



Council of the Town of Fort Smith
JULY 22nd, 2025 @ 7:00 PM

MINUTES

The Regular meeting of the Council on 07-25 was held on
Tuesday, July 22nd, 2025, @ 7 pm within the Town Hall Council Chambers.

Present: Cr. Benwell, Cr. Heaton, Cr. Karasiuk, Cr. Bathe, D/M Keizer, Cr. Cox,
and Cr. Couvrette
Regrets: Mayor Fergusson and Cr. Tuckey
Staff Present: Emily Colucci, Director of Community Services (Acting SAO)
Daniel Wiltzen, Economic and Tourism Development Officer (Acting
Executive Secretary)

1. CALL TO ORDER

- a. D/M Keizer confirms quorum
- b. Cr. Couvrette reads the Acknowledgment of First Nations

2. ADOPTION OF AGENDA

25-168 **Moved by: Cr. Karasiuk**
Seconded by: Cr. Benwell

That the agenda be adopted as presented.

PASSED

3. DELEGATIONS

4. APPROVAL OF MINUTES

- a. Regular Meeting of Council 06-25

25-169 **Moved by: Cr. Heaton**
Seconded by: Cr. Karasiuk

That the minutes of the Regular Meeting 06-25 of June 24th, 2025, be adopted as
presented.

PASSED

5. BUSINESS ARISING FROM THE MINUTES

6. DECLARATION OF FINANCIAL INTEREST

- a. Statement of Disclosure of Interest.

7. COUNCIL BUSINESS

- a. Council Business

- i. **Protective Services Standing Committee July 8th, 2025**

25-170 **Moved by: Cr. Benwell**
Seconded: Cr. Heaton

That the Protective Services Standing Committee minutes from July 8th, 2025, be
adopted as presented.

PASSED

PROTECTIVE



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PROTECTIVE	# 25-171	Moved by: Cr. Karasiuk Seconded: Cr. Benwell
	That DPA-003-25, submitted by Lida Blesse, to operate the making and selling of traditional crafts - Pimâtisiwin Designs from Lot 654, Plan 319, 100 Whipoorwill Cr., Fort Smith, be approved.	
	PASSED	

PROTECTIVE	# 25-172	Moved by: Cr. Heaton Seconded: Cr. Karasiuk
	That DPA-031-25, submitted by Larry Benwell, to operate a carpentry construction business, from Lot 607, Plan 319, 4 Wren Cres., Fort Smith, be approved.	
	PASSED	

*Cr. Benwell stated a conflict of interest and did not take part in the discussion or the vote.

PROTECTIVE	# 25-173	Moved by: Cr. Karasiuk Seconded: Cr. Heaton
	That Council approve the rear setback of DPA-045-24 be reduced from 3 meters to 1.5 meters at 25 Portage Avenue in the General Commercial Zone as requested, and that Protective Services be requested to send out a 14-day notice to neighboring properties as indicated in the development application procedure.	
	PASSED	

ii. Corporate Services Standing Committee July 8th, 2025

CORPORATE	# 25-174	Moved by: Cr. Benwell Seconded by: Cr. Heaton
	That the Corporate Services Standing Committee minutes from July 8th, 2025, be adopted as presented.	
	PASSED	

iii. Community Services Standing Committee July 15th, 2025

COMMUNITY	# 25-175	Moved by: Cr. Karasiuk Seconded by: Cr. Heaton
	That the Community Services Standing Committee minutes from July 15 th , 2025, be adopted as presented.	
	PASSED	

iv. Municipal Services Standing Committee July 15th, 2025

MUNICIPAL	# 25-176	Moved by: Cr. Karasiuk Seconded by: Cr. Heaton
	That the Municipal Services Standing Committee minutes from July 15 th , 2025, be adopted as amended to include four additional items under Section F. Other Business: a) The Barricade, b) Anglican Church Cemetery, c) Cemeteries in general, and d) Bears at the landfill.	
	PASSED	



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MUNICIPAL

25-177

Moved by: Cr. Heaton
Seconded by: Cr. Benwell

That Administration prepare a briefing note on the history and installation of the guardrail, to be presented at the first regular Council meeting in August.

PASSED

MUNICIPAL

25-178

Moved by: Cr. Karasiuk
Seconded by: Cr. Heaton

That Administration be directed to prepare a briefing note for the July 22nd meeting, outlining the current cemetery maintenance practices and providing the rationale behind the decision to lock the cemetery gate and place a pile of dirt at the entrance.

PASSED

Cr. Karasiuk expressed his appreciation for the briefing note, stating that it was very well done. He noted that the inclusion of pictures helped him clearly understand what was being discussed at the previous meeting and thanked Administration and staff for preparing it.

Cr. Benwell sought clarification as to why one cemetery is locked up and the other one is not. Director Colucci clarified that, as outlined in the briefing, the gate in question is not locked by the Town, nor is it located on Town property. The decision to lock it was made by the Anglican Church.

D/M Keizer took a moment to acknowledge the Mayor's earlier reminder about the importance of due diligence and asking questions in advance. He noted that the recent discussion was a clear example of how providing Administration with time to prepare proper information could have prevented unnecessary debate. He encouraged Council to learn from this and focus on working collaboratively to move the community forward.

b. Bylaws and Policies

#25-179

Moved by: Cr. Karasiuk
Seconded by: Cr. Heaton

That Council hereby give the first reading of Bylaw 1063, cited as the Fort Smith Zoning Bylaw.

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH IN THE NORTHWEST TERRITORIES, TO ADOPT A ZONING BYLAW PURSUANT TO THE COMMUNITY AND DEVELOPMENT ACT S.N.W.T, 2011, c.22.

Pursuant To:

- a) Part 2, Sections 3 to 7 inclusive of the *Community Planning and Development Act*, S.N.W.T., 2011, c.22; and
- b) Due notice to the public, provision for inspection of this by-law and due opportunity for objections thereto to be heard, considered, and determined; and

WHEREAS the Municipal Corporation of the Town of Fort Smith, in the Northwest Territories, has completed a Community Plan under the Community Planning and Development Act, and

WHEREAS the Municipal Corporation of the Town of Fort Smith, in the Northwest



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Territories, wishes to regulate the use and development of land within the municipality to achieve the orderly and economic development of land;

NOW, THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE TOWN OF FOR SMITH,

in regular session, duly assembled, enacts as follows:

1. The By-law may be cited as “ The Fort Smith Zoning Bylaw”.
2. The Community Plan for the Town of Fort Smith, comprised of Schedule “A” Parts 1 – 9, and Schedule “B” attached hereto and forming part of this by-law, is hereby adopted.
3. By-law No. 936, as amended, is hereby repealed.
4. That this by-law shall come into effect upon receiving Third Reading and otherwise meets the requirements of Section 75 of the *Cities, Towns and Villages Act*.

PASSED

Cr. Heaton stated that she wanted to publicly address concerns she had previously shared by email with Council regarding definitions in the draft zoning bylaw. She specifically referenced the definition of “accessory use,” which includes traditionally used structures such as teepees, wall tents, and smokehouses. In Part 7 of the development standards, the bylaw states that exterior building materials for accessory buildings must be similar to those of the principal building and must comply with the National Building Code and National Fire Code.

Cr. Heaton questioned how traditional structures like teepees or wall tents could realistically meet these national codes and expressed deep concern over the implications. She emphasized that, in her view, the inclusion of these requirements in the bylaw is discriminatory, particularly in the context of the upcoming 10th anniversary of the Truth and Reconciliation Commission's final report in September 2025.

She urged Council to reflect on whether they want to be seen as a community that limits Indigenous cultural practices and stated that if the Town’s appreciation for Indigenous peoples is only symbolic, then it should reconsider actions such as land acknowledgements. She reminded Council of the recently signed Memorandum of Agreement with the Thebacha Leadership Council, which commits to preserving cultural heritage and working collaboratively with Indigenous communities.

Cr. Heaton concluded by reaffirming her commitment to opposing this section of the bylaw, stating that it does not reflect the Fort Smith she believes in or the values the community claims to uphold.

Cr. Couvrette commented on the process moving forward with the bylaw, noting that first reading has been given and the next step, as required, will be to issue a public notice at least 10 days in advance of a public hearing. He emphasized that comments and concerns of this nature are most appropriately brought forward during that hearing. Speaking as a councillor, he acknowledged the importance of following due process and expressed confidence that this particular provision will be addressed during the public consultation.

Cr. Benwell asked whether the date and location of the public hearing would be publicly posted, noting the importance of ensuring residents are aware and have the opportunity to attend and share any concerns or input they may have. She sought confirmation that the hearing would be open to the public.

Cr. Couvrette confirmed that holding a public hearing is a requirement under the *Cities, Towns and Villages Act* of the Northwest Territories for this type of bylaw before it can



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proceed to third reading. He added that the bylaw remains subject to amendments based on the input received.

Cr. Karasiuk sought clarification on the amendment process. He asked whether suggested amendments made during a Council meeting must be repeated at the public hearing, or if both Council suggestions and public input would be incorporated into a revised draft of the bylaw for second reading. He wanted to confirm whether councillors needed to restate their comments at the public hearing.

Director Colucci explained that the discussions from the current meeting can be documented and taken back to the contractor for review and potential revisions to the existing draft. She noted that the public hearing will follow this step, allowing time to make adjustments since the bylaw is still a work in progress. The goal is to ensure that the version brought forward for second reading reflects a more finalized and preferred version of the zoning bylaw.

Cr. Karasiuk raised a legal concern regarding inconsistent language in the bylaw draft. He noted that while most sections refer to timelines in terms of a specific number of days, one section references "60 calendar days," creating a potential for confusion. He recommended that all time-related references be updated to consistently use "calendar days" to avoid ambiguity, particularly when it comes to notices and legal requirements for appeals. This, he said, would help ensure clarity and reduce the risk of disputes over interpretation.

Cr. Benwell asked whether, if the public requests changes to the bylaw following first reading, the process would need to restart from the beginning. She sought clarification on whether a new first reading would be required or if the process would continue from the current stage.

Director Colucci explained that the zoning bylaw cannot come into effect until the Community Plan has been approved. The Community Plan is currently with the Minister, awaiting approval. The intent is to have the zoning bylaw ready to proceed once the Community Plan receives third reading by Council. She noted that while both third readings could occur at the same meeting, Ministerial approval of the Community Plan must come first. In the meantime, there is still time to conduct the required public consultations and hearings, as outlined in the legislation, and to incorporate any necessary changes to the zoning bylaw draft before it returns for second reading.

Cr. Heaton asked how many community sessions are being planned for the bylaw consultation. She inquired whether there would be a single large session at the recreation centre or multiple sessions, and requested clarification on how the engagement process would be rolled out.

Director Colucci explained that only one public hearing is required by legislation, but additional consultation efforts are at Council's discretion. She noted that the draft bylaw has already been made public for some time, with several opportunities for input, including previous public meetings and targeted sessions with key community stakeholders. Despite these efforts, attendance at the last public meeting was low, with only one person present.

Cr. Benwell emphasized the importance of promoting the upcoming public hearing to ensure those who have concerns or suggested changes take the opportunity to participate.

Director Colucci confirmed that advertising will include a variety of methods such as social media, the Town's website, physical postings around the community, and a potential mail drop to reach residents who may not have internet access.



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Cr. Heaton acknowledged that the draft document has been public for some time and sought clarification on her role as a Council member in engaging with the community. She asked whether she is now permitted to speak directly with residents about the bylaw. She also inquired whether communication with the media should continue to go through the Mayor.

Director Colucci confirmed that Council Members get permission through the Mayor for any media-related items.

Cr. Cox acknowledged Cr. Heaton's observation was a valuable point, and noted that he had also identified several issues in the bylaw draft, which he shared by email. He mentioned that D/M Keizer had flagged an important concern as well. While he feels the draft contains strong content overall, he agreed that there are a few areas that need to be addressed. He added that his questions about the process have now been clarified and emphasized that this is the time to make necessary revisions before moving the bylaw forward.

Cr. Bathe asked whether it would be possible to request a briefing note outlining the National Building Code requirements for the types of structures being discussed. He suggested that having a clear understanding of those requirements might help address concerns and lead to broader agreement. Using examples from Alberta and other jurisdictions, he emphasized the importance of ensuring basic safety measures such as proper setbacks, exits, and fire extinguishers when fire is present.

Director McNab clarified that the original intent behind including traditional use structures in the definition of accessory buildings was solely to address property setbacks and total land use area. There was no intention to apply the National Building Code or Fire Code to these structures. He expressed support for traditional buildings being constructed using traditional methods and materials.

He noted that an earlier draft of the bylaw had included language specifically exempting traditional structures from those standards—aside from setback and lot coverage requirements—but that section appears to have been removed in the current version. He acknowledged this as an oversight and confirmed it would be addressed.

Director McNab also agreed with Cr. Bathe's point about the importance of setbacks, emphasizing that the main concern was ensuring these structures do not pose a fire risk to nearby buildings. He confirmed that Administration is open to revising the bylaw to reflect its original intent.

D/M Mayor Keizer reflected on the bylaw review process, agreeing with Cr. Cox, that it involves a series of steps. He recalled from early Council training the importance of ensuring that Fort Smith's bylaws reflect the community's unique northern context. He suggested that some language in the draft may have been drawn from standard southern bylaws and might not be entirely appropriate for the local setting.

He acknowledged Cr. Heaton's concerns and appreciation for Cr. Cox's memo noted that it raised points worth addressing. He also shared that one particular issue stood out to him during his review. D/M Keizer emphasized the need to let the process unfold while contributing constructive feedback to help improve the draft. He agreed that, while the current version provides a good starting point, it still requires refinement.



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c. Administration

i. Briefing Note – Anglican Church Cemetery – For Information

Director Colucci provided an update on the Anglican Church cemetery, following a request for background information. She confirmed that the gate in question is not locked but secured with a threaded chain link that can be opened at any time. The gate is located entirely on Anglican Church property, as confirmed by property pins, and its use is at the church's discretion.

She added that the public access point adjacent to the cemetery was created at the request of an Anglican Church representative, allowing access from Town land to Town land.

Regarding the black dirt placed at the cemetery, Director Colucci explained that it had been delivered at the request of community members for use in maintaining gravesites. The unused portion has since been removed and repurposed at the site of the old fire hall, where it has been spread to promote grass growth in the upcoming year. She also noted that maintenance work has begun at both cemeteries as of last week.

Cr. Heaton noted that she had seen Municipal Services working at the St. Isidore cemetery and observed that it looked much improved. She expressed appreciation for the work and added that the community, as well as Councillor Tuckey, is likely pleased with the efforts. She thanked Municipal Services for their work.

ii. Briefing Note – Wastewater System for Salt River First Nation *Update

25-180

Moved by: Cr. Heaton

Seconded by: Cr. Karasiuk

That Council approve the immediate activation of the wastewater infrastructure servicing the Salt River First Nation development area, to protect the integrity of the system, support proper wastewater operations, and demonstrate the Town's commitment to cooperative and respectful relations with SRFN during ongoing MSA negotiations.

PASSED

Director Colucci reported that the Director of Municipal Services recently inspected a portion of the new development on Salt River First Nation land and met with their staff. Following the visit, he is confident that their sewer system is ready to be activated. She noted that the system can be shut off again if needed, but activating it now would demonstrate good faith in moving the Municipal Services Agreement forward.

She confirmed that turning the system on would have no negative impact on the Town's infrastructure and could help prevent future issues. Leaving the system inactive may lead to water infiltration, which can be harder to manage later. Based on this assessment, the Director of Municipal Services has recommended activating the system to support Salt River's infrastructure and avoid potential complications.

Cr. Cox noted that he had sent an email regarding the matter and asked whether there was a clear answer available. He expressed the view that, to his understanding, there do not appear to be any significant costs or liabilities for either party in proceeding with activating the system. He asked for confirmation on this point.

Director Colucci confirmed that Cr. Cox's understanding was correct. She explained that if the situation were to change and any negative impacts were observed, the system could be easily shut off by closing a valve. She noted that this differs significantly from the water



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system, where once the infrastructure is filled and pressurized, shutting it down is much more difficult. Given that no negative impacts are anticipated, Administration feels confident in proceeding.

d. Mayor and Council / Board Representatives

- i. Cr. Tuckey - excused
- ii. Cr. Cox - remarked that although he would not be present for some of the political activity taking place in the coming week, he felt that any time Fort Smith is in the spotlight, it is likely a positive thing.
- iii. Cr. Couvrette - noted he had little to add but, on behalf of the Mayor and Council, extended condolences to any families who have recently lost loved ones. He remarked that, like many, he learned through their usual source—Cabin Radio—that the Prime Minister would be visiting Fort Smith. He commented that, in typical Ottawa fashion, local officials had been left in the dark about the visit. Nonetheless, he expressed hope that the visit would bring positive recognition to the community and that residents might have the opportunity to line the streets near the airport to welcome the Prime Minister.
- iv. Cr. Benwell - noted that she had no additional updates regarding the museum, aside from mentioning that TDN held their Treaty Day event in the backyard and it went well. She extended her thanks to the RCMP for their prompt response to recent issues in the community, for staying on top of ongoing concerns, and for their efforts in keeping the highways safe from drug trafficking.
- v. Cr. Heaton - shared that she has been active in the community, including participating in a bingo event with Salt River First Nation where she sold Nevada tickets. She also took part in the Town's Canada Day celebrations, helping with the fish fry alongside Warren, Bruce, and Tasha, noting the event was a success with great teamwork. Additionally, she volunteered at Howie Fest, helping with 50/50 ticket sales and front gate security. All events were well attended, and she expressed her appreciation for being part of the community.

She also highlighted the need for support at the community garden plots managed by the ARI Institute, which are intended to supply fresh produce to the local food bank. As a regular volunteer at the church basement thrift store, located near the food bank, she emphasized how busy the food bank is and encouraged anyone with spare time to help with weeding or watering the garden plots.

- vi. Cr. Karasiuk - reported that the Communications Committee recently held a productive meeting, generating several ideas to improve communications. The committee is scheduled to meet again on Thursday to continue discussions. He noted that progress is well underway and that an update on their work will be presented at the August 5 regular Council meeting.

Cr. Karasiuk also expressed feeling somewhat out of the loop regarding the visit of the distinguished guest expected tomorrow. He mentioned that he learned via Cabin Radio and CBC News that Prime Minister Mark Carney is coming, but he has not received any official communication. While assuming it may be a brief visit, he noted that it would be helpful to know the itinerary—or at least whether there will be public events, national media presence, or any visibility in the community. He acknowledged that informing the public may



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not fall entirely within the Town's purview but shared that it still seems noteworthy given that a Prime Minister is visiting; the low-key nature of the visit left him wishing for a bit more clarity.

- vii. Cr. Bathe - got disconnected from Teams*
- viii. D/M Keizer - shared that he recently attended a Northwest Territories Association of Communities meeting in Yellowknife. During the meeting, a strategic plan and an orientation-style presentation were provided, both of which he has requested and now has in his email. He intends to share them with Council so members are informed about the organization's current work and future direction. He acknowledged a delay in following up due to being away last week following the passing of a friend, but assured Council he will send out the materials once he returns home.
- ix. Mayor Fergusson - excused

8. PROCLAMATIONS

9. ABSENCE OF COUNCIL MEMBERS

25-181

Moved by: Cr. Heaton

Seconded by: Cr. Karasiuk

That Cr. Bathe and Cr. Benwell be excused from the Protective Services Standing Committee Meeting on July 8th, 2025.

PASSED

25-182

Moved by: Cr. Heaton

Seconded by: Cr. Karasiuk

That Cr. Bathe and Cr. Benwell be excused from the Corporate Services Standing Committee Meeting on July 8th, 2025.

PASSED

25-183

Moved by: Cr. Karasiuk

Seconded by: Cr. Heaton

That Mayor Fergusson and Cr. Benwell, be excused from the Community Services Standing Committee Meeting on July 15th.

PASSED

25-184

Moved by: Cr. Karasiuk

Seconded by: Cr. Heaton

That Mayor Fergusson and Cr. Benwell be excused from the Municipal Services Standing Committee meeting on July 15th, 2025.

PASSED

10. DATE OF NEXT COUNCIL MEETING

Regular Meeting of Council (Protective & Corporate)	August 5 th , 2025 @ 7 pm
Regular Meeting of Council (Community & Municipal)	August 19 th , 2025 @ 7 pm



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11. EXCUSING OF COUNCILLORS

25-184

Moved by: Cr. Benwell

Seconded by: Cr. Karasiuk

That Mayor Fergusson and Cr. Tuckey be excused from the Regular Meeting of Council on July 22nd, 2025.

PASSED

12. ADJOURNMENT

25-185

Moved by: Cr. Karasiuk

Seconded by: Cr. Heaton

That the meeting be adjourned at 7:55 pm.

PASSED

13. QUESTION PERIOD

Minutes adopted this 5th day of August 2025.

Dana Fergusson

Mayor

Certified Correct by Emily Colucci

Acting Senior Administrative Officer