



## NORTHERN VILLAGE OF AKULIVIK ZONING BY-LAW

### Vision 2035

*Residents of Akulivik in 2035 will continue to have access to our beautiful beaches and plentiful hunting and fishing areas. Our children will have everything we have including housing, a clean environment, and job opportunities.*



# TABLE OF CONTENTS

<b>PART 1 – INTRODUCTION .....</b>	<b>1</b>
1.1    PURPOSE OF THIS BY-LAW .....	1
1.2    ROLES AND POWERS .....	1
1.2.1    COUNCIL .....	1
1.2.2    DEVELOPMENT OFFICER.....	2
1.2.3    LAND USE COMMITTEE.....	3
1.2.4    APPLICANT.....	3
<b>PART 2 – APPLICATION AND INTERPRETATION OF BY-LAW .....</b>	<b>4</b>
2.1    LANDS TO WHICH BY-LAW APPLIES .....	4
2.2    ZONES .....	5
2.3    ZONING MAP.....	5
2.4    INTERPRETATION OF THE ZONING MAP .....	5
2.5    MEASUREMENTS.....	5
<b>PART 3 – DEVELOPMENT PERMITS.....</b>	<b>6</b>
3.1    EXCEPTIONS TO ZONE REGULATIONS .....	6
3.2    DEVELOPMENT PERMIT .....	6
3.3    PROCEDURE FOR FILING A DEVELOPMENT PERMIT APPLICATION .....	6
3.4    DECISION ON DEVELOPMENT PERMIT APPLICATIONS .....	7
3.5    VALIDITY OF A DEVELOPMENT PERMIT .....	9
3.6    DISPLAYING OF DEVELOPMENT PERMIT .....	9
3.7    REVOCATION OF DEVELOPMENT PERMIT .....	9
3.8    MODIFICATION TO A DEVELOPMENT PERMIT.....	9
3.9    RENEWAL OF A DEVELOPMENT PERMIT .....	9
3.10    COMPLETION OF CONSTRUCTION WORK .....	9
<b>PART 4 – GENERAL PROVISIONS.....</b>	<b>11</b>
4.1    ACCESSORY BUILDINGS OR STRUCTURES .....	11
4.2    ACQUIRED RIGHTS.....	11
4.3    PERMITTED PROJECTIONS .....	12
4.4    PUBLIC UTILITIES.....	12
4.5    ROAD DESIGN STANDARDS .....	12
4.6    SERVICING ACCESS FOR PUBLIC UTILITY VEHICLES.....	13
4.7    ZONING OF ROADS.....	14
<b>PART 5 – ZONE REGULATIONS.....</b>	<b>15</b>
5.1    RESIDENTIAL ZONE.....	15
5.2    COMMERCIAL & COMMUNITY SERVICES ZONE .....	16
5.3    INDUSTRIAL ZONE .....	18
5.4    TRANSPORTATION & COMMUNICATIONS ZONE.....	20
5.5    RECREATIONAL ZONE.....	20
5.6    CONSERVATION ZONE.....	21
5.7    NUNA ZONE .....	21
<b>PART 6 – DEFINITIONS .....</b>	<b>23</b>

<b>PART 7 – INFRACTIONS &amp; ENFORCEMENT .....</b>	<b>31</b>
ENFORCEMENT PROCESS .....	31
7.1    INFRACTIONS .....	32
7.2    PENALTIES.....	32
7.3    LEGAL ACTION.....	32
7.4    INSPECTION .....	33
<b>PART 8 – FINAL PROVISIONS .....</b>	<b>34</b>
8.1    VERSIONS .....	34
8.2    REPEAL OF PREVIOUS BY-LAWS .....	34
8.3    COMING INTO EFFECT .....	34
8.4    COPY.....	34
 <b>APPENDIX A – INITIATING AN AMENDMENT</b>	
 <b>APPENDIX B – EXAMPLES OF FORMS</b>	
DEVELOPMENT PERMIT APPLICATION FORM	
DEVELOPMENT PERMIT	
NOTICE OF REFUSAL	
RENEWAL OF PERMIT	
ZONING AMENDMENT APPLICATION FORM	
NOTICE OF ENFORCEMENT	
INFRACTION REPORT TO COUNCIL	
PUBLIC HEARING NOTICE (ZONING BY-LAW AMENDMENT)	
PUBLIC HEARING NOTICE (MASTER PLAN AMENDMENT)	

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**NORTHERN VILLAGE OF AKULIVIK**

**By-law No. \_\_\_\_\_**

**Concerning the adoption of a zoning by-law for the municipal territory**

**WHEREAS** pursuant to subsection 176 (2) of *An Act respecting Northern villages and the Kativik Regional Government* (CQLR, c. V-6.1; hereinafter the Kativik Act), the Municipal Council (hereinafter the Council) may adopt by-laws, subject to the master plan, to divide the territory of the municipality into zones in order to prescribe the architecture, dimensions, symmetry, alignment, destination, materials and the manner of assembling the same, of the structures which may erected therein, the use of any immovable located therein, the area and dimensions of lots, the proportion of lots which may be occupied by structures, the space which must be left clear between structures and the lines of lots, the space which, on such lots, must be reserved and arranged for the parking of vehicles, and the manner of arranging such space;

**WHEREAS** pursuant to subsection 199 (1) of the Kativik Act, the Council may adopt by-laws, subject to the master plan of the municipality, to order the opening, closing, widening, extension, changing, improvement, maintenance or regulation of streets and roads;

**WHEREAS** the Council has adopted a Master Plan, by By-law No. \_\_\_\_;

**WHEREAS** pursuant to Section 167 of the Kativik Act, the Council may provide for the issuing of permits or certificates in relation to the application of a by-law contemplated in Section 176 of the Kativik Act;

**WHEREAS** a notice of motion for this by-law was duly given during the preceding sitting of the Council held on \_\_\_\_\_, \_\_\_\_\_.

**Therefore, the Council of the Northern Village of Akulivik, by this by-law, enacts and decrees as follow:**

## **PART 1 – INTRODUCTION**

The Zoning By-law of the Northern Village of Akulivik, known as the ‘Akulivik Zoning By-law’ is hereby adopted. In addition to being a legal text, this by-law is also to be used as a guideline to educate the community and *development* applicants about land uses and the land use planning process. Some sections are to be understood as such and are not to be understood as enforceable regulations. These sections are identified herein. The provisions of this by-law cannot be changed or repealed except by adopting another by-law in accordance with Section 142 and subsection 176.2 of the Kativik Act.

### **1.1 PURPOSE OF THIS BY-LAW**

Generally speaking, the purpose of the Zoning By-law is to enforce the policies of the *Master Plan*.

Enforcing the policies of the *Master Plan* involves controlling where the different types of construction can take place in the village and controlling the size of *buildings* and their location on a lot. Like the *Master Plan* by-law, the Zoning by-law includes rules. Among others, these rules are called “regulations”. The regulations allow *Council* to:

- i. control where *development* takes place by imposing restrictions regarding the types of *uses* allowed in each land use *zone*; and
- ii. control the size and location of *building(s)* on a lot by imposing restrictions called “*setbacks*” (they set the limits for placing a *building* inside a lot).

The Zoning By-law requires that people obtain a written permission from *Council* before carrying out a *development* project or changing the *use* of a *building* or a lot. This written permission is called a “*development permit*”.

The *zone* names and colors are the same as the land use designations in the Akulivik *Master Plan*. Reference should be made to the Land Use Designation and Zone Map in the Akulivik *Master Plan*.

Certain terms used in this by-law (such as *setback*, *development*, *acquired rights*, *use* etc.) are specific to planning. The definition of these terms is provided in Part 6. Any term that is defined in Part 6 is shown in *italics* in the text.

### **1.2 ROLES AND POWERS**

#### **1.2.1 COUNCIL**

*Council* has the power to develop and adopt the *Master Plan* and the Zoning By-law. The Zoning By-law is also subject to a Vote of the Electors (meaning referendum) prior to coming into effect.

From time to time, it is necessary to amend (meaning making a change) the *Master Plan* and the Zoning By-law. *Council* has the authority to amend or repeal (meaning cancel) a *Master Plan* or the Zoning By-law. An amendment to the Zoning By-law also requires a Vote of the Electors.

*Council* has the power to:

- i. Appoint, by resolution, an employee of the Northern Village to serve as *Development Officer* to help manage and enforce the *Master Plan* and Zoning By-law;
- ii. Approve or reject *development permit* applications;
- iii. Consider the recommendations of the Land Use Committee, if in effect.

### 1.2.2 DEVELOPMENT OFFICER

The *Development Officer* manages and enforces the *Master Plan* and Zoning By-law on a daily basis. This work may not require a full-time position. This is why *Council* typically appoints an existing staff of the Northern Village, like the By-law officer, to act as *Development Officer*.

The *Development Officer* has the authority to enforce the rules of the *Master Plan* and the Zoning By-law.

The role of the *Development Officer* includes:

- i. receiving *development permit* applications and collecting application fees;
- ii. studying *development permit* applications and making recommendation to *Council* or inform land use committee if in effect;
- iii. verifying if a proposed *use* is permitted in a *zone*, and if the *use* is not listed, deciding if it is a similar *use*.
- iv. giving out *development permits*;
- v. letting applicants know if their application is refused;
- vi. keeping a record of all *development permit* applications, including the decision of *Council*, the reports on enforcements and enforcement actions;
- vii. keeping a copy of the *Master Plan*, the Zoning By-law and all *development permit* application files available for the general public during office hours;
- viii. inspecting the work allowed under a *development permit*;
- ix. receiving complaints;
- x. visiting properties or *buildings* to make sure that the regulations of this by-law are being (or have been) followed; the owner, tenant or occupant of the land or *building* must allow the *Development Officer* on the property and answer any questions he/she has about the work;
- xi. notifying any *person* involved to cease any *use* or construction that does not

- follow the regulations of this by-law;
- xii. preparing enforcement reports;
- xiii. Giving out notices of enforcement and making follow-up inspections;
- xiv. receiving applications for amendments, collecting application fees, preparing and posting public notices;
- xv. forwarding copies of applications, infraction reports, and resolutions of *Council* to KRG Land Use Planning Section.

### **1.2.3 LAND USE COMMITTEE**

A Land Use Committee consists of 3 members of NV *Council* and 3 members from the Board of Directors of the Landholding Corporation. The purpose of the Land Use Committee is to review planning matters that *Council* has referred to the Committee for a recommendation. The Committee is therefore an advisory committee and does not make decisions on *development permit* applications or any other planning matters related to the *Master Plan* and Zoning By-law. Examples of planning matters that the Committee may provide recommendations on are:

- i. Amendments to the *Master Plan* or Zoning By-law;
- ii. Application for a *development permit*.

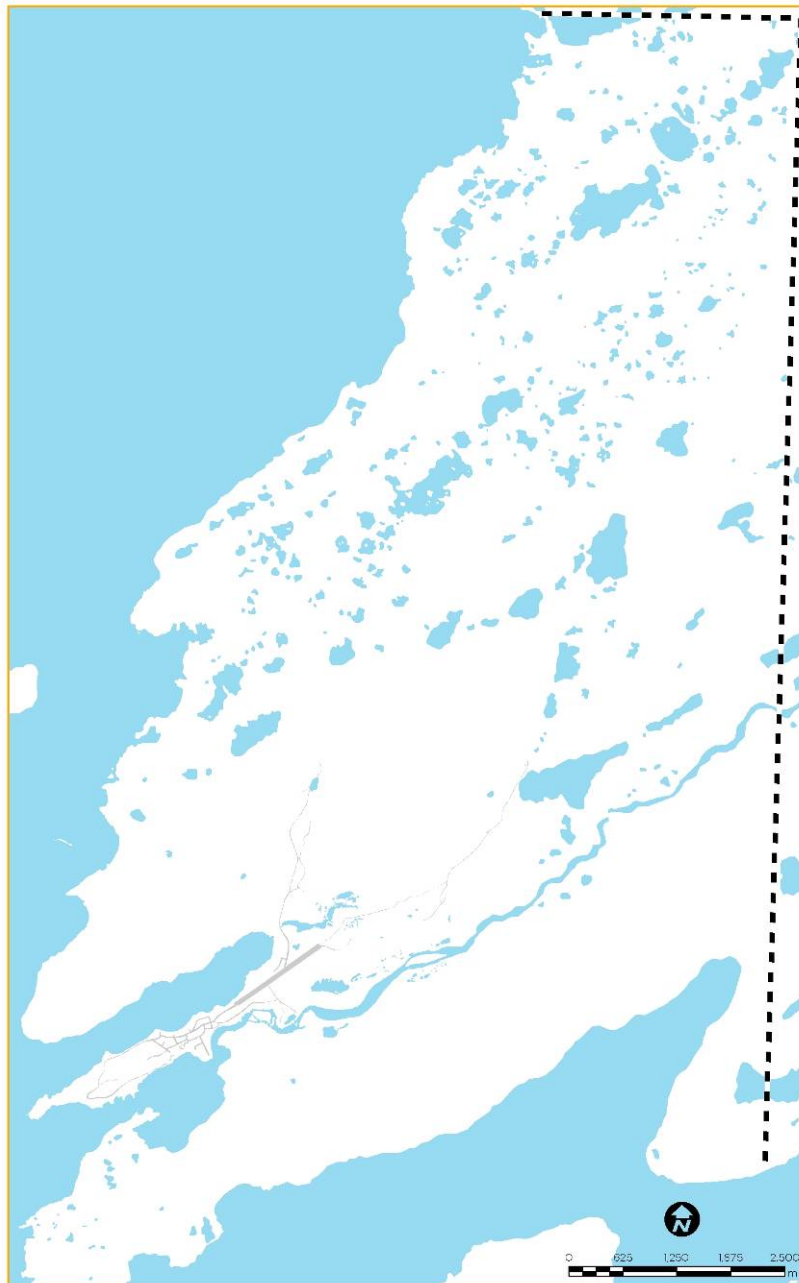
### **1.2.4 APPLICANT**

The applicant is the *person* who submits an application for *development permit*, or amendment. He/she is responsible for consulting the *Development Officer* to better understand the rules that apply, for preparing and submitting the documents that must accompany an application and paying the fees that apply. The applicant is also responsible for submitting by e-mail a full copy of any application made to the NV to the KRG Land Use Planning Section ([landuse@krg.ca](mailto:landuse@krg.ca)).

## **PART 2 – APPLICATION AND INTERPRETATION OF BY-LAW**

### **2.1 LANDS TO WHICH BY-LAW APPLIES**

This By-law applies to all lands within the municipal boundary of the Northern Village of Akulivik. Everyone including Council, the staff of the Northern Village, the Landholding Corporation, organizations, companies and residents must follow all the provisions of this by-law.





## **2.2 ZONES**

A *zone* is an area in which certain land uses are allowed and certain regulations apply.

For the purpose of this by-law, the land within the municipal boundary of the Northern Village of Akulivik is divided into seven *zones* as defined in the Akulivik *Master Plan*:

- i. Residential
- ii. Commercial & Community Services
- iii. Industrial
- iv. Transportation & Communications
- v. Recreational
- vi. Conservation
- vii. Nuna

## **2.3 ZONING MAP**

The location and the boundary of each *zone* are shown on the Land Use Designation and Zone Map in the Akulivik *Master Plan*.

## **2.4 INTERPRETATION OF THE ZONING MAP**

If the boundary of a *zone* is unclear, *Council* shall use the edge of the road *right-of-way* and surveyed *lot lines* to interpret the Land Use Designation and Zone Map.

## **2.5 MEASUREMENTS**

All measurements in this by-law are in metric units.

## **PART 3 – DEVELOPMENT PERMITS**

### **3.1 EXCEPTIONS TO ZONE REGULATIONS**

The *development* or redevelopment in the Northern Village of Akulivik shall meet the zoning regulations in this By-law , unless:

- i. The *development* is specifically exempted under section 3.2.
- ii. The *development* involves a *use and/or building with acquired rights* (Part 4.2).

### **3.2 DEVELOPMENT PERMIT**

A *person* must obtain a *development permit* from *Council* before beginning any construction work or before making any change to the *use* of land or a *building*, or before moving a *building*.

The following *development* do not required a *development permit*:

- i. minor repairs, renovation and normal maintenance of a *structure* or *building* as long as the size, and *use* of the *structure*, *building* or land are not changed;
- ii. an *accessory building* less than fifteen (15) square metres in size that meets all other regulations of this by-law ;
- iii. a temporary *building* or *structure* installed for the duration of a construction project;
- iv. signs;
- v. decks that meet all other regulations of this by-law ;
- vi. temporary camping structures for traditional and cultural activities including non-commercial tent camps and *cabins* in the Nuna *zone*;
- vii. utility poles, power lines, cable and telephone lines.

### **3.3 PROCEDURE FOR FILING A DEVELOPMENT PERMIT APPLICATION**

An application should be submitted to the *Development Officer* 90 days before the beginning of the construction work.

An electronic copy of the application, including all required documents, must be forwarded to the KRG Land Use Planning Section ([landuse@krg.ca](mailto:landuse@krg.ca)).

The organization applying for a *development permit* must provide the following information:

- i. a complete and signed **Development Permit Application Form**

- ii. a non-refundable **fee** paid to the Northern Village of Akulivik. The fees, which includes all applicable taxes, are:
  - a. construction of any *structure* or *building*: \$100
  - b. addition to an existing *building*: \$100
  - c. moving a *building*: \$100
  - d. establishing or expanding a quarry or pit: \$100
  - e. changing the *use* of land or a building: \$100
  - f. construction or *use* of a *building* for temporary purposes: \$100
  - g. demolition of any *structure* or *building*: \$25
  - h. renewing a permit: \$25
  - i. excavation or gravel pad work: \$25
  - j. lot subdivision or merging of lots: \$100
- iii. Fees for applications submitted less than 90 days prior to the beginning of the construction work will be doubled;
- iv. 2 copies of a **survey plan** prepared by a land surveyor that shows the dimensions of the lot, relationship to other surrounding lots and public roads.
- v. 2 copies of a scaled **site plan** that shows: the lot dimensions, the lot *setbacks*, *existing buildings*, proposed main *building(s)*, accessory *buildings* or *structures*, water hook-up, overfill pipe, culvert and oil tank locations, vehicle access to the lot, where fill will be introduced, and drainage;
- vi. 2 copies of **elevations** of the proposed *building(s)*;
- vii. 2 copies of **floor plans** for the proposed *building(s)*;
- viii. *Council* may request a Traffic and Parking Study for a major facility to determine the appropriate amount of required parking.

### 3.4 DECISION ON DEVELOPMENT PERMIT APPLICATIONS

*Council* is required to make a decision on *development permit* applications. *Council* will consider the recommendation of the Land Use Committee (if in effect) and will:

- i. approve the application;
- ii. approve the application with conditions; or
- iii. refuse the application.

Only complete applications will be reviewed.

The *Development Officer* and *Council* will follow these steps when making a decision on a *development permit* application:

- i. When the *Development Officer* receives a completed application for a *development permit*, he/she will study it to see whether the proposed *development* meets the policies of the *Master Plan* that apply and the regulations for the *zone* in which it is proposed;
- ii. If a Land Use Committee (LUC) is in effect, the *Development Officer* will present the application to the LUC;
- iii. After studying the application, the *Development Officer*, or the LUC when in effect, will give to *Council* his/her/its recommendations on whether the application should be approved, approved with conditions or refused;
- iv. If the proposed *development* meets the policies of the *Master Plan* and the zoning regulations of this by-law, *Council* must approve the application;
- v. If the proposed *development* does not meet the policies of the *Master Plan* and the provisions of this by-law, *Council* must refuse the application;
- vi. If a proposed *use* is not specifically listed as permitted under this bylaw, the *Development Officer* and *Council* must decide if it is a “similar” *use* which could be approved. To be a similar *use*, the proposed *use* must:
  - a. comply with the general land use policies of the *Master Plan* that apply;
  - b. comply with the specific policies of the land use area of the *Master Plan* that apply;
  - c. not create traffic or noise that would disturb neighbours;
  - d. not endanger the safety or health of neighbours.
- vii. *Council*’s decision on a *development permit* application is adopted by resolution;
- viii. *Council* can impose conditions as long as they do not conflict with the policies of the *Master Plan* and the regulations of this by-law that apply;
- ix. The *Development Officer* can give out the *development permit* as soon as *Council* approves it.
- x. Refusal of an application will be in writing, state the reasons, and specify the Part(s) of the *Master Plan* or Zoning By-law that the application did not meet.

### 3.5 VALIDITY OF A DEVELOPMENT PERMIT

Except for a temporary permit valid for the duration of the work or unless specified otherwise, a *development permit* is valid for **2 years** after the day it is issued. If the work has not been completed by the end of the period stated on the *development permit*, the permit must be renewed.

### 3.6 DISPLAYING OF DEVELOPMENT PERMIT

The *development permit* must be displayed as long as construction is going on, in a place where it can be seen from the street.

### 3.7 REVOCATION OF DEVELOPMENT PERMIT

A *development permit* can be revoked if information given in the application was inaccurate or the construction does not follow the regulations of this by-law or of the permit.

### 3.8 MODIFICATION TO A DEVELOPMENT PERMIT

If a *person* wants to change any of the information given about a project for which he/she holds a *development permit*, the *person* must inform the *Development Officer* of the changes he/she is considering. The *person* must also notify the KRG Land Use Planning Section ([landuse@krq.ca](mailto:landuse@krq.ca)). If the *Development Officer* finds that the changes deviate substantially from the approved project, the permit holder will have to submit a new application.

If the *Development Officer* finds that the changes are minor, he/she may decide that a new application is not needed. The *Development Officer* must approve any work involving changes in writing.

### 3.9 RENEWAL OF A DEVELOPMENT PERMIT

If the work has not been completed at the end of the period authorized by the *development permit*, the *development permit* must be renewed. The renewal of a *development permit* is valid for a period which may not exceed twelve (12) months.

### 3.10 COMPLETION OF CONSTRUCTION WORK

Upon completion of construction work, the permit holder has 12 months to provide a survey plan of the *building(s)* and their location on the lot.



## **PART 4 – GENERAL PROVISIONS**

### **4.1 ACCESSORY BUILDINGS OR STRUCTURES**

Accessory *buildings* or *structures* shall be permitted in any *zone* and shall not:

- i. Be located closer than 3 metres to any *front* or *exterior side lot line*;
- ii. Be located closer than 1 metre to any *interior side* or *rear lot line*;
- iii. Have a *gross floor area* greater than 40 m<sup>2</sup>;
- iv. Have a *gross floor area* greater than 10 m<sup>2</sup> when located in a *front yard* or *exterior side yard*;
- v. Have a height greater than 4 metres.

### **4.2 ACQUIRED RIGHTS**

#### **4.2.1 General**

An existing *use*, *building* or *structure* that does not meet all the provisions of this by-law may have *acquired rights*, subject to the provisions of part 4.2 of this by-law.

*Acquired rights* are transferrable to any new owner or occupant.

*Acquired rights* cannot be extended to portions of *buildings* or structures that encroach onto adjacent lots or lands.

#### **4.2.2 Cessation of the protection of acquired rights**

If a non-conforming use, building or structure protected by acquired rights is abandoned or interrupted for a period of more than 1 year, the non-conforming use, building or structure loses its acquired rights. The use, building or structure thereafter must meet the regulations of this by-law

#### **4.2.3 Modification to a use, structure or building with acquired rights**

A use, building or structure protected by *acquired rights* may be repaired or improved on the condition that:

- i. A *building* with *acquired rights* may be enlarged up to **20%** of the *gross floor area* of the *building* as it existed on the date this by-law came into effect.
- ii. A use with *acquired rights* shall only be changed to a use permitted in the applicable zone.
- iii. A *development permit* issued prior to the coming into effect of this by-law remains valid until its expiry.

#### **4.2.4 Rebuilding a use, building or structure with acquired rights**

- i. If more than 50% of the value of a *building* with *acquired rights* is lost to damage or destruction, the property loses its *acquired rights*. New construction must comply with this by-law.
- ii. If less than 50% of the value of a *building* with *acquired rights* is lost to damage or destruction, the *acquired rights* for the property remain as long as the *building* is repaired and re-occupied within **3 years**.

#### 4.3 PERMITTED PROJECTIONS

The following *building* projections can cross over the *setback* line:

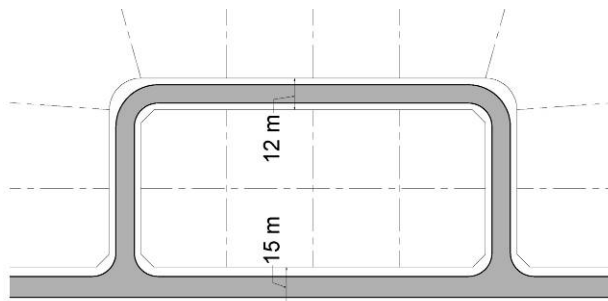
- i. bay windows, overhangs, porches, awnings and stairs provided that they do not cross over any *setback* line by more than 2 metres; and are not closer than 0.75 metre to a *lot line*.

#### 4.4 PUBLIC UTILITIES

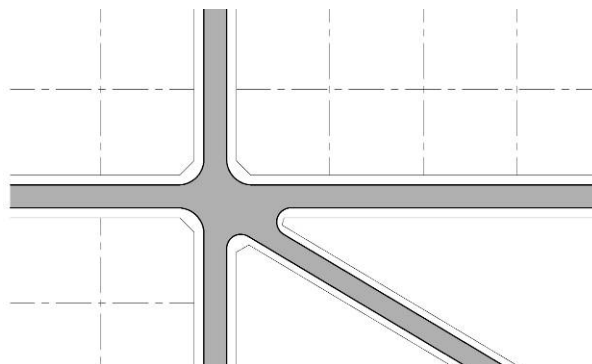
An installation by a public utility for the purpose of delivering utility services such as power, telephone, water and sewage, and wireless communications, shall be permitted in any *zone*, except the Conservation *Zone*. An installation may include poles, wires, pads, cabinets, shelters, antenna, dishes or other such installations.

#### 4.5 ROAD DESIGN STANDARDS

The *right-of-way* must be at least 15 metres for main roads and at least 12 metres for secondary roads.

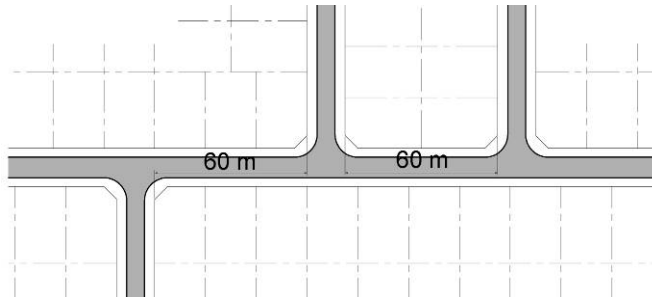


The intersecting of more than two (2) roads is prohibited.

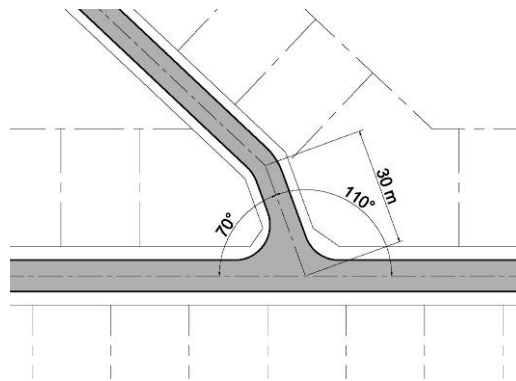




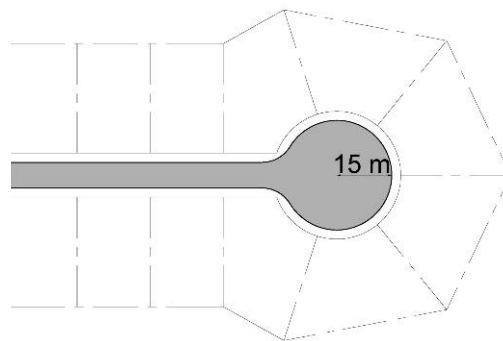
Intersections must be at least 60 metres from one another, measured from the edge of the *right-of-way*, whether on the same or the opposite side.



Intersecting roads must meet at an angle of between 70 to 110 degrees and maintain this alignment for a distance of 30 metres from the centre of the intersection.



Dead-ends will be avoided, but where necessary will end in a circle with a radius of at least 15 metres.



#### 4.6 SERVICING ACCESS FOR PUBLIC UTILITY VEHICLES

Nothing should obstruct the area where the water and sewer trucks pull-in to service a *building*. A corridor of at least three (3) metres between the street, sewage hook-ups, water hook-ups and oil tank must be left free of any obstacle.

#### **4.7 ZONING OF ROADS**

No zoning applies to roads.

## **PART 5 – ZONE REGULATIONS**

*Zones* have the same name and boundaries as the land use designations on the Land Use Designations and Zoning Map in the Akulivik *Master Plan*.

### **5.1 RESIDENTIAL ZONE**

#### **5.1.1 Permitted Uses**

*Bed and breakfast*  
*Craft studio*  
*Day care centre*  
*Dwelling, detached*  
*Dwelling, semi-detached*  
*Dwelling, duplex*  
*Dwelling, multi-unit*  
*Mobile home*  
*Elders' facility*  
*Group home*  
*Home occupation*  
*Park or playground*  
*Place of worship*  
*Secondary suite*  
 A use similar to the uses permitted in this zone

#### **5.1.2 Zone Requirements**

- (a) The following provisions apply to all *development* in the Residential Zone:

##### Yard Setbacks (minimum)

<i>Front</i>	6 metres
<i>Rear</i>	6 metres
<i>Side (Exterior)</i>	4 metres
<i>Side (Interior)</i>	5 metres

- (b) As an exception to the *setback* requirements noted above, the *side yard* where units are attached may be reduced to zero in the case of *semi-detached dwellings* or *multi-unit dwellings*, located on separate, adjacent lots;
- (c) All *buildings* shall front on a public road.
- (d) Parking or storage of large commercial vehicles or construction equipment, including bulldozers, backhoes, high hoes, and loaders is not permitted.

- (e) The following provisions apply to ***bed and breakfasts***:
  - (i) the *bed and breakfast* forms part of a *single unit dwelling* in which the occupant must reside;
  - (ii) a maximum of four bedrooms can be used for a *bed and breakfast*; and
  - (iii) the *use* must respect all Building and Fire Codes.
- (f) The following provisions apply to ***secondary suites***:
  - (i) The suite forms part of a *detached dwelling*, or *semi-detached dwelling*;
  - (ii) The suite is structurally attached to or located within the principal *dwelling*; and
  - (iii) The suite does not exceed a floor area of 25% of the principal *dwelling*, or 60 m<sup>2</sup> of *gross floor area*, whichever is less.
- (g) A ***home occupation*** is permitted in any *dwelling unit* or associated *accessory building*, subject to the following provisions:
  - (i) No more than two workers, other than the permanent residents of the premises, shall be engaged in the *home occupation(s)*;
  - (ii) No more than 25% of the *gross floor area* of the *dwelling unit* shall be used for a *home occupation(s)*;
  - (iii) There shall be no external display or advertising of the *home occupation(s)*;
  - (iv) There shall be no goods, offered for sale or rent on the lot;
  - (v) The activity shall take place during normal business hours and shall not create or become a nuisance, particularly with regard to noise, odour, vibration, traffic or parking.

## 5.2 COMMERCIAL & COMMUNITY SERVICES ZONE

### 5.2.1 Permitted Uses

Gas station  
Bank  
Cemetery  
Community centre  
Convenience store  
*Communications facility*  
Community hall or centre

Craft studio  
 Day care centre  
*Dwelling unit(s)* in a non-residential *building* provided they are either at the back of the *building* or above the ground floor  
 Educational facility  
 Elders' facility  
 Fire hall  
 Municipal/government office  
*Group home*  
 Health care facility  
*Home occupation*  
*Hotel*  
 Park or playground  
*Personal or business service*  
 Place of worship  
 Police station  
 Post office  
 Radio and television station  
 Recreation facility  
*Restaurant*  
*Retail store*  
*Service repair shop*  
 Youth centre  
 A use similar to the uses permitted in this zone

### 5.2.2 Zone Requirements

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

#### Yard Setbacks (minimum)

<i>Front</i>	6 metres
<i>Rear</i>	6 metres
<i>Side (Exterior)</i>	6 metres
<i>Side (Interior)</i>	6 metres

- (b) All buildings shall front on a public road.
- (c) Any *outdoor storage* of materials should be fenced.
- (d) New *development* in the Commercial & Community Services Zone will be subject to the following **parking provisions**:
- (i) Parking shall be provided on the *lot* where the *development* is occurring. *Council* may also approve required parking to be located on an adjacent *lot*.
  - (ii) The number of parking spaces to be provided for a *use* shall be calculated as follows:

- Any *use* in the Zone shall provide a minimum of 2 spaces;
  - Commercial office or retail *use*: 1 parking space per 60m<sup>2</sup>;
  - Institutional *use* (eg. health care facility, educational facility, place of worship): 1 space per 100m<sup>2</sup>;
  - Despite the above, *Council* may request a Traffic and Parking Study as part of the *development permit* Application for a major facility to determine the appropriate amount of parking.
- (iii) Each parking space shall have minimum dimensions of 2.7 metres wide by 6 metres in length, and shall have either direct access to a public street, or access to a public street by a driveway no less than 3metresin width.
- (iv) Where parking for more than four vehicles is required, the parking area shall be arranged so that it is not necessary for any vehicle to reverse onto a public road. Vertical landscaping (eg. posts, rails, boulders) may be required to define the parking area.
- (e) A **home occupation** is permitted in any *dwelling unit* or associated *accessory building*, subject to the following provisions:
- (i) No more than two workers, other than the permanent residents of the premises, shall be engaged in the *home occupation(s)*;
  - (ii) No more than 25% of the *gross floor area* of the *dwelling unit* shall be used for a *home occupation(s)*;
  - (iii) There shall be no external display or advertising of the *home occupation(s)*;
  - (iv) There shall be no goods offered for sale or rent on the *lot*;
  - (v) The activity shall take place during normal business hours and shall not create or become a nuisance, particularly with regard to noise, odour, vibration, traffic or parking.

## 5.3 INDUSTRIAL ZONE

### 5.3.1 Permitted Uses

*Agricultural use*  
*Automotive repair, sales or rental shop*  
*Building supply or contractors' shop*  
*Caretaker unit*  
*Communications facility*  
*Dog team*  
*Gas station*  
*Hazardous goods storage*  
*Outdoor storage*

Manufacturing and industrial plant  
 Petroleum tanks  
 Power plant  
*Pit*  
*Quarry*  
 Rental shop  
 Tank farm  
 Warehouse  
 Water intake  
 Water treatment plant  
*Workers' camp* (temporary)  
 A use similar to the uses permitted in this zone

### 5.3.2 Zone Requirements

- (a) The following provisions apply to all *development* in the Industrial Zone:

Yard Setbacks (minimum)

<i>Front</i>	6 metres
<i>Rear, abutting a Residential Zone</i>	15 metres
<i>Rear, abutting all other Zones</i>	8 metres
<i>Side (Exterior)</i>	6 metres
<i>Side (Interior), abutting a Residential Zone</i>	15 metres
<i>Side (Interior), all other Zones</i>	8 metres

- (b) All buildings shall front on a public road.
- (c) Only one **caretaker unit** is permitted on a *lot*. A *caretaker unit* is not permitted within the 300 metres buffer around a solid waste disposal site, within the 100 metres buffer around petroleum tank farms, or within 100 metres of a power plant.
- (d) A **quarry** must be located a minimum 600 metre distance from a Residential or Commercial & Community Services Zone.
- (e) A **pit** (ie. gravel or sand) must be located a minimum 150 metre distance from a Residential or Commercial & Community Services Zone.
- (f) A **quarry** or **pit** must respect the Regulation respecting pits and quarries (CQLR Q-2, r.7) and must have a certificate of authorization from the Ministère du Développement durable, de l'Environnement, de la Lutte contre les changements climatiques (MDDELCC). In addition, the project proponent must obtain a lease from both the LHC and from the Ministère de l'Énergie et des Ressources naturelles (MERN) before any extraction activities take place. The proponent is responsible to ensure that the site is cleaned and leveled when extraction activities finish.

## 5.4 TRANSPORTATION & COMMUNICATIONS ZONE

### 5.4.1 Permitted Uses

Airport and related *uses*  
*Communications facility*  
Floatplane base  
*Pit*  
*Quarry*  
Sealift facility and other marine infrastructure  
A use similar to the *uses* permitted in this *zone*

### 5.4.2 Zone Requirements

- (a) New *development* in the Transportation and Communications Zone may need to provide parking on the *lot* where the *development* is occurring. Required **parking** shall be approved by *Council*. *Council* may request a Traffic and Parking Study as part of the *development permit* Application for a major facility to determine the appropriate amount of parking.
- (b) A **quarry** must be located a minimum 600 metre distance from a Residential or Commercial & Community Services Zone.
- (c) A **pit** (ie. gravel or sand) must be located a minimum 150 metre distance from a Residential or Commercial & Community Services Zone.
- (d) A **quarry** or **pit** must respect the Regulation respecting pits and quarries (CQLR Q-2, r.7) and must have a certificate of authorization from the Ministère du Développement durable, de l'Environnement, de la Lutte contre les changements climatiques (MDDELCC). In addition, the project proponent must obtain a lease from both the LHC and from the Ministère de l'Énergie et des Ressources naturelles (MERN) before any extraction activities take place. The proponent is responsible to ensure that the site is cleaned and leveled when extraction activities finish.

## 5.5 RECREATIONAL ZONE

### 5.5.1 Permitted Uses

Beach shack  
Boat storage  
Breakwater  
*Communications facility*  
Dock  
Monument, cairn, or statue  
Park or playground  
Shed to store equipment for traditional, cultural, and recreational activities  
Sports field



Temporary *outdoor storage* during sealift  
Washroom facility  
A *use* similar to the *uses* permitted in this *zone*

#### 5.5.2 Zone Requirements

(a) There are no provisions that apply to *development* in the Recreational Zone.

### 5.6 CONSERVATION ZONE

#### 5.6.1 Permitted Uses

Snow fence  
A *use* similar to the *uses* permitted in this *zone*

#### 5.6.2 Zone Requirements

(a) There are no provisions that apply to *development* in the Conservation Zone.

### 5.7 NUNA ZONE

#### 5.7.1 Permitted Uses

Cabin  
Cemetery  
Dog team  
Commercial harvesting  
*Communications facility*  
Permanent hunting and fishing *cabins* or camps  
*Pit*  
Quarry  
Recreation-related *development* or activities  
Resource exploration and *development*  
Sewage lagoon  
Snow fence  
Solid waste disposal site  
Temporary tenting or camping  
Water intake  
Water reservoir  
Water treatment plant  
A *use* similar to the *uses* permitted in this *zone*

#### 5.7.2 Zone Requirements

- (a) **Solid waste disposal sites** must comply with the Regulation respecting the landfilling and incineration of residual materials (CQLR Q-2, r.19).
- (b) No land formerly used as a site for elimination of waste or **hazardous goods** may be used for construction purposes without the written permission of the Ministère du Développement durable, de l'Environnement, et de la Lutte contre les changements climatiques (MDDELCC).
- (c) A buffer zone of 300 metres is established around **sewage lagoons** or **solid waste disposal sites**. Residential, recreational, commercial, and institutional type land uses are not permitted within this buffer zone.
- (d) **Solid waste disposal sites** and **sewage lagoons** must be located at least 150 metres from all streams and lakes and 500 metres from any drinking-water intake point.
- (e) A **quarry** must be located a minimum 600 metre distance from a Residential or Commercial & Community Services Zone.
- (f) A **pit** (ie. gravel or sand) must be located a minimum 150 metre distance from a Residential or Commercial & Community Services Zone.
- (g) A **quarry** or **pit** must respect the Regulation respecting pits and quarries (CQLR Q-2, r.7) and must have a certificate of authorization from the Ministère du Développement durable, de l'Environnement, et de la Lutte contre les changements climatiques (MDDELCC). In addition, the project proponent must obtain a lease from both the LHC and from the Ministère de l'Energie et des Ressources naturelles (MERN) before any extraction activities take place. The proponent is responsible to ensure that the site is cleaned and leveled when extraction activities finish.

## **PART 6 – DEFINITIONS**

The following definitions explain the words and terms used in this by-law. Except for these definitions, all words and terms in this by-law have their normal meaning and:

- i. the use of the present verb includes the past and future tenses as well;
- ii. the singular includes the plural, the masculine includes the feminine, and vice versa unless the meaning makes this illogical;
- iii. the terms “must” or “must not”, “shall” or “shall not” mean without question an absolute obligation; the word “may” means there is a choice.

**“ABANDONED BUILDING OR STRUCTURE”**: see under “*Building*”.

**“ACCESSORY USE”** means a *use* that is not the main *use* of a *lot* but which does not change the land use allowed in the *zone* where the *lot* is located.

**“ACQUIRED RIGHTS”** means a *use*, *building*, or *structure* that lawfully existed or was under construction on the date this by-law came into effect which does not conform to this by-law, but is allowed to derogate from the present by-law due to its anteriority. Lawfully existed means that the *use* and/or *building* or *structure* were permitted under the municipal regulation that was in effect at the time of construction. If no Master Plan or Zoning By-law was in effect at the time of construction, the *use* or *development* on a *lot* is deemed to have lawfully existed.

**“AGRICULTURAL USE”** means the cultivation of the soil to produce crops, including greenhouses, and the keeping and raising of animals, poultry and fish for consumption.

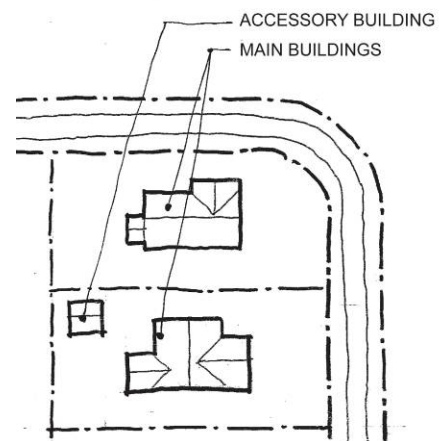
**“AUTOMOTIVE REPAIR, SALES OR RENTAL SHOP”** means a place of business where vehicles are repaired, stored and displayed for rent and/or sale.

**“BED AND BREAKFAST”** means a private home where accommodation and breakfast are provided to the traveling public; it does not include a hotel. The occupant of the home must live on premises.

**“BEGINNING ANY CONSTRUCTION WORK”** means the moment when the *lot* is altered for the first time.

**“BUILDING”** means a *structure* having a roof held up by walls or columns used to shelter *persons*, animals, or chattel, and any additions attached to it.

- **“ABANDONED BUILDING OR STRUCTURE”**: any building or *structure* unoccupied for at least (12) months.
- **“ACCESSORY BUILDING”** a building located on the same *lot* as the *main building* but detached from it, and



whose *use* is accessory or incidental to the *primary use* of the building.

- **“DILAPIDATED BUILDING OR STRUCTURE”** means any *building* or *structure* so rundown that it can no longer be used or repaired.
- **“MAIN BUILDING”** means a *building* on the main part of a *lot* used for a land use allowed in the *zone* where it is located; for example, a *dwelling* in a Residential Zone.
- **“TEMPORARY BUILDING”** means a *building* that is allowed for a limited period of time and will be removed or demolished when that time is up, as stated in a *development permit*; for example, a construction trailer on a building site.

**“BUILDING SUPPLY OR CONTRACTOR’S SHOP”** means a place of business where building supplies (such as lumber, millwork, siding, roofing, plumbing, electrical and heating supplies) are sold and/or which employs *persons* involved in building trades (such as painting, plumbing, electrical work, masonry, metal working and carpentry) or involved in operating equipment (such as truck, bulldozer, loader and backhoe).

**“CABIN”** means a rustic *building*, not hooked up to power lines, not benefiting from municipal services, such as water delivery, sewage pick-up and garbage collection, and inhabited on a temporary basis.

**“CARETAKER UNIT”** means a small *dwelling unit* in a *building* on an industrial *lot* to house security staff to guard the premises.

**“COMMUNICATIONS FACILITY”** means equipment such as dishes and antennas which transmit, receive and/or relay communications for radio or television broadcasting, the operation of cellular telephone or aircraft communications installed on a support *structure* such as a tower or in a small *building*.

**“COUNCIL”** means the *Council* of the Northern Village of Akulivik.

**“DEVELOPMENT”** means any construction on land or changing the *use* or intensity of *use* of any land or *building* including:

- the construction, installation, removal or demolition of a *building* but not the normal maintenance and repair of a *building*;
- increasing or reducing the size of a *building*;
- earth works to create a pad on a *lot*;
- excavating, blasting, stockpiling of surface material such as rock, sand and granular material;
- using land to store material or equipment;
- building roads, sewage lagoons, garbage dumps, etc.
- installing telecommunications and marine facilities.

**“DEVELOPMENT PERMIT”** means a written document issued by the Northern Village of Akulivik that gives permission for *development*.

**“DEVELOPMENT OFFICER”** means any officer of the Northern Village of Akulivik appointed

by *Council* to help manage and enforce the *Akulivik Master Plan* and the *Akulivik Zoning By-law*.

**“DILAPIDATED BUILDING OR STRUCTURE”**: see under “*Building*”.

**“DWELLING”** means a *building* or part of a *building* used as living quarters for one or more people living together.

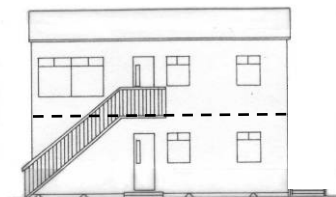
- **“DWELLING, DETACHED”** means a separate *building* that has one single *dwelling unit* (see illustration below).



- **“DWELLING, SEMI-DETACHED”** means a *building* with two side-by-side *dwelling units*, each accessed by an entrance directly from the outside (as shown in illustration below) or a common *building* entrance that leads to an interior entrance to each unit.



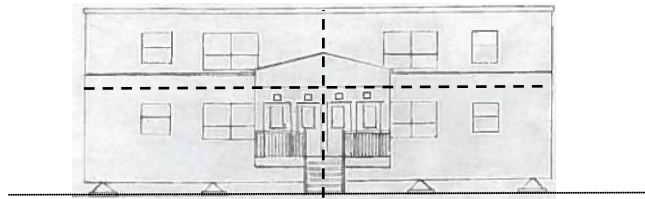
- **“DWELLING, DUPLEX”** means a *building* with two *dwelling units*, one upstairs and one downstairs, with each unit being accessed by an entrance directly from the outside (as shown in illustration below) or a common *building* entrance that leads to an interior entrance to each unit.



- **“DWELLING, ROWHOUSE”** means a *building* with three or more side-by-side *dwelling units*, each with its own entrance (see illustration below).



- **“DWELLING, MULTI-UNIT”** means a *building* with three or more side-by-side *dwelling units* upstairs and downstairs, with either their own entrances directly from the outside (as shown in illustration below) or a common *building* entrance that gives access to each unit from the inside



**“DWELLING UNIT”** means a separate set of living quarters for one or more people that has cooking, sleeping, and sanitary facilities.

**“EXISTING”** means present on the date this by-law comes into effect.

**“GROSS FLOOR AREA”** means the sum of the area of each floor of a *building* measured from the interior perimeter of the *building*, excluding mechanical space.

**“GAS STATION”** means a place of business for retail sale of gasoline and other petroleum products; it may include the sale of convenience store products as an *accessory use*.

**“GROUP HOME”** means a home for people who, because of their emotional, mental, social or physical condition or legal status, need a supervised group living arrangement; the group home is licensed and/or approved by the province.

**“HAZARDOUS GOODS”** means any of the following:

- i. explosives and fireworks;
- ii. gases (either compressed, deeply refrigerated, liquefied, or dissolved under pressure);
- iii. flammable and combustible liquids;
- iv. flammable solids;
- v. oxidizing substances and organic peroxides;

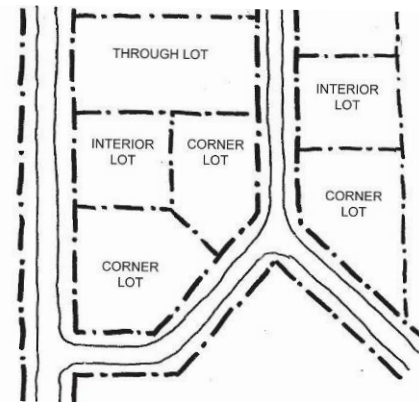
- vi. poisonous and infectious substances;
- vii. corrosives; and
- viii. other miscellaneous substances of similar nature.

**"HOME OCCUPATION"** means a job, trade, profession, craft or commercial activity practiced by a *person* in his/her home as an *accessory use* to the residential use, which does not change the residential character of the *dwelling*.

**"HOTEL"** means a *building* or part of a *building* used to accommodate the traveling public; it may or may not have a public dining room, and includes a transient house.

**"LOT"** means a parcel of land whose location and boundaries are shown on a survey plan (see illustration below);

- **"CORNER LOT"** means a *lot* located at the intersection of, and next to two or more streets.
- **"INTERIOR LOT"** means a *lot* between two other *lots* having access to one street.
- **"THROUGH LOT"** means a *lot* bounded on two opposite sides by streets that are parallel or almost parallel.



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

**"LOT LINE"** means any line defining the boundary of a *lot*.

- **"FRONT LOT LINE"** means
  - i. for an *interior lot*, the line dividing the *lot* from the road;
  - ii. for a *corner* or *through lot*, the shorter *lot line* next to the road;
  - iii. for a *corner lot*, or a *through lot* where the *lot lines* next to the road are equal in length, the *lot line* with the main access to the *lot*.
- **"SIDE LOT LINE"** means a *lot line* other than a *rear lot line* that is not next to a road.
- **"INTERIOR SIDE LOT LINE"** means a *side lot line* that is not next to a road.
- **"EXTERIOR SIDE LOT LINE"** means a *side lot line* that is next to a road.
- **"REAR LOT LINE"** means the *lot line* furthest from the *front lot line* opposite to it; if a *lot* has fewer than four *lot lines*, it will be ruled to have no *rear lot line*.

**"MASTER PLAN"** means the Master Plan of the Northern Village of Akulivik, known as the Akulivik Master Plan.

**"MUNICIPALITY"** means of the Northern Village of Akulivik.

**"OUTDOOR STORAGE"** means open storage of merchandise, goods, inventory, materials or equipment or other items not intended for immediate *use* or sale.

**"PERMITTED USE"** means a *use* of land or *building* provided under the rules of this by-law.

**"PERSON"** means an individual, a company, an organization or a government agency.

**"PERSONAL OR BUSINESS SERVICE"** means a business that provides services to individuals in the area of grooming, health, article repair, or other similar *use* (eg. personal grooming or health) or that provides services for businesses or membership organizations, such as professional, technical, educational and research services, printing supply and reproduction services.

**"PIT"** means a location from which unconsolidated deposits are extracted by open pit.

**"PRIMARY USE"** means the main purpose for which land or a *building* can be used.

**"QUARRY"** means a location from which consolidated deposits are extracted by open pit.

**"RESTAURANT"** means a business in a *building* or part of a *building* where cooked food and beverages are offered for sale to the public to be consumed there or elsewhere.

**"RETAIL STORE"** means a business in a *building* or part of a *building* where consumer goods are sold at retail or rented.

**"RIGHT-OF-WAY"** means a surveyed strip of land which contains a public road or a public utility service (such as power poles or a fuel pipeline).

**"SECONDARY SUITE"** means a small, self-contained *dwelling*, accessory to and part of the main *dwelling* which does not change the character of the main *dwelling*; it may or may not have a separate entrance.

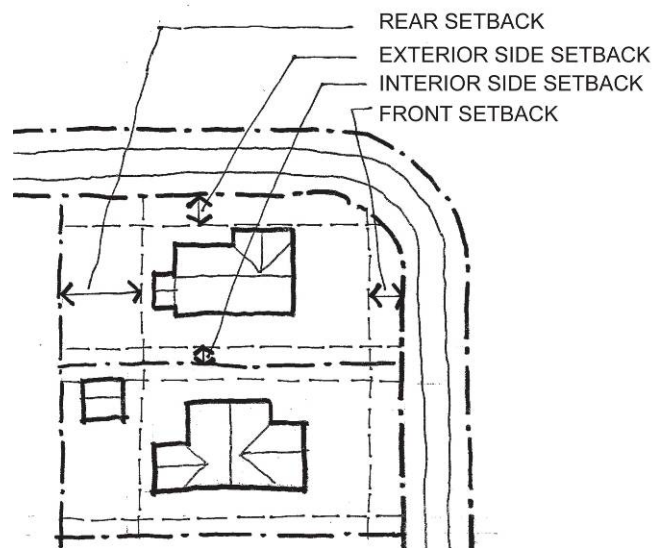
**"SERVICE REPAIR SHOP"** means a business where household appliances are repaired; it does not include the repair of vehicles and large equipment.

**"SETBACK"** means the distance inside a *lot* measured parallel from a *lot line* which a *building* cannot cross, except for permitted *structures* like stairs;

- **"FRONT YARD SETBACK"** means the line inside a *lot* measured parallel from the *front lot line* and beyond which a *building* cannot stick out into the *front yard*, except for permitted *structures* like stairs;



- **“REAR YARD SETBACK”** means the line inside a *lot* measured parallel from the rear *lot line* and beyond which a *building* cannot stick out into the rear yard, except for permitted *structures* like stairs;
- **“INTERIOR SIDE YARD SETBACK”** means the line inside a *lot* measured parallel from the *interior side lot line* and beyond which a *building* cannot stick out into the *side yard*, except for permitted *structures* like as stairs;
- **“EXTERIOR SIDE YARD SETBACK”** means the line inside a *lot* measured parallel from the exterior *side lot line* and beyond which a *building* cannot stick out into the *exterior side yard*, except for permitted *structures* like as stairs.



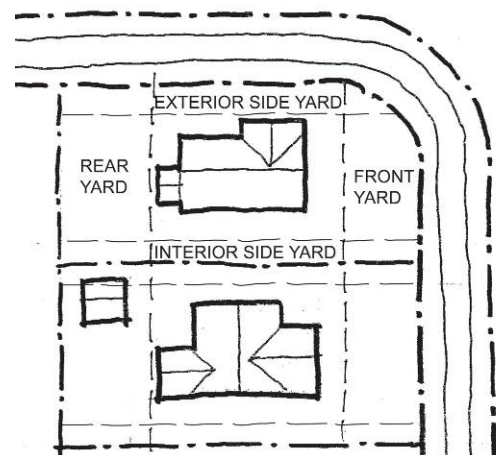
**“STRUCTURE”** means any temporary or permanent construction that is located on the ground or attached to something on or in the ground.

**“USE”** means the purpose for which land, a *building* or a *structure* may be used or occupied entirely or in part.

**“WORKERS’ CAMP”** means a *building* used as an office, workshop, kitchen or *dwelling* for employees who provide temporary labour.

**“YARD”** means the area of a *lot* located between a *setback line* and a *lot line* (see illustration below);

- **“YARD, FRONT”** means the area between the *front lot line* and the *front yard setback*, across the full width of a *lot*;
- **“YARD, REAR”** means the area between the *rear lot line* and the *rear yard setback*, across the full width of a *lot*;
- **“YARD, INTERIOR SIDE”** means the area between the *interior lot line* and the *interior side yard setback*;
- **“YARD, EXTERIOR SIDE”** means the area between the *exterior lot line* and the *exterior side yard setback*.



**“ZONE”** means an area in which certain land uses are allowed and certain regulations apply; zones are shown in the Akulivik *Master Plan*.

## **PART 7 – INFRACTIONS & ENFORCEMENT**

The text in the grey box below is intended to provide guidance on infractions to this by-law and the enforcement process, and does not form part of this by-law.

### **INFRACTIONS**

A person who does not follow the regulations of this by-law breaks the law; this is called an infraction. An infraction occurs if the *Development Officer* finds that:

- i. the land use is not permitted in the zone;
- ii. the construction does not meet the regulations of the zone;
- iii. a person went ahead with a land use, a use in a *building* or a portion of a *building* or construction without a *development permit*; or
- iv. a person did not follow the condition of his/her *development permit*.

If a person fails to follow the regulations of this by-law or his/her *development permit* (on purpose or by accident or ignorance), the *Development Officer* and *Council* must ensure that the construction, the land use or *building* use follows the by-law regulations or the *development permit*; this is called “enforcement.”

The *Development Officer* and *Council* cannot show favoritism in enforcing the by-law – everyone must be treated equally and fairly.

### **ENFORCEMENT PROCESS**

**Step 1** – The enforcement process starts when the *Development Officer* notices an infraction or receives a complaint. The *Development Officer* shall notify the KRG Land Use Planning Section of the infraction so that the KRG can support the NV in correcting the infraction. After notifying the KRG, the *Development Officer* must immediately send the person a written “Notice of Enforcement” to:

- i. tell the person he/she is breaking the by-law;
- ii. point out the Part(s) of the Zoning By-law or the *development permit* not being followed;
- iii. explain how to correct the problem;
- iv. give the person a reasonable time period to correct the problem; and
- v. that the person is required to attend the *Council* meeting at which his/her infraction will be discussed.

An example of a “Notice of Enforcement” is provided in Appendix “B” of this by-law.

**Step 2** – If the person responsible for an infraction has not corrected it during the time period allowed in the “Notice of Enforcement” the *Development Officer* must refer the matter to *Council* by preparing and presenting an infraction report.

**Step 3** – *Council* can seek advice from the legal department of the KRG.

## 7.1 INFRACTIONS

- (a) Any use of land or of a *building* as well as any *structure* that does not conform to the provisions of the by-law shall be considered an infraction.
- (b) Not having permits when permits are required shall also be considered an infraction.
- (c) When activities do not respect the permit, the permit shall be nullified and the activities shall be considered an infraction.

## 7.2 PENALTIES

- (a) When the Secretary-Treasurer or his authorized representative determines that an infraction has taken place, he shall notify the offender in writing of the nature of the infraction and shall order the offender to conform to the by-law within 5 days.
- (b) Every *person* who contravenes any provision of this by-law commits an offence and is liable, upon penal proceedings, to a fine of three hundred dollars (\$300), with costs. Each day of infringement constitutes a separate offence.
- (c) The Court convicting a *person* for the breach of any section of this by-law may, in addition to any fine it may impose, issue an order to enjoin that *person* to refrain from committing any further such offence and/or cease to carry on any activity specified in the order and/or, if such *person* is the holder of a permit, license or certificate granted under this by-law, suspend such permit, license or certificate for the period that it deems appropriate, or revoke the same, or prohibit the renewal thereof during the period that it deems appropriate.
- (d) An authorized officer may issue a statement of offence pursuant to this by-law.
- (e) Delays for the payment of penalties and costs imposed by virtue of the present section and consequences of failure to pay aforementioned penalties and costs are established in accordance with the provisions of the Code of penal procedure of Québec (CQLR, c. C-25.1).

## 7.3 LEGAL ACTION

When a *building* has not been constructed in conformity with the norms adopted and stated in virtue of this by-law, or if a *building* is constructed without the required permit or certificate, a judge of the Superior Court having jurisdiction over the territory of the *municipality* may, upon motion, order appropriate modifications or that the *building* be demolished within such delays as he fixes, and order that on failure to do so within such delay the *municipality* may effect such modifications or demolition at the expense of the owner of the *building*, in conformity with section 173 of the Kativik Act.

#### 7.4 INSPECTION

The authorized officer may visit and inspect, between 8:00 a.m. and 8:00 p.m., any property or the interior or exterior of any *dwelling, building* or *building* under construction, in order to ensure that the provisions of the by-law have been or are being respected.

The owner, tenant or occupant of land, *dwellings, buildings* and *buildings* under construction must allow entry to the authorized officer and answer all questions regarding the application of municipal by-laws.

## **PART 8 – FINAL PROVISIONS**

### **8.1 VERSIONS**

In the event of a discrepancy between the English, French and Inuktituk versions, the English version shall prevail.

### **8.2 REPEAL OF PREVIOUS BY-LAWS**

This by-law supersedes and replaces any previous by-law enacted by the *Council*, wholly or partially for the same purposes, and any such by-law is hereby repealed to the extent of any inconsistencies with this by-law .

### **8.3 COMING INTO EFFECT**

- (a) In accordance with subsection 176 (2) of the Kativik Act, this by-law must be adopted by the vote of the majority of the members of the *Council* and submitted for the approval to the electors before it comes into force.
- (b) Should any section of this by-law be totally or partially voided by a Court, its other provisions shall remain valid and in force.
- (c) The present by-law shall come into effect the date of its publication in accordance with section 138 of the Kativik Act.

### **8.4 COPY**

Once published, the Secretary-Treasurer shall transmit a copy of the present by-law without delay to the KRG as per section 160 of the Kativik Act.

**IN FAVOUR:** \_\_\_\_\_

**OPPOSED:** \_\_\_\_\_

**ABSTENTIONS:** \_\_\_\_\_

**ABSENTEES:** \_\_\_\_\_

**DATE OF ADOPTION:** \_\_\_\_\_

**ELECTORS APPROVAL** \_\_\_\_\_

**MAYOR'S SIGNATURE:** \_\_\_\_\_ (S)

**SECRETARY-TREASURER'S SIGNATURE:** \_\_\_\_\_ (S)

**DATE OF PUBLICATION:** \_\_\_\_\_

## **APPENDIX “A” – AMENDMENTS**

Appendix is for information purposes only and is not part of this by-law.

### **1. INITIATING AN AMENDMENT**

An amendment to this by-law can be initiated by:

- i. *Council*, or
- ii. *a person*.

Amendments can be initiated to:

- i. allow a *development* or *use* not permitted under the existing by-law;
- ii. address a local issue (such as snow-piling);
- iii. include the results of a recent planning study (for example, identifying more future development areas) in the by-law; or
- iv. change a section of the by-law to create desirable change or correct an undesirable situation.

An amendment can be made to:

- i. the text of the *Master Plan* and/or Zoning By-law; and/or
- ii. the Land Use and Designation Zone Map of the Akulivik *Master Plan*.

### **2. APPLICATIONS FOR AMENDMENT**

Anyone can apply to the *Development Officer* for a by-law amendment. An example of an “Amendment Application Form” is provided in Appendix “B” of this by-law.

An application for amendment should include:

- i. written explanation of the reason(s) for the amendment;
- ii. two copies of a scaled site plan and elevations showing the proposed *building* if the amendment is approved;
- iii. two copies of floor plans of the *building(s)* (*existing* or proposed) showing the change the applicant is seeking, if the amendment involves change of *use* to a portion of the *building*;

The *Development Officer* shall refer only complete applications to *Council*.

### **3. PUBLIC HEARING**

If *Council* wishes to hear the opinions of residents, especially neighbours who will be most affected by a proposed amendment, *Council* may choose to hold a public

hearing. The public hearing should be held prior to the passing of the by-law by *Council*. The public hearing can take place during a regular meeting of *Council*. If a public hearing is held, a notice of the public hearing should be posted (see procedure in Part 8.4 below).

The Mayor should open the hearing by explaining the purpose of the amendment or by asking the *Development Officer* to do so. The Mayor should invite the public to share their comments

#### 4. PUBLIC HEARING NOTICE

If *Council* chooses to hold a public hearing, *Council* can issue a public hearing notice to:

- i. inform residents about the amendment; and
- ii. invite residents to attend the public hearing.

The notice should be posted in public places in the village and also be announced on local radio prior to the hearing.

The public hearing notice should:

- i. explain the changes the amendment will bring, including a map showing the area affected by the amendment, if that applies;
- ii. tell residents where they can read or get a copy of the proposed amendment at the offices of the Northern Village during business hours; and
- iii. state the time and place of the public hearing.

The *Development Officer* is responsible for preparing the public notice. An example of a “Public Hearing Notice” is provided in Appendix “B” of this By-law.

#### 5. DECISION OF COUNCIL ON AMENDMENT

In deciding on an amendment, *Council* will consider the views expressed by residents at the public hearing, if a hearing was held. Notwithstanding the opinions expressed at the Public Hearing, *Council* must consider what is best for the community of Akulivik, now and in the future. *Council* may support an amendment if it believes it to be in the best interests of the whole community, even if most people who spoke at the public hearing were opposed.

Among others, *Council* can approve an amendment if:

- i. the proposed *use* helps to achieve the goals of the *Master Plan*;
- ii. the proposed *use* agrees with the general land use policies of the *Master Plan*;
- iii. the *lot*'s size and shape are suitable for the proposed *use*;
- iv. the proposed *use* will not create traffic or noise that would disturb



neighbours; and

- v. the proposed *use* will not endanger the safety or health of neighbours.



## **APPENDIX “B” – EXAMPLES OF FORMS**

☐ Addition to existing building

☐ Renovation

Number of buildings (principal and accessory): \_\_\_\_\_  
\_\_\_\_\_

Size of building(s) (m<sup>2</sup> or sq.ft): \_\_\_\_\_

Height of building (# storeys, not including basement): \_\_\_\_\_

Municipal services required: ☐ Water ☐ Sewage  
☐ Garbage collection ☐ Telephone  
☐ Electricity ☐ Internet

Access to main road: ☐ Existing ☐ To be built (show on Site Plan)

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#### 4. Estimated Dates to Start and Complete Construction

Estimated Construction START Date: \_\_\_\_\_  
(year / month / day)

Estimated Construction COMPLETION Date: \_\_\_\_\_  
(year / month / day)

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#### 5. Name and address of Professionals (if applicable)

Architect / Engineer: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E-mail: \_\_\_\_\_

Telephone: ( \_\_\_\_ ) \_\_\_\_ - \_\_\_\_

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#### 6. Name and address of Building Contractor (if applicable)

Contractor: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E-mail: \_\_\_\_\_

Telephone: ( \_\_\_\_ ) \_\_\_\_ - \_\_\_\_

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#### 7. Additional Information in Support of Application (reasons for project and location)

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## 8. Required Documents to Submit with Application

**A. Survey plan** – Two copies of a survey plan prepared by a land surveyor that shows the dimensions of the lot, relationship to other surrounding lots and public roads.

**B. Site plan** – Two copies of a sketch to a scale no less than 1:500 showing the following:

- dimensions of lot;
- location of existing or proposed building(s), accessory building(s) and other structures;
- setback of front, rear and side yards for all buildings and structures;
- location of roads and vehicle access to lot;
- location of water hook-up, overflow pipe, culvert and oil tank;
- location of snow-piling;
- location and direction of drainage.

**C. Elevation plans** – Two copies of a sketch showing an elevation for each of the four sides of the building.

**D. Floor plans** – Two copies of a sketch showing the layout of each floor.

**E. Fees** – Provide a cheque made out to “The Northern Village of Akulivik” in the amount of \$\_\_\_\_\_

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## 9. Application Submission

Application and two copies of plans must be submitted in **hard copy** to:

Development Officer  
Northern Village of Akulivik  
P.O. Box 50  
Akulivik, (Québec)  
J0M 1V0

Application and plans must be submitted **electronically** to:

KRG Land Use Planning Section  
[landuse@krq.ca](mailto:landuse@krq.ca)

The Applicant must contact the Landholding Corporation to obtain any permits and authorizations required prior to any construction on the property.

I hereby give my consent to allow all authorized persons to enter the property, including building(s) during construction.

**Signature of Applicant:** \_\_\_\_\_

**Date:** \_\_\_\_\_

# DEVELOPMENT PERMIT

(No. \_\_\_\_\_)

## Northern Village of Akulivik

**Application number:** \_\_\_\_\_

(Village code / year / application#)

**Location of project** (lot #, building #, etc.):

**Applicant** (name of organization or individual):

**Description of Development:**

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The above-noted Development Permit Application has been **APPROVED:**

Date of Council approval:

Resolution #:

This permit authorizes the Applicant to proceed with the development described in the above-noted Development Permit Application. The development must respect the conditions of the Development Permit and must follow the plans approved with the application.

**Date of Issue of Development Permit:** \_\_\_\_\_

**Signature of Development Officer:** \_\_\_\_\_

This Permit expires 2 years after the day it is issued. This Permit must be displayed as long as construction is going on, in a place where it can be seen from the street.



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# NOTICE OF REFUSAL

Northern Village of Akulivik

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**Application number:** \_\_\_\_\_  
(Village code / year / application#)

**Location of project** (lot #, building #, etc.): \_\_\_\_\_

**Applicant** (name of organization or individual): \_\_\_\_\_

**Description of Development:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The above-noted Development Permit Application has been **REFUSED**:

Date of Council approval: \_\_\_\_\_

Resolution #: \_\_\_\_\_

The Development Permit application was **REFUSED** for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signature of Development Officer:** \_\_\_\_\_

**Date:** \_\_\_\_\_





# RENEWAL OF PERMIT APPLICATION

Northern Village of Akulivik

Areas in grey reserved for NV – do not fill out

Development Permit No. \_\_\_\_\_

Date Development Permit Issued: \_\_\_\_\_

Application received by: \_\_\_\_\_

Zone of lot:

☐ Residential

☐ Industrial

☐ Recreational

☐ Commercial & Community Services

☐ Transportation & Communications

☐ Village Core (if applicable)

## 1. Applicant

Name of organization or individual: \_\_\_\_\_

## 2. Applicant Information

Contact name (if applicant is an organization): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

E-mail: \_\_\_\_\_

Telephone: ( \_\_\_\_ ) \_\_\_\_ - \_\_\_\_

## 3. Reasons for renewal of Development Permit:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### 4. Revised Dates to Start and Complete Construction

Estimated Construction START Date: \_\_\_\_\_  
(year / month / day)

Estimated Construction COMPLETION Date: \_\_\_\_\_  
(year / month / day)

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**Signature of Applicant:** \_\_\_\_\_

**Date:** \_\_\_\_\_



☐ Industrial

☐ Nuna

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#### 4. Purpose of amendment

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#### 5. Required Documents to Submit with Application

**A. Survey plan** – Two copies of a survey plan prepared by a land surveyor that shows the dimensions of the lot, relationship to other surrounding lots and public roads.

**B. Site plan** – Two copies of a sketch to a scale no less than 1:500 showing the following:

- dimensions of lot;
- location of existing or proposed building(s), accessory building(s) and other structures;
- setback of front, rear and side yards for all buildings and structures;
- location of roads and vehicle access to lot.

**C. Elevation plans** – Two copies of a sketch showing an elevation of the front of the building.

**D. Fees** – Provide a cheque made out to “The Northern Village of Akulivik” in the amount of \$\_\_\_\_\_

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#### 6. Application Submission

Application and two copies of plans must be submitted in **hard copy** to:

Development Officer  
Northern Village of Akulivik  
P.O. Box 50  
Akulivik, (Québec)  
J0M 1V0

Application and plans must be submitted **electronically** to:

KRG Land Use Planning Section  
[landuse@krg.ca](mailto:landuse@krg.ca)

The Applicant must contact the Landholding Corporation to obtain any permits and authorizations required prior to any construction on the property.

I hereby give my consent to allow all authorized persons to enter the property, including building(s) during construction.

**Signature of Applicant:** \_\_\_\_\_

**Date:** \_\_\_\_\_



# NOTICE OF ENFORCEMENT

## Northern Village of Akulivik Zoning By-law

Northern Village of Akulivik  
P.O. Box 50  
Akulivik, QC  
J0M 1V0

Date: \_\_\_\_\_

Notice to: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Copy to: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Location of development** (lot #, building #, etc.): \_\_\_\_\_

By this Notice, you are informed that development, or a portion of development, at the above noted location do not conform to provisions of Zoning By-law No. \_\_\_\_\_ and is therefore considered an infraction of the Zoning By-law.

**Specifically, the development/land use:**

- ☐ is not permitted in the zone
- ☐ does not respect the provision(s) of the zone
- ☐ does not have a valid Development Permit
- ☐ does not respect approved Development Permit Application No. \_\_\_\_\_

The development/use does not respect the following Part(s) of the Zoning By-law:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

You are hereby given \_\_\_\_\_ **DAYS** to correct the problem.

You are required to do the following to correct the problem:

This notice was served:

☐ in person                      ☐ by registered mail

**Signature of Development Officer:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**NOTE:** A copy of this Notice of Enforcement has been sent to the KRG Legal Department and Land Use Planning Section.

Description of infraction (Note Parts of Zoning By-law as applicable):

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Observations during site visit: \_\_\_\_\_

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Action taken (informed person of infraction, time given to correct infraction, Notice of Enforcement issued, etc.): \_\_\_\_\_

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**3. Recommendation to Council how to correct infraction:**

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**Signature of Development Officer:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**NOTE:** A copy of this Infraction Report has been sent to the KRG Legal Department and Land Use Planning Section.





# PUBLIC HEARING NOTICE

## Northern Village of Akulivik Zoning By-law

The Northern Village proposes to amend its Zoning By-law (By-law No. \_\_\_\_ ) in order to make the following change(s):

The purpose of the amendment(s) is to:

Copies of the proposed by-law amendment(s) are available at the NV office and can be viewed by the public during normal office hours.

The Council of the Northern Village of Akulivik will hold a **PUBLIC HEARING** at the NV Office at (time/date) to hear representations about this amendment. If you are unable to attend the public hearing but wish to make a representation, you can submit your comments in writing to (\_\_\_\_ name \_\_\_\_\_), the Development Officer. The deadline for submitting written comments is (\_\_\_\_ date \_\_\_\_\_).

A Vote of the Electors will be required before this proposed Zoning By-law amendment comes into effect.

(Insert map showing area proposed to be rezoned, if applicable)

Signature of Development Officer: \_\_\_\_\_

Date: \_\_\_\_\_



# PUBLIC HEARING NOTICE

## Northern Village of Akulivik Master Plan

The Northern Village proposes to amend its Master Plan By-law (By-law No. \_\_\_\_ ) in order to make the following change(s):

The purpose of the amendment(s) is to:

Copies of the proposed by-law amendment(s) are available at the NV office and can be viewed by the public during normal office hours.

The Council of the Northern Village of Akulivik will hold a **PUBLIC HEARING** at the NV Office at (time/date) to hear representations about this amendment. If you are unable to attend the public hearing but wish to make a representation, you can submit your comments in writing to ( name \_\_\_\_\_ ), the Development Officer. The deadline for submitting written comments is ( date \_\_\_\_\_ ).

(Insert map showing area proposed to be rezoned, if applicable)

Signature of Development Officer: \_\_\_\_\_

Date: \_\_\_\_\_