



NORTHERN VILLAGE OF KUJJUAQ
ZONING BY-LAW

BY-LAW NO. 2017-02

TABLE OF CONTENTS

| | |
|---|-----------|
| PART 1 – INTRODUCTION..... | 1 |
| 1.1 PURPOSE OF THIS BY-LAW | 1 |
| 1.2 ROLES & 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 |
| PART 2 – APPLICATION AND INTERPRETATION OF BY-LAW..... | 4 |
| 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 |
| PART 3 – DEVELOPMENT PERMITS..... | 6 |
| 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..... | 8 |
| 3.6 DISPLAYING OF DEVELOPMENT PERMIT | 9 |
| 3.7 REVOCATION OF DEVELOPMENT PERMIT | 9 |
| 3.8 MODIFICATION TO A DEVELOPMENT PERMIT..... | 9 |
| 3.9 COMPLETION OF CONSTRUCTION WORK | 9 |
| PART 4 – GENERAL PROVISIONS..... | 11 |
| 4.1 ACCESSORY BUILDINGS OR STRUCTURES | 11 |
| 4.2 NON-CONFORMING USE OR BUILDING/STRUCTURE | 11 |
| 4.3 PERMITTED PROJECTIONS | 11 |
| 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..... | 13 |
| PART 5 – ZONE REGULATIONS..... | 14 |
| 5.1 RESIDENTIAL ZONE | 14 |
| 5.2 VILLAGE CORE..... | 15 |
| 5.3 COMMERCIAL & COMMUNITY SERVICES ZONE | 17 |
| 5.4 INDUSTRIAL ZONE | 19 |
| 5.5 TRANSPORTATION & COMMUNICATIONS ZONE..... | 20 |
| 5.6 RECREATIONAL ZONE | 21 |
| 5.7 CONSERVATION ZONE..... | 21 |
| 5.8 NUNA ZONE | 22 |
| PART 6 – DEFINITIONS..... | 25 |
| PART 7 – INFRACTIONS & ENFORCEMENT | 32 |

| | |
|---|-----------|
| ENFORCEMENT PROCESS | 32 |
| 7.1 INFRACTIONS | 33 |
| 7.2 PENALTIES | 33 |
| 7.3 LEGAL ACTION..... | 33 |
| PART 8 – FINAL PROVISIONS | 34 |
| 8.1 VERSIONS..... | 34 |
| 8.2 REPEAL OF PREVIOUS BY-LAWS | 34 |
| 8.3 COMING INTO EFFECT..... | 34 |
| 8.4 COPY..... | 34 |

APPENDIX A –AMENDMENTS

APPENDIX B – EXAMPLES OF FORMS

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)

NORTHERN VILLAGE OF KUUJJUAQ
By-law No. 2017-02

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. 2017-03;
- 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** the Council acknowledges the ownership of Category 1 lands by the Landholding Corporation of Kuujjuaq (hereinafter the Landholding Corporation), its specific rights of administration and therefore the necessity of obtaining its authorization prior to executing any project requiring one;
- WHEREAS** a notice of motion for this by-law was duly given during the preceding sitting of the Council held on June 20, 2017.

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

PART 1 – INTRODUCTION

The Zoning By-law of the Northern Village of Kuujjuaq, known as the 'Kuujjuaq 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 Kuujjuaq *Master Plan*. Reference should be made to the Land Use Designation and Zone Map in the Kuujjuaq *Master Plan*.

Certain terms used in this by-law (such as *setback*, *development*, *non-conforming 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 & 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

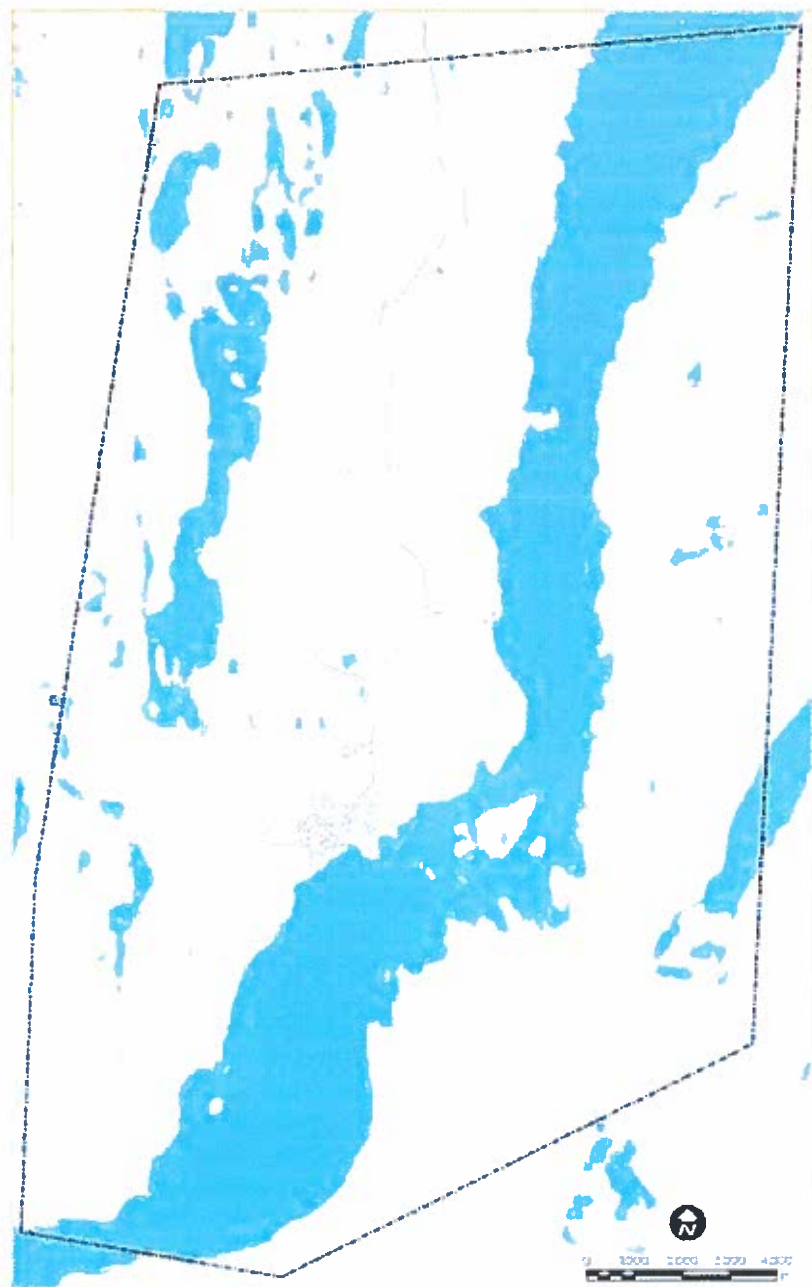
The applicant is the *person* who submits an application for *Development Permit*, or amendment. He/she is responsible for consulting the *Development Officer* to better understand the rules that apply, for preparing and submitting the documents that must accompany an application and paying the fees 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@krq.ca).

Finally, the applicant should make sure to obtain all necessary authorizations, notably from the Landholding Corporation or any other landowner.

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 Kuujjuaq. 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 Kuujjuaq is divided into eight *zones* as defined in the Kuujjuaq *Master Plan*:

- i. Residential
- ii. Village Core
- iii. Commercial & Community Services
- iv. Industrial
- v. Transportation & Communications
- vi. Recreational
- vii. Conservation
- viii. 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 Kuujjuaq *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 Kuujjuaq 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 *non-conforming use and/or building* (Part 4.5).

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).

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 Kuujjuaq. The fees, which includes all applicable taxes, are:
 - a. construction of any *structure* or *building*: **\$100**

- | | |
|--|-------|
| b. addition to an existing <i>building</i> : | \$100 |
| c. moving a <i>building</i> : | \$100 |
| d. establishing or expanding a quarry or pit: | \$100 |
| e. changing the <i>use</i> of land or a building: | \$100 |
| f. construction or <i>use</i> of a <i>building</i> for temporary purposes: | \$100 |
| g. demolition of any <i>structure</i> or <i>building</i> : | \$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@krg.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 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 m²;
- iv. Have a *gross floor area* greater than 10 m² when located in a *front yard* or *exterior side yard*;
- v. Have a height greater than 4 metres.

4.2 NON-CONFORMING USE OR BUILDING/STRUCTURE

A *non-conforming use, building* or *structure* is allowed to continue even if it does not meet all the rules of this by-law.

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

Non-conforming uses or *buildings/structures* must follow the rules below:

- i. *Non-conforming* rights are transferrable to any new owner or occupant;
- ii. A *non-conforming building* 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.
- iii. A *non-conforming use* shall only be changed to a *use* permitted in the applicable zone.
- iv. A *non-conforming use* that is discontinued for more than **1 year** loses its *non-conforming* rights. Any new *use* must meet the regulations of this by-law.
- v. A *Development Permit* issued prior to the coming into effect of this by-law remains valid until its expiry.
- vi. If more than 50% of the value of a *non-conforming building* is lost to damage or destruction, the property loses its *non-conforming* rights. New construction must comply with this by-law.
- vii. If less than 50% of the value of a *non-conforming building* is lost to damage or destruction, the *non-conforming* 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

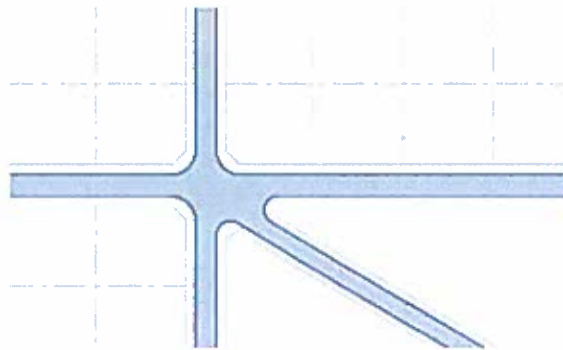
An installation by a public utility for the purpose of delivering utility services such as power, telephone, water and sewage, and wireless communications, shall be permitted in any *zone*, except the *Conservation Zone*. An installation may include poles, wires, pads, cabinets, shelters, antenna, dishes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

4.5 ROAD DESIGN STANDARDS

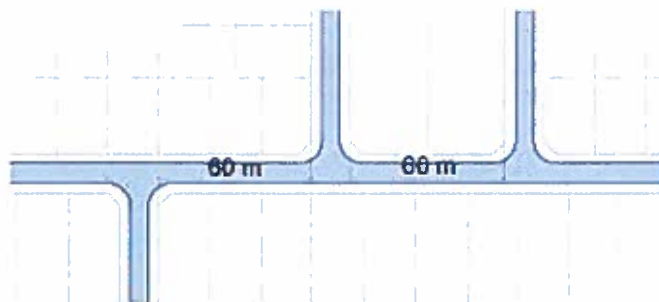
The *right-of-way* must be at least 15 metres for main roads and at least 12 metres for secondary roads.



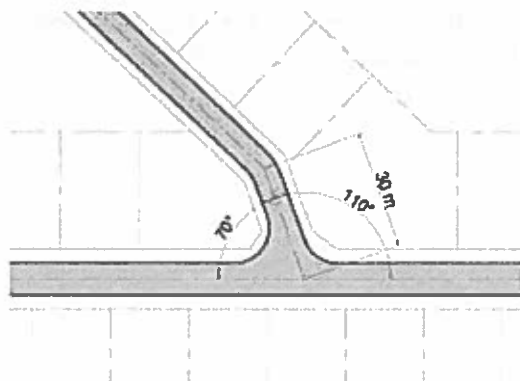
The intersecting of more than two (2) roads is prohibited.



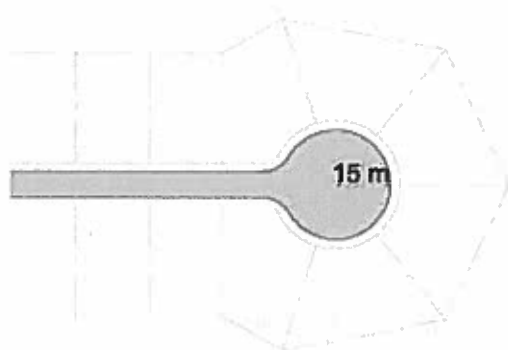
Intersections must be at least 60 metres from one another, measured from the edge of the *right-of-way*, whether on the same or the opposite side.



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 Kuujuaq *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) for detached, semi-detached and duplex dwellings

| | |
|------------------------|-----------|
| <i>Front</i> | 6 metres |
| <i>Rear</i> | 10 metres |
| <i>Side (Exterior)</i> | 5 metres |
| <i>Side (Interior)</i> | 5 metres |

Yard Setbacks (minimum) for rowhouse and multi-unit dwellings

| | |
|------------------------|-----------|
| <i>Front</i> | 6 metres |
| <i>Rear</i> | 12 metres |
| <i>Side (Exterior)</i> | 5 metres |
| <i>Side (Interior)</i> | 8 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 owner 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 m² 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 VILLAGE CORE

5.2.1 Permitted Uses

Bank
Cemetery
Craft studio
Community centre
Convenience store
Daycare centre
Dwelling, multi-unit
Dwelling, row-house

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

Gas station

Group home

Health care facility

Home occupation

Hotel

Municipal/government office

Office

Park or playground

Parking lot

Personal or business service

Place of worship

Police station

Post office

Radio and television station

Recreation facility

Restaurant

Retail store

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 Village Core Zone:

Yard Setbacks (minimum)

| | |
|------------------------|----------|
| <i>Front</i> | 3 metres |
| <i>Rear</i> | 6 metres |
| <i>Side (Exterior)</i> | 4 metres |
| <i>Side (Interior)</i> | 3 metres |

- (b) All *buildings* shall front on a public road.
- (c) No *outdoor storage* is permitted except consumer goods displayed for sale or kept in their sealift or air freight packaging, which may be stored in *side* and *rear yards*. They may not exceed 3 meters in height.
- (d) New *development* in the Village Core 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 60m²;
 - Institutional use (eg. health care facility, educational facility, place of worship): 1 space per 100m²;
 - 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 3 metres in 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 COMMERCIAL & COMMUNITY SERVICES ZONE

5.3.1 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

5.3.2 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 m |

- (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 60m²;
 - Institutional *use* (eg. health care facility, educational facility, place of worship): 1 space per 100m²;
 - 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 3 metres in 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.

5.4 INDUSTRIAL ZONE

5.4.1 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

5.4.2 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.

5.5 TRANSPORTATION & COMMUNICATIONS ZONE

5.5.1 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*

5.5.2 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.

5.6 RECREATIONAL ZONE

5.6.1 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

5.6.2 Zone Requirements

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

5.7 CONSERVATION ZONE

5.7.1 Permitted Uses

Snow fence
 A use *Council* deems by resolution to be similar to the uses permitted in this zone

5.7.2 Zone Requirements

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

5.8 NUNA ZONE

5.8.1 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

5.8.2 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.

"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.

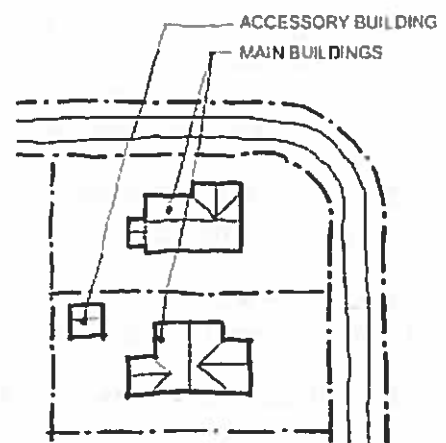
"BED AND BREAKFAST" means a private home where accommodation and breakfast are provided to the traveling public; it does not include a hotel. The owner of the home must live on premises.

"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 Kuujjuaq.

"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 Kuujjuaq that gives permission for *development*.

"DEVELOPMENT OFFICER" means any officer of the Northern Village of Kuujjuaq appointed by *Council* to help manage and enforce the Kuujjuaq *Master Plan* and the Kuujjuaq Zoning By-law.

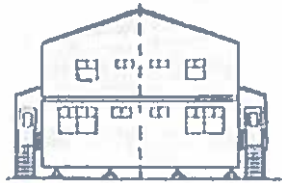
"DILAPIDATED BUILDING OR STRUCTURE": see under *"Building"*.

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

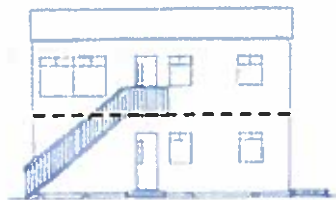
- **"DWELLING, DETACHED"** means a separate *building* that has one single *dwelling unit* (see illustration below).



- **"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:

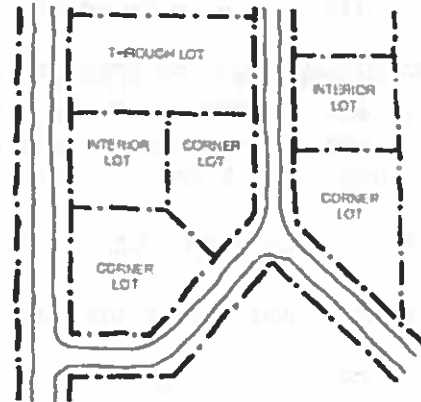
- i. explosives and fireworks;
- ii. gases (either compressed, deeply refrigerated, liquefied, or dissolved under pressure);
- iii. flammable and combustible liquids;
- iv. flammable solids;
- v. oxidizing substances and organic peroxides;
- vi. poisonous and infectious substances;
- vii. corrosives; 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*. Commercial garages are not permitted as a home occupation.

"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 Kuujjuaq, known as the Kuujjuaq Master Plan.

"MUNICIPALITY" means of the Northern Village of Kuujjuaq.

"NON-CONFORMING" means a *use*, *building*, or *structure* that lawfully existed or was under construction on the date this by-law came into effect, but which does not conform to this by-law. Lawfully existed means that the *use* and/or *building/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.

"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.

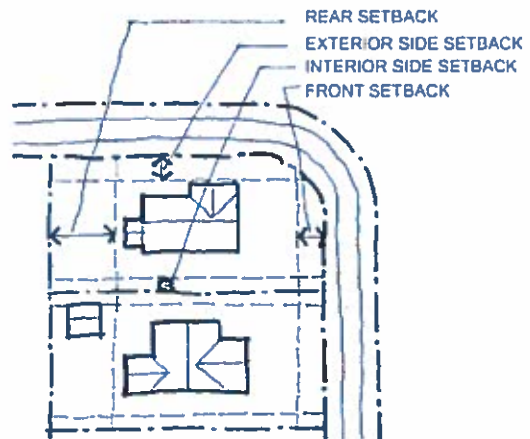
"RIGHT-OF-WAY" means a surveyed strip of land which contains a public road or a public utility service (such as power poles or a fuel pipeline).

"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.



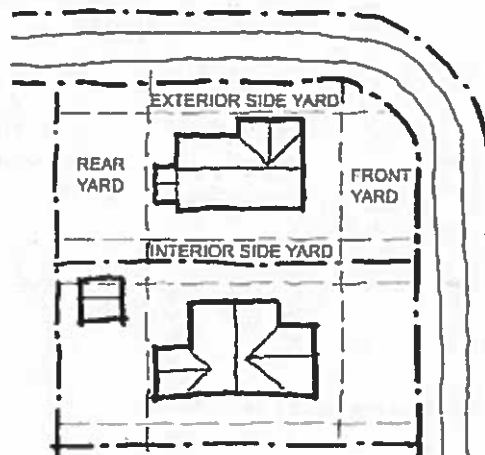
"STRUCTURE" means any temporary or permanent construction that is located on the ground or attached to something on or in the ground.

"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 *Kuujuuaq 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) 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.
- (b) 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.
- (c) An authorized officer may issue a statement of offence pursuant to this by-law.
- (d) 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.

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: | 5 |
| OPPOSED: | 0 |
| ABSTENTIONS: | 0 |
| ABSENTEES: | 2 |
| DATE OF ADOPTION: | July 19, 2017 |
| ELECTORS APPROVAL | August 9, 2017 |

MAYOR'S SIGNATURE:



SECRETARY-TREASURER'S SIGNATURE:



DATE OF PUBLICATION:

August 10, 2017

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 Kuujjuaq *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 Kuujjuaq, 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



DEVELOPMENT PERMIT APPLICATION

Northern Village of Kuujuaq

Areas in grey reserved for NV– do not fill out

Application number: _____ Date: _____

(Village code / year / application#)

Application received by: _____

Zone of lot:

☐ Residential

☐ Commercial & Community Services

☐ Industrial

☐ Transportation & Communications

☐ Recreational

☐ Village Core

Size of lot required: _____

1. Applicant

Name of organization or individual: _____

2. Applicant Information

Contact name (if applicant is an organization): _____

Address: _____

E-mail: _____

Telephone: (____) ____ - ____

3. Project Description

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

Proposed Use:

☐ Residential

☐ Institutional

(check boxes that apply)

☐ Commercial

☐ Industrial

Specify use: _____

Nature of development:

☐ New building(s)

☐ Addition to existing building

(check boxes that apply)

☐ New structure(s)

☐ Renovation

☐ Moving a building

Number of buildings (principal and accessory): _____

Size of building(s) (m² 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)

4. Estimated Dates to Start and Complete Construction

Estimated Construction START Date: _____
(year / month / day)

Estimated Construction COMPLETION Date: _____
(year / month / day)

5. Name and address of Professionals (if applicable)

Architect / Engineer: _____

Address: _____

E-mail: _____

Telephone: (____) ____ - ____

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

Contractor: _____

Address: _____

E-mail: _____

Telephone: (____) ____ - ____

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

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, overfill 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 Kuujjuaq” in the amount of \$_____

9. Application Submission

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

Development Officer
Northern Village of Kuujjuaq
P.O. Box 240
Kuujjuaq, (Québec)
J0M 1S0

Application and plans must be submitted electronically to:

KRG Land Use Planning Section
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 Kuujjuaq

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 **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.



NOTICE OF REFUSAL

Northern Village of Kuujuaq

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: _____

4. Revised Dates to Start and Complete Construction

Estimated Construction START Date: _____
(year / month / day)

Estimated Construction COMPLETION Date: _____
(year / month / day)

Signature of Applicant: _____

Date: _____



ZONING AMENDMENT APPLICATION

Northern Village of Kuujjuaq

Areas in grey reserved for NV— do not fill out

Application number: _____ Date: _____
(Village code / year / application#)

Application received by: _____

1. Applicant

Name of organization or individual: _____

2. Applicant Information

Contact name (if applicant is an organization): _____

Address: _____

E-mail: _____

Telephone: (_____) _____ - _____

3. Project Description

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

Existing use on lot: _____

Proposed Use:

(check boxes that apply)

☐ Residential

☐ Commercial

☐ Institutional

☐ Industrial

Specify use: _____

Current Zoning:

☐ Residential

☐ Village Core

☐ Conservation

☐ Industrial

☐ Transportation & Communications

☐ Recreational

☐ Commercial & Community Services

☐ Nuna

Current Zoning:

☐ Residential

☐ Village Core

☐ Transportation & Communications

☐ Recreational

☐ Conservation☐ Commercial & Community Services☐ Industrial☐ Nuna

4. Purpose of amendment

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 Kuujjuaq” in the amount of \$_____

6. Application Submission

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

Development Officer
Northern Village of Kuujjuaq
P.O. Box 240
Kuujjuaq, (Québec)
J0M 1S0

Application and plans must be submitted electronically to:

KRG Land Use Planning Section
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: _____



NOTICE OF ENFORCEMENT

Northern Village of Kuujuaq Zoning By-law

Northern Village of Kuujuaq
P.O. Box 240
Kuujuaq, QC
J0M 1S0

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 Bylaw 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 Bylaw:

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.



INFRACTION REPORT TO *COUNCIL*

Northern Village of Kuujjuaq Zoning By-law

Enforcement case No.: _____ Date: _____

1. Description of property

Location of lot (lot #, building #, etc.): _____

Name of Property Owner (organization or individual): _____

Zoning on lot:

☐ Residential

☐ Transportation & Communications

☐ Village Core

☐ Recreational

☐ Conservation

☐ Commercial & Community Services

☐ Industrial

☐ Nuna

Adjacent Uses: _____

2. Details of Infraction

Type of infraction:

☐ 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. _____

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

Observations during site visit: _____

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

3. Recommendation to Council how to correct infraction:

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 Kuujjuaq 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 Kuujjuaq 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 Bylaw 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 Kuujjuaq 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 Kuujjuaq 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: _____