











**Town of Fort Smith
Town Council Meeting
Agenda**

Tuesday, August 15th, 2023, 7:05 p.m. – Council Chambers

A. Call to Order and Confirmation of Quorum	
B. Proclamations a. Acknowledgement of First Nations	
C. Approval of Agenda	
D. Presentations a. RCMP Police Report July 2023	
E. Approval of Council Minutes a. Regular Council Meeting Minutes 07-23 July 18 th , 2023 b. Special Meeting Minutes SP-08-23 July 19 th , 2023	 Special Meeting Minutes SP-08-23 Ju
F. Business Arising from the Minutes	
G. Declaration of Financial Interest a. Statement of Disclosure of Interest	 Statement of Disclosure of Interest
H. Council Business	
a. Introduction and Consideration of Standing Committee Reports i. Corporate Services August 1 st , 2023 ii. Protective Services August 1 st , 2023 iii. Community Services August 8 th , 2023 iv. Municipal Services August 8 th , 2023	  Corporate Services Protective Services Minutes August 1 2(Minutes August 1 2)   Community Services Municipal Services Minutes August 8 2(Minutes August 8 2)
b. Enactment of Bylaws and Policies i. Bylaw 1051 Appoint Bylaw Officer Nicholas Carbery – Third Reading	 Bylaw 1051 Appoint a Bylaw Officer Nich
c. Appointments i. Appointment of Development Officer Nicholas Carbery	
d. Mayor and Council/Board Representative	
e. Administration i. Arena User Agreement 2023-2024 ii. DPA-043-23 Home Occupation Business Natalie Anderson	 DPA-043-23 BN Signed.pdf
I. Absence of Council Members	
J. Date of Next Council Meeting	
K. Adjournment	
L. Question Period	

E. **ADJOURNMENT**

23-218 Moved by: Cr. Fergusson
Seconded by: Cr. Campbell

That this meeting be adjourned at 12:15 pm.

CARRIED UNANIMOUSLY

Minutes adopted this 15th day of August 2023.

Mayor Fred Daniels

Certified Correct by
Senior Administrative Officer

F. **QUESTION PERIOD**

A question period was offered in accordance with policy.



Town of Fort Smith
Code of Conduct for Council Members

ATTACHMENT A

STATEMENT OF DISCLOSURE OF INTEREST

Name of Council Member: _____

Date of Disclosure: _____

Council Meeting or

Committee Name: _____

Meeting Date: _____

Agenda Item: _____

Agenda Item Description: _____

Description of type and nature of Interest (i.e., Interest or Conflict of Interest)

Interest: Personal

 Pecuniary

Conflict of Interest:

Signature: _____ Date: _____

Councillor: _____

Office Use Only:

Recorded by _____ at: _____

Initials: _____

Date: _____



Town of Fort Smith
Corporate Services Standing Committee
Tuesday, August 1st, 2023 at 7:00 pm
Town Hall Council Chambers

Chairperson: Cr. Tuckey
Members: Mayor Daniels, Cr. Campbell, Cr. Pischinger, Cr. Beaulieu, Cr. Couvrette
Regrets: D/M Macdonald, Cr. Korol, Cr. Fergusson
Staff Present: Obrian Kydd, Senior Administrative Officer
Adam McNab, Director of Protective Services

1. Call to Order

Mayor Daniels called the meeting to order at 7:00 pm and handed the Chair to Cr. Tuckey.

Cr. Tuckey read the acknowledgement of First Nations.

2. Declaration of Financial Interest

- a. Statement of Disclosure of Interest – There were no disclosures of financial interest.

Cr. Couvrette declared a conflict with the NLMCC briefing note under Other Business.

3. Review

- a. Agenda –The agenda was reviewed.

RECOMMENDATION

Moved by: Cr. Couvrette

Seconded by: Cr. Campbell

That the agenda be adopted as presented.

CARRIED UNANIMOUSLY

- b. Minutes – The Corporate Services Standing Committee Minutes of July 4th, 2023, were reviewed and adopted at the Regular Meeting of Council on July 18th, 2023.

Cr. Couvrette noted discussion in the minutes regarding paving and chip sealing Marine Drive, and the need for dust control. He requested an update on dust control for Marine Drive. Administration advised they would follow up with the Director of Municipal Services.

Cr. Campbell requested an update on the location of water and sewer services at Conibear Park and had concerns about having to dig the pavement to access services. Cr. Tuckey asked if there are design drawings of the water and sewer services. Administration replied that there was a building on the premises previously with services at the location. Cr. Campbell requested engaging an engineer to investigate the current services and determine if the lines are adequate sized for the building.

Mayor Daniels requested the ditches be filled at Conibear Park and felt the ditches are a safety concern. Cr. Couvrette requested that Administration review this or ensure there is disabled access to the park. He doesn't think this was investigated as part of the redesign and suggested it be considered as a 2024 Capital Project.

- c. Vision and Values – The Vision and Values were reviewed.

- d. Strategic Plan – The Strategic Plan was reviewed.

4. Governance

- a. Post-Secondary Education Committee – Cr. Couvrette advised that the Minister of ECE recently announced that he has approved the transformation of Aurora College into a polytechnic university. He noted that he would call a meeting of the Post-Secondary Education Committee to establish an action plan to ensure Fort Smith remains the post-secondary education capital of the NT.
- b. NTPC Intervention Committee
 - i. NTPC Intervention Committee Minutes July 25th, 2023 – The minutes were reviewed.

5. Director's Report

- a. Accounts Paid List – The Accounts Paid List from July 2023 was reviewed. Cr. Campbell noted a pen purchase from a non-local vendor and requested purchases be made locally. He suggested reviewing the Local Procurement Policy to establish guidelines for acquiring supplies and services locally and suggested the RFP/tender process be reviewed in conjunction. He requested the review be prioritized as urgent and suggested reviewing the policy at the next Corporate Services Standing Committee meeting.

Administration advised that the Town was approved \$1.79 million from the NWTAC towards fire breaks in consideration of the current wildfire situation around the community. He noted that funds can be used against expenditures retroactively from July 2022. Cr. Couvrette asked if the Town is eligible to claim fire abatement expenses retroactively and asked if funds could be used for additional fire abatement work this year. Administration would follow up on funding requirements.

Administration advised that a Primrose Lift Station pump was replaced and that the old pump would be reconditioned and placed in stock.

Administration provided an update on the Water Meter Replacement Project and advised that the contractor is experiencing difficulties with first time installations due to plumbing. He noted that there was an increased cost for the new installations from \$400 to \$1,200.

Cr. Tuckey noted a staff grader training payment and asked if the vendor was local. He asked if Aurora College could be engaged to provide the training and requested the Town inquire.

- b. Correspondence – The Correspondence List from July 2023 was reviewed.
 - i. MACA Update 2023 – The update was reviewed. Cr. Campbell asked if the Town had responded to Doris Bourke's letter.
- c. License Report – The License Report from July 2023 was reviewed.

6. Other Business

Cr. Couvrette declared a conflict and left the meeting.

- a. Briefing Note NLMCC Contribution Request Whooping Crane Festival – The briefing note was reviewed. Cr. Campbell noted that the request was brought to a previous meeting from the Aurora College and the request was denied. Cr. Campbell thinks the festival might be cancelled.

RECOMMENDATION

Moved by: Cr. Campbell

Seconded by: Cr. Beaulieu

That Council does not provide a contribution to the Whooping Crane Festival.

CARRIED UNANIMOUSLY

Cr. Couvrette returned to the meeting.

7. Excusing of Councillors

RECOMMENDATION

Moved by: Cr. Campbell

Seconded by: Cr. Beaulieu

That D/M Macdonald, Cr. Korol, and Cr. Fergusson be excused from the Corporate Services Standing Committee Meeting on August 1st, 2023.

CARRIED UNANIMOUSLY

8. Date of Next Meeting

The next Corporate Services Standing Committee meeting will be on September 5th, 2023.

9. Adjournment

RECOMMENDATION

Moved by: Cr. Campbell

Seconded by: Cr. Pischinger

That the meeting be adjourned at 7:33 pm.

CARRIED UNANIMOUSLY



Town of Fort Smith
Protective Services Standing Committee
Tuesday, August 1st, 2023 at 7:00 pm
Town Hall Council Chambers

Chairperson: Cr. Campbell
Members: Mayor Daniels, Cr. Pischinger, Cr. Beaulieu, Cr. Couvrette, Cr. Tuckey
Regrets: D/M Macdonald, Cr. Fergusson, Cr. Korol
Staff Present: Obrian Kydd, Senior Administrative Officer
Adam McNab, Director of Protective Services

1. Call to Order

Mayor Daniels called the meeting to order at 7:30 pm and handed the Chair to Cr. Campbell.

2. Declaration of Financial Interest

- a. Statement of Disclosure of Interest – There were no disclosures of financial interest.

3. Review

- a. Agenda –The agenda was reviewed.

RECOMMENDATION

Moved by: Cr. Couvrette

Seconded by: Cr. Pischinger

That the agenda be adopted as presented.

CARRIED UNANIMOUSLY

- b. Minutes – The Protective Services Standing Committee Minutes of July 4th, 2023, were reviewed and adopted at the Regular Meeting of Council on July 18th, 2023.
- c. Vision and Values – The Vision and Values were reviewed.

4. Director's Report

The Director of Protective Services advised that it was a busy month for the department and provided an update on a major structural fire that occurred. He commended volunteers and agencies that assisted in putting out the fire and noted that it had spread through the grass and trees. He commended the excellent coordination from the community in responding and as the neighbouring properties were not affected.

The Director noted that the department has been short-staffed over the summer but the volunteer group remaining has stepped-up to respond to calls for service.

The Director advised that the Occupational Health and Safety Committee has reviewed WSCC inspection reports of Town facilities for compliance and staff are taking supervisor training courses.

The Director noted that the Bylaw Enforcement Officer had resigned and moved south to be closer to family. He appreciated all his hard work. He advised that he has been responding to urgent bylaw calls to keep the portfolio moving forward. Additionally, the department will be working towards on-boarding the new Land and Development Officer.

The Director advised that the community recently put out an evacuation notice due to the fire situation and lack of emergency management resources. He noted that this initiated residents to prepare in case of evacuation. Additionally, Highway 5 had briefly closed and wind shifts allowed the highway to reopen. He was pleased with the positive collaboration between responding agencies.

The Director advised that there is still an evacuation notice in place, and a fire ban, both municipally and within the South Slave Region.

5. Protective Services

- a. Fire Department Statistics July 2023 – The Fire Department Statistics for July 2023 were reviewed. The Director advised of seven structural fires in July.
- b. Ambulance Department Statistics July 2023 – The Ambulance Department Statistics for July 2023 were reviewed. The Director noted an average busy month for the Ambulance Department.
- c. Fire/EMS Training Report July 2023 – The Fire/EMS Training Report for July 2023 was reviewed. The Director advised that there were thirteen training initiatives happening in July which was mostly Fire Department training.
- d. Fire/EMS Graphs July 2023 – The Fire/EMS Graphs for July 2023 were reviewed.
- e. Land and Development Report July 2023 – The Land and Development Report for July 2023 was reviewed. The Director has been processing development permits and advancing Land and Development initiatives.
- f. Bylaw Report July 2023 – The Bylaw Report for July 2023 was reviewed. The Director advised that the department has been focusing on targeted enforcement as per bylaws including ATV, Unsightly Lands, Garbage, and Traffic.

Cr. Campbell commended the Protective Services Department for their hard work.

6. Administration

- a. Briefing Note DPA-023-040 Levi MacDonald – The briefing note was reviewed.

RECOMMENDATION

Moved by: Cr. Couvrette

Seconded by: Cr. Pischinger

That DPA-023-040, submitted by Levi MacDonald, to operate a home occupation business, MacDonald Northern Arts, from Lot 787, Plan 490, 31 Tamarac Crescent, in Fort Smith, be approved.

CARRIED UNANIMOUSLY

7. Other Business

Mayor Daniels requested an update on the review of intermodal containers. The Director replied that the Community Plan and Zoning Bylaw is due for renewal and that the RFP is advertised. He noted that there would be opportunity to provide input during the review and consultations.

8. Excusing of Councillors

RECOMMENDATION

Moved by: Cr. Pischinger

Seconded by: Cr. Tuckey

That D/M Macdonald, Cr. Korol, and Cr. Fergusson be excused from the Protective Services Standing Committee Meeting on August 1st, 2023.

CARRIED UNANIMOUSLY

9. Date of Next Meeting

The next Protective Services Standing Committee meeting will be on September 5th, 2023.

10. Adjournment

RECOMMENDATION

Moved by: Cr. Couvrette

Seconded by: Cr. Beaulieu

That the meeting be adjourned at 7:52 pm.

CARRIED UNANIMOUSLY



Town of Fort Smith
Community Services Standing Committee
Tuesday, August 8, 2023, at 7:00 pm
Town Hall Council Chambers

Chairperson: Mayor Daniels
Members Present: Cr. Campbell, Cr. Korol (Conference Call), Cr. Tuckey, Cr. Couvrette, Cr. Pischinger, Cr. Beaulieu
Regrets: D/M Macdonald, Cr. Fergusson
Staff Present: Obrian Kydd, Senior Administrative Officer
Emily Colucci, Director of Community Services
Shaun Weber, A/Director of Municipal Services
Katie Reid, Executive Secretary

1. Call to Order

Mayor Daniels called the meeting to order at 7:00 pm.

Mayor Daniels read the acknowledgement of First Nations.

2. Declaration of Financial Interest

- a. Statement of Disclosure of Financial Interest – There were no disclosures of financial interest.

3. Review

- a. Agenda – The agenda was reviewed.

RECOMMENDATION

Moved by: Cr. Couvrette

Seconded by: Cr. Campbell

That the agenda be adopted as presented.

CARRIED UNANIMOUSLY

- b. Minutes – The Community Services Standing Committee Minutes of July 11th, 2023, were reviewed and adopted at the Regular Meeting of Council on July 18th, 2023.

Cr. Couvrette requested updating the Economic Development Strategy goals and objectives in September with the SAO and Directors.

Cr. Couvrette noted discussion regarding donations for various festivals and asked what the process is when funds are provided for events that are cancelled or significantly changed. He recommended reviewing the donation policy to include expectations from organizations and circumstances resulting cancellation or event changes. He suggested reviewing this in conjunction with budgeting.

Cr. Campbell requested an update on CRC signage. The Director advised that the Mary Kaeser Library sign is ready to be mounted and the William Shaefer Memorial Pool sign and Pete's Gym signs are mounted in the facilities. She advised that there are no funds allocated for additional signage outside the facility and suggested this be included in the upcoming budget if desired. Additionally, she had discussed the name change request with the Winter Sports and Curling Club and they wish to keep their name as is. She noted that they have signage outside the Curling Lounge and change rooms.

Cr. Couvrette requested that signage be investigated for outside the CRC facility to be included with budgeting. Cr. Campbell requested that signage include all names of facilities in the building.

RECOMMENDATION

Moved by: Cr. Couvrette

Seconded by: Cr. Korol

That Administration and the Director of Community Services prepare a design proposal and budget for a comprehensive outdoor sign at the Community and Recreation Centre for Council's consideration.

CARRIED UNANIMOUSLY

- c. Vision and Values – The Vision and Values were reviewed.
 - d. Community Services Master Plan – The Community Services Master Plan was reviewed.
 - e. Economic Development Plan – The Economic Development Plan was reviewed.
4. Directors Report
- a. CRC Statistics July 2023 – The CRC Statistics for July 2023 were reviewed.
 - b. Mary Kaeser Library Statistics July 2023 – The MKL Statistics for July 2023 were reviewed.

The Director advised that the CRC has been steadily busy throughout the summer. She noted that NAIG clinics for badminton and volleyball were run in the facility and that the Soccer Club had moved back into the facility twice a week due to environmental conditions over the summer. The Director advised that the Curling Club rink space was also utilized over the summer with an indoor playground and for pickle ball, tennis, badminton, and soccer.

The Director advised that the Daycare and Summer Camp are fully enrolled, and that the facility is seeing more youth using the Library. She noted that the Library held a few events in July and computer usage is high and steady throughout the day. She noted that there will be more adult programming coming at the end of the summer.

Cr. Campbell requested a Daycare financial report update. The Director replied that she is working on this for Council review.

Cr. Korol noted that Hay River was awarded the Canadian Table Tennis Championships and asked if the Town could look into hosting championship games. The Director confirmed that she would look into this.

5. Economic Development
- a. Economic Development Report
 - i. 2022-2023 Economic Development Report – The report was reviewed.
 - ii. Visitor Information Statistics 2023 – The VIC Statistics were reviewed.

The Director advised that the Economic Development Report comprehensively ties goals from the Economic Development Plan to completed initiatives. She reviewed the report for Council.

The Director thanked the EDO for their hard work with the Town and felt they were key in making initiatives happen.

Cr. Campbell asked if there is funding for the next phase of the Conibear Park Project. The Director replied that there is funding allocated as a 2023 Capital Project to move into the engineer design phase and that there is CanNor funding for the next build phase.

6. Advisory Boards

- a. Fort Smith Housing Plan Advisory Board – The Director advised that the board has been conducting targeted meetings with organizations and groups to fill gaps in the survey. She hopes to receive the completed Housing Plan in September.

7. Administration

- a. Briefing Note Arena Ice Usage Agreement – The briefing note, 2022-2023 agreement, and the draft 2023-2024 agreement were reviewed.

The Director advised that changes were made to update and outline responsibilities regarding contact, booking, and cancellations. She noted that the areas changed were highlighted in the draft 2023-2024 agreement. She noted that the agreement went to CSAB for their input.

Cr. Couvrette commended CSAB for their input. He suggested including consistent language to identify and refer to the users. Cr. Couvrette suggested referencing the Liquor Act when referring to alcohol sales during events.

Cr. Couvrette and Cr. Campbell requested the amended agreement be brought to the Council meeting for approval before the agreement is signed in September.

- b. Correspondence NTHSSA Request – The correspondence was reviewed. Administration advised that they were given two flower baskets by the Town.

8. Excusing of Councillors

RECOMMENDATION

Moved by: Cr. Korol

Seconded by: Cr. Couvrette

That D/M Macdonald and Cr. Fergusson be excused of the Community Services Standing Committee meeting on August 8th, 2023.

CARRIED UNANIMOUSLY

9. Date of Next Meeting

The next Community Services Standing Committee meeting will be held on September 12th, 2023.

10. Adjournment

RECOMMENDATION

Moved by: Cr. Campbell

Seconded by: Cr. Pischinger

That the meeting be adjourned at 7:35 pm.

CARRIED UNANIMOUSLY



Town of Fort Smith
Municipal Services Standing Committee
Tuesday, August 8th, 2023, at 8:15 pm
Town Hall Council Chambers

Chairperson: Cr. Campbell
Members Present: Mayor Daniels, Cr. Korol (Conference Call), Cr. Tuckey, Cr. Couvrette, Cr. Beaulieu, Cr. Pischinger
Regrets: D/M Macdonald, Cr. Fergusson
Staff Present: Obrian Kydd, Senior Administrative Officer
Shaun Weber, A/Director of Municipal Services
Katie Reid, Executive Secretary

1. Call to Order

Mayor Daniels called the meeting to order at 7:45 pm and handed the Chair to Cr. Campbell.

2. Declaration of Financial Interest

- a. Statement of Disclosure of Interest – There were no disclosures of financial interest.

3. Review

- a. Agenda – The agenda was reviewed. Couvrette requested adding discussion on the cemetery fence project and an in-camera issue to discuss a personnel issue in accordance with the Cities, Towns and Villages Act, Section 23(3)(c). Cr. Pischinger would like to request an update on crosswalk signage at the Calder Avenue/McDougal Road crossing and the speed limit along McDougal Road to the Airport. Cr. Tuckey would like to add discussion on road conditions. Cr. Campbell requested an update on the touchpad at the Water Tower.

RECOMMENDATION

Moved by: Cr. Couvrette

Seconded by: Cr. Tuckey

That the agenda be adopted as amended.

CARRIED UNANIMOUSLY

- b. Minutes – The Municipal Services Standing Committee Minutes of July 11th, 2023, were reviewed and adopted at the Regular Meeting of Council on July 18th, 2023.

- c. Vision and Values – The Vision and Values were reviewed.

4. Directors Report

- a. Municipal Services Director Report July 2023 – The Director of Municipal Services' Report from July 2023 was reviewed. Administration advised that the Director of Municipal Services is on vacation and that the Acting Director would answer questions from Council.

Cr. Couvrette requested an update on the Water Meter Replacement Project and if the project is still on budget. Administration advised that the project is still on going and that the cost of new installations in Tamarac Crescent and Caribou Crescent are higher than for replacement. Administration advised that Neptune is in town to work on the touchpad at the Water Tower.

Cr. Korol requested an update on sewer flushing including, how much longer it would be occurring, and if there were additional basements that backed-up as a result. Administration advised that he would follow up with the Director and thinks that some homes were not equipped with sewage backstops to prevent reverse flow. He advised that he would bring a briefing note on the issue.

Cr. Campbell asked if the Curling Rink ice plant had been ordered in consideration of the lengthy delivery time. Administration will follow up.

5. Administration

- a. Briefing Note Water and Sewer Services at Conibear Park Parking Lot – The briefing note was reviewed. The Acting Director advised that as-builds have not been received from the original contractor Rowe’s Construction. He continued that Precision Industries was asked if lines existed under the parking lot and that they believed them to be stubbed at the mains and that they would review photos. The Acting Director advised that no further information has yet been received. Cr. Campbell asked if there would be the need to tie services under the parking lot. The Acting Director would look into this.

6. Other Business

- a. Cemetery Fence Project – Cr. Couvrette noted Council discussions about the current fence condition at the cemetery and that it is not to the standard of the community and not what Mayor and Council had anticipated the project to be. Cr. Couvrette made a motion to obtain a quote for the installation of a fence and that the project be prioritized for 2023. Cr. Campbell suggested obtaining a quote for the Anglican cemetery as well. Cr. Pischinger noted that additional funding was allocated for this project for 2023.

RECOMMENDATION

Moved by: Cr. Couvrette

Seconded by: Cr. Pischinger

That Administration and the Director of Municipal Services obtain a quote for the installation of a black 4-foot chain link fence at the Cemetery and that the project be prioritized in 2023 budget.

CARRIED UNANIMOUSLY

- b. Flashing Crosswalk – Cr. Pischinger noted a previous motion to obtain a quote for crosswalk signage, similar to JBT Elementary School, at the McDougal Road/Calder Avenue crossing. She also suggested considering lowering the speed limit from 60km/h on McDougal Road towards the Airport and in consideration of development occurring.
- c. Road Condition – Cr. Tuckey noted that Council was advised that crack sealing would be occurring but this hasn’t been done yet. He advised of a large crack on Field Street that requires sealing and requested this be repaired. Cr. Pischinger agreed.

Cr. Campbell advised that lots of funds are spent on paving and that roads should be maintained to be kept in good condition. He also noted that road cracks are a safety concern.

7. Excusing of Councillors

RECOMMENDATION

Moved by: Cr. Korol

Seconded by: Cr. Pischinger

That D/M Macdonald and Cr. Fergusson be excused from the Municipal Services Standing Committee meeting on August 8th, 2023.

CARRIED UNANIMOUSLY

8. Date of Next Meeting

The next Municipal Services Standing Committee meeting will be held on September 12th, 2023.

9. In-Camera Session CTV Act S.23(3)(c)

RECOMMENDATION

Moved by: Cr. Korol

Seconded by: Cr. Pischinger

That Council move in-camera in accordance with the Cities, Towns and Villages Act, Section 23(3)(c), to discuss a personnel issue.

CARRIED UNANIMOUSLY

RECOMMENDATION

Moved by: Cr. Couvrette

Seconded by: Cr. Pischinger

That Council move out of in-camera at 8:20 pm

CARRIED UNANIMOUSLY

10. Adjournment

RECOMMENDATION

Moved by: Cr. Korol

Seconded by: Cr. Pischinger

The meeting be adjourned at 8:21 pm.

CARRIED UNANIMOUSLY



**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH
BY-LAW 1051**

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH, IN THE NORTHWEST TERRITORIES, TO APPOINT A BYLAW ENFORCEMENT OFFICER, PASSED PURSUANT TO SECTIONS 70 AND 137 OF THE CITIES, TOWNS AND VILLAGES ACT S.N.W.T. 2003, c.22

WHEREAS, the Council of the Municipal Corporation of the Town of Fort Smith, in the Northwest Territories, deems it necessary to appoint Bylaw Enforcement Officers to enforce the bylaws of the Municipality;

NOW THEREFORE, the Council of the Municipal Corporation of the Town of Fort Smith, at a duly assembled meeting enacts as follows:

1. That Nicholas Carbery be appointed Bylaw Enforcement Officer for the Town of Fort Smith.
2. That Bylaw 1017 and Bylaw 1038 be hereby repealed.
3. That this appointment shall come into effect upon this bylaw receiving third reading.

READ A FIRST TIME THIS 15th DAY OF August, 2023 A.D.

READ A SECOND TIME THIS 15th DAY OF August, 2023 A.D.

READ A THIRD TIME THIS 15th DAY OF August, 2023 A.D.

MAYOR

SENIOR ADMINISTRATIVE OFFICER

I hereby certify that this bylaw has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the bylaws of the Municipal Corporation of the Town of Fort Smith.

SENIOR ADMINISTRATIVE OFFICER



BRIEFING NOTE

TO: Mayor and Council
DATE: August 4, 2023
SUBJECT: DPA-043-23

PURPOSE:

Natalie Anderson has submitted a Home Occupation Development Application. This application is for operation of White water Institute at the following location:

Lot	Block	Plan	Zone	Civic Address
1142	NA	1711	R1	129 Carls Drive
or Certificate of Title:			NA	

BACKGROUND:

The Property is zoned R1 and a Home Occupation Business is a conditional use in this zone requiring council approval.

ANALYSIS:

A Home Occupation Business License application has been received that indicates operations include the storage of gear, vehicles, and equipment as well as the housing (two to twelve tents) for out-of-town guides and paddlers. There will be storage on site. There will be increased foot traffic, on-site parking, and vehicle traffic. There will be no signage or construction related to this business.

The Applicant has been advised of the requirement to comply with:

- All Town Bylaws, specifically the Town Zoning, Business License Bylaws and Unsightly Lands Bylaw
- National Building Code, most current.
- National Fire Code, most current; and
- All Federal and Territorial Regulations.

Please see the attached map showing the location of the lot.

Approval Considerations

The use of a residential property for camping is not specifically covered in the Zoning Bylaw but potential enforcement considerations and neighbourhood impacts are listed for consideration.

PLEASE SEE ITEMS ON PAGE 2

Respectfully Submitted,

Development Officer

Bylaw 873 (n) - display and storage of goods causing a variation from the external appearance and residential character of the land or buildings and exterior storage of materials associated. **Contraventions observed.**

Bylaw 873 (q) - ...shall not be approved if the Town is of the opinion that it is likely to result in problems relating to parking, traffic, noise, vibration, smoke, odor, heat, dust, or glare. **Parking contravention was observed during a site visit. There is the potential for increased noise with large gatherings although the applicant has indicated a quiet zone policy is in place.**

Zoning Bylaw 936 - Boarding or lodging houses are not permitted in an R1 Zone per Sections 1.6 and 7.1 of the bylaw. If this were to be considered a Bed and Breakfast Establishment then Section 8.4 of the bylaw listed below would apply.

1.6 - Definitions

BED AND BREAKFAST ESTABLISHMENT means a home occupation in a single dwelling providing temporary accommodation for **no more than five guests at one time**, where the owner resides on the premises.

BOARDING OR LODGING HOUSE means a building (other than a motel or hotel) containing not more than 15 sleeping rooms where meals or lodging for four or more persons are provided for compensation.

8.4 Bed and Breakfast Establishments

(1) In addition to all other provisions and requirements of the Zoning By-law the following additional requirements shall apply to home occupations in the form of bed and breakfast operations:

- a. Applicants who lease or own a single family residence must reside on the premises.
- b. Applicants shall provide a sketch showing bedroom configurations, capacity and bathroom locations with the application for a Home Occupation Development Permit as described in Part Three of this bylaw.
- c. Applicants shall provide proof that the Office of the Fire Marshal has reviewed plans and that the residence meets the requirements of the Government of the Northwest Territories Fire Marshal, National Fire Code of Canada, and the Fire Prevention Act.
- d. The residence shall contain bedrooms for a total of no more than five (5) guests and each bedroom shall be designed to accommodate no more than two (2) adult persons at any one time.
- e. All residences shall have a three-piece bath for the use of the guests apart from those used by the owner and his/her family. Access to the guest bathroom shall be direct, convenient and will not involve passing through any other rooms.