nunavut, ou=Ministry of
Community and Government Services,
email=bradley.mcfaul@gov.nu, c=CA
Date: 2024.10.02 11:08:20 -0500
A BSN for the people
#CAN0012714

READ a third time this 8th day of OCTOBER, 2024


Mayor


Municipal Supervisor

**SCHEDULE 1:
LAND-USE POLICIES**

SECTION 1 - INTRODUCTION

1.1 Purpose of the Plan

The purpose of the Kinngait Community Plan is to outline Council's policies for managing the physical development of the Hamlet for the next 20 years – to 2040. 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 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 develop in an orderly fashion creating 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 build upon community values of participation and unity to support community projects and local economic development.
5. To protect the natural beauty of “Nuna”, protect viewpoints to the water, and retain 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-laws 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.

SECTION 2 - COMMUNITY GROWTH AND PHASING POLICIES

- 1) The following policies of Council apply to ensure that specific improvements are implemented in the community to benefit the public:
 - a) Any lots containing underutilized buildings shall be investigated and evaluated by the Hamlet. Council shall prioritize these sites for redevelopment or infill development.
 - b) Hamlet shall ensure that the solid waste disposal site does not expand eastward, in order preserve land for Residential and Community Use/Commercial growth.
 - c) The Hamlet shall promote improvement of the network of formal and informal footpaths to improve pedestrian connections in the community. The use of bridges and protective measures is encouraged.
 - d) Council shall promote development in a sustainable manner that ensures snowdrifting is minimized.
 - e) Council shall protect depleted quarry sites for future growth.

- 2) This Plan proposes and considers :
 - a) a new fifty (50) lot residential subdivision west of the water fill station be established
 - b) a new area for a cemetery should be identified by Council
 - c) an industrial subdivision near the tank farm is extended by five (5) lots total
 - d) a new industrial subdivision, near the Waste Disposal site
 - e) a new commercial/community use subdivision across from the Power Plant
 - f) a new solid waste processing plant, near the Waste Disposal Site
 - g) a new site for a future deepwater port near tank farm.
 - h) a new site for a multi-use sports field to the south of Ice Lake
 - i) a new site for a new Hamlet Office be established in Upper Valley area
 - j) three (3) new Municipal Reserve areas for Council's future consideration

- 3) The policies of Council are:
 - a) Plan for the 2040 population growth of 2095 people. Added to the current housing needs approximately 153 new dwelling units are required for this population and to address the current overcrowding situation.
 - b) Encourage and facilitate the consolidation, intensification and redevelopment of existing lots within the townsite

- c) Provide opportunities for community, commercial and industrial uses development by identifying areas compatible for this type of development.
- d) Council shall phase new residential land development as follows:
 - i. **Phase #1:** Explore infill opportunities of vacant lots and lots with developments in disrepair
 - ii. **Phase #2:** Subdivision behind Arena (Plan 3802), subject to road realignment
 - iii. **Phase #3:** Vacant surveyed lots in Upper Valley loop “Ring Road” Plan 4122
 - iv. **Phase #4:** Proposed six (6) lots between RC Valley and Power Plant
 - v. **Phase #5:** Other Residential Areas (Near Ice Lake, Behind Water Fill Station) and Municipal Reserve Lots

SECTION 3. GENERAL POLICIES

The following policies of Council apply to all development in the Hamlet regardless of land use designation:

- a) The development of lots shall be subject to the following lot development policies:
 - i.) All service connections to buildings shall be easily accessed from the front yard on all lots and grouped together, where possible.
 - ii.) Access to new buildings will avoid, where possible, main entrances on the south-southeast side to reduce problems associated with snow drifting.
 - iii.) 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.
 - iv.) Where culverts are required, they 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. Exceptions may be made by the Development Officer. Where possible, drainage troughs shall not be located in Utility Rights-of-Way or Easements.
 - vi.) Where culverts are required, they shall be installed at the access points to the lot across the driveway.
 - 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 channeled to drainage ditches or waterbodies.
- d) The Hamlet will avoid piling snow within at least 30.5 metres (100 feet) of any watercourse.
- e) A minimum setback distance of 30.5 metres (100 feet) from the ordinary high-water mark of a waterbody deemed navigable shall be maintained, except subject to terms and conditions of the Hamlet Council.
- f) The Hamlet shall protect any cemeteries and sites of archaeological, ethnographical or historical significance from disturbance.

- g) The Hamlet shall encourage development that minimizes emissions from fossil fuels that are energy efficient and that consider alternative energy supply technology.
- h) The Hamlet shall work with the Nunavut Planning Commission to ensure that the Kinngait Community Plan is consistent with Plans that apply outside the municipal boundary, including the proposed Baffin Regional Land Use Plan.
- i) The Hamlet shall consider strategies to adapt to the impacts of climate change, such as locating development away from low lying coastal areas and protecting existing areas against erosion.
- j) To reduce the amount of pile and ground alterations, pile foundation is the preferred foundation type, where appropriate.

SECTION 4. LAND USE DESIGNATION

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 livable 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 dwelling types permitted. Other related residential uses such as a group home, a home occupation, or bed and breakfast will also be permitted.
- b) Future Residential development will be prioritized in the subdivision north of the high school.
- c) Residential development will be phased so that a target minimum of six (6) vacant surveyed lots are available at any given time.
- d) In addition to the above, Council will look for opportunities for infill lots for new housing within the existing townsite. Council will work with Nunavut Housing Corporation to identify where existing lots could be consolidated and redeveloped with attached housing forms (i.e., duplex, fourplex, fiveplex, etc.).

4.2 Community Use/Commercial

The hybrid Community Use/Commercial designation is intended to support local economic development by maintaining an adequate supply of land for community and commercial uses, to provide easy access to public facilities and services, and to reserve significant and important locations for specific community uses. The policies of Council are:

- a) The Community Use/Commercial designation will be used primarily for public uses (i.e. social, cultural, religious, governmental or educational) and for commercial uses (i.e. hotels, restaurants, retail, personal and business services)
- b) Community facilities will be appropriately located along main roads, where possible, to ensure safe and convenient access by residents.
- c) Council will consider re-locating the Hamlet office either in a new community hall or elsewhere.
- d) Residential uses shall be permitted when located above a ground floor community/commercial uses.
- e) Council will encourage the re-use or redevelopment of existing sites within the townsite.

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, traditional and recreational uses such as beach shacks, boat storage, community docks and temporary storage of sealift materials and equipment during sealift operations.
- b) Owners of development will be required to maintain the development and keep the surrounding area tidy.
- c) A playground should be located within 300-metre walking distance from any residence in the community.
- d) Unless otherwise noted, all Commissioner's Land forming part of the 100-foot strip (30.5 m) along the seashore measured from the ordinary high-water mark will be designated Open Space.
- e) Council will support development of a new community dock.
- f) Open Space corridors will be protected for trail connections and drainage channels.

4.4 Industrial

The Industrial designation is 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, garages, warehousing and storage uses. Power generation plants and fuel storage will also be conditionally permitted.
- b) Council will work with local businesses and government operations to identify opportunities to relocate, over time, non-conforming industrial uses (e.g. Garages and warehouses) to industrial areas.

4.5 Transportation

The Transportation designation is intended to protect and ensure the safe operation of airport and related activities such as the NavCanada communications site. The policies of Council are:

- a) Permitted uses in the Transportation designation includes all activities related to air traffic and uses accessory to these activities such as related commercial activities and communications sites.
- b) All development within the areas affected by the *Kinngait 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) is subject to the approval of NavCanada.
- d) Council will discourage the use of travelled pathways that are not identified as public right-of-ways

4.6 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. The policies of Council are:

- a) The Nuna designation generally permits traditional, tourism and recreational uses. Permitted uses also include dog teams, quarrying, commercial harvesting, 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 (Inuit traditional knowledge).

4.7 Waste Disposal

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

- a) Waste Disposal designation applies to existing or former waste disposal sites, whether for solid or liquid waste, and uses that are accessory to the operation or remediation of waste disposal sites. All uses are conditional and at the discretion of Council.
- 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*.
- c) The Hamlet shall prohibit the development of any public road allowance or cemetery within a 90-metre setback from a waste disposal ground, pursuant to the General Sanitation Regulation of the *Public Health Act*.
- d) Ensure that the solid waste disposal site does not expand eastward, in order preserve land for Residential and Commercial/Community Use growth.
- e) Council shall explore options to reduce Waste Disposal Buffer should a garbage incinerator be acquired

4.8 Granular Resources

The Granular Resources designation is intended to protect aggregate deposits for future extraction. 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) Council shall ensure that lands subject to Quarry Permit No. QB10-002 are designated for quarry purposes only.

4.9 *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 redesignated by amendment to this Plan prior to being used for community expansion.
- c) Lands designated Municipal Reserve may be affected by significant environmental constraints to development, such as shallow waterbodies and poor drainage. All constraints shall be cleared of environmental constraints prior to the lands being redesignated for development.

4.10 *Watershed Overlay*

The Watershed Overlay is intended to protect the Community's primary water source by minimizing potential contamination. The policies of Council are:

- a) The Watershed Overlay prohibits any development within the overlay, except for those uses that are accessory to the Municipal water supply.
- b) Recreational Activities within the Watershed Overlay should be strongly discouraged so as to protect the Municipality's potable water supply.

4.11 *Archeological Overlay*

The Archeological Overlay is intended to protect these lands from development due to the presence of archeological materials.

- a) The Archeological Overlay prohibits any development within the overlay.