

**GJOA HAVEN
COMMUNITY PLAN
BY-LAW NO. 224**

2021-2041

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BY-LAW NO. 224**

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

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

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

Schedules 1 & 3 form part of this By-law.

This By-law may be cited as the "Gjoa Haven Community Plan By-Law 224".

This By-law shall come into full force and effect on the date of its Third Reading.

By-law No. 164 of the Hamlet of Gjoa Haven is hereby repealed.

READ a first time this 23rd day of February, 2021.

Mayor

Senior Administrative Officer

After due notice and a Public Hearing, READ a second time this 1st day of June, 2021.

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 1:
LAND USE POLICIES**

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1. INTRODUCTION

1.1 PURPOSE OF THE PLAN

The purpose of the Gjoa Haven Community Plan is to outline Council's policies for managing the physical development of the Hamlet for the next 20 years 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.

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 and how it wants to protect the environment. 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 the Nuna and protect viewpoints to the water and retain waterfront areas for public uses and traditional activities.
6. To ensure that known locations of erosion, steep slopes and snow drifting are considered for the long-term health and safety of the community.

1.3 ADMINISTRATION OF THE PLAN

The Community Plan is enacted by By-law. The Community Plan includes Schedule 1 (Plan Policy Text) and Schedule 3 (Land Use Map). 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 the policies of the Community Plan. All development must follow the intent of the Community Plan By-Law and meet the regulations in the Zoning By-law.

1.4 IMPLEMENTATION OF THE PLAN

Any employee of the Hamlet can be designated the duties of the Development Officer as described in the Planning Act. The Development Officer performs multiple functions to ensure that development within the community helps achieve the policies of the Community Plan. These functions include current and long-term

planning, the review of site and development plans, and providing technical support to Council.

The purpose of the Zoning By-law is to provide specific rules regarding the use of land. Rules pertaining to the character, location, and use of buildings and structures are provided in the Zoning By-law.

A Development Permit application enables the Hamlet to regulate development or redevelopment projects within the community. Through this process, interested developers must apply for permission to undertake a development or redevelopment project.

There are two basic categories of land use permissions. Development permit applications for a "Permitted Use" may be approved by the Development Officer provided the proposed use of land or building conforms to this Plan and complies with the provisions of the Zoning By-law. Development permit applications for a "Conditional Use" must be decided on by Council based on the merits (environmental, economic, social) of each application, conformity to the Community Plan, and compliance with the provisions of the Zoning By-law.

2. POPULATION & HOUSING PROJECTION

At the time of preparation of this Plan, the population of Gjoa Haven was approximately 1,500 people. This Plan is based on a projected population for Gjoa Haven by 2041 of 2287 people (medium rate of growth). It is estimated that an additional 304 dwelling units will be required to meet the projected population growth. Other lands are also planned to ensure that the Hamlet has appropriate lands for non-residential uses (commercial/community use industrial, open space) as it grows.

The policies of Council are:

- a) Plan for a 2041 population of approximately 2287 people (figure 1 below) and an additional 304 housing units.
- b) Encourage and facilitate the consolidation, and redevelopment of existing lots within the town site to conserve land supplies.
- c) Support the construction of attached residential units.

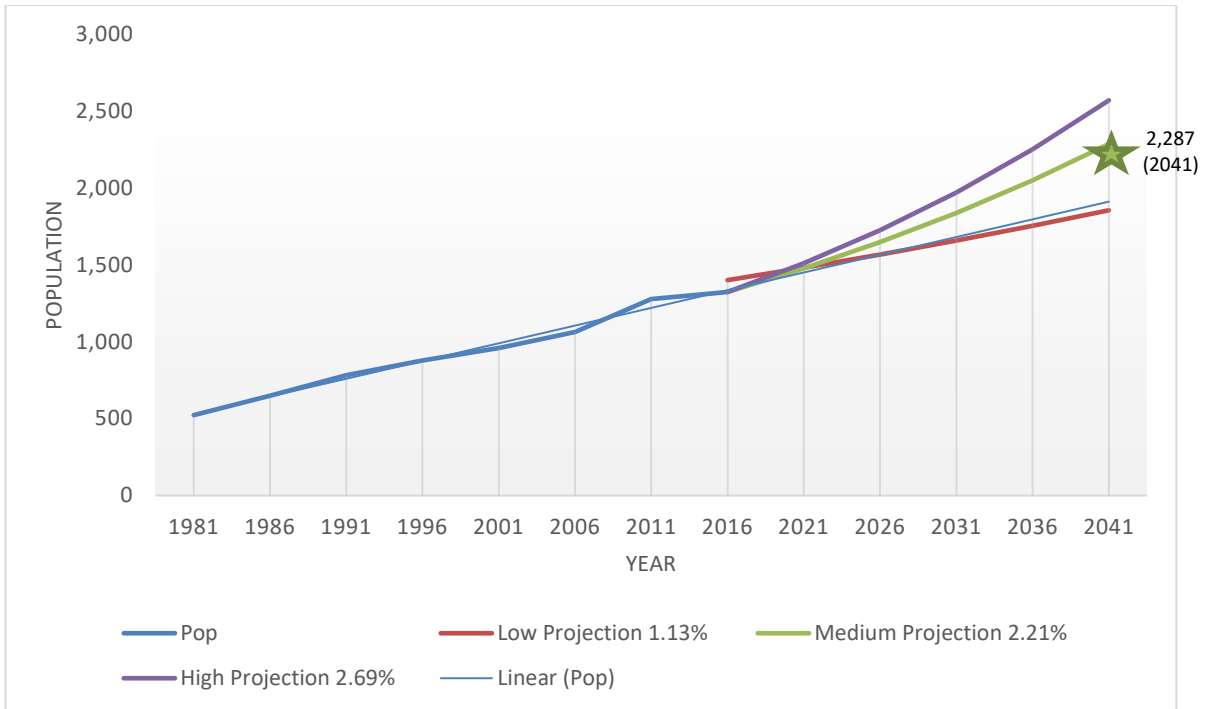


Figure 1: Gjoa Haven population

3. GENERAL POLICIES

3.1 GENERAL DEVELOPMENT POLICIES

The following policies of Council apply to 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 (water, sewage, and garbage pickup) to buildings shall be easily accessed from the front yard on all lots.
 - ii. Buildings shall be sited to respect setbacks identified in the Zoning Chart.
 - iii. Any building over 500m² in gross floor area shall consider potential wind impacts on surrounding development and increase setback appropriately from a roadway. A wind study may be required by the Development Officer.
 - iv. 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.
 - v. To reduce the amount of fill and ground alterations, pile foundation is the preferred foundation type.
 - vi. Where culverts are required, they shall be installed across the driveway access to the lot.

- 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 15 metres wide.
- b) Utilities or communications facilities shall be permitted in any land use designation. Other than designated Right-of-Ways 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) All heritage features such as cemeteries, old HBC buildings, archaeological sites, and any other features of heritage value shall be protected. If gravel extraction occurs on or near the old airport runway, a setback of 50 metres around the perimeter of the cemetery shall be established by a fence installed before excavation begins, in order to protect the cemetery from being disturbed by heavy machinery.
- d) Future road connections are illustrated on the Land Use Map to provide a general concept for the long term development of Gjoa Haven. The location of these future roads is conceptual and should be refined during the appropriate 5-year update of the plan when the lands adjacent to the roads are warranted for development and subdivision layouts are being considered.
- e) The Hamlet shall avoid piling snow within at least 30.5 metres (100 feet) of any natural spring runoff water courses to reduce spring erosion.
- f) A minimum setback distance of 30.5 metres (100 feet) of a watercourse shall be maintained for any development, except subject to terms and conditions of the Hamlet Council.
- g) The Hamlet shall encourage development that is energy efficient and that incorporates alternative energy supply technology.
- h) The Hamlet shall protect coastal areas from quarrying and other forms of development recognizing the on-going erosion effects of climate change.
- i) The Hamlet shall work with the Nunavut Planning Commission to ensure that the Gjoa Haven Community Plan is consistent with plans that apply outside the municipal boundary.

3.2 COMMUNITY IMPROVEMENT POLICIES

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) The Hamlet will seek funding for a new community freezer for the community. The Hamlet will aim to locate the freezer on lands which are central to the majority of residents. Lands designated Commercial/Community Use are considered appropriate lands for a community freezer.

- c) Council will promote the location of a new office building in order to create employment opportunities and sustainable development. The new office building should be located in or close to the Hamlet Centre, on lands designated Commercial/Community Use.
- d) The Hamlet will analyze the environmental risk of former dump sites within the municipal boundary and determine how their impacts can be mitigated. The Hamlet wishes to prioritize the continued use of the main dump site to the east of the town site for health and safety reasons.
- e) The Hamlet will prioritize pedestrian safety by improving roadway and trail markers to allow visual division between pedestrian and vehicle zones.
- f) The Hamlet will continue to develop the breakwater and small craft harbour facilities in the bay.
- g) The Hamlet will explore access to a new barge landing area south of the existing tank farm
- h) The Hamlet will explore a connector roadway within the sewage lagoon setback area connecting the metal dump up to the cemetery and onwards north to the road intersection of the east west roadway connecting to the Northern Store at the west end of this intersecting roadway.
- i) The Hamlet shall reorientate traffic along the Airport Road to protect pedestrians.
- j) The Hamlet shall create a network of footpaths to improve pedestrian connections in the community. The use of bridges and protective measures is encouraged.
- k) Council shall promote development in a sustainable manner that ensures snowdrifting is minimized.
- l) Council proposes a snow fence be constructed to protect areas where snowdrifting is a major concern, specifically, the “uptown” neighbourhood.
- m) Industrial lands to the east of the Amundsen hotel are rezoned Commercial/Community Use to allow for future school expansion, subject to remediation.
- n) Road to the rear of the Northern Store to be closed off to public traffic.
- o) The Hamlet shall resurvey Industrial Area along Airport Road and rezone most of these lands to Commercial/Community Use.

3.3 SPECIAL DEVELOPMENT AND PHASING POLICIES

The following policies of Council apply to ensure that constraints to overall development are addressed and that development is phased in a logical, cost-effective sequence:

- a) The location and quality of lands currently used for the golf course make these lands suitable for future development. Council will permit the development of the golf course lands in order to meet the demand for residential and non-residential land for Gjoa Haven’s growth. Council will relocate the golf course to an alternative location when these lands are required for development.
- b) Phasing priority of lands for new residential developments are as follows:

- i. **PHASE 1** Lands to the NW edge of uptown. A legal survey of these lands is expected summer 2021. 11 residential lots.
 - ii. **PHASE 2** Lands to the east of the school. Resurvey may be required to accommodate NHC fiveplexes. 7 residential lots.
 - iii. **PHASE 3:** Subject to a geotechnical evaluation, lands immediately south of uptown consisting of 15 lots.
 - iv. **PHASE 4a:** Lands south of the airport runway and west of a new airport commercial and industrial area and consists of 17 residential lots.
 - v. **PHASE 4b:** Lands contained within 200 metre NAV Tower setback. Subject to NAV Tower relocation.
 - vi. **PHASE 5:** Lands proposed for 53 residential use lots and 6 community commercial use lots east of the existing golf course.
 - vii. **PHASE 6:** Lands to the east of the NAV tower consists of 5 residential lots.
 - viii. **PHASE 7:** Lands SE of NAV Tower is a subdivision that contains 46 residential lots and 6 community commercial lots.
- c) The priority of lands for major new development may be changed if factors such as environmental impacts, erosion, existence of trails, road access, location of stores/services, costs of development, and/or utility setbacks make certain lands more feasible to develop than others.

4. LAND USE DESIGNATIONS

4.1 RESIDENTIAL

The Residential designation provides land for primarily residential uses, however, 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 types of dwelling types permitted. Uses that are residential in nature such as a group or special needs home, a home occupation, or bed and breakfast will also be permitted.
- b) The Hamlet will work together with the Government of Nunavut and the Nunavut Housing Corporation to ensure that a minimum 5 year supply of vacant surveyed land is available for residential development at any given time.

4.2 COMMERCIAL/COMMUNITY USE

The Commercial/Community Use designation is intended to support local economic development by maintaining an adequate supply of land for commercial and community uses in various locations with good access from the community. This use exists to provide

flexibility in locating commercial and community uses in the Hamlet and to provide residents with easy access to public and private facilities and services. The policies of Council are:

- a) The Commercial/Community Use designation will be used for commercial uses such as hotels, restaurants, retail, personal and business services, and offices, as well as for uses that are public in nature (i.e. social, cultural, religious, or educational).
- b) Residential uses may be permitted when located above a ground floor commercial/community use.
- c) Commercial/Community Use facilities often generate higher volumes of traffic and will therefore be sited in a manner which provides safe, easy access with ample space for parking.
- d) Parking for commercial facilities over 500 m² should be located at the side or rear of the building. Parking that backs out directly onto a road will be discouraged.

4.3 OPEN SPACE

The Open Space designation is intended to reserve open spaces within the built-up area for recreational uses, as a gathering space for community events and to preserve significant natural and cultural features within or outside the townsite. The policies of Council are:

- a) The Open Space designation will be used primarily for parks, playgrounds, playing fields, walking and interpretive trails, and the golf course. In general, buildings will not be permitted, except for small Hamlet recreation storage sheds or washroom facilities.
- b) Where land cannot be developed due to erosion or steep slopes, the lands will be designated and shall be used as open space.
- c) In new subdivisions, a minimum of 100 square metres of open space (excluding trails) should be provided for every 30 dwellings such that the open space is within 300 metres of each residence.
- d) Trails will be recognized throughout the community to ensure that pedestrians can safely access all areas of the Hamlet.
- e) Existing and proposed playgrounds and sports fields will be designated on Schedule 3 (Community Poster Plan) with an asterics symbol.

4.4 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. The policies of Council are:

- a) Permitted uses in the Industrial designation will include all forms of manufacturing, processing, warehousing and storage uses. Permitted uses will also include garages, power generation plants, and fuel storage.

- b) Industrial uses shall be located and/or contained fully inside a building to minimize any negative impacts to adjacent non-industrial uses.

4.5 NUNA

The Nuna designation applies to all other 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. The policies of Council are:

- a) The Nuna designation generally permits traditional, tourism and recreational uses. Permitted uses also include dog teams, commercial harvesting and quarrying, and infrastructure projects for local economic development.
- b) The Hamlet shall protect any cemeteries with fences and appropriate signage and control access in and around the cemetery to prevent trespassing over graves.
- c) The Hamlet shall protect sites of archaeological significance, and any other heritage sites from disturbance.
- d) Commercial or industrial operations which are intrusive to the natural environment, will require approval from the Nunavut Impact Review Board.

4.6 TRANSPORTATION

The Transportation designation is intended to protect and ensure the safe operation of airport activities and other transportation facilities such as navigation beacons, communications sites, and marine facilities. The policies of Council are:

- a) Permitted uses in the Transportation designation includes all activities related to air traffic, marine facilities and uses accessory to these activities such as communications sites.
- b) All development will comply with the requirements of Transport Canada and NavCanada to minimize any conflicts between the development and the airport, and to ensure safe operation of the airport.
- c) Where improvement of facilities is deemed desirable, such as an increase to length and width of runway, Hamlet and GN to work together to plan development in the area appropriately.

4.7 WASTE DISPOSAL

The Waste Disposal designation is intended to identify existing or former waste disposal sites (e.g. landfill sites, sewage lagoon) and ensure appropriate 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 a 450 metre setback from the existing

active waste disposal site, pursuant to the *General Sanitation Regulations* of the *Public Health Act*.

- c) The Hamlet shall improve the design and operation of the existing active waste disposal site to maintain capacity, improve public safety and reduce environmental risks.

4.8 WATERSHED OVERLAY

The Watershed Overlay identifies the watershed of the Hamlet primary water source (refer to schedule 3). This overlay is intended to restrict the uses of the underlying designation to prevent contamination of the Hamlet water supply. The Watershed Overlay identifies the watershed of Swan Lake (primary water source) and Large Swan Lake (secondary water source) which has been identified as the community's long-term water source. The policies of Council are:

- a) No development is permitted in the Watershed Overlay unless it can be clearly demonstrated that the development will have no impact on the Hamlet water source.
- b) Despite 4.8a, uses accessory to the supply of water such as a pipeline, a pumping or monitoring station or road are permitted.
- c) Hamlet should prohibit recreational uses and operation of motorized vehicles within the watershed area, except where permitted. Adequate signage suggested to be located at 50m intervals around edge of watershed.

4.9 EROSION CONCERN

The Erosion Concern overlay is intended to ensure public safety by protecting lands from development which have known concerns related to erosion, steep slope or flooding. The policies of Council are:

- a) Erosion Concern lands may only be used for open recreation uses or for unoccupied public utilities.
- b) Marine facilities and uses accessory to marine activities are permitted on Erosion Concern lands abutting the shoreline.
- c) Other uses may be permitted on Erosion Concerns lands if public safety is protected, as more specifically described in the Zoning By-law.
- d) A study will be required from a qualified professional engineer to certify that the proposed development is safe from issues of erosion, steep slope or flooding before approving the development.
- e) Wherever possible, it is recommended that the development of the lands be staged, such that the foundation is allowed to settle for one year before the building is constructed.

4.10 ARCHAEOLOGICAL RESERVE OVERLAY

Gjoa Haven Community Plan By-law No. 224

The Archaeological Reserve designation protects from destruction sites that contain identified archaeological, paleontological, and cultural heritage significance. The policies of Council are:

- a) No development shall be permitted in the Archaeological Reserve overlay.

5.0 SCHEDULE 3 – LAND USE MAP

(See Gjoa Haven Community Plan and Zoning By-Law Poster Plan - Community Poster Plan).