

# Building Better

A First Nations National Building Officers Association publication

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## Comprehensive Community Plans: Don't Forget Permits and Zoning Laws

Many First Nations see comprehensive community plans (CCPs) as a means to improve their overall quality of life. As part of this goal, communities are trying to focus on housing policies, to develop more healthy and sustainable dwellings for their members.

The CCP planning process is driven, designed and implemented by the community, for the community. It is an ongoing process that enables a community to develop in a way that meets its present and future needs and aspirations. It is comprehensive because it addresses all aspects of community life, including governance, land and resources, health, infrastructure development, culture, social issues and the economy.



A segment of the CCP focuses on infrastructure, which here refers to basic facilities and systems that support the community's function. This can include a whole range of amenities, such as roads, public buildings and transportation and water/waste handling facilities. Another goal that can be included under infrastructure is to develop a building-permit system to ensure that homes, commercial and public buildings all comply with national building and fire codes. The CCP also needs to look at regulatory function relating to the control of building and business locations, and zoning plans.

### Focus on Building-Permit Process

Chief and Council issue a permit when someone wants to construct a home or commercial building. The Council can review plans to ensure they comply with building and fire codes, local zoning by-laws and other applicable laws and regulations. Building permits regulate the type of construction allowed in the community, and ensure that certain building standards are met. The building-permit process can further protect the Chief and Council that build homes on behalf of their community, or any homeowner's interests, from potential legal issues resulting from poor construction or unsafe homes.

Most importantly, a building-permit process sets professional standards for the construction of homes in a community. Other expertise can be gained from a certified building officer who will be familiar with codes and standards. Finally, the building-permit process also requires inspections at various stages of construction (footings, after backfilling, and rough-in plumbing, for example).

The CCP must include discussions on how to implement a building-permit system. This is integral to the goal of healthy, sustainable community development.

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## President's Message

We've been busy responding to questions about disposable housing in FN communities since we first coined the phrase three years ago. Media attention has brought to light the deplorable conditions some families are forced to live in. Our report was read by academics, government officials and FN housing departments. We provided briefing notes to the media who all seemed surprised that homes were not being built to comply with building-code standards. Attawapiskat has been a focus of media attention since the community declared a housing crisis. Reports focused on families living in shacks; deteriorated, mouldy, overcrowded homes lacking basic plumbing facilities. Many reserves are experiencing similar housing difficulties. Our report asked the question: Why are FN homes requiring major renovations after just five years? We listed each building component and asked respondents to identify the major causes of failure.

Overcrowding was certainly one factor. Families residing in these "high mileage" homes had mouldy, dilapidated kitchens and washrooms. Another factor identified was that many homes had no code-compliance mechanisms. Inspections, if they did occur, were for the purposes of advancing funds, not to meet provincial or national standards with respect to structural soundness, health, fire, safety, electrical, plumbing or HVAC codes. Nor were they built by competent tradespeople who would know building codes.

We debated a third factor, related to cost-saving measures taken to build more units with less funds. This would include the use of inferior materials, or building shoddy structures with the auspicious idea that "it will do for now." Preserved wood steps and landings cost too much? Use spruce lumber. Need to keep skirting costs down? Use OSB sheathing. No journeyman carpenters? Hire Gary, he has a

truck and ladder.

Disposable housing is the result of reactive responses to addressing homelessness and overcrowding using the Do For Now philosophy. I've inspected homes where the occupant has moved in before basic plumbing facilities or a permanent heat source are in place. Rental policies often have no enforcement mechanisms to address vandalism or rental arrears. Contracts are based on a handshake or promise to produce. There are myriad examples of "Do For Now," both administrative and in construction. In responding to Attawapiskat's housing crisis, the federal government's initial solution was to bring in trailers. But three-bedroom trailers don't address overcrowding: they will "do for now."

Do For Now is a philosophy that, once adopted in construction, is not easy to change.

Former Auditor General Sheila Fraser's biggest regret on retiring was not seeing her recommendations on aboriginal housing implemented. These are fundamental systems that the off-reserve sector takes for granted, such as legislation that requires contractors to submit building plans for code-compliance reviews and monitoring of construction projects. While the Auditor General's main mandate is to ensure that the public's tax money is well spent, implementation of the oversight recommendations she made would ensure the end of Do For Now construction, and lead to sustainable housing in First Nations communities. It really does make sense: Less money repairing homes allows the band to spend more money on workforce development, infrastructure



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## About this Issue ...

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and yes, more homes.

Communities who have gone past the “Do For Now” philosophy are able to manage their housing stock in a sustainable manner. We have come across several good examples, with differences in location, access to support systems and economic opportunities, yet sharing these basic premises:

- Mandatory inspection by certified inspectors
- Competent tradespeople
- Clearly defined job descriptions

- Specifications to suit the climate, family size, age and accessibility requirements of the occupant
- Enforceable contracts with bonding and warranty clauses
- Strong financial systems with budgets and cost-control measures
- Visionary leadership

Check out our new “Do for Now” section on our website and vote for your favourite examples of do for now construction. <http://www.fnnboa.ca/html/do-for-now.html>

See examples of “do for now” also on page 6.

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## Focus on Zoning By-laws

Beyond building permits, the CCP should focus on the need for zoning by-laws. Under zoning, the band council can control:

- land use
- location and boundaries of commercial, residential, industrial, institutional and conservation zones
- cottage or seasonal sites
- protection of forests and other natural resources
- campsites, including setting fees
- requirement of building permits for specific zones
- community planning

Zoning by-laws are important, as they control the use of land and establish standards according to which land can be developed. All land within a First Nations community can be placed into a specific zone on a zoning map.

It is particularly important that the Chief and Council divide the community into zones before the construction of any buildings, or the carrying on of any type of business. The zoning by-law is an essential part of the CCP, ensuring opportunity for such priorities as adequate housing for seniors, for example, and where commercial, medical and other services used by the community should be located.

## Summary

The CCP needs to consider and account for activities involving land use. This includes a building-permit process to ensure homes are constructed to codes. Land-use planning, such as the implementation of zoning by-laws, is also critical. This should include a comprehensive zoning by-law that divides the community into different land-use zones, with detailed maps. The by-laws specify permitted use (residential or commercial) and required standards (such as building size and location) in each zone.

More First Nations are opting for comprehensive community plans as they map out their futures. It is critical that they recognize the essential role building permits and zoning by-laws play in any successful planning process.

## Communities Wanted!

Does your community want to improve housing conditions? Are you planning to improve how band homes are built? If you've answered yes, FNNBOA wants to hear from you.

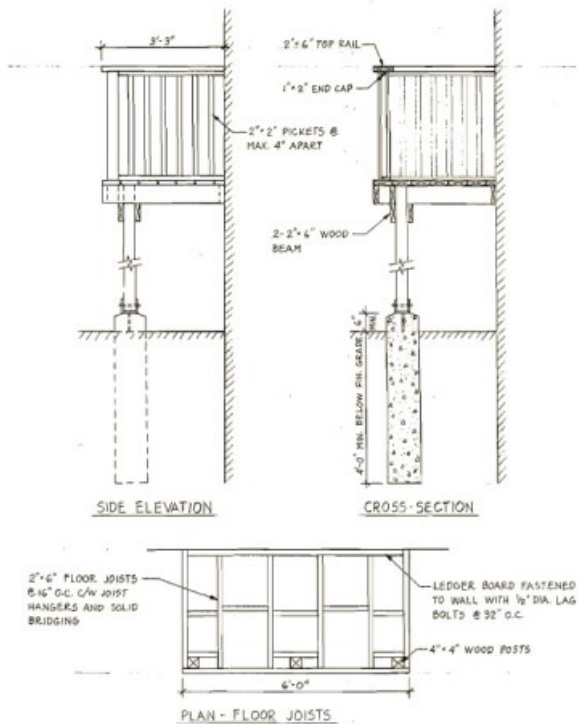
Over the past few years, AANDC has funded projects in which FNNBOA provides an overview of your building and inspection activities, at no cost to the community.

FNNBOA gets many requests, and resources may be limited.

Priority will be given to those who contact FNNBOA first and provide the necessary supporting documents.

If interested, please send an email to [info@fnnboa.ca](mailto:info@fnnboa.ca) or contact Bud Jobin at (780) 523-8357.

# One Tech “Spec” and Hold the Overhead Costs, Please



Prince Albert Grand Council's (PAGC) Engineering and Technical Services (ETS) has been cooking up a storm, creating a special dish of Tech Spec. No, it's not food, but rather housing specifications for construction. Specifications ("specs") are technical standards to be referenced by a construction contract or procurement document. They contain necessary details concerning the requirements to be met by a material, product, or service. Specifications that are clearly written, and understood by all parties, will lead to a project of higher quality, help manage construction at every stage, and keep costs under control.

Housing specs of the kind developed by the ETS are very important for contractors and suppliers. They give the contractor guidelines to follow during construction, along with the specifics of the project design. Specs outline the type of material to use, pertinent material data (such as standards), and the material's performance requirements. Specs do not tell the contractor how to install the material; only what to install, and the expected result after construction.

Most importantly, specs protect the right of the project owner (in this case, Chief and Council) to ensure the contractor chooses appropriate methods of construction,

and provides assurance that the finished product will meet required standards. Specs that fulfill these demands often lead to better relations, through consistent decision-making and proper project management.

Specs may require clarification during a construction project; fair resolution procedures for discrepancies or disagreements lead to projects with fewer disputes, which in turn means reduced need for arbitration and litigation, and lower overhead costs for all parties. Finally, references in the specs must be constantly updated so that the contractor can build according to the most recent standards, and so that these standards reflect "best practices," or conform to recommended practices.

## Engineering and Technical Services' Housing Specifications

Housing specs are acknowledged to be important to the design and construction process within PAGC. They are in a binder of information that draws together all the relevant standards that apply to the construction project. The specs focus on:

1. General conditions (examples of construction-management contracts, floor-covering contracts, drywall contracts)
2. Building specifications
3. Mechanical specifications
4. Electrical specifications
5. Building details
6. Plumbing details
7. General housing policy
8. General correspondence

These specs meet the national building code and other housing standards. They are periodically updated to correspond to changes in the building code and other construction standards, and play an important role in the community, providing:

1. Consistency (housing standards, products and materials) for all communities. Consequently, costs for the

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projects can be controlled.

2. Reduction of fragmentation (low productivity, cost and time overruns, disputes and litigation).
3. Standards for construction information.
4. Incorporation of national building-code standards and other building standards, and higher standards than required by building codes.
5. Contractors who understand community requirements.
6. Leadership and expertise in developing a community-wide standard. This includes keeping track of the performance of contractors and determining whether they are appropriately qualified to do the work.
7. An overview of products that may be used. This helps to increase the life expectancy of a house before renovations are required.
8. Updates to ensure standards and specifications (from manufacturers) are meeting national building-code and other standards.

## Proposed Building-Permit System and Specs

A building permit is issued by a municipality or Chief and Council to give permission to construct, renovate or demolish a building. The building permit also helps the authority to maintain accountability over the quality of a building, and to ensure it is being built to minimum building codes, standards and specifications. The building-permit application requires drawings that include house plans (site plan, cross section(s), floor plan) and specs that must be approved. Currently, PAGC and their communities do not have a building-permit process, but consideration of such a process is under review.

What is important to point out is that ETS already has one of the key requirements for a building-permit process: approval of drawings. Housing specs can be part of a building-permit system.

## Summary

Given the complexity of construction projects, and the need to ensure that specifications are up to date, the ETS is well placed to deliver and manage construction projects. These services can be further extended to provide other activities, such as inspections and supervision to

ensure quality assurance. Specs can help communities avoid costly, time-consuming disputes.

It's exciting that ETS has already established one of the key components of a building-permit system: the requirement for drawing and specifications. With this in mind, it should not be too cumbersome for the Council to introduce a building-permit system.

## FNNBOA Membership Form

Current Home Mailing Address	
First Name	
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Suffix (e.g. Jr. Sr.)	
E-mail address	
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City or Town	
Province	
Postal Code	
Home Telephone	
Office/Business Mailing Address	
Contact First Name	
Contact Middle Name	
Contact Last Name	
Suffix (e.g. Jr. Sr.)	
E-Mail Address	
Company Name	
Address	
City or Town	
Province	
Postal Code	
Office Telephone	
Office Fax	
Type of Membership	
<input type="checkbox"/> Full (\$100/yr plus a one-time \$50 Initiation Fee)	
<input type="checkbox"/> Associate (\$250/yr)	
<input type="checkbox"/> Corporate (\$500/yr) - includes 5 memberships	
<input type="checkbox"/> Student-Internship and Mentorship (\$50/yr)	
<b>Mail your cheque to:</b> First Nations National Building Officers Association Att: Keith Maracle 5731 Old Hwy #2   P.O. Box 219 Shannonville, Ontario   K0K 3A0	

# “Do for Now” Examples

Please. Don't do this.



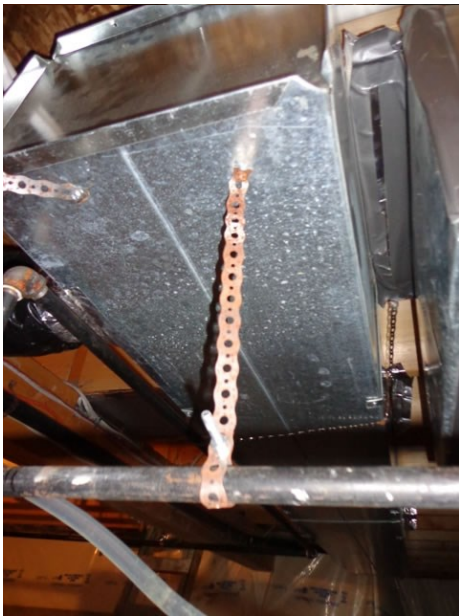
... an innovative ceiling light



... creative ducting



... picnic stairs



... gas line attached to duct work



... woodstove vent under window



... interior lumber for exterior stairs/deck



... move in before plumbing completed



... unsafe water and eclectic