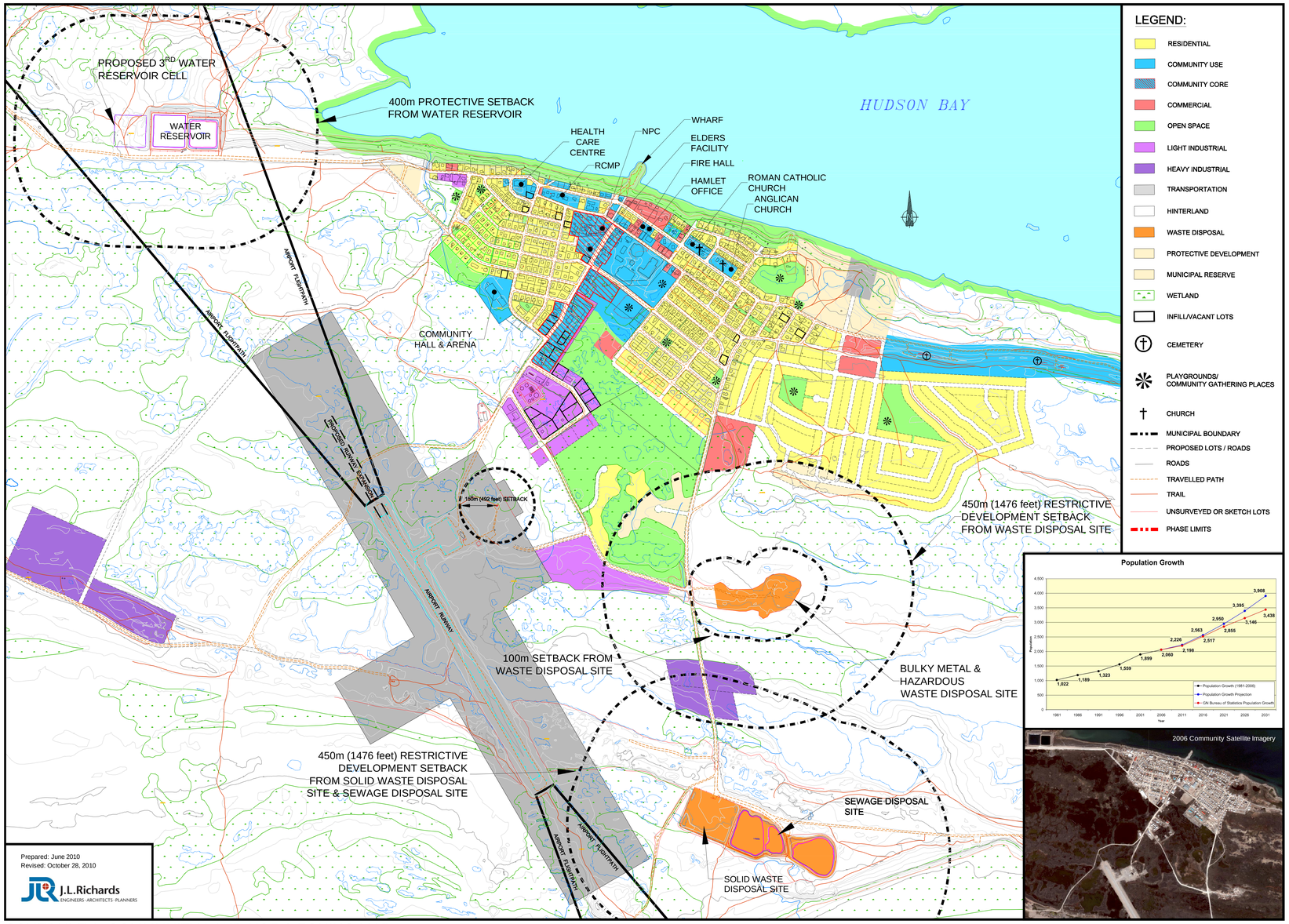
ARVIAT COMMUNITY PLAN & ZONING BY-LAW



Prepared: June 2010
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ENGINEERS · ARCHITECTS · PLANNERS

SCHEDULE 1: COMMUNITY LAND USE & ZONING MAP

SCHEDULE 3: COMMUNITY PLAN (LAND USE DESIGNATIONS)

Designation	Purpose	Policies of Council
Residential	The Residential designation provides land for primarily residential uses; however, it 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.	1. The Residential designation will be used primarily for housing with all types of dwelling types permitted. Uses that are residential in nature, such as a group home, a home permits other small-scale conditional uses subject to the approval of Council. The occupation, or bed and breakfast, will also be permitted. 2. Residential development will be phased so that a target minimum of 24 vacant sketch lots are available at any given time. 3. In addition to the above, Council will look for opportunities to infill lots for new housing within the existing townsite. Council will work with Nunavut Housing Corporation to determine appropriate housing form and identify where low-rise apartments and other forms of multi-family dwellings could be located. 4. Council will seek to remediate the former "East Dump" in order to permit future housing.
Community Use	The Community Use designation is intended to maintain an adequate supply of land for community uses, to provide easy access to public facilities and services, and to reserve significant and important locations for community uses.	1. The Community Use designation will be primarily for public uses (i.e., social, cultural, religious, or educational). 2. Community facilities will be centrally located to ensure safe and convenient access by residents. 3. Due to the rapid growth of the community, Arviat may require a new fire hall within the next five years. 4. Council supports reserving additional land east and west of the Community Hall for the possible expansion of the existing hall or for additional community facilities.
Community Core	The Community Core designation comprises the Core Area of the community and is intended to locate point for community meetings, cultural activities and events. Public and semi-public buildings, a variety of residential uses, including mixed use, and limited office, retail, and service commercial uses, including mixed use and limited bulk commercial uses, may locate in the Community Core area, with specific regard to the character of development, to provide pedestrian safety and beautify the townscape.	1. The Community Core designation will permit all uses in the Community Hub designation, as well as commercial uses, personal service and retail uses, and tourism establishment uses. Recreational uses will be conditionally permitted by Council and only multi-unit dwellings or dwelling units in non-residential buildings above the ground floor will be permitted. 2. Council may adopt a Core Area Revitalization Plan which provides more details on the character of development in the Community Core and provides an implementation framework for such things as: street planting, paving, road alignments, signage, and façade design, as outlined in the Plan. Workshops shall preferably be located at the core in view of tourism. 3. Council shall seek opportunities and encourage the relocation of non-local uses and low density residential uses in the Community Core over time by providing new sites and/or owners/tenants. 4. Council will work with Nunavut Power Corporation to relocate the power plant to industrial lands and implement a clean-up plan in order to promote redevelopment of this centrally located parcel. 5. Council supports the relocation of the Hamlet Office and/or Hall to the Community Core.
Commercial	The Commercial designation is intended to support local economic development by maintaining an adequate supply of land for commercial uses in a central location within the built-up area and along main roads adjacent to future growth areas providing good access from the community.	1. The Commercial designation will be used for commercial uses such as hotels, restaurants, retail, personal and business services, and offices (private and government). 2. Residential uses shall be permitted when located above a ground floor commercial use. 3. Commercial facilities will be located along main roads, where possible, to provide safe and convenient access by residents. 4. Council will encourage the re-use or redevelopment of existing commercial sites within the existing townsite.
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 and cultural events.	1. 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 equipment during sealift operations. All uses are conditional and at the discretion of Council. 2. A playground should be located within a 300 metre walking distance from any residence in the community. Children's playgrounds and youth recreational areas should be provided at a ratio of 1:3. All playgrounds should be a minimum of 1,800 metres squared. 3. 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. 4. No development is generally 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. 5. Open Space corridors will be protected for trail connections and drainage channels.
Industrial	The Industrial designation is intended to reduce the negative effects and dangers associated with industrial uses, such as noise, dust, truck travel and the storage of potentially hazardous substances. Industrial uses shall be concentrated on the periphery of the townsite.	1. Permitted uses in the General 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. 2. Council will develop new industrial subdivisions at the south end of the town site to minimize land use conflicts and to preserve land closer to the town site for residential and community uses. 3. Council will work with local businesses and government operations to identify opportunities to relocate non-conforming industrial uses (e.g. garages, power plant, warehouses) to industrial lands. 4. Council will explore the opportunity for a public/private partnership with the mining industry to develop a marshalling area across the airport lands including the construction of roads and power line. This would provide additional lands for future industrial subdivisions. 5. All Communication Satellites, outside the transportation designation, should be moved to the industrial subdivision. 6. Council will support the development of renewable forms of energy (e.g. wind).
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.	1. Permitted uses in the Transportation designation include all activities related to air traffic and uses accessory to these activities, such as commercial activities and communications sites. 2. All development within the areas affected by the Arviat Airport Zoning Regulations, as shown on Schedule 2, 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. 3. All development within the Transportation Influence Zone of the communications facility is subject to the approval of NavCanada. 4. Council supports a runway expansion. 5. Council supports continued investments into the Maguse Lake Road project to provide access to the hinterland. 6. Council will discourage the use of travelled pathways that are not identified as public rights of way.
Hinterland	The Hinterland 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.	1. The Hinterland designation generally permits traditional, tourism and passive recreational uses. Permitted uses also include dog teams, quarrying, commercial harvesting, and infrastructure projects for local economic development. 2. Council shall ensure that development does not negatively impact wildlife, wildlife habitat and harvesting and is consistent with the guiding principles of Inuit traditional knowledge.
Waste Disposal	The Waste Disposal designation is intended to identify existing or former waste disposal sites and ensure appropriate development setbacks.	1. The Waste Disposal designation permits no development except those accessory to the operation or remediation of a waste disposal site. 2. 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, pursuant to the General Sanitation Regulation of the Public Health Act. 3. 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. 4. The Hamlet will continue to evaluate options for long term sewage treatment. The evaluation will consider cost effectiveness, the degree of environmental protection and the land use implications. 5. The Hamlet supports a reduction in the setback to 100 m for future housing from the metal dump site. 6. The Hamlet will continue to evaluate all possible options for an integrated waste management system, including: a. the suitability of the existing landfill site for long term use; b. the use of an incinerator; c. metal recovery projects; and, d. complementary strategies, such as source reduction, reuse, and recycling of waste materials.
Municipal Reserve	The Municipal Reserve designation is intended to reserve land for the future growth of the community.	1. The Municipal Reserve designation does not permit any development except temporary uses approved by Council. 2. Municipal Reserve lands shall be redesignated by amendment to this Plan prior to being used for community expansion. 3. Lands designated Municipal Reserve may be affected by significant environmental constraints to development, such as contaminated soils, shallow waterbodies and poor drainage. All constraints shall be cleared of environmental constraints prior to the lands being redesignated for development. 4. Any proposed road network shown on the Land Use Map may need to be changed according to community needs during the subdivision process.

SCHEDULE 4: ZONING BY-LAW (SCHEDULE & ZONE REGULATIONS)

Designation	Permitted Uses	Conditional Uses	Setbacks (Minimum)	Maximum Height	Other Provisions	Zoning
Residential	Dwelling, Single-Detached Unit Dwelling, Semi-Detached or Duplex Dwelling, Rowhouse Park Any accessory building, structure or use, subject to Section 5.1	Bed and Breakfast Craft Studio Day Care Centre Dwelling, Multi-Unit Dwelling, Mini Home Residential Care Facility Group Home Home Occupation Secondary Suite Utility Installation	Front = 6 metres (20 feet) Rear = 6 metres (20 feet) Rear, backing onto an OS Zone = 2.5 metres (8 feet) Side (Exterior) = 4 metres (13 feet) Side (Interior) = 6 metres, or as required by the Fire Marshal (20 feet)	8.5 metres (28 feet)	Despite the provisions of Section 6.3(a), for semi-detached dwellings or rowhouse dwellings located on separate, adjacent lots, the side yard where units are attached may be reduced to zero. The following provisions will apply to Secondary Suites: • The suite forms part of a single unit or semi-detached dwelling; • The suite is structurally attached or located within the principal dwelling; and • The suite does not exceed a floor area of 25% of the principal dwelling, or 60 m² of gross floor area, whichever is less.	R
Community Use	Community Hall or Centre Day Care Centre Educational Facility Emergency and Protective Services Government Office Group Home Health Care Facility Place of Assembly Place of Worship Post Office Recreation Facility Residential Care Facility Any accessory building, utility, structure or use, subject to Section 5.1	Cemetery Communications Facility Community Freezer Utility Installations	Front = 6 metres (20 feet) Rear = 6 metres (20 feet) Side (Exterior) = 6 metres (20 feet) Side (Interior) = 6 metres (20 feet), or as required by the Fire Marshal	10.7 metres (35 feet)	A covered or screened area for garbage and trade waste is required.	CU
Community Core	Community Hall or Centre Day Care Centre Educational Facility Emergency and Protective Services Government Office Group Home Health Care Facility Place of Assembly Place of Worship Post Office Recreation Facility Residential Care Facility Any accessory building, utility, structure or use, subject to Section 5.1	Multi-Unit Dwelling Dwelling unit(s) in a non-residential building provided that the dwelling unit(s) are above the ground floor Home Occupation Utility Installation	Front = 3 metres (10 feet) Rear = 6 metres (20 feet) Side (Exterior) = 4 metres (13 feet) Side (Interior) = Nil metres, (20 feet) or as required by the Fire Marshal	10.7 metres (41 feet)	A covered or screened area for garbage and trade waste is required.	CC
Commercial	Automotive Gas Bar Bank Broadcasting Studio Business Services Caretaker Unit Commercial Recreation Convenience Store Craft Studio Custom Workshop Day Care Centre Hotel Medical Facility Office Parking lot Personal Service Establishment Restaurant Retail Store Service shop Any accessory building, structure or use, subject to Section 5.1	Dwelling unit(s) in a non-residential building provided that the dwelling unit(s) are above the ground floor Home Occupation Utility Installation	Front = 6 metres (20 feet) Rear = 6 metres (20 feet) Side (Exterior) = 4 metres (13 feet) Side (Interior) = 6 metres (20 feet), or as required by the Fire Marshal	10.7 metres (35 feet)	A covered or screened area for garbage and trade waste is required.	C
Open Space	Beach Shack Boat Storage Dock Monument, cairn, or statue Park or playground Shed to store equipment for traditional, cultural, and recreational activities taking place in the Zone. Snow Fence Sports field Temporary Outdoor Storage of sealift equipment during sealift Washroom facility	Communications Facility Dog Teams	Front = 10 metres (33 feet)* Rear = 10 metres (33 feet)* Side (Exterior) = 10 metres (33 feet)* Side (Interior) = 10 metres (33 feet), or as required by the Fire Marshal* *or 18 metres (59 feet) from the centerline of the travelled path, whichever is greater.	3.1 metres (10 feet)	The maximum gross floor area is 25 sq. m.	OS
Light Industrial	Automotive Gas Bar Automotive Repair, Sales or Facility Broadcasting Studio Building, Trade or Contractors Shop Caretaker Unit Communications Facility Community Freezer Custom Workshop Heavy Equipment and Vehicle Yard Municipal Garage Research and Development Centre Service and Repair Shop Utility Installation Warehouse Any accessory building, structure or use, subject to Section 5.1	Barge staging and landing site with associated warehousing Fuel Storage Facility Outdoor Storage Power Generation Facility Waste Processing and Transfer Facility (Non-Putrescible)	Front = 6 metres (20 feet) Rear = 6 metres (20 feet) Side (Exterior) = 6 metres (20 feet) Side (Interior) = 6 metres, (20 feet) or as required by the Fire Marshal	13 metres (43 feet)	Only one caretaker unit is permitted on a lot. Where an interior or rear yard abuts a Residential, Community Use, Community Core, Commercial or Open Space Zone, the minimum yard requirement shall be a minimum of 10 m. Outdoor storage shall not be permitted within any minimum front or exterior yards. Outdoor storage shall be closed to view from any public street or walking trail through the use of appropriate visual screening.	M1
Heavy Industrial	Commercial Land Farm Fuel Storage Facility Heavy Equipment and Vehicle Yard Manufacturing Plant Marshalling Area Outdoor Storage Power Generation Waste Processing and Transfer Facility Any accessory building, structure or use, subject to Section 5.1		Front = 6 metres (20 feet) Rear = 6 metres (20 feet) Side (Exterior) = 6 metres (20 feet) Side (Interior) = 6 metres, (20 feet) or as required by the Fire Marshal	13 metres (43 feet)	Only one caretaker unit is permitted on a lot. Where an interior or rear yard abuts a Residential, Community Use, Community Core, Commercial or Open Space Zone, the minimum yard requirement shall be 12m (40 feet).	M2
Transportation	Airport Commercial uses related to aircraft services and travel Communications Facility Docking, loading and off-loading of ships Fuel Storage Facility				Any development within the Transportation Influence Zone as indicated on the Land Use Map shall be subject to the approval of NAV Canada. No development shall occur within 150 metres (492 feet) of the Non-Directional Beacon Site.	T
Hinterland	Dog Team Temporary Tenting or Camping	Beach Shack Quarry Cemetery Commercial Harvesting Communication Facility Permanent hunting and fishing cabins or camps Resource exploration and development Snow fence Tourist facilities Wind turbines Any accessory building, structure or use, subject to Section 5.1	Front = 10 metres (33 feet)* Rear = 10 metres (33 feet)* Side (Exterior) = 10 metres (33 feet)* Side (Interior) = 10 metres (33 feet), or as required by the Fire Marshal* * or 18 metres (59 feet) from the centerline of the travelled path, whichever is greater.	3.1 metres (10 feet)	Any development within the Transportation Influence Zone as indicated on the Land Use Map shall be subject to the approval of NAV Canada. Dog team shall not be permitted within 300m of any residence. No development is permitted within 200 metres (656 feet) downwind of any snow fence without the approval of Council. No development is permitted within 200 metres (656 feet) of a wind turbine. No development is permitted within 100 metres (328 feet) of an Archaeological or Paleontological Site.	H
Waste Disposal	Waste Disposal Site Sewage Disposal Site				No residential development or commercial development involving food storage, handling or preparation shall be permitted within 450 metres (1476 feet) of a Waste Disposal Site.	WD
Municipal Reserve	The Municipal Reserve Zone identifies lands that may be interesting for future redevelopment. No development is permitted in the MR Zone unless of temporary nature, subject to Council approval.				No development shall be permitted for housing on lands zoned MR in the area of the former East Dump site, as identified on the Land Use Map, until such time that the site has been remediated to the satisfaction of the Health Officer, will be required prior to rezoning the subject lands to permit development. No development shall be permitted for housing within the 450 m setback to the metal dump site. An amendment to the General Plan, once a reduced setback is approved, will be required prior to rezoning the subject lands to permit development. No development shall be permitted within the 400 m "Protective Development" setback to the water reservoirs.	MR

COMMUNITY PLAN

Purpose of the Plan

The purpose of the Arviat Community Plan is to outline Council's policies for managing the physical development of the Hamlet for the next 20 years - from 2010 to 2030 - that 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 incorporating new challenges, issues and needs identified by the Community.

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 healthy, safe, functional, and attractive community that reflects community values and culture.
2) To accommodate an appropriate range and mix of uses to accommodate growth and change in the community.
3) To promote the Plan as a tool for making effective and consistent decisions regarding land use and development 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", protect viewpoints to the water, and retain waterfront and lakeshore areas for public uses and traditional activities.

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. The Community Plan includes Schedule 1 "Community Land Use and Zoning Map"; Schedule 2 - "General Land Use Map"; and Schedule 3 - "Community Plan (Land Use Designations)".

Population & Housing Projection

At the time of preparation of this Plan, the population of Arviat was approximately 2,226 people. This Plan is based on a projected population for Arviat by 2030 of 3,908 people. It is estimated that an additional 411 dwelling units or 21 units per year will be required to meet the projected population growth. Also, in an effort to resolve the current overcrowding situation, the ten-year action strategy calls for an additional 3 units per year. This Plan is based on a housing demand of 475 units over a twenty year planning horizon. Depending on the housing form, it is estimated that approximately 20 hectares of land will be required to meet the projected population growth. A further 7 hectares are required for non-residential uses.

The policies of Council to meet expected growth are:

a) Plan for a 2030 population of 3,908 people and address the current overcrowding situation.
b) Identify sufficient land on the Community Plan to meet the needs of the projected 2030 population.
c) Review the Community Plan in 5 years, in 2015, 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 of vacant or underutilized lots within the built-up area of the Hamlet.
   ii. Easterly extension of the community with a mix of uses including residential, commercial, and park lands (Phase 1).
   iii. Develop a Community Core consisting of a mix of municipal and employment related uses along main road and central to the Hamlet (Phase 2).
   iv. North-eastern extension along the road to the cemeteries (Phase 3).
e) Council will generally phase new industrial land development as follows:
   i. Light Industrial uses along the road to the existing dump site from the Tank Farm (Industrial Phase 1).
   ii. Industrial uses with limited services along the esker across the airport lands (Industrial Phase 2).
f) Council may change the phasing of development without amendment to this Plan.

General Policies

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

1) The development of lots shall be subject to the following lot development policies.
   A. All service connections to buildings shall be easily accessed from the front yard on all lots and grouped together, where possible.
   B. Access to new buildings will avoid, where possible, main entrances on the south-southeast side to reduce problems associated with snow drifting.
   C. Buildings shall be sited to respect setbacks identified on the Zoning Chart.
   D. 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.
   E. Where culverts are required, they shall be installed at the access points to lots.
   F. 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.
   G. 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.
2) The Hamlet will consider adopting a Road Numbering By-law.
3) 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) The Hamlet will pile snow in locations to minimize downwind snow drifting and where spring melt runoff can be properly channelled to drainage ditches or waterbodies.
5) The Hamlet shall avoid piling snow within at least 30.5 metres (100 feet) of any watercourse.
6) A minimum setback distance of 30.5 metres (100 feet) of a watercourse shall be maintained, except subject to terms and conditions of the Hamlet Council.
7) Utilities or communications 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 Corporations Joint Use Agreement.
8) The Hamlet shall protect cemeteries and sites of archaeological, ethnographical or historical significance from disturbance.
9) The Hamlet shall encourage development that minimizes emissions from fossil fuels, that are energy-efficient and that consider alternative energy supply technology.
10) 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.
11) The Hamlet will promote new economic development opportunities, especially in tourism and mining sectors.
12) The Hamlet will give due consideration to the Climate Change Adaptation Plan.

Land Use Designations (see Schedule 3)

ARVIAT COMMUNITY PLAN BY-LAW No. 206

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

NOW THEREFORE, the Council of the Hamlet of Arviat, 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 "Arviat Community Plan".
3. This By-law shall come into full force and effect on the date of its Third Reading.
4. By-law No. 171A of the Hamlet of Arviat, and all amendments thereto, is hereby repealed.

READ a first time this 1st day of September, 2010.

_____ _____
Mayor, Bob Leonard — Senior Administrative Officer, Ed Murphy

After due notice and a Public Hearing, READ a second time this 26th day of October, 2010.

_____ _____
Mayor — Senior Administrative Officer

APPROVED by the Minister of Community and Government Services this ___ day of _____, 2010.

_____
Minister

READ a third time this ___ day of _____, 2010.

_____ _____
Mayor — Senior Administrative Officer

ARVIAT ZONING BY-LAW No. 207

A By-law of the Hamlet of Arviat in Nunavut Territory to adopt a Zoning By-law pursuant to the provisions of the Planning Act, RSNWT, 1988, c. P-7, s.13.

WHEREAS the Council of the Hamlet of Arviat 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 Arviat, duly assembled, enacts as follows:
1. Schedules 1, 2 and 4 of this By-law are declared to form part of this By-law.
2. This By-law may be cited as the "Arviat Zoning By-law".
3. This By-law shall come into full force and effect on the date of its Third Reading.
4. By-law No. 171 of the Hamlet of Arviat, and all amendments thereto, is hereby repealed.

READ a first time this 1st day of September, 2010

_____ _____
Mayor, Bob Leonard — Senior Administrative Officer, Ed Murphy

After due notice and a Public Hearing, READ a second time this 26th day of October, 2010

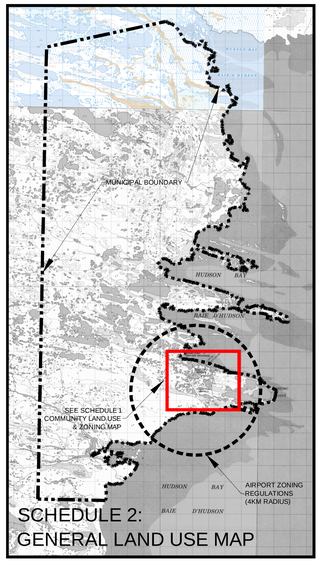
_____ _____
Mayor — Senior Administrative Officer

APPROVED by the Minister of Community and Government Services this __ day of _____, 2010

_____
Minister

READ a third time this __ day of _____, 2010

_____ _____
Mayor — Senior Administrative Officer



SCHEDULE 2: GENERAL LAND USE MAP

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Oct 29, 2010