

APPENDIX B

Genier

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Notary Public
In and for the Territory of Nunavut
Titloqanik Hulinitaly!
Nunavunmi Nunavunnilu
My Commission Expires **APR 3/2020**



2016



CAMBRIDGE BAY ZONING BY-LAW

BY-LAW No. 289

A By-law of the Municipality of Cambridge Bay 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 Municipality of Cambridge Bay has prepared a Community Plan, and

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

NOW THEREFORE, the Council of the Municipality of Cambridge Bay, duly assembled, enacts as follows:

1. That the Zoning By-law of the Municipality of Cambridge Bay hereto annexed and marked as Appendix "A" to this By-law, shall hereby constitute the Zoning By-law of the Municipality of Cambridge Bay.
2. This By-law may be cited as the "Cambridge Bay 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 By-law No.222 and all amendments thereto of the Municipality of Cambridge Bay is hereby repealed.

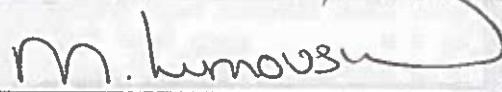
Date of First Reading	(Day) 25	(Month) 07	(Year) 2016
 Mayor		 Senior Administrative Officer	
After due notice and a Public Hearing.			
Date of Second Reading	(Day) 01	(Month) 03	(Year) 2017
 Mayor		 Senior Administrative Officer	
Approved by the Minister of Community and Government Services	30 (Day)	November (Month)	2017 (Year)
 Minister			
Date of Third Reading and Passed	(Day)	(Month)	(Year)
 Mayor		 Senior Administrative Officer	

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SECTION 1: INTRODUCTION & INTERPRETATION

PURPOSE

- 1.1 This By-law
- (a) Divides the Municipality into zones of permitted land use classes, and
 - (b) Specifies the purposes for which buildings and land may be used.
 - (c) Regulates or prohibits the use of land or buildings referred to in clause (b) for any other purpose.

DEFINED AREA

- 1.2 This By-law applies to all lands within the Municipal Boundaries of the Municipality of Cambridge Bay.

SCOPE

- 1.3 No land shall be used and no development shall take place within the Municipality of Cambridge Bay except in conformity with the provisions of this By-law.

VALIDITY

- 1.4 Should any section, clause or provision of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

ESTABLISHMENT OF ZONES

- 1.5 For the purpose of this By-law, the Municipality of Cambridge Bay is divided into zones. The extent and boundaries of all zones are delineated on Schedules 1 and 2; entitled "Community Land Use and Zoning Map" and "Municipal Boundary Map" which specify the zoning provisions applying to particular lands.

INTERPRETATION OF ZONING BOUNDARIES

- 1.6 If there is any uncertainty as to the location of the boundary of a zone, the Development Officer or the regional Community Planner shall interpret Schedules 1 & 2 to determine the boundary line based on the centerline of a public road, a surveyed lot line, or an unsurveyed lease sketch.



"BED & BREAKFAST" means single detached dwelling in which there is a resident owner or resident manager who provides overnight accommodation and meals for the traveling public.

"BUILDING" means any structure, erection, stockpile, sign or fixture built or placed on land.

"BUILDING SUPPLY AND CONTRACTORS SHOP" means an establishment engaged in the selling of building supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning or home improvements and/or for persons employed in building trades such as painting, plumbing, electrical work, masonry, metal working and carpentry or truck, bulldozer, loader and backhoe operating.

"CABIN" means a building that is used for recreation and land-based harvesting purposes and may be seasonally occupied for short periods. Cabins are not intended for long-term human habitation.

"CAMPING, TEMPORARY" shall mean using land as a temporary camp for recreational and cultural purposes including hunting and hiking.

"CAMPGROUND" shall mean a permanent site used for seasonal camping, parking of tents and/or picnicking. A Campground may include an accessory building.

"CARETAKER UNIT" means a dwelling used for the accommodation of a person employed as a caretaker, janitor, manager, watchman, security guard or superintendent by an industrial or commercial use operating on the site.

"CEMETERY" means land primarily used for interment of human remains.

"COMMERCIAL RECREATION AND ENTERTAINMENT" means any building, structure or premises with athletic or entertainment facilities for commercial purposes including gyms, cinemas, billiards halls, bowling alleys, and dance studios.

"COMMERCIAL USE" means a building from which business may be transacted, a service performed or a consultation given such as a bank, office, hair salon, tailor, dry cleaning, laundry, or veterinary clinic.

"COMMUNITY CENTRE" means any building, structure or premises where facilities are provided for athletic, civic, educational, political, religious or social events and are controlled by the Municipality of the Government of Nunavut, or an agent thereof. This definition includes an arena, gymnasium, swimming pool, theatre, library, or similar uses.



"DEVELOPMENT PERMIT" means a certificate of document permitting a development. It includes plan(s) or drawing(s) specifications and may contain relevant documents.

"DOG TEAM" means three or more dogs trained to be harnessed together and used for recreational or commercial purposes or in the maintenance of a subsistence lifestyle. Dogs will be tethered on a chain together.

"DWELLING UNIT" means a separate set of living quarters designed or used as a housekeeping unit for one or more people and usually containing cooking, sleeping, and sanitary facilities.

"DWELLING, MULTI-UNIT" means a building that contains 3 or more dwelling units divided either vertically or horizontally and which may have independent or combined entranceways.

"DWELLING, SECONDARY SUITE" means a self-contained dwelling unit created by either interior renovation within the existing home, or as an exterior addition to the house, provided that all one entire face of the addition is attached to the principal dwelling and is architecturally consistent with the principal dwelling, and shall not be considered a second dwelling on the lot for the purposes of this By-law.

"DWELLING, SEMI-DETACHED" means a building that is divided either vertically or horizontally into 2 dwelling units.

"DWELLING, SINGLE-UNIT" means a separate detached building consisting of one dwelling.

"EDUCATIONAL FACILITY" means a place of instruction, including classrooms, seminar rooms and similar installations, and may include residences.

"ELDERS FACILITY" means a building or part of a building, which is used or intended to be used to provide housing and care for three or more elderly persons who are provided living and sleeping facilities, meal preparation, personal care, supervision, or assistance essential for sustaining the activities of daily living.

"ERECT" means to build, construct, reconstruct, alter, locate, or relocate and without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling and structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

"EXISTING" means in existence on the effective date of this By-law.



"HOME OCCUPATION" means any occupation, trade, profession, personal service, day care or craft carried on by an occupant of a residential building as a secondary use to the residential use of the building.

"HOTEL" means a permanent commercial building or buildings providing temporary accommodations for travelers or transients on a year-round basis, and may have a public dining room.

"INDUSTRIAL USE" means an establishment primarily engaged in the fabricating, processing, finishing, refinishing or assembly or similar production of various articles and commodities such as custom workshops, factories, mills, industrial shops and production facilities, or other similar uses.

"LOADING SPACE" means an area of land providing and maintained upon the same lot or lots upon which the main use is located and which has adequate access to permit ingress and egress by means of driveways, aisles or manoeuvring areas and which is used for the temporary parking of a commercial motor vehicle while merchandise or materials are being loaded or unloaded from the vehicles.

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

"LOT, CORNER" means a lot situated at the intersection of, and abutting on, two or more streets.

"LOT, INTERIOR" means a lot other than a corner or through lot.

"LOT, THROUGH" means a lot bounded on two opposite sides by streets that are parallel or approximately parallel.

"LOT AREA" means the total horizontal area within the lot lines of a lot.

"LOT LINE" means a common line between a lot and an abutting lot, lane, street, parcel of land or body of water.

"LOT LINE, FRONT" means the line dividing the lot from the street or other means of access, and

- i) in the case of a corner or through lot – the shorter lot line abutting the street shall be the front lot line, and where such lot lines are of equal length, the lot line where the principal access to the lot is provided shall be the front lot line.



"PERSON" includes an individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

"PLACE OF WORSHIP" shall mean a building or structure designed, used or intended for religious worship and may include a church, mosque, synagogue or temple.

"POWER GENERATION FACILITY" means a building, structure or lot used to produce energy by combustion, such as diesel or gas, or large-scale renewable sources, such as hydro-electric, wind turbines or large solar arrays. It does not include small-scale renewable energy facilities (e.g. wind turbine, solar photovoltaic arrays, tidal and ocean current power systems) that have a power rating of 15 kW or less. These small-scale facilities fall under the definition of **"UTILITY INSTALLATION"**.

"PUBLIC STREET" means a road which affords the principal means of access to abutting lots and is open and maintained on a regular, year-round basis by the Corporation.

"QUARRY" means the excavation, processing, and stockpiling of gravel, stone, sand, earth, clay fill, or other similar substances.

"RESTAURANT" means a building or part of a building where foods and beverages are offered for sale to the public, for consumption within the premises or off the site. This includes licensed restaurants, cafes, lunchrooms, and take-out restaurants.

"RESIDENTIAL USE" means a building, converted or purpose-built, comprised solely of a dwelling unit or dwelling units, and includes a single unit, multi-unit and/or semi detached dwelling unit.

"RETAIL STORE" means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered for sale directly to the public at retail value and shall include minor food processing and packaging in connection with the sale of food products.

"SEA CONTAINER OR SEA CAN" means a container previously used for the transportation of goods by ship and which is now being used for storage, harvesting, or a workshop; a sea container being used in this way shall be defined as an accessory use for the purposes of this By-law.

"SERVICE AND REPAIR SHOP" means a building or part of a building used for the sale and repair of household articles and shall include all replacement shops, radio, television and appliance repair shops but shall not include industrial uses or manufacturing or vehicle repair shops.



"WASTE DISPOSAL SITE" means a place where ashes, garbage, refuse, domestic waste, industrial waste, municipal refuse, and sewage is disposed of or dumped.

"WASTE PROCESSING & STORAGE FACILITY" means a facility where non-hazardous waste is sorted, processed and temporarily stored prior to transfer off the site, and may include a composting facility, recycling facility, or soil remediation facility (ie. landfarm).

"WATERCOURSES" means any lake, river, stream, ocean, or other body of water.

"YARD" means part of a lot upon which no structure is erected above grade.

"YARD, FRONT" means the area extending across the full width of a lot from the front lot line to the nearest wall of any main building or structure on the lot.

"YARD, REAR" means the area extending across the full width of a lot from the rear lot line to the nearest wall of any main building or structure on the lot.

"YARD, INTERIOR SIDE" means the area extending across the full length of a lot between an interior side yard to the nearest main wall of any building on the lot.

"YARD, EXTERIOR SIDE" means the area extending across the full length of a lot between an exterior side yard to the nearest main wall of any building on the lot.

"ZONE" means a land use category as defined and regulated in this By-law and as shown on its Schedules.



DEVELOPMENT PERMIT

- 3.6 No person or agency shall undertake development without a Development Permit.
- 3.7 No Development Permit shall be issued for development that is in contravention of this By-law.
- 3.8 The approval of a Development Permit shall not relieve the permit holder from constructing in accordance with the National Building Code, the National Fire Code, and all Federal and Territorial Regulations.
- 3.9 The approval of a Development Permit shall not exempt any person or agency from complying with the requirements of any other by-law in force within the Municipality of Cambridge Bay or to obtain any license, permission, or permit required by municipal, territorial and federal legislation.
- 3.10 All development requires a Development Permit except for the following:
- (a) For grading or landscaping where the cutting or filling is less than 1 metre and provided that the drainage of the surrounding area is not affected;
 - (b) Traditional and cultural activities including non-commercial tent camps and cabins in the Nuna Zone;
 - (c) Minor repairs, painting, decorating, or landscaping, provided that no person's health or safety is endangered or completion of a development approved for or under construction on the effective date of this by-law;
 - (d) Minor repairs or renovations that do not increase the floor space of the building, but does not exempt anyone from informing the Fire Marshal's Office of their plans;
 - (e) A temporary building (eg. sea container) or structure associated with construction, unless such building or structure is used for human habitation.
 - (f) The installation, maintenance and repair of public works, services and utilities carried out by the City on land which is publicly owned or controlled;
 - (g) Temporary election campaign signs and signs not exceeding 1 square metre in size;
 - (h) Decks or open porches in the Residential Zone that meet all provisions of this By-law;
 - (i) An accessory building having an area of less than 10m² that meets all other provisions of this By-law;
 - (j) Home Occupation that does not require parking;
 - (k) A change in use to a building where there are no additions or extensions to the building and no changes to the site design (eg. no changes to parking or access).



- (d) The Development Officer may require the applicant to submit additional information to verify the compliance of the proposed development with the regulations of this bylaw.
- (e) For Development that is subject to terms and conditions, a letter must be submitted by the applicant to demonstrate to the Development Officer that the adjacent landowners have been notified in person or in writing.
- (f) If the person applying for the Development Permit is not the Owner, then a Letter of Consent is required from the Owner indicating that the person is the Owner's duly authorized agent.
- (g) The Development Officer may require a signed copy of a deed, lease or reserve agreement for the land.

3.15 Where the Development Officer determines that an application for a Development Permit is incomplete or contains incorrect information, the applicant shall be notified, and further processing of the application may be suspended until such further information has been provided and/or corrected by the applicant.

NOTICE OF DECISION

3.16 Each application shall be considered by Council or the Development Officer as required by this By-law, and shall be either approved, approved with conditions, or refused. Where an application is refused, written reasons must be provided for the refusal.

3.17 A decision on an application for a Development Permit shall be made by the Development Officer or Council within 40 days of receipt of the application in its complete and final form. If a decision is not made within 40 days, the application for Development Permit shall be deemed to be refused.

3.18 When an application is approved, the Development Officer will within 3 days of the date of decision post a Notice of Decision conspicuously on the lot for which the application has been approved and in the Municipal Office.

3.19 When a Variance has been granted, the Development Officer will within 3 days of the date of decision send a Notice of Decision to adjacent property owners.

3.20 The Development Permit does not become effective until 14 days after the Notice has been posted or mailed, and where no appeal of the decision has been filed, and where the relevant conditions of development approval have been met.



writing to the Appeal Board within 14 days of the mailing or posting of a Notice of Decision.

- 3.27 Upon receiving in writing an appeal, the Development Appeal Board shall:
- (a) Hold a hearing with a minimum of 3 Board members within 30 days from the receipt of the appeal, upon determining that the appeal is based on planning grounds;
 - (b) Ensure that reasonable notice of the hearing is given to the applicant and all persons who, in the opinion of the Board, may be affected;
 - (c) Allow the Development Officer and every person concerned with the opportunity to be heard, to submit evidence and to hear the evidence of others;
 - (d) Consider the circumstances and merits of each case and consider the purpose and scope and intent of the Community Plan and the provisions of this By-law;
 - (e) Confirm, reject or vary the decision appealed and impose such conditions as it considers necessary under the circumstances; and
 - (f) Take minutes of the hearing and render its decision in writing to the parties involved within 60 days of the hearing date.
- 3.28 Where a member of the Development Appeal Board has an interest in an application for a Development Permit that is being appealed, they shall be subject to the provisions of the Conflict of Interest Act.

ZONING BY-LAW AMENDMENTS

- 3.29 A person who seeks to have this By-law amended shall submit an application to Council with the following:
- (a) A copy of their lease or certified true copy of their certificate of leasehold title;
 - (b) A fee as per Section 7 of this By-law;
 - (c) Any information as may be required by Council.
- 3.30 Any development where the Municipality will be the owner of that development are exempt from development permit application fees.

RULES OF INTERPRETATION

- 3.31 Typical uses listed in the definitions as examples are not intended to be exclusive or restrictive. Reference should be made to the intent, impact and definition of the use in determining whether or not the type of use proposed is consistent with the examples listed.
- 3.32 Where a specific use does not conform to the wording of any use definition or generally conforms to the wording of two or more definitions, a Development Officer may use their



SECTION 4 - COMPLIANCE WITH OTHER REGULATIONS

- 4.1 Nothing in this By-law shall exempt any person from complying with the requirements of any other by-law in force within the Municipality of Cambridge Bay or to obtain any license, permission, or permit. Authority or approval required by any other by-law of the Municipality of Cambridge Bay or statute and regulations of the Government of Nunavut or the Government of Canada.
- 4.2 Where the provisions in this by-law conflict with those of any other municipal, federal or provisional regulations, by-laws or codes, the higher or more stringent requirement shall prevail.

REVIEW BY FIRE MARSHAL'S OFFICE

- 4.3 The Municipal Council shall seek the comments of the Fire Marshal's Office before approving a development application for the following type of uses:
- a) Residential uses:
 - i. All semi-detached, or multi-unit dwellings; and
 - ii. Single units that do not meet the required setbacks; and
 - b) All non-residential uses.

Applications for development permits must include proof that the development has been approved by the Fire Marshal's office.

NUNAVUT IMPACT REVIEW BOARD

- 4.4 Industrial development which is subject to screening must be approved by the Nunavut Impact Review Board (NIRB) before a Development Permit can be issued.

NUNAVUT WATER BOARD AND INDIGENOUS AND NORTHERN AFFAIRS CANADA

- 4.5 The Nunavut Water Board (NWB) must approve all projects proposing to use, or dispose of waste into water, including proposals to partially or fully fill a waterbody. Once approved, Indigenous and Northern Affairs Canada (INAC) enforce the licenses. If a waterbody is deemed "navigable," Transport Canada must also approve these activities, pursuant to the Navigable Waters Protection Act (NWPA). If applicable, the project will also be circulated to the Department of Fisheries and Oceans Canada (DFO) for review and approval.

NUNAVUT PLANNING COMMISSION

- 4.6 Information on any development occurring close to the Municipal Boundary or any development with potential impacts outside the Municipal Boundary should be submitted



GENERAL SANITATION REGULATIONS

- 4.14 Any land use must be compliant with the General Sanitation Regulations of the Public Health Act. All development proposals for residential uses and uses involving food storage or food preparation proposed within 450 m of a waste disposal site, require review and approval from the Environmental Health Officer prior to the issuance of a development permit.



has frontage on more than one street, the Development Officer may require any building, structure, or accessory building on the lot to maintain a front yard on each street so as to present a consistent street appearance on each street.

FRONTAGE ON CURVES

- 5.6 Where the front lot line of any lot is a curved line or when the sidelines of a lot are not parallel, the minimum front lot line shall be a minimum of 10 m.

HEIGHT

- 5.7 When used with reference to a building or structure, is the vertical distance between the average finished grade and a horizontal plane through either:
- (a) the highest point of the roof in the case of a building with a flat roof;
 - (b) the average level of a sloped roof, provided that such a roof has a slope of less than 20°, or;
 - (c) the average level between eaves and ridges in the case of a pitched gambrel mansard or hipped roof.
- 5.8 The height of buildings and structures in the vicinity of airports are regulated by Airport Zoning Regulations. Refer to section 4.8.
- 5.9 Where height limitations are set forth in this By-law, such limitations shall not apply to artworks and cultural structures (i.e. Inukshuks), aids to navigation or aviation, antennae, bulk storage tanks, chimneys, church steeples, clock towers, communication facilities, electrical supply facilities, fire towers, flagpoles, lighting standards, lightning rods, mechanical equipment penthouses, skylights, solar panels, stacks, water tanks, or windmills. Notwithstanding the foregoing, limitations prescribed by a Federal Ministry or other Authority with respect to height limitations and appropriate lighting in the vicinity of airfields shall prevail.
- 5.10 The height of buildings and structures in the vicinity of airports are regulated by Airport Zoning Regulations. Refer to the Airport Zoning Regulations (Section 4.8) of this By-law.

HOME OCCUPATION

- 5.11 Where a home occupation is permitted under this By-law, a home occupation is subject to the following requirements:
- (a) Does not change the residential character of the lot by creating problems with noise, traffic, outdoor storage, or other nuisance;
 - (b) Does not employ more than 2 people who do not live in the dwelling;
 - (c) Does not show any evidence that there is a business in the dwelling unit except



- (d) If more than 50% of a non-conforming building or use is accidentally destroyed, any new use or building must conform to this By-law.

PARKING REQUIREMENTS

5.15 Parking shall be required for any use, building or structure in accordance with the following standards and such parking shall be accessory to a permitted use and located on the same lot as the use:

- (a) Residential – 1 parking space per dwelling unit
- (b) Residential in a non-Residential building – 1 parking space per 2 dwelling units
- (c) Commercial Use – 1 space per 50 m² of gross floor area
- (d) Community Use – 1 space per 75 m² of gross floor area
- (e) Industrial – 1 space for every 2 people working on site
- (f) School – 1 space for every 3 people working on site
- (g) Open Space – Discretion of Development Officer or Council.
- (h) Other uses not specifically listed shall be determined by the Development Officer in considering similar types of uses and the anticipated parking demands of the proposed development.

5.16 Each required parking space shall be 6.0m in length and 2.7m wide.

5.17 For a required parking area of more than 6 spaces, at least one space for every 25 spaces must be a designated space for persons with disabilities. A space for persons with disabilities shall be 6.0 m in length and 3.7 m wide.

PERMITTED PROJECTIONS INTO YARDS

5.18 Despite any other provision to the contrary, the following features and other similar features are permitted to project from a principal building into a required yard in accordance with the following table. This section does not apply to the projection of any structure into the minimum required setback from watercourse or waterbodies.

Object	Permitted projection into any required yard	Minimum distance from lot line
Canopies or awnings	1.5 m	3 m
Solar panels, heat pump or similar equipment	1 m	3 m
Unenclosed balconies or stairways, including a fire escape	1.5 m	3 m
Unenclosed porches, decks and steps	3 m	3 m



- (b) Any object or chattel which, in the opinion of the Development Officer is unsightly or tends to adversely affect the amenities of the district;
- (c) Any excavation, storage, or piling up of materials required during the construction stage unless all necessary safety measures are undertaken.

5.26 No person shall keep or permit on any site any buildings, or structures or portions thereof, rubbish or other things that may constitute, in the opinion of the Development Officer, a fire hazard, or hazard to safety or health or be in contravention of the Property Standards Bylaw.



RESIDENTIAL**6.1 Permitted Uses**

Dwelling, Multi-Unit
Dwelling, Semi-Detached
Dwelling, Single-Unit
Park

6.2 Conditional Uses

Bed and Breakfast
Craft Studio
Day Care Centre
Dwelling, Secondary Suite
Elders Facility
Group Home
Home Occupation
Utility Installation

6.3 Zone Requirements

Please note that Council will not grant any variances in setbacks.

(a) The following provisions applies to all development in the Residential Zone:

Setbacks (minimum)

Front=6 m
Rear= 4.5 m
Rear, backing onto an Open Space Zone = 2.5 m
Side (Exterior) = 4 m
Side (Interior) = 4.5 m, or as required by the Fire Marshal

Building Height (maximum)

10 m

(b) Despite the provisions of Section 6.3(a), for **Semi-Detached Dwellings** or **Multi-Unit Dwellings** located on separate, adjacent lots, the side yard where units are attached may be reduced to 0 m.



CORE AREA

6.4 Permitted Uses

Commercial Recreation & Entertainment
Commercial Use
Community Centre
Craft Studio
Day Care Centre
Educational Facility
Elders' Facility
Government Service
Group Home
Health Care Facility
Home Occupation
Hotel
Park
Parking Lot
Place of Worship
Restaurant
Retail Store
Service and Repair Shop
Utility Installation

6.5 Conditional Uses

Dwelling Unit(s), in a non-residential building provided that no dwelling units are located on the ground floor

6.6 Zone Requirements

(a) The following provisions applies to all development in the Commercial Zone:

Setbacks (minimum)

Front = 6 m

Rear = 4.5 m

Side (Exterior) = 4 m

Side (Interior) = 4.5 m, or as required by the Fire Marshal



COMMERCIAL & COMMUNITY

6.7 Permitted Uses

Commercial Use
Community Centre
Craft Studio
Day Care Centre
Educational Facility
Elders' Facility
Group Home
Health Care Facility
Home Occupation
Park
Place of Worship
Restaurant
Retail Store
Service and Repair Shop
Utility Installation

6.8 Conditional Uses

Dwelling Unit(s), in a non-residential building provided that no dwelling units are located on the ground floor

6.9 Zone Requirements

- (a) The following provisions applies to all development in the Commercial & Community Zone:

Setbacks (minimum)

Front = 6m

Rear = 4.5m

Side (Exterior) = 4 m

Side (Interior) = 4.5 m, or as required by the Fire Marshal

Building Height (maximum)

11 m

- (b) A covered or screened area for garbage and trade waste is required.



OPEN SPACE

6.13 Permitted Uses

Tent Camping, Temporary
Campground
Cemetery
Monument, cairn or interpretive facilities
Park
Snow Fence
Utility Installation

6.14 Conditional Uses

Beach Shacks
Dog Teams
Heritage Buildings
Outdoor Storage
Cabins for Elders

6.15 Zone Requirements

- (a) The following provisions applies to all development in the Open Space Zone:

Gross Floor Area (maximum)

36 m²

Building Height (maximum)

4 m

- (b) No building or structure shall be located closer than 10 m to any side or rear lot line.
- (c) When considering a Conditional Use, Council shall consider the following:
- (i) A **Dog Team** is not located within 500 m of any residence;
 - (ii) **Outdoor Storage** and **Beach Shacks** are located in a manner that do not obstruct views or access to the sea, or create any other undesirable impacts, and **Outdoor Storage** is appropriately screened;



SEASONAL WATERFRONT USE**6.16 Conditional Uses**

Cabins
Beach Shacks

6.17 Zone Requirements

- (a) The following provisions applies to all development in the Seasonal Waterfront Use Zone:

Gross Floor Area (maximum)

40 m²

Building Height (maximum)

5 m

- (b) No building or structure shall be located closer than 10 m to any side or rear lot line.
- (c) When considering a Conditional Use, Council shall consider the following:
- (i) **Cabins** shall only be used to support seasonal traditional and recreational activities and may not be used as a primary home.
 - (ii) **Cabins** shall not be constructed with permanent or semi-permanent foundation types.
 - (iii) The use of gravel fill around **Cabins** shall be minimized in order to retain tundra and maintain a natural setting.
 - (iv) New **cabins** must not be sited within the '100-foot strip' which are lands measured 30.5 metres from the Ordinary High Water Mark along the shoreline of the seacoast.
 - (v) **Beach Shacks** are located in a manner that do not obstruct views or access to the sea, or create any other undesirable impacts.
 - (vi) **Beach Shacks** shall not be used for human habitation and shall have permission to occupy the land by the landowner (typically the Commissioner).



- (c) A covered or screened area for garbage and trade waste is required.
- (d) When considering a Conditional Use, Council shall consider the following:
 - (i) A **Caretaker Unit** is subject to the General Sanitation Regulations of the Public Health Act and can generally not be located within 450m of a Solid Waste Site or Sewage Treatment Area;
 - (ii) Council is satisfied that the **Caretaker Unit** will be used in accordance with its Zoning By-law definition and will not be used as a rental unit.
 - (iii) A **Power Generation Facility** or **Hazardous Goods Storage** are located and designed such that there is no risk to public health and safety.
 - (iv) The Conditional Use has been subject to screening and/or review by the Nunavut Planning Commission and/or the Nunavut Impact Review Board in accordance with the *Nunavut Planning and Project Assessment Act*.



MUNICIPAL RESERVE

6.23 Conditional Uses

Temporary uses
Utility Installation

6.24 Zone Requirements

- (a) Only a Utility Installation or development of a temporary nature that Council believes will not interfere with the future re-designation of the land to accommodate community growth is permitted on lands zoned Municipal Reserve.



& 2.

- (d) A **Campground or Temporary Camping** uses will not be permitted within the 450 m setback from a Waste Disposal Site or Sewage Treatment Area, as shown on Schedules 1 & 2, unless permission is granted by the GN Environmental Health Officer.
- (e) When considering a Conditional Use, Council shall consider the following:
 - (i) A **Dog Team, Waste Disposal Site, Quarry, Mineral Exploration, or Commercial harvesting facility** are not located within 450 m of any residence;
 - (ii) A Waste Disposal Site, Quarry, Mineral Exploration, Commercial harvesting facility, or Power Generation Facility use has been subject to screening and/or review by the Nunavut Planning Commission and/or the Nunavut Impact Review Board in accordance with the Nunavut Planning and Project Assessment Act;
 - (iii) Beach Shacks and Cabins are located in a manner that do not obstruct views or access to the sea, or create any other undesirable impacts;
 - (iv) Beach Shacks shall not be used for human habitation and shall have permission to occupy the land by the landowner (typically the Commissioner);
 - (v) Cabins shall not be used for year round permanent habitation and shall have permission to occupy the land by the landowner (Municipality, Commissioner or Kitikmeot Inuit Association)..



SECTION 7 – FEES

The following fees shall apply for each type of application as noted in the table below:

DEVELOPMENT PERMIT	DRAFT FEES
Residential: 1 to 6 dwelling units	\$300 for the 1 st unit and \$200.00 for each additional unit
Residential: more than 6 dwelling units	\$400 plus \$50 for each additional unit over 6 units
Non-residential: less than 500 m ² (gfa)	\$1000
Non-residential: between 500 m ² (gfa) and 1,000 m ² (gfa)	\$1,500 plus \$2 for each 1m ² over 500m ²
Non-residential: greater than 1,000 m ² (gfa)	\$2,000 plus \$2 for each 1m ² over 500m ²
Dwelling units in a non-residential building	Applicable "non-residential" fee above plus \$150 per unit.
Residential addition (where no existing Development Permit to amend)	\$250
Addition of or enclosure of steps, patio or deck	\$100
Accessory structure, including sign, or building less than 40m ² (gfa)	\$25
Accessory structure or building that requires Council approval	\$500
Change of Use (with no new construction)	\$200
Amendment to Development Permit - (Council Decision)	\$800
Variance Request	\$300
ZONING AMENDMENT	
Zoning Amendment (text and schedules)	\$500
SURVEY APPLICATION	
Resurvey Application – lot line adjustments, merging of lots, or splitting of lots	\$1,500 plus \$150 for each additional lot over 3 existing lots
Survey Application – Creation of new lots	\$1,500 for one lot, plus \$250 for each additional lot
Revision to resurvey application	\$500
Revision to survey application (creation of new lots)	\$500
Extension to subdivision approval	\$400
Extension to a Development Permit	\$150
OTHER FEES	
Demolition Permit	\$100
Moving Permit	\$50
Administration Fee (where an application is withdrawn prior to processing)	\$100
Copy of Community Plan	\$30
Copy of Zoning By-law	\$30
Zoning Compliance Letter - MINOR (residential 1 or 2 units on a lot or less than 500m ² of non-residential development)	\$100
Zoning Compliance Letter - MAJOR (residential 3+ units on	\$100



SECTION 8 – FORMS

Form A	Application for Development Permit
Form B	Application for Home Occupation
Form C	Development Permit and Notice of Approval
Form D	Permit - Notice of Refusal
Form E	Notice of Appeal Hearing
Form F	Notice of Appeal Decision
Form G	Stop Work Notice
Form H	Use of Land is in Violation of the Cambridge Bay Zoning By-law Notice
Form I	Application for Amendment to the Zoning By-law
Form J	Request for Variance
Form K	Moving Permit
Form L	Temporary Land Use Permit



CURRENT USE & ZONING:

Current use of the lot: _____

Current Zoning: _____

COST & COMPLETION TIME:

Date of Completion: _____

Estimated cost of the project: _____

Date of Commencement: _____

ZONING REGULATIONS:**Proposed Setbacks:****Front Yard:****Interior Side Yard(s):****Rear Yard:****Exterior Side Yard:****Height of Proposed Building:****Number of Parking Spaces proposed:****Fire Spatial distance from adjacent buildings:****North side:****South side:****East side:****West side:**

I hereby give my consent to allow all authorized person(s) the right to enter the above land and/or buildings, with respect to this application only.

Date: _____**Signature of Applicant:** _____

FORM B – Application for Home Occupation

**APPLICATION FOR HOME
OCCUPATION**



I/We hereby make application under the provisions of the Zoning By-law No. 289 for a Development Permit to operate a Home Occupation.

PLEASE PRINT:

Applicant's Name: _____.

Business Name: _____.

Mailing Address: _____.

Phone Number: _____.

Lot No.: _____. **Block No:** _____ **Plan No.:** _____.

Zoning: _____.

Details:

How many people will you employ? Are these people residents of the Home?

How many and what kind of vehicles and/or equipment you expect to use in conjunction with the business (indicate number, type and size)?

Where will the above vehicles and/or equipment be parked?

Lessee of the Property: _____.

(* If the applicant is not the Registered Owner or Lessee of the Property, please submit

FORM C – Development Permit & Notice of Approval

**DEVELOPMENT PERMIT – NOTICE
OF APPROVAL**



POSTED ON SITE, IN THE MUNICIPAL OFFICE

Development involving: _____

as further described in Application No.: _____ has been:

APPROVED: ☐

APPROVED - subject to conditions (state reasons): ☐

Shall comply with:

- (1) Municipal Zoning By-law;
- (2) National Building Code, most current;
- (3) National Fire Code, most current; and
- (4) All Federal and Territorial Regulations

The applicant is hereby authorized to proceed with the specified development provided that any stated conditions are complied with, that development is in accordance with any approved plans and applications. **Should an appeal be made against this decision to the Development Appeal Board, or the Development Officer this Development Permit shall be null and void.**

Date of decision: _____ Date of issue of Development Permit: _____

Motion Number if Council Approval is required: _____.

Signature of Development Officer: _____.

NOTE:

1. The issuance of a Development Permit, in accordance with the Notice of Decision, is subject to the condition that it does not become effective until 15 days after the date the order, decision or Development Permit is issued;
2. Any person claiming to be affected by a decision of Council may appeal to the Development Appeal Board by submitting a written notice of appeal to Development Officer within 14 days after notice of the decision is given; and
3. A permit shall become void after two years or if the development has not commenced within 6 months from the date that the permit was issued.

Permit No.: _____

Date: _____

FORM E – Notice of Appeal Hearing

NOTICE OF APPEAL HEARING



Date: _____

This is to notify you that an appeal has been made to the DEVELOPMENT APPEAL BOARD against a decision in respect of Application No.: _____ which involves development described as follows:

—

This decision was:

APPROVED: ☐

APPROVED - with conditions: ☐

REFUSED: ☐

Reasons for this decision is as follows:

Place of Hearing: _____

Time of Hearing: _____ Date of Hearing: _____

Any persons affected by the proposed development have the right to present a written brief prior to the hearing and to be present and be heard at the hearing. Persons requiring to be heard at the meeting shall submit the written briefs to the Secretary of the Development Appeal Board (Development Officer) not later than: _____.

Date

Secretary of the Development Appeal Board
(Development Officer)

FORM G – Stop Work Notice

STOP WORK NOTICE

POSTED ON SITE AND AT THE MUNICIPAL OFFICE



Date: _____

You are hereby notified that your development is in contravention of the Cambridge Bay Zoning By-law, No. 289 Development Permit by reason of:

You are requested to take remedial action to conform to the By-law/Permit as follows:

Failure to comply with this request within 30 days of receipt of this notice may result in action being taken through the courts to seek remedy under the provisions of the **Planning Act and Hamlets Act.**

Date of Notice

Signature of Development Officer

FORM I – Application for Amendment to Zoning By-law

**APPLICATION FOR AMENDMENT TO
THE ZONING BY-LAW**



Fee:
(see Section 7)

Date: _____

Zoning Amendments are subject to the provisions of the Planning Act Section 29 and Section 3.29 of this By-law.

I/We hereby make application to amend the Zoning By-law.

Applicant: _____ **Telephone:** _____

Address: _____

Owner of Land or Lessee: _____ **Telephone:** _____

Address: _____

Land Description: **Lot:** _____ **Plan:** _____

Civic Address: _____

Amendment Proposed:

From: _____ **To:** _____

Reasons in support of Application for Amendment:

Signature of Applicant

Date

Signature of Applicant
FORM K – Moving Permit

Date

REQUEST FOR TEMPORARY LAND USE PERMIT

Fee:
(see Section 7)

Date: _____

I / We hereby make a request to use land in a non permanent way.

PLEASE PRINT:

Applicant's Name: _____

Business Name: _____

Mailing Address: _____

Phone Number: _____

Location:

Use of Land:

Length of Time of occupation:

I certify that I will abide by the above conditions after I have received a Permit to Move a Structure, knowing that failure to do so will result in cancellation of the Moving Permit and possible further action taken by the Municipality of Cambridge Bay.

Signature of Applicant

Date