



Town of Fort Smith
Municipal Services Committee
Tuesday, February 14th, 2023, at 8:15pm
Town Hall Council Chambers

AGENDA

1. Call to Order
2. Declaration of Financial Interest
 - a. Statement of Disclosure of Interest
3. Delegations
4. Review
 - a. Agenda
 - b. Minutes
 - c. Visions and Values
5. Directors Report
 - a. Municipal Services Director Report – February 2023
6. Protective Services
 - a. Fire Department Statistics
 - b. Ambulance Department Statistics – January 2023
 - c. Fire/EMS Training Report – January 2023
 - d. Fire/EMS Graphs – January 2023
 - e. Lands Enforcement Report
 - f. Bylaw Enforcement Report – January 2023
7. Advisory Boards
 - a. Sustainable Development Advisory Board
8. Bylaw/Policy Review and Development
9. Administration
 - a. Briefing Note – Landfill Compactor
 - b. DPA-001-23 Home Occupation Business Larry Benwell Sr.
 - c. DPA-003-23 Home Occupation Business Phillip Norwegian
 - d. Briefing Note – Unsightly Lands Order Appeal Wade Johnson
10. Other Business
11. Excusing of Councilors
12. Date of Next Meeting
13. Adjournment

Attached Documents	
 Statement of Disclosure of Interest	
 Municipal Services Minutes January 10	 Vision and Values.pdf
 Municipal Services Report February 2023  EMS STATS - January 2023.pdf  Fire-EMS Graph - January 2023.pdf  Fire and EMS Training - January 21  Bylaw Report January 2023.pdf	
 Briefing Note - Landfill Compactor.	 DPA-001-23.pdf  DPA-003-23.pdf  Briefing Note - Unsightly Lands App



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
Municipal Services Standing Committee
Tuesday, January 10th, 2023, at 8:30 pm.
Town Hall Council Chambers

Chairperson: Cr. Campbell
Members Present: Mayor Daniels, Cr. Fergusson, Cr. Korol (Conference Call), Cr. Tuckey, Cr. Couvrette, Cr. Pischinger
Regrets: D/M Macdonald, Cr. Beaulieu
Staff Present: Cynthia White, Senior Administrative Officer
Katie Reid, Executive Secretary

1. Call to Order

Mayor Daniels called the meeting to order at 7:55 pm and handed the Chair to Cr. Campbell.

2. Declaration of Financial Interest

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

3. Review

- a. Agenda – The agenda was reviewed.

RECOMMENDATION

Moved by: Cr. Couvrette

Seconded by: Cr. Fergusson

That the agenda be adopted as amended to include an invitation to the Chamber of Commerce to meet with Council.

CARRIED UNANIMOUSLY

- b. Minutes – The Municipal Services Standing Committee Minutes of December 13th, 2022, were reviewed and adopted at the Regular Meeting of Council on December 20th, 2022. Cr. Couvrette requested extending an invitation to NTPC regarding extended power outages in the community that were claimed to be attributable to diesel back-up capacity. He anticipates that electric vehicles and heat will cause additional strain on the system and in consideration that NTPC wants to implement two, 10% annual increases subsequently. Cr. Couvrette would like to know how they plan to expand the grid and provide clean energy.

Administration noted the negative impact brownouts have had on Town infrastructure including at the Tamarac Crescent lift station and the CRC which resulted in pump failures. She added that she was recently asked to turn off the electric heat at the Arena as it was too much on NTPC's system and the Town replied that they would not as it is NTPC's responsibility to provide power.

RECOMMENDATION

Moved by: Cr. Fergusson

Seconded by: Cr. Tuckey

That NTPC be invited to meet with Council to discuss the ongoing power needs of the community.

CARRIED UNANIMOUSLY

Cr. Campbell asked if the fire suppression system is working in the Arena. Administration confirmed that the system is functional and that there will be additional end-of-season work required. Cr. Campbell asked if alerts are received from the system. Administration confirmed this.

Cr. Tuckey asked when the CRC renovations would be complete. Administration replied that the cabinetry and painting is done in the Seniors' Room. She noted that the remaining work is in the Pool Changeroom and painting in the foyer. She noted that the contractor is waiting for flooring for the Changeroom but they are near completion and she will request an updated completion date.

Mayor Daniels suggested installing cameras in the Arena around the elevator to prevent vandalism. Administration replied that the Arena does have multiple cameras and that the CRC would have a camera system too. Cr. Tuckey suggested the elevator be turned off when not in use for events. Administration responded that the elevator can be locked and will ensure this procedure is followed when the elevator is fixed.

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

4. Directors Report

- a. Municipal Services Director Report January 2023 – The Director of Municipal Services' Report from January 2023 was reviewed. Administration advised that the new speed radar trailer and signage for PWK/JBT crosswalks has arrived. Additionally, she plans do an education campaign for new 40 km/hour speed limit as per the adopted Transportation Plan.

Administration advised that the Town is seeing problems with individuals bringing high-risk waste to the Landfill that can negatively affect the Town's water license or start a Landfill fire. She advised that as a result the Town will start scheduling times for larger dumps to inspect the refuse and will start fining for infractions. Further, she noted that the Town will now be requiring commercial users of the Lagoon to check in. She noted that they were not paying for dumping services and the Town has noticed some dumps negatively affecting the Lagoon, such as hydrocarbons, etc., floating on the surface which can also affect the Town's water license as treated water goes back to the Slave River.

Cr. Fergusson asked if Landfill scheduling is being advertised to contractors as it may negatively impact projects and suggested communicating the operational change to them. Administration confirmed that they have been notified and the operational change has been advertised. Further, she advised that the scheduling for larger loads will allow Public Works to spread and compact which will extend the life of the Landfill. She added that the Town plans to purchase a compactor later this year and that Landfill space has been used up significantly faster than it should for the community size.

Cr. Fergusson requested an update on the Waste Management Plan. Administration advised that pushed back a year due to other priority projects in the Capital Plan and as the funding is available until 2027. She indicated that they are identifying operational issues that can be addressed immediately including compacting and the removal of some items from Landfill facility. Cr. Fergusson requested an update on the response from businesses due to the operational changes. Administration advised that feedback isn't always positive, but the change is an operational improvement. Further, she is reviewing the Garbage Bylaw and Landfill retrofit. Cr. Fergusson asked if education campaigns on reducing waste can be start sooner. Administration confirmed this and advised that they would like to educate regarding composting and with the implementation of the Climate Adaptation Advisory Board. Cr. Fergusson would like to implement an easier way to dispose of hazardous waste. Cr. Campbell requested an update on fines. Administration advised that this is being reviewed.

Administration advised that sewage has backed-up in the CRC basement five-times in the past month resulting from industrial wipes being flushed down the toilet and that signage has been posted to prevent this.

Cr. Tuckey requested an Arena update. Administration advised that a seal on Zamboni was leaking. She noted that the issue has been resolved.

Cr. Fergusson expressed gratitude to staff for snow removal on trails and sidewalks for residents to utilize.

Cr. Campbell requested an updated on the distribution pump at the Water Treatment Plant and asked if a new pump and spare have been ordered. Administration will follow up with the Director.

Mayor Daniels requested an update on policy for food sales within municipal facilities. Administration replied that there is a Healthy Foods Policy to allow for a healthy balance of food offerings such as real cheese vs. kraft singles, or offering lettuce and tomatoes for hamburgers. She noted that the policy isn't fully implemented as Minor Hockey had pushback from residents. Cr. Pischinger agreed with offering choices and educating.

5. Protective Services

- a. Fire Department Statistics December 2022 – The Fire Department Statistics for December 2022 was reviewed.
- b. Ambulance Department Statistics December 2022 – The Ambulance Department Statistics for December 2022 was reviewed.
- c. Fire/EMS Training Report December 2022 – The Fire/EMS Training Report for December 2022 was reviewed.
- d. Fire/EMS Graphs December 2022 – The Fire/EMS Graphs for December 2022 were reviewed. Cr. Fergusson requested an update on volunteer capacity. Administration advised that volunteers are cross trained and that the biggest issue is capacity to hold equipment.
- e. Lands Enforcement Report December 2022 – The Lands Enforcement Report for December 2022 was reviewed.
- f. Bylaw Enforcement Report December 2022 – The Bylaw Enforcement Report for December 2022 was reviewed.

6. Advisory Boards

- a. Sustainable Development Advisory Board – There were no Sustainable Development Advisory Board minutes.

7. Bylaw /Policy Review and Development

- a. Snow Removal Bylaw 1041 – The Snow Removal Bylaw was reviewed. Cr. Fergusson asked if other municipalities have bylaws for snow removal. Administration confirmed this and advised that Hay River has a snow removal bylaw, but that the Fort Smith version has omitted the clause that residents must remove snow from sidewalks in front of their houses.

RECOMMENDATION

Moved by: Cr. Fergusson

Seconded by: Cr. Tuckey

That the Snow Removal Bylaw 1041 be brought forward to the Regular Meeting of Council on January 17th, 2023, for First and Second Reading.

CARRIED UNANIMOUSLY

8. Other Business

- a. Invitation to Chamber of Commerce – Mayor and Council discussed that they would like to invite the Chamber of Commerce to meet with Council to collaboratively work together on economic development engagements and initiatives.

RECOMMENDATION

Moved by: Cr. Fergusson

Seconded by: Cr. Tuckey

That the Chamber of Commerce be invited to meet with Mayor and Council to discuss collaboratively working together on economic development engagements and initiatives.

CARRIED UNANIMOUSLY

9. Excusing of Councillors

RECOMMENDATION

Moved by: Cr. Tuckey

Seconded by: Cr. Fergusson

That Cr. Beaulieu and D/M Macdonald be excused from the Municipal Services Standing Committee meeting on January 10th, 2023.

CARRIED UNANIMOUSLY

10. Date of Next Meeting

The next Municipal Services Standing Committee meeting will be held on February 14th, 2023.

11. Adjournment

RECOMMENDATION

Moved by: Cr. Fergusson

Seconded by: Cr. Tuckey

The meeting be adjourned at 8:52 pm.

CARRIED UNANIMOUSLY

Vision

The vision statement outlines what our community wants to be. Our vision statement provides a basis for future decision-making and activities.

The Town of Fort Smith will work with our partners to enhance our excellent quality of life by respecting values, traditions, and healthy lifestyles. We will continue to advance as a unified, active and prosperous community.

Values

The mission defines how the Town will operate; it represents what is fundamentally important to us in how we work with each other and represent the citizens of Fort Smith.

- **Welcoming** – we are a friendly community which embraces our visitors, students and residents alike.
- **Innovative** – we take on new challenges in the pursuit of excellence.
- **Sustainable** – we are committed to sustainability in our Town's operations and development.
- **Unified** – we work with Indigenous governments and our partners to implement our plans and achieve our goals.
- **Committed** – we operate professionally and to the highest ethical standards.

Municipal Services Report February 2023

Capitol projects

The new boiler room is being built in the municipal services garage as the first deliverable of the new electric boiler upgrade project.

The new pumps for the water plant are enroute and will be installed as soon as they arrive, will update as project completes.

Public Works

We had to bring our 1Ton Flat Deck to Hay River for numerous recalls so we took advantage of this situation and booked time to meet with municipal services in Hay River.

The Director and the Supervisor traveled to Hay River and met with the director there to observe and investigate their snow removal process and look at their new lift station that was built recently built as well as discuss other aspects of the operation in our neighboring town. This was a great trip, and we gathered some valuable information that is very relevant to our operations.

Snow removal has commenced, we have removed snow from Pine to Portage on McDougal road, Rec Center, Tamarack Trailer Court and will continue to remove snow for the remainder of the season.

Regular duties, plow and sand roads, clean sidewalks and parking lots, garbage pick up and pump outs.

Water Works

Water meters for some of the downtown businesses have arrived and some more residential meters have arrived. We will be getting a local contractor to do these commercial installs as top priority then followed by meter less residential installs. We will also be using own forces for residential installs on Wednesdays. We have been in contact and are still waiting for our lock wire to be returned from KC Plumbing, this is used for tamper protection.

Raw water intake was inspected, and a partial mud induction was done as that was all that was required at this time.

We have some important training for staff coming up Chlorine Handling, Small Systems and will report on successes as they complete.

Facility Maintenance

Arena has continued to give us challenges due to aging parts, leaks, climate change, fire suppression, supply chain almost everything and anything you could imagine. No matter the issue/s our staff has shown their incredible dedication to this community and organization by stepping up and accepting the challenge in a positive and committed attitude.

The pool has been going through many maintenance items including sauna, steam room, slides and hot tub. We currently have the hot tub and water slides in working order. We are working with local

contractors on the other 2 features to get them operational. I will update when new information is available.

The RCC has been dealing with some sewer interruption in the basement. We brought in a local contractor to assist with this situation. This issue has been resolved.

Fort Smith Volunteer Ambulance Monthly Report

Jan-23

Date	Start Time	Incident/Activity	# of Crew	End Time	Run #
January 1, 2023	12:10	2	2	14:40	1
January 2, 2023	15:30	M	2	17:15	2
January 3, 2023	5:15	1	2	7:00	3
January 7, 2023	2:03	2	2	6:30	4
January 9, 2023	8:35	1	2	9:20	5
January 12, 2023	20:54	1	2	22:15	6
January 12, 2023	22:05	2	2	23:00	7
January 17, 2023	3:42	2	2	5:00	8
January 18, 2023	19:15	1	2	20:30	9
January 20, 2023	21:55	2	3	22:11	10
January 21, 2023	3:57	1	2	4:30	11
January 23, 2023	0:22	1	3	1:10	12
January 23, 2023	13:25	Z	2	14:15	13
January 24, 2023	21:40	2	2	23:00	14
January 31, 2023	18:49	M	3	20:30	15

Type of Call	Jan-23	Year to Date	Last Month
Code 1 = Life treating incident	6	6	See 2021
Code 2 = non Life threatening incident	6	6	See 2021
Code Medevac = Medevac flight support	2	2	See 2021
Code Zulu = Transfer of deceased person	1	1	See 2021
Total	15	15	See 2021

Total Estimate Person Hours	45.7	Year to Date:	45.72
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Town Of Fort Smith Protective Services

Box 147 - 174 Mcdougal Road Fort Smith NT

Fort Smith NT X0E 0P0

PH : 867-872-2674

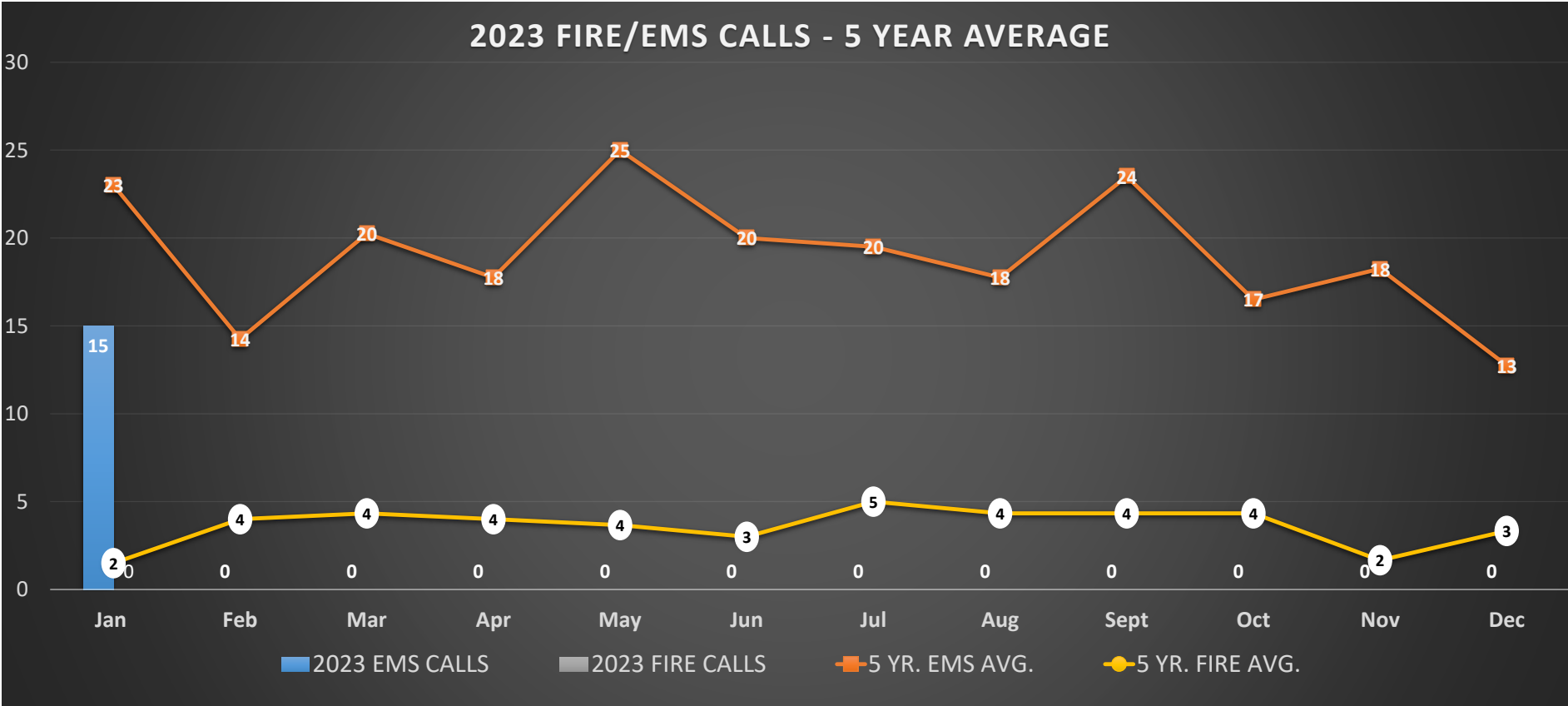
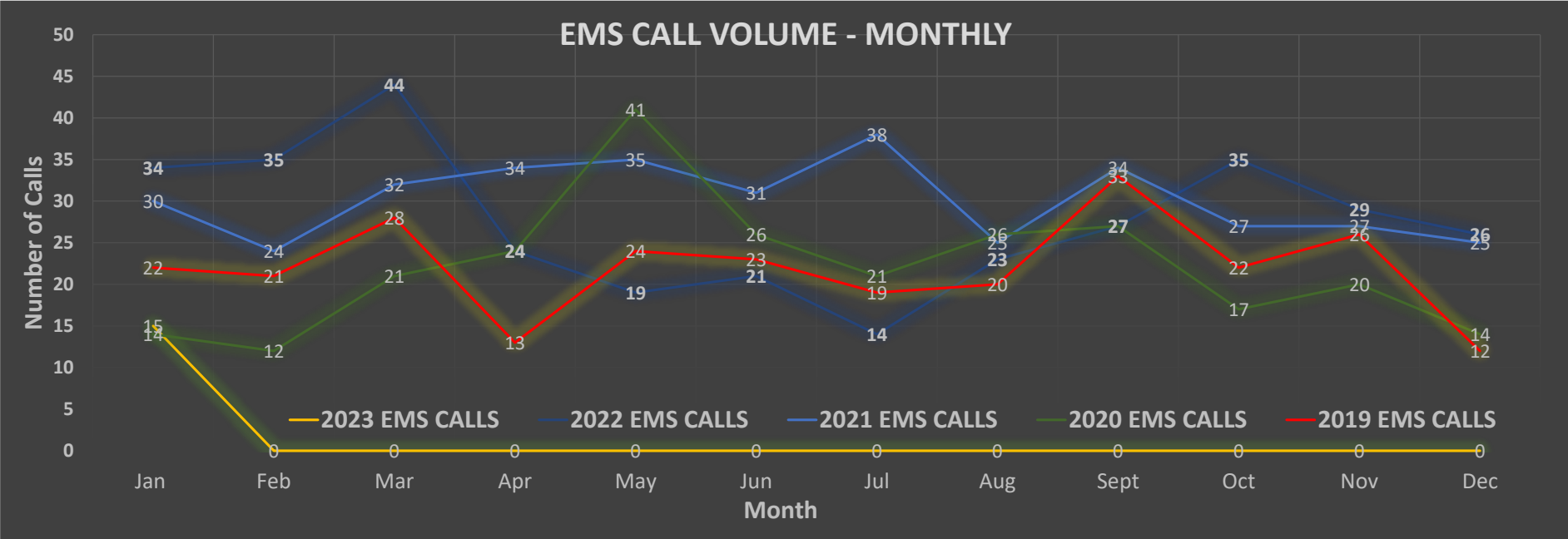
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Date
Feb 5 23

Meeting/Training List

Date	Number	Session Type	Subject/Meeting Type	Instructors
Jan 25 23	23-006	Joint Training	Head and Spine Inju...	FC McNab Adam
Jan 18 23	23-005	Joint Training	Communications, IMS...	CPT Panter Jason,FC McNab Adam
Jan 16 23	23-004	Officer Meeting	General Meeting	FC McNab Adam
Jan 11 23	23-003	Joint Training	SCBA / PPE, Fire Sc...	CPT Cox Karl,FC McNab Adam,FC Moore TJ
Jan 10 23	23-002	Officer Meeting	General Meeting	FC McNab Adam
Jan 4 23	23-001	Joint Training	General Meeting	FC McNab Adam

6 Records Printed





Town Of Fort Smith Protective Services

Box 147 - 174 McDougal Road Fort Smith NT

Fort Smith NT X0E 0P0

PH : 867-872-2674

Page 1 of 2

Date
Feb 5 23

Bylaw Infractions

Date	Bylaw Inc...	Bylaw	Infraction	Action	Fine Am...
Jan 17 2023	23-019	Traffic Bylaw	11 Speeding (1-15 KPH over limit)	SOTI Issued	50.00
Jan 17 2023	23-020	Traffic Bylaw	11 Speeding (1-15 KPH over limit)	Written Warning Only	0.00
Jan 17 2023	23-021	Animal Contro...	5.1 No owner shall allow their dog to run at large	SOTI Issued	100.00
Jan 18 2023	23-022	Traffic Bylaw	11 Speeding (1-15 KPH over limit)	Written Warning Only	0.00
Jan 19 2023	23-023	Animal Contro...	5.1 No owner shall allow their dog to run at large	SOTI Issued	50.00
Jan 20 2023	23-025	Animal Contro...	5.1 No owner shall allow their dog to run at large	Animal transported to pound	0.00
Jan 20 2023	23-024	Livery (Taxi)...	3(a) Operate Motor Vehicle as Taxi	Warning Only	0.00
Jan 25 2023	23-026	Animal Contro...	5.1 No owner shall allow their dog to run at large	Complaint Received	0.00
Jan 25 2023	23-027	Animal Contro...	5.3 No owner shall allow his dog to pursue or ba...	Dog barking package given	0.00
Jan 26 2023	23-028	Animal Contro...	5.1 No owner shall allow their dog to run at large	SOTI Issued	150.00
Jan 26 2023	23-029	Animal Contro...	5.8 If a dog defecates on any public or provate ...	Complaint Received	0.00
Jan 26 2023	23-030	ATV Bylaw	Operate an ATV without a helmet	RCMP Matter	0.00
Jan 30 2023	23-031	Traffic Bylaw	33 Unauthorized parking on a roadway	RCMP Matter	0.00
Jan 31 2023	23-032	Public Engage...	General	RCMP Matter	0.00
Jan 31 2023	23-033	Fire Protection	7(a) Failure to obtain burn permit	Warning Only	0.00
Jan 31 2023	23-036	Traffic Bylaw	33 Unauthorized parking on a roadway	Verbal Warning Only	0.00
Jan 31 2023	23-035	Traffic Bylaw	11 Speeding (1-15 KPH over limit)	Written Warning Only	0.00
Jan 12 2023	23-009	Animal Contro...	8.1 dog bite with out provocation	File made, no further action	0.00
Jan 3 2023	23-001	Garbage By-Law	3. Every householder shallf keep good order and ...	SOTI Issued	100.00
Jan 3 2023	23-002	Traffic Bylaw	11 Speeding (1-15 KPH over limit)	SOTI Issued	50.00
Jan 3 2023	23-003	Traffic Bylaw	11 Speeding (1-15 KPH over limit)	SOTI Issued	50.00
Jan 3 2023	23-006	Animal Contro...	5.1 No owner shall allow their dog to run at large	Animal transported to pound	0.00
Jan 4 2023	23-005	Public Engage...	Inter-agency Event	File made, no further action	0.00
Jan 4 2023	23-004	Traffic Bylaw	11 Speeding (1-15 KPH over limit)	Written Warning Only	0.00
Jan 6 2023	23-008	Traffic Bylaw	31 Fail to obey stop sign	Written Warning Only	0.00
Jan 6 2023	23-007	Public Engage...	General	File made, no further action	0.00
Jan 12 2023	23-011	Animal Contro...	8.1 dog bite with out provocation	Complaint Received	0.00
Jan 13 2023	23-010	Animal Contro...	5.3 No owner shall allow his dog to pursue or ba...	Complaint Received	0.00
Jan 13 2023	23-013	Public Engage...	General	RCMP Matter	0.00
Jan 13 2023	23-012	Zoning Bylaw	Complaint	File made, no further action	0.00
Jan 16 2023	23-016	Animal Contro...	5.1 No owner shall allow their dog to run at large	Complaint Received	0.00
Jan 16 2023	23-015	Animal Contro...	Animal Surrender	Animal transported to pound	0.00
Jan 16 2023	23-017	Animal Contro...	5.1 No owner shall allow their dog to run at large	File made, no further action	0.00
Jan 16 2023	23-018	Animal Contro...	Complaint Recieved	Complaint Received	0.00

Bylaw Infractions

Date	Bylaw Inc...Bylaw	Infraction	Action	Fine Am...
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34 Records Printed



BRIEFING NOTE

To: Municipal Services Committee

Date: February 14th, 2023

Subject: Purchase Compactor for the Landfill

Purpose:

To request approval to purchase a Compactor for the Landfill and tendering a storage building.

Background:

As we begin the work necessary to renew and modernize our community landfill, including opening a new cell and closing the current cell, we have been researching methods and equipment to make our services more efficient. One of the most significant concerns raised operationally and through our water licensing process is deficiencies in our compaction and cover processes. Most recently we have contract twice yearly compaction and cover of the cell. This is insufficient as it does not adequately reduce the air spaces within the cell. These air spaces reduce the useful life of the cell and are a significant fire hazard. Cover of the cell is another essential part of landfill maintenance, reducing the area of the materials exposed to fire and to help keep the landfill area cleaner and free from blowing debris.

Over the last year the Director of Municipal Service has been researching compactors that will provide adequate compaction for our landfill. By using proper compaction methods, we will reduce the possibility of a landfill fire by a large margin as this prevents airspace in the landfill for gas to build up and ignite. The use of the compactor will also allow for regular and more efficient cover practices, which we anticipate will to occur at least weekly.

Staff have trialed a small style of compactor but found it to be inefficient. Further research, including site visits, has been conducted by the Director and a suitable style of compactor was identified. Typically, this type of equipment new ranges from \$750,000 to \$1M. Recently a demo model from Yellowknife has come available for purchase. In discussion with the vendor, it was identified that this unit would be cleaned, serviced, and inspected to return it to "like new" condition prior to sale. The vendor as quoted the price for this unit at \$375,000, including delivery and training. This unit will have at least a 10-year useful life in our organization and could potentially save the municipality a significant amount of money just through reduction of airspace within the cells. Reducing airspace increases the useful life of the cell and increases the time between opening and closing cells, meaning that we are able to extend the life of the current landfill footprint by years, if not decades.

Additionally, we will require a storage building on site at the landfill for this piece of equipment. Such a building is already included in the preliminary designs generated in 2018. Our intention would be to tender the construction of this building and anticipate a cost of approximately \$100,000.

The funds for the purchase of the compactor and the storage building will be from our Canada Community-Building Fund.

Recommendation:

That the purchase of the compactor, including delivery and training, be sole sourced from Superior North America for \$375,000.

That \$100,000 be budgeted toward the tendering of the storage building to be built at the landfill.



BRIEFING NOTE

TO: Mayor and Council
DATE: February 06 2023
SUBJECT: DPA-001-23

PURPOSE:

Larry Benwell Sr. has submitted a Home Occupation Development Application. This application is for operation of 507611NWT Ltd. at the following location:

Lot	Block	Plan	Zone	Civic Address
607	NA	319	R1	4 Wren Cres.
or Certificate of Title:			N/A	

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 construction and building maintenance services. The operator has indicated that there will be no foot traffic, no signage, no vehicle traffic and that the only items stored will be inside a shed.

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.

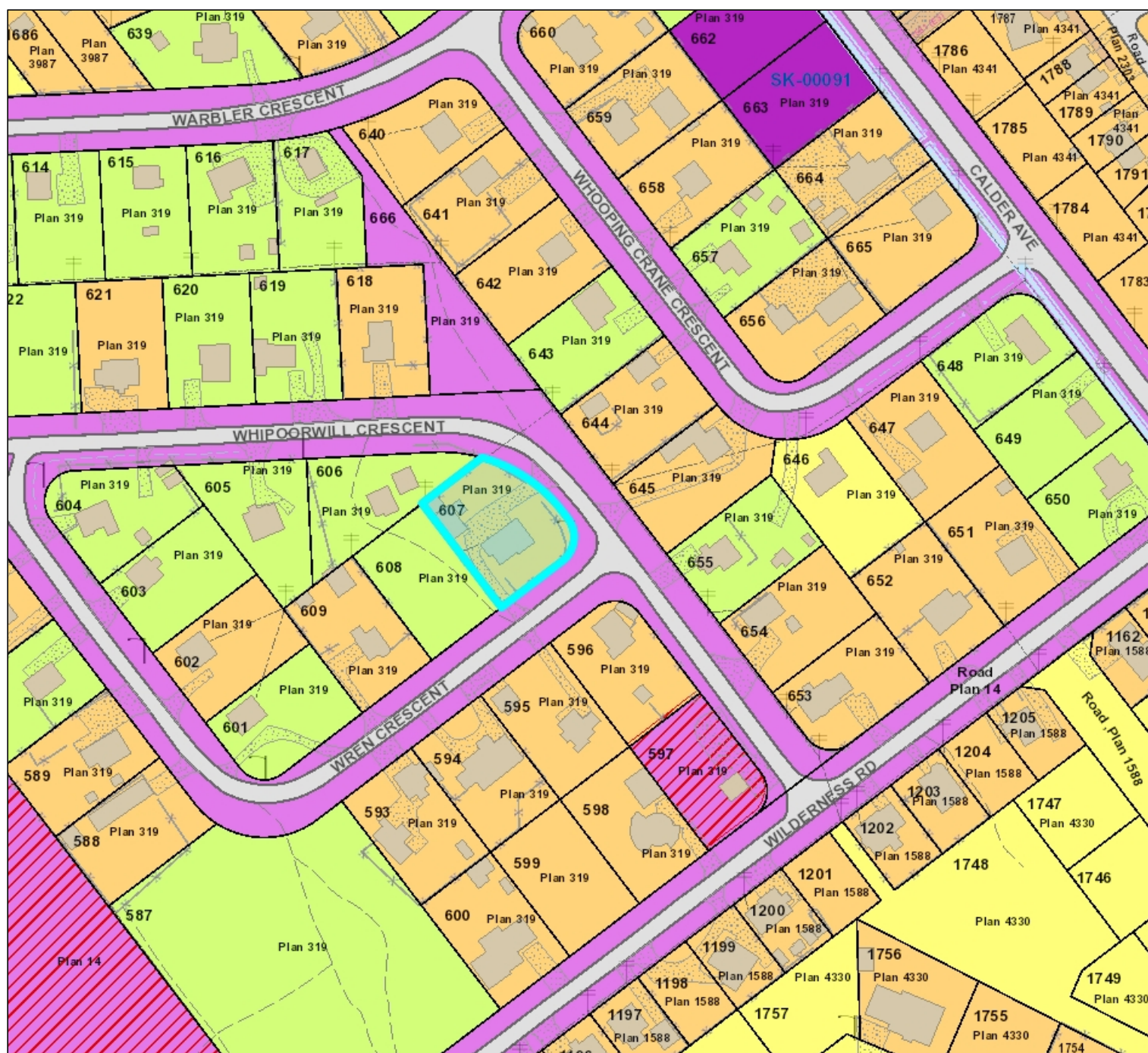
Please see the attached map showing the location of the lot.

Approval Considerations:

A home occupation business in this zone is conditional. Consideration should be given to the fact that an occupation of this type has the potential to create enforcement issues related to the unsightly lands bylaw and any part of Bylaw 873 "amend business license bylaw" specifically (n) and (q).

Respectfully Submitted,

Development Officer



February 6, 2023

Legend

-  Block Land Transfer Boundaries
-  Development Areas
-  Surveyed Parcels
-  Surveyed Easements
-  Suspension Order
-  Tenured Commissioner's Land
-  Land Application
-  Federal Land
-  Commissioner's Land
-  Territorial Protected Area
-  Municipal Land
-  Salt River Reserve

-  Municipal Boundaries
-  Condominium Units
-  Building Footprints
-  Line Approximately 31m from O.H.W.M.
-  Surface Land Withdrawal
-  Land Application
-  Tenured Territorial Land
-  Indian Affairs Branch (IAB) Land
-  Territorial Land
-  Public Highway
-  Private Land

Construction and Maintenance Services

Scale 1: 2,000

50 metres

UTM Zone: 12

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Department of Lands.



BRIEFING NOTE

TO: Mayor and Council
DATE: February 7, 2023
SUBJECT: DPA-003-23

PURPOSE:

Philip Norwegian has submitted a Home Occupation Development Application. This application is for operation of PNL Contracting at the following location:

Lot	Block	Plan	Zone	Civic Address
827	NA	585	R1	396 Calder Ave
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 electrical and renovation contracting services. The business will store some materials on site and conduct desk operations to support the business.

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

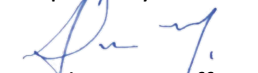
- All Town Bylaws, specifically the Town Zoning, Business License Bylaws and Unsightly Lands Bylaw
- National Building Code, most current.
- National Fire Code, most current; and
- All Federal and Territorial Regulations.

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

Approval Considerations

A home occupation business in this zone is conditional. This type of occupation has the potential to create enforcement issues related to the unsightly lands bylaw and any part of Bylaw 873 "amend business license bylaw" specifically (n) and (q).

Respectfully Submitted,


Development Officer



ATLAS

Government of
Northwest Territories

Home Occupation Application DPA 003-23



February 7, 2023

Legend

- Block Land Transfer Boundaries
- Development Areas
- Surveyed Parcels
- Surveyed Easements
- Suspension Order
- Tenured Commissioner's Land
- Land Application
- Federal Land
- Commissioner's Land
- Territorial Protected Area
- Municipal Land
- Salt River Reserve

- Municipal Boundaries
- Condominium Units
- Building Footprints
- Line Approximately 31m from O.H.W.M.
- Surface Land Withdrawal
- Land Application
- Tenured Territorial Land
- Indian Affairs Branch (IAB) Land
- Territorial Land
- Public Highway
- Private Land

Electrical and Renovation Services

Scale 1: 2,000

50 metres



UTM Zone: 12

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Department of Lands.



TOWN OF FORT SMITH

Post Office Box 147, Northwest Territories, X0E 0P0

BRIEFING NOTE

To: Mayor and Council

Date: February 7, 2023

Subject: Appeal Unsightly Order issued for 16 Timber Crescent; Zone: RMH

Mr. Wade Johnson has submitted a letter appealing the Unsightly Order issued on November 21, 2022, by the Development Officer. He has requested the town overturn the order to remove the sea-can stored directly adjacent to Town green space on the above listed property.

Under the Zoning Bylaw 936, Section 6.3 (7) a. intermodal containers are not permitted to be used as an accessory building in R1, R2, or RMH zones. Mr. Johnson has stated in his appeal letter that he was given verbal approval by the Development Officer in 2016, to store a sea-can in a RMH zone. No written record of approval can be found. Mr. Johnson further states that he intends to alter the sea can with roofing and siding to no longer look like a sea-can.



Figure 1: The sea-can is stored behind the house on 16 Timber Crescent, taken on Nov 3, 2022



TOWN OF FORT SMITH

Post Office Box 147, Northwest Territories, X0E 0P0

Recommendation:

Intermodal containers have been restricted as per the bylaw on other properties throughout the municipality. If the decision is made to allow an intermodal container to be used and retrofitted as an accessory building it will be contrary to the bylaw as written. Consideration should be given to section 5.5 "Variances" of the zoning bylaw.

If the decision is made to allow the alteration of an intermodal container specific direction should be given to equitably enforce these requirements. The alteration of an intermodal container to become an accessory building will constitute a development. As such, a development permit will be required including the costs to purchase, ship, and retrofit the accessory building. All requirements of section 6.3 of the zoning bylaw will apply.

Thank you,

Adam McNab

Development Officer