

**PANGNIRTUNG COMMUNITY PLAN
BY-LAW NO. 333**

2021

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

WHEREAS the Council of the Hamlet of Pangnirtung has prepared a General Plan, and

WHEREAS it is deemed desirable to regulate certain uses of land and development within the Municipality,

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

1. Schedules 2, 3 and 5 of this By-law are declared to form part of this By-law.
2. This By-law may be cited as the "Pangnirtung Community Plan By-law".
3. This By-law shall come into full force and effect on the date of its Third Reading.
4. By-law No.150 of the Hamlet of Pangnirtung and all amendments thereto, is hereby repealed.

READ a first time this 16th day of November, 2015

Mayor

Senior Administrative Officer

After due notice and a Public Hearing, READ a second time this 25th day of March, 2019

Mayor

Senior Administrative Officer

APPROVED by the Minister of Community and Government Services this ___ day of _____, 20__

Minister

READ a third time this ___ day of _____, 20__

Mayor

Senior Administrative Officer

SCHEDULE 5 – COMMUNITY PLAN BY-LAW

1. INTRODUCTION

1.1 Purpose of the Plan

The purpose of the Pangnirtung Community Plan is to outline Council's policies for managing the physical development of the Hamlet for the next 20 years to 2035. 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 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 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 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 2 (General Land Use Map), Schedule 3 (Community Land Use Map, and Schedule 5 (Plan Policy Text).

2. COMMUNITY GROWTH & PHASING POLICIES

At the time of preparation of this Plan, the population of Pangnirtung was approximately 1,613 people. This Plan is based on a future population of 2,145 people by 2035. It is estimated that an additional 247 dwelling units will be required to meet the projected population growth. There is currently sufficient land supply for residential, commercial, and industrial land uses to meet future needs to 2035. In order to ensure the coordinated and efficient development of land, that will meet the future needs of the Hamlet, the policies of Council are:

- a) Provide for a designated land supply to meet the needs of a population of 2,145 people by 2035.
- b) Recognize that Pangnirtung's location in the fiord creates a significant constraint on the availability of developable land. As such Council will encourage and facilitate the consolidation and redevelopment of existing lots with the community to conserve land supplies.
- c) A minimum density of 25 units / net ha will be pursued.
- d) The relocation of the airport to outside the community will be a Council priority, as it will allow for long term growth opportunities for the community.
- e) Council will phase new land development as follows:
 - I. Phase 1 (East Duval Subdivision I) – Continue to develop the East Duval Subdivision for a mix of land uses.
 - II. Phase 2 (Infill Redevelopment) – Pursue the development and redevelopment of lands identified as 'Infill and Redevelopment Opportunities' as well as existing vacant lots.
 - III. Phase 3 (East Duval Subdivision II) – Develop subject to obtaining a reduction or exemption to 450 m setback from sewage treatment plant and landfill.
 - IV. Phase 4 (Uptown Expansion Area) – Survey and develop.
 - V. Phase 5 (Airport Redevelopment) – Subject to the Airport relocation, redevelop site for future development.

The phasing policies of this plan are dependent on external funding, infrastructure projects, and availability of land for development and redevelopment. As such, the 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 m 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 m wide.
- b) Utilities or communication facilities shall be permitted in any land use designation.
- c) Other than designated rights-of-way or easements for utility or communication lines, easements alongside roadways, will be used for distribution lines, with a minimum clearance, as specified in the Utility Corporation's Joint Use Agreement.
- d) 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 water bodies.
- e) The Hamlet shall avoid piling snow within 30.5 m of any watercourse.
- f) The Hamlet shall protect any cemeteries and sites of archaeological, ethnicographical, palaeontological or historical significance from disturbance. Any development in or near such sites shall follow the *Nunavut Archaeological and Palaeontological Sites Regulations, 2001* of the *Nunavut Act (Canada)*.
- 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.

- i) Generally, no development is permitted within 30.5 m from the ordinary 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.
- j) Consideration should be given to the development of a Drainage Plan for the entire community and the adoption of a snow-piling by-law.

4. COMMUNITY DEVELOPMENT POLICIES

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

- a) Adequate housing is fundamental to public health, and the social wellbeing of the community. In addition to identifying new residential development areas, Council will encourage and pursue the development of new homes in the community.
- b) The Hamlet will use new development and public spaces to celebrate Inuit culture and language.
- c) Council will actively pursue property standards with leases and property owners in the Hamlet to ensure that building stock, particularly housing stock, is being fully utilized and is being maintained.
- d) Due to capacity, safety, and need for more developable land, Council will continue to actively pursue the relocation of the existing airport on land south of the community.
- e) In order to promote public health, and safe, active transportation, the Hamlet will pursue the paving of major roads in the community and the delineation of sidewalks for pedestrians.
- f) Facilities for youth, including the retention / relocation of the existing Youth Hall will be a priority for Council.
- g) The existing landfill site is nearing capacity and is located in close proximity to the water source, as well as the shoreline. The construction of a gasification system will be prioritized over the construction of a new landfill.
- h) The Hamlet shall adopt a road naming by-law and lot numbering by-law.
- i) The Hamlet shall encourage development that minimizes emissions from fossil fuels, that are energy efficient and that consider alternative energy supply technology.
- j) The Hamlet shall consider strategies to adapt to the future impacts of climate change, such as locating development away from low lying coastal areas and protecting existing areas against erosion.

5. LAND USE DESIGNATION POLICIES

5.1 Residential

The Residential designation provides land for residential uses, but also permits other small 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. The policies of Council 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 will also be permitted.
- b) Residential development will be phased so that a target minimum 5-year supply of vacant surveyed land, or approximately 1 ha of vacant surveyed land, is available at any given time.

5.2 Community/Commercial

The Community/Commercial 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 Community 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, places of worship, health care facilities, schools, and other institutional or community uses; and,
 - iii) government services.
- b) Commercial and community facilities will be centrally located along main roads, where 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 sites within the built-up area of the Hamlet.

5.3 Open Space

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

- a) The Open Space designation will be used for parks, walking trails, beach shacks, the harbour, boat storage, dog teams and temporary storage of sealift deliveries and equipment.

- b) Owners of development will be required to maintain the development and keep the surrounding area tidy.
- c) A playground or sports field should be located within walking distance of every residence in the community (approximately 400 m from each residence)
- d) Commissioner's Land forming part of the '100-foot strip' (30.5 m) along the shore measured from the ordinary high water mark will be designated Open Space.

5.4 Industrial

The Industrial designation is intended to support economic development and employment opportunities in the community; group industrial uses together to help support each other; and reduce noise, dust, odour and contamination in the community. The policies of Council are:

- a) The Industrial designation will be used for all forms of manufacturing, processing, warehousing, and storage uses. Permitted uses will also include garages, greenhouses, power generation, and fuel storage. Major infrastructure such as waste disposal sites, sewage treatment plants, water treatment plants, and uses that support these operations will be encouraged to locate in or near this designation.
- b) Council will work with local businesses and government operations to identify opportunities to relocate industrial uses in the community to the Pangnirtung Industrial Park over time.

5.5 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) Permitted uses in the Transportation designation include all activities related to the Airport and Harbour and all uses accessory to these activities such as communication sites, storage, and warehousing that is needed in close proximity to the Airport and Harbour.
- b) All development within the areas affected by the Pangnirtung 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 m Influence Zone of the Non-Directional Beacon (NDB) Communications Site, as shown on Schedule 2, is subject to the approval of NAV CANADA.

5.6 Nuna

The Nuna designation applies to all un-surveyed 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 quarrying, mining exploration and local infrastructure. The policies of Council are:

- a) The Nuna designation permits traditional, tourism and recreational uses. Permitted uses also 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 Qaujimajatuqangit (IQ).

5.7 Development Constraints

The Development Constraints are intended to protect the water supply, water reservoir, granular resources, environmentally sensitive areas, as well as hazard lands. The policies of Council are:

- a) The Hamlet shall prohibit the development of residential uses and uses involving food storage or food preparation within the 450 m setback from any existing or former waste disposal site, pursuant to the General Sanitation Regulations of the Public Health Act.
- b) No development is permitted within 30.5 m from the ordinary high water mark of the Duval River.
- c) No development is permitted in the Watershed Overlay as shown on Schedule 2, unless it can be demonstrated that the development will have no negative impact on the Hamlet's water source. Notwithstanding the above, uses accessory to the supply of water such as a pipeline, a pumping or monitoring station or road are permitted.