

POND INLET



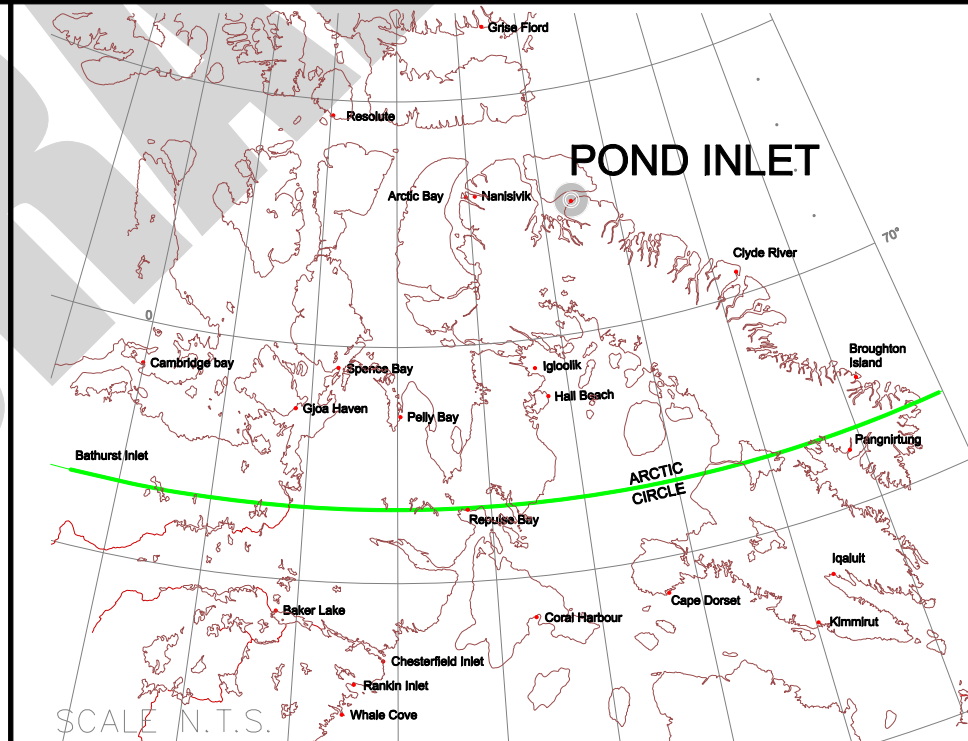
COMMUNITY PLAN AND ZONING BY-LAW



LOCATION

LATITUDE 72° 42' N

LONGITUDE 77° 59' W



HAMLET OF POND INLET COMMUNITY PLAN, SCHEDULE 1

Purpose of the Plan

The purpose of the Hamlet of Pond Inlet Community Plan (plan) is to guide the development of land within the municipal boundary of the Hamlet of Pond Inlet. The plan presents a picture of how the residents would like to see the community of Pond Inlet (community) develop over the next 20 years.

The plan establishes short and long term policies regarding land use and development. The policy statements provide direction to the Council of Pond Inlet (Council), the Government of Nunavut (government) and the general public on matters regarding current land use and the future growth of the community. The policies ensure that the community develops according to the wishes of its residents.

The plan and its policies provide the basis for Council to:

- * evaluate proposed developments in an informed and consistent manner;
- * determine the rate, type and location of future community growth and redevelopment;
- * determine the design, location and timing of new roads, services, public buildings, schools, recreational facilities and infrastructure;
- * adopt a zoning by-law.

Policies

The Council of Pond Inlet has adopted the following policies to direct the implementation of By-law No. X, known as the "Pond Inlet Community Plan". All development shall take place according to the following policies and as shown on Schedule 2, the Land Use Map.

General policies

- * all development proposals shall be submitted to the Hamlet for review and approval;
- * all land applications, subdivision of land and development proposals shall be compatible with this plan;
- * land development shall follow the phasing shown on the Land Use Map, Schedule 2 to facilitate orderly and cost efficient growth;
- * territorial regulations relating to the 450m setback around the current waste disposal site shall be enforced;
- * under no condition shall an activity which can potentially pollute the community's water source be allowed;
- * granular sites shall be well maintained and restored;
- * a minimum of a one year supply of developed lots shall be maintained;
- * all development shall conform to the Fire Marshall's regulations;
- * all development work shall stop if archaeological remains are discovered and the findings shall be reported to the Chief Archaeologist of Nunavut.

For the purpose of this plan, the Hamlet of Pond Inlet is divided into the following land use areas: Residential, Community Use, Commercial, Industrial, Transportation, Open Space and Hinterland. The areas are shown on the Land Use Map, Schedule 2. The following policies shall guide the development of the each land use area.

Residential

"Residential" areas are to be primarily used for housing. Their function is to provide a safe and pleasant neighborhood for the residents to live in. Uses that are compatible with the primary residential function are acceptable within residential areas.

Specific Policy

1. Submit all development applications for proposals on lots located within the 450m setback of the old waste disposal sites to the regional Environmental Health Officer with the Department of Health and Social Services for review and approval. Under no circumstance shall the Hamlet approve a development permit for these proposals if it has not received the approval of the Health Officer.

Community Use

"Community Use" areas should be concentrated in a central and easily accessible location. They are intended for social, cultural, public and administrative services such as daycare centers, schools, churches, and public service related offices.

Specific Policies

1. Set aside centrally located larger parcels of land to accommodate the construction of future community uses.
2. Submit all development applications for proposals on lots located within the 450m setback of the old waste disposal sites to the regional Environmental Health Officer with the Department of Health and Social Services for review and approval. Under no circumstance shall the Hamlet approve a development permit for these proposals if it has not received the approval of the Health Office.
3. Protect the historical building located on lot 59-3. Council considers this building of historical significance as it is the oldest in the community.

Commercial Use

"Commercial Use" areas are primarily intended for commercial retail and service type businesses but may also include social, cultural, public and administrative services.

Specific Policies

1. Concentrate Commercial areas along main roads.
2. Submit all development applications for proposals on lots located within the 450m setback of the old waste disposal sites to the regional Environmental Health Officer with the Department of Health and Social Services for review and approval. Under no circumstance shall the Hamlet approve a development permit for these proposals if it has not received the approval of the Health Office.

Industrial

"Industrial" areas are intended to provide land suitable for uses that typically generate noise, dust, truck traffic, are unsightly and require larger lots. These types of uses can conflict with other types of uses (such as residential) and should be, as much as possible, located in areas removed from the rest of the community.

Specific Policies

1. Offices and caretaker's residential units are acceptable within industrial areas provided they are secondary to the primary use. However, they are not allowed within the 450m setback of the old waste disposal sites.
2. It is recommended to develop lots of varying size in order to accommodate the different needs of light and heavy industry.
3. Heavier industrial uses are to be restricted to the areas furthest from the "Residential" areas. Where an industrial area is adjacent to a residential area a minimum of a 20m buffer shall be maintained between the two areas.
4. No industrial waste shall be discharged into any water body or dumped in any location in a manner which does not conform to all applicable government standards and regulations, without written approval of the agency having jurisdiction.
5. Where there is the likelihood of air, water or ground pollution from a proposed development, Council may require that the proposed development be referred to the appropriate government agency for study and recommendations.

Transportation

"Transportation" areas are intended for two purposes: (a) the development of airport facilities and (b) the uses associated with sealift and boat docking facilities.

Airport

The land reserved for the airport is intended for uses such as airstrips, airport terminal buildings, control towers, weather stations and garages.

Specific Policies

1. The integrity of the land reserved for the airport shall be maintained.
2. Any development that may interfere (height, location, material composition etc.) with the safe and efficient functioning of the airport shall not be allowed.
3. It is the wish of Council that the airport be relocated in the future to a more remote area in order to allow for the continuous expansion of the built-up area of the community and to avoid unnecessary sprawl. In view of this potential relocation, develop a subdivision design on the area encompassed by the current airstrip to illustrate how the community could expand if the airport was relocated.

Sealift

Areas reserved for sealift purposes are intended for uses such as sealift staging areas, docks and breakwaters.

Specific Policies

1. The current sealift staging area is too small and a new one should be developed as soon as possible.
2. The community requires an adequate dock and breakwater to provide for better access to the water and better protection for the boats against the elements.

Open Space

"Open Space" areas are primarily intended to remain free of development to accommodate the needs of the residents for informal outdoor activities such as gatherings relating to cultural events, for playgrounds and to protect certain natural features such as the shoreline and the banks of streams and lakes.

Specific Policies

1. Create playgrounds for small children in the new residential areas.
2. Promote the development of outdoor recreational facilities such as picnic sites and camp grounds.
3. Restrict development from marshy areas, the banks of streams, the shorelines of lakes and of the sea.
4. Make the waterfront area accessible to all the residents.

Hinterland

Those areas within the municipal boundary of the Hamlet not identified for a specific use on the Land Use Map are designated "Hinterland". Lands within the "Hinterland" areas primarily constitute the community's reserve of land for future expansion. Uses such as municipal infrastructures including water supply facilities, solid waste disposal sites, tank farms and telecommunications facilities are acceptable within the Hinterland area.

Specific Policies

1. Preserve, as much as possible, the natural state of the land within the Hinterland area.
2. Protect the Salmon Creek Community Recreation Area by restricting development that may have a negative impact on the natural features of the area and on the archeological sites present.
3. Relocate the tourist camping ground located in the Salmon Creek Community Recreation Area to the new designated area located approximately 1km inland, along Salmon Creek.
4. Promote the creation of historic and cultural sites, tourism facilities, territorial parks and campgrounds.

VISION STATEMENT

Pond Inlet is a community that is moving forward for the better. It is a community that is growing as a part of Nunavut. The people of the community see Pond Inlet taking an important leadership role for the benefit of its residents and all the people of Nunavut.

We respect our elders and recognize the value of their advise to us, to are youth and to young children. We see an ongoing teaching role for them in the community. We preserve the best of the past in our Inuit culture and work to integrate the best of both cultures.

We recognize the importance of training and education for our youth and upgrading for adults who see the value of life-long learning. We promote learning of all life skills such as parenting.

We see our community as a well community free of alcohol and drug abuse with a reduction in the use of all forms of tobacco.

We see good living, recreation and cultural activities supporting and helping to counsel those who need to overcome problems.

We promote a wide variety of economic development activities that make use of our local people's skills and other resources to assist us in becoming a more self-supporting community requiring less outside assistance.

The people of Pond Inlet see a future with much improvement in the infrastructure (including a new NAC building, new airport terminal and runway with jet service) and more local jobs.

We believe in preserving our environment and keeping our community free from all types of pollution.

Community Infrastructures

Water Supply

The community gets its potable water from a lake commonly referred to as "Water Lake" located 4.4 km southeast of the settlement area. To increase the capacity of this lake an earth dam varying between 1.2 m and 4 m in height was built at its north-western tip. Every summer, water is pumped from Salmon Creek into the lake. Water is chlorinated and supplied at the truckfill station adjacent to the lake. It is anticipated that the current system could satisfy the needs of the community for at least the next 10 years. The Hamlet operates 5 trucks to distribute water (1 truck with capacity of 3,711 gallons, 1 truck with capacity of 1,700 gallons and 3 trucks with capacity of 1,500 gallons).

Sewage Disposal

Sewage is disposed of in a sewage lagoon having a capacity of 90,000 m3. Its construction will be completed in 2004. It is located 1.6 km southeast of the community. The lagoon has a 20-year capacity. The Hamlet operates 5 trucks (1,500 gallon capacity) to collect sewage.

Solid Waste Disposal

The solid waste disposal site is located near the sewage lagoon and is accessed by the same road. It was developed in 1996 for 20 years. The site is fenced and garbage is regularly separated, burned, compacted and buried. There are separate areas for bulky wastes and hazardous wastes. Garbage is collected with 1 (16 m3 capacity) truck.

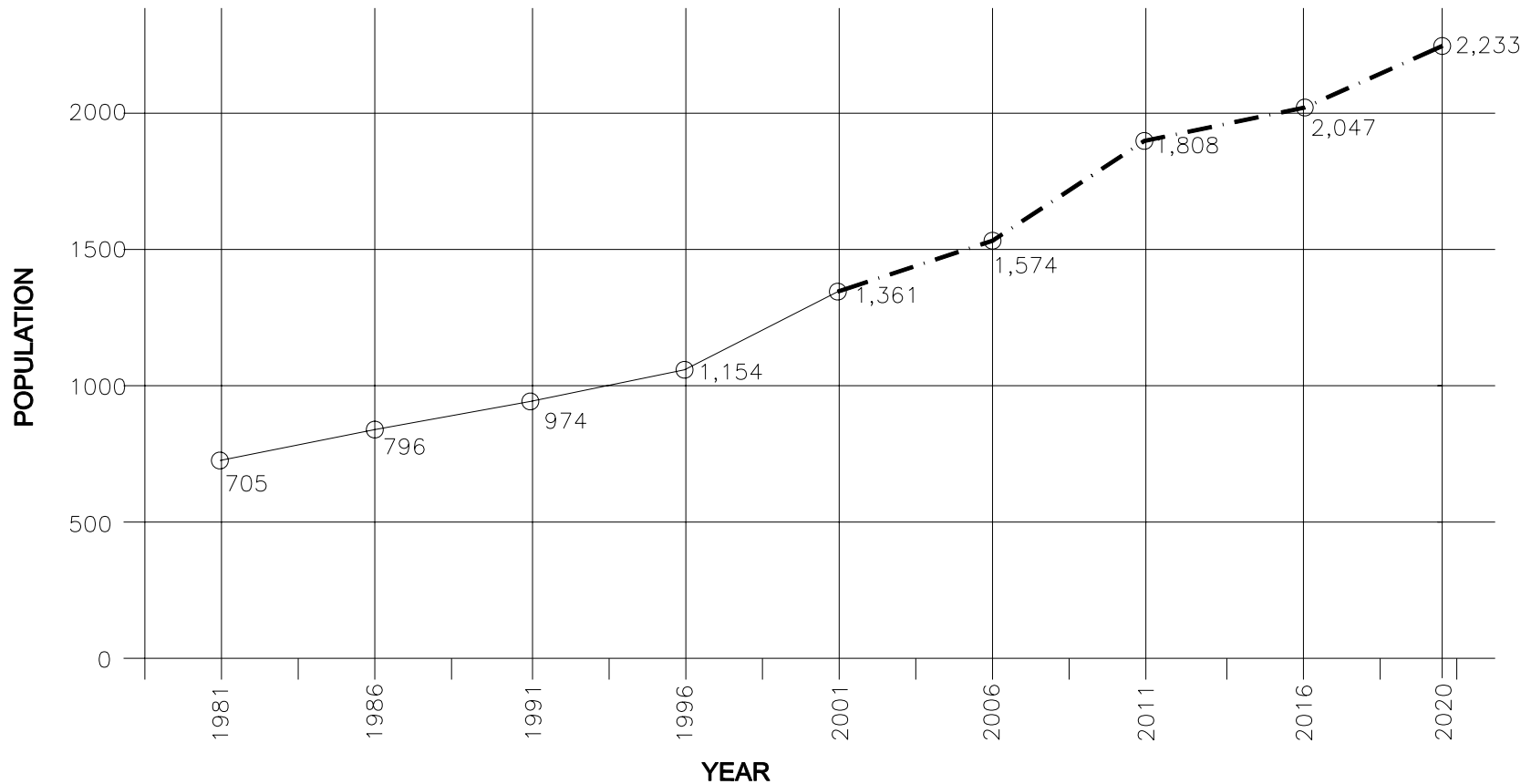
Airport

The airport is located directly within the built-up area of the community. The primary runway is 1,219m long by 30.5m wide with gravel surface. This airstrip can accommodate a Hawker Siddely 748 and aircrafts with a smaller wing span. A new terminal building is planned for 2004. The airport is managed by the Government of Nunavut and operated by the Hamlet.

Power

The plant has an installed capacity of 2250Kw with a peak load requirement of 970Kw.

POPULATION GROWTH GRAPH



———— Source: Northwest Territories Bureau of Statistics
 - . - . - . Source: Nunavut Bureau of Statistics

HOUSING REQUIREMENTS

5 YEAR PERIOD (PHASE)	2003-2007	2008-2012	2013-2017	2018-2020
MEDIUM POPULATION PROJECTION	1143-1624	1668-1851	1904-2093	2137-2233
HOUSES REQUIRED PER PHASE (3.6 People/House)	50	51	53	27

HAMLET OF POND INLET ZONING BY-LAW, SCHEDULE 1

Purpose of the Zoning By-law

The purpose of the Hamlet of Pond Inlet Zoning By-law (zoning-by-law) is to put the Community Plan (by-law No. X) into action. The zoning by-law implements the policies of the Community Plan.

The zoning by-law allows the Hamlet to control land use and development in the community. The control is exercised by requiring that people receive permission from the Hamlet through a development permit before undertaking any development or redevelopment or changing the use of a parcel of land.

The zoning by-law is a legal document with the force of law, therefore, all land use and development requiring a development permit must conform to all its provisions.

Section 1. General

This zoning by-law applies to all the lands within the municipal boundary of the Hamlet of Pond Inlet.

Should any section, clause or provision of this by-law be held by a court of contempt jurisdiction to be invalid, the remaining provisions and their applications will not be affected and will thereby remain in full force.

Section 2. Interpretation of terms

For the purpose of this by-law the following definitions apply:

"ACCESSORY" means buildings or uses, such as storage sheds or carver's sheds, which are secondary to and normally associated with the main use and located on the same lot.

"BUILDING" means any structure, stockpile, sign or fixture built or placed on the land.
- Main building means the building serving the principal or primary use for which the lot is intended.
- Temporary building means a building or structure intended for removal or demolition within a prescribed time, not exceeding the time set out in the development permit.

"CONSTRUCTION WORK CAMP" means a temporary facility providing sleeping, eating, food preparation, sanitary conveniences, recreational areas and equipment areas for the people who provide temporary labor services, but not including their dependants.

"COUNCIL" means the Council of the Hamlet of Pond Inlet.

"DEVELOPMENT" means the carrying out of any construction, excavation, or any operation in, on, over or under the land, or making of any changes in the use or the intensity of use of any land or building and shall include:
- the removal, placement or stockpile of surface material or top soil;
- the use of land for storage or repair of motor vehicles or other machinery or equipment;
- the erection or display of exterior signs greater than one square meter in size;
- the resumption of the use to which land or buildings have been previously put if the use has been discontinued for the period of more than 12 consecutive months; and
- the construction of a building, addition to or replacement of a building, but does not include normal maintenance and repair of a building.

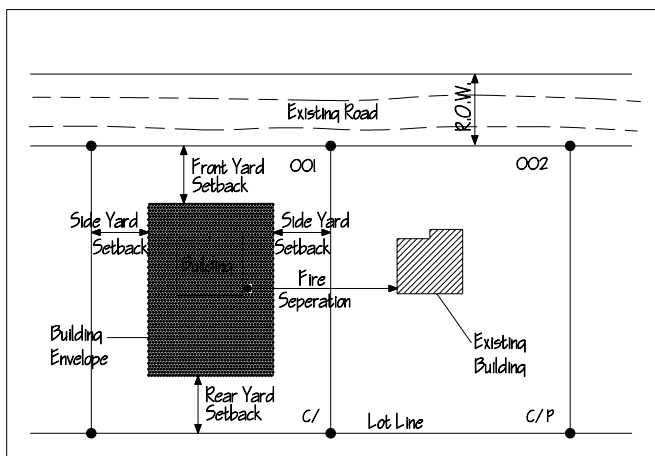
"GRANULAR SITE " means the excavation, processing and stockpile of gravel, stone, sand, fill, clay or other similar substance.

"HOME OCCUPATION" means any business conducted on a residential site or within a housing unit provided the use:
- does not change the residential character of the building or lot by creating problems with noise, traffic or outdoor storage;
- does not employ more than one individual who is not a residence of the dwelling;
- does not show any exterior evidence of the use being carried on, except for a small advertising sign no bigger than 1.0 square meters.

"LOT" means an area of the land that is described on a registered plan, or described on a certificate of title or described by a lease agreement.

"RESIDENTIAL UNIT" means a dwelling with a separate set of living quarters designed or used as a house-keeping unit for one or more people containing cooking, sleeping and sanitary facilities.
- single family residential unit means a separate detached building consisting of one residence;
- multi-family residential unit means a dwelling within a building separated into three or more residences including row-housing and other combinations.

"SETBACK" means the right-angled distance from a lot line.
- For corner lots, only one of the two lines that abut a street is considered the front lot line.



Section 3. Zones and the Zoning Map

3.1 Establishment of Zones

For the purpose of this by-law, the Hamlet of Pond Inlet is divided into the following zones:

- RESIDENTIAL (R)
- COMMUNITY USE (CU)
- COMMERCIAL (C)
- INDUSTRIAL (M)
- TRANSPORTATION (T)
- OPEN SPACE (OS)
- HINTERLAND (H)

3.2 Zoning Map

The location and the boundary of each zone are shown on the Zoning Map, Schedule 2 (zoning map).

3.3 Interpretation of the Zoning Map

If there is any uncertainty as to the location of the boundary of a zone, Council shall interpret the Zoning Map to determine the boundary line based on the edge of the road allowance, surveyed lot lines or unsurveyed lease sketch as shown on the lands map.

3.4 Zoning Chart

Except for otherwise provided in this by-law, the development and redevelopment of all land and buildings in the Hamlet of Pond Inlet shall conform with zoning regulations shown on Zoning Chart, Schedule 3.

3.5 Exception to the Zoning Regulations

- Minor Variances

Where a proposed development does not conform to the site regulations contained in Schedule 3, Council may vary the regulations having regard for fire safety, service access and the policies of the Community Plan.

- Non-Conforming Use and Building

This by-law cannot be used to prevent the use and development of land that had been lawfully established or was under construction at the time this by-law came into effect. Non-conforming uses are subject to the following regulations:
- the non-conforming use may be transferred to a new owner or occupant;
- the non-conforming building may be enlarged only up to 20 percent pf gross floor area of the building as it existed at the date this by-law came into effect;
- if a non-conforming building is damaged or destroyed to an extent greater than 50 percent of the value of the building, it cannot be rebuilt as a non-conforming use but shall comply with this by-law.

Section 4. Administration

4.1 Development Officer

This By-law shall be administered and enforced in accordance with Sections 20, 33, 34 and 35 of the Planning Act. Council shall appoint by resolution a Hamlet employee to serve as Development Officer for the purpose of performing those duties specified in this by-law including authority under Section 20 of the Planning Act to deal with unauthorized construction.

4.2 Development Permit

All developments require a Development Permit except the following:

- an accessory building or use such as a storage shack or carver's shed, provided the building is less than or equal to 8 square meters in size;
- placing fill on a lot for general maintenance or minor improvements provided the drainage of the surrounding area is not affected;
- the addition of a porch to an existing residence;
- traditional and cultural activities in the Hinterland areas, such as the establishment of non-commercial tent camps and cabins.

4.3 Development Permit and Application Fee

Application for a Development Permit shall be made to the Development Officer on a form approved by Council and every application shall be accompanied by the following:
- \$20.00 for the first \$10,000.00 estimated value of the proposed development;
- \$10.00 for every additional \$10,000.00, or part thereof, up to \$100, 000.00 estimated value of the development; plus
- \$5.00 for every additional \$10,000.00, or part thereof, up to a maximum fee of \$250.00.

4.4 Decision on the Application for a Development Permit

An application shall be considered by the Development Officer or Council who shall either approve it, approve it subject to conditions or refuse it and provide written reasons for the conditions of refusal.

4.5 Public Notice of Approved Permits

When a Development Permit has been granted, the Development Officer shall, within seven days:

- post a notice of decision conspicuously on the lot for which the application has been approved;
- post a notice of the decision in 2 public places.

4.6 Enforcement

Violation of any of the provisions of this by-law or conditions of the development permit is liable of a fine up to \$500.00 plus \$100.00 for every day if the offence continues, as specified in Section 34 of the Planning Act.

4.7 Appeal Board

In accordance with Sections 21 and 22 of the Planning act, council shall establish a Development Appeal Board and by resolution appoint one council member and two community residents, each serving a 3-year term as an appeal board member.

4.8 Appeals

Anyone claiming to be affected by the decision of the Development Officer or Council, under this by-law may appeal in writing to the Appeal Board within 14 days of the mailing or posting of the decision.

Where a decision has not been made on the application within 40 days, the applicant may agree in writing to a 14 days extension of the application review.

The Appeal board must hold a hearing within 30 days from the receipt of a written request for an appeal and notify the applicant of the decision in writing within 60 days of the hearing date.