

# **HAMLET OF ENTERPRISE GENERAL PLAN**

**BYLAW #2009 - 14**

**January, 2009**

**HAMLET OF ENTERPRISE**

**GENERAL PLAN**

BYLAW #2009-14

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## **INTRODUCTION - ELEMENTS AND STRUCTURE OF THE GENERAL PLAN**

This document consists of the General Plan for the Hamlet of Enterprise and it may be referred to as the "General Plan." It has been prepared and approved in accordance with the Hamlets Act of the Northwest Territories and guided by the *Planning Act* of the Northwest Territories.

This General Plan repeals and replaces in its entirety the Settlement of Enterprise resolution No. 2007-03-62 (Enterprise Land Use Plan), which was approved by Council on March 7, 2007.

The General Plan for the Hamlet of Enterprise consists of the policy text (beginning in Section 2) and the land use map (Schedule A). The preparation of the General Plan is based on the findings in the Background Report (available separately).

The General Plan is structured to comprise a broad range of policies that guide the use and development of land in the Hamlet of Enterprise. It is important to consult both the policy text and the map schedule to fully understand the impact of the General Plan on any specific property or general area of the community.

The increased development in the resource economy of the NWT will have an impact on Enterprise. In order to ensure that the community addresses the demands this development is putting on the community, the Enterprise Hamlet Council has taken a proactive approach and has created this General Plan.

To ensure an efficient and orderly use of lands within the community, infilling of existing vacant or underutilized lots is encouraged within built up areas of the community. It is the wish of Hamlet Council that existing non-conforming uses and buildings be phased out and replaced by development that conforms to this plan.

The General Plan is intended to provide the Hamlet of Enterprise with an effective and coherent strategy that guides the community's development over the next twenty years. Flexibility is a crucial ingredient in addressing changing planning needs. The intent of the General Plan is to guide the orderly development given the strategic location of our community and the anticipated impact we will feel as a result of resource developments.

**1 OUR COMMUNITY VISION**

**Hamlet of Enterprise, Northwest Territories**

**We enjoy a family-oriented community** and aspire in twenty years to have more services to cater to our population, such as a senior' facility, recreational facilities and educational facilities.

**We are a community that promotes industrial and commercial growth** but strives to ensure the safety of our residents and neighbourhood through appropriate separation of land uses.

**We are a forward thinking community** that is working toward greater control of the growth and development of our community by creating a planning system that works for us while respecting the land, residents and regional initiatives.

## **2 GOALS OF THE GENERAL PLAN**

The General Plan is the Hamlet of Enterprise's principal planning document and focuses on land use matters. The policies of the General Plan incorporate and implement a number of goals intended to guide the Hamlet's long-term management and development. The goals of this plan are as follows:

1. To enhance the quality of life through orderly and phased development.
2. To protect and conserve the community's natural environment.
3. To encourage highway dependent businesses to locate along the highway in Enterprise in order to broaden the economic base and enhance the level of available services that utilizes local resources and creates sustainable local employment activities.
4. To ensure that compatible land uses exist within the Hamlet's boundaries.
5. To ensure that a sufficient supply of land is identified for future residential, commercial, industrial, institutional and recreational needs.
6. To establish expansion areas that can be economically and efficiently developed on a phased basis to meet the community's future needs.
7. To identify a trail system and open space network which allows easier pedestrian movements throughout the core community and access to recreational areas near the commercial and residential core, as well as outside the core community.
8. To improve the Hamlet's physical character through continued encouragement of beautification programs that encourages the rehabilitation of existing buildings, vacant sites and amenity areas, which include important cultural and historical elements of the community.

### **3 INFLUENCES ON THE GENERAL PLAN**

The policies of the General Plan are intended to reflect changes that are fundamental to Hamlet of Enterprise's future. The community's traditional land use and development pattern, and population profile, are expected to change. Some of the key factors affecting change will continue to influence the Hamlet's policy formulation and direction for the future are recognized by this Plan and are briefly outlined as follows:

1. The Hamlet of Enterprise is a central transportation and industrial hub of the Dehcho and the South Slave Regions. Therefore, the community must be aware of the influences imposed upon the community by industry pressures, regional land use planning decisions, and policies and regulations that arise from the Interim Measures Agreement and the review of the *Planning Act*.
2. The Hamlet's area encompasses Territorial parks within the Hamlet boundary; however, the community has no control or involvement in the administration of Territorial parks that are within the municipal boundary. With a greater role in park planning and the promotion of regional tourism, the community can grow and prosper.
3. The system of community services is limited within the community. There is no local access to health care. In addition, there is limited access to social support, educational, and police services.
4. The development of the community core requires completion of on-going community projects. Some of the positive projects that require completion include the jamboree area and the community gardens.
5. The Hamlet's economic base requires diversification and the development of a commercial town centre that includes commercial development along the highway.
6. The development of key recreation opportunities requires careful consideration by the community. Opportunities for recreation areas exist and must be planned in harmony with future community growth in order to ensure land use compatibility.
7. Long-term growth must be done in recognition of the drainage patterns in the community. The creation of drainage ditches and development that considers drainage patterns are important considerations.

8. The community is dependent on outside provision of many facilities and services. Future infrastructure planning may include provisions for additional community infrastructure.

## **4 GENERAL DEVELOPMENT AND REDEVELOPMENT PRINCIPLES**

This section establishes the principles the Hamlet will use in regard to the development of lands within the Hamlet. This section is intended to be applied in conjunction with individual land use designation policies.

### **4.1 Land Use Compatibility**

In order to recognize the importance of the concept of compatibility between land uses, buildings, and the natural environment as an essential consideration in the Hamlet's development process, the following factors must be considered.

The term "compatibility" shall mean the general capacity of the specific project or group of projects to co-exist and function together in a state of harmony such that land use characteristics such as the intensity of use, the activity generated by the use, traffic generation, operating factors and nuisance levels are considered.

Compatibility also establishes the relationship between a building and its site in terms of scale and massing, as regulated through zoning provisions including but not limited to lot area, frontage, coverage, setbacks and height.

In assessing the measure of compatibility, it is not the intent of this General Plan to view compatibility as an identical extension of the existing uses, buildings or other factors related to site development, but rather in relation to the functional and operating characteristics of the uses in relation to those of adjacent and/or surrounding areas. Adverse impacts which may have an effect on land use compatibility include:

- Disrupting the established uses on adjacent sites or surrounding areas.
- Creating disruptive visual impressions that take away from the aesthetic quality of the area.
- Creating unintended visual or activity focal points that are not appropriately supported by other activities, uses and facilities.

The General Plan recognizes the principle of separation of land uses as an effective way to promote compatibility and limit adverse impacts. The application of this principle does not simply mean physical separation, but also mitigation of adverse impacts on adjacent properties through the provision of buffers, landscaping, appropriate siting of building(s) on the lot, and building design to enhance the compatibility of uses and structures.

#### **4.2 Separation of Uses**

Where any development is proposed, the separation of land uses should be considered as a tool for land use control. More than one land use type may be permitted in any one development proposal provided that it can be demonstrated that functional land use compatibility with the various uses can be accommodated to the satisfaction of the Hamlet.

#### **4.3 Land Use Impact**

When any development proposal is considered, the following land use principles will apply:

1. Any proposed change in land use designation shall be compatible with the surrounding land use designation and the policy direction of this General Plan.
2. Any land use change shall be implemented in such a manner as to minimize any adverse impacts on the natural environment.
3. Any land use change shall be implemented in such a manner as to minimize any adverse impacts on abutting properties. Buffering and screening may be required.
4. Any new development being proposed shall be compatible and sympathetic with surrounding buildings and shall provide for proper access to minimize any adverse effects with respect to privacy and solar access.
5. Any new development being proposed shall consider drainage patterns of the community and ensure proper precautions are taken.

#### **4.4 Access and Servicing**

The following principles apply to all applications for development:

1. All property shall have frontage on an assumed roadway except where special planning considerations are necessary and are specifically arranged for through appropriate development controls.
2. Where properties are not fronting a roadway they shall have clear access to and from a main roadway.
3. All lands and buildings in the Hamlet shall be serviced by trucked water (or wells where they exist) and sewer services.
4. All lands and buildings shall provide for proper on-site drainage.
5. Where applicable, lands and buildings shall make provisions for appropriate collection, storage, and removal of solid waste materials.

## **5 POLICIES AND OBJECTIVES**

The policies and objectives for the Hamlet's major land use designations provide more specific direction for the future development. The land use designations provide the needed planning direction for each land use, and corresponding regulations are detailed in the Hamlet's Zoning By-law.

### **5.1 Residential Land Use**

#### **5.1.1 Objectives**

1. Ensure there is sufficient residential land to meet immediate and long term needs.
2. Provide opportunities for the development of a variety of lots sizes and housing styles.
3. Work with the Office of the Fire Marshall to implement the National Building Code
4. Provide residential areas which meet the requirements of our residents.
5. Promote sense of community by encouraging a mixture of ownership patterns.
6. Maintain residential development close to the community core.
7. Allocate land for a mobile home subdivision.

#### **5.1.2 Policies**

1. Based on yearly monitored land requirements
2. Undertake lot preparation and roadway development a minimum of one year before building on site, and in areas requiring substantial leveling of the site with granular material, at least two years before construction.
3. Provide for access to identified trail system where in new residential areas.
4. Allow for opportunities for home occupations in residential area that will not adversely impact adjacent properties.

## **5.2 Commercial Core**

### **5.2.1 Objectives**

1. Encourage all industrial uses presently located within the Residential/Commercial area to relocate to the industrial subdivision.
2. Reinforce the growth of commercial core to achieve a higher intensity land use and highway access.

### **5.2.2 Policies**

1. Continue to encourage pedestrian access to the commercial core area.
2. Discourage developments which may generate negative impacts due to unsightly storage, noise, dust, smoke or odor.
3. Discourage development which may include the handling or storage of hazardous materials.
4. Be consistent with the policies in this General Plan and not be based on speculation or premature development related to resource impacts in the community.

## **5.3 Industrial**

### **5.3.1 Objectives**

1. Ensure that the storage of dangerous goods and hazardous materials comply with all applicable legislation.
2. Encourage physical separation between industrial uses and the residential core.
3. Require that an environmental study be undertaken as part of the development approval process where an industrial use is deemed to be a high risk for potential contamination.
4. Require site restoration upon vacating any site to an environmentally sound state.

### **5.3.2 Policies**

1. Industrial uses must be located/relocated to the industrial areas west and east of the Mackenzie Highway.
2. Uses must be consistent with the policies in the General Plan and not be based on speculation or premature development related to resource impacts in the community.

## **5.4 Community Use**

### **5.4.1 Objectives**

1. Community use must foster the continual upgrade of existing facilities.
2. Provide signage from highway to community use area.
3. Foster relationships with the regional school board to develop plans for an elementary school within the community.
4. Maintain relationship with regional recreation service providers to help meet community needs.

## **5.5 Environmentally Sensitive**

### **5.5.1 Objectives**

1. Ensure that activities in this designation are limited to conservation, preservation, or regeneration. Public infrastructure may also be located in environmentally sensitive areas, if it can be demonstrated that there is no other suitable location for the infrastructure.

## **5.6 Open Space, Parks & Recreation**

### **5.6.1 Objectives**

1. Recognize the trail system that exists in the community and connect future development areas to the trail and community parks.
2. Work with Government of the Northwest Territories to develop a hiking trail system along the ravine on the south side of the community.
3. Work with Government of the Northwest Territories to develop a day use or campground with an upgrade access road, around the abandoned gravel pit as indicated on the Enterprise Land Use Map.
4. Work with the Government of the Northwest Territories to develop a scenic viewpoint over the Hay River.
5. Enhance the recreational facilities in order to offer a broad spectrum of activities.
6. Encourage multi-use and shared facilities to minimize maintenance costs and capital outlay.

### **5.6.2 Policies**

1. Provide a range of programs and facilities to meet the needs of the population.
2. Focus of upgrading and maintaining existing facilities
3. Where appropriate, connect existing future and buffer areas to the trail system.

## **5.7 Community Reserve**

### **5.7.1 Objectives**

1. Use this designation to identify all presently unused land within the Hamlet boundary.
2. Work with the Department of Municipal and Community Affairs to investigate the need for either a new or upgraded solid waste disposal site.
3. Preserve the lakeshore area around Escarpment Lake for recreation and to protect views

### **5.7.2 Policies**

1. Implement a 50m buffer zone around Escarpment Lake.

## **6 IMPLEMENTATION**

This General Plan consists of a broad range of policies affecting the use and development of land, and to be effective must be implemented systematically and conscientiously. There are a number of tools that may be used under the authority of the *Planning Act* along with other Territorial statutes to ensure effective implementation of the General Plan policies.

Implementation may also be facilitated through an ongoing planning program consisting of such components as special studies and master plans, guideline documents, policy studies, and the systemic procedural framework for the review and assessment of Lease Applications.

Implementation may be further supported through consultation and coordination with other public agencies and government bodies, participation in senior government programs, participation in an ongoing process of public consultation, and a coordinated approach to the planning and public works program.

It is the intent of the Hamlet of Enterprise to implement the policies of the General Plan in a consistent, fair and equitable manner on the basis of the above implementation tools and facilitation mechanisms in accordance with the policies of this section.

### **6.1 Land Use Planning Control**

The Hamlet of Enterprise shall use the following planning tools, in accordance with the appropriate Territorial statutes and policies to implement the goals and policies of this General Plan.

#### **6.1.1 Zoning By-law**

The purpose of the Zoning By-law is to provide specific details regarding the use of land, and the character, location, and use of buildings and structures.

An employee of the Hamlet can be delegated the duties of a Development Officer as described in the *Planning Act*. This person is a key resource to Council. This individual's role is to make recommendations to Council regarding development proposals and special issues/inquiries that are brought forward by local residents, public agencies, boards and special interest groups. These planning and development related matters are both formal and informal in nature.

In essence, the Development Officer performs multiple functions to ensure that development within the Hamlet helps achieve the goals of the General Plan. These functions include current

and long term planning, the review of site and development plans, and providing technical support to Council. There are circumstances that require the use of advisory agencies, consultants, special training and certification to strengthen and assist the role of planning and development in the community.

## **6.2 Administration of the Plan**

The intent of the General Plan is to guide development over the next 20 years. Communities evolve over time and, therefore, the General Plan is not intended to be a static document. The *Planning Act* requires that a General Plan shall be reviewed every five years following its adoption. A system of monitoring and review will be put in place to keep abreast of these changes.

Any amendments to the General Plan should be carefully considered by Council before their approval to ensure the best interests of the general public are being served. The following guidelines will be applied when considering amendments to the General Plan.

1. The plan shall be amended as necessary due to changing regulatory, legislative, economic, social, demographic, financial and environmental conditions and where the overall public interest is being served.
2. The plan may be amended where Council deems such amendments to be in the overall interest and general welfare of the community.
3. All proposed amendments to the plan shall be processed in accordance with the *Hamlets and Planning Act* and the public shall be given an opportunity to express their views before the proposed amendment is given final consideration by Council.

## **6.3 Administration Framework**

The General Plan is a key component in a broader system of legislation, policies, regulations and by-laws that address the maintenance, development and redevelopment of the community in order to support a sustainable community. Since the system in which the plan exists is subject to change – such as legislative amendments or new regulations – and change is expected within the community itself, then the plan must also be updated regularly to reflect current needs and future trends.

To this end, the General Plan:

1. Identifies and establishes the distribution of the Hamlet's individual land use designations.

*Hamlet of Enterprise  
General Plan*

2. Provides objectives and policies regarding development, redevelopment and conversion within each land use designation which include specific guideline statements.
3. Recognizes general development principles that are intended to be applied in conjunction with individual land use designation policies.

It is the intent of the General Plan:

1. To provide a clear decision framework for development review consisting of objective and policies for relevant land use designations, and general development principles.
2. That in reviewing development proposals, the approval authority shall have regard to the decision framework provided by this General Plan.
3. That in having regard to the decision framework, decisions consistent with the overall objectives, policies and principles of this General Plan may be made by Council.
4. That in rendering a decision in a context for which no specific decision framework is provided by this General Plan, Council will apply, as the basis for its decision, the objectives of this General Plan, reasonable application of sound planning principles and the merits of the decision in serving the public interest.

The General Plan shall be reviewed at least once every five (5) years. The review will consider population growth, development pressure, environmental conditions, the state of the local economy, emerging trends and the general effectiveness of the plan's policies, and recommend appropriate changes to any appropriate sections of the General Plan.

The Zoning By-law serves to implement the General Plan and regulate development in the community. Since the two documents are related, it is anticipated that a review of the General Plan will also be accompanied by a review of the Zoning By-law to ensure consistency with any revised plan policies.

Hamlet of Enterprise  
General Plan

Introduced and Read for the first time this 23 day of March, 2009 A.D.

Allen Flinn  
Read for the Second time this 5 day of October, 2009 A.D.

Allen Flinn  
Mayor / Deputy Mayor

Scotty Edgerton  
Senior Admin Officer

Two Advertisement (one per week) advertising a community meeting to discuss all aspects of the Hamlet of Enterprise General Land Plan was sent out to the HUB and local businesses. An invitation to all community members and MACA people was extended to attend this important event.

Approval by the Minister of Municipal and Community Affairs for the General Land Plan Bylaw is requested by the Hamlet of Enterprise this

12<sup>th</sup> day of May, 2010 A.D.

Dwight McLeod  
Minister Municipal and Community Affairs

Third and Final Reading this 21<sup>st</sup> day of May, 2010 A.D.

Allen Flinn  
Mayor / Deputy Mayor

Scotty Edgerton  
Senior Admin Officer

*It is hereby certified that this Bylaw #2009 - 14 has been made in accordance with the requirement of the Hamlet's Act and the Bylaws of the Hamlet of Enterprise.*

Senior Admin Officer

Scotty Edgerton (SAO)

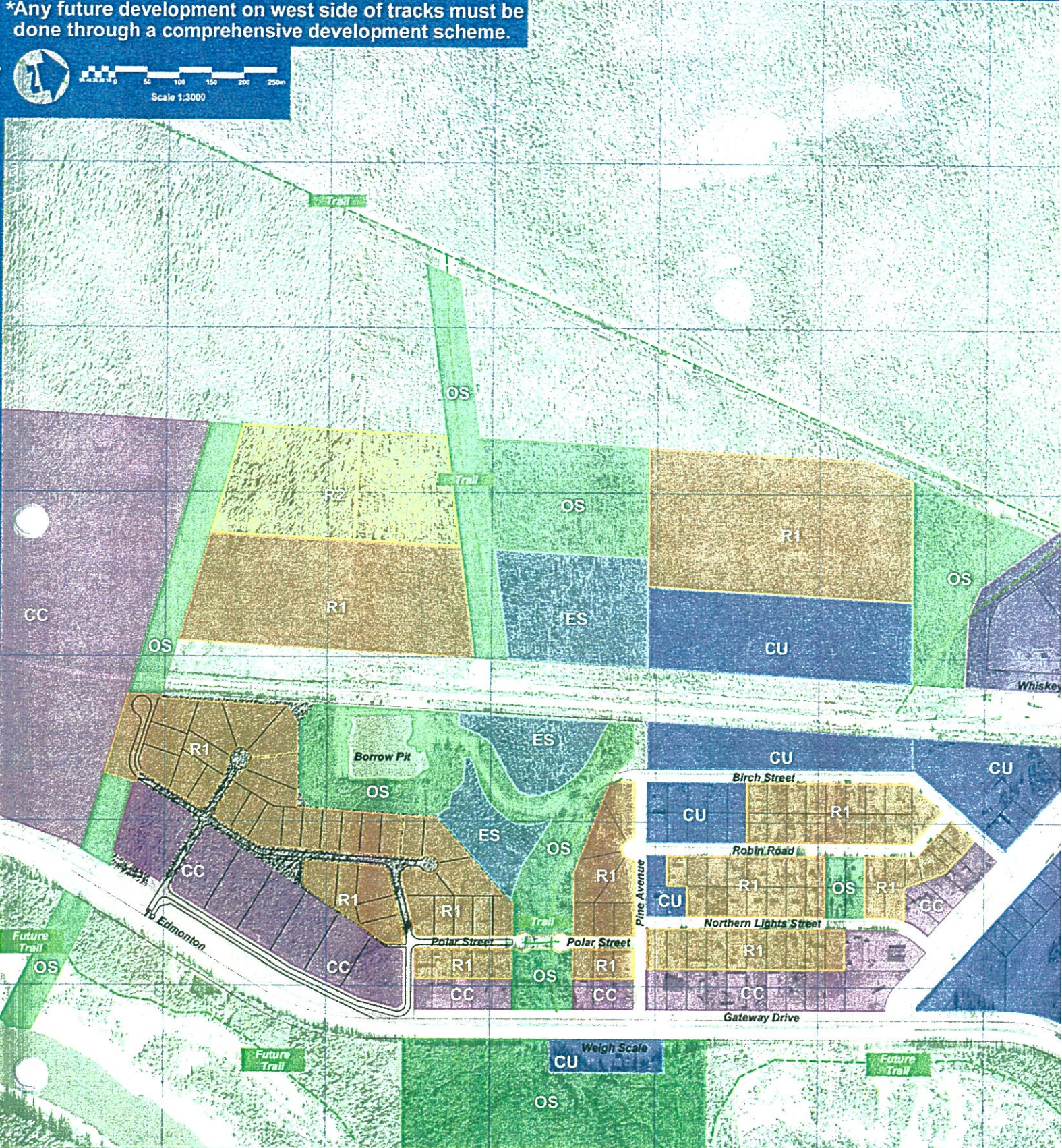
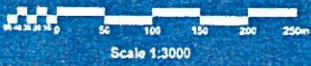




# Enterprise Schedule A Land Use Code

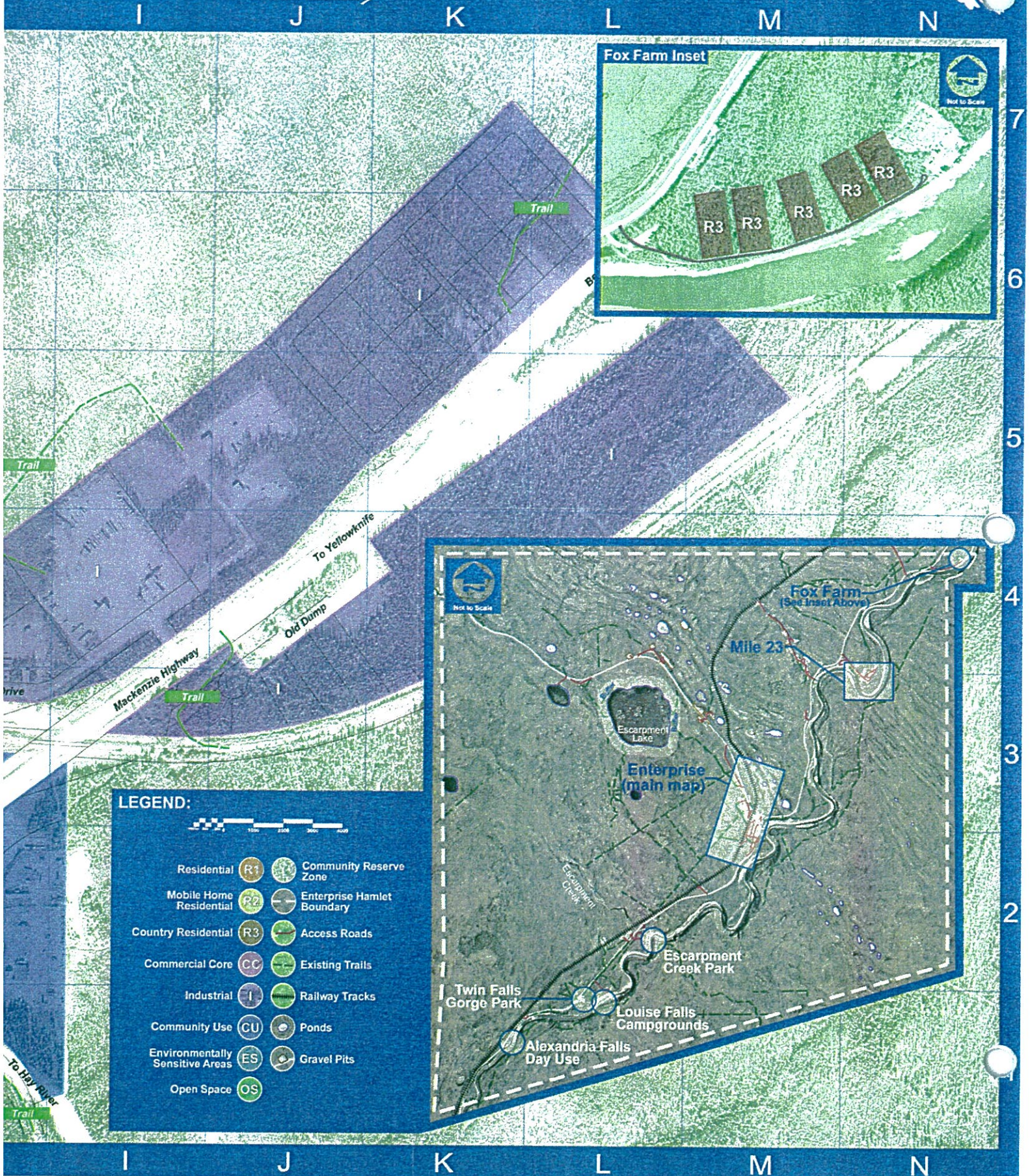
B C D E F G

\*Any future development on west side of tracks must be done through a comprehensive development scheme.



B C D E F G

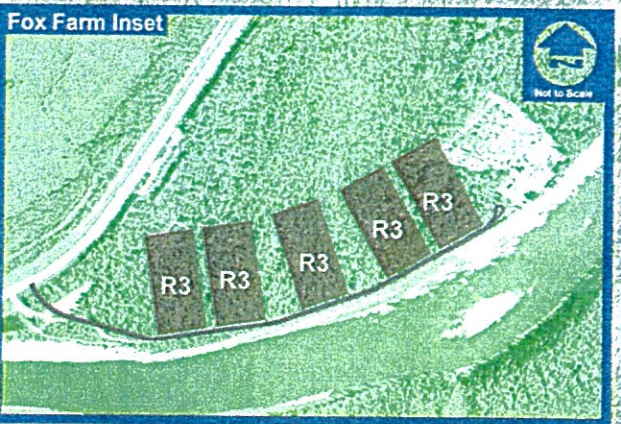
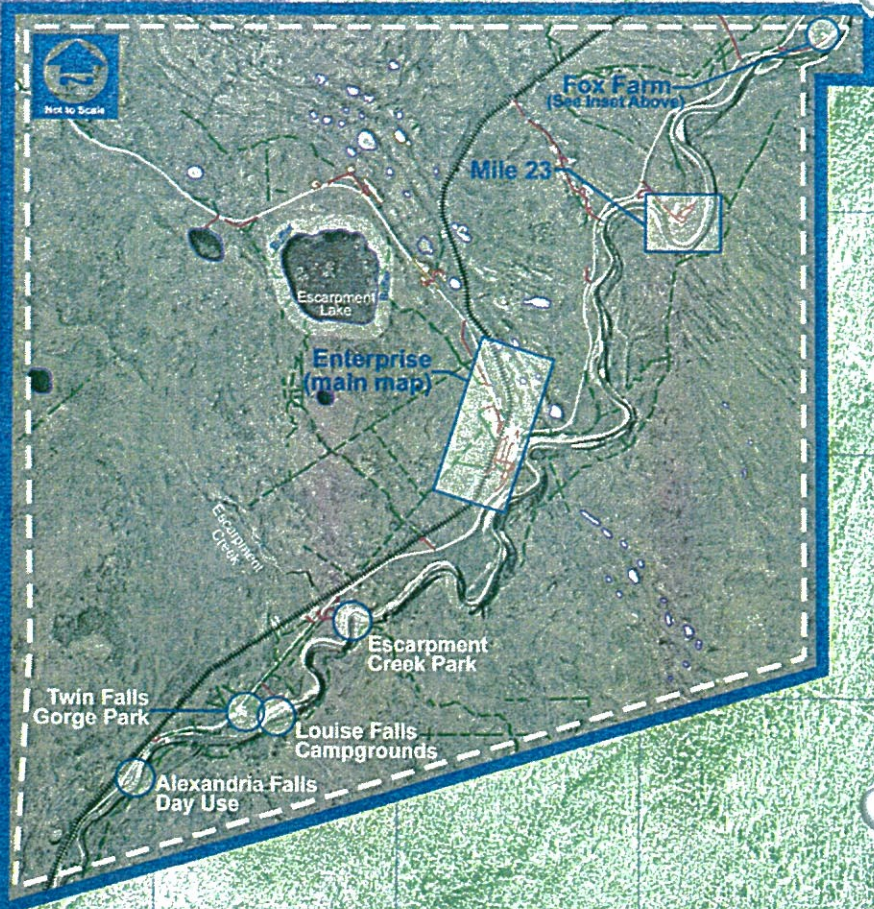
# Concept Map



**LEGEND:**



- Residential (R1)      Community Reserve Zone
- Mobile Home Residential (R2)      Enterprise Hamlet Boundary
- Country Residential (R3)      Access Roads
- Commercial Core (CC)      Existing Trails
- Industrial (I)      Railway Tracks
- Community Use (CU)      Ponds
- Environmentally Sensitive Areas (ES)      Gravel Pits
- Open Space (OS)





SCHEDULE

(Section 1)

HAMLETS ACT

CERTIFICATION OF PUBLIC HEARING

For proposed Bylaw No. #2009-14 (bylaw number) Enterprise Land Plan (title of bylaw)

I, Scotty Edgerton (name), Senior Administrative Officer of the Hamlet of Enterprise (Hamlet) in the Northwest Territories, hereby certify that:

- 1. Public notice of the public hearing has been properly given.
2. A public hearing has been held in accordance with section 131 of the Act.
3. Submissions were (or were not) made at the public hearing.

If submissions were made at the public hearing, add the following information, including an indication whether the submissions were oral, written or both. Attach an extra sheet if necessary.

The following persons made submissions at the public hearing:

- (a) (i) Name
(ii) Nature of the submission
(iii) Manner in which submission was dealt with by council
(b) (i) Name
(ii) Nature of the submission
(iii) Manner in which submission was dealt with by council
(c) (i) Name
(ii) Nature of the submission
(iii) Manner in which submission was dealt with by council
(d) (i) Name
(ii) Nature of the submission
(iii) Manner in which submission was dealt with by council

Signed on April 17th, 2009 (month, day) (year)

Scotty Edgerton (Senior Administrative Officer)



Northwest  
Territories Municipal and Community Affairs

MAY 13 2010

RECEIVED  
May 20/10

Mr. Scotty Edgerton  
Senior Administrative Officer  
Hamlet of Enterprise  
526 ROBIN ROAD  
ENTERPRISE NT X0E 0R1

Dear Mr. Edgerton:

**By-law Nos. 2009-14 and 2009-10**

Please find attached, one Minister signed original of By-law Nos. 2009-14 and 2009-10, being the Hamlet of Enterprise Community Plan and Zoning By-law, which may now be given Third Reading by Council.

Following Third Reading, please forward a copy of the By-laws to the undersigned for our records, or advise of any alternative action taken by Council to dispose of the By-laws.

Sincerely,

Ron Tecszy  
Planner  
Lands Administration

Attachments





Northwest  
Territories Minister of Municipal and Community Affairs

AUG 24 2009

His Worship Mayor Allan Flamand  
526 ROBIN ROAD  
ENTERPRISE NT X0E 0R1

RECEIVED  
Sept 1/09

Dear Mayor Flamand:

**Hamlet of Enterprise**  
**General Plan By-law No. 2009-14 and Zoning By-law No. 2009-10**

This letter is in response to your Senior Administrative Officer's letter dated June 1, 2009, requesting that I approve the Hamlet of Enterprise's General Plan and Zoning By-laws, so the Enterprise Hamlet Council can give the By-laws Third Reading.

Planning By-laws must be adopted in accordance with s. 25 to 29 of the *Planning Act*, and s. 131 and s. 167 of the *Hamlets Act*. In order to proceed to Third Reading, a Hamlet Council must have advertised and held a public hearing after First Reading, but before the By-law is read for a second time. The Senior Administrative Officer for the Hamlet must also certify that a public hearing was held. The "Certification of Public Hearing" form can be found in the *Hamlet Forms Regulations*, pursuant to the *Hamlets Act*. A copy of the form is attached for your ease of reference.

Officials with the Department of Municipal and Community Affairs (MACA) have reviewed the General Plan and Zoning By-laws, and find they are in good order. Please have the Senior Administrative Officer for the Hamlet complete the "Certification of Public Hearing" form, and return it along with the original By-laws to Ms. Beverly Chamberlin, Director of Planning, MACA, 500, 5201 – 50<sup>th</sup> Avenue, Yellowknife, Northwest Territories, X1A 3S9.

I look forward to receiving the By-laws for my signature in the near future.

Sincerely,

Robert C. McLeod

Attachments

c. See Attached

c. Mr. Jeff Polakoff  
Deputy Minister  
Municipal and Community Affairs

Mr. Scotty Edgerton  
Senior Administrative Officer  
Hamlet of Enterprise

Ms. Beverly Chamberlin  
Director of Planning  
Municipal and Community Affairs